

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Draft

Wednesday, June 15, 2022

6:00 PM

Regular Meeting

**In person / Electronic
City Hall Council Chambers**

Planning Commission

Chairperson – Peter Vang

Vice Chair – Brad Hardie

Commissioner – David Criner

Commissioner – Haley M Wagner

Commissioner – Kathy Bray

Commissioner – Monica Diaz

Commissioner – Robert Fuentes

PUBLIC ADVISORY

THE CITY COUNCIL CHAMBERS AND CITY HALL WILL BE OPEN TO THE PUBLIC AT LIMITED CAPACITY

THE PLANNING COMMISSION WELCOMES YOU TO COUNCIL CHAMBERS, LOCATED AT CITY HALL, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.

The meeting can also be viewed live at 6:00 P.M. on Comcast Channel 96 and AT&T channel 99.

Members of the public are encouraged to participate electronically because of reduced capacity of seating in the Chambers to allow for social distancing. Masks will be required for the vaccinated and unvaccinated.

Pursuant to the Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Commission meeting, please contact the City Clerk's Office, 559-621-7650 within 48 hours of the meeting.

PUBLIC COMMENT:

The following options are available for members of the public who want to address Planning Commission:

1. eComment at <https://fresno.legistar.com/Calendar.aspx>.

a) eComments is a tool for citizens to use to make comments on agenda items. It will be closed at the start of the meeting and will be a part of the official record. The User Agreement and Procedures document for eComment can be accessed by the URL <https://www.fresno.gov/cityclerk/>

b) eComments will be a maximum of 450 words.

OR

2. You are invited to a Zoom webinar.

a) If you would like to speak on an agenda item, you can access the meeting remotely from a PC, Mac, iPad, iPhone, or Android device:

Please use this URL <https://zoom.us/j/98135780878>

b) Those addressing Commission must state their name for the record.

OR

3. Join by phone: 1-669-900-9128

Webinar ID: 981 3578 0878

a) Those addressing the Commission must state their name and address for the record.

4. Email to: PublicCommentsPlanning@fresno.gov

a) Attendees may also email comments to be read during the meeting. Please include the agenda date and item number you wish to speak on in the subject line of your email. Include your name, and address for the record, at the top of the body of your email.

b) Emails will be a maximum of 450 words.

c) All comments received will be distributed to the Planning Commission prior and during the meeting and will be a part of the official record.

d) Notwithstanding subsection c) above, unless otherwise required by law to be accepted by the City at or prior to a Commission meeting or hearing, no documents shall be accepted for Commission review unless they are submitted to the Planning and Development Department at least 24 hours prior to the commencement of the Commission meeting at which the associated agenda item is to be heard.

All participants will be on mute until they are called upon at which point they will be unmuted. To prevent participants from having their video on, we will remove the option to show their video.

Pursuant to the Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Planning Commission meeting, please contact the Planning Division, 559-621-8277 within 48 hours of the meeting.

The City of Fresno thanks you in advance for taking all precautions to prevent spreading COVID-19 virus.

I. ROLL CALL

STAFF: Clark, Wilson, Pagoulatos, Aponte, Trejo, Monroe, A. Salazar (Planning and Development) Badhesha (City Attorney's Office) Benelli (Public Works) K. Gray (Public Utilities).

Present 7 - Chair Peter Vang, Vice Chair Brad Hardie, Commissioner David Criner, Commissioner Haley M. Wagner, Commissioner Kathy Bray, Commissioner Monica Diaz, and Commissioner Robert Fuentes

II. PLEDGE OF ALLEGIANCE

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

IV. AGENDA APPROVAL

There were no changes to the Agenda.

On motion of Commissioner Diaz, seconded by Commissioner Bray, that the above AGENDA was APPROVED. The motion carried by the following vote:

Aye: 7 - Chair Vang, Vice Chair Hardie, Commissioner Criner, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

V. CONSENT CALENDAR

On motion of Commissioner Fuentes, seconded by Commissioner Criner, the CONSENT CALENDAR was APPROVED. The motion carried by the following vote:

Aye: 7 - Chair Vang, Vice Chair Hardie, Commissioner Criner, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

V-A [ID 22-998](#) June 1, 2022 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

Director Clark did not have any changes to recommend but reminded the

Commission items VII-B (22-1004) and VIII-A (22-926) will be continued as noted on the agenda.

Wagner wished everyone a happy Pride Month and acknowledged the upcoming Federal holiday Juneteenth.

She also wanted to thank all of her fellow commissioners for the hard work and professionalism that they've been showing.

VII. CONTINUED MATTERS

VII-A [ID 22-1003](#)

Consideration of Text Amendment Application No. P21-05809 and related Environmental Finding for Environmental Assessment No. P21-05809, amending Section 15-2010 of the Fresno Municipal Code, relating to the Zone Districts where Electrified Fences are permitted.

1. **RECOMMEND DENIAL OR ADOPTION** (to the City Council), of a finding set forth in Environmental Assessment No. P21-05809 dated April 20, 2022, that Text Amendment Application No. P21-05809 is exempt from the California Environmental Quality Act (CEQA) pursuant to the Commonsense Exemption that it can be seen with certainty that there is no possibility that the proposed text amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).
2. **RECOMMEND DENIAL, APPROVAL, OR APPROVAL WITH CONDITIONS** (to the City Council) of Text Amendment Application No. P21-05809, to amend Section 15-2010 of the Fresno Municipal Code, relating to the to the Zone Districts where Electrified Fences are permitted.

RECOMMENDATION

Staff has no recommendation for the Planning Commission related to the proposed text amendment and related environmental findings, however a consistency analysis was prepared for the Planning Commission's use in making its recommendation. Upon consideration of the information provided in this staff report, staff presents the Planning Commission with three options for consideration and action within the Conclusion section of this report.

(This item was continued from June 1, 2022)

Long Range Planning Manager, Sophia Pagoulatos, presented the item .

Chair Vang inquired about single family homes being included with the expansion of electric fences.

Pagoulatos answered Commissioner questions and Director Clark read the recommendations of the Districts.

Keith Kaneko, co-applicant, gave a presentation.

Public comment: (4) spoke in favor, (2) opposed-speaking of potential injury and concern for children.

Applicant's Rebuttal: Kaneko explained the fence system is low voltage and system is not intended to be used during business hours.

Commissioner Fuentes asked about the current percentage of land the City of Fresno allows electrical fencing.

At 7:32 p.m. Chair Vang announced the Commission would take a (5) minute break, returning at 7:38 p.m. to determine the answer to Fuentes' question.

Commissioner Bray made a motion to make the findings as provided by the applicant, but approve with the condition that the first fence be 18 inches in between the initial fence and the electrical fence. Motion was seconded by Diaz, yet failed due to lack of votes.

On motion of Commissioner Bray, seconded by Commissioner Diaz, that the above Action Item be RECOMMENDED FOR APPROVAL. The motion FAILED by the following vote:

Aye: 2 - Commissioner Bray, and Commissioner Diaz

No: 5 - Chair Vang, Vice Chair Hardie, Commissioner Criner ,
Commissioner Wagner, and Commissioner Fuentes

Chair Vang made a motion to recommend approval according to the findings presented by the applicant, with the conditions to have 18 inches in between the initial fence and the electrical fence. In addition, Vang's motion excluded Mixed Use, Public, and Institutional districts and included that the

electric fences will be 500 feet away from sensitive sites, such as schools and childcare.

On motion of Chair Vang, seconded by Vice Chair Hardie, that the above Action Item be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:

Aye: 6 - Chair Vang, Vice Chair Hardie, Commissioner Criner ,
Commissioner Wagner, Commissioner Bray, and
Commissioner Diaz

No: 1 - Commissioner Fuentes

VII-B [ID 22-1004](#) CONTINUED TO JULY 6, 2022

Consideration of Rezone Application No. P22-00451, pertaining to ±5.57 acres of property located on the southwest corner of West Bullard Avenue and North Del Mar Avenue (Council District 4) - Planning & Development Department.

1. **Environmental Assessment No. P22-00451**, dated May 18, 2022, a determination that the proposed project is in compliance with Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the California Environmental Quality Act; and
2. **Rezone Application No. P22-00451:** Proposes to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the PI/cz (Public and Institutional/with conditions of zoning) zone district to the PI/cz (Public and Institutional/with conditions of zoning) zone district in order to modify the conditions of zoning tied to the ±5.57 acres of property located at 255 West Bullard Avenue.

Item ID 22-1004 CONTINUED TO JULY 6, 2022

VIII. NEW MATTERS

VIII-A [ID 22-926](#) CONTINUED TO JULY 6, 2022

Consideration of Vesting Tentative Tract Map No. 6410; and related Environmental Assessment No. T-6410 for approximately 11.23 acres of property located on the north side of East Church Avenue, east of South Peach Avenue (Council District 5).

1. **ADOPT** the Mitigated Negative Declaration prepared for Environmental Assessment No. P22-00958/T-6410 dated May 20, 2022, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.

2. **APPROVE** Planned Development Permit Application No. P22-00958, proposing to allow for a density transfer and the entirety of the proposed subdivision to be developed consistent to the RS -5 zone district development standards.

3. **APPROVE** Vesting Tentative Tract Map No. 6410, proposing to subdivide approximately 11.23 acres of the subject property into a 73-lot single-family residential development subject to compliance with the Conditions of Approval dated June 15, 2022.

Item ID 22-926 CONTINUED TO JULY 6, 2022

IX. REPORT BY SECRETARY

Director Clark announced training will potentially resume on July 20th, 2022.

X. SCHEDULED ORAL COMMUNICATIONS

NA

XI. UNSCHEDULED ORAL COMMUNICATIONS

N/A

XII. ADJOURNMENT

Meeting adjourned at 7:52 p.m.