



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Amend Lodi Municipal Code Chapter 13.12 by Adding Thereto a New Section 13.12.195 entitled "Downtown Business District Connection Fees"

MEETING DATE: April 3, 1991

PREPARED BY: Bob McNatt, City Attorney

RECOMMENDED ACTION: Council consideration of draft ordinance.

BACKGROUND INFORMATION: As directed by the City Council at the March 6, 1991 meeting, attached for Council consideration and possible introduction is an ordinance amending Municipal Code Chapter 13.12, as it affects sewage connection fees, referred to in the Chapter as "sewage service units" (SSU).

This ordinance does three things:

- ° First, it makes necessary legislative findings to justify differential treatment of similar businesses.
- ° Second, it specifies that the Downtown Business District boundaries are the same as those for the United Downtown Assessment District Beautification Project (UDID) area.
- ° Third, it places a 2 SSU cap on most businesses which locate, relocate, or expand within the District. However, it is the recommendation of the Public Works Department that special provisions be made for certain uses deemed "water intensive".

The third point would be addressed by reference to criteria already contained in Chapter 13.12 used to determine the number of SSU's normally assessed. Those uses which would normally be responsible for more than 8 SSU's would be classified as "water intensive" uses. These users would be assessed the 2 SSU cap, plus responsibility for all units exceeding 8 SSU's as calculated under Section 13.12.180. The 8 SSU departure point was chosen because it usually represents the difference between water intensive uses and other types of uses.

APPROVED: _____

THOMAS A. PETERSON
City Manager

Introduction of an ordinance amending Lodi
Municipal Code Chapter 13.12 by Adding
There to a New Section 13.12.195 Entitled
"Downtown Business District Connection Fees"
April 3, 1991
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For example, if the criteria would otherwise require 10 SSU's for a business locating within the District, the user would be responsible for 4 SSU's. This would represent the 2 SSU cap, plus the 2 units which exceed the 8 SSU level.

Periodic (monthly or yearly) charges would still be based on the number of SSU's the business would have paid if it had located outside the District. The ordinance applies only to permitted commercial uses consistent with the zoning and does not include industrial or nonconforming uses.

FUNDING: Does Not Apply



Bob McNatt
City Attorney

BM/vc

ORDSSUCC/TXTA.01V

ORDINANCE NO. 1511

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING LODI MUNICIPAL CODE CHAPTER 13.12
BY ADDING THERETO A NEW SECTION 13.12.195 ENTITLED
"DOWNTOWN BUSINESS DISTRICT CONNECTION FEES".

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Chapter 13.12 is hereby amended by adding thereto a new Section 13.12.195 entitled "Downtown Business District Connection Fees", to read as follows:

13.12.195 Downtown Business District connection fees.

A. The City Council hereby finds and declares that the downtown area of Lodi as defined in this part, which is the traditional center of the City's business community, is presently in danger of losing economic viability. The purpose of this ordinance is to protect a crucial part of Lodi's economy and preserve a portion of the City's heritage by offering incentives for businesses to locate, relocate or expand existing commercial uses within this area.

B. For purposes of this section, the "Downtown Business District" shall mean an area whose boundaries are the same as those for the area subject to the City of Lodi Bond Issue, Series 1984-i, dated May 24, 1984, more particularly described in the Bond documents and map on file with the City Clerk's office.

C. Any permitted commercial use which locates, relocates, or expands within the Downtown Business District as defined shall be responsible for a maximum connection fee not to exceed that for two (2) sewage service units (SSU's) where the assigned or equivalent SSU's, as

established in Section 13.12.190 of this Code are eight (8) or less SSU's. If the assigned or equivalent SSU's are greater than eight (8), the commercial use shall be responsible for two (2) SSU's plus the assigned or equivalent SSU's over eight (8).

D. Notwithstanding any exemption granted under this section, the monthly or annual sewage fees set by the City Council from time to time for any commercial use locating, relocating or expanding within the Downtown Business District, shall be calculated on the full number of sewage service units which the use would have otherwise been responsible for under Lodi Municipal Code Section 13.12.180 if such use was located outside the Downtown Business District.

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 day of

DAVID M. HINCHMAN
Mayor

Attest:

ALICE M. REIMCHE
City Clerk

=====
State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No.1511 was introduced at a regular meeting of the City Council of the City of Lodi held April 3, 1991 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1991 by the following vote:

Ayes: Council Members -
Noes: Council Members -
Absent: Council Members -
Abstain: Council Members -

I further certify that Ordinance No. 1511 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE
City Clerk

Approved as to Form

BOBBY W. McNATT
City Attorney

ORD1511/TXTA.01V

cc-16
cc-17
cc-18
cc-19
cc-20
cc-21

DECLARATION OF MAILING

On March 21, 1991 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 21, 1991, at Lodi, California.

Alice M. Reimche
City Clerk



Jennifer M. Perrin
Deputy City Clerk



CITY OF LODI
 CARNEGIE FORUM
 305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: April 3, 1991

Time: 7:30 p.m.

For information regarding this Public Hearing
 Please Contact:

Alice M. Reimche
 City Clerk
 Telephone: 333-6702

NOTICE OF PUBLIC HEARING

April 3, 1991

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) recommended changes to Lodi Municipal Code Chapter 13.12 affecting sewage connection fees in the downtown area.

The proposed revisions to the Lodi Municipal Code will specify that the area involved is co-extensive with the United Downtown Assessment District Beautification Project (UDID) boundaries and will place a two-unit cap on connection fees.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche
 Alice M. Reimche
 City Clerk

Dated: March 20, 1991

Approved as to form:
Bobby W. McNatt
 Bobby W. McNatt
 City Attorney

SEWER CONNECTION FEE
ORDINANCE
MAILING LIST
EXHIBIT B

LaVerne Walth
Corner Pie Shop
116 North School Street
Lodi, CA 95240

Lodi Downtown Business Association
Attention: Mike Lapenta
1718 Edgewood Drive
Lodi, CA 95240

CC-16
CC-48 (A)
CC-48 (E)

DECLARATION OF MAILING

On March 29, 1991 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 29, 1991, at Lodi, California.

Alice M. Reimche
City Clerk

Jennifer M. Perrin

Jennifer M. Perrin
Députy City Clerk

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
JAMES W. PINKERTON, Jr.
Mayor Pro Tempore
PHILLIP A. PENNINGO
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

March 26, 1991

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

SUBJECT: Proposed "No Parking" Zone on Lower Sacramento Road between
Woodbridge Irrigation District and Lodi Avenue (Sargent Road)

Dear Concerned Citizen/Affected Business:

At its meeting of April 17, 1991, the City Council will consider providing a "No Parking" zone on Lower Sacramento Road between Woodbridge Irrigation District Canal and Lodi Avenue (Sargent Road). This is being discussed because of citizen and City Council concern related to the "For Sale" vehicles parking at this location. The meeting will be held at 7:30 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street. You are welcome to attend.

If you wish to communicate with the City Council, please contact Alice Reimche, City Clerk, at 333-6702.

If you have any questions about the item, please call Richard Prima at 333-6706.


Jack L. Ronsko
Public Works Director

JLR/mt

Enclosure

cc: City Clerk

PUBLIC HEARING LIST

(envelopes) - ELSAC/TXTO, 610

MAILING LIST FOR: Used Car Sales "Lot" at Raley's				
AP#	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
029-090-33	Robert Batch	12373 N. Lodi Sacramento Rd	Lodi CA	95242
-52	Wardbridge Irrigation Dist.	18777 N. Lower Sacramento	Lodi CA	"
029-320-04	Wentland Associates PTP	521 S. Main Lane, Ste A	" "	95342
-03	" "	" "	" "	"
-02	" "	" "	" "	"
-01	" "	" "	" "	"
027-240-01	John + Jo Ann Wendell	301 Leland Ct	" "	"
-02	Nicholas Sr. + M. Casheros	309 Leland Ct	" "	"
-09	Anthony J. + K.A. Alegre	317 Leland Ct	" "	"
-10	Senneth R. + J. Uehling	325 Leland Ct	" "	"
-05	Robert D. + Gay Hardwick	324 Leland Ct	" "	"
-06	Vicki L. Bertsch et al	316 Leland Ct	" "	"
-07	Esther Nickel Trustee	308 Leland Ct	" "	"
-08	Gary H. + Pamela Roth	300 Leland Ct	" "	"
027-340-06	Bruce Bella	2430 Diablo Dr	" "	"
-05	Shirley A. Geldert	2420 Diablo Dr	" "	"
-04	Shizuko Kishida	2410 Diablo Dr	" "	"
-03	Elmer J. + F. Altnow	2411 Diablo Dr	" "	"
-02	Javier C. Berry	2421 Diablo Dr	" "	"
-01	Randall G. Chase	2431 Diablo Dr	" "	"
027-340-07	Imelda Burke	340 S. Lwr Sacramento Rd	" "	"
-08	F. J. Jr. + J. H. Lewis	342 S. Lwr Sacramento Rd	" "	"
-09	Daniel M. + J. L. Lewis	354 S. Lwr Sacramento Rd	" "	"
027-040-20	Kristina West	1401 S. Cherokee Lane	" "	95340
-04	" "	" "	" "	"
-35	Thomas + C. Tucker et al	P.O. Box 1296	" "	95341
-31	City of Lodi	" "	" "	"
-31	Temple Baptist Church	801 S. Lwr Sacramento Rd	" "	95242
027-101-01	City of Lodi	" "	" "	"
027-102-01	Wes + Danene Oklhauser	1211 Bradford Circle	" "	95340
027-103-38	Rylliz Trines	4766 E. Harvest Rd	Acampo CA	95220

ENCLOSURE