

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA
ORDINANCE NO. R- 487 -3837

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

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

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

SECTION 2. That portion of the Southeast quarter of Section 23, Township 13 South, Range 23 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 23; thence North 00° 05' 00" West, along the East line of said Southeast quarter, a distance of 603.94 feet to the TRUE POINT OF BEGINNING; thence North 50° 45' 27" West, a distance of 422.07 feet, more or less, to a point on the southeasterly line of that certain 80.00 feet wide strip know as Trimmer Springs Road; thence North 39° 16' 35" East, along said southeasterly line, a distance of 514.82 feet to a point on said East line; thence South 00° 05' 00" East, along said East line, a distance of 665.53 feet to the True Point of Beginning; contains an area of 2.494 Acres, more or less; and as depicted in the attached Exhibit "A" subject to the Mitigation Measures and Conditions of Approval listed in Exhibit "B."

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

4 **SECTION 4.** In accordance with Government Code Sections 25123, 25131, and 65854-65857,
5 this Ordinance, designated as Ordinance No. R- 487 -3837 shall take effect thirty days after its
6 passage.

7 THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors
8 of the County of Fresno this 10th day of December 2019, to wit:

9
10 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

11 NOES: None

12 ABSENT: None

13 ABSTAINED: None
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Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

17
18 **ATTEST:**
19 Bernice E. Seidel
20 Clerk of the Board of Supervisors
County of Fresno, State of California

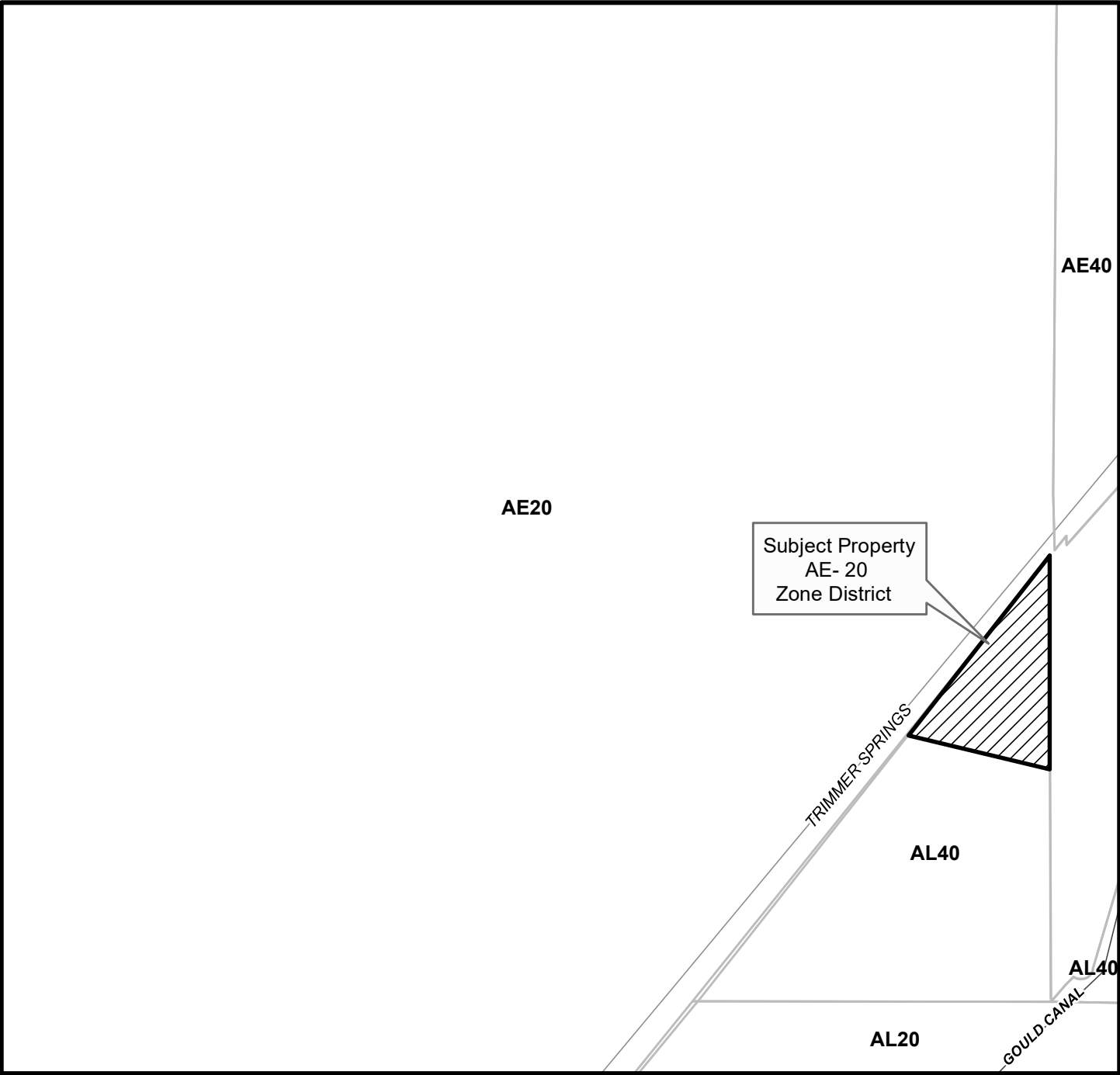
21 By 
22 Deputy

23
24 FILE # 19-1485

25 AGENDA # 12

26 ORDINANCE # R-487-3837
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EXHIBIT A



Prepared by: County of Fresno Department of Public Works and Planning



EXHIBIT B

**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7655
Amendment Application (AA) No. 3837; Variance Application No. 4073
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Cultural Resources	A professional archeologist shall conduct an archeological survey prior to any ground-disturbing activities resulting from development activities on the 2.5-acre parcel.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As noted
2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/ PW&P	As noted
Conditions of Approval					
1.	A mapping procedure is required to merge the proposed 2.5-acre parcel with the 19.78-acre parcel. The project proponent shall file a Property Line Adjustment (PLA) application with the Development Engineering Section of the Fresno County Department of Public Works and Planning.				
2.	<p>Trimmer Springs Road is classified as an Arterial with an existing 40-foot right-of-way east of the centerline along the parcel frontage. The minimum width for an Arterial right-of-way east of the centerline is 42 feet. The owner of the subject property shall record a document irrevocably offering the northerly 2 feet of the subject property to the County of Fresno as future right-of-way for Trimmer Springs Road.</p> <p>Note: A preliminary title report or lot book guarantee is required before the irrevocable offer of dedication can be processed. The owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer.</p>				

*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.

Project Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	The Applicant shall submit a preliminary technical report to the State Water Resources Control Board – Division of Drinking Water in compliance with Senate Bill 1263 six months prior to any water-related construction for the future development on the property.
2.	Future development proposals shall adhere to the Fire and Building Codes and shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.
3.	<p>To address grading and drainage impacts resulting from future development proposals, the Development Engineering Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the development will be handled without adversely affecting adjacent properties • A Grading Permit or Voucher for site grading • On-site turnarounds for vehicles leaving the site to enter the Arterial road in a forward motion • No new access points shall be allowed without prior approval. • Any development within the area identified as Zone A per FEMA, FIRM Panel 1645H shall comply with the County Flood Hazard Ordinance (Title 15.48). • Any improvements constructed near the canal that runs through the subject parcel shall be coordinated with the owners of the canal. • Any additional runoff generated by the proposed development of this site shall be retained or disposed of per County Standards.

EA:ksn:cwm

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