



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Ordinance No. 1731 Entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the Parcels Located at 13669 North Cherokee Lane; 4071, 4145, and 4219 East Harney Lane; and 1443 East Harney Lane (APN 062-290-14, 17, 37, and 38 and APN 058-230-17) from San Joaquin County RL, Residential Low Density and AU-20 Agriculture Urban Reserve to R-2, Single Family Residential"

MEETING DATE: July 2, 2003

PREPARED BY: City Clerk

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt the attached Ordinance No. 1731.

BACKGROUND INFORMATION: Ordinance No. 1731 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the Parcels Located at 13669 North Cherokee Lane; 4071, 4145, and 4219 East Harney Lane; and 1443 East Harney Lane (APN 062-290-14, 17, 37, and 38 and APN 058-230-17) from San Joaquin County RL, Residential Low Density and AU-20 Agriculture Urban Reserve to R-2, Single Family Residential" was introduced at the regular City Council meeting of May 21, 2003.

Pursuant to State statute, an ordinance may be adapted five days after its introduction following reading by title.

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

FUNDING None required.

Susan J. Blackston
City Clerk

Attachment

APPROVED: _____

H. Dixon Flynn -- City Manager

ORDINANCE NO. 1731

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY PREZONING THE PARCELS LOCATED AT 13669 NORTH CHEROKEE LANE; 4071, 4145, AND 4219 EAST HARNEY LANE; AND 1443 EAST HARNEY LANE (APN 062-290-14, 17, 37, AND 38 AND APN 058-230-17) FROM SAN JOAQUIN COUNTY RL, RESIDENTIAL LOW DENSITY AND AU-20, AGRICULTURE URBAN RESERVE TO R-2, SINGLE-FAMILY RESIDENTIAL

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi **adopted** by Title 17 of the Lodi Municipal Code is hereby amended as follows:

The parcels located at 13669 North Cherokee Lane; 4071, 4145, and 4219 East Harney Lane; and 1443 East Harney Lane (APN 062-290-14, 17, 37, and 38 and APN 058-230-17) is hereby prezoned as follows:

19.44 acres – San Joaquin County RL, Residential Low Density and AU-20, Agricultural Urban Reserve to R-2, Single-Family Residential, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. 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 2nd day of July, 2003



SUSAN HITCHCOCK
Mayor

Attest:


SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1731 was introduced at a regular meeting of the City Council of the City of Lodi held May 21, 2003, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held July 2, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Howard,
Land, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1731 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


SUSAN J. BLACKSTON
City Clerk

Approved as to Form:


RANDALL A. HAYS
City Attorney