

**CITY OF LODI  
INFORMAL INFORMATIONAL MEETING  
"SHIRTSLEEVE" SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, AUGUST 21, 2007**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, August 21, 2007, commencing at 7:00 a.m.

**A. ROLL CALL**

Present: Council Members – Hansen, Hitchcock, Katzakian, and Mayor Johnson  
Absent: Council Members – Mounce  
Also Present: City Manager King, City Attorney Schwabauer, and Deputy City Clerk Perrin

**B. TOPIC(S)**

B-1 "Receive Status of San Joaquin County's Consideration of an Armstrong Road Agricultural/Cluster Zoning Classification"

City Manager King briefly introduced the subject matters.

Community Development Director Randy Hatch reported that since the 1980s the City has been looking at the possibility of a greenbelt between Stockton and Lodi and various efforts have been made through the 2x2x2 Committee (which is now defunct) that included representatives from Stockton, Lodi, and San Joaquin County and the Council-appointed Community Separator/Greenbelt Task Force, which is comprised of property owners and interested parties. The Task Force developed a draft preliminary program to create a greenbelt that would permit the continuation of agricultural uses as provided in the San Joaquin County zoning ordinance while at the same time allowing limited residential development to occur to provide an economic benefit to the property owners. Mr. Hatch reviewed the area covered in the proposal and the proposed legislative changes, as well as the provisions/restrictions in the proposed zone including, but not limited to, credits per acres of ownership, minimum lot size, limited public improvements, and annexation into and services provided by the City. The plan was not adopted by Council as members of the Task Force, who were also property owners in the area, requested time to develop an alternative plan.

In the meantime, the City submitted a greenbelt concept to the Council that would ensure the preservation of existing crop production and that development is consistent with the existing agricultural/rural uses on large parcels required by the current County general agriculture designation. Mr. Hatch reviewed the area covered by the proposal and the proposed legislative changes, as well as the permitted uses in the proposed zone including, but not limited to, no additional development in the area permitted except for uses currently permitted in the County's land use designation, only agricultural related activities and divisions of land with a minimum size of 40 acres permitted, and land not to be annexed into the City. The proposal went before the Task Force, Planning Commission, and Council; however, it was delayed for six months at the request of the property owners in order for them to solidify their proposal and present it to the County.

The property owners developed a concept to create an "Armstrong Road Agricultural/Cluster Zoning Classification" to create a buffer between Stockton and Lodi without depriving property owners of their Constitutional and legal rights and to promote the buffer area without the significant expenditure of taxpayers' money. The proposed provisions/restrictions in the zone include, but are not limited to, subject area would remain under the County jurisdiction, creation of residential parcel for each five acres of land, eligible building site size, encouragement of cluster development (but not a requirement), and subdivider relinquishing right to further subdivide property. The concept was presented to the County Board of Supervisors on June 5, at which time County staff was asked to

prepare supplemental information and report back in September on the affects of this proposal as it relates to density, business, services, irrigation, roads and traffic, and large nearby parcels. The Board could either direct County staff to utilize the proposal and incorporate the language or wait until the County updates its General Plan. County staff estimates it could cost \$200,000 to \$300,000 to move this proposal forward and it would require an Environmental Impact Report.

In response to Council Member Hansen, Mr. Hatch estimated that the County is two to three years away from completing its General Plan as it has not yet begun the process.

Mr. Hatch provided a detailed comparison of the three concepts, pointing out the similarities and differences in the intent, area covered by the proposals, and the proposed provisions/restrictions of the proposals.

Council Member Hansen expressed concern that the cost of extending water and sewer services to a small number of parcels would be expensive, to which Mr. Hatch stated that the details and costs have not been analyzed; however, he added that an internal subsidy may be worth the cost in order to create a greenbelt that is of high value to this community. In order for the area to be annexed into the City, the provision of services is a key requirement.

Council Member Hitchcock stated that the proposal by the property owners appears not to protect the area or preserve open space. Mr. Hatch stated that the development of five-acre properties allows for agricultural uses. The City of Lodi's provisions would allow for some development, but it would not open up the possibility to intensive suburban type development.

Mr. King stated that this matter would come back to Council for direction at its second meeting in September.

Ken Vogel, Lodi's representative on the San Joaquin County Board of Supervisors, informed Council that the Board had several questions regarding the proposal that it requested County staff to research, including clarification of the language regarding clustering and whether zoning would be mandatory or voluntary.

Public Works Director Prima stated that no analysis has been done on the cost of water and sewer services and some discussion will be necessary on the level of service to be provided. There may also be concerns at the State level regarding contamination in wells and septic tanks; therefore, alternative methods may be necessary for the rural residents.

Pat Patrick, Executive Director of the Lodi Chamber of Commerce, believed that the proposal from the property owners fell short in the area covered and was concerned that Stockton would develop the area to the west, which is not included in the proposal, particularly since the area is near a major thoroughfare. In addition, he believed it was crucial to maintain the orchards and vineyards surrounding Lodi for economic reasons as Lodi is a wine destination.

Bruce Fry expressed support for the proposed zoning and for maintaining the farming and agricultural community in Lodi.

A citizen residing north of Eight Mile Road (who did not identify herself) questioned if her property would become part of Stockton in the future, to which Mr. King responded that, although Stockton's sphere of influence was not completed, the likelihood was possible.

B-2 "Receive Report on San Joaquin Local Agency Formation Commission Draft Policies and Procedures"

Mr. Hatch reported that the Local Agency Formation Commission (LAFCO) is required to have written policies and procedures in place, which it has recently updated and was reviewed at its last meeting. Staff is concerned with Section 4 of the policy, "Open Space and Rural Lands," because it discourages open space and development that was "not planned for." The language states that LAFCO would only approve lands within a sphere of influence that would be slated for full development within a 20-year timeframe. Section 5, "Community Separators," encourages greenbelts; however, it does not use the concept of a sphere of influence to make that happen. Section 10, "Areas of Interest," would allow a geographic designation as being in a city's area of interest; however, it has no real authority or power, and the guidelines do not address how the land is designated. The main concern is that the draft policies and procedures do not allow cities to utilize the tools it has, such as a sphere of influence, for land use planning.

In response to Council Member Hansen, City Attorney Schwabauer stated that LAFCO already has the power to approve or deny a sphere of influence and the proposal to not use a sphere of influence for the purpose of a greenbelt would not matter. A city's best defense would be a writ of mandate against LAFCO; however, the outcome would be unclear. In further response, Mr. Schwabauer stated that, if the City wished to adopt an AL-5 zone and annex the property into its limits, LAFCO would have a difficult time denying the application because there would be an intention of services.

Mr. King believed that LAFCO's proposal encouraged those cities that are most aggressive to receive sphere of influence amendments and that a 20-year timeframe for planning of infrastructure is too short a time horizon.

Mr. Hatch stated that LAFCO took no action on the policies and procedures and continued its last meeting to September. The planning directors within the county are joining together to weigh in on the matter.

In response to Council Member Hansen, Bruce Fry stated that the property owners do not wish to be annexed into the City of Lodi and that the AL-5 zoning allows the potential for capital. Council Member Hansen stated that he believed the County would not support the AL-5 zoning, to which Mr. Fry believed it would if there was support from the City.

Pat Patrick believed it was not the job of LAFCO to tell cities what its plans are for the future and if the farming community and the City could find common ground based on shared economic interest, LAFCO and the County would support the zoning request.

**C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS**

None.

**D. ADJOURNMENT**

No action was taken by the City Council. The meeting was adjourned at 8:29 a.m.

ATTEST:

Jennifer M. Perrin  
Deputy City Clerk