

**Minutes of the Regular Meeting of the
Lemoore Planning Commission
January 28, 2008**

Chairperson Kim Moss called the meeting to order at 7:00 p.m.

Attendance: Chairperson Moss, Commissioners LeRoy, Nogaard, Elgin, Clement,
Planning Director Smyth

Absent: Commissioners Kendall, Ormonde

Chairperson Moss explained that this evenings meeting is going to be a study session and not a public hearing. She stated that at our last meeting, the Planning Commission requested information from staff on the status of the 2030 General Plan update. Moss stated that at the end of this item we will be more than happy to hear comments specific to the 2030 General Plan and questions. She stated that the questions can not be answered tonight but will be brought up at the public hearing meeting of February 25th, 2008.

Public Comments and Inquiries: No public comments.

Approval of Minutes of Meeting of December 10, 2007:

It was moved by Commissioner Norgaard, seconded by Commissioner Clement to approve the meeting minutes of the December 10, 2007 meeting as submitted.

AYES: Norgaard, Clement, Elgin, LeRoy,
NOES: None
ABSTAIN: Moss
ABSENT: Kendall, Ormonde

Approval of Minutes of Meeting of January 14, 2008:

It was moved by Commissioner Clement, seconded by Commissioner Elgin to approve the meeting minutes of the January 14, 2008 meeting as submitted.

AYES: Clement, Elgin, LeRoy, Moss
NOES: None
ABSTAIN: Norgaard
ABSENT: Kendall, Ormonde

Commissioner Ormonde arrived at 7:10 p.m.

General Discussion, Review, and Commissioner's Questions on the 2030 General Plan

Smyth stated that the Planning Commission in their last meeting requested to have a study session in order to bring up questions or comments on the Draft 2030 General Plan and Environmental Impact report. She stated that she will review where the City has been over the last 2 years. Smyth noted that the City Newsletter included in the packet will be sent to the public around February 4th and basically has information on the public hearing for the 25th of February as well as the land use diagram and general goals of the plan. Also, on the last page of the newsletter is a time table showing how we got to this point with the 2030 General Plan Update.

Smyth went over the first stages of the General Plan meetings which were with the Planning Commission and City Council, then the General Plan Steering Committee and then the community. She stated that the idea for this discussion is to bring all your questions on the documents so that the consultant and staff can make sure to have adequate answers available during the public hearing. She noted that the public will be given an opportunity to pose questions about the General Plan Update but staff or Planning Commission may not have the answers until the February 25, 2008 public hearing meeting to make sure to include the public in the fully discussion.

Smyth noted that the 45 day public review period on the Draft 2030 General Plan and Draft Environmental Impact Report (EIR) started on the December 13, 2007 and will end at 5:00 p.m. on January 28, 2008. She stated that before the February 25, 2008 meeting the Commission will receive an addendum to the Draft documents which will constitute the Final General Plan and EIR which will be reviewed during the public hearings.

Smyth reviewed the process in which the policies, goals and objectives were added by the Steering Committee. She explained how the consultant came up with policies and the committee reviewed, modified and added policies, then City departments were asked for their comments based on what might be reasonably obtainable. Smyth reviewed what needed to be addressed based on state law and on how we came about the documents in front of the Commission today. Smyth stated that the consultant will be at the February 25th and March 10th meetings but will only summarize each element and go into further depth when asked by the Commission.

Smyth gave each Commissioner a copy of the Annual General Plan report for 2006 and explained that the items discussed in this document reflect the implementing policies of the General Plan. The report is given to the City Council to accept and forward to the State. Therefore, it is important that General Plan policies are measurable and can be enacted within the time horizon of the General Plan. In the end, the General Plan document should be written so that the document is used and will not just sit on a shelf collecting dust. Smyth stated that the reason we called the meeting tonight was so that we could gather all the specific questions you have on the Plan documents so that staff can adequately provide usefully answers at the February 25th, 2008 public hearing meeting.

Smyth stated that we also included copies of the letters received to date regarding the General Plan Update in Commissioners' packets. She stated that because of the work load the department has had, we have not been able to respond individually to each of the letters as intended. However, staff can respond to them directly as asked during the public hearings.

Moss asked what are we looking at on Hanford-Armona Road and Highway 41 which in the planning area. Smyth stated that our City limits actually stops at Hanford-Armona Road and does not immediately go to the other side of State Highway 41. She stated that most of the flood plain issues are on the westside of Highway 41 opposite this corner area. The General Plan designations extend outside of City boundaries while Zoning district are only delineated within the City boundaries. She stated that the areas that the Plan designates for urban development does not mean all areas must be annexed with the adoption of this General Plan or by 2030. Smyth pointed out that the hot pink line on the map represents the sphere of influence for urban development and is included in the newsletter. She stated most of the flood plain issues are on the west side of Highway 41.

Norgaard asked where is the new high school location? Smyth pointed to the three different locations on the map that might be utilized for the new high school and explained the reasoning for each listed location. She went on to explain that the state basically gives the school districts the power to make their decisions separate and apart from the local jurisdiction. This body and our department have no purview unless the schools want to work with us.

Moss asked if they can take a piece of property anywhere and say this is a good area of a high school. Smyth stated that they have the power of eminent domain as the City does but they are not bound by any jurisdiction's rules and can therefore go outside the City Limits should they so desire. She stated that the cost of land plays a huge part in the selection process.

Moss stated that she read in the General Plan draft about the use of energy efficient appliances. Are we going to implement this, is it a state requirement or are we electing to stay on top of environmental sensitive to global warming. Smyth stated that the state legislature has not come up with adequate policies on how to address global warming. She stated that the state attorney general is suing cities for not requiring these things. She stated our City has actually signed on with the Cool Mayors group which supports the implementation of policies which will help reduce global warming.

Moss asked what is the response from the builders to have this as part of our General Plan. Smyth stated that she has not seen anything yet. She stated that when requiring solar panel hookups they are okay with this. Additionally, the local jurisdictions may not have much choice in the manner and I would assume BIA might be following closely the State level of things.

In response to Moss' question regarding the letters in the packet, Smyth stated that we will respond to the letters at the public hearing at the February 25th meeting as it will probably take more then a week to respond in writing. She stated that each of the letters are parcel specific and she will get a summary map showing each area for the Commission. Moss stated that she wanted the public to know that all of this is being considered. It's a bigger picture than what most people think and she would like to be part of the bigger process. In response to Moss' question regarding the General Plan being a done deal, Smyth stated that once we adopt the General Plan, the City can make up to four amendments per year, so the document is not set in stone once it is adopted.

Smyth explained the process for the General Plan versus the process for zoning. Smyth stated that the land use is probably the most controversial topic of the General Plan. Moss stated that she is looking forward to the public hearing to get a little more specific. Smyth stated that the hard copies are at both libraries for review, the City Clerks office, several of the departments and also on the City's website.

Moss asked for comments or questions from the public that would be addressed at the public hearing on February 25th. She noted that most of the questions/comments might not be answered tonight.

Captain Ronald P. Townsend of NAS Lemoore stated that they have forwarded a formal response to the 2030 General Plan Update and delivered it today. He thanked the City for the opportunity to comment on the Draft Environmental Impact Report for the 2030 Lemoore General Plan. He stated that the Navy and the City of Lemoore have long enjoyed a cordial, professional and mutually supportive relationship, which has enabled us to share ideas and concerns over the proposed 2030 Lemoore General Plan. He stated that they feel like they do belong in the City. Townsend thanked the City for including their public works officer to serve on the General Plan Steering Committee. He stated that they have had great dialogues with the Planning Director, City Manager and the Steering Committee which were very receptive to their ideas, mitigations and have made some changes accordingly. He stated that he understands the long term enduring strategic value of the relationship with this City and regardless of the outcome of this specific issue, which will be one of many that will have to be dealt with between the City of Lemoore and the Naval Air Station of Lemoore, he appreciates the relationship and will do everything they can to preserve it.

Captain Townsend stated that they do recognize and respect the responsibility of the City to plan its growth and if you don't plan it well it is just going to happen hap hazardly. He stated that there are difficult issues and he commends the Steering Committee and the Planning Commission for the diligence that the problems are being attacked. There is plenty of room for honest disagreement in those areas where our interest intersect.

Captain Townsend stated that they are concerned with the proposed residential development in the General Plan west of State Highway 41. That development underlies an existing flight plan; which is a noisy and moderately busy flight path. He stated that they have recognized in the Navy and many places that the noise adversely impacts the quality of life for the residents underneath the flight path. They have that concern here as well. He stated in May they demonstrated for the Committee an over flight with a spot reading of 115 decibels with two super hornets flying over.

Townsend stated that this is a different type of exposure that is being proposed in the General Plan that currently exists in the City of Lemoore today. Most of the exposure is west of Highway 41 and most of the City currently lies east of Highway 41. He stated that we are talking about more people and more density and therefore more exposure under the proposal.

Townsend stated that historically that exposure in communities across the United States has led to conflict. He stated that they have seen it in many cities. Those impacts are costly and burdensome on not only the Navy but Cities themselves as they emerge. Lemoore is different because of the kind of pressure on growth and development.

Townsend stated that even in those communities where there is conflict, most of the communities are still very supportive of the Navy. He stated that it only takes a small group of people who are highly annoyed and disgruntle who can generate a vastly disproportionate response. And that is the reason for concern for the Navy. There is every reason to believe that we will have that exposure eventually here in Lemoore.

Townsend stated that the EIR predicts that between 3 and 23 percent of the residents in the area to the west of the current City will be highly annoyed. He stated that the EIR also predicts that the future impacts will be "significant and unavoidable" if the development proceeds as proposed. He stated that the Dyett & Bhatia independent noise analysis concluded that "projected noise levels are significantly higher than the exterior noise level standards for residential development set in the current General Plan and that the proposed residential land use west of Highway 41 and north of Highway 198 is incompatible with these noise criteria ".

Townsend stated that the exposure in their opinion is clearly there and the complaints and conflicts that will result from that exposure are inevitable. He stated that he greatly appreciates the local support. Attitudes change over time and the margin of error is very small. He stated that it may take years for the conflict to emerge but it will be from a small group of people who are not even from the community with the same type of comment. It is impossible to state what is going to happen to the Navy or even with the City within the next 20 years. They do appreciate the mitigation that has been applied and it has been taken very seriously.

Townsend stated that Lemoore is a base of national strategic importance and we support half of the Navy's air combat striking power. The capacity can not be duplicated or built anywhere else, they have to make it work here. Part of making it work is to preserving an environment that will enable them to peacefully co-exist and conduct the training that is essential to their operations. They are an important component of the local economy investing 300 million dollars annually through payroll and contracts. He does not imply this as a threat he just points out that we have to work together to continue to make it work.

Townsend stated that the recommendation to the Planning Commission is to consider channeling the growth to other areas either by increasing the density within the existing areas planned for residential or look for residential growth to the east or to the north. He understands there may be legitimate obstacles and concerns with those areas expanding out to the north or east. His recommendation is to look at them, study them to weigh those consequences against the consequences of known risk of developing out to the west.

Doug Freitas, 1088 19½ Avenue stated that he lives at Hanford-Armona Road and Highway 41 and the letter from the State to the City about the traffic problems indicates an interchange at this location. He stated that his concern is because he farms there and they use farm land for development. If Belle Haven is realigned to the north and the other street, there are implications for traffic at the corner. The flood zone is on the east side of Highway 41 as well as the west side and is in the City limits and should not have an impact from the Planning Commission. The flood zone on the west side is a full ½ mile away from Highway 41 and this is what he wants to clarify. He is asking the Commission to consider when they develop the general plan they may lose economic benefit from commercial and other type of business that could be put in on the south bound lane on the west side of Highway 41. He stated that there is no way for businesses to get exposure on the signs. He just wanted to make a statement about the traffic in relation to the General Plan.

Elgin stated that she was at the steering committee meeting that Captain Townsend was speaking at and she asked the staff to look into what is going on with case law to get an idea themselves of what affect the mitigation policies will have in protecting the Navy. Smyth stated that the consultant did hire a noise consultant and we had to rely on the noise consultant and on what they have done due to the technical nature of the issue. She stated that we can ask Dale Bacigalupi to report specifically on case law in regards to noise and how they affect military bases depending on what you have on there.

Smyth reviewed the time line for the upcoming tasks and public hearings for the General Plan.

Planning Director's Report:

Smyth stated that the meeting of February 11, 2008 will include those items that were listed on the previous agenda as future agenda items and the meeting will be very long.

Commission's Report and Request for Information:

There was none.

Adjournment: The meeting adjourned at 8:30 p.m.