



County of Fresno

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2281 Tulare Street
Fresno, California
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Legislation Details (With Text)

File #: 16-1260

On agenda: 10/18/2016

Final action: 10/18/2016

Enactment date:

Enactment #: Ordinance No. R472-3817

Title: Consider and adopt Negative Declaration prepared for Initial Study Application No. 7098; and approve Ordinance pertaining to Amendment Application No. 3817 rezoning 38.03-acre parcel from AE-20 Zone District to AL-20 Zone District, project site is located at northwest corner of E. Copper Avenue and Auberry Road, approximately 2,800 feet east of nearest city limits of City of Fresno

Attachments: 1. Agenda Item, 2. Exhibits 1 - 3, 3. Ordinance No. R-472-3817, 4. Additional Information

Date	Ver.	Action By	Action	Result
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10/18/2016	1	Board of Supervisors	Approved (Consent Agenda)	Pass
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DATE: October 18, 2016

TO: Board of Supervisors

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

SUBJECT: Initial Study No. 7098 and Amendment Application No. 3817 (Applicant: Derrel's Mini Storage)

RECOMMENDED ACTION(S):

- 1. Consider and adopt the Negative Declaration prepared for Initial Study Application No. 7098; and**
- 2. Approve Ordinance pertaining to Amendment Application No. 3817 rezoning a 38.03-acre parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.**

The project site is located at the northwest corner of E. Copper Avenue and Auberry Road, approximately 2,800 feet east of the nearest city limits of the City of Fresno (Sup. Dist. 5) (APN 580-040-09).

This item comes before the Board with a recommendation for approval (6 to 1; two Commissioners absent) from the Planning Commission.

ALTERNATIVE ACTION(S):

If the Board determines that the rezoning is not consistent with the General Plan, a motion to deny Amendment Application No. 3817 would be appropriate.

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the Applicant has paid \$10,878 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 applicant is proposing to rezone the property from the AE-20 Zone District to an AL-20 Zone District to permit the establishment of a Personal/Recreational Vehicle Storage through a subsequent Conditional Use Permit Application in the future. The project site is located at the northwest corner of E. Copper Avenue and Auberry Road, approximately 2,800 feet east of the nearest city limits of the City of Fresno.

This item was considered by the Planning Commission on August 11, 2016. After receiving staff's presentation and considering public testimony from the Applicant's representative and a member of the public, the Commission approved a motion (6 to 1; two Commissioners absent) to forward to the Board a recommendation adopting the Negative Declaration prepared for the project and approving the proposed rezone request. At the hearing one member of the public, an adjacent property owner, expressed concerns that the project could result in impacts on his property as the subject proposal could isolate his property and affect building setbacks if it were to be rezoned from AE-20 to AL-20. A copy of the August 11, 2016 Planning Commission Staff Report is attached as Exhibit 2. In the Commission's action to recommend approval, the motion was clarified that the Commission was making no commitment as to future support or approval for a subsequent discretionary application related to a storage facility.

If the Board determines that the proposed rezoning is consistent with the General Plan, an approval motion would be appropriate stating in its motion to approve that the Board is adopting the Negative Declaration prepared for Initial Study No. 7098. The proposed Negative Declaration prepared for IS No. 7098 is attached as Exhibit 3. 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 - 3
Ordinance

CAO ANALYST:

John Hays