



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

Streaming Link:

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AGENDA
Shirtsleeve Session
Date: January 5, 2021
Time: 7:00 a.m.

SPECIAL NOTICE

Effective immediately and while social distancing measures are imposed, Council chambers will be closed to the public during meetings of the Lodi City Council.

The following alternatives are available to members of the public to watch Council meetings and provide comments on agenda and non-agenda items before and during the meetings.

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Members of the public may view and listen to the open session of the meeting at <https://www.facebook.com/CityofLodi/>; or

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Public Comment:

Members of the public can send written comments to the City Council prior to the meeting by emailing councilcomments@lodi.gov. These emails will be provided to the members of the City Council and will become part of the official record of the meeting.

Members of the public who wish to verbally address the City Council during the meeting should email those comments to councilcomments@lodi.gov. Comments must be received before the Mayor or Chair announces that the time for public comment is closed. The Assistant City Clerk will read three minutes of each email into the public record. **IMPORTANT:** Identify the Agenda Item Number or Oral Communications in the subject line of your email. **Example:** Public Comment for Agenda Item Number C-17. Members of the public may also participate via Zoom at the following link: <https://zoom.us/j/93455719476?pwd=NDdhc1E4OEZyYWV3d2pDY1U5SjVZZz09>

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment in this meeting, please contact the Office of the City Clerk at (209) 333-6702 or cityclerk@lodi.gov at least 48 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. If you need special assistance in this meeting for purposes other than providing public comment, please contact the Office of the City Clerk at (209) 333-6702 or cityclerk@lodi.gov at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.160 (b) (1)).

SPECIAL TELECONFERENCE NOTICE

Pursuant to Executive Order N-29-20:

The Brown Act, Government Code Section 54953, contains special requirements that apply when members of a legislative body participate in a public meeting by telephone. Certain of these requirements have been suspended by Paragraph 3 of Executive Order N-29-20, executed by the Governor of California on March 17, 2020, to mitigate the spread of Coronavirus (COVID-19). In particular, the Executive Order suspends that provision of the Brown Act that requires noticing, posting of agendas, and public access to each location where a member will be participating telephonically, as well as provisions that require physical presence of members of the legislative body or the public for purposes of a quorum or to hold a meeting. Executive Order N-29-20 allows an agency to conduct a teleconference meeting that provides members of the public telephonic or other electronic participation in place of making a physical location for the public to observe the meeting and provide public comment, consistent with other provisions of the Brown Act.

For information regarding this Agenda please contact:
Jennifer Cusmir
City Clerk
Telephone: (209) 333-6702

Informal Informational Meeting

A. Roll Call by City Clerk

B. Topic(s)

B-1 Receive Presentation and Provide Staff Direction for Amending Growth Management Allocation Program (CD)

C. Comments by Public on Non-Agenda Items

D. 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.

Jennifer Cusmir
City Clerk

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 City Clerk, 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 City Clerk's Office as soon as possible and at least 72 hours prior to the meeting date. Language interpreter requests must be received at least 72 hours in advance of the meeting to help ensure availability. Contact Jennifer Cusmir at (209) 333-6702. Solicitudes de interpretación de idiomas deben ser recibidas por lo menos con 72 horas de anticipación a la reunión para ayudar a asegurar la disponibilidad. Llame a Jennifer Cusmir (209) 333-6702.



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Receive Presentation and Provide Staff Direction for Amending the Growth Management Allocation Program

MEETING DATE: January 5, 2021

PREPARED BY: Community Development Director

RECOMMENDATION: Receive presentation and provide staff direction for amending the Growth Management Allocation Program.

BACKGROUND / ANALYSIS: The City of Lodi's Growth Management Plan was initiated in 1991 with the adoption of Ordinance No. 1521. Resolutions No. 91-170 and No. 91-171 were also adopted in 1991 to establish the procedures for approving Growth Allocations; one unit of growth allocation is needed for each new home built in Lodi. While temporary modifications to the Growth Allocation process have occurred over the past 29 years, today the original regulations and procedures adopted in 1991 remain in effect.

The Growth Management Plan has been part of an overall strategy, implemented since the 1990s, that has helped the City maintain an orderly growth pattern and contributed to the current compact form and logical boundaries of the City of Lodi. However, the pressures for rapid growth that led to the creation of the Growth Management Plan have been less than were anticipated and the City has grown more slowly than the maximum 2% annual growth rate allowed under the Growth Management Plan.

No permanent amendment to the City's Growth Management program have been made since its original adoption in 1991. The City Council did enact temporary changes to certain provisions of the Growth Management program in 2013 and those changes remained in effect until December 31, 2019. Under those temporary provisions, applicants were able to request Growth Allocations at any time of year and the Planning Commission was able to consider Growth Allocations and Tentative Subdivision Maps concurrently.

After nearly 30 years of implementing the Growth Management Plan in its original form, and after temporary modifications to the Growth Allocation process, the City Council will consider permanent amendments that are intended simplify the Growth Allocation process while maintaining the basic approach and goals that were established in 1991.

RECENT GROWTH MANAGEMENT PROGRAM REVIEWS:

City Council Consideration, June 30, 2020

On June 30, 2020, the City Council held a public hearing to consider various amendments to the Growth Management Program. Following discussion, the City Council chose not to make substantial amendments at that time. Rather, the Council reinstated the 2013 amendments to be effective from June 2020 through December 31, 2020 and directed staff to return with proposed Growth Management amends before the end of 2020.

APPROVED: _____
Stephen Schwabauer, City Manager

City Council Shirtsleeve, October 20, 2020

Staff provided the City Council with an overview of potential Growth Management amendments. Following discussion, the City Council identified the types of amendments that should be considered. Staff has developed amendments based on City Council direction.

Planning Commission Review, December 9, 2020

The Planning Commission does not have a formal role in amending the Growth Management Program. However, due to the Commission's role in reviewing Growth Allocations, staff conducted an informal presentation to brief the Planning Commission on proposed amendments. The Planning Commission did not suggest any changes to the proposed Growth Management amendments.

OVERVIEW OF POTENTIAL AMENDMENTS:

Much of the current Growth Management Program would be retained under staff's proposed amendments. However, the form of regulations would be updated, simplified and adjusted to better align with the City's development review process as provided in the Zoning Code.

Growth Allocation Provisions to be Retained

- No changes are proposed to Ordinance No. 1521, which established the Growth Management Program.
- The maximum growth rate of 2% annually will be retained.
- Much of the overall structure and the purpose of the Growth Management Program will be retained in a revised format that more clearly defines procedures.
- The Growth Allocation points system will be retained but clarified that points evaluation will only occur when requests for allocations exceed available allocations.

Growth Allocation Provisions to be Updated

- The current Growth Allocation process is contained in two separate resolutions. Staff proposes to address the Growth Allocation process in a single, updated resolution.
- Currently, applications for Growth Allocations are only accepted from July 1 through October 1. Staff proposes that applications for Growth Allocations may be submitted at any time of year.
- Currently, the Planning Commission makes a recommendation on Growth Allocation requests and the City Council must approve a Growth Allocation before an applicant may submit a Tentative Map Application. It will be proposed that applicants may submit applications for Planning Commission review of Growth Allocation and Tentative Map concurrently. Final approval of the Growth Allocation request would be considered by the City Council.
- Currently the application materials for a Growth Allocation request do not align well with Tentative Map application materials. It will be proposed to better harmonize required materials for these two applications. Quality and character of the proposed development will be addressed through submittal of a detailed Development Plan with the Growth Allocation request.
- Currently, the SPARC does not have a formal role in the review of proposed Development Plans. Staff proposes that Development Plans be submitted to the SPARC for review and recommendation prior to Planning Commission review of a request for Growth Allocations.
- Currently, the City has a practice of carrying over allocations not assigned to a project in any given year. Staff proposes that the guidelines for carrying over of unassigned allocations and periodic expiring of unassigned allocations be clearly stated. Specifically, staff proposes that Unassigned

Growth Allocations will carry over but would automatically expire three years from date the Growth Allocation was created.

Planning Commission Informal Review

Staff presented the major components of the anticipated Growth Allocation practices to the Planning Commission on December 9, 2020. Following staff's presentation, the Planning Commission offered the following questions and comments:

- The concerns over maintaining the quality and character of Lodi that led to the Growth Management program remain valid today.
- General support was expressed for accepting Growth Allocations requests throughout the year.
- The Commission was supportive of the SPARC reviewing Development Plans prior to Planning Commission review, thereby allowing for additional community input.
- Generally, the Planning Commission was supportive of proposed revisions to the Growth Allocation review procedures, though one Commissioner expressed reservations over amending a program that had served the community's interests since 1991.

ENVIRONMENTAL ASSESSMENT:

As an informal review there is no action requested of the City Council at this time and therefore this discussion is not considered a project under the California Environmental Quality Act (CEQA).

NEXT STEPS

If the City Council is generally supportive of the proposed revisions to Growth Allocation review procedures and practices, then staff will ask the City Council to schedule a public hearing. Staff can incorporate specific revisions as provided by the City Council and still be prepared to schedule a hearing for formal City Council review. Should the City Council require substantial revisions to the Growth Allocation practices and procedures, then staff would delay scheduling of a public hearing until City Council issues had been addressed

John R. Della Monica Jr.
Community Development Director



City Council Shirtsleeve
Amendments to the City of Lodi
Growth Allocation Program

January 5, 2021

Purpose of Meeting

- Brief history of Growth Allocation
- Benefits of Growth Allocation
- Prior Review and Direction
- Proposed changes to the Growth Allocation Process
- City Council Discussion and Direction

History of Lodi Growth Allocation

- Late 1980s: Rapid growth in the county led to concerns about Lodi's community character and pace of growth
- Growth Management Program established in 1991 with adoption of Ordinance No. 1521
- Resolution No. 91-170: Point system for evaluating competitive Growth Allocation applications
- Resolution No. 91-171: Procedures for the review of Growth Allocation applications
- 2010: General Plan amended to include Growth Management and Infrastructure chapter

Major Features of Growth Allocation:

- Restricts population growth to 2% per year (based on prior year's population)
- Establishes procedures for review of Growth Allocations and Tentative Maps
- Establishes submittal materials for Growth Allocation applications
- Priority Development Areas (Map)
- Points System for review of projects
- Also addressed in the Lodi General Plan

How the Growth Allocation Process Serves the City

- Matches capacity of public facilities to the demand created by development
- Directs new development to appropriate locations
- Promotes a mix of residential densities
- Encourages high quality development
- Prevents Lodi from growing too quickly

Recent Process Changes

June 5, 2013: Council approved changes to the Growth Allocation process:

- Eliminated requirement that all Growth Allocation applications be heard each year in November
- Allowed tentative maps to be considered with Growth Allocation applications

These changes expired on December 31, 2019

Council Consideration June 30, 2020

- City Council considered amendments to Growth Allocation procedures
- Following discussion, limited changes to extending the process changes enacted in 2013 through December 31, 2020
- Directed staff to return with a more comprehensive review of the Growth Allocation program before end of 2020

Council Discussion October 20, 2020

- Council Shirtsleeve – Overview of Growth Management and Potential Amendments
- Council provided direction for changes to the program
- Staff has developed amendments based on City Council direction

Planning Commission December 9, 2020

- Informal Planning Commission review of changes to the Growth Allocation program
- Commission was generally supportive of proposed amendments
- General comments provided, but no amendments requested

Features of Growth Allocation to be Retained

- No changes are proposed to Ordinance No. 1521, which established the Growth Management Plan.
- Much of the overall structure and the purpose of the Growth Management Program will be retained.
- The maximum growth rate of 2% annually will be retained.
- The Growth Allocation points system will be retained but will only be applied when requests for allocations exceed available allocations.
- General Plan chapter on Growth Management will not be changed.

Proposed Amendments to Growth Allocation Procedures and Regulations

Consolidate Procedures Into One Resolution

- Currently Growth Allocation procedures are presented in two resolutions.
- Proposed change would consolidate Growth Allocations in a single, simplified resolution.

Timing of Applications

- Currently applications for Growth Allocation can only be submitted from July 1 through October 1.
- Review steps are very specific – Growth Allocation review requires about nine months.
- Proposed change would allow Growth Allocations applications to be submitted for review at any time during the year.

Development Plan Requirements

- Currently, Resolution No. 91-171 establishes application requirements for Growth Allocation requests that are somewhat inconsistent with materials required for a project review.
- Proposed changes better align application requirements and require a Development Plan that establishes the character and quality of the proposed development.

SPARC Review of Development Plan

- Current regulations do not require SPARC participation in the Growth Allocation review.
- Proposed changes would require the Development Plan be presented to the SPARC for review, comment and recommendation prior to Planning Commission review of a request for Growth Allocations.

Carry Over/Expiration of Unused Allocations

- Current practice allows unused allocations to carry over to future years until retired by Council (no automatic expiration).
- Proposed changes would clarify how unused allocations carry over.
- Allocations for all residential densities would carry over for two additional years and then be automatically retired.

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- Proposed changes would clarify how unused allocations carry over.
- Allocations for all residential densities would carry over for two additional years and then be automatically retired.

Next Steps

- City Council provide direction for finalizing amendments to Growth Allocation practices and procedures.
- If the City Council is generally supportive of proposed revisions, then a public hearing can be scheduled for January 20, 2021.
- Staff can incorporate specific amendments for a January 20 hearing. If the Council has significant concerns/amendments, then the hearing would be delayed

City Council Discussion and Comment