

ORDINANCE NO. 1877

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LODI REVISING THE GROWTH MANAGEMENT
ORDINANCE BY EXPIRING UNUSED ALLOCATIONS AND
SUSPENDING THE APPLICATION SCHEDULE SET FORTH IN
RESOLUTION NO. 2006-141 THROUGH DECEMBER 31, 2019

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WHEREAS, the Lodi City Council adopted Ordinance No. 1521 in 1991 establishing a Growth Management Plan for residential development within the City of Lodi; and

WHEREAS, the Ordinance sets an annual growth limit of two percent of the City's population, compounded annually, and once the amount of allocation units are figured, the City requires that the allocation of units be distributed among housing types as follows: 65 percent low density, 10 percent medium density, and 25 percent high density; and

WHEREAS, with nearly 7,000 unallocated units, there is nearly double the amount allocated during the initial 23 years of the program; and

WHEREAS, staff's recommendation is to expire the allocations that have been added since 2008, and that this be done across two of the three density categories with High Density Residential taking the majority; and

WHEREAS, staff recommends that the following allocations be eliminated, leaving a balance of 4,634:

- 800 Low Density; and
- 1,435 High Density allocations; and

WHEREAS, Resolution No. 2006-141 sets forth an application schedule for developers to apply for Growth Management Allocations; and

WHEREAS, the surplus of allocations will render the application schedule unnecessary through the life of the current Development Impact Mitigation Fee Program (December 31, 2019).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1.

- 1) That all allocations since 2008 be expired, eliminating the following allocations:
 - a) 800 Low Density; and
 - b) 1,435 High Density allocations; and

- 2) That the remaining balance of allocations (not including 2013 allocations which have yet to be calculated) be as follows:

a.	2,955 Low Density)	
b.	557 Medium Density)	
c.	1,122 High Density)	
			4,634 Total Allocations

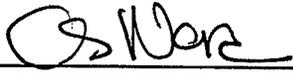
3) That the current application schedule set forth in Resolution No. 2006-141 be suspended until December 31, 2019.

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. This uncodified 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 take effect 30 days from and after its passage and approval.

Approved this 5th day of June, 2013



ALAN NAKANISHI
Mayor

Attest:

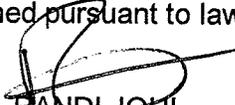
RANDI JOHL
City Clerk

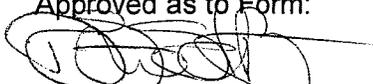
State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that this uncodified Ordinance No. 1877 was introduced at a regular meeting of the City Council of the City of Lodi held May 15, 2013, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held June 5, 2013, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Mounce, and Mayor Nakanishi
- NOES; COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1877 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


RANDI JOHL
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney