



# County of Fresno

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

## Legislation Text

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**File #:** 18-0360, **Version:** 1

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**DATE:** May 8, 2018

**TO:** Board of Supervisors

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

**SUBJECT:** Initial Study Application No. 7300 and Amendment Application No. 3824 (Applicant: West Star Construction)

### RECOMMENDED ACTION(S):

- 1. Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7300, including the Mitigation Monitoring and Reporting Program prepared for Amendment Application No. 3824; and**
- 2. Approve Ordinance pertaining to Amendment Application No. 3824 thereby rezoning the subject 14.21-acre parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to an M-3(c) (Heavy Industrial, Conditional) Zone District to allow limited industrial 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 of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1).**

**The subject property is located on the south side of E. Lincoln Avenue between State Route 99 and Golden State Boulevard approximately one mile northwest of the nearest city limits of the City of Fowler (4685 E. Lincoln Avenue, Fowler) (APN 340-150-27).**

This item comes before your 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 summary of the Planning Commission's Action is included as Attachment A. The proposal consists of rezoning the subject property to allow limited heavy industrial, general industrial and light manufacturing uses. This item pertains to a location in District 4.

### ALTERNATIVE ACTION(S):

If your Board determines that the rezoning is not consistent with the General Plan, a motion to deny Amendment Application No. 3824 would be appropriate.

### FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. Pursuant to the County's Master Schedule of Fees, the Applicant has paid land use processing fees for this Amendment Application in the amount of \$10,836.

### DISCUSSION:

A rezoning is a legislative act requiring final approval by your Board. Final action by your 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 request involves rezoning of the subject property from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the M-3(c) (Heavy Industrial, Conditional) Zone District to allow limited heavy industrial, general industrial and light manufacturing uses listed in the Zoning Ordinance Section 845.1, 844.1, and 843.1 as requested by the Applicant. A complete list of proposed uses are provided in Exhibit B of Attachment A (Planning Commission Action) and Exhibit 7 of Attachment B (Planning Commission Staff Report).

On March 15, 2018, 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 of Supervisors 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 (Attachment B). A copy of the Mitigated Negative Declaration is included as Attachment C.

If your Board determines that the proposed rezoning is consistent with the General Plan, a simple approval motion would be appropriate. If your 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:**

Sonia M. De La Rosa