

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA
ORDINANCE NO. R- 485 -3827

AN ORDINANCE TO CHANGE THE BOUNDARIES OF CERTAIN ZONES AND THE ZONING DISTRICT OF PROPERTY THEREBY AFFECTED IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING DIVISION OF THE ORDINANCE CODE OF FRESNO COUNTY, AND TO AMEND THE ZONE MAP ESTABLISHED BY SAID DIVISION ACCORDINGLY.

The Board of Supervisors of the County of Fresno ordains as follows:

SECTION 1. This Ordinance is adopted pursuant to California Constitution, Article XI, Section 7, Government Code Sections 65850, 65854-65857, and Sections 811 and 878 of the Ordinance Code of Fresno County.

SECTION 2. The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows: Lot 60 of Tract No. 5322, in the Unincorporated Area, County of Fresno, State of California, according to the Map thereof recorded in Volume 76, Page(s) 6, 7 and 8 of Plats, Fresno County Records, which heretofore has been classified in the R-2 (Low-Density Multiple-Family Residential) Zone District pursuant to the Zoning Division of the Ordinance Code of Fresno County, located on the south side of Shaw Avenue on the southeast corner of its intersection with Third Street, in the unincorporated community of Biola, is hereby changed to the R-P(c) (Residential and Professional Office) Zone District, limited to existing residential buildings; one-family, two-family or multiple-family dwellings; ground floor only medical, dental, or professional office; and signs as depicted in the attached Exhibit "A" subject to the Mitigation Measures and Conditions of Approval listed in Exhibit "B."

SECTION 3: Prior to the expiration of fifteen (15) days from the adoption of this Ordinance, it shall be published in accordance with the requirements of Government Code Section 25124 at least one time in the Fresno Business Journal, a newspaper of general circulation in Fresno County.

1 **SECTION 4.** In accordance with Government Code Sections 25123, 25131, and 65854-65857,
2 this Ordinance, designated as Ordinance No. R- 485 -3827 shall take effect thirty days after its
3 passage.

4 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
5 of the County of Fresno this 7th day of May 2019, to wit:

6
7 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

8 NOES: None

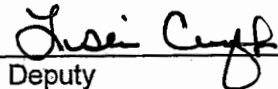
9 ABSENT: None

10 ABSTAINED: None

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14 Nathan Magsig, Chairman of the Board of
15 Supervisors of the County of Fresno

16 **ATTEST:**
17 Bernice E. Seidel
18 Clerk of the Board of Supervisors
19 County of Fresno, State of California

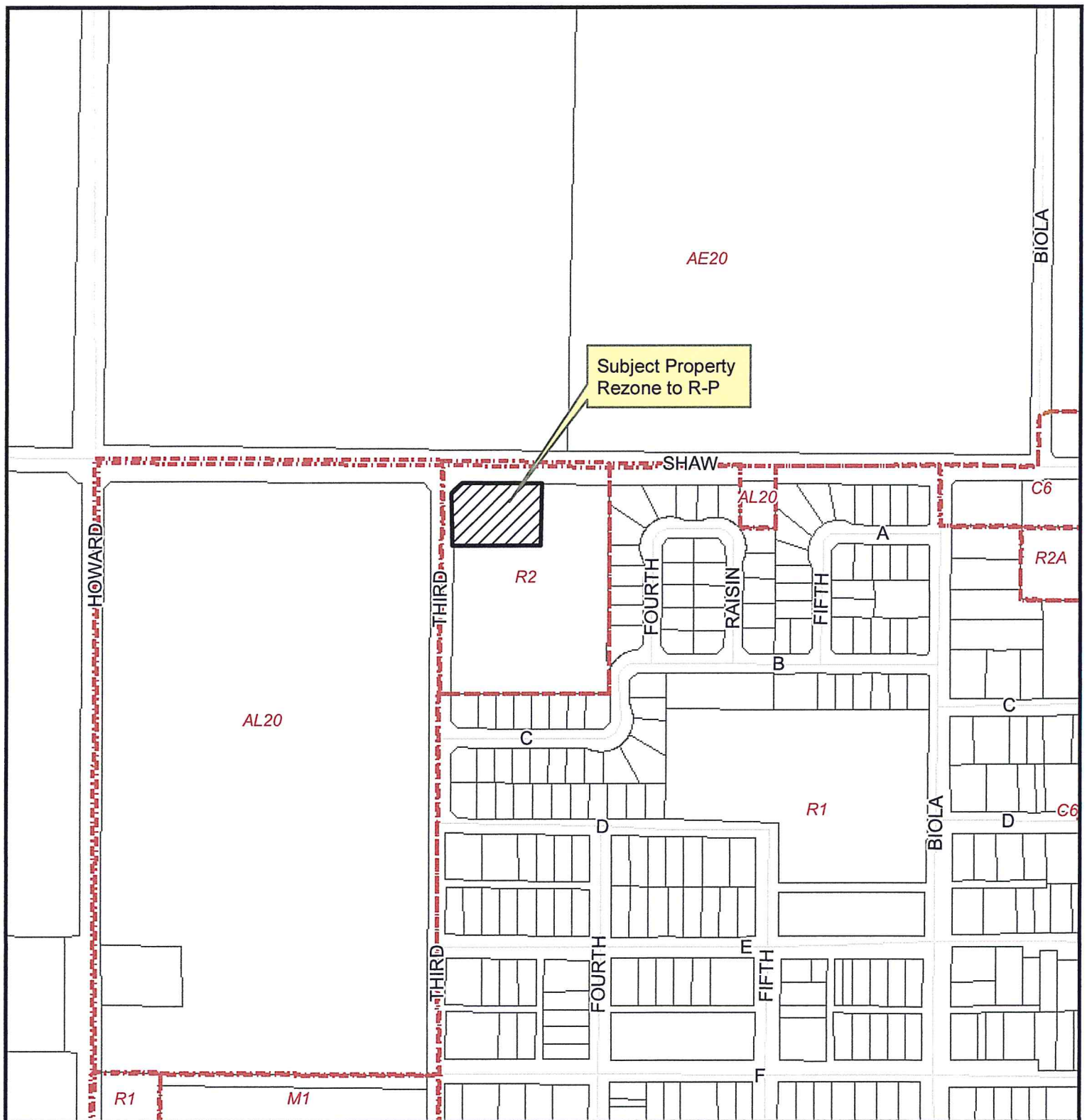
20 By 
21 Deputy

22 FILE # 19-0320

23 AGENDA # 12

24 ORDINANCE # R-485-3827
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EXHIBIT A



Mitigation Monitoring and Reporting Program
Initial Study Application No. 7402/Amendment Application No. 3827
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded, directed, and permanently maintained as to not shine toward adjacent properties and public roads.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	During construction and operation
2.	Cultural Resources/ Geology and Soils/Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities related to this project, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities
Conditions of Approval					
1.	Prior to permitting, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.				
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.					
Notes					
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.					
1.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. Direct access to an Arterial road is typically limited to one common point. On-site turnarounds shall be required, and any access driveway should be set back a minimum of 10 feet from the property line.				

2.	If not already present, 10-foot by 10-foot corner cutoffs shall be improved for sight distance purposes at any exiting driveways onto Shaw Avenue or Third Street. A 30-foot by 30-foot corner cutoff shall also be improved at the intersection of Shaw Avenue and Third Street.
3.	Typically, any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.
4.	A grading permit or voucher is required for any grading that has been done without a permit or is proposed as a part of future development.
5.	The following Site Plan Review requirements shall apply: • Parking spaces shall be constructed in compliance with the County and the State Standards. • Per Fresno County Zoning Ordinance Section 832.5 L 1, one off-street loading space shall be provided. • A four-foot path of travel for disabled persons shall be constructed and striped in accordance with state standards. • Proposed landscape improvements of 500 square feet or more shall require submittal of Landscape and Irrigation plans per the Governor's Drought Executive Order of 2015. The Landscape and Irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review (SPR) Unit for review and approval prior to the issuance of Building Permits. • Per Fresno County Zoning Ordinance Section 831.5 H, where an "R-P" lot sides or rears on another residential district, a solid masonry wall, not less than five feet nor more than six feet in height, shall be erected along said property line, if the R-P(c) parcel is developed with non-residential uses. • Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width, as approved by the Road Maintenance and Operations Division. If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate right-of-way shall be concrete or asphalt. • Internal access roads shall comply with required widths by the Fire District for emergency apparatus. Specific development plans must be submitted for review by the Fire District prior to permitting. • No structure shall exceed twenty (20) feet in height, per Section 831.5 D of the Fresno County Zoning Ordinance. • A dust palliative shall be required on all parking and circulation areas. • All proposed signs must be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.
6.	Prior to permitting, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.
7.	The following waste-related regulations may apply: • AB 939 – Residential Recycling Services: All jurisdictions are required to provide accessible recycling programs to their residents, which includes consideration of the spacing necessary for placement of individual or community containers. • AB 341 – Mandatory Commercial Recycling Program (MCR): All businesses that generate four cubic yards or more of commercial

	solid waste per week, or multi-family residential dwellings of five units or more, shall make arrangements to establish a recycling program for the business. • AB 1826 – Mandatory Commercial Organics Recycling (MORE): Businesses that generate four cubic yards or more of commercial solid waste per week shall arrange for organic waste recycling services. • SB 1374 – Construction and Demolition Diversion Requirements, including Title 15 Building Standards code related to diversion requirements.
8.	Central Unified School District fees shall be collected at the time of development.

DTC:ksn

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