



Board Agenda Item 13

DATE: July 11, 2017

TO: Board of Supervisors

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

SUBJECT: Initial Study Application No. 7015 and Amendment Application No. 3813

RECOMMENDED ACTION(S):

1. **Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7015 including the Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3813; and**
2. **Approve Ordinance pertaining to Amendment Application No. 3813 thereby rezoning the subject five-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow limited light industrial uses including, but not limited to: driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials; and**
3. **Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance, and direct the Clerk to the Board to post and publish the required summary in accordance with Government Code Section 25124(b)(1).**

The subject property is located on the east side of S. Willow Avenue approximately 370 feet south of its intersection with E. Jensen Avenue and the nearest city limits of the City of Fresno (Sup. Dist. 4) (APN 316-080-37).

This item comes before the Board with a unanimous (5 to 0, four 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 rezoning is not consistent with the General Plan, a motion to deny Amendment Application No. 3813 would be appropriate.

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the applicant has paid \$10,836 in land use processing fees to the County for the processing of the Amendment Application request.

DISCUSSION:

A rezoning is a legislative act requiring final approval by the Board. Final action by the Board is also required for the adoption of the Initial Study Application (IS), filed concurrently with the rezoning application. If approved, the rezoning would then become effective 30 days after adoption.

The current request involves rezoning of the subject property from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow limited light industrial uses including, but not limited to: driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials. A complete list of proposed uses is included in Exhibit 2.

The Applicant is a High-Speed Rail project-impacted business owner who is in the process of relocating his business from the old location at 2660 S. Railroad Avenue, Fresno, to the subject property. The impact was the full acquisition of the Applicant's property and the High-Speed Railroad Authority took legal possession as of February 9, 2015.

During the environmental review process for the subject application, concerns were raised by the City of Fresno and the State Water Resources Board Office of Drinking Water regarding the site connecting to urban services. Staff has confirmed that the site is connected to the City of Fresno's public water system. To insure connection to the City's public sewer system, a mitigation measure has been included which requires the property owner to connect to City sewer services when a sewer main is constructed and operational within 100 feet of the property. With confirmation of connection to the City's public water system and mitigation requiring connection to sewer services when in proximity, the concerns of these agencies have been addressed.

On May 18, 2017, the Planning Commission considered the subject application. After receiving staff's presentation and considering public testimony from the Applicant, the Commission voted 5 to 0 (four Commissioners absent) in favor of forwarding to the Board a recommendation adopting the Mitigated Negative Declaration prepared for the request and recommending approval of the proposed rezoning, subject to the Mitigation Measures, Conditions of Approval and mandatory Project Notes listed in the Staff Report with the removal of Conditions No. 2 relating to the dedication of road right-of-way and addition of a condition requiring all on-site improvements be set back 42 feet from the centerline of the road (Willow Avenue).

If the Board determines that the proposed rezoning is consistent with the General Plan, a simple approval motion would be appropriate. If the Board determines that the rezoning is not consistent with the General Plan, denial of the application 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 - 4
Ordinance

CAO ANALYST:

John Hays