

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA
ORDINANCE NO. R- 497 -3851

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. Described as the northwest quarter of the northwest quarter of Section 6 Township 13 South, Range 22 East, Mount Diablo Base and Meridian, according to the United States Government Township Plats, less east 902 feet of north 483 feet, less east 522 feet of south 417.5 feet also less west 522 feet of south 417.5 feet. Excepting therefrom the following described land located in the Northwest Quarter of the Northwest Quarter of Section 6, Township 13 South Range 22 East of the Mount Diablo Base and Meridian, in the County of Fresno, State of California according to the official plat thereof, beginning at the northwest corner of Section 6, South along the West Line 695.53 ft. to the True Point of Beginning. Thence north 89 degrees 26' 11" east, 518.58 Feet. Thence south 00 degrees 00' 00" east 210.00 feet to the north line of the Lands of Jewel Champ conveyed June 11, 1957. Thence south 89 degrees 26' 11" west, along the north line of the Lands of Jewel Champ 518.58 feet to the west line of Section 6. Thence north along said Section One, 210.00 feet to the True Point of Beginning. Also excepting therefrom that portion of the northwest quarter of the northwest quarter of Section 6, Township 13 South, Range 22 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows: Beginning at the northwest corner of said Section 6; thence easterly along the north line of said section to the west line of the east 902 feet of the northwest quarter of the northwest quarter

1 of said section; thence southerly, along said west line, a distance of 30 feet; thence westerly along the
2 south line of the north 30 feet of said section, to the east line of the west 140 feet of said section; thence
3 southerly, along a said east line, a distance of 15 feet to the south line of the north 45 feet of said section;
4 thence westerly, along the south line of said north 45 feet, a distance of 105 feet; thence southwesterly,
5 along a straight line to the intersection of the east line of the west 30 feet and the south line of the north
6 50 feet of said section; thence southerly along a said east line of the west 30 feet, a distance of 10 feet;
7 thence westerly, along the south line of the north 60 feet, a distance of 30 feet to the west line of said
8 section; thence northerly along the West line of said Section, 60 feet to the POINT OF BEGINNING.

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10 Fresno County records (APN 308-280-63) which heretofore has been classified with 16.89-acres
11 from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District, pursuant to the Zoning
12 Division of the Ordinance Code of Fresno County, located on the southeast corner of E. Herndon Ave.
13 and N. Highland Ave., approximately 0.8-miles north of the City of Clovis is hereby changed to the R-R
14 (Rural Residential, two-acre minimum parcel size) Zone District as depicted in attached Exhibit 1 subject
15 to Mitigation Measures and Conditions of Approval listed in Exhibit 2.

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

20 **SECTION 4.** In accordance with Government Code Sections 25123, 25131, and 65854-65857,
21 this Ordinance, designated as Ordinance No. R- 497 -3851 shall take effect thirty days after its
22 passage.

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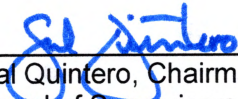
1 THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors
2 of the County of Fresno this 9th day of May, 2023, to wit:

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4 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

5 NOES: None

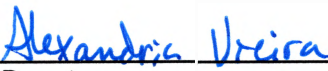
6 ABSENT: None

7 ABSTAINED: None
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11 Sal Quintero, Chairman of the
12 Board of Supervisors of the County of Fresno

13 **ATTEST:**

14 BERNICE E. SEIDEL
15 Clerk of the Board of Supervisors
16 County of Fresno, State of California

17 By 
18 Deputy

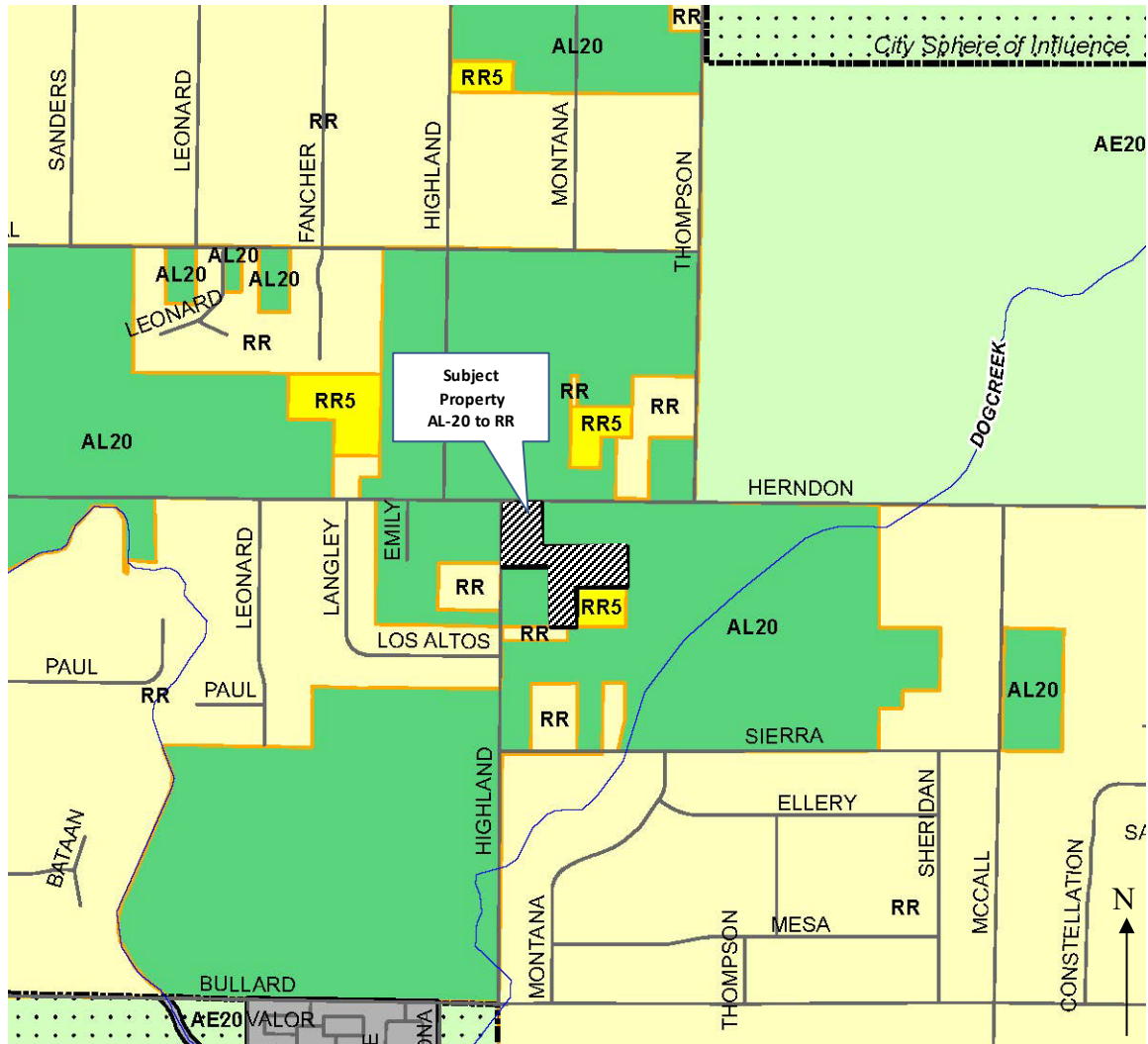
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20 FILE # 23-0301

21 AGENDA # 14

22 ORDINANCE # R-497-3851
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EXHIBIT 1

AA No. 3851 – May 9, 2023



**Mitigation Monitoring and Reporting Program
Initial Study No. 8312 & Amendment Application No. 3851
(Including Conditions of Approval and Project Notes)**

Mitigation Measure					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*.	Aesthetics	All outdoor lighting shall be hooded and directed as to not shine toward adjacent properties and public roads.	Applicant	Applicant	On-going
2*.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours.	Applicant	Applicant	On-going

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document and Conditions of Approval reference recommended Conditions for the project.

Conditions of Approval	
1.	Development shall be in substantial accordance with the site plan as approved by the Planning Commission.
2.	An additional 10 feet of road right-of-way must be dedicated along the subject parcel to meet the ultimate right-of-way for Herndon Avenue.
3.	A 25-foot X 25-foot corner cutoff shall be dedicated to the County of Fresno at the intersection of E Herndon Ave and N Highland Ave.
4.	Proposed parcel at the southeast corner of Herndon and Highland should relinquish direct access to Herndon Ave. Access to this parcel should be via Highland Avenue.
5.	Subject application shows a proposed access easement. Since the subject parcel is within a flood zone, the applicant must provide an engineered Grading and Drainage Plan to show how runoff is being handled and verify compliance with Fresno County's Ordinances.

Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

1.	If approved, the subdivision will require that a Tentative Parcel Map be prepared in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. The Tentative Parcel Map application shall expire two years after the approval of said Tentative Parcel Map.
2.	It is recommended that the applicant consider having the existing septic tanks pumped and have the tanks and leach lines evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.
3.	New sewage disposal system proposals shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. Contact Department of Public Works and Planning at (559) 600-4540 for more information.
4.	Any new development of less than two acres or secondary dwelling will require a nitrogen loading analysis by a qualified professional, demonstrating to the Department of Public Works and Planning (Department) that the regional characteristics are such that an exception to the septic system density limit can be accommodated. The Department will refer any analysis to the Regional Water Quality Control Board, Central Valley Region for their concurrence and input. Any proposals for new sewage disposal systems, shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. Contact Department of Public Works and Planning at (559) 600-4540 for more information.
5.	At such time the applicant or property owner(s) decides to construct a new water well, the water well contractor selected by the applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Community Health, Environmental Health Division. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 600-3357.
6.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
7.	Should any underground storage tank(s) be found, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
8.	Herndon Avenue currently has 60 feet of road right-of-way and an ultimate right-of-way of 106 feet per the Fresno County General Plan.
9.	Highland Avenue currently has 50 feet of road right-of-way and an ultimate right-of-way of 60 feet per the Fresno County General Plan.

Notes	
10.	Setbacks for new construction must be based on the ultimate road right-of-way for Herndon Ave and Highland Ave.
11.	Any work performed within the County Road right-of-way will require an encroachment permit.

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