

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI MUNICIPAL CODE TITLE 17 - DEVELOPMENT CODE - RELATED TO SECTION 17.10.030, "ZONING MAP", TO PRE-ZONE A PROPERTY TO GENERAL COMMERCIAL (GC) LOCATED AT THE SOUTHEAST CORNER OF EAST KETTLEMAN LANE AND BECKMAN ROAD AT ASSESSOR PARCEL NUMBER 061-020-15 (APPLICATION NO. PL2023-041)

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

**SECTION 1. FINDINGS AND INTENT**

The City Council of the City of Lodi hereby finds, pursuant to Lodi Municipal Code ("LMC") Chapter 17.72, that:

- A. The proposed Pre-zone will ensure and maintain internal consistency with the general land uses, objectives, policies, programs, and actions of all elements of the General Plan. The project site ("Site") is comprised of Assessor Parcel Number 061-020-15 ("Parcel") and a portion of the Beckman Road right-of-way west of the Parcel. The 2010 General Plan Land Use Map identifies the Parcel as having the General Commercial general plan designation pursuant to Figure 2-1 (Land Use Diagram) of the General Plan. The Parcel has the County of San Joaquin Agriculture 40 (AG-40) zoning designation. The proposed Pre-zone of the Parcel to GC zone will be compatible with the existing General Plan Land Use Map designation of General Commercial, and it would allow commercial uses on the Parcel. The proposed Pre-zone action would not create any inconsistencies with LMC Title 17 (Development Code) since it pertains to the Zoning Map only and the text of Title 17 would remain unchanged under this proposed action.

Additionally, the proposed Pre-zone would further the following General Plan policies:

- i. Land Use Element Policy LU-G1: Create a balanced and sustainable land use pattern that provides for a diversity of uses and satisfies existing and future needs.
  - ii. Land Use Element Policy LU-P10: Allow employee-serving amenities and services such as restaurants, cafés, dry cleaners, and other complementary uses in Business Park areas.
- B. The proposed Pre-zone action will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety or general welfare of persons residing or working in the City because the GC zoning designation will, as noted above, be compatible with General Plan Land Use Map designation applicable to the Parcel.
- C. The Parcel would be physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested Pre-zone and anticipated land use development. The Parcel is located adjacent to an urban area, and provides all necessary infrastructure (e.g., roads, utilities). The Parcel is presently undeveloped and the proposed improvements to this vacant Site will conform with LMC commercial standards.

- D. The proposed project complies with the California Environmental Quality Act ("CEQA") Guidelines (14 CCR § 15061), as the City as the lead agency prepared an Initial Study for the annexation and zoning requests. The Initial Study (IS) determined that the Project will have potential environmental effects but these effects can be mitigated through recommended mitigation measures. Thus, the City has prepared a Mitigated Negative Declaration (MND) and a Mitigation Monitoring Reporting Program (MMRP) to be adopted by the Council. Mitigation measures have been incorporated into the Project's conditions of approval.

## **SECTION 2. ZONING MAP AMENDMENT**

The Zoning Map, referred to in LMC Section 17.10.030, and by reference made a part hereof, said Code is hereby amended to provide a General Commercial (GC) zoning designation for portion of Assessor's Parcel Number 061-020-15 upon annexation to the City.

## **SECTION 3. SEVERABILITY**

If any part of this Ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion thereof had been deleted.

## **SECTION 4. NO MANDATORY DUTY OF CARE**

This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

## **SECTION 5. NO CONFLICT**

All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

## **SECTION 6. PUBLICATION.**

This ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council, and a certified copy shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1).

Approved this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
CAMERON BREGMAN  
Mayor

Attest:

\_\_\_\_\_  
OLIVIA NASHED, City Clerk

State of California  
County of San Joaquin, ss.

I, Olivia Nashed, City Clerk of the City of Lodi, do hereby certify that Ordinance No. \_\_\_\_\_ was introduced at a regular meeting of the City Council of the City of Lodi held \_\_\_\_\_, 2025, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 2025, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

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

OLIVIA NASHED  
City Clerk

Approved as to Form:

for

KATIE O. LUCCHESI  
City Attorney