

CONSIDERATION OF:
PRE-ZONE APPLICATION No. R-17-019 AND RELATED ADOPTION ENVIRONMENTAL ASSESSMENT No. R-17-019

*City Council Hearing
November 15, 2018*

Project Summary

- **Pre-zone Application No. R-17-019**
 - filed by Jeffrey Roberts on behalf of Assemi and Sons, Inc.
 - pertains to ± 39.3 acres of property located on the north and south side of West Clinton Avenue between North Hayes and North Polk Avenues in the unincorporated portion of the City's Sphere of Influence Boundary
- Requests that the property be pre-zoned to
 - RS-5/UGM (*Residential, Single Family, Medium Density/Urban Growth Management*)
 - RS-4/UGM (*Residential, Single Family, Medium-Low Density/Urban Growth Management*) zone district
- Applicant intends to
 - develop the two previously approved tract maps (138 single family units)

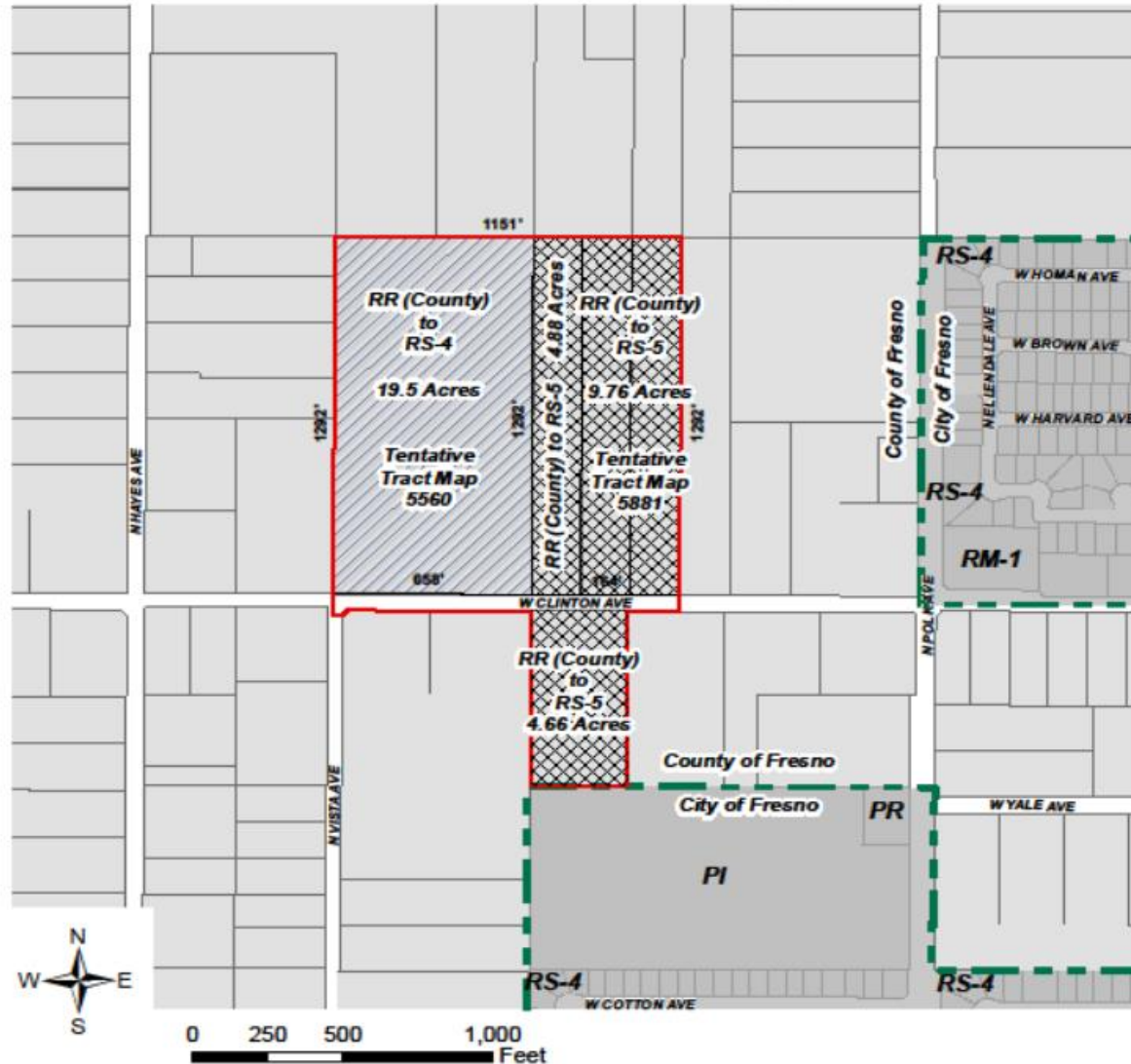


Pre-zoning Territory

- Applicant submitted request to pre-zone ± 39.3 acres.
- A pre-zoning is required in order to annex property into the City of Fresno so that when annexed, it has a City zoning designation
- In order to pre-zone a property, the City must find all of the following to be true:
 - Change is consistent with the General Plan goals and policies, any operative plan, or adopted policy;
 - The change is consistent with the purpose of the Development Code to promote the growth of the city in an orderly and sustainable manner and to promote and protect the public health, safety, peace, comfort, and general welfare;
 - The change is necessary to achieve the balance of land uses desired by the City and to provide sites for needed housing or employment-generating uses, consistent with the General Plan, any applicable operative plan, or adopted policy; and to increase the inventory of land within a given zoning district to meet market demand.

EXHIBIT E - PRE-ZONING (Requested)

Detachment from North Central Fire Protection District and King River Conservation District.



Growth Area 2 and Water Needs

- A portion of site south of W. Clinton Avenue is located in Growth Area 2 (GA2).
- Pursuant to an agreement between the City of Fresno and the Fresno Irrigation District, projects proposed in Growth Area 2 must secure a “permanent surface water allotment” to serve the property and properties must relinquish groundwater rights to the Fresno Irrigation District.
- The applicant has not secured a surface water allotment

CEQA Requirements

- CEQA requires that all impacts that could result from a project be analyzed.
- This includes the potential development that could occur if a property is ultimately developed with the density allowed under the zoning being requested.
- In this case, the proposed zoning of the property in GA2 would allow up to 55 Units.
- CEQA requires that it be determined whether or not a project has “sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed”.

CEQA Requirements

- Applicant provided a “Water Demand Analysis Data” work sheet for the existing single-family home rather than full extent of development that could occur on the 4.66 acres
- Upon further request, applicant provided additional info. that estimated water use for up to 24 dwelling units, but did not include substantial evidence to support this conclusion.
- A Water Analysis for full development potential of property in GA2 was not submitted.
- Therefore, staff could not analyze water impacts for the property in GA2 and the CEQA review for GA2 is incomplete
- DARM only supports the pre-zone of the $\pm$ 35.75 acres of property which is located in Growth Area 1.

EXHIBIT F - SEQUENCE OF DEVELOPMENT

Detachment from North Central Fire Protection District and King River Conservation District.

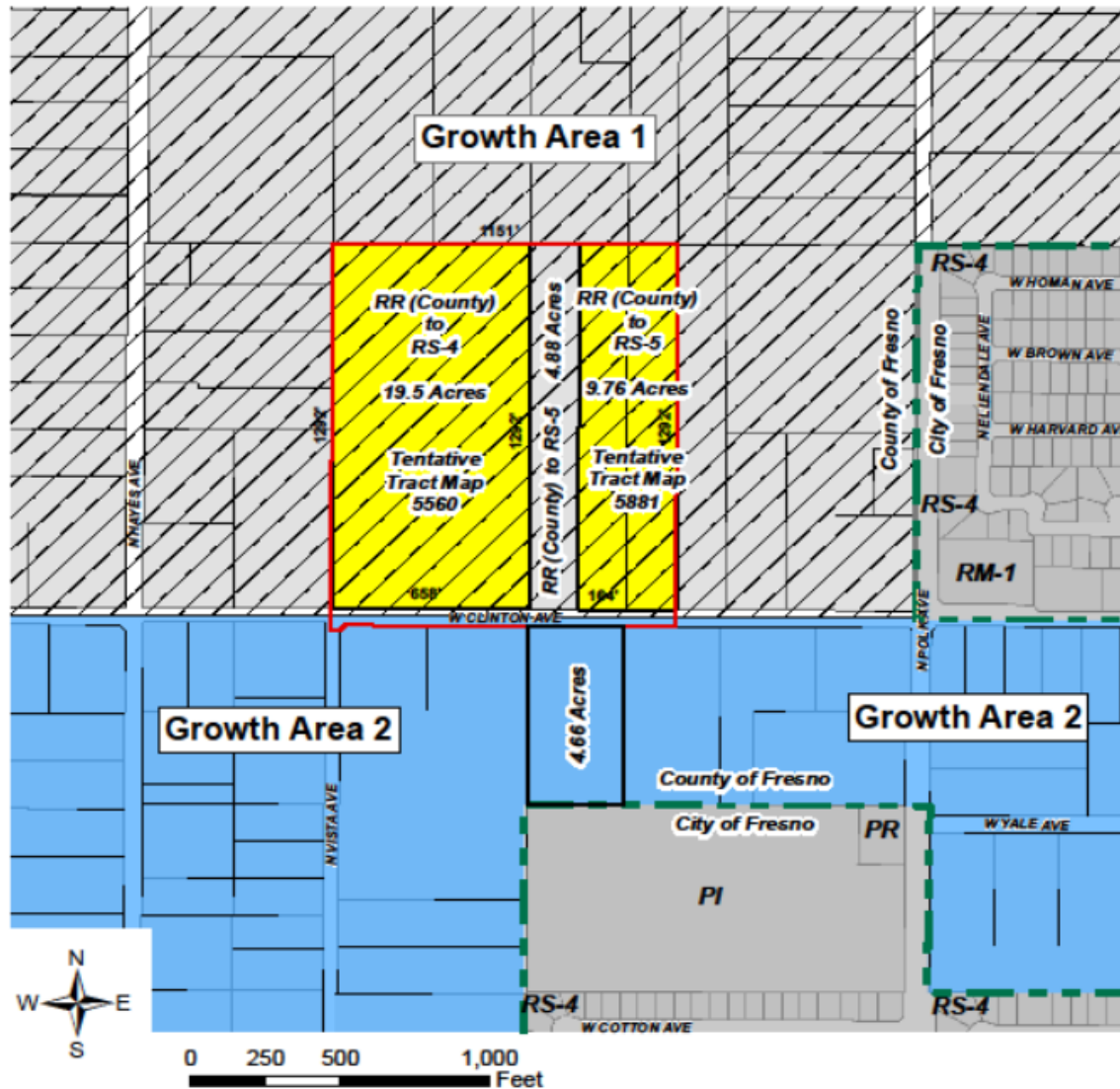
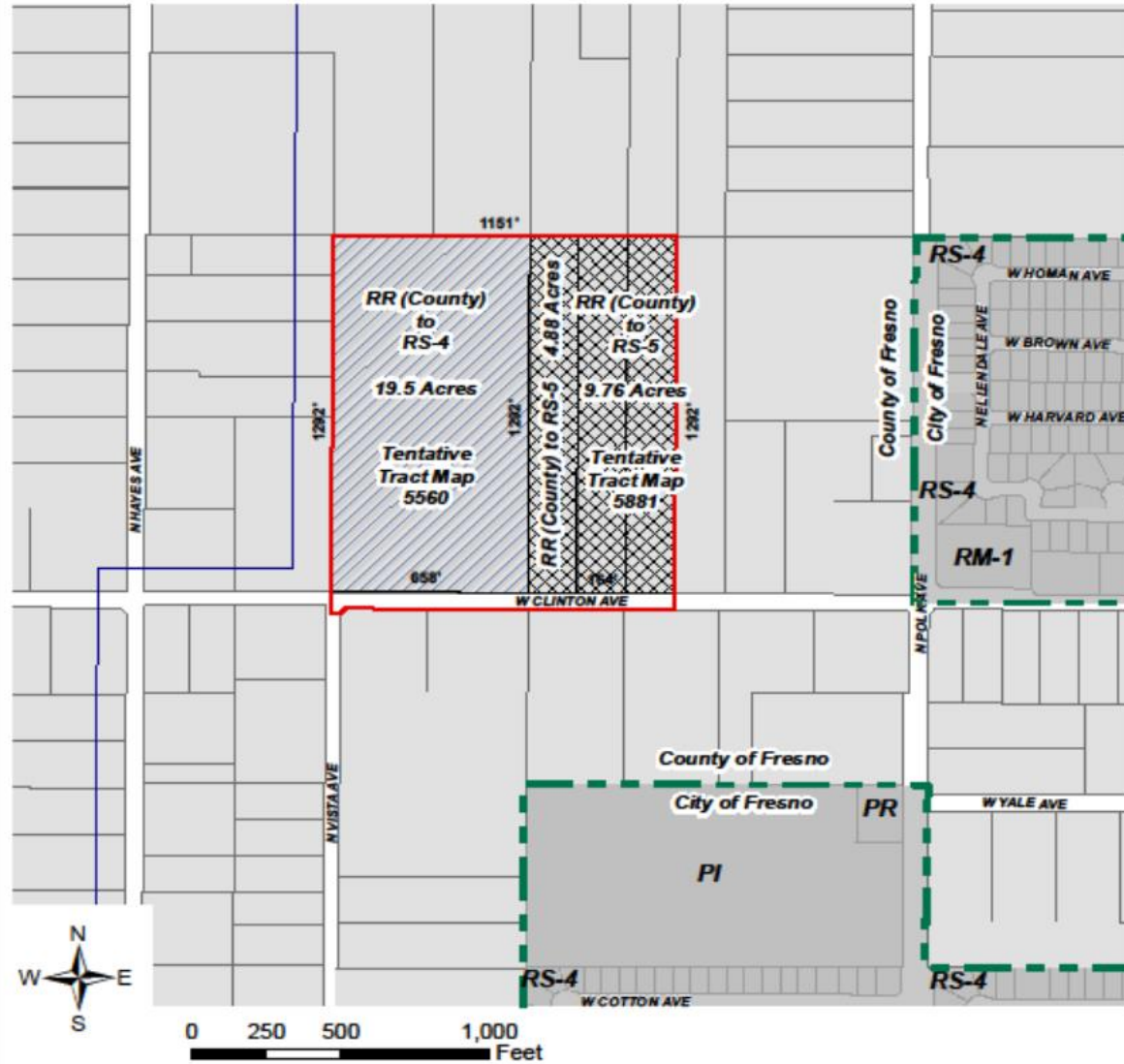


EXHIBIT E1 - PRE-ZONING (Recommended)

Detachment from North Central Fire Protection District and King River Conservation District.



Pre-zone Findings (south of Clinton)

The change is consistent with the General Plan (GP) goals and policies, any operative plan, or adopted policy;

- Finding A: The change is not consistent with the GP Policy LU-1-c , “Provision of Public Facilities and Services” which calls for the promotion of orderly land use development in pace with public facilities and services needed to serve development.”
- As mentioned before, the City currently does not own the water rights needed to serve the proposed pre-zone of the property south of Clinton.

Recommendation

- Staff recommends approval of Environmental Assessment No. R-17-019
- Staff recommends approval of a portion of Pre-zone Application No. R-17-019
 - north of W. Clinton (APNs:312-061-15,16,17,18)
- Staff recommends denial of a portion of Pre-zone Application No. R-17-019
 - south of W. Clinton (APN: 312-092-32)

