

Mayor
Willard Rodarmel
Mayor Pro Tem
John Plourde
Council Members
John Gordon
John Murray
William Siegel



LEMOORE
CALIFORNIA

**Planning
Department**
711 Cinnamon Drive
Lemoore, CA 93245
Phone (559) 924-6740
FAX (559) 924-6708

Item# 4

City Council Staff Report

To: Lemoore City Council
From: Holly Smyth, Planning Director
Date: March 12, 2012
Subject: Continuation of Public Hearing on Comprehensive Zoning and Development Code Update through Resolution #2012-05 amending the General Plan, Draft Ordinance #2012-01 with revised Exhibit 2 updating the various municipal code sections, and Resolution #2012-06 stating Council's Intent to Adopt a Merge Ordinance

BACKGROUND:

At the February 21st City Council meeting, the public hearing and discussion on the Zoning Code update and related General Plan Amendments and Resolution of Intent to adopt a Merger Ordinance began (the initial staff report can be found at http://www.lemoore.com/agendas/2012/feb21/data/2_21_12_item_4.pdf). The Council continued the hearing and discussion on the topic to their March 20th Council meeting after Council members Gordon and Siegel work through some of their concerns with in the draft Code with City Manager Briltz and Planning Director Smyth.

Items that came out of the March 1st meeting with Council Members Gordon and Siegel are reflected in the revised draft ordinance under Exhibit 2 in the blue highlighted text. Generally, the changes wanted to the draft code were to:

- 1) Modify instances of the Planning Director requesting additional information to the City where appropriate as shown in the highlighted portions of Exhibit 2 that PMC consulting identified throughout the document.
- 2) Modify the signage criteria for downtown to not be subject to the historic color palette
- 3) When renovating or adding to an existing site, construction costs would have to reach \$250,000 rather than \$100,000 threshold before being required to underground onsite utilities.
- 4) New provision added to allow for the payment of in lieu fee for undergrounding utilities when City determines it is impractical at the time the project is being done.
- 5) Procedure for limiting the City architectural design requirements if exceeding 20% of building construction costs. It will be up to the developer to provide a breakdown of the costs and request the relief as part of their Site Plan Review process.

After the March 1st discussion, other issues came up which showed inconsistency between the draft Code and the General Plan. Potential resolving text is highlighted in green and generally:

- 1) Amends the footnote of the Land Use Table 9-4B-2 which talks about the maximum square footage of Neighborhood Commercial businesses to allow greater flexibility. This same issue listed in the General Plan section on Neighborhood Commercial Centers limited individual business sizes in the Neighborhood Commercial Centers to 5,000 square feet maximum for general retail and 40,000 for grocery stores which severely limited traditional businesses. PMC suggested the new more flexible language be added.
- 2) Section 9-5-C-5B of the draft Code needs to change the numbering of 5, 6, and 7 to 1, 2, & 3 to be correct.
- 3) General Plan policy CD-I-43 is inconsistent with the direction PMC was provided during the January 2011 workshop to simplify the review process. To be consistent with the draft Code, PMC has suggested the words “by the Planning Commission” be stricken.

RECOMMENDATION:

The City Council should reopen the continued public hearing on the draft Zoning and Development Code, as well as the proposed General Plan amendments, review the draft materials, provide direction on modifications to the drafts, and consider:

- 1) Adopting draft Resolution #2012-05 (Attachment A) adopting the draft General Plan Amendments, based upon the findings provided; which a new Attachment A - Exhibit 2 is being provided
- 2) Waiving the first reading of Ordinance #2012-01 (Attachment B with unchanged Attachment B- Exhibit 1, revised Attachment B – Exhibit 2, and unchanged Attachment B – Exhibit 3) and pass it to a second reading adopting the draft Zoning and Development Code text and Proposed Zone Map (referred to in the Ordinance as Exhibit 1 which was provided to City Council February 3rd, based upon the findings provided. The blue text boxes at the beginning of each chapter/article stating what changes are being made will be removed for the second reading and are not part of the codified text; and
- 3) Adopting Resolution #2012-06 (Attachment C) declaring the City’s intent to adopt a merger ordinance.

ATTACHMENTS:

- A. Draft City Council Resolution #2012-05 for General Plan amendment (includes General Plan Environmental Impact Report Addendum and draft GP Amendment)
- B. Draft City Council Ordinance #2012-01 for Zoning and Development Codes (includes draft code, modification pages, and Zoning Map)
- C. Draft City Council Resolution #2012-06 declaring intent to adopt a merger ordinance