



Board Agenda Item 7

DATE: October 21, 2025

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Amendment Application No. 3842; Classified Conditional Use Permit No. 3682; and
Initial Study Application No. 7879 (Applicant: Angelo Paolucci and Rosanna DiLallo)

RECOMMENDED ACTION(S):

1. **Consider and adopt the Mitigated Negative Declaration, including the Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3842 and Classified Conditional Use Permit No. 3682 based on Initial Study No. 7879 and the additional conditions as recommended by staff; and**
2. **Find that the proposed rezone of the subject 3.46-acre, 0.5-acre, and 19.65-acre parcels, from the AL-20 (Limited Agricultural; 20-acre minimum parcel) Zone District to the M-3(c) (Heavy Industrial, Conditional) Zone District is consistent with the County's General Plan and the County adopted Roosevelt Community Plan; and**
3. **Adopt an Ordinance pertaining to Amendment Application (AA) No. 3842 thereby rezoning the subject 3.46-acre, 0.5-acre, and 19.65-acre parcels; and**
4. **Make the required Findings specified in the Fresno County Zoning Ordinance, Chapter 842.5 and adopt Resolution approving Classified Conditional Use Permit No. 3682; and**
5. **Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1).**

The subject parcels are located on the northwest corner of S. Peach and E. North Avenues, approximately 2,704 feet southeast of the nearest city limits of the City of Fresno (APNs: 316-071-36, 37, 38, and 75).

This item comes before your Board with a recommendation for approval from the Planning Commission (8 to 0, with one commissioner absent) at its July 24, 2025 hearing. As a legislative action, this application requires final action from your Board. A summary of the Planning Commission's action is included as Attachment A. This item pertains to a location in District 4.

ALTERNATIVE ACTION(S):

If your Board determines that the proposed rezoning is not consistent with the General Plan, a motion to deny Amendment Application No. 3842 and Conditional Use Permit No. 3682 would be appropriate.

FISCAL IMPACT:

There is no net County cost associated with the recommended actions. Pursuant to the County's Master Schedule of Fees, the Landowner/Applicant paid \$15,995.25 in land use processing fees to the County for the processing of the subject land use applications.

DISCUSSION:

A rezoning is a legislative act requiring final approval by your Board. Final action by your Board is also required for the adoption of the Initial Study (IS) Application, and the associated Conditional Use Permit (CUP), filed concurrently with the rezoning application. If approved, the rezoning would then become effective 30 days after adoption.

The applicant is proposing to rezone three parcels of a combined acreage of 23.61-acres, from the AL-20 (Limited Agricultural; 20-acre minimum parcel) Zone District to the M-3(c) (Heavy Industrial, Conditional) Zone District and allow the expansion of an existing inorganic fertilizer facility for the manufacturing of soil amendments, warehousing, and distribution. The existing fertilizer manufacturing facility is located on an adjacent 4.12-acre parcel.

On July 24, 2025, the Planning Commission considered AA No. 3842 and CUP No. 3682. A copy of the Planning Commission staff report is provided as Attachment B. During the hearing on July 24, 2025, staff and the applicant provided the Planning Commission with clarifications regarding discussions between the City of Fresno, the County, and the applicant. This also necessitated updates to the operational statement that included clarifications on the intended use. The clarifications specified that the proposed expansion included the manufacturing of soil amendments, warehousing and distribution as part of the existing inorganic fertilizer manufacturing facility. These clarifications presented to the Planning Commission have been incorporated into the IS documents and the revised operational statement, and are included as Attachments C and D.

After receiving Department Staff's presentation and considering public testimony from the representative of the property owner in support of the proposal, the Commission approved a motion to forward to the Board a recommendation adopting the Mitigated Negative Declaration prepared for the project and approving the proposed rezone and conditional use permit request, subject to the recommended Conditions of Approval and Project Notes. Staff notes that 66 property owners within one-half mile of the subject property were provided notice of both the Planning Commission hearing and the hearing before your Board. At the Planning Commission hearing, no testimony was received in opposition to the proposal.

During the Planning Commission hearing, Staff addressed a letter received from the City of Fresno that requested additional project conditions. A copy of that letter is included as Attachment E. Both Staff and the applicant concurred with the requested additional conditions. Although the Planning Commission did not object to the inclusion of these conditions, the Commission did not include the conditions in its motion to approve the rezoning and conditional use permit application, and the following additional conditions should be included in your motion in addition to the indemnification condition noted below.

1. *The property/project will be developed to the City of Fresno standards.*
2. *The property/project is required to connect to City of Fresno utilities when available.*
3. *A covenant is required which requires that future annexation to the City of Fresno shall not be contested and which said covenant shall be recorded on the title of the property. Provide a copy of the covenant to the City of Fresno, Planning and Development Department.*
4. *The Applicant shall enter into an agreement indemnifying the County for all legal costs associated with its approval of AA No. 3842, CUP No. 3682 and IS no. 7879 and provide security in an amount determined by the County for any such legal costs incurred. The agreement and payment of security shall be due unless that litigation period has expired, in which case the requirements for the*

indemnification agreement and security shall be considered null and void.

If your Board concurs with the Planning Commission's recommendation and determines that the proposed rezoning is consistent with the County's General Plan and adopted Roosevelt Community Plan and the four required Findings for granting a CUP can be made, it would be appropriate to make a motion approving staff's finding as outlined in the Recommended Actions.

If your Board determines that the proposed rezoning is not consistent with the County's General Plan and adopted Roosevelt Community Plan and that the four required Findings for granting a CUP cannot be made, a motion to deny AA No. 3842 and concurrent CUP No. 3682 would be appropriate stating in the motion to deny, the reasons for denial.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachments A-E

Ordinance

On file with Clerk - Resolution

On file with Clerk - Ordinance Summary

CAO ANALYST:

Maria Valencia