

Mayor
John Murray
Mayor Pro Tem
John Grego
Council Members
Mary Hornsby
Ed Martin
Willard Rodarmel



LEMOORE
CALIFORNIA

Planning
Department

210 Fox Street
Lemoore • CA 93245
Phone (559) 924-6700
FAX (559) 924-9003

STAFF REPORT

Item # 7

To: City Council
From: Holly Smyth, Planning Director
Date: October 15, 2008
Subject: Continued Discussion and action regarding Amending Section 9-7 Residential Districts and 9-2 Definitions section of the Zoning Ordinance pertaining to carports, accessory structures, fences, residential density, lot sizes and other minor provisions and minor modifications to the 2030 General Plan

Discussion:

At the October 7th City Council meeting a public hearing and discussion was held on the new Chapter 7 Residential District which includes changes to carport policies. Council did not have concerns over most of Planning Commission's recommended changes with the exception of carport issues. Council directed staff to make further modifications to the Ordinance to 1) allow existing carports to remain, 2) allow portable/vinyl type carports in the side yards behind fences, 3) remove the reference to public utility easements as they are difficult to locate, 4) allow side yard carports to not have setback or design requirements.

In preparing the revised Ordinance, staff had a discussion with the Fire Chief and Public Works Director who both agreed that most "portable" carports are made of "combustible" material which, under Building and Fire Codes requires a 5' side yard setback from the property line to the structure required. In many new subdivisions required setbacks are 5' on one side and 10' on the opposite side and structures are built to these lines. In these cases, the Building codes, already prohibit these portable structures from being allowed. The aluminum type structures are not combustible and therefore can be allowed to the property line so long as they do not shed water onto neighbor's property nor overhang the property line. Staff has modified the Ordinance to reflect these limitations. The allowance of portable structures in the side yards may be misleading to the public as in most cases the Building and Fire Codes would not allow most portable carports in standard side yards and would be difficult to code enforce; therefore, Council should consider this in their deliberation about the Ordinance.

Modifications were also made to Attachment A of the General Plan Amendment to reflect Council's desired changes. Proposed deletions are shown in the side margin while new additions are underlined and not highlighted to help see the proposed document changes in the Draft Ordinance and Resolution.

Budget Impact:

None.

Recommendation:

The City Council should discuss the issues make any further modifications if needed and pass Resolution 2008-52 and waive the first reading and pass to a second reading Ordinance #2008-08 through two separate motions. Additionally, Council should direct staff regarding potential General Plan changes for permitting gated community policies.