

Holly Smyth

From: MJ Lyle [mlyle@lemoore.com]
Sent: Monday, February 25, 2008 9:29 AM
To: Judy Holwell; Holly Smyth; Angelina Mendes LeRoy; Angelina Mendes LeRoy; Bob Clement; Kimberly R. Moss (Silviera); Lisa Elgin; Marshall Norgaard; Melvin Ormonde; Sharon Kendall; Sharon Kendall; Ed Martin; Ed Martin; hornsbyeurope@yahoo.com; John G. Grego; John Murray; lemoore.redirect1@gmail.com; lemoore.redirect2@gmail.com; Willard Rodarmel
Subject: FW: An article from FresnoBee.com

From: Mary Jane [mailto:mjmustang@hotmail.com]
Sent: Monday, February 25, 2008 9:21 AM
To: MJ Lyle
Subject: FW: An article from FresnoBee.com



Not in your front yard?
 One Selman's carport is another's eyesore.
 By Eddie Jimenez / The Fresno Bee
 02/24/08 22:21:46

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Like many Valley cities, Selma restricts the placement of tarp or metal carports that residents plop on their lots to protect their vehicles from hot summer days and frosty winter nights. That hasn't stopped Ray Castanon, who says his makeshift carport in the driveway of his Selma home is a lifesaver from the extreme Valley weather conditions.

Without it, Castanon said, "In 100-degree heat, you sit down on those leather seats and it burns your butt." But Selma resident Geneva Tuttrup is just as blunt; she doesn't want to see the makeshift shelters in her town. "I don't think they look very good and I don't think they should be allowed in the city," she said. Castanon's carport illustrates an issue Selma and other Valley cities are dealing with: One person's makeshift carport is another's eyesore.

Selma city officials are trying to balance these conflicting interests. The shelters will be the topic of discussion at a city Planning Commission meeting at 7 p.m. today in the City Council chambers. The meeting will allow car-shelter owners and other residents to give city officials some guidance on how to regulate the structures, said Michael Gaston, Selma's community development director. The meeting was called in part because some residents cited for the carports complained to the City

Council. The complaints prompted Selma to suspend the enforcement of citations about a year ago.

"We were doing proactive code enforcement," Gaston said "That's how this thing came to a head."

Across the Valley, city officials say residents put up car shelters that are safety hazards, violate setback regulations and lack required building permits.

Castanon's car shelter is constructed of blue plastic tarp and lightweight aluminum poles. It sits about 5 feet from the front sidewalk, which in Selma and other communities violates a 20-foot setback requirement. The setback space is intended for landscape, driveways and clear access for police or fire crews and equipment. Castanon considers his two-car shelter -- his RV also is parked under it -- temporary, because it can be taken apart in about 45 minutes. He said he put it up about a year ago. It is anchored by two five-gallon concrete buckets in the middle and nylon rope and metal stakes on the sides. The whole setup cost \$69, he said.

In Fresno, the city frequently receives calls about car shelters, said Jerry Schuber, Fresno's housing program supervisor. City staffers will send out notices spurred by complaints or when they see the car shelters around the city.

"If I put one up because I'm having a barbecue, then it's all right," Schuber said. "Our biggest problem is when they put them up and leave them up."

Valley city officials say public safety is a concern with these portable carports, especially the metal shelters.

Tim Burns, Visalia's neighborhood preservation division manager, said a recent tornado in Visalia was "an anomaly," but even a gust of wind could pick up a metal carport if it isn't tethered down.

Manuel Ruiz, Madera's neighborhood revitalization coordinator, agrees.

"If you have even a 20-mile-per-hour wind, that could lift these babies up and take them two or three houses away and come crashing down on someone's property," he said.

Russell Whitlock of Selma says his aluminum car shelter, for which he paid \$1,400, is well-anchored and isn't going anywhere.

His problem, according to a Selma city ordinance, is the carport on his garage driveway violates the side-yard setback from the property line for a corner-lot house.

Whitlock was cited, but did not pay his fine after city officials suspended citations.

"I'll apply for a permit and pay for the fees," he said. "I don't mind that, whatever I need to do to comply."

His says his carport is sturdy, sits up against his garage and blends in with the color scheme of his house.

However, Valley city officials say car shelters made of plastic poles and tarp or canvass can become tattered over time.

Appearance and uniformity in a neighborhood are vital to the quality of life and property values, said Hal Tokmakian, a retired professor of city and regional planning at California State University, Fresno.

Historically, zoning ordinances were established in part to protect property values, he said.

"And in this day and age, that's very important," said Tokmakian, who is also a former Fresno County planning director.

He doesn't believe cities should change standards on issues such as portable carports.

"That begins to deteriorate the quality of the neighborhood," he said.

In Clovis, car shelters must meet the same requirements and permits as any other property structure, said city planner Dwight Kroll.

If the shelter is meant to be permanent, "it needs to be treated like you are building a garage," Kroll said.

When the shelters started popping up a few years ago, Kroll said Clovis city staffers began fielding phone calls about the structures. That prompted the City Council to pass an ordinance nearly four years ago regulating them.

"Our No. 1 priority is to educate and inform folks [about] what they can and can't do," Kroll said.

Vehicle shelters can cost up to several thousand dollars. City officials suggest consulting City Hall or the local jurisdiction before buying one.

"It's one of those things where people see them out there and assume it's OK," Schuber said.

In some areas of Visalia, regulation of car shelters is a growing concern, Burns said, while in other parts of the city, few residents object.

"We have some neighborhoods in which they're at every other house and [they're] accepted," he said.

Burns said his city, like others, is reactive on car shelters, citing residents only when complaints are received.

Madera has its share of car shelters scattered around the city, but does not get many complaints. The shelters make up only about two or three out of 250 code enforcement complaints the city gets each month, Ruiz said.

About 90 Selma residents who have car shelters received notices about today's meeting, Gaston said, though city officials want to hear concerns from all residents.

Selma resident Margie Lopez said there is a difference between the makeshift tarp and canvass carports vs.

some of the metal shelters that are well-constructed and look just fine. The makeshift carports "don't last very long and they start to deteriorate and look shaggy," Lopez said. "But I believe if you have one and it's nice, they should let you keep it," she said. *The reporter can be reached at ejimenez@fresnobee.com or (559) 441-6386.*



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CRAIG KOHLRUSS / THE FRESNO BEE





Russell Whitlock of Selma was cited for his carport, but did not pay his fine after city officials suspended citations. "I'll apply for a permit and pay for the fees," he said. "I don't mind that; whatever I need to do to comply."



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CRAIG KOHLRUSS / THE FRESNO BEE

Ray Castanon says his makeshift carport in the driveway of his Selma home, seen here at right, is a lifesaver from the extreme Valley weather conditions. Without it, Castanon said, "In 100-degree heat, you sit down on those leather seats and it burns your butt." Castanon's carport illustrates an issue Selma and other Valley cities are dealing with: One person's makeshift carport is another person's eyesore.

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406 "B" Street • Lemoore, California 93245 • (209) 924-6740 • FAX (209) 924-6708
Planning & Community Development Department

November 2, 1999

John Zumwalt
Zumwalt-Hansen Inc.
609 N. Irwin
Hanford, Ca. 93230

Re: General Plan Amendment No.9902/Zone Change No.9902

Dear Mr. Zumwalt:

Forwarded is a copy of the staff report for your above referenced application for General Plan Amendment and Zone Change pertaining to 18.71 acres located northeast of the N. Lemoore Avenue/Cinnamon Drive intersection.

Your application shall be reviewed and a public hearing will be held by the Planning Commission on Monday, November 8, 1999, at 7:00 p.m. in the Council Chamber at 429 "C" Street in Lemoore. You or your authorized representative should be at the meeting to present your application and answer any questions that may arise.

Please contact this office, if you have any questions, regarding the staff report or the meeting.

Sincerely,

Nakul S. Verma
Chief City Planner

NSV/gah

Encl.

cc: Don Wood w/encl.

**Lemoore Planning Commission
Staff Report**

**E.I.A NO.9918- GENERAL PLAN AMENDMENT NO.9902
ZONE CHANGE NO.9902 - APPLICATION BY ZUMWALT
FOR WOODS BROTHERS**

A. General Information:

- | | | |
|----|---|--|
| a. | Planning Commission Meeting: | November 8, 1999 |
| b. | Applicant: | John Zumwalt
Zumwalt-Hansen, Inc.
609 N. Irwin Street
Hanford, Ca 93230
(559) 582-1056 |
| c. | Owner: | Wood Brothers
P. O. Box 216
Lemoore, Ca 93245
(559) 924-7715 |
| d. | Property Description: | Parcels B and C as
shown on map recorded
in Book 9, Page 91 of
Parcel Maps, Kings
County Records.
Assessor Parcel No.021-
330-003 and 004. |
| e. | Location: | Northeast of Lemoore
Avenue/Cinnamon Drive
intersection. |
| f. | Size: | 18.71 acres |
| g. | Present General Plan Designation: | Low-medium Density
Residential. |
| h. | Requested General Plan Designation: | Central Commercial. |
| i. | Present Zone District Classification: | R-1-7 |
| j. | Requested Zone District Classification: | CC |

B. Proposal Location and Description:

Wood Brothers own 18.71 acres located northeast of Lemoore Avenue/Cinnamon Drive intersection. Zumwalt-Hansen, Inc., as agent for the owners, is seeking an amendment to Lemoore General Plan Diagram to change the land use designation of the property from "Low-medium Density Residential" to "Central Commercial" and thereupon, change its zone classification from R-1-7 to CC. The subject property fronts 439.90 ft. on Lemoore Avenue and 1280.00 ft. on Cinnamon Drive. The land is currently vacant and was in cultivation until some years ago. It is now surrounded by urban development.

C. Amendment to General Plan:

The applicant's proposal to change the land use designation from "Low-Medium Residential" to "Central Commercial" is evaluated in terms of its advantages and shortcomings. Following findings are made:

ADVANTAGES:

The proposed change in land use designation is found to be beneficial in following terms:

1. The area is a sizable vacant site centrally located within the urbanized area of Lemoore and so is ideally located for development as a shopping mall or major big box store, to conveniently serve the entire community.
2. Designating this area for commercial use would provide a desired locational option for big box retail stores or shopping mall in Lemoore because other large commercial designated sites are located on the fringes of the City and generally lack infrastructure availability.
3. This area is located at the intersection of two major and highly traveled streets and so is better suited for commercial usage than single family residential development use, for which it is currently designated.
4. All utilities, including water, storm drainage, sewer, power, gas, and telephone lines, needed to facilitate sizable commercial development on this site, are readily available in adjoining streets and can be readily extended to this site. The site would also have less than three minutes of response time for police and fire protection.
5. The commercial use designation for this site should expedite development on this "infill" site surrounded by urban development. In spite of its central location and availability of services, the site has remained vacant because of lack of its environmental potential for single family residential use for which it is currently designated.
6. The City appears to have an over supply of single family residential use areas than felt needed. Consequently, City currently has many vacant sites and approved tentative subdivision maps for residential use but with no development activity on them. The redesignation of this area from single family use to commercial use should reduce this discrepancy and expedite development at this location.
7. The residential development is found to be fiscally not self-supporting as these generate lesser amount of revenue for the City than the cost to the City of maintaining municipal services to them. This is critically straining City's general funds. Subsequently, the City has adopted a general policy to limit residential growth upon recommendation of the Growth Management Task Force.
8. Commercial use on this 18.71 acres instead of its residential use, would require comparatively lesser amount of City's infrastructure such as water, sewer lines, sewer treatment and solid waste collection and disposal. Some of these services are nearing full capacity unless expensive improvements are undertaken.
9. Retail trade development at this location fully utilizing its potential, would contribute towards curtailing the economic leakage occurring from the community to nearby cities. It will also reduce the distances which the residents have to travel to other communities for such needs, thereby, saving them in time and gas costs.
10. This location being in close proximity to Lemoore Downtown, any major retail development on it may serve as anchor for the downtown, increasing traffic through the downtown and thereby, stimulating its economic vitality.

11. A well designed commercial development at this location would be aesthetically and environmentally more beneficial than the residential development in the area. The commercial use will generally have larger building setbacks from the streets and the in-between open space could be developed in park like manner. In comparison, the residential use, currently designated for this location, would generally have 5 ft. to 10 ft. building setbacks with masonry wall.

SHORTCOMINGS:

1. The "commercial" use of this area would result in approximately 12,000 additional vehicle trips per day. In comparison, single family residential use of this area would result in approximately 720 additional daily vehicle trips. The existing traffic on adjoining Lemoore Avenue is approximately 13,000 vehicle trips per day. Substantial improvements would need to be done to N. Lemoore Avenue and Cinnamon Drive, to accommodate this significant traffic increase resulting from commercial use, in order to maintain the current level of service. Such improvements would involve substantial expense.
2. Commercial development at this location, which is only 800 ft. from Lemoore Plaza Shopping Center and 1600 ft. from Pioneer Square Shopping Center, may adversely effect the economic vitality of these centers. The effect could be somewhat similar to what the development of Lemoore Plaza Center had on the Pioneer Center. It might also have negative impact on existing businesses in downtown.
3. The commercial development on this land would not be compatible with existing and proposed uses on adjoining lands. Immediately adjacent to east side is an elementary school site. Adjoining to the north is a church site and single family homes. Substantial measures would need to be included in any commercial development plans for this location to mitigate non-compatibility with adjoining land uses.

SUGGESTED MITIGATION MEASURES:

Prior to approving any commercial project on this location, the following measures should be undertaken:

1. A traffic study would need to be conducted by a qualified traffic engineer hired by the City but paid for by the applicant of the project. The study would identify the cumulative traffic impact of the commercial development on entire 18.71 acres as well as the impact resulting from the development of currently nearby vacant sites. The study should identify the improvements needed to mitigate the impacts. All such improvement should be done at the expense of the developer.
2. The type of uses to be allowed on this area would need to be carefully screened to ensure that they do not compete with existing commercial uses in the area but complement the existing uses. No commercial services such as offices, dentists, opticians etc., should be allowed in this location. Such uses would continue to be encouraged to locate within the downtown area.
3. The existing Murphy Drive would need to be extended southward from its stub end to connect to Cinnamon Drive. This street would be adjacent to the elementary school site and serve as a buffer between the commercial development and the school site. The extension of this street would also improve traffic circulation in the area and would provide a direct route to school for residents living to the north.
4. A 7 ft. high masonry wall and landscape strip of sufficient width would be required along the northern property line to buffer commercial use from single family homes and the church site. No vehicular parking or driveway should be allowed within 15 feet from the existing homes.

AMENDMENT TO THE TEXT:

If the land use redesignation is to be granted as requested, the Table 5-5 on Page 65 will need to be amended as follows:

- a) Planned Acreage for Single Family Residential use would be reduced by 19 acres. This acreage in the Table would be 3678 acres instead of 3697 acres.
- b) Planned acreage for Commercial Use would need to be correspondingly increased from 718 acres to 737 acres.

D. Zone Map Amendment:

The statutes require the Lemoore Zoning Map to be consistent with its General Plan. If the General Plan is amended, as requested, the City's Zoning Map would also need to be amended to change the zone district classification of the 18.71 acre area located northeast of Lemoore Avenue/Cinnamon Drive intersection, from R-1-7 to CC as shown on the attached map.

E. Public Input:

Notices have been mailed to all the property owners owning property located within 300 ft. distance from the boundaries of the subject area, informing them about the applicant's proposal and the time, date, and place of the Planning Commission's hearing on it. No response either for or against the proposal has been received to this date of writing this report (October 22, 1999). Any written response if received before the hearing shall be presented at the hearing.

F. Environmental Assessment:

An environmental assessment of the applicant's proposal has been conducted by the staff. On its basis, it is determined that proposed General Plan Amendment and Zone Map Amendment should not have any significant adverse effects and, therefore, a Negative Declaration is recommended to be adopted pursuant to California Environmental Quality Act as amended. Further, environmental impact assessment would be done and mitigation measures would be added at the time of review of a specific development project on this site.

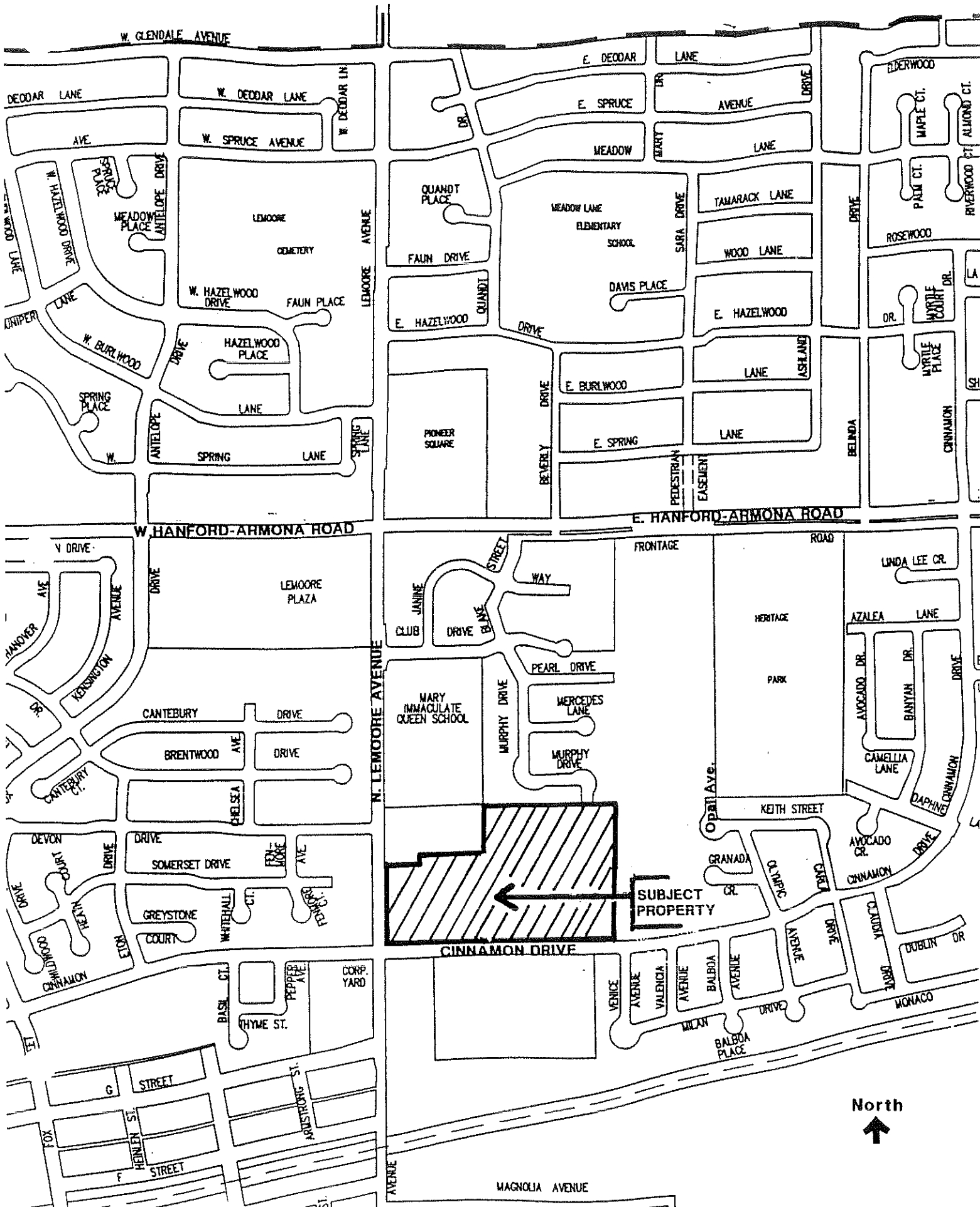
G. Recommendation:

The Commission should make following recommendations to the Council:

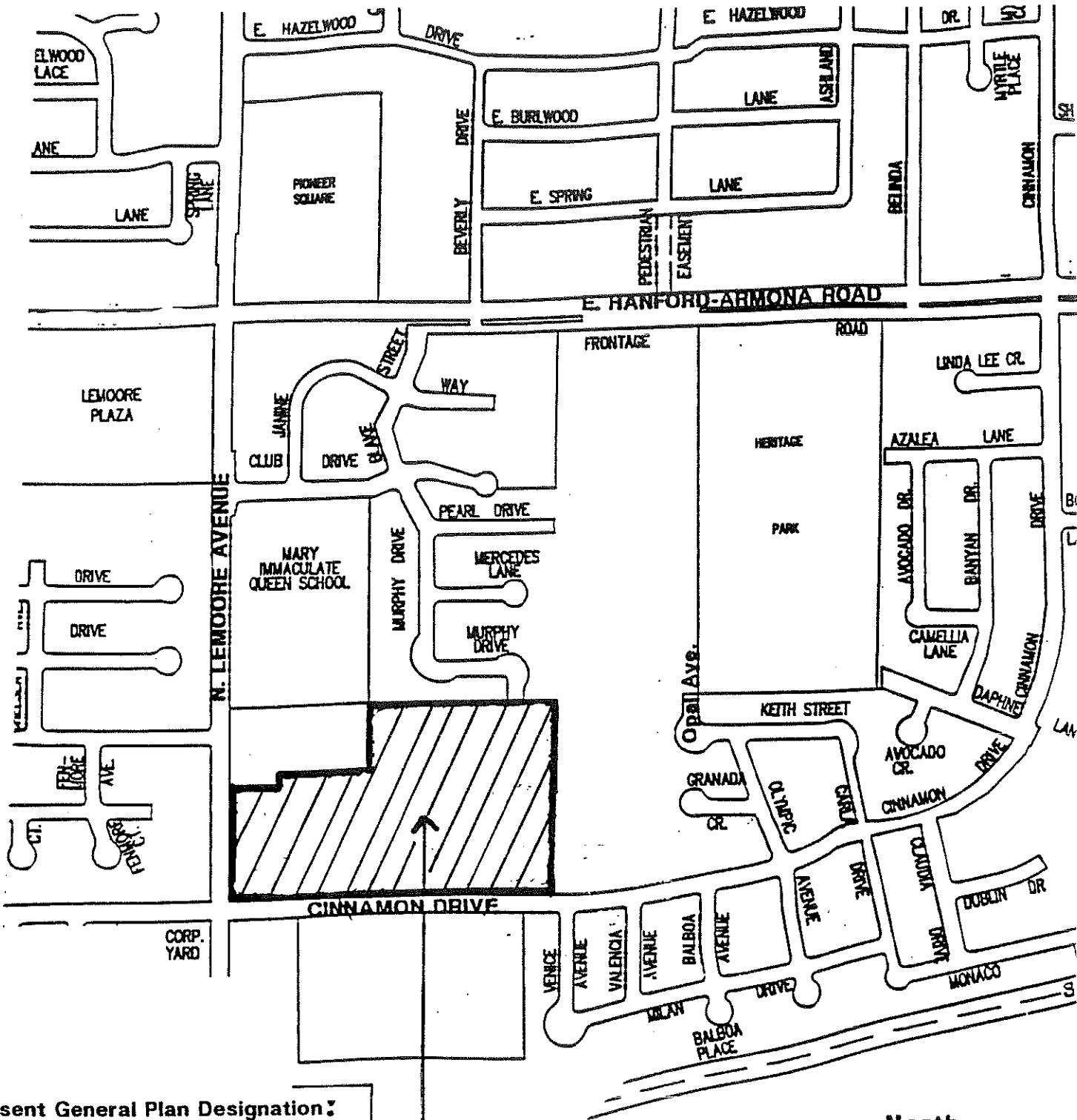
1. Adopt a Negative Declaration pertaining to proposed General Plan Amendment/Zone Change.
2. Amend General Plan Diagram changing the land use designation from "Low-medium Density Residential" to "Central Commercial" for 18.71 acres located northeast of Lemoore Avenue and Cinnamon Drive.
3. Amend Lemoore Zone Map changing the zone classification from R-1-7 to CC district for the above stated 18.71 acre area.

GENERAL PLAN AMENDMENT NO.9902
ZONE CHANGE NO.9902

LOCATION MAP



**GENERAL PLAN AMENDMENT NO.9902
ZONE CHANGE NO.9902**



Present General Plan Designation :
Low-Medium Density Residential

Proposed General Plan Designation :
Central Commercial

Present Zoning Classification :
R-1-7(Single Family Res.)

Proposed Zoning Classification :
CC(Central Commercial)



The city's population is projected to be approximately 20,684 by the Year 2000 and 29,190 by the Year 2010. Assuming that the city will continue to retain its current gross density of 7 persons per acre, a total of approximately 3,000 acres or 4.8 square miles and 4,286 acres or 6.7 square miles of developed area would be needed by the Year 2000 and the Year 2010 respectively.

In 1990, about 52 percent of the area within the Lemoore City limits was vacant or undeveloped. The percentage of vacant land within the city is anticipated to reduce to about 40 percent by the Year 2000 and continue to be about that ratio thereafter. Such a proportion of vacant land is needed to provide desirable development choices. The Lemoore Area Land Use Plan is therefore developed for an area of approximately 11.5 square miles or 7,334 acres.

The acreage for various land use types in Lemoore for the Year 2010 plan are projected by applying the proposed land use percentages arrived in Table 5-4. The land use plan should be comprised of these acreages which are shown in Table 5-5.

Table 5-5
City of Lemoore: PROJECTED LAND USE ACREAGE

TYPE OF LAND USES	Percentage	Projected Land Use Acreage	
		Development Acreage Acreage (4,287 Acs)	Planned Acreage (5,958 Acs)
Single Family Residential	55.0	2,357	3,697 3678
Multi-family Residential	9.0	386	710
Commercial	7.0	300	718 737
Industrial	9.0	386	708
Public Use:			
Education	9.0	386	618
Parks & Recreation	7.0	300	653
Sewer Plans	2.0	86	115
Other Public	2.0	86	115
TOTAL	100	4,287	7,334

Source: Community Development Department, City of Lemoore.

These acreages for each land use types are logically distributed in the Land Use Plan diagram taking into consideration the locational potential of various sites or areas. The land use plan should functionally interrelate the various land uses thereby providing overall efficiency and pleasant environment. The land use type change should be gradual the order of agricultural to low density residential to high density residential to commercial to light Industrial to heavy Industrial. The land use types change on adjacent properties, if not in this order, are considered "non-compatible" and should be avoided. When unavoidable the adversity of non-compatible uses on adjoining lands should be mitigated by providing physical barriers such as green belt and walls.

02/25/2008

PRESENTATION TO THE LEMOORE PLANNING COMISSION

Ladies and Gentlemen of the Lemoore Planning Commission

My name is Ron Allvin. My wife Julie and I reside at 10526 18 3/4th Avenue.

Thank you for the invitation to address our concerns regarding the proposed general plan update. This is our first invitation and opportunity to address the decision process as it pertains to our individual property. In the interest of brevity, I have a prepared this short statement.

You should have copies of two prior letters expressing our concerns and objections to the proposed plan as it affects our residence located at 10526 18 3/4th Avenue. Without repeating the contents of those letters, please consider these additional comments.

Designating approximately 6 acres of our 10 acres for a park because it borders a ditch effectively destroys our property value, leaving us with our home site and a couple of acres designated for very low-density development. Public parks are conducive to loud entertainment and noise. Our quality of life would be destroyed. Sacrificing our home site so larger properties involving hundreds of acres can benefit is grossly unjust. Several nearby sites are available that accomplish the same purpose without destroying any of the several small acreage home sites in the area.

It appears that recommendations regarding individual properties have been made here- to -fore without solicited input from the respective owners. The general public input meetings were global in nature and questions concerning individual matters were referred to a later date, presumably this meeting. I did not have the opportunity for individual input during the formative stages of general plan recommendations. Any formal input I initiated did not produce specific redress or response. All affected individual property owners should have been notified and invited to participate when their property dispositions were being considered.

Once decisions regarding recommendations are put into a plan, it is difficult to change the momentum of those recommendations. Even though this is a 30-year plan, once it is adopted, it could be implemented at any time. Julie and I ask you to refrain from the suggested division of our property. We respectfully ask you to retain the integrity of our home site by extending the very low-density designation to the entire property or leave it agricultural. I am currently negotiating the planting of a permanent tree crop. Mature trees may very well put the land value beyond practical acquisition for a park. Please preserve our current 10-acre contiguous home site boundary for the future.

Thank you for your attention to this matter. I will provide copies of this statement to maintain the paper trail of prior correspondence.