

RESOLUTION NO. 2013-29

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE
APPROVING TENTATIVE MAP 2013-02 (CAPISTRANO)
AND PLANNED UNIT DEVELOPMENT 2013-01**

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on December 3, 2013, at 7:30 p.m. on said day, it was moved by Council Member _____, seconded by Council Member _____ and carried that the following Resolution be adopted:

WHEREAS, Covington Property Holdings, represented by R Mitch Covington, has submitted tentative map and planned unit development applications to subdivide 4.5 acres into 20 single-family lots on a site located on the east side of Barcelona Drive, approximately 150 feet north of Toledo Street; and

WHEREAS, an Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA), which disclosed that no significant environmental impacts would result from the project; and

WHEREAS, the Planning Commission of the City of Lemoore, after duly published notice, held a public hearing before said Commission on October 28, 2013, and recommended approval of the Tentative Subdivision Map and Planned Unit Development; and

WHEREAS, the City Council of the City of Lemoore, after duly published notice, held a public hearing on December 3, 2013; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Lemoore concurs that no significant environmental impacts would result from the identified project, and certifies that the Negative Declaration was prepared consistent with the California Environmental Quality Act (CEQA.)

BE IT FURTHER RESOLVED that the City Council of the City of Lemoore approves Tentative Map 2013-02 (Capistrano) and Planned Unit Development 2013-01, based on the evidence presented and the following specific findings:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan and all applicable provisions of the Subdivision Ordinance.
2. The proposed project does not exceed the total density under the base zoning district or the general plan land use designation.
3. The proposed project will not be substantially detrimental to adjacent property, and will not materially impair the purposes of the Zoning Ordinance or the public interest.
4. As proposed and conditioned herein, the site design of the project is consistent with the new residential development standards in the Zoning Ordinance.

BE IT FURTHER RESOLVED that the approval by the Lemoore City Council of Tentative Map 2013-02 (Capistrano) and Planned Unit Development 2013-01 be subject to the following conditions:

1. This approval shall supersede Planned Unit Development 99-01 as it applies to the site.
2. The project shall be developed and maintained in substantial compliance with the tentative map, except for any modifications that may be needed to meet these conditions of approval.
3. The name of the new street shall be modified and approved by the Public Works Department.
4. The existing concrete wall with electric meter and panel on Lot 1 shall be relocated to the north or south side of the lot and reduced in height either to four feet or to the lowest height that is acceptable to Pacific Gas and Electric Company, whichever is higher.
5. The existing irrigation canal located on Lots 1, 8, 9, and 10 shall be piped, with said pipe placed in a 20-foot wide easement in favor of Lemoore Canal and Irrigation Company.
6. The existing overhead electrical power lines located on Lots 1, 8, 9, and 10 shall be undergrounded and placed into an easement or shall be relocated off of the site.
7. A 6-foot to 7-foot wood fence or block wall shall be constructed along the north side of Lots 1, 9, and 10, and the east side of Lots 10 through 16.
8. Plans for all public and private improvements, including but not limited to, water, sewer, storm drainage, road pavement, curb and gutter, sidewalk, street lights, and fire hydrants shall be approved by the City Engineer, and these improvements shall be completed in accordance with the approved plans to the satisfaction of the Public Works Department.
9. Fire hydrant locations shall be approved by the Lemoore Volunteer Fire Department.
10. Any existing roadway, sidewalk, or curb and gutter that is damaged during construction shall be repaired or replaced to the satisfaction of the Public Works Department.
11. The existing parkway along Barcelona Drive shall be landscaped in accordance with City standards with the construction of homes on the adjacent lots (Lots 1, 2, 3, 4, and 20.)
12. Concrete pads for installation of mailboxes shall be provided in accordance with determinations made by the Lemoore Postmaster.
13. The front yard setback of adjacent homes shall have a minimum 2-foot stagger between adjacent lots.

14. Master home plans shall be substantially consistent to the floor plans and elevations submitted with the Planned Unit Development application, unless subsequently modified by the Planning Commission.
15. The developer shall comply with the standards, provisions, and requirements of the San Joaquin Valley Air Pollution Control District that relate to the project.
16. The final subdivision map shall be submitted in accordance with City ordinances and standards.
17. The project shall be subject to the applicable development impact fees adopted by resolution of the City Council.
18. The expiration dates of the Planned Unit Development permit shall coincide with the expiration dates of the tentative map, as specified in the Subdivision Map Act and as may be legislatively extended.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Lemoore held on the 3rd day of December 2013, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED:

William M. Siegel, Jr., Mayor

ATTEST:

Brooke Austin
Chief Deputy City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, BROOKE AUSTIN, Chief Deputy City Clerk of the City of Lemoore do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular meeting of the City Council of the City of Lemoore called and held on 3rd day of December, 2013.

Dated: December 4, 2013

BROOKE AUSTIN
Chief Deputy City Clerk