

May 17, 2021
7:00 p.m.

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Kristie Baley, Commission Secretary

**Minutes of the
LEMOORE PLANNING COMMISSION
Regular Meeting
May 10, 2021**

ITEM NO. 1 Pledge of Allegiance

ITEM NO. 2 Call to Order and Roll Call

The meeting was called to order at 7:00 PM.

Chair: Ron Meade

Vice-Chair: Michael Dey

Commissioners: Joey Brewer, Bob Clement, Ray Etchegoin, Greg Franklin,

Absent: Thomas Nix

City Staff and Contract Employees Present: Community Development Director Judy Holwell, City Planner Steve Brandt (QK), City Attorney Wesley Carlson (Lozano Smith), Commission Secretary Kristie Baley

ITEM NO. 3 Public Comment

There was no comment.

ITEM NO. 4 Approval – Minutes – Regular Meeting, April 12, 2021

Motion by Commissioner Etchegoin, seconded by Commissioner Clement, to approve the Minutes of the Planning Commission Regular Meeting of April 12, 2021.

Ayes: Etchegoin, Clement, Brewer, Franklin, Dey, Meade

Absent: Nix

ITEM NO. 5 Public Hearing – Zoning Text Amendment No. 2021-01: An ordinance amending portions of Article B of Chapter 4 of Title 9 (Allowed Uses and Required Entitlements) within the Lemoore Municipal Code.

City Planner Brandt presented the staff report and answered questions.

Brandt notified Commissioners that staff amended the table shown in the zoning text amendment to also recommend permitting “cannabis commercial manufacturing, distribution, and/or testing” in Professional Office zones with the approval of a conditional use permit “C²⁸”.

Community Development Director provided clarification and answered questions.

The public hearing opened at 7:14 p.m.

There was no comment received from the public.

The public hearing closed at 7:16 p.m.

Motion by Commissioner Franklin, seconded by Commissioner Brewer, to adopt Resolution No. 2021-08, recommending City Council approval of Zoning Text Amendment No. 2021-01 in accordance with the findings and conditions in the resolution as amended to include permitting “cannabis commercial manufacturing, distribution, and/or testing” in Professional Office zones with a conditional use permit “C²⁸”.

Ayes: Franklin, Brewer, Clement, Etchegoin, Dey, Meade

Absent: Nix

ITEM NO. 6 Director's Report

Director Holwell provided the following information:

A Special Meeting of the Planning Commission is scheduled for Monday, May 17, 2021.

The EIR for Lacey Ranch is still in process.

Staff approved a duplex project to be located at Champion and Larish Streets, south of Bush Street.

Staff have been busy processing a multitude of smaller projects, including a lot line adjustment for Olam West.

ITEM NO. 10 Commissioner's Reports and Requests for Information

Commissioner Etchegoin thanked Council Members Jim Chaney and Patricia Matthews for attending the meeting.

Commissioner Mead requested an update on the timeline for completion and operation of the water treatment plant.

Holwell to provide an update at the next meeting.

There were no other reports or requests for information.

ITEM NO. 11 Adjournment

The meeting adjourned at 7:25 P.M.

Full Audio is accessible from the City website at:

<https://lemoore.com/communitydevelopment/planning-commission/>

Approved the ____th day of _____ 2021.

APPROVED:

Ron Meade, Chairperson

ATTEST:

Kristie Baley, Commission Secretary



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Staff Report

To: Lemoore Planning Commission **Item No. 5**
From: Steve Brandt, City Planner
Date: April 26, 2021 **Meeting Date:** May 17, 2021
Subject: **Annexation 2021-01 (Batth) Finding of Consistency and Prezoning:** a request by People's Properties, LLC (Austin Ewell, agent) for proposed annexation of approximately 137 acres located on the northeast corner of 19th Avenue and Idaho Avenue (APNs 024-052-059, 024-052-067, 024-052-068).

Proposed Motion:

I move to adopt Resolution No. 2021-09, which finds Annexation No. 2021-01 to be consistent with the General Plan and recommends that the site be prezoned Heavy Industrial and Light Industrial, in accordance with the existing General Plan land use designations for the site.

Project Proposal:

This annexation is being requested by People's Properties, LLC. People's Properties, LLC requests annexation of approximately 137 acres located on the northeast corner of 19th Avenue and Idaho Avenue. People's Properties, LLC intends to eventually develop and operate a Commercial Cannabis Operation on the site consistent with the Project Development Agreement approved by the City on October 20, 2020, which allows for cannabis cultivation and agricultural-related processing and distribution of cannabis. The project details are still being developed, but the proposed uses are allowed under the General Plan land use designations and the proposed zoning designations.

The Planning Commission's role in an annexation request is to determine whether the annexation proposal is consistent with the General Plan, and to recommend to the City Council the zoning that should be established on the sites upon annexation. The Planning Commission is not taking any action or making a recommendation on any specific project approval that may be developed after annexation.

General Plan and Annexations:

The usual procedure for annexations of land into the City of Lemoore is for a property owner to request annexation. Upon such a request, the City Council makes the decision whether or not to initiate annexation procedures with the Local Agency Formation Commission of Kings County (LAFCO.) LAFCO then reviews and approves the annexation subject to any property owner or voter protest. If a majority of property owners do not protest, then the annexation is approved.

The Planning Commission's role is at the beginning of the process. The Planning Commission is not asked to recommend for or against the annexation. The Planning Commission is asked whether the annexation is consistent with the General Plan, and if so, what the property should be zoned if it is annexed. The Planning Commission is not taking any action or making a recommendation on any specific project approval that may be developed after annexation.

The General Plan defines and locates an Urban Growth Boundary (UGB) on its Land Use Diagram (see Implementing Action LU-I-1 in the General Plan.) New urban development is limited to areas that are inside the UGB. In addition, Implementing Action LU-I-3 states that new development should be contiguous to existing development. Therefore, based on these General Plan policies, an annexation request would be consistent with the General Plan if the annexation area is within the UGB and it is adjacent to existing development.

Table 9.1 of the General Plan establishes the zone or zones that correspond to the General Plan land use designations. Some land use designations have more than one acceptable zone, so it falls to the Planning Commission to recommend to the City Council which zone is most appropriate.

The site proposed for annexation has two land use designations in the General Plan. The 19.8 acres in the northwest corner of the site is designated Heavy Industrial and the rest of the site is designated Light Industrial. Staff recommends that the Planning Commission follow these designations and recommend the site be zoned Heavy Industrial (MH) on the northwesterly 19.8 acres and zoned Light Industrial (ML) on the rest of the site.

Environmental Assessment:

An EIR was prepared and certified for the Lemoore General Plan that evaluated the potential impacts, such as noise, traffic, and cumulative impacts, when the land was designated Light Industrial and Heavy Industrial. The proposed zoning is consistent with the General Plan land use designations. 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 General Plan EIR. After reviewing the proposed action, staff has determined that there are no potentially significant environmental effects that were not analyzed in the General Plan EIR.

Attachments:

Resolution No. 2021-09

Figure 1 – Project Site

Figure 2 – Planned Land Uses – City and County

Figure 3 – Current Zoning – City and County

Figure 4 – General Plan Land Use Diagram with Urban Growth Boundary



Figure 1
Project Site

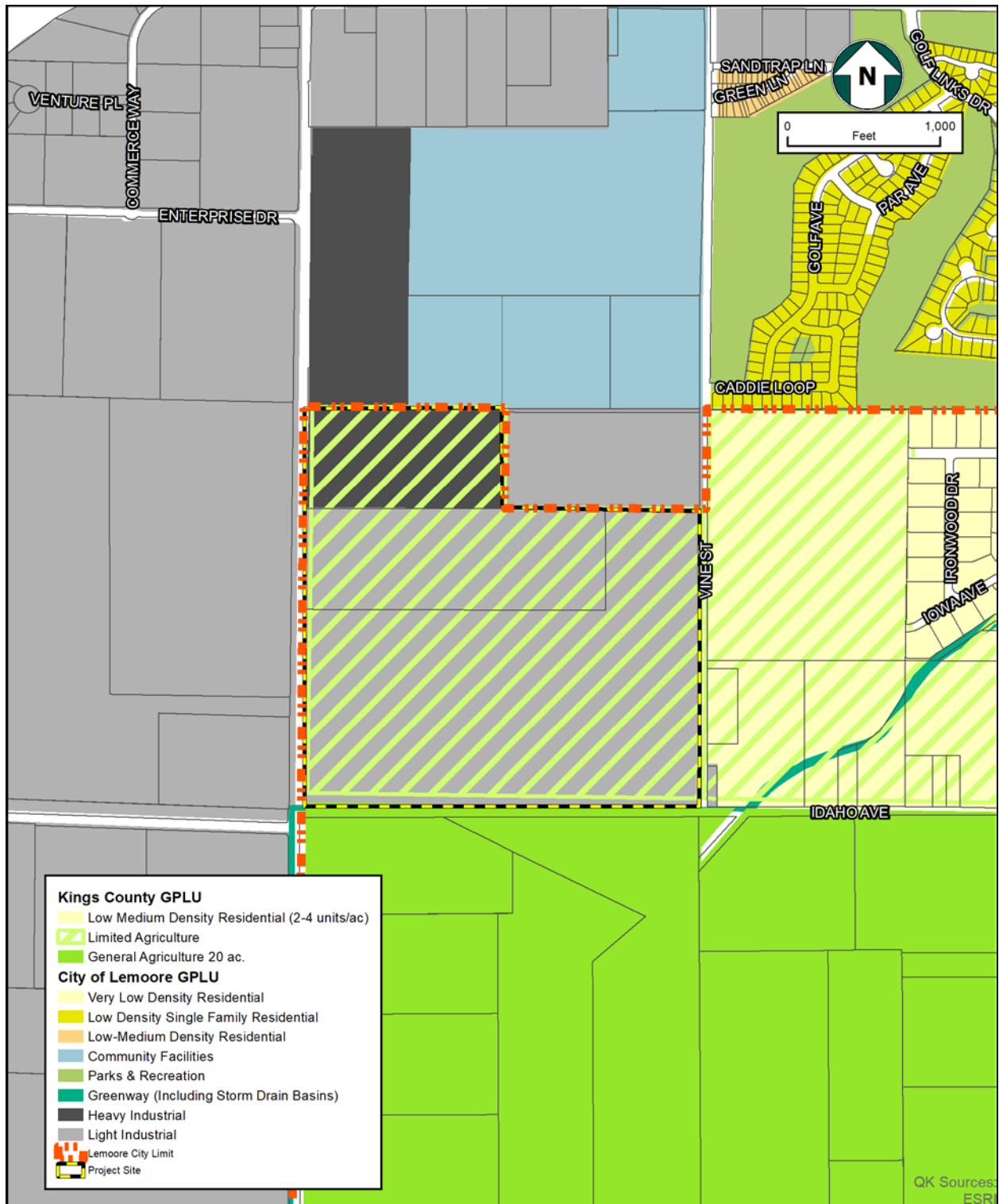


Figure 2
Planned Land Uses – City and County

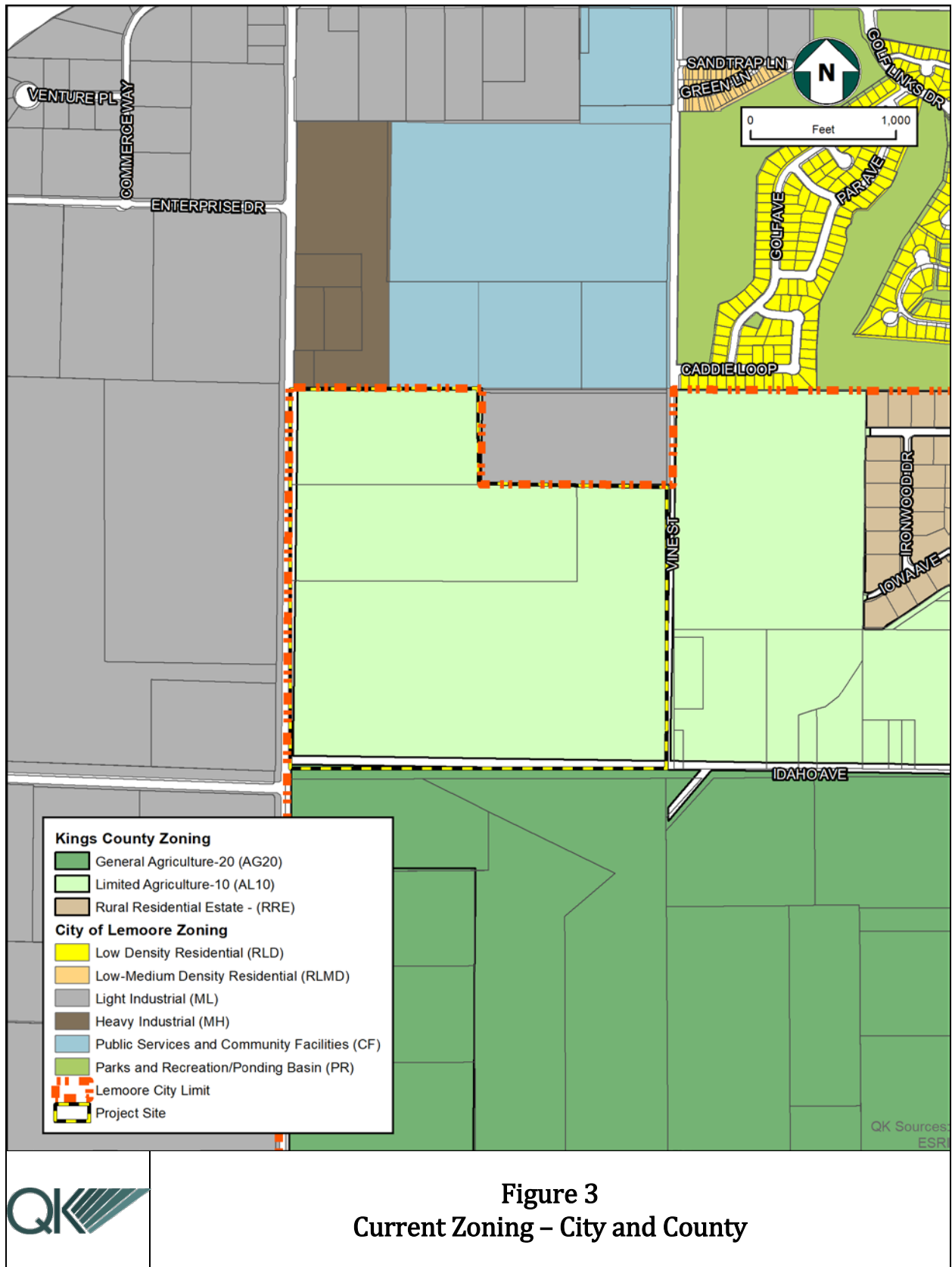
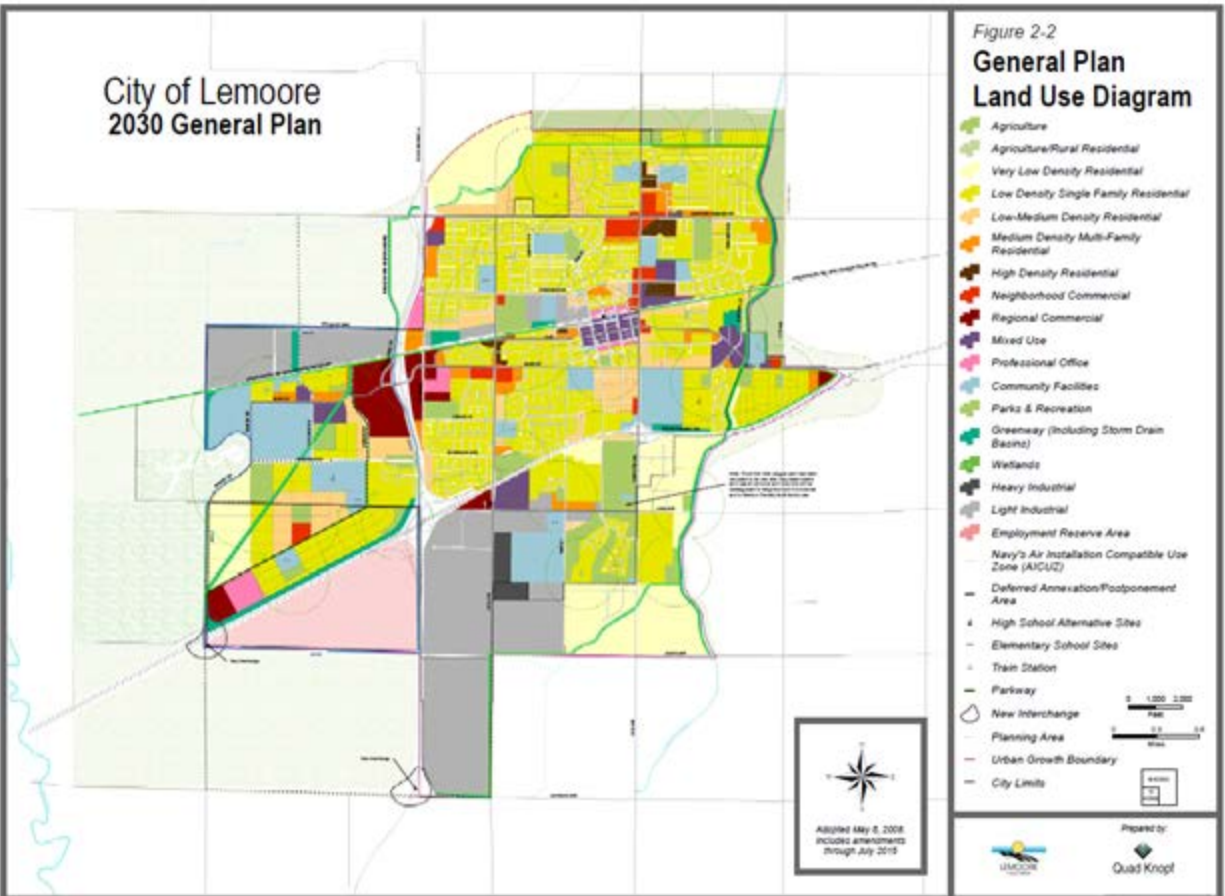


Figure 3
Current Zoning – City and County

City of Lemoore 2030 General Plan



RESOLUTION NO. 2021-09

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
RECOMMENDING PREZONING FOR ANNEXATION 2021-01 AND FINDING THE ANNEXATION TO
BE CONSISTENT WITH THE GENERAL PLAN, LOCATED AT THE NORTHEAST CORNER OF
19th AVENUE AND IDAHO AVENUE IN THE CITY OF LEMOORE**

At a Special Meeting of the Planning Commission of the City of Lemoore (City) duly called and held on May 17, 2021, at 7:00 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____, and carried that the following Resolution be adopted; and

WHEREAS, People's Properties, LLC (Austin Ewell, agent) has proposed annexation of approximately 137 acres located on the northeast corner of 19th Avenue and Idaho Avenue (APNs 024-052-059, 024-052-067, 024-052-068)); and

WHEREAS, the site proposed for annexation has two land use designations in the General Plan: the 19.8 acres in the northwest corner of the site is designated Heavy Industrial and the rest of the site is designated Light Industrial; and

WHEREAS, the applicant intends to eventually develop and operate a Commercial Cannabis Operation on the site consistent with the Project Development Agreement approved by the City on October 20, 2020, which allows for cannabis cultivation and agricultural-related processing and distribution of cannabis, and the proposed uses are allowed under the General Plan land use designation and the proposed zoning designation;

WHEREAS, the General Plan Environmental Impact Report (EIR) evaluated the potential impacts, such as noise, traffic, and cumulative impacts, when the land was designated Light Industrial and Heavy Industrial and there are no potentially significant environmental effects that were not analyzed in the General Plan EIR; and

WHEREAS, the City Planning Commission held a duly noticed public hearing at its May 17, 2021, special meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed annexation, based on facts detailed in the May 17, 2021, staff report, which is hereby incorporated by reference, as well as the evidence and comments presented during the Public Hearing:

1. The annexation territory is within the adopted Sphere of Influence of the City of Lemoore.
2. The annexation of the site into the City of Lemoore city limits is consistent with the Lemoore General Plan.
3. To be consistent with the General Plan, the site should be prezoned with Heavy Industrial (MH) zoning where the land is designated Heavy Industrial in the General Plan and prezoned with Light Industrial (ML) zoning where the land is designated Light Industrial in the General Plan.

Passed and adopted at a Special Meeting of the Planning Commission of the City of Lemoore held on May 17, 2021, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

Ron Meade, Chairperson

ATTEST:

Kristie Baley, Commission Secretary