

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p><b>AGENDA</b> <b>LODI</b> <b>PLANNING COMMISSION</b></p>	<p>REGULAR SESSION WEDNESDAY, JUNE 23, 2010 @ 7:00 PM</p>
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For information regarding this agenda please contact:

**Kari Chadwick @ (209) 333-6711**  
**Community Development Secretary**

***NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the Community Development Department, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the Community Development Department as soon as possible and at least 24 hours prior to the meeting date.*

1. ROLL CALL
2. MINUTES – “April 14, 2010” & “May 12, 2010”
3. PUBLIC HEARINGS
  - a. Request for Planning Commission approval of a variance to reduce the required three feet setback to two feet at 930 Virginia Avenue. (Applicant: Bradley Litz; File No. 10-A-03)
  - b. Request for Planning Commission approval of a Use Permit to allow a Type-20 Off-Sale beer and wine Alcoholic Beverage Control License at 1320 West Elm Street. (Applicant: Miller Starr Regalia PLC, on behalf of Walgreens Co.; File Number: 10-U-05)
  - c. Request for Planning Commission approval of a Use Permit to allow a Type-20 Off-Sale beer and wine Alcoholic Beverage Control License at 225 South Cherokee Lane (Applicant: Ahmad Alruosan; File Number: 10-U-06)
  - d. Request for Planning Commission approval of a Use Permit to allow a Type-41 On-Sale beer and wine (Eating Place) Alcoholic Beverage Control license at 2525 South Hutchins Street, Suite 11. (Applicant: Pizza Market Inc.; File Number: 10-U-07)
  - e. Request for Planning Commission approval of a Use Permit to allow a Type-41 On-Sale Beer and Wine Alcoholic Beverage Control License at located at 480 South Cherokee Lane Suite E. (Applicant: Julio & Aracely Camberos. File Number: 10-U-10)
  - f. Review and Comment on the Draft Housing Element

**NOTE: The above items are quasi-judicial hearings and require disclosure of ex parte communications as set forth in Resolution No. 2006-31**

4. PLANNING MATTERS/FOLLOW-UP ITEMS
5. ANNOUNCEMENTS AND CORRESPONDENCE
6. ACTIONS OF THE CITY COUNCIL
  - a. Council Summary Memo
7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE
8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

9. ART IN PUBLIC PLACES

10. COMMENTS BY THE PUBLIC

11. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF

12. REORGANIZATION

- a. Planning Commission Chair & Vice Chair

13. ADJOURNMENT

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

*\*\*NOTICE: Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before (in the case of a Closed Session item) or during consideration of the item.*

Right of Appeal:

If you disagree with the decision of the commission, you have a right of appeal. Only persons who participated in the review process by submitting written or oral testimony, or by attending the public hearing, may appeal.

Pursuant to Lodi Municipal Code Section 17.72.110, actions of the Planning Commission may be appealed to the City Council by filing, within ten (10) business days, a written appeal with the City Clerk and payment of \$300.00 appeal fee. The appeal shall be processed in accordance with Chapter 17.88, Appeals, of the Lodi Municipal Code. Contact: City Clerk, City Hall 2<sup>nd</sup> Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, APRIL 14, 2010**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of April 14, 2010, was called to order by Chair Cummins at 7:00 p.m.

Present: Planning Commissioners – Hennecke, Kirsten, Kiser, Mattheis, and Chair Cummins

Absent: Planning Commissioners – Heinitz and Olson

Also Present: Community Development Director Konradt Bartlam, Assistant Planner Immanuel Bereket, Deputy City Attorney Janice Magdich, and Administrative Secretary Kari Chadwick

2. MINUTES

“March 24, 2010”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Kiser second, approved the Minutes of March 24, 2010 as written. (Commissioner Mattheis abstained due to his absence from the subject meeting)

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for a variance to increase the size of a second dwelling unit from 400 square feet to 672 square feet at 1320 South Washington Street.

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report. Mr. Bereket pointed out the email received by Mr. and Mrs. Daniels expressing their concerns. Staff is recommending approval of this application

Commissioner Kirsten asked if the applicant did the work. Mr. Bereket stated that he did not.

Hearing Opened to the Public

- Hazoor Shah, applicant, came forward to answer questions.
- Commissioner Kirsten asked if the unpermitted work was disclosed at the time of the purchase. Mr. Shah stated that he was told that the work may have been done without permits.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Kiser second, approved the request of the Planning Commission for a variance to increase the size of a second

dwelling unit from 400 square feet to 672 square feet located at 1321 South Washington Street subject to the conditions in the attached resolution. The motion carried by the following vote:

Ayes: Commissioners – Hennecke, Kirsten, Kiser, Mattheis, and Chair Cummins  
Noes: Commissioners – None  
Absent: Commissioners – Heinitz and Olson

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for a Use Permit to allow a Type 48 On-Sale General ABC license at 651 North Cherokee Lane, Suite E.

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report. Mr. Bereket stated that the findings should be taken from the resolution on the Blue Sheet. Staff is recommending denial of this application.

Vice Chair Hennecke asked if the applicant is asking for a 300 foot waiver. Mr. Bereket stated that the applicant is asking for the Planning Commission to ignore that condition.

Hearing Opened to the Public

- Noe Juarez Luna, applicant, came forward to ask for a chance to prove that he can operate this business at this location without disturbing the residential neighbors.
- Chair Cummins asked how far away the current location is from this location. Mr. Luna stated that it is next door to this project. Mr. Bereket pointed out the location on the map.
- Commissioner Kirsten stated that he can appreciate Mr. Luna's situation and the desire he has to stay in business, but if the Planning Commission approves a project like this it could set a precedence that may end up reflecting badly on them. The Commission has to consider the surrounding residences and the opinion of staff. The 300 foot buffer is there for a reason. Mr. Luna stated that he is not going to use the back parking lot for customer parking. This should help avoid noise being next to the residences. Mr. Bartlam stated that one of the concerns staff had was that back parking lot and the fact that it can not be seen easily by police patrol. Kirsten asked if Mr. Luna talked with the Police Department before applying. Mr. Luna stated that he did and the officer he spoke to stated that the Police Department does not reject projects they only make recommendations.
- Commissioner Kiser stated that he understands what Mr. Luna is going through, but he still has to consider the surrounding area. He would like to see the project in a different location. Mr. Luna stated that he has spoken with the residents that border the project site and they do not have a problem with the project. The problem with the El Rancho is that the space is too small and people filter outside and leave the doors open.
- Hennecke asked staff to update the Commission on what type of license the El Rancho has. Mr. Bartlam stated that the El Rancho has the same type of license that Mr. Luna is asking for. Hennecke asked how far the residential area is from the El Rancho. Mr. Bartlam stated that the building is 200 to 250 feet from the residential zone. The 300 foot mark was established because of past experiences and staff is confident that it is a fair distance.
- Chair Cummins asked if Mr. Luna currently holds a beer and wine license with the restaurant. Mr. Luna stated that he does hold a beer and wine license, but the

restaurant didn't do well. Commissioner Kiser stated that the license was good at a different location. Mr. Bartlam stated that the difference between the two locations is the current location is a restaurant and the proposed is not. There will be a completely different atmosphere from an establishment that serves food with alcohol and what is essentially going to be a nightclub/bar.

- Gloria Juarez, Sonora Avenue resident which is directly behind the project location, came forward to object to the project. She stated that she did not speak with Mr. Luna. This project is too close to her home.

Public Portion of Hearing Closed

- Commissioner Kirsten stated that he would like to see Mr. Luna try opening this business in another location.

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Kiser second, denied the request of the Planning Commission for a Use Permit to allow a Type 48 On-Sale General ABC license at 651 North Cherokee Lane, Suite E subject to the conditions in the attached resolution. The motion carried by the following vote:

Ayes: Commissioners – Hennecke, Kirsten, Kiser, Mattheis, and Chair Cummins  
 Noes: Commissioners – None  
 Absent: Commissioners – Heinitz and Olson

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

Director Bartlam referenced the memo in the packet and stated that staff is available for questions. He also stated that the City Council adopted the General Plan last week unanimously. The Housing Element should be made available to the Commission in the near future. Mr. Bartlam also announced that he has taken on the Interim City Manager's position, but will continue his duties with the Community Development Department.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Director Bartlam stated that staff has provided a letter that was received recently from the Farm Bureau. It is the only correspondence received since the Planning Commission's recommendation. Staff is working on the new zoning map and the new zoning code will be brought to the Commission for final say.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

Commissioner Kirsten updated the Commission on the Crane Sculpture situation.

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

Director Bartlam asked if the Commission would please close the meeting in memory of Commissioner Olson's Mother who passed away this week.

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:45 p.m.

ATTEST:

Konrad Bartlam  
Planning Commission Secretary

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, MAY 12, 2010**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of May 12, 2010, was called to order by Chair Cummins at 7:00 p.m.

Present: Planning Commissioners – Heinitz, Hennecke, Kiser, Olson, and Chair Cummins

Absent: Planning Commissioners – Kirsten and Mattheis

Also Present: Community Development Director Konradt Bartlam, Deputy City Attorney Janice Magdich, Assistant Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“April 14, 2010”

The minutes will be carried forward to the next Planning Commission Meeting due to the lack of a quorum of Commissioner that were in attendance of the subject meeting.

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request of a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control License at 6 West Pine Street. (Applicant: Calwd Inc. dba Jeremy Wine Company; File Number: 10-U-02)

Assistant Planner Immanuel Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval.

Commissioner Heinitz disclosed that he spoke with several other winery owners in the area and they have all expressed their support of this project.

Commissioner Olson asked about the connection to Studio 6. Director Bartlam stated that the owner of 6 West Studio is also the applicant. Olson wondered if it was because of the limited amount of restrooms available in the space. Bartlam stated that the Building Division has reviewed the application and the restrooms available are sufficient for the occupancy.

Hearing Opened to the Public

- Jeremy Trettevik, applicant, came forward to answer questions. Mr. Trettevik stated that he believes this will be an added value to the downtown.
- Commissioner Heinitz stated his support for the project and appreciation of the building that is getting utilized.
- Commission Olson stated her support for the project and asked if the upstairs was going to be utilized for this project. Mr. Trettevik stated that it is not in the current plans.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Heinitz, Kiser second, approved the request of the Planning Commission for a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control

*Continued*

License at 6 West Pine Street subject to the conditions in the resolution. The Motion carried by the following vote:

- Ayes: Commissioners – Heinitz, Hennecke, Kiser, Olson, and Chair Cummins
- Noes: Commissioners – None
- Absent: Commissioners – Kirsten and Mattheis

Director Bartlam added that 6 West Design Studio is the premier wine label designer in the area.

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request of a Use Permit to allow a Type-41 On-Sale beer and wine (Eating Place) Alcoholic Beverage Control license at 1110 West Kettleman Lane, Suite 19. (Applicant: Janis Bielski; File Number: 10-U-03)

Assistant Planner Immanuel Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval.

Hearing Opened to the Public

- Jan Beilski, applicant, came forward to answer questions. Ms. Beilski stated that she is excited about the project and would like to give local artists a chance to display their art.
- Commissioner Heinitz stated that the Lodi Art Commission would be a good art source. Ms. Beilski stated that she has been in contact with them.

Public Portion of Hearing Closed

- Chair Cummins stated his appreciation of the direction that the Bella Terra Plaza Group is headed with the property and also stated his support of the project.

MOTION / VOTE:

The Planning Commission, on motion of Hennecke, Kiser second, approved the request of the Planning Commission for a Use Permit to allow a Type-41 On-Sale beer and wine (Eating Place) Alcoholic Beverage Control license at 1110 West Kettleman Lane, Suite 19 subject to the conditions in the resolution. The motion carried by the following vote:

- Ayes: Commissioners – Heinitz, Hennecke, Kiser, Olson, and Chair Cummins
- Noes: Commissioners – None
- Absent: Commissioners – Kirsten and Mattheis

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request of a Use Permit to allow a Type-41 On-Sale beer and wine (Eating Place) Alcoholic Beverage Control License at 220 South Church Street., Suite 3. (Applicant: Leslie Phillips; File Number: 10-U-04)

Assistant Planner Immanuel Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval.

Hearing Opened to the Public

- Leslie Phillips, applicant, came forward to answer questions.

*Continued*

- Commissioner Olson asked about the hours of operation. Ms Phillips stated that the restaurant is open: Monday through Saturday from 10:30 am to 7:30 pm and Sunday 11:00 am to 7:00 pm.
- Jarad Phillips came forward to state his support of the project.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Heinitz, Hennecke second, approved the request of the Planning Commission for a Use Permit to allow a Type-41 On-Sale beer and wine (Eating Place) Alcoholic Beverage Control License at 220 South Church Street., Suite 3 subject to the conditions in the resolution. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Hennecke, Kiser, Olson, and Chair Cummins  
 Noes: Commissioners – None  
 Absent: Commissioners – Kirsten and Mattheis

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

Director Bartlam stated that the Court has accepted the subsequent documentation for the Lodi Shopping Center/Super Walmart EIR. The opponents still have an opportunity to appeal that decision. There has been an appeal filed by Mr. Luna regarding the Commission’s decision for his project. The public hearing will be set at the Council’s next meeting to be heard at the June 2<sup>nd</sup> meeting. There could possibly be the need for a special meeting for the Planning Commission in the second week of June due to the fact that the City Council has taken the Commission’s regular meeting date for a special meeting of their own. Staff will contact the Commissioners with date options in the near future.

6. ACTIONS OF THE CITY COUNCIL

Director Bartlam stated that the appeals that have been filed by the Katakian’s have been withdrawn and the project is now free to move forward. The action of the California Energy Commission regarding the Lodi Energy Center is a very significant project for the City of Lodi.

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Director Bartlam stated that the Administrative Draft version of the Housing Element should be distributed to the Commission soon.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

None

10. COMMENTS BY THE PUBLIC

Gerald Grauman, resident on Royal Crest Drive, came forward to state his concern over the fact that he has been cited by the Community Improvement Division/Code Enforcement because he has a shed that is not in compliance with the City’s zoning code. He was told that his shed was turned in by a disgruntled person that was also turned in for having an out of compliance structure and is now going around town turning in others. He put the shed up in 2004. He has spoken with Mr. Bartlam, Mr. Bereket, and Mr. Canright regarding the issues that he is now facing. Mr. Canright stated that the shed

*Continued*

is in compliance with the Building Codes, but Mr. Bereket has stated that it does not comply with Zoning Codes. Commissioner Heinitz encouraged Mr. Grauman to take this issue to the City Council. Chair Cummins asked staff if this complaint is accurate. Mr. Bartlam stated that this is accurate. The suggestion that has been made to Mr. Grauman is that he submit a Variance Application. Chair Cummins asked Mr. Grauman if the shed could be moved. Mr. Grauman stated that he can not. An aerial was put up on the screen to show where the structure sits on the parcel. Commissioner Olson asked staff if there is any way to lump all of these types of issues together to help save the applicants money. Director Bartlam stated that they are all separate issues and should be looked at separately. Commissioner Heinitz stated that he feels that the Code Enforcement Division is misused in Lodi because of the current laws on the books and reiterated that Mr. Grauman should speak to the City Council.

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:38 p.m.

ATTEST:

Konradt Bartlam  
Planning Commission Secretary

*Variance Request - Setback to Two Feet - Bradley Litz  
@ 930 Virginia Avenue*

# Item 3a

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

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**MEETING DATE:** June 23, 2010

**APPLICATION NO:** 10-A-03

**REQUEST:** Request for Planning Commission approval of a variance to reduce the required three feet setback to two feet at 930 Virginia Avenue. (Applicant: Bradley Litz; File No. 10-A-03).

**LOCATION:** 930 Virginia Avenue  
(APN: 033-050-21)  
Lodi, CA 95240.

**APPLICANT:** Bradley Litz  
930 Virginia Avenue  
Lodi, CA 95240

**PROPERTY OWNER:** The same as above.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the request of Mr. Bradley Litz for a variance to allow reduced rear and side yard setbacks, subject to the condition outlined in the attached resolution.

**PROJECT/AREA DESCRIPTION**

**General Plan Designation:** Low Density Residential.

**Zoning Designation:** R-1, Residential Single-Family.

**Property Size:** 7,308 sq. ft.

The adjacent zoning and land use are as follows:

	<b>General Plan</b>	<b>Zone</b>	<b>Existing Conditions/Use</b>
North	Open Space	PUB, Public	Vinewood Park/Dog Park
South	Low Density Residence	R-1, Residential Single-Family.	Single Family residences
East	Low Density Residence	R-1, Residential Single-Family.	Single Family residences
West	Low Density Residence	R-1, Residential Single-Family.	Single Family residences

**SUMMARY**

The applicant, Mr. Bradley Litz, is requesting approval of a variance to allow a portion of an accessory structure (tool shed) to encroach 1-foot into the required 3-foot setback. When the accessory structure was built in 1996, the Building Code in effect did not require a building separation or a building permit. However, the City Code requires a minimum of 3-ft setback from side and rear property lines. The accessory structure was built with less than 3-ft rear and side yard setback. However, because of the angle of the rear lot, only a small portion of the structure encroaches into the rear and side yard setbacks.

**BACKGROUND**

The project parcel is at 930 Virginia Avenue. In April 12, 2010 as a result of complaints received by the Police Department, it was found that an accessory structure existed too close to the property line. Code Enforcement personnel issued a notice of violation. In their application for a Variance, the applicants indicate they spoke with City staff regarding City rules governing accessory structures.

According to the applicants, they spoke with former a Building Official who informed them that accessory structures less than 120 sq. ft did not require a building permit. The advice received is technically correct as the Building Code in effect at that time did not require a building permit for accessory structures 120. sq. ft or less however, the setback issue is part of the Zoning Code.

### **REGULATORY SETTINGS**

The applicable setback standards governing buildings and accessory structures are set forth in the Lodi Municipal Code § 17.57.160. The City originally adopted Ordinance No. 629 in December 3, 1958 to govern acquisition of future right-the ways. In addition, Ordinance No. 629 established definitions of buildings and structures, set forth procedure for the establishment of setback lines in the future and decided setback lines for buildings and accessory structures would be established at a later date (Attachment 2).

In August 1990, the City adopted Ordinance 1494 (Attachment 3), which amended Ordinance No. 629 and provided clear definition of setbacks for accessory structures. The setback requirements were set forth as:

“ Detached accessory buildings shall have a maximum size of one hundred twenty square feet. The overall height of the building shall not exceed eight (8) feet and the eave height shall not exceed seven (7) feet. No accessory building shall be closer than six (6) feet to any main building or closer than three (3) feet to any side or rear property line. (Ord. 1494 § 1, 1990; prior code § 27-13(g).”

Detached buildings over 120 sq. ft. are treated as any principal structure and are required to maintain a 5-foot side yard, 20-foot front yard, and 10-foot rear yard setbacks. The setback requirements specified in the ordinance were consistent with the Building Code in effect at that time. Accessory structures equal to or less than 120 sq. ft. do not require building permits, but are still required to maintain the setback requirements set forth hereinabove.

### **ANALYSIS**

The applicant, Mr. Bradley Litz, is requesting a Variance to allow reduced rear and side yard setbacks for an accessory structure constructed in 1996. The accessory structure has been in existence without any complaints from the neighbors. The property is zoned R-1, Residential Single-Family, which lists accessory structures (tool sheds) as permitted structures subject to the municipal code and the building code in effect at the time. The subject single family residence is generally in conformance with development standards. However, the R-1 zoning district requires a 3-foot rear and side yard setback for structures 120 sq ft or less. No accessory building is allowed closer than three feet to any side or rear property line ((Ord. 1494 § 1, 1990; prior code § 27-13(g); 2007 CBC, Section 704.5). In this case, as shown on the plot plan (Attachment 3), the accessory structure maintains a minimum 2-foot setback. The applicant requests a variance to reduce the required 3-foot setback to 2-foot.

To approve a variance, the Planning Commission must make specific findings. The first finding includes a demonstration that special circumstances (physical constraints) affect the ability to develop a property. These physical constraints include the size, shape, topography, location or surrounding. The Commission must find that the site constraints deprive the property of privileges enjoyed by other property owners in the vicinity. Secondly, the Commission must find that the approval of a variance will not grant a special privilege inconsistent with the limitations on other properties in the vicinity. Finally, variances cannot authorize a use or activity not otherwise authorized by the applicable zoning district. Based on the following discussion, staff believes the Commission can approve the variance.

To address the special circumstances that apply to this property, staff notes the shape of the parcel is not rectangular. Specifically, the rear parcel line is at about a 30 to 40 degree angle. Typically, most property contains parcel shapes that are rectangular or square. This allows homes to have parallel lines to the property lines.

To address the finding for not granting a special privilege, staff conducted a site visit of other properties in the area. Staff notes there are many properties in this area that have structures within both the rear and side yard setbacks. Specifically, there are at least seven properties within the same zoning district and either adjacent to, or within two lots of this property which encroach into the setback areas. Three properties to the east have structures within three (3) feet of the rear property line. However, all those structures predate the City requirement governing accessory structures. Therefore, the approval of the variance would be consistent with neighboring properties and would allow the applicant to enjoy a privilege that other property owners have in the surrounding vicinity. The Commission can make this finding.

As it pertains to the finding of approving a use or activity not otherwise authorized by the applicable zoning district, the R-1 zoning district allows the subject accessory structure. Therefore, the Commission can make this finding also.

**ENVIRONMENTAL ASSESSMENTS**

The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures have been required.

**PUBLIC HEARING NOTICE:**

Legal Notice for the Variance was published on June 12, 2010. 34 public hearing notices were sent to all property owners of record within a 300-foot radius of the subject property as required by Government Code §65091 (a) 3.

**ALTERNATIVE PLANNING COMMISSION ACTIONS:**

- Approve the Request with Alternate Conditions
- Deny the Request
- Continue the Request

Respectfully Submitted,

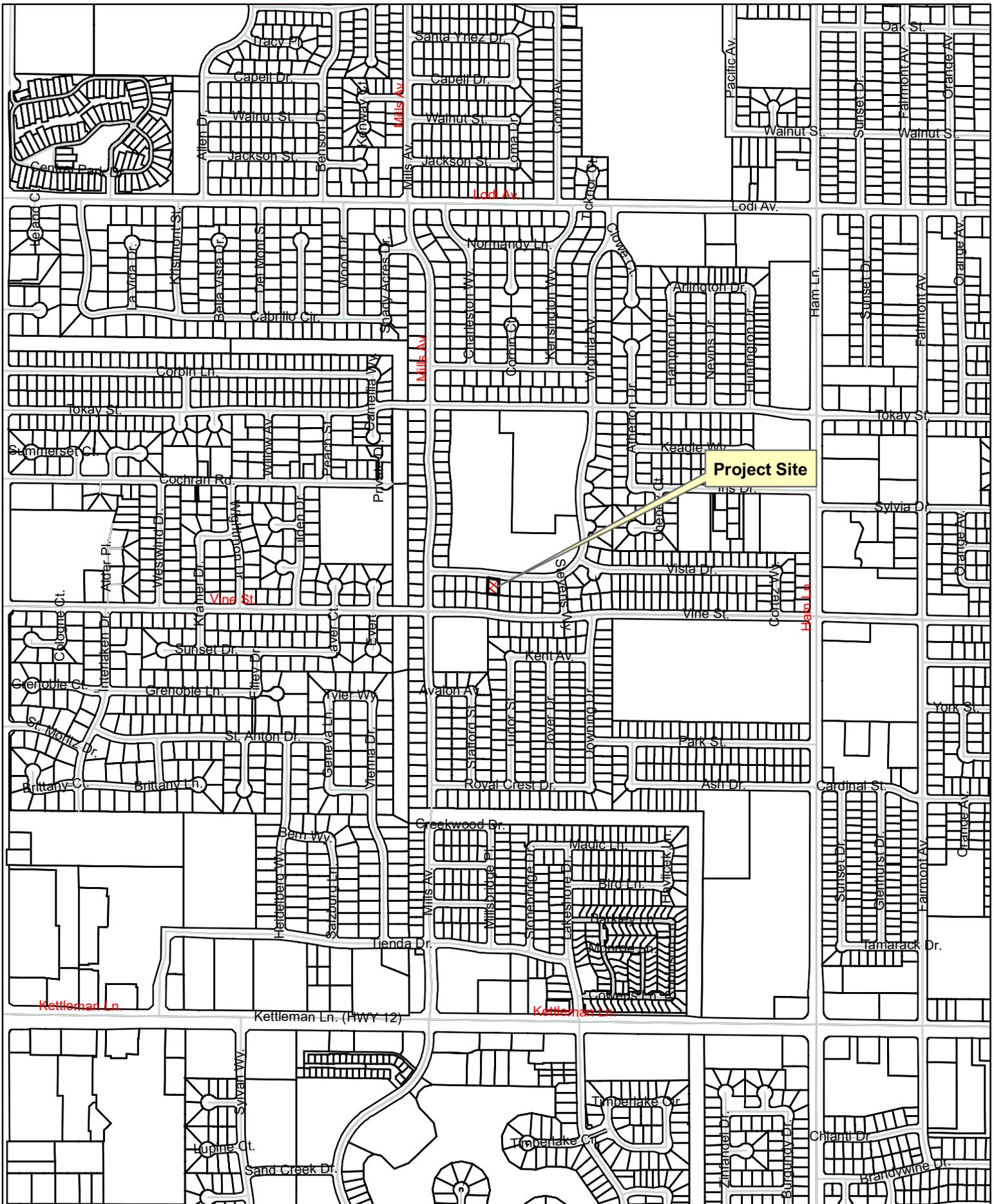
Concur,

Immanuel Bereket  
Associate Planner

Konradt Bartlam  
Community Development Director

**ATTACHMENTS:**

1. Vicinity Map
2. Aerial Photo
3. City Ordinances No. 629 (1958)
4. City Ordinances No. 1494 (1999)
5. Plot Plan
6. Draft Resolution



**Project Site**

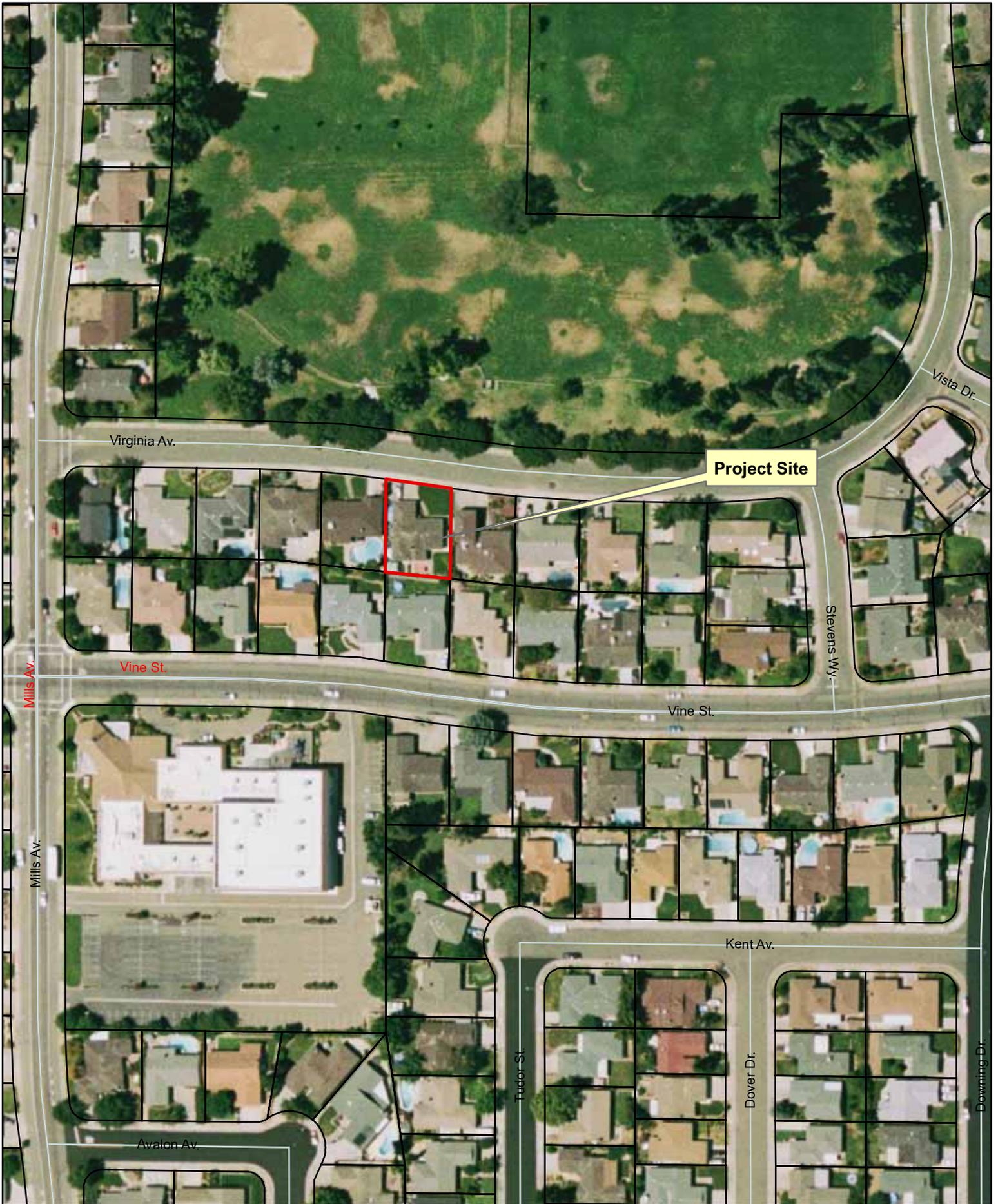
**Vicinity Map**  
 930 Virginia Avenue  
 (APN: 033-050-21)  
 Lodi, CA 95240.

**Legend**

 Project Site



0 0.025 0.05 0.1 0.15 0.2  
 Miles



0 0.0045 0.009 0.018 0.027 0.036  
Miles

**Aerial Photo**  
930 Virginia Avenue  
(APN: 033-050-21)  
Lodi, CA 95240.

## Legend

 Project Site

ORDINANCE NO. 629

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT  
OF SETBACK LINES AND PROHIBITING THE ERECTION  
OF BUILDINGS AND STRUCTURES WITHIN THE SET-  
BACK AREA

The City Council of the City of Lodi does ordain as follows:

Section 1. Purpose and Authority

This ordinance is adopted to promote the public health, safety and general welfare by providing for the establishment of setback lines to protect the future rights-of-way for existing and planned streets. The specific setback lines which are provided for in this ordinance are hereby designated precise plans as authorized in Section 65601 of the Government Code.

Section 2. Definitions

For the purpose of this ordinance, the following words shall have the meaning indicated.

1. Building - any structure having a roof supported by columns or walls.
2. Setback Line - a line parallel to the future centerline of a street and designating the future right-of-way line of the street.
3. Setback Area - the area lying between setback lines established on each side of a street or planned street and including the full width of the future right-of-way.

4. Structure - anything constructed or erected which requires permanent location on the ground or which is attached to something requiring permanent location on the ground.

### Section 3. Procedure for the Establishment of Setback Lines

1. When the Planning Commission or the City Council determines that a setback line is desirable and necessary in the public interest, either body may initiate proceedings by declaring its intention to establish a specific setback line.
2. The Planning Commission shall then hold at least one public hearing on the proposed setback line and shall make a recommendation and report to the City Council. Notice of the hearing shall be published at least 10 days prior to the hearing.
3. Upon receipt of the recommendation and report from the Planning Commission, the City Council shall hold a public hearing and may adopt an ordinance establishing the setback line. Notice of the hearing shall be published at least 10 days prior to the hearing.
4. If the City Council proposes a change in the setback line recommended by the Planning Commission, the change shall be referred to the Planning Commission for a report before the ordinance is adopted.

5. During the period between the declaration of intention to establish a setback line and the effective date of an ordinance establishing the setback line, no building permit shall be issued for the erection of a building or structure in the proposed setback area.

#### Section 4. Applicability of Setback Lines

1. After the adoption of a specific setback line on an existing or planned street, no building or structure or addition thereto shall be erected closer to the centerline of the street than the setback line so established, except as otherwise provided in this ordinance.
2. Exemptions from the Setback Line
  1. Cornices, eaves, canopies, and similar architectural features of a building when conforming to Section 6 of this ordinance.
  2. Uncovered terraces and paved areas.
  3. Fences and walls not exceeding 42 inches in height.
  4. Signs supported back of the setback line when conforming to Section 6 of this ordinance.
  5. Public street improvements and utility structures.

Section 5. Encroachments

After a report from the Planning Commission, the City Council may permit the erection of a building or structure within the setback area if the following requirements are met.

1. The strict application of the ordinance will result in unnecessary hardship to the property owner amounting to a practical confiscation of the property.
2. The intent of the ordinance to preserve future rights-of-way from obstructions will be observed through the imposition of conditions necessary to protect the public welfare and safety. The conditions may include a recorded agreement from the property owner to remove the encroachment at no expense to the City or State agency at such time that it becomes necessary to widen the street.

Section 6, Effect on Zoning and Building Requirements

Where a setback line has been established on a street, all applicable zoning yard requirements and building code requirements shall be measured from the setback line and shall be based, where applicable, on the future curb line of the street.

Section 7. Specific Setback Lines

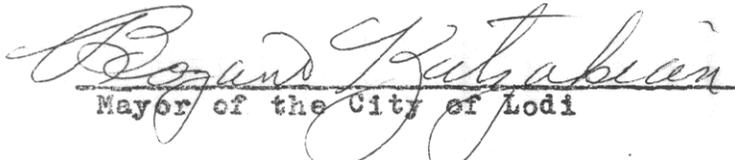
1. All setback lines previously adopted and now in effect in the City of Lodi are hereby continued,

2. All setback lines adopted in the future shall be established in accordance with the provisions of this ordinance.

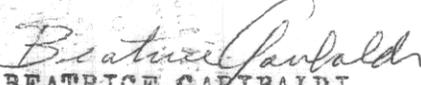
**Section 8. Enactment**

This ordinance shall be published once in the Lodi News-Sentinel and shall be in full force and take effect thirty (30) days from and after its passage and approval.

Approved this 3rd day of December, 1958.

  
Mayor of the City of Lodi

Attest:

  
BEATRICE GARIBALDI  
City Clerk

I, BEATRICE GARIBALDI, City Clerk of the City of Lodi and ex officio Clerk of the City Council, do hereby certify that Ordinance No. 629 was introduced at a regular meeting of the City Council held November 19, 1958, and was thereafter passed, adopted and ordered to print at a regular meeting held December 3, 1958, by the following vote:

AYES: Councilmen - Brown, Culbertson, Mitchell, Robinson and Katsakian

NOES: Councilmen - None

ABSENT: Councilmen - None

I further certify that Ordinance No. 629 was approved and signed by the Mayor on the date of its passage and that the same has been published pursuant to law.

  
BEATRICE GARIBALDI  
City Clerk

ORDINANCE NO. 1494

AN ORDINANCE OF THE LODI CITY COUNCIL  
AMENDING LODI MUNICIPAL CODE SECTION 17.57.160 - ACCESSORY BUILDINGS

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Section 17.57.160 is hereby amended by adding thereto a new subsection D to read as follows:

- D. "Detached accessory buildings shall have a maximum size of 120 square feet. The overall height of the building shall not exceed eight (8) feet and the eave height shall not exceed seven (7) feet. No accessory building shall be closer than six (6) feet to any main building or closer than three (3) feet to any side or rear property line."

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 1st day of August

*John R Snider*

JOHN R. SNIDER  
Mayor

Attest:

*Jennifer M. Perrin*  
JENNIFER M. PERRIN  
Deputy City Clerk

for ALICE M. REIMCHE  
City Clerk

-----  
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.1494 was introduced at a regular meeting of the City Council of the City of Lodi held July 11, 1990 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held August 1, 1990 by the following vote:

- Ayes : Council Members - Hinchman, Olson, Pinkerton, Reid and Snider (Mayor)
- Woes : Council Members - None
- Absent: Council Members - None
- Abstain : Council Members - None

I further certify that Ordinance No. 1494 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

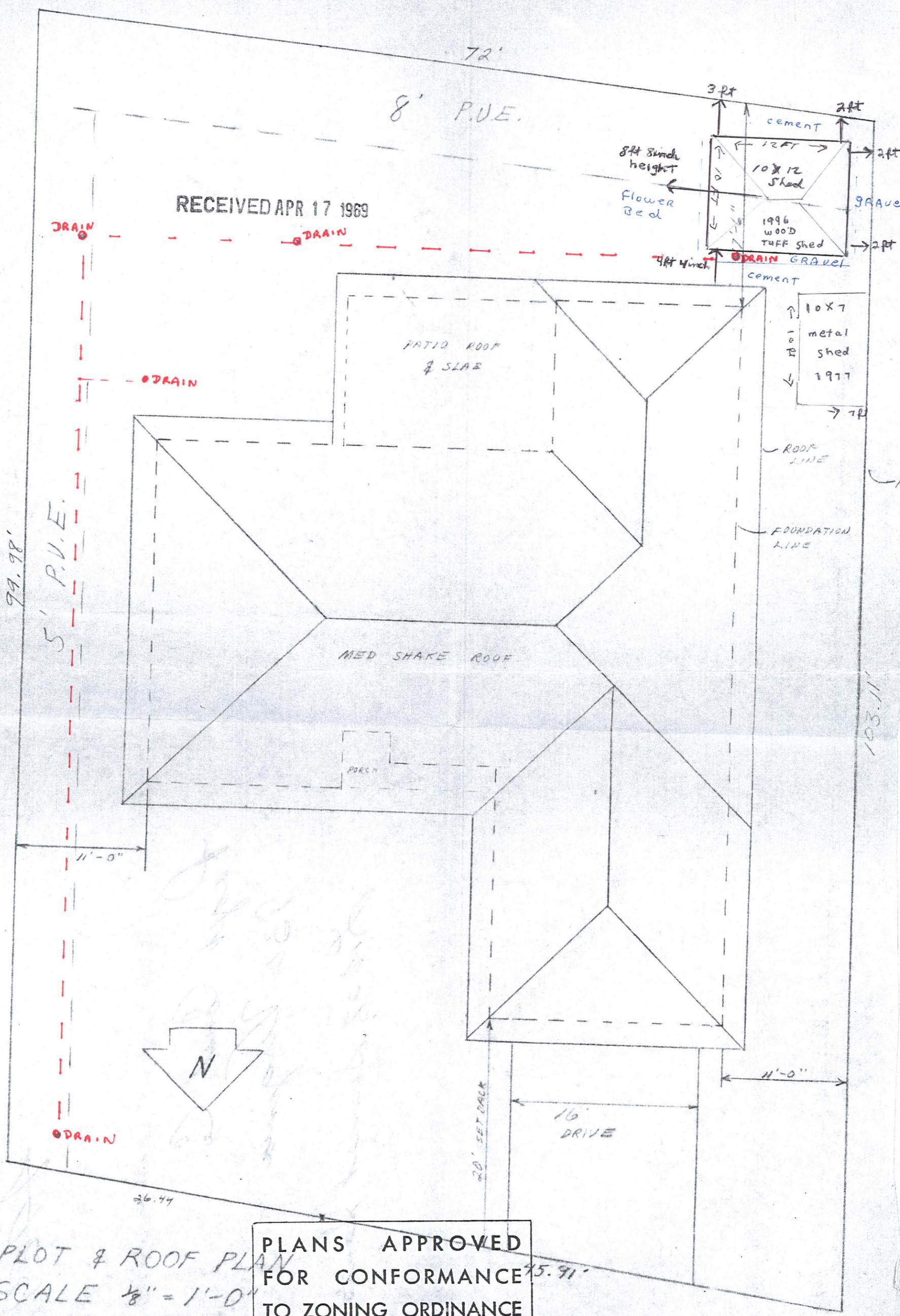
*Jennifer M. Perrin*  
JENNIFER M. PERRIN  
Deputy City Clerk

for ALICE M. REIMCHE  
City Clerk

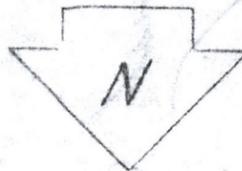
Approved as to Form  
*B W McNatt*

BOBBY W. McNATT  
City Attorney

Red: underground drain runs from rear shed to front yd by sidewalk curb  
 Black: Shed 10 feet x 12 feet Tuff Shed, sits on cement  
 Blue: flower bed, gravel, cement



RECEIVED APR 17 1969



PLOT & ROOF PLAN  
 SCALE 1/8" = 1'-0"  
 LOT 27 SUNSET SOUTH

PLANS APPROVED  
 FOR CONFORMANCE  
 TO ZONING ORDINANCE  
 Planning Department, City of Lodi  
 Date 4/17/69 By *EJA*

RECEIVED

JUN 15 2010

COMMUNITY DEVELOPMENT DEPT  
CITY OF LODI

To the Planning commission regarding the approval of a variance to reduce the required three feet setback for Bradley Litz at 930 Virginia Ave.

June 12, 2010

Dear Rad Bartlam,

I am writing in support of a variance at this public hearing. I feel that the Litz required setback at 930 Virginia Avenue should be changed from 3 feet to 2 feet.

I would like to say foremost that the Litz's are outstanding neighbors and they are model examples of Lodi homeowners who take great pride in the care of their lawn, property, and home. Just drive by, the yard, garage and house are immaculate! In fact, his home is near the entrance to the dog park and many people outside of the neighborhood have the joy of admiring his yard as well. The Litz home speaks highly of the values that would honor Lodi in representing their city.

Brad Litz also is a great neighbor, one who is observant and is not afraid to notify police when he sees something out of the ordinary. In fact, I hold him responsible for stopping a potential burglary in the neighborhood because of his attentiveness. He also is very friendly and courteous and he is definitely someone you would **not** want to leave the neighborhood.

Due to the high quality of his personal nature and of his care for his property, I feel that the approval of this setback footage is a kindness the city can afford in this case. I don't believe the location of the existing shed is bothering anyone; as most people don't realize it is there. Plus, it provides storage for equipment so he can continue to keep his property well groomed.

Thank you for this opportunity to submit a letter on behalf of our neighbor and friend, Brad Litz.

Sincerely,



Laura and Keith Kanegawa  
950 Virginia Ave.  
Lodi, CA 95242

**RECEIVED**

Community Development Director  
P.O. Box 3006  
Lodi, CA 95241-1910

JUN 17 2010

Mon. June 14, 2010

COMMUNITY DEVELOPMENT DEPT  
CITY OF LODI

Dear Sir:

This is in response to the notice I received on June 12, 2010 concerning a variance reduction at 930 Virginia Avenue. (Applicant: Bradley Litz; File No. 10 A-03)

I live adjacent to Brad and Mardella, on the west side; 936 Virginia Ave. We have been neighbors for over 30 years, and I definitely have no objection to his request.

Sincerely,



Claudene Blasl

**RESOLUTION NO. P.C. 10-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF BRADLEY LITZ FOR APPROVAL OF A VARIANCE TO REDUCE THE REQUIRED THREE FEET SETBACK TO TWO FEET AT 930 VIRGINIA AVENUE**

**WHEREAS**, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments; and

**WHEREAS**, the project proponent is Mr. Bradley Litz, 930 Virginia Avenue, Lodi, CA; and

**WHEREAS**, the project site is located at 930 Virginia Avenue, Lodi, CA 95240 (APN: 033-050-21); and

**WHEREAS**, the project site is zoned R-1, Residential Single-Family; and

**WHEREAS**, the project site has a General Plan designation of Low Density Residential; and

**WHEREAS**, the project was reviewed in conformance with the California Environmental Quality Act; and

**WHEREAS**, the Community Development Department studied and recommended approval of the request; and

**WHEREAS**, all legal prerequisites to the approval of this request have occurred.

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi as follows:

1. The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an "Enforcement action by regulatory agencies" because it is the "adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant environmental impacts are anticipated and no mitigation measures have been required.
2. A variance may be granted if the City finds that because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The structure has been on the property for many years and is similar to many accessory structures located in the neighborhood. The applicant would like to keep the accessory structure as it stands. Granting the variance will not increase the size of the structure.
3. The variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.
4. Approval of the requested variance will not affect the existing land use pattern in the neighborhood where there are many residences with similar type of accessory structures.
5. The variance is not detrimental to the public welfare and will provide an affordable housing unit that will be built to current building standards;

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi that Variance Application Number: 10-A-03 is hereby approved, subject to the following conditions:

1. The applicant will defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this approval, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
2. The applicant shall submit appropriate plans to the Community Development Department for plan check and building permit.
3. The applicant shall comply with all requirements of Public Works Department, Fire Department and all applicable utility agencies.

Dated: June 23, 2010

I hereby certify that Planning Commission Resolution Number 10- was approved and adopted by the Planning Commission of the City of Lodi at a regular meeting held on June 23, 2010 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST: \_\_\_\_\_  
Planning Commission Secretary

*Use Permit - Type 20 ABC License - Walgreens  
@ 1320 West Elm Street*

**Item 3b.**

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

---

**MEETING DATE:** June 23, 2010

**APPLICATION NO:** Use Permit: 10-U-05

**REQUEST:** Request for Planning Commission approval of a Use Permit to allow a Type-20 Off-Sale beer and wine Alcoholic Beverage Control License at 1320 West Elm Street. (Applicant: Miller Starr Regalia PLC, on behalf of Walgreens Co.; File Number: 10-U-05)

**LOCATION:** 1320 West Elm Street  
APN: 035-110-05  
Lodi, CA 95240

**APPLICANT:** Miller Starr Regalia PLC  
1331 North California Boulevard, 6<sup>th</sup> Floor  
Walnut Creek, CA 94596-4537

**PROPERTY OWNER:** Shizu Sakauye  
200 Wilmot Road  
Deerfield, IL 60015

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the request of Miller Starr Regalia PLC, on behalf of Walgreens Co., for a Use Permit to allow a Type-20 Off-Sale beer and wine Alcoholic Beverage Control (ABC) license at 1320 West Elm Street, subject to the conditions in the attached resolution.

**PROJECT AREA DESCRIPTION**

**General Plan Designation:** C, Commercial  
**Zoning Designation:** C-1, Neighborhood Commercial  
**Property Size:** 1.65 acres.

The adjacent zoning and land use characteristics:

	<b>General Plan</b>	<b>Zone</b>	<b>Land Use</b>
<b>North</b>	Commercial	C-S, Shopping- Commercial	Mix of retail uses including restaurants
<b>South</b>	Low Density Residential	R-1, Single Family Residence	Residences
<b>East</b>	Low Density Residential	R-1, Single Family Residence	Residences
<b>West</b>	Low Density Residential	R-2, Single Family Residence	Residences

**SUMMARY**

The applicant, Miller Starr Regalia PLC, on behalf of Walgreens Co., is requesting approval of a Use Permit to allow a Type-20 Alcoholic Beverage Control (ABC) License at the Walgreens store, generally located at the southwest corner of Ham Lane and Elm Street (1320 West Elm Street), within a Neighborhood Commercial (C-1) zoning district. They are proposing to provide a limited selection of beer and wine, occupying a small portion of the store area. Beer will comprise a 10-foot long area within an 18-foot long cooler, and wine will

make up approximately 18 feet of a 36-foot long beverage aisle. The City requires a Use Permit for the sale of alcoholic beverages. The census tract in which this store is located is not over-concentrated and, therefore, the Commission doesn't need to make a finding of public necessity or need to approve additional ABC license. To date, staff has not received any letters in opposition to the request for Walgreens to sell alcoholic beverages.

## **BACKGROUND**

The project site was previously used by a nursery. Walgreens Co. has operated at this location since early 1990s. Development plans for the property were reviewed and approved by the Site Plan and Architectural Review Committee in early 1993. Walgreens stores have sold alcohol for many years, but decided to discontinue selling it in the 1990's in order to focus on other business priorities. However, they have now decided to offer beer and wine sales, but at a very small quantity. Available City records indicate the property has no outstanding zoning or building code violations.

## **ANALYSIS**

The applicant requests to sell beer and wine at the existing Walgreens store located at the southwest corner of Elm Street and Ham Lane. This store is approximately 13,000 square feet in size. The applicant would like to obtain a Type 20 Off-Sale ABC license, which authorizes the sale of beer and wine for consumption off the premises where sold. Type 20 prohibits the sale of distilled spirits. Minors are allowed on the premises. The project site is zoned Neighborhood Commercial (C-1). In the C-1 zoning district, grocery stores, pharmacies and conveniences store and are permitted uses. Under the C-1 zoning district, the applicant may sell alcohol for on and off-site consumption with the granting of a Use Permit by the Planning Commission, pursuant to §17.72.040 of the Lodi Municipal Code, which requires a Use Permit for new Off-Sale and On-Sale alcohol licenses as well as changes in license type. The City established the Use Permit requirement to gain local control over whether or not a license is appropriate for a particular location. The Department of Alcoholic Beverage Control primarily controls issuance based on concentration of licenses within a particular Census Tract.

The project area belongs to Census Tract 42.01. Census Tract 42.01 covers the area south of Turner Road, west of Ham Lane, north of Lodi Avenue, and east of Lower Sacramento Road. The census tract in which this store is located is considered by the Alcohol Beverage Control (ABC) to be "not-concentrated." According to the ABC, this census tract is allowed five off-sale licenses and there are currently two existing licenses. Because this census tract is not over concentrated, the City is not required to make a finding of public need or convenience in order to approve the proposed off-sale beer and wine license. However, the Planning Commission will need to determine whether or not to grant the request based on the use and the location of the project.

Staff sent copies of the application to various City departments for comments and review. Their comments and requirements have been incorporated into the attached resolution. Staff has contacted the Lodi Police Department for their requirement for approval of the proposed off-sale beer and wine application and they do not anticipate alcohol related problems. The Lodi Police Department recommends approval subject to the conditions outlined in the attached resolution.

If approved, the project will be precluded from having external advertising of alcohol (e.g. window and wall displays) by Condition #3. Conditions #4 and #5 will assist in addressing issues commonly associated with alcohol sales, such as sales to transients, loitering, open containers, etc. Further, these conditions will assist in maintaining the appearance of the establishment as a general store rather than a liquor store. Moreover, the proposed use will

not result in an "undue concentration" of establishments dispensing alcoholic beverages as defined by Section 23958 and 23958.4 of the California Business and Professional Code and giving consideration to the California Department of Alcoholic Beverage Control's guidelines related to number and proximity of such establishments within a 1,000-foot radius of the site.

In staff's opinion, the proposed sale of alcohol for off-site consumption will not result in any adverse conditions and that the intent of the proposed use is in conjunction with a convenience market in that a convenience market is permitted by-right in the C-1 zoning district. The applicant's goal is to provide a one-stop shopping experience for their customers. Staff recommends conditions of approval that will allow the City to reconsider the Use Permit if there is a significant increase in police or other public services provided to the site following the effective date of this Use Permit. The proposed project is consistent with the use on the site and compatible with the General Plan and Zoning Ordinance land uses. Staff believes that the required findings necessary for the approval of a Use Permit have been made in the attached resolution. Therefore, recommends approval the Use Permit subject to the conditions outlined in the attached resolution.

**ENVIRONMENTAL ASSESSMENTS**

The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an "Enforcement action by regulatory agencies" because it is the "adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant environmental impacts are anticipated and no mitigation measures have been required.

**PUBLIC HEARING NOTICE:**

Legal Notice for the Use Permit was published on June 12, 2010. 58 public hearing notices were sent to all property owners of record within a 300-foot radius of the subject property as required by California State Law §65091 (a) 3. No protest letter has been received.

**ALTERNATIVE PLANNING COMMISSION ACTIONS:**

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request

Respectfully Submitted,

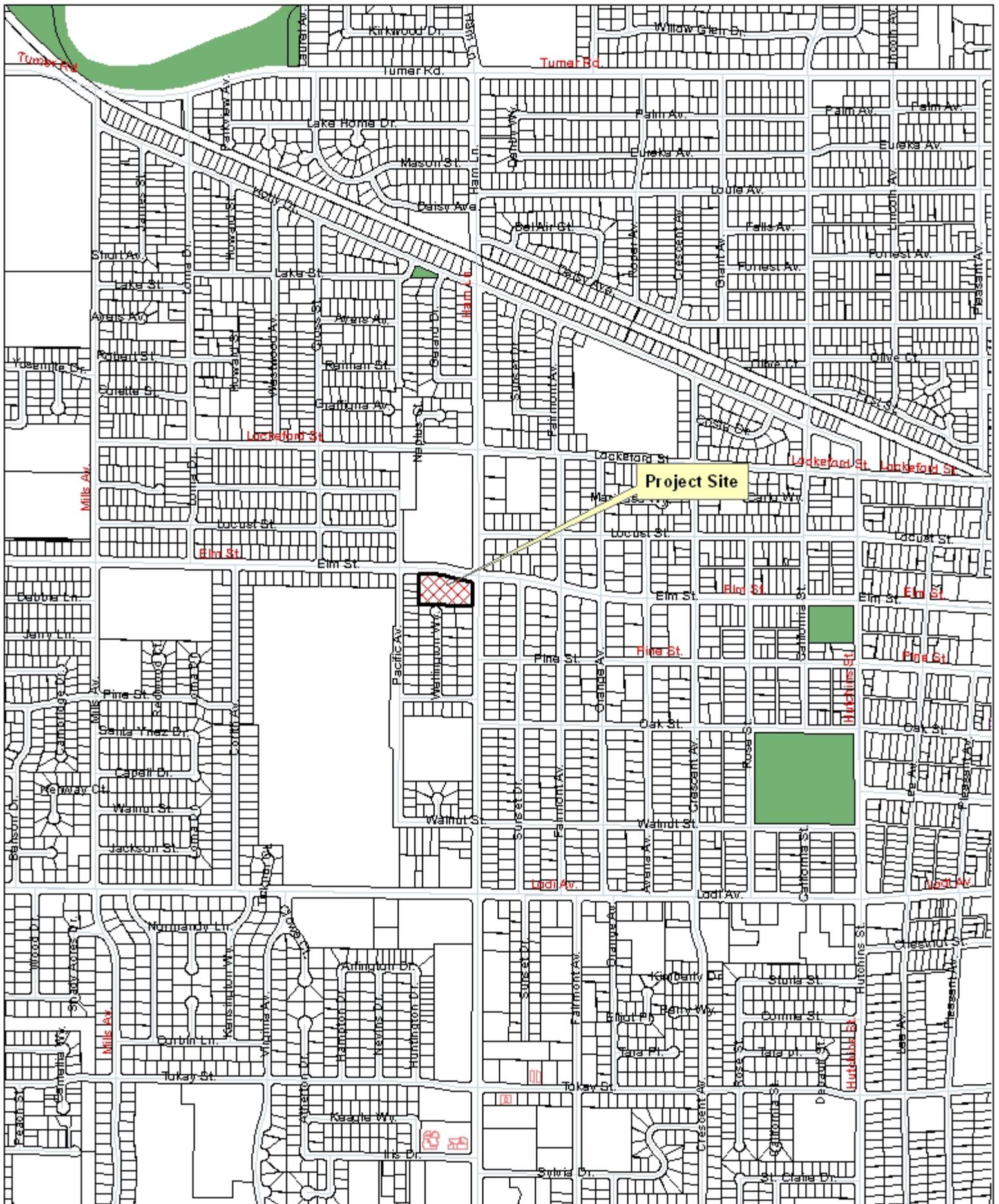
Concur,

Immanuel Bereket  
Assistant Planner

Konradt Bartlam  
Community Development Director

**ATTACHMENTS:**

1. Vicinity Map
2. Aerial Photo
3. Site Plan and Floor Plan
4. Applicant's project description
5. Police Department Approval
6. Draft Resolution

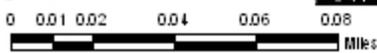


**Vicinity Map**  
 1320 West Elm Street  
 APN: 035-110-05  
 Lodi, CA 95240



**Legend**

 Project Site



**Aerial Photo**  
1320 West Elm Street  
APN: 035-110-05  
Lodi, CA 95240

### Legend

 Project Site

P A C I F I C A V E N U E

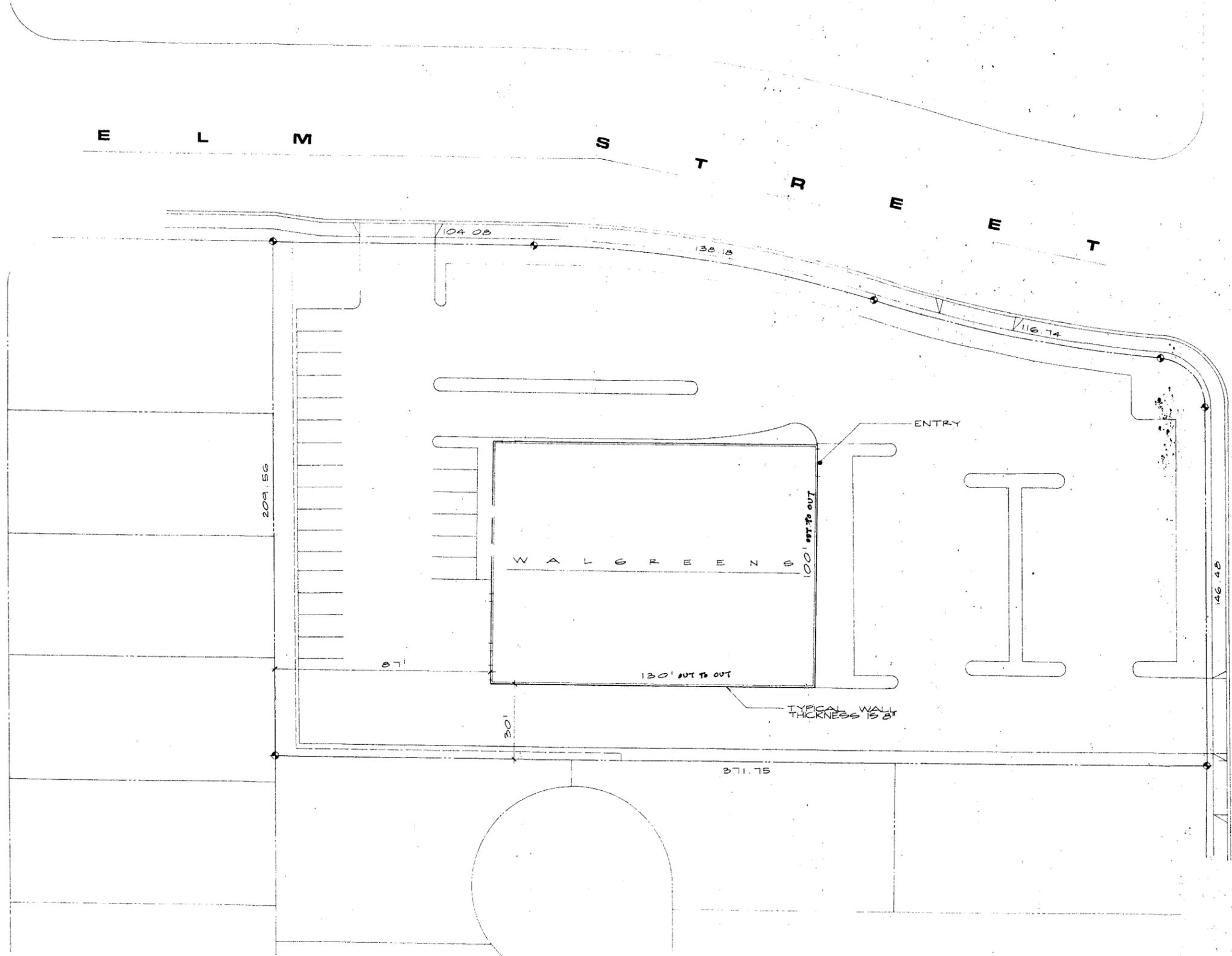
E L M S T R E E T

H A M L A N E



**SITE PLAN**

1" = 20'



*Ben Horton*

FACILITIES  
AUG 18 1992  
PLANNING & DESIGN

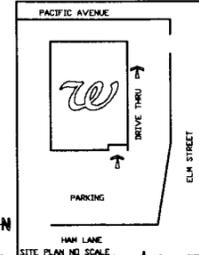
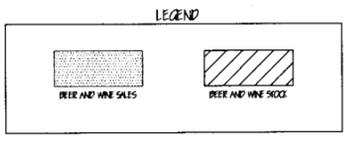
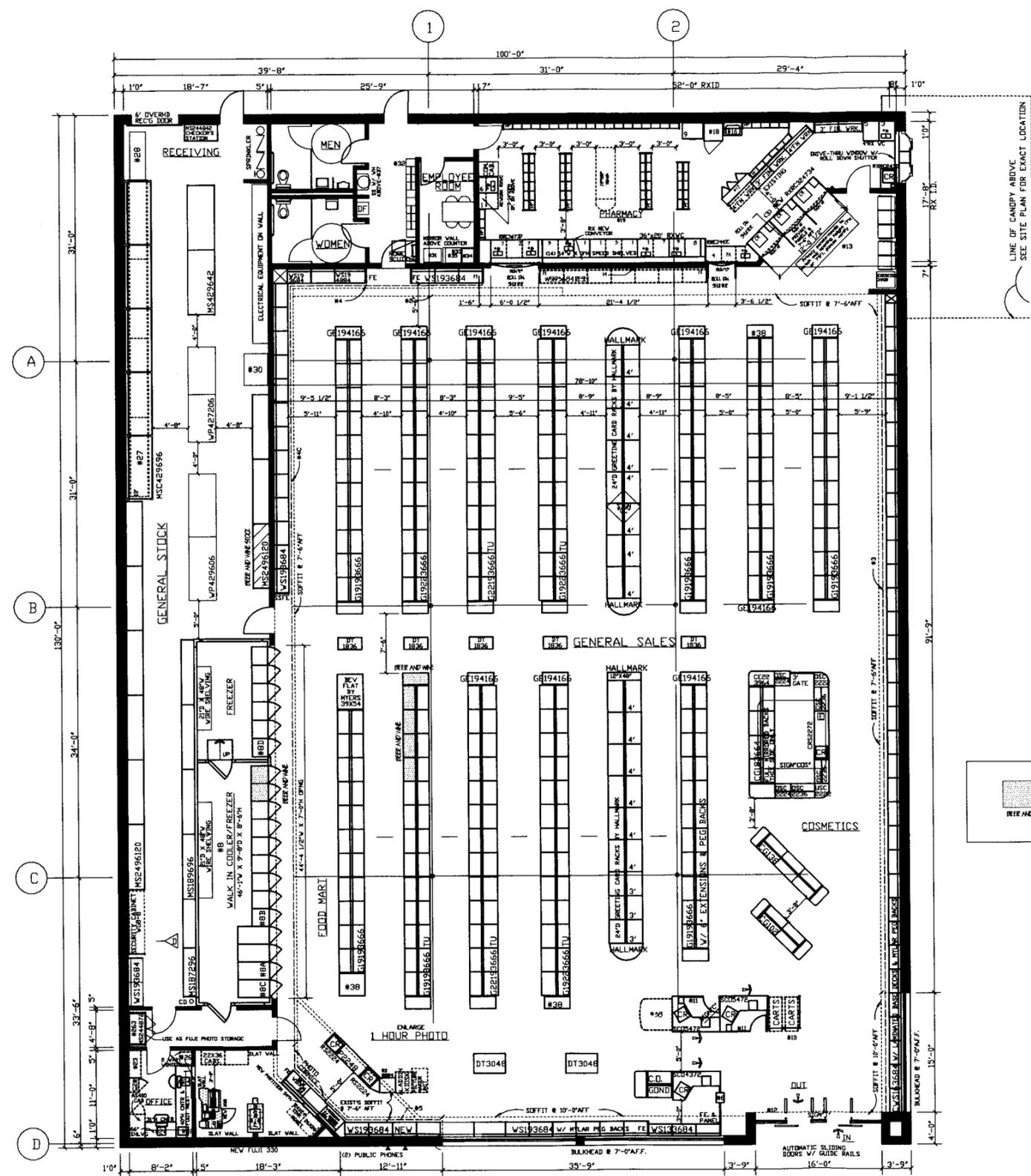
REVISIONS	BY

**COMMERCIAL ARCHITECTURE INC.**  
 GEORGE J. BADAL, A.I.A.  
 1300 10TH ST. SUITE B. MODESTO, CALIF. 95354 (209) 571-8158

PROJECT: WALGREENS  
 CLIENT: BEN HORTON  
 LOCATION: LODI CA.

DRAWN	D J H
CHECKED	G J B
DATE	8-13-92
SCALE	NOTED
JOB NO.	92-110
SHEET	

STEELE & ASSOCIATES  
 OF 296 SHEETS



INTERIOR HANGING SIGNS

GENERAL SALES AREA:  
ALL SIGNS AND AISLE MARKERS @ 9'-6" AFF  
UNLESS OTHERWISE NOTED.

SIGN "C"	CHECKOUT/THANK YOU
SIGN "E"	ENTRANCE/EXIT
SIGN "L"	LIQUOR/THANK YOU
SIGN "T"	STORE HOURS SIGN
SIGN "GC"	GREETING CARD CUBE
SIGN "COS"	COSMETIC HANGING CUBE 8" X 8" X 30"H @ 8'-0" AFF
SIGN "B"	BEER CUBE
SIGN "SB"	SAN BRUND CHECKOUT LANE #
SIGN "N"	SAN BRUND PHOTO
PHARMACY DEPARTMENT: REFER TO FIXTURE PLAN FOR REQUIRED SIGNS	
SIGN "J"	PICK UP PRESCRIPTIONS
SIGN "K"	DROP OFF PRESCRIPTIONS
SIGN "M"	CUSTOMER WAITING AREA
SIGN "Q"	CONSULTATION WINDOW

ATTACH SIGNS TO UNDERSIDE OF SOFFIT.  
REFER TO FIXTURE PLAN FOR SIGN LOCATION.  
PROVIDE (2) HOLLOW WALL ANCHORS PER SIGN.  
SCREW THREADED EYEBOLT INTO ANCHOR. HANG  
SIGNS FROM EYEBOLTS WITH "S" HOOKS.

GENERAL NOTES

- FIXTURES BY LIZIER / STOREKRAFT
- SECURITY MIRROR ON SOFFIT OF REAR WALL
- COSMETIC CORNICE
- PLASTIC "S" CORNICE SPECIFIED ON THIS DRAWING TO BE SEFFIT MAINLINE CORNICE INSERTS TO CORRESPOND WITH WALL ABOVE AND NOTED AS FOLLOWS: #4A-DARK ROSE #4B-BROWN #4C-DARK BLUE #4D-DARK RED
- PLASTIC CORNICE INSERT FOR "M" WINDOW TO READ "PRESCRIPTION DROP OFF"
- CANDY SCALE SHELF
- REFRIGERATION:  
PROVIDE 3" SPACE BEHIND CASES.  
A. MASTER-BILT 3 DOOR MEDIUM TEMP CASE 3M-80 84"W X 34.5"D X 78.5"H  
B. MASTER-BILT 3 DOOR LOW TEMP CASE 3L-80 84"W X 34.5"D X 78.5"H  
C. MASTER-BILT 2 DOOR MEDIUM TEMP CASE 2M-52 56"W X 34.5"D X 78.5"H  
D. MASTER-BILT 2 DOOR LOW TEMP CASE 2L-52 56"W X 34.5"D X 78.5"H  
E. MASTER-BILT 2 DOOR BACK-UP BDX (LS-52) 56"W X 34.5"D X 78.5"H  
F. MASTER-BILT WINE COOLER (VMB-58) 70"W X 31"D X 76"H  
G. MASTER-BILT WALK-IN COOLERS PROVIDE 13 DOOR COOL MASTER DOORS 26.75" X 73" EACH AND 6 DOOR FREEZEMASTER DOORS 25 3/8" X 71" EACH BY ANTHONY.  
A. 3 DOORS FOR EACH DOOR PROVIDE (7) 4" BEV-D-FLOW GRAVITY SHELVES LEVEL (5) WITH SLIDES AND LOWER (2) WITH ROLLERS COMPLETE WITH UPRIGHTS  
B. 9 DOORS FOR EACH DOOR PROVIDE (7) 26" ANTHONY WIRE SHELVES AND (4) 84" POSTS  
C. 1 DOORS FOR EACH DOOR PROVIDE 4" GRAVITY SHELVES LEVEL TO FLOOR  
D. 6 DOORS FOR EACH DOOR PROVIDE (8) 24" ANTHONY SHELVES  
9. ICE CHEST BY VENDOR APPROXIMATELY 50"W X 24"D X 78"H  
10. ALL RAILINGS TO BE 40" DOUBLE LINE RAILS  
11. FREE STANDING CHECKOUTS TO HAVE A GATE AND 48" SIDE SCREEN. PROVIDE A 6" DARK BROWN VINYL BASE AT ALL CHECKOUT COUNTERS WITHOUT A RECESSIT BASE  
12. IN-A-MATIC GATE WITH ELECTRIC EYE  
PHARMACY DEPARTMENT NEW FIXTURES AS SHOWN:  
13. PATIENT SEATING AREA  
5 SEATS EXISTING  
(-) TABLE LAMP (WHEN SHOWN)  
14. WALL UP PHARMACY AS SHOWN (REFER TO ARCHITECTURAL DRAWINGS)  
15. COMPUTER TERMINAL C 8 EXISTING COMPUTERS  
16. RX SINK AND CABINET EXIST.  
17. CRX CABINET NEW  
18. EXISTING REFRIGERATOR  
19. PROVIDE A NEW CARPETED FLOOR WITH A RUBBER RUNNER. RX UNDERCOUNTER INSERTS ALL NEW!  
#1 - RX 3 DRAWER VIAL INSERT  
#3 - RX OPEN UNIT INSERT  
#5 - RX PRINTER CABINET INSERT  
#6 - RX 5 DRAWER FILE INSERT  
#8 - RX OPEN CABINET 39" CTR  
#9 - NEW RX-10 DRAWER FILE CABINET

REVISIONS

NO.	DATE	BY	DESCRIPTION	CONST.
A	2/8/93	DN	REVISED DL & MDI	
B	6/17/93	DN	REVISE COS. BULL. PEN. VIT. SHELVING (HALL MARK TO 24" RACK PER NEW)	
C	1/21/96	MN	ADD 1 HR PHOTO, RESET & NEW FIXTURES TO INCLUDE SUE WALL, NEW PHOTO REAL & LIGHT BOXES, NEW PHOTO COUNTER, UPDATED SQUARE FOOTAGE, FIXTURES BY LIZIER	
D	2/3/04	TCS	RELIEVE OFFICE INTO VALUABLE SH AND ENLARGE 1 HR PHOTO AREA INTO OLD SPACE. ORDER NEW SECURITY CABINET. REQUEST PER STORE OPERATIONS.	
E	03/25/06	TCS	NEW RXVc MIXTURESIVE DROP OFF DOWN 3" NEW RX CONVEYOR NEW FIXTURES AS NOTED	

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS DRAWING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I AM A DULY LICENSED ARCHITECT IN THE STATE OF CALIFORNIA. CALIF. DRWA. NO. 00252 BY MY HAND

STORE NUMBER 02961

PROJECT NAME  
**WALGREENS STORE**  
75 NORTH HAM LANE  
LODI, CALIFORNIA

DRAWING TITLE  
FIXTURE FLOOR PLAN

DEPUTIVE APPROVAL	DATE
SENIOR VICE PRESIDENT FACILITIES DEVELOPMENT	
SENIOR VICE PRESIDENT STORE OPERATIONS	
VICE PRESIDENT STORE OPERATIONS	

**Walgreens**  
FACILITIES PLANNING AND DESIGN  
800 VILMOT ROAD DEERFIELD, IL 60015  
708-946-8200

PROJECT DATA

TYPE	INCLUDED
NEW LOCATION	GENERAL SALES <input checked="" type="checkbox"/> FOOD MART <input checked="" type="checkbox"/>
EXIST'G BLDG	PHARMACY <input checked="" type="checkbox"/> BEER <input type="checkbox"/>
REMODEL	LIQUOR <input type="checkbox"/> 1 HOUR PHOTO <input checked="" type="checkbox"/>

SQUARE FOOT AREA SUMMARY

DEPARTMENT	SALES	STOCK	SERVICE	EXIST'G	NEW	TOTAL
GEN SALES	EXIST 7939	2200	683	10822		
NEW	7814	2190	683			10687
LIQ.	EXIST				500	
NEW						
BEER	EXIST	300	200			
NEW						
BSMT.	EXIST					
NEW						
1 HR PHOTO	EXIST				435	
NEW	435					435
RX	EXIST	978			978	
NEW	978					978
FOOD MART	EXIST	700			700	
NEW	900				900	
TOTAL EXIST	9917	2400	683	13,000		
TOTAL NEW	10127	2190	683		13,000	

TOTAL AREA FIRST FLOOR 13,000 SQ. FT.  
TOTAL AREA OTHER LEVELS --- SQ. FT.

GROSS AREA INCLUDING ALL DEPARTMENTS AND ALL LEVELS 13,000 SQ. FT.

RX SHELVING LINEAL FEET 90 LIN. FT.  
RX SQUARE FOOT AREA 795 SQ. FT.

REVISIONS

NO.	DATE	BY	DESCRIPTION	CONST.
A	2/8/93	DN	REVISED DL & MDI	
B	6/17/93	DN	REVISE COS. BULL. PEN. VIT. SHELVING (HALL MARK TO 24" RACK PER NEW)	
C	1/21/96	MN	ADD 1 HR PHOTO, RESET & NEW FIXTURES TO INCLUDE SUE WALL, NEW PHOTO REAL & LIGHT BOXES, NEW PHOTO COUNTER, UPDATED SQUARE FOOTAGE, FIXTURES BY LIZIER	
D	2/3/04	TCS	RELIEVE OFFICE INTO VALUABLE SH AND ENLARGE 1 HR PHOTO AREA INTO OLD SPACE. ORDER NEW SECURITY CABINET. REQUEST PER STORE OPERATIONS.	
E	03/25/06	TCS	NEW RXVc MIXTURESIVE DROP OFF DOWN 3" NEW RX CONVEYOR NEW FIXTURES AS NOTED	

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS DRAWING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I AM A DULY LICENSED ARCHITECT IN THE STATE OF CALIFORNIA. CALIF. DRWA. NO. 00252 BY MY HAND

STORE NUMBER 02961

PROJECT NAME  
**WALGREENS STORE**  
75 NORTH HAM LANE  
LODI, CALIFORNIA

DRAWING TITLE  
FIXTURE FLOOR PLAN

DEPUTIVE APPROVAL	DATE
SENIOR VICE PRESIDENT FACILITIES DEVELOPMENT	
SENIOR VICE PRESIDENT STORE OPERATIONS	
VICE PRESIDENT STORE OPERATIONS	

CADD PLOT: 02961-01-05-09/JAN09 SCALE: 1/8"=1'-0" DRAWING NO.

VOID PLOT: F02961D104.DWG DRAWN BY: T. SPEARS

DATE: 01/09/08

PLAN DATE: 09/02/99 REVIEWED BY: D. NELSON

OF DWGS.

D1

CADD PLOT F02961D104  
VOID PLOT F02961D103

2/8/93  
REVISED DL PER A11

1/20/93  
REVISED GONDOLA CALL  
OUTS, RX LIBRARY  
SHELVING & NOTE 13  
WORKING  
RX DRIVE-THRU  
WINDOW CR

12/10/92  
REVISED WALL SHELVING  
BY SERVICE DOOR

12/1/92  
REVISED DRIVE-THRU  
WINDOW, RWV, COS  
BULKHEAD, NOTE 13,  
SEC MIRRORS AT IN WINDOW  
ADDED BLOOD PRESSURE  
MACHINE IN RX WAIT



**MILLER STARR  
REGALIA**

**RECEIVED**

APR 15 2010

1331 N. California Blvd.  
Fifth Floor  
Walnut Creek, CA 94596

T 925 935 9400  
F 925 933 4126  
www.msrlgal.com

April 14, 2010

COMMUNITY DEVELOPMENT DEPT  
CITY OF LODI

Robia S. Chang  
RSC@msrlgal.com  
925 941 3214

**VIA FEDEX**

Manny Bereket  
Assistant Planner  
City of Lodi Community Development Department  
221 West Pine Street  
Lodi, CA 95241

Re: 75 N. Ham Lane; Walgreen Co. Application for Use Permit for Alcoholic Beverage Sales

Dear Mr. Bereket:

Enclosed with this letter is an application package submitted on behalf of Walgreen Company ("Walgreens" or "Applicant"), the lessee of a building located at 75 N. Ham Lane and operator of an existing Walgreen store, for a use permit to allow the sale of beer and wine for off-site consumption ("Application").

The following sets forth (1) a description of the project for which the Application is submitted, (2) a list of the required submittal documents enclosed with this letter, and (3) a list of the requisite findings for approval of the Application.

1. Project Description. The project is a use permit to allow the sale of beer and wine for off-site consumption under a Type 20 Off-Sale Beer and Wine liquor license at an existing approximately 13,000 square-foot Walgreens store located at 75 N. Ham Lane. The proposed project does not require any new construction. Beer will comprise a 4.5 foot-wide cooler and wine will make up 12 feet in width of a beverage aisle, comprising approximately less than 1 percent of the total shelf width in the store. The beer selection will consist only of 6-, 12-, and 18- packs and cases and sales will not include spirits, malt liquor, or single servings.

2. Submittal Requirements. In accordance with the City's Use Permit Application Checklist Requirements, enclosed are the items listed below:

- (a) Use Permit Application Form
- (b) Environmental Assessment Form
- (c) Supplemental Information Form for Alcoholic Beverage Sales
- (d) Three copies of a site plan sized 11 X 17
- (e) Three copies of a floor plan sized 11 X 17

- (f) Digital Copy of Plans on Compact Disc
- (g) Filing fee. Check made payable to the City of Lodi in the amount of \$2,450.00.

3. Findings. Section 17.72.080 of the Lodi Municipal Code provides that in granting any use permit, the planning commission shall find that the establishment, maintenance or conducting of the use will not, under the circumstances of the particular case, be detrimental to the health, morals, comfort or welfare of persons residing or working in the neighborhood of the proposed use, or to property or improvements in the neighborhood, or will not be contrary to the general public welfare.

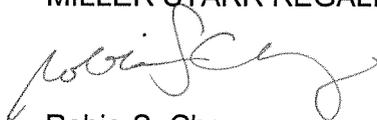
The proposed project will not be detrimental to the health, morals, comfort or welfare of persons residing or working in the neighborhood, or to property or improvements in the neighborhood, and will not be contrary to the general public welfare. Walgreens' standard practice in its sale of alcohol is to strictly follow the requirements and procedures under state law, including the Alcoholic Beverage Control Act, Business and Professions Code Section 23000, *et seq.*, and related rules and regulations. Walgreens has a policy to inform all of its employees of applicable state regulations and store policies, and requires employees to undergo training in connection with the sale and distribution of alcoholic beverages. In part, Walgreens' policy requires employees to request identification from anyone who appears younger than 40 years old. Store cash registers are also programmed to prompt the sales clerk before proceeding with a transaction, to card any customer if s/he appears under the age of 40.

The existing store provides a wide range of products and services, including frozen foods, household goods, and a drive-thru pharmacy. The granting of a use permit for the sale of beer and wine for off-site consumption would allow Walgreens to offer a more complete and convenient shopping experience and allow customers to purchase alcoholic beverages in a safe, convenient, and clean environment.

Please do not hesitate to contact me should you have any questions or require additional information.

Very truly yours,

MILLER STARR REGALIA



Robia S. Chang  
Attachments

## Immanuel Bereket

---

**From:** Gary Benincasa  
**Sent:** Tuesday, May 11, 2010 11:13 AM  
**To:** Immanuel Bereket  
**Cc:** Tod Patterson; Fernando Martinez; JP Badel; Steve Price  
**Subject:** FW:  
**Attachments:** Scan6846.pdf; Scan6847.pdf

Manny,

We have no concerns or recommendations relative to the use permit applications at 75 N. Ham Ln. (Walgreens) or the market at 223 S. Cherokee Ln. I will have Lt. Patterson review the use permit application at 2525 S. Hutchins St. Suite 11.

Gary

Captain Gary Benincasa  
Interim Chief of Police  
215 W. Elm St.  
Lodi, CA 95240  
(209) 333-6726 Office  
(209) 333-6875 Fax

---

**From:** Immanuel Bereket  
**Sent:** Tuesday, May 11, 2010 9:23 AM  
**To:** Gary Benincasa  
**Subject:** RE:

Hi Gary,  
I am still waiting for the Lodi Ave/Cherokee Ln and the attached two use permits.  
Manny

---

**From:** Gary Benincasa  
**Sent:** Monday, May 10, 2010 5:22 PM  
**To:** Immanuel Bereket  
**Subject:**

Manny,

Are there any use permits that we have not responded to? I know we had two or three at one time and I want to make sure we have responded to them all. I do remember one on the corner of Lodi Ave./Cherokee Ln. I gave it to Sgt. Martinez but I'm not sure he sent it back to me. Let me know.

Thanks,

Gary

Captain Gary Benincasa

05/11/2010

Interim Chief of Police  
215 W. Elm St.  
Lodi, CA 95240  
(209) 333-6726 Office  
(209) 333-6875 Fax

**RESOLUTION NO. P.C. 10-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI FOR THE APPROVAL OF THE REQUEST OF MILLER STARR REGALIA PLC, ON BEHALF OF WALGREENS CO., FOR A USE PERMIT TO ALLOW FOR AN OFF-SALE BEER AND WINE ALCOHOLIC BEVERAGE CONTROL LICENSE AT 1320 WEST ELM STREET**

**WHEREAS**, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Municipal Code, Section 17.72.070; and

**WHEREAS**, the project site is located at 1320 West Elm Street, Lodi, CA 95240 (APN 035-110-05); and

**WHEREAS**, the project proponent is Miller Starr Regalia PLC, on behalf of Walgreens Co., 1331 North California Boulevard, 6<sup>th</sup> Floor, Walnut Creek, CA 94596-4537; and

**WHEREAS**, the project property owner is Shizu Sakauye, 200 Wilmot Road, Deerfield, IL 60015; and

**WHEREAS**, the property has a General Plan designation of C, Commercial and is zoned C-1, Neighborhood Commercial; and

**WHEREAS**, the requested Use Permit to allow the selling of beer and wine for off-site consumption in conjunction with operation of a general store is an enforcement action in accordance with the City of Lodi Zoning Ordinance; and

**WHEREAS**, Census Tract 42.01 in which the business is located currently does not have an over concentration of licenses allowing the sale of beer and wine for consumption off the license premises where sold; and

**WHEREAS**, the State Department of Alcoholic Beverage Control has training available that clearly communicates State law concerning the sale of alcoholic beverages.

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project was found to be Categorical Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an "Enforcement action by regulatory agencies" because it is the "adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant environmental impacts are anticipated and no mitigation measures have been required.
2. The sale of alcoholic beverages for off-premise consumption as part of a general store is a permitted use in the Neighborhood Commercial (C-1) zoning District. The site is suitable and adequate for the proposed use because the sale of alcohol in a general store would not create negative impacts on businesses in the vicinity.
3. The off-sale of beer and wine, in accordance with a Type 20 Alcoholic Beverage Control License and with the conditions attached herein, would be consistent and in harmony with the Commercial use General Plan Land Use Designation and C-1 zoning District.
4. The proposed use is consistent with the General Plan because commercial uses such as the one proposed are permitted in accordance with Land Use Policy subject to a discretionary review.
5. The proposed use would not have a substantial adverse economic effect on nearby uses because operation of a mini-market in accordance with applicable laws and under the conditions of this Use Permit is anticipated to be an economic benefit to the community.

6. The sale of alcoholic beverages for off-premise consumption is a normal part of business operations and provides a convenience for customers of the business.
7. The sale and consumption of alcohol can sometimes result in customer behavior problems that can require police intervention.
8. Steps can be taken by the Applicant/Operator to reduce the number of incidents resulting from the over-consumption of alcohol including the proper training and monitoring of employees serving alcohol; the careful screening of IDs of customers to avoid sales to under-aged individuals; limiting the number of drinks sold to individual customers to avoid over-consumption; providing properly trained on-site security to monitor customer behavior both in and outside of the establishment; and working with the Lodi Police Dept. to resolve any problems that may arise.
9. The proposed use can be compatible with the surrounding use and neighborhood if the business is conducted properly and if the Applicant/Operator works with neighboring businesses and residents to resolve any problems that may occur.
10. The sale of alcoholic beverages at this location can meet the intent of the General Commercial zoning district and can provide a public convenience or necessity for customers of the business.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi that Use Permit Application No. 10-U-05 is hereby approved, subject to the following conditions:

1. The applicant/Operator and/or successors in interest and management shall defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this Use Permit, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
2. The Applicant/Operator and/or successors in interest and management shall insure that the sale of alcohol does not cause any condition that will cause or result in repeated activities that are harmful to the health, peace or safety of persons residing or working in the surrounding area. This includes, but is not limited to: disturbances of the peace, illegal drug activity, public intoxication, drinking in public, harassment of people passing by, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises, traffic violations or traffic safety based upon last drink statistics, curfew violations, lewd conduct, or police detention and arrests.
3. The applicant/Operator and/or successors in interest and management shall be prohibited from externally advertising or promoting beer & wine and/or distilled spirits, including but not limited to, window and wall signage.
4. The Applicant/Operator and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
5. No sales of alcoholic beverages shall occur between the hours of 2:00 a.m. and 6:00 a.m.
6. No single-serving containers shall be sold separately. All single-serving beer and wine containers shall be sold as part of a pack or carton.
7. Paper or plastic cups shall not be sold in quantities less than their usual customary packaging.

8. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the Use Permit may be subject to review and revocation by the City of Lodi after a public hearing and following the procedures outlined in the City of Lodi Municipal Code. Additional reviews may be prescribed by the Community Development Director, the Police Department and/or Planning Commission as needed during and after the first two years of probationary period. Further, starting from the effective date the business commences the sale of beer and wine, this Use Permit shall be subject to a one year, and two year review by Community Development Director. If the Director determines it necessary, the Director shall forward the review to the Planning Commission to review the business's operation for compliance with the conditions of the Use Permit, and in response to any complaints thereafter.
9. The Lodi Police Department may, at any time, request that the Planning Commission conduct a hearing on the Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the Use Permit becomes a serious policing problem.
10. The Use Permit shall require the Applicant/Operator and/or successors in interest and management to secure an Alcoholic Beverage Control License Type 20 Off-Sale Beer and Wine (Package Store).
11. Prior to the issuance of a Type 20 ABC license, the Applicant/Operator and/or successors in interest and management shall complete Licensee Education on Alcohol and Drugs as provided by the State Department of Alcoholic Beverage Control.
12. Any changes to the interior layout of the business operation shall be subject to review and approval by the Community Development Department and shall require appropriate City permits.
10. No person who is in a state of intoxication shall be permitted within the business nor shall an intoxicated patron be sold additional alcoholic beverages. It is the responsibility of the business owner/operator to ensure no patron in state of intoxication is allowed into the building.
11. The operator/applicant and/or successors in interest and management of the business shall police the area surrounding the business to prevent patrons from congregating/loitering outside the premises and to prevent excessive noise or other objectionable behavior. Noise levels shall be monitored to insure that noise shall not violate the City's Noise Ordinance Section 9.24.020 and Section 9.24.030.
12. The operator/applicant and/or successors in interest and management shall comply with all the Municipal Codes relating to loitering, open container laws and other nuisance-related issues.
13. The operator/applicant and/or successors in interest and management shall ensure noise emanating from the property shall be within the limitations prescribed by the City's Noise Ordinance and shall not create a nuisance to surrounding residential neighborhoods, and/or commercial establishments.
13. The exterior of all the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.
14. Approval of this Use Permit shall be subject to revocation procedures contained in Section 17.72 LMC in the event any of the terms of this approval are violated or if the sale of beer

and wine is conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.

15. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
16. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

**Dated: June 23, 2010**

I certify that Resolution No. 10- was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on June 23, 2010 by the following vote:

**AYES:** Commissioners:

**NOES:** Commissioners:

**ABSENT:** Commissioners:

**ATTEST** \_\_\_\_\_  
Secretary, Planning Commission

# Item 3c.

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

---

**MEETING DATE:** June 23, 2010

**APPLICATION NO:** Use Permit: 10-U-06

**REQUEST:** Request for Planning Commission approval of a Use Permit to allow a Type-20 Off-Sale beer and wine Alcoholic Beverage Control License at 225 South Cherokee Lane (Applicant: Ahmad Alruosan; File Number: 10-U-06)

**LOCATION:** 225 South Cherokee Lane  
APN: 043-140-58  
Lodi, CA 95240

**APPLICANT:** Ahmad Alruosan  
225 South Cherokee Lane  
Lodi, CA 95240

**PROPERTY OWNER:** Gurpreet and Kuldeep Dhatt  
1128 South Lower Sacramento Road  
Lodi, CA 95242

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the request of Mr. Ahmad Alruosan for a Use Permit to allow a Type-20 Off-Sale beer and wine Alcoholic Beverage Control (ABC) license at 225 South Cherokee Lane, subject to the conditions outlined in the attached resolution.

**PROJECT AREA DESCRIPTION**

**General Plan Designation:** Mixed Use Corridor  
**Zoning Designation:** C-2, General Commercial  
**Property Size:** .32 acre.

The adjacent zoning and land use characteristics:

	<b>General Plan</b>	<b>Zone</b>	<b>Land Use</b>
<b>North</b>	Mixed Use Corridor	C-2, General Commercial	Commercial Use
<b>South</b>	Mixed Use Corridor	C-2, General Commercial	Commercial Use
<b>East</b>	Mixed Use Corridor	C-2, General Commercial	Commercial Use
<b>West</b>	Mixed Use Corridor	C-2, General Commercial	Commercial Use

**SUMMARY**

The applicant, Mr. Ahmad Alruosan, is requesting approval of a Use Permit to allow a Type-20 Alcoholic Beverage Control (ABC) License in conjunction with a mini-mart operation at 225 South Cherokee Lane. Type 20 ABC license allows the sale of beer and wine for off-site consumption. Similarly, the zoning district where the project is located also permits the proposed use. The census tract in which this store is located is over-concentrated and, therefore, the Commission must make a finding of public necessity or need to approve additional ABC license.

## **BACKGROUND**

Based on available City records, auto-related service under different ownerships and names have operated at this location since its construction in 1938. A service station and an office were constructed in 1953 to serve the business. Gas storage tanks were added in 1957. The site was used as gas station until in 1991 when the storage tanks were removed. In 1994, portions of the building were removed and the remainder was remodeled into an office.

## **ANALYSIS**

The applicant requests approval of a Use Permit allow sale of beer and wine at 225 South Cherokee Lane, at the northeast corner of Lodi Avenue and Cherokee Lane. The applicant would like to obtain a Type 20 Off-Sale ABC license, which authorizes the sale of beer and wine for consumption off the premises where sold. Type 20 prohibits the sale of distilled sprits. Minors are allowed on the premises. The project site is zoned General Commercial (C-2). In the C-2 zoning district, mini-markets, grocery stores, pharmacies and conveniences store and are permitted uses. Under the C-2 zoning district, the applicant may sell alcohol for on and off-site consumption with the granting of a Use Permit by the Planning Commission.

The Lodi Municipal Code requires approval of a Use Permit by the Planning Commission for retail businesses and restaurants which sell alcoholic beverages (LMC §17.72.040). The purpose of this requirement is to establish a formal review of such proposals, which involves conducting a public hearing and giving written notice to property owners within a 300-foot radius of the site through the Use Permit process. The Planning Commission has the opportunity to establish conditions of approval for the business operations to ensure that it will not be a detriment to the community. The State Department of Alcoholic Beverage Control (ABC) is charged with regulating businesses which involve the sale of alcoholic beverages. The Department of Alcoholic Beverage Control primarily controls issuance based on concentration of licenses within a particular Census Tract. Where there is an over-concentration of ABC licenses, the City must first make a finding of public convenience and/or necessity to approve additional ABC license.

The project area is located on Census Tract 45, which covers the area south of the Mokelumne River, north of Lodi Avenue, east of the Union Pacific Rail Road (U.P.R.R), and west of Guild Avenue. According to ABC, Census Tract 45 contains ten (10) existing ABC off-sale licenses with six (6) off-sale licenses allowed based on the ABC criteria. In order comply with ABC requirements regarding potential over-concentration of off-sale establishments, to authorize more than six (6) off-sale permits in this census tract, the Planning Commission must make a finding of public convenience and/or necessity.

The project currently contains four driveways: two from Lodi Avenue and two from Cherokee Lane. Two driveways closest to the intersection will be removed and replaced with ADA compliant sidewalks as part of the Lodi Avenue Improvement Project. Lodi Avenue Improvement Project will install a bulb out at the intersection, new landscaping, widened pedestrian friendly sidewalks, handicap accessible ramps and driveways, street lighting and installing street furniture including seating. The applicant has been asked to install onsite improvements to correspond to the changes slated to occur with the Lodi Avenue Improvement Project. The applicant has submitted a conceptual landscape plan with landscape planters along the southern and eastern boundaries of the parking lot and two planter areas along the driveways to protect parked cars (Attachment 3). The conceptual landscape plan identifies additional shrubs, groundcover, and a landscape planter island at the southeast side of the parking lot. Conditions of the project approval mandate these improvements occur prior to opening (Conditions 15). Further, the applicant will be required to install parking lot lighting consistent with the City requirements (Conditions No. 10).

Staff sent copies of the application to various City departments for comments and review. Their comments and requirements have been incorporated into the attached resolution. Staff has

contacted the Lodi Police Department for their requirement for approval of the proposed off-sale beer and wine application and they do not anticipate alcohol related problems. The Lodi Police Department recommends approval subject to the conditions outlined in the attached resolution (Attachment 5).

Conditions have been added to address issues commonly associated with alcohol sales, such as sales to transients, loitering, open containers, etc. Further, these conditions will assist in maintaining the appearance of the establishment as a mini-mart store rather than a liquor store. In staff's opinion, the proposed sale of alcohol for off-site consumption will not result in adverse conditions. Staff recommends conditions of approval that will allow the City to reconsider the Use Permit if there is a significant increase in police or other public services provided to the site following the effective date of this Use Permit. The proposed project is consistent with the use on the site and compatible with the General Plan and Zoning Ordinance land uses. Staff believes that the required findings necessary for the approval of a Use Permit have been made in the attached resolution. Therefore, recommends approval the Use Permit subject to the conditions outlined in the attached resolution.

### **ENVIRONMENTAL ASSESSMENTS**

The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an "Enforcement action by regulatory agencies" because it is the "adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant environmental impacts are anticipated and no mitigation measures have been required.

### **PUBLIC HEARING NOTICE:**

Legal Notice for the Use Permit was published on June 12, 2010. 45 public hearing notices were sent to all property owners of record within a 300-foot radius of the subject property as required by California State Law §65091 (a) 3. No protest letter has been received.

### **ALTERNATIVE PLANNING COMMISSION ACTIONS:**

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request

Respectfully Submitted,

Concur,

Immanuel Bereket  
Assistant Planner

Konradt Bartlam  
Community Development Director

### **ATTACHMENTS:**

1. Vicinity Map
2. Aerial Photo
3. Site Plan
4. Applicant Letter submittal
5. Police Department Approval
6. Draft Resolution

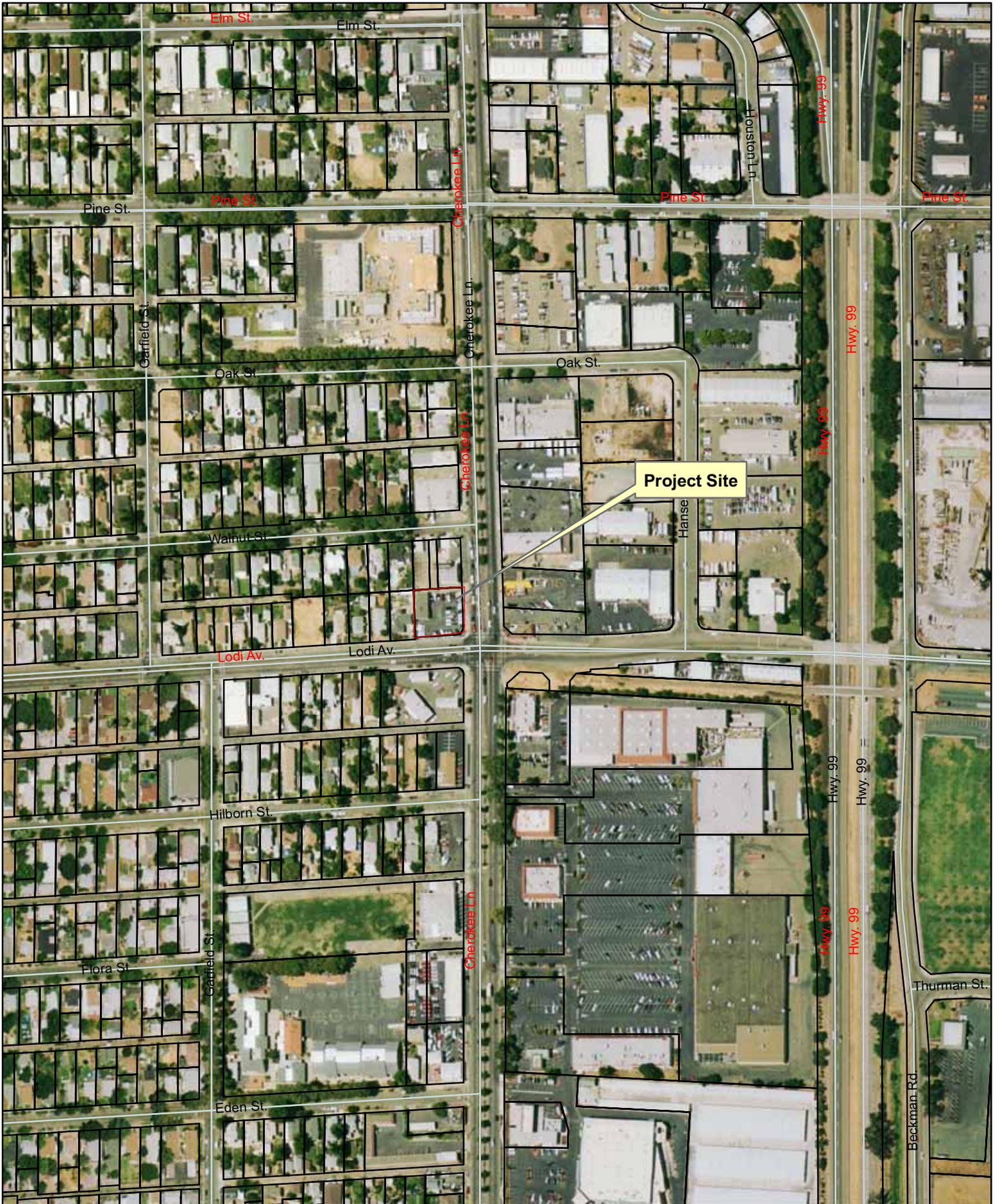


0 0.01250.025 0.05 0.075 0.1 Miles

**Vicinity Map**  
 225 South Cherokee Lane  
 APN: 043-140-58  
 Lodi, CA 95240

**Legend**

 Project Site

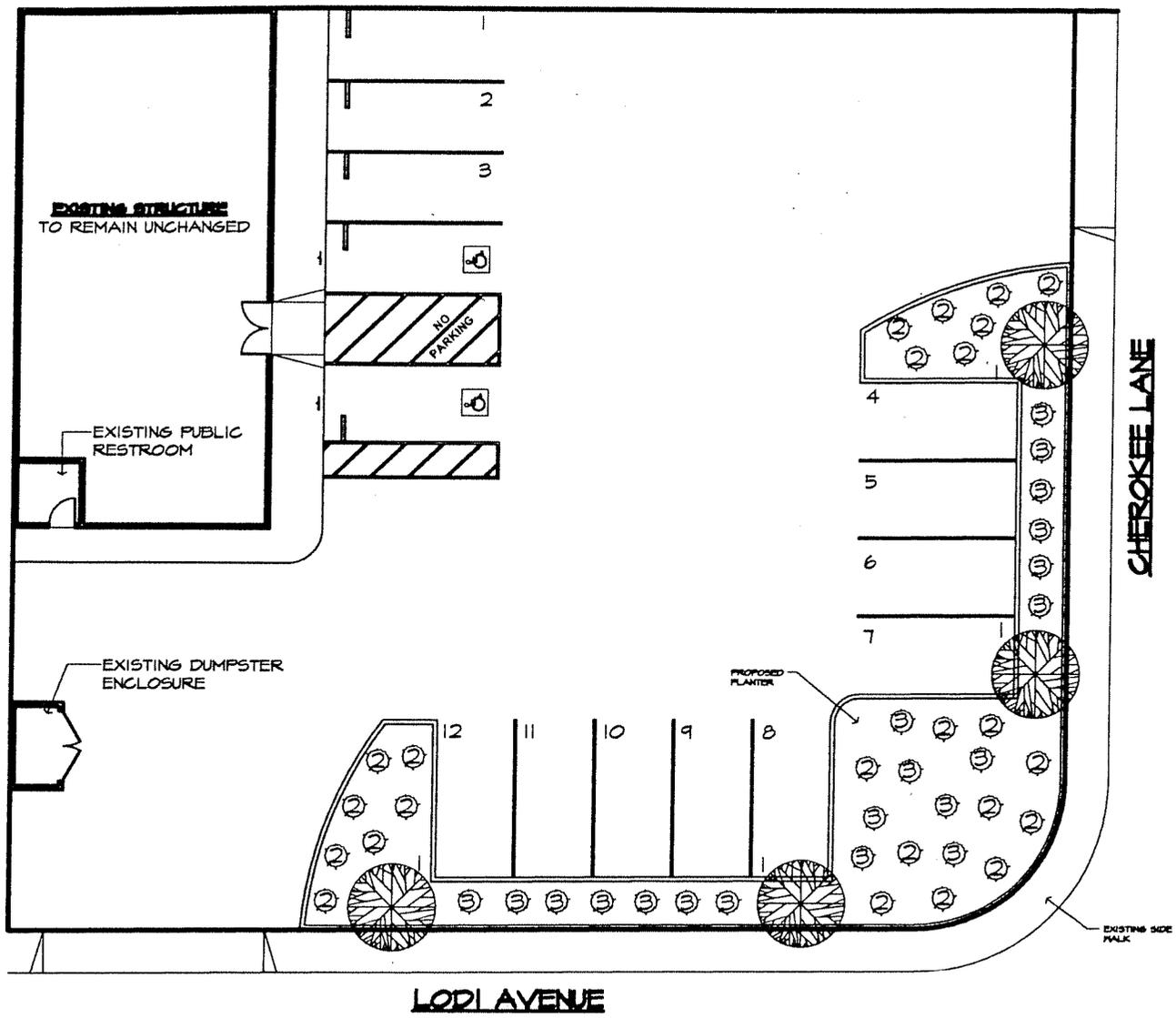


0 0.01250.025 0.05 0.075 0.1 Miles

**Aerial Map**  
 225 South Cherokee Lane  
 APN: 043-140-58  
 Lodi, CA 95240

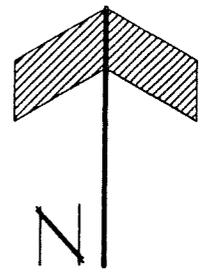
**Legend**

 Project Site



# SITE PLAN

SCALE 1/8"=1'-0"



## PLANT LEGEND

- 1. GRAPE MYRTELE
- 2. AFRICAN IRIS
- 3. LILLY OF THE NILE

## LEGAL DESCRIPTION

225 S. CHEROKEE LANE  
 LODI, CA 95240  
 A.P.N. 043-14-058

## PROJECT DATA

PROJECT LOCATION: 225 S. CHEROKEE LANE  
 LODI, CA 95240  
 PROJECT DESCRIPTION: CONVINENCE STORE  
 APN: 043-14-058  
 ZONE: C6

## AREAS

EXISTING STRUCTURE (MAIN) 1800 SQ. FT.

## UTILITIES

WATER: CITY OF LODI  
 SEWER: CITY OF LODI  
 STORM DRAIN: CITY OF LODI

5-18-2010

To Whome it may concern.

This LETTER is TO EXPLAIN THE STEPS AND ACTION TO TAKEN. TO ENSURE THE SAFETY AND THE CONVIENCE TO THE PUBLIC.

- (1) THE BUILDING WILL BE MAINTAIN TO THE BEST POSSIBLE CONDITION.
- (2) OUT SIDE AND INSIDE LIGHTING WILL BE INSTALL TO SATISFY BUSINESS OPERATION.
- (3) PARKING LOT WILL BE MAINTAIN.
- (4) SURVAILANCE CAMERA SYSTEM WILL BE INSTALL
- (5) LAND SCAPING WILL BE MAINTAINED
- (6) ANY OTHER NEED OF ACTION WILL BE TAKEN TO ENSURE SMOOTH OPERATION.

Thank You  
ahmad alRUOSAN.

**Immanuel Bereket**

---

**From:** Gary Benincasa  
**Sent:** Tuesday, May 11, 2010 11:13 AM  
**To:** Immanuel Bereket  
**Cc:** Tod Patterson; Fernando Martinez; JP Badel; Steve Price  
**Subject:** FW:  
**Attachments:** Scan6846.pdf; Scan6847.pdf

Manny,

We have no concerns or recommendations relative to the use permit applications at 75 N. Ham Ln. (Walgreens) or the market at 223 S. Cherokee Ln. I will have Lt. Patterson review the use permit application at 2525 S. Hutchins St. Suite 11.

Gary

Captain Gary Benincasa  
Interim Chief of Police  
215 W. Elm St.  
Lodi, CA 95240  
(209) 333-6726 Office  
(209) 333-6875 Fax

---

**From:** Immanuel Bereket  
**Sent:** Tuesday, May 11, 2010 9:23 AM  
**To:** Gary Benincasa  
**Subject:** RE:

Hi Gary,  
I am still waiting for the Lodi Ave/Cherokee Ln and the attached two use permits.  
Manny

---

**From:** Gary Benincasa  
**Sent:** Monday, May 10, 2010 5:22 PM  
**To:** Immanuel Bereket  
**Subject:**

Manny,

Are there any use permits that we have not responded to? I know we had two or three at one time and I want to make sure we have responded to them all. I do remember one on the corner of Lodi Ave./Cherokee Ln. I gave it to Sgt. Martinez but I'm not sure he sent it back to me. Let me know.

Thanks,

Gary

Captain Gary Benincasa

05/11/2010

**RESOLUTION NO. P.C. 10-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI FOR THE APPROVAL OF THE REQUEST OF AHMAD ALRUOSAN FOR A USE PERMIT TO ALLOW FOR AN OFF-SALE BEER AND WINE ALCOHOLIC BEVERAGE CONTROL LICENSE AT 225 SOUTH CHEROKEE LANE**

**WHEREAS**, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Municipal Code, Section 17.72.070; and

**WHEREAS**, the project site is located at 225 South Cherokee Lane, Lodi, CA 95240 (APN 043-140-58); and

**WHEREAS**, the project proponent is Ahmad Alruosan, 225 South Cherokee Lane, Lodi, CA 95240; and

**WHEREAS**, the project property owner is Gurpreet and Kuldeep Dhatt, 1128 South Lower Sacramento Road, Lodi, CA 95242; and

**WHEREAS**, the property has a General Plan designation of Mixed Use Corridor and is zoned C-2, General Commercial; and

**WHEREAS**, the requested Use Permit to allow the selling of beer and wine for off-site consumption in conjunction with operation of a mini-market is an enforcement action in accordance with the City of Lodi Zoning Ordinance; and

**WHEREAS**, Census Tract 45 in which the business is located currently is over-concentrated with ABC licenses allowing the sale of beer and wine for consumption off the license premises where sold; and

**WHEREAS**, the Planning Commission makes a finding of public convenience and need for the request of Mr. Ahmad Alruosan for a Use Permit to allow issuance of an additional Alcohol Beverage Control license in this tract; and

**WHEREAS**, the State Department of Alcoholic Beverage Control has training available that clearly communicates State law concerning the sale of alcoholic beverages; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an "Enforcement action by regulatory agencies" because it is the "adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective." No significant environmental impacts are anticipated and no mitigation measures have been required.
2. The proposed use complies with all requirements as set forth for the issuance of this Use Permit, in that the site is adequate in size, shape and topography for the proposed use, consisting of an existing building. Second, the site has sufficient access to streets, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use, which is not expected to significant increase due to the project. Third, the proposed use is deemed to be part of the General Plan and the Zoning Ordinance, as off-sales alcoholic beverage sales are permitted in the C-2 (General Commercial) Zone with Use Permit approval. Fourth, the proposed use, as conditioned, will not have an adverse effect upon the use, enjoyment or valuation of property in the neighborhood in that a similar off-sales use had previously compatibly existed nearby. Lastly, the proposed use will not

have an adverse effect on the public health, safety, and general welfare in that security measures and the limited size of the use will limit any potential adverse effects to neighboring properties.

3. The off-sale of beer and wine, in accordance with a Type 20 Alcoholic Beverage Control License and with the conditions attached herein, would be consistent and in harmony with the Mixed Use Corridor General Plan Land Use Designation and C-2 zoning District.
4. The proposed use is consistent with the General Plan because commercial uses such as the one proposed are permitted in accordance with Land Use Policy subject to a discretionary review.
5. The proposed use would not have a substantial adverse economic effect on nearby uses because operation of a restaurant in accordance with applicable laws and under the conditions of this Use Permit is anticipated to be an economic benefit to the community.
6. The sale of alcoholic beverages for off-premise consumption is a normal part of business operations and provides a convenience for customers of the business.
7. The sale and consumption of alcohol can sometimes result in customer behavior problems that can require police intervention.
8. Steps can be taken by the Applicant/Operator to reduce the number of incidents resulting from the over-consumption of alcohol including the proper training and monitoring of employees serving alcohol; the careful screening of IDs of customers to avoid sales to under-aged individuals; limiting the number of drinks sold to individual customers to avoid over-consumption; providing properly trained on-site security to monitor customer behavior both in and outside of the establishment; and working with the Lodi Police Dept. to resolve any problems that may arise.
9. The proposed use can be compatible with the surrounding use and neighborhood if the business is conducted properly and if the Applicant/Operator works with neighboring businesses and residents to resolve any problems that may occur.
10. The sale of alcoholic beverages at this location can meet the intent of the General Commercial zoning district and can provide a public convenience or necessity for customers of the business.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi that Use Permit Application No. 10-U-06 is hereby approved, subject to the following conditions:

1. The applicant/Operator and/or successors in interest and management shall defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this Use Permit, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
2. The Applicant/Operator and/or successors in interest and management shall insure that the sale of alcohol does not cause any condition that will cause or result in repeated activities that are harmful to the health, peace or safety of persons residing or working in the surrounding area. This includes, but is not limited to: disturbances of the peace, illegal drug activity, public intoxication, drinking in public, harassment of people passing by, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises, traffic violations or traffic safety based upon last drink statistics, curfew violations, lewd conduct, or police detention and arrests.

3. The applicant/Operator and/or successors in interest and management shall be prohibited from externally advertising or promoting beer & wine and/or distilled spirits, including but not limited to, window and wall signage.
4. The Applicant/Operator and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
5. No sales of alcoholic beverages shall occur between the hours of 2:00 a.m. and 6:00 a.m.
6. No single-serving containers shall be sold separately. All single-serving beer and wine containers shall be sold as part of a pack or carton.
7. Paper or plastic cups shall be sold in quantities less than their usual customary packaging.
8. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the Use Permit may be subject to review and revocation by the City of Lodi after a public hearing and following the procedures outlined in the City of Lodi Municipal Code. Additional reviews may be prescribed by the Community Development Director, the Police Department and/or Planning Commission as needed during and after the first two years of probationary period. Further, starting from the effective date the business commences the sale of beer, wine and distilled spirits, this Use Permit shall be subject to a one year, and two year review by Community Development Director. If the Director determines it necessary, the Director shall forward the review to the Planning Commission to review the business's operation for compliance with the conditions of the Use Permit, and in response to any complaints thereafter.
9. The Lodi Police Department may, at any time, request that the Planning Commission conduct a hearing on the Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the Use Permit becomes a serious policing problem.
10. Adequate exterior lighting shall be provided to illuminate the facility and the parking lot during hours of darkness. The lighting should be sufficient enough so that all exterior portions of the building are easily visible from the street. **Note:** Exterior lighting of the parking area shall be kept at an intensity of between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial uses.
11. A photometric exterior lighting plan and fixture specification shall be submitted for review and approval of the Community development Director prior to the issuance of any building permit.
12. The business shall have security video cameras operating during all hours that the business is open. The videotapes of the security video cameras shall be maintained for a minimum period of 30 days, and the videotapes must be made immediately available for any law enforcement officer who is making the request as a result of official law enforcement business. The video cameras must be positioned in a way to capture the facial features of anyone entering the business and include cameras that capture all money handling areas. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the owner of the business must comply with the

request within 7 days. The Chief of Police can also require that the business change the position of the video cameras if it is determined that the position of the cameras do not meet security needs. The owner of the business must comply with the request within 7 days.

13. The parking lot shall also have security video cameras that capture vehicles parked in the parking lot. The videotapes of the security video cameras shall be maintained for a minimum period of 30 days, and the videotapes must be made immediately available for any law enforcement officer who is making the request as a result of official law enforcement business. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the owner of the business must comply with the request within 7 days. The Chief of police can also require that the owners/lessees of the business change the position of the video cameras if it is determined that the position of the cameras do not meet security needs. The owner of the business must comply with the request within 7 days.
14. The applicant shall submit a landscaping and irrigation plan to the Community Development Department for review and approval. Landscaping materials indicated on the conceptual landscape shall be installed prior to opening of business. Conceptual landscape and irrigation plan may be changed per the review of the Community Development Director or designee but shall not be reduced in amount.
15. The applicant shall install the said exterior lighting and attached landscaping prior to opening for business.
16. The Use Permit shall require the Applicant/Operator and/or successors in interest and management to secure an Alcoholic Beverage Control License Type 20 Off-Sale Beer and Wine (Package Store).
17. Prior to the issuance of a Type 20 ABC license, the Applicant/Operator and/or successors in interest and management shall complete Licensee Education on Alcohol and Drugs as provided by the State Department of Alcoholic Beverage Control.
18. Any changes to the interior layout of the business operation shall be subject to review and approval by the Community Development Department and shall require appropriate City permits.
10. No person who is in a state of intoxication shall be permitted within the business nor shall an intoxicated patron be sold additional alcoholic beverages. It is the responsibility of the business owner/operator to ensure no patron in state of intoxication is allowed into the building.
11. The operator/applicant and/or successors in interest and management of the business shall police the area surrounding the business to prevent patrons from congregating/loitering outside the premises and to prevent excessive noise or other objectionable behavior. Noise levels shall be monitored to insure that noise shall not violate the City's Noise Ordinance Section 9.24.020 and Section 9.24.030.
12. The operator/applicant and/or successors in interest and management shall comply with all the Municipal Codes relating to loitering, open container laws and other nuisance-related issues.
13. The operator/applicant and/or successors in interest and management shall ensure noise emanating from the property shall be within the limitations prescribed by the City's Noise Ordinance and shall not create a nuisance to surrounding residential neighborhoods, and/or commercial establishments.
13. The exterior of all the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.

14. Approval of this Use Permit shall be subject to revocation procedures contained in Section 17.72 LMC in the event any of the terms of this approval are violated or if the sale of beer and wine is conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.
15. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
16. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

**Dated: June 23, 2010**

I certify that Resolution No. 10- was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on June 23, 2010 by the following vote:

**AYES:** Commissioners:

**NOES:** Commissioners:

**ABSENT:** Commissioners:

**ATTEST** \_\_\_\_\_

Secretary, Planning Commission

**ATTACHMENTS:**

1. Landscape Plan

*Use Permit - Type 41 ABC License - Pizza Market  
@ 2525 South Hutchins Street, Suite 11*

Item 3d.

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

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**MEETING DATE:** June 23, 2010

**APPLICATION NO:** Use Permit: 10-U-07

**REQUEST:** Request for Planning Commission approval of a Use Permit to allow a Type-41 On-Sale beer and wine (Eating Place) Alcoholic Beverage Control license at 2525 South Hutchins Street, Suite 11. (Applicant: Pizza Market Inc.; File Number: 10-U-07)

**LOCATION:** 2525 South Hutchins Street, Suite 11  
APN: 060-240-07  
Lodi, CA 95242

**APPLICANT:** Pizza Market Inc  
2525 South Hutchins Street, Suite 11  
Lodi, CA 95242

**PROPERTY OWNER:** Harbhajan Singh Shergill  
1873 Jamestown Drive  
Lodi, CA 95242

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the request of Pizza Market Inc. for a Use Permit to allow a Type-41 on-sale beer and wine license at 2525 South Hutchins Street, Suite 11, subject to the conditions in the attached resolution.

**PROJECT/AREA DESCRIPTION**

**General Plan Designation:** C, Commercial  
**Zoning Designation:** PD -4, Planned Development 4.  
**Property Size:** 2 acres.

The adjacent zoning and land use characteristics:

	<b>General Plan</b>	<b>Zone</b>	<b>Land Use</b>
<b>North</b>	Medium Density Residential	Planned Development 4.	Residences, mostly condominiums
<b>South</b>	San Joaquin County Jurisdiction, Ag; City of Lodi Planning Area.	Planned Development 4.	San Joaquin County, agricultural field
<b>East</b>	Low Density Residential	Planned Development 4.	Single family Residences
<b>West</b>	Medium Density Residential	Planned Development 10.	Residences

**SUMMARY**

The applicant is requesting approval a Use Permit to allow a Type-41 On-sale beer and wine license at Pizza Market Inc. site-down restaurant located at 2525 South Hutchins Street, Suite 11. The project area contains a variety of commercial retail businesses. The census tract for the project area is currently over-concentrated with alcoholic beverage licenses. In order to approve additional license, a finding of public necessity and/or convenience is required. Since the proposed

is a bone fide restaurant, staff does not anticipate any problems with issuing an additional alcoholic beverage license.

## **BACKGROUND**

The project site was previously used by another pizza parlor named Tokay Pizza, which had an Alcoholic Beverage Control license. Tokay Pizza has been out of business since the spring of 2007 and the State Department of Alcoholic Beverage Control revoked their ABC license for non-payment. Non-payment revocation occurs when businesses fail to pay their ABC license renewal fee. A Use Permit is required because the ABC license has been dormant for over 2 years. In accordance with the requirements of the Department of Alcoholic Beverage Control, the applicant has applied for a license with Department of Alcoholic Beverage Control and must obtain a Use Permit from the City to serve alcohol.

## **ANALYSIS**

Pizza Market Inc. is a site-down restaurant that serves pizza. According to the applicant's project description, Pizza Market also caters and offers food delivery services. The restaurant is open for business from 11:00 a.m. to 10:00 p.m. everyday. The restaurant is approximately 2,400 square feet in size and will provide seating for 20 guests. With respect to parking, a restaurant is required to provide 1 parking space for every 4 seats according to Lodi Municipal Code Section 17.60.100. Based on this criteria, the restaurant will need to provide 13 parking spaces. Sufficient parking is available in the English Oaks Shopping Plaza. The State Department of Alcoholic Beverage Control requires that restaurants with alcohol license must operate and maintain the premise as a bona fide eating establishment and receipts from alcohol cannot be in excess of food sales receipts. Staff has contacted the Lodi Police Department for comment on the proposed on-sale beer and wine application and they do not anticipate alcohol related problems with the restaurant.

Section 17.72.040 of the Lodi Municipal Code requires a Use Permit for new Off-Sale and On-Sale alcohol licenses as well as changes in license type. The City established the Use Permit requirement to gain local control over whether or not a license is appropriate for a particular location. ABC primarily controls issuance based on concentration of licenses within a particular Census Tract. Census Tract 43.06 covers the area south of Kettleman Lane, west of Sacramento Street, north of Harney Lane, and east of Ham Lane. According to ABC, Census Tract 43.06 contains 10 existing on-sale licenses with 8 On-sale licenses allowed based on the ABC criteria. Because the area is over concentration, the Planning Commission must make a make a finding of public necessity or convenience in order to approve the on-sale general license upgrade. In the past, the Planning Commission and the Planning staff have generally supported restaurants that wish to acquire an ABC on-sale license, because typically, restaurants that serve alcohol in conjunction with food sales do not create alcohol related problems.

Because Pizza Market Inc. is a bona fide eating establishment that would like to sell beer and wine in conjunction with a restaurant operation, staff does not anticipate the alcohol sales portion of the business to create any problems. This operation would be similar to other restaurants the Planning Commission has approved in the past. The Community Development Department believes that Pizza Market's request can meet the criteria for the finding of public convenience. The Planning Commission and the Planning staff have generally supported restaurants that wish to acquire an ABC on-sale beer and wine license, because typically, restaurants that serve beer and wine in conjunction with food sales have not created alcohol related problems. If problems or concerns related to the sale of alcoholic beverages occur in the future, staff and/or the Planning Commission may initiate a public hearing where the Commission would have the ability to amend conditions or revoke the Use Permit.

**ENVIRONMENTAL ASSESSMENTS**

The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures have been required.

**PUBLIC HEARING NOTICE:**

Legal Notice for the Use Permit was published on June 12, 2010. 100 public hearing notices were sent to all property owners of record within a 300-foot radius of the project site as required by California State Law §65091 (a) 3. Public notice also was mailed to interested parties who had expressed their interest of the project. No protest letter has been received.

**ALTERNATIVE PLANNING COMMISSION ACTIONS:**

- Approve with additional/different conditions
- Deny the request
- Continue the request

Respectfully Submitted,

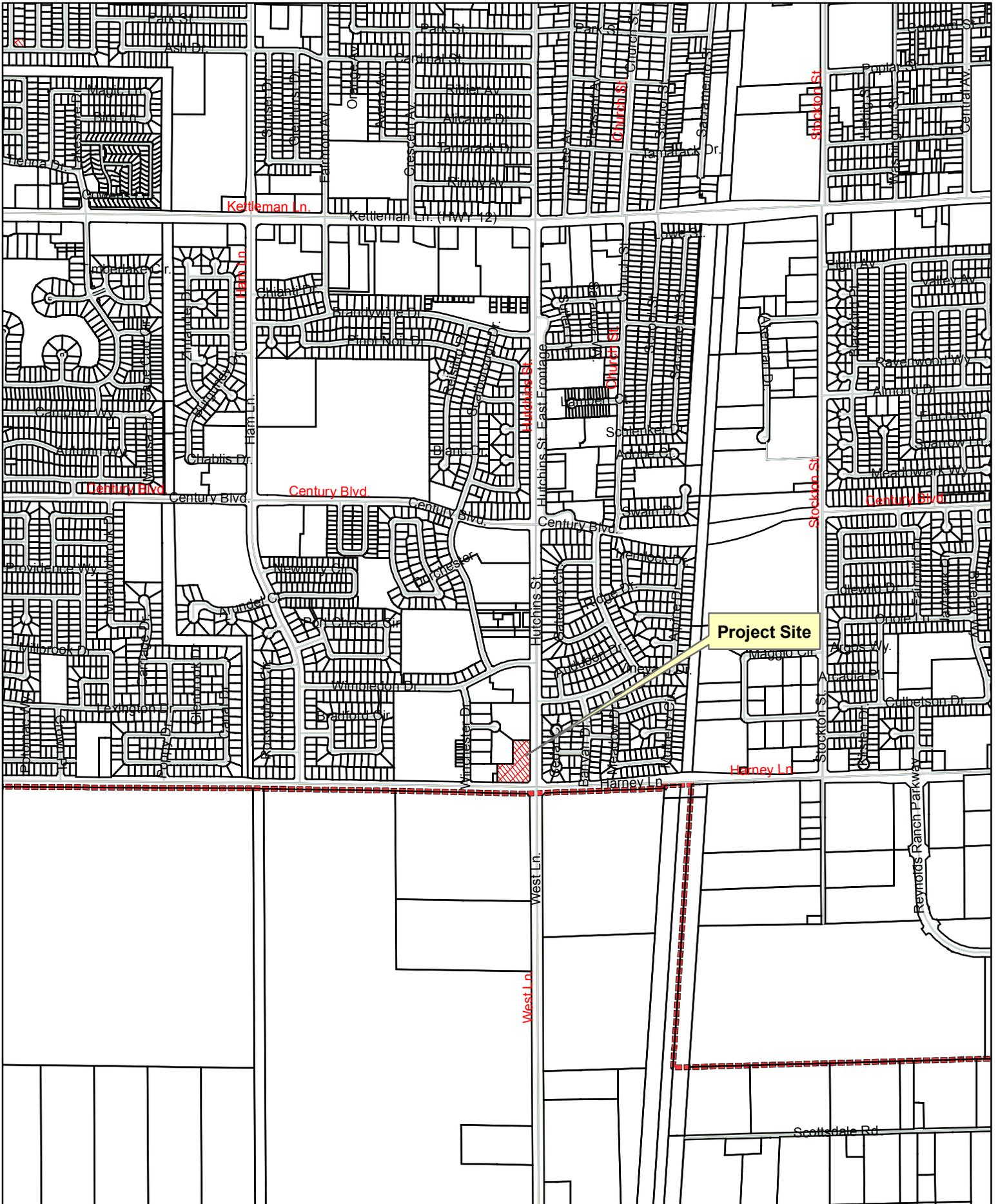
Concur,

Immanuel Bereket  
Assistant Planner

Konradt Bartlam  
Community Development Director

**ATTACHMENTS**

- A. Vicinity Map
- B. Aerial Map
- C. Site Plan
- D. Floor Plan
- E. Menu
- F. Resolution

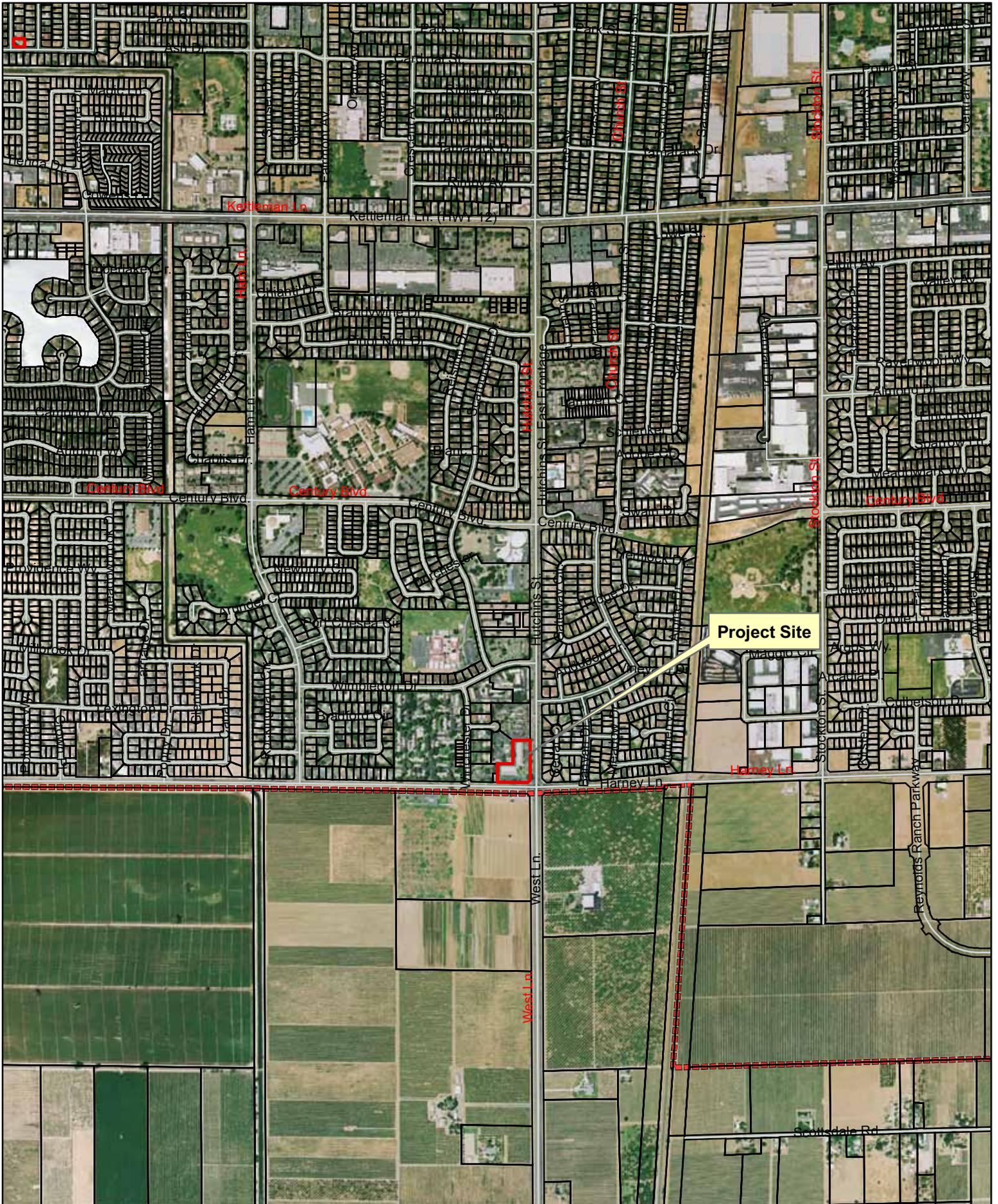


0 0.03 0.07 0.14 0.21 0.28  
 Miles

**Vicinity Map**  
 2525 South Hutchins Street, Suite 11  
 APN: 060-240-07  
 Lodi, CA 95242

**Legend**

 Project Site



0 0.03 0.07 0.14 0.21 0.28  
 Miles

**Aerial Photo**  
 2525 South Hutchins Street, Suite 11  
 APN: 060-240-07  
 Lodi, CA 95242

**Legend**

 Project Site

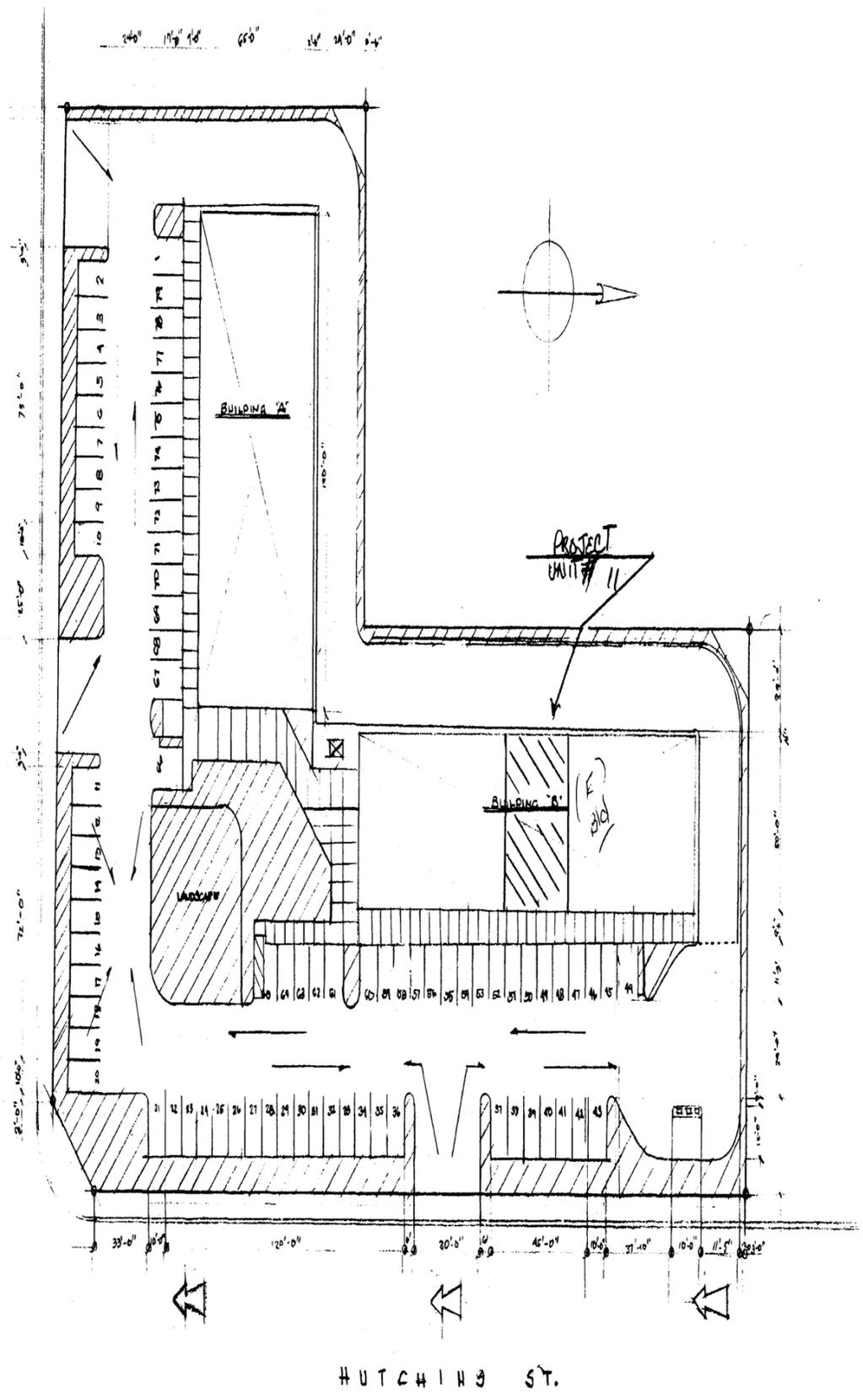
REVISIONS BY	DATE	DESCRIPTION

GROTHMAN BUILDERS  
 Commercial Construction  
 PO BOX 1445 Lodi, CA 95241  
 Lic # 190681 Pl 209 335-1208

SITE PLAN

PROJECT: 2525 South Hutchins st. suite # 11 Lodi, CA  
 DATE: 7/21/02  
 DRAWN: [blank]  
 CHECKED: [blank]

H A R N E Y L U N .





## Immanuel Bereket

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**From:** Gary Benincasa  
**Sent:** Monday, May 17, 2010 11:17 AM  
**To:** Immanuel Bereket  
**Subject:** 2525 S. Hutchins St., Suite 11

Manny,

We have no issues with this use permit. Hope you had a great weekend.

Captain Gary Benincasa  
Interim Chief of Police  
215 W. Elm St.  
Lodi, CA 95240  
(209) 333-6726 Office  
(209) 333-6875 Fax

---

**From:** Tod Patterson  
**Sent:** Monday, May 17, 2010 7:47 AM  
**To:** Gary Benincasa  
**Subject:** RE:

Gary, I have no issues with a permit application at 2525 s. Hutchins St. Suite 11...

Tod

---

**From:** Gary Benincasa  
**Sent:** Tuesday, May 11, 2010 11:13 AM  
**To:** Immanuel Bereket  
**Cc:** Tod Patterson; Fernando Martinez; JP Badel; Steve Price  
**Subject:** FW:

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We have no concerns or recommendations relative to the use permit applications at 75 N. Ham Ln. (Walgreens) or the market at 223 S. Cherokee Ln. I will have Lt. Patterson review the use permit application at 2525 S. Hutchins St. Suite 11.

Gary

Captain Gary Benincasa  
Interim Chief of Police  
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05/17/2010

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**From:** Gary Benincasa  
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**To:** Immanuel Bereket  
**Subject:**

Manny,

Are there any use permits that we have not responded to? I know we had two or three at one time and I want to make sure we have responded to them all. I do remember one on the corner of Lodi Ave./Cherokee Ln. I gave it to Sgt. Martinez but I'm not sure he sent it back to me. Let me know.

Thanks,

Gary

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Interim Chief of Police  
215 W. Elm St.  
Lodi, CA 95240  
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(209) 333-6875 Fax



# PIZZA MARKET

2525 South Hutchins Street  
(corner of Harney Lane)

209-333-3336 or  
866-375-9818

SE HABLA ESPAÑOL

OPEN 7 DAYS  
A WEEK  
11AM-10PM



LOOK FOR  
OUR MENU  
ON BACK

WE  
DELIVER

FREE  
2 Liter Soda  
with minimum order of  
\$15. Pick up only.

CHISPORTS ON OUR BIG SCREEN TV  
R WEBSITE AT: PIZZAMARKETLODI.COM

PIZZA  
E PIZZA @  
& RECEIVE  
PING PIZZA  
EE  
CANNOT BE COMBINED

1 TOPPING  
PIZZA SPECIAL  
LARGE 14"  
1 TOPPING PIZZA  
\$7.99  
+ TAX  
(PICK UP OR DINE IN ONLY.)  
MUST PRESENT COUPON. COUPONS CANNOT BE COMBINED

FAMILY  
MEAL DEAL  
2 LARGE 3 TOPPING PIZZAS  
6 HOT WINGS  
BREADSTICKS  
2 LITER SODA  
\$29.99  
+ TAX  
MUST PRESENT COUPON. COUPONS CANNOT BE COMBINED

LTY  
ICIALS  
12.99  
+ TAX  
15.99  
+ TAX  
17.99  
+ TAX  
ON BACK.)  
CANNOT BE COMBINED

4 TOPPING  
PIZZAS SPECIAL  
2 - 12" MEDIUM \$16.99  
+ TAX  
2 - 14" LARGE \$18.99  
+ TAX  
2 - 16" X-LARGE \$21.99  
+ TAX  
MUST PRESENT COUPON. COUPONS CANNOT BE COMBINED

PEPPERONI  
PIZZAS SPECIAL  
2 - 12" MEDIUM \$13.99  
+ TAX  
2 - 14" LARGE \$14.99  
+ TAX  
2 - 16" X-LARGE \$18.99  
+ TAX  
MUST PRESENT COUPON. COUPONS CANNOT BE COMBINED



**RESOLUTION NO. P.C. 10-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI FOR THE APPROVAL OF THE REQUEST OF PIZZA MARKET INC FOR A USE PERMIT TO ALLOW FOR AN ON-SALE BEER AND WINE ALCOHOLIC BEVERAGE CONTROL LICENSE AT 2525 SOUTH HUTCHINS STREET, SUITE 11**

- WHEREAS,** the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Municipal Code, Section 17.72.070; and
- WHEREAS,** the project proponent is Pizza Market Inc., 2525 South Hutchins Street., Suite 11., Lodi, CA 95242; and
- WHEREAS,** the property has a General Plan designation of C, Commercial and is zoned PD-4, Planned Development 4; and
- WHEREAS,** the project area is located at 2525 South Hutchins Street, Suite 11, Lodi, CA 95242 (APN 060-240-07); and
- WHEREAS,** the requested Use Permit to allow the selling of beer and wine for on-site consumption within a restaurant is an enforcement action in accordance with the City of Lodi Zoning Ordinance; and
- WHEREAS,** Census Tract 43.06 in which the restaurant is located currently has an over concentration of licenses allowing on premise consumption of alcoholic beverages; and
- WHEREAS,** because Census Tract 43.06 has an over concentration of On-sale beer and wine alcohol licenses, the planning Commission must make a finding of necessity and/or public convenience in order to permit the issuance of an additional Alcohol Beverage Control license in this tract; and
- WHEREAS,** the State Department of Alcoholic Beverage Control has training available that clearly communicates State law concerning the sale of alcoholic beverages.
- WHEREAS,** all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures have been required.
2. The sale of alcoholic beverages for on-premise consumption as part of a restaurant is a permitted use in the Planned Development 4 (PD -4) zoning District. The site is suitable and adequate for the proposed use because establishment of a restaurant on this site would not create negative impacts on businesses in the vicinity, and the applicant proposes to perform a tenant improvement in order to meet building code requirements.
3. The on-sale of beer and wine, in accordance with a Type 20 Alcoholic Beverage Control License and with the conditions attached herein, would be consistent and in harmony with the Commercial use General Plan Land Use Designation and PD-4 zoning District.
4. The proposed use is consistent with the General Plan because commercial uses such as the one proposed are permitted in accordance with Land Use Policy subject to a discretionary review.

5. The proposed use would not have a substantial adverse economic effect on nearby uses because operation of a restaurant in accordance with applicable laws and under the conditions of this Use Permit is anticipated to be an economic benefit to the community.
6. The sale of alcoholic beverages for on-premise consumption is a normal part of business operations and provides a convenience for customers of the business.
7. The sale and consumption of alcohol can sometimes result in customer behavior problems that can require police intervention.
8. Steps can be taken by the Applicant/Operator to reduce the number of incidents resulting from the over-consumption of alcohol including the proper training and monitoring of employees serving alcohol; the careful screening of IDs of customers to avoid sales to under-aged individuals; limiting the number of drinks sold to individual customers to avoid over-consumption; providing properly trained on-site security to monitor customer behavior both in and outside of the establishment; and working with the Lodi Police Dept. to resolve any problems that may arise.
9. The proposed use can be compatible with the surrounding use and neighborhood if the business is conducted properly and if the Applicant/Operator works with neighboring businesses and residents to resolve any problems that may occur.
10. The proposed use would not be detrimental to the general welfare of persons residing and working in the immediate vicinity, the neighborhood or the community at large because the sale of alcohol with a restaurant operation is not associated with detrimental impacts to the community.
11. The sale of alcoholic beverages at this location can meet the intent of the PD-4 zoning district and can provide a public convenience or necessity for customers of the business.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi that Use Permit Application No. 10-U-07 is hereby approved, subject to the following conditions:

1. The applicant/Operator and/or successors in interest and management shall defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this Use Permit, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
2. The Applicant/Operator and/or successors in interest and management shall insure that the sale of alcohol does not cause any condition that will cause or result in repeated activities that are harmful to the health, peace or safety of persons residing or working in the surrounding area. This includes, but is not limited to: disturbances of the peace, illegal drug activity, public intoxication, drinking in public, harassment of people passing by, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises, traffic violations or traffic safety based upon last drink statistics, curfew violations, lewd conduct, or police detention and arrests.
3. The Applicant/Operator and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
4. The Applicant/Operator shall operate and abide by the requirements and conditions of the State of California Department of Alcoholic Beverage Control License Type 41. The Type 41 License shall be limited to on-site sale and consumption of beer and wine during the hours that the restaurant is open for business or as otherwise modified by the Community Development Director.
5. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and

disorderly conduct result from the proposed land use, the Use Permit may be subject to review and revocation by the City of Lodi after a public hearing and following the procedures outlined in the City of Lodi Municipal Code. Additional reviews may be prescribed by the Community Development Director, the Police Department and/or Planning Commission as needed during and after the first two years of probationary period. Further, starting from the effective date the business commences the sale of beer, wine and distilled spirits, this Use Permit shall be subject to a one year, and two year review by Community Development Director. If the Director determines it necessary, the Director shall forward the review to the Planning Commission to review the business's operation for compliance with the conditions of the Use Permit, and in response to any complaints thereafter.

6. The Lodi Police Department may, at any time, request that the Planning Commission conduct a hearing on the Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the Use Permit becomes a serious policing problem.
7. The Use Permit shall require the Applicant/Operator and/or successors in interest and management to secure an ABC Type 41 license, On Sale Beer and Wine – Eating Place.
8. Prior to the issuance of a Type 41 ABC license, the Applicant/Operator and/or successors in interest and management shall complete Licensee Education on Alcohol and Drugs as provided by the State Department of Alcoholic Beverage Control.
9. The sale of alcohol shall occur only at tables when served with meals. A separate bar and/or counter for the consumption of alcohol shall be prohibited.
10. Any changes to the interior layout of the business operation shall be subject to review and approval by the Planning Department and will require appropriate City permits.
11. No person who is in a state of intoxication shall be permitted within the restaurant nor shall an intoxicated patron already in the bar be served additional alcoholic beverages. It is the responsibility of the business owner/operator to ensure no patron in state of intoxication is allowed into the building.
12. The Applicant/Operator and/or successors in interest and management of the restaurant shall police the area surrounding the business to prevent patrons from congregating/loitering outside the premises and to prevent excessive noise or other objectionable behavior. Noise levels shall be monitored to insure that noise shall not violate the City's Noise Ordinance Section 9.24.020 and Section 9.24.030.
13. The operator/applicant and/or successors in interest and management shall comply with all the Municipal Codes relating to loitering, open container laws and other nuisance-related issues.
14. The operator/applicant and/or successors in interest and management shall ensure noise emanating from the property shall be within the limitations prescribed by the City's Noise Ordinance and shall not create a nuisance to surrounding residential neighborhoods, and/or commercial establishments.
15. The exterior of all the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.
16. Approval of this Use Permit shall be subject to revocation procedures contained in Section 17.72 LMC in the event any of the terms of this approval are violated or if the sale of beer and wine is conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.
17. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No

permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.

18. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

**Dated: June 23, 2010**

I certify that Resolution No. 10- was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on June 23, 2010 by the following vote:

**AYES:** Commissioners:

**NOES:** Commissioners:

**ABSENT:** Commissioners:

**ATTES** \_\_\_\_\_  
Secretary, Planning Commission

*Use Permit - Type 41 ABC License - Julio & Aracely Camberos  
@ 480 South Cherokee Lane, Suite E*

# Item 3e

**CITY OF LODI  
PLANNING COMMISSION  
Staff Report**

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**MEETING DATE:** June 23, 2010

**APPLICATION NO:** Use Permit: 10-U-10

**REQUEST:** Request for Planning Commission approval of a Use Permit to allow a Type-41 On-Sale Beer and Wine Alcoholic Beverage Control License at located at 480 South Cherokee Lane Suite E. (Applicant: Julio & Aracely Camberos. File Number: 10-U-10)

**LOCATION:** 480 South Cherokee Lane, Suite E  
APN: 047-450-31  
Lodi, CA 95240

**APPLICANT:** Julio and Aracely Camberos  
480 South Cherokee Lane, Suite E  
Lodi, CA 95240

**PROPERTY OWNER:** Midwestern Investors Group  
3941 Park Drive, Bldg 20, Suite 313  
El Dorado Hills, CA 95762

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the request of Julio & Aracely Camberos for a Use Permit to allow a Type-41 on-sale beer and wine license at Califas Café and Bistro located at 480 South Cherokee Lane Suite E, subject to the conditions outlined in the attached resolution.

**PROJECT/AREA DESCRIPTION**

**General Plan Designation:** MUC, Mixed Use Corridor  
**Zoning Designation:** C-2, General Commercial.  
**Property Size:** 3.18 acres. (Restaurant is approximately 2,120 sq. ft.)

The adjacent zoning and land use characteristics:

	<b>General Plan</b>	<b>Zone</b>	<b>Land Use</b>
<b>North</b>	MUC, Mixed Use Corridor	C-2, General Commercial	Retail and commercial uses
<b>South</b>	MUC, Mixed Use Corridor	C-2, General Commercial	Retail and commercial uses
<b>East</b>	MUC, Mixed Use Corridor	C-2, General Commercial	Retail and commercial uses
<b>West</b>	MUC, Mixed Use Corridor	C-2, General Commercial	Retail and commercial uses

**SUMMARY**

The applicants, Mr. and Mrs. Camberos of Califas' Café and Bistro, are requesting approval of a Use Permit to allow on-site sale of beer and wine in conjunction with operation of a restaurant. The owners currently operate the restaurant, but do not serve alcohol. The owner is applying for a license through the California Department of Alcoholic Beverage Control (ABC) to allow beer and wine to be served for on-site consumption. In addition, the applicant is requesting that the Planning Commission make a finding that the sale of alcohol at the restaurant is a public convenience or necessity, in accordance with the requirements of the State Department of Alcoholic Beverage Control (ABC). Califas Café and Bistro is located at 480 South Cherokee

Lane within a C-2 zoning district, within the K-Mart shopping Center. Restaurant use is a permitted use in the C-2 (General Commercial) zoning district. The sale of alcohol is an ancillary use to the primary restaurant business. Approval of this Use Permit does not entitle the restaurant live entertainment or bar, but only allows beer and wine to be served in addition to the food.

## **BACKGROUND**

Califa's Café and Bistro is currently serving the City of Lodi. Califa's Café and Bistro has been in business at a different location since 1996 and has been operated at this location since February of this year. The project site was previously occupied by another restaurant but closed last year. In accordance with the requirements of the Department of Alcoholic Beverage Control, the applicant has applied for a license with Department of Alcoholic Beverage Control and must obtain a Use Permit from the City to serve alcohol. In order to increase sales and attract customers, the applicant requests approval from the City to serve beer and wine at the restaurant.

## **ANALYSIS**

According to the applicant, Califa's Café and Bistro offers lunch and dinner menu. The restaurant is open from the hours of 11:00 a.m. to 9:00 p.m. Tuesdays – Saturdays and from 11:00 a.m. to 8:00 p.m. on Sundays. The restaurant is closed on Mondays. The restaurant is approximately 2,100 square feet in size and provides seating for approximately 45-50 guests. Parking is provided on site, which satisfies the parking requirement for eating establishment of this size. The applicants request a Use Permit approval to allow a Type 41 (Easting Place) ABC license, which authorizes the sale of beer and wine for consumption on or off the premise where sold. Type 41 prohibits the sale of distilled sprits and minors are allowed on the premise. In accordance with the State Department of Alcoholic Beverage Control (ABC) requirements, receipts from alcohol sale shall not be in excess of food sales receipts. ABC requires that restaurants with alcohol license must operate and maintain the premise as a bona fide eating establishment.

The Municipal Code of the City of Lodi requires the approval of a Use Permit by the Planning Commission for retail businesses and restaurants which sell alcoholic beverages (LMC § 17.72.040). The City established the Use Permit requirement to gain local control over whether or not a license is appropriate for a particular location. The Department of Alcoholic Beverage Control primarily controls issuance based on concentration of licenses within a particular Census Tract. The project site belongs to Census Tract 44.01. Census Tract 44.01 covers the area south of Lodi Avenue, west of Central California Traction Company (C.C.T) Line, north of Kettleman Lane, and east of Union Pacific Rail Road Company (U.P.R.R). According to ABC, Census Tract 44.01 contains ten (10) existing on-sale licenses with eight (8) on-sale licenses allowed based on the ABC criteria. One of the ten (10) licenses belong to restaurants that are no longer in business. The Planning Commission must make a finding of public necessity and/or convenience in order to approve an additional on-sale license. In the past, the Planning Commission and the Planning staff have generally supported restaurants that wish to acquire an ABC on-sale license, because typically, restaurants that serve alcohol in conjunction with food sales do not create alcohol related problems.

Staff has contacted the Lodi Police Department for comment on the proposed on-sale beer and wine application and they do not anticipate alcohol related problems with the restaurant. Staff sent copies of the application to various City departments for comments and review. The Fire, Building, Public Works, Electric Utility Departments had no comments and had no objections to the request for an alcohol license. Because the applicant's request is for a Use Permit to allow sale of alcohol in conjunction with a full service restaurant, staff does not anticipate the alcohol sales portion of the business to create any problems. This operation would be similar to other

restaurants within Lodi. The Planning Commission and the Planning staff have generally supported restaurants that wish to acquire an ABC on-sale beer and wine license because restaurants that serve beer and wine in conjunction with food sales have not created alcohol related problems. If problems or concerns related to the sale of alcoholic beverages occur in the future, staff and/or the Planning Commission may initiate a public hearing where the Commission would have the ability to amend conditions or revoke the Use Permit.

**ENVIRONMENTAL ASSESSMENTS**

The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures have been required.

**PUBLIC HEARING NOTICE:**

Legal Notice for the Use Permit was published on June 12, 2010. 26 public hearing notices were sent to all property owners of record within a 300-foot radius of the subject property as required by California State Law §65091 (a) 3. No protest letter has been received.

**ALTERNATIVE PLANNING COMMISSION ACTIONS:**

- Approve the request with attached or alternate conditions
- Deny the request
- Continue the request

Respectfully Submitted,

Concur,

Immanuel Bereket  
Assistant Planner

Konradt Bartlam  
Community Development Director

**ATTACHMENTS:**

1. Vicinity Map
2. Aerial Photo
3. Site Plan and Floor Plan
4. Menu
5. Police Department Approval
6. Draft Resolution



**Vicinity Map**  
 Califa's  
 408 South Cherokee Lane, Suite E  
 Lodi, CA 95240

**Legend**

Project Site



Project Site



0 0.03 0.06 0.12 0.18 0.24 Miles

### Aerial Map

Califa's  
408 South Cherokee Lane, Suite E  
Lodi, CA 95240

### Legend



Project Site

LODI AVE

430 S CHEROKEE LN

APN: 047-450-31

Subdivision: Lot No:

CITY OF LODI, CALIFORNIA

\*\*\*

Orchard  
Supply  
Handwave

320  
WESTERN  
DENTAL

430  
KROGER

CHEROKEE PLAZA

380  
B16 Lots

450 A  
LOS  
PORTALES

B  
DOLLAR  
FISHA  
C  
PAYLESS  
SHOES

480 A	B	C
D	E	F

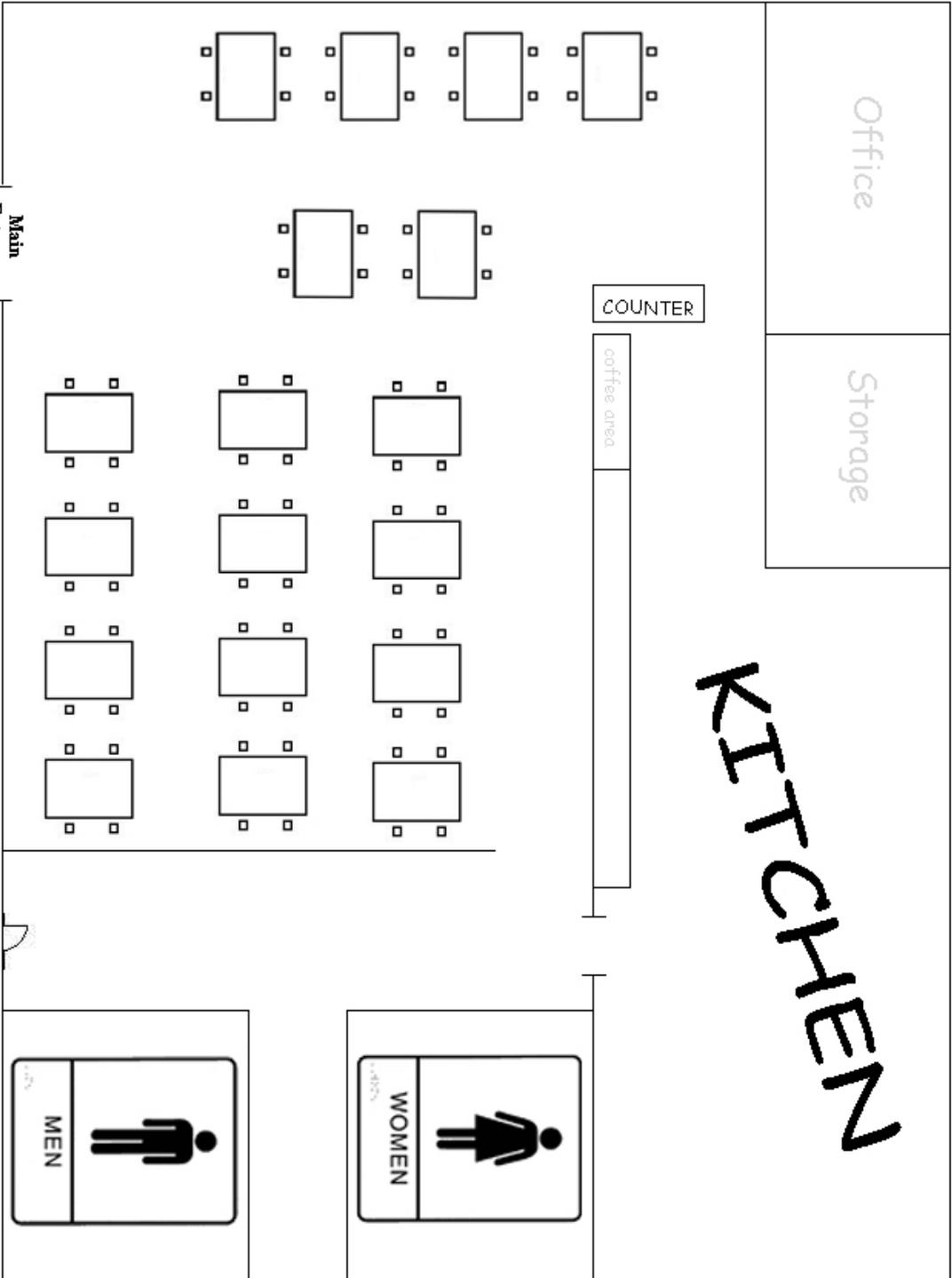
520  
K-mart

CHEROKEE LANE



580  
BANK

A	B	C	550 D	E	G	H	I
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Floor Plan  
480 S. Cherokee Lane, Suite E.  
Lodi, CA 95240



**Starters**

- Grilled Artichokes** - Served with chipotle aioli dipping sauce \$7.95
- Crab Stuffed Mushrooms** – Cilantro lime mustard sauce \$8.50
- Tomato Bruschetta**- Marinated tomatoes w/ garlic and basil, Kalamata olives, fresh mozzarella, grilled Focaccia bread \$7.50
- Kung Pao Chicken Lettuce wraps**- Spicy vegetables and chunks of chicken, Roasted peanuts and lettuce cups \$7.95

**Soups and Salads**- Served with house Ciabatta rolls and infused oils

- Califas Clam chowder** \$6.95/ 5.95
- Soup of the day**- fresh soups made daily!
- House salad**- Mesclun baby greens tossed with herb champagne vinaigrette, honey roasted walnuts and Point Reyes Bleu cheese \$7.95
- Sizzling Calamari Salad** - Tossed with baby greens, fried sweet potatoes, Shaved red onion and tomatoes, Balsamic lime cilantro dressing \$9.95  
½ size \$8.50

**Caesar**

- Caesar salad**- Romaine hearts dressed in our house made Caesar dressing, shaved Parmesan Reggiano, garlic foccacia croutons \$9.50  
Add sliced grilled chicken breast - \$1.50 ½ size \$7.95

- Chinese Chicken**- Napa cabbage lettuce blend, green onions, peanuts and rice Noodles and Hoisin dressing \$9.50  
½ size \$7.95

- Baby Spinach and Grilled Prawns Salad**- Tossed with raspberry vinaigrette, Sliced Jicama and Mango \$9.95

18% gratuity added to all groups of 6 or more  
\$2 split plate charge/ \$1 split check fee

[califascafebistro.com](http://califascafebistro.com)

*We use all fresh ingredients, no MSG and everything is made in house!*



**Panini/ Sandwiches** Served with baby greens salad or French Fries

**Grilled vegetable-** Herb mayonnaise, sautéed spinach and wood grilled eggplant, zucchini, roasted peppers and fresh mozzarella cheese \$8.50

**Turkey Bacon-** Carved dry rubbed turkey breast, smoky bacon and Jack Cheese \$8.50

**Cubano Panini** – Seasoned pork loin, cured ham, Swiss cheese with pickles, deli mustard and mayonnaise \$8.95

**Artichoke Chicken Caprese Panini-** vine ripe tomatoes and marinated artichokes fresh Mozzarella, drizzled with balsamic vinegar and virgin olive oil \$8.95

**BBQ Tri- Tip-** Tangy house made BBQ sauce, baby greens and tomatoes \$8.95

**Roasted Turkey on Ciabatta-** Pesto mayonnaise, lettuce and tomato, jack cheese \$7.50

**Shrimp BLT-** Grilled shrimp, ripe tomatoes, and bacon, mayonnaise and greens \$8.95

**Califas Seasonal Specialties-** Served with Ciabatta rolls and infused oils  
Add a side house salad \$5

**Spring Vegetables a la Parrilla -** Roasted Spring vegetable timbale, grilled Polenta, sautéed baby spinach, drizzled with white truffle oil and balsamic Gastric \$13.95

**Ancho Chicken Breast Papardelle -** Grilled carved chicken breast over Papardelle pasta tossed with Ancho cream sauce and sautéed Asparagus \$15.95

**Grilled Pork Tenderloin-** Glazed with Tequila, Orange, Habanero Vampiro sauce, served with sautéed spinach and Crème Fraiche' whipped potatoes \$15.95

**Grilled Marinated Skirt Steak-** Drizzled with Cilantro Chimichurri, sliced avocado, Nopalitos Micro-greens salad, Served with roasted Pasilla Fidello gratin \$17.95

**The Best Carved Dry Rubbed Tri Tip** – served with Crème Fraiche whipped potatoes and sautéed seasonal vegetables \$13.95

**Chicken and Prawns Hot Pot -** Tri colored peppers and ginger, Sherry-orange glace', served with wild rice \$16.95

Italian soda ~ San Pellegrino Sparkling water ~ Iced tea ~ Colombian Supremo coffee – regular and decaf  
Selection of herbal teas ~ Espresso ~ Cappuccino ~ Selection of soft drinks

18% gratuity added to all groups of 6 or more  
\$2 split plate charge/\$1 split check fee

[califascafebistro.com](http://califascafebistro.com)

*We use all fresh ingredients, no MSG and everything is made in house!*



### Starters

#### **Crab Stuffed Mushrooms**

*Served with cilantro-lime mustard sauce*

**8.50**

#### **Tomato Bruschetta**

*Tomatoes w/ garlic and basil, Kalamata olives, fresh mozzarella, grilled Focaccia bread*

**7.50**

#### **Grilled Artichokes**

*Served with chipotle aioli dipping sauce*

**7.95**

#### **Kung Pao Chicken Lettuce Wraps**

*Spicy vegetables and chunks of chicken, roasted peanuts with lettuce cups*

**8.95**

### Salads

#### **House Salad**

*Mesclun baby greens tossed with herb champagne vinaigrette, honey roasted walnuts and Point Reyes Bleu cheese*

**7.95**

#### **Baby Spinach and Grilled Prawns Salad**

*Tossed with raspberry vinaigrette, sliced Jicama and Mango*

**9.95**

#### **Sizzling Calamari Salad**

*Tossed with baby greens, fried potatoes, fresh tomatoes, Balsamic lime dressing*

**9.50**

#### **Caesar Salad**

*Romaine hearts dressed in our house made Caesar dressing, shaved Parmesan Reggiano, garlic Focaccia croutons*

**\$8.95 add chicken breast \$2**

#### **Chinese Chicken**

*Napa cabbage lettuce blend, green onions, peanuts and rice noodles and Hoisin dressing*

**8.95**

### Soups

*Served with Ciabatta rolls and infused oils*

#### **Califas Clam Chowder**

**6.95/ cup 5.95**

#### **Soup of the Day**

*Always fresh, ask your server*

*18% gratuity added to all groups of 6 or more*

*\$2 split plate charge/ \$1 split check fee*

**califascafebistro.com**

***We use all fresh ingredients, No MSG and everything is made in house!***



### **Califas Dinner Entrée Specialies**

*Served with Ciabatta rolls and infused oils  
Add side house salad \$5*

#### ***Pork Tenderloin***

*Flamed with Tequila, Orange, Habanero Vampiro sauce,  
served with sautéed spinach and crème fraiche' whipped potato*  
**\$15.95**

#### ***Chicken and Prawns Hot Pot***

*Tri colored peppers and ginger, Sherry-orange and grapefruit glaze'  
served with wild rice with toasted pine nuts*  
**16.95**

#### ***The Best Carved Dry Rubbed Tri Tip***

*Crème Fraiche whipped potatoes,  
and sautéed seasonal vegetables*  
**13.95**

#### ***Marinated Skirt Steak***

*Drizzled with Cilantro Chimichurri, fresh Avocado  
Nopalitos Micro-greens salad, served with baked Fidello gratin*  
**17.95**

#### ***Spring Vegetables a la Parrilla***

*Roasted spring vegetable timabale, grilled Polenta and sautéed spinach  
Fresh tomato basil sauce*  
**12.95**

#### ***Ancho Chicken Breast Papardelle***

*Grilled carved chicken breast served over  
Papardelle pasta tossed with Ancho cream sauce, sautéed Asparagus*  
**15.95**

#### ***Tortilla Encrusted Pacific Red Snapper***

*Spicy squash and corn, infused with Chipotle and Epazote tomato broth*  
**\$14.95**

#### **Sides**

**Baked Fideo \$6**

**Sautéed Spinach \$6**

**Grilled Vegetables \$5**

**Crème Fraiche' Whipped Potatoes**

*18% gratuity added to all groups of 6 or more*

*\$2 split plate charge/\$1 split check fee*

***califascafebistro.com***

***We use all fresh ingredients, No MSG and everything is made in house!***



**Seasonal Desserts**

**Chocolate Mousse Torte**

*Laced with raspberry sauce*

*\$7.00*

**Meyer lemon Tart Brulee'**

*Fresh cream and fruit compote*

*\$6.50*

**Profiteroles**

*Cream puffs filled with*

*Mango, coconut and strawberry ice creams*

*Drizzled with chocolate sauce*

*\$6.95*

**Brownie explosion**

*(Can serve 2)*

*Vanilla bean ice cream, chocolate ganache,  
drizzled raspberry and topped with whipped cream*

*\$7.95*

**Dessert Sampler**

*Try some of every thing*

*\$9.50*

<i>Italian Roast regular or decaf</i>	<i>\$2.50</i>
<i>Herbal teas</i>	<i>\$1.50</i>
<i>Espresso</i>	<i>\$2.00</i>
<i>Cappuccino</i>	<i>\$3.25</i>
<i>Mocha</i>	<i>\$3.95</i>
<i>Hot cocoa</i>	<i>\$2.95</i>

*18% gratuity added to all groups of 6 or more*

*\$2 split plate charge*

*Califascafebistro.com*

*480 S. Cherokee lane Lodi Ca. 209-367-9866*

*Tuesday - Saturday 11 a.m. - 9 p.m.*

*Sunday 11 a.m. - 8 p.m.*

## Immanuel Bereket

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**From:** Gary Benincasa  
**Sent:** Wednesday, June 02, 2010 9:42 AM  
**To:** Immanuel Bereket  
**Cc:** JP Badel; Steve Price  
**Subject:** Project 10-U-10 430 S. Cherokee Ln., Suite E

Manny,

We have reviewed this use permit and have no objections or recommendations relative to its issuance. By the way, I had lunch there recently and it was really good. Hope your day goes well.

Gary

Captain Gary Benincasa  
Interim Chief of Police  
215 W. Elm St.  
Lodi, CA 95240  
(209) 333-6726 Office  
(209) 333-6875 Fax

**RESOLUTION NO. P.C. 10-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI FOR THE APPROVAL OF THE REQUEST OF JULIO AND ARACELY CAMBEROS FOR A USE PERMIT TO ALLOW FOR AN ON-SALE BEER AND WINE ALCOHOLIC BEVERAGE CONTROL LICENSE AT 480 SOUTH CHEROKEE LANE, SUITE E**

- WHEREAS,** the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Lodi Municipal Code, Section 17.72.070; and
- WHEREAS,** the project proponent is Julio & Aracely Camberos., 480 South Cherokee Lane, Suite E, Lodi, CA 95240; and
- WHEREAS,** the project area is located at 480 South Cherokee Lane, Suite E, Lodi, CA 95240 (APN 047-450-31); and
- WHEREAS,** the property has a General Plan designation of MUC, Mixed Use Corridor and is zoned C-2, General Commercial; and
- WHEREAS,** the requested Use Permit to allow the selling of beer and wine for on-site consumption within a restaurant is an enforcement action in accordance with the City of Lodi Zoning Ordinance; and
- WHEREAS,** Census Tract 44.01 in which the restaurant is located currently has an over concentration of licenses allowing on premise consumption of alcoholic beverages; and
- WHEREAS,** because Census Tract 44.01 has an over concentration of On-sale beer and wine alcohol licenses, the Planning Commission must make a finding of necessity and/or public convenience in order to permit the issuance of an additional Alcohol Beverage Control license in this tract; and
- WHEREAS,** the State Department of Alcoholic Beverage Control has training available that clearly communicates State law concerning the sale of alcoholic beverages.
- WHEREAS,** all legal prerequisites to the adoption of this Resolution have occurred; and

Based upon the evidence within the staff report and project file the Planning Commission finds:

1. The project was found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15321, Class 21 (a) (2). The project is classified as an “Enforcement action by regulatory agencies” because it is the “adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.” No significant environmental impacts are anticipated and no mitigation measures have been required.
2. The sale of alcoholic beverages for on-premise consumption as part of a restaurant is a permitted use in the C-2 zoning District. The site is suitable and adequate for the proposed use because establishment of a restaurant on this site would not create negative impacts on businesses in the vicinity, and the applicant proposes to perform a tenant improvement in order to meet building code requirements.
3. The on-sale of beer and wine, in accordance with a Type 20 Alcoholic Beverage Control License and with the conditions attached herein, would be consistent and in harmony with the Mixed Use Corridor General Plan Land Use Designation and C-2 zoning District.
4. The proposed use is consistent with the General Plan because commercial uses such as the one proposed are permitted in accordance with Land Use Policy subject to a discretionary review.

5. The proposed use would not have a substantial adverse economic effect on nearby uses because operation of a restaurant in accordance with applicable laws and under the conditions of this Use Permit is anticipated to be an economic benefit to the community.
6. The sale of alcoholic beverages for on-premise consumption is a normal part of business operations and provides a convenience for customers of the business.
7. The sale and consumption of alcohol can sometimes result in customer behavior problems that can require police intervention.
8. Steps can be taken by the Applicant/Operator to reduce the number of incidents resulting from the over-consumption of alcohol including the proper training and monitoring of employees serving alcohol; the careful screening of IDs of customers to avoid sales to under-aged individuals; limiting the number of drinks sold to individual customers to avoid over-consumption; providing properly trained on-site security to monitor customer behavior both in and outside of the establishment; and working with the Lodi Police Dept. to resolve any problems that may arise.
9. The proposed use can be compatible with the surrounding use and neighborhood if the business is conducted properly and if the Applicant/Operator works with neighboring businesses and residents to resolve any problems that may occur.
10. The proposed use would not be detrimental to the general welfare of persons residing and working in the immediate vicinity, the neighborhood or the community at large because the sale of alcohol with a restaurant operation is not associated with detrimental impacts to the community.
11. The sale of alcoholic beverages at this location can meet the intent of the C-2 zoning district and can provide a public convenience or necessity for customers of the business.

**NOW, THEREFORE, BE IT DETERMINED AND RESOLVED** by the Planning Commission of the City of Lodi that Use Permit Application No. 10-U-10 is hereby approved, subject to the following conditions:

1. The applicant/Operator and/or successors in interest and management shall defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this Use Permit, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
2. The Applicant/Operator and/or successors in interest and management shall insure that the sale of alcohol does not cause any condition that will cause or result in repeated activities that are harmful to the health, peace or safety of persons residing or working in the surrounding area. This includes, but is not limited to: disturbances of the peace, illegal drug activity, public intoxication, drinking in public, harassment of people passing by, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises, traffic violations or traffic safety based upon last drink statistics, curfew violations, lewd conduct, or police detention and arrests.
3. The Applicant/Operator and/or successors in interest and management shall operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
4. The Applicant/Operator shall operate and abide by the requirements and conditions of the State of California Department of Alcoholic Beverage Control License Type 41. The Type 41 License shall be limited to on-site sale and consumption of beer and wine during the hours that the restaurant is open for business or as otherwise modified by the Community Development Director.
5. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and

disorderly conduct result from the proposed land use, the Use Permit may be subject to review and revocation by the City of Lodi after a public hearing and following the procedures outlined in the City of Lodi Municipal Code. Additional reviews may be prescribed by the Community Development Director, the Police Department and/or Planning Commission as needed during and after the first two years of probationary period. Further, starting from the effective date the business commences the sale of beer, wine and distilled spirits, this Use Permit shall be subject to a one year, and two year review by Community Development Director. If the Director determines it necessary, the Director shall forward the review to the Planning Commission to review the business's operation for compliance with the conditions of the Use Permit, and in response to any complaints thereafter.

6. The Lodi Police Department may, at any time, request that the Planning Commission conduct a hearing on the Use Permit for the purpose of amending or adding new conditions to the Use Permit or to consider revocation of the Use Permit if the Use Permit becomes a serious policing problem.
7. The Use Permit shall require the Applicant/Operator and/or successors in interest and management to secure an ABC Type 41 license, On Sale Beer and Wine – Eating Place.
8. Prior to the issuance of a Type 41 ABC license, the Applicant/Operator and/or successors in interest and management shall complete Licensee Education on Alcohol and Drugs as provided by the State Department of Alcoholic Beverage Control.
9. The sale of alcohol shall occur only at tables when served with meals. A separate bar and/or counter for the consumption of alcohol shall be prohibited.
10. Any changes to the interior layout of the business operation shall be subject to review and approval by the Planning Department and will require appropriate City permits.
11. No person who is in a state of intoxication shall be permitted within the restaurant nor shall an intoxicated patron already in the bar be served additional alcoholic beverages. It is the responsibility of the business owner/operator to ensure no patron in state of intoxication is allowed into the building.
12. The Applicant/Operator and/or successors in interest and management of the restaurant shall police the area surrounding the business to prevent patrons from congregating/loitering outside the premises and to prevent excessive noise or other objectionable behavior. Noise levels shall be monitored to insure that noise shall not violate the City's Noise Ordinance Section 9.24.020 and Section 9.24.030.
13. The operator/applicant and/or successors in interest and management shall comply with all the Municipal Codes relating to loitering, open container laws and other nuisance-related issues.
14. The operator/applicant and/or successors in interest and management shall ensure noise emanating from the property shall be within the limitations prescribed by the City's Noise Ordinance and shall not create a nuisance to surrounding residential neighborhoods, and/or commercial establishments.
15. The exterior of all the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.
16. Approval of this Use Permit shall be subject to revocation procedures contained in Section 17.72 LMC in the event any of the terms of this approval are violated or if the sale of beer and wine is conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.
17. Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No

permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.

- 18. No variance from any City of Lodi adopted code, policy or specification is granted or implied by this approval.

**Dated: June 23, 2010**

I certify that Resolution No. 10- was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on June 23, 2010 by the following vote:

**AYES:** Commissioners:

**NOES:** Commissioners:

**ABSENT:** Commissioners:

**ATTEST** \_\_\_\_\_  
Secretary, Planning Commission

# Item 3f



**MEMORANDUM, City of Lodi, Community Development Department**

**To:** Planning Commissioners  
**From:** Konradt Bartlam, Community Development Director  
**Date:** June 18, 2010  
**Subject:** Draft Housing Element Review and Comment

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Attached is the public review draft of the Housing Element of the General Plan. This element is required by the state to be updated more frequently than the balance of the General Plan. The previous housing element was adopted by the City in 2004. The Housing Element is the only element of the General Plan which requires state review and acceptance. Our intent is to submit the draft of the element for state review once the Planning Commission has had an opportunity to hear public comment and provide direction. We will provide the Commission a final draft once the state review is completed for your review and recommendation to the City Council.

This draft Housing Element has been available for public review for the past month. We have sent notification to the interested groups and individuals as well as advertised this hearing in the Lodi News Sentinel.



**LODI GENERAL PLAN  
HOUSING ELEMENT**

**Public Review DRAFT**

**CITY OF LODI MAY 2010**



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# I Introduction

## I.1 PURPOSE AND CONTENTS

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The Lodi Housing Element is part of the City's General Plan, which is a comprehensive policy statement regarding the physical, economic, and social development of the city; the preservation and conservation of natural and human features of the landscape, and the re-use of land and buildings within the city. Although housing represents a high priority, planning for housing must be balanced with the community's economic needs and environmental, resource, and open space protection policies, which are also essential aspects of the City's General Plan. Whereas general plans often reflect planning periods 15-25 years long, housing elements are updated every five to eight years, in accordance with State law. This Housing Element coincides with an update to the Lodi General Plan and is therefore an integral part of the updated document.

The Housing Element addresses one of the State-mandated General Plan topics and most basic human needs: shelter. For this reason the Housing Element represents a critical link between land use and transportation policies, which define the location, layout, and movement of people and goods, and environmental/resource policies. For a city to have a strong and balanced economy, where people live in proximity to where they work, workers must have places to live within their economic means.

The Housing Element contains three parts following this introduction:

- **Chapter 2: Community Profile** contains an analysis of population, housing, and employment characteristics and trends; the needs of special population groups such as seniors, large families, and persons with disabilities; indicators of unmet need, such as overcrowding, overpayment, substandard housing, and the potential loss of affordable rental housing; and future housing construction needs. The purpose of the community profile is to characterize existing conditions and unmet housing needs among Lodi's current residents and to plan for future residents in the city.
- **Chapter 3: Resources and Constraints** addresses the opportunities and challenges to meet the housing needs identified in the community profile. Resources include the availability of land, adequate sites to meet housing needs, public and private organizations that provide housing and supportive services, and funding to implement the City's housing strategy. Constraints include the impacts of government action on housing availability and affordability, the interaction of market forces, infrastructure, and environmental conditions. This analysis focuses on the magnitude of potential constraints and identifies measures to remove them.
- **Chapter 4: Housing Strategy** identifies goals, policies, programs, and quantified objectives to meet identified housing needs, reduce constraints on housing availability and production, and make effective use of available resources. As part of its strategy, this section defines the responsible agencies, timeframes, and the anticipated results of the programs.
- **Appendix A: Accomplishments** describe achievements during the previous Housing Element planning period (2001 to 2009), including housing units constructed or

available for development and implementation of programs and policies. Lessons learned from these accomplishments have been used to revise policies and programs.

## **I.2 COMMUNITY CONTEXT**

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This section describes Lodi's community and demographic context in brief; Chapter 2: Community Profile provides further details.

According to the 2007-2014 Regional Housing Needs Allocation Plan prepared by San Joaquin County Council of Governments, Lodi should plan to accommodate 3,891 additional residential units between 2007 and 2014. Of those residential units, 1,621, or 42%, should be affordable to extremely low-, very low-, or low-income households. It should be emphasized that this is the amount of housing the City should plan for; actual amounts of housing built will be influenced by broader economic forces, including the recent national and regional economic downturn. Potential impacts of market factors, as well as City policies and regulations, are examined in Chapter 3: Resources and Constraints.

Between 2000 and 2008, the city's population increased by 11%. By comparison, Tracy and Manteca, similarly sized cities, grew 43 and 35%, respectively, while the population of Stockton grew 19% during this period. Since 2000, population growth in Lodi has been concentrated in children (0-4 years) and people between the ages of 45 and 64.

Although historically San Joaquin County has been known for its agriculture and food processing industries, in 2007 the sectors that accounted for the greatest shares of total employment were trade, transportation and utilities (17%) and government (14%). Between 1992 and 2007, the following sectors saw the greatest increases in the number of jobs: construction, professional and business services, education and health services, retail trade, and transportation/warehousing/utilities. A high percentage of Lodi residents (54%) work outside the community, reflecting regional employment interdependencies.

Lodi residents earn 91% of the countywide median income, according to the 2005-2007 American Community Survey. Despite having lower incomes than the county as a whole, city residents have a local poverty rate that is similar to that of San Joaquin County. Moreover, the poverty rate in Lodi is slightly lower than it was in 2000 (shrinking from 17 to 15%).

Lodi's housing stock is composed primarily of single-family homes. The total number of housing units increased from 21,381 in 2000 to 23,353 in 2008—a 9% change. The majority of new units are single-family detached homes, composing 96% of the new stock added since 2000. There is an overall lack of construction of townhomes, duplexes, small- and medium-sized apartment buildings, which often represent more affordable rental housing. Of occupied housing units in Lodi, 55% are owned and 45% are rented. The vacancy rate between 2000 and 2008 has remained unchanged at 3% for both rental and ownership housing units, according to the Department of Finance. A vacancy rate of 5% is considered to be "normal"; a vacancy rate less than 5% indicates a tight market in which households may not be able to find vacant units that fit their needs.

Lodi has experienced a growing gap between housing costs and local incomes. In recent years, there has been a substantial increase in the number of households paying more than 30% of their incomes for housing. In 2000, 44% of renter households overpaid for housing; by

comparison, 58% of renter households overpaid according to the 2005-2007 American Community Survey three-year estimate. In 2000, 24% of homeowners overpaid for housing costs; that number increased to 38% in 2005-2007. Rent-restricted housing affordable to lower-income households is limited in Lodi. However, given recent shifts in the economy—a reduction in home sale prices and an increase in unemployment and potential decrease in household income, the extent of overpayment is not known.

### **I.3 STATE REQUIREMENTS**

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Beginning in 1980 and refined periodically, the California Legislature adopted requirements for the contents of housing elements (California Government Code sections 65580 to 65589.5). The contents of a housing element, as mandated by State law, include:

- An assessment of housing needs that includes an analysis of population and housing characteristics, employment and population projections, special housing needs, subsidized rental housing at-risk of conversion, future housing construction need (regional housing allocation), and opportunities for energy conservation;
- An analysis of constraints (governmental and non-governmental) to the maintenance improvement, or development of housing for all income levels;
- An inventory of vacant and underutilized sites by zoning category, with an assessment of the availability public facilities, and services to those sites; and
- A housing strategy containing an evaluation of past program achievements, goals, and policies, and a schedule of implementing actions with quantified objectives.

Although State law regarding housing elements requires communities to address the needs of all residents, particular attention in the housing element law is devoted to the needs of extremely-low-, very-low- and low-income households. Specifically, State law requires housing elements to:

- Identify adequate sites to facilitate and encourage housing for all income levels;
- Remove governmental constraints to housing production, maintenance, and improvement;
- Assist in the development of adequate housing for low- and moderate-income households;
- Conserve and improve the condition of existing affordable housing; and
- Promote housing opportunities for all persons.

### **I.4 DATA SOURCES AND THEIR USE**

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A variety of local, regional, State, federal, and private sources of information were used to prepare the Housing Element. As required by State law (Government Code Section 65584), the principal source of information used to determine future housing construction need is the San Joaquin County Regional Housing Needs Allocation for the 2007 to 2014 planning period. Other principal sources of information included the U. S. Census Bureau, American Community Survey (typically the 2005-2007 three-year estimate), California Department of Finance, the California Employment Development Department, the City of Lodi, San Joaquin

County, California Association of Realtors, local nonprofit organizations serving special needs populations, local housing developers, residents, and local real estate and property management firms.

## **I.5 PUBLIC PARTICIPATION**

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The Housing Element was prepared in parallel with an update to the General Plan; extensive General Plan public participation activities addressed the topic of housing. The City encouraged participation by all segments of the community in the preparation of the Housing Element through a combination of general public notices and direct contacts with organizations serving low-income and special needs groups.

### **GENERAL PLAN OUTREACH**

The General Plan Update was initiated in October 2006. In order for the General Plan to accurately address community needs and values, the City undertook a comprehensive public process of obtaining the input of residents, business and property owners, and City officials. This process involved the sharing of information and ideas between elected and appointed officials, City staff, planning consultants, and community members. Community members and stakeholders participated in the planning process through several medium over the course of three years, including a citywide survey, public workshops and meetings, stakeholder interviews, newsletters, and a project website. Housing was a key issue in all of these public participation activities.

### **HOUSING ELEMENT OUTREACH**

In addition to the outreach combined with General Plan Update, the City conducted direct public outreach to individuals and organizations representing a broad spectrum of the community, particularly organizations representing lower-income and minority residents. The City issued mailed notices/invitations prior to a July 22, 2009 stakeholder meeting to representatives of the following organizations and groups.

- Frontier Community Builders
- Service First of Northern California (Neighborhood Stabilization Program Developers for Lodi)
- Lodi Improvement Committee
- LOEL Foundation (senior center)
- Farmers & Merchants Bank
- Habitat for Humanity
- Tokay Development
- Visionary Home Builders (non-profit affordable housing developer)
- PAM Development (for-profit affordable housing developer)
- Colliers International Commercial Brokerage
- Housing Authority of San Joaquin County
- Community Partnership for Families

- Habitat for Humanity
- Lodi Boy's & Girl's Club
- Lodi Unified School District
- City Council and Planning Commission
- Community leaders
- Property owners

These organizations include the primary groups that provide services to lower-income and special needs residents in Lodi. These organizations also serve individuals with limited English proficiency.

## **I.6 GENERAL PLAN CONSISTENCY**

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To promote a uniform and compatible vision for the development of the community, the General Plan must be internally consistent in its goals and policies, as required by California Government Code Section 65300.5. Government Code section 65583(c) requires that a housing element describe how consistency has been achieved among the general plan elements. The most important aspect of consistency among general plan elements is that policies and implementation measures do not conflict, but support one another, to achieve the overall goals and vision of a general plan. Since the Housing Element preparation coincided with the City's comprehensive General Plan Update, policy measures were developed in parallel. As a result, the City has concluded that the Housing Element is consistent with the vision of the General Plan. Policies included in other General Plan elements that affect housing are summarized below.

### **LAND USE ELEMENT**

- LU-P3 Do not allow development at less than the minimum density prescribed by each residential land use category, without rebalancing the overall plan to comply with the "no net loss provisions of state housing law."
- LU-P4 Maintain the highest development intensities downtown, and in mixed-use corridors and centers, with adequate transition to Low-Density Residential neighborhoods.
- LU-P6 Locate new medium- and high-density development adjacent to parks or other open space, in order to maximize residents' access to recreational uses; or adjacent to mixed-use centers or neighborhood commercial developments, to maximize access to services.
- LU-P18 Encourage medium- and high-density residential development in downtown by permitting residential uses at upper levels; and east and northwest of downtown, as depicted on the Land Use Diagram, by identifying vacant and underutilized sites that are appropriate for redevelopment.

- LU-P24 Guide new residential development into compact neighborhoods with a defined Mixed-Use Center, including public open space, a school or other community facilities, and neighborhood commercial development.
- LU-P26 Require a master or specific plan in areas with a Mixed-Use Center and adjacent complementary uses, as a condition of subdivision approval. Uses should include neighborhood commercial, civic and institutional uses, parks, plazas, and open space—consistent with Land Use Diagram (unless any of these uses are found infeasible and/or alternative locations are available to carry out mixed-use policies). Streets should adhere to the pattern depicted on the Land Use Diagram.
- LU-P27 Provide for a full range of housing types within new neighborhoods, including minimum requirements for small-lot single family homes, townhouses, duplexes, triplexes, and multi-family housing.

### **GROWTH MANAGEMENT AND INFRASTRUCTURE ELEMENT**

- GM-G4 Provide public facilities—including police and fire services, schools, and libraries—commensurate with the needs of the existing and future population.
- GM-P2 Target new growth into identified areas, extending south, west, and southeast. Ensure contiguous development by requiring development to conform to phasing described in Figure 3-1 [of the General Plan]. Enforce phasing through permitting and infrastructure provision. Development may not extend to Phase 2 until Phase 1 has reached 75% of development potential (measured in acres), and development may not extend to Phase 3 until Phase 2 has reached 75% of development potential. In order to respond to market changes in the demand for various land use types, exemptions may be made to allow for development in future phases before these thresholds in the previous phase have been reached.
- GM-P3 Use the Growth Management Allocation Ordinance as a mechanism to even out the pace, diversity, and direction of growth. Update the Growth Management Allocation Ordinance to reflect phasing and desired housing mix. Because unused allocations carry over, as of 2007, 3,268 additional permits were available. Therefore, the Growth Management Allocation Ordinance will not restrict growth, but simply even out any market extremes.
- GM-P4 Update allocation of units by density to ensure that development density occurs as recommended in Chapter 2: Land Use. For instance, approved permits should be allocated to provide 45.4% of permits for low density, 27.3% medium density, and 27.3% high density/ mixed use housing during phase 1. This represents a shift towards slightly more medium and high density housing in Lodi.
- GM-P5 Update impact fee system to balance the need to sufficiently fund needed facilities and services without penalizing multifamily housing or infill development.
- GM-P6 Annex areas outside the existing sphere of influence to conform with development needs for Phase 1, Phase 2, and Phase 3. Subsequent phases shall be annexed as current phases reach development thresholds.

- GM-P8 Ensure that public facilities and infrastructure—including water supply, sewer, and stormwater facilities—are designed to meet projected capacity requirements to avoid the need for future replacement and upsizing, pursuant to the General Plan and relevant master planning.
- GM-P9 Coordinate extension of sewer service, water service, and stormwater facilities into new growth areas concurrent with development phasing. Decline requests for extension of water and sewer lines beyond the city limit prior to the relevant development phase and approve development plans and water system extension only when a dependable and adequate water supply for the development is assured.
- GM-P11 Prepare master plan documents as necessary during the planning period to address the infrastructure needs of existing and projected growth, and to determine appropriate infrastructure provision for each phase. Existing master plan documents should be used until new master plans are developed, and updates should occur as follows:
- A sanitary sewer system master plan should be undertaken soon after General Plan adoption. In particular, this master plan should address how to best provide sewer service for the growth on the east side of the city and for infill development, and to determine if additional wastewater flows will need to be diverted into the proposed South Wastewater Trunk Line.
  - A citywide stormwater master plan should be prepared soon after General Plan adoption to confirm or revise existing planning studies.
  - A White Slough Water Pollution Control Facility master plan should be completed during the early stages of Phase 1, most likely in 2013 or 2014.
  - A recycled water master plan was prepared in May 2008 and is current as of 2009. It may be appropriate to update this document when the next WSWPCF master plan is prepared, in 2013 or 2014, to evaluate the feasibility of constructing a scalping plant to provide recycled water for use within the city.
  - A potable water supply and distribution master plan is not urgently needed, as of 2009. Future planning should be completed as necessary.
  - The Urban Water Management Plan should be updated on a five year basis in compliance with State of California mandated requirements. Future plans should be developed in 2010, 2015, 2020, 2025, and 2030.

## **COMMUNITY DESIGN AND LIVABILITY ELEMENT**

- CD-P1 Incentivize infill housing—within the Downtown Mixed Use district and along Mixed Use Corridors—through the development review, permitting and fee processes.
- CD-P2 Ensure that Zoning and Subdivision ordinances include measures that guide infill development to be compatible with the scale, character and identity of adjacent development.

- CD-P26 Focus new growth, which is not accommodated through infill development of existing neighborhoods, in easily-accessible and pedestrian friendly neighborhoods that include neighborhood-oriented commercial, public services such as schools and parks, and residential uses.
- CD-P38 Promote location and siting of buildings that minimizes energy use by features such as enhancing use of daylight, minimizing summer solar gain, and use of ventilating breezes.
- CD-P39 Design any City-owned buildings or City-owned buildings that are proposed for new construction, major renovation to meet the standards set by LEEDTM or equivalent.
- CD-P40 Prepare, or incorporate by reference, and implement green building and construction guidelines and/or standards, appropriate to the Lodi context, by 2012. The guidelines and/or standards shall ensure a high level of energy efficiency and reduction of environmental impacts associated with new construction, major renovation, and operations of buildings. Ensure that these guidelines/standards:
- Require documentation demonstrating that building designs meet minimum performance targets, but allow flexibility in the methods used.
  - Exceed California's 2005 Title 24 regulation standards for building energy efficiency by 15%, with particular emphasis on industrial and commercial buildings.
  - Reduce resource or environmental impacts, using cost-effective and well-proven design and construction strategies.
  - Reduce waste and energy consumption during demolition and construction.
  - Identify street standards, such as street tree requirements, appropriate landscaping practices, and acceptable materials.
  - Incorporate sustainable maintenance standards and procedures.
  - Promote incorporation of energy conservation and weatherization features in existing structures. Develop programs that specifically target commercial and industrial structures for energy conservation and weatherization measures in order to reduce annual kWh per job.

These guidelines could be developed directly from the LEED (Leadership in Energy and Environmental Design) system developed by the U.S. Green Building Council, the California-based Build It Green GreenPoint rating system, or an equivalent green building program.

## **TRANSPORTATION ELEMENT**

- T-P1 Ensure consistency between the timing of new development and the provision of transportation infrastructure needed to serve that development. Regularly monitor traffic volumes on city streets and, prior to issuance of building permits, ensure that there is a funded plan for the developer to provide all necessary

transportation improvements at the appropriate phase of development so as to minimize transportation impacts.

- T-P2 Review new development proposals for consistency with the Transportation Element and the Capital Improvements Program. Ensure that new projects provide needed facilities to serve developments, and provide all needed facilities and/or contribute a fair share to the City's transportation impact fee.
- T-P21 Work cooperatively with the Lodi Unified School District on a "safe routes to schools" program that aims to provide a network of safe, convenient, and comfortable pedestrian routes from residential areas to schools. Improvements may include expanded sidewalks, shade trees, bus stops, and connections to the extended street, bike, and transit network.
- T-P35 Require community care facilities and senior housing projects with more than 25 units to provide accessible transportation services for the convenience of residents.

#### **PARKS, RECREATION, AND OPEN SPACE ELEMENT**

- P-P2 Provide open space to meet recreation and storm drainage needs, at a ratio of eight acres of open space per 1,000 new residents. At least five acres must be constructed for park and recreation uses only. Drainage basins should be constructed as distinct facilities, as opposed to dual-functioning park and drainage basin facilities.
- P-P3 Pursue the development of park and recreation facilities within a quarter-mile walking distance of all residences.
- P-P5 Update the City's Open Space and Recreation Master Plan, as necessary to:
- Arrange a distribution of open spaces across all neighborhoods in the city;
  - Ensure that parks are visible and accessible from the street, to the surrounding neighborhood, and citywide users; and
  - Provide a variety of open spaces and facilities to serve the needs of the community, ensuring a balance between indoor and outdoor organized sports and other recreation needs, including passive and leisure activities.
- P-P7 Work with developers of proposed development projects to provide parks and trails, as well as linkages to existing parks and trails.
- P-P19 Require master planned residential communities to dedicate parkland consistent with General Plan standards. In-lieu fees will only be acceptable where an exemption from providing a neighborhood park facility would not adversely affect local residents because an existing park is nearby.

- P-P20 Address park dedication and new development impact fees as part of the Zoning Ordinance and Subdivision Regulations Update, to ensure compliance with the General Plan park and open space standard.

**CONSERVATION ELEMENT**

- C-P3 Support the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- C-P5 Ensure that urban development does not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices. Use appropriate buffers consistent with the recommendations of the San Joaquin County Department of Agriculture (typically no less than 150 feet) and limit incompatible uses (such as schools and hospitals) near agriculture.
- C-P17 For future development projects on previously un-surveyed lands, require a project applicant to have a qualified archeologist conduct the following activities: (1) conduct a record search at the Central California Information Center at the California State University, Stanislaus, and other appropriate historical repositories, (2) conduct field surveys where appropriate and required by law, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archeological Resource Management Reports).
- C-P37 Promote incorporation of energy conservation and weatherization features into existing structures. Update the Zoning Ordinance and make local amendments to the California Building Code, as needed, to allow for the implementation of green building, green construction, and energy efficiency measures.
- C-P38 Encourage the development of energy efficient buildings and communities. All new development, including major rehabilitation, renovation, and redevelopment projects, shall incorporate energy conservation and green building practices to the maximum extent feasible and as appropriate to the project proposed. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems. The City may implement this policy by adopting and enforcing a Green Building Ordinance.
- C-P41 Encourage the use of passive and active solar devices such as solar collectors, solar cells, and solar heating systems into the design of local buildings. Promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional, and public buildings.
- C-P42 Continue to offer rebates to residential, commercial, industrial and municipal customers of Lodi Electric Utility who install photovoltaic (PV) systems or that participate in the Lodi Energy Efficient Home Improvement Rebate Program. Ensure that rebate programs are well advertised to the community and offer rebates that are sufficient to gain community interest and participation.

- C-P43 Work with the California Energy Commission and other public and non-profit agencies to promote the use of programs that encourage developers to surpass Title 24 Energy Efficiency standards by utilizing renewable energy systems and more efficient practices that conserve energy, including, but not limited to natural gas, hydrogen or electrical vehicles. Offer incentives such as density bonus, expedited process, fee reduction/waiver to property owners and developers who exceed California Title 24 energy efficiency standards.

### **SAFETY ELEMENT**

- S-P6 Prohibit new development, except for public uses incidental to open space development, within Zone A (100-year flood zone) of the most current FEMA floodplain map (see Figure 8-1 [in the General Plan] for the most current map).
- S-P10 Require that all fuel and chemical storage tanks are appropriately constructed; include spill containment areas to prevent seismic damage, leakage, fire and explosion; and are structurally or spatially separated from sensitive land uses, such as residential neighborhoods, schools, hospitals and places of public assembly.
- S-P11 Ensure compatibility between hazardous material users and surrounding land use through the development review process. Separate hazardous waste facilities from incompatible uses including, but not limited to, schools, daycares, hospitals, public gathering areas, and high-density residential housing through development standards and the review process.
- S-P22 Require new development to include grading and erosion control plans prepared by a qualified engineer or land surveyor.

### **NOISE ELEMENT**

- N-G2 Protect sensitive uses, including schools, hospitals, and senior care facilities, from excessive noise.
- N-P4 Discourage noise sensitive uses such as residences, hospitals, schools, libraries, and rest homes from locating in areas with noise levels above 65db. Conversely, do not permit new uses likely to produce high levels of noise (above 65db) from locating in or adjacent to areas with existing or planned noise-sensitive uses.
- N-P5 Noise sensitive uses, such as residences, hospitals, schools, libraries, and rest homes, proposed in areas that have noise exposure levels of “conditionally acceptable” and higher must complete an acoustical study, prepared by a professional acoustic engineer. This study should specify the appropriate noise mitigation features to be included in the design and construction of these uses, to achieve interior noise levels consistent with Table 9-3 [of the General Plan].
- N-P6 Where substantial traffic noise increases (to above 70db) are expected, such as on Lower Sacramento Road or Harney Lane, as shown on the accompanying graphic [see General Plan], require a minimum 12-foot setback for noise-sensitive land uses, such as residences, hospitals, schools, libraries, and rest homes.

- N-P14      Reduce vibration impacts on noise-sensitive land uses (such as residences, hospitals, schools, libraries, and rest homes) adjacent to the railroad, SR-99, expressways, and near noise-generating industrial uses. This may be achieved through site planning, setbacks, and vibration-reduction construction methods such as insulation, soundproofing, staggered studs, double drywall layers, and double walls.

## 2 Housing Needs Assessment

This assessment aims to evaluate the effectiveness of existing housing policies and programs and provide a general direction and focus for future housing initiatives.

### 2.1 POPULATION AND HOUSING CHARACTERISTICS

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#### POPULATION

According to the California Department of Finance (DOF), Lodi's 2008 population was estimated to be 63,362, as shown in Table 2-1. Lodi has been the slowest growing city in San Joaquin County in recent years; between 2000 and 2008, the city's population increased by 11%. In contrast, the comparable-sized cities of Tracy and Manteca grew 43% and 35%, respectively, during this period.

**Table 2-1: Comparison of Population Growth in Selected Areas**

<i>Jurisdiction</i>	<i>2000</i>	<i>2008</i>	<i>Increase</i>	<i>% Change</i>
San Joaquin County	563,598	685,660	122,062	22
<b>Lodi</b>	<b>56,999</b>	<b>63,362</b>	<b>6,363</b>	<b>11</b>
Escalon	4,437	7,131	2,694	61
Lathrop	6,841	17,429	10,588	155
Manteca	49,258	66,451	17,193	35
Ripon	7,455	14,915	7,460	100
Stockton	243,771	289,927	46,156	19
Tracy	56,929	81,548	24,619	43

*Source: U.S. Census, 2000; DOF, 2008.*

As shown in Table 2-2, Lodi's population has grown at an average annual rate of nearly 1% since 1990 and projections indicate that growth is expected to continue at a modest pace (1.2%) through the next several decades. Using projections by San Joaquin Council of Governments (SJCOG), we can estimate that the population of Lodi is expected to increase by 13% between 2008 and 2015 (not shown). It should be noted that the City's residential permit activity in 2009-10 has resulted in less than five units.

**Table 2-2: Population Growth Trends**

	Year	Population	Average Annual % Change
Actual	1990	51,874	--
	2000	56,999	0.9
	2008	63,362	1.3
Projected	2010	65,028	1.3
	2015	69,055	1.2
	2020	73,130	1.2

Source: U.S. Census, 1990-2000; DOF, 2008; SJCOG, 2007.

## AGE

Table 2-3 reports a breakdown of the city’s population by age cohort in 2000, according to the U.S. Census and a three-year (2005-2007) average estimate provided by the American Community Survey (ACS). Middle-aged adults represent the greatest proportion of Lodi’s population. A comparison between these years show the greatest increases in the number of children four and under, as well as in middle-aged residents, ages 45 to 64. These data suggest that Lodi has attracted more young families in recent years and may have a need for family housing with two or more bedrooms.

**Table 2-3: Age Characteristics and Trends**

Age	2000		2005-2007 <sup>1</sup>	
	Number	Percent	Number	Percent
0 to 4	4,495	8	6,081	9
5 to 17	11,596	20	12,213	19
18 to 24	5,472	10	6,337	10
25 to 44	16,032	28	17,278	27
45 to 64	11,263	20	14,067	22
65+	8,141	14	8,744	14
<b>Total</b>	<b>56,999</b>	<b>100</b>	<b>64,720</b>	<b>100</b>

1. 2005-2007 data are based on a sample of residents. The U.S. Census Bureau advises that 2005-2007 age values should be compared with caution to 2000 values.

Source: U.S. Census, 2000; ACS Three-Year Estimate, 2005-2007.

## RACE AND ETHNICITY

Lodi has a smaller non-white population compared with San Joaquin County as a whole; while in 2000 36% of Lodi’s population was non-white, the county’s non-white population made up 53% of its total. However, while the majority of Lodi’s population remains white, the trend since 2000 is toward increasing diversity, as shown in Table 2-4. The overall growth in population since 2000 was modest, but the number of Hispanic residents grew by approximately 45%. Asian residents increased slightly, but still represent a small proportion of the population in Lodi.

Changes in race and ethnic composition relate to certain housing needs as some demographic and economic characteristics correlate with race. For example, though the data are not available for more recent years, in 2000, Hispanic households had significantly higher average family sizes than the overall average for Lodi (4.2 compared to 3.3).

**Table 2-4: Ethnicity Characteristics and Trends**

Race/Ethnicity	2000		2005-2007 <sup>1</sup>		% Change (2000 to 2005-2007)
	Number	Percent	Number	Percent	
White	36,200	64	37,239	58	3
Latino/Hispanic Origin	15,464	27	22,379	35	45
Asian or Pacific Islander	2,860	5	3,424	5	20
Native American	309	<1	392	<1	27
African American	260	<1	185	<1	-29
Other <sup>2</sup>	1,906	3	1,101	2	-429
<b>Total</b>	<b>56,999</b>	<b>100</b>	<b>64,720</b>	<b>100</b>	<b>14</b>

1. 2005-2007 data are based on a sample of residents. The U.S. Census Bureau advises that these 2005-2007 ethnicity values should be compared with caution to 2000 values.

2. Persons who identified as Hispanic or Latino and having “two or more races” were included in the “Other” category in the 2000 U.S. Census which may partly explain the decrease in 2007.

Source: U.S. Census, 2000; ACS Three-Year Estimate, 2005-2007.

## 2.2 HOUSEHOLD TRENDS

### HOUSEHOLD GROWTH

The number of households in Lodi increased at a slower rate than the city’s population during the last two decades. Therefore, the average household size increased over this period. The ACS reports 21,887 households for the 2005-2007 three-year estimate, as shown in Table 2-5.

**Table 2-5: Household Growth Trends**

Year	Households	Numerical Change
1990	19,001	--
2000	20,692	1,691
2005-2007	21,887	1,195

Source: U.S. Census, 1990-2000; ACS Three-Year Estimate, 2005-2007.

### HOUSEHOLD COMPOSITION AND SIZE

Table 2-6 describes Lodi households, by family or non-family composition. According to the ACS in the 2005-2007 period, the majority of households in Lodi were family households—those with at least two people who are related to each other by blood or marriage. More than half of family households had children under age 18 living at home. Conversely, since 2000, non-family households have decreased. Of the non-family households, more than 80% were composed of householders living alone. These data support findings from the age cohort analysis that housing for families will continue to be needed during the planning period.

**Table 2-6: Household Type**

	2000		2005-2007	
	Number	Percent	Number	Percent
Family Households	14,349	69	15,715	72
With Children	7,400	36	8,361	38
With No Children	6,949	34	7,354	34
Female Householder, no spouse	2,522	12	3,028	14
With Children	1,629	8	1,765	8
Non-Family Households	6,343	31	6,172	28
<b>Total Households</b>	<b>20,692</b>		<b>21,887</b>	

Source: U.S. Census, 2000; ACS Three-Year Estimate, 2005-2007.

Over half of all households in Lodi are composed of one or two members, as shown in Table 2-7. However, household size has been increasing in recent years. The median household size rose from 2.7 in 2000, to 2.8 in 2008. Thirteen percent of households have five or more persons, generally considered large households. (See Section 2.6: Special Needs Populations for a complete discussion of large households).

**Table 2-7: Household Size**

Household Size	Number	Percent
1-person household	4,984	23
2-person household	6,845	31
3-person household	3,314	15
4-person household	3,844	18
5 or more person households	2,900	13
<b>Total</b>	<b>21,887</b>	<b>100</b>
Average	2.8	

Source: ACS Three-Year Estimate, 2005-2007; DOF 2008 (average).

## 2.3 INCOME AND HOUSING COSTS

### INCOME

Table 2-8 describes income by household size and tenure. According to the ACS 2005-2007 estimate, the median income for all households in Lodi was \$48,074, compared with \$52,872 for San Joaquin County as a whole. Household income is lowest for one-person households and highest for four-person households. In general, income growth does not correlate with household size, since larger families usually indicate children or seniors who are likely out of the workforce. Notably, the median income of homeowners was \$67,322—more than twice the median income of renters, which was \$31,138. The monetary resources needed to own a home are much greater than those needed to rent, which partially explains this discrepancy.

**Table 2-8: Median Household Income by Household Size**

<i>Household Size</i>	<i>Income</i>
1-person households	\$23,542
2-person households	56,152
3-person households	55,594
4-person households	65,895
5-person households	56,786
6-person households	37,404
7 or more person households	51,176
Median Income (All Households):	48,074
Median Income (Owners)	67,322
Median Income (Renters)	31,138

Source: ACS Three-Year Estimate, 2005-2007.

Table 2-9 shows disparity in median household incomes when stratified by race and ethnicity. Non-Hispanic white households had the highest incomes at \$53,472. Hispanic households had a median income of \$36,576, approximately \$17,000 less than non-Hispanic whites. African American households had the lowest median income of all ethnic groups in 2007, at \$21,591.

**Table 2-9: Median Household Income by Race and Ethnicity**

<i>Race/Ethnicity</i>	<i>Income</i>
White, not of Hispanic Origin	\$53,472
African American	21,591
Asian (not including Pacific Islander)	47,090
Other race	37,928
Latino/Hispanic Origin	36,576

Note: Data for the categories of Native American and Two Or More Races were not included because they were not available or had a large margin of error.

Source: ACS Three-Year Estimate, 2005-2007.

### **Poverty Status**

The recent poverty rate in Lodi is slightly lower than it was in 2000. According to the ACS, approximately 15% of the population lived at or below the poverty level, similar to San Joaquin County as a whole; in 2000, the poverty rates were 17% and 18%, respectively. Female-headed households with children had more than twice the poverty rate for the entire population, approximately 40%, representing more than 700 households in Lodi. Seniors age 65 and over held the lowest rate of poverty over all groups measured. Table 2-10 shows the poverty status by population and by family type in Lodi and in San Joaquin County.

**Table 2-10: Poverty Status**

Household Type	Lodi		San Joaquin County	
	Number	% of Total	Number	% of Total
Families	1,605	10	16,978	11
w/ children under 18	1,530	18	12,964	15
Female Householder	752	25	7,926	28
w/ children under 18	717	41	6,515	36
<i>Population</i>				
Total	9,399	15	93,400	14
Under 18	3773	21	36,746	19
18 to 64	4831	13	51,680	13
65 and over	795	10	4,974	8

Source: ACS Three-Year Estimate, 2005-2007.

## HOUSING COSTS

According to the California Association of Realtors, the median price for a home in Lodi (including single-family and multifamily ownership homes, new and existing) in May 2009 was \$155,000, as shown in Table 2-11. This represents a substantial decline of 31% compared with the median sale price the previous year, in May 2008. This change is in line with housing market trends in the county (37% decline year over year) and statewide.

**Table 2-11: Year over Year Median Housing Price in Selected Areas**

Jurisdiction	May 2008	May 2009	Percent Change
San Joaquin County	\$241,500	\$152,000	-37
<b>Lodi</b>	<b>226,000</b>	<b>155,000</b>	<b>-31</b>
Manteca	270,000	190,000	-30
Ripon	348,250	292,500	-16
Stockton	195,000	112,000	-43
Tracy	315,000	238,000	-24

Source: California Association of Realtors, 2009.

Chart 2-1 depicts the median home price fluctuations in Lodi since 2002. During this time period prices peaked in July 2006, at \$430,750, and then started to decline. Prices were lowest in March 2009 of this period, at \$135,000. This decline has made homes purchasing much more attainable for residents who can afford to buy homes.

**Chart 2-1: Median Home Sale Prices (January 2002 - August 2009)**



Source: California Association of Realtors, 2002-2009.

On the other hand, contract rents increased at a higher rate than in the previous decade, up by 32% since 2000, as shown in Table 2-12. The median contract rent in Lodi was \$784 in the 2005-2007 ACS period, and nearly the same, \$776, for the County as a whole. Some of the increase may be attributed to inflation, but the demand for rental housing combined with a lack of rental housing construction has also likely contributed to the rise in rents.

**Table 2-12: Median Contract Rents**

Jurisdiction	2000	2005-2007	Percent Change
San Joaquin County	\$521	\$784	34
Lodi	527	776	32

Source: U.S. Census, 2000; ACS Three-Year Estimate, 2005-2007.

### Overpayment

In recent years, there has been a substantial increase in the number of households paying more than 30% of their incomes for housing, as shown in Table 2-13. Overpayment is defined as housing costs that exceed 30% of a household's income. Housing costs include payments for the housing unit (rent or mortgage payment), utilities, property taxes, and homeowner's or renter's insurance.

In 2000, 44% of renter households overpaid for housing; by comparison, 58% of renter households overpaid in 2005-2007. In 2000, 24% of homeowners overpaid for housing costs; that number increased to 38% in 2005-2007. Not surprisingly, overpayment is most severe among lower income households. For example, for households earning less than \$20,000, 63% of owner-occupied households and 95% of renter-occupied households are overpaying for housing. These data suggest a need for more affordable housing, particularly rental housing for lower-income residents.

**Table 2-13: Households Paying More Than 30 Percent for Housing**

Income	Owner-Occupied		Renter-Occupied	
	Number	Percent	Number	Percent
Less than \$20,000	611	63	2,554	95
\$20,000 to \$34,999	743	45	1,952	82
\$35,000 to \$49,999	1,075	57	758	49
\$50,000 to \$74,999	1,294	57	386	21
\$75,000 or more	845	16	0	0
<b>Total</b>	<b>4,568</b>	<b>38</b>	<b>5,650</b>	<b>58</b>

Source: ACS Three-Year Estimate, 2005-2007.

## 2.4 HOUSING CHARACTERISTICS

### HOUSING UNITS AND VACANCY

Lodi’s housing stock is comprised primarily of single-family homes. The total number of housing units increased from 21,381 in 2000 to 23,353 in 2008—a 9% change, as shown in Table 2-14. The majority of new units are single-family detached homes, composing 96% of the new stock added since 2000. There has been little increase in the stock of townhomes, duplexes, or multifamily units, which often represent more affordable rental housing than single-family homes.

DOF estimated a combined vacancy rate for rental and ownership units of 3% in 2008; this value has remained unchanged since 2000. Vacancy rates less than 5% typically indicates a tight market in which households may not be able to find vacant units that fit their needs.

**Table 2-14: Housing Units, by Type**

	2000		2008		% Change (2000-2008)
	Number	Percent	Number	Percent	
Single-Family Detached	13,221	62	15,127	65	9
Single-Family Attached	1,454	7	1,487	6	<1
2 to 4 Units	1,742	8	1,768	8	<1
5 or More Units	4,500	21	4,506	19	<1
Mobile Homes	464	2	465	2	<1
<b>Total</b>	<b>21,381</b>	<b>100</b>	<b>23,353</b>	<b>100</b>	<b>9</b>

Source: DOF, 2000 and 2008.

### TENURE

Of the 21,887 occupied housing units in Lodi, 12,136 units (55%) are owner-occupied and 9,751 (45%) are renter-occupied, as shown in Table 2-15. These rates have remained stable since the 2000 Census. Table 2-15 also describes tenure, by age group. The most notable trend in tenure by age was the slight decline in the rate of homeownership among householders age 65 to 74 years. The same group showed an increased rate in tenure of rental units, which suggests that people of retiring age may be moving to senior rental housing or may not have

adequate homeownership options due to lack of income or lack of housing supply. (Notably, no new senior housing has been built in Lodi during the previous planning period, though at least 80 affordable units are planned for this planning period.)

**Table 2-15: Tenure by Age of Householder**

Householder, by Age	2000		2005-2007	
	Number	% of Age Group	Number	% of Age Group
<i>Owner-occupied housing units</i>				
Householder 15 to 54 years	5,900	45	6,488	47
Householder 55 to 64 years	1,794	70	2,335	70
Householder 65 to 74 years	1,703	74	1,566	70
Householder 75 years+	1,911	71	1,747	70
<b>Total:</b>	<b>11,308</b>	<b>--</b>	<b>12,136</b>	<b>--</b>
<i>Renter-occupied housing units</i>				
Householder 15 to 54 years	7,217	55	7,304	53
Householder 55 to 64 years	781	30	1,022	30
Householder 65 to 74 years	591	26	678	30
Householder 75 years+	795	29	747	30
<b>Total:</b>	<b>9,384</b>	<b>--</b>	<b>9,751</b>	<b>--</b>

Source: U.S. Census, 2000; ACS Three-Year Estimate, 2005-2007.

## HOUSING CONDITIONS

### Age of Structure

Approximately 66% of Lodi's housing stock was built before 1980, as shown in Table 2-16. When units are 30 years or older, they typically begin to require some major improvements and repairs in order to retain their quality, suggesting a large portion of homes may need substantial upgrades if they have not been maintained over the years.

**Table 2-16: Year Structure Built**

Year	Number	Percent
2000 or Later	1,910	8
1980 to 2000	5,935	26
1960 to 1980	7,488	33
1960 or Before	7,714	34
<b>Total</b>	<b>23,047</b>	<b>100</b>

Source: ACS Three-Year Estimate, 2005-2007.

### Substandard/In Need of Rehabilitation

The most current information on substandard housing, from a Housing Assistance Plan (HAP) prepared by the City for federal funding in 1984, was that 1,778 housing units were in substandard condition, of which 156 needed replacement. The number of substandard housing units in 1984 represented about 12% of the housing stock and about 70% of the number of

housing units over 40 years old at the time. The HAP used 40 years as a criterion for estimating potential rehabilitation need.

Over that past 25 years, the number of housing units over 40 years old has increased, to almost 11,000 (about 47% of the city’s housing stock, compared to about 17% in 1984). If the relationship between age and condition in 2009 is the same as in 1984, as much as 70% of the housing over 40 years old may need rehabilitation, or up to 7,600 dwelling units. This number represents one-third of the city’s housing stock.

The City’s Community Improvement Unit within the Lodi Police Department administers the code enforcement program that works to bring substandard homes into compliance with all applicable building and health and safety codes. Over the past 10 years, the Code Enforcement Unit has completed activities that have resulted in improvements to approximately 1,800 housing units. Using this rate of improvements as an average, the Unit will be able to rehabilitate approximately 1,080 housing units during the planning period.

Housing improvements have also been driven by the Lodi Improvement Committee (formerly the Eastside Improvement Committee), which assists and advises on property maintenance, neighborhood improvement and historical preservation issues; designs and implements programs to reduce blight and foster community pride; and works to reduce crime, drugs, and blight in coordinating civil actions against nuisance property owners.

## OVERCROWDING

Overcrowding (defined as more than one occupant per room) rates are generally low in Lodi, suggesting that most households are able to find housing to accommodate their household size. However, there are still 2,209 households that are overcrowded, requiring large housing units with more rooms. Between 2000 and 2007, the rate of overcrowding for both homeowners and renters in Lodi decreased, as shown in Table 2-17. The number of renters living in overcrowded conditions was approximately 7% in 2000. By comparison, less than 3% of homeowners lived in crowded conditions, according to 2005-2007 estimates.

**Table 2-17: Overcrowding (Occupants per Room)**

<i>Housing Units, by Tenure</i>	<i>2000</i>		<i>2005-2007</i>	
	<i>Number</i>	<i>% of Total</i>	<i>Number</i>	<i>% of Total</i>
<i>Owner-Occupied</i>				
One or fewer occupants per room	10,614	51	11,544	53
More than one occupant per room	650	3	592	3
<i>Renter-Occupied</i>				
One or fewer occupants per room	7,525	36	8,134	37
More than one occupant per room	1,905	9	1,617	7
<b>Total</b>	<b>20,694</b>	<b>100</b>	<b>21,887</b>	<b>100</b>

Source: U.S. Census, 2000; ACS Three-Year Estimate, 2005-2007.

## 2.5 EMPLOYMENT

According to the California Employment Development Department (EDD), in San Joaquin County, Trade, Transportation and Utilities (17%); Government (14%); Retail (9%); and Education and Health Services (9%) represent the largest employment sectors, as shown in Table 2-18. Farm-related jobs have seen a decline over the past 15 years, now representing just 6% of total employment in the County.

**Table 2-18: Employment in San Joaquin County**

<i>Jobs, by Type</i>	<i>1992</i>	<i>2007</i>	<i>% of Total in 2007</i>	<i>% Change, 1992-2007</i>
Total Farm	15,100	12,200	6	-19
Total Non-Farm	152,000	209,200	94	38
Trade, Transportation and Utilities	31,900	50,300	17	58
Government	35,300	40,900	14	16
Retail Trade	19,000	26,900	9	42
Educational and Health Services	18,000	26,100	9	45
Manufacturing	21,900	21,300	7	-3
Professional and Business Services	10,200	18,500	6	81
Leisure and Hospitality	12,000	17,700	6	48
Construction	6,500	15,500	5	138
Transportation, Warehousing & Utilities	6,900	13,500	5	96
Nondurable Goods	11,200	10,700	4	-4
Durable Goods	10,700	10,600	4	-1
Financial Activities	8,700	9,800	3	13
Wholesale Trade	6,000	9,900	3	65
Other Services	5,100	6,400	2	25
Information	2,300	2,500	1	9
Natural Resources and Mining	100	200	<1	100
<b>Total</b>	<b>167,100</b>	<b>221,400</b>	<b>100</b>	<b>32</b>

Source: EDD, 1992 and 2007.

Within Lodi, food manufacturing and plastics businesses employ many workers, according to 2006 data from the City of Lodi Economic Development Division. Retail, health care and other services, and local government (including education) also comprise a large part of Lodi's economy.

### EMPLOYMENT TRENDS

SJCOG projects a modest increase in jobs during the planning period in Lodi (1.6% annually) between 2005 and 2015, as shown in Table 2-19. Most cities in the county are projected to add jobs at a rate between 1% and 2% each year.

**Table 2-19: Employment Projections in Selected Areas**

<i>Jurisdiction</i>	<i>2005</i>	<i>2015</i>	<i>Average Annual Growth Rate</i>
San Joaquin County	207,397	234,343	1.2
<b>Lodi</b>	<b>23,438</b>	<b>27,457</b>	<b>1.6</b>
Escalon	2,094	2,472	1.7
Lathrop	4,872	5,639	1.5
Manteca	12,809	14,691	1.4
Ripon	3,077	3,386	1.0
Stockton	92,122	101,001	0.9
Tracy	17,998	22,160	2.1

Note: Estimates reflect number of jobs, not employed residents.

Source: SJCOC, 2006.

Over half of Lodi residents commuted to jobs outside the city in 2007, as shown in Table 2-20. This was slightly more moderate compared to San Joaquin County as a whole, which reports 57% of workers commuting outside the county. Still, these figures suggest that Lodi residents are not filling many of the jobs that are available in the city or that fewer jobs are available in Lodi.

**Table 2-20: Employed Residents and Commuting**

<i>Place of Work</i>	<i>Persons</i>	<i>Percent</i>
Lodi Employed Residents		
Worked in Lodi	12,018	46
Worked Outside Lodi	14,295	54
San Joaquin County Employed Residents		
Worked in San Joaquin County	100,020	43
Worked Outside San Joaquin County	134,625	57

Source: ACS Three-Year Estimate, 2005-2007.

## UNEMPLOYMENT RATE

According to EDD cities in San Joaquin County have experienced increased unemployment rates since 2000, as shown in Table 2-21. The unemployment rate in 2008 in Lodi was 8%, up from 5% in 2000 (not shown). By comparison, the unemployment rate in San Joaquin County was estimated at 10% in 2008, up from 7% in 2000 (not shown). The current regional and national economic downturn suggests that the unemployment rate may remain high during the Housing Element planning period. This suggests that household income levels may decline and that households may have difficulty in paying rents and mortgages or in securing affordable housing.

**Table 2-21: Employment Rates in Selected Areas (2008)**

<i>Jurisdiction</i>	<i>Labor Force</i>	<i>Employment</i>	<i>Unemployment</i>	
			<i>Number</i>	<i>Percent</i>
San Joaquin County	297,200	266,100	31,000	10
<b>Lodi</b>	<b>32,000</b>	<b>29,500</b>	<b>2,500</b>	<b>8</b>
Escalon	3,500	3,100	300	9
Lathrop	5,600	5,200	400	7
Manteca	27,600	25,100	2,500	9
Ripon	5,900	5,600	400	6
Stockton	123,900	108,200	15,800	13
Tracy	33,300	31,100	2,100	6

Source: EDD, 2009.

## 2.6 SPECIAL NEEDS POPULATIONS

Certain groups in the City of Lodi encounter greater difficulty finding decent, affordable housing due to their special needs or circumstances. Special circumstances may be related to a household's employment and income, family characteristics, medical condition or disability, and/or household characteristics. A focus of the Housing Element is to ensure that persons from all walks of life have the opportunity to find suitable housing in Lodi.

State Housing Element law identifies the following special needs groups: senior households, persons with disabilities, single-parent (particularly female-headed) households, large households, farmworkers, extremely- and very-low-income persons and families in need of emergency shelter. This section provides a discussion of housing needs for each particular group, and identifies the programs and services available to address their housing and supportive services needs.

### SENIORS

Senior housing needs may be more problematic to meet than the needs of other residents since seniors are often living on a fixed income and many have special housing and care needs. According to the ACS for the 2005-2007 period, approximately 21% of households in Lodi were headed by persons age 65 years and older. Of these elderly households, 3,313 were homeowners and 1,425 were renters; more than half consisted of persons who lived alone.

Approximately 10% of individuals 65 years of age or older in Lodi were below the poverty level in 2007, compared to about 15% of the total population. As previously discussed, there was a decline in homeownership among householders age 65 and older since 2000. Together, these data suggest that seniors may not have adequate resources to sustain increased housing-related expenses.

In 2007, approximately 42% of senior households consisted of women living alone (1,986 households). Elderly women are especially in need of financial assistance because so many of them live alone and they tend to have lower incomes than male seniors.

According to the California Department of Social Services, there are currently ten licensed care facilities for seniors located in Lodi. The facilities provide 510 beds for persons age 60 and above. There are also six adult residential facilities with a capacity of 121 persons that may be available for seniors. The City itself also administers various day programs designed for its senior residents. In a public-private partnership, the City maintains and operates Hutchins Street Square, a multi-purpose community center located in an old high school. The Square is home to a senior center that provides classes, programs and services for the elderly. The Lodi Senior Citizens Commission, an active community organization, identifies the needs of seniors and initiates action to address those needs. LOEL Gardens is a private senior community center, which includes 14 units restricted to low-income senior households.

### **PERSONS WITH DISABILITIES**

Persons with disabilities may have special housing needs because of health costs, fixed or limited incomes, and/or a lack of accessible and affordable housing. A disability is defined broadly by state and federal agencies as any physical, mental, or emotional condition that lasts over a long period of time, makes it difficult to live independently, and affects one or more major life activities.

According to the ACS for the 2005-2007 period, 16% (7,872 persons) of Lodi's working age (16 years and older) population had some disability. Of these persons, almost half, 3,914, were age 65 years or older. Of the population between 16 and 64, more than 75% of persons with an employment disability were below the poverty level.

Individuals with disabilities do not necessarily require special housing features or supportive services. However, to maintain independent living, persons with disabilities may need special housing design features, income support, and/or in-home supportive services. More severely disabled individuals may require a group living environment supported by trained personnel.

According to the California Department of Social Services, Lodi is home to one licensed adult day care facility with a capacity to serve 30 clients. In addition, the County offers home improvement grants, which can be used to make upgrades/modifications to ensure accessibility. Lodi enforces State building code standards and model code requirements for accessibility in residential construction (Title 24 of the California Administrative Code).

### **FEMALE HOUSEHOLDERS WITH CHILDREN**

Single-parent households may have special housing needs due to limited income and child day care requirements. These special needs particularly affect female householders with children because their incomes tend to be lower than male householders. Women with children comprised the majority of single-parent households in the 2005-2007 ACS estimate: almost 70% (1,765 households).

According to ACS for the 2005-2007 period, 40% of the city's female-headed families with children lived in poverty, up from 24% in 2000—a substantial increase. The median income for female-headed households with children was \$22,996, compared to \$63,071 for married-couple families with children. Battered women with children comprise a sub-group of female-headed households that are especially in need. In the Lodi area, several social service providers and emergency housing facilities serve women in need, including the Women's Center of San Joaquin County and the Lodi House Hope Closet.

## **LARGE HOUSEHOLDS**

Large households, defined as having five or more members, often require special housing needs due to a limited supply of adequately sized, affordable housing units. Three-bedroom housing units comprise 45% of all units, however, four and five or more bedroom units comprise just 8% and 1%, respectively. Additionally, rental units have fewer bedrooms: only 25% of rental units have three-bedrooms and just 3% have four or more bedrooms.

As previously mentioned, the ACS reported 2,900 large households in Lodi, of which nearly half were renter households. Large households represent 13% of the city's total households. Although rates of overcrowding have declined in recent years, there are still over 2,200 overcrowded households. Although these numbers do not necessarily represent the same set of households, they do indicate there is currently an unmet need for affordable housing with more bedrooms in Lodi.

## **FARMWORKERS**

Farmworkers traditionally are defined as persons whose primary incomes are earned through permanent or seasonal agricultural labor. Permanent farmworkers work in the fields, processing plants, or support activities on a year-round basis. When workloads increase during harvest periods, the labor force is supplemented by seasonal or migrant labor. Farmworkers' special housing needs typically arise from their limited income and the unstable, seasonal nature of their employment, according to the California Institute for Rural Studies. Because of these factors, farmworker households have limited housing choices and are often forced to double up to afford rents.

According to the 2005-2007 ACS, there were 1,417 Lodi residents (representing 5% of the workforce) employed in farming, forestry and fishing occupations. Although this is not a large resident farmworker population, Lodi is located within the larger agricultural region of San Joaquin County that employs 12,200 workers, according to EDD.

The Migrant Health Program of the U.S. Department of Health and Human Services released a study in 2000 estimating the number of migrant and seasonal farmworkers and their non-farmworker household members in California: the Migrant and Seasonal Farmworker Enumeration Profiles Study. The study was based on secondary source material, including existing database information and interviews with knowledgeable individuals. The study indicated that San Joaquin County has an estimated 46,913 farmworkers, including 21,721 migrant and 25,192 seasonal farmworkers—much higher numbers than the EDD reports, likely because of the different methodology used.

The Housing Authority of San Joaquin County currently manages three migrant family farm labor housing developments within the County, with the capacity to accommodate 341 individuals. This housing is available annually from the first week of May through the end of October. Day care centers are provided for farm workers as well as services from the EDD, the Social Security Administration, and education and health care services.

Some of the migrant farmers who formerly moved from state to state or from other countries to California to pursue agricultural employment may have now become permanent residents of Lodi. As such, the housing needs of farmworkers are primarily addressed through the provision of permanent housing, rather than migrant farm labor camps. Their housing need

may be the same as other households and large families who are in need of affordable housing with three or more bedrooms.

### **EXTREMELY- AND VERY-LOW INCOME HOUSEHOLDS**

The Comprehensive Housing Affordability Strategy (CHAS) database reported 2,503 extremely-low- and 2,381 very-low-income households in 2000, each representing 12% of all households, as shown in Table 2-22. An additional 17% of households (3,602) are considered low-income. In sum, 41% of households in the city may be eligible for below-market rate housing.

**Table 2-22: Households, by Income Category**

<i>Income Category</i>	<i>Number</i>	<i>Percent</i>
Extremely-Low ( $\leq 30\%$ of AMI)	2,503	12
Very-Low ( $30\% \leq 50\%$ of AMI)	2,381	12
Low ( $50\% \leq 80\%$ of AMI)	3,602	17
Moderate and Above ( $>80\%$ AMI)	12,162	59
<b>Total</b>	<b>20,648</b>	<b>100</b>

Source: CHAS, 2000.

See Table 2-24 in Section 2.9 for updated (2009) definitions of income categories.

### **Housing Provided for Very- and Extremely Low Income Households**

#### ***Public and Assisted Housing***

The City does not own or operate any public or assisted housing. The Housing Authority of San Joaquin County has five rent-restricted public housing projects. None of these are in the City of Lodi.

There are two rent-restricted projects in Lodi. The Creekside South Apartments contain 40 family units developed using the Section 236 mortgage subsidy program and Section 8 rental subsidy. (See Section 2.7: Analysis of Assisted Housing Projects At-Risk for a discussion of at-risk status.) LOEL Gardens is a private senior community center, which includes 14 units restricted to low-income senior households.

#### ***Tenant-Based Housing Assistance***

The Housing Choice Voucher Program provides portable vouchers that assist low-income households with housing costs. The program is administered countywide by the Housing Authority of the County of San Joaquin. Specific information on the location of vouchers is not made available. The Housing Authority administers over 4,500 vouchers throughout the County. As of October 2008 housing choice voucher program for San Joaquin County had 11,735 families on the waiting list. The County manages 4,500 vouchers countywide, 204 of which are used in Lodi.<sup>1</sup> The majority of those on the waiting list (68%) were extremely-low-

<sup>1</sup> Phone conversation with Melinda Hazard, San Joaquin County Housing Authority, 11/23/09.

income families with children. The remainder was comprised of families with disabilities (28%) and seniors (8%).

## **HOMELESS**

According to the most recent count of homeless individuals performed by San Joaquin County in 2009, Lodi had 94 homeless persons, 26 of whom were not in shelters.

Lodi has two facilities that provide shelter to the homeless. The Archway Shelter, operated by the Salvation Army, has 52 shelter beds for men and 28 beds for women and children. The Lodi House, which provides shelter for women and children, has 26 beds for women and children. Additionally, these facilities maintain a combined 40 beds for transitional housing needs. During the off-season, one of the migrant farmworker French Camp Facilities is made available to the homeless. These facilities were also used as evacuation sites during the January 1997 floods and as "emergency" housing for families displaced by city or county action.

There is no information to suggest that Lodi is in need of additional homeless facilities, but with the national and regional economic downturn, financial assistance may be required to provide services to an increased homeless population or others requiring temporary emergency housing.

## **2.7 ANALYSIS OF ASSISTED HOUSING PROJECTS AT-RISK**

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### **ASSISTED RENTAL HOUSING PROJECTS AT RISK OF CONVERSION**

Existing rental housing that receives governmental assistance is a key source of affordable housing in Lodi that should be preserved. The loss of such rental units reduces the availability of housing affordable to extremely-low-, very-low- and low-income households. It is far more cost-effective to preserve existing affordable housing than to replace it with newly constructed units, unless housing has reached a substantial level of deterioration.

This section identifies publicly assisted rental housing in Lodi, evaluates the potential of such housing to convert to market rate units during a ten-year period (January 2007 to July 2017), and analyzes the cost to preserve or replace at-risk units. Resources for preservation/replacement of units and housing programs to address their preservation are described in Chapter 3: Resources and Constraints.

Table 2-23 lists the two publicly assisted multi-family rental housing projects in Lodi.

**Table 2-23: Inventory of Publicly Assisted Rental Housing**

<i>Project Name/Address</i>	<i>Affordable Units</i>	<i>Type</i>	<i>Funding Source</i>	<i>Earliest Expiration</i>
Creekside South Apartments 601 Wimbledon Drive	40	Family	Section 236 Section 8	November 2013 (Section 236) February 2008 (Section 8)
LOEL Gardens		Senior	CDBG/ HOME	March 2021
104 South Washington Street	5			
301 East Oak Street	5			
303 East Oak Street	4			
<b>Total</b>	<b>54</b>			

Source: *The National Housing Trust 2008; City of Lodi, 2010.*

According to the National Housing Trust’s database of assisted rental housing projects, Creekside South Apartments is a Section 8 Preservation Project with a Section 8 contract that expired on February 29, 2008; and a HUD 236 Loan that will be paid off in November of 2013. This suggests that the property is at-risk of conversion to market-rate housing. As of January 2010, the property owner is still operating the project under Section 8 Program contract restrictions, but could opt to convert the project to market rate housing during the period covered by this Housing Element (2007 to 2014). However, according to the owner’s representative at Eugene Burger Management Corporation, the ownership does not intend on converting the project to market-rate once the 236 Loan has been satisfied in 2013.

**PRESERVATION AND REPLACEMENT OPTIONS**

To maintain the existing affordable housing stock, the City can either preserve the existing assisted units or facilitate the development of new units. Depending on the circumstances of at-risk projects, different options may be used to preserve or replace the units. Preservation options typically include: 1) transfer of project to non-profit ownership; 2) provision of rental assistance to tenants using non-federal funding sources; and 3) purchase of affordability covenants. In terms of replacement, the most direct option is the development of new assisted multi-family housing units. These options are described below.

**Transfer of Ownership**

Transferring ownership of an at-risk project to a non-profit housing provider is generally one of the least costly ways to ensure that at-risk units remain affordable for the long term. By transferring property ownership to a non-profit organization, low-income restrictions can be secured indefinitely and the project would become potentially eligible for a greater range of governmental assistance. This preservation option is a possibility for the Creekside South Apartments and would be based on the estimated market value of the units.

### **Rental Assistance**

Project-based Section 8 rent subsidies can be used in combination with Low Income Housing Tax Credits (LIHTC) to leverage private capital in areas where the market rent exceeds the maximum rents under the LIHTC program. Under Section 8, the Department of Housing and Urban Development (HUD) pays the difference between what tenants can pay (defined as 30% of household income) and what HUD estimates as the fair market rent on the unit. This difference between the market rent paid by the Section 8 program and the underlying rent used by the affordable housing industry to estimate the capacity of property to pay debt service is called the Section 8 increment. This additional debt may be used for renovation of existing affordable housing and production of new rental housing affordable to very-low-income households.

### **Purchase of Affordability Covenants**

Another option to preserve the affordability of the at-risk project is to provide an incentive package to the owner to maintain the project as affordable housing. Incentives could include writing down the interest rate on the remaining loan balance, and/or supplementing the Section 8 subsidy received to market levels. The feasibility of this option depends on whether the complex is too highly leveraged. By providing lump sum financial incentives or on-going subsidies in rents or reduced mortgage interest rates to the owner, the City can ensure that some or all of the units remain affordable.

### **Construction and Conversion of Replacement Units**

The construction of new affordable housing units is another means of replacing the at-risk units should they be converted to market-rate units. The cost of developing housing depends upon a variety of factors, including density, size of the units (i.e., square footage and number of bedrooms), location, land costs, and type of construction. Assuming an average development cost per housing unit of \$90,000, it would cost approximately \$3.6 million to construct 40 new assisted units.<sup>2</sup>

Given the current housing market downturn (regionally and nationally), there may be opportunities for the City to work with non-profit housing developers and property management companies to purchase existing properties on the open market and maintain them as affordable housing.

As an Entitlement Community, Lodi now will look to HCD for HOME Program funds. Through the Neighborhood Services Division of the City's Community Development Department, which administers the Community Development Block Grant (CDBG) Program, Lodi intends to pursue funding opportunities for new rental construction projects and rental rehabilitation projects with both non-profit and for-profit developers.

In the last year within the Urban County, the City also received an allocation of Neighborhood Stabilization Program (NSP) funds to be used to acquire vacant, foreclosed properties for rehabilitation and reuse as affordable housing.

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<sup>2</sup> See Section 3.3: Constraints for details on how construction costs were estimated.

Both of these activities will provide the opportunity to put restrictions in place to ensure long-term affordability. (See Section 3.2: Administrative and Financial Resources for a detailed description of funding resources.)

## **ORGANIZATIONS INTERESTED IN PRESERVING ASSISTED RENTAL HOUSING**

The preservation of affordable rental housing at risk of conversion to market rate housing can be assisted by non-profit organizations with the capacity and interest to acquire, manage, and permanently preserve such housing. The California Department of Housing and Community Development maintains a list of interested non-profit organizations. A number of organizations have expressed an interest in preserving affordable rental housing in San Joaquin County, including:

- Visionary Home Builders, 315 N. San Joaquin Street, Stockton, CA 95202, (209) 466-6811 (*formerly ACLC*)
- Christian Church Homes of Northern California, Inc, 303 Hegenberger Road, Suite 201, Oakland, CA 94621, (510) 632-6714
- Domus Development, 594 Howard Street, Suite 204, San Francisco, CA 94105, (415) 856-0010
- Eden Housing, Inc, 22645 Grand Street, Hayward, CA 94541 (510) 582-1460
- Eskaton Properties, Inc, 3939 Walnut Avenue, Carmichael, CA 95608, (916) 974-2060
- Foundation for Affordable Housing, Inc, 30950 Rancho Viejo Road, Suite-100, San Juan Capistrano, CA 92675, (949) 443-9101
- Housing Corporation of America, 6265 Variel Avenue, Woodland Hills, CA 91367, (818) 789-5550
- Mercy Housing California, 3120 Freeboard Drive, Suite 202, West Sacramento, CA 95691, (916) 414-4400
- Rural California Housing Corp, 6501 Elder Creek Road, Sacramento, CA 95824, (916) 388-2630
- Satellite Housing, 1521 University Avenue, Berkeley, CA 94703-1422, (540) 647-0700.
- Stockton Shelter for the Homeless, P.O. Box 4803, Stockton, CA 95204, (209) 465-3612

## **2.8 OPPORTUNITIES TO PROMOTE SUSTAINABLE DEVELOPMENT**

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Energy costs directly affect housing affordability through their impacts on the construction, operation, and maintenance of housing. There are many ways in which the planning, design, and construction of residential neighborhoods and structures can foster energy conservation to reduce this cost impact and at the same time produce an environmental benefit. Techniques for reducing energy costs include construction standards for energy efficiency, energy-saving community design alternatives, the layout and configuration of residential lots, and the use of natural landscape features to reduce energy needs. Sustainable development also encompasses the preservation of habitat and species, and conservation of natural resources, including water and open space.

## **RESIDENTIAL CONSTRUCTION STANDARDS**

The State of California has adopted building standards for energy efficiency that apply to newly constructed dwellings and residential additions. Title 24 of the California Code of Regulations sets forth mandatory energy efficiency standards that can be achieved through prescriptive means or through compliance with a maximum “energy budget.” Prescriptive means include the use of appliances, building components, insulation, and mechanical systems that meet minimum energy efficiency ratings. Local governments implement state energy standards as part of their building code enforcement responsibilities.

## **RESOURCES FOR ENERGY CONSERVATION**

The City of Lodi operates its own electric utility, Lodi Electric Utility, which provides residential, commercial, and industrial electric service, and allows flexibility and control over energy sources. In 2008, the City’s average power mix included more renewable energy (27%) compared with the statewide average (10%) and less coal (21%) than the statewide average (32%). In addition to sustainability efforts in energy sources, Lodi Electric Utility offers several programs to reduce residential energy use, including:

- Residential Energy Survey Program, which helps residents identify major energy uses and how these can be reduced;
- Residential Appliance Rebate Program, which provides rebates on the purchase of new, energy-efficient appliances;
- Energy Efficient Home Improvement Program, which offers rebates on other types of energy efficient residential systems (fans, space conditioning, insulation, thermostats, windows, etc.);
- Housing-As-A-System Inspection Program, which uses diagnostic equipment to analyze mechanical and air delivery/duct systems and includes an inspection of attic insulation and windows; and
- A residential energy conservation demonstration program, in which a single-family home has been fitted with the latest energy conservation technology and is open to public tours to promote energy saving features.

Pacific Gas & Electric, which provides gas to the city, provides a variety of energy conservation services for residents and also participates in several other energy assistance programs for lower income households, which help qualified homeowners and renters, conserve energy and control electricity costs. The California Alternate Rates for Energy Program provides a 15% monthly discount on gas and electric rates to income-qualified households, certain nonprofit-operated facilities housing agricultural employees, homeless shelters, hospices, and other qualified non-profit group living facilities. The Relief for Energy Assistance through Community Help (REACH) Program provides one-time energy assistance to customers who have no other way to pay their energy bills. The intent of REACH is to assist low-income customers, particularly the elderly, disabled, sick, working poor, and the unemployed, who experience severe hardships and are unable to pay for their necessary energy needs.

## **GENERAL PLAN GOALS AND POLICIES**

Other elements in the General Plan discuss policy measures to reduce energy consumption through land use, transportation, and conservation efforts.

- The Land Use Element prioritizes new mixed-use centers, which will consolidate residential, retail, and small office uses, and which will be co-located with parks and schools. It encourages a diversity of housing types, in particular promoting townhouse and multi-family units, which are more energy efficient compared with single-family homes. It also promotes infill development in the city's Downtown and major corridors to capitalize on transit facilities and existing commercial and public services.
- The Growth Management Element and Infrastructure Element seeks to maintain the city's compact form and ensure the preparation of infrastructure plans and improvements in tandem with new develop. Policies also require water conservation measures, which in turn reduces consumption of energy embodied in the distribution of water.
- The Community Design and Livability Element promotes site planning and green building measures to reduce energy consumption and improve quality of life. This includes lot orientation to maximize solar gain and ventilating breezes, and implementation of building standards consistent with LEED™ or equivalent green building programs. The Element also regulates lighting, to reduce light pollution as well as energy consumption and requires street trees and shade in certain locations to reduce the urban heat island effect.
- The Transportation Element seeks to reduce the reliance on cars and increase the convenience of alternate modes through new connections and improved circulation for transit, bikes and pedestrians. The City operates its own local "GrapeLine" transit service, which allows it to closely coordinate land use and transit planning decisions. As a result, the City can both reduce greenhouse gas emissions and improve air quality.
- The Parks, Recreation, and Open Space Element proposes to increase the acreage of carbon-sequestering open space, retain mature trees, and encourage the use of native and trees and drought-tolerant plantings.
- The Conservation Element seeks to preserve agricultural land, and food and wine production until urban development is imminent. It seeks to protect and restore habitat and species, particularly along the Mokelumne River. The Element also encourages energy conservation through the promotion of solar panels and heating systems; the preparation of a climate action plan, and a heat island mitigation plan.

Together these policies and programs seek to reduce the consumption of natural resources and limit greenhouse gas emissions, while at the same time promoting public health and overall quality of life for residents.

### **2.9 FUTURE HOUSING NEEDS**

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HCD defines the annual income limits for various housing affordability categories for each county in the state. In 2009, the median income for a family of four under these guidelines was \$63,600. The income categories and their corresponding income ranges are shown in Table 2-24. These income categories are referenced throughout the Housing Element.

**Table 2-24: Income Limits for San Joaquin County**

<i>Income Category</i>	<i>Percentage of County Median Income</i>	<i>Income Limits (family of four)</i>
Extremely Low	Less than 30%	Less than \$19,100
Very Low	30-50%	\$19,100 - 31,800
Low	50-80%	\$31,801 - 50,900
Moderate	80-120%	\$50,901 - 76,300
Above Moderate	120% and above	Over \$76,300

Source: HCD, 2009.

SJCOG determines the amount of affordable housing the county will need for the time period and then divides that need among its participating jurisdictions. According to SJCOG, Lodi is responsible for accommodating 3,891 additional housing units between 2007 and 2014, of which 1,621 units should be affordable to extremely-low-, very-low- and low-income households, approximately 42% of Lodi’s total share of regional housing needs.

Lodi is not responsible for actual construction of these units. However, Lodi is responsible for creating a regulatory framework in which these housing units can be built. This includes the creation, adoption, and implementation of general plan policies, Zoning Ordinance regulations, and/or economic incentives to encourage the construction of the needed range of housing units.

Table 2-25 shows the number and percentage of housing units identified in the Regional Housing Needs Allocation Plan for Lodi for the 2007 through 2014 planning period, by income category.

**Table 2-25: Regional Housing Needs Allocation for the City of Lodi (2007-2014)**

	<i>Income Categories</i>				<i>Total</i>
	<i>Extremely- /Very Low</i>	<i>Low</i>	<i>Moderate</i>	<i>Above Moderate</i>	
Regional Housing Needs	971	650	716	1,555	3,891
Percent of Total	25%	17%	18%	40%	100%

Source: SJCOG, 2008.

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## 3 Resources and Constraints

This chapter describes housing site opportunities, resources for residential development and programs, constraints to developing housing in Lodi, and recommendations for how to remove such constraints.

### 3.1 SITES INVENTORY AND ANALYSIS

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Land on which to construct housing is one of the most critical resources necessary to meet future housing demand. Without adequate vacant or underutilized land, the City of Lodi cannot demonstrate how it will accommodate its share of the regional housing needs allocation (RHNA). The amount of land required to accommodate future housing needs depends on the city's physical characteristics, zoning, availability of public facilities and services, and environmental conditions.

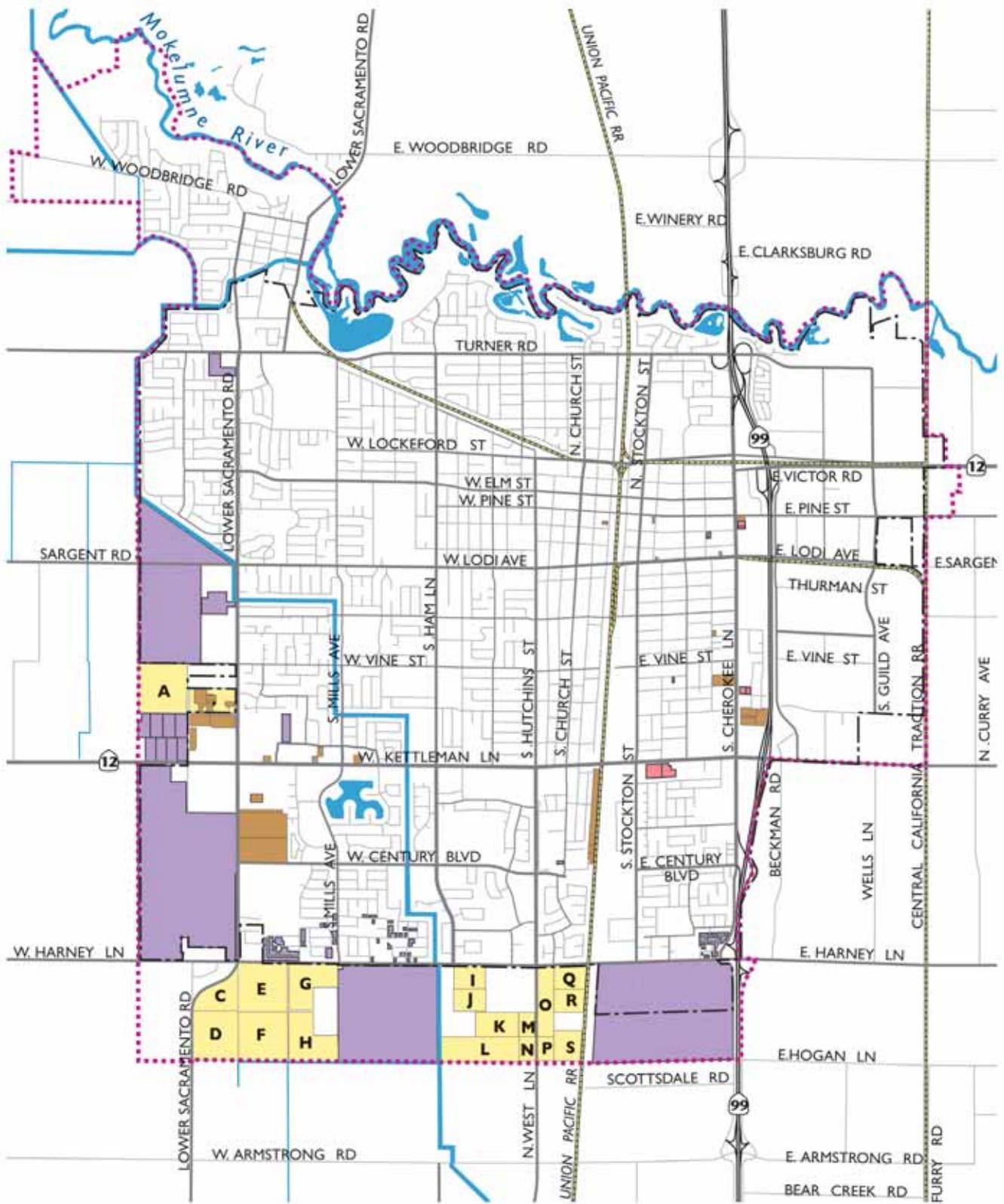
#### ADEQUATE SITES

To determine whether the city has sufficient land to accommodate its share of regional housing needs for all income groups, Lodi must identify “adequate sites.” Under State law, adequate sites are those with appropriate zoning, development standards, and infrastructure capacity to accommodate new construction needs. A locality's sites are adequate if the land inventory demonstrates sufficient realistic capacity at appropriate densities and development standards to permit development of a range of housing types and prices to accommodate the community's share of the RHNA by income level.

The extent to which the city has “adequate sites” for housing affordable to very-low- or low-income households will depend, in part, on zoning standards, particularly the maximum allowed density, parking, building coverage, height, and set-back standards. The combination of the city's flexible zoning standards, allowances for housing on commercial properties and a history of approving housing, planned development provisions, and exceptions and variances suggests that Lodi can accommodate its share of the RHNA on sites available within the existing city limits and in new growth areas to be annexed into the city.

The types of sites that are appropriate for residential development in Lodi are divided into four categories, described in detail in the section below and in Figure 3-1.

1. **Development Projects** – This category includes land with housing development either recently built, under construction, approved, or in the process of being approved by the City.
2. **Vacant Infill** – This category includes vacant land with zoning designations that permit residential use. The majority of this type of land is located adjacent to existing residential areas or in areas designated for mixed-use development according to the General Plan.
3. **Underutilized** – This category includes currently occupied residentially zoned sites capable of being developed at higher densities or with greater intensity than the existing use. All sites contain zoning designations that permit residential uses.



- Development Projects
- Vacant Infill Sites
- Underutilized Infill Sites
- A-S Annexation Areas
- Sphere of Influence (2008)
- City Limits (2008)

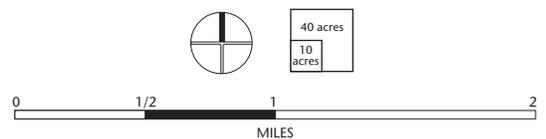


Figure 3-1  
Housing Sites Inventory

4. **Annexation Areas** – This category includes land that has been designated in the General Plan, but has not yet been annexed by the City of Lodi. The figure shows sites are included in Phase 1 of the General Plan—outside the current city limits, but inside the Sphere of Influence.

### **I. Development Projects**

Within Lodi, there are already several development projects that have been proposed, approved, are under construction, or which have been completed that will count toward meeting the RHNA. Table 3-1 reports development projects since January 2007, by income level. In total, development projects will produce 4,954 housing units, including 800 units that may be developed at below market rates.

#### ***Methods***

Where affordability funding has been secured for approved or proposed projects—for the Eden Housing senior development and the Service First of California acquisitions—this is documented in the final column of the table. For the rest of the proposed projects, below-market assumptions were made according to density levels, as follows:

- High-density housing units (20+ units/acre) were assumed to be available for extremely-low- and very-low-income households, because high-density units allow for more affordable per unit costs and are located in accessible locations (to transit, neighborhood services, and public facilities);
- Medium-density units (7.1-20 units/acre) were assumed to be available for low and moderate-income households; and
- Low-density units (0-7 units/acre) were assumed to be available for above moderate-income households.

The City will need to help facilitate the production of these proposed units as affordable housing through policies and programs described in Chapter 4, partnerships with developers or nonprofit organizations, or through other means.

**Table 3-1: Development Projects (January 2007- December 2009)**

Project Name	Housing Units, by Income					Total	Status	Affordability Funding
	Extremely-Low /Very-Low	Low	Moderate	Above Moderate	Total			
KB Homes -The Villas <sup>1</sup>	0	1	0	79	80	Constructed	NSP <sup>2</sup>	
Legacy Homes Unit 1	0	0	0	77	77	Constructed		
Legacy Estates Unit 2	0	0	0	141	141	Under Construction		
FCB Southwest Gateway Project	0	0	0	1,363	1,363	Approved		
Blue Shield /Reynolds Ranch	0	0	0	1,084	1,084	Approved		
FCB Westside Project	0	0	0	783	783	Approved		
Century Meadows One Unit 2	0	0	0	74	74	Approved		
Century Meadows One Unit 1	0	0	0	55	55	Approved		
Service First of Northern CA - 502 E. Oak Street	0	2	0	0	2	Approved	NSP <sup>2</sup>	
Service First of Northern CA – 324 Watson Street	0	1	0	0	1	Approved	NSP <sup>2</sup>	
Taj Khan - 865 E. Olive Ave.	0	0	0	19	19	Approved		
Kathleen Haring - 1911 S. Church St.	0	0	0	7	7	Approved		
Kirst Estates - Miller Ranch	0	0	0	65	65	Pending		
Lodi Community Builders, LLC	0	219	220	220	659	Proposed		
West Lodi Properties, LLC	0	68	69	69	206	Proposed		
Westgate Apartments	0	55	55	55	165	Proposed		
Eden Housing	39	40	0	1	80	Proposed	CDBG,HOME	
Farmers & Merchants Bank	0	0	0	47	47	Proposed		
D & B Sasaki Enterprises, Inc.	0	8	8	8	24	Proposed		
Dave Williams & Deborah Collins	0	6	7	7	20	Proposed		
Service First of Northern CA - 500 E. Oak Street	0	1	0	0	1	Proposed	HOME	
Service First of Northern CA - 110 South Garfield	0	1	0	0	1	Proposed	HOME	
<b>Total</b>	<b>39</b>	<b>402</b>	<b>359</b>	<b>4,154</b>	<b>4,954</b>			

1. Service First of Northern California acquired a constructed unit in foreclosure to resell as a low-income housing unit.

2. Neighborhood Stabilization Program

Source: City of Lodi, Dyett & Bhatia, 2009.

Adequate infrastructure services will be constructed in tandem with residential development through a combination of special assessments, impact fees, and on/off-site improvements requirements. None of the development projects listed above have environmental or other impediments that would restrict their development at full potential. Infrastructure needs have been identified where necessary. For example, in 2002, the City adopted the Westside Facilities Master Plan, a master plan for the “FCB Westside” development project, which identifies a mix of land use and City services necessary to support the proposed land uses for the area. See Section 3.3: Constraints for a detailed description of public facilities and infrastructure needs.

As a result of these development projects, the City would meet its total RHNA, but not its allocations for extremely-/very-low, low-, or moderate-income households. Additional sites will be required to accommodate housing needs. Table 3-2 describes this remaining need of 1,537 below-market rate units.

**Table 3-2: Remaining Need**

	<i>Housing Units, by Income</i>				<i>Total</i>
	<i>Extremely- /Very-Low</i>	<i>Low</i>	<i>Moderate</i>	<i>Above Moderate</i>	
Regional Housing Needs Allocation	971	650	716	1,555	3,891
Development Projects	39	402	359	4,154	4,954
Remaining Need	932	248	357	-2,599	-1,063

*Source: San Joaquin County Council of Governments, 2008; City of Lodi, 2009.*

## 2. Vacant Infill

Through its General Plan policies, the City emphasizes infill development, a compact community, residential neighborhoods that are accessible to commercial services, and higher densities in appropriate locations. Table 3-3 describes vacant site that both currently allow residential development as sites that are well-located for residential uses, but would require rezoning, as indicated in the table. Vacant infill sites total 64 acres and have the capacity for 1,018 housing units, including 851 units for extremely-low-, very-low-, and low-income households.

### *Methods*

The table of vacant sites identifies an assumed density value, based on densities permitted in the General Plan and the Zoning Ordinance. Maximum densities are not dictated in the current Zoning Ordinance, but can be calculated using the minimum lot sizes and unit types permitted (e.g. single-family, duplex, etc.). As described in Program 1.1, the Zoning Ordinance will be updated subsequent to the Housing Element adoption. Maximum densities are used as the assumed density values for vacant sites over one acre. For vacant sites smaller than one acre, the assumed density is 50% of the maximum density.

Unit capacity is determined by multiplying the number of acres by the assumed density. Sites with assumed densities equal to or greater than 20 units per acre were assumed to be available at below-market rates. Only the sites zoned R-MD were deemed appropriate for extremely-low- or very-low-income households due to their zoning; location; and proximity to transit, neighborhood services, and public facilities. Sites with densities below 20 units per acre are

included in the “total” column only and would likely not be available for below-market rate households.

### **3. Underutilized**

Similar to infill vacant sites above, there are several underutilized infill sites that would be appropriate for redevelopment as residential uses, under their current zoning designations. These sites are shown in Table 3-4. These sites total eight acres and could produce as many as 160 below-market rate housing units.

#### ***Methods***

Underutilized sites include sites where uses are no longer in operation or marginally in use. In addition, sites designated as Mixed Use Corridor were prioritized, since the General Plan calls for reinvestment in these areas.

Assumed densities, below-market rate units and total unit capacity were calculated similarly with the method for vacant infill sites, described above. However, the assumed density value also takes into account the realistic potential for redevelopment, such as any existing uses to remain on the site. Unit capacity is determined by multiplying the number of acres by the assumed density. Sites with assumed densities equal to or greater than 20 units per acre (in this case, all sites) were assumed to be available at below-market rates.

**Table 3-3: Vacant Infill Sites**

APN	Acre	Address	General Plan Designation	Zoning	Density	Income Level		Total Capacity
						Extremely Low /Very-Low	Low	
05814013	19.6	1920 South Lower Sacramento Rd	Low Density Residential	R-MD	20	391		392
05814012	19.2	1784 S Lower Sacramento Rd	Low Density Residential	R-MD	20	384		385
04728015	1.9	1130 South Cherokee	Mixed Use Corridor	C-2	20		38	38
04728021	1.9	1150 South Cherokee	Mixed Use Corridor	C-2	20		38	38
06201005	7.8	1774 South Church Street	Medium Density Residential,					
			High Density Residential	R-1, R-2	8			60
02742008	5.3	1333 Lower Sacramento Rd	Low Density Residential	R-2	8			42
02742010	3.8	1330 Westgate Dr	Low Density Residential	R-2	8			30
02742009	2.2	1380 Westgate Drive	Low Density Residential	PD(37)	7			15
06201003	0.9	1912 South Church Street	High Density Residential	R-1	8			6
04323001	0.6	604 East Pine	Mixed Use Corridor	C-2	10			6
02741020	0.6	2115 W Kettleman Lane	Mixed Use Corridor	R-C-P	10			5
04314035	0.2	527 East Lodi Avenue	Mixed Use Corridor	C-2	10			2
04306715	0.1	301 East Lodi	Mixed Use Corridor	C-2	10			1
<b>Total</b>	<b>64.0</b>					<b>775</b>	<b>76</b>	<b>1,018</b>

Source: City of Lodi, Dyett & Bhatia, 2009.

**Table 3-4: Underutilized Infill Sites**

APN	Acres	Address	General Plan Designation	Zoning	Existing Land Use	Income Level		
						Assumed Density	Low	Total Capacity
06206003		222 East Kettleman			Surface parking lot with RV sales and service that is no longer in operation.			
06206046	6.0	248 East Kettleman	Commercial	C-2	One story warehouse style building.	20	119	119
04741001	1.2	1050 South Cherokee	Mixed Use Corridor Low Density Residential	C-2, RE-1	One story dilapidated motel	20	23	23
04323013		16 South Cherokee			Parking Lot with one story structure.			
04323012	0.9	40 South Cherokee	Mixed Use Corridor	C-2	Use no longer in operation.	20	18	18
<b>Total</b>	<b>8.1</b>					<b>160</b>	<b>160</b>	<b>160</b>

**4. Annexation Areas**

Lodi has used its planning powers and the growth management process to prevent premature conversion of prime agricultural land, protect natural resources that border the city, and ensure orderly and efficient extension of public facilities and services. The General Plan Growth Management and Infrastructure Element identifies a phasing strategy to facilitate contiguous development and avoid unnecessary and premature conversion of agricultural land. Housing Element policies in the Strategy section call for discussions with property owners about annexation to commence by the end of the planning period in 2014.

For this planning period, potential annexation areas are identified by Phase 1 of the General Plan, specifically the portion of Phase 1 that lies outside of the current city limits, but inside the Sphere of Influence. (Phase 1 General Plan sites inside the city limits are subsumed in the relevant sections above: development project, vacant and underutilized sites.) These annexation areas allow for 2,681 housing units, including 1,373 units available for below-market rate units. Annexation sites are documented in Table 3-5.

**Methods**

The lettered key in the first column of the table corresponds to the relevant site in Figure 3-1. Existing land use information is provided for each site. Most of these sites are currently in agricultural use. Some sites contain one or more associated residences. Sites will only redevelop once agricultural uses cease. General assumptions are described in the text box below, by General Plan land use designation. All unit capacity calculations assume that existing housing units would remain on the site. Calculations also provide for 25% of the total area for streets and other infrastructure for each land use type (exceptions are noted in Table 3-5, as dictated by specific site conditions).

<i>General Plan Land Use Designation</i>	<i>Density Range (units/acre)</i>	<i>Household Income Level Accommodated</i>	<i>Assumptions</i>
Mixed Use Center	8-35	Extremely-Low-, Very-Low-, and Low	80% residential 20% non-residential
High Density	15-35	Extremely-Low and Very-Low	
Medium Density	8-20	Moderate	
Low Density	2-8	Above moderate	

**Table 3-5: Annexation Area Sites**

Key	Acres	General Plan Designation	Existing Land Use/Site Context	Units, by Income Category					Total <sup>1</sup>
				Extremely- /Very Low	Low	Moderate	Moderate	Above	
A	39.0	Low Density Residential	Agricultural use in operation. One existing residence.					194	194
B	13.2	Medium Density Residential	Existing residences and development projects pending. Assumes 40% of site could be developed.			61			61
C	20.2	Low Density Residential	Vacant				100		100
D	37.1	Low Density Residential	Nursery and agricultural use in operation. One existing residence.					184	184
E	40.0	Low Density Residential	Existing residences on approximately one-quarter of site. Agricultural use in operation on remaining portion of site.					199	199
F	39.3	Low Density Residential	Agricultural use in operation. One existing residence.					195	195
G	27.8	Medium Density Residential	Agricultural use in operation. Three existing residences.			255			255
H	30.1	Low Density Residential	Agricultural use in operation.					150	150
I	12.0	High Density Residential	Agricultural use in operation.	275					275
J	11.7	Medium Density Residential	Agricultural use in operation.			107			107
K	17.2	Medium Density Residential	Agricultural use in operation.			158			158
L	32.8	Low Density Residential	Agricultural use in operation.					163	163
M	6.4	Mixed Use Center	Agricultural use in operation.		36				36
N	6.8	Medium Density Residential	Agricultural use in operation.			63			63
O	18.3	Mixed Use Center	Agricultural use in operation. One existing residence.		102		102		203

**Table 3-5: Annexation Area Sites**

Key	Acres	General Plan Designation	Existing Land Use/Site Context	Units, by Income Category					Total <sup>1</sup>
				Extremely- /Very Low	Low	Moderate	Moderate	Above	
P	6.7	Medium Density Residential	Agricultural use in operation.			62			62
Q	12.9	Medium Density Residential	Agricultural use in operation.			119			119
R	11.2	Low Density Residential	Agricultural use in operation.					56	56
S	13.3	Low Density Residential	Agricultural use in operation.					66	66
<b>Total</b>	<b>395.9</b>			<b>412</b>	<b>137</b>	<b>824</b>	<b>1,307</b>	<b>2,681</b>	

1. Totals may not sum precisely due to rounding.

Source: Dyett & Bhatia, 2009

### Infrastructure

As part of the Growth Management Program, which regulates the maximum amount of residential growth that can occur over time, the City requires that projects identify on- and off-site infrastructure improvements necessary to serve the project. Internal infrastructure is generally provided as part of the initial construction of a project. The areas proposed for annexation, as included in this Housing Element, will be subject to compliance with the City’s regulations and policies related to infrastructure, which will alleviate any potential constraints the availability of public facilities (namely, storm drains, water distribution, and sanitary sewer) would have on housing construction. See Section 3.3: Constraints for a detailed description of public facilities and infrastructure needs.

### Summary

As a result of these four types of sites, Lodi has a capacity of 8,813 units during the Housing Element planning period. This total includes sufficient capacity at each household income level to meet and exceed the RHNA. A summary is provided in Table 3-6.

**Table 3-6: Summary of Housing Sites**

Status	Housing Units, by Income				Total
	Extremely- /Very Low	Low	Moderate	Above Moderate	
1. Development Projects	39	402	359	4,154	4,954
2. Vacant	775	76	0	167	1,018
3. Underutilized	0	160	0	0	160
4. Annexation Areas	412	137	824	1,307	2,681
<b>Total</b>	<b>1,226</b>	<b>775</b>	<b>1,183</b>	<b>5,628</b>	<b>8,813</b>
RHNA	971	650	716	1,555	3,891
Surplus	255	125	467	4,073	4,922

Source: Dyett & Bhatia, 2009.

## 3.2 ADMINISTRATIVE AND FINANCIAL RESOURCES

### ADMINISTRATIVE RESOURCES

Described below are public and non-profit agencies that have been involved or are interested in housing activities in Lodi. These agencies play important roles in meeting the housing needs of the community. In particular they are involved in the improvement of the housing stock, expansion of affordable housing opportunities, preservation of existing affordable housing, and/or provision of housing assistance to households in need.

#### Central Valley Low Income Housing Corporation (CVLIHC)

CVLIHC provides both permanent supportive housing for homeless households with disabilities and transitional housing and support services for homeless families. CVLIHC’s permanent and transitional programs are located at scattered sites throughout San Joaquin County, with participants having the primary responsibility for the units where they live. Supportive services include basic life skills training, parenting and family counseling,

transportation assistance, child care, assistance in school enrollment, and job search training. CVLIHC's programs provide housing and supportive services for about 415 households.

### **Christian Church Homes (CCH)**

CCH has been providing housing in communities since 1961. The organization was created to meet the housing needs of low-income seniors who faced limited housing choices in northern California. CCH manages 60 facilities providing 5,700 units. All but one of CCH's facilities is HUD-subsidized. CCH has never sold or defaulted on any of its owned facilities. Most of the subsidy programs allow low-income residents to pay only 30% of their adjusted gross income for rent.

### **Community Home Builders and Associates (CHBA)**

CHBA is a non-profit, public benefit corporation involved in the development, construction and management of affordable housing for individuals and families of low- to moderate-incomes. The organization was founded in 1990 by the Home Builders Association of Northern California. Through its sponsorship of the San José Conservation Corps' YouthBuild program, CHBA has provided employment for at-risk youth in the construction trades while helping to create opportunities for the building industry to partner with local communities in an effort to fulfill affordable housing goals.

### **Eden Housing, Inc.**

Eden Housing is a non-profit developer that has completed more than 5,000 housing units. Eden serves low-income families, seniors, persons with disabilities, the formerly homeless and first-time home buyers. Eden Housing has substantial experience in applying for funding through government programs, including low-income housing tax credit, and HUD Section 202 and 811 programs. As of 2009, Eden Housing was pursuing an 80-unit affordable senior housing development on Tienda Drive.

### **Eskaton Properties, Inc.**

Eskaton's primary mission is to enhance the quality of life for seniors through health, housing, and social services. Eskaton currently operates 13 planned affordable retirement communities in northern California for seniors with limited income, including the Manteca Manor in Manteca and is planning to open a 14th facility in 2010. These independent living facilities are located close to a variety of services and offer apartment living with maintenance handled by staff. Rental fees are typically subsidized by the federal government.

### **Habitat for Humanity, San Joaquin County**

Habitat for Humanity is a non-profit, faith-based organization dedicated to building affordable housing and rehabilitating homes for lower income families. Habitat builds and repairs homes with the help of volunteers and partner families. Habitat homes are sold to partner families at no profit with affordable, no-interest loans. Volunteers, churches, businesses, and other groups provide most of the labor for the homes. Government agencies or individuals typically donate land for new homes. In the past, the City of Lodi has provided an allocation of HOME Program funds to the local Habitat for Humanity chapter for land acquisition to accommodate their new construction activities. However, the availability of vacant parcels for such development and the higher cost of land in recent years have prevented Habitat from further development.

### **Housing Authority of San Joaquin County (HASJC)**

HASJC offers programs to assist extremely-low- to moderate-income households with their housing costs, including the Section 8 rental assistance program, public housing, and migrant farmworker housing. Specifically, HASJC manages five public housing projects and three migrant farm labor housing developments throughout San Joaquin County. In addition, HASJC provides the Family Self-Sufficiency Program as well as supportive services centers, which provide a range of services to help people become financially self-sufficient.

### **Lodi House**

Lodi House is a non-profit agency that provides shelter for homeless women and children. In addition to shelter, Lodi House provides food, advocacy, counseling, and numerous workshops on a variety of topics. Lodi House is geared towards assisting women in achieving independence so that they can find a home for themselves and their children. Five families reside together at Lodi House at a time. The City of Lodi has contributed to the Lodi House in recent years.

### **LOEL Gardens Senior Housing**

The LOEL Gardens Senior Center, in addition to providing supportive services and activities to seniors at their facility at 105 S. Washington, also provides affordable housing to seniors. With funding provided through the City's CDBG and HOME Programs, LOEL has acquired several residential properties around their Senior Center and has a total of 14 units designated for very-low and low-income seniors.

### **Mercy Housing California (MHC)**

MHC is a non-profit developer that provides affordable housing for families, seniors, formerly homeless persons, individuals with HIV/AIDS and persons with chronic mental illnesses and physical impairments. With the assistance of public and private funding, MHC builds or rehabilitates housing to meet community needs. The types of housing developed include: multi-unit rental apartments, single-family homes, single room occupancy (SRO) apartments for formerly homeless adults, and accessible units for individuals with physical disabilities.

### **Salvation Army Shelter**

The Salvation Army operates a 70 bed men's shelter in Lodi, which provides food, clothing, and medical services. The Salvation Army also operates a 16-bed transitional housing facility, as well as a 26-bed emergency shelter for women and children and a 24-bed transitional housing facility for women and children. The City of Lodi has contributed \$419,000 to the Salvation Army in recent years.

### **Satellite Housing, Inc.**

Satellite Housing is a non-profit organization, based in Berkeley, that provides affordable, service-enriched housing that promotes healthy and dignified living for people with limited options, including seniors, families, and adults with special needs. Satellite Housing has been awarded a \$1.3M HUD 811 Loan to develop a small project to serve special-needs adults and is looking for a location in Lodi in which to place that project, since the primary location in Manteca has become unavailable.

### **Service First of Northern California, Inc.**

Service First of Northern California Service First of Northern California is a non-profit organization, based in Stockton, that provides affordable housing to the residents of San Joaquin County. It is one of three non-profit entities permitted to use the Neighborhood Stabilization Program (NSP) funds in Lodi. In 2009, it acquired three properties (438 Via Marco, 324 Watson Street and 502 E. Oak Street) for redevelopment and resale to low- to moderate-income families, using NSP funds.<sup>3</sup> It is in the process of acquiring two additional properties at 500 E. Oak Street and 110 South Garfield Street, also for resale to low-income families, using HOME funds.<sup>4</sup>

### **Stockton Shelter for the Homeless**

Stockton Shelter is a not-for-profit agency that serves the homeless. The organization has three year-round shelters and opens a fourth shelter at one of the Housing Authority's migrant camps during the winter months. The family shelter has 100 beds and serves single women and families. The single men's shelter provides 152 shelter beds. There are also 200 mats that these two shelters share for overflow purposes. The Holman House, a shelter for persons living with HIV/AIDS has beds for 11 people. The seasonal migrant worker shelter sleeps 250 people. Stockton Shelter offers a variety of services, including case management, drop-in services, showers, meals, and other supportive services.

## **FINANCIAL RESOURCES**

The City of Lodi has access to a variety of existing and potential funding sources available for affordable housing activities. These include local, State, federal and private resources, and are summarized in Table 3-7. Described below are the four largest housing funding sources the City can use for housing production, rehabilitation, or preservation: CDBG, HOME Investment Partnership Program grants, the Section 8 Rental Assistance Program, and the new Neighborhood Stabilization Program offered by HUD.

### **Community Development Block Grant**

The federal CDBG program provides funds for a variety of community development activities. The program is flexible in that the funds can be used for a range of activities. The eligible activities include, but are not limited to: acquisition and/or disposition of real estate or property, public facilities and improvements, relocation, rehabilitation and construction (under certain limitations) of housing, homeownership assistance, and also clearance activities. From 2001 to 2007, the City used \$510,922 in CDBG dollars to produce eleven very-low-income units. Since 2007, the City has used \$229,380 in CDBG funds to produce nine units.

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<sup>3</sup> San Joaquin County. "Neighborhood Stabilization Program July 1, 2009 thru September 30, 2009 Performance Report." Page 9.

<sup>4</sup> City of Lodi. Planning Commission Staff Report. "Tentative Parcel map 09-P-02." December 9, 2009.

### **Neighborhood Stabilization Program**

The Neighborhood Stabilization Program (NSP) is a federal program established for the purpose of stabilizing communities that have suffered from foreclosures and abandonment. Two rounds of funding have been approved through the Housing and Economic Recovery Act of 2008 and the American Recovery and Reinvestment Act of 2009. NSP is a component of the CDBG program. Grants allow communities and nonprofits to purchase foreclosed or abandoned homes and rehabilitate and/or resell homes to qualified low- to moderate-income households. Available data indicates that the San Joaquin County area has the highest rate nationally of foreclosures per housing unit. Approximately 580 homes were foreclosed in Lodi in the 18-month period between January 2007 and August 2008.<sup>5</sup> San Joaquin County is the grantee entity for Lodi; it allocated \$577,908 to Lodi, nearly 10% of the County's total allocation. As described in the Administrative Resources section above, Service First of Northern California has been acquiring four vacant foreclosed homes in Lodi for affordable housing redevelopment, using these funds.

### **HOME Investment Partnership Program**

Federal HOME funds can be used for activities that promote affordable rental housing and homeownership for lower income households. Such activities include the following: building acquisition, new construction, reconstruction, moderate or substantial rehabilitation, first-time homebuyer assistance, and tenant-based assistance. A federal priority for the use of HOME funds is the preservation of at-risk housing projects. Since 2001, the City has allocated \$996,299 in HOME funds to produce 40 low-income units. HOME funding is now provided through the State HOME program on a competitive application basis; the City's application for funding is pending.

### **Section 8 Rental Assistance**

The Section 8 program is a federal program that provides rental assistance to very-low-income households in need of affordable housing. The program offers a voucher that pays the difference between the current fair market rent and what a tenant can afford to pay (e.g., 30% of their income). The voucher allows a tenant to choose housing that may cost above the payment standard, but the tenant must pay the extra cost. The program is administered by the Housing Authority of San Joaquin County.

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<sup>5</sup> San Joaquin County. "Neighborhood Stabilization Program July 1, 2009 thru September 30, 2009 Performance Report." Page 3.

**Table 3-7: Financing Resources for Affordable Housing**

<i>Funding Type/Program</i>	<i>Description</i>	<i>Eligible Activities</i>
<b>Federal Programs</b>		
Community Development Block Grant	Grants awarded to the City on a formula basis for housing and community development activities.	<ul style="list-style-type: none"> <li>- Acquisition</li> <li>- Rehabilitation</li> <li>- Home Buyer Assistance</li> <li>- Economic Development</li> <li>- Homeless Assistance</li> <li>- Public Services</li> </ul>
Neighborhood Stabilization Program (NSP)	HUD program allows communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes for low- to moderate-income families.	<ul style="list-style-type: none"> <li>- Acquisition</li> <li>- Rehabilitation</li> <li>- Land Banks</li> <li>- Demolition</li> </ul>
Emergency Shelter Grants (ESG)	Grants potentially available to the City through the County to implement a broad range of activities that serve homeless persons. Funding availability is uncertain for the current year.	<ul style="list-style-type: none"> <li>- Shelter Construction</li> <li>- Shelter Operation</li> <li>- Social Services</li> <li>- Homeless Prevention</li> </ul>
HOME	Grant program potentially available to the City on a competitive basis for housing activities. City competes for funds through the State's allocation process.	<ul style="list-style-type: none"> <li>- Acquisition</li> <li>- Rehabilitation</li> <li>- Home Buyer Assistance</li> <li>- Rental Assistance</li> </ul>
Low-Income Housing Tax Credits (LIHTC)	Tax credits are available to persons and corporations that invest in low-income rental housing. Proceeds from the sales are typically used to create housing.	<ul style="list-style-type: none"> <li>- New Construction</li> <li>- Acquisition</li> <li>- Rehabilitation</li> </ul>
Mortgage Credit Certificate (MCC) Program	Income tax credits available to first-time homebuyers to buy new or existing single-family housing. County Housing Authority makes certificates available.	<ul style="list-style-type: none"> <li>- Home Buyer Assistance</li> </ul>
Section 8 Rental Assistance Program	Rental assistance payments from the Housing Authority of San Joaquin County to owners of private market rate units on behalf of very-low-income tenants.	<ul style="list-style-type: none"> <li>- Rental Assistance</li> <li>- Home Buyer Assistance</li> </ul>
Section 108	Provides loan guarantees to CDBG entitlement jurisdictions for capital improvement projects. Maximum loan amount can be up to five times the jurisdiction's recent annual allocation. Maximum loan term is 20 years.	<ul style="list-style-type: none"> <li>- Acquisition</li> <li>- Rehabilitation</li> <li>- Home Buyer Assistance</li> <li>- Economic Development</li> <li>- Homeless Assistance</li> <li>- Public Services</li> </ul>

**Table 3-7: Financing Resources for Affordable Housing**

<i>Funding Type/Program</i>	<i>Description</i>	<i>Eligible Activities</i>
Section 202	Grants to non-profit developers of supportive housing for the elderly.	- Acquisition - Rehabilitation - New Construction
Section 203(k)	Provides long-term, low interest loans at fixed rates to finance acquisition and rehabilitation of eligible property.	- Land Acquisition - Rehabilitation - Relocation of Unit - Refinance Existing Indebtedness
Section 811	Grants to non-profit developers of supportive housing for persons with disabilities, including group homes, independent living facilities and intermediate care facilities.	- Acquisition - Rehabilitation - New Construction - Rental Assistance
U.S. Department of Agriculture (USDA) Housing Programs (Sections 514/516)	Below market-rate loans and grants for farmworker rental housing.	- New Construction - Rehabilitation
<b>State Programs</b>		
Affordable Housing Partnership Program (AHPP)	Provides lower interest rate CHFA loans to home buyers who receive local secondary financing.	- Home Buyer Assistance
CalHOME	Provides grants to local governments and non-profit agencies for local home buyer assistance and owner-occupied rehabilitation programs and new home development projects. Will finance the acquisition, rehabilitation, and replacement of manufactured homes.	- Home Buyer Assistance - Rehabilitation - New Construction
California Housing Assistance Program	Provides 3% silent second loans in conjunction with 97% CHFA first loans to give eligible buyers 100% financing.	- Home Buyer Assistance
California Housing Finance Agency (CHFA) Rental Housing Programs	Below market rate financing offered to builders and developers of multi-family and elderly rental housing. Tax exempt bonds provide below-market mortgages.	- New Construction - Rehabilitation - Acquisition
CHFA Home Mortgage Purchase Program	CHFA sells tax-exempt bonds to make below-market loans to first-time buyers. Program operates through participating lenders who originate loans for CHFA.	- Home Buyer Assistance
California Self-Help Housing Program (CSHHP)	Provides grants for the administration of mutual self-help housing projects.	- Home Buyer Assistance - New Construction

**Table 3-7: Financing Resources for Affordable Housing**

<i>Funding Type/Program</i>	<i>Description</i>	<i>Eligible Activities</i>
Emergency Housing and Assistance Program (EHAP)	Provides grants to support emergency housing.	- Shelters & Transitional Housing
Emergency Shelter Program	Grants awarded to non-profit organizations for shelter support services.	- Support Services
Extra Credit Teacher Program	Provides \$7,500 silent second loans with forgivable interest in conjunction with lower interest rate. CHFA first loans to assist eligible teachers to buy homes.	- Home Buyer Assistance
Farmworker Housing Assistance Program	Provides State tax credits for farmworker housing projects.	- New Construction - Rehabilitation
Housing Enabled by Local Partnerships (HELP)	Provides 3% interest rate loans, with repayment terms up to 10 years, to local government entities for locally-determined affordable housing priorities.	- New Construction - Rehabilitation - Acquisition - Home Buyer Assistance - Site Development
Joe Serna Jr. Farm-worker Housing Grant Program (FWHG)	Provides recoverable grants for the acquisition, development and financing of ownership and rental housing for farmworkers.	- Home Buyer Assistance - Rehabilitation - New Construction
Multi-Family Housing Program (MHP)	Deferred payment loans for the new construction, rehabilitation and preservation of rental housing.	- New Construction - Rehabilitation - Preservation
Self-help Builder Assistance Program (SHBAP)	Provides lower interest rate CHFA loans to owner-builders who participate in self-help housing projects. Also provides site acquisition, development and construction financing for self-help housing projects.	- Home Buyer Assistance - New Construction - Site Acquisition - Site Development
Supportive Housing/ Minors Leaving Foster Care	Funding for housing and services for mentally ill, disabled and persons needing support services to live independently.	- Supportive Housing - Foster Care
<b>Local Programs</b>		
Financial Incentives under the Density Bonus Ordinance	The County's Density Bonus Ordinance offers financial incentives, as required by State law.	- New Construction
Tax Exempt Housing Revenue Bond	The County can support low-income housing by issuing housing mortgage revenue bonds requiring the developer to lease a fixed percentage of the units to low-income families at specified rental rates.	- New Construction - Acquisition - Rehabilitation

Private Resources		
California Community Reinvestment Corporation (CCRC)	Non-profit mortgage banking consortium designed to provide long term debt financing for affordable multi-family rental housing. Non-profit and for profit developers contact member banks.	- New Construction - Rehabilitation - Acquisition
Federal National Mortgage Association (Fannie Mae)	- Fixed rate mortgages issued by private mortgage insurers.	- Home Buyer Assistance
	- Mortgages which fund the purchase and Rehabilitation of a home.	- Home Buyer Assistance - Rehabilitation
	- Low Down-Payment mortgages for Single-Family Homes in underserved Low-income and minority cities.	- Home Buyer Assistance
Freddie Mac Home Works	Provides first and second mortgages that include rehabilitation loan. County provides gap financing for rehabilitation component. Households earning up to 80% area median income qualify.	- Home Buyer Assistance
Savings Association Mortgage Company Inc.	Pooling process to fund loans for affordable ownership and rental housing projects. Non-profit and for profit developers contact member institutions.	- New Construction of rentals, cooperatives, self help housing, homeless shelters, and group homes

### 3.3 CONSTRAINTS

A number of factors may constrain the development of housing, particularly housing affordable to lower income households. These factors can generally be divided into “governmental constraints,” or those that are controlled by federal, state, or local governments; and “nongovernmental constraints,” factors that are not generally created or affected by governmental controls.

An analysis of these factors can help in the development of programs that lessen the effect of construction on the supply and cost of housing.

#### **NONGOVERNMENTAL CONSTRAINTS**

##### **Mortgage and Rehabilitation Financing**

The availability of financing affects a person’s ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications by the income, gender, and race/ethnicity of the applicants. This applies to all loan applications for home purchases and improvements, whether financed at market rate or with government assistance.

In 2007, 482 households applied for conventional loans to purchase homes in Lodi. The overall loan approval rate was 47%. By comparison, in 2001, 83% of loans were approved. This

tightening of lending has compounded the downturn in the national and local housing markets, making it more difficult for households to secure loans. For government-sponsored loans, 19 households applied and the approval rate was 84% in 2007. Home improvement loans only had a 30% approval rate with 183 households applying in total. In general, census tracts with a higher percentage of households of color or lower incomes experienced greater difficulty in securing loans.<sup>6</sup>

To address potential private market lending constraints and expand homeownership and home improvement opportunities, the City of Lodi offers and/or participates in a variety of home buyer and rehabilitation assistance programs. These programs assist extremely-low-, very-low-, low-, and moderate-income residents by increasing access to favorable loan terms to purchase or improve their homes.

### **Cost of Land**

A key factor in determining housing costs is the price of raw land and any necessary improvements. Because of the economic downturn, over the course of the last two years virtually no land has been sold in the city since 2007. The price of existing homes continues to drop, so the market has not yet stabilized enough to create much demand for new home construction, let alone new land. In early November 2009, there was one listing for residentially zoned land (R-2) on LoopNet, an online real estate resource. The property, 5.26 acres in size, was listed as \$1.9 million, meaning that it is priced at \$361,217 per acre. According to Jeffrey Kirst at Tokay Development, a local developer, residentially zoned land anywhere in the city would not sell for more than \$75,000-\$100,000 per acre at present.<sup>7</sup>

### **Construction Costs**

#### ***Single-Family Homes***

Various factors can affect the cost of building a single-family house, including the type of construction, custom versus tract development, materials, site conditions, finishing details, amenities, square footage, and structural configuration. These factors create a wide variation in construction costs, from as little as \$110 per square foot for basic construction to as much as \$160 for high-quality custom construction. A basic, 1,200-square foot starter home could be constructed in Lodi for \$132,000. Including land cost of about \$14,000 per lot,<sup>8</sup> permit and development impact fees of \$15,433,<sup>9</sup> site preparation, and other miscellaneous costs, the minimum cost of producing a 1,200-square foot home in Lodi is estimated to be between \$160,000 and \$170,000, excluding developer fee or profit.

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<sup>6</sup> 2007 Home Mortgage Disclosure Act data: "Aggregate Table 1: Disposition of Loan Applications, By Location of Property and Type of Loan, 2007."

<sup>7</sup> Phone conversation with Jeffery Kirst, Tokay Development, 11/9/09.

<sup>8</sup> Assuming land is \$100,000/acre, and the residential density is 7 units per acre, each lot would be \$14,285.

<sup>9</sup> Lodi Community Development staff estimate.

### ***Multi-Family Homes***

Contacts with multi-family housing developers in the Lodi region indicate that construction costs for multi-family housing units, excluding land and site preparation costs, fees, and related expenses range from \$90 to \$95 per square foot, depending on the quality of construction and interior amenities. Therefore, the construction costs for a 1,000 square foot unit would be between \$90,000 and \$95,000. Assuming land cost of approximately \$5,000 per lot,<sup>10</sup> permit and development impact fees of \$11,000,<sup>11</sup> site preparation, and other costs, the minimum cost of producing a 1,000-square foot, multi-family home in Lodi is estimated to be between \$106,000 and \$111,000, excluding developer fee or profit.

### **GOVERNMENTAL CONSTRAINTS**

Local policies and regulations impact the price and availability of housing and subsequently the provision of affordable housing. Land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other factors can constrain the maintenance, development, and improvement of housing. This section discusses potential governmental constraints, as well as policies that encourage housing development in the city.

In September 2003, the City of Lodi published a draft revised Zoning Ordinance to replace the existing Zoning Ordinance, adopted in 1954. The Planning Commission held several public hearings to gain input on the new code, however for various reasons, the revised Zoning Ordinance was not adopted; it is the City's expectation to undertake revisions to this draft for consistency with the new General Plan and then adopt them. The draft proposed Ordinance makes many changes to remove constraints to development and is referenced in the discussion below. However, the analysis and subsequent recommendations are based on the City's current Zoning Ordinance.

### **General Plan Designations and Permitted Densities**

The Land Use Element was recently updated as part of the comprehensive General Plan Update. The Element sets forth the City's development policies. These policies, as implemented by the Zoning Ordinance (Title 17 of the Lodi Municipal Code), establish the amount of land allocated for residential and other uses within the city. The Zoning Ordinance needs to be updated to reflect the recent General Plan Update (see Program 1.1 in Chapter 4). The Land Use Element establishes ten land use designations in total (see Table 3-8), including six that allow residential uses: Low-Density Residential, Medium-Density Residential, High-Density Residential, Downtown Mixed-Use, Mixed-Use Corridor, and Mixed-Use Center.

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<sup>10</sup> Assuming land is \$100,000/acre, and the residential density is 20 units per acre, each lot would be \$5,000.

<sup>11</sup> Lodi Community Development staff estimate.

**Table 3-8: General Plan Land Use Designations**

<i>Land Use Classification</i>	<i>Residential Density (du/ac)</i>	<i>Maximum FAR</i>
<b>Residential</b>		
Low-Density Residential	2-8	n/a
Medium-Density Residential	8-20	n/a
High-Density	15-35	n/a
<b>Commercial, Office, and Industrial</b>		
General Commercial	n/a	0.6
Office	n/a	0.6
Business Park/Office	n/a	1.0
Industrial	n/a	0.6
<b>Mixed-Use</b>		
Downtown Mixed Use	8-35	3.0
Mixed Use Corridor	2-35	1.2
Mixed Use Center	8-35	1.0

With this most recent General Plan, the City is emphasizing a dense, mixed-use downtown as well as mixed-use development along the city’s major corridors: Kettleman and Cherokee lanes and Lodi Avenue. The range of districts that permit residential development and the densities they offer (2-35 units per acre) allow for a variety of housing types and therefore does not serve as a constraint to housing development.

**Zoning Standards and Permitted Housing Types**

The existing Zoning Ordinance regulates the type, location, density, and scale of residential development and exists to protect and promote the health, safety, and general welfare of residents. In addition, the Zoning Ordinance serves to preserve the character and integrity of existing neighborhoods. As seen in Table 3-9, Lodi’s Zoning Ordinance includes design standards and guidelines for the following residential zoning districts:

- Residence District – One Family – R-1
- Residence District – One Family – R-2
- Low-Density Multi-family Residential District – R-LD
- Garden Apartment Residence District – R-GA
- Medium-Density Multi-family Residence District – R-MD
- High-Density Multi-family Residence District – R-HD

Residential land uses are also allowed within the following zoning districts:

- Residential-Commercial-Professional Office District – R-C-P
- Planned Development District – P-D
- Neighborhood Commercial District – C-1
- General Commercial District – C-2
- Unclassified Holdings District – U-H<sup>12</sup>

The development standards contained in the City’s Zoning Ordinance are consistent with other cities of Lodi’s size and character. Examples include: maximum lot coverage from 45 to 60% and height limits of 35 feet in Low and Medium Density designations and 60 feet in High Density zones. Table 3-9 summarizes the City’s development standards.

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<sup>12</sup> The U-H district is the designation given to all territory annexed to the city unless the territory has been specifically given another designation by official action of the City Council. This district designates land to help in an agricultural, non-urban state as a reserve for future uses. Single-family dwellings with not more than one dwelling per lot, each lot being a minimum of twenty acres, are allowed in the U-H district.

**Table 3-9: Residential Development Standards and Housing Types Permitted by Zone**

Zoning Standards	Zoning Districts										
	R-1	R-2	R-LD	R-GA	R-MD	R-HD	R-C-P	P-D	C-1	C-2	U-H
Max Density (du/ac) <sup>5</sup>	8	8	8	20	20	35	20	*1	20	20	1/20
Min Lot Size (sq ft)	6,500	5,000	5,000	4,000	4,000	4,000	5,000	*1	4,000	4,000	20 ac
Min Lot Width (ft)	60	50	50	50	40	40	50	*1	40	40	--
Front Yard Setback (ft)	20	20	20	20	20	20	20	*1	20	None	--
Side Yard Setback (ft)	5	10% lot width min 5	5	None, 10 on corner	*1	5	None	--			
Rear Yard Setback (ft)	10	10	10	10	10	10	10	*1	10	10	--
Building Coverage (%)	45	45	40-50	50	50	60	50	*1	50	60	--
Max Building Height (ft)	35	35	35	35	35	60	35	35	35	75 <sup>3</sup>	35
Parking (spaces/unit)	2 covered	2 covered	2, 2/3 covered <sup>6</sup>	2, 2/3 covered	2 uncovered	2 uncovered	*2	*1, 2	*2	*2	*2
<b>Housing Types Permitted</b>											
Single Family	P	P	P	P	P	P	P	P	P	P	P
Two Family	X	P	P	P	P	P	P	P	P	P	X
Three/Four Family	X	X	P	P	P	P	P	P	P	P	X
Multi-Family	X	X	X	P	P	P	P	P	P	P	X
Condominiums	U	X	X	P	P	P	P	P	P	P	X
Second Units	U	U	U	U	U	U	U	U	U	U	X
Family Care Homes	P <sup>4</sup>	X	P <sup>4</sup>	U	U	U	P	P	X	X	X
Rest Homes	X	X	X	U	U	X	P	P	X	X	X
Nursing/Convalescent	X	X	X	U	U	X	P	P	X	X	X
Hotel/Motel	X	X	X	X	X	P	X	P	P	P	X
Lodging/Boarding Houses	X	X	X	X	X	P	X	P	P	P	X
Mobile Homes	X	X	X	X	U	U	X	X	X	U	X

1. P-D Zone allows for all land uses when shown on planned development and subject to requirements of a use permit.

2. Parking requirements vary by intensity and type of residential use.

3. Maximum height within the designated central business area only; elsewhere, heights in C-2 are determined by adjacent districts.

4. Permitted uses subject to Planning Department approval.

5. Maximum density drawn from General Plan assumptions.

6. 2/3 covered means that two-thirds of the spaces in a multi-family development must be covered. So, if there are three apartments and each has the required two spaces, four of the spaces must be covered.

## ***Development Standards***

### *Residential Density*

The City permits residential densities of varying ranges, according to the General Plan, as shown in Table 3-9. As detailed in Program 1.1, the Zoning Ordinance will be updated to be consistent with the General Plan. Program 1.1 also initiates a consolidation of residential land use categories. Generally, the lower density zoning categories—currently R-1, R-2, and R-LD--allow eight units per acre; 20 dwelling units per acre are allowed in the R-GA, R-MD, R-C-P and commercial zones; and up to 35 dwelling units per acre are allowed in the R-HD zone.

### *Yards and Setbacks*

Yard and setback requirements are consistent with permitted densities in residential zones: 20 feet in front, ten feet in rear, and five feet on each side. There is no side yard setback requirement in multi-family zones, except on corner lots (which are required to have a side yard setback of 10 feet) and lots adjacent to a residential zone (which are required to have a 5 foot side yard). Yard and setback requirements within the other zoning districts are typical in comparison with most jurisdictions.

### *Building Coverage*

The City's building coverage standards are reasonably related to the density provisions in each residential zone. In multi-family zones, permitted building coverage ranges from 40 to 50% in the R-LD zone (low density multi-family) to 60% in the R-HD zone. Building coverage pertains to the primary (main) building and any accessory structures.

### *Lot Size and Lot Area per Dwelling Unit*

In zones designated for single-family homes, minimum lot size is 6,500 square feet in the R-1 zone and 5,000 square feet in the R-2 zone. Where lower density multi-family development is allowed, minimum lot size is 6,000 square feet. Zones allowing high-density multi-family development have a minimum lot size of 4,000 square feet.

### *Building Height*

Permitted building heights range from 35 feet in single-family and low- and medium-density multi-family zones to 60 feet (four stories) in the high-density multi-family zone. Residential uses are allowed in the C-2 zone, which has a maximum building height of 75 feet (six stories) in the city's Downtown Business District. Outside of the Downtown Business District, building heights are limited to 35 feet. Lodi's Zoning Ordinance includes a provision for exceptions to standard height limitations for non-habitable architectural elements and structures.

### *Parking Standards*

Parking ratios for residential uses in Lodi are determined by dwelling unit type, regardless of occupancy. For all residential uses including mobile homes, two spaces per unit is the standard parking requirement. Lodging and retirement homes are required to provide one parking space

per two sleeping rooms. Convalescent homes and rest homes<sup>13</sup> are subject to different standards that require one parking space per three beds. Hotel and motel uses must have one space per room and one space for the facility's manager.

The City's parking ratios are reasonable in relation to the likely demand for parking from different residential uses for housing units with two or more bedrooms. The requirement of two spaces per unit for multi-family uses may be a constraining factor on development of small, infill lots typical of most vacant parcels in Lodi. The required parking may be also excessive for efficiency/studio and one-bedroom units. The City currently mitigates this constraint by providing an administrative process for approving minor deviations from zoning standards; including parking requirements (see the section below on Development Review Process). It should be noted that the new Zoning Ordinance (Program 1.1) modifies the multi-family parking requirement by requiring one covered space per one-bedroom unit, two covered spaces per two bedroom unit, plus one uncovered guest space for every three units.

#### *Development Standard Conclusion*

The City's development standards do not impose a constraint to achieving maximum residential densities and are reasonably related to neighborhood quality goals and protecting the health and safety of residents.

#### ***Permitted Housing Types***

##### *Licensed Residential Care Facilities*

The city has 16 licensed residential care facilities; six adult residential care and ten residential care facilities for the elderly. Residential care facilities are licensed by the State of California to provide permanent living accommodations and 24-hour supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Licensed residential care facilities include hospices, nursing homes, convalescent facilities, sanatoriums, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug additions. Under State law, the City of Lodi is required to permit licensed residential care facilities that serve six or fewer persons by right in residential districts. Facilities that serve more than six people can be required to have a Use Permit.

The Lodi Zoning Ordinance does not provide a general definition for licensed residential care facilities. The Zoning Ordinance does define "nursing/convalescent home," a type of licensed residential care facility, and states that such facilities are permitted with a Use Permit in the R-GA and R-MD zones and by right in the R-C-P and P-D zones (see Table 3-9). The lack of a more inclusive definition in the Zoning Ordinance could create an impediment to the location of licensed residential care facilities (other than nursing/convalescent homes) as the decision to allow such uses would be made on a case-by-case basis without a clear set of criteria. The Zoning Ordinance should be amended to clarify that all types of residential care facilities of six or fewer individuals are permitted by right in residential zones (see Program 1.1). Instead of identifying types of residential care facilities that are permitted, the Ordinance should be

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<sup>13</sup> It should be noted that the definitions of lodging, convalescent, and rest homes will be updated in the new Zoning Ordinance (see Program 1.1).

amended to discuss State-defined licensed residential care facilities, in general. The Ordinance could also identify the zoning districts and permit process under which facilities of seven or more persons are permitted (Program 1.1).

The Zoning Ordinance contains no occupancy, distance, proximity, placement, or other requirements that would explicitly constrain the establishment of residential care facilities, including those for special needs groups such as senior citizens and disabled persons. For such facilities, the City follows State law, which, as stated earlier, permits residential care facilities of six or fewer persons by right in residential zones. Also, State law prohibits the overconcentration of residential care facilities, which is defined as facilities separated by a distance of less than 300 feet. These provisions of State law have not been explicitly incorporated within the Zoning Ordinance, and should be incorporated (see Program 1.1).

#### *Single Room Occupancy Units*

The current Zoning Ordinance does not provide a definition for single room occupancy (SRO) units. SRO units are generally small in nature and lack separate kitchen or bathroom facilities for every unit. Meals are often provided, and residents stay on a permanent or semi-permanent basis; rent is often accepted on a weekly or monthly basis. SRO units are frequently one of the only sources of housing available to extremely-low-income people (in Lodi, a one-person household making \$13,350 or less annually qualifies as extremely-low-income). The Zoning Ordinance's definition of "boardinghouse," "a building other than a hotel, containing not more than five sleeping rooms, where lodging and meals for five or more persons are provided for compensation" could cover some SROs, but is not very broad. The draft proposed Zoning Ordinance broadens the definition for "rooming or boarding houses" by not limiting the occupancy of the facility. The Zoning Ordinance could be amended to include a definition for "group residential" that would include all living situations with shared living quarters without separate kitchen or bathroom facilities for each room or unit, including boarding houses, dormitories, and SROs (see Program 1.1).

#### *Supportive and Transitional Housing*

The current Zoning Ordinance does not provide a definition for supportive and transitional housing. Supportive and transitional housing is geared towards individuals and families who have been homeless and who benefit from supportive services such as job counseling and day care as they get back on their feet and are able to afford their own house or apartment. Residents in supportive and transitional housing typically stay up to a year before moving out. According to State law, supportive and transitional housing must be treated the same as any other residential use in a residential zone. The Zoning Ordinance could be amended to include a definition for "supportive and transitional housing" that explicitly states that such housing be treated the same as other residential uses (see Program 1.1).

#### *Emergency Shelters*

Recent State law (SB2) mandates that jurisdictions either permit emergency shelters by right in one or more zones or enter into a multi-jurisdictional agreement with neighboring jurisdictions to fund and operate a shelter or shelters to meet their collective homeless need. Lodi currently meets this new requirement—emergency shelters are allowed by right in the C-M and C-2 zones—but Program 1.1 calls for amending the Zoning Ordinance to create development standards for emergency shelters to further facilitate their development.

*Second Units*

The City defines a second unit as, “an additional living unit on a lot within a single-family zone.” A second unit is a self-contained unit with separate kitchen, living and sleeping facilities. A second unit can be created by (1) altering a single-family dwelling to establish a separate unit or (2) adding a separate unit onto an existing dwelling. In accordance with State law, second units are allowed without the requirement of a Use Permit, within the R-1, R-2, and R-LD zoning districts. They are automatically permitted in the R-GA, R-MD, and R-HD zoning districts.

The City requires that second units be architecturally compatible with the existing single-family dwelling. They must have separate exterior entrances and be no larger than four hundred square feet in floor area. The unit must also have one off-street parking space in addition to the parking required for the existing residence. The definition of second units in the Zoning Ordinance states that a second unit must be attached to the existing single-family house. Despite this definition, the City allows second units detached from the primary residence as a matter of practice. As part of implementing this Housing Element, the City will revise the Zoning Ordinance definition to reflect its current practice of allowing detached second units, consistent with State law requirements (Program 1.1, referenced above, also memorializes this practice). Program 1.1 would amend the code to permit second units up to 640 square feet by right.

*Conclusion*

There are a number of proposed changes to the Zoning Ordinance that will facilitate residential development and allow for greater design flexibility. The most significant examples that have not already been mentioned are:

- Modify the number and definition of residential zoning designations for consistency with the General Plan and to create greater development flexibility;
- New Low-Density Residential designation that allows for the development of single-family detached, two-family and three-family homes up to the General Plan Land Use Density of 7 units per acre;
- Provision for a variety of housing types in residential zones including care facilities, shelters<sup>14</sup> and live/work projects;
- Single-family detached lot sizes as small as 5,000 square feet;
- No minimum lot width or depth requirements which will provide more flexibility in site designs;
- Reduction of minimum front yard setbacks to 15-feet; and

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<sup>14</sup> While the draft Zoning Ordinance permits shelters with a Conditional Use Permit, before adoption the new, revised Zoning Ordinance will need to be amended to allow emergency shelter by right in a zone or zones or the City needs to enter into a multi-jurisdictional agreement to provide adequate shelter services.

- Requirement for Use Permit approval to build single family dwellings in the Medium and High density zoning designations.

With the adoption of the draft revised Zoning Ordinance (included in this Housing Element as Program 1.1) in addition to the other edits/additions to the draft revised Zoning Ordinance discussed in this section, the City’s zoning will not serve as a constraint to development.

**Development Process**

***Growth Management Ordinance***

In 1991, the City adopted a Growth Management Allocation Ordinance (GMAO) to regulate the location, amount, and timing of residential development.

Under the ordinance, the maximum number of housing units approved each year by the City reflects a 2% increase in population. Unused permits rollover to the next year. The ordinance establishes a residential density allocation system, with the goal of promoting a mix of housing types in the designated percentages listed in Table 3-10. These percentages were derived from the breakdown in existing housing units in Lodi when the ordinance was first conceived in 1989.

**Table 3-10: Growth Ordinance Breakdown by Density**

<i>Housing Type</i>	<i>Units/Acre</i>	<i>Percent</i>
Low Density	<7	65%
Medium Density	7-20	10
High Density	>20	25

*Source: City of Lodi, General Plan 1991.*

The allocation for a given year is calculated in the following manner: Lodi’s DOF population estimate x 0.02 ÷ Lodi’s DOF estimate of persons per household = number of allocations

For example, in 2008, the 2% GMAO translated to a maximum of 453 residential building permits a year: 295 for low density housing units (under seven units/acre), 45 for medium density housing units (7-20 units/acre), and 113 for high-density housing units (over 20 units/acre).

The breakdown by density establishes an upper limit for the number of permits, but does not guarantee that the density quotas for the three categories are attained by the end of a given year. Because in most years demand has been less than available permits, an inventory of available permits has built up, standing at a total of 5,111 available units (remaining from the 1989-2008).

Assuming that Lodi’s population continues to grow at 1.2% annually (the average growth rate from 2000-2008), with 2.8 persons per household (the average household size in 2008), permits for about 2,779 additional units will be allocated from January 1, 2009 to June 30, 2014. This means that in total, development permits for approximately 7,890 units will be available to fulfill Lodi’s RHNA, which is 3,891. The density breakdown of these allocations appears in Table 3-11, below. Of the City’s 3,891 RHNA, 971 are allocated to extremely-low-/very-low-

income units and 650 are allocated to low-income units. This means that the City must identify sites for a total of 1,621 affordable units during this planning period. The default density—the density at which it is assumed by HCD that affordable units can feasibly be built—is at least 20 units per acre for Lodi. While some medium density sites may therefore qualify, even if only high-density sites are counted, there are 2,779 allocations—more than enough to cover the 1,651 RHNA.

**Table 3-11: Expected Housing Unit Allocation by Density During the Planning Period**

<i>Residential Density (units/acre)</i>	<i>1989-2008</i>	<i>2009-2014</i>	<i>Total</i>
Low Density	2,607	1,806	4,413
Medium Density	389	278	667
High Density	2,115	695	2,810
<b>Total</b>	<b>5,111</b>	<b>2,779</b>	<b>7,890</b>

Source: City of Lodi; DOF 2008.

*How Permits are Allocated*

Proposed developments receiving the highest number of points under an annual permit application process receive allocations. The City awards points based on issues such as agricultural land conflicts, onsite agricultural land mitigation, relationship to public services, promotion of open space, traffic, and circulation levels of service, required traffic improvements, housing, and site plan and project design. Projects are ranked by point-score and eliminated as necessary in order to equal the number of permits allowed for a given year. No single-family development is allowed to receive more than one third of the permits available in any single year unless the number of applications is less than the total permits available for the year. In practice, demand for permits has not exceeded the supply since 1991. Since that time there has been a backlog of available permits which rolls over from year to year. Therefore, this scoring system is not expected to be necessary or used during this Housing Element planning period.

The current GMAO excludes commercial and industrial projects; senior housing; on-site replacement of housing in existence as of September 1, 1989; and projects of four units or less. To facilitate the development of affordable units, Program 1.2 excludes affordable housing from units that are required to receive allocations.

**Conclusion**

Overall, the Growth Management Program does not present a substantial constraint to development during this planning period. There are more than enough available allocations to meet housing demand. Moreover, senior units are exempt from the allocation process and affordable units will be exempt (Program 1.2).

However, the allocation process adds time and cost up front to the development process for two reasons. The allocations occur once a year and an investment is required on the applicant’s part to provide the level of site plan and application detail required by the City to receive an allocation. The reason the City only accepts allocations once a year is so that projects can be compared. Generally, projects submitted in May will receive allocations by the end of the calendar year. The time and cost are recouped for successful applicants who receive allocations

because their proposed site plans and other details of the development proposal are reviewed and approved by the City during the allocation process.

Once a development proposal is approved, an applicant may proceed with a Tentative Subdivision Map (TSM). Approval of the TSM is the final major regulatory process for the applicant. Following approval of the TSM and allocation of housing units, the applicant generally need only apply for ministerial approvals (final subdivision map, building permits, etc.). Applicants can apply for multi-year allocations (up to three years), which further reduces the long-term cost of receiving development approvals under the allocation process. However, use of housing allocations must be done in accordance with the schedule approved and construction occur in the year for which the allocation applies.

The City of Lodi does not believe that added costs exist with respect to the Growth Management Program. The time frame for project review and approval is consistent with, if not shorter than, other communities. The review of site plans in the approval of multi-family projects is consistent with sound planning practice and other jurisdictions. Finally, since the inception of the Ordinance, no medium or high density request has been denied; this is important given the statewide and local need for affordable housing opportunities.

### ***Development Review Process***

A City's development review process—the steps that it lays out and the time that it takes to review and make a decision on a development application—can serve as a constraint to residential development. This section explains the City's development review practices.

### ***Administrative Deviations***

Minor deviations from the provisions of Lodi's Zoning Ordinance are approved through the processing of an administrative deviation. This process requires the submittal of an application and involves review and approval by Community Development and Public Works and Electric Utility Department staff only and can be submitted for land located within any zoning district. Administrative deviations are issued only because of special circumstances such as topography or size constraints that obstruct development of a site. Lodi's Zoning Ordinance identifies the only modifications for which an administrative deviation can be issued. These modifications include: off-street parking requirements, setback requirements, area and width requirements, height requirements, and landscaping requirements. Modifications are only allowed up to a certain percentage of the standard requirements.

### ***Site Plan and Architectural Review***

The development review process includes site plan and architectural review for certain development projects by the Site Plan and Architectural Review Committee (SPARC). The purpose of this review is to ensure compliance with the Zoning Ordinance and promote orderly development. Projects required to obtain site plan and architectural approval are:

- Residential buildings proposed in R-GA, R-MD, R-HD, R-C-P, C-1, and C-2, except single-family dwellings, duplexes, and triplexes;
- Commercial-professional offices and institutional buildings proposed in areas zoned R-C-P and C-1;

- Nonresidential buildings proposed in areas zoned C-1, C-2, and C-M;
- Nonresidential buildings proposed in areas zoned M-1 and M-2, which abut areas zoned R-1, R-2, R-GA, R-MD, R-HD, R-C-P, C-1, and C-2; and
- Any use requiring a Use Permit, or when the Planning Commission or City Council requires a site plan and architectural review as a condition of a discretionary permit.

Site plan and architectural review is facilitated by the SPARC, which was established to assist the Planning Commission in reviewing site plans and architectural drawings. Four of the five members are appointed by the Mayor, while the SPARC is appealable to the Planning Commission. The Planning Commission is the final regulatory authority that issues decisions on most developments within the city.

Applicants are required to submit the following information to the Committee:

- A site plan of the proposed structures that complements the neighborhood and preserves light and air on adjoining properties;
- Landscaping and/or fencing of yards and setback area, use of landscaping, and/or fencing for screening purposes;
- Design of ingress and egress;
- Off-street parking and loading facilities;
- Drawings or sketches of the exterior elevations; and
- Designation of location of existing fire hydrants.

These requirements are relatively easy to meet and do not add significantly to the cost or time required for site plan review. The review process proceeds as follows:

- Planning staff reviews site plan and architectural review applications to determine if projects require discretionary approval (i.e. Use Permit, Variance, etc.) from the Planning Commission in addition to site plan and architectural review.
- If it is determined that discretionary approval is required, the application in question is sent to the Planning Commission for review of the site plan and architectural features.
- If the application falls into one of the categories requiring site plan and architectural review (but does not require discretionary approval), it is reviewed by the SPARC.
- The approval body, whether the Planning Commission or the SPARC, has the power to approve or disapprove the application or to approve the application subject to compliance with modifications or conditions to comply with the City's Municipal Code and other applicable laws and regulations.
- The SPARC has up to 21 days to make a decision. Upon approval of submitted plans, or at the expiration of 21 days, the City issues a building permit, provided that all building code requirements have been met and the applicant does not need a Use Permit (which triggers Planning Commission review).
- The SPARC's decision may be appealed to the Planning Commission. Appeals must be filed within ten days of the SPARC's decision.

*Development Review Timeframe*

The development review timeframe is affected by several factors. Some of these factors, such as the amount of time it takes to a) determine the completeness of an application, b) determine if environmental review is necessary, and c) approve or disapprove a project from the date environmental review is complete or determination of categorical exemption is made are within the control of jurisdictions. Other factors, such as the time it takes to gather application materials or complete an environmental document are largely in the hands of developers. Still other factors such as the availability of project financing are dependant upon the state of the economy.

The City complies with State law by taking only 5-10 days to determine if an application is complete and 5-10 days to determine if environmental review is required (the State actually allows up to 30 days for both of these steps) as well as only 180 days when an EIR is required or 60 days when a negative declaration is made (or the project is exempt from CEQA) to approve or disapprove a project (see Table 3-12). However, typically, project approvals take longer because of the factors discussed above that are out of the City's control as well as additional steps such as conditional use permits and construction permits that may be required.

A typical single-family development will require a residential allocation, tentative and final tract map, environmental review (Negative Declaration or EIR), Planning Commission review, City Council review (if a Planning Commission decision is appealed), and construction permits (building, grading, etc.). From start to finish, the process will typically take six to 12 months. A large or complex project, particularly one triggering state or federal environmental mandates, can take longer. A typical multi-family development will require a residential allocation, environmental review (Negative Declaration or EIR), Planning Commission review, City Council review (if a Planning Commission decision is appealed), and construction permits (building, grading, etc.). From start to finish, the process will typically take six to 12 months.

Multi-family and single-family developments are also required to go through the Site Plan and Architecture Approval Committee process. It takes two to four weeks to complete staff review before the development can be submitted to the Committee. Then, the Committee takes 21 days to review the project. It should be noted that smaller developments in the city such as one single family home or two- to four-unit multi-family structures are only required to obtain building permits and are not required to go through the Site Plan and Architectural Approval Committee.

**Table 3-12: Development Review Process Timeframe**

Type of Development	Type of Approval <sup>1</sup>	Approving Authority <sup>2</sup>	Timeframe for Review (Maximum # of days to approve)		
			To Determine Completeness of Application	To Determine Environmental Review <sup>3</sup>	To Approve/ Disapprove Project <sup>4</sup>
Second Unit	400 sq. ft. or less is permitted by-right; above 400 sq. ft. requires a Variance	Variance approved by Planning Commission	5-10 business days	5-10 business days	4-6 weeks (typically exempt from CEQA)
Single-Family	Permitted by-right	Planning Division	5-10 business days	5-10 business days	180 days if EIR required (only 90 if 49% or more units are affordable); 60 days if a Negative Declaration required or exempt from CEQA
Multi-Family (no zone change)					
Multi-Family (PD zone change)					
Affordable Housing					
Senior Housing					
State Defined Large Licensed Residential Care <sup>5</sup>		Planning Commission Use permit	5-10 business days	5-10 business days	6-12 weeks

1. Permitted by-right, permitted with a Use Permit, etc.

2. Planning Division (ministerial), Planning Commission and/or City Council, etc.

3. To determine whether an environmental impact report, negative declaration, or mitigated negative declaration shall be required.

4. From date environmental review is complete or determination of categorical exemption made. Times listed for approval/disapproval do not take the time needed for the PD Zone change into account.

5. Licensed Residential Care facilities are licensed by the State of CA to provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. Licensed residential care facilities include hospices, nursing homes, convalescent facilities, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug addictions.

Source: City of Lodi, 2009.

### Constraints to Housing for Persons with Disabilities

Given that persons with disabilities frequently have difficulty finding housing that meets their needs, the State requires special analysis of governmental constraints to housing for persons with disabilities.

### ***Zoning and Land Use Policies and Practices***

Lodi's Zoning Ordinance permits certain detached and attached accessory uses and various projections into yards and setbacks. While the Ordinance does not specifically indicate that facilities for access by persons with disabilities are permitted, accessory uses such as ramps or lifts for handicapped accessibility are similar to the permitted uses that are specified. Requests for reasonable accommodations are approved administratively (without the requirement of a public hearing or other special review) unless the nature of the request triggers a major design review, which is unlikely. The City does not charge a separate fee for such consultation, and any representative of an applicant (including the applicant) can make a request to the City for reasonable accommodations. Reasonable accommodations requests are subject to a building permit (\$118 for a single-family home) and generally take 10-15 business days to approve.

There are no specific programs, or provisions within the Zoning Ordinance that specifically obstruct the development of housing or other structures that accommodate persons with disabilities. However, there are no special provisions either, which may be a constraining factor upon improvements and developments focused to meet the special needs of persons with disabilities. Creation and implementation of a program designed to increase the allowances for persons with disabilities would remove this potential constraint [See Program 1.1].

### **On- and Off-site Improvement Standards**

Site improvements are an important component of new development and include roads, water and sewer, and other infrastructure necessary to serve the development. Improvement requirements are regulated by the City's Subdivision Ordinance. Within the existing city limits, off-site improvement requirements are typically limited because the infrastructure needed to serve infill development is already in place. Where off-site improvements are required, they typically relate to local improvements to existing facilities to accommodate higher density development or to repair or replace aged infrastructure.

### ***Street Improvements***

Street improvement standards can have a significant impact on housing cost. The cost of providing streets for new residential developments, in turn, is primarily influenced by the required right-of-way width, pavement width, and pavement improvement standards. Table 3-13 summarizes Lodi's right-of-way and pavement requirements for the hierarchy of streets. The right-of-way and pavement requirements allow for adequate though slightly narrower streets in residential areas than in many communities. Minimum pavement widths of 50 feet or more for collector streets and 40 feet or more for residential streets are common among local jurisdictions. Lodi's Zoning Ordinance includes a provision for reimbursement to developers for excess widths of street construction, more than 68 feet for construction of new streets and widening in excess of 34 feet on one side.

Required street improvements include curbs, gutters, and sidewalks of at least 5 1/2 feet in width. The minimum sidewalk improvement standard is consistent with accessibility requirements for persons with disabilities and is adequate for ensuring pedestrian access in residential areas. Planting strips equaling 2% of the five and a half foot swath are also required.

**Table 3-13: Street Standards**

<i>Street Type</i>	<i>Required Right-of-Way (ft)</i>	<i>Required Pavement Width (ft)</i>
Minor Residential	50	30, 34
Standard Residential	55	35, 39
Minor Collector	60	44
Major Collector	68	52
Local	66	52
Secondary Arterial	80	64
Minor Arterial	94	78
Major Arterial	118	102

Source: City of Lodi Department of Public Works, 2005.

***Drainage***

Lodi requires that developers of residential subdivisions prepare master storm drainage plans for the area associated with the tentative map. Storm drains must conform to the City’s master storm drainage plan. Any facilities within the subdivision that are not part of the City’s master plan are the developer’s responsibility. However, the City Council has the ability to grant credits to developers for storm drain lines and manholes that developers construct. Payment of mitigation for drainage impacts is included within the City’s development impact fee.

***Sanitary Sewers***

Internal sanitary sewers and appropriate off-site sanitary sewers are required for all proposed development. Installation is required to comply with the current City policies and standards. In the event that developments are asked to construct oversized facilities, Lodi has established a mechanism by which the developer is reimbursed for excess improvements. As part of the development impact fee paid by development, funding, in part, for construction, operation, and maintenance of city-wide sanitary sewer facilities is provided.

***Potable Water***

Internal water transmission pipelines and appropriate off-site connection facilities are required for all proposed development. Installation is required to comply with the current City policies and standards. Similar to the process for sanitary sewers, in the event that developments are asked to construct oversized facilities, the developer is reimbursed for excess improvements. The City also levies a development impact fee that is used, in part, to construct, operate, and maintain citywide water system facilities.

**Fees**

***Development Impact Fees***

The City of Lodi levies one combined development impact fee for all the various municipal facilities and services under the City’s jurisdiction. Although requiring developments to either construct site improvements and/or pay pro rata shares toward the provision of infrastructure

and public services is common practice, these requirements nonetheless result in increases to the cost of housing development and in turn, the final sale price or rent of housing. Despite the initial cost that impact fees impose on new homes, such fees are necessary to protect the public health and safety.

**Calculating Fees: Residential Acre Equivalent**

Development impact fees can serve as a constraint to affordable housing development as the current fee program disincentivizes multi-family development. To calculate the fee charged to a residential development, the City has established a formula based on the fee per acre times the number of acres for each type of public facility/service. The fee charged to residential development depends on its “residential acre equivalent,” or RAE, factor. The “equivalent” for purposes of calculating the factor is a single-family home in the Low Density General Plan land use category (factor of 1.00). The specific factor or ratio of fee, applied to a specific type of residential development is based on the City’s estimate of the amount of facility or service that a particular land use will need in relation to a single-family home in the Low Density land use category. For example, a housing unit in the High Density residential category has a RAE factor that ranges from 1.00 for storm drainage to 4.72 for police services, as shown in Table 3-14. As a result, per acre fees are much higher for the High Density category than for the Low Density category: \$211,558 and \$82,955, respectively.

**Table 3-14: Development Impact Mitigation Fees (\$/acre)**

Impact Fee		Land Use Category		
		Low Density	Medium Density	High Density
Water	RAE	1.00	1.96	3.49
	\$/Acre	\$5,390	\$10,564	\$18,811
Storm Drainage	RAE	1.00	1.00	1.00
	\$/Acre	\$19,713	\$19,713	\$19,713
Streets	RAE	1.00	1.96	3.05
	\$/Acre	\$15,335	\$30,057	\$46,772
Police	RAE	1.00	1.77	4.72
	\$/Acre	\$2,119	\$3,751	\$10,002
Fire	RAE	1.00	1.96	4.32
	\$/Acre	\$2,070	\$4,057	\$8,942
Parks & Rec	RAE	1.00	1.43	2.80
	\$/Acre	\$29,770	\$42,571	\$83,356
General City	RAE	1.00	1.43	2.80
	\$/Acre	\$8,558	\$12,238	\$23,962
<b>Total (per acre)</b>		<b>\$82,955</b>	<b>\$122,951</b>	<b>\$211,558</b>
Assumed Units/Acre		7	20	30
<b>Total (per dwelling unit)</b>		<b>\$11,851</b>	<b>\$6,148</b>	<b>\$7,052</b>

Source: City of Lodi, January 2010.

The RAE factors are based on an average density assumption for each residential land use category, not the specific density of the proposed development. In multifamily zones, the RAE factors can have the effect of significantly increasing the fee payment of development projects (on a per-unit basis) that have lower densities and fewer units than the average assumed by the City. One method of mitigating this potential cost impact would be for the City to use a factor for establishing fees on multifamily projects based on the actual density of the proposed development, not the average density assumed by the City. See program C1 which serves to mitigate this constraint.

**Planning Fees**

The Planning Division collects the fees listed in Table 3-15. Many of the fees include a base fee as well as an hourly charge for staff time. The Planning Division operates on an hourly basis. The fee is a deposit against expected time and cost to complete. The deposit amounts listed are averages with more complex projects requiring additional funds.

**Table 3-15: Planning Fees (\$)**

<i>Fee Category</i>	<i>Fee Amount</i>
<b>Planning and Application Fees</b>	
Administrative Deviation	\$350 + Hourly
Annexation	4,000 + Hourly
Appeals	300
Document Imaging	50
Development Plan Review	2,500 + Hourly
General Plan Amendment	3,000 + Hourly
Home Occupation	100
Landscape Review	175 + Hourly
Pre-Development Review	250
Rezone	2,000 + Hourly
Site Plan and Architectural Review	1,875 + Hourly
Use Permit	2,000 + Hourly
Variance	1,000 + Hourly
<b>Subdivision</b>	
Lot Line Adjustment	\$650 + Hourly
Tentative Parcel map	2,500 + Hourly
Tentative Subdivision Map	4,600 + Hourly
<b>Environmental</b>	
Preliminary Environmental Assessment	\$250 + Hourly
Environmental Impact Report	Hourly
Negative Declaration	900 + Hourly

Source: Lodi Planning Fee Schedule, 7/1/09.

A review of planning fees from neighboring cities reveals that Lodi’s fees are in-line, if not lower, than those charged in other San Joaquin County jurisdictions. While it is difficult to do a direct comparison of fees collected across jurisdictions because the types of fees jurisdictions levy vary somewhat, Table 3-16, below, compares several common fees. Rezoning, tentative parcel maps, and most negative declarations and use permits are less expensive in Lodi than in Tracy, Stockton, and Manteca while annexation, appeals, and general plan amendment fees are in-line with those charged in these surrounding jurisdictions. Given this information, the City’s Planning Fees are not seen as a constraint to residential development.

**Table 3-16: Comparison of Fees Across Jurisdictions (\$)**

Fee Category	Lodi	Tracy	Stockton	Manteca
Annexation	\$4,000	\$10,500	\$6,061-13,216	\$3,000
Appeals	300	276	NA	250
General Plan Amendment	3,000	NA	2,707	3,500
Negative Declaration	900 + Hourly	1,420	2,970	500-1,000
Rezone	2,000 + Hourly	2,550	6,126	2,400
Tentative Parcel Map	2,500 + Hourly	7,300	5,930	5,000 +50/lot
Use Permit	2,000 + Hourly	340-9,595	4,111	2,400

Source: City of Lodi Planning Fee Schedule, 7/11/09, City of Tracy Planning Division Application Processing Fees, 10/20/2003, City of Stockton Planning Fee Worksheet FY2009-2010, 8/9/2009, and City of Manteca Community Development Department, Planning Division, Fee Schedule, 10/23/2008.

## ENVIRONMENTAL, INFRASTRUCTURE, AND PUBLIC SERVICE CONSTRAINTS

Environmental factors, including a lack of necessary infrastructure or public services, can constrain residential development in a community by increasing costs and reducing the amount of land suitable for housing. As discussed below, the City’s water, sewer, and storm drain facilities are adequate to accommodate the existing and future development of Lodi. The following discussion addresses the constraint which environmental and infrastructure issues may pose on housing development for the City of Lodi.

As part of the General Plan Update in 2009, an infrastructure assessment was undertaken to determine infrastructure demand, supply, and projected improvements in both infill and new growth areas. Although the assessment was completed for a 2030 planning horizon and full General Plan development potential, the analysis has been adjusted to accommodate the 2014 horizon and Housing Element sites presented in Section 3.1. Note that these are conservative estimates, since the infrastructure analysis includes both residential and non-residential uses identified in Phase 1 of the General Plan.

Historically, the city has grown in increments, which has ensured the availability of public services for new development, while avoiding adverse impacts to levels of service to existing residents. New development is assessed a development impact mitigation fee, which in part, funds the incremental improvements to the water, sewer collection and disposal, and drainage systems. One of the City’s major goals, identified in the General Plan is to maintain an adequate level of service in the City’s infrastructure to meet the needs of existing and projected development.

**Storm Drainage and Flood Control**

Based on revised flood risk evaluations prepared by the Federal Emergency Management Agency (FEMA) for the City of Lodi and San Joaquin County, effective October 19, 2009, flood hazards are a constraint to development only in two areas of the city: the area immediately adjacent to the Mokelumne River along the city’s northern boundary, and the area around the White Slough Water Pollution Control Facility. No new development is planned within either of these areas, as shown in Figure 3-2. Most of the city lies in Zone X, which describes lands subject to the 0.2% annual (500-year) flood zone or that lie within the 100-year flood zone, but with flooding depths less than one foot. This suggests that these areas have a low susceptibility to major flooding, but would be inundated, with depths less than one foot, during a 500-year flood event.

Levees or berms along the Mokelumne River protect the city from flood events. As long as levees are not over-topped and maintain their structural integrity, flooding is considered to be very unlikely. Should a major storm event cause levees to be over topped or if a levee fails, flooding would occur. Flooding also can occur when runoff exceeds the capacity of local systems and cannot drain adequately. The City’s existing stormwater system functions well, with no substantial flooding problems.

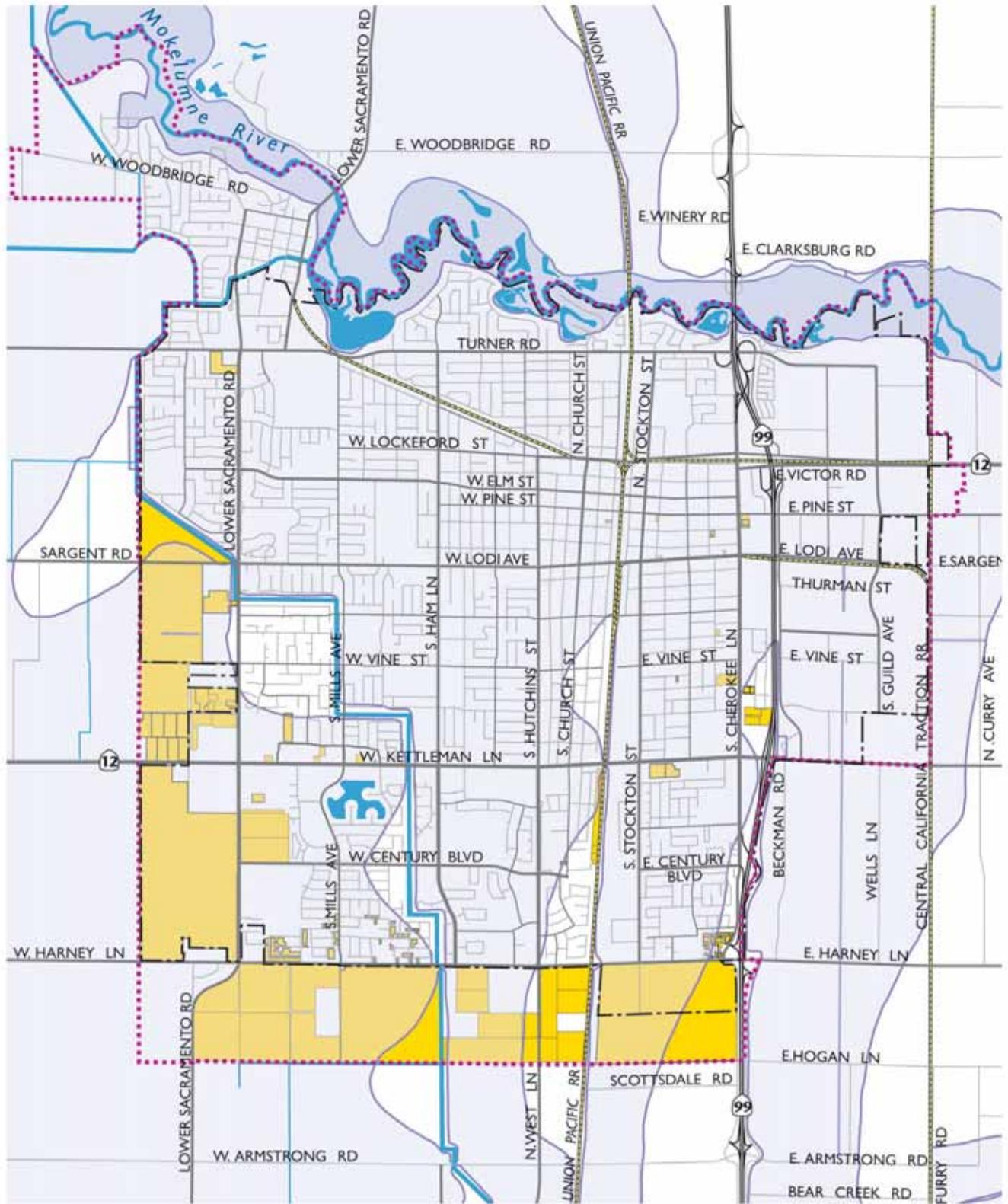
The General Plan Growth Management and Infrastructure Element identifies storm drain improvements and calls for the preparation of a storm water master plan. Table 3-17 describes the proposed improvements for the sites identified in this Housing Element. Facility planning and sizing will need to be refined and verified through preparation of the detailed stormwater master plan.

**Table 3-17: Required Stormwater Infrastructure**

<i>Location</i>	<i>Required Infrastructure</i>
East of Beckman Road (Pixley Park)	An upgraded (size and pumps) public station is required for this basin.
South of Harney Lane	Detention basins and trunk storm drains will be needed for all watersheds. A pump station with two pumps will also be required. There will need to be an outfall pipe line located in a 75 foot wide greenbelt buffer along the south boundary of the city that flows to a new 60 cfs pump station on the east side of the WID canal (WID pump station). These improvements are part of the South Lodi Storm Drain Master Plan and South Hutchins Study Area Storm Drainage Master Plan.
North of Kettleman Lane and west of Lower Sacramento Road	Storm drainage service for the area of growth North of Kettleman Lane and west of Lower Sacramento Road, within General Plan Phase I, has already been planned. No additional new facilities are necessary.

Source: West Yost Associates, 2008.

Based on the City’s incremental approach to annexation and the extension of the public facilities and services through the payment of development fees, Lodi does not anticipate that residential development will be impeded in infill areas or the areas to be annexed due to drainage or flood control issues.



- Housing Sites
- 500-Year Flood
- 100-Year Flood
- Sphere of Influence (2008)
- City Limits (2008)

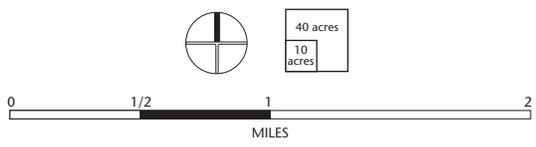


Figure 3-2  
**Flooding Potential**

**Water Service**

The City of Lodi operates the potable water distribution system that serves all areas within the city limits. The City’s water supply comes from groundwater via 27 municipal wells, with a safe yield for the area estimated to be about 15,000 acre-feet per year. Under terms of an agreement with the Woodbridge Irrigation District (WID), 6,000 acre-feet per year of surface water is also currently available. In addition, further groundwater and surface water supplies will be made available through the annexation process, since new land area increases the safe yield and WID supplies available to the City, respectively.

A complete water supply and demand analysis was undertaken as part of the General Plan Update and associated environmental review. Scaling this analysis method from the General Plan’s 2030 growth areas and planning horizon, to the 2014 Housing Element sites and horizon, also results in a finding of an adequate water supply to meet demand. Table 3-18 documents these estimates, finding that water supplies are adequate to meet demand in both normal and dry years.

**Table 3-18: Projected Water Demand and Supply for the 2014 Housing Element (acre-feet per year)**

	<i>Normal Year</i>	<i>Dry Year</i>
Supply Type		
Groundwater (Current Safe-Yield)	15,000	15,000
Groundwater (Future Safe-Yield) <sup>1</sup>	3,300	3,300
Surface Water (Current WID Contract)	6,000	3,000
Surface Water (Resulting from Annexation) <sup>2</sup>	3,200	3,200
<b>Total Supply</b>	<b>27,500</b>	<b>24,500</b>
<b>Total Demand</b>	<b>18,250</b>	<b>18,250</b>
Surplus	9,250	6,250

1. Assumes 2.3 acre-feet per acre in additional safe yield resulting from 1,058 annexation acres and 370 acres resulting from development projects.

2. The City has the option to purchase an additional three acre-feet per year for each acre of WID land that is annexed.

Source: West Yost Associates, *City of Lodi, Dyett & Bhatia, 2009.*

The General Plan Growth Management and Infrastructure Element also identifies the following water distribution improvements:

- A new transmission main is required from the new surface water treatment plant to Mills Avenue. This main would be connected to the existing water distribution system to supply surface water to the City’s water system.
- Specific water system requirements should be further evaluated through preparation of a potable water master plan at an appropriate time in the future.
- New wells will be required in the southern and eastern areas of the city. Additional water storage tanks may be needed.

Moreover, an updated Urban Water management Plan will be developed in 2010, consistent with State law and will be consistent with this Housing Element and the recently updated General Plan. As discussed above, the city’s desire to grow incrementally is addressed through the implementation of a growth management program and the levying of a development impact mitigation fee. Development that occurs within annexed areas will provide internal water transmission facilities and pay fees as appropriate for necessary off-site infrastructure. Therefore, water service will not be a constraint to the City’s ability to meet future housing needs.

**Sewer Service**

The City of Lodi owns and operates the municipal wastewater system, which collects all domestic and limited industrial wastewater flows within the city limits. The City also owns and operates a wastewater treatment plant, the White Slough Water Pollution Control Facility (WSWPCF), located six miles south of the city. With the recent expansion of the plant, WSWPCF has an Average Dry Weather Flow (ADWF) capacity of 8.5 mgd. The ADWF flow to the WSWPCF for 2008 was 6.4 mgd, indicating that the existing facility currently has an excess capacity of about 2.1 mgd (ADWF). This excess capacity will accommodate much of the development proposed in this Housing Element. However, the infrastructure assessment for the General Plan determined that capacity expansion of the WSWPCF would be required within the early stages of Phase 1. The City of Lodi Wastewater Master Plan (2001) preliminarily identified the facilities needed to achieve a capacity of 12 mgd. The General Plan Growth Management and Infrastructure Element calls for the preparation of an updated sanitary sewer master plan to address future needs for infill and new growth areas. Table 3-19 describes the improvements needed to adequately meet the needs of the Housing Element sites and other Phase 1 General Plan development (including non-residential uses).

**Table 3-19: Required Sewer Infrastructure Improvements**

<i>Location</i>	<i>Required Infrastructure</i>
South Wastewater Trunk Line Master Plan Sewer Shed	There is excess capacity available in this planned sewer. As of 2008, the only segment of this sewer that has been constructed is the segment through the Reynolds Ranch development, which has excess capacity.
Harney Lane Lift Station Sewer Shed	Sufficient pump station capacity already planned; part of the South Wastewater Trunk Line.
Redevelopment Sewer Sheds	Some of the sewers serving the downtown area are currently flowing at or above their design capacity. Additional sewer improvements needed to serve infill will be determined by preparation of a sewer master plan for these areas.
WSWPCF	Capacity expansion of the WSWPCF will be required within the early stages of Phase I. Alternatively, a scalping plant near the City could be constructed to provide recycled water for use in/near the city that would reduce the size or extent of the required new facilities at the WSWPCF. However, there would need to be a nearby use for the recycled water for a scalping facility to be feasible. Part of the City of Lodi Wastewater Master Plan.

Source: West Yost Associates, 2009.

Development within annexed areas will provide sewer collection facilities and pay fees as appropriate for necessary off-site infrastructure. Infill areas will also require sewer improvements, as identified above. Since the initial planning steps have been taken to assess

sewer infrastructure needs, expansion of sewer service to meet the City's future housing needs is not a constraint to development.

### **Agriculture and the Williamson Act**

Nearly all of the soils in the Lodi area are classified, by the U.S. Department of Conservation, as prime agricultural soils, some requiring frequent irrigation. Historically, various parcels within this area have been subject to Williamson Act compliance.<sup>15</sup> Potential residential annexation areas, defined by Phase 1 of the General Plan and described in Section 3.1, include 73 acres of land covered by active Williamson Act contracts. Of these acres, 68 acres are designated for Low Density Residential and five acre for Medium Density Residential. The City does not need this land in order to accommodate its share of the RHNA (specifically the below-market rate units) and does not intend to pursue annexation until those contracts have expired and the market is ready for urban development.

### **Protection of Habitat and Species**

The San Joaquin County Multi-Species Conservation and Open-Space Plan (SJMSCP) is a 50-year habitat conservation plan that seeks to protect agriculture, open space, habitat, and wildlife, in order to address the impacts of urban development and conversion of open space land. In 2001, the City of Lodi adopted the SJMSCP, thereby allowing project applicants to use this plan to mitigate open space conversions while satisfying CEQA requirements. Project applicants may: pay an in-lieu fee that mitigates cumulative impacts; dedicate habitat lands as conservation easement or fee title; purchase mitigation bank credits from a mitigation bank approved by SJMSCP; or propose an alternative plan, consistent with the SJMSCP goals and equivalent in biological value. It should be noted that there are no known protected species in areas encompassed by the housing sites listed in this document.

In preparing the SJMSCP, land uses and habitats were mapped throughout the County and categorized into land use categories to help determine compensation fees. Potential annexation areas described in Section 3.1 fall into three of the SJMSCP compensation zones and include the following per acre fees in 2009: No Pay Zone (\$0), Multi-Purpose Open Space Land (\$7,052), and Agricultural Habitat Open Space (\$14,104). As a voluntary plan, developers have the option to participate (or not) depending on site evaluation. Participation may increase or decrease the costs associated with mitigating the environmental impact, depending upon site specific conditions. Although electing to pay an in-lieu fee would increase development costs, this cost is the same as other cities in the county that participate in the SJMSCP.

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<sup>15</sup> The Williamson Act is a mechanism by which agricultural land is preserved for a specified period of time.

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# 4 Housing Strategy

The provision of housing is a critical concern for cities throughout California. The housing element is a city's major statement of local housing strategy, providing an integrated set of goals, policies and programs to improve the condition and availability of housing.

## 4.1 GOALS AND POLICIES

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- H-G1 Provide a range of housing types and densities for all economic segments of the community while emphasizing high quality development, homeownership opportunities, and the efficient use of land.**
- H-P1.1 Promote the development of a broad mix of housing types through the following mix of residential densities as described in Policy GM-P4 of the Growth Management Element.
- H-P1.2 Regulate the number of housing units approved each year to maintain a population-based annual residential growth rate of 2%, consistent with the recommendations of the Mayor's Task Force and the growth management ordinance.
- H-P1.3 Facilitate and encourage the development of affordable and senior housing units.
- H-P1.4 Maintain and regularly update its land use database to monitor vacant residential land supply.
- H-P1.5 Pursue available and appropriate State and federal funding programs and collaborate with nonprofit organizations to develop affordable housing.
- H-P1.6 Promote the expeditious processing and approval of residential projects that conform to General Plan policies and City regulatory requirements.
- H-P1.7 Reduce the cost impact of City policies, regulations, and permit procedures on the production of housing, while assuring the attainment of other City objectives.
- H-P1.8 Intersperse very-low- and low-income housing units within new residential developments and shall ensure that such housing is visually indistinguishable from market-rate units.
- H-P1.9 Promote the development of senior and other special needs housing near, and/or with convenient public transportation access to, neighborhood centers, governmental services, and commercial service centers.
- H-G2 Encourage the maintenance, improvement, and rehabilitation of existing housing stock and residential neighborhoods, particularly in the Eastside area.**
- H-P2.1 Encourage private reinvestment in older residential neighborhoods and private rehabilitation of housing.

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- H-P2.2 Use available and appropriate State and federal funding programs and collaborate with nonprofit organizations to rehabilitate housing and improve older neighborhoods.
- H-P2.3 Give housing rehabilitation efforts high priority in the use of Community Development Block Grant (CDBG) funds, especially in the Eastside area.
- H-P2.4 Support the revitalization of older neighborhoods by keeping streets and other municipal systems in good repair.
- H-P2.5 Allow reconstruction of existing housing in the Eastside area and in commercially or industrially designated areas in the event such housing is destroyed or damaged.
- H-P2.6 Implement historic preservation guidelines to preserve historically significant residential structures and insure that infill projects fit within the context of the neighborhood. (See the Community Design & Livability and Conservation elements for implementation of this policy.)
- H-P2.7 Enforce residential property maintenance standards.
- H-G3 Ensure the provision of adequate public facilities and services to support existing and future residential development.**
- H-P3.1 Support the use of CDBG funds for the upgrading of streets, sidewalks, and other public improvements.
- H-P3.2 Ensure that new residential development pays its fair share in financing public facilities and services and pursues financial assistance techniques to reduce the cost impact on the production of affordable housing.
- H-P3.3 Ensure that all necessary public facilities and services shall be available prior to occupancy of residential units.
- H-P3.4 Require that park and recreational acquisitions and improvements keep pace with residential development.
- H-G4 Promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, sex, or other discriminatory factors.**
- H-P4.1 Seek to address the special housing needs of persons with disabilities, lower incomes, large families, seniors, single-parent households, farmworkers, and persons in need of temporary shelter.
- H-P4.2 Make available to the public information on nonprofit, county, State, and federal agencies that provide education, mediation, and enforcement services related to equal housing opportunity.
- H-P4.3 Modify existing regulations that govern the conversion of apartments and mobile home parks to condominiums to protect the safety and investment of purchasers of the condominiums and minimize the impacts on rental tenants.

- H-P4.4 Work with surrounding jurisdictions to address the needs of the homeless on a regional basis.
- H-P4.5 Cooperate with community-based organizations that provide services or information regarding the availability of assistance to the homeless.
- H-P4.6 Promote fair housing programs and services to residents and property owners in Lodi.
- H-G5 Encourage residential energy efficiency and reduce residential energy use.**
- H-P5.1 Require the use of energy conservation features in the design and construction of all new residential structures and promote the use of energy conservation and weatherization features in existing homes.
- H-P5.2 Pursue residential land use and site planning policies, and promote planning and design techniques that encourage reductions in residential energy consumption.

## 4.2 IMPLEMENTATION PROGRAMS

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The following programs describe actions that the City intends to implement during the time frame of this Housing Element (2007 through 2014). For some of these programs, the description includes a target (quantified objective) for the number of units to be produced or households to be assisted during the Housing Element timeframe.

- H-G1 Provide a range of housing types and densities for all economic segments of the community while emphasizing high quality development, homeownership opportunities, and the efficient use of land.**

### **Program 1.1: Revise Zoning Ordinance**

The City shall revise Title 17 of the Lodi Municipal Code (Zoning Ordinance) to reduce barriers to, and provide incentives for, the construction and conservation of a variety of housing types. Revisions to Title 17 will include the following:

- The addition of a chapter that provides for density bonuses and other incentives for projects that include 5% very-low-income housing, 10% low-income housing, 10% median-income housing, and senior housing (even if none of the units are income restricted), in compliance with Sections 65915 – 65918 of the California Government Code. The maximum density bonus granted is 35%. The City shall work with the San Joaquin County Housing Authority in developing procedures and guidelines for establishing income eligibility for the "reserved" units and for maintaining the "reserved" units as affordable units for at least 30 years. The City shall seek Housing Authority administration of the reserved units. The City shall establish a program to publicize the availability of the density bonus program through the City's website, program information at the Community Development Department public counter, and pre-development meetings with housing providers (such as the housing unit allocation stage). The City shall encourage prospective housing developers to use the density bonus program at pre-development meetings. In conjunction with density bonuses, the City will offer one or more regulatory incentives, as needed and appropriate, such as:

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- Reduced parking for projects oriented to special needs groups and/or located close to public transportation and commercial services;
- Expedited permit processing; or
- Deferral of fees for an appropriate time period to allow for the project to begin generating income.
- Conformance with California Government Code sections 65852.3 and 65852.7, which require that manufactured homes in single-family zones on permanent foundations be permitted under the same standards as site-built homes (with limited exceptions).
- Addition of standards for emergency shelters to clearly identify appropriate zoning districts and locations for such facilities and to make these sites readily accessible. Until the adoption of such revisions to the Zoning Ordinance, the City will continue to allow by right the development of such facilities in areas zoned C-M or C-2 or their equivalent under the new Development Code.
- Addition of definitions for transitional and supportive housing as well as clarification that they are treated the same as other residential uses in residential zones.
- Addition of a definition of farmworker housing that does not conflict with State law definitions for employee housing (beginning with California Health and Safety Code Section 17000) and specification of the zoning districts and standards under which such housing will be permitted. The City will also designate residential and commercial zones in which farmworker housing will be permitted. Such zones will be selected, in part, based on the availability of vacant land or sites with re-use potential. In implementing this program, the City will treat permanent housing for farmworkers who live in Lodi year-round the same as other permanent housing (single-family, multi-family, manufactured homes, etc.) The City will permit seasonal or migrant farmworker housing in a similar fashion to group homes with respect to the zones and conditions for approval. Farmworker housing will be permitted by right in any zone in which agriculture is a primary permitted use.
- Clarification of residential care facility definition and standards. Create a definition for “residential care facility” that is broad and encompasses facilities that care for a range of clients. The City will specify that all such facilities with six or fewer residents are permitted in residential zoning districts. The City will also designate zoning districts in which facilities of seven or more persons will be permitted through a Use Permit and standards for such facilities. In addition, to comply with State law, the Zoning Ordinance will be clarified to explicitly prohibit the overconcentration of residential care facilities (facilities should be at least 300 feet apart).
- Amend the Zoning Ordinance to include a definition for “group residential” that includes all living situations with shared living quarters without separate kitchen or bathroom facilities for each room or unit, including boarding houses, dormitories, and SROs
- Revision of off-street parking requirements (Chapter 17.60) to reduce standards to: 1 covered space/1-bedroom and two covered spaces/2-bedroom as well as one uncovered space for guests for every three units.
- Revision of standards for second dwelling units to allow the conversion of accessory buildings to second units (as well as allowing detached second units, in general) subject to compliance with all other zoning and parking standards, an appropriate minimum lot size for detached second units (640 square feet), and architectural compatibility with the main dwelling unit. The City will permit second dwelling units through

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- an administrative permit process (i.e. ministerial and by right; not requiring a Use Permit) in compliance with State law (California Government Code section 65852.2).
- Specification of procedures for requesting reasonable accommodations for persons with disabilities that allow for administrative (ministerial) approval of accessible features. Create explanatory handouts for those wishing to request reasonable accommodations.
  - Completion of other significant revisions that will facilitate residential development and allow for greater design flexibility, such as:
    - Revised zoning districts consistent with the new land use designations in the Land Use Element);
    - New Low Density Residential designation that allows for the development of single-family detached, two-family and three-family homes up to the General Plan Land Use Density of 7 units per acre;
    - Provision for a variety of housing types in residential zones including care facilities, shelters and live/work projects;
    - New Group Residential definition that will cover all group living situations with shared living quarters and without separate kitchens or bathrooms for each room or unit (for example: dormitories, fraternities, single room occupancy (SRO) units).
    - Single-family detached lot sizes as small as 5,000 square feet;
    - Minimum and maximum setbacks to match the desired General Plan intent and desired character for specific districts, with reduced—or potentially even no—front setbacks in pedestrian-oriented mixed-use districts.
    - No Use Permit requirements to build multi-family dwelling within the Medium or High density designations

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe: Complete Zoning Ordinance amendments as part of the new unified development code within one year of adoption of this Housing Element.

Funding: General Fund

Objective: Reduce regulatory barriers to the provision of housing.

### **Program 1.2: Revise Growth Management Program**

The City will revise its growth management program to exempt housing units affordable to very-low- or low-income households with long-term affordability restrictions.

Responsibility: Community Development Department

Timeframe: Revise Growth Management Program within a year of adoption of this Housing Element.

Funding: Application fees

Objective: Expedite the residential development approval process for affordable housing.

**Program 1.3: Personal Security Standards**

The City will continue to implement design standards applicable to all new residential projects with the objective of improving the personal security of residents and discouraging criminal activity. Design standards will address issues such as the placement of landscaping, accessory buildings, and accessory structures in a manner that does not impede the City's ability to conduct neighborhood police patrols and observe potential criminal activity; lighting and other security measures for residents, and the use of materials that facilitate the removal of graffiti and/or increase resistance to vandalism.

Responsibility: Community Development Department

Timeframe: Current and ongoing (2007-2014)

Funding: Development fees

Objective: Reduce the susceptibility of residential properties and neighborhoods to criminal activity and increase residents' perception of personal safety.

**Program 1.4: Land Inventory**

The City shall maintain a current inventory of vacant, residentially zoned parcels and a list of approved residential projects, and shall make this information available to the public and developers, including information on underutilized sites within the downtown area with residential or mixed-use development potential. The City shall update the inventory and list at least annually. The inventory update of infill sites should focus on opportunity sites along Mixed Use Corridors, in the Downtown Mixed Use designation and residential areas Downtown, as identified in the Land Use Element. The City promotes the land inventory and the availability of each update through the City's website, a notice at the Community Development Permit Counter, and a press release subsequent to each update.

Responsibility: Community Development Department

Timeframe: Maintain a current land vacant residentially zoned land, Ongoing (2007-2014).

Funding: General Fund; contributions from property owners

Objective: Increase the potential for infill development, thereby reducing the need to prematurely annex land and convert agricultural land to urban use.

**Program 1.5: Pursue State and Federal Funds in Support of Housing Construction**

The City will continue to pursue available and appropriate state and federal funding sources to support efforts to construct housing meeting the needs of low- and moderate-income households, to assist persons with rent payments required for existing housing units, to provide supportive services, and to provide on- and off-site improvements and public facilities, in support of affordable housing projects. The City takes the following actions in pursuit of State and federal funding:

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- a. Meet annually with private nonprofit and for-profit affordable housing providers and public agencies that are interested in constructing affordable housing (and keep in contact with them throughout the year), providing special needs housing or shelter, and/or providing supportive services for low-income and special needs residents. The purpose of the annual meetings will be to discuss priorities for lending City support for funding requests for affordable housing projects and programs during the subsequent 12 to 24 months. The City will promote these annual meetings through direct notices to private and public entities that have provided housing or supportive services in Lodi, or that expressed an interest in doing so, in the past.
- b. Provide support to other entities (nonprofit organizations, for-profit affordable housing providers, and public agencies) that apply directly for state or federal funds. Examples of support to be provided by the City include: 1) expedited processing of planning permits that are needed before an applicant can submit a state or federal funding request or receive funds; 2) providing information to complete a funding request (such as demographic, housing, or economic statistics in support of an application); and 3) letters of support for projects or programs that the City has approved (including preliminary or conceptual approval).
- c. Apply directly for State and federal funding under programs in which the City must be the applicant. The City will directly apply for funding only when there is no feasible alternative. Given limitations on City staff expertise and availability, the preferred method of accessing State and federal funding will be actions a. and b.

In pursuing State and federal funding, and working with other private and public entities to provide affordable housing, the City seeks to increase the availability of housing and supportive services to the most vulnerable population groups and those with the greatest unmet needs, such as very-low-income and frail seniors, persons with disabilities who cannot live independently, farmworkers and their families, low-income large families, and single-parent households, particularly those with small children.

Responsibility: Community Development Department

Timeframe: For Action a., annual meetings, 2007-2014; for Action b., quarterly each year, depending on funding deadlines for specific State and federal programs, 2007-2014; for Action c. semi-annual review and assessment of funding opportunities based on (1) funding cycles and eligible activities for various State and federal programs, (2) projects and programs proposed to the City for State or federal funding, and (3) City staff capacity to prepare funding requests.

Funding: California Multi-family Housing Program, California Housing Finance Agency Affordable Housing Partnership Program, Low-Income Housing Tax Credits (State and federal), CalHome Program, Federal Home Loan Bank—Affordable Housing Program, Enterprise Community Partners, Federal Department of Housing and Urban Development Programs—Section 221(d) (low-income), Section 202 (elderly), and Section 811 (persons with disabilities).

Objective: 20 extremely-low-, 50 very-low-, and 50 low-income housing units

**Program 1.6: Encourage Efficient Use of Land for Residential Development**

The City encourages the efficient use of land for residential development while reducing the premature conversion of agricultural land to urban use. The City uses the following approaches:

- An agricultural conservation program that establishes a mitigation fee to protect and conserve agricultural lands. The fee will be assessed for acreage converted from agricultural to urban use, and used for conservation easements, fee title acquisition, research, education and capital improvement projects that benefit agriculture. (Program details and priority areas are described in the Conservation Element.) The City should consider exempting or reducing the fee for High Density and/or affording housing projects.
- A program that guides contiguous development through the identification of three expansion phases. The third phase includes Urban Reserve designations that define future growth areas if initial phases are built out. (See the Growth Management and Infrastructure Element for details.)
- The City has adopted the San Joaquin County Multi-Species Conservation and Open-Space Plan (SJMSCP), a habitat conservation plan that seeks to protect agriculture, open space, habitat, and wildlife, in order to address the impacts of urban development and conservation of open space land. This allows project applicants to mitigate open space conversions and satisfy CEQA requirements by paying an in-lieu fee, dedicating land, purchasing credits from a mitigation bank or proposing an alternative plan consistent with SJMSCP goals.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe: Require fee payment as mitigation, ongoing (2007-2014); enforce Urban Reserve designation and contiguity requirements when this Housing Element is adopted.

Funding: General Fund

Objective: Preserve agricultural land and reduce the amount of land needed to meet future urban growth needs.

**Program 1.7: Provide Rental Assistance**

The City shall continue to support the San Joaquin County Housing Authority in its administration of the Housing Choice Voucher rental assistance program (formerly called Section 8 Program). The City's support will include distribution of program information at the Community Development public counter, distribution of program information to rental property owners as part of the City's code enforcement activities, annual meetings with representatives of the Housing Authority to discuss actions the City can take to encourage greater participation in the Voucher Program by rental property owners, and creation and maintenance of a link to the Housing Authority's website on the City's web site.

Responsibility: Community Development Department

Timeframe: Distribution of Housing Choice Voucher Program information, current and ongoing, 2007-2014; create website link to Housing Authority website within

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six months of adoption of this Housing Element, maintain link thereafter, 2009-2014.

Funding: General Fund

Objective: Increase rental property owner awareness of, and participation in, rental assistance programs.

### **Program 1.8: Focus on Neighborhood Improvement Initiatives**

The City will continue to designate a staff position, Neighborhood Services Manager (NSM), within the Community Development Department to focus on the implementation of housing and neighborhood improvement programs. Among the duties of the NSM are to:

- Develop programs and plans to produce housing, especially affordable housing, by means of new construction, rehabilitation or acquisition;
- Implement neighborhood improvement programs on a city-wide basis and develop neighborhood improvement strategies;
- Ensure compliance with federal and State laws and regulations and consistency with local objectives and community requirements;
- Prepare a variety of reports on housing preservation and development, neighborhood improvement and code enforcement, and other related City activities; and
- Manage programs for housing rehabilitation, first-time buyer and code enforcement. Through 2009, the City operated both housing rehabilitation and first-time home-buyer programs through the Urban County CDBG/HOME Program. Since 2000, a total of 71 low-income households have been assisted. Beginning in 2010, Lodi turned to the State of California HOME Program to fund the first-time homebuyer program and has been awarded \$800,000 to do so.

The Lodi Police Department is responsible for enforcing City codes and ordinances pertaining to neighborhood maintenance; the NSM is tasked with coordinating activities with the code enforcement supervisor and staff within the Police Department .

Responsibility: Community Development Department; Police Department

Timeframe: Current and ongoing, 2007-2014

Funding: CDBG, CalHOME Program

Objective: Improve the City's ability to focus on the implementation of housing and neighborhood improvement programs.

### **Program 1.9: Annex Land to Accommodate Future Housing Needs**

The City will pursue annexation of land outside the existing Sphere of Influence to conform to the development needs for Phase 1, 2, and 3. Subsequent phases should be annexed only as current phases meet development capacity thresholds, as described in the Growth Management and Infrastructure Element. South of Harney Lane, an area which would require annexation, 338 acres have been identified for Low-Density Residential; nearly 100 acres for Medium- and High-Density Residential, and 28 acres for the residential component

of Mixed Use Center. Given the backlog of unused housing allocations, recently approved development projects, and available sites within the current City limits, the City only needs to annex Phase 1 land area in order to meet housing needs. The City will initiate the process with property owners during the first year following Housing Element adoption.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe: Pursue discussions with property owners about annexation, as appropriate according to housing needs, but no later than the end of the planning period in 2014.

Funding: Annexation and permit fees

Objective: Increase the City's residential development capacity to accommodate its share of the region's future housing construction needs.

**Program 1.10: Provide Homebuyer Assistance**

The City will continue to implement a first-time homebuyer down payment assistance program. The City will continue to participate with the Housing Authority in a countywide consortium for the issuance of mortgage revenue bonds or mortgage credit certificates to assist first-time homebuyers. The City will promote the program by providing information at the Community Development Department's public counter and by providing a link to the program on the City's web site. The City's Neighborhood Services Manager will contact real estate agents active in Lodi to identify opportunities for program participation.

Responsibility: Community Development Department

Timeframe: Current and ongoing, 2007-2014; provide website link and information at the public counter within one year of adoption of this Housing Element; Neighborhood Services Manager to meet with local realtors within one year of adoption of this Housing Element.

Funding: CDBG, HOME, CalHOME, CalHFA's California Homebuyer's Down Payment Assistance Program, Mortgage Credit Certificate or Mortgage Revenue Bonds (through San Joaquin County or a local government consortium)

Objective: 24 homebuyers: 4 very-low-, 10 low-, and 10 moderate-income housing units

**Program 1.11: Promote the City's Multi-family Housing Development Standards**

The City will promote its multi-family development standards through the Community Development Department's link to the City's website, information brochures available at the Community Development Department, pre-application meetings, and a notice to the local homebuilder's, realtor's, and contractor's associations.

Responsibility: Community Development Department

Timeframe: Current and ongoing (2007-2014); information is currently available on the City's website and at the public permit counter. The City also encourages pre-application meetings. These practices will continue indefinitely. A notice of

the City's multi-family development standards will be distributed to industry organizations within six months of the adoption of this Housing Element.

Funding: General Fund, Permit Fees

Objective: Increase awareness of the City's multi-family development standards.

**H-G2 Encourage the maintenance, improvement, and rehabilitation of existing housing stock and residential neighborhoods, particularly in the Eastside area.**

**Program 2.1: Evaluate Applications for the Demolition of Residential Structures**

The City shall implement policies and procedures for evaluating applications for demolition of residential structures. This evaluation shall consider the implications of the demolition with respect to the retention of affordable housing. If demolitions are deemed to result in a reduction of the amount of affordable housing in Lodi, the City shall require the proponent of the demolition to cooperate with the City in providing relocation assistance to displaced residents and in determining the means for replacing demolished units. The City will provide information regarding its policies and procedures on the City's website and at the Community Development Department's public counter.

The City will determine the most appropriate method of implementing this program through a review of past demolition permits and conditions.

Responsibility: Community Development Department

Timeframe: Complete review within six month of adoption of this Housing Element; implement new review procedures within one year of adoption of this Housing Element, ongoing thereafter, based on proposals.

Funding: Permit fees, property owner contribution

Objective: Maintain or replace existing affordable housing

**Program 2.2: Assist the Eastside Area with Housing Rehabilitation and Code Enforcement**

The City will continue to combine code enforcement and housing rehabilitation assistance, targeted to the Eastside area. Code enforcement falls under the purview of the Lodi Police Department, while the Neighborhood Services Manager (NSM) is responsible for coordinating rehabilitation efforts. The NSM will promote its program through the Lodi Improvement Committee, a neighborhood organization that provides direct outreach to area residents and property owners, by providing information at the Community Development Department's public counter, and through a link to the program on the City's website. The NSM will work with the Committee to continue marketing the program to Eastside area residents and property owners.

Responsibility: Community Development Department

Timeframe: Current and ongoing, 2007-2014

Funding: CDBG, HOME, CalHOME, Neighborhood Stabilization Program funding

Objective: Improvement of 750 units (including private investment to correct code violations) over the planning period of this Housing Element: 250 extremely low-/very-low-, 250 low-, and 250 moderate-income.

**Program 2.3: Implement Property Maintenance and Management Standards**

The City will continue to implement standards for private property maintenance (Chapter 15.30 of the Municipal Code) to 1) control or eliminate conditions that are detrimental to health, safety, and welfare; 2) preserve the quality of life and alleviate certain socioeconomic problems created by physical deterioration of property; and 3) protect property values and further certain aesthetic considerations for the general welfare of all residents of the City of Lodi.

Responsibility: Police Department (code enforcement); Community Development Department, Neighborhood Services Division (implementation)

Timeframe: Code enforcement on both complaint and pro-active basis; Current and ongoing, 2007-2014

Funding: Inspection fees, code violation penalties, CDBG funds (for dwelling units occupied by low-income households)

Objective: Eliminate substandard building and property conditions

**Program 2.4: Conduct a Housing Condition Survey**

The City will conduct a housing survey to document its efforts at improving housing conditions and to identify future areas and housing types for targeting its code enforcement, housing rehabilitation assistance, and neighborhood improvement efforts.

Responsibility: Community Development Department

Timeframe: Complete survey and report to City Council within one and a half years of adoption of this Housing Element.

Funding: CDBG, General Fund

Objective: Document housing conditions and establish priorities for future code enforcement, housing rehabilitation assistance, and neighborhood improvement efforts.

**Program 2.5: Preserve Affordable Rental Housing**

There are currently no affordable units at-risk of converting to market rate in Lodi. However, if in the future units become at-risk, the City would coordinate a meeting or series of meetings between the Housing Authority, local nonprofits, and the owner (or owner's representative) to discuss the owner's intentions to remain or opt out of the federal Housing Choice Voucher (Section 8) Program and future plans for the property. If the owner intends to convert the apartments to market rate housing or sell the property, Lodi will seek to facilitate the acquisition of the property by a nonprofit or other entity to preserve the rental units as affordable housing. The City would not take part directly in negotiations regarding the property, but would apply for State or federal funding on behalf of an interested nonprofit

entity, if necessary, to protect the affordability of the rental units. Lodi would request that the property owner provide evidence that it has complied with State and federal regulations regarding notice to tenants and other procedural matters related to conversion and contact HUD, if necessary, to verify compliance with notice requirements.

Responsibility: Community Development Department

Timeframe: Implement this program as necessary.

Funding: Minimal administrative cost to coordinate meetings; CDBG, HOME, CalHFA, Multi-family Housing Program, and Section 207 Mortgage Insurance for Purchase/Refinance (HUD) as potential funding sources for preservation

Objective: To preserve affordable rental housing units.

**Program 2.6: Target the Eastside Area for Use of CDBG Funds for Public Improvements**

The City will continue to target a portion of its annual CDBG allocation for public improvements in the Eastside area in support of its housing rehabilitation and neighborhood improvement activities. The General Plan Land Use Diagram identifies the Eastside Area for Medium and High Density Residential, acknowledging opportunities for redevelopment and reinvestment through density increases. Public investment is intended to stimulate private investment in order to preserve the character of the neighborhood and introduce new housing, while also improving streetscapes and connections to downtown.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe Annual CDBG allocation, maintain zoning, 2007-2014

Funding: CDBG, permit fees, impact fees

Objective: Preserve and improve the Eastside area

**H-G3 Ensure the provision of adequate public facilities and services to support existing and future residential development.**

**Program 3.1: Collect Development Impact Fees and Enforce Improvement Requirements**

The City will continue to collect a unified development impact fee to pay for off-site public facilities and services needed for residential development and require that residential developers continue to provide on-site infrastructure to serve their projects. The City shall continue to charge fees that reflect the actual cost of service provided to housing units anticipated by this Element. Prior to the issuance of building permits, the City will require evidence that the developer has paid the required school impacts fees.

The City will review and adjust its fee formula, particularly for multi-family dwelling units in the Medium and High Density Residential and Mixed Use General Plan land use designations. Per unit and per acre fees should be reasonable, in order to encourage the development of higher density affordable housing units while corresponding with the estimated public facility and service impact for the specific project being proposed. The

review and adjustment is anticipated to result in a reduction of fees for some multi-family projects. Utilities, streets, parks, and emergency services improvements should be developed consistently with infrastructure improvements and planning efforts identified in the appropriate in the Growth Management and Infrastructure; Transportation; and, Parks, Recreation, and Open Space elements.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe Submit proposed fee schedule adjustment to Planning Commission within six months of adoption of this Housing Element.

Funding: General Fund

Objective: Reduce impact fees for multi-family projects based on actual project densities

**Program 3.2: Assure Adequate Public Services for Residential Development**

The City will continue to use its growth management program to ensure that the pace of development is consistent with the City's, and other public facility and service providers' abilities to provide public facilities and services and maintain minimum facility and service standards for the entire community. The City will contact other public facility and service providers annually during the housing unit allocation process to insure that these agencies can serve the increased number of housing units to be allocated.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe Annually during housing allocation process, 2007-2014

Funding: Application fees, development impact fees

Objective: Provide public facilities and services meeting minimum City standards

**Program 3.3: Use of CDBG Funds**

The City will continue to use CDBG funds to upgrade public facilities and services in older neighborhoods. (See Program A8 for implementation.)

**Program 3.4: Provide Park and Recreation Facilities (See General Plan Policy P-P20)**

**Program 3.5: Support Transit Facilities and Transit-Oriented Development**

To coordinate the availability of public transit as Lodi develops and to support transit-oriented development (TOD) on infill sites and properties with re-use potential, the City shall:

- Insure the continued construction of transit facilities, facilitate adequate transit service and lower the cost of living within the community, with funding to be paid from traffic impact fees, State, and federal funding sources, and "Measure K" sales tax funds.
- Determine whether areas with infill/reuse potential (see Program A4) qualify as infill opportunity zones. The City shall designate qualified areas that are appropriately lo-

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cated for higher density residential and mixed-use developments in such zones, near transit facilities.

- If adopted under action “b,” promote development opportunities in infill zones through a link on the City’s website, an information bulletin to be distributed to property owners within these zones, and developers and business organizations in Lodi, and one or more meetings with business and community organizations to explain the benefits and implications of infill zone designation for development opportunities.
- Use the City’s adopted Transit-Oriented Development Design Guidelines to develop TOD in Lodi’s Downtown, establishing a framework for infill development and public improvements, such as streets and open spaces.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe: For Action a., annually, prior to the adoption of a City budget, 2007-2014; for Action b., within one year of adoption of this Housing Element, designate infill opportunities within a year and a half and identify and adopt zoning amendments that are needed and appropriate to develop within infill opportunity zones within two years of adoption of this Housing Element; for Action c., within two years of adoption of this Housing Element, conduct one or more community meetings within two and a half years of adoption of this Housing Element; for Action d., ongoing.

Funding: Development impact fees, State and federal transportation funds

Objective: Increase housing opportunities near transit facilities and encourage forms of travel other than private vehicles

**H-G4 Promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, sex, or other discriminatory factors.**

### **Program 4.1: Promote Fair Housing Services**

The City shall promote equal housing opportunity for all persons in compliance with State and federal laws by continuing to provide funding for the operation of the City's Affirmative Fair Housing Program. Under the program, the City provides information to the public on State and federal fair laws, provides referrals to county, State, and federal agencies for investigation of fair housing complaints, and provides financial support to Stockton/San Joaquin Community Housing Resource Board (CHRB), which provides landlord-tenant mediation services. From 2005-2010, the City provided approximately \$20,000 to the CHRB for fair housing purposes.

The City will collaborate with CHRB to promote fair housing information and resources at an annual community event. Lodi will promote fair housing activities and resources by providing links through its website to nonprofit, county, state, and federal agencies; providing fair housing information at the Community Development Department public counter; designating a point of contact within the Department to handle fair housing inquiries; and distributing fair housing information at public locations in the City (such as the Lodi Public Library and the LOEL Senior Center).

Responsibility: Community Development Department

Timeframe Current and ongoing, 2007-2014; annual community event for display of air housing information within one year of adoption of this Housing Element; fair housing links will be provided on the City's website within six months of adoption of this Housing Element.

Funding: CDBG

Objective: Provide information on fair housing law to the public and support landlord-tenant mediation services

**Program 4.2: Regulate Condominium Conversion**

The City currently regulates the conversion of rental housing to condominium or stock cooperative ownership to reduce the displacement of extremely low-, very low-, low-, and moderate-income households (See Title 15 of the Lodi Municipal Code). However, the regulations need to be expanded and strengthened. The City should amend Title 15 to ensure that:

1. Residential condominium conversion projects are consistent with the Housing Element of the General Plan and State law;
2. Converted dwellings meet certain safety, quality and appearance standards;
3. Purchasers of converted dwelling units are fully informed as to the physical condition of the structure and facilities;
4. Tenants are provided with notice of the conversion, relocation benefits and the opportunity to purchase the residential units being converted; and
5. The City maintains a supply of affordable housing.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe: Amendment of Title 15 will occur within two years of the adoption of this Housing Element.

Funding: Application fees

Objective: Minimize the impact of displacement of very low-, low- and moderate-income households and assure safety of converted units.

**Program 4.3: Pursue Regional Solutions to Homeless Needs**

The City shall continue to support regional solutions to homelessness through its collaboration with the Salvation Army. Over the past five years, Lodi has contributed \$418,798 to the Salvation Army for the expansion or improvement of its facilities. The City is also open to the possibility of providing funds to other nonprofit organizations.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe Current and ongoing, 2007-2014; annual review of applications by nonprofit organizations for use of City's share of CDBG funds

Funding: CDBG

Objective: Provide regional solutions to homelessness through assistance to nonprofit organizations who work on solutions to homelessness in the region.

**Program 4.4: Educate the Public About Affordable Housing**

Affordable housing is seen negatively by many in the community; the perception is that affordable housing drives down property values, increases the demand for services, and facilitates criminal activity. The reality is that affordable housing helps police officers, fire fighters, teachers, and other low- and moderate-wage workers live in the Lodi. The City will:

- Put together a newsletter on housing in Lodi that discusses typical wages for various jobs that are held in the city and the housing costs that each earner can afford; and
- Conduct a workshop on the issue of affordable housing, publicizing the event to neighborhood groups, community organizations, religious institutions, and others. Discuss affordable housing myths and the value that affordable housing can bring to a community, as well as important issues to consider.

Responsibility: Community Development Department

Timeframe: Newsletter and workshop will occur within two years of adoption of this Housing Element.

Funding: General Fund

Objective: Provide information to the community about the benefits of affordable housing.

**Program 4.5: Incentivize Affordable Housing Development**

To incentivize the development of affordable housing opportunities, the City will study the possibility of providing certain benefits to developers who build affordable units such as expedited of the development review process and reduction in development impact fees. In addition, Program A2 calls for the exemption of affordable units from the growth management allocation process.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe Investigate possible incentives for facilitating the development of affordable housing and present findings to City Council within one year of the adoption of this Housing Element.

Funding: General Fund

Objective: Facilitate the development of affordable housing opportunities in the city.

**Program 4.6: Facilitate the Development of Project-Based Section 8 Units.**

The City will work with nonprofit developers to try and secure project-based Section 8 funding in order to develop and maintain affordable family and senior units in the city.

Responsibility: Community Development Department, Planning Commission, City Council

Timeframe Hold a meeting and work with local nonprofits to secure project-based Section 8 funding within a year and a half of adoption of this Housing Element.

Funding: General Fund

Objective: Facilitate the development of affordable and senior housing opportunities in the city.

**H-G5 Encourage residential energy efficiency and reduce residential energy use.**

**Program 5.1: Promote Energy Efficiency and Weatherization Improvements for Older Homes**

The City shall continue to promote energy conservation and weatherization improvements as eligible activities under the Lodi Housing Rehabilitation Program (Program B2). The City will post and distribute information on currently available weatherization and energy conservation programs operated by the City, nonprofit organizations, and utility companies through the Lodi website, the Community Development Department public counter, the Lodi Public Library, the LOEL Senior Center, and other public locations. The Conservation Element also promotes energy conservation and weatherization improvements to existing structures and public buildings.

Responsibility: Community Development Department

Timeframe Current and ongoing, 2007-2014

Funding: CDBG, HOME, public and private utilities, nonprofit organizations (such as the San Joaquin County Department of Aging, Lodi Electric Utility Department, and Pacific Gas and Electric)

Objective: Increase energy efficiency in older homes

**Program 5.2: Energy Conservation for New Homes**

The City shall enforce State requirements for energy conservation, including Title 24 of the California Code of Regulations (State building code standards), in new residential projects and encourage residential developers to employ additional energy conservation measures in the design of new residential developments. In addition, the Community Design & Livability Element addresses green building and construction techniques.

Responsibility: Community Development Department

Timeframe Current and ongoing, 2007-2014 as part of review of planning and building permit applications

Funding: Permit fees

Objective: Increase energy efficiency in the design and construction of new homes

**Program 5.3: Encourage Use of Solar Devices Through Voluntary Incentives Program (see Program C-P40 in the Conservation Element)**

**4.3 QUANTIFIED OBJECTIVES**

The City of Lodi has established quantified objectives for several program categories to provide measurable standards for monitoring and evaluating program achievements. Quantified objectives have been established for accommodating the City’s share of San Joaquin County’s regional housing needs, new housing construction, housing rehabilitation, and the preservation of existing affordable housing. The quantified objectives represent the target goal based on the needs, resources (including, land and financing), constraints, policies, and programs identified in this element. The quantified objectives for the City’s share of regional housing needs and housing construction differ because the housing construction objective is based on the City’s estimate of the number homes that can actually be constructed and at each household income level.

**Table 4-1: Quantified Objectives**

Objective Type	Housing Units, by Income					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
Accommodate Regional Share <sup>1</sup>		971	650	716	1,555	3,891
New Construction <sup>2</sup>	39	1,187	775	1,183	5,628	8,813
Homebuyer Assistance	2	2	10	10	0	24
Housing Rehabilitation <sup>3</sup>	50	200	250	250	0	750
Conservation of Rental Housing <sup>4</sup>	0	0	0	0	0	0

1. Quantified objectives are for the 2007 – 2014 San Joaquin County Regional Housing Needs Allocation
2. Quantified objectives are based on anticipated market rate housing production (for moderate- and above moderate-income) and availability of financial resources to assist in the construction of very low- and low-income housing. The proposed Eden Housing senior development, expected to be financed by CDBG and HOME funds, is included in the extremely low- and very low-income household categories.
3. Based on historic rate of code enforcement and housing rehabilitation and anticipated availability of state and federal funding between 2009 and 2014. Based on funding potential from CDBG, HOME, CalHOME, and the Neighborhood Stabilization Program.
4. Currently, no at-risk housing units have been identified that meet conservation requirements.

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# A. Accomplishments

## A.1. OVERVIEW

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The success of the updated Housing Element is dependent to a great extent on a useful examination of the policies and implementation programs included in the previously adopted Housing Element. The evaluation identifies programs that have been successful in achieving housing objectives and addressing local needs, as well as programs that require modifications to address objectives in the updated Housing Element. State law (California Government Code section 65588 (a)) requires each jurisdiction review its housing element as frequently as appropriate to evaluate:

- The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the State housing goal;
- The effectiveness of the housing element in attainment of the community's housing goals and objectives; and,
- The progress of the jurisdiction in implementing the housing element.

According to the California Department of Housing and Community Development (HCD), "Housing Element Questions and Answers: a Guide to the Preparation of Housing Elements," "the review is a three-step process:

- Review the results of the previous element's goals, objectives, policies, and programs. The results should be quantified where possible (e.g., the number of units rehabilitated), but may be qualitative where necessary (e.g., mitigation of governmental constraints).
- Compare what was projected or planned in the previous element to what was actually achieved. Analyze the significant differences between them. Determine where the previous housing element met, exceeded, or fell short of what was anticipated.
- Based on the above analysis, describe how the goals, objectives, policies and programs in the updated element are being changed or adjusted to incorporate what has been learned from the results of the previous element.

## A.2. CONSTRUCTION ACHIEVEMENTS

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Table A-1 summarizes accomplishments during the 2001-2009 period. At that time, the City's total Regional Housing Needs Allocation (RHNA) projected by the San Joaquin Council of Governments was 4,014 units. Actual construction, according to the Department of Finance, was 1,757 units, including 1,691 single-family detached homes, 33 duplex units, 26 units in two-to-four unit complexes, and one multi-family residential complex. Although the RHNA targets were not achieved in actual construction, the City made available a sufficient number of appropriate housing sites, in each income category to meet RHNA requirements. Moreover, several large development projects, including a variety of density levels and unit types, were approved during the planning period. However, due to the local, regional and statewide housing and lending market constriction, these projects have not necessarily moved into the construction phase.

**Table A-1: Housing Units Produced and Needs Met, by Income (2001-2009)**

	Units, by Income Category				Total
	Extremely- /Very Low	Low	Moderate	Above Moderate	
Regional Housing Needs Allocation	990	664	738	1,622	4,014
Less Units Constructed				1,757	
Less Previously Identified and Available	1,457	1,680	818	1,857	6,183
Less Redesignated Pursuant to Housing Element	0	0	0	0	0
Less Other Sites Rezoned	0	0	0	0	0
<b>Surplus</b>	<b>467</b>	<b>1,016</b>	<b>80</b>	<b>1,992</b>	<b>2,169</b>

Source: Lodi Housing Element 2003-2009; Department of Finance (2001, 2009); Dyett & Bhatia, 2009.

### A.3. PROGRAM EVALUATION

This section summarizes achievements for each program in the 2004 Housing Element. Programs are organized within relevant Housing Element goals. Implementation progress to date; funding sources and amounts; a determination of whether the program was successful, unsuccessful, or neutral; and a recommendation of whether the program should be kept, eliminated, or modified is provided for each program. The results of the evaluation helped to inform revisions of policies and programs.

**Goal A:** To provide a range of housing types and densities for all economic segments of the community while emphasizing high quality development, homeownership opportunities, and the efficient use of land.

#### Program 1: Zoning Ordinance Revisions

The City shall revise Title 17 of the Lodi Municipal Code (Zoning Ordinance) to reduce barriers to, and provide incentives for, the construction and conservation of a variety of housing types. The full program is located on p. IV-8 of the 2003-2009 Housing Element; a summary is below:

The addition of a chapter that provides for density bonuses and other incentives from projects that include at least 10% affordable housing.

- Conformance with State law to allow manufactured homes in single-family zones.
- Identification of appropriate zoning locations for emergency shelters and transitional housing.
- Conformance with State law in the definition of farmworker housing
- Clarification of standards for residential care facilities (e.g. group homes)
- Provision for reduction of off-street parking requirements.
- Provision to allow second dwelling units in accessory buildings.
- Elimination of single-family homes as permitted uses in higher density zones.
- Reduction in non-residential uses in multi-family zones.

*Appendix A: Accomplishments*

<ul style="list-style-type: none"> <li>• Conformance with State law for density bonuses for affordable housing.</li> <li>• Procedures for reasonable accommodation.</li> <li>• Average density requirements for medium and high-density residential zones.</li> <li>• Miscellaneous changes to facilitate housing and allow for greater flexibility.</li> </ul> <p><i>Responsibility: Community Development Department, Planning Commission, City Council Planning</i></p> <p><i>Timeframe: Complete Zoning Ordinance amendments as part of a new unified development code by March 2005.</i></p> <p><i>Funding: General Fund</i></p> <p><i>Objective: Reduce regulatory barriers to the provision of housing</i></p>		
<i>Describe implementation progress:</i>	The comprehensive Code update was out on hold initially due to budget constraints, most recently due to the update of the General Plan. All programs outlined are continued in the Administrative Draft which is expected to be initiated once the General Plan is adopted.	
<i>Funding sources &amp; amount (2003-2009):</i>	General Fund	
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

<p><b>Program 2: Revise Growth Management Program</b></p> <p>The City will revise its growth management program to exempt housing units affordable to very-low- or low-income households with long-term affordability restrictions.</p> <p><i>Responsibility: Community Development Department</i></p> <p><i>Timeframe: Revise Growth Management Program by June 2005.</i></p> <p><i>Funding: Application fees</i></p> <p><i>Objective: Expedite the residential development approval process for affordable housing.</i></p>	
<i>Describe implementation progress:</i>	This program is part of the Administrative Draft of the Development Code update. The General Plan Update will require other modifications.

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<i>Funding sources &amp; amount (2003-2009):</i>	General Fund	
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 3: Personal Security Standards**

The City will continue to implement design standards applicable to all new residential projects with the objective of improving the personal security of residents and discouraging criminal activity. Design standards will address issues such as the placement of landscaping, accessory buildings, and accessory structures in a manner that does not impede the City's ability to conduct neighborhood police patrols and observe potential criminal activity; lighting and other security measures for residents, and the use of materials that facilitate the removal of graffiti and/or increase resistance to vandalism.

*Responsibility: Community Development Department*

*Timeframe: Current and ongoing, 2003 – 2009*

*Funding: Permit fees*

*Objective: Reduce the susceptibility of residential properties and neighborhoods to criminal activity and increase residents' perception of personal safety*

<i>Describe implementation progress:</i>	This is an on-going implementation.	
<i>Funding sources &amp; amount (2003-2009):</i>	This program is implemented through the City's design review process. Therefore, development fees are the funding source.	
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

*Appendix A: Accomplishments*

**Program 4: Land Inventory**

The City shall prepare and maintain a current inventory of vacant, residentially zoned parcels and a list of approved residential projects, and shall make this information available to the public and developers, including information on underutilized sites within the downtown area with residential or mixed-use development potential. The City shall update the inventory and list at least annually. The City will promote the land inventory and the availability of each update through the City's web site, a notice at the Community Development Permit Counter, and a press release subsequent to each update.

To encourage the maximum efficient use of land within the current City limits, Lodi will also conduct a study of residential development potential on underutilized industrial and commercial sites along Cherokee Lane, South Sacramento Street, South Stockton Street, and West Kettleman Lane. Properties along these corridors may be suitable for future residential development if sufficient land can be consolidated to make such development feasible. These areas are characterized by obsolete patterns of land development, older structures in substandard condition, odd-sized lots, and marginally viable commercial and industrial uses that would make properties ripe for redevelopment in the next five to ten years. If Lodi determines that residential development is feasible along these streets, the City will initiate a planning process with property owners (which may be a special area plan or a specific plan meeting state law requirements) to define specific properties suitable for residential or mixed-use development, appropriate development standards, and improvements needed to support residential development.

*Responsibility: Community Development Department, Planning Commission, City Council*

*Timeframe: Complete study of residential development potential by December 2005; prepare and adopt area plan(s) by December 2007.*

*Funding: General Fund, contributions from property owners*

*Objective: Increase the potential for infill development, thereby reducing the need to prematurely annex land and convert agricultural land to urban use*

<i>Describe implementation progress:</i>	The land inventory has been prepared and updated. The development potential was completed and led to the current draft General Plan land use concept of a mixed-use designation.	
<i>Funding sources &amp; amount (2003-2009):</i>	General Fund	
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	Modify language to make inventory an on-going program and reflect intent and direction, re: Mixed-Use designation.
<i>Do you recommend continuing the program?</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 5: Pursuit of State and Federal Funds in Support of Housing Construction**

The City shall pursue available and appropriate state and federal funding sources to support efforts to construct housing meetings the needs of low-and moderate-income households, to assist persons with rent payments required for existing housing units, to provide supportive services, and to provide on- and off-site improvements and public facilities, in support of affordable housing projects. The City will take the following actions in pursuit of state and federal funding: [see 2003-2009 Housing Element for complete program]

*Responsibility: Community Development Department*

*Timeframe:*

- For action 7(a), annual meetings, 2003 – 2009;
- for action 7(b), quarterly each year, depending on funding deadlines for specific state and federal programs, 2003 – 2009;
- for action 7(c) semi-annual review and assessment of funding opportunities based on: 1) funding cycles and eligible activities for various state and federal programs, 2) projects and programs proposed to the City for state or federal funding, and 3) City staff capacity to prepare funding requests

*Funding:*

- California Multifamily Housing Program
- California Housing Finance Agency (HELP Program)
- Low-Income Housing Tax Credits (state & federal)
- CalHome Program
- Federal Home Loan Bank – Affordable Housing Program
- Enterprise Foundation
- Special Housing Needs and Supportive Services, Federal HUD Programs – Section 221(d), Section 202 (elderly), Section 811 (persons with disabilities)
- Child Care Facilities Finance Program (administered through the State of California)

*Objective: 150 very Low-income housing units, 100 low-income housing units*

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?

*Appendix A: Accomplishments*

<p><i>Do you recommend continuing the program?</i></p>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	<p>How would you change the program to make it more successful?</p>
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**Program 6: Encourage Efficient Use of Land for Residential Development**

The City will investigate incentive and regulatory tools to encourage efficient use of land designated or held in reserve for urban development within the existing Lodi Sphere of Influence to reduce the premature conversion of agricultural land to urban use. If determined to be feasible, the City will adopt one or more incentives or regulations. Examples of approaches the City will study and consider are:

- A requirement to mitigate the loss of Prime Farmland through the payment of a fee. Fees collected by the City will be used to foster agricultural production in the Lodi area. This program may fund marketing, research, land acquisition and other programs necessary to promote agricultural production. An option that the City may consider to promote the production of affordable housing is to have this program tied to a sliding scale based on dwelling units per acre. If a development is at the Land Use Element mandated 65% Low Density/10% Medium Density/25% High Density, equivalent to 9.85 dwelling units per acre, then no fee would be collected, a higher density would be provided with a credit while a lower density would be subject to the fee.
- The use of transferred development rights (TDRs) that can be applied to designated areas within the Sphere of Influence. The TDRs might be combined with a density bonus program for agricultural preservation to increase the number of opportunities to use the TDRs. An option that the City of Lodi may consider is to designate sending and receiving areas. A potential sending area for the program could be approximately 0.25 miles south of Harney Lane to Armstrong Road in the area currently designated as Planned Residential Reserve by the Land Use Element of the General Plan. The receiving area for this program could then be designated to areas north of Harney Lane in the Planned Residential portion of the General Plan.
- The use of transitional land use categories, such as residential estates, to provide a further buffer between more intense urban land uses and agricultural land uses.

*Responsibility: Community Development Department, Planning Commission, City Council,*

*Timeframe: Complete study and recommend incentives and regulations by June 2005; City Council to adopt incentives or regulations by December 2005.*

*Funding: General Fund*

*Objective: Preserve agricultural land and reduce the amount of land needed to meet future urban growth needs*

<p><i>Describe implementation progress:</i></p>	<p>All development has been required to mitigate for loss of prime farmland. The use of a TDR program was studied and rejected. A transitional designation is incorporated in the Draft General Plan.</p>
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<i>Funding sources &amp; amount (2003-2009):</i>	General Fund	
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 7: Rental Assistance**

The City shall continue to support the San Joaquin County Housing Authority in its administration of the Housing Choice Voucher rental assistance program (formerly called Section 8 Program). The City's support will include distribution of program information at the Community Development public counter, distribution of program information to rental property owners as part of the City's code enforcement activities, creation and maintenance of a link to the Housing Authority's website on the City's web site, and annual meetings with representatives of the Housing Authority to discuss actions the City can take to encourage greater participation in the Voucher Program by rental property owners.

*Responsibility: Community Development Department*

*Timeframe: Distribution of Housing Choice Voucher Program information, current and ongoing, 2003 - 2009; create website link to Housing Authority website by March 2004, maintain link thereafter, 2003 - 2009.*

*Funding: General Fund*

*Objective: Increase rental property owner awareness of, and participation in, rental assistance programs*

<i>Describe implementation progress:</i>	Housing Authority agency has been in transition for past several years. New Executive Director is interested in developing better working relationship.	
<i>Funding sources &amp; amount (2003-2009):</i>	Community Development Special Revenue Fund	
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend</i>	<input checked="" type="checkbox"/> Keep	How would you change the program to make it more

*Appendix A: Accomplishments*

<i>continuing the program?</i>	<input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	successful?
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**Program 8: Neighborhood Improvement**

The City will continue to designate a staff position, Community Improvement Manager (CIM), within the Community Development Department to focus on the implementation of housing and neighborhood improvement programs. Among the duties of the CIM are to:

- Enforce City codes and ordinances pertaining to neighborhood maintenance and supervise code enforcement staff;
- Develop programs and plans to produce housing, especially affordable housing, by means of new construction, rehabilitation or acquisition;
- Implement neighborhood improvement programs on a city-wide basis and develop neighborhood improvement strategies;
- Ensure compliance with federal and state laws and regulations and consistency with local objectives and community requirements;
- Prepare a variety of reports on housing preservation and development, neighborhood improvement and code enforcement, and other related City activities; and
- Manage programs for housing rehabilitation, first-time buyer and code enforcement.

*Responsibility: Community Development Department*

*Timeframe: Current and ongoing, 2001 – 2009*

*Funding: CDBG, fees, General Fund*

*Objective: Improve the City's ability to focus on the implementation of housing and neighborhood improvement programs*

<i>Describe implementation progress:</i>	The Code Enforcement function has been moved to the Lodi Police Department and a new Supervising Community Improvement Officer position has been created/filled to supervise that program. The remaining elements of this program remain within the Community Development Department under the direction of the Neighborhood Services Manager (formerly Community Improvement Manager).	
<i>Funding sources &amp; amount (2003-2009):</i>	Community Development Block Grant  State HOME Program funding	
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	Why or why not?

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<p><i>Do you recommend continuing the program?</i></p>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	<p>How would you change the program to make it more successful?</p>
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**Program 9: Annexation of Land to Accommodate Future Housing Needs**

The City will work with property owners of approximately 600 acres outside the current City limits, but within Lodi's Sphere of Influence (SOI), to plan for, and annex the land to the City so that additional residential development opportunities can be provided to meet Lodi's future housing construction needs. The 600 acres is located between Harney Lane, Lower Sacramento Road, the Woodbridge Irrigation District canal, and the western SOI boundary. The City has facilitated a specific planning process with property owners of over 300 acres to prepare these sites for annexation to the City. The development potential for the properties to be annexed is summarized in Table III-1B and shown in Figure III-1 and includes the Southwest Gateway and Peterson properties. These properties will include approximately 30 acres of land designated MDR at a density of 15 dwelling units per acre (suitable for moderate-income and some low-income housing) and 126 acres of land designated HDR at a density of 20 dwelling units per acre (suitable for very-low-, low-, and/or moderate-income housing).

The City does not need to annex all 600 acres within the next three to six years to meet housing construction needs given the backlog of unused housing allocations and available sites within the current City limits, but will initiate the process with property owners during the 2003 – 2009 period.

*Responsibility: Community Development Department, Planning Commission, City Council*

*Timeframe: Annex initial 300 acres by December 2005; annex remaining land by December 2009.*

*Funding: Annexation and permit fees*

*Objective: Increase the City's residential development capacity to accommodate its share of the region's future housing construction needs between 2001 and 2009, and subsequent years, under the San Joaquin County Council of Governments housing allocation plan*

<p><i>Describe implementation progress:</i></p>	<p>Annexation of 524.28 acres has taken place and projects approved consist of 3,249 units.</p>	
<p><i>Funding sources &amp; amount (2003-2009):</i></p>	<p>Annexation and permit fees.</p>	
<p><i>Has the program been successful? (double click on box to check)</i></p>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	<p>Should modify to reflect the new General Plan.</p>
<p><i>Do you recommend continuing the program?</i></p>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	<p>How would you change the program to make it more successful?</p>

*Appendix A: Accomplishments*

**Program 10: Homebuyer Assistance**

The City will continue to implement a first-time homebuyer down payment assistance program. The City will continue to participate with the Housing Authority in a countywide consortium for the issuance of mortgage revenue bonds or mortgage credit certificates to assist first-time homebuyers. The City will promote the program by providing information at the Community Development Department's public counter and by providing a link to the program on the City's web site. The City's Community Improvement Manager will contact real estate agents active in Lodi to identify opportunities for program participation. Because the availability of homes within the program price limits is extremely limited in Lodi, there will likely be a small number of assisted homebuyers.

*Responsibility: Community Development Department*

*Timeframe: Current and ongoing, 2003 – 2009; provide website link and information at the public counter by June 2004; Community Improvement Manager to meet with local realtors by June 2004.*

*Funding: CDBG, HOME, CalHOME, CalHFA Down payment Assistance Programs, Mortgage Credit Certificates or Mortgage Revenue Bonds (through San Joaquin County or a local government consortium)*

*Objective: 50 homebuyers*

<i>Describe implementation progress:</i>	As an Entitlement community, the City of Lodi now looks to the State HOME Program funding. Community Improvement Manager changed to Neighborhood Services Manager.	
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 11: Commercial Linkage Fee**

The City will undertake a “nexus” study to determine whether a direct connection exists between non-residential development in Lodi that creates jobs and the need for housing affordable to lower income workers who will fill some of those jobs. The study will attempt to estimate:

- Projected employment growth by industry and occupation based on land use policies in the

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General Plan, zoning regulations, and development trends;

- The difference between the cost to develop housing in Lodi and the amount that lower income households can afford to pay for housing (the subsidy gap needed to make housing affordable); and
- The dollar amount per square foot, by industry or land use category, that non-residential developments would need to pay to close the subsidy gap.

Should the City determine that both: 1) a nexus exists between nonresidential development and the demand for housing affordable to lower-income households and 2) a significant subsidy gap exists between the cost to develop housing and the amount that lower-income households can afford to pay for housing, the City will consider assessing an impact fee (“commercial linkage fee”) on nonresidential development that will be used to provide affordable housing in Lodi.

The City will rely on the following criteria in its decision on whether to charge an impact fee and the amount of such a fee, if assessed:

1. The cost impact on nonresidential development and whether a commercial linkage fee would adversely affect achievement of the City’s economic development goals;
2. Similar impact fees, if any, charged in nearby jurisdictions and whether such a fee in Lodi would affect the City’s competitive position in attracting job-creating land uses; and
3. The potential of such a fee, compared to other techniques, to significantly increase the supply of affordable housing in Lodi.

*Responsibility: Community Development Department, City Council*

*Timeframe: Complete nexus study and determine the feasibility of adopting a commercial linkage fee by December 2004; if determined to be feasible, adopt a fee by June 2005*

*Funding: General Fund to conduct study, linkage fee to fund affordable housing (if adopted)*

*Objective: Increase local funding options for affordable housing and improve the balance between the supply of housing affordable to the local workforce and anticipated job creation*

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input checked="" type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input type="checkbox"/> Keep <input checked="" type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

Appendix A: Accomplishments

**Program 12: Promote the City's Multifamily Housing Development Standards**

The City will promote its multifamily development standards through the Community Development Department's link to the City's website, information brochures available at the Community Development Department, pre-application meetings, and a notice to the local homebuilder's, realtor's, and contractor's associations.

*Responsibility: Community Development Department*

*Timeframe: Information is currently available on the City's website and at the public permit counter. The City also encourages pre-application meetings. These practices will continue indefinitely. A notice of the City's multifamily development standards will be distributed to industry organizations by December 2004*

*Funding: General Fund, Permit Fees*

*Objective: To increase awareness of the City's multifamily development standards.*

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Goal B:** To encourage the maintenance, improvement, and rehabilitation of existing housing and residential neighborhoods, particularly in the Eastside area, and the preservation of existing affordable housing.

**Program 13: Demolition of Residential Structures**

The City shall implement policies and procedures for evaluating applications for demolition of residential structures. This evaluation shall consider the implications of the demolition with respect to the retention of affordable housing. If demolitions are deemed to result in a reduction of the amount of affordable housing in Lodi, the City shall require the proponent of the demolition to cooperate with the City in providing relocation assistance to displaced residents and in determining the means for replacing demolished units. The City will provide information regarding its policies and procedures

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<p>on the City's website and at the Community Development Department's public counter.</p> <p>The City will determine the most appropriate method of implementing this program through a review of past demolition permits and conditions.</p> <p><i>Responsibility: Community Development Department</i></p> <p><i>Timeframe: Complete review by December 2004; implement new review procedures by June 2005, ongoing thereafter through 2009, based on proposals to demolish residential structures</i></p> <p><i>Funding: Permit fees, property owner contribution</i></p> <p><i>Objective: Maintain or replace existing affordable housing</i></p>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 14: Housing Rehabilitation and Code Enforcement**

The City will continue to combine code enforcement and housing rehabilitation assistance, targeted to the Eastside area. The City will promote its program through the Eastside Improvement Committee, a neighborhood organization that provides direct outreach to area residents and property owners, by providing information at the Community Development Department's public counter, and through a link to the program on the City's website. The City's Community Improvement Manager will work with the Committee to continue marketing the program to Eastside area residents and property owners.

*Responsibility: Community Development Department*

*Timeframe: Current and ongoing, 2003 – 2009*

*Funding: CDBG and HOME, CalHOME*

*Objective: Improvement of 1,000 housing units (including private investment to correct code violations) over five years*

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<i>Describe implementation progress:</i>	Code Enforcement function is now under the Lodi Police Department. Neighborhood Services Manager (formerly Community Improvement Manager) still responsible for coordinating Housing Rehab efforts with code enforcement and promote this effort through the Lodi Improvement Committee (formerly Eastside Improvement Committee).	
<i>Funding sources &amp; amount (2003-2009):</i>	In addition to all listed above, include Neighborhood Stabilization Program (NSP) funding.	
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	How would you change the program to make it more successful?

<p><b>Program 15: Property Maintenance and Management Standards</b></p>		
<p>The City will continue to implement standards for private property maintenance (Chapter 15.30 of the Municipal Code) to 1) control or eliminate conditions that are detrimental to health, safety, and welfare; 2) preserve the quality of life and alleviate certain socioeconomic problems created by physical deterioration of property; and 3) protect property values and further certain aesthetic considerations for the general welfare of all residents of the City of Lodi.</p>		
<p><i>Responsibility: Community Development Department</i></p>		
<p><i>Timeframe: Code enforcement on both complaint and pro-active basis, 2003 – 2009</i></p>		
<p><i>Funding: Inspection fees, code violation penalties, CDBG funds (for dwelling units occupied by low-income households)</i></p>		
<p><i>Objective: Eliminate substandard building and property conditions</i></p>		
<i>Describe implementation progress:</i>	While code enforcement function has moved from Community Development to Lodi Police Department, the overall coordination of these efforts still falls to the Community Development through the Neighborhood Services Division.	
<i>Funding sources &amp; amount (2003-2009):</i>	CDBG, HOME Program, NSP, General Fund	
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	Why or why not?

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<p><i>Do you recommend continuing the program?</i></p>	<input type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input checked="" type="checkbox"/> Modify	<p>How would you change the program to make it more successful?</p>
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<p><b>Program 16: Housing Condition Survey</b></p>		
<p>The City will conduct a housing survey to document its efforts at improving housing conditions and to identify future areas and housing types for targeting its code enforcement, housing rehabilitation assistance, and neighborhood improvement efforts.</p>		
<p><i>Responsibility: Community Development Department</i></p>		
<p><i>Timeframe: Complete survey and report to the City Council by June 2005</i></p>		
<p><i>Funding: CDBG, General Fund</i></p>		
<p><i>Objective: Document housing conditions and establish priorities for future code enforcement, housing rehabilitation assistance, and neighborhood improvement efforts</i></p>		
<p><i>Describe implementation progress:</i></p>		
<p><i>Funding sources &amp; amount (2003-2009):</i></p>		
<p><i>Has the program been successful? (double click on box to check)</i></p>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	<p>Why or why not?</p>
<p><i>Do you recommend continuing the program?</i></p>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	<p>How would you change the program to make it more successful?</p>

Appendix A: Accomplishments

**Program 17: Preservation of Affordable Rental Housing**

There is one subsidized rental housing project in Lodi (Creekside South Apartments) that contains 40 housing units affordable to low-income households. These units are at risk of converting to market rate housing. To preserve Creekside South as affordable rental housing for low-income households, the City will coordinate a meeting or series of meetings between the Housing Authority, local nonprofits, and the owner (or owner's representative) to discuss the owner's intentions to remain or opt out of the federal Housing Choice Voucher (Section 8) Program and future plans for the property. If the owner intends to convert the apartments to market rate housing or sell the property, Lodi will seek to facilitate the acquisition of the property by a nonprofit or other entity to preserve the rental units as affordable housing. The City will not take part directly in negotiations regarding the property, but will apply for state or federal funding on behalf of an interested nonprofit entity, if necessary, to protect the affordability of the rental units. Lodi will request that the property owner provide evidence that it has complied with state and federal regulations regarding notice to tenants and other procedural matters related to conversion and contact HUD, if necessary, to verify compliance with notice requirements.

*Responsibility: Community Development Department*

*Timeframe: Meet with property owner and other interested parties by December 2004*

*Funding: Minimal administrative cost to coordinate meetings; CDBG, HOME CalHFA, Multifamily Housing Program, and Section 207 Mortgage Insurance for Purchase/Refinance (HUD) as potential funding sources for preservation*

*Objective: To preserve 40 affordable rental housing units*

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 18: Mobilehome Park Preservation**

Lodi will meet with mobilehome park owners to discuss their long-term goals for their properties and the feasibility of preserving these parks. Feasibility will be evaluated based on the condition of park infrastructure and buildings, the condition of mobile homes located in the park, parcel size, accessibility to services, and surrounding land uses. Several of the parks are small (with fewer than 50 spaces) and may not be prime candidates for preservation. For those parks that are feasible to preserve, the City will:

- Assist property owners in accessing state and federal funds for park improvements by preparing funding requests, providing information to park owners on state and federal programs, and/or providing referrals to nonprofit organizations who can assist in preparing funding requests.
- Facilitate a sale to park residents of those mobile home parks the City has targeted for preservation and whose owners do not desire to maintain the present use. If necessary to facilitate a sale, the City will seek state and federal funding to assist residents in purchasing, improving, and managing their parks and/or seek the assistance of a nonprofit organization with experience in mobile home park sales and conversion to resident ownership and management.

The City shall also require, as condition of approval of change of use, that mobilehome park owners who desire to close and/or convert their parks another use provide relocation or other assistance to mitigate the displacement of park residents, as required by California Government Code Section 65863.7. The City shall also require the park owner to provide evidence of resident notification of intent to close and/or convert the mobilehome park, as required by state law.

*Responsibility: Community Development Department*

*Timeframe: Meet with property owner and other interested parties by December 2004*

*Funding: CDBG, HOME California Housing Finance Agency HELP program, California Mobilehome Park Resident Ownership Program*

*Objective: To preserve approximately 400 mobilehomes and spaces in mobilehome parks with the highest feasibility for continued operation*

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input checked="" type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input type="checkbox"/> Keep <input checked="" type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

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<b>Program 19: Preservation of the Eastside Area</b>		
<p>The City will continue to target a portion of its annual CDBG allocation for public improvements in the Eastside area in support of its housing rehabilitation and neighborhood improvement activities. The City will also maintain the Eastside single-family residential zoning as a regulatory tool to preserve the character of the neighborhood and encourage private investment in older homes.</p> <p><i>Responsibility: Community Development Department, Planning Commission, City Council</i></p> <p><i>Timeframe: Annual CDBG allocation, maintain zoning, 2003 - 2009</i></p> <p><i>Funding: CDBG, permit fees, impact fees</i></p> <p><i>Objective: To preserve and improve the Eastside area.</i></p>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

<b>Program 20: Redevelopment Agency Funding</b>		
<p>Should the City Council adopt a redevelopment project area between 2003 and 2009, at least 20% of any tax increment funds accruing to the Agency will be used to support low- and moderate-income housing projects and programs. The City will also adopt an implementation plan that provides funding for public improvements to the downtown and residential neighborhoods within the redevelopment project area.</p> <p><i>Responsibility: City Council, Community Development Department</i></p> <p><i>Timeframe: Unknown at present—depends on the City Council’s decision to activate the Agency and implement the plan</i></p> <p><i>Funding: Redevelopment tax increment</i></p> <p><i>Objective: To preserve and improve the downtown and residential areas within the proposed</i></p>		

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<i>redevelopment project area</i>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input type="checkbox"/> Keep <input checked="" type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input type="checkbox"/> Keep <input checked="" type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Goal C:** To ensure the provision of adequate public facilities and services to support existing and future residential development.

**Program 21: Development Impact Fees and Improvement Requirements**

The City will continue to collect a unified development impact fee to pay for off-site public facilities and services needed for residential development and require that residential developers continue to provide on-site infrastructure to serve their projects. The City shall continue to charge fees that reflect the actual cost of service provided to housing units anticipated by this Element. Prior to the issuance of building permit, the City will require evidence that the developer has paid the required school impacts fees.

The City will review and adjust its fee formula for multifamily dwelling units in the medium and high density general plan land use designations so that the fee encourages the development of higher density affordable housing units while corresponding with the estimated public facility and service impact for the specific project being proposed. The review and adjustment is anticipated to result in a reduction of fees for some multifamily projects.

- Water: The City shall insure the integrity of water delivery service by constructing and operating wells.
- Wastewater: The City shall insure the provision adequate facilities and lands to effectively treat domestic wastewater while minimizing potential land use conflicts.
- Streets: The City shall insure that streets are designed and constructed that meet the intended development density while minimizing housing costs.
- Parks: See Program 24.
- Emergency Services: The City shall continue to insure that new housing developments are ser-

**Appendix A: Accomplishments**

<p>viced in accordance with the goals and policies of the Safety Element.</p> <p><i>Responsibility: Community Development Department, Planning Commission, City Council</i></p> <p><i>Timeframe: Submit proposed fee schedule adjustment to Planning Commission by July 2004, City Council to adopt new fee schedule by December 2004</i></p> <p><i>Funding: General Fund</i></p> <p><i>Objective: Reduce impact fees for multifamily projects based on actual project densities</i></p>		
<i>Describe implementation progress:</i>	This will be comprehensively reviewed and amended as an implementation to the updated General Plan.	
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

<p><b>Program 22: Growth Management Program</b></p> <p>The City will continue to use its growth management program to insure that the pace of development is consistent with the City's, the Lodi Unified School District's, and other public facility and service providers' abilities to provide public facilities and services and maintain minimum facility and service standards for the entire community. The City will contact other public facility and service providers annually during the housing unit allocation process to insure that these agencies can serve the increased number of housing units to be allocated.</p> <p><i>Responsibility: Community Development Department, Planning Commission, City Council</i></p> <p><i>Timeframe: Annually during housing allocation process, 2003 - 2009</i></p> <p><i>Funding: Application fees, development impact fees</i></p> <p><i>Objective: To provide public facilities and services meeting minimum City standards</i></p>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp;</i>		

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<i>amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 23: Use of CDBG Funds**

The City will continue to use CDBG funds to upgrade public facilities and services in older neighborhoods. (See Program 8 for implementation.)

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 24: Park and Recreation Facilities**

The City will annually review its Park and Recreation impact fee to ensure that these fees, in combination with other funds that may be available to the City, will allow Lodi to acquire and improve sufficient parkland and provide recreation facilities according to the minimum standards contained in the General Plan Parks, Recreation, and Open Space Element.

*Responsibility: Community Development Department, Planning Commission, City Council*

*Timeframe: Annually prior to the adoption of a City budget, 2003 - 2009*

*Funding: Development impact fees, state grants for parkland acquisition, private foundation and individual donations*

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<i>Objective: To provide park and recreation facilities and services meeting minimum General Plan standards</i>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 25: Transit Facilities and Transit-Oriented Development**

To coordinate the availability of public transit as Lodi develops and to support transit-oriented development on infill sites and properties with re-use potential, the City shall:

- Insure the continued construction of transit facilities, to be paid from traffic impact fees, state, and federal funding sources, and “Measure K” sales tax funds to facilitate service provision and lower the cost of living within the community.
- Determine whether areas with infill/reuse potential (see Program 4) qualify as infill opportunity zones. The City shall designate qualified areas that are appropriately located for higher density residential and mixed-use developments in such zones, near transit facilities.
- If adopted under action “b,” promote development opportunities in infill zones through a link on the City’s website, an information bulletin to be distributed to property owners within these zones, and developers and business organizations in Lodi, and one or more meetings with business and community organizations to explain the benefits and implications of infill zone designation for development opportunities.

*Responsibility: Community Development Department, Planning Commission, City Council*

*Timeframe: Action a: annually prior to the adoption of a City budget, 2003 – 2009 Action b: Identify eligible areas by December 2004, designate infill opportunity zones by June 2005, and identify and adopt zoning amendments that are needed and appropriate to develop within infill opportunity zones by December 2005 Action c: Create website link and distribute promotional literature by December 2005; conduct one or more community meetings between January and June, 2006*

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<i>Funding:</i> <i>Development impact fees, state, and federal transportation funds</i>		
<i>Objective:</i> <i>To increase housing opportunities near transit facilities and encourage forms of travel other than private vehicles</i>		
<i>Describe implementation progress:</i>	Add language re: TOD development guidelines adopted in 2008.	
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Goal D:** To promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, sex, or other arbitrary factors.

**Program 26: Fair Housing Services**

The City shall continue to promote equal housing opportunity for all persons in compliance with state and federal laws by continuing to provide funding for the operation of the City's Affirmative Fair Housing Program. Under the program, the City provides information to the public on state and federal fair laws, provides referrals to county, state, and federal agencies for investigation of fair housing complaints, and provides financial support to Stockton/San Joaquin Community Housing Resource Board (CHRB), which provides landlord-tenant mediation services.

The City will collaborate with CHRB to promote fair housing information and resources at an annual community event. Lodi will promote fair housing activities and resources by providing links through its website to nonprofit, county, state, and federal agencies; providing fair housing information at the Community Development Department public counter; designating a point of contact within the Department to handle fair housing inquiries; and distributing fair housing information at public locations in the City (such as the Lodi Public Library and the Loel Senior Center).

*Responsibility:*    *Community Development Department*

*Timeframe:*        *Current and ongoing, 2003 – 2009; annual community event for display of fair housing information beginning in 2005*

*Funding:*            *CDBG*

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<i>Objective: To provide public facilities and services meeting minimum City standards</i>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

<b>Program 27: Special Housing Needs</b>		
The City shall continue to implement zoning standards, provide regulatory incentives, work with nonprofit and other private housing providers, and provide financial assistance, within the City's limited fiscal capacity, to facilitate the development and operation of housing meeting the needs of special population groups. (See Programs 1, 5, and 17 for implementation.)		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

<b>Program 28: Condominium Conversion</b>		
The City shall continue to regulate the conversion of rental housing and mobilehome parks to condominium or stock cooperative ownership to reduce the displacement of low- and moderate-income households. The City will implement requirement in Title 15 of the Lodi Municipal Code, which govern condominium conversion. (See Program 18 for implementation on mobilehome park		

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conversion.)		
<i>Responsibility: Community Development Department, Planning Commission, City Council</i>		
<i>Timeframe: Current and ongoing, 2003 - 2009</i>		
<i>Funding: Application fees</i>		
<i>Objective: To minimized the impact of displacement of low- and moderate-income households</i>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Program 29: Regional Solutions to Homeless Needs**

The City shall continue to support regional solutions to homelessness through its participation in San Joaquin County's Continuum of Care strategy and collaboration with the Salvation Army. The City provides annual contributions to nonprofit organizations that assist in the implementation of the strategy. Programs and services under the Continuum of Care strategy include overnight shelter for individuals and families in immediate need of assistance, transitional shelter, rent assistance for homeless individuals and families ready to live in conventional housing, and supportive services to assist homeless individuals and families in making a successful transition from homelessness to independent living. Nonprofit organizations that provide services under the strategy include the Central Valley Low Income Housing Corporation (CVLIHC), Center for Positive Prevention Alternatives (CPPA), Gospel Center Rescue Mission, and New Directions.

*Responsibility: Community Development Department, Planning Commission, City Council*

*Timeframe: Current and ongoing, 2003 - 2009; annual review of applications by nonprofit organizations for use of City's share of CDBG funds*

*Funding: CDBG*

*Objective: To provide regional solutions to homelessness through continuum of care strategy*

**Appendix A: Accomplishments**

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?

**Goal E:** To encourage residential energy efficiency and reductions in residential energy use.

**Program 30: Energy Efficiency and Weatherization Improvements for Older Homes**

The City shall continue to permit energy conservation and weatherization improvements as eligible activities under the Lodi Housing Rehabilitation Program. The City will post and distribute information on currently available weatherization and energy conservation programs operated by the City, nonprofit organizations, and utility companies through the Lodi website, the Community Development Department public counter, the Lodi Public Library, the Loel Senior Center, and other public locations.

*Responsibility: Community Development Department*

*Timeframe: Current and ongoing, 2003 – 2009*

*Funding: CDBG, HOME, public and private utilities, nonprofit organizations*

*Objective: To increase energy efficiency in older homes*

<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?

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<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?
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<p><b>Program 31: Energy Conservation for New Homes</b></p> <p>The City shall enforce state requirements for energy conservation, including Title 24 of the California Code or Regulations (state building code standards), in new residential projects and encourage residential developers to employ additional energy conservation measures in the design of new residential developments with respect to the following:</p> <ul style="list-style-type: none"> <li>• Siting of buildings</li> <li>• Landscaping</li> <li>• Solar access</li> <li>• Subdivision design</li> </ul> <p><i>Responsibility: Community Development Department</i></p> <p><i>Timeframe: Current and ongoing, 2003 – 2009 as part of review of planning and building permit applications</i></p> <p><i>Funding: Permit fees</i></p> <p><i>Objective: To increase energy efficiency in the design and construction of new homes</i></p>		
<i>Describe implementation progress:</i>		
<i>Funding sources &amp; amount (2003-2009):</i>		
<i>Has the program been successful? (double click on box to check)</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	Why or why not?
<i>Do you recommend continuing the program?</i>	<input checked="" type="checkbox"/> Keep <input type="checkbox"/> Eliminate <input type="checkbox"/> Modify	How would you change the program to make it more successful?



**DYETT & BHATIA**  
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# Item 6a.



**MEMORANDUM, City of Lodi, Community Development Department**

**To:** City of Lodi Planning Commissioners  
**From:** Rad Bartlam, Community Development Director  
**Date:** Planning Commission Meeting of 6/23/2010  
**Subject:** Past meetings of the City Council and other meetings pertinent to the Planning Commission

In an effort to inform the Planning Commissioners of past meetings of the Council and other pertinent items staff has prepared the following list of titles.

If you have any questions, please feel free to contact the Planning Department or visit the City of Lodi website at: <http://www.lodi.gov/city-council/AgendaPage.html> to view Staff Reports and Minutes from the corresponding meeting date.

Date	Meeting	Title
May 11, 2010	Shirtsleeve	First Time Home Buyer Loan Program Update (CD) – Approved on May 19, 2010 meeting
May 19, 2010	Regular	Conduct a Public Hearing to Introduce an Ordinance Amending Chapter 13.20 "Electrical Service" by Adding a New Section 13.20.320 Titled Schedule NST - New Sales Tax Economic Development Rate (EUD)
		Adopt Resolution in Support of Measure C Allowing North San Joaquin Water Conservation District to Impose and Collect Groundwater Charge (PW)
June 2, 2010	Regular	Adopt Resolution Authorizing City Manager to Execute Master Professional Services Agreement with Nolte Associates, Inc., of Manteca; Approving Task Order No. 1 to Provide Initial Engineering/Financial Services to Update Impact Mitigation Fee Program (\$46,500); and Appropriating Funds (\$55,000) (PW)
		Conduct Public Hearing to Consider the Appeal of Noe Juarez Luna Regarding the Decision of the Planning Commission to Deny a Use Permit for a Pool Hall/Nightclub at 651 North Cherokee Lane, Suite E (CD)
		Receive Budget Presentation, Invite Public Comments and Adopt Resolutions Approving the City of Lodi Financial Plan and Budget for the Fiscal Year Beginning July 1, 2010 and Ending June 30, 2011, Approving the Fiscal Year 2010/11 Appropriation Spending Limit, Amending the Fiscal Year 2009/10 Financial Plan and Budget and Approving a General Fund Reserve Policy (CM)
		Introduce Ordinance Amending Lodi Municipal Code Title 15, Chapter 15.64, "Development Impact Mitigation Fees" as it Relates to the timing of the Collection of Fees During the Period of July 1, 2010 through June 30, 2013 (CD)
June 9, 2010	Special	Discussion Regarding the Possibility of Preparing a New Redevelopment Plan (CM)