



Board Agenda Item 14

DATE: April 25, 2017

TO: Board of Supervisors

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

SUBJECT: Initial Study No. 7151 and General Plan Amendment Application No. 548; Amendment Application No. 3818 (Applicant: Gabrielson Ranch)

RECOMMENDED ACTION(S):

1. Consider and adopt Negative Declaration prepared for Initial Study Application No. 7151 for General Plan Amendment Application No. 548 and Amendment Application No. 3818, amending the Fresno County General Plan by re-designating a 0.45-acre (19,698 square feet) portion of a 38.44-acre parcel from Agriculture to Limited Industrial; and
2. Adopt Resolution approving General Plan Amendment Application No. 548 as the First General Plan Amendment of the Agriculture and Land Use Element of the Fresno County General Plan for 2017 as the first cycle of adoption; and
3. Approve Ordinance pertaining to Amendment Application No. 3818 thereby rezoning the subject 0.45-acre portion of a 38.44-acre parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the M-1(c) (Light Manufacturing, Conditional) Zone District in order to amend the current zoning to allow for the expansion of an existing barrel cooperage operation.

The subject property is located approximately 1,750 feet south of E. Central Avenue between S. Sunnyside and S. Fowler Avenues and 2.1 miles north of the City of Fowler (4333 S. Fowler Avenue) (SUP. DIST. 4) (APN 331-050-58).

This item comes before the Board with a unanimous (7 to 0; two Commissioners absent) 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(S):

If the Board determines that the proposed General Plan Amendment to re-designate a 0.45-acre portion of a 38.44-acre parcel from Agriculture to Limited Industrial is not consistent with the General Plan's Vision Statement, Goals, and Policies, a motion to deny General Plan Amendment Application No. 548 and the concurrent Amendment Application No. 3818 (rezoning) would be appropriate.

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the Applicant has paid \$12,545 in land use processing fees to the County for the processing of the General Plan Amendment and Amendment Application requests.

DISCUSSION:

The General Plan Amendment (GPA) and rezoning (Amendment Application) are legislative acts requiring final approval by the Board. Final action by the Board is also required for the adoption of the Initial Study Application No. 7151, filed concurrently with the GPA and rezoning applications. If approved, the GPA and rezoning would then become effective 30 days after adoption.

If approved, the proposal would allow an existing industrial operation to expand onto a 0.45-acre portion of the subject parcel.

By way of background, the area proposed for rezoning encompasses an approximate 0.45-acre portion of a 38.44-acre parcel and is currently developed with a metal storage building. However, the remainder 38 acres of the property is in farming. The proposed expansion of the existing industrial use (barrel cooperage operation) onto the adjacent 38.44-acre parcel is not compatible with the Agricultural land use designation and AE-20 zoning of the parcel. The subject proposal would amend the County General Plan by re-designating the 0.45-acre site from Agriculture to Limited Industrial and rezone the 0.45-acre portion from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow expansion of the existing barrel cooperage operation currently on the adjacent parcel onto the 0.45-acre site. The resulting Limited Industrial designation and M-1(c) zoning on the 0.45-acre site will match with the existing land use designation and zoning on an adjacent parcel also limited to the same use, and will be allowed to merge with that parcel through a property line adjustment. A copy of the Planning Commission's February 16, 2017 action is attached as Exhibit 1.

On February 16, 2017, the Planning Commission considered the subject applications. After receiving staff's presentation and considering public testimony from the Applicant, the Commission voted 7 to 0 (two Commissioners absent) in favor of forwarding to the Board a recommendation adopting the Negative Declaration prepared for the requests and recommending approval of the proposed General Plan Amendment and rezoning requests limited to a barrel cooperage operation subject to the mandatory Project Notes listed in the Planning Commission Staff Report. A copy of the Planning Commission Staff Report is attached as Exhibit 2.

As a point of information the project site is currently restricted by Williamson Act Contract No. 7089. The proposed expansion of the existing barrel cooperage operation is not a compatible use on property enrolled in the Williamson Act program. A petition for partial cancellation of Contract No. 7089 for the project site was filed by the Applicant's representative in October of 2016. The Agricultural Land Conservation Committee heard the proposal for cancellation on December 7, 2016 and recommended that the Board of Supervisors approve the cancellation petition. The cancellation action for this item is scheduled to follow this land use request.

If this Board determines that the proposed rezoning is consistent with the General Plan, a simple approval motion would be appropriate stating in its motion to approve that the Board is adopting the Negative Declaration prepared for Initial Study No. 7151. The proposed Negative Declaration prepared for Initial Study No. 7151 is attached as Exhibit 3 to this Agenda Item. If the Board determines that the rezoning is not consistent with the General Plan, denial of the applications would then be appropriate citing the reasons for denial and the proposal's inconsistency with the General Plan.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibits 1 - 3
Ordinance
On file with Clerk - General Plan Amendment Resolution

CAO ANALYST:

John Hays