

ORDINANCE NO. 1547

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI MUNICIPAL CODE
CHAPTER 15.64 "DEVELOPMENT IMPACT MITIGATION FEES"

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Section 15.64.010 - "Findings and Purpose", subsection F is amended to read as follows:

F. New development will generate new demand for facilities which must be accommodated by construction of new or expanded facilities. The amount of demand generated and, therefore, the benefit gained, varies according to the kind of use. Therefore, a "residential acre equivalent" (RAE) factor was developed to convert the service demand for General Plan based land use categories into a ratio of the particular use's rate to the rate associated with a low-density, single-family dwelling gross acre. The Council finds that the fee per unit of development is directly proportional to the RAE associated with each particular use.

The Council also finds that retail commercial categories (Neighborhood, General and Downtown) as described in the General Plan and the Development Impact Fee Study contain significant overlap in permitted land uses. Based on this overlap and the intent and ability to make fee adjustments shown in Section 15.64.120C of this Code, it is appropriate to consider these retail commercial land uses as one combined land use category.

SECTION 2. Lodi Municipal Code Section 15.64.020 - Definitions, subsection F, "Land Use" is amended to read as follows:

15.64.020 Definitions.

F. "Land Use" means the planned use as shown on the General Plan Land Use Map defined by the following categories based on the designations in the Lodi General Plan:

1. Low-Density Residential - Single-family detached and attached homes, secondary residential units, and similar uses not exceeding 7.0 units per gross acre.

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2. Medium-Density Residential - Single Family and Multi-family residential units and similar uses between 7.1 and 20.0 units per gross acre.

3. High-Density Residential - Multi-family residential units, group quarters, and similar uses between 20.1 and 30.0 units per gross acre.

4. East Side Residential - This designation reflects the Lodi City Council's adoption of Ordinance No. 1409. This designation provides for single-family detached and attached homes, secondary residential units, and similar uses not exceeding 7.0 units per gross acre.

5. Planned Residential - Single-family detached and attached homes, secondary residential units, multi-family residential units, and similar uses and is applied to largely undeveloped areas in the unincorporated area of the General Plan. All development under this designation shall be approved pursuant to a specific development plan. As specific development plans are approved, the planned residential designation shall be replaced with a low, medium, or high density residential designation, or a public/quasi-public designation based on its approved use and density.

6. Commercial-Retail - Retail uses, restaurants, wholesale commercial uses, hotel and motel uses and service uses, public and quasi-public uses, and similar uses with a floor/area ratio not exceeding 0.40.

7. Commercial- Office - Professional and administrative offices, medical and dental clinics, laboratories, financial institutions, and similar uses with a floor/area ratio not exceeding 0.50.

8. Light Industrial - Industrial parks, warehouses, distribution centers, light manufacturing, and similar uses with a floor/area ratio not exceeding 0.50.

9. Heavy Industrial - Manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals, railroad facilities, and similar uses with a floor/area ratio not exceeding 0.50.

10. Public/Quasi-Public - Government-owned facilities, public and private schools, and quasi-public uses such as hospitals and churches with a floor/area ratio not exceeding 0.50. The appropriate Residential Acre Equivalent (RAE) factor for these uses shall be determined on a case-by-case basis by the Public Works Director.

SECTION 3. Lodi Municipal Code Section 15.64.070, subsection **B** is hereby amended to read as follows:

B. The residential acre equivalent (RAE) factors are as follows:

Land Use Categories	Water RAE	Sewer RAE	Storm Drainage RAE	Streets RAE	Police RAE	Fire RAE	Parks & Recreation RAE	General City Facilities RAE
<u>RESIDENTIAL</u>								
Low Density	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Medium Density	1.96	1.96	1.00	1.96	1.77	1.96	1.43	1.43
High Density	3.49	3.49	1.00	3.05	4.72	4.32	2.80	2.80
East Side Residential	1.00	1.00	1.00	1.00	1.09	1.10	1.10	1.10
<u>PLANNED RESIDENTIAL</u>								
Low Density	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Medium Density	1.96	1.96	1.00	1.96	1.77	1.96	1.43	1.43
High Density	3.49	3.49	1.00	3.05	4.72	4.32	2.80	2.80
<u>COMMERCIAL</u>								
Retail Commercial	0.64	0.94	1.33	2.08	4.12	2.69	0.32	0.89
Office Commercial	0.64	0.94	1.33	3.27	3.72	2.46	0.54	1.53
<u>INDUSTRIAL</u>								
Light Industrial	0.26	0.42	1.33	2.00	0.30	0.64	0.23	0.64
Heavy Industrial	0.26	0.42	1.33	1.27	0.19	0.61	0.33	0.93

SECTION 4. Effective Date. This ordinance takes effect 60 days after its adoption. For purposes of this Chapter, building permit applications accepted and deemed complete prior to the effective date shall not be subject to increases in fees pursuant to this ordinance, nor shall projects which have been previously approved and have paid fees on portions of such project; provided, however, that any remaining portions of such projects which obtain building permits after December 31, 1992 shall be subject to any applicable increases hereunder.

SECTION 5. Publication. The City Clerk shall either: (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation, or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again within 15 days after its adoption.

Approved this 15th day of April, 1992

JAMES W. PINKERTON, JR.
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. 1547 was introduced at a regular meeting of the City Council of the City of Lodi held April 1, 1992 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held April 15, 1992 by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

I further certify that Ordinance No. 1547 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

BOBBY W. McNATT
City Attorney

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