



Board Agenda Item 57

DATE: September 13, 2016

TO: Board of Supervisors

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

SUBJECT: Adopt Amendment to the Fresno-Clovis Metropolitan Area No-Shooting Boundary

RECOMMENDED ACTION(S):

Conduct second hearing and adopt Ordinance amending Title 10 of the Fresno County Ordinance code modifying the Fresno-Clovis Metropolitan Area No-Shooting Boundary and waive reading the Ordinance in its entirety.

This item comes before the Board pursuant to the first reading on June 12, 2016. The Fresno-Clovis Metropolitan Area (FCMA) No-Shooting Boundary is reviewed annually for revisions necessitated by city annexations and/or to address petitions from property owners to form No-Shooting Areas in other unincorporated areas of the County. No individual requests from property owners were received this year.

ALTERNATIVE ACTION(S):

The Board may determine that adjustment to the No-Shooting Boundary is not necessary and take no action.

FISCAL IMPACT:

The annual review of the FCMA No-Shooting Boundary was conducted by the Department of Public Works and Planning staff in cooperation with representatives of the Sheriff's Department and the California Department of Fish and Wildlife. The preparation of this agenda item represents a Net County Cost of approximately \$2,350 which is budgeted in the Public Works and Planning Org 4360 Adopted Budget.

DISCUSSION:

The Fresno County Ordinance Code prohibits the discharge of firearms within one-quarter mile of the exterior boundaries of all cities within the County, including the Cities of Fresno and Clovis. Given the complexity of the boundaries of the Cities of Fresno and Clovis and the proximity of rural residential land uses to those boundaries, Fresno County has historically established a boundary which may go beyond the one-quarter mile limit that is stipulated by Fresno County Ordinance Code Section 10.44.040 in order to reduce interior pockets, buffer urban uses adjacent to the incorporated area, and to make the Boundary clear to the public and easier to enforce in the field by law enforcement agencies (e.g. squared-off boundaries conterminous with established roads or other defined physical features). Areas outside the FCMA may be similarly designated through a petition process.

The Sheriff's Department enforces the No-Shooting provisions of the Ordinance Code. Copies of the Ordinance Code provisions and maps depicting the No-Shooting Areas are available to the public and to those agencies responsible for enforcing the Ordinance. Copies of the No-Shooting Area Boundary maps are maintained for distribution and can be obtained from the California Department of Fish and Wildlife, the Development Services

Division of the Department of Public Works and Planning and from the Clerk to the Board of Supervisors. The updated No-Shooting Area Boundary is also posted on the Department of Public Works and Planning website.

The Department of Public Works and Planning annually reviews the No-Shooting Area Boundary and makes recommendations for adjustments based upon completed annexations subsequent to the prior year's review. At the first reading of the ordinance on July 12, 2016 staff recommended to the Board five adjustments based upon annexations that had occurred subsequent to the last boundary adjustment on June 4, 2014. At the conclusion of the public hearing, the Board directed staff to make no modification to four of the proposed adjustments to the No-Shoot Boundary Area due to a lack of development in the annexation areas. Further, the Board directed staff to extend the boundary one-quarter mile directly south of the California-Temperance No. 3 Reorganization because the annexed area has been developed (see Exhibit A).

The adjusted boundary area is generally located on the southeast side of the City of Fresno. Exhibit A shows the proposed new No-Shooting boundary and Exhibit B shows the detail of the proposed expanded No-Shooting Boundary area beginning at the existing boundary at a point along Armstrong Avenue ¼ mile north of Church Avenue; then southerly along Armstrong Avenue to Church Avenue; then easterly along Church Avenue to Temperance Avenue; then northerly along Temperance Avenue to a point ¼ mile north of Church Avenue to the existing boundary.

The ordinance has also been revised to reflect the new No-Shooting boundary.

REFERENCE MATERIAL:

BAI # 11 July 12, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibits A - B
On File with Clerk - Ordinance

CAO ANALYST:

John Hays