

CITY COUNCIL MEETING
SEPTEMBER 17, 1986

12

PUBLIC HEARING
SET TO CONSIDER
EXTENDING EASTSIDE
BUILDING
MORATORIUM

CC-53(a)

Council set a Public Hearing for the Regular Council Meeting of October 15, 1986 at 7:30 p.m. to consider extending the building moratorium on the conversion of single-family homes to multiple-family in certain defined areas pursuant to State of California Government Code Section 65858.

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE

NO.

FROM: THE CITY MANAGER'S OFFICE

September 17, 1986

SUBJECT:

REQUEST FOR ONE YEAR EXTENSION ON EAST SIDE BUILDING MORATORIUM

At the November 6, 1985 Council Meeting, Council adopted Ordinance No. 1369 - An Urgency Ordinance of the City Council Establishing a Building Moratorium on Conversion of Single-Family Homes to Multiple-Family in Certain Defined Areas Pursuant to State of California Government Code Section 65858 which Ordinance according to State statute was effective for 45 days from the date of its passage.

On December 4, 1985 a Public Hearing regarding the matter was held pursuant to State statute. Following the receipt of background information and public testimony concerning the matter Council, by motion action, extended the moratorium 10 months and 15 days to provide time for consultants to prepare infrastructure and zoning studies.

Although the study is well under way, it will be necessary to extend the moratorium to complete this work. Section 65858 of the Government Code of the State of California allows the ordinance to be extended for one year. Such an extension requires a four-fifths vote for adoption.

In reviewing the Code the City Attorney and I concur that the extension would be based on the date of the adoption of the original ordinance.

A status report regarding the Lodi Residential Density Study and Environmental Impact Report presently being prepared by Jones and Stokes Associates, Inc., will be presented by Staff.

RECOMMENDED ACTION:

That the City Council, by motion action, set a Public Hearing for Wednesday, October 15, 1986 to consider extending for one year (to November 6, 1987) the east side building moratorium on conversion of single-family homes to multiple-family in certain defined areas pursuant to State of California Government Code Section 65858.

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL TO CONSIDER
EXTENDING THE BUILDING MORATORIUM ON THE CONVERSION OF
SINGLE-FAMILY HOMES TO MULTIPLE-FAMILY IN CERTAIN DEFINED AREAS
PURSUANT TO THE STATE OF CALIFORNIA GOVERNMENT CODE SECTION 65858
WHICH WAS IMPLEMENTED BY THE ADOPTION OF URGENCY ORDINANCE NO. 1369
ON NOVEMBER 6, 1985

WHEREAS, on November 6, 1985 the Lodi City Council adopted
Ordinance No. 1369 - An Urgency Ordinance of the City Council Establishing a
Building Moratorium on Conversion of Single-Family Homes to Multiple-Family
in Certain Defined Areas Pursuant to State of California Government Code
Section 65858 which reads in full as follows:

ORDINANCE NO. 1369

AN URGENCY ORDINANCE OF THE CITY COUNCIL
ESTABLISHING A BUILDING MORATORIUM ON CONVERSION
OF SINGLE-FAMILY HOMES TO MULTIPLE-FAMILY IN CERTAIN
DEFINED AREAS PURSUANT TO STATE OF CALIFORNIA GOVERNMENT CODE
SECTION 65858

BE IT ORDAINED BY THE LODI CITY COUNCIL.

SECTION 1. That pursuant to Section 65858 of the State of California
Government Code, only single-family dwellings on vacant lots of record will
be permitted to be constructed or reconstructed in the following described
area within the City of Lodi as of November 6, 1985:

Beginning at the southeast corner of West Turner Road and
North Pleasant Street; thence westerly along West Turner Road
to North Sacramento Street; thence southerly along North
Sacramento Street to Louie Avenue; thence easterly along Louie
Avenue to an alley line between North Sacramento Street and
North School Street; thence southerly along said alley line
to West Lockeford Street; thence easterly along West and East
Lockeford Street to North Stockton Street; thence northerly
along North Stockton Street to the north line of Armory Park;
thence easterly along said north line to North Washington
Street; thence southerly along North Washington Street to East
Lockeford Street; thence easterly along East Lockeford Street
to North Cherokee Lane; thence southerly along North Cherokee
Lane to Victor Road (State Route 12); thence along Victor Road
to a point on an alley line 150 feet east of the east side of
Cherokee Lane; thence southerly along said alley line to East
Pine Street; thence along East Pine Street to the west line
of State Route 99 Freeway; thence southerly along State Route

Freeway to East Kettleman Lane (State Route 12); thence westerly along East Kettleman Lane to South Stockton Street; thence northerly along South Stockton Street to East Lodi Avenue; thence westerly along East and West Lodi Avenue to an alley line between South Sacramento Street and South School Street; thence southerly along said alley line to West Tokay Street; thence westerly along West Tokay Street to South Hutchins Street; thence northerly along South Hutchins Street to a point on a line 95 feet north of Sturla Street; thence along said line to South Crescent Avenue; thence northerly along South Crescent Avenue to West Lodi Avenue; thence easterly along West Lodi Avenue one-half block to an alley line between South Crescent Avenue and South Rose Street; thence northerly along said alley line to West Locust Street; thence easterly along West Locust Street to North California Street; thence northerly along North California Street to Carlo Way; thence westerly along Carlo Way to a point on a line 150 feet west of North California Street; thence northerly along said line to the Southern Pacific Railroad right-of-way; thence northwesterly along said railroad right-of-way to a point on a line which is the southerly extension of Grant Avenue; thence northerly along said line and Grant Avenue to an alley line between Daisy Avenue and Forrest Avenue; thence easterly to North California Street; thence northerly along North California Street to Louie Avenue; thence easterly along Louie Avenue to North Pleasant Avenue; thence northerly along North Pleasant Avenue to West Turner Road and the beginning of this description.

SECTION 2. The exceptions to this Ordinance will be 1) the erection of multiple-family units on lots of record previously approved by the City Council for the issuance of Multiple-Family Mortgage Revenue Bonds, 2) the erection of commercial or industrial structures in zones that conform, and 3) the remodeling of any multiple-family structures.

SECTION 3. Pursuant to Section 65858 of the State of California Government Code, this Ordinance shall be in effect for 45 days from its date of passage.

SECTION 4. All Ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. The foregoing Ordinance No. 1369 was introduced and adopted as an urgency ordinance pursuant to provisions of Section 65858 of the State of California Government Code, because there are indications that the infrastructure in the subject area is old and may not be able to tolerate the present zoning for multiple-family units. It is therefore necessary to study the infrastructure to determine whether or not a different zoning is necessary for that area.

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.

Approved this 6th day of November, 1985

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, California, do hereby certify that Ordinance No. 1369 was introduced and adopted as an urgency ordinance and thereafter ordered to print at a Regular Meeting of the City Council of the City of Lodi held November 6, 1985 by the following vote:

Ayes: Council Members - Pinkerton, Reid, Snider, and
Hinchman

Nays: Council Members - None

Abstain: Council Members - None

Absent: Council Members - Olson

I further certify that Ordinance No. 1369 was approved and signed by the Mayor on the date of its passage as an urgency ordinance and the same has been published pursuant to law.

ALICE M. REIMCHE
City Clerk

Approved as to form

RONALD M. STEIN
City Attorney

NOW THEREFORE, BE IT RESOLVED, THAT NOTICE IS HEREBY GIVEN that on Wednesday, the 15th day of October, 1986, at the hour of 7:30 p.m., the Lodi City Council will conduct a Public Hearing in the Chambers of the Lodi City Council at 221 West Pine Street, Lodi, California, to consider extending for one year (to November 6, 1987) the east side building moratorium on conversion of single-family homes to multiple family in certain defined areas heretofore set forth pursuant to State of California Government Code Section 65858.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California, or by phoning (209) 333-6711.

All interested persons are invited to present their views either for or against the above proposal. 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 above 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 at, or prior to, the Public Hearing.

By Order of the Lodi City Council


Alice M. Reimche
City Clerk

Dated: September 17, 1986