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**Redevelopment
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Staff Report

**JOINT CITY &
RDA ITEM NO. 13**

**To: Lemoore City Council and
Lemoore Redevelopment Agency Board**

From: Judy Holwell, Redevelopment Project Manager

Date: August 30, 2011

**Subject: Lemoore Industrial Park – Land Use Restrictions – Vote to Amend
Covenants, Conditions and Restrictions (CC&Rs)**

Discussion

As you may recall, staff informed the Council/Board Members (Council) that a *Declaration of Covenants, Conditions and Restrictions (CC&Rs)* was recorded on March 22, 1990, against the property located in Tract No. 614 in the Lemoore Industrial Park (CC&Rs and map are attached). The CC&Rs place limitations and restrictions, for 40 years, on the type of land use allowed and are in addition to the regulations in the City's General Plan Land Use Designation and Zoning Ordinance. Of concern is the fact that the restrictions prohibit certain businesses from developing in the Lemoore Industrial Park, which may be looked upon more favorably now due to the current economic climate. Council directed staff to look into aligning the restrictions with our Zoning Ordinance.

Attached is a document containing the proposed revised language entitled, Declaration Amending Declaration of Covenants, Conditions, and Restrictions, which, if approved by at least 51 percent of the landowners in Tract 614, changes the language of Paragraph 1 of the Declaration to permit land uses "as set forth in the City of Lemoore's Zoning Ordinance".

Also attached is a letter/Ballot that went out to every parcel owner in Tract 614 requesting a favorable vote to amend the CC&Rs. The City and Redevelopment Agency (RDA) own a total of eight (8) parcels as identified below and as shown on the attached map.

City APN: 024-081-031

RDA APN: 024-051-015 024-051-032 024-051-033 024-051-013,
 024-051-019 024-051-018 024-051-011

Council is asked to direct the City Manager/ RDA Executive Director to execute said Ballots in favor of amending the CC&Rs.

Budget Impact

None.

Recommendation

That the Lemoore City Council/ Redevelopment Agency Board direct the City Manager/ RDA Executive Director to cast a ballot in favor of the revised CC&Rs for each of the eight (8) parcels owned by the City and RDA.