



County of Fresno

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Fresno, California
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Legislation Text

File #: 18-0881, **Version:** 1

DATE: September 11, 2018

TO: Board of Supervisors

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

SUBJECT: Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825 (Applicant: Fresno Humane Animal Services)

RECOMMENDED ACTION(S):

- 1. Consider and adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7359 including the Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. 552 and Amendment Application No. 3825, amending the Fresno County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial to permit an animal hospital/shelter and associated uses.**
- 2. Approve Ordinance pertaining to Amendment Application No. 3825 thereby rezoning the subject 4.15-acre site from R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to M-1(c) (Light Manufacturing, Conditionally limited to animal hospital/shelter) Zone District.**
- 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 California Government Code, Section 25124(b)(1).**
- 4. Adopt Resolution approving General Plan Amendment Application No. 552 as the Second General Plan Amendment of the Agriculture and Land Use Element of the Fresno County General Plan for 2018.**

The subject parcels are located on the east side of N. Grantland Avenue, between N. Parkway Drive and W. Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (APN 504-081-02S and -03S).

This item comes before your Board with a recommendation for approval from the Planning Commission (5 to 4) and requires final action from your Board as required by the Fresno County Zoning Ordinance and State planning law. The proposal consists of amending the General Plan to redesignate two adjacent parcels and rezone the subject property to permit an animal hospital/shelter and associated uses. A summary of the Planning Commission's action is included in Attachment A. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

If your Board determines that the proposed General Plan Amendment to re-designate two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial is not consistent with the General Plan, a

motion to deny General Plan Amendment Application No. 552 and concurrent Amendment Application No. 3825 would be appropriate.

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the Applicant has paid \$16,045 in land use processing fees to the County for the processing of Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825.

DISCUSSION:

A General Plan Amendment (GPA) and rezoning (Amendment Application) are legislative actions requiring final approval by your Board. Final action by your Board is also required for the adoption of the Mitigated Negative Declaration prepared for the Initial Study filed concurrently with the GPA and rezoning. If approved, the GPA and rezoning would become effective 30 days after approval.

The subject properties are located in the City of Fresno (City) Sphere of Influence and are approximately 180 feet southwest of the city limits at its nearest point. The proposal consists of amending the County's General Plan and rezoning two adjacent parcels, totaling 4.15 acres to permit an animal hospital/shelter and related uses. The Planning Commission Staff Report, included as Attachment B, provides additional project information.

The City's General Plan designates the subject site as Commercial Business Park, which would correspond to the BP (Business Park) Zone District. On May 23, 2017, the City released the proposal after being referred for annexation per the City-County Memorandum of Understanding (MOU). In its release, the City requested conditions on the application regarding street improvements and connection to City utilities. Per the City's request, the proposal has been conditioned to construct all street frontage improvements along the project frontage of Grantland Avenue per City standards, including any dedications of required right-of-way for those improvements.

On July 26, 2018, the Planning Commission considered the subject applications. After receiving Department of Public Works and Planning staff's presentation and considering public testimony from the Applicants' representative and members of the community both in support and opposition, the Commission voted 5 to 4 in favor of forwarding to your Board a recommendation. The recommendation is for the adoption of the Mitigated Negative Declaration prepared for the requests, and a recommendation to approve of the proposed General Plan Amendment and rezoning subject to the Mitigation Measures, Conditions of Approval, and mandatory Project Notes listed in the Planning Commission Staff Report.

The applicant's representative and eight individuals spoke in favor of the application, and three individuals spoke in opposition to the application at the Planning Commission hearing. Those in favor cited that the facility is needed; will be state-of-the-art in design; will provide community-based animal services and education; will be fenced and secure; and will be designed to mitigate odor and noise. Speakers in opposition had concerns that the neighborhood is rural residential in nature; the facility would cause odor, noise, and traffic impacts; and animals would be dumped in the neighborhood after-hours. Four individuals sent letters of opposition, one of which was received after the Planning Commission hearing, see Attachment C. Those letters expressed concerns similar to the speakers in opposition to the applications.

If your Board determines that proposed General Plan Amendment No. 552 and its associated rezoning are consistent with the General Plan, a motion to approve would be appropriate stating in its motion that your Board is:

- Adopting the Mitigated Negative Declaration prepared for Initial Study No. 7359;

- Adopting a resolution approving General Plan Amendment No. 552 to re-designate the subject 4.15 acres from Rural Density Residential to Limited Industrial as the second General Plan Cycle of 2018; and,
- Approve the Ordinance pertaining to Amendment Application No. 3825, rezoning the subject 4.15-acre site from the R-R(nb) to the M-1(c) Zone District, limited to animal hospital/shelter and associated uses.

The proposed Mitigated Negative Declaration prepared for Initial Study No. 7359 is included as Attachment D.

If your Board determines that the rezoning is not consistent with the General Plan, denial of the applications 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 - D
On file with Clerk - Resolution
Ordinance
On file with Clerk - Ordinance Summary

CAO ANALYST:

Sonia M. De La Rosa