

RESOLUTION 2009- 43

A RESOLUTION OF THE LEMOORE CITY COUNCIL AMENDING GENERAL PLAN POLICY CD-I-47 TO ALLOW GATED COMMUNITIES AS A CONDITIONAL USE PERMIT IN RESIDENTIAL DISTRICTS

At a Regular Meeting of the Lemoore City Council duly called and held on November 17, 2009 at 7:30 p.m. on said day, it was moved by Council Member PLOURDE, seconded by Council Member HORNSBY, and carried that the following Resolution be adopted:

WHEREAS, the City Council has requested that General Plan Policy CD-I-47 be amended to consider allowing gated communities in Residential Districts under certain circumstances if approved through a Conditional Use Permit, and;

WHEREAS, several study sessions were held and feedback forms were submitted to staff by the Planning Commission over the last few months; and

WHEREAS, Planning staff worked with the Fire, Police, and Public Works Departments of the City to determine additional standards and thresholds that need to be incorporated into the Zoning Ordinance regarding Gated Communities; and

WHEREAS, a public hearing was noticed in the Hanford Sentinel on October 16, 2009, and the Lemoore Planning Commission held a duly noticed public hearing on proposed amendments to the General Plan text on October 26, 2009 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 in the best interest of the Citizens of Lemoore, Gated Communities in Residential Districts be considered, only if they meet thresholds, standards and design criteria administered through a Conditional Use Permit process; and

WHEREAS, the Planning Commission recommends that Council consider adopting Ordinance No. 2009-10 after amending the General Plan amending Zoning Sections 9-2-2, 9--7A-5, 9-7B-5, 9-7C-6, 9-7A7:E, and 9-7C-8:D to comply with the General Plan amendment, and:

WHEREAS, the City Council considered the Planning Commission's recommendation to amend the Lemoore 2030 General Plan, held a duly noticed public hearing pertinent thereto on November 17, 2009, pursuant to Government Code Section 65090 and considered all comments made and written and oral evidence presented at the hearing to amend General Plan Policy CD-I-47; and

WHEREAS, the City Council finds with certainty, based on the entire record before it, that there is no possibility that the amendment to General Plan policy CD-I-47 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 that the City Council of the City of Lemoore does amend General Plan policy CD-I-47 to read as follows:

CD-I-47 Discourage gated communities that restrict public access to multi-family and single family residential areas but permit only if they do not result in cutting off critical access between neighborhoods in accordance with thresholds, standards, and design criteria and conditional use permit process described in the Zoning Ordinance consistent with other General Plan policies. Small Town character should remain an important factor throughout the design of any proposed gated community.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on November 17, 2009, by the following votes:

AYES: PLOURDE, HORNSBY, SIEGEL, RODARMEL, MURRAY

NOES: NONE

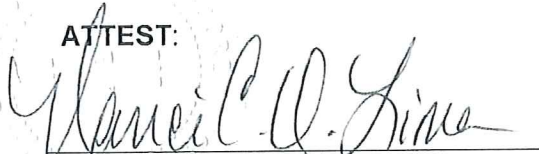
ABSTAINING: NONE

ABSENT: NONE

APPROVED:


John F. Murray, Mayor

ATTEST:

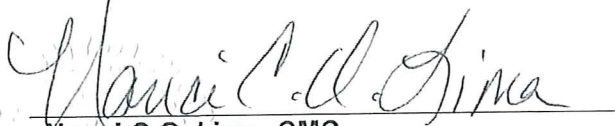

Nanci C.O. Lima, CMC
City Clerk

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 the Regular Meeting of the City Council of the City of Lemoore held on the 17th day of November, 2009.

| DATED: November 18, 2009


Nanci C.O. Lima, CMC
City Clerk

