

CITY COUNCIL MEETING  
NOVEMBER 5, 1986

8

ORDINANCES

ORDINANCE EXTENDING  
EASTSIDE BUILDING  
MORATORIUM ON  
CONVERSION OF  
SINGLE-FAMILY HOMES  
TO MULTI-FAMILY IN  
CERTAIN AREAS OF  
THE CITY

ORD. NO. 1394  
ADOPTED

Ordinance No. 1394 - entitled, "An Ordinance of the City

CC-6  
CC-24 (b)  
CC-35  
CC-53 (a)

Council Extending the Time Period of Building Moratorium on Conversion of Single-Family Homes to Multiple-Family in Certain Defined Areas Pursuant to State of California Government Code Section 65858" having been introduced at a regular meeting of the Lodi City Council held October 15, 1986 was brought up for passage on motion of Council Member Snider, Hinchman second. Second reading of the Ordinance was omitted after reading by title and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson,  
Pinkerton, Snider, and  
Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

# COUNCIL COMMUNICATIO

TO: THE CITY COUNCIL  
FROM: THE CITY MANAGER'S OFFICE

DATE:  
NOVEMBER 5, 1986

NO.

SUBJECT: ADOPTION OF ORDINANCE NO. 1394 - AN ORDINANCE OF THE CITY COUNCIL EXTENDING THE TIME PERIOD OF BUILDING MORATORIUM ON CONVERSION OF SINGLE-FAMILY HOMES TO MULTIPLE-FAMILY IN CERTAIN DEFINED AREAS PURSUANT TO STATE OF CALIFORNIA GOVERNMENT CODE SECTION 65858

Ordinance No. 1394 - An Ordinance of the City Council extending the time period of building moratorium on conversion of single-family homes to Multiple-Family in certain defined areas pursuant to State of California Government Code Section 65858 was introduced following a public hearing on the matter held October 15, 1986.

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.

**RECOMMENDED ACTION:**

Following reading by title, it would be appropriate for the Lodi City Council to adopt Ordinance No. 1394.

*Alice M. Reinche*  
Alice M. Reinche  
City Clerk

Mr. Major Miller 323 E. Vine Street, Lodi also spoke in favor of Alternate 1.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

A very lengthy discussion followed with questions being directed to Staff.

On motion of Council Member Pinkerton, Reid second, Council adopted Resolution No. 85-172 establishing "No Parking" for one (1) hour from 8:00 am to 9:00 am; 3:00 pm to 4:00 pm, and 3:00 am to 4:00 am except with resident permit from June 1 through March 31 in an area generally between Stockton Street on the west, Tokay Street on the north, Vine street on the south and Washington Street on the east. A diagram depicting the exact area is attached as Exhibit "A" to Resolution No. 85-172.

RECESS

Mayor Hinchman declared a five-minute recess, and the meeting reconvened at 8:55 pm.

PUBLIC HEARING RE BUILDING MORATORIUM ON CONVERSION OF SINGLE-FAMILY HOMES TO MULTIPLE-FAMILY IN CERTAIN DEFINED AREAS

*ccle 5/12/85*

Notice thereof having been published in accordance with law and an affidavit of publication being on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing held pursuant to Section 65858 of the Government Code following adoption of Ordinance No. 1369, An Urgency Ordinance of the City Council of the City of Lodi Establishing a Building Moratorium on Conversion of Single-Family Homes to Multiple-Family in Certain Defined Areas pursuant to State of California Government Code.

Council was reminded that at its meeting of November 5, 1985, the Council declared a moratorium of apartment construction in certain portions of the older portion of the community. This action was taken because of concern that the existing infrastructure could not serve the densities permitted by the existing zoning classification and the loss of the single-family character of the neighborhood. The purpose of this public hearing is to determine if that moratorium should be continued for 11 months in order to provide time for consultants to prepare infrastructure and zoning studies. These studies would direct Council toward the best solution to the problem.

City Manager Peterson introduced the subject. City Attorney Stein then addressed the Council regarding state statutes relating to the subject moratorium and responded to questions as were posed by the Council. Also addressing the Council on the matter was Community Development Director Schroeder.

Public Works Director Ronsko then addressed the Council speaking on utilities and infrastructure in the subject area and gave an analysis regarding the street system.

Fire Chief Hughes then addressed the Council regarding the water system as it relates to fire protection needs and responded to questions as were posed by Council.

Continued December 4, 1985

The following persons spoke in favor of extending the moratorium:

- a) Ms. Maria Elena Serna, 225 E. Locust Street, Lodi
- b) Mr. Frank Moehring, 323 E. Locust Street, Lodi
- c) Mr. Barry Clark, 715 N. School Street, Lodi
- d) Ms. Betty Gray, 208 E. Tokay Street, Lodi
- e) Mr. Alex Paraskevas, 4649 W. Peltier, Lodi
- f) Mrs. Geranija Serna, 338 E. Locust Street, Lodi
- g) Mr. George Galatsatos, 1667 Tretheway Road, Lodi

The following persons spoke in opposition to the subject moratorium:

- a) Mr. Alex Nicolaou, 302 Tioga Drive, Lodi
- b) O. Mc Combs, 363 S. Sunset, Lodi

A letter was received and read into the record from California Construction and Coatings, 1411 West Fremont Street, Stockton, CA opposing the moratorium.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Council Member Snider, Olson second, Council extended the moratorium 10 months and 15 days to provide time for consultants to prepare infrastructure and zoning studies. Council requested that the studies be completed in the most efficient and timely manner possible.

PUBLIC HEARING TO  
CONSIDER PROPOSED USES  
OF REVENUE SHARING  
FUNDS AS THEY PERTAIN  
TO THE PROPOSED CITY  
OF LODI CAPITAL  
IMPROVEMENT PROGRAM  
1986

cc 15  
Notice thereof having been published according to law, and notice being forwarded to the following locations, Mayor Hinchman called for the Public Hearing to consider proposed uses of Revenue Sharing funds as they pertain to the proposed City of Lodi Capital Improvement Program 1986:

Senior Citizens Center  
50+ Club  
Loel Center  
Casa de Lodi Mobile Estates  
The Arbor Mobile Home Park  
Almond Drive Estates

Postings were also made at the Lodi City Library and the Lodi Police Department, which facilities are handicapped accessible.

The matter was introduced by Staff, who advised that \$165,584 of the proposed Capital Improvement Program 1986 had been designated for Revenue Sharing Funds to be used for City Hall Expansion.

City (25p06a.18p00a)

## NOTICE OF PUBLIC HEARING

To consider a one year extension of the building moratorium on the conversion of single-family homes to multiple-family in certain defined areas of Lodi.

**WED., OCTOBER 15, 1986**

<sup>7:30 PM</sup>  
**Chamber of the Lodi City Council,  
220 W. Pine St., Lodi**

For additional information please contact  
Alice Reimche, Lodi City Clerk. 333-6702.

For more particulars see legal advertisement in  
Lodi News-Sentinel on Sept. 26, 1986.

*cc No 1369 adopted by the  
City Council 11/6/85*

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

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 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

Noes: 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. Reinche*  
Alice M. Reinche  
City Clerk

Dated: September 17, 1986

ORDINANCE NO. 1394

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

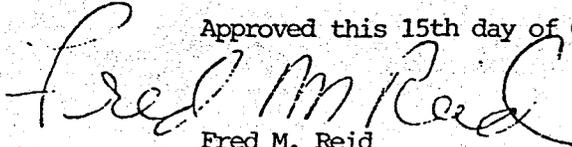
BE IT ORDAINED BY THE LODI CITY COUNCIL:

SECTION 1. Pursuant to Government Code Section 65858, and public hearing held on October 15, 1986 to consider extending the building moratorium on conversion of single-family homes to multiple-family in certain defined areas of the City of Lodi, said building moratorium having been approved by adoption of Ordinance No. 1369 (copy attached hereto as Exhibit A and incorporated herein by reference, and as extended by City Council minute action on December 4, 1985, (copy attached hereto as Exhibit B and incorporated herein by reference), the building moratorium on conversion of single-family homes to multiple-family in certain defined areas of the City of Lodi, is hereby extended until November 6, 1987.

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

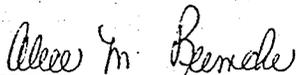
SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 15th day of October, 1986



Fred M. Reid  
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. 1394 was introduced at a Regular Meeting of the City Council

of the City of Lodi held Wednesday, October 15, 1986 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held Wednesday, November 5, 1986 by the following vote:

Ayes: Council Members - Olson, Pinkerton, Snider,  
Hinchman and Reid (Mayor)

Noes: Council Members - None

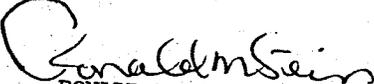
Abstain: Council Members - None

Absent: Council Members - None

I further certify that Ordinance No. 1394 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

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  
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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.

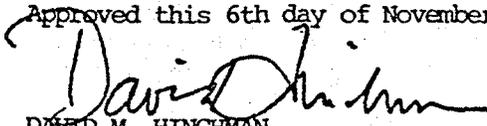
SECTION 3. Pursuant to Section 65858 of the State of California Government Code, this Ordinance shall be in effect for 45 days from its date of passage.

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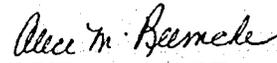
SECTION 5. The foregoing Ordinance No. 1369 was introduced and adopted as an urgency ordinance pursuant to provisions of Section 65858 of the State of California Government Code, because there are indications that the infrastructure in the subject area is old and may not be able to tolerate the present 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:

  
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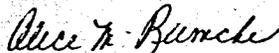
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Hinchman

Noes: Council Members - None

Abstain: Council Members - None

Absent: Council Members - Olson

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ALICE M. REIMCHE  
City Clerk

Approved as to form

RONALD M. STEIN  
City Attorney

Continued December 4, 1985

Mr. Major Miller 323 E. Vine Street, Lodi also spoke in favor of Alternate 1.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

A very lengthy discussion followed with questions being directed to Staff.

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## RECESS

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*ccle 5/1 a  
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Fire Chief Hughes then addressed the Council regarding the water system as it relates to fire protection needs and responded to questions as were posed by Council.

The following persons spoke in favor of extending the moratorium:

- a) Ms. Maria Elena Serna, 225 E. Locust Street, Lodi
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