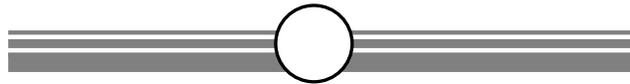


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STAFF REPORT

Item # 7

To: Lemoore City Council & Planning Commission
From: Holly Smyth, Planning Director *HS*
Date: March 27, 2013
Subject: Discussion - 2012 Zoning Code Implementation Adjustments

Discussion:

In May 2012, the City Council adopted a Comprehensive Zoning and Development Code Update. It was prepared by PMC consulting with input from the public, staff, Planning Commission and the City Council to be consistent with the 2030 General Plan. At the time of adoption, staff stated they would bring back a status update after utilizing the new code for a year, given the size and complexity of the new Ordinance. The update was to include how the new code is working and suggested modifications. Over the last year, Planning staff has taken notes on various sections of the code as it is being utilized to identify potential areas of change that are more business and user friendly. In order to better understand how zoning policy works, staff has attached a flow chart of the "Simplified Planning Review Process" and the key sections of the Zoning Code that are utilized by the development community.

The "Policy Issues/Questions on Zoning Code" page identifies big picture issues that require further direction from Council and Planning Commission. In an effort to better explain the technical portions of the Zoning Code, staff will review some of the issues that we believe need to be addressed using the attached example pages out of the Zoning Code. In addition, the "Proposed issues with the 2012 Zoning Ordinance – Title 9" page shows a potential review format that identifies specific code sections that may need to be modified, the issue staff is having with the specific code section, followed by suggested language fixes on how the code might need to be adjusted. Staff needs to know if this type of matrix format is appropriate to utilize in reviewing specific zoning sections and what review body should be helping form the actual Ordinance that would be brought back.

Any modifications to the Zoning Code require: 1) drafting of an Ordinance; 2) the Planning Commission to hold public hearings on the Ordinance and make recommendations to the City Council; 3) the City Council to hold at least one more public hearing before making their final decision; 4) adoption of the Ordinance; and 5) codification.

Therefore, a special joint meeting has been called so that both decision making bodies are on the same page. During the discussion, staff is seeking consensus on how to move forward with the various types of changes. We are especially interested in hearing from you and the public on items in the Zoning Code that you believe may need to be further reviewed and modified.

Budget Impact:

None at this time; however depending on the direction given, there is a potential financial impact based on the number of documents or sections that will need to be modified.

Recommendation:

The City Council and Planning Commission should feel free to share areas of the Zoning Code they feel are not very business friendly and provide adequate direction to staff to begin the update process. Ideally, staff would like answers to each of the items listed on the "Policy Issues" page.

SIMPLIFIED PLANNING REVIEW PROCESS FOR THE PUBLIC

A business owner, resident, or developer type wants to use an existing building or construct something new for a particular "use"

Go to City Offices or City Website under Planning and use these 3 reference documents in any order depending on what information you have to start with.

Determine the "Zoning" District of the project site by reviewing the City Zoning Map

Review Table 9-4G-2 Allowed Uses Table in the Zoning Ordinance to determine what "uses" are allowed in existing buildings in the applicable Zoning District

Review land use definition in Section "9-4A-5 Description of Land Uses" for the one that best describes the proposed use

See the Planning Department

Look for alternative sites or zone districts that might allow the proposed use or look at different land use descriptions that better fits the proposal if the first review doesn't give you the answer you want.

Determine what "Planning Process" is required, if any, that needs to be done (i.e. Home Occupation, Administrative Use Permit, Site Plan Review, Conditional Use Permit, etc...). New construction on additional square feet always requires Site Plan Review.

-Determine if Preliminary Site Plan review needed or if it would be helpful to get answers from all applicable departments up front.
-Get any needed applications/fees for the project to get started, if applicable.

-Submit completed applications for review by the applicable City body to process using the "Development Standards" applicable to the use.

Policy Issues/Questions on Zoning Code

- 1) **Are there specific things or sections of the Zoning Code that should be tackled first?**
 - a. Simplify Review Processes (see Table 9-2A-6-1)
 - b. Modify Land Use Table (see Table 9-4B-2 Allowed Uses....)
 - c. Modify some Land Use Definitions (see Section 9-4A-5)
 - d. Edit policy on Residential Accessory Structures (see Table 9-5A-8-C1 & Figure 9-5A-8-C1) or carports
 - e. Suggest individualized corrections to the Zoning Code (see Proposed Issues Table)
 - f. Modify Sign Ordinance (see summary tables and consolidate downtown signage)
 - g. Temporary Use Permit
 - h. Others

- 2) **What review body should be used to suggest proposed changes to the Zoning Code?**
 - a) Planning Commission to be the review committee
 - b) Appoint special review committee to work with staff to make suggested changes before going before the Planning Commission
 - c) Have Planning Department and Building Department suggest modifications to items that are conflicting or confusing with the Building and Fire Codes (such as accessory structures and carports)
 - d) Other

- 3) **What sections of the Code have you heard or believe are the most problematic?**

See Attachments