



REPORT TO THE CITY COUNCIL

AGENDA ITEM NO.
COUNCIL MEETING 2-5-08

February 5, 2008

APPROVED BY

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 FOR REZONING OF EIGHT PARCELS
TOTALING APPROXIMATELY 33.12 ACRES LOCATED ON THE NORTHEAST
AND SOUTHEAST CORNERS OF EAST CHURCH AVENUE AND SOUTH
FOWLER AVENUE.

BACKGROUND

The Planning and Development Department is requesting that the Council consider initiation of rezoning on eight parcels totaling approximately 33.12 acres as required for the annexation of approximately 54.47 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.

The Local Agency Formation Commission's (LAFCo's) policy was changed to require all parcels within annexation areas to be rezoned 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 rezoning. The requested rezoning is required on eight parcels totaling 33.12 acres to facilitate the annexation of approximately 21.35 additional acres identified in attached Exhibit A and on the corresponding vicinity map.

Tentative Tract No. 5552 (95 lots) has been approved on 21.35 acres located south of the subject properties. The area to be rezoned is located on the northeast and southeast corners of East Church and South Fowler Avenues. The rezoning of the eight parcels is required for the completion and ultimate recording of this annexation.

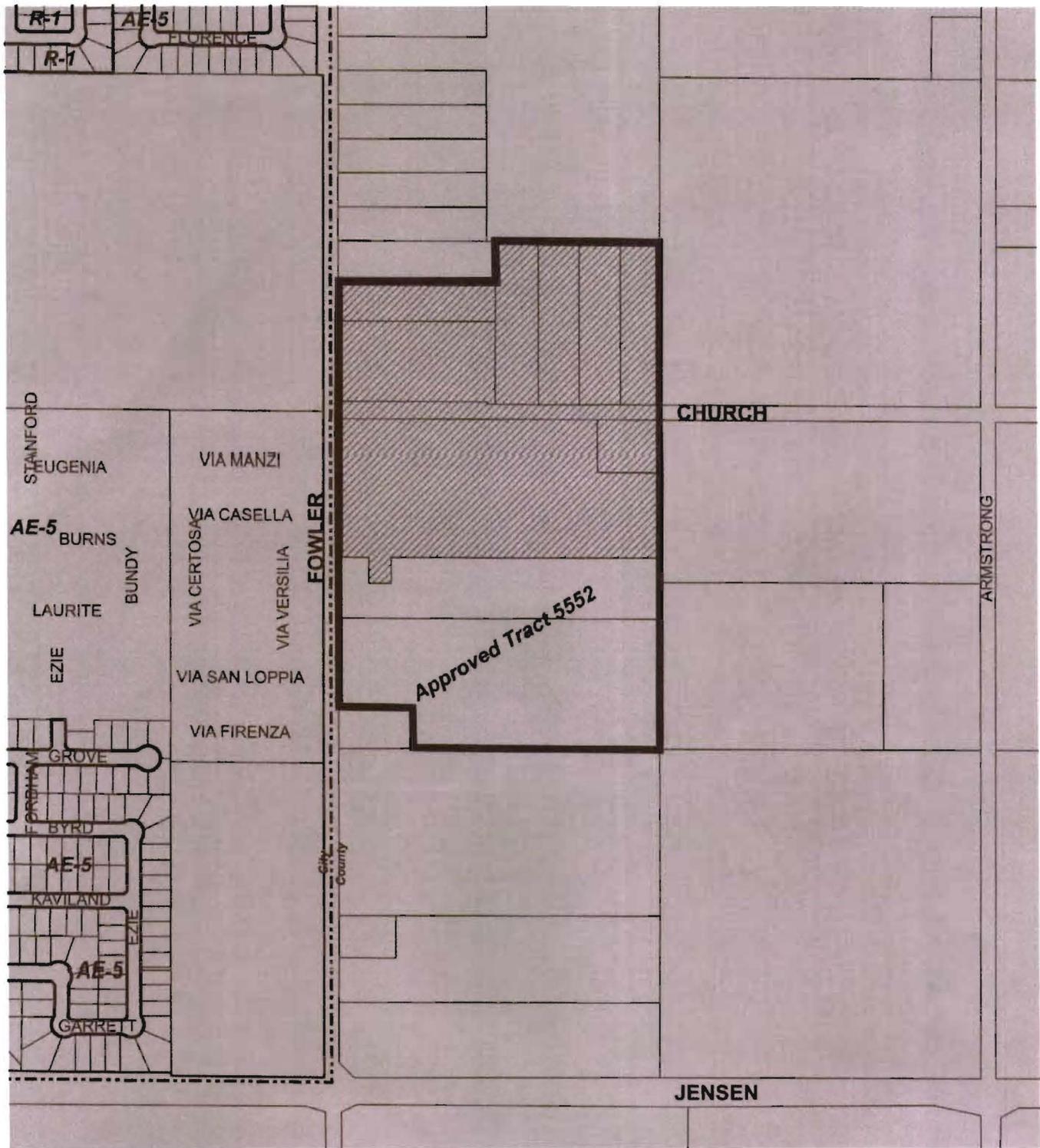
Section 12-401-A-1 of the Fresno Municipal Code allows the City Council to initiate, by resolution, a rezone application to propose a change in zoning on properties thus making them consistent with the general plan and their respective community plans. Council initiation of a rezone request does not 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 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 eight parcels identified in Exhibit A and the corresponding vicinity map.

Attachments: Vicinity Map
Exhibit A - Rezone Parcels
Council Resolution



LEGEND



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



U.G.M. Area

VICINITY MAP

CHURCH - FOWLER NO. 2
REORGANIZATION

Northeast and Southeast Corners of Church and Fowler Aves.

**PLANNING & DEVELOPMENT
DEPARTMENT**



NOT TO SCALE

A.P.N.: 316-160-52, 53, 66, 67, 68, 69
316-022-26U, 27S, 28S, 30S

ZONE MAP: 2556, 2656

BY/DATE: D.N. / 1-07-08

Exhibit A

APN	Property Address	Owner	Acres	Zoning	
				From	To
316-160-52	6062 E. Church Ave.	Margaret Conkle	4.64	AL-20 (county)	R-1/UGM
316-160-53	None Assigned	Margaret Conkle	2.32	AL-20 (county)	R-1/UGM
316-160-66	6136 E. Church Ave.	Andre Howell	2.58	AL-20 (county)	R-1/UGM
316-160-67	6164 E. Church Ave.	Jamie & Patricia Castro	2.46	AL-20 (county)	R-1/UGM
316-160-68	6194 E. Church Ave.	Geraldo & Beatrice Prieto	2.46	AL-20 (county)	R-1/UGM
316-160-69	6222 E. Church Ave.	Dennis & Connie Young	2.36	AL-20 (county)	R-1/UGM
316-022-26U	PG&E (135-10-40-1)	Pacific Gas & Electric Co.	1.20	AL-20 (county)	R-1/UGM
316-022-27S	1600 S. Fowler Ave.	Agnes Kaprielian	15.74	AL-20 (county)	R-1/UGM

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA,
INITIATING REZONING ON EIGHT PARCELS, TOTALING APPROXIMATELY
33.12 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 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 February 5, 2008, the City of Fresno Planning and Development Department requested the City Council to initiate, by resolution, a rezone application on eight parcels, as identified on Exhibit A and as depicted on the corresponding vicinity map, totaling approximately 33.12 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 designation; and,

WHEREAS, the proposed rezoning of the 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 eight parcels, encompassing approximately 33.12 acres within the City of Fresno Sphere of Influence, as identified on Exhibit A and the corresponding attached vicinity map.
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 _____, 2008.

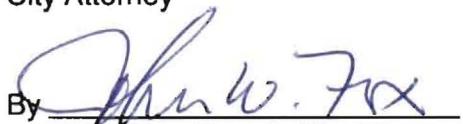
AYES:
NOES:
ABSENT:
ABSTAIN:

REBECCA E. KLISCH
City Clerk

By _____

APPROVED AS TO FORM

JAMES C. SANCHEZ
City Attorney

By 
John Fox, Deputy City Attorney
1/30/2008

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