



## DEPARTMENT of PUBLIC WORKS and PLANNING DEVELOPMENT SERVICES DIVISION



# EXISTING

## **CUP**

- Approval expires 2 years after approval
- Two one-year time extensions
- Four years total from Approval to Expiration

## **Variance**

- Approval expires 1 year after approval
- One one-year time extension
- Two years total from Approval to Expiration

# Proposed

## CUP

- Approval expires 2 years after approval
- **Four** one-year time extensions
- **Six** years total from Approval to Expiration

## Variance

- Approval expires 1 year after approval
- **Two** one-year time extension
- **Three** years total from Approval to Expiration

# January 2011

	<b>SITE PLAN REVIEW</b>	<b>DIRECTOR REVIEW AND APPROVAL</b>	<b>VARIANCE</b>	<b>CONDITIONAL USE PERMIT</b>
<b>Initial Life:</b>	2 Years	2 Years	1 Year	2 Years
<b>Current Time Extensions Opportunities Provided:</b>	None	None	1 Year	2 Years (one year at a time)
<b>*Proposed Additional Time Extensions</b>	2 Years (one year at a time)	2 Years (one year at a time)	1 Year	2 Years (one year at a time)
<b>Potential Total Time:</b>	4 years	4 Years	3 Years	6 years

**Time extension amendments to Site Plan Review and Director Review and Approval sections of the Zoning Ordinance are permanent, whereas amendments to Variance and Conditional Use Permit provisions of the Zoning Ordinance expired January 5, 2013.**

# General Plan

## **Goal ED-A**

*To increase job creation through regional leadership, agricultural productivity, and development of high-value-added processing firms.*

EXHIBIT "B"

SECTION 873

USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

I. TIME LIMIT FOR DEVELOPMENT

Each Conditional Use Permit approved either before or after the effective date of this amendment shall become void when:

1. There has not been substantial development within two years after the approval of said Conditional Use Permit or the effective date of this amendment, whichever date is later. However, in the case of a Conditional Use Permit authorizing a tentative map, expiration of said permit shall be concurrent with the expiration date of the tentative or vesting map and may be extended in the same manner as said map; or

(Amended by Ord. T-241 adopted 7-28-80; Ord. T-026-287 adopted 11-12-85)

2. There is a cessation in the occupancy or use of land or structures authorized by said Conditional Use Permit for a period in excess of two years; except where the structure or land is limited to a single purpose use.
3. Where circumstances beyond the control of the applicant cause delays which do not permit compliance with the time limitation established in Section 873-I.1, the Commission may grant a maximum of ~~two~~, four one (1)-year extensions. Application for such time extension must be set forth in writing, including the reasons for the extension, and be filed with the Public Works ~~& Development Services~~ and Planning Department before the expiration of the Conditional Use Permit. Such request shall be acted upon by the Commission at a public hearing. The Commission's decision shall be appealable to the Board of Supervisors. The required public hearing(s) shall be subject to the public notice requirements and procedures set forth in Section 873-D, E, G, and H.

(Amended by Ord. ~~T-055-325~~ adopted ~~4-18-95~~ -16)

- ~~4. For any Conditional Use Permit Application that is valid on or approved one year from the effective date of this provision (January 5, 2012), the Commission may grant a maximum of two, one (1) year extensions in addition to the extensions identified in 873-I.3.~~

## SECTION 877

### VARIANCES

#### D. VOIDING OF VARIANCES

1. The Commission may revoke any Variance for noncompliance with the conditions set forth in granting said Variance after notice and hearing. Upon instruction from the Commission, the Public Works & ~~Development Services~~ **and Planning** Department shall cause ten (10) days notice of hearing to be given to the holder of the Variance which is being considered for revocation together with such other persons set forth in Section 877-B.5.b and c. The action of the Commission in revoking any Variance may be appealed to the Board in the same manner and by the same person as an appeal from a decision of the Commission in granting or denying a Variance.

(Amended by Ord. T-252 \_\_\_\_\_ adopted 12-9-80 \_\_\_\_\_ -16)

2. Each Variance granted under the provisions of this Section shall become void when:
  - a. The construction authorized by said Variance is not commenced within one (1) year after the granting of said Variance or is not pursued diligently to completion, or
  - b. There is a cessation in the occupancy or use of land or buildings authorized by such Variance for a period in excess of one (1) year.
  - c. The parcels authorized by said Variance are not created within one (1) year after the granting of said Variance or an application for tentative map is not filed within said one (1) year. However, in the case of a Variance for which a tentative or vesting map has been timely filed, expiration of said Variance shall be concurrent with the expiration date of the tentative or vesting map and may be extended in the same manner as said map.

(Added by Ord. T-026-287 adopted 11-12-85)

3. Where circumstances beyond the control of the applicant cause delays which do not permit compliance with the time limitation established in Section 877-D.2, the Commission may grant a maximum of two one (1)-year extensions ~~an extension of time without a public hearing for a period not to exceed an additional one (1) year period~~. Application for such extension of time must set forth in writing the reasons for the extension and must be filed with the Public Works and Planning Department before the expiration of the Variance.

(Amended by Ord. T-252 \_\_\_\_\_ adopted 12-9-80 \_\_\_\_\_ -16)

- ~~4. For any Variance Application that is valid on or approved one year after the effective date of this provision (January 5, 2012), the Commission may grant a maximum of one, one-year time extension in addition to the extension identified in Section 877-D.3.~~

~~(Added by Ord. T-087-366 adopted 12-6-11)~~

<u>project</u>	<u>desc</u>	<u>Ext #</u>	<u>action</u>	<u>date</u>	<u>type</u>	<u>Cost</u>
<b>2013</b>						
CUP 3120	Rural Commercial Center	3	Appr	12/12/13	c	\$ 1,142.25
CUP 3120	Solar Farm	1	Appr	12/12/13	u	\$ 2,280.75
CUP 3200	Solar Farm	1	Appr	12/12/13	u	\$ 2,280.75
<b>2014</b>						
CUP 3275	High-intensity park	1	Appr w/ Conditions	4/10/14	u	\$ 2,280.75
CUP 3200	Mini-Mart Expansion	4	Appr	5/22/14	c	\$ 1,142.25
CUP 3314	Solar Farm	1	Appr	5/22/14	u	\$ 2,280.75
CUP 3291	Solar power generation facility w/related improve	2	Appr	7/17/14	u	\$ 2,280.75
CUP 3291	PV Solar	1	Appr	8/7/14	u	\$ 2,280.75
CUP 3291	Wastewater Treatment & Use for Friant Ranch development	1	Appr	8/7/14	c	\$ 1,142.25
CUP 3292	Solar Farm	2	Appr	11/13/14	u	\$ 2,280.75
CUP 3292	Rural Commercial Center	4	Appr	12/11/14	c	\$ 1,142.25
CUP 3295	High-intensity park	2	Appr	12/11/14	u	\$ 2,280.75
<b>2015</b>						
CUP 3295	Solar farm	2	Appr	1/15/15	u	\$ 2,280.75
CUP 3297	Solar Farm	1	Appr	2/12/15	u	\$ 2,280.75
CUP 3327	Solar Farm	1	Appr	2/12/15	u	\$ 2,280.75
CUP 3429	Solar Farm	1	Appr	4/30/15	u	\$ 2,280.75
CUP 3314	Solar power generation facility w/related improve	3	Appr	6/18/15	u	\$ 2,280.75
CUP 3482	Solar Farm	1	Appr	6/18/15	u	\$ 2,280.75
CUP 3327	Allow a solar power generation facility	1	Appr	10/8/15	u	\$ 2,280.75
CUP 3406	PV Solar	2	Appr	10/8/15	u	\$ 2,280.75
CUP 3328	Inorganic Fertilizer Manufacturing	1	Appr	11/19/15	c	\$ 1,142.25
CUP 3331	High-intensity park	3	Appr	12/17/15	u	\$ 2,280.75
CUP 3334	Solar farm	3	Appr	12/17/15	u	\$ 2,280.75
<b>2016</b>						
CUP 3334	oil and gas well/production	1	Appr	4/28/16	u	\$ 2,280.75
CUP 3383	PV Solar	1	Appr	6/30/16	u	\$ 2,280.75
CUP 3389	PV Solar	2	Appr	6/30/16	u	\$ 2,280.75
CUP 3389	Cell Tower	1	Appr	7/21/16	u	\$ 2,280.75

Starting with the August 22, 2013 Planning Commission Hearing

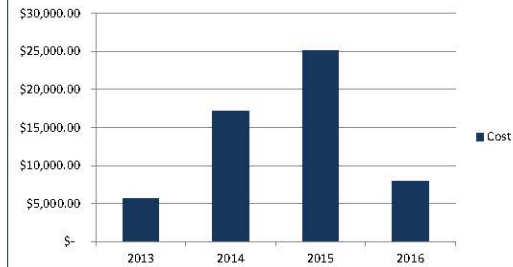
No Variances were granted time extensions since August 22, 2013.

The proposed amendment to text will affect approximately 72 land use permits (63 CUP and 9 VA) that have been previously approved. There is no provision for this revision to expire; therefore, it will affect all applications that are approved in the future.

Yearly Totals:

2013	2014	2015	2016
\$ 5,703.75	\$ 17,111.25	\$ 25,088.25	\$ 7,984.50

**Cost by Year**



\$ 55,887.75





## DEPARTMENT of PUBLIC WORKS and PLANNING DEVELOPMENT SERVICES DIVISION





# County of Fresno

## BOARD OF SUPERVISORS

Chairman

**Buddy Mendes**

District Four

Vice-Chairman

**Brian Pacheco**

District One

**Andreas Borgeas**

District Two

**Henry Perea**

District Three

**Deborah A. Poochigian**

District Five

**Bernice E. Seidel**

Clerk

A public hearing will be held on **AMENDMENT TO TEXT APPLICATION NO. 374**, filed and prepared by **COUNTY OF FRESNO** pursuant to Board of Supervisors' direction.

Notice is hereby given that the Board of Supervisors of the County of Fresno has set this hearing for **Tuesday, the 23<sup>rd</sup> day of August, 2016**, at the hour of 9:00 AM or as soon thereafter, in the **Board of Supervisors Chambers**, Room 301, Hall of Records, 2281 Tulare St., Fresno, California, as the time and place for holding a public hearing on the following matter:

Amend Sections 873-I and 877-D of the Fresno County Zoning Ordinance by revising the additional time extension opportunities language for land use permit applications (Conditional Use Permit and Variance) in the unincorporated areas of Fresno County. Staff has determined that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b)(3) Actions that will not have a significant effect on the environment.

For more information contact **Christina Monfette**, Department of Public Works and Planning, 2220 Tulare Street (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4245** email **cmonfette@co.fresno.ca.us**.

The Agenda and Staff Reports will be on the Fresno County web site  
<https://fresnocounty.legistar.com/Calendar.aspx>  
by Wednesday, August 17, 2016 by 6:00 p.m.

### NOTES:

- Anyone may testify, please share this notice with your neighbors or anyone you feel may be interested.
- The Board of Supervisors will also accept written testimony such as letters, petitions, and statements. In order to provide adequate review time for the Board of Supervisors, please submit these documents to the Clerk to Board prior to the hearing date.
- If at some later date you challenge the final action on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

DATED: August 3, 2016

**BERNICE E. SEIDEL**  
Board of Supervisors

By *Kristi Aydt*, Deputy

## Notice of Public Hearing

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Ernest Buddy Mendes, Chairman  
Board of Supervisors

ATTEST:

BERNICE E. SEIDEL  
Clerk, Board of Supervisors



# County of Fresno

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District Five

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Clerk

### AFFIDAVIT OF MAILING

I declare that on August 3, 2016, at the request of the Fresno County Board of Supervisors, I mailed a notice like the one hereto attached with reference to:

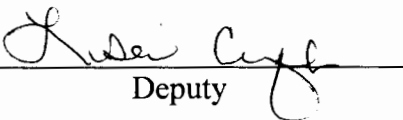
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by depositing in the United States Post Office at Fresno, California, a copy of said notice enclosed in an envelope with postage prepaid, addressed to each of the owners at their addresses, all as shown on the current Fresno County Assessment Roll and shown on the property list compiled from said rolls and in the file of the case.

This declaration is made under penalty of perjury.

By   
Deputy