



County of Fresno

Hall of Records, Rm. 301
2281 Tulare Street
Fresno, California
93721-2198

Legislation Details (With Text)

File #: 17-1653 **Name:** Amendment Application No. 3816 Nick's Trucking

In control: Public Works & Planning

On agenda: 2/6/2018 **Final action:** 2/6/2018

Enactment date: **Enactment #:** Ordinance No. R-479-3816

Title: Adopt Mitigated Negative Declaration prepared for Initial Study Application No. 7091, including Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3816; approve Ordinance pertaining to Amendment Application No. 3816 thereby rezoning subject 30.05-acre parcel from AL-20 Zone District to the M-1(c) Zone District to allow a limited number of Light Manufacturing uses as requested by the Applicant; designate County Counsel to prepare a fair and adequate summary of proposed ordinance, and direct Clerk to the Board to post and publish required summary in accordance with Government Code Section 25124(b)(1); and subject property is located at southwest corner of W. Belmont Avenue and N. Marks Avenue, adjacent to City Limits of Fresno, pertains to location in District 1

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Attachments A-C, 3. Ordinance No. R-479-3816, 4. Ordinance Summary, 5. Additional Information

Date	Ver.	Action By	Action	Result
2/6/2018	1	Board of Supervisors	Conducted Hearings	Pass

DATE: February 6, 2018

TO: Board of Supervisors

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

SUBJECT: Initial Study Application No. 7091 and Amendment Application No. 3816

RECOMMENDED ACTION(S):

- 1. Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7091, including the Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3816; and**
- 2. Approve Ordinance pertaining to Amendment Application No. 3816 thereby rezoning the subject 30.05-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of Light Manufacturing uses as requested by the Applicant; 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 at the southwest corner of W. Belmont Avenue and N. Marks Avenue,

adjacent to the City Limits of Fresno (APN 326-060-31). This item pertains to a location in District 1.

This item comes before the Board with a unanimous (8 to 0, one Commissioner 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. A copy of the Planning Commission action is included as Attachment A.

ALTERNATIVE ACTION(S):

If the Board determines that the rezoning is not consistent with the General Plan, a motion to deny Amendment Application No. 3816 would be appropriate.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Pursuant to the County's Master Schedule of Fees, the filing fee for processing this Amendment Application is \$10,836. Since this is a High-Speed Rail relocation project, the California High-Speed Rail Authority will reimburse the County the cost of 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 the M-1 (c) (Light Manufacturing, Conditional) to allow a limited number of Light Manufacturing uses as requested by the Applicant. In general, these uses include the repair, maintenance, and reconditioning of automobiles and other vehicles; the manufacture, processing, and treatment of food products (including candy and baked goods), drugs, and toiletries; the manufacture and assembly or treatment of merchandise made from previously prepared materials like glass and canvas; storage yards, including a trucking yard terminal; processing activities such as creameries and laundries; and agricultural uses. A complete list of proposed uses is included in the Planning Commission staff report provided as Attachment B.

On December 14, 2017, the Planning Commission considered the subject application. After receiving staff's presentation and considering public testimony from the Applicant, the Commission voted 8 to 0 (one Commissioner 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. A copy of the Mitigated Negative Declaration is included as Attachment C.

Prior to the acquisition of the parcel by the California High Speed Rail Authority, Nick's Trucking was located along Golden State Boulevard, within the City of Fresno. The two trucks involved in the operation would park at the Golden State location at night and visit the Belmont/Marks Avenues site approximately five times per day. With the relocation and approval of this rezoning application, the trucks would continue to operate in the same manner, but would be allowed to park at the Belmont/Marks site.

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:

Attachments A - C
Ordinance
On file with Clerk - Ordinance Summary

CAO ANALYST:

John Hays