

CITY COUNCIL MEETING  
OCTOBER 21, 1987

COUNCIL CONTINUES  
CONSIDERATION OF  
ADOPTION OF URGENCY  
ORDINANCE AMENDING  
THE LAND USE ELEMENT  
OF THE GENERAL PLAN  
TO DESIGNATE THE  
APARTMENT MORATORIUM  
AREA FOR LOW DENSITY  
SINGLE-FAMILY WITH  
CERTAIN EXCEPTIONS

CC-53(a)  
CC-149

A draft ordinance amending the Land Use Element of the General Plan to designate the Apartment Moratorium Area (eastside study area) for Low Density Single-Family with certain exceptions was presented for Council's review. A lengthy discussion followed with various amendments being proposed in the language of the draft ordinance.

Following additional discussion, Council, on motion of Council Member Pinkerton, Snider second, directed the City Attorney to make certain revisions to the draft ordinance and continued the matter to the Regular Council Meeting of November 4, 1987.

# COUNCIL COMMUNICATIO .

TO THE CITY COUNCIL

DATE

NO.

FROM THE CITY MANAGER'S OFFICE

October 21, 1987

SUBJECT:

Consider Adoption of Urgency Ordinance Amending the Land Use Element of the General Plan to designate the Apartment Moratorium Area (eastside study area) for Low Density Single-Family with Certain Exceptions.

PREPARED BY:

City Attorney

BACKGROUND INFORMATION:

Attached hereto for your review for the Wednesday, October 21, 1987 City Council meeting is a draft copy of an ordinance regarding item

K3 "Consider adoption of Urgency Ordinance amending the Land Use Element of the General Plan to designate the Apartment Moratorium Area (eastside study area) for low Density Single-Family with certain exceptions." What I have done in this draft ordinance was to attempt to put into writing what the City Council approved at its October 14, 1987 Council meeting.

Please note specifically that in an R-C-P, C-1, C-2 or C-M zone, if there is not presently located in those areas a multifamily unit, no such unit shall be permitted to be built except for a senior citizen housing project. This would mean that an office building which wanted to convert to a multifamily unit residential facility, would not be permitted under this ordinance to convert.

Respectfully submitted,



Ronald M. Stein  
City Attorney

RMS:vc

CCCTRAFF.IC/TXTA.01V

ORDINANCE NO. 1409

AN ORDINANCE OF THE LODI CITY COUNCIL  
AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI  
ADOPTED BY SECTION 17.06 ET SEQ. OF THE  
LODI MUNICIPAL CODE AND THEREBY REZONING  
CERTAIN PROPERTIES.

BE IT ORDAINED BY THE LODI CITY COUNCIL.

SECTION 1. The Official District Map of the City of Lodi adopted by Municipal Code Title 17, Zoning, Chapter 17.06 et seq. is hereby amended by rezoning certain properties located at 309 North Stockton Street and 115 and 121 East Lockeford Street (i.e. APN 041-230-33,34 and 35) to R-1.

SECTION 2. The Official District Map of the City of Lodi adopted by Municipal Code Title 17, Zoning, Chapter 17.06 et seq. is hereby amended by rezoning certain properties in the areas bounded by:

Beginning at the southeast corner of West Turner Road and North Pleasant Street; thence easterly along West Turner Road to North Sacramento Street; thence southerly along North Sacramento Street to Louie Avenue; thence westerly 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 an alley between North Main Street and North Stockton Street; thence northerly along said alley to Lawrence Avenue; thence easterly along Lawrence Avenue 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 99 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 Sturia 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, as follows:

All properties in the aforementioned areas shall be zoned R-1 Residence District - One Family, except as follows:

- (1) All property upon which there is a multiple family unit shall be determined to be a conforming use except that any rebuild and/or reconstruction and/or new construction after demolition of said multiple family unit, shall require the approval of a conditional use permit.
- (2) Any property which on the date of the adoption of this ordinance is zoned R-C-P Residential-Commercial-Professional Office District, C-1 Neighborhood Community-District, C-2 General Commercial District, C-M Commercial Light Manufacturing District, M-1 Light Manufacturing District, or M-2 Heavy Manufacturing District, shall continue to be zoned R-C-P, C-1, C-2, C-M, M-1, or M-2, except:
  - (a) that any rebuild and/or reconstruction and/or new construction after demolition of a multiple family unit, shall require the approval of a conditional use permit, and
  - (b) any property zoned R-C-P, C-1, C-2, or C-M not containing a multiple family unit shall not be permitted to build any multiple family unit on said property except for a senior citizen housing project as such project is defined in California Civil Code § 51.3(c)(3). Said senior citizen housing complex shall require the approval of a conditional use permit.

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

SECTION 3. The foregoing Ordinance No. 1409 was introduced and adopted as an urgency ordinance because there are indications that the infrastructure in the subject area is old and may not be able to tolerate the present zoning for multi-family units. Further, the Building Moratorium on conversions of Single-Family Homes to Multi-Family, imposed by the Adoption of Ordinance No. 1394, is due to expire November 6, 1987.

SECTION 4. 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 immediately as an urgency ordinance.

Approved this 21 day of October 1987

\_\_\_\_\_  
EVELYN M. OLSON  
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. 1409 was adopted as an urgency ordinance at a regular meeting of the City Council of the City of Lodi held 10/21/87 and was thereafter ordered to print by the following vote:

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

I further certify that Ordinance No. 1409 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

RONALD M. STEIN  
City Attorney

ORDZONE/TXTA.01V

DECLARATION OF MAILING

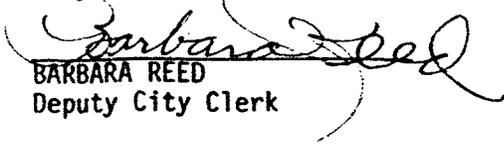
On October 15, 1987 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "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 October 15, 1987, at Lodi, California.

\_\_\_\_\_  
ALICE M. REIMCHE  
City Clerk

  
\_\_\_\_\_  
BARBARA REED  
Deputy City Clerk

CITY COUNCIL

EVELYN M. OLSON, Mayor  
JOHN R. (Randy) SNIDER  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON, Jr.  
FRED M. REID

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
TELECOPIER (209) 333-6795

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

October 15, 1987

Dear Property Owner:

On November 6, 1985, the Lodi City Council enacted a temporary building moratorium banning multi-family construction in an area bounded by Turner Road on the north, State Route 99 on the east, Kettleman Lane/State Route 12 on the south and Crescent Avenue on the west. (see copy of map depicting the area attached)

The moratorium was enacted because the City had many requests for building permits to convert single-family residential units to multi-family units. This increase in apartment construction and occupancy led to several changes in the character of the subject area including:

- . increased traffic, circulation, and parking problems
- . increased demand for public services and facilities
- . shift in neighborhood demographics
- . loss of single-family residences
- . change in neighborhood aesthetic character, and
- . encouragement of additional conversions to multi-family housing

The moratorium's purpose was to give City staff the opportunity to analyze infrastructure capacity and to develop planning strategies for the Study Area that focus on solutions to both problems and potential future conversions.

October 15, 1987  
Page 2

Following the in-depth study, review and recommendation from the Planning Commission, Council took the following actions at its October 14, 1987 meeting regarding this matter.

1. Expanded the Apartment Moratorium Area (Eastside Study Area) to include 309 North Stockton Street and 115 and 121 East Lockeford Street.
2. Certified the Final Environmental Impact Report of the Apartment Moratorium Area and establishing findings.

At the October 14, 1987, Council meeting, Mr. Robert Riggle, 712 Cross Street, Lodi, addressed the Council requesting that the boundaries of the Apartment Moratorium Area be expanded to include all of the 300 block of North Stockton Street.

THE LODI CITY COUNCIL WILL BE CONSIDERING THIS REQUEST AT ITS REGULAR MEETING OF OCTOBER 21, 1987. THE COUNCIL MEETING WILL COMMENCE AT 7:30 P.M. AND WILL BE HELD IN THE COUNCIL CHAMBERS AT 221 W. PINE STREET, LODI.

Should you have any questions regarding this matter, please feel free to contact my office, telephone 333-6702.

Very truly yours,

Alice M. Reimche  
City Clerk

AMR:br

Attachment



MEMORANDUM, City of Lodi, Community Development Department

TO: CITY COUNCIL  
FROM: COMMUNITY DEVELOPMENT DIRECTOR  
DATE: OCTOBER 14, 1987

SUBJECT: FINDINGS OF APPROVAL FOR EAST SIDE PLAN ALTERNATIVES ENVIRONMENTAL  
IMPACT REPORT, OPTION 2: MORATORIUM ZONING ALTERNATIVE- EIR 87-7

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A. 1) ENVIRONMENTAL IMPACT

Rezoning the study area to R-1 will conflict with the adopted housing policies promoting the construction of a variety of housing in the East Side Neighborhood (Table 3-1, p. 3).

Finding

The adopted housing policies have tended to promote the conversion of single-family homes to multi-family units at an average rate of 6.5 to 1. Rezoning to R-1 would halt any more conversions in the area.

Overriding Considerations

The continuance of the adopted housing policies will strain current infrastructure in the area in question. Additional high-density development will further result in increased traffic, circulation, and parking problems, and the increased demand for public services and facilities. A variety of housing can be constructed elsewhere in Lodi, especially in areas that are better suited for it (in terms of infrastructure capacity).

2) ENVIRONMENTAL IMPACT

The moratorium zoning alternative conflicts with the adopted housing policies dealing with the San Joaquin Council of Governments Fair Share Housing Allocation Plan since no new additions to the housing stock in the East Side Area would occur. (Table 3-1, p.4)

Finding

Conversions in the study have tended to be of low-quality that have barely met the standards for adequacy. Adequate housing can be constructed elsewhere in Lodi that will meet the requirements of the Fair Share Housing Allocation Plan.

3) ENVIRONMENTAL IMPACT

Rezoning the study area to R-1 will preserve the low-density character of the East Side Neighborhood. (Table 3-1, p. 14)

Finding

This is a beneficial impact. By eliminating any further conversions to higher densities, the rezoning would halt any further loss of single-family homes and slow the shift in neighborhood demographics.

B. ALTERNATIVES TO OPTION 2

The EIR discusses three alternatives to Option 2. The findings on each are as follows:

Alternative 1 (Option 1: Pre-moratorium Zoning Alternative)

This alternative would allow the zoning prior to implementation of the moratorium to continue (p. 2-5)

Finding

This alternative would allow for the eventual conversion of 2,643 single-family homes to 17,180 multi-family units and creates additional problems with illegal parking and the resultant inadequacy of the existing infrastructure. \$17.9 million in capital improvements to the City's water sewerage and drainage systems would be required to serve the full build-out of this area under the prior zoning. Demographic shifts to a younger and more transient population would further change the character of the neighborhood.

Alternative 2 (Option 3: Multi-plex Alternative)

All zoning under this alternative would be reduced to single-family (R-1), duplex (R-2), triplex (R-3), or fourplex (R-4) except in commercial or industrial designations. (p. 2-6)

Finding

This alternative would have a slower conversion rate than Alternative 1 (10,572 compared to 17,180 multi-family units). Full buildout under this alternative would require \$15 million in capital improvements. The low-density character and the demographic make-up of the East Side will continue to change although at a much slower rate.

Alternative 3 (Option 4: Concentrated Multi-family Zoning Alternative)

This alternative would only allow single-family conversions in three target areas while the rest of the study area is reduced to R-1. (p. 2-6)

Finding

Full buildout under this alternative would result in the conversion of 341 single-family homes to 2,217 multi-family units. Capital improvements to the area infrastructure would cost \$6.2 million. All the other problems associated with apartment construction (i.e. parking, demographic change, loss of low-density character, etc.) would still occur in the target areas and areas immediately adjacent to it.

C. GROWTH-INDUCING IMPACT

The moratorium zoning alternative would not have a growth-inducing impact in the study area but would create such pressure outside the study area.

Finding

The study area is the area originally determined to suffer the most from continued high-density development. High density development outside the area is considered more desirable since their impacts are spread out over a wider area and because these areas are typically better equipped to handle the increased capacity caused by higher densities.