

1 **BEFORE THE BOARD OF SUPERVISORS**
2 **OF THE COUNTY OF FRESNO**
3 **STATE OF CALIFORNIA**
4 **ORDINANCE NO. R- 479 -3816**

5 AN ORDINANCE TO CHANGE THE BOUNDARIES OF CERTAIN ZONES AND THE ZONING
6 DISTRICT OF PROPERTY THEREBY AFFECTED IN ACCORDANCE WITH THE
7 PROVISIONS OF THE ZONING DIVISION OF THE ORDINANCE CODE OF FRESNO
8 COUNTY, AND TO AMEND THE ZONE MAP ESTABLISHED BY SAID DIVISION
9 ACCORDINGLY.

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11 The Board of Supervisors of the County of Fresno ordains as follows:

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13 **SECTION 1.** This Ordinance is adopted pursuant to California Constitution, Article XI,
14 Section 7, Government Code Sections 65850, 65854-65857, and Sections 811 and 878 of the
15 Ordinance Code of Fresno County.

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17 **SECTION 2.** All that portion of the unincorporated area of Fresno County consisting of
18 the parcel described as Parcel 1: The Fractional East half of the Northeast quarter of the
19 Northeast quarter of Section 1, Township 14 South, Range 19 East, Mount Diablo Base and
20 Meridian, according to the United States Government Township Plats; Except any part thereof
21 lying within fifty feet of the centerline of the S.P.R.R. Company's Railroad as granted unto
22 Southern Pacific Railroad Company by Deed dated May 17, 1892 and recorded in Book 144 of
23 Deeds at Page 363. Also excepting therefrom a parcel described as follows: Commencing at the
24 Northwest corner of the Fractional East half of the Northeast quarter of the Northeast quarter of
25 said Section 1, Township 14 South, Range 19 East, Mount Diablo Base and Meridian, according
26 to the United States Government Township Plats, thence East along the centerline of Belmont
27 Avenue a distance of 90 feet, thence at right angles South a distance of 270 feet, thence at right
28 angles West a distance of 90 feet to the West line of the Fractional East half of the Northeast

1 quarter of the Northeast quarter of said Section 1, thence North along said West line 270 feet to
2 the point of beginning. Parcel 2: The North 270 feet of the West 90 feet of the East half of the
3 Northeast quarter of the Northeast quarter of Section 1, Township 14 South, Range 19 East,
4 Mount Diablo Base and Meridian. Parcel 3: The East 430.60 feet of the West half of the
5 Northeast quarter of the Northeast quarter of Section 1, Township 14 South, Range 19 East,
6 Mount Diablo Base and Meridian according to the United States Government Township Plats.
7 Excepting therefrom any part thereof lying within 50 feet of the centerline of the Southern Pacific
8 Railroad Company's railroad as granted to Southern Pacific Railroad Company by Deed dated
9 May 17, 1892, recorded May 17, 1892 in Book 144 of Deeds at Page 363 Fresno County
10 Records which heretofore have been classified in the AL-20 (Limited Agricultural, 20-acre
11 minimum parcel size) Zone District pursuant to the Zoning Division of the Ordinance Code of
12 Fresno County, located on the southwest corner of West Belmont Avenue and North Marks
13 Avenue, adjacent to the City Limits of Fresno is hereby changed to the M-1(c) (Light
14 Manufacturing, Conditional) Zone District as shown in Exhibit "A", subject to the Mitigation
15 Measures, Conditions of Approval and Mandatory Project Notes listed in Exhibit "B".

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

21 **SECTION 4.** In accordance with Government Code Sections 25123, 25131, and 65854-
22 65857, this Ordinance, designated as Ordinance No. R- 479 -3816 shall take effect thirty
23 days after its passage.

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1 THE FOREGOING was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 6th day of February 2018, to wit:

3 AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero

4 NOES: None

5 ABSENT: None

6 ABSTAINED: None

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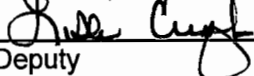
BY 
SAL QUINTERO, CHAIRMAN of the Board of
Supervisors of the County of Fresno

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11 **ATTEST:**
12 BERNICE E. SEIDEL
13 Clerk to the Board of Supervisors
County of Fresno, State of California

13

14 BY 
Deputy

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16

FILE # 17-1653

17

AGENDA # 10

18

ORDINANCE # R-479-3816

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EXHIBIT B
Mitigation Monitoring and Reporting Program
Initial Study Application No. 7091 and Amendment Application No. 3816
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All lighting shall be hooded and directed as to not shine toward adjacent property and public streets.	Applicant	Applicant/ Public Works and Planning	Ongoing
*2.	Transportation/ Traffic	Prior to issuance of building permits for development of the 10 th acre of the project site, the Applicant shall construct a 100-foot-long storage length with transitions for Northbound right-turn lane at intersection of Olive Avenue and Marks Avenue. Construction shall be to Fresno City standards.	Applicant	Applicant/ Fresno County Road Maintenance and Operations Division	Prior to the issuance of building permits for development of the tenth acre
*3.	Transportation/ Traffic	At such time as encroachment permits are sought for direct access off Belmont Avenue, or at the time of issuance of building permits for development of the 10 th acre of the project site, the Applicant shall construct Belmont Avenue frontage improvements, including curb, gutter, drainage facilities, striping, and paving. Improvements shall be to County of Fresno standards.	Applicant	Applicant/ Fresno County Road Maintenance and Operations Division	Prior to the issuance of building permits for development of the tenth acre or the issuance of encroachment permits for access off Belmont Avenue
*4	Transportation/ Traffic	The Applicant shall enter into a Traffic Mitigation Agreement with the County of Fresno agreeing to participate in the funding of the following future off-site traffic improvements: a. Signalization and lane additions at Olive Avenue and Marks Avenue Intersections: add a left turn lane and additional through lanes for Northbound, Southbound, Eastbound and Westbound. The project's maximum share is 1.18% which is \$13,170.00 for the entire parcel or \$439.00 per acre developed.	Applicant	Applicant/ Fresno County Road Maintenance and Operations Division	Prior to the issuance of building permits

		<p>b. Signalization and lane additions at Brawley Avenue and Belmont Avenue intersections: add a left-turn lane and additional through lane for Northbound, Southbound, Eastbound and Westbound. The project's maximum share is 0.81% which is \$11,125.00 for the entire parcel or \$371.00 per acre developed.</p> <p>c. Signalization and lane additions at Valentine Avenue and Belmont Avenue intersections: add a left-turn lane and additional through lane for Northbound, Southbound, Eastbound and Westbound. The project's maximum share is 1.80% which is \$21,658.00 for the entire parcel or \$722.00 per acre developed.</p> <p>d. Signalization and lane additions at Marks Avenue and Belmont Avenue intersections: add a left-turn lane, a right-turn lane, and an additional through lane for Northbound, Southbound, Eastbound and Westbound. The project's maximum share is 6.25% which is \$65,673.00 for the entire parcel or \$2,189.00 per acre developed.</p> <p>e. Signalization and lane additions at Hughes Avenue and Belmont Avenue intersections: add a left-turn lane for Northbound and Southbound; and add a left-turn lane and an additional through lane for Eastbound and Westbound. The project's maximum share is 2.59% which is \$22,976.00 for the entire parcel or \$766.00 per acre developed.</p> <p>f. Widening Belmont Avenue from two lanes to four lanes from Brawley Avenue to Marks Avenue:</p> <p>i. From Brawley Avenue to Valentine Avenue, the project's maximum share is 1.36% which is \$28,508.00 for the entire parcel or \$950.00 per acre developed.</p> <p>ii. From Valentine Avenue to Site Access, the project's maximum share is 1.86% which is \$32,072.00 for the entire parcel or \$1,069.00 per acre developed.</p> <p>iii. From Site Access to Marks Avenue, the project's maximum share is 9.69% which is \$41,801.00 for the entire parcel or \$1,393.00 per acre developed.</p>			
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Conditions of Approval

1. The uses allowed on the property shall be limited to the following, subject to the Property Development Standards in Section 845.5:

☐ Related Uses:

- Advertising Structures
- Automobile Repairs (conducted within a completely enclosed building)
- Automobile re-upholstery
- Caretaker's Residence, which may include an office for the permitted industrial use
- Electrical supply
- Equipment Rental or sale
- Farm equipment sales and service
- Frozen food lockers
- Boarding and training, breeding and personal kennels
- Ice and cold storage plants
- Newspaper publishing
- Signs, subject to the provisions of Section 843.5-K
- Truck driver's training schools

☐ Manufacturing:

- Aircraft, modification, storage, repair and maintenance
- Automotive
 - Painting
 - Automotive reconditioning
 - Truck repairing and overhauling
 - Upholstering
 - Battery assembly (including repair and rebuilding) limited to the use of previously manufactured components
- Boat building and repairs
- Book binding
- Bottling plants
- Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas
- Commercial grain elevators
- Garment manufacturing
- Machinery and Shop [no punch presses over twenty (20) tons or drop hammers]
 - Blacksmith shops
 - Cabinet or carpenter shops
 - Electric motor rebuilding
 - Machine shops
 - Sheet metal shops
 - Welding shops

- Manufacturing, compounding, assembly or treatment of articles or merchandise from previously prepared materials
- Manufacturing, compounding, processing, packing or treatment of such products as:
 - Bakery goods
 - Candy
 - Cosmetics
 - Dairy products
 - Drugs
 - Food products (excluding fish and meat products, sauerkraut, wine, vinegar, yeast and the resting of fats and oils) if connected with an adequate sewer system
 - Fruit and vegetable (packing only)
 - Honey extraction plant
 - Perfume
 - Toiletries
- Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:
 - Canvas
 - Cellophane
 - Cloth
 - Cork
 - Felt
 - Fiber
 - Fur
 - Glass
 - Leather
 - Paper, no milling
 - Precious or semi-precious stones or metals
 - Plaster
 - Plastic
 - Shells
 - Textiles
 - Tobacco
 - Wood
 - Yarns
- Manufacturing and maintenance of electric or neon signs
- Planing mills
- Printing shops, lithographing, publishing
- Rubber and metal stamps
- Shoes
- Stone monument works

	<ul style="list-style-type: none"> ○ Storage Yards <ul style="list-style-type: none"> ▪ Contractors storage yard ▪ Drying and freight yard ▪ Feed and fuel yard ▪ Machinery rental ▪ Motion picture studio storage yard ▪ Transit storage ▪ Trucking yard terminal, except freight classifications ○ Textiles ○ Wholesaling and warehousing ○ Wholesale meat cutting and packing, provided there shall be no slaughtering, fat rendering or smoke curing □ Processing: <ul style="list-style-type: none"> ○ Creameries ○ Laboratories ○ Blueprinting and photocopying ○ Laundries ○ Carpet and rug cleaning ○ Cleaning and dyeing plants ○ Tire retreading, recapping, rebuilding ○ Lumber drying kilns; gas, electric, or oil fired only ○ Feather cleaning and storage of cleaned feathers within an enclosed structure □ Fabrication: <ul style="list-style-type: none"> ○ Rubber, fabrication of products made from finished rubber ○ Assembly of small electric and electronic equipment ○ Assembly of plastic items made from finished plastic □ Other uses: <ul style="list-style-type: none"> ○ Agricultural uses ○ Communication equipment buildings ○ Electric transmission substations ○ Off-street parking ○ Medical Marijuana Cultivation Facility licensed under Chapter 6.6 of Title 6 of County Ordinance Code ○ Public utility service yards with incidental buildings ○ Electric distribution substations ○ Temporary or permanent telephone booths ○ Water pump stations
2.	The project shall connect to the City of Fresno for sewer and water services.

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

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Any additional runoff generated by development cannot be drained across property lines. A grading permit or voucher may be required for any grading proposed with this application.
2.	Any work done within the right-of-way to construct a new driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
3.	Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
4.	If not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back out onto the roadway.
5.	A 30-foot by 30-foot corner cutoff is need for sight distance purposes at any proposed driveway onto Belmont and Marks Avenue.
6.	The subject site will be required to pay the Fresno Metropolitan Flood Control District drainage fees at the time of any development based on the fee rates in effect at that time.
7.	The Fresno Metropolitan Flood Control District (District) requires that the storm drainage patterns for the development conform to the District's Master Plan. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. Specific construction requirements will be addressed with future entitlements on the property that may include street reconstruction.
8.	A State National Pollutant Discharge Elimination System (NPDES) general permit for storm water discharges associated with construction activities is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale).
9.	Construction activity, including grading, clearing, grubbing, filling, excavation, development or redevelopment of land that results in a disturbance of one (1) acre or more of the total land area, or less if part of a larger plan of development or sale, must secure a storm water discharge permit in compliance with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System regulations (CFR Parts 122-124, Nov. 1990). The permit must be secured by filing a Notice of Intent for the State General Permit for Construction Activity with the State Water Resources Control Board. The notice must be filed prior to the start of construction.
10.	As part of the mandatory Site Plan Review Process, new development on this parcel shall be submitted to the San Joaquin Valley Unified Air Pollution Control District to determine if an Indirect Source Review application is required.
11.	For informational purposes, the following Fresno Irrigation District (FID) Canals are located in the vicinity of the project: FID's active Victoria Colony - E. Branch No. 43 runs southerly and crosses Belmont Avenue approximately 870 feet west of the subject property; FID's active Houghton No. 78 runs westerly approximately 150 feet southwest of the subject property at its closest point; and FID's active Cole - S. Branch No. 40 runs westerly and crosses Marks Avenue approximately 95 feet south of the

Notes	
	subject property. Should this project include any street and/or utility improvements in the vicinity of these existing improvements, FID requires it review and approve all plans.
12	Future tenants may be required to comply with hazardous materials business plan reporting requirements. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.
13.	All Conditions of Approval for the existing Conditional Use Permit No. 2859 shall remain in full effect.

CMM

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