



REPORT TO THE CITY COUNCIL

July 31, 2007

AGENDA ITEM NO.
COUNCIL MEETING 7-31-07

FROM: NICK P. YOVINO, Director
Planning and Development Department

DEPARTMENT DIRECTOR

BY: GILBERT J. HARO, Planning Manager
Planning Division

CITY MANAGER

SUBJECT: CONSIDER CITY COUNCIL INITIATION TO REZONE (PREZONE) FIVE PARCELS TOTALING 18.21 ACRES WITHIN THE CITY OF FRESNO SPHERE OF INFLUENCE.

BACKGROUND

The Planning and Development Department is requesting that the Council initiate rezoning (prezoning) on five parcels totaling 18.21 acres as required for the annexation of approximately 37.78 acres of property into the City of Fresno. In a continuing effort to create logical City boundaries and avoid the creation of islands and peninsulas, parcels that are not part of the entitled properties must be included in the annexations.

Recently, the Local Agency Formation Commission's (LAFCo's) policy was changed to require all parcels within annexation areas to be prezoned consistent with the 2025 Fresno General Plan and corresponding community plan prior to annexation. Previously, LAFCo had permitted properties that were determined to be fully developed to be exempt from prezoning. The requested prezoning is required on five properties to facilitate the annexation of approved Tentative Tract Map No. 5754, as identified in attached Exhibit A and the corresponding vicinity maps. The area to be prezoned is located at the southeast corner of West Whites Bridge and North Brawley Avenues.

Section 12-401-A-1 of the Fresno Municipal Code allows the City Council to initiate, by resolution, a rezone application to propose a change in the zoning on the subject properties thus making them consistent with the general plan and their respective community plans. Council initiation of a rezone request does not constitute support or denial of the rezoning request, but allows the process to begin an evaluation of the appropriateness of the proposed rezoning of the various parcels, prior to any public hearings before the Planning Commission and City Council. The proposed rezone application will be subject to CEQA review.

RECOMMENDATION

Staff recommends the City Council take the following action:

- 1. APPROVE the attached Council Resolution initiating a rezoning application on the parcels identified in Exhibit A and the corresponding vicinity maps.

Attachments: Council Resolution
Exhibit A- List of Parcels
Vicinity Maps

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, INITIATING REZONING ON FIVE PARCELS, TOTALING APPROXIMATELY 18.21 ACRES, WITHIN THE CITY OF FRESNO SPHERE OF INFLUENCE.

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Fresno General Plan, which correspondingly updated adopted the Community Plans, and by Resolution No. 2002-378 certified Master Environmental Impact Report No. 10130, which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and extended sphere of influence; and,

WHEREAS, Section 12-401-A-1 of the Fresno Municipal Code allows the City Council to initiate, by resolution, a rezone application to consider a change of zoning on properties thus making them consistent with the general plan and their respective community plan; and

WHEREAS, the Local Agency Formation Commission (LAFCo) requires all affected properties to be rezoned as a condition of annexation.

WHEREAS, on July 31, 2007, the City of Fresno Planning and Development Department requested the City Council to initiate, by resolution, a rezone application on five parcels, as identified on Exhibit A and as depicted on the corresponding vicinity maps, totaling 18.21 acres, located within the City of Fresno Sphere of Influence, to rezone the parcels consistent with the 2025 Fresno General Plan and respective community plan land use designations; and,

WHEREAS, the proposed rezoning of properties is consistent with various objectives and policies of the 2025 Fresno General Plan.

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Fresno does ordain as follows:

1. The Council hereby initiates a rezoning application on five parcels, encompassing 18.21 acres within the City of Fresno Sphere of Influence, as identified on Exhibit "A" and the corresponding attached vicinity maps.
2. The Council hereby directs the Planning and Development Department to take all necessary steps, follow all necessary procedures and prepare all necessary documents, including CEQA documentation, reports and findings to rezone the parcels.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the _____ day of _____, 2007.

AYES:
NOES:
ABSENT:
ABSTAIN:

REBECCA E. KLISCH
City Clerk

By _____

APPROVED AS TO FORM

JAMES C. SANCHEZ
City Attorney

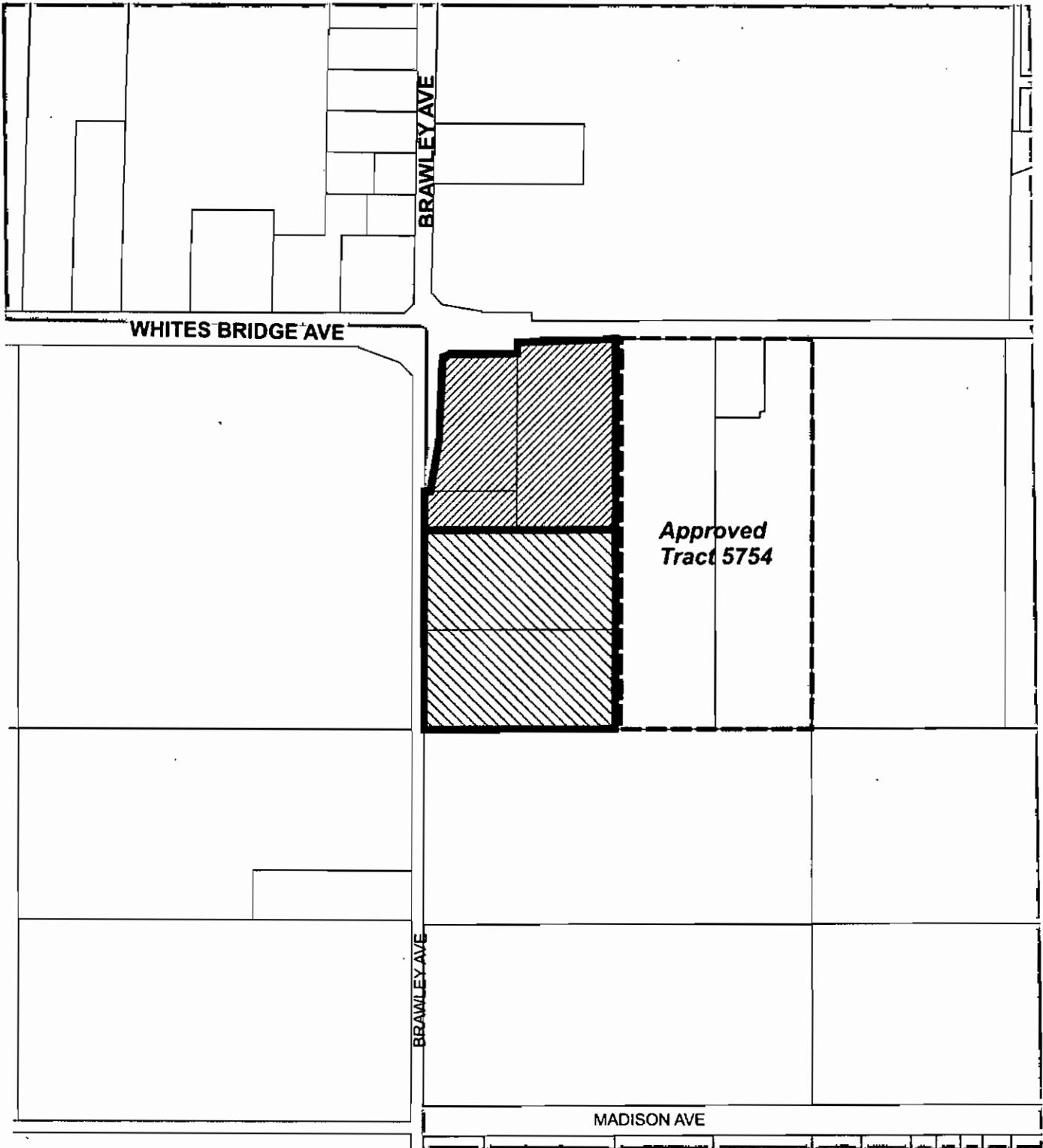
By 
John Fox, Deputy City Attorney
7/18/2007

Initiation of Rezoning
Filed by City of Fresno
APN Nos. (see attached Exhibit A)

Exhibit A

Title	APN	Owner	Property Address	Acres	Rezone	
					From	To
Whites Bridge - Brawley -No. 2 Annexation/ Reorganization	326-100-66	Konrad & Patty Nishikawa	No Address Assigned	2.79	AE-20 (county)	R-2/UGM
	326-100-50	Frank & Amy Nishikawa	92 S. Brawley Ave.	0.93	AE-20 (county)	R-2/UGM
	326-100-60S	Melvin & Louise Deaile	3741 W. Whites Bridge Ave.	4.75	AE-20 (county)	R-2/UGM
	326-100-40S	Maria Arias	166 S. Brawley	4.87	AE-20 (county)	R-1/UGM
	326-100-04S	Vart & Ruby Harry	114 S. Brawley Ave.	4.87	AE-20 (county)	R-1/UGM

Total Acreage = 18.21



LEGEND



From AE-20 (county)
To R-2/UGM



From AE-20 (county)
To R-1/UGM



U.G.M. Area

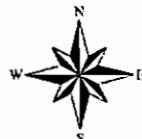
VICINITY MAP

WHITES BRIDGE - BRAWLEY NO. 2
ANNEXATION / REORGANIZATION

From AE-20 (county) to R-2/UGM
From AE-20 (county) to R-1/UGM

Southeast Corner of W. Whites Bridge and S. Brawley Aves.

**PLANNING & DEVELOPMENT
DEPARTMENT**



NOT TO SCALE

A.P.N.: 326-100-04S.40S.60S.50.66

ZONE MAP: 2446

BY/DATE: D.N. / 7-17-07

Annexation Rezone Location

