



Board Agenda Item 15

DATE: September 12, 2017

TO: Board of Supervisors

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

SUBJECT: Initial Study Application No. 6987 and Amendment Application No. 3808

RECOMMENDED ACTION(S):

- 1. Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 6987, including the Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3808; and**
- 2. Approve Ordinance pertaining to Amendment Application No. 3808 thereby rezoning the subject 22-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-3(c) (Heavy Industrial, Conditional) Zone District to allow a limited number of Light Manufacturing, General Industrial, and Heavy Industrial uses as requested by the Applicant; and**
- 3. Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance, and direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1).**

The subject property is located at the northwest corner of E. Annadale and S. Willow Avenues, adjacent to the City Limits of Fresno (2778 S. Willow Ave). (SUP. DIST. 4) (APN 316-090-08).

This item comes before the Board with a unanimous *(5 to 0, three Commissioners absent, one vacancy)* recommendation for approval from the Planning Commission and requires final action from the Board of Supervisors as required by the Fresno County Zoning Ordinance and State planning law.

ALTERNATIVE ACTION:

If the Board determines that the rezoning is not consistent with the General Plan, a motion to deny Amendment Application No. 3808 would be appropriate.

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the applicant has paid \$10,878 in land use processing fees to the County for the processing of the Amendment Application request.

DISCUSSION:

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

The current request involves rezoning of the subject property from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-3 (c) (Heavy Industrial, conditional) to allow a limited number of Light Manufacturing, General Industrial, and Heavy Industrial uses as requested by the Applicant. A complete list of proposed uses is included in Attachment B.

During the environmental review process for the subject application, concerns were raised by the City of Fresno and the State Water Resources Board Office of Drinking Water regarding the site connecting to urban services. To insure connection to the City's public water and sewer systems, mitigation measures were included which require the property owner to connect to City water or sewer services when a water or sewer main is constructed and operational within 100 feet of the property. With the mitigation requiring connection to water and sewer services when in proximity, the concerns of these agencies have been addressed.

Correspondence from the City of Fresno was received on July 19, 2017 and is attached as Exhibit D. This letter provides an update to the City's July 13, 2017 decision to pursue annexation of the subject parcel; because this rezoning application had been scheduled for its hearing by the Planning Commission on July 20, 2017, the City decided not to pursue annexation.

On July 20, 2017, the Planning Commission considered the subject application. After receiving staff's presentation and considering public testimony from the Applicant, the Commission voted *5 to 0 (three Commissioners absent, one vacancy)* in favor of forwarding to the Board a recommendation adopting the Mitigated Negative Declaration prepared for the request and recommending approval of the proposed rezoning, subject to the Mitigation Measures, Conditions of Approval and mandatory Project Notes listed in the Staff Report.

If the Board determines that the proposed rezoning is consistent with the General Plan, a simple approval motion would be appropriate. If the Board determines that the rezoning is not consistent with the General Plan, denial of the application would then be appropriate citing the reasons for denial and the proposal's inconsistency with the General Plan.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachments A - D
Ordinance
On file with Clerk - Ordinance Summary

CAO ANALYST:

John Hays