

July 10, 2023
5:30 p.m.

- Upcoming Meetings
Regular Meeting of the Planning Commission, August 14, 2023

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Kristie Baley, Commission Secretary



PLANNING COMMISSION REGULAR MEETING July 10, 2023 @ 5:30 p.m.

The Planning Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Lemoore utilizes Zoom teleconferencing technology for virtual public participation; however, the City makes no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. (Zoom teleconferencing/attendance may not be available at all meetings.)

The meeting may be viewed through the following Zoom Meeting:

- Please click the link below to join the webinar:
- <https://us06web.zoom.us/j/83942005602?pwd=SUhHVWlIVU5PMWZtVjQyQ1RZeERIQT09>
- Meeting ID: 839 4200 5602
- Passcode: 668938
- Phone: +1 669 900 6833

If you wish to make a general public comment or public comment on a particular item on the agenda, **participants may do so via Zoom during the meeting** or by **submitting public comments by e-mail to: planning@lemoore.com**. In the subject line of the e-mail, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-mail for each item you are commenting on. Please be aware that written public comments, including your name, may become public information. Additional requirements for submitting public comments by e-mail are provided below.

General Public Comments & Comments on City Council Business Items

For general public comments and comments regarding specific Planning Commission Business Items, public comments can be made via Zoom during the meeting or all public comments must be received by e-mail no later than 5:00 p.m. the day of the meeting. Comments received by this time will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a general public comment or comment on a business item is received after 5:00 p.m., efforts will be made to read your comment into the record. However, staff cannot guarantee that written comments received after 5:00 p.m. will be read. All written comments that are not read into the record will be made part of the meeting minutes, provided that such comments are received prior to the end of the Planning Commission meeting.

Public Hearings

For public comment on a public hearing, all public comments must be received by the close of the public hearing period. All comments received by the close of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a comment on a public hearing item is received after the close of the public hearing, such comment will be made part of the meeting minutes, provided that such comment is received prior to the end of the meeting.

PLEASE BE AWARE THAT ANY PUBLIC COMMENTS RECEIVED THAT DO NOT SPECIFY A PARTICULAR AGENDA ITEM WILL BE READ ALOUD DURING THE GENERAL PUBLIC COMMENT PORTION OF THE AGENDA.

**Minutes of the
LEMOORE PLANNING COMMISSION
Regular Meeting
May 8, 2023**

ITEM NO. 1 Pledge of Allegiance

ITEM NO. 2 Call to Order and Roll Call

The meeting was called to order at 5:30 PM.

Chair: Mitchell Couch

Vice-Chair Ray Etchegoin

Commissioners: Joseph Brewer, Bob Clement, Ron Meade

City Staff and Contract Employees Present: City Manager Nathan Olson, City Planner Steve Brandt (QK), City Attorney Michael Linden (Lozano Smith), Commission Secretary Kristie Baley

ITEM NO. 3 Election of Officers – Fill Vacant Seat(s)

Secretary Baley opened nominations for Chair.

Commissioner Etchegoin nominated Commissioner Couch..

There were no other nominations.

Baley closed nominations and asked for a motion.

Motion by Commissioner Etchegoin, seconded by Commissioner Meade to appoint Commissioner Couch Chair.

Commissioner Couch was appointed Chair by roll call vote.

Aye: Brewer, Clement, Etchegoin, Meade, Couch:

Baley opened nominations for Vice-Chair.

Commissioner Clement nominated Commissioner Etchegoin.

There were no other nominations.

Baley closed nominations and asked for a motion.

Motion by Commissioner Clement, seconded by Commissioner Meade to appoint Commissioner Etchegoin Vice-Chair.

Commissioner Etchegoin was appointed Vice-Chair by roll call vote.

Aye: Brewer, Clement, Etchegoin, Meade, Couch

ITEM NO. 4 Public Comment

Frank Gornick, 656 Cambria Lane, suggested a joint Planning Commission/City Council meeting to discuss standards that will enhance the community.

There was no other comment.

ITEM NO. 5 Approval - Minutes – Regular Meeting, March 13, 2023

Motion by Commissioner Clement, seconded by Commissioner Etchegoin, to approve the Minutes of the Planning Commission Regular Meeting of March 13, 2023.

Ayes: Clement, Etchegoin, Brewer, Meade, Couch

ITEM NO. 6 Approval - Minutes – Special Meeting, April 24, 2023

Motion by Commissioner Meade, seconded by Commissioner Brewer, to approve the Minutes of the Planning Commission Special Meeting of April 24, 2023.

Ayes: Meade, Brewer, Clement, Etchegoin, Couch

ITEM NO. 7 Report and Recommendation – Request by Helena Agri Enterprises (Gareth Davis, Agent) to extend approval of Major Site Plan Review No. 2020-06 and accompanying entitlements for one year. The project proposes to construct a new facility for the storage of blending, and sale of bulk and prepackaged dry and liquid fertilizer along with the storage of agricultural protection products on the site located at the southeast corner of Industry Way and Production Avenue in the City of Lemoore. (APNs 023-520-008 and 023-510-044)

City Planner Brandt presented the staff report and answered questions.

Frank Gornick, 656 Cambria Lane, asked for clarification regarding the location of the facility's entrance and exit.

Brandt provided clarification.

Motion by Commissioner Meade, seconded by Commissioner Etchegoin, to adopt Resolution No. 2023-04, granting a one-year time extension to Major Site Plan Review No. 2020-06 and accompanying Planning entitlements in accordance with the findings and conditions in the resolution.

Ayes: Meade, Etchegoin, Brewer, Clement, Couch

ITEM NO. 8 Public Hearing – Tentative Subdivision Map Tract 793 and Major Site Plan Review No. 2022-04: a request by Daley Homes to divide 17.87 acres into 30 single-family lots, 12 multi-family lots with a remainder located at the northeast corner of SR 198 and Hwy 41 in the City of Lemoore (APN 023-320-005). The Mitigated Negative Declaration previously prepared and approved for General Plan Amendment No. 2016-02 and Zone Change No. 2016-02 is appropriate to be utilized for evaluation of environmental impacts of this project, in accordance with CEQA, as the Mitigated Negative Declaration considered environmental impacts that could result from a project of approximately 134 residential units, which is larger than the number of units in the project being considered.

City Planner Brandt presented the staff report and answered questions.

Commissioner Couch opened the Public Hearing at 5:53 p.m.

Scott Daley, developer, provided project information and answered questions.

Darren Eskew, 773 Crescent Court, expressed concerns regarding the possibility of multi-family housing affecting his property values, but stated that Daley does a great job. He also expressed concern for a potential increase in noise behind his home and existing parking/traffic issues in the area and asked how the traffic is going to flow on Sonoma.

Frank Gornick, 565 Cambria Lane, expressed traffic concerns.

Steven Macias, Civil Engineer for 4-Creeks Engineering, stated on behalf of the developer that the project is consistent with the current Zoning Code and stated that he supports the project.

Mary Ann Sweazy expressed concern via email regarding traffic, Kit Fox habitat and potential increase in existing water pressure issues.

Brandt provided clarification and stated that the mitigated measures require a Biologist to be on site prior to grading. He also stated that the project is not going to affect any water pressure issues that may be currently affecting the surrounding area.

Commissioner Couch closed the Public Hearing at 6:23 p.m.

Commissioners Meade and Couch agreed that the project, including the street, meets City Standards.

Motion by Commissioner Etchegoin, seconded by Commissioner Brewer, to adopt Resolution No. 2023-05, approving Tentative Subdivision Map Tract 793 and Major Site Plan Review No. 2022-04 in accordance with the findings and conditions in the resolution.

Ayes: Etchegoin, Brewer, Clement, Meade, Couch

ITEM NO. 9 Director's Report

There was no report.

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

Commissioner Etchegoin thanked City Council Member Frank Gornick for attending and agreed that a joint meeting would be a good idea.

ITEM NO. 11 Adjournment

The meeting adjourned at 6:27 P.M.

Approved the 10th day of July 2023.

APPROVED:

Mitchell Couch, Chairperson

ATTEST:

Kristie Baley, Commission Secretary



711 W Cinnamon Drive • Lemoore, California 93245 • (559) 924-6744 • Fax (559) 924-9003

Staff Report

To: Lemoore Planning Commission **Item No.** 5
From: Steve Brandt, City Planner
Date: July 6, 2023 **Meeting Date:** July 10, 2023
Subject: Discussion of Potential Ordinance Changes to Encourage Housing Development

Proposed Motion:

No motion needed. This is an informational item for discussion. All proposed changes to the General Plan and to the text and map of the Zoning Ordinance will be formally proposed at a noticed public hearing on August 14, 2023. The proposals will then be taken to the City Council for review and adoption on September 5, 2023.

Summary:

The City received a grant from the California Department of Housing and Community Development (HCD) to update or modify City ordinances and procedures in a way that would encourage more housing development in Lemoore. Staff is bringing these updates to the Planning Commission as a review session, and then as a public hearing to make a recommendation to the City Council. Previous review sessions were held at Planning Commission meetings on March 13 and April 24. A discussion of minimum single-family lot size was held at the City Council meeting on February 7.

Proposed Changes:

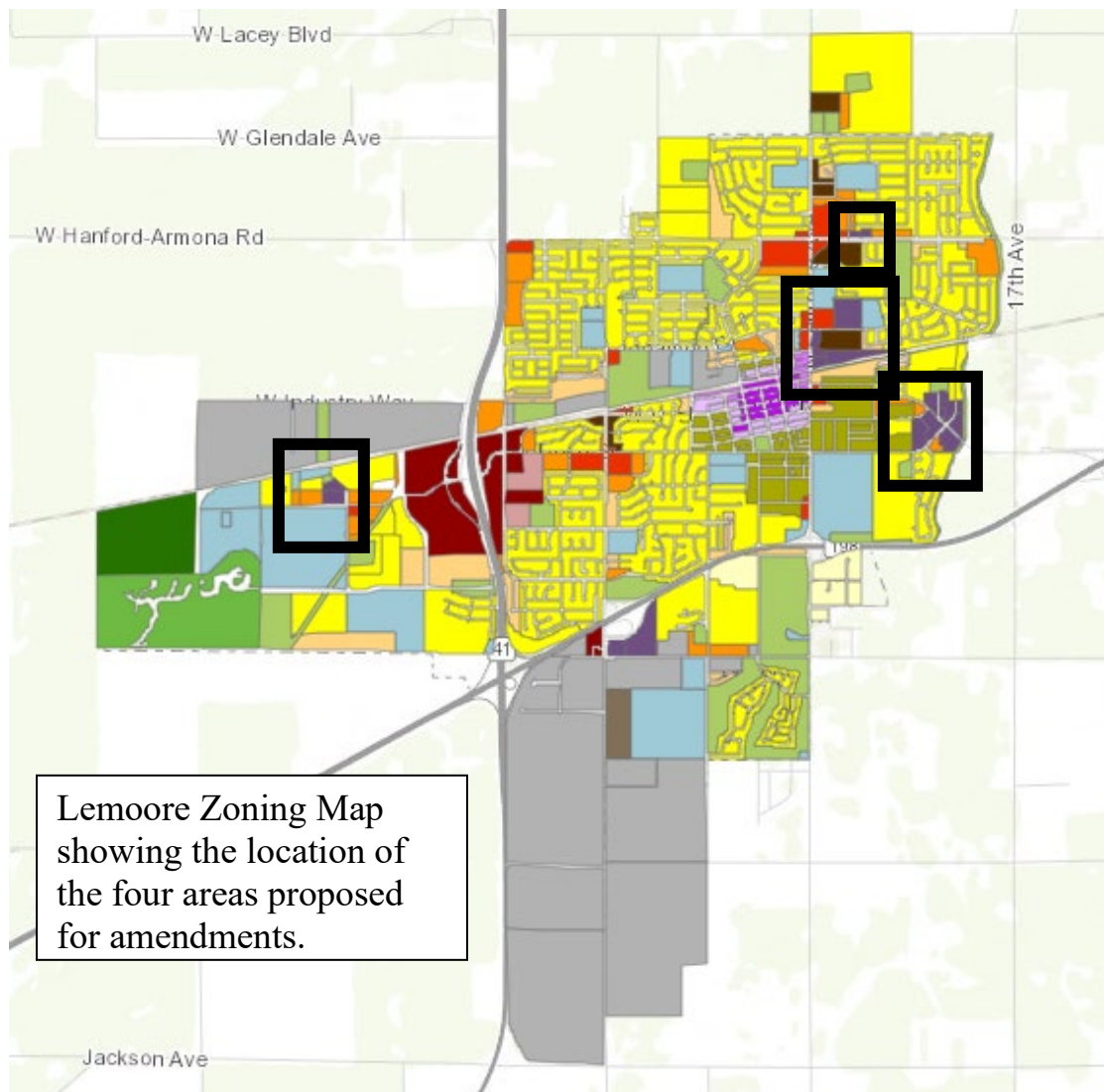
The following list describes our main scope of changes Staff is planning to recommend. At this time, Staff requests a discussion to see if the Planning Commission has any questions, comments, changes, direction, or suggestions for Staff before the public hearing on August 14.

General Plan and Zoning Map changes – The Mixed Use General Plan designation and related MU zone has not worked out as was intended by the General Plan when it was adopted in 2008. Developers have shied away from the sites zoned MU and there has been

no development on them. Staff is proposing elimination of the Mixed Use designation (except in the downtown) and the MU zoning from the General Plan Map and the Zoning Map. The chapter on Mixed Use (Zoning Ordinance Chapter 7) will remain in the Zoning Ordinance just in case there is ever a desire to bring the zone back. The sites will be proposed for rezone to either High Density Residential, Medium Density Residential, Neighborhood Commercial, or Professional Office. Since the goal of the grant is to encourage more housing, preference is being given to change to residential zones except where commercial or office zoning is more appropriate due to existing or surrounding uses.

City staff mailed notification of the proposed changes via certified mail on June 27 and will continue to reach out to the property owners with parcels zoned MU prior to formally requesting the zone change. The property owners that staff have talked with thus far have been fully supportive of this effort to change the zoning.

The existing and proposed General Plan and Zoning for the Mixed Use areas are shown in the attached maps. There are basically four areas, which the maps call Bush and D Streets, North of College, Lemoore Avenue & Cinnamon Drive, and Hanford-Armona Road east of Lemoore Avenue.



One of the purposes of changing the designations and zoning is to plan for more housing. The table below shows the vacant acres in each of the four areas, and how the change will affect the number of potential housing units that could be constructed after the change. The density of each zone is based on the realistic density assumed in the Housing Element. The tables only show the acreages of vacant land being proposed to be changed.

Zone	Zone Name	Vacant Acres to be Added or Subtracted	Housing Element Realistic Density	HE Lower Income	HE Moderate Income	HE Above Moderate Income	Total Potential Housing Units Added or Subtracted
Hanford-Armona Road east of Lemoore Ave.							
MU	Mixed Use	-0.27	9.00	-1	-1	0	-2
PO	Professional Office	0.07	0.00	0	0	0	0
RMD	Medium Density Residential	0.20	14.00	3	0	0	3
	Subtotal	0.00		2	-1	0	1
Lemoore Avenue and Cinnamon Drive							
MU	Mixed Use	-27.43	9.00	-123	-124	0	-247
NC	Neighborhood Commercial	5.87	0.00	0	0	0	0
RHD	High Density Residential	21.57	18.00	388	0	0	388
	Subtotal	0.00		265	-124	0	141
North of College							
MU	Mixed Use	-6.56	9.00	-29	-30	0	-59
RLD	Low Density Residential	6.19	4.50	0	14	15	28
PR	Greenway	-0.70	0.00	0	0	0	0
CF	Community Facilities	-3.57	0.00	0	0	0	0
RMD	Medium Density Residential	4.64	18.00	34	0	0	84
	Subtotal	0.00		5	-16	15	53
Bush and D Streets							
MU	Mixed Use	-11.96	9.00	-56	-57	0	-108
RHD	High Density Residential	6.34	18.00	114	0	0	114
RMD	Medium Density Residential	-2.12	14.00	-30	0	0	-30
RMD	Medium Density Residential	4.37	14.00	61	0	0	61
NC	Neighborhood Commercial	3.37	0.00	0	0	0	0
	Subtotal	0.00		89	-57	0	37
OVERALL TOTAL CHANGE IN POTENTIAL HOUSING UNITS				361	-198	15	232

The table shows that, overall, the changes being considered could increase the capacity to approve housing units by a total of 232 units, with almost all of that being in the lower income range. The State considers lower income to be less than 80% of the median income of a community.

Residential development standards – Using comments heard at the Council study session about lot size that was held on February 7, Staff is proposing to reduce the by-right minimum lot size from the current 7,000 sq.ft. to 5,000 sq.ft. This should streamline the approval process because subdivision proposals that meet the new minimum lot size will not be required to obtain approval of a Planned Unit Development (PUD). Other cities in the Valley have changed their minimum lots sizes to either 4,000, 4,500, 5,000, or 6,000 sq.ft. Staff is recommending changing the minimum lot size standard in Lemoore to 5,000 sq.ft. because that appears to be the new industry standard, meaning that just about every homebuilder is designing homes that fit on a 5,000 sq.ft. lot. This would mean that new subdivisions where all the proposed lots are 5,000 sq.ft. or greater would not be required to apply for the PUD. The following tables shows that four out of eight subdivisions approved in the last seven years would not have needed a PUD if these changes had been in place previously.

Tentative Subdivision Maps Approved in Last 7 Years

	PUD Required Before Text Amendment	PUD Required After Text Amendment
Brisbane East (Nunley)	Yes	No
Tract 908 (Wathen)	Yes	No
Tract 920 (Lennar)	Yes	No
Lacey Ranch (Granville Homes)	Yes	Yes
Tract 848 (Lennar)	Yes	Yes
Revised Tract 820 (GJ Gardner)	Yes	Yes
Tract 935 (Lennar)	Yes	No
Silva 11 (Daley)	No	No

The proposed changes are shown in Table 9-5A-4A on Text Amendment Pages 15 and 16. The proposed changes show a minimum single-family lot size of 5,000 square feet. Developers that desire to have lots less than 5,000 square feet in size would be required to obtain a PUD. Lot size maximums would be removed as a requirement. The minimum front yard setback would be reduced to 15 feet, while retaining the requirement for a 2-foot stagger in the front. Side yards would be a minimum of 5 feet and no longer require an additional 5 feet for the second story. There would be no change to the rear yard setback.

Site Plan and Architectural Review – Staff will be working on text changes that would make Site Plan Review a ministerial process that is always approved by the City staff. This would mean that projects that only need Site Plan Review approval would no longer go to the Planning Commission for review. Staff will also be proposing a new preliminary site plan process that is consistent with SB330, a 2019 law that limits what Cities can ask of developers that want to utilize a preliminary site plan review process. The process would also be completely managed by Staff. The following table shows site plans that were reviewed in the last seven years, whether they were approved by Staff or the Planning Commission, and whether or not they would still go to Planning Commission if these text changes had been in place at that time.

**Site Plans approved in last 7 years
(except Subdivision and Parcel Maps)**

	Site Plan Review Approving Authority Before Text Amendment	Site Plan Review Approving Authority After Text Amendment
Cinnamon Villas II	Planning Commission	Staff
Granville Multi-family project	Planning Commission	Staff
Jack in the Box redesign	Staff	Staff
Beard industrial buildings	Planning Commission	Staff
Hwy 41/Hanford-Armona Rd apartments and commercial	Planning Commission	Planning Commission
Dollar General	Planning Commission	Staff
Grocery Outlet	Planning Commission	Planning Commission
Wimpy's	Staff	Staff
Dutch Brothers	Staff	Staff
Champion/Larish duplexes	Staff	Staff
Tacos Los Juanes	Staff	Staff
Helena Chemical industrial project	Planning Commission	Staff
Leprino solar project	Staff	Staff
New Industrial building	Planning Commission	Staff
Master Storage expansion	Planning Commission	Staff
Johnny Quik	Planning Commission	Planning Commission
Panda Express	Staff	Staff
19 th /Bush Car wash and convenience store	Planning Commission	Planning Commission
Venture Place industrial development	Planning Commission	Staff
Last Day Ministries expansion	Planning Commission	Planning Commission
Smith Avenue Apartments	Planning Commission	Staff
Ice Kiosk	Staff	Staff
Salas Harvesting office buildings	Staff	Staff
Plain Insane Graphics commercial building	Staff	Staff
Maverik mini-mart and fueling station	Planning Commission	Planning Commission

Accessory Dwelling Unit (ADU) Ordinance – Staff is updating the ADU Ordinance to ensure compliance with State law, which was changed in 2019 and again in 2020. The goal will be to make the process more understandable so as to encourage more ADUs. The changes are on Text Amendment Pages 10 through 14 and affect Section 9-4D-12, as well as on page 8 where the accessory dwelling units are changed from requiring an administrative use permit to be an permitted use. As per State law, a site could have both an accessory dwelling unit and a junior accessory dwelling unit (JADU). The new code is consistent with the standards allowed to be implemented by State law.

Cottage home ordinance – Staff is looking at adding a cottage home ordinance to the Zoning Ordinance. In the new ordinance text, a cottage would be considered a special type of accessory dwelling unit where the City provides the homeowner with preapproved building plans so that the homeowner does not have the expense of having an architect draw up building plans. It would have to meet both the ADU and the cottage home standards. The specific text can be found on Text Amendment Pages 13 and 14.

Tiny house ordinance – Staff is looking at adding a tiny house ordinance to the Zoning Ordinance. In the new ordinance text, a tiny house would be considered a special type of accessory dwelling unit. It would have to meet both the ADU and the tiny house standards. The specific text can be found on Text Amendment Page 14.

The text of the ordinance has been modified from the version shown at the April study session. Much of the text has been converted into a table to make it easier for Staff and the public to interpret.

SB9 Compliance – SB9 was a new 2021 State law that allows existing property owners (not developers) to add a second main home on their lot or to split their lot to accommodate a second home even if the lot split does not meet the minimum zoning requirements. At the time of adoption, this law was described in the press as “the end of single-family zoning in California.” While that may not be exactly true, the law does contain certain overrides of local zoning that Cities must allow. No one in Lemoore has tried to take advantage of this law yet.

This new law is being acknowledged with new text in the Allowed Uses Table 9-4B-2, which is found on Text Amendment Page 8. It is listed as “Dwelling, additional, meeting provisions of Government Code Section 66852.21.”

Other Definition Changes – On Text Amendment Page 7, there are revised definitions for large and small family day care. This is to bring the City’s definition more in line with the State’s definition. There is also a new definition for Short-term Rental Unit, more commonly known as an Airbnb or Vrbo rental. This use is being added to the zoning ordinance to distinguish it from a bed and breakfast or a hotel.

Subdivision Ordinance Update – the Subdivision Ordinance was last updated in 2012. Antonio Westerlund, the City surveyor, and his surveyor team are reviewing the Ordinance with the intent on recommending updates to the text of the Ordinance. The Subdivision

Ordinance describes the specific requirements for subdivision and parcel maps. The review team found ways to streamline the preparation and review process. Changes include:

- A clear, updated list of what is required on subdivision maps and parcel maps.
- A new chapter that simplifies the submittal requirements for lot mergers (combining two adjacent lots into one lot).
- A new chapter implementing the urban lot split that is now required by the State.
- A new requirement for developers to submit their maps and improvement plans in AutoCAD to make it easier to update the City's GIS data.
- Movement of the specific language and signature blocks needed on maps out of the ordinance and into a standards document to be placed on the City website, so that the language can be updated more quickly by City staff when changes occur.
- An update to recognize all of the State-approved time extension opportunities for map.

Environmental Assessment:

No CEQA required at this time. This item is only for discussion.

Attachments:

Existing and Proposed General Plan Amendments and Zoning Map Amendments

- For each area there is a general plan amendment map and a zoning amendment map.
- The map on the top-right of each page shows which parcels are affected. The map on the bottom-left shows the existing map while the map on the bottom-right shows the proposed changes.

Proposed Zoning Ordinance Text Amendments

- Redlines
- Clean Version

**General Plan Amendment – Hanford-Armona
Road east of Lemoore Avenue**

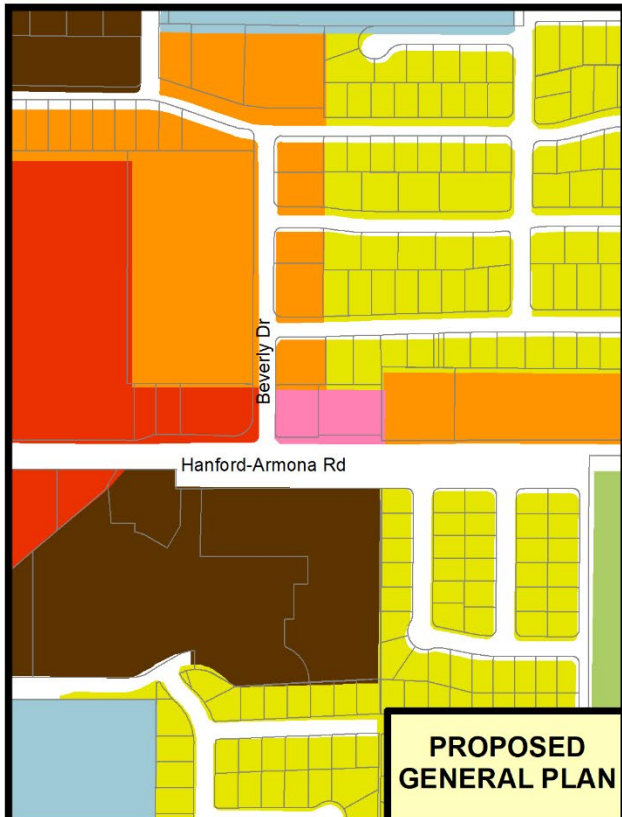
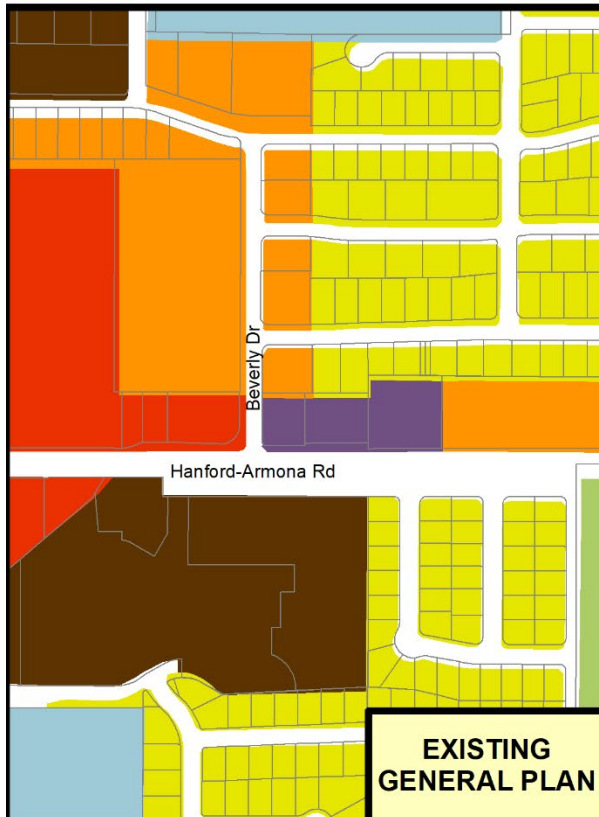
From: Mixed Use

To: Medium Density Residential
Professional Office

-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Commercial
-  Mixed Use
-  Professional Office
-  Greenway (Including Storm Drain Basins)



**AFFECTED
PARCELS**

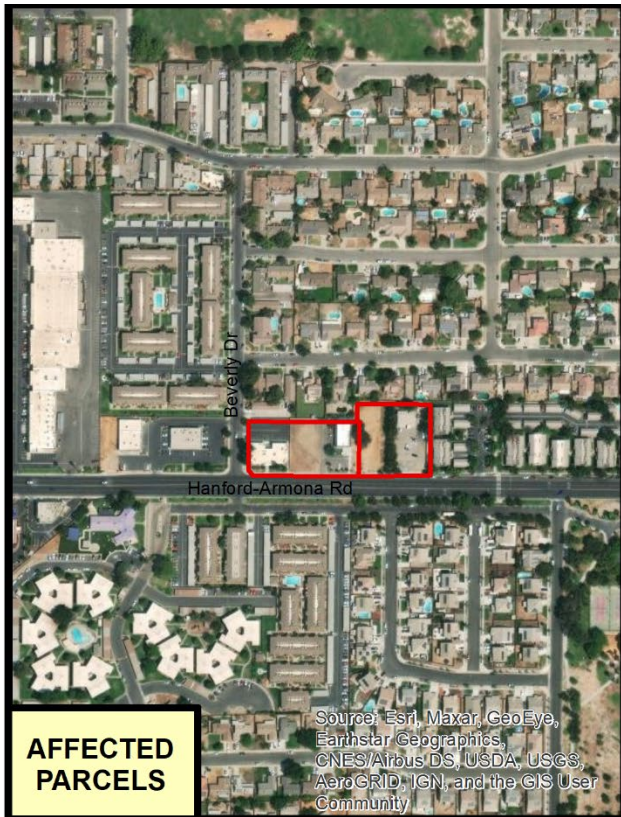


Zoning Map Amendment – Hanford-Armona Road east of Lemoore Avenue

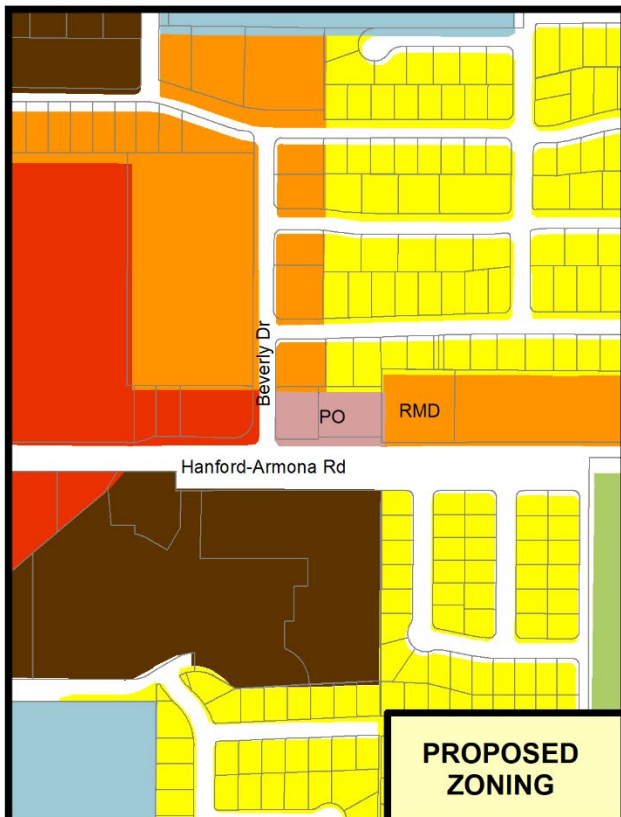
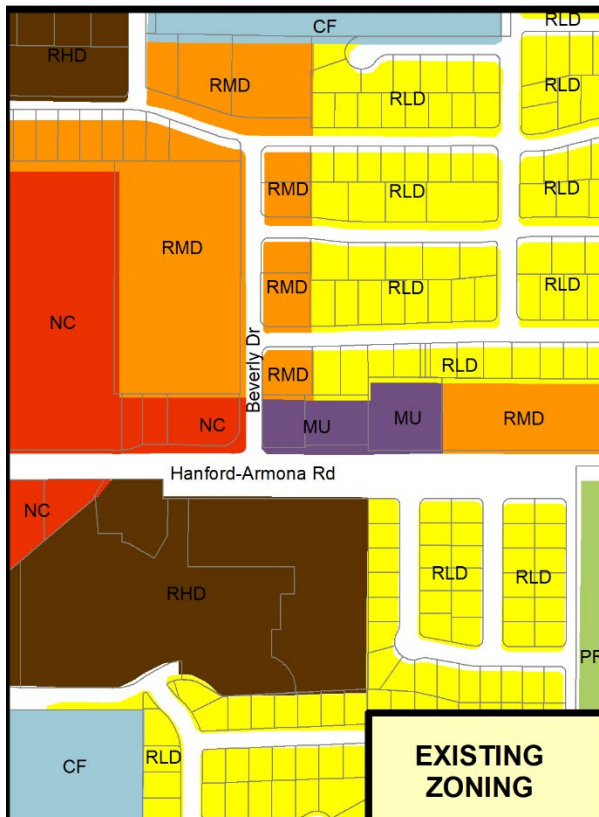
From: Mixed Use (MU)

To: Medium Density Residential (RMD)
Professional Office (PO)

- Low Density Residential (RLD)
- Medium Density Residential (RMD)
- High Density Residential (RHD)
- Neighborhood Commercial (NC)
- Mixed Use (MU)
- Public Services and Community Facilities (CF)
- Parks and Recreation/Ponding Basin (PR)
- Medium Density Residential (RMD)
- Professional Office (PO)



**AFFECTED
PARCELS**



General Plan Amendment – Lemoore Avenue & Cinnamon Drive

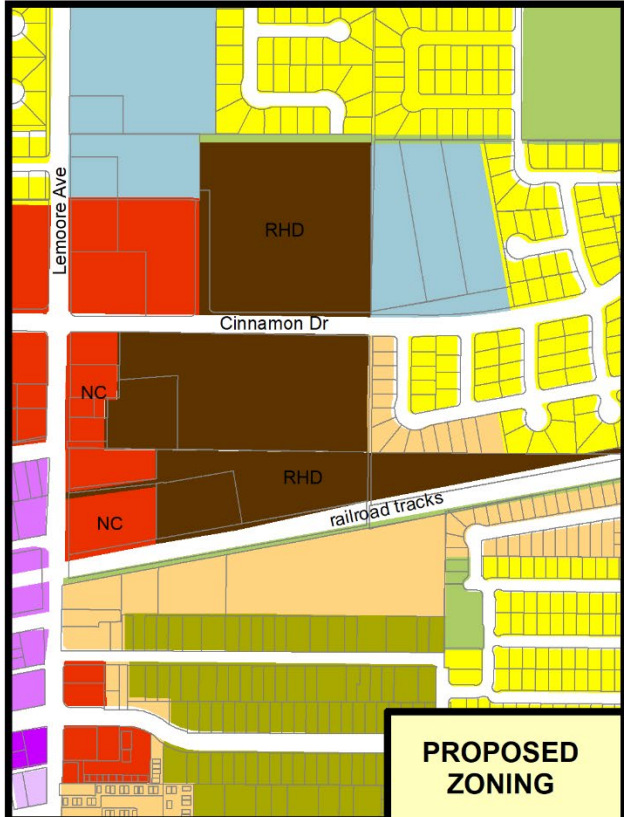
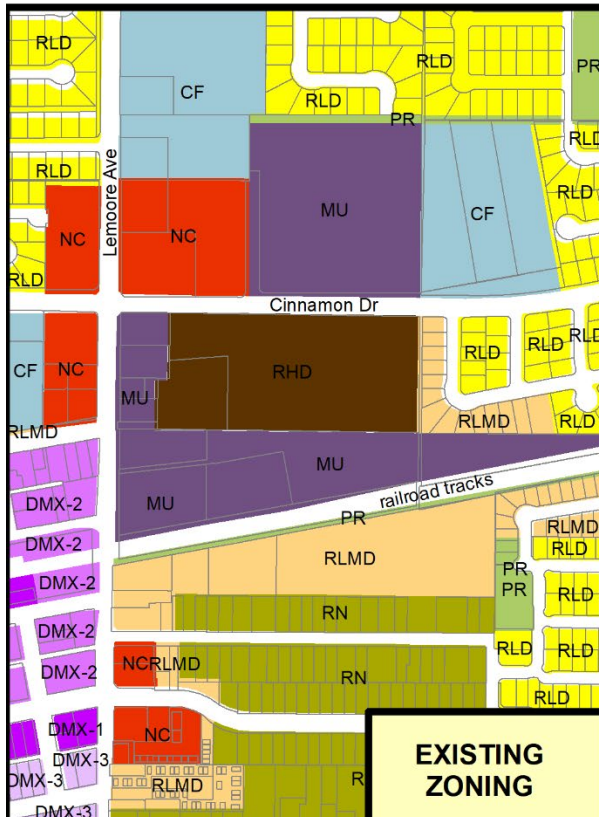
From: Mixed Use

To: High Density Residential
Neighborhood Commercial

- Low Density Residential (RLD)
- Traditional Neighborhood Residential (RN)
- Low-Medium Density Residential (RLMD)
- Medium Density Residential (RMD)
- High Density Residential (RHD)
- Neighborhood Commercial (NC)
- Mixed Use (MU)
- Downtown Mixed Use, Core (DMX-1)
- Downtown Mixed Use, Auto-Oriented (DMX-2)
- Downtown Mixed Use, Transitional (DMX-3)
- Public Services and Community Facilities (CF)
- Parks and Recreation/Ponding Basin (PR)



**AFFECTED
PARCELS**



Zoning Map Amendment – Lemoore Avenue & Cinnamon Drive

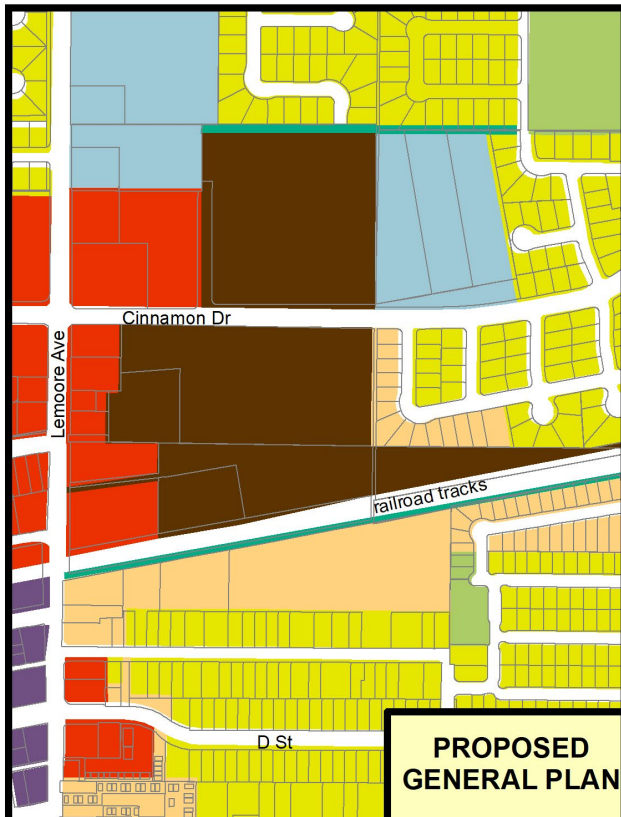
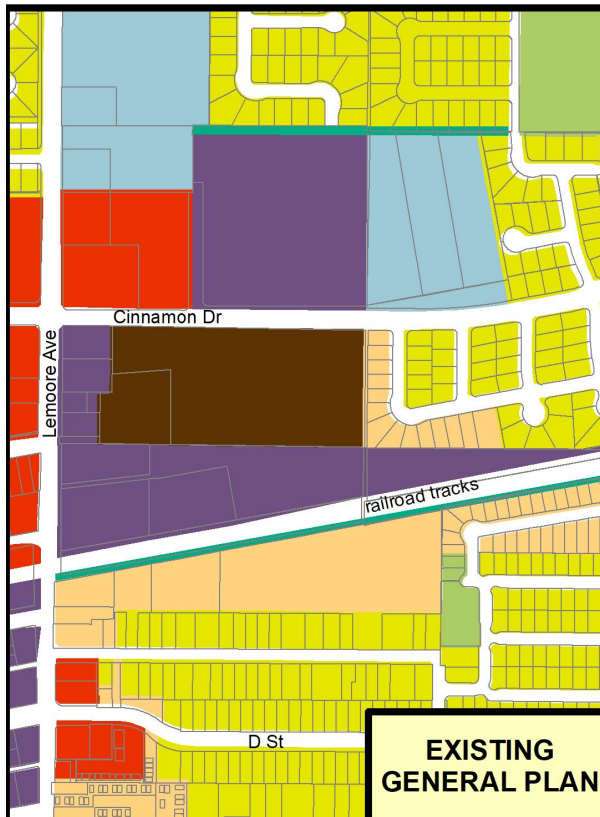
From: Mixed Use (MU)

To: High Density Residential (RHD)
Neighborhood Commercial (NC)

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Mixed Use
- Professional Office
- Community Facilities
- Parks & Recreation
- Greenway (Including Storm Drain Basins)



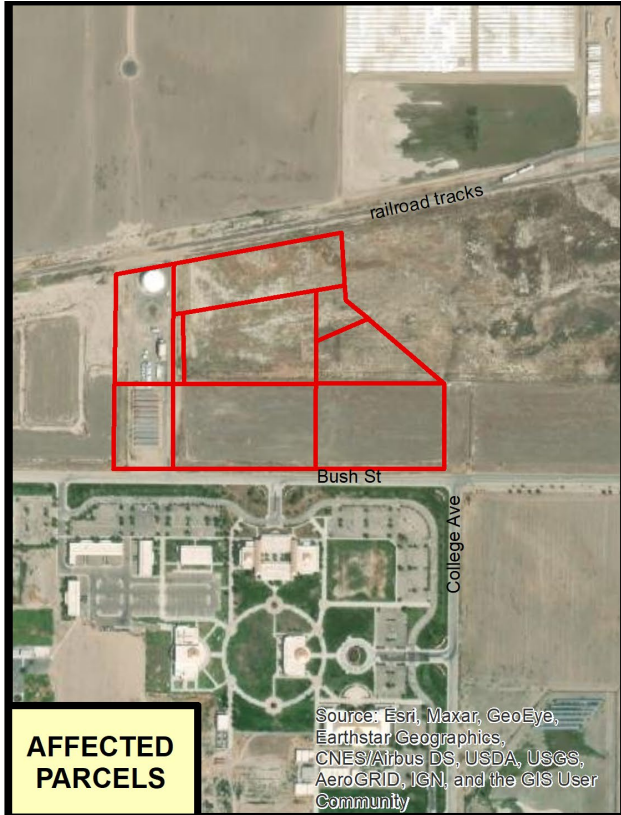
AFFECTED PARCELS



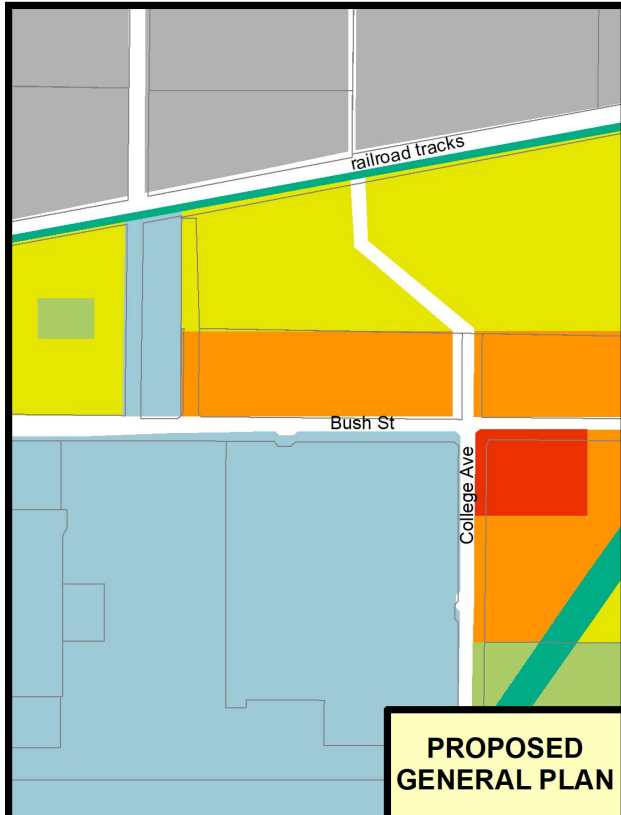
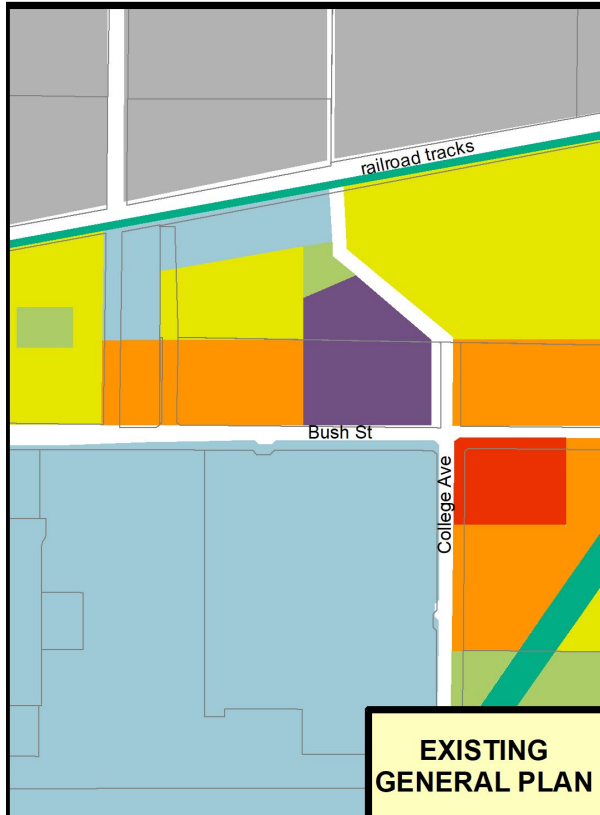
General Plan Amendment – North of College

From: Mixed Use
Medium Density Residential
Community Facilities
Greenway

To: Medium Density Residential
Community Facilities
Low Density Residential



AFFECTED PARCELS

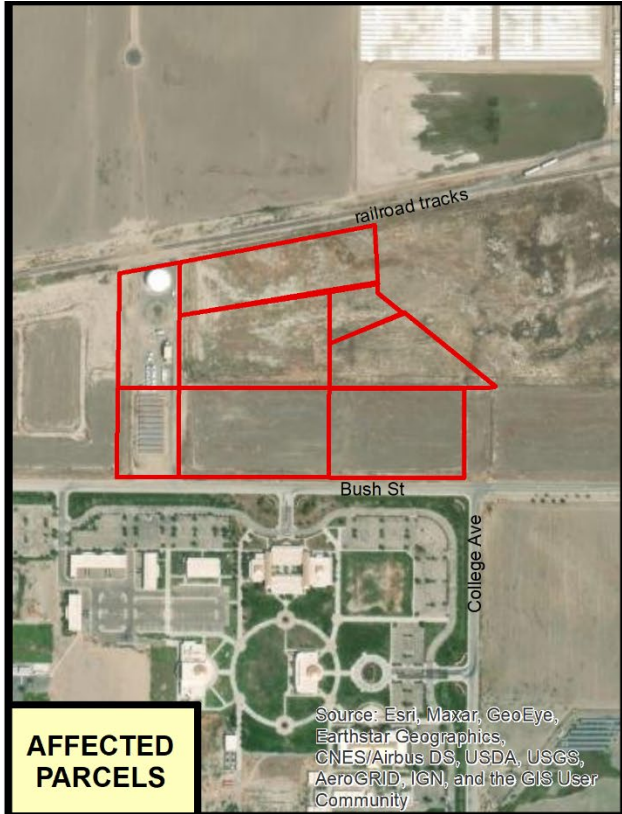


Zoning Map Amendment – North of College

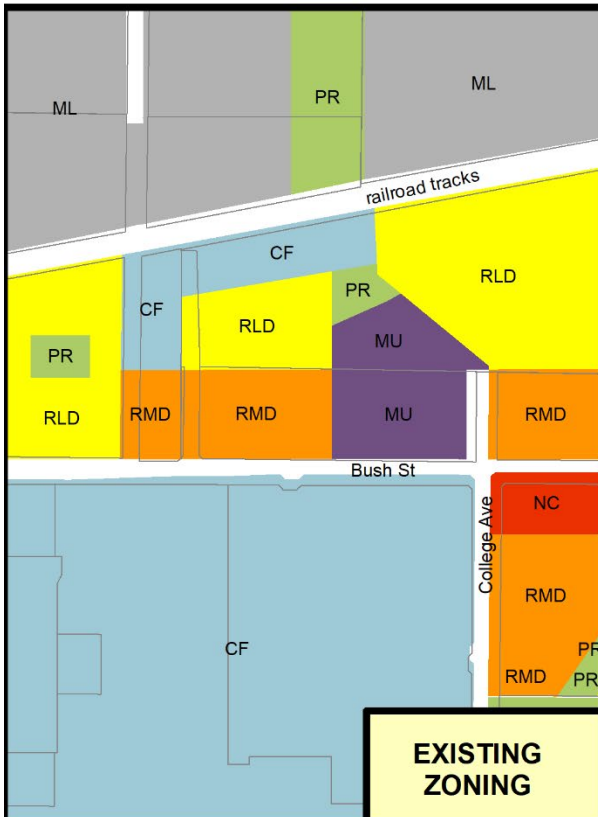
From: Mixed Use (MU)
Medium Density Residential (RMD)
Community Facilities (CF)
Parks and Recreation/Ponding Basin (PR)

To: Medium Density Residential (RMD)
Community Facilities (CF)
Low Density Residential (RLD)

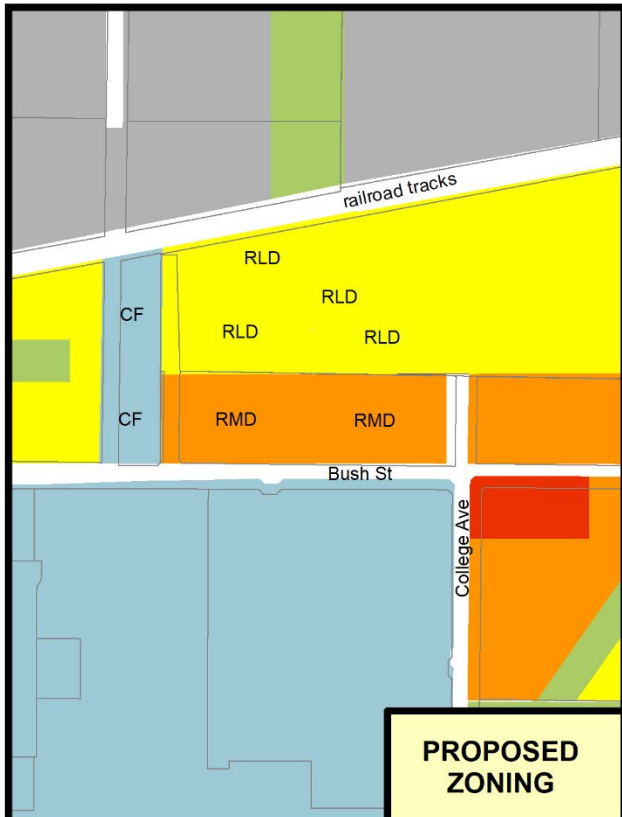
- Low Density Residential (RLD)
- Medium Density Residential (RMD)
- Neighborhood Commercial (NC)
- Mixed Use (MU)
- Light Industrial (ML)
- Public Services and Community Facilities (CF)
- Parks and Recreation/Ponding Basin (PR)



AFFECTED PARCELS



EXISTING ZONING













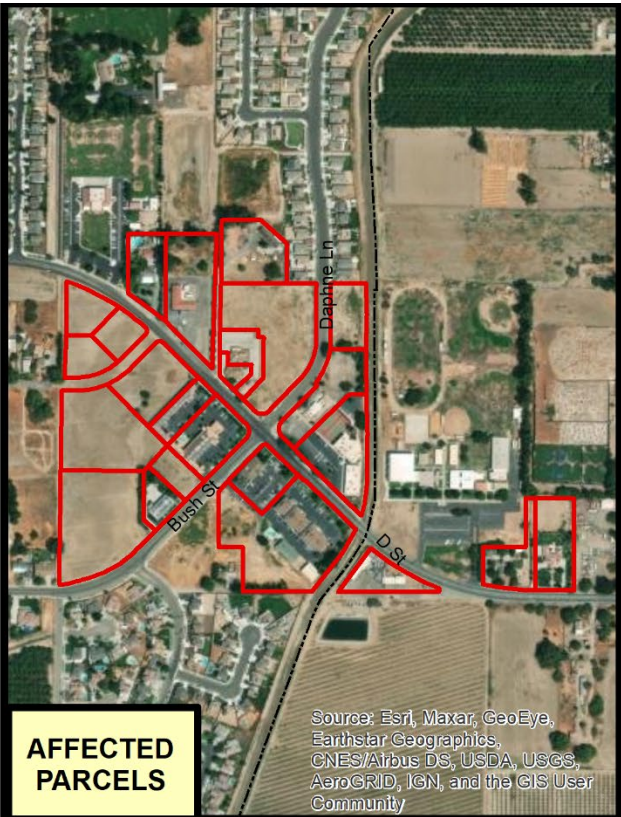
PROPOSED ZONING

General Plan Amendment – Bush and D Streets

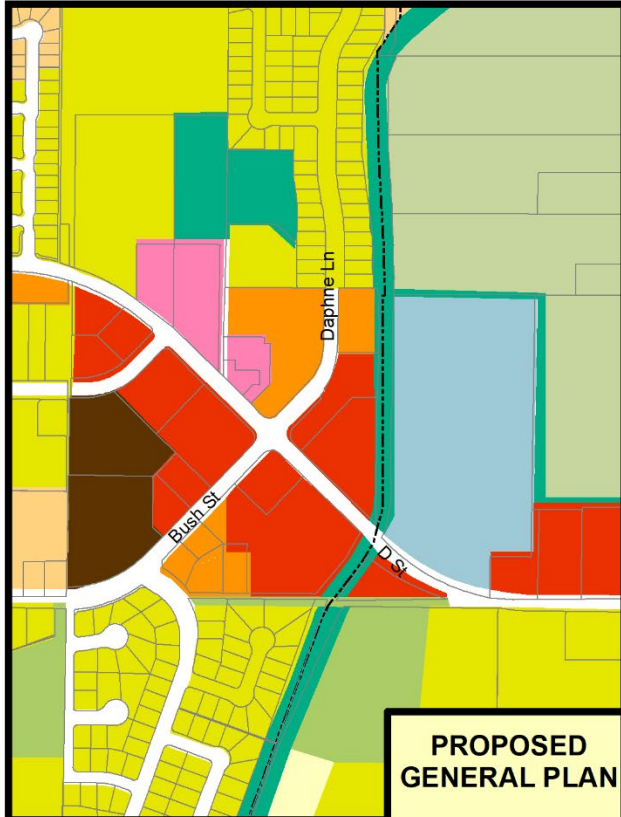
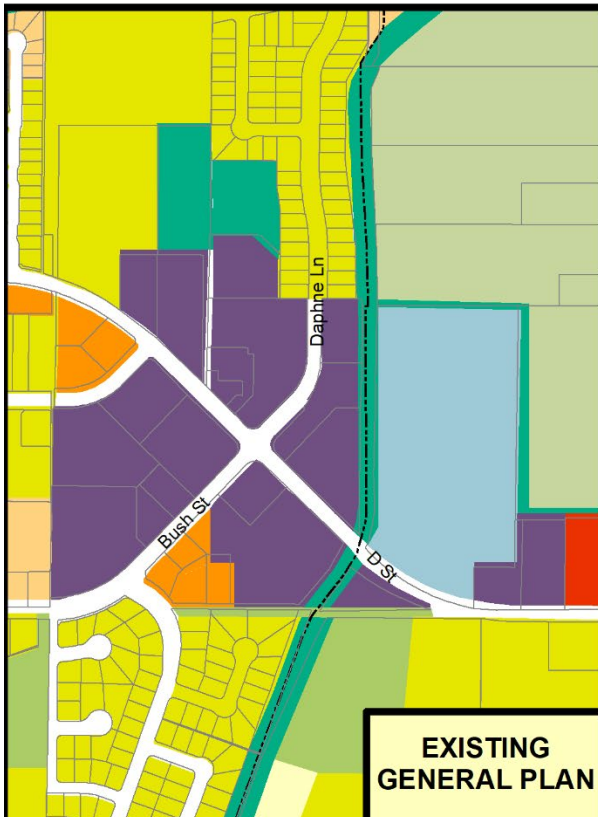
From: Mixed Use

To: High Density Residential
Medium Density Residential
Neighborhood Commercial
Professional Office

-  Agriculture/Rural Residential
-  Very Low Density Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Commercial
-  Mixed Use
-  Community Facilities
-  Professional Office
-  Greenway (Including Storm Drain Basins)



**AFFECTED
PARCELS**

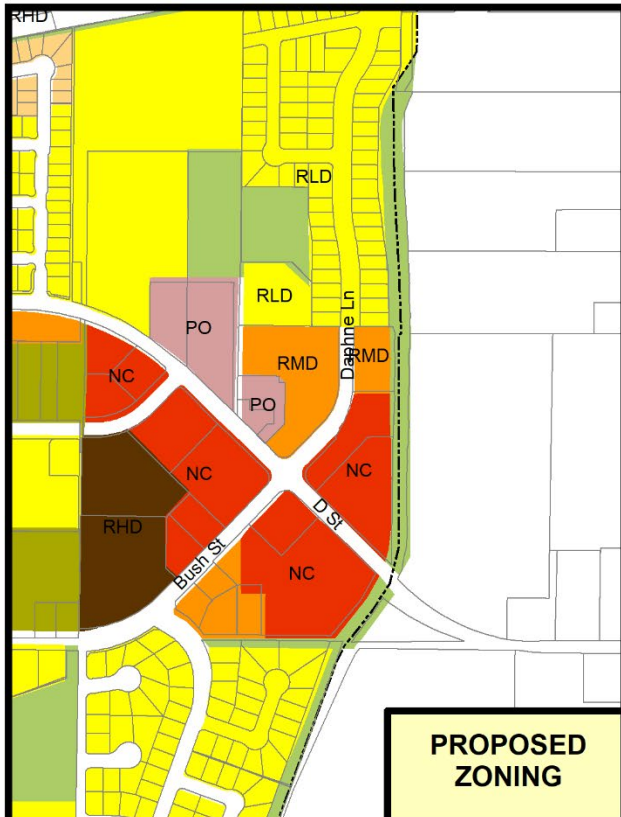
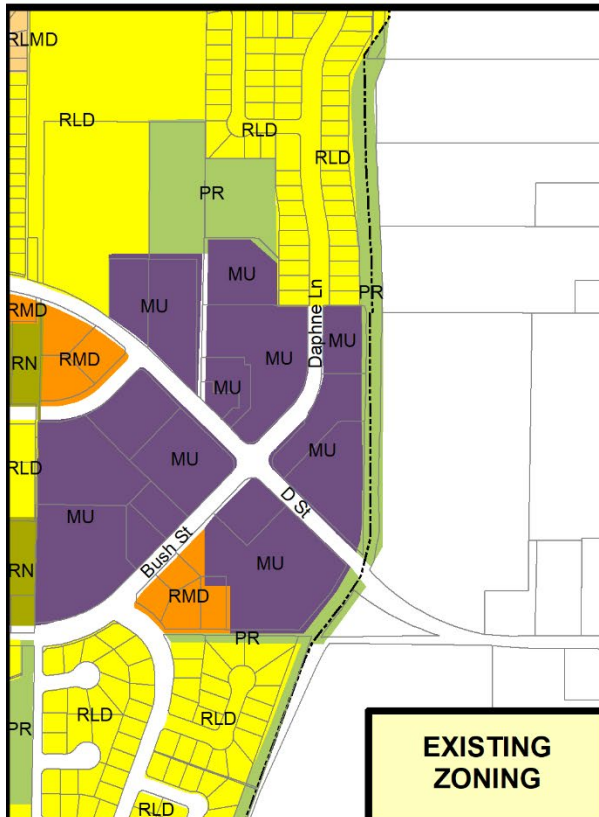
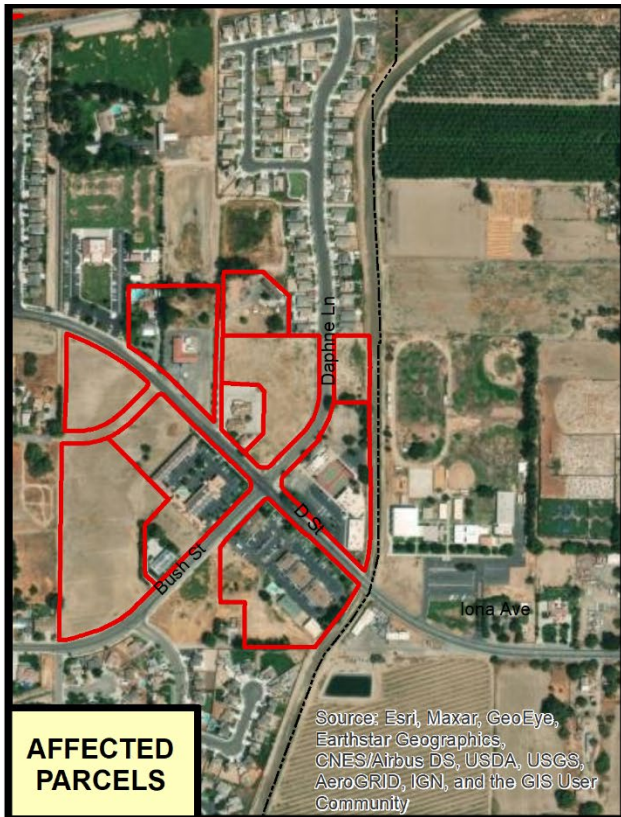


Zoning Map Amendment – Bush and D Streets

From: Mixed Use (MU)

To: High Density Residential (RHD)
Medium Density Residential (RMD)
Neighborhood Commercial (NC)
Professional Office (PO)

- Mixed Use (MU)
- Parks and Recreation/Ponding Basin (PR)
- Low Density Residential (RLD)
- Medium Density Residential (RMD)
- High Density Residential (RHD)
- Neighborhood Commercial (NC)
- Professional Office (PO)



July 10 Planning Commission Version

PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

New text is underlined. Text to be removed is in ~~strikeout~~ format.

**TABLE 9-2A-7-1
PLANNING PERMIT AND ENTITLEMENTS AND REVIEW AND APPEAL AUTHORITY¹**

Planning Permit Or Entitlement	Notice/Hearing Requirement	Authority		
		Planning Director	Planning Commission	City Council
Administrative permits:				
Zoning clearance (e.g., building permit, signs, business license)	None	Final	<u>Appeal-</u>	Appeal
Temporary use permit	None	Final	<u>Appeal-</u>	Appeal
Tree permit for trees on private property	None	Final	<u>Appeal-</u>	Appeal
Reasonable accommodation	None	Final	<u>Appeal-</u>	Appeal
Similar use determination	None	Final	<u>Appeal-</u>	Appeal
Official zoning interpretation	None	Final	<u>Appeal-</u>	Appeal
Minor home occupation permit	None	Final	<u>Appeal-</u>	Appeal
Highway oriented sign permit	None	Final	<u>Appeal-</u>	Appeal
Administrative use permit	None	Final	<u>Appeal-</u>	Appeal
Minor deviation	None	Final	<u>Appeal-</u>	Appeal
Minor site plan and architectural review	None	Final	-	Appeal
Sign program	None	Final	<u>Appeal-</u>	Appeal

<u>Site plan and architectural review</u>	<u>None</u>	<u>Final</u>	<u>Appeal</u>	<u>Appeal</u>
Quasi-judicial permits and entitlements:				
Conditional use permit	Public hearing	Recommending	Final	Appeal ²
Major home occupation permit	Public hearing	Recommending	Final	Appeal
<u>Major site plan and architectural review</u>	<u>Public hearing</u>	<u>Recommending</u>	<u>Final</u>	<u>Appeal</u> ³
<u>Planned unit development</u>	<u>Public hearing</u>	<u>Recommending</u>	<u>Final</u>	<u>Appeal</u> ³
Variance	Public hearing	Recommending	Final	Appeal ²
Public convenience or necessity	Public hearing	Recommending	Final	Appeal ²
Legislative approvals:				
Specific plan	Public hearing ³	Recommending	Recommending	Final
Development agreement	Public hearing ³	Recommending	Recommending	Final
<u>Planned Unit Development</u>	<u>Public hearing</u> ³	<u>Recommending</u>	<u>Recommending</u>	<u>Final</u>
Zoning amendment	Public hearing ³	Recommending	Recommending	Final
Prezoning	Public hearing ³	Recommending	Recommending	Final
General plan amendment	Public hearing ³	Recommending	Recommending	Final

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

A. Purpose: The purpose of ~~minor~~-site plan and architectural review is for the review of the design and layout of new development in the City to ensure that it is consistent with the regulations of this title, other relevant titles in the Lemoore Municipal Code, and all relevant City policies, requirements, and development standards that would apply to the project prior to the issuance of subsequent permits, such as discretionary actions required by the City Zoning Ordinance or City Subdivision Ordinance, improvement plans, and building permits. It is the intent that site plan and architectural review be a ministerial action limited to review of the project development project for conformance with City of Lemoore ordinances, policies, requirements, and development standards. (Ord. 2013-05, 2-6-2014)

B. Applicability: ~~Minor-site~~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 any~~ discretionary action of corresponding development applications (e.g., conditional use permit, variance). Site plan and architectural review may serve as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

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

a. New nonresidential or mixed-use developments ~~of less than twenty thousand (20,000) gross square feet;~~

b. ~~Additions Nonresidential building additions greater than 1,000 square feet; of less than twenty thousand (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 of more than two units (e.g., apartments, condominiums, townhomes) ~~of less than thirty (30) units on a single site.~~ (Ord. 2018-03, 5-15-2018)

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.

2. Exemptions: The following activities are specifically exempt from ~~minor~~-site plan and architectural review:

a. Single-family residential custom ~~homes~~ and duplexes on an existing lot;

b. Additions to or the exterior remodels of single-family residential homes within normal setbacks;

c. Accessory structures consistent with the provisions of section 9-4D-18, "Residential Accessory Structures", of this title;

- d. Changes to the exterior facade of existing buildings;
- e. Painting existing buildings in the DMX zoning districts with historic color palettes as described in subsection 9-6-4C, "Colors And Painting", of this title;
- f. Repairs and maintenance to the site or structure that do not add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure and that employ the same materials and design as the original construction;
- g. Interior alterations that do not increase the gross floor area within the structure, or change/expand the permitted use of the structure (including solar collectors); and
- h. Construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments.
- i. Nonresidential building additions of 1,000 square feet of gross floor area or less.

C. Approval Authority: The designated approval authority for ~~minor~~-site plan and architectural design review shall be the Planning-Community Development Director.

D. Process: The applicant shall provide a completed application on a form prepared by the City, a site plan and, if new non-residential buildings or multi-family dwellings are proposed, an elevation plan. No public hearing or notice is required for a ~~minor~~-site plan and architectural review. Site plan and architectural review is a ministerial process conducted by City staff to determine compliance with existing City of Lemoore ordinances, policies, requirements, and development standards and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15268.

E. Approval ~~Findings~~: A ~~minor~~-site plan and architectural review permit, or any modification thereto, shall be granted only when the designated approving authority ~~makes a finding~~finds that the proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and policies and improvement standards adopted by the City, or that a general plan amendment or zoning amendment is going to be subsequently applied for by the developer. If the site plan submitted requires major changes before this finding can be made, the developer may be required to make changes and submit the site plan again.

F. Post approval Implementation: A ~~minor~~-site plan and architectural design review permit is ministerial in nature. As such, the Planning Director may not impose discretionary conditions on the issuance of the permit. If the proposed development project requires approval of a discretionary action after completion of the site and architectural design review process, conditions of approval can be placed on the discretionary approval (Ord. 2013-05, 2-6-2014)

G. Appeals. If the applicant disagrees with the interpretation or application of a City ordinance, policy, requirement, or development standard, they may appeal the interpretation per procedures in Section 9-2A-7 and 9-2A-8.

H. Expiration. A site plan and architectural design review permit shall expire one (1) year after issuance unless an application for a related discretionary approval or a building permit is submitted. Upon written request by the applicant prior to expiration, the Community Development Director may extend the expiration for an additional one (1) year.

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

~~—A.—Purpose: The purpose of major site plan and architectural review is for the review of the design and layout of new development in the City to ensure that it is consistent with the regulations of this title and will not result in a detriment to the City or the environment. The City desires to maintain and enhance Lemoore's sense of place; design commercial and mixed-use centers to be of pedestrian scale so people can feel comfortable and congregate in these areas; promote visually appealing architecture and high quality developments that promote a small town atmosphere; and protect and accentuate Lemoore's environmental assets, its surrounding natural landscape, agricultural farmland, open canals, and wetlands. (Ord. 2013-05, 2-6-2014)~~

~~—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 twenty thousand (20,000) gross square feet or more;~~

~~—b.—Additions of twenty thousand (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 thirty (30) units on a single site;~~

~~—d.—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;~~

~~—e.—Demolition or exterior alterations and additions to nonresidential buildings that are more than seventy five (75) years old. (Ord. 2018-03, 5-15-2018)~~

~~—2.—Exemptions: Those activities exempt from minor site plan and architectural design review as provided in subsection 9-2B-12 B2 of this article shall also be exempt from major site plan and architectural design review.~~

~~—C.—Approval Authority: The designated approval authority for major site plan and architectural design review shall be the Planning Commission.~~

~~—D.—Public Hearing And Notice: Public hearing and notice are required for a major site plan and architectural review pursuant to section 9-2A-6, "Public Notice, Hearings, And Decisions", of this chapter.~~

~~—E.—Approval Findings: A major site plan and architectural review permit, or any modification thereto, shall be granted only when the designated approving authority makes all of the following findings:~~

~~—1.—The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the City;~~

~~—2.—The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community;~~

~~—3. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties;~~

~~—4. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation; and~~

~~—5. In the case of proposed alterations, additions, or demolitions to nonresidential buildings that are more than seventy five (75) years old:~~

~~— a. Alterations And Additions: The alteration or addition is compatible with the downtown revitalization plan.~~

~~— b. Demolitions: The applicant has demonstrated that the existing use cannot generate a reasonable rate of return; the existing building constitutes a hazard to public safety and is economically infeasible to rehabilitate, the design quality of the replacement building will be superior to the existing building and will be compatible with adjacent buildings and the character of downtown Lemoore, or the proposed demolition or removal is necessary to allow a project that will have public benefits outweighing the public benefits of retaining the existing building.~~

~~—F. Conditions Of Approval: The designated approving authority may impose conditions and/or require guarantees in order to ensure compliance with this title and to prevent adverse or detrimental impact to the surrounding neighborhood. (Ord. 2013-05, 2-6-2014)~~

9-4A-5: DESCRIPTION OF LAND USES:

CHILD DAYCARE FACILITY: Facility that provides nonmedical care and supervision of minor children for periods of less than twenty four (24) hours for an individual child. These facilities include the following, all of which are required to be licensed by the State:

1. Child Daycare Center: Commercial or nonprofit child daycare facility operated outside of a home, typically able to accommodate fifteen (15) or more children, including infant centers, preschools, sick child centers, daycare centers, and school age daycare facilities. These may be operated in conjunction with a school or church facility, apartment complex, or as an independent land use. Also includes employer sponsored childcare centers.

2. Family Daycare Home, Large: A ~~single-family residence~~home that regularly provides daycare care, protection, and supervision while the parents or guardians are away for seven (7) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside at the home. This description is consistent with section 1596.78 of the Health and Safety Code.

3. Family Daycare Home, Small: A ~~single-family residence~~home that regularly provides daycare care, protection, and supervision while the parents or guardians are away for six (6) eight (8) or fewer children, including children under the age of ten (10) years who reside at the home, or up to eight (8) children if the conditions of section 1597.44 of the Health and Safety Code are met. Per State law, these small family daycare uses may not be regulated differently than single-family dwellings. This description is consistent with section 1596.78 of the Health and Safety Code.

~~DWELLING, ACCESSORY UNIT: An attached or detached dwelling unit which provides complete independent living facilities for one or more persons, with permanent provisions for living, sleeping, eating, cooking, and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats.~~

DWELLING, ACCESSORY UNIT (ADU): An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons with permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling unit may be an efficiency unit, as defined in Health and Safety Code Section 17958.1, and a manufactured home, as defined in Health and Safety Code Section 18007.

DWELLING, JUNIOR ACCESSORY UNIT (JADU): A dwelling unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence that includes a separate entrance from the main entrance to the single-family residence, separate sanitation facilities, and an efficiency kitchen consisting of a cooking facility with appliances, a food preparation counter, and storage cabinets of reasonable size in relation to the size of the unit.

SHORT-TERM RENTAL UNIT: Residential structure where all or a portion of the structure is rented for overnight lodging for a period of less than 30 days. A short-term rental unit or site that provides a meal as part of its service is considered a bed and breakfast inn and is included under the definition of "bed and breakfast inn".

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				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Residential uses:																				
Caretaker housing	C	P	P	P	P	P	P	C	N	C	C	P	P	P	P	C	C	P	P	P
Child daycare facility - family daycare home, large ¹	N	A	A	A	A	A	A	N	N	N	N	A	A	A	A	N	N	N	N	N
Child daycare facility - family daycare home, small	N	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
Dwelling, multi-family	N	N	N	N	P	P	P	N	N	N	N	P ²	P	P	P	P ²⁷	N	C	N	N
Dwelling, second unit <u>accessory unit</u> ³	<u>A</u> <u>P</u>	<u>A</u> <u>P</u>	<u>A</u> <u>P</u>	<u>A</u> <u>P</u>	<u>A</u> <u>P</u>	<u>A</u> <u>P</u>	<u>A</u> <u>P</u>	N	N	N	N	N	<u>A</u> <u>P</u>	<u>A</u> <u>P</u>	N	N	N	N	N	N
Dwelling, single-family	P	P	P	P	P	P	N	N	N	N	N	N	A	P	N	N	N	N	N	N
Dwelling, two-family	N	N	A	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
<u>Dwelling, additional, meeting provisions of Government Code Section 66852.21</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Emergency shelter	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	C	N
Employee housing, large	P	C	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N
Employee housing, small	P	P	P	P	P	P	N	N	P	N	N	N	P	P	N	N	N	N	N	N
Gated residential community	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N
Group residential	N	N	N	N	N	P	P	N	N	N	C	P	P	P	P	N	N	N	N	N
Guesthouse	P	P	P	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Live-work facility ⁵	N	N	N	N	N	N	A	N	N	N	N	A	A	A	A	A	N	N	N	N

Marijuana personal cultivation - personal recreational and medicinal use ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	N	N	N	N	N	N	N	N	N	N	N	N
Mobilehome park ⁶	N	C	C	C	C	A	A	N	N	N	N	N	N	N	N	N	N	N	N
Recreational vehicle park ²⁴	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N
Residential care facility ²⁵	P	P	P	P	P	P	P	N	N	N	N	N	A	P	C	C	N	N	N
Residential care home	N	P	P	P	P	P	P	N	N	N	N	C	P	P	P	N	N	N	N
Single room occupancy (SRO) facility	N	N	N	N	N	N	P	N	N	N	N	C	C	C	N	N	N	N	N
Supportive housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N
Transitional housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N
Retail, service, and office uses:																			
<u>Short-term rental unit</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

Notes:

- 1

See additional regulations for large family daycare homes in section [9-4D-7](#) of this chapter.
2.

Only permitted on the first floor when located along an alley or side street; otherwise must be on an upper floor.
3.

See additional regulations for [second accessory](#) dwelling units in section [9-4D-12](#) of this chapter.
4.

Reserved.
5.

See additional regulations for live-work facilities in section [9-4D-8](#) of this chapter.
6.

See additional regulations for mobilehome parks in section [9-4D-10](#) of this chapter.
7.

Minimum lot size shall be 20,000 square feet.
8.

All activities and storage shall be located within an enclosed structure(s).
9.

See additional regulations for community gardens in section [9-4D-3](#) of this chapter.
10.

See special permit requirements in title 3, chapter 4, article C of the Municipal Code.
11.

Maximum tenant space shall be 10,000 square feet.
12.

See additional regulations for wireless telecommunication facilities in section [9-4D-15](#) of this chapter.
13.

Facilities less than 75 feet tall are permitted by right, except that major site plan and architectural review is still required. Otherwise, a conditional use permit is required in addition to major site plan and architectural review.
14.

See additional regulations for alcoholic beverage sales in section [9-4D-2](#) of this chapter.
15.

Use is permitted by right when located on the ground floor. Otherwise, a conditional use permit is required.
16.

See additional regulations for drive-in and drive-through facilities in section [9-4D-4](#) of this chapter.
17.

See additional regulations for massage therapy in section [9-4D-9](#) of this chapter. Additionally, see additional permit requirements in title 4, chapter 7 of the Municipal Code.
18.

Maximum tenant space shall be 30,000 square feet; however, store size may be larger upon approval of an administrative use permit.
19.

See additional regulations for semipermanent mobile food vendors in section [9-4D-13](#) of this chapter.
20.

See additional regulations for sexually oriented businesses in section [9-4D-14](#) of this chapter.
21.

See additional regulations for thrift stores in section [9-4D-16](#) of this chapter.
22.

See additional regulations for fueling stations in section [9-4D-6](#) of this chapter.
23.

Use is permitted by right when located more than 500 feet from a residential use or district.
24.

See additional regulations for recreational vehicle parks in section [9-4D-11](#) of this chapter.
25.

This "sensitive receptor" use shall not be located within:

a.

500 feet of a freeway, urban roads carrying 100,000 vehicles per day, or rural roads carrying 50,000 vehicles per day.

b.

1,000 feet of a distribution center (that accommodates more than 100 trucks a day, more than 40 trucks with operating transport refrigeration units [TRUs] a day, or where TRU operation exceeds 300 hours per week).

c.

300 feet of any dry cleaning operation that uses toxic chemicals. For operations with 2 or more machines, a minimum 500 feet shall be provided. For operations with 3 or more machines, a larger distance may be required based upon consultation with the Kings County Air District.

d.

300 feet of a "large gas station", defined as a facility with a throughput of 3.6 million gallons or more per year.
26.

If developed incidental to an existing charitable operation, this use is allowed subject to approval of an administrative use permit.
27.

Permitted on second floors above retail and neighborhood serving office when ancillary in size and does not interfere with primary retail use.
28.

Use is permitted as allowed by State law and as authorized in title 4, chapter 8 of the Municipal Code.

9-4D-12: ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS:

~~A.— Purpose And Applicability: This section applies to accessory dwelling units within the City. Accessory dwelling units are permitted upon issuance of an administrative use permit in the agricultural and residential zoning districts subject to the standards of this section. The purpose of this section is to regulate accessory dwelling units in residential zoning districts and on residential property consistent with State law. Implementation of this section is intended to expand housing opportunities for low income and moderate income or elderly households by increasing the number of rental units available within existing neighborhoods while maintaining the primarily single-family residential character of the area.~~

~~—B.— Development Standards: Pursuant to Government Code section 65852.2, accessory dwelling units shall be permitted on agricultural and residential parcels when the following conditions are met:~~

~~—1. The parcel contains an existing single-family dwelling.~~

~~—2. No more than one (1) accessory dwelling unit shall be allowed per parcel.~~

~~—3. The property owner shall occupy either the primary unit or accessory dwelling unit. The property owner shall record a declaration acknowledging owner occupancy, recorded with the property as a condition of the administrative permit.~~

~~—4. An accessory dwelling unit shall not exceed:~~

~~— a. Fifty percent (50%) of the existing living area of the primary dwelling when attached to the primary dwelling. For purpose of this standard, "living area" shall mean the interior habitable area of a dwelling unit, including basements, attics, bedrooms, kitchens, living room, etc. It does not include a garage or any accessory structure; or~~

~~— b. One thousand two hundred (1,200) square feet when detached from the primary dwelling.~~

~~—5. Building setbacks for attached accessory dwelling units shall comply with all required building setbacks for the primary dwelling unit.~~

~~—6. The maximum height of a detached accessory dwelling unit shall not exceed the height of the primary dwelling unit.~~

~~—7. No accessory dwelling unit may be sold separately from the primary dwelling unit. (Ord. 2017-06, 5-16-2017)~~

A. Purpose and intent. This section is intended to meet the requirements of State law in providing for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) as required by and in compliance with Government Code Sections 65852.2 and 65852.22, as either may be amended from time to time. The standards established by this section shall be interpreted and applied consistent with the standards set forth in Government Code Sections 65852.2 and 65852.22. To the extent there is a conflict between the provisions of this section and the provisions of either Government Code Section 65852.2 or 65852.22, including as either may be amended, the applicable provision(s) of Government Code Sections 65852.2 and 65852.22 shall apply. The requirements and exceptions specified in Government Code Sections 65852.2 and 65852.22 shall apply to the construction of ADUs and

JADUs pursuant to this section. This section is not intended to regulate multigenerational dwelling units, which are dwelling units that do not include a kitchen, contained entirely within the walls of a proposed or existing single-family residence where access is not restricted between areas of the residence.

B. Determinations. ADUs and JADUs are residential uses. ADUs and JADUs that comply with this section are considered accessory uses and accessory buildings and therefore do not exceed the allowable density for the lots upon which ADUs and JADUs are located. ADUs and JADUs that comply with this section are considered to be consistent with the general plan and zoning designations for the lot. ADUs and JADUs, and the availability to construct ADUs and JADUs, will be counted for purposes of identifying adequate sites for housing in the City's housing element, as provided in Government Code Section 65583.1(a), and to reduce the City's share of the regional housing need, as provided in Government Code Section 65583.1(d).

C. Unless otherwise stated in this section, the requirements and standards of this Title that apply to the lot and the primary dwelling shall apply to any ADU and/or JADU, including height, setback, and landscaping. All Fire and Building Code requirements that apply to detached dwellings and accessory structures generally shall apply to ADUs and JADUs.

D. Development Standards. ADUs, JADUs, tiny homes, and multi-generational housing units shall meet that applicable standards in Table 9-4D-12-A.

TABLE 9-4D-12-A

DEVELOPMENT STANDARDS FOR ADUs, JADUs, TINY HOMES, AND MULTI-GENERATIONAL HOUSING UNITS

<u>Requirement</u>	<u>ADU (including Cottage Home)</u>	<u>JADU</u>	<u>Tiny Home (type of ADU)</u>	<u>Multi-generational housing unit (not an ADU or JADU)</u>
<u>Zone districts where allowed:</u>	<u>All residential and mixed use zone districts</u>	<u>All residential and mixed use zone districts</u>	<u>All residential and mixed use zone districts</u>	<u>All residential and mixed use zone districts</u>
<u>Lot types where allowed:</u>	<u>Lots with either single-family or multi-family dwelling (existing or proposed)</u>	<u>Lots with a single-family dwelling (existing or proposed)</u>	<u>Lots with a single-family dwelling (existing or proposed)</u>	<u>Lots with a single-family dwelling (existing or proposed)</u>
<u>Number allowed on a single-family lot:</u>	<u>One (1)</u>	<u>One (1) in addition to one (1) ADU</u>	<u>See ADU</u>	<u>One (1)</u>
<u>Attached to or detached from main dwelling:</u>	<u>Either attached or detached. Attached must have separate exterior entry.</u>	<u>Attached. Must have separate exterior entry.</u>	<u>Detached</u>	<u>Attached</u>
<u>Number allowed on a multi-family lot:</u>	<u>Up to two (2) detached. If attached, up to 25% of</u>	<u>None</u>	<u>None</u>	<u>None</u>

	<u>the existing multi-family dwelling units</u>			
<u>Owner occupancy:</u>	<u>No requirements</u>	<u>Property must reside in either the main dwelling or the JADU</u>	<u>No requirements</u>	<u>No requirements</u>
<u>Unit size:</u>	<u>At least 220 sq.ft. If detached, up to 1,200 sq.ft. If attached, up to 50% of the existing primary dwelling, or 1,200 sq.ft., whichever is greater.</u>	<u>At least 220 sq.ft. and not more than 500 sq.ft.</u>	<u>The first floor shall be at least 100 sq.ft.</u>	<u>No size requirement</u>
<u>Building setbacks:</u>	<u>For attached ADUs, following main dwelling setbacks. For detached ADUs, 15 feet minimum setback from front property line and four (4) feet minimum setback from side and rear property lines.</u>	<u>Per main dwelling setback requirements.</u>	<u>15 feet minimum setback from front property line and four (4) feet minimum setback from side and rear property lines.</u>	<u>Per main dwelling setback requirements</u>
<u>Maximum height:</u>	<u>For detached ADUs, 16 feet. For attached ADUs, per main dwelling height requirements</u>	<u>Per main dwelling height requirements</u>	<u>14 feet</u>	<u>Per main dwelling height requirements</u>
<u>Separate kitchen required:</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<u>Separate bathroom required:</u>	<u>Yes</u>	<u>No, but if no bathroom, there must be an interior entryway to the main dwelling</u>	<u>Yes</u>	<u>Yes</u>
<u>Connection to water and sewer required:</u>	<u>Yes. May be shared with main dwelling, but not required.</u>	<u>Yes. May be shared with main dwelling, but not required.</u>	<u>Yes, if occupancy is intended to be for more than 72 hours</u>	<u>Yes</u>
<u>Additional on-site parking required:</u>	<u>One (1) space unless an exception is made per Government Code 65852.2. The additional parking space may be tandem and within a</u>	<u>No</u>	<u>No</u>	<u>No</u>

	<u>building setback area if it is paved with a non-permeable surface.</u>			
<u>Fire sprinklers required:</u>	<u>Yes, if required for the main dwelling unit</u>	<u>Yes, if required for the main dwelling unit</u>	<u>No</u>	<u>Yes, if required for the main dwelling unit</u>

E. Building standards.

1. ADUs and JADUs must be architecturally compatible with the primary dwelling, having similar materials, colors, and style of construction. The design and size of ADUs and JADUs shall conform to all applicable standards of the building, health, and other codes adopted by the City.

2. Attached ADUs and JADUs shall be compatible with and made structurally a part of the primary dwelling (e.g., share a common wall with the primary dwelling, rely partially on the primary dwelling for structural support, or be attached to the primary dwelling).

3. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the accessory dwelling unit as determined by the City Engineer. The ADU/JADU can either have shared or separate services for electric, gas, sewer, and water.

F. Connection, impact, and other fees.

1. Except as provided in Government Code Sections 65852.2 and 65852.22, ADUs and JADUs are subject to fees and assessments required by the [Lemoore Municipal Code](#) for new residential construction, including connection fees, and capacity charges. However, development impact fees shall not be assessed on ADUs or JADUs.

2. An inspection fee shall be assessed for any inspection to determine if an ADU or JADU complies with applicable building standards.

G. Permit approval. A permit must be obtained for the construction or installation of an ADU or JADU. An application, together with the required fee in compliance with the City's fee schedule, shall be filed with the Department and accompanied by detailed and fully dimensioned plans, architectural drawings/sketches, elevations, floor plans, landscape plans, and/or any other data/materials identified in the Department handout for ADU/JADU applications. Following receipt of a completed application, the Director shall make an investigation of the facts bearing on the case to determine compliance with this section and ministerially approve a compliant application in accordance with [\(Gov. Code, 35852.2 subd. \(a\)\(3\) and \(b\)\).](#)

If the permit application to create an ADU or a JADU is submitted with a permit application to construct a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or the JADU until the City acts on the permit application to create the new single-family dwelling. The applicant may request a delay in the time available for the City to act on the application, as provided by State law.

H. Cottage home program standards. This subsection provides locational and general standards for the cottage home program which is allowed in the applicable residential areas, subject to the following criteria and standards. This subsection does not supplant the remainder of this section for ADU and JADU construction.

1. Cottage home. A cottage home is a type of ADU where pre-approved building plans are made available by the City and the ADU is constructed in compliance with the provided plans and this subsection. A cottage home shall count towards the limit on the number of ADUs permitted on a single lot.

2. Zone districts. A cottage home is allowed in zones that allow an ADU.

3. Application procedures. Applications for the cottage home program shall be filed with the Community Development Department.

4. Developmental standards. A cottage home shall be constructed in compliance with the following developmental standards:

a. Only one cottage home unit shall be created on a single-family parcel.

b. The cottage home shall be built using plans provided by the City.

c. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the cottage home unit as determined by the City Engineer. The cottage home can have either shared or separate services for electric, gas, sewer, and water.

J. Tiny house standards. A tiny home is a A tiny house may be approved for use as an accessory dwelling unit if the following requirements are met:

1. The tiny house meets all the requirements for an accessory dwelling unit.

2. The tiny house has at least 100 square feet of first floor interior living space and includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry.

3. The tiny house is designed and built to look like a conventional building structure.

4. The tiny house is licensed and registered with the California Department of Motor Vehicles and meets ANSI 119.2 or 119.5 requirements.

5. The tiny house is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection and cannot (nor is it designed to) move under its own power.

6. The tiny house is no larger than allowed by California State Law for movement on public highways.

7. No mechanical equipment is located on the roof of the movable tiny house.

8. When sited on a lot for more than 72 hours at a location visible from the public street, the tiny house shall have skirting that covers the wheels and undercarriage and that extends to ground level.

9. When sited on a lot for more than 72 hours, water and sewer connections shall be made permanent prior to occupancy. Shut-off valves, meters, and regulators shall not be located beneath the tiny house.

**TABLE 9-5A-4A
DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS**

Measurement/Zoning District	Residential Zoning Districts						
	AR	RVLD	RLD	RN	RLMD	RMD	RHD
Site area per dwelling unit, minimum (square feet) ¹	No minimum	15,000	6,000 <u>5,000</u>	3,000	3,000	2,500	1,700
Lot dimensions:							
Lot size, minimum (square feet)	40,000	15,000 <u>10,000</u>	7,000 <u>5,000</u>	3,000	3,000	2,000	2,000
Lot size, maximum (square feet)	No maximum	40,000	15,000 0	7,000	7,000	5,000 ⁴	No maximum
Lot width, minimum ¹⁰	150'	150' <u>100'</u>	60' <u>50'</u>	50'	60'	60'	60'
Lot depth, minimum	200'	150'	100'	90'	90'	80'	80'
Setbacks, minimum:							
Front yard:							
Generally ^{2,12}	60'	40' <u>25'</u>	18' <u>15'</u>	15'	20' <u>15'</u>	20' <u>15'</u>	20' <u>15'</u>
To garage, front facing	-	-	20'	20'	20'	20'	20'
To garage, side load	-	-	15'	-	-	-	-
To porch	-	-	12'	12'	12'	12'	-
Side yard:							
Interior side	15'	10'	5' ⁴	5' ⁴	5'	10'	10'
Street side ¹²	25'	15'	15' <u>10'</u>	15' <u>10'</u>	15' <u>10'</u>	15'	15'
Combined both sides	-	-	10'	10'	10'	-	-
Rear yard:							
Generally	10' ⁴	10' ⁴	10' ⁴	10' ⁴	10'	10'	10'
To detached alley loaded garage	5'	5'	5'	0'	0'	0'	0'
Abutting a street ¹¹	20'	20'	20'	20'	20'	-	-
Separation between buildings, minimum ⁷	10'	10'	10'	10'	10'	10'	10'
Height, maximum	40'	40'	35'	35'	35'	45'	60'

Notes:

1. Accessory dwelling units and junior accessory dwelling units are not counted when calculating site area per dwelling unit. Larger lot sizes may be permitted through site plan and architectural review for condominiums, townhomes, and similar attached developments.

~~2. Reserved. For single-family residential subdivisions, the front yard setback of adjacent homes shall have a minimum 2 foot stagger between adjacent lots. Reduced setbacks may be approved as part of a planned unit development overlay zoning district or master home plan approval as a way to provide varied setbacks.~~

3. For every 1 foot in additional height, an additional 1 foot in setback is required.
4. Additional 5 feet is required for each additional story.
5. Required setback is 10 feet when adjacent to any residential zoning district.
6. Required setback is 15 feet when adjacent to any residential or mixed use zoning district.
7. Separation requirements apply to buildings on the same site as well as separation between buildings on adjacent parcels.
8. Also see subsection [9-5D1-2E](#), "Special Landscape Requirements", of this chapter for corresponding minimum landscaping and pervious surface requirements.
9. Additional building height may be allowed through site plan and architectural review when additional height is necessary for mechanical equipment as part of an industrial operation.
10. For flag lots, the minimum width for the access corridor shall be 10 feet. The lot width shall be measured from the front property line as described in section 9-5A-3, "Setback Determination And Requirements", of this article.
11. See section 9-5B-7, "Urban-Rural Edge", of this chapter.
12. 15 foot landscape buffer required along arterial and collector streets in addition to minimum setback. These 2 standards are not cumulative and may overlap. See subsection 9-5D1-2E2, "Landscape Buffers Required Along Arterial And Collector Streets", of this chapter.

(Ord. 2013-05, 2-6-2014; amd. Ord. 2015-08, 1-5-2016)

9-5C-3: DESIGN STANDARDS FOR RESIDENTIAL PROJECTS:

The standards contained in this section shall apply to new residential development, including single-family residential subdivisions, master home plans, and multi-family residential developments. These standards are intended to implement the design concepts described above.

2. Building Placement And Orientation: Create diverse residential streetscapes that facilitate interaction between residents and include homes and residential structures that orient to the street.

~~——a. For single-family residential subdivisions, the front yard setback of adjacent homes shall have a minimum two foot (2') stagger between adjacent lots.~~

ba. Multi-unit residential buildings (e.g., townhomes, condominiums, apartments) shall be designed with different building setbacks and facade variations when multiple buildings are provided.

eb. Orient home and building sites to take advantage of solar heating and opportunities for solar energy generation.

~~-dc.~~ Residential development adjacent to open space/parks and other public spaces shall maintain visual access from residential units and common buildings to provide "eyes on the street" surveillance opportunities.

ed. Buildings shall be designed with structural and spatial variety along the front facades to avoid monotonous appearance.

July 10 Planning Commission Version

PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

Clean Version without Track Changes

TABLE 9-2A-7-1
PLANNING PERMIT AND ENTITLEMENTS AND REVIEW AND APPEAL AUTHORITY¹

Planning Permit Or Entitlement	Notice/Hearing Requirement	Authority		
		Planning Director	Planning Commission	City Council
Administrative permits:				
Zoning clearance (e.g., building permit, signs, business license)	None	Final	Appeal	Appeal
Temporary use permit	None	Final	Appeal	Appeal
Tree permit for trees on private property	None	Final	Appeal	Appeal
Reasonable accommodation	None	Final	Appeal	Appeal
Similar use determination	None	Final	Appeal	Appeal
Official zoning interpretation	None	Final	Appeal	Appeal
Minor home occupation permit	None	Final	Appeal	Appeal
Highway oriented sign permit	None	Final	Appeal	Appeal
Administrative use permit	None	Final	Appeal	Appeal
Minor deviation	None	Final	Appeal	Appeal
Sign program	None	Final	Appeal	Appeal

Site plan and architectural review	None	Final	Appeal	Appeal
Quasi-judicial permits and entitlements:				
Conditional use permit	Public hearing	Recommending	Final	Appeal ²
Major home occupation permit	Public hearing	Recommending	Final	Appeal
Variance	Public hearing	Recommending	Final	Appeal ²
Public convenience or necessity	Public hearing	Recommending	Final	Appeal ²
Legislative approvals:				
Specific plan	Public hearing ³	Recommending	Recommending	Final
Development agreement	Public hearing ³	Recommending	Recommending	Final
Planned Unit Development	Public hearing ³	Recommending	Recommending	Final
Zoning amendment	Public hearing ³	Recommending	Recommending	Final
Prezoning	Public hearing ³	Recommending	Recommending	Final
General plan amendment	Public hearing ³	Recommending	Recommending	Final

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

A. Purpose: The purpose of site plan and architectural review is for the review of the design and layout of new development in the City to ensure that it is consistent with the regulations of this title, other relevant titles in the Lemoore Municipal Code, and all relevant City policies, requirements, and development standards that would apply to the project prior to the issuance of subsequent permits, such as discretionary actions required by the City Zoning Ordinance or City Subdivision Ordinance, improvement plans, and building permits. It is the intent that site plan and architectural review be a ministerial action limited to review of the project development project for conformance with City of Lemoore ordinances, policies, requirements, and development standards. (Ord. 2013-05, 2-6-2014)

B. Applicability: Site plan and architectural review shall be required prior to the issuance of any ministerial building permits or site improvement plans and prior to any discretionary action of corresponding development applications (e.g., conditional use permit, variance). Site plan and architectural review may serve as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

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

- a. New nonresidential or mixed-use developments;
- b. Nonresidential building additions greater than 1,000 square feet;
- 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 of more than two units (e.g., apartments, condominiums, townhomes) (Ord. 2018-03, 5-15-2018)
- 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.

2. Exemptions: The following activities are specifically exempt from site plan and architectural review:

- a. Single-family residential homes and duplexes on an existing lot;
- b. Additions to or the exterior remodels of single-family residential homes within normal setbacks;
- c. Accessory structures consistent with the provisions of section 9-4D-18, "Residential Accessory Structures", of this title;
- d. Changes to the exterior facade of existing buildings;
- e. Painting existing buildings in the DMX zoning districts with historic color palettes as described in subsection 9-6-4C, "Colors And Painting", of this title;

f. Repairs and maintenance to the site or structure that do not add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure and that employ the same materials and design as the original construction;

g. Interior alterations that do not increase the gross floor area within the structure, or change/expand the permitted use of the structure (including solar collectors); and

h. Construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments.

i. Nonresidential building additions of 1,000 square feet of gross floor area or less.

C. Approval Authority: The designated approval authority for site plan and architectural design review shall be the Community Development Director.

D. Process: The applicant shall provide a completed application on a form provided by the City, a site plan and, if new non-residential buildings or multi-family dwellings are proposed, an elevation plan. No public hearing or notice is required for a site plan and architectural review. Site plan and architectural review is a ministerial process conducted by City staff to determine compliance with existing City of Lemoore ordinances, policies, requirements, and development standards and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15268.

E. Approval: A site plan and architectural review permit, or any modification thereto, shall be granted only when the designated approving authority finds that the proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and policies and improvement standards adopted by the City, or that a general plan amendment or zoning amendment is going to be subsequently applied for by the developer. If the site plan submitted requires major changes before this finding can be made, the developer may be required to make changes and submit the site plan again.

F. Post approval Implementation: A site plan and architectural design review permit is ministerial in nature. As such, the Planning Director may not impose discretionary conditions on the issuance of the permit. If the proposed development project requires approval of a discretionary action after completion of the site and architectural design review process, conditions of approval can be placed on the discretionary approval (Ord. 2013-05, 2-6-2014)

G. Appeals. If the applicant disagrees with the interpretation or application of a City ordinance, policy, requirement, or development standard, they may appeal the interpretation per procedures in Section 9-2A-7 and 9-2A-8.

H. Expiration. A site plan and architectural design review permit shall expire one (1) year after issuance unless an application for a related discretionary approval or a building permit is submitted. Upon written request by the applicant prior to expiration, the Community Development Director may extend the expiration for an additional one (1) year.

9-4A-5: DESCRIPTION OF LAND USES:

CHILD DAYCARE FACILITY: Facility that provides nonmedical care and supervision of minor children for periods of less than twenty four (24) hours for an individual child. These facilities include the following, all of which are required to be licensed by the State:

1. Child Daycare Center: Commercial or nonprofit child daycare facility operated outside of a home, typically able to accommodate fifteen (15) or more children, including infant centers, preschools, sick child centers, daycare centers, and school age daycare facilities. These may be operated in conjunction with a school or church facility, apartment complex, or as an independent land use. Also includes employer sponsored childcare centers.

2. Family Daycare Home, Large: A home that regularly provides care, protection, and supervision while the parents or guardians are away for seven (7) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside at the home. This description is consistent with section 1596.78 of the Health and Safety Code.

3. Family Daycare Home, Small: A home that regularly provides care, protection, and supervision while the parents or guardians are away for six (6) or fewer children, including children under the age of ten (10) years who reside at the home, or up to eight (8) children if the conditions of section 1597.44 of the Health and Safety Code are met. Per State law, small family daycare uses may not be regulated differently than single-family dwellings. This description is consistent with section 1596.78 of the Health and Safety Code.

DWELLING, ACCESSORY UNIT (ADU): An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons with permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling unit may be an efficiency unit, as defined in Health and Safety Code Section [17958.1](#), and a manufactured home, as defined in Health and Safety Code Section [18007](#).

DWELLING, JUNIOR ACCESSORY UNIT (JADU): A dwelling unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence that includes a separate entrance from the main entrance to the single-family residence, separate sanitation facilities, and an efficiency kitchen consisting of a cooking facility with appliances, a food preparation counter, and storage cabinets of reasonable size in relation to the size of the unit.

SHORT-TERM RENTAL UNIT: Residential structure where all or a portion of the structure is rented for overnight lodging for a period of less than 30 days. A short-term rental unit or site that provides a meal as part of its service is considered a bed and breakfast inn and is included under the definition of “bed and breakfast inn”.

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				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX-1	DMX-2	DMX-3	MU	NC	RC	PO	ML	MH
Residential uses:																				
Caretaker housing	C	P	P	P	P	P	P	C	N	C	C	P	P	P	P	C	C	P	P	P
Child daycare facility - family daycare home, large ¹	N	A	A	A	A	A	A	N	N	N	N	A	A	A	A	N	N	N	N	N
Child daycare facility - family daycare home, small	N	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N
Dwelling, multi-family	N	N	N	N	P	P	P	N	N	N	N	P ²	P	P	P	P ²⁷	N	C	N	N
Dwelling, accessory unit ³	P	A P	A P	A P	A P	A P	A P	N	N	N	N	N	A P	A P	N	N	N	N	N	N
Dwelling, single-family	P	P	P	P	P	P	N	N	N	N	N	N	A	P	N	N	N	N	N	N
Dwelling, two-family	N	N	A	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Dwelling, additional, meeting provisions of Government Code Section 66852.21	P	P	P	P	P	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N
Emergency shelter	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	C	N
Employee housing, large	P	C	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N
Employee housing, small	P	P	P	P	P	P	N	N	P	N	N	N	P	P	N	N	N	N	N	N
Gated residential community	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N
Group residential	N	N	N	N	N	P	P	N	N	N	C	P	P	P	P	N	N	N	N	N
Guesthouse	P	P	P	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N
Live-work facility ⁵	N	N	N	N	N	N	A	N	N	N	N	A	A	A	A	A	N	N	N	N

Marijuana personal cultivation - personal recreational and medicinal use ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	P ²⁸	N	N	N	N	N	N	N	N	N	N	N	N
Mobilehome park ⁶	N	C	C	C	C	A	A	N	N	N	N	N	N	N	N	N	N	N	N
Recreational vehicle park ²⁴	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C
Residential care facility ²⁵	P	P	P	P	P	P	P	N	N	N	N	N	A	P	C	C	N	N	N
Residential care home	N	P	P	P	P	P	P	N	N	N	N	C	P	P	P	N	N	N	N
Single room occupancy (SRO) facility	N	N	N	N	N	N	P	N	N	N	N	C	C	C	N	N	N	N	N
Supportive housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N
Transitional housing	P	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N
Retail, service, and office uses:																			
Short-term rental unit	P	P	P	P	P	P	P	N	N	N	N	N	P	P	N	N	N	N	N

Notes:

1.
See additional regulations for large family daycare homes in section [9-4D-7](#) of this chapter.
2. Only permitted on the first floor when located along an alley or side street; otherwise must be on an upper floor.
3. See additional regulations for accessory dwelling units in section [9-4D-12](#) of this chapter.
4. Reserved.
5. See additional regulations for live-work facilities in section [9-4D-8](#) of this chapter.
6. See additional regulations for mobilehome parks in section [9-4D-10](#) of this chapter.
7. Minimum lot size shall be 20,000 square feet.
8. All activities and storage shall be located within an enclosed structure(s).
9. See additional regulations for community gardens in section [9-4D-3](#) of this chapter.
10. See special permit requirements in title 3, chapter 4, article C of the Municipal Code.
11. Maximum tenant space shall be 10,000 square feet.
12. See additional regulations for wireless telecommunication facilities in section [9-4D-15](#) of this chapter.
13. Facilities less than 75 feet tall are permitted by right, except that major site plan and architectural review is still required. Otherwise, a conditional use permit is required in addition to major site plan and architectural review.
14. See additional regulations for alcoholic beverage sales in section [9-4D-2](#) of this chapter.
15. Use is permitted by right when located on the ground floor. Otherwise, a conditional use permit is required.
16. See additional regulations for drive-in and drive-through facilities in section [9-4D-4](#) of this chapter.
17. See additional regulations for massage therapy in section [9-4D-9](#) of this chapter. Additionally, see additional permit requirements in title 4, chapter 7 of the Municipal Code.
18. Maximum tenant space shall be 30,000 square feet; however, store size may be larger upon approval of an administrative use permit.
19. See additional regulations for semipermanent mobile food vendors in section [9-4D-13](#) of this chapter.
20. See additional regulations for sexually oriented businesses in section [9-4D-14](#) of this chapter.
21. See additional regulations for thrift stores in section [9-4D-16](#) of this chapter.
22. See additional regulations for fueling stations in section [9-4D-6](#) of this chapter.
23. Use is permitted by right when located more than 500 feet from a residential use or district.
24. See additional regulations for recreational vehicle parks in section [9-4D-11](#) of this chapter.
25. This "sensitive receptor" use shall not be located within:

a. 500 feet of a freeway, urban roads carrying 100,000 vehicles per day, or rural roads carrying 50,000 vehicles per day.

b. 1,000 feet of a distribution center (that accommodates more than 100 trucks a day, more than 40 trucks with operating transport refrigeration units [TRUs] a day, or where TRU operation exceeds 300 hours per week).

c. 300 feet of any dry cleaning operation that uses toxic chemicals. For operations with 2 or more machines, a minimum 500 feet shall be provided. For operations with 3 or more machines, a larger distance may be required based upon consultation with the Kings County Air District.

d. 300 feet of a "large gas station", defined as a facility with a throughput of 3.6 million gallons or more per year.
26. If developed incidental to an existing charitable operation, this use is allowed subject to approval of an administrative use permit.
27. Permitted on second floors above retail and neighborhood serving office when ancillary in size and does not interfere with primary retail use.
28. Use is permitted as allowed by State law and as authorized in title 4, chapter 8 of the Municipal Code.

9-4D-12: ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS:

A. Purpose and intent. This section is intended to meet the requirements of State law in providing for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) as required by and in compliance with Government Code Sections [65852.2](#) and [65852.22](#), as either may be amended from time to time. The standards established by this section shall be interpreted and applied consistent with the standards set forth in Government Code Sections [65852.2](#) and [65852.22](#). To the extent there is a conflict between the provisions of this section and the provisions of either Government Code Section [65852.2](#) or [65852.22](#), including as either may be amended, the applicable provision(s) of Government Code Sections [65852.2](#) and [65852.22](#) shall apply. The requirements and exceptions specified in Government Code Sections [65852.2](#) and [65852.22](#) shall apply to the construction of ADUs and JADUs pursuant to this section. This section is not intended to regulate multigenerational dwelling units, which are dwelling units that do not include a kitchen, contained entirely within the walls of a proposed or existing single-family residence where access is not restricted between areas of the residence.

B. Determinations. ADUs and JADUs are residential uses. ADUs and JADUs that comply with this section are considered accessory uses and accessory buildings and therefore do not exceed the allowable density for the lots upon which ADUs and JADUs are located. ADUs and JADUs that comply with this section are considered to be consistent with the general plan and zoning designations for the lot. ADUs and JADUs, and the availability to construct ADUs and JADUs, will be counted for purposes of identifying adequate sites for housing in the City's housing element, as provided in Government Code Section [65583.1\(a\)](#), and to reduce the City's share of the regional housing need, as provided in Government Code Section [65583.1\(d\)](#).

C. Unless otherwise stated in this section, the requirements and standards of this Title that apply to the lot and the primary dwelling shall apply to any ADU and/or JADU, including height, setback, and landscaping. All Fire and Building Code requirements that apply to detached dwellings and accessory structures generally shall apply to ADUs and JADUs.

D. Development Standards. ADUs, JADUs, tiny homes, and multi-generational housing units shall meet that applicable standards in Table 9-4D-12-A.

TABLE 9-4D-12-A

DEVELOPMENT STANDARDS FOR ADUs, JADUs, TINY HOMES, AND MULTI-GENERATIONAL HOUSING UNITS

Requirement	ADU (including Cottage Home)	JADU	Tiny Home (type of ADU)	Multi-generational housing unit (not an ADU or JADU)
Zone districts where allowed:	All residential and mixed use zone districts	All residential and mixed use zone districts	All residential and mixed use zone districts	All residential and mixed use zone districts

Lot types where allowed:	Lots with either single-family or multi-family dwelling (existing or proposed)	Lots with a single-family dwelling (existing or proposed)	Lots with a single-family dwelling (existing or proposed)	Lots with a single-family dwelling (existing or proposed)
Number allowed on a single-family lot:	One (1)	One (1) in addition to one (1) ADU	See ADU	One (1)
Attached to or detached from main dwelling:	Either attached or detached. Attached must have separate exterior entry.	Attached. Must have separate exterior entry.	Detached	Attached
Number allowed on a multi-family lot:	Up to two (2) detached. If attached, up to 25% of the existing multi-family dwelling units	None	None	None
Owner occupancy:	No requirements	Property must reside in either the main dwelling or the JADU	No requirements	No requirements
Unit size:	At least 220 sq.ft. If detached, up to 1,200 sq.ft. If attached, up to 50% of the existing primary dwelling, or 1,200 sq.ft., whichever is greater.	At least 220 sq.ft. and not more than 500 sq.ft.	The first floor shall be at least 100 sq.ft.	No size requirement
Building setbacks:	For attached ADUs, following main dwelling setbacks. For detached ADUs, 15 feet minimum setback from front property line and four (4) feet minimum setback from side and rear property lines.	Per main dwelling setback requirements.	15 feet minimum setback from front property line and four (4) feet minimum setback from side and rear property lines.	Per main dwelling setback requirements
Maximum height:	For detached ADUs, 16 feet. For attached ADUs, per main dwelling height requirements	Per main dwelling height requirements	14 feet	Per main dwelling height requirements
Separate kitchen required:	Yes	Yes	Yes	No

Separate bathroom required:	Yes	No, but if no bathroom, there must be an interior entryway to the main dwelling	Yes	Yes
Connection to water and sewer required:	Yes. May be shared with main dwelling, but not required.	Yes. May be shared with main dwelling, but not required.	Yes, if occupancy is intended to be for more than 72 hours	Yes
Additional on-site parking required:	One (1) space unless an exception is made per Government Code 65852.2. The additional parking space may be tandem and within a building setback area if it is paved with a non-permeable surface.	No	No	No
Fire sprinklers required:	Yes, if required for the main dwelling unit	Yes, if required for the main dwelling unit	No	Yes, if required for the main dwelling unit

E. Building standards.

1. ADUs and JADUs must be architecturally compatible with the primary dwelling, having similar materials, colors, and style of construction. The design and size of ADUs and JADUs shall conform to all applicable standards of the building, health, and other codes adopted by the City.

2. Attached ADUs and JADUs shall be compatible with and made structurally a part of the primary dwelling (e.g., share a common wall with the primary dwelling, rely partially on the primary dwelling for structural support, or be attached to the primary dwelling).

3. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the accessory dwelling unit as determined by the City Engineer. The ADU/JADU can either have shared or separate services for electric, gas, sewer, and water.

F. Connection, impact, and other fees.

1. Except as provided in Government Code Sections [65852.2](#) and [65852.22](#), ADUs and JADUs are subject to fees and assessments required by the Lemoore Municipal Code for new residential construction, including connection fees, and capacity charges. However, development impact fees shall not be assessed on ADUs or JADUs.

2. An inspection fee shall be assessed for any inspection to determine if an ADU or JADU complies with applicable building standards.

G. Permit approval. A permit must be obtained for the construction or installation of an ADU or JADU. An application, together with the required fee in compliance with the City's fee schedule, shall be filed with the Department and accompanied by detailed and fully dimensioned plans, architectural drawings/sketches, elevations, floor plans, landscape plans, and/or any other data/materials identified in the Department handout for ADU/JADU applications. Following receipt of a completed application, the Director shall make an investigation of the facts bearing on the case to determine compliance with this section and ministerially approve a compliant application in accordance with (Gov. Code, 35852.2 subd. (a)(3) and (b).

If the permit application to create an ADU or a JADU is submitted with a permit application to construct a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or the JADU until the City acts on the permit application to create the new single-family dwelling. The applicant may request a delay in the time available for the City to act on the application, as provided by State law.

H. Cottage home program standards. This subsection provides locational and general standards for the cottage home program which is allowed in the applicable residential areas, subject to the following criteria and standards. This subsection does not supplant the remainder of this section for ADU and JADU construction.

1. Cottage home. A cottage home is a type of ADU where pre-approved building plans are made available by the City and the ADU is constructed in compliance with the provided plans and this subsection. A cottage home shall count towards the limit on the number of ADUs permitted on a single lot.

2. Zone districts. A cottage home is allowed in zones that allow an ADU.

3. Application procedures. Applications for the cottage home program shall be filed with the Community Development Department.

4. Developmental standards. A cottage home shall be constructed in compliance with the following developmental standards:

- a. Only one cottage home unit shall be created on a single-family parcel.
- b. The cottage home shall be built using plans provided by the City.
- c. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the cottage home unit as determined by the City Engineer. The cottage home can have either shared or separate services for electric, gas, sewer, and water.

J. Tiny house standards. A tiny home is a A tiny house may be approved for use as an accessory dwelling unit if the following requirements are met:

1. The tiny house meets all the requirements for an accessory dwelling unit.
2. The tiny house has at least 100 square feet of first floor interior living space and includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry.
3. The tiny house is designed and built to look like a conventional building structure.
4. The tiny house is licensed and registered with the California Department of Motor Vehicles and meets ANSI 119.2 or 119.5 requirements.

5. The tiny house is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection and cannot (nor is it designed to) move under its own power.

6. The tiny house is no larger than allowed by California State Law for movement on public highways.

7. No mechanical equipment is located on the roof of the movable tiny house.

8. When sited on a lot for more than 72 hours at a location visible from the public street, the tiny house shall have skirting that covers the wheels and undercarriage and that extends to ground level.

9. When sited on a lot for more than 72 hours, water and sewer connections shall be made permanent prior to occupancy. Shut-off valves, meters, and regulators shall not be located beneath the tiny house.

**TABLE 9-5A-4A
DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS**

Measurement/Zoning District	Residential Zoning Districts						
	AR	RVLD	RLD	RN	RLMD	RMD	RHD
Site area per dwelling unit, minimum (square feet) ¹	No minimum	15,000	5,000	3,000	3,000	2,500	1,700
Lot dimensions:							
Lot size, minimum (square feet)	40,000	10,000	5,000	3,000	3,000	2,000	2,000
Lot width, minimum ¹⁰	150'	100'	50'	50'	60'	60'	60'
Lot depth, minimum	200'	150'	100'	90'	90'	80'	80'
Setbacks, minimum:							
Front yard:							
Generally ^{2,12}	60'	25'	15'	15'	15'	15'	15'
To garage, front facing	-	-	20'	20'	20'	20'	20'
To garage, side load	-	-	15'	-	-	-	-
To porch	-	-	12'	12'	12'	12'	-
Side yard:							
Interior side	15'	10'	5'	5'	5'	10'	10'
Street side ¹²	25'	15'	10'	10'	10'	15'	15'
Combined both sides	-	-	10'	10'	10'	-	-
Rear yard:							
Generally	10' ⁴	10' ⁴	10' ⁴	10' ⁴	10'	10'	10'
To detached alley loaded garage	5'	5'	5'	0'	0'	0'	0'
Abutting a street ¹¹	20'	20'	20'	20'	20'	-	-
Separation between buildings, minimum ⁷	10'	10'	10'	10'	10'	10'	10'
Height, maximum	40'	40'	35'	35'	35'	45'	60'

Notes:

1. Accessory dwelling units and junior accessory dwelling units are not counted when calculating site area per dwelling unit.
2. Reserved.
3. For every 1 foot in additional height, an additional 1 foot in setback is required.
4. Additional 5 feet is required for each additional story.

5. Required setback is 10 feet when adjacent to any residential zoning district.
6. Required setback is 15 feet when adjacent to any residential or mixed use zoning district.
7. Separation requirements apply to buildings on the same site as well as separation between buildings on adjacent parcels.
8. Also see subsection [9-5D1-2E](#), "Special Landscape Requirements", of this chapter for corresponding minimum landscaping and pervious surface requirements.
9. Additional building height may be allowed through site plan and architectural review when additional height is necessary for mechanical equipment as part of an industrial operation.
10. For flag lots, the minimum width for the access corridor shall be 10 feet. The lot width shall be measured from the front property line as described in section 9-5A-3, "Setback Determination And Requirements", of this article.
11. See section 9-5B-7, "Urban-Rural Edge", of this chapter.
12. 15 foot landscape buffer required along arterial and collector streets in addition to minimum setback. These 2 standards are not cumulative and may overlap. See subsection 9-5D1-2E2, "Landscape Buffers Required Along Arterial And Collector Streets", of this chapter.

(Ord. 2013-05, 2-6-2014; amd. Ord. 2015-08, 1-5-2016)

9-5C-3: DESIGN STANDARDS FOR RESIDENTIAL PROJECTS:

The standards contained in this section shall apply to new residential development, including single-family residential subdivisions, master home plans, and multi-family residential developments. These standards are intended to implement the design concepts described above.

2. Building Placement And Orientation: Create diverse residential streetscapes that facilitate interaction between residents and include homes and residential structures that orient to the street.

a. Multi-unit residential buildings (e.g., townhomes, condominiums, apartments) shall be designed with different building setbacks and facade variations when multiple buildings are provided.

b. Orient home and building sites to take advantage of solar heating and opportunities for solar energy generation.

c. Residential development adjacent to open space/parks and other public spaces shall maintain visual access from residential units and common buildings to provide "eyes on the street" surveillance opportunities.

d. Buildings shall be designed with structural and spatial variety along the front facades to avoid monotonous appearance.