



Legislation Details (With Text)

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**File created:** 7/15/2015    **In control:** City Council  
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**Title:** HEARING to Consider Rezone Application No. R-15-006 and Initiation of "California-Armstrong No. 2 Reorganization" (Council District 5)  
a. Adopt a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report as Environmental Assessment No. R-15-006/T-6095, dated May 29, 2015  
b. BILL - (For introduction and adoption) - Approving Rezone Application No. R-15-006 proposing to amend the Official Zone Map and prezone an approximately 19.6 acre subject site located on the east side of S. Armstrong Avenue, between E. California and E. Church Avenues from the AL-20 (Limited 20-Acre Agricultural [Fresno County]) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district  
c. RESOLUTION - Applying to the Fresno Local Agency Formation Commission for the detachment of an approximately 19.6 acre subject site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno for the proposed California-Armstrong No. 2 Reorganization

**Sponsors:** Planning and Development Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit B Aerial Photo.pdf, 2. Exhibit C Public Hearing Notice Map.pdf, 3. Exhibit D GP Land Use Map.pdf, 4. Exhibit E Proposed Zoning.pdf, 5. Exhibit F City of Fresno Annexation Boundary Map.pdf, 6. Exhibit G EA.pdf, 7. Ex A - Vicinity Map R-15-006.pdf, 8. CC Ordinance Bill for Rezone R-15-006.pdf, 9. CC Reso for Initiation of CA-Armstron No. 2 Reorganizatin.pdf, 10. R-15-006 PC Resolution No. 13331 (signed).pdf

Date	Ver.	Action By	Action	Result
7/30/2015	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**July 30, 2015**

**FROM:** JENNIFER K. CLARK, Director  
Development and Resource Management Department

**THROUGH:** MIKE SANCHEZ, Assistant Director  
Development Services Division

BONIQUE EMERSON, Planning Manager  
Development Services Division

**BY:** PHILLIP SIEGRIST, Planner

Development Services Division

**SUBJECT**

HEARING to Consider Rezone Application No. R-15-006 and Initiation of “California-Armstrong No. 2 Reorganization” (Council District 5)

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- c. RESOLUTION - Applying to the Fresno Local Agency Formation Commission for the detachment of an approximately 19.6 acre subject site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno for the proposed California-Armstrong No. 2 Reorganization

**RECOMMENDATION**

Staff recommends that the City Council take the following actions:

- 1. Adopt a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report as Environmental Assessment No. No. R-15-006/T-6095, dated May 29, 2015.
- 2. ADOPT BILL approving Rezone Application No. R-15-006 proposing to amend the Official Zone Map and prezone an approximately 19.6 acre subject site located on the east side of South Armstrong Avenue, between East California and East Church Avenues from the AL-20 (*Limited 20-Acre Agricultural [Fresno County]*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
- 3. ADOPT RESOLUTION applying to the Fresno Local Agency Formation Commission for the detachment of an approximately 19.6 acre subject site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno for the proposed California-Armstrong No. 2 Reorganization.

**EXECUTIVE SUMMARY**

Jeff Callaway of IBA Engineering and Surveying, on behalf of Lennar Homes of California, has filed Rezone Application No. R-15-006 pertaining to approximately 19.6 acres of property located on the east side of South Armstrong Avenue, between East California and East Church Avenues.

Rezone Application No. R-15-006 proposes to prezone the entirety of the subject property from the AL-20 (*Agriculture Limited, 20 Acres - Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. The subject property is currently located within Fresno County. Therefore, the subject site is also proposed to be detached from the Fresno County Fire Protection District and Kings River Conservation District; these actions are under the jurisdiction of the Fresno Local Agency Formation Commission (LAFCO) and is referred to as the California-Armstrong No. 2 Reorganization.

The proposed rezoning and annexation of the site in accordance with Rezone Application No. R-15-006 and the California-Armstrong No. 2 Reorganization would bring the subject site into conformance with the planned land use designation of Medium-Low Density & Medium Density Residential.

## **BACKGROUND**

As mentioned above, Rezone Application No. R-15-006 proposes to amend the Official Zone Map and prezone an approximately 19.6 acre subject site located on the east side of South Armstrong Avenue, between East California and East Church Avenues from the AL-20 (*Limited 20-Acre Agricultural [Fresno County]*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. The subject site is also proposed to be detached from the Fresno County Fire Protection District and Kings River Conservation District; these actions are under the jurisdiction of the Fresno LAFCO and is referred to as the California-Armstrong No. 2 Reorganization.

LAFCO policy requires all property within an annexation area to be “pre-zoned”, consistent with the Fresno General Plan and corresponding community plan prior to annexation. City Council action to approve Rezone Application No. R-15-006 will effectively pre-zone the subject property as a prerequisite to the annexation process. Council action is also requested in order to authorize City staff to file an application with LAFCO to initiate the California-Armstrong No. 2 Reorganization and annex the subject site to the City of Fresno.

The annexation and rezoning of the subject site will facilitate the subdivision of approximately 19.6 acres of property into a conventional 93-lot single family residential development subdivision. The proposed development was reviewed by staff as Vesting Tentative Tract Map No. 6095/UGM.

The R-1 zone district allows development of single family residential homes at urban standards on lots not less than five thousand square feet in area, not more than one dwelling permitted on any lot. The proposed development is consistent with the planned land uses and zoning approved for the project site and also compatible with existing residences to the north.

### Land Use Plans and Policies

#### Fresno General Plan

The subject property is designated for both Medium-Low Density & Medium Density Residential planned land uses. Supporting policies LU-1-e and LU-1-g recommend that annexations to the City conform to the General Plan Land Use Designations and maintain the City’s current Sphere of Influence (SOI) Boundaries without additional expansion.

This project supports the above mentioned policies in that the annexation, density and intensity of the proposed development conform to General Plan Land Use designations and does not expand the current SOI Boundary. The proposed project and subject site are located within the area identified as Growth Area 1 depicted in Figure IM-2 of the General Plan

Furthermore, Objective LU-5 of the Fresno General Plan promotes a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities. Supporting policy LU-5-b encourages medium-low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas. Supporting policy LU-5-c recommends medium density residential uses to maximize efficient use of residential property

through a wide range of densities.

In conclusion, the proposed project is consistent with the Fresno General Plan. The proposed project promotes reinvestment within the City of Fresno sphere of influence and preserves and protects resources by taking advantage of existing infrastructure.

### Roosevelt Community Plan

The subject property is designated for both Medium-Low Density & Medium Density Residential planned land uses by the Roosevelt Community Plan. The goals of the Roosevelt Community Plan are directed to (1) Provide for the location, diversification, and functional relationship of land uses necessary to accommodate a projected population within the planning boundaries; (2) Provide for the efficient use of land and the public service delivery system while protecting established neighborhoods; (3) Plan for the diversity of residential types, densities and locations necessary to achieve the plan concept and accomplish the plan goals to provide for adequate housing opportunities, balanced urban growth, and efficient use of resources and public facilities; and, (4) Establish and maintain safe, attractive and stable residential neighborhoods with compatible relationships between housing types and densities.

1-1.1 Planned uses shall be implemented in accordance with the plan designations shown in the Roosevelt Community Plan land use map and corresponding zone districts as set forth in Article 4, Chapter 12, procedures Applicable to Zoning of the Fresno Municipal Code.

1-2.4 Moderately intensive urban development including low, medium-low, and medium density residential, limited office, and neighborhood commercial uses shall be distributed primarily outside of the high intensity areas identified within the Roosevelt Community Plan.

1-2.5 Continue to pursue the annexation to the City of Fresno of all developed and undeveloped property within the City's Sphere of Influence, (in accordance with applicable joint City/County agreements) subject to the ability to provide adequate public facilities and services without reducing the resources and services available to already incorporated areas.

1-6.2 Medium-low density residential uses shall be designated to preserve those single-family residential neighborhoods established with moderate to large sized lots, to provide a transition between low and medium density residential areas and to reduce conflicts between urban and non-urban uses as the predominant designation within the Community's growth area.

1-6.3 Medium density residential uses shall be designated for the established neighborhoods with smaller lot sizes and along appropriate transition areas. This designation shall also be applied to stabilize many neighborhoods which have experienced a piecemeal encroachment of multiple-family residential development but lack adequate streets and public facilities to support additional population increases.

1-6.6 Density transfers may be permitted in accordance with applicable Plan policies and the Municipal Code, such that the density transfer will not reduce the desirability of surrounding areas for the continued use or development of planned uses.

1-7.1 Apply the following design standards and guidelines to all development proposed within areas designated for low, medium-low, or medium -density residential use.

a. Arrange lot patterns and sizes to maintain compatibility with surrounding uses and improvements (either existing or planned), and to facilitate the development of adjacent parcels with similar lotting patterns.

### Public Notice and Input

In accordance with Section 12-402-B of the FMC, a notice of public hearing was mailed to surrounding property owners within 350 feet of the subject site. See attached Exhibit C (Noticing Map).

The District 5 Plan Implementation Committee recommended denial of the proposed application due to a lack of on-site open space on July 13, 2015 by a 5-1-1 vote.

Aggregate open space was not required for the proposed project due to the proximity of planned communal open space located within 1/8 of a mile at the southwest corner of Armstrong and Church Avenues.

### Fresno City Planning Commission Action

Rezone Application No. R-15-006 was considered by the Fresno City Planning Commission at its meeting on July 15, 2015. After a complete hearing, the Commission voted and recommended the City Council approve the rezone.

Staff is recommending the City Council approve the proposed rezoning of the subject property to R-1/UGM since the zoning is consistent with the medium-low density & medium density residential planned land use of the Fresno General Plan. The proposed development on the R-1 site will be for a conventional 93-lot single family residential development subdivision; therefore the impact of the development will be less than significant.

## **ENVIRONMENTAL FINDINGS**

The Development and Resource Management Department staff has prepared an Initial Study (See Attached "Appendix G To Analyze Subsequent Project Identified In MEIR No. SCH No. 2012111015/Initial Study") to evaluate the proposed applications in accordance with the land use and environmental policies and provisions of lead agency City of Fresno General Plan adopted by the Fresno City Council on December 18, 2014 and the related Master Environmental Impact Report (MEIR) SCH No. 2012111015. The proposed rezone will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted zoning and planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject site. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of the MEIR have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Guidelines Section 15177(b)(3).

Therefore, the project proposal has been determined to be within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to

MEIR SCH No. 2012111015 dated May 29, 2015. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified; and, that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

## **LOCAL PREFERENCE**

Local preference was not considered because this ordinance does not include a bid or award of a construction or service contract.

## **FISCAL IMPACT**

Affirmative action by the Council will result in timely deliverance of the review and processing of the application as is reasonably expected by the applicant. Prudent financial management is demonstrated by the expeditious completion of this land use application inasmuch as the applicant has paid to the city a fee for the processing of this application and that fee is, in turn, funding the respective operations of the Development and Resource Management Department.

### Attachments:

Exhibit A: Vicinity Map

Exhibit B: Aerial Photograph

Exhibit C: Public Hearing Noticing Map

Exhibit D: Fresno General Plan Land Use and Circulation Map

Exhibit E: Proposed Zoning Exhibit

Exhibit F: City of Fresno Annexation Boundary Map

Exhibit G: Environmental Assessment No. R-15-006/T-6095/UGM

Exhibit H: Planning Commission Resolution No. 13331

Exhibit I: City Council Ordinance Bill for Rezone Application No. R-15-006

Exhibit J: City Council Resolution for initiation of the California-Armstrong No. 2 Reorganization