



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adoption of Ordinance No. 1521 entitled, "An Ordinance of the Lodi City Council Establishing a Growth Management Plan for Residential Development"

MEETING DATE: September 18, 1991

PREPARED BY: City Clerk

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1521.

BACKGROUND INFORMATION: Ordinance No. 1521 entitled, "An Ordinance of the Lodi City Council Establishing a Growth Management Plan for Residential Development" was introduced at the regular meeting of the Lodi City Council held September 4, 1991.

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.

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR/jmp

APPROVED: _____

THOMAS A. PETERSON



CROINANCE NO. 1521

AN ORDINANCE OF THE LODI CITY COUNCIL
ESTABLISHING A GROWTH MANAGEMENT PLAN
FOR RESIDENTIAL DEVELOPMENT

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BE IT ORDAINED BY THE L O CITY COUNCIL AS FOLLOWS:

SECTION 1. Chapter __, _____, is hereby added to the Lodi
Municipal Code to read as follows:

CHAPTER _____

ESTABLISHING A GROWTH MANAGEMENT PLAN FOR RESIDENTIAL DEVELOPMENT

Sections:

- _____ Purpose.
- _____ Findings.
- _____ Policies.
- _____ Allocation of Residential Development Approvals.
- _____ Allocations Nontransferable.
- _____ Priority Development Map.
- _____ Development Plan: Required.
- _____ Amendments.
- _____ Multi-Year Allocations.
- _____ Criteria: **Point** System.
- _____ Allocation of Building **Permits**/Approvals.

_____ . Purpose.

The purpose of this Chapter is to state clearly the various policies which shall govern the future growth and development of the City of Lodi. It is further the purpose of this ordinance to provide a growth management system to regulate the character, location, amount and timing of future development so as to achieve the policies stated in the Lodi General Plan. It is further the purpose of this Chapter to provide for increased housing opportunities for all segments of society and to promote and protect the public health, safety and welfare by regulating the future use and development of land in the City of Lodi.

_____ . Findings.

The Lodi City Council, pursuant to Government Code Section 65863.6, hereby finds and determines as follows:

1. San Joaquin County is one of the most rapidly growing areas in the State of California and the United States. Projections indicate such growth is likely to continue.
2. Experience has shown that rapid growth which occurs in the absence of a growth management plan produces negative impacts upon housing, traffic, parks, air quality, water, aesthetics, and the general quality of life of City residents.
3. The growth projections and policies established by this ordinance reflect the estimated planned capacity of the City of Lodi to serve new growth as it occurs. In doing so, the Council has studied

the existing and projected capacity of the City's wastewater and water systems, ability of City streets to handle further traffic, levels of police and fire protection, the necessity of providing schools, and other related data.

4. Rapid uncontrolled growth *is* also a direct cause of serious adverse environmental and economic effects, some of which are:

- a) Loss of significant agricultural lands, including prime agricultural lands .
- b) The ability of the community to provide adequate and decent housing for its citizens.

_____ . Policies.

The Lodi City Council hereby determines that in order to minimize or eliminate the problems described above, and to assure the public health, safety and welfare, the following policies shall guide the future growth and development of the City of Lodi .

1. It shall be the policy of the City of Lodi to insure that prime agricultural land is preserved by discouraging ~~new~~ residential developments in rural or unincorporated areas and to provide, to the extent possible, that ~~new~~ residential development shall occur in urban areas.

2. It shall be the policy of the City of Lodi to minimize degradation of natural resources, including but not limited to air, water, and wildlife habitat.

_____ . Allocation of Residential Development Approvals.

A. The number of residential units approved by the City shall reflect a two percent (2%) yearly limitation on growth based on population, to be compounded annually. Calculations for residential building approval shall be based on a population figure of 50,990 as of September 1, 1989, and assuming an average number of persons per residential unit as determined annually by the State Department of Finance. This limitation and formula shall be applicable to approvals of residential units for years beginning with calendar year 1990 and thereafter.

B. This limitation shall not apply to:

1. Commercial and industrial project;
2. Senior citizen housing,
3. On-site replacement of housing in existence as of September 1, 1989, and
4. Projects of four (4) units or less.

_____ . Allocations nontransferable.

No allocation or approval granted under this Chapter may be transferred or assigned to any other location or project by the applicant or applicant's heirs, assigns or successors.

_____ . Priority Development Map.

The City Council shall, each year, adopt or update a map of the City and surrounding areas showing lands eligible for development as part of the City of Lodi and assigning thereto, priority

classifications of 1, 2 or 3. This map shall be based upon the recommendation of the Planning Commission, the Public Works Department, and the Community Development Department, as determined by the availability of City services including but not limited to water, wastewater, storm drains, streets, police and fire protection and parks.

_____ . Development Plan: Required.

Prior to submission of a tentative map, parcel map or other approval under the Subdivision Map Act (Government Code Section 66410 et seq.), an application for Growth Management Review shall be made to the Planning Commission on forms provided by the Community Development Department and shall include or be accompanied by a development plan. The format and information to be contained in such development plan shall be determined by resolution of the City Council.

_____ . Amendments.

If, at any point after approval and before construction begins, the applicant shall substantially modify the plan submitted, City may require that the plan be resubmitted for evaluation from the first step. A determination of the need for resubmission shall be made by the Community Development Department in the exercise of its sole discretion.

_____ . Multi-Year Allocations.

Applicant shall specify, if desired, that multi-year approval is sought. The Planning Commission and City Council may, in their discretion, grant up to three years allocations. However, any such

number of units approved shall **be** deducted from the total number of allocations available in such future years.

_____. Criteria: Point System.

Evaluation of proposed projects shall be done with reference to and in conformance with a point system/criteria schedule to be established by Council resolution.

_____, Allocation of Building Permits/Approvals.

If, in any year, the number of applications for residential units subject to this ordinance exceeds the number of building permits to be issued in that year by the City, as calculated herein, such available building permits/approvals shall be issued as follows:

A. By reference to the point system/criteria specified in Section _____ of this chapter, the project with the lowest number of points shall be eliminated from consideration until the number of unit applications remaining equals the number of building permits to be issued during that year.

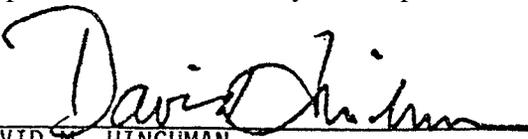
B. During elimination of projects under (A) above, if 2 or more projects are tied for low score after all lower scores have been eliminated, the Community Development Director shall reduce the number of units in each of the tied low-scoring projects, on an equal percentage basis, until the number remaining coincides with the number of building permits available.

C. No single project shall receive more than one-third of all single family permits available in any single year, unless the number of applications received is less than permits available *in* that year.

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

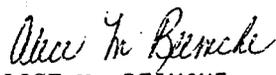
SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 18th day of September 1991



DAVID M. HINCHMAN
Mayor

Attest:


ALICE M. REIMCHE
City Clerk

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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.1521 was introduced at a regular meeting of the City Council of the City of Lodi held September 4, 1991 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held September 18, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglöck,
Snider and Hinchman (Mayor)

Noes : Council Members - None

Absent: Council Members - None

Abstain : Council Members - None

I further certify that Ordinance No. 1521 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
ALICE M. REIMCHE
City Clerk

Approved as to Form

Bobby W. McNatt

BOBBY W. McNATT
City Attorney

ORD1521/TXTA.02J