

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA
ORDINANCE NO. R- 482 -3826

AN ORDINANCE TO AMEND THE CONDITIONAL ZONING WITHIN THE BOUNDARIES OF A CERTAIN M-1(c) (LIGHT MANUFACTURING, CONDITIONAL) ZONE DISTRICT PROPERTY AND LIMITED TO THE FOLLOWING USES: CARETAKERS RESIDENCE, A MINI-STORAGE FACILITY, A TRUCK YARD AND A LOGGING TRUCK AND EQUIPMENT REPAIR SHOP AND OFFICE IS AMENDED TO ALLOW STORAGE OF BOATS, TRAILERS, RECREATIONAL VEHICLES (INCLUDING TRAVEL TRAILERS, MOTORHOMES, AND FIFTH-WHEELS), AND A BOAT REPAIR FACILITY IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING DIVISION OF THE ORDINANCE CODE OF FRESNO COUNTY, AND AS ILLUSTRATED IN 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. That portion of Parcel 3 of Parcel Map No. 2808, in the unincorporated area, County of Fresno, State of California, recorded in Book 18, Page 73 of Parcel Maps, Fresno County Records, more particularly described as follows: beginning a point on the west line of said Parcel 3, said point being the south 01 ° 53' 57" west, a distance of 206.41 feet from the northwest corner of said Parcel 3; thence north 63° 22' 04" east, a distance of 281.36 feet; thence south 89° 55' 00" east, a distance of 174.64 feet to the east line of said parcel 3, said line also being the west right of way line of Auberry Road; thence south 00° 05' 00" west along said east line of Parcel 3, a distance of 197.96 feet; thence along a curve to the right concave to the west, a radius of 480.00 feet, a central angle of 06° 02'

1 19" and an arc length of 50.59 feet; thence south 83° 50' 00" west, leaving said east line of Parcel 3, a
2 distance of 431.32 feet to the angle point in the west line of said parcel 3; thence north 0° 53' 57" east,
3 a distance of 169.00 feet to the point of beginning (APN 128-450-36); and that portion of Parcel 3 of
4 Parcel Map no. 2808, in the unincorporated area, county of Fresno, state of California, recorded in
5 Book 18, Page 73 of parcel maps, Fresno County Records, and being a portion of Section 18,
6 Township 10 South, Range 23 East, M.D.M., more particularly described as follows: beginning at the
7 northwest corner of said Parcel 3; thence south 01° 53' 57" west along the west line of said Parcel 3, a
8 distance of 206.41 feet; thence north 63° 22' 04" east, a distance of 281.36 feet; thence south 89° 55'
9 00" east, a distance of 174.64 feet to the east line of said Parcel 3, said line also being the west right of
10 way line of Auberry Road; thence north 00° 05' 00" east, along said east line of Parcel 3, a distance of
11 300 feet to the northeast corner of said parcel 3; thence along the north line of said Parcel 3, the
12 following courses: south 68° 33' 50" west, a distance of 95.05 feet; thence south 78° 29' 43" west, a
13 distance of 110.15 feet; thence south 36° 20' 01" west, a distance of 97.78 feet; thence south 63° 03'
14 04" west, a distance of 185.56 feet to the point of beginning (APN 128-450-37), which heretofore have
15 been classified in the M-1(c) (Light Manufacturing, Conditional) Zone District pursuant to the Zoning
16 Division of the Ordinance Code of Fresno County, located on the west side of Auberry Road,
17 approximately 662 feet south of Frazier Road within the unincorporated community of Auberry is hereby
18 modified to allow storage of boats, trailers, recreational vehicles including travel trailers, motorhomes,
19 fifth-wheels, and a boat and repair facility as additional uses with no change to the current M-1(c) (Light
20 Manufacturing, Conditional) Zone District as shown in Exhibit A, subject to the Mitigation Measure,
21 Conditions of Approval and Mandatory Project Notes listed in Exhibit B.

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23 **SECTION 3.** Prior to the expiration of fifteen (15) days from the adoption of this Ordinance, it
24 shall be published in accordance with the requirements of Government Code Section 25124 at least
25 one time in the Fresno Business Journal, a newspaper of general circulation in Fresno County.
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1 **SECTION 4.** In accordance with Government Code Sections 25123, 25131, and 65854-65857,
2 this Ordinance, designated as Ordinance No. R- 482 -3826 shall take effect thirty days after its
3 passage.

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5 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
6 of the County of Fresno this 5th day of June, 2018, to wit:

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8 AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero
9 NOES: None
10 ABSENT: None
11 ABSTAINED: None

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14 By Sal Quintero
15 Sal Quintero, Chairperson of the Board
of Supervisors of the County of Fresno

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

19 By Roseli Cruz
20 Deputy

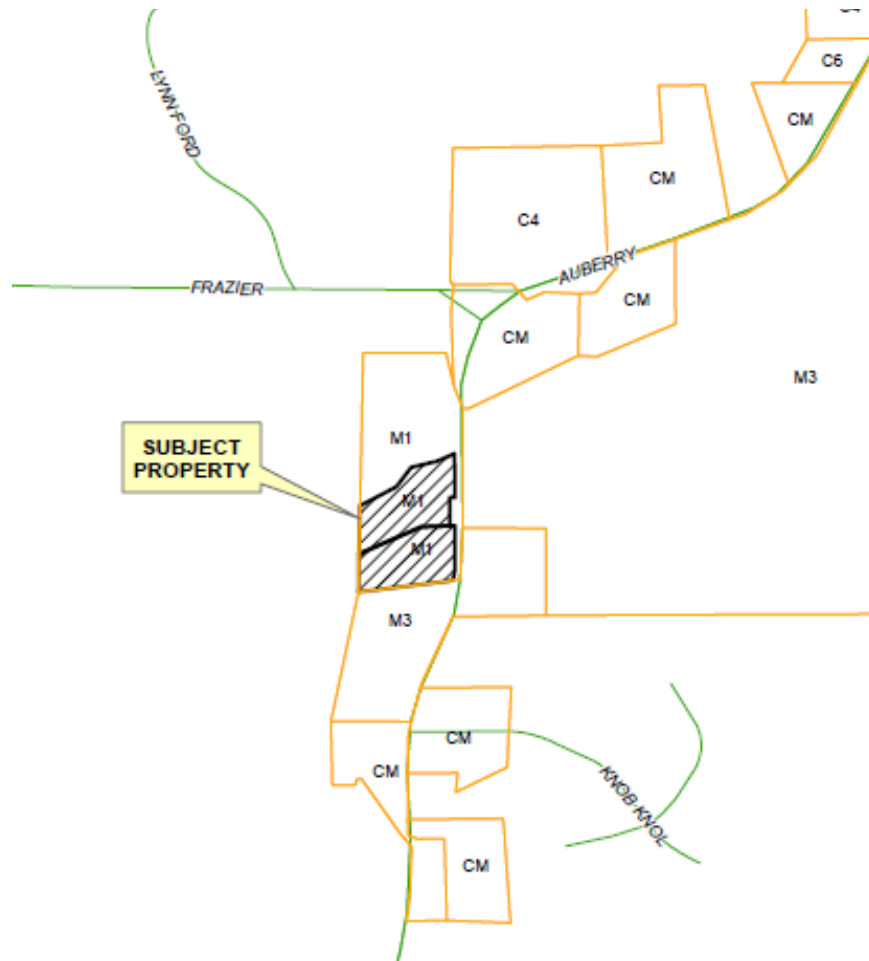
21 FILE # 18-0449

22 AGENDA # 12

23 ORDINANCE # R-482-3826

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EXHIBIT A



**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7399/Amendment Application (AA) No. 3826
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, 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/Fresno County Department of Public Health, Environmental Health Division	As noted
Conditions of Approval					
1.	All Conditions of Approval for AA No. 3620 (Exhibit 7) shall remain in full force and effect, except where modified by this application.				
2.	<p>The uses allowed on the property for AA No. 3826 shall be limited to:</p> <ul style="list-style-type: none"> • Storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, and fifth-wheels • Boat repair facility <p>These uses will be in addition to the following uses previously permitted:</p> <ul style="list-style-type: none"> • Caretakers residence, mini-storage facilities, truck yard and logging truck and equipment repair shop and office 				

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference required 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.	The construction of any structures at the project location shall meet all the Building Code requirements in effect at the time they are constructed.

EXHIBIT B

Notes

2.	<p>Prior to the establishment of any of the uses proposed by this application in the M-1(c) Zone District, a Site Plan Review shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but not be limited to, design of parking and circulation, access, grading and drainage, right-of-way dedication, fire protection, noise, and control of light.</p>
3.	<p>To address public health impact resulting from this proposal, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none">• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/ or https://www.fresnocupa.com/). For more information please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271. The default State reporting thresholds that apply are: ≥ 55 gallons (liquids), ≥ 500 pounds (solids), ≥ 200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.• If underground storage tanks are proposed, then prior to the issuance of building permits, the Applicant or future tenants shall submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency, at (559) 600-3271 for more information.• The Applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities, Chapter 19; and Waste Tire Haulers, which may require the Owner/Operator to obtain a permit from the California Department of Resources Recycling and Recovery (CalRecycle). Contact the Local Waste Tire Enforcement Unit, Fresno County Environmental Health Division at (559) 600-3271 for additional information.• There do not appear to be any building permit records for the existing sewage disposal system. It is recommended that the Applicant consider having the existing sewage disposal system evaluated for adequacy under permit and inspection from the Department of Public Works and Planning, Development Services and Capital Projects Division. Such inspection may indicate possible repairs, additions, or require the proper destruction of the system.
4.	<p>To address impacts resulting from site development, the Development Engineering Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none">• A Grading Permit or Voucher shall be required for any grading done without permit and any grading proposed with this application.• If not already present, a 10-foot by 10-foot corner cutoff for sight distance purposes shall be provided at the existing driveway onto Auberry Road.• Any additional runoff generated by the site development cannot be drained across property lines and shall be retained or disposed of per County Standards.

Notes

	<ul style="list-style-type: none">• According to Federal Emergency Management Agency (FEMA) FIRM Panel 0700H, portions of the property are in Zone A, which is subject to flooding from the 100-year storm. Any development within the area identified as Zone A must comply with the County Flood Hazard Ordinance (Title 15.48).• Turnaround facilities shall be provided on the parcels having direct access to Auberry Road so that vehicles do not back out onto the roadway.
5.	The proposed uses shall comply with the California Code of Regulations Title 24 – Fire Code. County-approved site plans shall be required for Fire District approval prior to the issuance of building permits by the County. The property shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.

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