

CITY COUNCIL MEETING
DECEMBER 4, 1985

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

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 6, 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.

COUNCIL COMMUNICATION

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

DATE
November 25, 1985

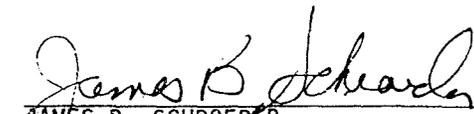
NO.

SUBJECT: EASTSIDE APARTMENT CONSTRUCTION MORATORIUM

BACKGROUND: At its meeting of Wednesday, November 6, 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.

The Building Division of the Community Development Department is processing a number of conversion projects which were accepted before the moratorium. It appears that these projects will provide ample work for that portion of the building industry specializing in conversions.



JAMES B. SCHROEDER
Community Development Director

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

WHEREAS, the City Council of the City of Lodi did on November 6, 1985 adopt Urgency 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 Section 65858; and

WHEREAS, according to State Statute, the interim ordinance shall be of no further force and effect 45 days from its date of adoption; however, after notice and public hearing, the legislative body may extend the interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for one year. Any such extension shall require a four-fifths vote for adoption and not more than two such extensions may be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lodi pursuant to State of California Government Code Section 65858 does hereby call a Public Hearing to be held on Wednesday, December 4, 1985 to receive public testimony regarding the establishment of a building moratorium on conversion of single-family homes to multiple family in certain defined areas established under the adoption of Urgency Ordinance No. 1369 and to consider the need to extend the interim ordinance as provided by law.

All interested persons are invited to present their views on this matter. 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 subject 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
ALICE M. REIMCHE
City Clerk

Dated: November 6, 1985

DECLARATION OF MAILING

On November 14, 1985, 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 November 14 19 85,

at Lodi, California.

Jacqueline K. Masterson
Jacqueline K. Masterson
Deputy City Clerk

Sheet B

CONTRACTORS
(11-16-82)
8-83

Charles Faszer, Inc.
636 Daisy Ave.
Lodi, CA 95240

T.A. MOLFINO
P. O. Box 678
Lodi, CA 95241

Eddie E. Wisner
717 Willow Ave.
Lodi, CA 95240

Al Hansen
521 Park Street
Lodi, CA 95240

San Joaquin Construction
P.O. Box 8348
Stockton, CA 95208

Iver Dickhoff
17644 N. Kennison Lane
Lodi, CA 95240

Mayer's Construction Co.
2224 Jackson St.
Lodi, CA 95240

Loren Perry
1225 E. Acampo Road
Acampo, CA 95220

Giacoma Construction
1516 Cortez
Stockton, CA 95209

Sunrise Builders & Supply
4860 E. Woodbridge Road
Acampo, CA 95220

Russell Triolo Const.
1827 Edgewood Dr.
Lodi, CA 95240

Grupe Construction Co.
P.O. Box 7576
Stockton, CA 95207

Vintage Construction
418 W. Lodi Ave.
Lodi, CA 95240

Abbott Construction
9322 Cherbourg
Stockton, CA 95210

L. P. Singer, Jr.
105 S. Crescent Avenue
Lodi, CA 95240

Brands' Construction, Inc.
408 W. Walnut St. #2
Lodi, CA 95240

Lawrence Construction
927 Parkview Ave.
Lodi, CA 95240

H. Wayne Johnson Co.
1620-B S. Ackerman Dr.
Lodi, CA 95240

Modern Engineering &
Construction Co., Inc.
P.O. Box 8027
Stockton, CA 95208

Tucker Construction
617 S. Lower Sacramento Rd.
Lodi, CA 95240

Paul H. Jones Tile Co.
1693 E. Armstrong Road
Lodi, CA 95240

James F. Culbertson
641 Pacific Ave.
Lodi, CA 95240

Leland Burns, Inc.
P.O. Box
Woodbridge, CA 95258

Marvin Dixon
500 South Crescent Avenue
Lodi, CA 95240

Mertz Construction
520 Railroad Avenue
Lodi, CA 95240

Ray Contractors, Inc.
801 S. Fairmont Ave.
Lodi, CA 95240

Bechthold Construction
3784 W. Benjamin Holt Dr.
Stockton, CA 95209

Avery T. Gassin
400 N. Cross St.
Lodi, CA 95240

John Faszer & Son
225 Madera, Casa de Lodi
Lodi, CA 95240

Tri-County Builders, Inc.
P. O. Box 4463
Modesto, CA 95352

Siemers Construction
24024 N. Lower Sacramento
Acampo, CA 95220

CAL-SUN CONSTRUCTION
445 E. Almond Drive, #25
Lodi, CA 95240

Roy E. Chadwell
2111 Gateway Circle
Lodi, CA 95240

Larry Anderson Construction
245 E. Kettleman Lane
Lodi, CA 95240

Jim F. Wadlow
P.O. Box 672
Lockeford, CA 95237

Portside Builders, Inc.
2600 Pacific Ave.
Stockton, CA 95204

William Clemings
532 S. Main Street
Lodi, CA 95240

Omega Construction
P. O. Box 849
Lodi, CA 95241

Miller & Henderson
P.O. Box 12801
Salem, Oregon 97309

Dave Garcia
535 Brandywine Drive
Lodi, CA 95240

~~A & R Construction
22595 N. Sowles Road
Acampo, CA 95220~~

Cooper Construction
4229 Northgate Blvd., #7
Sacramento, CA 95834

H & M Builders
537 St. Claire Drive
Lodi, CA 95240

California Construction
and Coatings
5665 N. Pershing, #C-6
Stockton, CA 95207

Jerry Cox Construction
P. O. Box 815
Lodi, CA 95241

Allan Askew Can-Do
1124 Edgewood Drive
Lodi, CA 95240

James Dozier
305 E. Tokay St.
Lodi, CA 95240

Crawford Construction
4645 Mosher Drive
Stockton, CA 95212

Alonzo Construction
4283 North Wilson Way, #20
Stockton, CA 95205

Gregory L. Burns
18989 N. Davis Road
Lodi, CA 95240

Furgison Company
P. O. Box 9309
Stockton, CA 95208

Mr. Phillip Barrette
11371 N. Leach Road
Lodi, CA 95240

Guardino-Crawford Co.
P. O. Box 1689
Stockton, CA 95201

C. H. Bloom Co., Inc.
P. O. Box 276
Stockton, CA 95201

HOLTBERG CONSTRUCTION
16915 Ketchan
Linden, CA 95236

S. K. Brown Construction
711 Charcot Ave.
San Jose, CA 95131

Mr. Roy Brogle
1905 South Church Street
Lodi, CA 95240

Buzz Oates Enterprises
8401 Jackson Road
Sacramento, CA 95819

Lorenz Home Improvement
9089 Westeria Way
Orangevale, CA 95662

Bocan Construction
P. O. Box B-26
Lodi, CA 95241

Clark & McGrath Const.
2111 Sunwest Drive
Lodi, CA 95240

Fowler Construction Co.
835 Kramer
Lodi, CA 95240

Acme Construction Co.
P.O. Box 4710
Modesto, CA 95354

Oskar's Enterprise
838 Virginia St.
Lodi, CA 95240

Kort Builders
2311 W. Cochran Road
Lodi, CA 95240

Carey Development Co.
2575 Grand Canal Blvd. #301
Stockton, CA 95207 - 8260

Sanguinetti & Arnais
P.O. Box 8492
Stockton, CA 95207

John Ralston
1786 LeBec Court
Lodi, CA 95240

C. Edward Jones & Co., Inc.
900 Victor Road
Lodi, CA 95240

D. & J. Collins Const.
930 S. Central Ave.
Lodi, CA 95240

Matthews Company
4629 Quail Lakes Dr.
Stockton, CA 95207

Weaver Construction
835 Westwind Dr.
Lodi, CA 95240

Mei-Contractor
823 S. Mills Ave.
Lodi, CA 95240

ROBERTSON HOMES CENTRAL
6653 Embarcadero Drive
Stockton, CA 95209

Entzi Construction
616 Atherton Drive
Lodi, CA 95240

Ben Dais
322 Wood
Lodi, CA 95240

Bennett Development Company
1200 W. Tokay St.
Lodi, Ca. 95240

Preszler Construction
2500 Meadow
Lodi, CA 95240

Leon E. Goetz
1009 S. Pleasant Ave.
Lodi, CA 95240

W. Heath & Co.
3225 Lacy Street
Los Angeles, CA 90031

Mathew L. McCarty
920 S. Church St.
Lodi, CA 95240

Harding Tucker
6409 Fillmore St.
Stockton, CA 95207

Fanos Construction
1213 W. Lockeford St.
Lodi, CA 95240

McEachron Construction
18450 N. Hwy. 88, Sp. 97
Lockeford, CA 95237

Arblos Construction Co.
1116 West Tokay Street
Lodi, CA 95240

K & S Construction
Sagert Construction
142 S. Sunset
Lodi, CA 95240

Michael L. Stotts
1006 Stafford St.
Lodi, CA 95240

F & H Construction Co.
4945 Waterloo Road
Stockton, CA 95205

B & D Builders
4697 E. Live Oak Road
Lodi, CA 95240

Dallas D. Kort
2015 Kenway Court
Lodi, CA 95240

Golden West Builders
P.O. Box 1052
Woodbridge, CA 95258

Genie Construction, Inc.
P.O. Box 617
Lodi, CA 95241

A & M Construction
161 S. Corinth Ave.
Lodi, CA 95240

CITY OF LODI

CITY HALL, 221 W. PINE ST.
CALL BOX 3006
LODI, CALIFORNIA 95241-1910



UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED

Handwritten signature or initials

~~Portside Builders, Inc.
2600 Pacific Ave.
Stockton, CA 95204~~



Mr. Bob Dais
2413 Corbin Lane
Lodi, CA 95240

Dale Construction
P. O. Box 254
Acampo, CA 95220

Dan Den Construction
310 Santa Barbara Court
Stockton, CA 95210

Robert G. Dell Aringa
2714 Country Club, #E
Stockton, CA 95204

Diede Construction
P. O. Box 1218
Woodbridge, CA 95258

Mr. Larry Frey
2331 Cabrillo Circle
Lodi, CA 95240

George Galatsatos
16767 Tretheway Road
Lodi, Ca. 95240

Search Development
920-G. S. Cherokee Lane
Lodi, CA 95240

Gibraltar Community Bldrs.
5713 North Pershing Avenue
Stockton, CA 95207

Merle D. Goatley
P. O. Box 658
Jamestown, CA 95327

Raymond Greer Const. Co.
3128 East Fremont Street
Stockton, CA 95202

H. Max Lee, Inc.
1225 West Armstrong Road
Lodi, CA 95240

Hagberg Construction
985 Ina Drive
Alamo, CA 94507

James Hanley Construction
P. O. Box 808
Stockton, CA 95201

Hildenbrand Company
P. O. Box 66003
Stockton, CA 95206

Huff Construction Co.
1581 Cummins Dr., Ste. 129
Modesto, CA 95351

Huries Construction
770 Dixie Drive
Stockton, CA 95205

J. W. Christy Const. Co.
5068 Shetland Court
Eik Grove, CA 95624

K & D West Construction
5499 Kyle Road
Lodi, CA 95240

KIPER COMPANY
10512 N. Lower Sacramento Rd.
Stockton, CA 95210

Lodi Construction
1023 Pinot Noir
Lodi, CA 95240

Logan Development Company
4504 Morada Place
Stockton, CA 95212

W. A. Lohsen Construction
P. O. Box 156
Burson, CA 95225

Lodi Development Group
P. O. Box 1237
Lodi, CA 95241

Luther Construction
P. O. Box 65
Acampo, CA 95220

Mr. Build American West
127 West Harding Way
Stockton, CA 95204

Mid Cal Construction
7742 Gilbert Road
Oakdale, CA 95361

Modern Steel Structures
P. O. Box 772
Chico, CA 95926

T.A. MOLFINO
P. O. Box 678
Lodi, CA 95241

MORVEN CONSTRUCTION
301 West Locust Street
Lodi, CA 95240

Mullens Construction
3508 Depot Road
Hayward, CA 94545

Alex Nicolaou
302 Tioga Drive
Lodi, Ca. 95240

Alex Paraskevas
4649 West Peltier Road
Lodi, Ca. 95240

12/4 J/LL

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.

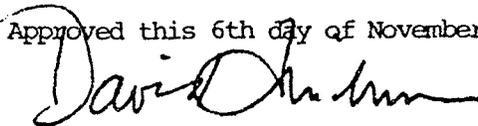
SECTION 3. Pursuant to Section 65858 of the State of California Government Code, this Ordinance shall be in effect for 45 days from its date of passage.

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
ALICE M. REIMCHE
City Clerk

Approved as to form

RONALD M. STEIN
City Attorney

Inoperability and Repeal
This section becomes inoperative July 1, 1986, and is repealed Jan. 1, 1987 by its own terms.

1984 Legislation. Section 1 of Stats. 1984, c. 1443, p. —, provides: "The Legislature finds and declares that manufactured housing offers Californians the opportunity to own and live in decent, safe, and affordable housing on a permanent basis. The Legislature further finds that the enactment of Chapter 1142, of the Statutes of 1980 [§ 65851.3, Health & S.C. § 65852.7, Health & S.C. §§ 18300, 18551.1] made significant changes relating to the zoning of property for mobilehomes, and that any failure of local communities to implement the provisions of those statutes limits the opportunity for Californians to live in mobilehomes on lots zoned for residential land use or for single-family housing."

§ 65854. Public hearing upon ordinance or amendment; notice

The planning commission shall hold a public hearing on the proposed zoning ordinance or amendment to a zoning ordinance. Notice of the hearing shall be given pursuant to Section 65090 and, if the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section 65091.

(Amended by Stats. 1984, c. 1009, p. —, § 22.)

1984 Legislation. Legislative intent relating to Stats. 1984, c. 1009, see note under Educ.C. § 39002.

§ 65854.5. Repealed by Stats. 1984, c. 1009, p. —, § 22.5

See, now, §§ 65091, 65094, 65095, 65856.

§ 65856. Public hearing; exceptions

(a) Upon receipt of the recommendation of the planning commission, the legislative body shall hold a public hearing. However, if the matter under consideration is an amendment to a zoning ordinance to change property from one zone to another, and the planning commission has recommended against the adoption of such amendment, the legislative body shall not be required to take any further action on the amendment unless otherwise provided by ordinance or unless an interested party requests a hearing by filing a written request with the clerk of the legislative body within five days after the planning commission files its recommendations with the legislative body.

(b) Notice of the hearing shall be given pursuant to Section 65090.

(Amended by Stats. 1984, c. 1009, p. —, § 23.)

1984 Legislation. Legislative intent relating to Stats. 1984, c. 1009, see note under Educ.C. § 39002.

§ 65858. Interim zoning; urgency measures; duration of section

Text of section operative until Jan. 1, 1989.

(a) Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body, to protect the public safety, health and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses which may be in conflict with a contemplated general plan, specific plan, or zoning proposal which the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time. That urgency measure shall require a four-fifths vote of the legislative body for adoption. The interim ordinance shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may extend the interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for

Asterisks indicate deletions by amendment.

§ 65858

GOVERNMENT CODE

one year. Any such extension shall also require a four-fifths vote for adoption. Not more than the two such extensions may be adopted.

(b) Alternatively, an interim ordinance may be adopted by a four-fifths vote following notice pursuant to Section 65090 and public hearing, in which case it shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may by a four-fifths vote extend the interim ordinance for 22 months and 15 days.

(c) The legislative body shall not adopt or extend any interim ordinance pursuant to this section unless the ordinance contains a finding that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in a threat to public health, safety, or welfare.

(d) Ten days prior to the expiration of an interim ordinance or any extension, the legislative body shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

(e) When any such interim ordinance has been adopted, every subsequent ordinance adopted pursuant to this section, covering the whole or a part of the same property, shall automatically terminate and be of no further force or effect upon the termination of the first such ordinance or any extension of the ordinance as provided in this section.

This section shall remain in effect only until January 1, 1989, and as of such date is repealed, unless a later enacted statute, which is chaptered before January 1, 1989, deletes or extends such date.

(Amended by Stats.1984, c. 1009, p. —, § 24.)

For text of section operative Jan. 1, 1989, see § 65858, post.

1984 Legislation.

Legislative intent relating to Stats.1984, c. 1009, see note under Educ.C. § 39002.

§ 65858. Interim zoning; urgency measures; operative date of section

Text of section operative Jan. 1, 1989.

Without following the procedures otherwise required preliminary to the adoption of a zoning ordinance, the legislative body, to protect the public safety, health and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses which may be in conflict with a contemplated general plan, specific plan, or zoning proposal which the legislative body, planning commission, or the planning department is considering or studying or intends to study within a reasonable time. That urgency measure shall require a four-fifths vote of the legislative body for adoption. The interim ordinance shall be of no further force and effect four months from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may extend the interim ordinance for eight months and subsequently extend the interim ordinance for one year. Any such extension shall also require a four-fifths vote for adoption. Not more than the two such extensions may be adopted. Alternatively, an interim ordinance may be adopted by a four-fifths vote following notice pursuant to Section 65090 and public hearing, in which case it shall be of no further force and effect one year from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may by a four-fifths vote extend the interim ordinance for one year. When any such interim ordinance has been adopted, every subsequent ordinance adopted pursuant to this section, covering the whole or a part of the same property, shall automatically terminate and be of no further force or effect upon the termination of the first such ordinance or any extension of the ordinance as provided in this section.

This section shall become operative January 1, 1989.

(Amended by Stats.1984, c. 1009, p. —, § 25, operative Jan. 1, 1989.)

For text of section operative until Jan. 1, 1989, see § 65858, ante.

1984 Legislation.

Legislative intent relating to Stats.1984, c. 1009, see note under Educ.C. § 39002.

Underline indicates changes or additions by amendment

MULTIFAMILY DEVELOPMENT IN EAST-SIDE
MORATORIUM AREA

1985

As of November 30, 27 units were demolished in 1985. These were replaced with 70 multi-family units and 1 single-family unit. Fifteen of these units have been demolished but not yet rebuilt, although there are plans for 111 multi-family units on these lots that have not yet been approved.

SUMMARY: 27 single-family units were demolished.
70 multi-family units were built in their place.

An average of 2.6 dwelling units were built in their place. If the 111 units in plan check are approved, this average will increase to 6.7 dwelling units replacing each single-family unit.

1985 DEMOLISHED UNITS
(Through Nov. 30, 1985)

No. Demolished	Address	No. Rebuilt
1	500 E. Elm	5
1	532 Forrest	1
1	720 S. Washington St.	14
2	328-328½ E. Elm	6
1	220 E. Tokay	12
1	330 E. Maple St.	3
1	228 E. Tokay	10
2	224-224½ E. Tokay	8
1	625 N. Church	12
TOTAL 11		71 Units

PLANNED UNITS
NOT YET FINALED

1	336 E. Locust	6
1	300 E. Walnut	10
2	428-432 E. Locust	18
*NF	508 E. Pine	6
*NF	524 E. Oak	6
*NF	1201 S. Central	20
*NF	710 N. Pleasant	6
*NF	533 E. Elm	6
*NF	324 E. Locust	6
*NF	537 E. Lem	11
*NF	504 S. School	8
*NF	232 Hilborn	4
*NF	336 Hilborn	4

111 Units

* Although plans for rebuilding are filed with the City, no demolition permit has yet been requested.

DEMOLISHED UNITS NOT REBUILT

<u>No. Demolished</u>	<u>Address</u>
1	537 Hilborn
1	222 E. Tokay
1	223 N. School
1	217 N. School
1	17 Daisy
1	533-B Harold St.

8

Public Hearing "B" c/c



CALIFORNIA CONSTRUCTION & COATINGS

A DIVISION OF CONCOTE CORPORATION
BUILDERS & DEVELOPERS

RECEIVED

(209) 467-4111

1985 DEC -2 PM 1:32

ALICE M. REIMCHE
CITY CLERK

1411 West Fremont Street • Stockton, CA 95203

November 22, 1985

Alice Reimche, City Clerk
Lodi City Council
221 West Pine Street
Lodi, CA 95240

Re: Ordinance #1369

Ms. Reimche:

This letter is to voice our concern over the above ordinance which relates to the moritorium which was approved for a minimum term of forty-five days, to study the impact of multiple family structures on the City's infrastructure.

We purchased a lot located at 216 Forrest Street this year with the intention of developing a seven unit project on it as soon as financing could be arranged and plans developed. As this property falls within the area covered by the moritorium, we are unable to continue with our plans.

We understand that the City faces problems with regard to the infrastructure and the impact multiple family structures will have on it, but for individuals that purchased property with the intention of developing multi-family units, it is difficult to understand how you can penalize us by not allowing us to proceed with development. There was little notice given before the enactment of the moritorium and as we could not arrange for plans to be finished within the time allotted before the enactment of the ordinance, we may be left with property that will be a financial strain for us. Please accept our challenge to the moritorium and we hope you will consider this when you make a decision in the upcoming hearing.

Thank you for your attention to this matter.

Sincerely,

Dave Strobel
Dave Strobel

Larry Dalonzo
Larry Dalonzo

DS;LD:klk