

LEMOORE PLANNING COMMISSION
Regular Meeting
AGENDA
Lemoore Council Chamber
429 'C' Street

April 9, 2018
7:00 p.m.

1. Pledge of Allegiance
2. Call to Order and Roll Call
3. Recognition of Judy Badasci and Michael Dow for their service as Planning Commissioners
4. Installation of Commissioners Regina Boerkamp and Gregory Franklin
5. Reorganization of Commissioners – Election of Officers – Chair and Vice Chair

6. Public Comment

This time is reserved for members of the audience to address the Planning Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Commission, any handouts for Commissioners will be provided to the Planning Commission Secretary for distribution to the Commissioners and appropriate staff.

7. Approval – Minutes – Regular Meeting, November 13, 2017
8. Public Hearing – General Plan Amendment No. 2018-01: A request by Victory/Pharris Development, LLC to change the planned width of Bush street west of State Highway 41 from six lanes to four lanes
9. Public Hearing – General Plan Amendment No. 2018-02: an amendment to remove requirements for sidewalks with parkways from the General Plan and Zone Text Amendment No. 2018-01: amendments to portions of the following articles within the Lemoore Municipal Code: Article J of Chapter 7 of Title 8 (Roadways and Access); Article B of Chapter 2 of Title 9 (Major and Minor Site Plan Review and Senate Bill 35 Compliance Procedures); Article B of Chapter 4 of Title 9 (Allowed Uses and Required Entitlements Table); Article B of Chapter 5 of Title 9 (Noise, Odor, and Vibration Performance Standards); and Article F of Chapter 5 of Title 9 (Mural Procedures)
10. Director's Report – Judy Holwell
11. Commission's Report and Request for Information
12. Adjournment

Upcoming Meetings

Regular Meeting of the Planning Commission, May 11, 2018

Agendas for all Planning Commission meetings are posted at City Hall, located at 119 Fox Street, at least 72 hours prior to the meeting. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Community Development Department, located at 711 W. Cinnamon Drive, during normal business hours.

The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is accessible to the physically disabled. Should you need special assistance, please call (559) 924-6740, at least 4 business days prior to the meeting.

CERTIFICATION OF POSTING

I, Kristie Baley, Planning Commission Secretary for the City of Lemoore, do hereby declare that I posted the above Planning Commission Agenda for the Regular Meeting of Monday, April 9, 2018 at 7:00 p.m. at City Hall, 119 Fox Street in accordance with applicable legal requirements. Dated this 6th day of April, 2018.

//s//

Kristie Baley, Commission Secretary

Minutes of the
LEMOORE PLANNING COMMISSION
November 13, 2017

PLEDGE OF ALLEGIANCE

MEETING CALLED TO ORDER

At 7:00 p.m., the meeting was called to order.

ROLL CALL Chair: Meade
 Vice Chair: Marvin
 Commissioners: Badasci, Clement, Dow, Etchegoin, Koelewyn

City Staff and Contract Employees Present: Community Development Director Holwell; City Planner Brandt; Commission Secretary Baley

PUBLIC COMMENTS AND INQUIRIES

ITEM NO. 3

Gary Belding, 376 Devon Drive spoke.

Marlana Brown, Planning Liaison for NAS Lemoore spoke.

REQUESTS FOR APPROVAL

ITEM NO. 4 MINUTES – REGULAR MEETING, SEPTEMBER 11, 2017

Motion by Commissioner Marvin, seconded by Commissioner Badasci, to approve the Minutes of the Planning Commission Regular Meeting of September 11, 2017.

Ayes: Marvin, Badasci, Clement, Dow, Etchegoin, Koelewyn, Meade

PUBLIC HEARINGS

ITEM NO. 5 PUBLIC HEARING – ZONE VARIANCE NO. 2017-01 – A REQUEST BY LEPRINO FOODS (PETER DAVIDSON) FOR A VARIANCE FROM THE STANDARD 25-FOOT FRONT BUILDING SETBACK TO ALLOW CONSTRUCTION OF A NEW 42-FOOT TALL CYLINDRICAL WASTEWATER HOLDING TANK WITH A 17-FOOT BUILDING SETBACK FROM BELLE HAVEN DRIVE. THE SITE IS LOCATED AT 351 BELL HAVEN DRIVE IN THE CITY OF LEMOORE (APN 024-051-027).

Chair Meade opened the public hearing at 7:30 p.m.

Peter Davidson spoke.

There were no other comments from the public.

Chair Meade closed the public hearing at 7:33 p.m.

Motion by Commissioner Clement, seconded by Commissioner Koelewyn to approve Resolution No. 2017-20, a Resolution of the Planning Commission approving Zone Variance No. 2017-01 for a variance from the standard 25-foot front building setback to allow a new 42-foot tall cylindrical wastewater holding tank with a 17-foot building setback from Belle Haven Drive, located at 351 Belle Haven Drive.

Ayes: Clement, Koelewyn, Badasci, Dow, Etchegoin, Marvin, Meade

DEVELOPMENT SERVICES DIRECTOR'S REPORT

ITEM NO. 6

Community Development Director Holwell provided the Commission with the following information:

The annexation of Tract 920, Lennar Homes is on the November 17, 2017 LAFCO agenda.

Staff is reviewing a site plan for the SE corner of SR 41 and Hanford Armona Road.

Tract 921, Woodside Homes is grading and putting in curb and gutter.

Dollar General is in the process of completing a cross access easement.

Billiards is going to be opening soon in the Gateway Plaza.

Staff following City Zoning Ordinance regarding Mr. Belding's fence that was brought to light during the public comment period.

Arco submitted building plans. The project requires abandonment of easement.

COMMISSIONER'S REPORTS AND REQUESTS FOR INFORMATION

ITEM NO. 7

There were no reports or requests for information.

ADJOURNMENT

At 7:44 p.m., the meeting adjourned.

Approved the 9th day of April, 2018.

APPROVED:

, Chairperson

ATTEST:

Kristie Baley, Commission Secretary



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Staff Report

Item No. 8

To: Lemoore Planning Commission

From: Steve Brandt, AICP

Date: April 5, 2018 Meeting Date: April 9, 2018

Subject: General Plan Amendment No. 2018-01: A request by Victory/Pharris Development, LLC (agent: Tim Palmquist) to change the planned width of Bush Street west of Highway 41 from six lanes to four lanes.

Proposed Motion:

City staff recommends that the Planning Commission conduct a public hearing to take testimony regarding General Plan Amendment No. 2018-01. Following the public hearing, City staff recommends that the Planning Commission consider the testimony given and adopt Resolution No. 2018-01 recommending to the Lemoore City Council approval of the change for Bush Street from six lanes to four lanes only for the road segments between Marsh Drive and Semas Drive.

Project Proposal:

This proposal is a request for a General Plan Amendment to modify text and figures in the Lemoore General Plan that identify the future number of lanes for Bush Street west of Highway 41. Bush Street is designated as an Arterial street in the General Plan and is therefore expected to carry much of the vehicle traffic generated on the west side. The number of lanes for the future street affects the carrying capacity of the street, which in turn affects the relative congestion of the street in the future. Victory/Pharris Development, LLC owns three sites along Bush Street that are planned for residential development. The planned width of Bush Street influences the design of these properties.

Previous Relevant Actions:

In July 2006, the City Council approved the Victory Village subdivision map, approving 279 new single-family lots on three sides of the intersection of Bush Street and Marsh Drive.

On December 17, 2013, the City Council amended the General Plan and the Zoning Map to change the land use designation and zoning on 53 acres of undeveloped land located on the west side of Marsh Drive on both sides of Bush Street. The land had originally been designated for Low Density Residential use. It was changed to Community Facilities after an agreement was reached between the Pharris, LLC and Naval Air Station Lemoore to keep the site permanently undeveloped. This change effectively voided most (two of the three corners) of the Victory Village subdivision map approved in 2006, reducing the number of single-family residential units from 279 to 51. The relevance of this action to the current request is that there will now be a lower traffic demand to project than there was when the General Plan was adopted in 2008.

On September 11, 2017, the Planning Commission approved Major Site Plan Review No. 2017-08 for Victory Pharris Development and Granville Homes, allowing a 141-unit multi-family residential development made up of duplex and triplex buildings located on the northeast corner of Bush Street and College Avenue. The zoning and land use designation was already multi-family, and therefore, the project did not increase the estimated traffic demand.

Evaluation:

There is a technical evaluation of Lemoore's planned circulation system in the General Plan Chapter 4, Circulation. Figure 4-1 in the General Plan identifies the planned major roadways. Figure 4-2 identifies their ultimate widths in lanes. A portion of Figure 4-2 is shown in Exhibit A of this staff report. It shows that Bush Street is planned for 7 to 8 lanes from Highway 41 to the future alignment of Semas Drive. From Semas Drive to College Drive, Bush Street is planned for 6 lanes. From College Drive to Marsh Drive, Bush Street is planned for 4 lanes. Exhibit B of this report shows a portion of the General Plan Land Use Diagram, which is Figure 2-2 in the General Plan.

Table 4.3 in the General Plan analyzes the future level of service (LOS) of each street segment in the circulation system. LOS is a standardized method that traffic planners and traffic engineers use to measure the projected congestion level of a street segment or intersection. The measurements range from LOS A, which is free flowing traffic with zero delays, to LOS F, which is full traffic gridlock. The Lemoore General Plan states that the goal for most parts of Lemoore is to maintain streets at LOS C or better.

The table shows that the segment of Bush Street from Semas Drive to College Drive was analyzed at four lanes and it was found that the future level of service would be LOS C. So, changing this segment from six lanes to four lanes would keep the level of service at a level that is acceptable to the City. Therefore, City staff agrees that the segments of Bush Street from Marsh Drive to Semas Drive can be reduced to four lanes.

The table also shows that, for the segment of Bush Street from Semas Drive to Highway 41, at least 6 lanes are needed to maintain LOS C. This is probably due to the large acreage of undeveloped land designated Regional Commercial in the Land Use Diagram. So, reducing this segment to four lanes would require more specialized analysis before the City staff would be comfortable recommending that this segment be changed for four lanes. Since there is an on-going effort with Caltrans to plan for modifications to the Highway 41/Bush Street interchange, City staff recommends that no changes to the General Plan be made for Bush

Street east of Semas Drive at this time. If future changes are needed due to the interchange study, they would be made separately at a future date.

One effect of reducing the planned width to four lanes is that if, in a future General Plan Update, the City desires Bush Street to be widened to six lanes because of additional planned growth on the west side, the City would be financially responsible for the widened from four to six lanes. While this is a future possibility, given the conversations with City Council and NAS Lemoore, it seems unlikely that a future General Plan will add significantly more developable land to the west side to the point that it would require Bush Street to be six lanes.

Environmental Assessment:

According to the analysis in the General Plan, after the proposed change Bush Street will still operate at LOS C or better west of Semas Drive. Therefore, the proposed change still falls within the analysis prepared in the 2008 General Plan Environmental Impact Report (EIR). It is therefore covered by the Lemoore General Plan EIR, and therefore is not subject to further review under the California Environmental Quality Act (CEQA) because the change is still consistent with the Lemoore General Plan policies.

Recommended Approval Findings:

Staff recommends that the Commission make the following findings and recommend approval of the project to the City Council:

1. The general plan amendment is in the public interest, and the General Plan, as amended, will remain internally consistent.
2. Table 4.3 in the General Plan indicates that Bush Street west of Semas Drive will still operate at LOS C or better with four lanes when it was analyzed when the General Plan was updated in 2008.
3. Since 2008, land that was identified for residential development in the General Plan has been redesignated as future wetlands, thereby reducing the future traffic demand on Bush Street west of Semas Drive to less than what was analyzed in 2008.

Attachments:

Exhibit A – Portion of General Plan Figure 4-2 – Planned Improvements

Exhibit B - Portion of General Plan Figure 2-2 – General Plan Land Use Diagram

Draft Resolution

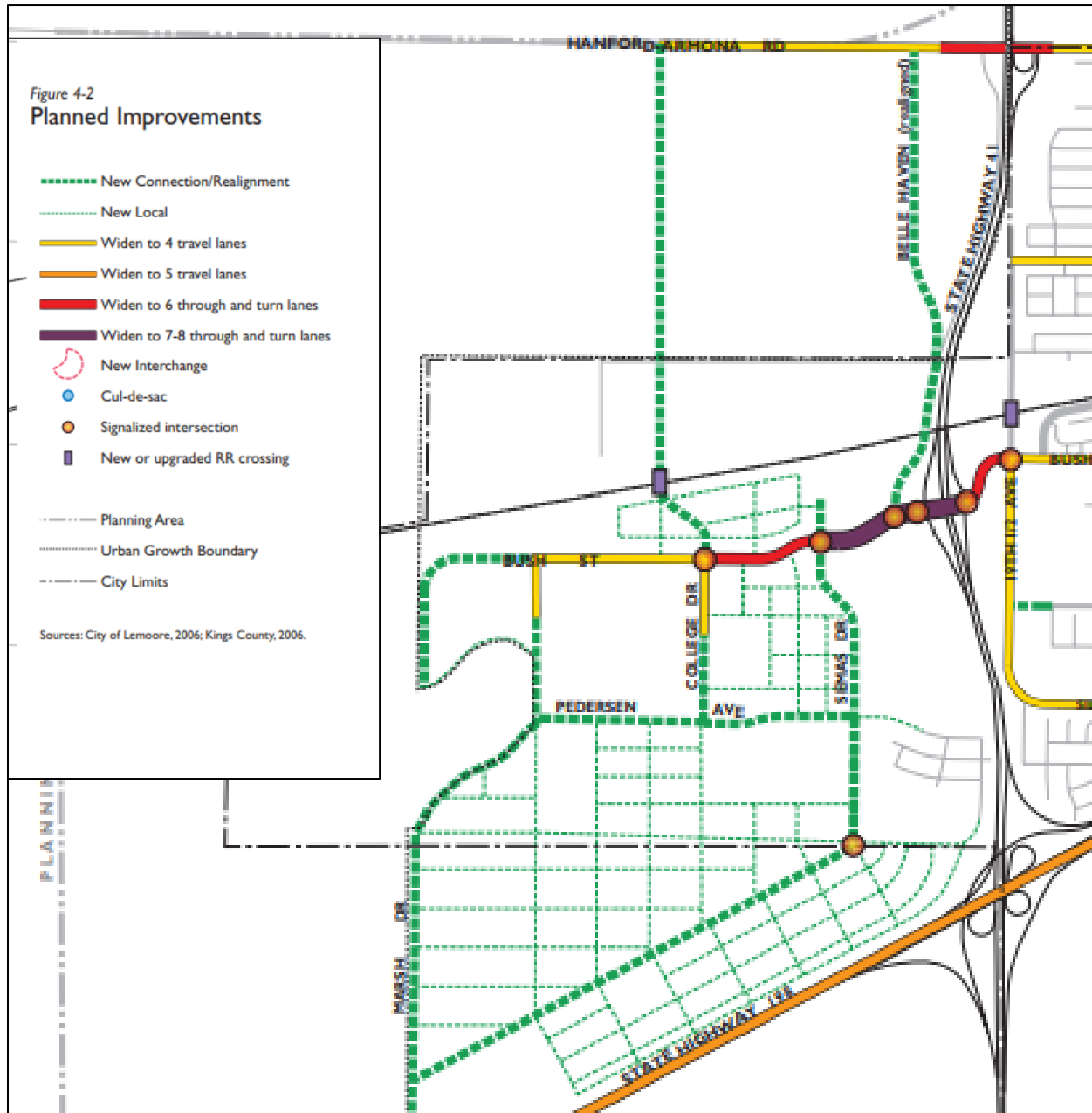
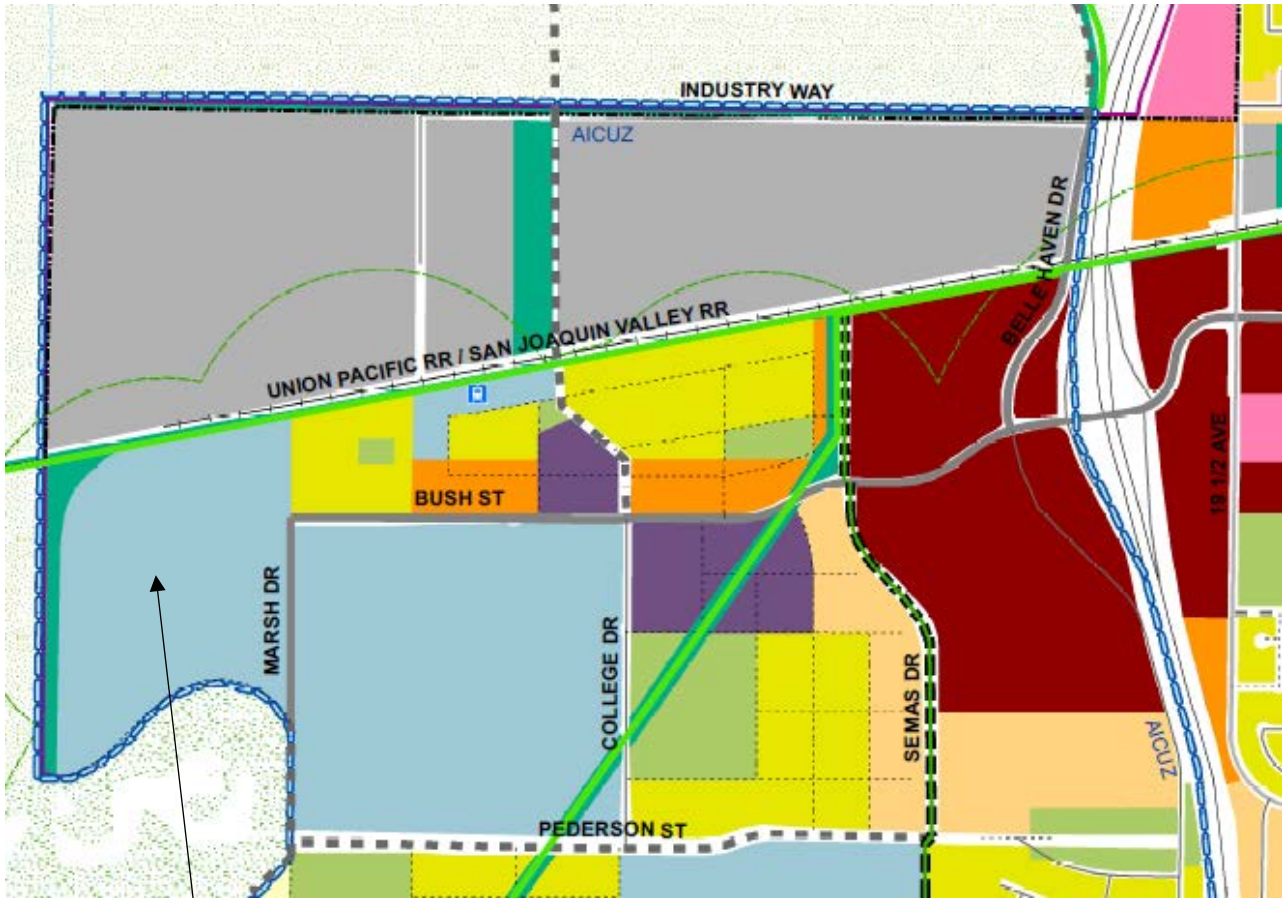


Exhibit A

Portion of General Plan Figure 4-2 – Planned Improvements



Area changed from Low Density Single Family Residential to Community Facilities since 2008

-  Agriculture/Rural Residential
-  Very Low Density Residential
-  Low Density Single Family Residential
-  Low-Medium Density Residential
-  Medium Density Multi-Family Residential
-  High Density Residential
-  Neighborhood Commercial
-  Regional Commercial
-  Mixed Use
-  Professional Office
-  Community Facilities
-  Parks & Recreation
-  Greenway (Including Storm Drain Basins)

Exhibit B

Portion of General Plan Figure 2-2 – General Plan Land Use Diagram

RESOLUTION NO. 2018-01

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2018-01 TO CHANGE THE
PLANNED WIDTH OF BUSH STREET BETWEEN MARSH DRIVE AND SEMAS DRIVE
FROM SIX LANES TO FOUR LANES**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on April 9, 2018, at 7:00 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____ and carried that the following Resolution be adopted:

WHEREAS, the City of Lemoore's General Plan, adopted in 2008, identifies the planned width of Bush Street west of Highway 41 as between four and eight lanes; and

WHEREAS, an Environmental Impact Report (EIR) was certified for the 2008 General Plan, which identified environmental effects of future citywide development under the General Plan, including significant effects, mitigated effects, and insignificant effects: and

WHEREAS, the 2008 General Plan EIR concluded that the build-out of the 2008 General Plan would have a less than significant impact on the local transportation system; and

WHEREAS, Victory/Pharris Development, LLC controls three properties adjacent to the segment of Bush Street west of State Highway 41; and

WHEREAS, Victory/Pharris Development, LLC (agent: Tim Palmquist) has requested that the Lemoore General Plan be amended to change the planned width of Bush Street west of State Highway 41 from the six lanes to four lanes; and

WHEREAS, Table 4.3 in the 2008 General Plan indicates that Bush Street west of Semas Drive, when it was analyzed in 2008, will operate at Level of Service (LOS) C or better with four lanes at the planned build-out, and that Bush Street between Semas Drive and State Highway 41 will operate at LOS C or better with six lanes at the planned build-out; and

WHEREAS, since 2008, land that was identified for residential development in the General Plan has been redesignated as future wetlands, thereby reducing the future traffic demand on Bush Street west of Semas Drive to a level less than what was analyzed in 2008; and

WHEREAS, no land use designation changes are proposed; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its April 9, 2018, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore recommends that the Lemoore City Council make the following findings regarding California Environmental Quality Act (CEQA) compliance:

1. An EIR was prepared and certified when the General Plan was adopted in 2008.
2. Pursuant to Section 15183 of the CEQA Guidelines (14 Cal. Code Regs. §15183), environmental review for this project shall be limited to examination of any significant project-specific environmental effects not analyzed in the 2008 General Plan EIR.
3. There are no project-specific environmental effects peculiar to this project.

4. There are no environmental effects that were not analyzed in the 2008 General Plan EIR.
5. There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the EIR prepared for the 2008 General Plan.
6. No mitigation measures from the 2008 General Plan EIR are relevant or have been made part of the project.
7. The change to four lanes is consistent with the 2008 General Plan because the analysis in the General Plan states that four lanes at general plan build-out would result in a traffic LOS C, which is below the General Plan's threshold of significance for traffic.
8. The project has no effect on the density of development in the 2008 General Plan. General plan amendments approved after 2008 have reduced the density of development in the surrounding area, which will reduce the projected traffic on Bush Street west of Semas Drive.
9. Based on the above findings, CEQA requires no additional environmental review for the proposed General Plan Amendment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore recommends that the Lemoore City Council adopt General Plan Amendment No. 2018-01 to approve a change to Bush Street from six lanes to four lanes only from Marsh Drive to Semas Drive based on the evidence presented and the following specific findings:

1. The general plan amendment is in the public interest, and the General Plan, as amended, will remain internally consistent.
2. Table 4.3 in the General Plan indicates that Bush Street west of Semas Drive will still operate at LOS C or better with four lanes when it was analyzed when the General Plan was updated in 2008.
3. Since 2008, land that was identified for residential development in the General Plan has been redesignated as future wetlands, thereby reducing the future traffic demand on Bush Street west of Semas Drive to less than what was analyzed in 2008.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on April 9, 2018, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

 , Chairperson

ATTEST:

Kristie Baley, Commission Secretary

“In God We Trust”



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Staff Report

Item No. 9

To: Lemoore Planning Commission

From: Steve Brandt, AICP, City Planner

Date: March 26, 2018 Meeting Date: April 9, 2018

Subject: General Plan Amendment No. 2018-02: an amendment to remove requirements for sidewalks with parkways from the General Plan, and **Zoning Text Amendment No. 2018-01:** amendments to portions of the following articles within the Lemoore Municipal Code: Article J of Chapter 7 of Title 8 (Roadways and Access); Article B of Chapter 2 of Title 9 (Major and Minor Site Plan Review and Senate Bill 35 Compliance Procedures); Article B of Chapter 4 of Title 9 (Allowed Uses and Required Entitlements Table); Article B of Chapter 5 of Title 9 (Noise, Odor, and Vibration Performance Standards); and Article F of Chapter 5 of Title 9 (Mural Procedures).

Proposed Motion:

City staff recommends that the Planning Commission adopt Resolution No. 2018-02, recommending approval to the Lemoore City Council of General Plan Amendment No. 2018-02 and Zoning Text Amendment No. 2018-01.

Project Proposal:

Staff is bringing forward for consideration the following zoning text amendments for the Planning Commission and the City Council to consider. A brief description is provided here, and a summary of each, with greater detail, will follow below.

1. Rescinding the mandate for all new residential subdivisions to have parkway style sidewalks, giving an option for a monolithic sidewalk.
2. Adding requirements for a noise easement and an odor easement with new land divisions throughout the City
3. Correcting an error in the time of day construction noise can begin.
4. Amending the requirements for minor and major site plan and architectural reviews.
5. Adding a new alternative procedure section to comply with Senate Bill 35.

6. Allowing motels, hotels, convenience stores, and minor vehicle services in the Light Industrial Zone.
7. Updating the mural review process.

The specific language changes are shown in Attachment A of the draft resolution with new wording in underline and wording to be removed in ~~strikeout~~. The following is a summary of each proposed change.

1. Sidewalks in New Residential Subdivisions

The current General Plan and municipal code mandates all new residential subdivisions to have parkway style sidewalks (e.g., sidewalks separated from the curb by a landscaped area). The proposal would rescind that mandate, making it an option for the City to choose which type of sidewalk to implement in new development. Parkway style sidewalks can produce some difficulties, such as sidewalk damage due to the street tree roots and difficulties exiting vehicles from the passenger side. The other option for sidewalk design is “monolithic” or attached sidewalks. The change gives the City flexibility in determining the more appropriate design for sidewalks. This change would be implemented by removing or revising text in both the General Plan and the Municipal Code. The specific changes to the General Plan are shown in Exhibit B of the draft resolution. The specific changes to the municipal code are shown in Exhibit A of the draft resolution.

2. Mandated Maps for Odor Easement

Currently, all new subdivisions of land through tentative subdivision maps are required to record an odor easement on all lots created. Only subdivisions with the NASL Overlay Zone are required to record a noise easement. These easements inform all new homebuyers that NAS Lemoore, the railroad, and industrial businesses at times can emit odors and noise. The change in the ordinance would expand that mandate to include both tentative parcel maps and tentative subdivision maps throughout the city. By doing this, noise and odor easements will be required for both types of maps (subdivision or parcel), throughout the city. The specific changes to the zoning ordinance are shown in Exhibit A of the draft resolution.

3. Limitation on Hours of Construction

Currently, there is a discrepancy between Section 9-5B-2B-5a and Section 5-6-1C-4 regarding the permitted hours of construction. To eliminate this discrepancy, Section 9-5B-2B-5a will be changed, allowing construction to occur from Monday through Saturday from seven o'clock (7:00) A.M. to eight o'clock (8:00) P.M. The specific changes to the zoning ordinance are shown in Exhibit A of the draft resolution.

4. Minor and Major Site Plan Review

Currently, a minor site plan and architectural review is required for new nonresidential or mixed-use developments, and additions to existing commercial, office, and industrial buildings of less than 10,000 square feet. The proposed change would increase that number to less than 20,000 square feet. Therefore, developments between 10,000 and 20,000 square feet that would have previously had gone to major site plan review will now go to

minor site plan review. This will streamline the process of developments of this size, as approval will be at the City staff level, and will be a ministerial process. The specific changes to the zoning ordinance are shown in Exhibit A of the draft resolution.

Conversely, major site plan and architectural review is required for developments and additions of 10,000 square feet or more. The proposed change would increase that number to 20,000 square feet or more. Therefore, new nonresidential or mixed-use developments, and additions to existing commercial, office, and industrial buildings will both require major site plan and architectural reviews if the development is 20,000 square feet or more.

Also, a new requirement will be added to the list: new multi-family residential developments of less than 30 units on a single site will require a minor site plan and architectural review instead of major site plan review. New multi-family residential developments of 30 units or more on a single site will still require a major site plan and architectural review. This will streamline the approval process for new multi-family developments less than 30 units on a single site. The specific changes to the zoning ordinance are shown in Exhibit A of the draft resolution.

5. Senate Bill 35 (SB 35)

Currently, the Municipal Code does not include anything regarding the recently passed Senate Bill 35. This bill allows for a streamlined approval process for developers, as long as the potential project complies with the objective SB 35 qualifying criteria and passes design review. It will be up to the developer to determine that the project is not excluded from SB 35 streamlining. The change in the ordinance would ensure that Lemoore is in compliance with State Law. This alternative procedure appears to have been written mainly for larger jurisdictions in the Bay Area and Los Angeles area, where residential project approvals can take many years. That said, it is unclear to what extent this will be utilized, if at all, in smaller cities like Lemoore. The specific changes to the zoning ordinance are shown in Exhibit A of the draft resolution.

6. Permitting Hotels, Motels, Convenience Stores, and Minor Vehicle Services in the Light Industrial Zone

Currently, hotels and motels are not permitted in the Light Industrial (ML) zone. The amendment will permit new hotels and motels in this zone. Lemoore does not currently have a service commercial zone, which would typically be the most logical location for hotels and motels. Since the Light Industrial (ML) zone is adjacent to Lemoore's highway interchanges, it seems likely that hotels and motels would want to be in these areas in the future. This will make it easier for Lemoore to attract hotels and motels, as there will be more potential sites available to them.

Staff also recommends allowing minor auto repair as an allowed use and convenience stores with a conditional use permit in the Light Industrial Zone. These changes will be compatible with typical light industrial uses and, because of their relatively some size of a few acres, could be attractive uses for a number of small vacant parcels in the Light Industrial Zone. The specific changes to the zoning ordinance are shown in Exhibit A of the draft resolution.

7. Mural review process

Currently, murals are subject to major site plan and architectural review. The proposed change will require a that a mural permit be issued by the City Council. This is consistent with the procedure in a number of other communities because of the prominence that murals can have in a community. Staff will also be proposing a procedure for the City Council to adopt that will describe the procedure for approving mural permits. The proposed procedure would involve the establishment of a Mural Review Committee to advise the Council.

Environmental Assessment:

The project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]

Recommended Findings:

1. The General Plan Amendments and Zoning Text Amendments are consistent with the General Plan goals, policies, and implementation programs.
2. The General Plan Amendments and Zoning Text Amendments promote the health, safety, peace, morals, comfort, and general welfare.
3. The General Plan Amendments and Zoning Text Amendments are not subject to CEQA based on the general rule provided in State CEQA Guidelines Section 15061(b)(3).

Attachments:

Resolution with revised Ordinance wording in Exhibit A and General Plan amendments in Exhibit B.

RESOLUTION NO. 2018-02

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 20018-02:
REMOVING REQUIREMENTS FOR SIDEWALKS WITH PARKWAYS
AND ZONING TEXT AMENDMENT 2018-01:**

AMENDMENTS TO PORTIONS OF THE FOLLOWING ARTICLES WITHIN THE LEMOORE MUNICIPAL CODE: ARTICLE J OF CHAPTER 7 OF TITLE 8 (ROADWAYS AND ACCESS); ARTICLE B OF CHAPTER 2 OF TITLE 9 (MAJOR AND MINOR SITE PLAN REVIEW AND SENATE BILL 35 COMPLIANCE PROCEDURES); ARTICLE B OF CHAPTER 4 OF TITLE 9 (ALLOWED USES AND REQUIRED ENTITLEMENTS TABLE); ARTICLE B OF CHAPTER 5 OF TITLE 9 (NOISE, ODOR, AND VIBRATION PERFORMANCE STANDARDS); AND ARTICLE F OF CHAPTER 5 OF TITLE 9 (MURAL PROCEDURES).

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on April 9, 2018, at 7:00 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____ and carried that the following Resolution be adopted:

WHEREAS, City staff has proposed several zoning text amendments to the City of Lemoore Municipal Code; and

WHEREAS, the current mandate for all residential subdivisions for parkway-style sidewalks provides difficulties in tree-related damage and vehicle passenger access, and as such staff recommends that both General Plan and Municipal Code be revised to allow the City to have the option of incorporating an attached (or "monolithic") sidewalk into the design of a subdivision; and

WHEREAS, currently noise easements are not required in the Municipal Code for all subdivisions within the City, and as such staff recommends that both tentative parcel maps and tentative subdivision maps throughout the City contain a requirement that both noise and odor easements be recorded, recognizing the existence of odors and noise from NAS Lemoore, local railroads, and local industrial businesses; and

WHEREAS, there is a discrepancy in Municipal Code regarding the permitted hours of construction, so to eliminate this discrepancy staff recommends that Section 9-5B-2B-5a will be changed, allowing construction to occur from Monday through Saturday from seven o'clock (7:00) A.M. to eight o'clock (8:00) P.M.; and

WHEREAS, a minor site plan and architectural review is currently required for additions to existing commercial, office, and industrial buildings of less than 10,000 square feet, and staff recommends increasing this number to 20,000 square feet so as to streamline the process of developments of this size, which would be ministerial at the staff level; and

WHEREAS, a major site plan and architectural review is required for new multi-family residential developments of less than 30 units on a single site, and staff recommends changing this requirement to a minor site plan and architectural review for such developments in order streamline the approval process for such developments; and

WHEREAS, the Municipal Code does not include anything regarding the recently passed Senate Bill 35 in the State of California, which allows developers to present a project for

a streamlined approval process for qualifying projects, so staff recommends a change in the zoning ordinance to acknowledge projects presented pursuant to SB 35; and

WHEREAS, since the Light Industrial (ML) Zone is adjacent to Lemoore's highway interchanges, where hotels and motels would be desirable for future development, it is proposed that the zoning ordinance be revised to allow such uses in the Light Industrial Zone; and

WHEREAS, staff recommends allowing minor auto repair as an allowed use, and convenience stores with a conditional use permit, in the Light Industrial Zone, as these uses are compatible with typical light industrial uses and could be attractive uses for a number of small vacant parcels in the Light Industrial Zone; and

WHEREAS, murals are currently subject to major site plan and architectural review, and staff recommends changing this approval to a mural permit be issued by the City Council under a proposed procedure, which is consistent with the procedure in a number of other communities because of the prominence that murals can have in a community; and

WHEREAS, all of the aforementioned zoning text amendments are covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. The approval of the zoning text amendments does not approve any development project. Rather, the amendments make minor changes to approved zoning uses, and certain approval processes under the Municipal Code. Future development under the proposed text amendments would be subject to CEQA at that time. It can be seen with certainty that there is no possibility that the aforementioned text amendments may have a significant effect on the environment; therefore, the activity is not subject to CEQA, and no further review is necessary. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its April 9, 2018, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed text amendments:

1. The General Plan Amendments and Zoning Text Amendments are consistent with the General Plan goals, policies, and implementation programs.
2. The General Plan Amendments and Zoning Text Amendments promote the health, safety, peace, morals, comfort, and general welfare.
3. The General Plan Amendments and Zoning Text Amendments are not subject to CEQA based on the general rule provided in State CEQA Guidelines Section 15061(b)(3).

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore recommends approval of Zoning Text Amendment 2018-01 as worded in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore recommends approval of General Plan Amendment No. 2018-02 with changes described in Exhibit B attached hereto.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on April 9, 2018, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

, Chairperson

ATTEST:

Kristie Baley, Commission Secretary

Exhibit A

Strikeout text is to be deleted. Underlined text is to be added.

8-7J-4: ROADWAYS AND ACCESS:

~~D. Sidewalks: All new residential subdivisions shall have parkway style sidewalks (e.g., sidewalks separated from the curb by a landscaped area) consistent with the city's adopted improvement standards. Infill development may be exempted from this requirement and be allowed to provide "monolithic", or attached, sidewalks when site conditions, property size, and ability to effectively transition between the two (2) sidewalk types, as determined by the approving authority, warrant.~~

D. Sidewalks: All new residential subdivisions shall conform to the city's adopted improvement standards. The new subdivisions may utilize either parkway style sidewalks (e.g., sidewalks separated from the curb by a landscaped area), or "monolithic" or attached sidewalks. Either type of sidewalk must remain in compliance with the city's design standards.

9-2B-12: MINOR SITE PLAN AND ARCHITECTURAL REVIEW:

B. Applicability: Minor site plan and architectural review shall be required prior to the issuance of any ministerial building permits or site improvement plans and prior to or in conjunction with discretionary action of corresponding development applications (e.g., conditional use permit, variance).

1. Review Required: Minor site plan and architectural review is required for all of the following activities:

- a. New nonresidential or mixed-use developments of less than ~~ten thousand (10,000)~~ 20,000 gross square feet;
- b. Additions of less than ~~ten thousand (10,000)~~ 20,000 square feet to existing commercial, office, and industrial buildings;
- c. Conceptual plan for a mixed-use center as required by chapter 7, "Mixed Use Development Standards", of this title.
- d. New multi-family residential developments (e.g. apartments, condominiums, townhomes) of less than 30 units on a single site.

9-2B-15: MAJOR SITE PLAN AND ARCHITECTURAL REVIEW:

B. Applicability: Major site plan and architectural review shall be required prior to the issuance of any ministerial building permits or site improvement plans and prior to or in conjunction with discretionary action of corresponding development applications (e.g., conditional use permit, variance).

1. Review Required: A major site plan and architectural review is required for the following items:

- a. New nonresidential or mixed-use developments of ~~ten thousand (10,000)~~ 20,000 gross square feet or more;
- b. Additions of ~~ten thousand (10,000)~~ 20,000 square feet or more to existing commercial, office, and industrial buildings;
- c. New multi-family residential developments (e.g., apartments, condominiums, townhomes) except where there are less than 30 units on a single site;
- d. Any new construction of buildings (e.g., new stores) of any size in the downtown;
- e. The design and layout of new residential subdivisions as part of the tentative subdivision map process as provided in title 8, chapter 7, "Land Division", of the municipal code;
- f. Demolition or exterior alterations and additions to nonresidential buildings that are more than seventy-five (75) years old.

(New section following Section 9-2B-24)

9-2B-25: SENATE BILL 35 COMPLIANCE PROCEDURES

As an alternative to the procedures in this Chapter, a developer may request approval through the streamlined ministerial approval process provided for in California Senate Bill 35, (SB 35), filed with the Secretary of State on September 29, 2017. A developer making such a request shall submit the necessary information set forth in subdivision (a) of Government Code section 65913.4, or any other relevant code section thereto, to determine that the project is not excluded from the SB 35 streamlining process. Should such information be provided, the project shall be approved pursuant to the process set forth in subdivisions (b) and (c) of Government Code section 65913.4, or any other relevant code section thereto.

9-4B-2: ALLOWED USES AND REQUIRED ENTITLEMENTS; BASE ZONING DISTRICTS:

**TABLE 9-4B-2
ALLOWED USES AND REQUIRED ENTITLEMENTS FOR BASE ZONING DISTRICTS**

P	=	Permitted by right	N	=	Not permitted
A	=	Administrative use permit required	C	=	Conditional use permit required

Land Use/ Zoning District	Residential Zoning Districts							Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	A R	R V L D	R L D	R N	R L M D	R M D	R H D	W	A G	P R	C F	DM X- 1	DM X- 2	DM X- 3	MU	NC	RC	P O	ML	MH
Hotel and Motel	N	N	N	N	N	N	N	N	N	N	N	P	N	N	P	P	P	P	N P	N
Convenience store	N	N	N	N	N	N	N	N	N	N	P ¹⁵	P ¹⁵	C ¹⁵	P	P	P	P	N C-	N	
Vehicle services - minor	N	N	N	N	N	N	N	N	N	N	N	C ²³	N	C ²³	C ²³	C ²³	N	C ²³ P	C ²³	

9-5B-2: NOISE, ODOR, AND VIBRATION PERFORMANCE STANDARDS:

B. Noise Standards:

5. Limitation On Hours Of Construction: To ensure that nearby residents as well as nonresidential activities are not disturbed by noise from early morning or late night activities, the following limits on construction are established:

a. Monday through Saturday, ~~six o'clock (6:00) A.M.~~ seven o'clock (7:00) A.M. to eight o'clock (8:00) P.M.

8. Noise Easement Required: All new subdivisions of land approved through tentative subdivision map or parcel map as provided in title 8, chapter 7, article F, "Tentative Maps", of the municipal code shall be required, as a condition of approval, to record at time of final or parcel map an easement on all lots created. Such easement shall identify that the property is near a military installation subject to high aircraft noise, low level aircraft, aircraft tests, and/or other military related issues. Such easement shall also identify that the property is near a railroad line and near industrial uses that produce periodic noise.

C. Odors, Particulate Matter, And Air Contaminants Standards:

3. Odor Easement Required: All new subdivisions of land approved through tentative ~~map~~ subdivision map or tentative parcel map as provided in title 8, chapter 7, article F, "Tentative Maps", of the municipal code shall be required as a condition of approval to record at time of final or parcel map an odor easement on all lots created. Such easement shall identify the presence of industrial uses in the vicinity of the lot and be in a form satisfactory to the city.

9-5F-5: STANDARDS FOR PERMANENT ON SITE SIGNS:

E. Murals:

- ~~3. Murals shall be subject to major site plan and architectural review to ensure the scale and character of the mural is in keeping with the surrounding development. (Ord. 2013-05, 2-6-2014)~~
3. No person shall paint a mural on the exterior of any structure or change any existing mural on the exterior of any structure prior to the issuance of a mural permit issued by the City Council. An application for a mural permit shall be submitted on the form prescribed by the Community Development Director.

Exhibit B

GPA 2018-02: Amend the Lemoore General Plan as follows:

Page 3-36, Policy CD-I-54. Revise policy as follows:

Design local streets not only to accommodate traffic, but also to serve as comfortable pedestrian environments. These should include, but not be limited to:

- Along Arterial, Parkway, and Collector Streets, street tree planting adjacent to curb between the street and sidewalk (the “parkway strip”) to provide a buffer between the pedestrian and the automobile, as well as in the landscaped buffer between the sidewalk and adjacent buildings/walls, where appropriate.
- Along Local Streets, ~~provide a landscape parkway between the curb and back of walk. Additionally,~~ provide a street tree at the rate of one per single family dwelling unit or 30 feet for other uses. This street tree may be located either within the parkway, behind the sidewalk within the utility easement, or in the front yard setback ~~at the choice of the developer or property owner.~~

Page 4-7: Remove the phrase “landscaped parkway strips” as follows:

Local Streets. The primary function of local streets is to provide direct access to adjacent properties. Local streets should provide two travel lanes, ~~landscaped parkway strips,~~ and sidewalks. On-street parking may be restricted if needed. Bike lanes are usually not needed because these streets carry low traffic volumes and all are considered to be bicycle friendly.

Page 4-14: Revise the last paragraph as follows:

Table 4.4 establishes the required elements ~~and typical widths~~ for each street classification that serves residential neighborhoods. All street designs are subject to review and approval by the Planning Commission, City Council, Planning Department and Public Works Department. ~~Figure 4-3 shows typical street sections.~~

Page 4-21 to 4-23: Remove all of Figure 4-3.

Page 4-24: Replace Table 4-4 with the following table:

<i>Street Classification</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Width</i>	<i>Travel Lanes</i>	<i>Parking Lanes</i>	<i>Bicycle Lanes</i>	<i>Median Strip</i>	<i>Parkway</i>	<i>Sidewalks</i>
<i>Arterial</i>	84-100 ft.	56-75 ft	4-5	None	Yes	No	Yes	Yes
<i>Parkway</i>	105 ft	69 ft	4	No	Yes	Yes	Yes	Yes
<i>Collector: without on-street parking</i>	74 ft	48 ft	2-3	No	Yes	No	Yes	Yes
<i>Collector: with on-street parking</i>	78 ft	52 ft	2	Yes	Yes	No	Yes	Yes
<i>Downtown Street</i>	80-86 ft	Approx. 60 ft	2	Yes	No	No	No	Yes
<i>Local Residential Street</i>	58 ft	34 ft	1	Yes	No	No	Per Public Works Stds.	Yes

<i>Cul-de-sac or other dead-end street serving less than 10 homes</i>	56-58 ft	36 ft	2	Yes	No	No	Per Public Works Stds.	Yes
<i>Rural Street</i>	36-50 ft	22-26 ft	2	No	No	No	No	No

Page 6-9, Policy PU-I-9: Revise policy as follows:

Require water bubblers for street trees, separate from surface irrigation ~~used for turf.~~