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**Public Works/
Planning**

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Staff Report

ITEM 3E

To: Lemoore City Council
From: Steve Brandt, City Planner *SB*
Date: December 12, 2013
Subject: Second Reading of Ordinance 2013-04 Adopting
Zone Change 2013-01

Summary

Zone Change 2013-01 is a request to change the zoning map from Low Density Residential (RLD) and Parks & Recreation (PR) to Public Services & Community Facilities (CF). The site proposed for amendment includes APNs 023-510-34, 023-510-36, and a portion of 023-510-37. The site is located at the northwest corner of West Hills Community College: Lemoore, both north and west of the intersection of Bush Street and Campus Drive. Exhibit A shows the existing and proposed land use designations. Exhibit B shows the Assessor's Parcel Map that shows the site.

The site is currently owned by Pharris Lemoore, LLC, who is being represented by Tim Palmquist, the applicant. The site is approximately 53 acres. Pharris Lemoore, LLC, plans to deed the property to the U.S. Navy (Naval Air Station Lemoore). There are also plans for a conservation easement to be placed on the site that would prohibit future development of the site, including the development of residential dwellings. The conservation easement would allow some limited use by West Hills Community College District.

The City Council approved the General Plan Amendment and Negative Declaration, waived the first reading of Ordinance #2013-04 approving the Zone Change and passed it to a second reading after holding a public hearing at the December 3rd Council meeting on a 4-0 vote.

Recommendation

Staff recommends that the City Council, by motion, approve the second reading of Ordinance #2013-04 adopting Zone Change 2013-01.

Project Description

The proposal would change the City of Lemoore Zoning Map as follows:

1. The Zoning Map would be modified to Public Services and Community Facilities (CF) on the land located west of Marsh Drive between the Union Pacific Railroad line and the land designated for Wetlands Conservation as. Currently the Zoning Map shows RLD (Low Density Residential) and PR (Parks & Recreation) on the site.

The applicant is making this request so that the Zoning Map will be consistent with agreements that will be between the applicant (the property owner, Pharris Lemoore, LLC), the U.S. Navy, and West Hills Community College District.

Background Information - Project Evaluation

A tentative subdivision map to divide the property into single-family residential lots was approved by the City in 2006. This subdivision map, called TTM 845 or Victory Village, covers most of the project site as well as land east of the project site that is north of Bush Street. The land outside of the project area is Phase 1 of TTM 845 and is not a part of these proposed amendments.

After the tentative map approval the Lemoore Naval Air Station expressed great concern to the property owner and the City, saying that the residential development would be a detriment to the Air Station's mission. After much negotiation, the U.S. Navy has agreed to purchase the property. In addition, a conservation easement will be placed on the property so that it cannot be developed for residential uses. California's laws for conservation easements require a local non-profit entity be the trustee of the easement. Because of its proximity to the site, West Hills Community College District has agreed to be the trustee of the conservation easement. The conservation easement will allow the District to use the site for very limited purposes, including stormwater drainage basins, agriculture, passive recreation, and educational activities related to conservation and environmental restoration.

The City staff has reviewed the draft agreement between the property owner, the U.S. Navy, and the College District. The agreement would prohibit Phases 2 and 3 of TTM 845 from ever developing, and those phases of the tentative map would eventually expire. Phase 1 of the tentative map would not be affected, and the applicant will continue to pursue development and home construction there.

The agreement provides a benefit for each party. The Navy will be assured that there will be no development west of Marsh Drive. The College District obtains the use of additional property for a storm drainage basin that can serve their college site as well as land that could be used for educational conservation purposes. Pharris, LLC, who also owns other property east of the site, will use the dirt dug out from the stormwater basins to raise the grade of other nearby sites. These nearby sites are currently in flood zone areas and need to be raised in order to develop.

Given the provisions of the conservation agreement, the Community Facilities land use designation is the appropriate designation for the site. Staff had considered the Conservation and the Agriculture land use designations, but those designations might not allow the educational uses and storm drainage basins that the College District intends. Also, since the site will no longer be developing with urban uses, it is appropriate to remove the requirements for collector streets on the site.

Implementation of the intended conservation easement can occur whether the City changes the land use designation and zoning or keeps it as is. However, retaining residential designation and zoning on the site would provide a false impression of what appears to now be the permanent land use disposition of the site, and would overly inflate the statistics of vacant residential land inventory in the city. Therefore, Staff recommends that the application be approved.

Subsequent Actions

This would be the final approval of the Zone Change. The Zone Change would be effective 30 days after final approval.

Attachments

Ordinance #2013-04

Exhibit A – Zone Change Map – Existing and Proposed

Exhibit B – Assessor's Parcel Map showing site