



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

## Planning Commission Staff Report Agenda Item No. 2 January 11, 2018

**SUBJECT:** Initial Study Application No. 6986 and Unclassified Conditional Use Permit Application No. 3501

Allow a high-intensity park with related improvements for special events and meetings on an approximately 5.4-acre portion of a 20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject property is located at the northwest corner of W. Clinton and N. Madera Avenues approximately 2.3 miles north of the nearest city limits of the City of Kerman (2545 N. Madera Avenue, Kerman) (Sup. Dist. 4) (APN 015-410-03).

**OWNER/  
APPLICANT:** Alvaro Garcia

**STAFF CONTACT:** Ejaz Ahmad, Planner  
(559) 600-4204

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6986; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3501 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan/Floor Plan/Elevation
6. Project Description and Operational Statement
7. Summary of Initial Study Application No. 6986
8. Draft Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	20 acres	No change
Project Site	<ul style="list-style-type: none"> <li>• 16,641 square-foot gymnasium building</li> <li>• 1,430 and 1,690 square-foot single-family residences</li> <li>• 2,440 square-foot pollen room (frame shop building)</li> <li>• 5,360 square-foot shop (steel garage) to store agricultural material</li> <li>• 7,742 square-foot agricultural equipment repair and storage shop (machine shop)</li> <li>• 936 square-foot portable trailer (modular classroom)</li> <li>• 64 and 108 square-foot bathrooms</li> <li>• Two 96 square-foot chicken coops</li> <li>• 400 square-foot cow shade</li> <li>• Water well, septic systems, paved drive approach off Clinton Avenue</li> </ul>	A high-intensity park with related improvements for special events and meetings on an approximately 5.4-acre portion of a 20-acre parcel
Structural Improvements	<ul style="list-style-type: none"> <li>• 16,641 square-foot gymnasium building</li> </ul>	The existing 16,641 square-foot gymnasium building will

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
	<ul style="list-style-type: none"> <li>• 1,430 and 1,690 square-foot single-family residences</li> <li>• 2,440 square-foot pollen room (frame shop building)</li> <li>• 5,360 square-foot shop (steel garage) to store agricultural material</li> <li>• 7,742 square-foot agricultural equipment repair and storage shop (machine shop)</li> <li>• 936 square-foot portable trailer (modular classroom)</li> <li>• 64 and 108 square-foot bathrooms</li> <li>• Two 96 square-foot chicken coops</li> <li>• 400 square-foot cow shade</li> </ul>	be converted into a banquet hall to hold special events and meetings along with outdoor venue
Nearest Residence	110 feet to the east of the project site	No change
Surrounding Development	Orchard, field crops, single-family residences	No change
Operational Features	A plant nursery on the 14.6-acre portion of the subject property	<ul style="list-style-type: none"> <li>• All events on the property will occur on Friday, Saturday and Sunday inside the banquet hall and outside within the proposed entertainment area</li> <li>• Any and all noise-generating activities related to this proposal will be held inside the banquet hall</li> <li>• No food will be prepared on site; all food to be served at the events will be catered</li> <li>• Alcohol to be served during the events will be permitted by the State Department of Alcoholic Beverage Control</li> </ul>
Employees	N/A	Up to 8 employees
Customers	N/A	50 to 500 depending on the events

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Traffic Trips	N/A	Up to 400 one-way trips per day (200 round trips) based on vehicle occupancy factor of 2.5 persons per vehicle
Lighting	On the exterior of the existing	Outdoor lighting in the parking area
Hours of Operation	N/A	2 p.m. to 2 a.m. on Friday, Saturday and Sunday

**EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: Y**

Violation File No. 11-102674 – demolition of a single-family residence without permit and Violation File No. 12-102674 – remodeling an existing house and converting it to a residence without plans, permits or inspections

Violation File No. 10-105829 – Modular classroom placed on the property without permit

**ENVIRONMENTAL ANALYSIS:**

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included below as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: November 10, 2017

**PUBLIC NOTICE:**

Notices were sent to fourteen (14) property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

An Unclassified Conditional Use Permit (CUP) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

**BACKGROUND INFORMATION:**

Kerman High School was previously located on the project site. The school was established on the property in 1912 and was utilized as a high school until 1968, when it was vacated and sold to a private party who operated the site for public and private use. The property was then purchased in 1998 by a private owner and later by the Applicant in August 2014.

The existing improvements on the property include a 16,641 square-foot gymnasium building, 1,430 and 1,690 square-foot single-family residences, 2,440 square-foot pollen room, 7,742 and 5,360 square-foot agriculture equipment and storage shops, 936 square-foot portable trailer, 64 and 108 square-foot bathrooms, two 96 square-foot chicken coops and a 400 square-foot cow shade. According to the County permit records, the Applicant was issued building permits for the remodeling of various building and structures on the property. According to the Code Enforcement section of the Fresno County Department of Public Works and Planning, some of the permits are still open and some are in violation and are required to be closed by the Applicant.

The subject proposal entails establishment of a high-intensity park with related improvements for special events and meetings on an approximately 5.4-acre northeasterly portion of a 20-acre project site. In that regard, the existing 16,641 square-foot old Kerman High School gymnasium building will be converted into a banquet hall to hold events. New improvements include an outdoor entertainment area to be used in conjunction with the indoor venue. Other improvements include landscaping and a walkway connecting the outdoor area with the banquet hall. The 5.4-acre project site will be fenced with access provided from Madera Avenue (State Route 145).

***Finding 1:** That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood*

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 35 feet Street Side: 35 feet Side: 20 feet Rear 20 feet	Front (east property line): 350 feet Side (north property line): 90 feet Side (south property line): 412 feet Rear (west property line): 790 feet	Yes
Parking	One parking space for every forty (40) square feet of area within the meeting (banquet) hall plus one parking space for every two permanent employees	211 parking spaces (206 required)	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Separation between animal shelter and building for human occupancy: 40 feet	N/A	N/A
Wall Requirements	Per section 855-H.2 of the County Ordinance Code	No requirement	Yes

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Septic Replacement Area	100 percent of the existing system	100 percent of the existing system	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	On-site domestic water well will maintain required separation from the Engineered Sewage Disposal system proposed for the project	Yes

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

Zoning Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

**Analysis:**

Staff review of the Site Plan demonstrates that the existing and proposed improvements meet minimum building setback requirements of the AE-20 Zone District. Additionally, the project provides for adequate on-site parking for guests and event support staff. The project site is adequate in size and shape to accommodate the parking and circulation area, ingress and egress, and building/structure related to the use.

Based on the above information staff believes the 5.4-acre portion of the subject 20-acre project site is adequate in size and shape to accommodate the proposal.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 1 can be made.

*Finding 2:* *That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use*

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	No	N/A	N/A
Public Road Frontage	Yes	State Route 145 (Madera Avenue): Unknown	No change

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
		Clinton Avenue: Excellent condition	
Direct Access to Public Road	Yes	State Route 145  Clinton Avenue	No change
Road ADT (Average Daily Traffic)		N/A (SR145)  300 (Clinton Avenue)	N/A  No change
Road Classification		State Route 145  Local (Clinton Avenue); excellent condition	No change
Road Width		State Route 145 <ul style="list-style-type: none"> <li>• 60 feet (30 feet east of the centerline and 30 feet west of the centerline)</li> </ul> Clinton Avenue <ul style="list-style-type: none"> <li>• 40 feet (20 feet north of the centerline and 20 feet south of the centerline)</li> </ul>	50 feet additional right-of-way (west of centerline) required by Caltrans to accommodate future widening of State Route 145  No change
Road Surface		<ul style="list-style-type: none"> <li>• Asphalt-concrete paved (State Route 145)</li> <li>• Asphalt-concrete paved (Clinton Avenue)</li> </ul>	No change
Traffic Trips		None	Up to 400 one-way trips per day (200 round trips) based on vehicle occupancy factor of 2.5 persons per vehicle
Traffic Impact Study (TIS) Prepared		None	No TIS required by the California Department of Transportation or the Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		Good	Not required

**Reviewing Agency/Department Comments:**

California Department of Transportation (Caltrans): One driveway access from State Route (SR) 145 located 550 feet north of Clinton Avenue shall be allowed for left-turn channelization along SR 145 for vehicles travelling to eastbound Clinton Avenue. SR145 near the proposal is planned for 160 feet (80 feet measured from the centerline) verses existing 60 feet (30 feet measured from the centerline). The property owner shall irrevocably offer the easterly 50 feet of the property to Caltrans as future right-of-way for SR 145. This has been included as a Condition of Approval.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any work done within the right-of-way to construct a new driveway or improve an existing driveway off State Route (SR) 145 shall require an encroachment permit from the California Department of Transportation (Caltrans). This has been included as a Project Note.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

**Analysis:**

The subject 20-acre parcel has frontage on Clinton Avenue and State Route (SR) 145 (Madera Avenue). However, the 5.4-acre portion of the property subject to this proposal will gain access from State Route (SR) 145. The California Department of Transportation (Caltrans) reviewed the subject proposal and stated that since the proposed facility will operate on Friday, Saturday and Sunday, outside of peak travel time, it would have a less than significant operational impact on SR 145. No Traffic Impact Study was required for the project.

Caltrans also stated that the segment of SR 145 that fronts the property requires 160 feet of ultimate right-of-way. Currently, there is a total existing right-of-way of 60 feet. Therefore, the project will require an irrevocable offer of dedication of an additional 50 feet east of the centerline to accommodate future widening of SR145.

Based on the above discussion, and with adherence to the Conditions of Approval and Project Notes, staff believes State Route 145 can accommodate the traffic generated by this proposal.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 2 can be made.

*Finding 3:* *That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof*



<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	20 acres	Vineyard with a single-family residence	AE-20	350 feet
South	20 acres	Vineyard with a single-family residence	AE-20	700 feet
East	1.04 acres 16 acres	Vineyard with a single-family residence	AE-20	110 feet
West	40 acres	Vineyard with a single-family residence	AE-20	1,450

**Reviewing Agency/Department Comments:**

Fresno County Department of Public Health, Environmental Health Division: The sewage disposal system shall be designed and installed in accordance with the Technicon Engineering Services, Inc. Supplemental Septic Design Report (Project No. 150707.002 dated October 3, 2017) or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division. Any changes in the proposed project may require additional review to ensure the on-site wastewater treatment system's adequacy to serve the proposed changes. Installation of sewage disposal systems shall be in accordance with all Local Ordinances and State Regulations. No more than 250 meals shall be provided at any one event.

State Water Resources Control Board, Division of Drinking Water: If at any time during the operation of the facility, water supply from the well shows positive results for total coliform bacteria, the well water shall be permanently chlorinated. However, if it begins to produce water with *E. coli*, a new well shall be drilled.

Fresno County Sheriff-Coroner's Office: Licensed security guards shall be present on site during all events. Prior to occupancy granted for the use, the Fresno County Sheriff-Coroner's Office shall be provided with the number of security guards for each 100 people on site for the events. Prior to occupancy being granted for the use, the Applicant shall provide evidence regarding the type of ABC (Alcoholic Beverage Control) license to be used for the events and whether or not the events will be private or open to the public (to include purchase of alcohol). All events shall adhere to the County Noise Ordinance.

The aforementioned requirements have been included as Mitigation Measures.

Prior to issuance of building permits, the Applicant/operator shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division for review and approval. Prior to operations, the Applicant/Owner shall apply for and obtain a 'Permit to Operate' a food facility. The Applicant shall contact the California Department of Alcoholic Beverage Control for information and requirements to serve alcohol at events.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any additional run-off generated by the proposed development of the site must be

retained or disposed of per County Standards. An Engineered Grading and Drainage Plan is required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. A Grading Permit or Voucher shall be obtained for any grading proposed with this application. A 10' by 10' corner cutoff shall be improved for sight distance purposes at any proposed or existing driveway accessing Clinton Avenue. Any work done within the right-of-way to construct a new driveway or improve an existing driveway off Clinton Avenue shall require an encroachment permit from the Road Maintenance and Operations Division.

North Central Fire Protection District (NCFPD) requires: 1) the Site Plan to show two means of ingress and egress; 2) "all weather surface" fire access lanes; 3) on-site Fire Flow Water Supply meeting NCFPD Commercial Water Tank Standard; 4) emergency vehicle drive access within 200 feet of all building openings; 5) a minimum 20-foot gate opening for emergency vehicle access with unobstructed width of 20 feet; 6) a police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W7B2); and 7) a fire sprinkler system based on building square footage/occupancy classification and a fire alarm system.

San Joaquin Valley Air Pollution Control District (Air District): The Applicant shall contact the District's Small Business Assistance Office to identify District rules or regulations that apply to the project or to obtain information about Air District permit requirements.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections are required for all on-site construction improvements. Buildings and/or facilities providing a "Public Use" must comply with the accessibility requirements of Chapter 11B of the California Building Code. Open permits and violations on the property shall be closed.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. (Note: Off-site signs are not allowed for commercial uses in the AE-20 Zone District.) ADA stall(s) must be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. ADA stalls shall be concrete or asphalt concrete paved and must be located on the shortest possible route to the main entrance so the disabled person does not cross the driveway into the parking lot.

The aforementioned requirements have been included as Project Notes.

Fresno Irrigation District: The Fresno Irrigation District's (FID) G-7 Canal No. 67 runs southerly and traverses through the western part of the subject property. The Applicant shall replace the existing pipeline across the subject parcel with a new 30-inch-diameter ASTM C-361 Rubber Gasket Reinforced Concrete in accordance with FID standards. (Note: Per the following Analysis, the project will not affect the pipeline.)

Dumna Wo Wah Tribal Government: The Tribe was offered the opportunity to consult under Public Resources Code (PRC) Section 21080.3 (b). The Tribe provided a letter past the 30-day response window, which resulted in no need for consultation under AB 52 and no further action by the County (see the following Analysis).

Central Valley Regional Water Quality Control Board; Fresno County Department of Agriculture; Design Division, and Water and Natural Resources Division of the Fresno County Department

of Public Works and Planning; Table Mountain Rancheria, Tribal Government Office; Picayune Rancheria of the Chukchansi Indians: No concerns with the proposal.

### **Analysis:**

The project entails establishment of a high-intensity park with related improvements for special events and meetings on an approximately 5.4-acre portion of a 20-acre project site. Surrounding land uses include orchard and field crops with sparse single-family residences.

The project will utilize the existing improvements as well as new improvements on the property. The existing 16,641 square-foot gymnasium building will be remodeled into a banquet hall for indoor venue. New improvements include an outdoor entertainment area for outdoor venue, on-site parking and access to the site from State Route 145 (Madera Avenue). Other existing improvements, though unrelated to the subject proposal and located on the remainder of the 20-acre property, include single-family residences, pollen room, ag equipment and storage shops, portable trailer, bathrooms, chicken coops and a cow shade.

The Initial Study prepared for this project identified potential impacts related to aesthetics, geology and soils, hydrology and water quality, and public services. Regarding aesthetics, all outdoor lighting would be required to be hooded and directed downward so as not to shine upon adjacent roads and properties. Regarding geology and soils, an engineered sewage disposal system would be required for the project. Regarding hydrology and water quality, the well water would require chlorination or drilling of a new well in case of finding *E.coli*. Regarding public services, security guards would be required during events and any alcohol service would be subject to permits from the Department of Alcoholic Beverage Control.

These requirements have been included as Mitigation Measures.

Impacts related to air quality, hazards and hazardous materials, noise, and transportation/traffic have been determined to be less than significant. In this regard, the project will comply with Air District permitting requirements, submit Food Facility Plans and specifications for approval by the Health Department, comply with Fresno County Noise Ordinance standards, and require the property owner irrevocably offer a portion of the property to Caltrans for future widening of State Route 145. Furthermore, the project will have no impact on the Fresno Irrigation District's (FID) G-7 Canal No. 67 that traverses approximately 745 feet west of the project site. Staff found no nexus between the scope of the project and the FID requirements of the pipeline replacement by the Applicant.

The project is not in an archeologically-sensitive area. The Southern San Joaquin Valley Information Center did not have any history of archeological or cultural resources being found at or near the site and the Native American Heritage Commission Sacred Land File records search was negative. Pursuant to Assembly Bill (AB) 52, a letter was provided to Dumna Wo Wah Tribal Government offering the opportunity to consult under Public Resources Code (PRC) Section 21080.3 (b) with a 30-day statutory window to formally respond, in writing, to request a Cultural Resources Consultation. The Dumna Wo Wah Tribal Government responded past the 30-day response time. This resulted in no need for consultation under AB 52 and no further action on the part of Fresno County.

Based on the above information and with adherence to Mitigation Measures, recommended Conditions of Approval, including Site Plan Review for design of parking and circulation, driveway, access, right-of-way dedication, grading and drainage, fire protection and lighting, and

Project Notes for mandatory requirements, staff believes the project will not have an adverse effect upon adjoining properties or the surrounding neighborhood.

**Recommended Conditions of Approval:**

*See Mitigation Measures and recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 3 can be made.

*Finding 4:* *That the proposed development is consistent with the General Plan*

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-A.3: allows agriculturally-related uses by discretionary permit if they meet the following criteria.</p> <ul style="list-style-type: none"> <li>a. Criteria LU-A.3.a. states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics.</li> <li>b. Criteria LU-A.3.b. states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity.</li> <li>c. Criteria LU-A.3.c. states that the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within ¼-mile radius.</li> <li>d. Criteria LU-A.3.d. states that a probable workforce should be located nearby or readily available.</li> </ul>	<p>The project meets Policy LU-A.3. With regard to Criteria “a”, the project could gather a large crowd. As such, the project location outside an urban area is well suited. The project will adequately serve the needs of people from the City of Kerman, and those of other nearby communities.</p> <p>With regard to Criteria “b”, the project site is non-productive farmland and is classified as Urban and Built-Up Land on the 2014 Fresno County Important Farmland Map.</p> <p>With regard to Criteria “c”, the project is not in a water-short area, and will use limited water, not having any significant impact on the area’s groundwater supply.</p> <p>With regard to Criteria “d”, the project site is in close proximity to the City of Kerman and unincorporated community of Biola which can provide adequate workforce for the project.</p>
<p>General Plan Policy LU-A.12: In adopting land use policies, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>Designated as an Urban and Built-Up Land on the 2014 Fresno County Important Farmland Map, historical use of the site has been a public school site. The site is currently developed with a plant nursery, single-family residences and related improvements. The project will not affect surrounding farmlands. The existing fencing on the property and State Route 145 (Madera Avenue) separate the site from cultivated lands to the north and the east.</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agriculture land and that mitigation be required where appropriate.	
General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.	As noted above, the project is not in a water-short area and will utilize limited groundwater. No concerns related to water sustainability for the project were expressed by the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning.
Policy PF-D.6: County shall permit individual on-site sewage disposal systems on such parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.	A community sewer system is not available to the property at this time. The project will utilize an engineered sewage disposal system. Proper installation and maintenance of such system would result in no impacts on groundwater quality.

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the General Plan. According to General Plan Policy LU-A.3, non-agricultural uses such as the proposed high-intensity park may be allowed by means of a discretionary use permit. Policy LU-A.12 requires that agricultural activities be protected from encroachment of incompatible land uses. Policy LU-A.13 requires buffer between non-agricultural and agricultural uses, and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and implementation of necessary mitigations. Policy PF-C.17 requires evaluation of adequacy and sustainability of water supply for the project. Policy PF-D.6: requires individual on-site sewage disposal systems not to affect surface or groundwater quality.

**Analysis:**

The project entails establishment of a high-intensity park with related improvements for special events and meetings on an approximately 5.4-acre portion of a 20-acre parcel. The project-related improvements include conversion of a 16, 641 square-foot gymnasium building into a banquet hall, outdoor entertainment area and on-site parking with access to the site provided from State Route 145 (Madera Avenue).

The project meets the intent of Policy LU-A.3 as discussed above in General Plan Consistency/ Consideration. Concerning consistency with Policy LU-A.12, Policy LU-A.13, and Policy LU-A.14, the project site is non-productive farmland developed with commercial and residential uses and related improvements. Further, the project is an allowed use on the land designated Agriculture with discretionary approval and will be separated from the adjacent cultivated lands to the north and east by the existing fencing on the property and SR 145. Concerning consistency with Policy PF-C.17, the project is located outside of a designated water-short area and will use limited

groundwater utilizing an on-site well. Concerning consistency with Policy PF-D.6, the project will utilize an engineered sewage disposal system to minimize potential impact on groundwater quality.

Based on the above information, staff believes the proposal is consistent with the Fresno County General Plan.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 can be made.

**PUBLIC COMMENT:**

None

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Unclassified Conditional Use Permit No. 3501, subject to the recommended Conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 6986; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3501, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Alternative Motion** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3501; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Mitigation Measures, recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 6986  
Unclassified Conditional Use Permit Application No. 3501**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PWP)	Ongoing; for duration of the project
*2.	Geology and Soils	The sewage disposal system shall be designed and installed in accordance with the Technicon Engineering Services, Inc. Supplemental Septic Design Report (Project No. 150707.002 dated October 3, 2017) or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division. Any changes in the proposed project may require additional review to ensure adequacy of the on-site wastewater treatment system's adequacy to serve the proposed changes.	Applicant	Applicant/PWP/Fresno County Department of Public Health, Environmental Health Division	As noted
*3.	Geology and Soils	Installation of sewage disposal systems shall be in accordance with all Local Ordinances and State Regulations.	Applicant		
*4.	Hydrology and Water Quality	As required by the State Water Resources Control Board, Division of Drinking Water, if at any time during the operation of the facility, water supply from the well shows positive results for total coliform bacteria, the well water shall be permanently chlorinated. However, if it begins to produce water with <i>E. coli</i> a new well shall be drilled.	Applicant	Applicant/State Water Resources Control Board, Division of Drinking Water	Ongoing; for duration of the project
*5.	Public Services	Licensed security guards shall be present on site during all events. Prior to occupancy granted for the use, the Fresno County Sheriff-Coroner's Office shall be provided with the number of security guards for each 100 people on site for the events.	Applicant	Applicant/Fresno County Sheriff-Coroner's Office (FCS)	Ongoing; for duration of the project
*6.	Public Services	Prior to occupancy granted for the use, the applicant shall provide evidence regarding the type of ABC (Alcoholic Beverage Control) license to be used for the events and	Applicant	Applicant/FCS	Ongoing; for duration of the project

**EXHIBIT 1**

		whether or not the events will be private or open to the public (to include purchase of alcohol).			
*7.	Public Services	All events shall adhere to the County Noise Ordinance.	Applicant	Applicant/PWP/FCS	As noted
*8.	Public Services	No more than 250 meals shall be provided at any one event.	Applicant	Applicant/Fresno County Department of Public Health, Environmental Health Division	As noted

**Conditions of Approval**

1.	Development of the property shall be in accordance with the Site Plan, Floor Plan, Elevation and Operational Statement approved by the Commission.
2.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, right-of-way, on-site grading and drainage, fire protection, landscaping, signage and lighting.
3.	One driveway access from State Route (SR ) 145 located 550 feet north of Clinton Avenue shall be allowed for left-turn channelization along SR 145 for vehicles travelling to eastbound Clinton Avenue.
4.	State Route (SR) 145 near the proposal is planned for 160 feet (80 feet measured from centerline) verses existing 60 feet (30 feet measured from centerline). The property owner shall irrevocably offer the easterly 50 feet of the property to the California Department of Transportation as future right-of-way for SR 145.
5.	The 5.4-acre project site shall be fenced with a minimum 6-foot-tall fence to separate the proposed high-intensity park from the remainder of the 20-acre property.

\*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

**Project Notes**

<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Plans, permits and inspections are required for all on-site construction improvements. Buildings and/or facilities providing a “Public Use” must comply with the accessibility requirements of Chapter 11B of the California Building Code, and open permits and violations on the property shall be closed. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.



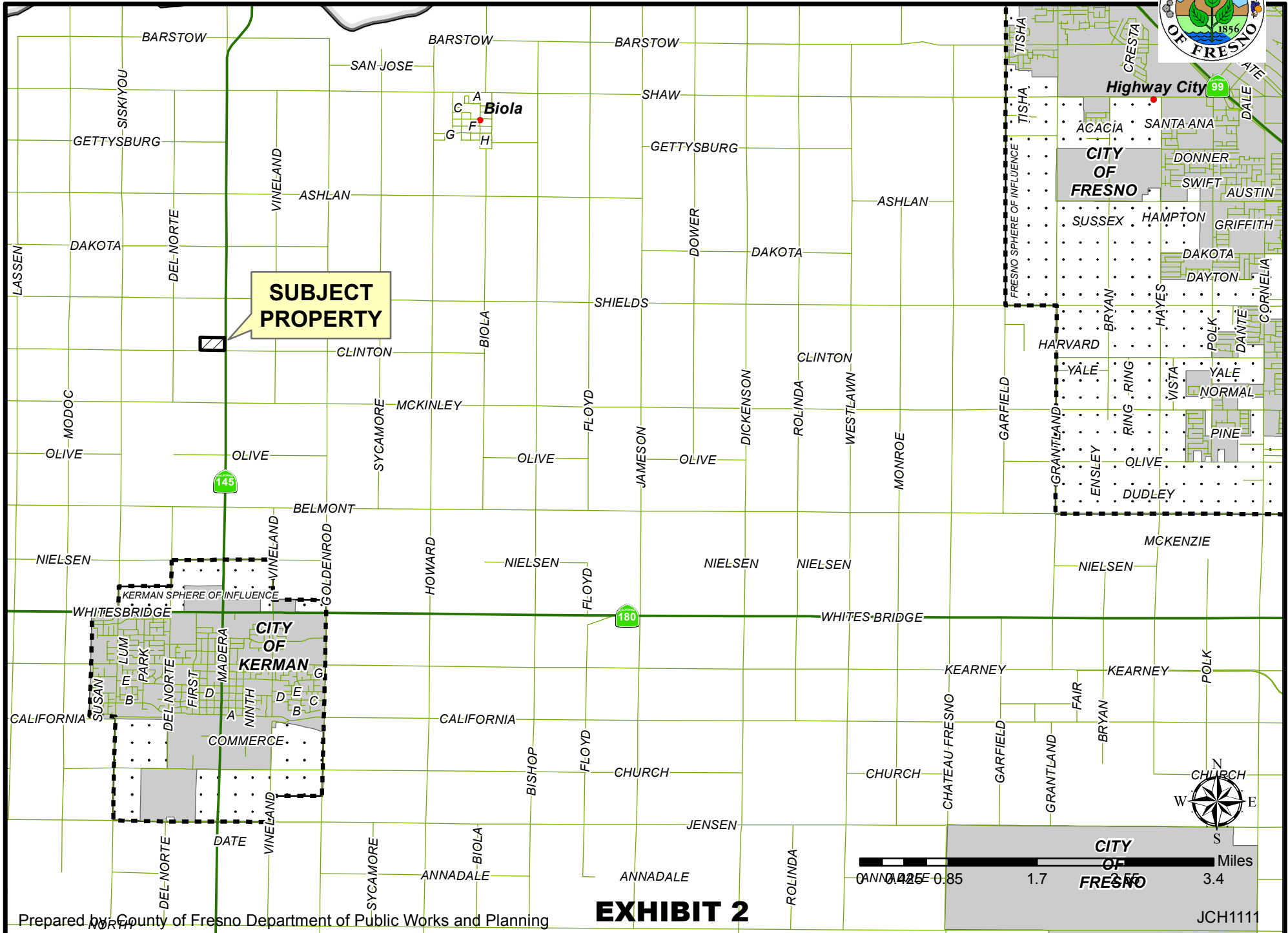
**Project Notes**

3.	Prior to occupancy being granted, the Applicant shall coordinate with the Code Enforcement Section of the Fresno County Department of Public Works and Planning to close open permits and violations on the property.
4.	<p>To address site improvement-related impacts resulting from the project, the Site Plan Review Section of the Fresno County Department of Public Works and Planning requires:</p> <ul style="list-style-type: none"><li>• All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are not allowed for commercial uses in the AE-20 Zone District.</li><li>• ADA stall(s) shall be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible.</li><li>• ADA stalls shall be concrete or asphalt concrete paved and must be located on the shortest possible route to the main entrance so the disabled person does not cross the driveway into the parking lot.</li></ul> <p>Note: The aforementioned requirements will be addressed through Site Plan Review.</p>
5.	<p>To address grading and drainage impacts resulting from the project, the Development Engineering Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"><li>• Any additional run-off generated by the proposed development of the site shall be retained or disposed of per County Standards.</li><li>• An Engineered Grading and Drainage Plan shall be provided to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.</li><li>• A Grading Permit or Voucher shall be obtained for any grading proposed with this application.</li><li>• A 10' by 10' corner cutoff shall be improved for sight distance purposes at any proposed or existing driveway accessing Clinton Avenue.</li><li>• Any work done within the right-of-way to construct a new driveway or improve an existing driveway off Clinton Avenue shall require an encroachment permit from the Road Maintenance and Operations Division.</li></ul>
6.	Prior to issuance of building permits, the Applicant/operator shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division for review and approval. Prior to operations, the Applicant/owner shall apply for and obtain a 'Permit to Operate' a food facility.
7.	The Applicant shall contact the California Department of Alcoholic Beverage Control for information and requirements to serve alcohol at events.
8.	<p>To address fire impacts resulting from the project, the North Central Fire Protection District requires that the project Site Plan shall show the following:</p> <ul style="list-style-type: none"><li>• Two means of ingress and egress</li><li>• All-weather surface fire access lanes</li><li>• On-site Fire Flow Water Supply meeting NCFPD Commercial Water Tank Standard</li><li>• Emergency vehicle drive access within 200 feet of all building openings</li><li>• Minimum 20-foot gate opening for emergency vehicle access with unobstructed width of 20 feet</li><li>• Police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W7B2)</li></ul>

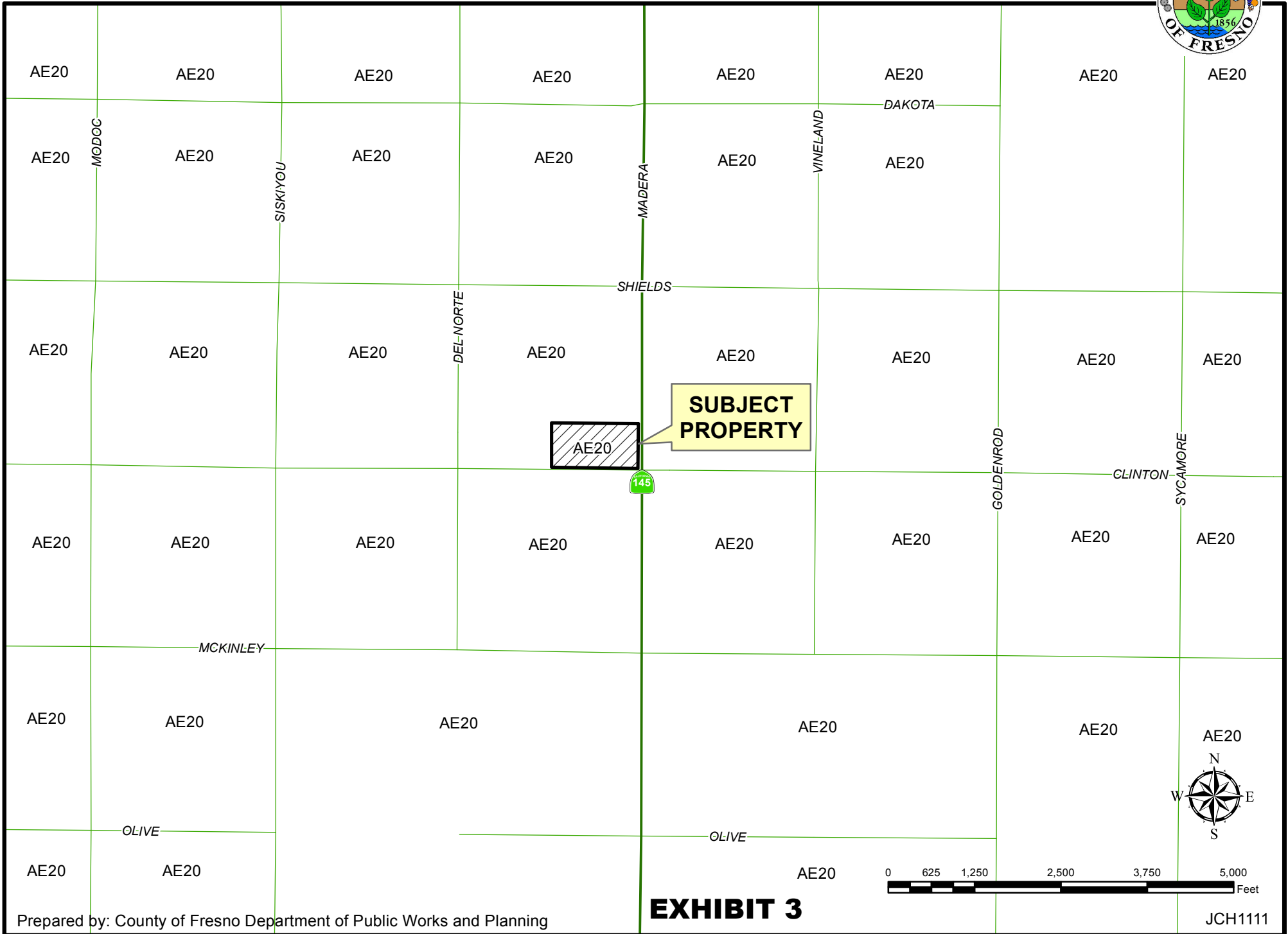
**Project Notes**

	<ul style="list-style-type: none"><li>• A fire sprinkler system based on building square footage/occupancy classification and a fire alarm system.</li></ul>
9.	The Applicant shall contact the San Joaquin Valley Air Pollution Control District (Air District) Small Business Assistance Office to identify District rules or regulations that apply to the project or to obtain information about District permit requirements.
10.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway off State Route (SR) 145 shall require an encroachment permit from the California Department of Transportation (Caltrans).

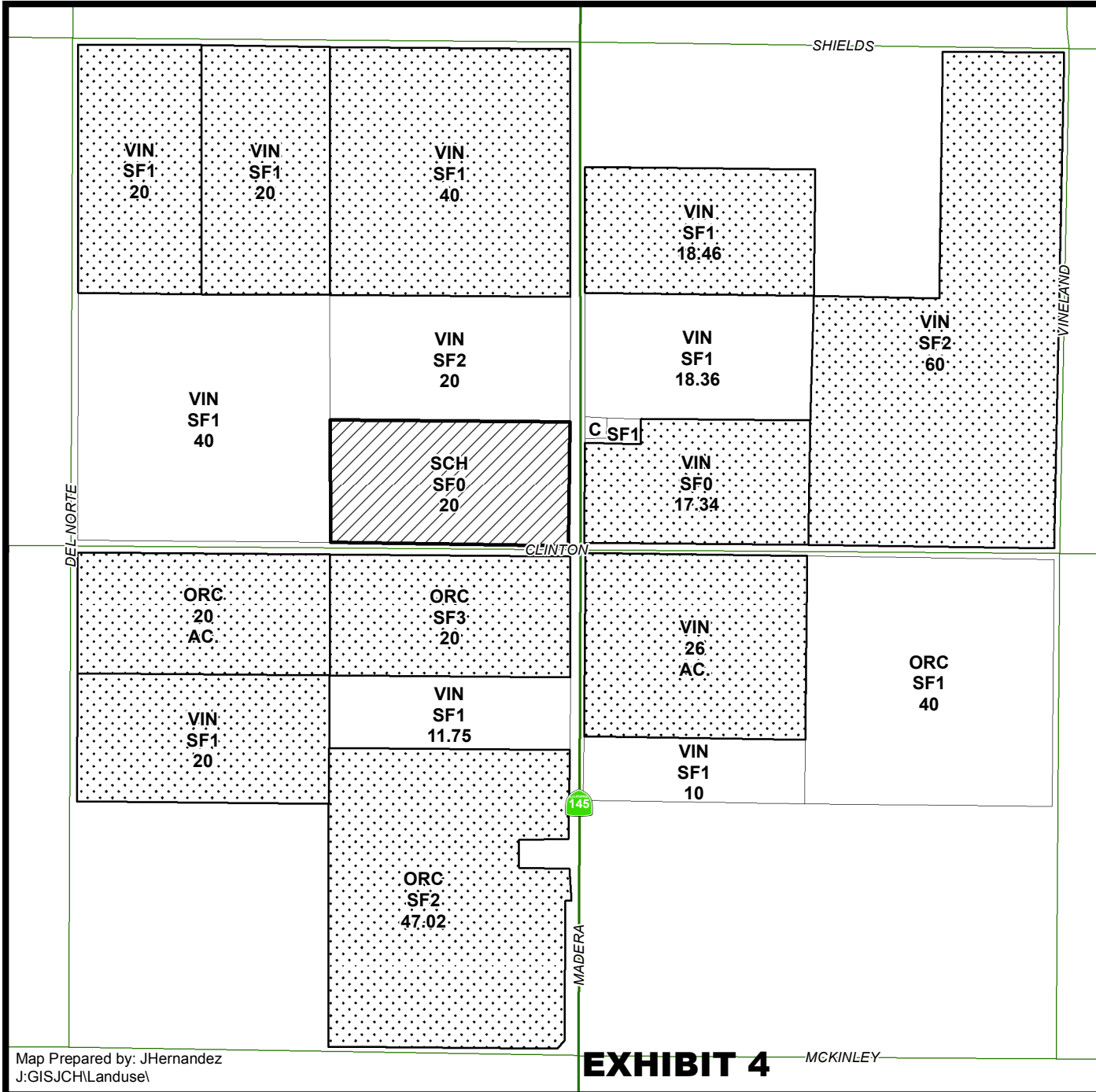
# LOCATION MAP



# EXISTING ZONING MAP



# EXISTING LAND USE MAP

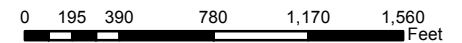
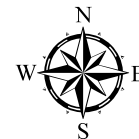


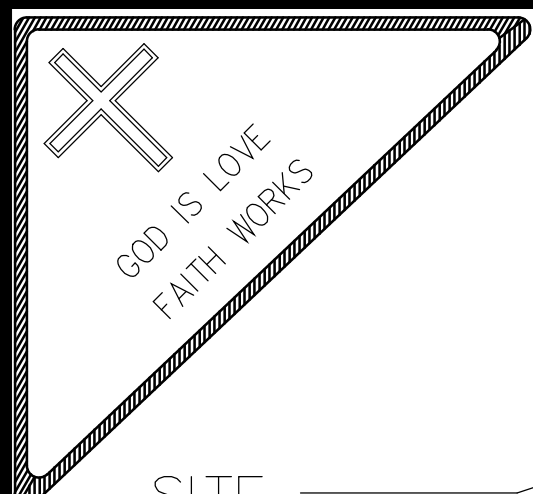
### LEGEND

- C - COMMERCIAL
- ORC - ORCHARD
- SCH - SCHOOL
- SF# - SINGLE FAMILY RESIDENCE
- VIN - VINEYARD
- V - VACANT

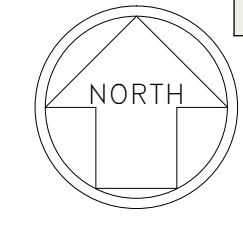
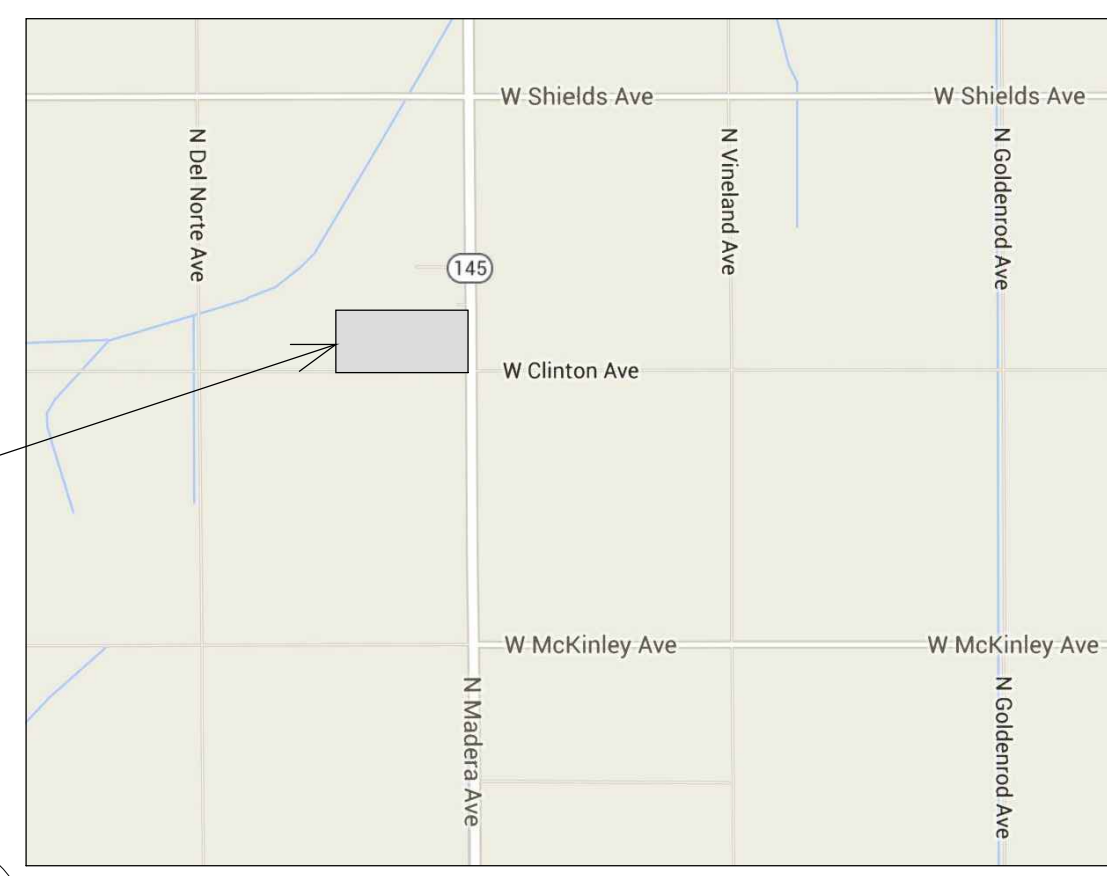
### LEGEND:

-  Subject Property
-  Ag Contract Land

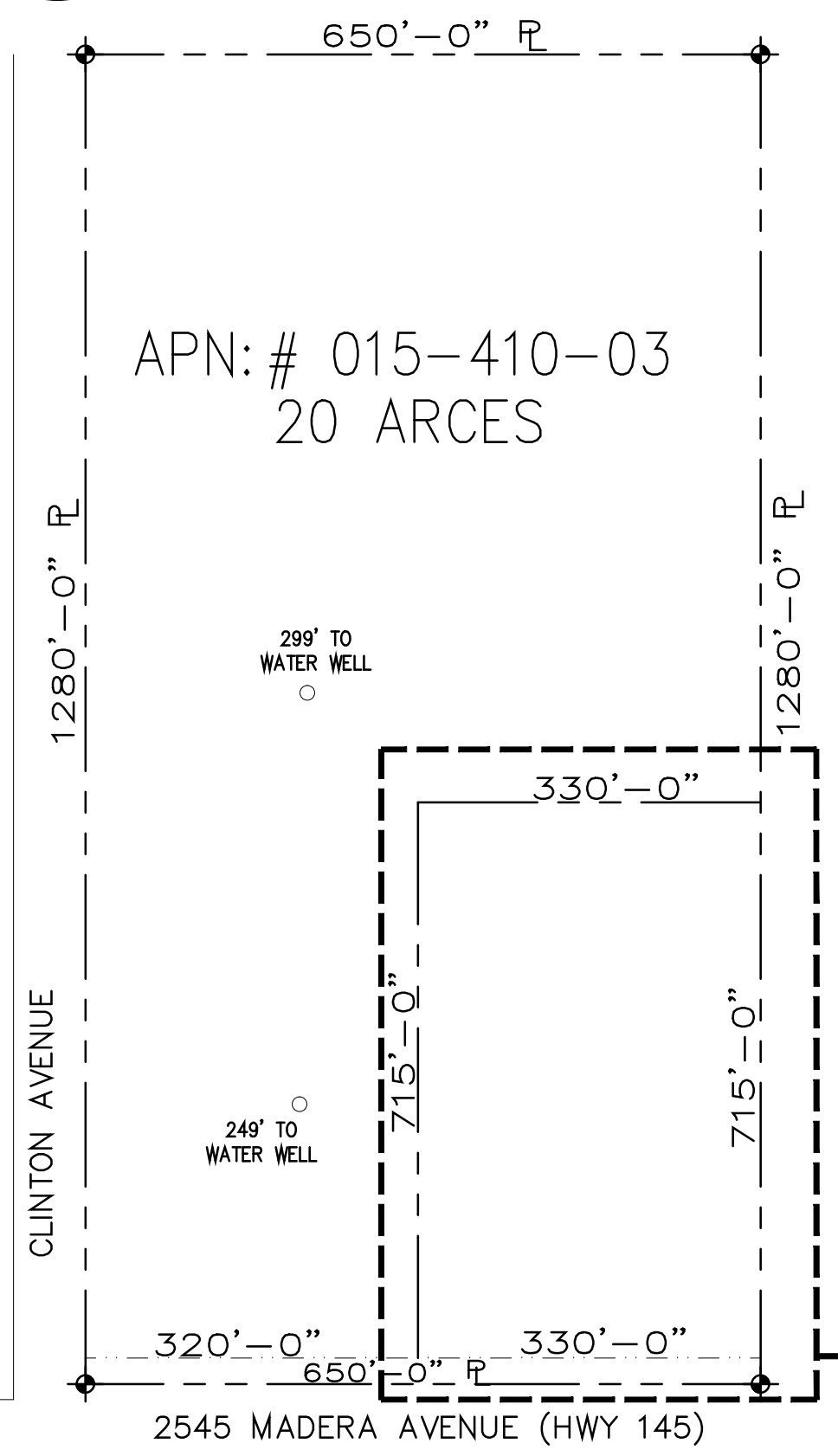




SITE LOCATION



VICINITY MAP N.T.S.



APN: # 015-410-03  
20 ACRES

CLINTON AVENUE

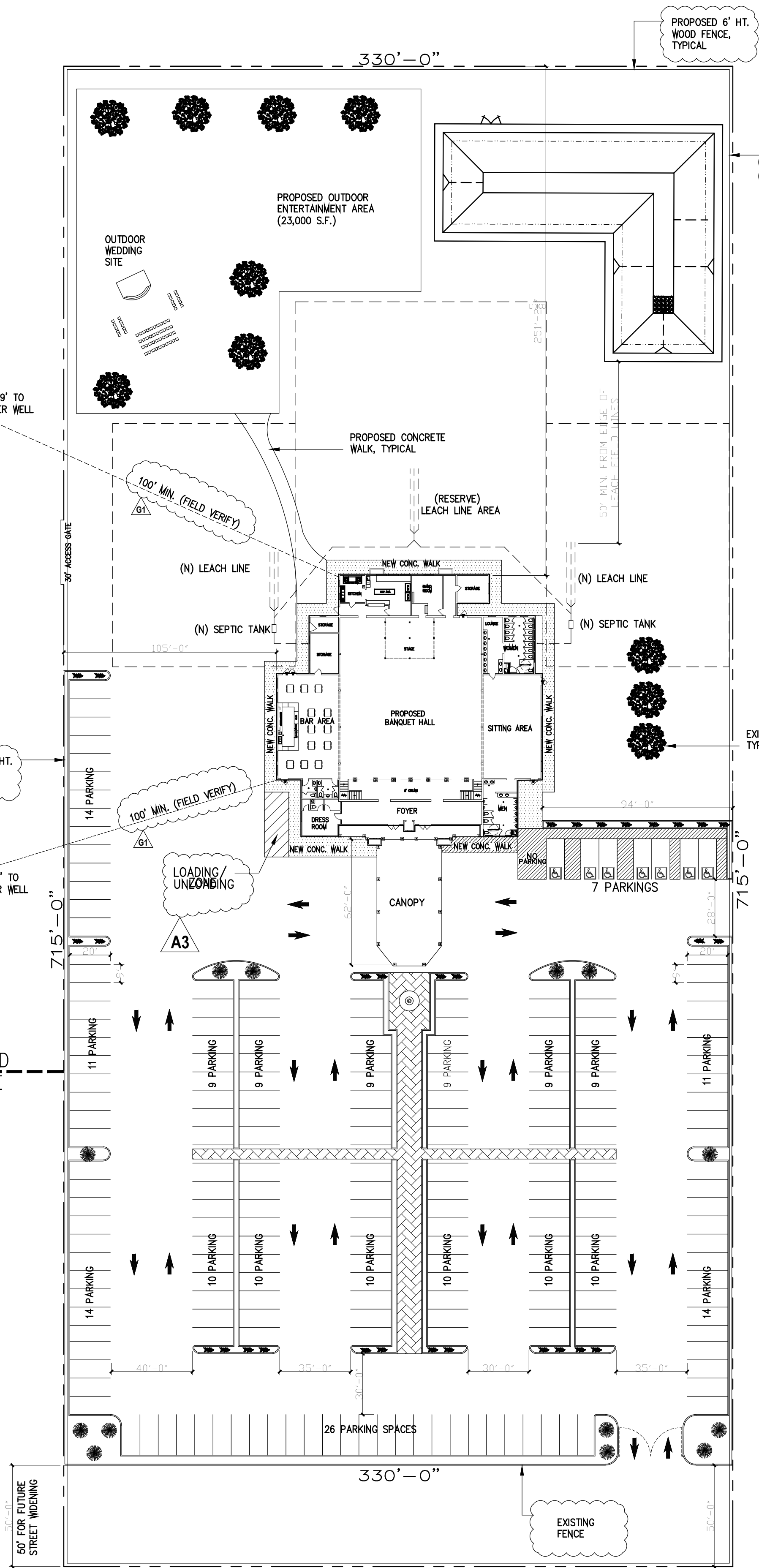
2545 MADERA AVENUE (HWY 145)

**CODES, RULES & REGULATIONS**

ALL WORK MATERIAL ON THIS PROJECT SHALL BE IN CONFORMANCE WITH THE FOLLOWING CODES AS ADOPTED AND AMENDED BY THE CITY BUILDING OFFICE. NOTHING IN THESE DOCUMENT IS TO BE CONSTRUED AS TO PERMIT ANY WORK OR PRODUCT NOT IN ACCORDANCE WITH THESE CODES:

1. CALIFORNIA BUILDING CODE (C.R.C., 2016 EDITION)
2. THE 2016 CALIFORNIA BUILDING STANDARDS CODE (CC-TITLE-24 & 25)
3. CALIFORNIA BUILDING CODE (C.B.C., 2016 EDITION)
4. CALIFORNIA PLUMBING CODE (C.P.C., 2016 EDITION)
5. CALIFORNIA MECHANICAL CODE (C.M.C., 2016 EDITION)
6. CALIFORNIA FIRE CODE (C.F.C., 2016 EDITION)
7. CALIFORNIA ELECTRICAL CODE (C.E.C., 2016 EDITION)
8. CALIFORNIA ENERGY CODE (2016 C.E.C. STANDARDS)

- A. SITE SOIL CLASS = D
- B. SOILS BEARING CAPACITY = 1500 PSF
- C. SEISMIC IMPORTANCE FACTOR = 1.0 OCCUPANCY CATEGORY II
- D. GLOBAL POSITIONING SYSTEM LATITUDE 36.6998°N LONGITUDE 120.0606°W
- E. SPECTRAL RESPONSE ACCELERATIONS =  $S_s = 0.846$   $S_i = 0.309$
- F. SPECTRAL RESPONSE COEFFICIENTS =  $S_{ds} = 0.846$   $S_{d1} = 0.309$
- G. SITE COEFFICIENTS =  $F_a = 1.161$   $F_v = 1.782$
- H. SEISMIC DESIGN CATEGORY = " D "



2545 MADERA AVENUE (HWY 145)

**SITE PLAN**

SCALE: 1" = 40'-0"

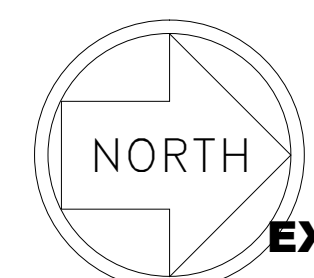


EXHIBIT 5

**CODE ANALYSIS**

**BUILDING LOCATION:** 2545 N. MADERA AVENUE  
KERMAN, CALIFORNIA 93630

**OWNER:** ALVARO GARCIA  
3621 N. HOWARD AVENUE  
KERMAN, CA 93630  
559-908-0102

**APN:** 015-410-03  
**LOT AREA:** 20 ACRE (871,200 SF)  
**ZONING:** AE-20

**BUILDING USE:** A-2 (WEDDING HALL)

**CONSTRUCTION TYPE:** V-B  
**OCCUPANCY:** A-2, PER CBC 303.2

**OCCUPANCY SEPARATION:** NONE REQUIRED (CBC TABLE 508.4)

**NUMBER OF STORIES:** ONE  
**HEIGHT:** 22 FT.

**DANCING HALL:** 8070 S.F.  
**FOYER/ROOMS:** 1466 S.F.  
**KITCHEN:** 616 S.F.  
**BAR/SEATING:** 1636 S.F.  
**RESTROOMS AND STORAGE:** 2305 S.F.

**MEZZANINE AREA:** 515 S.F.  
**TOTAL BUILDING AREA:** 14,094 S.F.  
**EXITS REQUIRED:** FOUR  
**TOTAL BUILDING AREA:** 14,094 SF

**FIRE PROTECTION:** CHEMICAL FIRE SUPPRESSION AT COOKING EQUIPMENT FIRE EXTINGUISHERS PER CFC SECTION 906.1

**FIRE SPRINKLERS:** YES (UNDER SEPARATE PERMIT)  
**FIRE, BURGLAR ALARM:** BY OTHERS (PRIVATELY MONITORED)

**HEIGHT/AREA LIMITATION:** 6,000 SF, 1-STORY, 40 FT (CBC TABLE 503)

**AREA INCREASE ALLOWABLE:** UNLIMITED (CBC §507.1)  
**ACTUAL:** 14,094 SF, 1 STORY, < 22 FT

**ADA ACCESSIBILITY:** YES, PER CHAPTER 11B, 2016 CBC

"THIS PERMIT DOES NOT INCLUDE FIRE SPRINKLERS" OR "THIS PROJECT HAS BEEN DESIGNED WITH A UNIFORM LOAD OF 0.5 POUNDS PER SQUARE-FOOT TO SUPPORT THE ADDED LOADS OF A FIRE SPRINKLER SYSTEM. THE MAIN FRAMING MEMBERS HAVE BEEN DESIGNED TO SUPPORT THE CONCENTRATED LOADS OF A FIRE SPRINKLER SYSTEM" (CBC 107).

LAYOUT AND DETAILS OF THE FIRE SPRINKLER SYSTEM SHALL BE REVIEW AND APPROVED BY THE APPLICABLE FIRE MARSHAL PRIOR TO SUBMITTING THE PLANS TO FRESNO COUNTY. THE FIRE SPRINKLER SYSTEM SHALL BE INSTALLED BY A LICENSED FIRE SPRINKLER CONTRACTOR AND SHALL BE INSPECTED AND APPROVED BY THE APPROPRIATE FIRE MARSHAL PRIOR TO APPROVAL OF OCCUPANCY OF THE BUILDING.

SHEET INDEX	
SHEET	DESCRIPTION
1	SITE PLAN
2	EXISTING FLOOR PLAN & NOTES
3	PROPOSED FLOOR PLAN
4	EQUIPMENT LAYOUT PLAN
5	NEW CANOPY FLOOR & FOUNDATION PLAN
6	MAIN BUILDING EXTERIOR ELEVATIONS
7	CANOPY ELEVATIONS
8	STAGE FLOOR, FOUNDATION & FRAMING PLAN
9	NEW BALCONY FLOOR, FOUNDATION
10	CANOPY ROOF FRAMING
11	CROSS SECTIONS
12	WALL RETROFIT ENGINEERING DETAILS
13	LIGHTING PLAN
14	REFLECTED CEILING
15	POWER PLAN
16	SITE POWER PLAN
17	WASTE PLAN
18	WATER PIPING PLAN
19	MECHANICAL AND GAS PLANS
20	ADA DETAILS
21	ADA DETAILS
22	DETAILS
23	DETAILS
24-27	ENERGY REPORT (T-24)

**NOTE**  
GRADING, DRAINAGE, SEPTIC SYSTEM AND FIRE SPRINKLER PLANS UNDER SEPARATE PERMIT

**HEALTH DEPT. NOTES**

- THE FOLLOWING NOTES ARE REQUIRED FOR THE CONSTRUCTION OF A RESTAURANT OR COMMERCIAL KITCHEN BY THE ENVIRONMENTAL HEALTH DEPARTMENT:
1. INCLUDING NORMAL INSPECTIONS REQUIRED BY THE BUILDING/ENGINEERING DEPARTMENT DURING THE COURSE OF CONSTRUCTION, CONTACT ENVIRONMENTAL HEALTH DEPT. FOR A PLUMBING INSPECTION, FLOOR INSTALLATION INSPECTION AND A FINAL PRE-OPENING INSPECTION. FINAL APPROVAL MUST BE GRANTED BY THE COUNTY ENVIRONMENTAL HEALTH DEPT. BEFORE THE ESTABLISHMENT CAN BE OPENED FOR BUSINESS.
  2. ALL SINKS AND LAVATOIRES IN THE FOOD FACILITY MUST BE SUPPLIED WITH HOT (MINIMUM 120° F) AND COLD RUNNING WATER.
  3. ALL EQUIPMENT GIVING OFF WASTES AND CONDENSATION ARE REQUIRED TO DRAIN INTO A FLOOR SINK VIA A LEGAL AIR GAP.
  4. FLOOR DRAINS ARE REQUIRED IN THE FOOD PREPARATION AND DISHWASHING AREAS. THE SLOPE TO THE DRAIN IS 1:50 (APPROXIMATELY 1/4 INCH PER FOOT).
  5. FLOOR DRAINS ARE REQUIRED IN ALL RESTROOMS UNLESS THE TOILET IS EXISTING.
  6. IN THE FOOD PREPARATION AND DISHWASHING AREAS, THE FLOOR SURFACE MUST EITHER BE COMMERCIAL SHEET LINOLEUM, QUARRY TILE OR EPOXY. THE FLOOR MUST EXTEND UP THE WALL 4 INCHES TO CREATE A SEAMLESS COVERING. RUBBER ADHESIVE COVERING MAY NOT BE USED. WALL SURFACES MUST BE MARLITE OR FRP. CEILINGS MUST BE SMOOTH AND EASILY CLEANABLE.
  7. EXHAUST HOODS AND MAKE-UP AIR SYSTEMS OVER COOKING AREAS MUST BE DESIGNED TO MEET REQUIRED CFM (QUANTITY OF AIR) TO BE REMOVED. AMOUNT OF MAKE-UP AIR, DIMENSIONED BY LENGTH, WIDTH AND HEIGHT FROM THE LOWER EDGE OF THE HOOD TO THE COOKING SURFACE, PROVIDE THE SIZE AND NUMBER OF FILTERS, SIZE AND LENGTH OF DUCTS AND DUCT VELOCITY. EACH EXHAUST OUTLET SHALL NOT SERVE MORE THAN A 12 FOOT SECTION OF THE HOOD. HOOD OVERHANG SHALL BE NOT LESS THAN 6 INCHES FROM THE OUTER EDGE OF THE COOKING EQUIPMENT TO THE INNER EDGE OF THE GREASE GUTTER. VERTICAL DISTANCE FROM THE LIP OF THE HOOD AND THE COOKING SURFACE SHALL NOT BE MORE THAN 4 FEET.
  8. ALL RACKS AND SHELVING MUST BE SMOOTH AND EASILY CLEANABLE (NO EXPOSED OR PAINTED WOOD SURFACES).
  9. ALL REFRIGERATORS MUST HAVE THERMOSTATS.
  10. ALL LIGHTS IN THE FOOD PREPARATION AND DISHWASHING AREAS MUST HAVE COVERS TO LIMIT GREASE BUILDUP AND POSSIBLE FIRE AT LIGHT FIXTURES.
  11. IF THE FOOD FACILITY DOES NOT CLEAN AND SANITIZE ANY MULTI-SERVICE CONSUMER UTENSILS (DISHES, PLATWARE, CUPS, GLASSES, ETC.), THE TWO-COMPARTMENT STAINLESS STEEL SINK IS REQUIRED. IF THE APPROVED TWO-COMPARTMENT POT/UTENSIL SINK IS CONNECTED TO A GREASE TRAP, WHICH IS IN DIRECT CONNECTION, AND THERE IS VEGETABLE/FOOD PREPARATION ON THE PREMISES, THEN A SEPARATE ONE-COMPARTMENT (MINIMUM) VEGETABLE/FOOD PREPARATION SINK IS REQUIRED THAT DRAINS TO A FLOOR SINK VIA A LEGAL AIR GAP. INDICATE THE LOCATION OF THE SINKS ON THE PLANS.
  12. IF THE FOOD FACILITY USES MULTI-SERVICE CONSUMER UTENSILS (DISHES, PLATWARE, CUPS, GLASSES, ETC.), THEN AN APPROVED, NSF THREE-COMPARTMENT SINK, OR A TWO-COMPARTMENT SINK AND DISHWASHER IS REQUIRED. IF THE ABOVE SINK IS CONNECTED TO A GREASE TRAP, THEN A SEPARATE FOOD PREPARATION SINK WHICH DRAINS INTO A FLOOR SINK VIA A LEGAL AIR GAP IS REQUIRED.
  13. IF THE FOOD FACILITY IS GOING TO HAVE A BAR AND SERVE DRINKS, THEN A THREE-COMPARTMENT STAINLESS STEEL BAR SINK IS REQUIRED THAT DRAINS INTO A FLOOR SINK VIA A LEGAL AIR GAP.
  14. IN EMPLOYEE AND PATRON RESTROOMS PROVIDE:
    - A. HANDWASH SINK WITH HOT AND COLD WATER.
    - B. A WALL-MOUNT PAPER TOWEL DISPENSER OR AN APPROVED ELECTRIC HAND DRYER.
    - C. A WALL-MOUNT SOAP DISPENSER NEAR THE HANDWASH SINK.
    - D. A FLOOR DRAIN.
    - E. SELF-CLOSING DOORS, SWING-OUT DOORS TO HANDICAP MINIMUM WIDTH REQUIRED.
    - F. VENTILATION BY MEANS OF AN OPENABLE, SCREENED WINDOW OR AN EXHAUST FAN.
    - G. FLOOR SURFACES OF EITHER CERAMIC TILE OR COMMERCIAL SHEET LINOLEUM, SEAMLESS COVERED AND EXTENDING 4 INCHES UP THE WALL.

**KITCHEN NOTES**

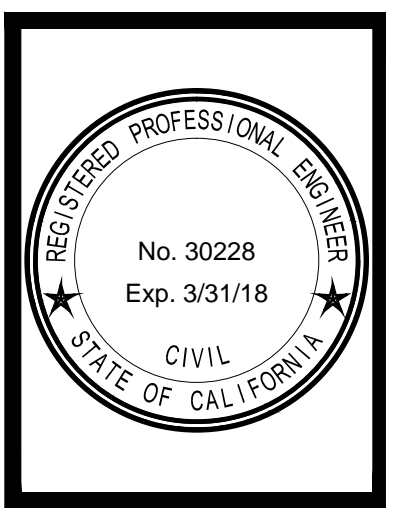
- 1.) All sinks in the food preparation area must be supplied with hot (minimum 120 F) and cold running water.
- 2.) All equipment giving off wastes or condensates are required to drain into a floor sink via a legal air gap.
- 3.) Floor drains are required in the food preparation and dishwashing areas. The slope to the drains is 1:50 (approx. 1/4 inch per foot).
- 4.) Floor drains are required in all toilet areas.
- 5.) All floor surface must be either commercial sheet linoleum, quarry tile or epoxy. The floor covering must extend up the wall 4 inches to create a seamless covering. Rubber adhesive covering may not be used.
- 6.) Wall surfaces must be marlite or FRP. Ceiling must be smooth and easily cleanable.
- 7.) Kitchens that can be used as commercial food preparation areas require exhaust hood over cooking surface. See Mechanical Engineer's details for CFM to be removed, amount of make up air, hood dimensions and height above cooking surface, size and number of filters, size of duct, and duct velocity.
- 8.) All light fixtures in the food preparation and dishwashing area must have covers.

**NOTE**  
PROJECT ADDRESS TO BE POSTED AT JOB SITE W/4" HIGH NUMERALS ON CONSTRUCTION BACK GROUND WITH 1/2 MIN. STROKE

**PLANNING DEPT APPROVAL**

**BUILDING DEPT APPROVAL**

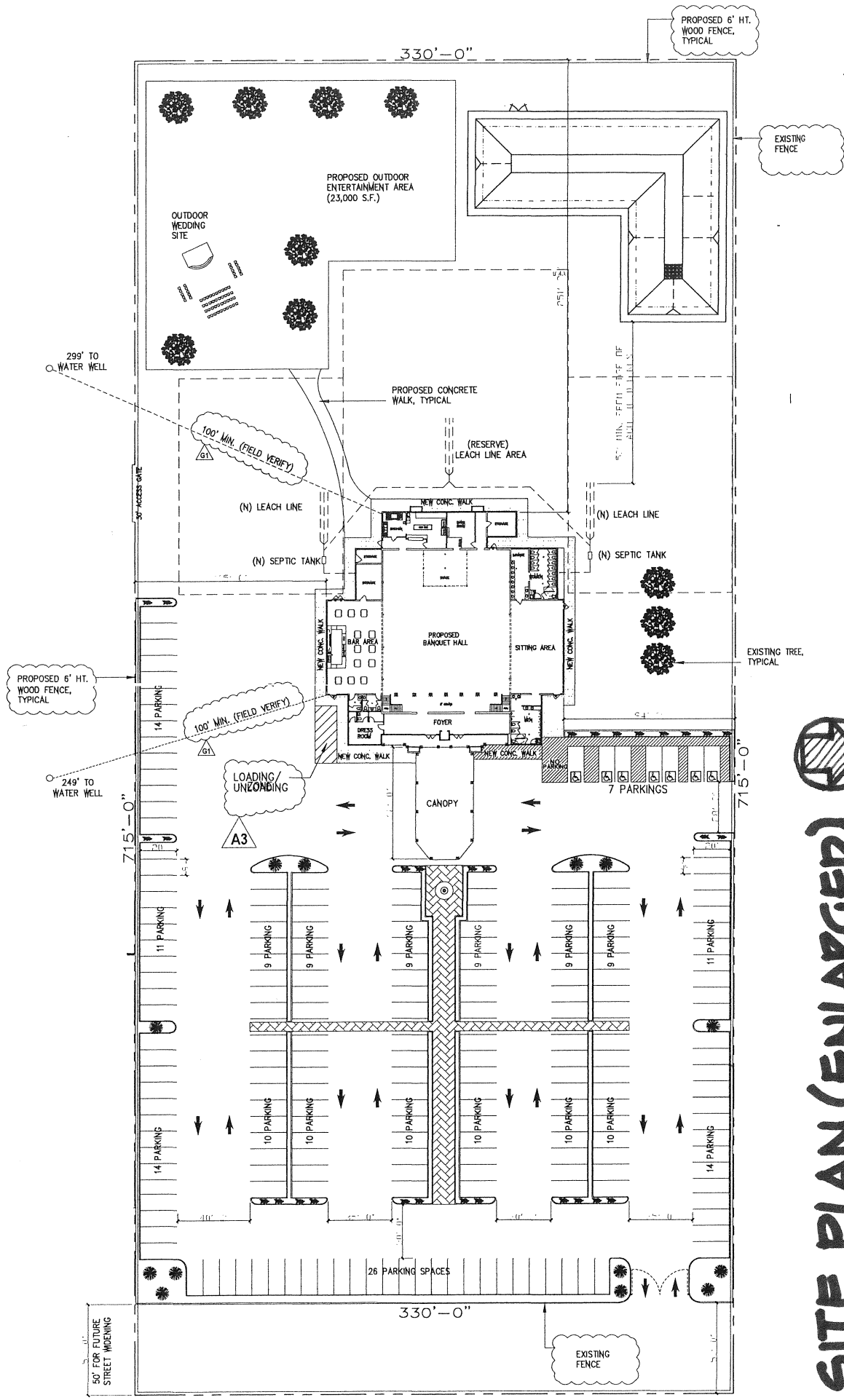
**RICHARD BITTIKOFFER**  
CIVIL ENGINEER  
1124 E. PONTIAC WAY  
FRESNO, CA. 93704  
PH. 559-438-4432 FAX 559-438-1973



**OWNER BUILDER**  
ALVARO GARCIA  
3621 N. HOWARD AVENUE  
KERMAN, CA 93630  
559-908-0121

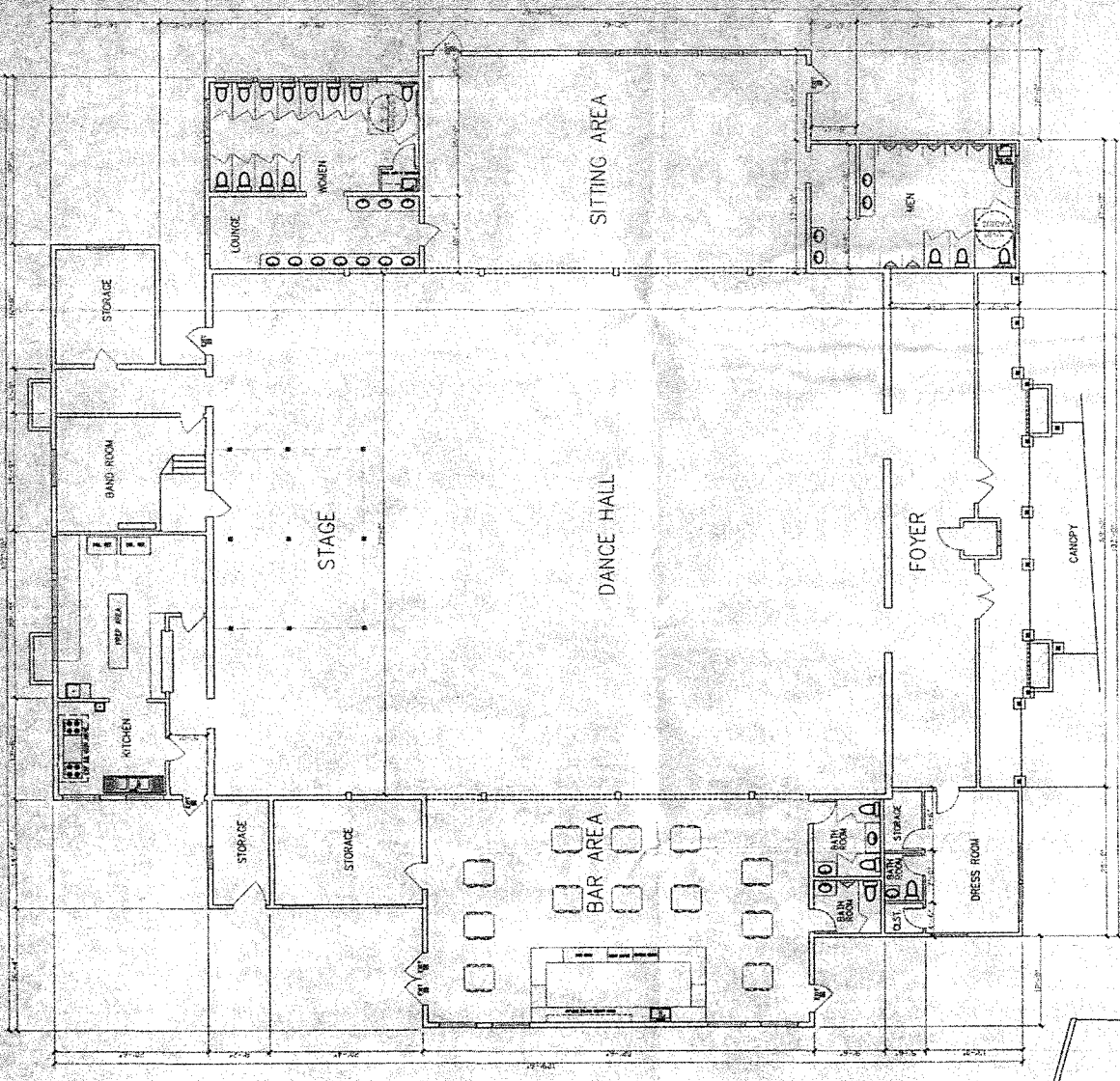
**PROJECT TITLE:** PROPOSED BANQUET HALL  
ALVARO GARCIA  
2545 N. MADERA AVENUE  
KERMAN, CA 93630  
559-908-0121

JOB NO.: A. GARCIA  
DRAWN BY: JAISAL  
SHEET NO.: 1  
OF 27 SHEETS  
DATE: 05/2016



**SITE PLAN (ENLARGED)**

**MADERA AVE (SR145)**

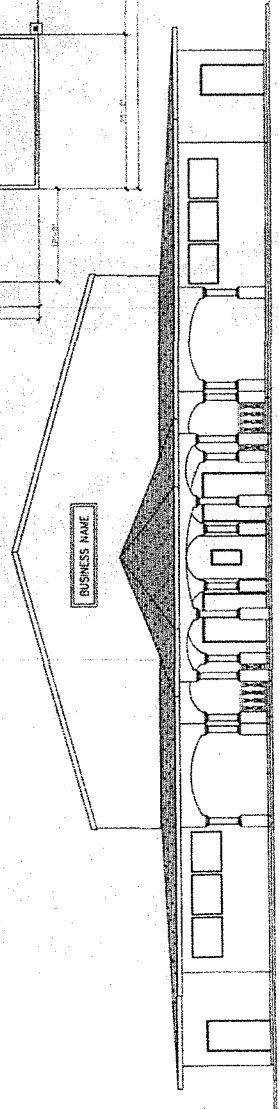


**WALL LEGEND**

(---)	EXISTING WALLS
(---)	NEW WALLS
(---)	WALLS TO BE REBUILT
(---)	(O) EXISTING (O) NEW

**FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**FRONT ELEVATION**

SCALE: 1/8" = 1'-0"



Alvaro Garcia & Carmen Garcia  
3621 N Howard Avenue  
Kerman, CA 93630  
December 14, 2017

Department of Public Works and Planning  
2220 Tulare Street, 6th floor  
Fresno, CA 93721

RE: (CUP 3501) BANQUET HALL - 2545 N Madera Avenue Kerman, CA 93630

Dear Department of Public Works and Planning:

After buying the property 2545 N Madera Avenue Kerman, CA 93630 I was required to submit a proposal of what I would do this property. Thankfully I have already accomplished many of the items on that proposal. After completing operation clean up and starting to expand the nursery I find myself ready for the next step which would be to transform and remodel the existing old high school gymnasium. The following is the operational statement checklist.

1. Nature of operation:  
We are remodeling the previous gymnasium that was on-site. We plan on making it into a banquet hall to hold company meetings and to hold special events (corporate events, holiday parties, weddings, receptions, possibly school events) and more. Events will be held indoors/outdoors depending on the request. However, events requiring music must be held indoors. We also plan on providing an outdoor park/reception area.
2. Operational time limits:  
We plan on operating from 2:00 p.m. – 2:00 a.m. three days out of the week Friday, Saturday & Sunday. A total of 12 indoor hours per day.
3. Number of customers or visitors:  
On average the number of visitors we plan on having would be anywhere from 50 – 500 people depending on the event. They would be there during the hours of operation 2:00 p.m. – 2:00 a.m.
4. Number of employees:  
Currently for the hall portion we have no employees but once we are in full operation we plan on having 8 employees working up to 10 hour shifts. There will be no employees living on on-site as caretakers. However, the nursery will have

**EXHIBIT 6**

- anywhere from 1-10 employees working in a given day. The nursery employees work 9 hour shifts Monday – Friday and 5 hour shifts on Saturday. The operation hours for the nursery vary from the summer months to winter months.
5. Service and delivery vehicles:  
There will be 1 delivery truck that will be used to delivery any merchandise or supply once a week.
  6. Access to the site:  
The site will have access to two driveway off of Madera Avenue once the construction is furnished. They will service as an entrance and exit point for the facility. As of today the only paved public road to the site is Clinton Avenue.
  7. Number of parking spaces for employees, customers and services/delivery vehicles:  
We are in the process of making an asphalt parking area holding 250 parking spaces.
  8. Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location?  
No, there will be no goods to be sold on-site.
  9. What equipment is used?  
We will have a lawnmower to do any outside gardening that is needed.
  10. What supplies or materials are used and how are they stored?  
As far as cleaning the hall we plan on having basic supplies and materials used for cleaning such as push broom, mop, windex, cleaning cloths, ajax, toilet brush, etc. All of these supplies will be on a caddy cart and will stored in a cleaning supply closet.
  11. Does the use cause an unsightly appearance?  
The use will cause noise. However, it will be inside the facility therefore you won't hear much since it will be inside an insulated building.
  12. List any solid or liquid waste to be produced.  
We have estimated that around 3 yards of trash will be produced per week. It will be stored and disposed by a trash company. One of which we have not yet selected.
  13. Estimated volume of water to be used (gallons per day).  
We have two wells located in the property. One well will be used to supply water for the nursery and the other well will be used to supply water for the hall. We have estimated that we will be using 1500 gallons per event. Each well has its own 20 HP pump.
  14. Describe any proposed advertising including size, appearance, and placement.

- The only advertising we have planned for as of today would include the name of the hall. This would be painted on the building wall. It will be sized at 3ft x 20ft.
15. Will existing building be used or will new buildings be constructed?  
An existing building (old gymnasium) will be transformed into a banquet hall.  
The floor plans have already been submitted.
16. Explain which buildings or what portion of building will be used in the operation.  
The old school gymnasium is the building that will be used for the operation.
17. Will any outdoor lighting or an outdoor sound amplification system be used?  
The parking lot will have outdoor lighting and will only be used at night when event is being held. No, sound amplification system will be used.
18. Landscaping or fencing proposed?  
The floor plans have already been submitted and show that we have proposed a private chain-link fence around the area designated for the hall. Therefore there will be a separation for each facility the hall will be fenced up and separated from the nursery. The nursery will be its own entity and have its own private chain-link fence.
19. Kitchen and Bar  
The floor plan shows a kitchen and bar area inside the hall we plan that events will bring in food that is already prepared/catered. The kitchen area will only be used for storing purposes or heating up the catering food if needed. As for the bar area we plan on using it as a place to get beverages.
20. Any other information that will provide a clear understanding of the project or operation.  
Once again we plan on transforming and remodeling the old high school gymnasium into an event hall.
21. Identify all owners:  
Alvaro L. Garcia and Carmen E. Garcia are the owners of this property. Contact information (559) 908-0121 Cell Alvaro (559) 907-1999 Cell Carmen.

We look forward to working with you.

Sincerely,

Department of Public Works and Planning

December 14, 2017

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Alvaro Garcia & Carmen Garcia

Property Owners



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Alvaro Garcia
- APPLICATION NOS.: Initial Study Application No. 6986; Unclassified Classified Conditional Use Permit Application No. 3501
- DESCRIPTION: Allow a high-intensity park with related improvements for special events and meetings on an approximately 5.4-acre portion of a 20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The subject property is located at northwest corner of W. Clinton and N. Madera Avenues approximately 2.3 miles north of the nearest city limits of the City of Kerman (2545 N. Madera Avenue, Kerman) (Sup. Dist. 4) (APN 015-410-03).

### I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

The project site is located in an agricultural area and is currently developed with various buildings and structures. Surrounding land uses include orchard and field crops with sparse single-family residences. The property fronts on State Route (SR) 145 (Madera Avenue). SR 145 is not a designated scenic highway in the County General Plan and no scenic vistas or scenic resources were identified on or near the property.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Existing improvements on the property include a 16,641 square-foot gymnasium building, 1,430 and 1,690 square-foot single-family residences, 2,440 square-foot pollen room, 7,742 and 5,360 square-foot ag equipment and storage shops, 936 square-foot portable trailer, 64 and 108 square-foot bathrooms, two 96 square-foot chicken coops and a 400 square-foot cow shade.

According to the Applicant's Operational Statement, the gymnasium building will be remodeled and be converted into a banquet hall to hold special events/meetings related to this proposal. Related improvements include an outdoor entertainment area and on-site parking with ingress and egress from State Route 145 (Madera Avenue).

The proposal involves no new building or structures. As such, no significant impact on the visual character or quality of the surroundings will occur from this proposal.

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Outdoor lighting may be required on the exterior of the banquet hall or the parking area. To minimize any light and glare impacts resulting from this proposal, a mitigation measure would require that all lighting shall be hooded and directed as to not shine toward adjacent property and public streets.

\* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?

FINDING: NO IMPACT:

The project is not in conflict with Agriculture zoning on the property and is an allowed use on land designated for agriculture with discretionary approval. The subject property is classified as Urban and Built-Up Land on the 2014 Fresno County Important Farmland Map and is not enrolled in a Williamson Act Land Conservation Contract.

- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is currently zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) in the County Zoning Ordinance which is not in conflict with the subject

proposal. The site is not an active forestland nor does it contain trees that may be commercially harvested.

- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

As noted above, the subject proposal is a compatible use on the subject agricultural land, with discretionary land use approval, and will utilize the existing improvements on the property. No changes to the existing environment will occur from this proposal.

The Fresno County Agricultural Commissioner's Office reviewed the proposal and expressed no concerns with the project.

### III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and requires that the applicant shall contact the District's Small Business Assistance Office to identify District rules or regulations that apply to the project or to obtain information about District permit requirements. This requirement will be included as a Project Note.

- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not create objectionable odors to affect people on or around the proposed facility. No concerns were expressed by Air District.

### IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or

- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means?

FINDING: NO IMPACT:

The project site is pre-disturbed by the existing improvements on the property. Likewise, the neighboring parcels have been pre-disturbed with farming operations and as such do not provide habitat for state or federally-listed species. Additionally, the site does not contain any riparian features or wetlands or waters under the jurisdiction of the United States.

The project was routed to the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) for review and comments. No concerns were expressed by either agency.

- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The project site is currently developed with various buildings and structures. No wildlife or fish movement features (e.g., waterways, arroyos, ridgelines) or any wildlife nursery sites are present on the property. The project will not impact these resources.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

The project is not subject to the County tree preservation policy or ordinance.

- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: NO IMPACT:

The project site is not within the boundaries of a Habitat Conservation Plan or Natural Community Conservation Plan. The project will not conflict with the provisions of such a Plan.



## V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: NO IMPACT:

The project site is not in an area sensitive to historical, archeological or paleontological resources. No impacts on archeological resources are expected from this proposal.

- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: NO IMPACT:

The project will have no impact on tribal Cultural Resources and was routed to the Dumna Wo Wah, Santa Rosa and Table Mountain Rancheria Tribal Governments, including Picayune Rancheria of the Chukchansi Indians in accordance with Public Resources Code Section 21080.3.1 (b).

## VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

- 1. Rupture of a known earthquake?

FINDING: NO IMPACT:

The project site does not contain any active earthquake faults, nor is it located within a designated Alquist-Priolo Earthquake Fault Zone.

- 2. Strong seismic ground shaking; or
- 3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in an area of low probability for exposure to strong ground shaking. The potential for seismic-related ground failure (liquefaction, lateral

spreading, and lurching) occurring on the project site is minimal due to the absence of high groundwater levels and saturated loose granular soil on the property. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on site.

No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides.

4. Landslides?

FINDING: NO IMPACT:

The project site contains naturally flat relief which precludes the possibility of landslides on site.

B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Development Engineering Section of the Development Services Division reviewed the proposal and requires that: 1) any additional run-off generated by the proposed development of the site be retained or disposed of per County Standards; 2) an Engineered Grading and Drainage Plan be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; and 3) a Grading Permit or Voucher be obtained for any grading proposed with this application. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or

D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The development of the project would implement all applicable requirements of the most recent California Building Standards Code and as such would not expose persons to hazards associated with seismic design of buildings and shrinking and swelling of expansive soils.

E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the proposal and required an engineered sewage disposal system for the project. A “Design of On-site Sewage Disposal System” dated August 30, 2016 and Supplemental Septic Design dated October 3, 2017 were prepared for the project by Technicon Engineering Services, Inc. The Health Department reviewed and approved the septic system design with the following Mitigation Measure for the project:

\* **Mitigation Measure**

1. *The sewage disposal system shall be designed and installed in accordance with the Technicon Engineering Services, Inc. Supplemental Septic Design Report (Project No. 150707.002 dated October 3, 2017) or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division. Any changes in the proposed project may require additional review to ensure adequacy of the on-site wastewater treatment systems’ adequacy to serve the proposed changes. Installation of sewage disposal systems shall be in accordance with all Local Ordinances and State Regulations.*

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Comments received from the Air District expressed no specific project-related concerns, supporting the determination that the project will not generate greenhouse gas emissions that may have a significant impact on the environment. The project will adhere to the Air District requirement as noted in Section III. A.B.C.D. Air Quality.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not involve transport, use or disposal of hazardous materials nor would cause any accidental release of hazardous materials into the environment.

According to the Fresno County Department of Public Health, Environmental Health Division, Food Facility Plans and specifications shall be submitted for review and approval consistent with the proposed project and a 'Permit to Operate' a food facility shall be acquired. These requirements will be included as Project Notes.

The project is not located within one quarter-mile of a school. The nearest school, Sun Empire Elementary School, is approximately 1.2 miles west of the project site.

- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The project is not located on a hazardous materials site. No concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or
- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an airport land use plan area, within two miles of a public use airport, or near a private airstrip. The nearest airstrip, Bland Field, is approximately 4.3 miles south of the proposal.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. The project will not conflict with an emergency response or evacuation plan.

- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project site is outside any wildland fire area. The project will not expose persons or structures to wildland fire hazards.

## IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: LESS THAN SIGNIFICATION IMPACT WITH MITIGATION  
INCORPORATED:

See discussion above in Section VI. E. Geology and Soils regarding waste discharge requirements for the project.

According to the State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW), the proposed facility will be a public water system, classified as a transient non-community water system and be permitted by SWRCB-DDW. As such, the applicant must demonstrate that he has adequate technical, managerial and financial capacity to operate and maintain the water system in compliance with all state and federal laws and regulations. Also, the existing well planned for use as a domestic source of water supply be must constructed in accordance with the California Well Standards and County well requirements. Further, a well completion report or Well Driller's report must be submitted with the domestic water supply permit application meeting the minimum required separation between well and septic system. SWRCB also required the Applicant to conduct water quality testing for bacteria, nitrate and nitrite in accordance with the requirements for a transient non-community water system. In addition, where water quality standards are unmet, the Applicant must have a proposed treatment or an alternative solution as part of the permit application.

The Applicant conducted a water quality analysis of the well water which was reviewed and approved by SWRCB-DDW. Concerning the SWRCB-DDW requirement for documentation of the well construction and separation from sewage hazards or a signed statement agreeing to install water treatment due to proximity to sewage or well construction deficiencies identified at the time SWRCB-DDW prepares a domestic water supply permit for the project, the applicant has provided a signed statement to SWRCB-DDW. A site visit by SWRCB-DDW has revealed that the well is sealed to a depth of 20 feet verses 50 feet required. However, upon reviewing the Design of On-site Sewage Disposal System prepared for the project by Technicon Engineering Services, Inc., and noticing 100-foot separation between the proposed septic systems and the well, SWRCB-DDW concluded that the proposed facility could be permitted as a transient drinking water system, provided the Fresno County Health Department approves the Design of On-site Sewage Disposal System. The Health Department approved the septic system design on October 5, 2017. SWRCB-DDW also concluded that if the well shows positive result for total coliform bacteria, the water shall be permanently chlorinated. But, if it begins to produce water with *E. coli*, a new well must be drilled. This requirement will be included as a Mitigation Measure.

\* **Mitigation Measure**

1. *As required by the State Water Resources Control Board, Office of Drinking Water, if at any time during the operation of the facility, water supply from the well shows positive results for total coliform bacteria, the well water shall be permanently chlorinated. However, if it begins to produce water with E. coli a new well shall be drilled.*

The California Regional Water Quality Control Board (RWQCB) also reviewed the proposal and expressed no concerns related to the project's impact on groundwater quality.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project will use approximately 1500 gallons of water per event. Events will occur on Friday, Saturday and Sunday of each week. The water will be supplied from an on-site domestic well.

The Water and Natural Resources Division (WNR) of the Fresno County Department of Public Works and Planning reviewed the project. Considering the anticipated water usage and the project site not being located in a low-water area, WNR expressed no concerns related to sustainable water supply for the project. The impact would be less than significant.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site?

FINDING: NO IMPACT:

No stream or river exists on the property that could be impacted by this proposal. Fresno Irrigation District (FID) G-7 Canal No. 67 runs southerly along the western boundary of the property and would not be impacted by the proposal.

- E. Would the project create or contribute run-off, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above in Section VI. B. Geology and Soils, any changes to the existing drainage pattern resulting from this proposal will be subject to review and approval of an Engineered Grading and Drainage Plan and a Grading Permit or Voucher from the Development Engineering Section of the Development Services Division.

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in IX. A. above.

G. Would the project place housing within a 100-year floodplain?

FINDING: NO IMPACT:

No housing is proposed with this application.

H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

According to Federal Emergency Management Agency (FEMA) FIRM Panel 1525H, the subject property is not subject to the flooding from the one-percent-chance storm.

I. Would the project expose persons or structures to levee or dam failure; or

J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The subject site is not prone to a seiche, tsunami or mudflow, nor is the project likely to expose persons or structures to potential levee or dam failure. No levee or dam exists near the site.

## X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The nearest city, the City of Kerman, is approximately 2.3 miles south of the subject proposal.

B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING LESS THAN SIGNIFICANT IMPACT:

The subject property is designated Agriculture in the Fresno County General Plan and is outside of any city's Sphere of Influence (SOI). As such, the proposal is not in conflict with any land use plan, policy, or regulation of an agency with jurisdiction (other than County) over the project.

The County General Plan allows the proposed facility in an agriculturally-zoned area by discretionary land use approval provided applicable General Plan policies are met. Concerning Policy LU-A.3, Criteria a. b. c. d., the proposed high-intensity park for special events/meetings fit to the subject property based on its location outside urban areas and yet in close proximity to the nearby towns and communities to serve them; is not located on prime farmland; will utilize limited water (1,500 gallons per event); and can be provided with adequate workforce from the nearby City of Kerman and unincorporated community of Biola. Concerning Policy LU-A.12, Policy LU-A.13 and Policy LU-A.14, the project is a compatible use pursuant to Policy LU-A.3 and will be at an adequate distance from the adjacent farming operations. Concerning Policy PF-C.17 and Policy PF-D.6, the project will use limited water to impact groundwater supply and will install an engineered sewage disposal system to minimize wastewater impact on groundwater quality.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation or Natural Community Conservation Plans.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

No impacts on mineral resources were identified in the analysis. The site is not located in a mineral resource area as identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or



- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the proposal and required an acoustical analysis for the project. An “Acoustical Analysis” dated September 4, 2015 was prepared for the project by WJV Acoustics, Inc. The Health Department reviewed and approved the Analysis by indicating that the project will meet Fresno County Noise Ordinance standards.

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project site is not located near an airport or a private airstrip to be impacted by an airport noise. The nearest airstrip, Bland Field, is approximately 4.3 miles south of the site.

### XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

The project will not impact housing or induce population growth.

### XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:
  - 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

North Central Fire Protection District (NCFPD) reviewed the proposal and requires: 1) the Site Plan to show two means of ingress and egress; 2) "all weather surface" fire access lanes; 3) on-site Fire Flow Water Supply meeting NCFPD Commercial Water Tank Standard; 4) emergency vehicle drive access within 200 feet of all building openings; 5) a minimum 20-foot gate opening for emergency vehicle access with unobstructed width of 20 feet; 6) a police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W7B2); 7) a fire sprinkler system based on building square footage/occupancy classification and a fire alarm system. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

2. Police protection?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The Fresno County Sheriff's Office (FCSO) reviewed the proposal and stated that the agency has previously responded to noise complaints related to loud music at the project site. FCSO further stated that concentration of 500 people per event with alcohol on site will greatly impact law enforcement operations by creating more calls for service. To mitigate these impacts, FCSO requires that security guards shall be present during all events, and information regarding the number of security guards to be staffed for each 100 people on site shall be provided to FCSO. Additionally, the applicant shall provide evidence regarding the type of ABC (Alcohol and Beverage Control) license to be used for the events and whether or not the events will be private or open to the public (to include purchase of alcohol). Furthermore, all events shall follow the County Noise Ordinance. These requirements will be included as Mitigation Measures:

\* **Mitigation Measures**

1. *Licensed security guards shall be present on site during all events. Prior to occupancy granted for the use, the Fresno County Sheriff's Office shall be provided with the number of security guards for each 100 people on site for the events.*
2. *Prior to occupancy granted for the use, the applicant shall provide evidence regarding the type of ABC (Alcohol and Beverage Control) license to be used for the events and whether or not the events will be private or open to the public (to include purchase of alcohol).*
3. *All events shall adhere to the County Noise Ordinance.*

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact existing public services, or result in the need for additional public services related to schools and parks.

## XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks; or
- B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

The project would not result in the need for new or expanded recreational facilities.

## XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, an average of 50 to 500 people will attend each planned event on the property. The events will be held on Friday, Saturday and Sunday from 2 p.m. to 2 a.m. When fully operational, the facility will have eight employees working up to 10-hour shifts.

The subject property is located on State Route (SR) 145 (Madera Avenue). The California Department of Transportation (Caltrans) reviewed the proposal and stated that the project will have a less than significant impact on SR 145. In addition, a review of the project Site Plan shows that the project is consistent with the agency's initial comments on the project, which required one driveway access from SR 145 and be located 550 feet north of Clinton Avenue to allow for future left-turn channelization along SR 145 for vehicles travelling to eastbound Clinton Avenue. Furthermore, SR 145 near the proposal is planned for 160 feet (80 feet measured from centerline) verses existing 60 feet (30 feet measured from centerline). A Condition of Approval would require the property owner to irrevocably offer easterly 50 feet of the parcel to the Caltrans as future right-of-way for SR 145.

The Design Division of the Department of Public Works and Planning reviewed the proposal and expressed no concerns related to traffic.

- C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns.

- D. Would the project substantially increase traffic hazards due to design features?

FINDING: NO IMPACT:

The project does not propose to alter existing roadway designs within the project area, which has been designed in accordance with Fresno County roadway standards to avoid roadway hazards and other traffic-related hazardous features. No concerns were expressed by the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.

- E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

The proposed facility will gain access from State Route 145 (Madera Avenue).

The project will not change emergency access to the site or affect access to nearby uses. Further review of emergency access will occur at the time Fresno County Fire Protection District reviews the project during Site Plan Review recommended as a Condition of Approval and prior to issuance of building permits.

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

The project will not conflict with any adopted transportation plans. As such, no impacts associated with public transit or pedestrian and bicycle hazards are expected from this proposal.

## XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI. E. Geology and Soils.

- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICATION IMPACT:

See discussion in Section IX. E. Hydrology and Water Quality.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI. E. Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will generate three yards of trash per week. Solid waste will be collected and stored on site and disposed of at the local landfill through a local trash hauler.

## XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: NO IMPACT:

The project would not degrade the quality of the environment; reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of an endangered, rare, or threatened species. No impacts on biological or cultural resources were identified in the analysis.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has been analyzed for potential impacts, and appropriate project-specific mitigation measures have been developed to reduce project impacts to less than significant levels.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than aesthetics, geology and soils, hydrology and water quality, noise, public services and transportation/traffic, which will be addressed with the Mitigation Measures discussed in Section I. D. Section VI. E, Section IX. A. Section XII. A. B. C. D., Section XIV. A., and Section XVI. A. B.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

The proposed project would not directly or indirectly cause substantial adverse effects on human beings.

## CONCLUSION/SUMMARY

Based upon Initial Study (IS) No. 6986 prepared for Unclassified Conditional Use Permit Application No. 3501, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural and forestry resources, biological resources, cultural resources, mineral resources, population and housing, and recreation.

Potential impacts related to air quality, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, transportation/traffic, and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics, geology and soils, hydrology and water quality, and public services have been determined to be less than significant with the identified Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Streets, Fresno, California.

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File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space reserved for County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: IS 6986	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Alvaro Garcia	Project Title: Unclassified Conditional Use Permit Application No. 3501		
Project Description: Allow a high-intensity park with related improvements for special events and meetings on an approximately 5.4-acre portion of a 20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject property is located at northwest corner of W. Clinton and N. Madera Avenues approximately 2.3 miles north of the nearest city limits of the City of Kerman (2545 N. Madera Avenue, Kerman) (Sup. Dist. 4) (APN 015-410-03).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 6986) prepared for Unclassified Conditional Use Permit Application No. 3501, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to agricultural and forestry resources, biological resources, cultural resources, mineral resources, population and housing, and recreation  Potential impacts related to air quality, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, transportation/traffic, and utilities and service systems have been determined to be less than significant.  Potential impact related to aesthetics, geology and soils, hydrology and water quality, and public services has been determined to be less than significant with the identified mitigation measure.  The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – November 10, 2017		Review Date Deadline: December 11, 2017	
Date: September 6, 2017	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**

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**EXHIBIT 8**