

RESOLUTION NO. 2008-52

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE AMENDING
PORTIONS OF THE COMMUNITY DESIGN AND CIRCULATION ELEMENTS OF
THE 2030 GENERAL PLAN (GENERAL PLAN AMENDMENT NO. 2008-02)**

At a regular Meeting of the City Council of the City of Lemoore duly called and held on October 21, 2008, at 7:30 p.m. on said day, it was moved by Councilmember MARTIN, seconded by Councilmember RODARMEL and carried that the following Resolution be adopted:

WHEREAS, the Planning Commission reviewed a recommendation by the Planning Department that the Community Design and Circulation Chapters of the 2030 General Plan be updated and revised; and

WHEREAS, the Planning Commission has proposed to amend the Community Design and Circulation Chapters of the Lemoore 2030 General Plan text so that mistakes and intents are corrected; and

WHEREAS, the Planning Commission held a duly noticed hearing on the proposed amendments to the Lemoore 2030 General Plan text on August 25, 2008, pursuant to Government Code Section 65353; and

WHEREAS, the Planning Commission, as a result of evidence and written and oral testimony offered at said hearing, recommends that the best interests of the City of Lemoore would be served by amending the Community Design and Circulation Elements of the 2030 General Plan text; and

WHEREAS, the City Council considered the Planning Commission's recommendation to amend the Lemoore 2030 General Plan held on a duly noticed public hearing pertinent thereto on October 7, 2008, pursuant to Government Code Section 65090 and considered all comments made and written and oral evidence presented at the hearing and further considered these items on October 21, 2008; and

WHEREAS, the City Council finds with certainty, based on the entire record before it, that there is no possibility that the amendment to the Community Design and Circulation Elements of the Lemoore 2030 General Plan recommended by the Lemoore Planning Commission will have any effect on the environment and is therefore not subject to review under the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lemoore as follows:

The 2030 Lemoore General Plan is amended as outlined in Attachment A included herein.

Passed and adopted at a regular meeting of the City Council of the City of Lemoore held on the 21st day of October, 2008, by the following vote:

AYES: MARTIN, RODARMEL, HORNSBY, GREGO, MURRAY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

APPROVED


John F. Murray
John F. Murray, Mayor

ATTEST:

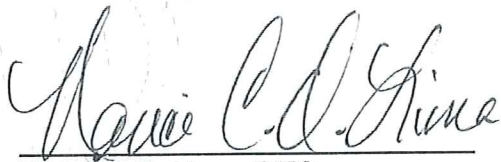
Nanci C.O. Lima
Nanci C.O. Lima, CMC
City Clerk

CERTIFICATE

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

I, Nanci C. O. Lima, City Clerk of the City of Lemoore, do hereby certify the foregoing Resolution was duly adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 21st day of October, 2008.

DATED: October 22, 2008

A handwritten signature in cursive script, appearing to read "Nanci C.O. Lima", is written over a horizontal line.

Nanci C.O. Lima, CMC
City Clerk

ATTACHMENT A
GENERAL PLAN AMENDMENT NO. 2008-02

Modify the following individual portions of the 2030 General Plan Document:

COMMUNITY DESIGN ELEMENT:

Item #1: Modify policy CD-I-45 on page 3-33 to add a fifth bullet to state the following policy:

- Homes built in pre-existing neighborhoods should be built in similar scale and design to existing neighborhood as determined by the Planning Department.

Item #2: Replace the entire policy CD-I-49 to read as follows:

- One permanent carport structure may be allowed per dwelling unit in front yard setback areas, with the exception of corner lots, so long as their design in the front of the house matches that of the housing unit structure and is at least 4' in back of the sidewalk.

Item #3: Modify Figure 3-15 - Housing Typology on page 3-37 and 3-38 top row, columns 3, 4, and 5 to read as follows as it was labeled incorrectly:

Front Loaded Low Density Rear Loaded Detached Zero-Lot-Line

Front Loaded Detached Zero-Lot-Line

Item #4: Replace the entire policy CD-I-56 and the two pictures under the policy on page 3-39 regarding fence and wall policy which was difficult to interpret its meaning:

CD-I-56 Include the following standards and regulations for fences and walls in residential areas in the Zoning Ordinance:

- Fences located in front yards shall be limited to no more than 3' in height with at least 50% permeability in front of the main building structure. Chain link fences shall not be allowed in this area.
- Fences along interior side or rear yards can be solid up to 7' so long as they are located behind the main building structure(s) along the property line of interior lots.
- Fences on corner lots can install solid architecturally detailed side yard fences taller than 3' once they are even or in back of the main structure and placed at least 3' behind the back sidewalk. Landscaping shall be required between the sidewalk and the fence and properly maintained by the owner. If proposed fencing placement would obstruct sight lines for vehicular traffic causing a hazardous traffic condition, the location must be altered. Chain link fences shall not be allowed in this area.
- Properties that abut existing perimeter subdivision walls or fences facing public streets must use materials and height consistent with adjacent or abutting neighbors and get approval from the Planning Department prior to installation.

- New single family subdivisions shall only use decorative masonry perimeter walls/fences when abutting arterial streets, highways, commercial or industrial zone land, or areas where such installation is needed to adequately reduce noise impacts to acceptable levels.
- Gated communities that restrict public access to multi-family and single-family residential areas are prohibited.
- Trash containers shall be kept behind solid fences or landscaping to screen from public view, with appropriate access for cleaning and refuse removal.



Fencing on corner lots can be in back on sidewalk in front and side yards so long as it does not exceed 3' and is permeable.



Tall solid fencing on lots must be equal to or behind main building structure to keep front yards open feeling.



Tall solid fencing along corner lot side yards shall be setback at least 3' behind sidewalk to provide better pedestrian environment.

Item #5: Re-evaluate the gated community policy to possibly allow under certain circumstances through a conditional use permit. The current policy reads as follows:

CD-I-47 Prohibit gated communities that restrict public access to multi-family and single family residential areas.

Developers build gated communities to appeal to buyers' desire for security and prestige. However, studies indicate that safety in gated communities is more illusion than reality. Crime rates in gated communities are not necessarily lower than non-gated communities. Gated communities are also criticized by sociologists as being exclusionary and reinforcing differences along class or racial lines. In addition, having physical barriers placed between different neighborhoods often impairs bicycle and pedestrian connectivity.

CIRCULATION ELEMENT:

Item #6: Change the incorrectly line items stated in Table 4.3, page 4-15 and 4-16, (Existing and Buildout Traffic Volumes and Levels of Service for Roadway Segments) as follows:

The Future Lanes and Capacities column for Bush Street between SR-41 NB ramps to SR-41 SB ramps EB needs to be changed from 3 lanes to 2 lanes.

Item #7: Add the missing Landscape and Utility Easement to Figure 4-3, page 4-21 Street Sections on the Median Parkway drawing.