



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 ONE PARCEL
TOTALING APPROXIMATELY 1.34 ACRES LOCATED ON THE WEST SIDE OF
SOUTH CLOVIS AVENUE BETWEEN EAST JENSEN AND EAST CHURCH
AVENUES.

BACKGROUND

The Planning and Development Department is requesting that the Council consider initiation of rezoning on one parcel totaling approximately 1.34 acres as required for the annexation of approximately 30.05 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 one 1.34 acre property to facilitate the annexation of approximately 29.16 additional acres identified in attached Exhibit A and the corresponding vicinity map.

Conditional Use Permit Application Nos. C-04-341 and C-07-119 have been approved on 29.16 acres to the south of the subject property to allow for the development of a self-storage facility and shopping center, respectively. The parcel to be rezoned is generally located on the west side of South Clovis Avenue between East Jensen and East Church Avenues. The rezoning of the parcel is required for the completion and ultimate recording of this annexation.

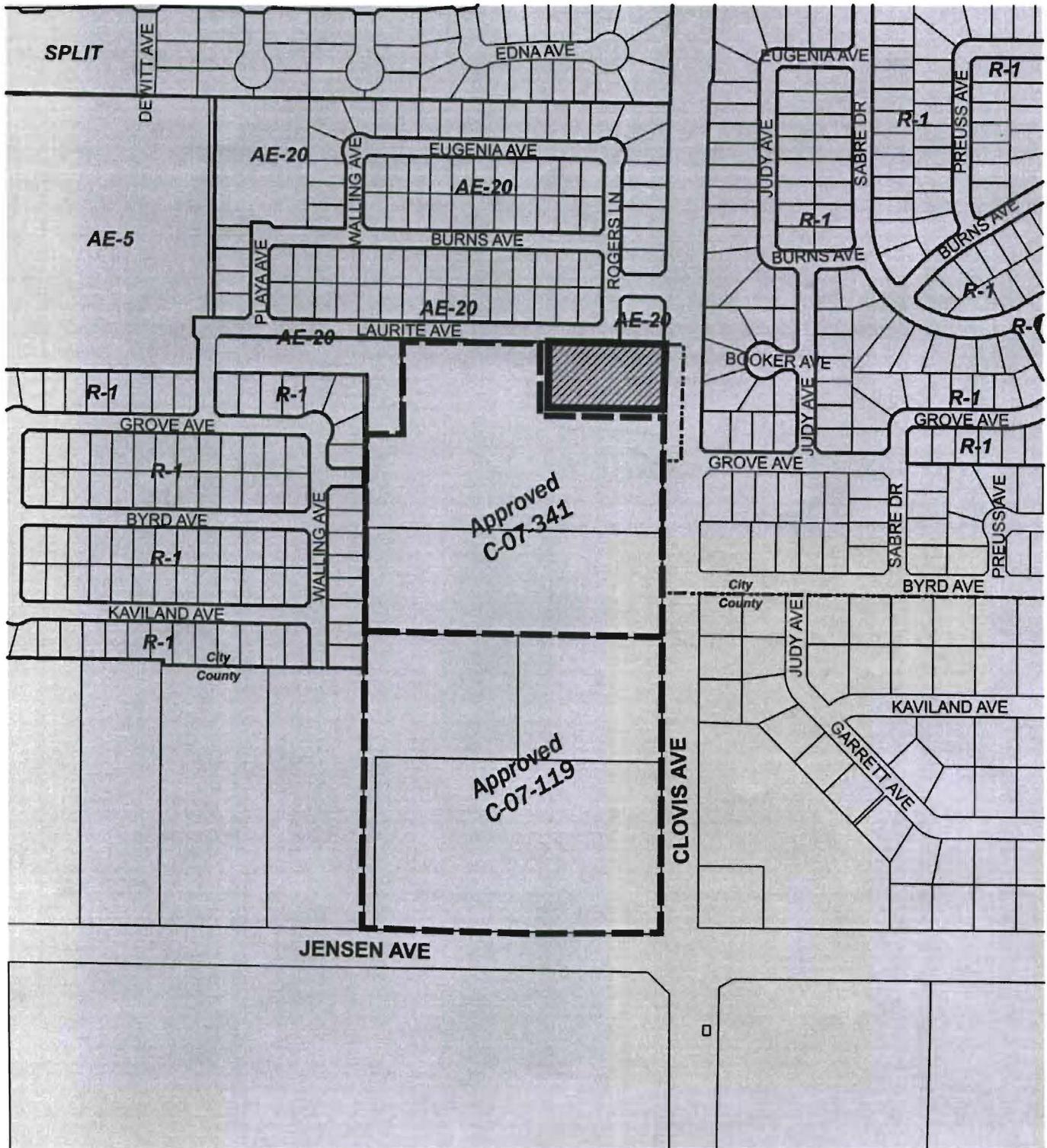
Section 12-401-A-1 of the Fresno Municipal Code allows the City Council to initiate, by resolution, a rezone application to propose a change in the zoning on properties thus making them consistent with the general plan and respective community plans. Council initiation of a rezone does not constitute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

Attachments: Vicinity Map
Exhibit A - Rezone Parcel
Council Resolution



LEGEND



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

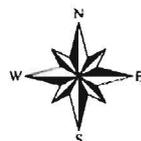


U.G.M. Area

VICINITY MAP

JENSEN - CLOVIS NO. 4
REORGANIZATION

Northwest corner, Jensen and Clovis Aves.



NOT TO SCALE

**PLANNING & DEVELOPMENT
DEPARTMENT**

A.P.N.: 481-100-07

ZONE MAP: 2655

BY/DATE: D.N. / 1-24-07

Exhibit A

APN	Property Address	Owner Address	Owner	Acres	Zoning	
					From	To
481-10-07	4260 S. Clovis Ave., 93727	3159 Kirk Drive, Merced, 95340	Lek & Tsong Lee	1.34	AE-20 (county)	R-1/UGM

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA,
INITIATING REZONING ON ONE PARCEL, TOTALING APPROXIMATELY 1.34
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 one parcel, as identified on Exhibit A and as depicted on the corresponding vicinity map, totaling approximately 1.34 acres, located within the City of Fresno Sphere of Influence, to rezone the parcel consistent with the 2025 Fresno General Plan and respective community plan land use designation; and,

WHEREAS, the proposed rezoning of the property 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 one parcel, encompassing approximately 1.34 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 parcel.

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.

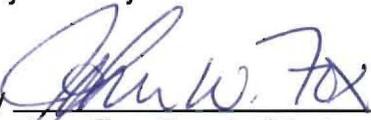
AYES:
NOES:
ABSENT:
ABSTAIN:

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 No. (see attached Exhibit A)