

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA
ORDINANCE NO. R- 488 -3833

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. All that portion of the unincorporated area of Fresno County consisting of a 0.34-acre parcel described as Lot 106 of Belmont Gardens No. 3 in the County of Fresno, State of California, according to the map thereof recorded July 20, 1953 in Book 12, Page 36 of Plats, Fresno County Records, which heretofore has been classified in the R-1-B(nb) (Single-Family Residential, 12,500 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District pursuant to the Zoning Division of the Ordinance Code of Fresno County, located on the northeast corner of N. Fine Avenue and E. Washington Avenue in a County island in the City of Fresno, is hereby changed to the R-2(nb)(c) (Low-Density Multiple-Family Residential, 6,600 square-foot minimum parcel size, Neighborhood Beautification Overlay, Conditional) Zone District to allow those uses permitted in the R-1 Zone District (Section 827.1-A.) and one-family or multiple-family dwellings (Section 827.1-D) 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- 488 -3833 shall take effect thirty days after its
6 passage.

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

10
11 AYES: Supervisors Brandau, Pacheco, Quintero

12 NOES: Supervisors Magsig, Mendes

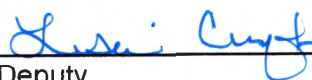
13 ABSENT: None

14 ABSTAINED: None
15

16
17 

18 Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

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

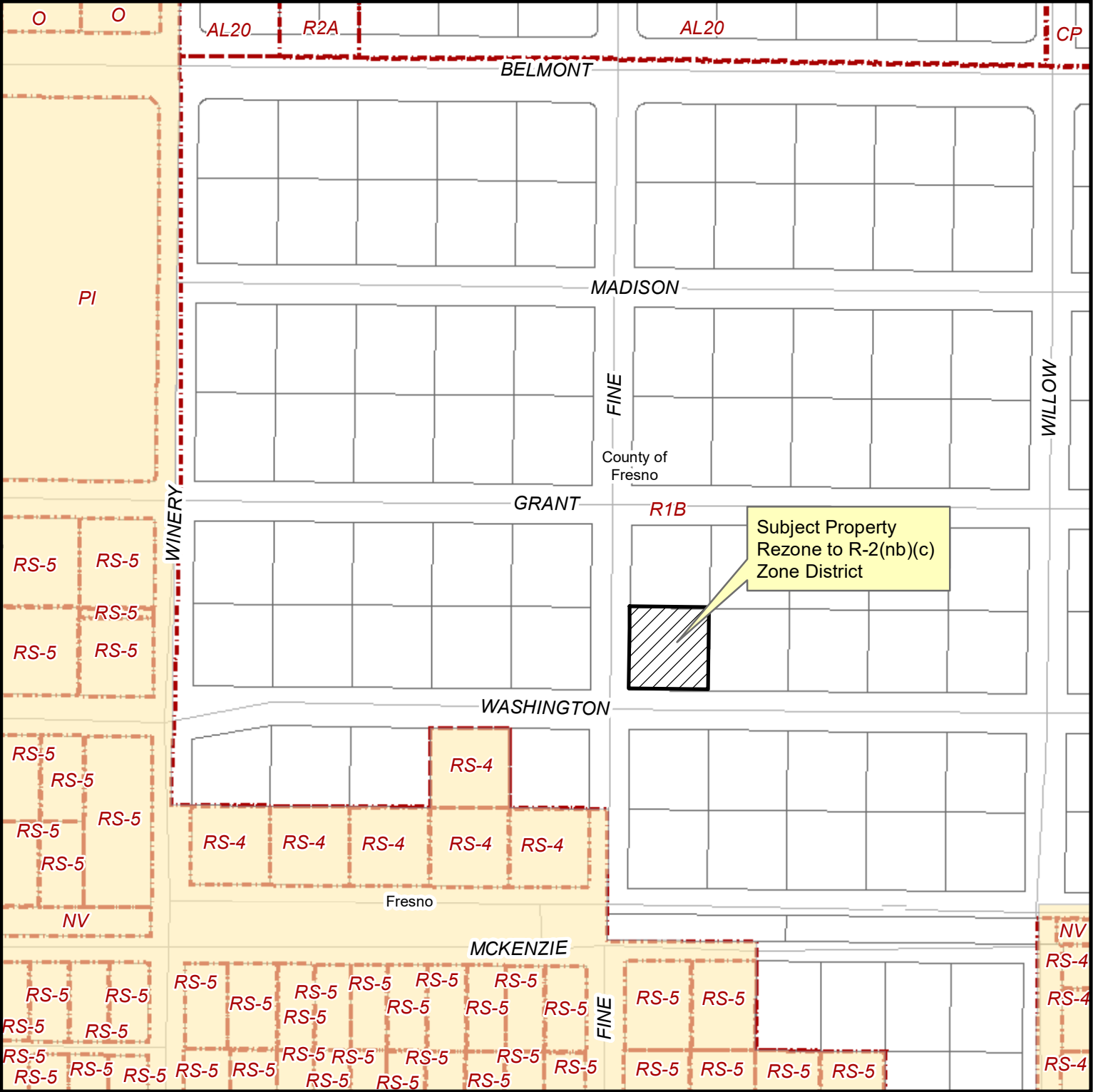
22 By 
23 Deputy

24
25 FILE # 19-1275

26 AGENDA # 13

27 ORDINANCE # R-488-3833
28

EXHIBIT A



Mitigation Monitoring and Reporting Program
Initial Study Application No. 7517
General Plan Amendment Application No. 556; Amendment Application (AA) No. 3833
(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 outdoor lighting shall be hooded and directed downward so as not to shine upward or toward adjacent properties and public streets.	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 related to this project, 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.	<p>Uses permitted “by right” shall be limited to the following uses listed in SECTION 827.1 – USES PERMITTED of the County Ordinance:</p> <p>A. Those uses permitted in the R-1 District, Section 826.1 shall apply.</p> <p>B. One-family or multiple-family dwellings. When more than one (1) single-family residence is placed on a lot, the provisions of Section 827.6 shall apply.</p>				
2.	All building code violations on the property shall be abated. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning for detail.				
3.	All structures mentioned in the Zoning Violation (Case No. 18-101815) must be resolved. The unpermitted structures include a remodeled house, conversion of a garage into living space, carports, additions without permits, failure to vacate the home per the covenant, and multiple units on site without permits and inspections.				

4.	The project site shall connect to the City of Fresno sewer and water services and install curbs and gutters according to the City of Fresno standards.
5.	No more than three dwelling units shall be allowed on the property with R-2 (c) Zoning <i>(added by the Planning Commission action September 12, 2019).</i>
6.	Prior to occupancy granted for residential Unit 2 and 3, all permits must be approved, all Zoning and Building Code violations must be addressed, and all buildings must be up to the codes <i>(added by the Planning Commission action September 12, 2019).</i>

*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.	A Site Plan Review shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with the provisions of Section 855.E.4. of the Fresno County Zoning Ordinance to allow for the encroachment of the existing buildings (Dwelling Unit B and C) into the rear-yard setback.
2.	The project shall pay drainage fees to the Fresno Metropolitan Flood Control District at the time of the development, based on the fee rates in effect at that time. The estimated tentative drainage fee is \$ 2,129.
3.	A scaled site plan showing existing fire hydrants shall be submitted to the City of Fresno Fire Department, Prevention and Technical Services Division for review and approval.
4.	A Grading Permit or Voucher shall be secured for all unpermitted work, and a 30-foot by 30-foot corner cutoff at the intersection of Washington and Fine Avenues shall be provided for sight distance purposes.

EA:ksn

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