



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 March 29, 2018

SUBJECT: Initial Study Application No. 7399 and Amendment Application No. 3826

Modify the existing M-1(c) (Light Manufacturing, Conditional) zoning on two contiguous parcels totaling 4.54 acres approved by Amendment Application No. 3620 to allow additional uses on the property which include storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels, and a boat and repair facility.

LOCATION: The subject property is located on the west side of Auberry Road, approximately 662 feet south of Frazier Road within the unincorporated community of Auberry (32177 and 31911 Auberry Road, Auberry) (SUP. DIST. 5) (APN 128-450-36 & 37).

OWNER: Sierra Marina Inc.
APPLICANT: Jerome Sandstrom

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

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7399; and
- Determine that the proposed modification to the current M-1(c) (Light Manufacturing, Conditional) Zone District is consistent with the General Plan; and
- Direct the Secretary to prepare a Resolution to forward Amendment Application No. 3826 to the Board of Supervisors with a recommendation for approval, subject to the Mitigation Measures, Conditions of Approval, and Project Notes listed in the Staff Report.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Uses Allowed Under the Current M-1(c) (Light Manufacturing, Conditional) Zone District With the Approval of Amendment Application (AA) No. 3620
6. Uses Proposed to be Allowed Under the Proposed Modifications to the Current M-1(c) (Light Manufacturing, Conditional) Zone District with the Approval of Amendment Application No. 3826.
7. Conditions of Approval of Amendment Application (AA) No. 3620
8. Board of Supervisors Approval of Amendment Application (AA) No. 3620
9. Summary of Initial Study Application No. 7399
10. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Mountain Urban in the Sierra-North Regional Plan	No change
Zoning	M-1(c) (Light Manufacturing, Conditional)	Modify the current M-1(c) (Light Manufacturing, Conditional) zoning on two contiguous parcels totaling 4.54 acres approved by Amendment Application No. 3620 to allow additional uses on the property which include storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels, and a boat and repair facility.
Parcel Size	<u>APN 128-450-36:</u> 2.30 acres <u>APN 128-450-37:</u> 2.24 acres	No change
Project Site	<u>APN 128-450-36:</u> • Well house	No change (no development proposed)

Criteria	Existing	Proposed
	<ul style="list-style-type: none"> Storage tank <p><u>APN 128-450-37:</u></p> <ul style="list-style-type: none"> 600 square-foot storage shed 600 square-foot office/repair shop 1,500 square-foot caretaker residence 7,600 square-foot pole barn 	
Structural Improvements	See "Project Site" above	No change (no development proposed)
Nearest Residence	125 feet to the east	No change
Surrounding Development	Industrial and residential uses	No change
Operational Features	See "Project Site" above	See "Project Site" above
Employees	N/A	To be determined at the time uses are established on the property
Customers/Supplier	N/A	To be determined at the time uses are established on the property
Traffic Trips	N/A	N/A
Lighting	N/A	To be determined at the time uses are established on the property
Hours of Operation	N/A	To be determined at the time uses are established on the property

Setback, Separation and Parking

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	None required, except where the property abuts a residentially-zoned land (15 feet required)	None required for this application	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Parking	No requirement	None required for this application	To be determined at the time uses are established on the property
Lot Coverage	No requirement	No requirement	N/A
Separation Between Buildings	No requirement	No requirement	N/A
Wall Requirements	<ul style="list-style-type: none"> • Six (6)-foot-high solid masonry wall along an M-1-zoned parcel and a residentially-zoned parcel • Three (3) feet high within the front yard setback area on an interior lot 	None required for this application	To be determined at the time uses are established on the property
Septic Replacement Area	100 percent	None required for this application	N/A (no development proposed)
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	None required for this application	N/A (no development proposed)

Circulation and Traffic

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Auberry Road; Good condition	No change
Direct Access to Public Road	Yes	Auberry Road; Good condition	No change (no development proposed)
Road ADT		3400	No change (no development proposed)
Road Classification		Arterial	No change
Road Width		30 feet right-of-way west of centerline	Will be subject to Condition No. 6 of AA 3620 (Exhibit 7)

		Existing Conditions	Proposed Operation
Road Surface		Asphalt concrete paved	No change
Traffic Trips		N/A	N/A
Traffic Impact Study (TIS) Prepared	Yes	N/A	The rezone itself will have no impact on traffic. Neither the California Department of Transportation (Caltrans) nor the Design Division of the Fresno County Department of Public Works and Planning required a Traffic impact Study for the project. Per Caltrans, the proposed uses will not affect State Route 168 peak-hour traffic.
Road Improvements Required		Good	None required

Surrounding Properties

	Size:	Use:	Zoning:	Nearest Residence:
North	5 acres	Auto wrecking yard	M-1(c)	307 feet
South	4.62 acres	Sheet metal shop; caretaker's residence	M-3(c)	265 feet
East	68.2 acres 3.01 acres	Single-family residence; waste wood-fired power production facility and related improvements	M-3(c)	125 feet
West	7.59 acres	Single-family residence	RR	365 feet

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

ENVIRONMENTAL ANALYSIS:

Initial Study Application No. 7399 was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 9.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: February 19, 2018.

PUBLIC NOTICE:

Notices were sent to 30 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.

Should the Planning Commission recommend approval, a subsequent hearing date before the Board of Supervisors will be scheduled as close to the Commission’s action as practical to make the final decision on the Amendment Application. Information for that hearing will be provided under separate notice.

PROCEDURAL CONSIDERATIONS:

A rezoning is a legislative act requiring action by the Board of Supervisors. A decision by the Planning Commission in support of a rezoning request is an advisory action requiring an affirmative vote of the majority of its total membership. A recommendation for approval is then forwarded to the Board of Supervisors for final action. A Planning Commission decision to deny a rezoning, however, is final unless appealed to the Board of Supervisors.

BACKGROUND INFORMATION:

According to County records, Amendment Application (AA) No. 3620 approved by the County Board of Supervisors on August 24, 1993 allowed the rezone of the subject parcels from C-6(c) (General Commercial, Conditional) and R-R (Rural Residential) Zone Districts to the M-1(c) (Light Manufacturing, Conditional) Zone District to permit a caretaker's residence, a mini-storage facility, a truck yard, and a logging truck and equipment repair shop and office (Exhibit 5).

Under the subject application, the Applicant is proposing to amend the current M-1(c) zoning in order to add additional uses on the parcels. The additional uses include storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels, and a boat and repair facility (Exhibit 6).

Relevant Policies:	Consistency/Considerations:
Sierra-North Regional Plan Policy 402-01:12.03ba.1: Parcel shall be located on or have an access to a major road. Access to the development should be by way of an approved driveway approach as defined by the County or by the California Department of Transportation.	The subject parcels are located on Auberry Road, which is a County-maintained major thoroughfare in the area. Access to the parcels from Auberry Road will comply with the County development standards. The California Department of Transportation also reviewed the proposal and expressed no concerns related to access. The proposal is consistent with this policy.
Sierra-North Regional Plan Policy 402-01:12.03b: Commercial development shall be served by community water and sewer systems or provide suitable alternatives.	Community water or sewer is not available to the property at this time. Water and sewer needs of the proposal will be met by individual well(s) and septic system(s). The Fresno County Department of Public Health, Environmental Health Division, and Water and Natural Resources Division of the Department of Public Works and Planning expressed no concerns related to utilities. The proposal is consistent with this policy.
Sierra-North Regional Plan Policy 402-01:12.03e: The development of new commercial uses shall be guided by the	The proposed uses will be subject to property development standards of M-1 Zone District to provide for adequate parking and will adhere to

Relevant Policies:	Consistency/Considerations:
following criteria: 1) Off-street parking shall be sufficient for the proposed use; and 2) a minimum setback of 50 feet shall be provided from the roadway where possible.	the Conditions of Approval of AA No. 3620 requiring all buildings and structures to be set back a minimum of 50 feet from Auberry Road. The proposal is consistent with this policy.
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.	The project site is located within an area defined as being water short. However, given the proposed uses will not have substantial effect on groundwater supply, the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning expressed no concerns with the proposal. The proposal is consistent with this policy.

Reviewing Agency/Department Comments Regarding Site Adequacy:

Fresno County Department of Public Health, Environmental Health Division (Health Department): Facilities proposing to use and/or store hazardous materials/hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste shall submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 and all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. Future tenants shall be advised of the State of California Public Resources Code, Division 30, Waste Management (Chapter 16), Waste Tire Facilities (Chapter 19), and Waste Tire Haulers, and shall obtain a permit from the California Department of Resources Recycling and Recovery (CalRecycle). Prior to the issuance of building permits for any underground storage tank, complete plans and specifications regarding the installation of any underground storage tanks shall be submitted to the Health Department. The Applicant should consider having the existing sewage disposal system evaluated for adequacy under permit and inspection from the Health Department.

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 District permit requirements. The following Air District Rules may apply to this proposal: District Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed.

Development Engineering Section of the Fresno County Department of Public Works and Planning: A Grading Permit or Voucher shall be required for any grading done without permit and any grading proposed with this application. If not already present, a 10-foot by 10-foot corner cutoff for sight distance purposes shall be provided at the existing driveway onto Auberry Road. Any additional runoff generated by the proposed development of the site cannot be drained across property lines and shall be retained or disposed of per County Standards. According to Federal Emergency Management Agency (FEMA) FIRM Panel 0700H, portions of the property are in Zone A, which is subject to flooding from the 100-year storm. Any

development within the area identified as Zone A must comply with the County Flood Hazard Ordinance (Title 15.48). Turnaround facilities shall be provided on the parcels having direct access to Auberry Road so that vehicles do not back out onto the roadway.

Fresno County Fire Protection District (CalFire): The proposed uses shall comply with the California Code of Regulations Title 24 – Fire Code. County-approved site plans shall be required for the Fire District approval prior to the issuance of building permits by the County. The property will require annexation to Cal Fire’s Community Facilities District No. 2010-01.

The aforementioned requirements have been included as Project Notes.

California Department of Transportation; California Department of Fish and Wildlife; U.S. Fish and Wildlife Service; Regional Water Quality Control Board; State Water Resources Control Board, Division of Drinking Water; Road Maintenance and Operations Division, Water and Natural Resources Division, Design Division, Road Maintenance and Operations Division, Building and Safety, Zoning, and Site Plan Review Sections of the Fresno County Department of Public Works and Planning: No concerns with the project.

Analysis:

This proposal entails amending the current M-1(c) (Light Manufacturing, Conditional) zoning on a 2.3-acre parcel and a 2.24-acre parcel in order to add additional uses on the parcels, namely storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels, and a boat and repair facility. The current zoning is limited to the following uses: a caretaker’s residence, a mini-storage facility, a truck yard, and a logging truck and equipment repair shop and office.

The subject parcels are designated Mountain Urban in the Sierra-North Regional Plan in the County General Plan, and zoned M-1(c) (Light Manufacturing, Conditional) in the County Zoning Ordinance. The existing improvements on the parcels include a 600 square-foot storage shed, 600 square-foot office/repair shop, 1,500 square-foot caretaker residence, 7,600 square-foot pole barn, well house, and a storage tank.

Adjacent parcels to the north, south and east are also designated Mountain Urban in the Sierra-North Regional Plan, zoned M-3(c) (Heavy Industrial, Conditional) and M-1(c) (Light Manufacturing, Conditional) and developed with industrial uses. The adjacent parcel to the west is designated Low-Density Residential in the County General Plan, zoned RR (Rural Residential) and improved with a residential use.

The Zoning Compatibility Matrix of the Sierra-North Regional Plan indicates that the M-1(c) Zone District is considered “conditionally compatible” with the Mountain Urban designation. This District allows a wide variety of light manufacturing, warehousing, wholesale and retail sales, and service uses, including storage of boats, trailers, recreational vehicles (including travel trailers, motorhomes, fifth-wheels), and boat and repair facility as proposed by the Applicant.

As discussed above in General Plan consistency/consideration, the subject proposal is consistent with the applicable Sierra-North Regional Plan and General Plan policies. Concerning consistency with Sierra-North Regional Plan Policy 402-01:12.03ba.1, the subject parcels are located on a major thoroughfare (Auberry Road) and will meet County development standards for access. Concerning consistency with Sierra-North Regional Plan Policy 402-01:12.03b and Policy 402-01:12.03e, the proposed uses will be served by individual well(s) and

septic system(s), comply with the M-1 parking standards, and maintain a 50-foot setback from Auberry Road. Concerning consistency with Policy PF-C.17, no substantial impact on groundwater supply would occur from the proposed uses.

The Initial Study (IS) prepared for the project has identified cultural resources as potential impact subject. To mitigate the impact, any cultural find during ground disturbance will require all work to be stopped and the find inspected by an archeologist. This requirement has been included as a Mitigation Measure in Exhibit 1 of this report.

Potential impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, and public services are considered to be less than significant. The project will comply with the San Joaquin Valley Air Pollution Control District rules and regulations; require additional runoff generated by the site development to be retained or disposed of per County Standards; obtain a Grading Permit/Voucher and permit for waste tire facilities and underground storage tanks; handle all hazardous materials according to the state laws; and secure Fresno County Fire Protection District approval on the Site Plan prior to the issuance of building permits. These requirements have been included as Project Notes in Exhibit 1 of this report.

The subject parcels are located within an area of high archeological sensitivity. 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 sent to the Dumna Wo Wah Tribal Government and Picayune Rancheria of Chukchansi Indians offering the opportunity to consult under Public Resources Code (PRC) Section 21080.3 (b) with a 30-day window to formally respond, in writing, to request a Cultural Resources Consultation. No response was received from any of the tribes, resulting in no future action on the part of the County.

Based on the above information, and with adherence to the aforementioned Mitigation Measure, Conditions of Approval, and mandatory Project Notes, identified in the Initial Study (IS) prepared for this proposal and discussed in this Staff Report, staff finds that the proposal will not have an adverse effect upon surrounding properties and is consistent with the General Plan and Sierra-North Regional Plan.

Recommended Conditions of Approval:

See Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Staff believes that the proposed modification to the permitted uses in the current M-1(c) (Light Manufacturing, Conditional) Zone District is consistent with the Fresno County General Plan and Sierra-North Regional Plan and recommends approval of Amendment Application No. 3826, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7399; and
- Determine that the proposed modification to the current M-1(c) (Light Manufacturing, Conditional) Zone District is consistent with the General Plan and Sierra-North Regional Plan; and
- Direct the Secretary to prepare a Resolution to forward Amendment Application No. 3826 to the Board of Supervisors with a recommendation for approval, subject to the Mitigation Measures, Conditions of Approval, and Project Notes listed in the Staff Report.

Alternative Motion (Denial Action)

- Determine that the proposed modification to the current M-1(c) (Light Manufacturing, Conditional) Zone District is not consistent with the General Plan and Sierra-North Regional Plan, and deny Amendment Application No. 3826 (state basis for denial); 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.

EA:ksn

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**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7399/Amendment Application (AA) No. 3826
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/Fresno County Department of Public Health, Environmental Health Division	As noted
Conditions of Approval					
1.	All Conditions of Approval for AA No. 3620 (Exhibit 7) shall remain in full force and effect, except where modified by this application.				
2.	The uses allowed on the property for AA No. 3826 shall be limited to: <ul style="list-style-type: none"> • Storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels • Boat and repair facility 				

*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	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	The construction of any structures at the project location shall meet all the Building Code requirements in effect at the time they are constructed.
2.	Prior to the establishment of any of the uses proposed by this application in the M-1(c) Zone District, a Site Plan Review shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but not be limited to, design of parking and circulation, access, grading and drainage, right-of-way dedication, fire protection, noise, and control of light.

EXHIBIT 1

Project Notes

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| 3. | <p>To address public health impact resulting from this proposal, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none">• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/ or https://www.fresnocupa.com/). For more information please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271. The default State reporting thresholds that apply are: ≥ 55 gallons (liquids), ≥ 500 pounds (solids), ≥ 200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.• If underground storage tanks are proposed, then prior to the issuance of building permits, the Applicant or future tenants shall submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency, at (559) 600-3271 for more information.• The Applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities, Chapter 19; and Waste Tire Haulers, which may require the Owner/Operator to obtain a permit from the California Department of Resources Recycling and Recovery (CalRecycle). Contact the Local Waste Tire Enforcement Unit, Fresno County Environmental Health Division at (559) 600-3271 for additional information.• There do not appear to be any building permit records for the existing sewage disposal system. It is recommended that the Applicant consider having the existing sewage disposal system evaluated for adequacy under permit and inspection from the Department of Public Works and Planning, Development Services and Capital Projects Division. Such inspection may indicate possible repairs, additions, or require the proper destruction of the system. |
| 4. | <p>To address impacts resulting from site development, the Development Engineering Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none">• A Grading Permit or Voucher shall be required for any grading done without permit and any grading proposed with this application.• If not already present, a 10-foot by 10-foot corner cutoff for sight distance purposes shall be provided at the existing driveway onto Auberry Road.• Any additional runoff generated by the site development cannot be drained across property lines and shall be retained or disposed of per County Standards.• According to Federal Emergency Management Agency (FEMA) FIRM Panel 0700H, portions of the property are in Zone A, which is subject to flooding from the 100-year storm. Any development within the area identified as Zone A must comply with the County Flood Hazard Ordinance (Title 15.48).• Turnaround facilities shall be provided on the parcels having direct access to Auberry Road so that vehicles do not back out onto the roadway. |

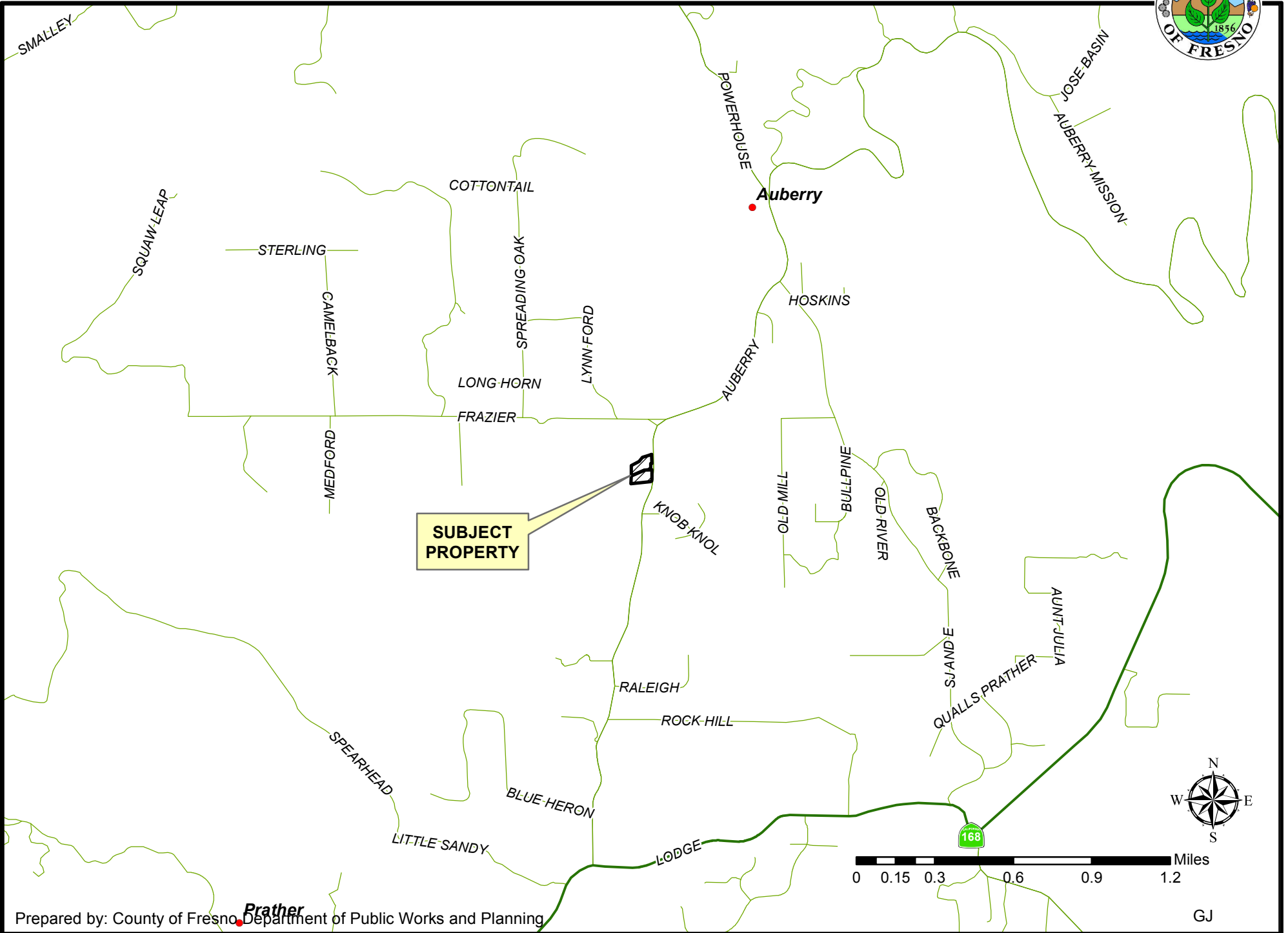
Project Notes

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| 5. | The proposed uses shall comply with the California Code of Regulations Title 24 – Fire Code. County-approved site plans shall be required for Fire District approval prior to the issuance of building permits by the County. The property shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. |
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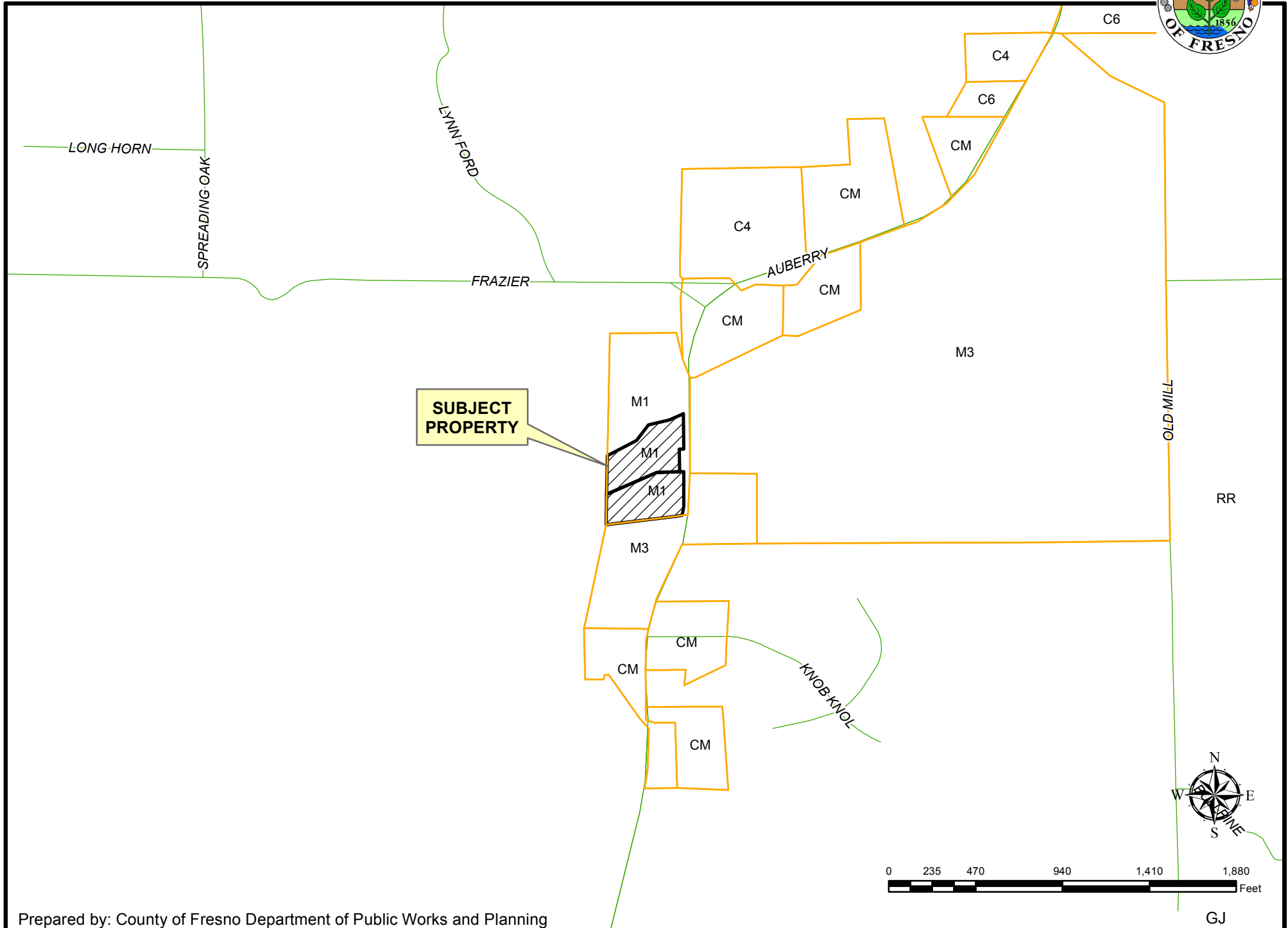
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LOCATION MAP

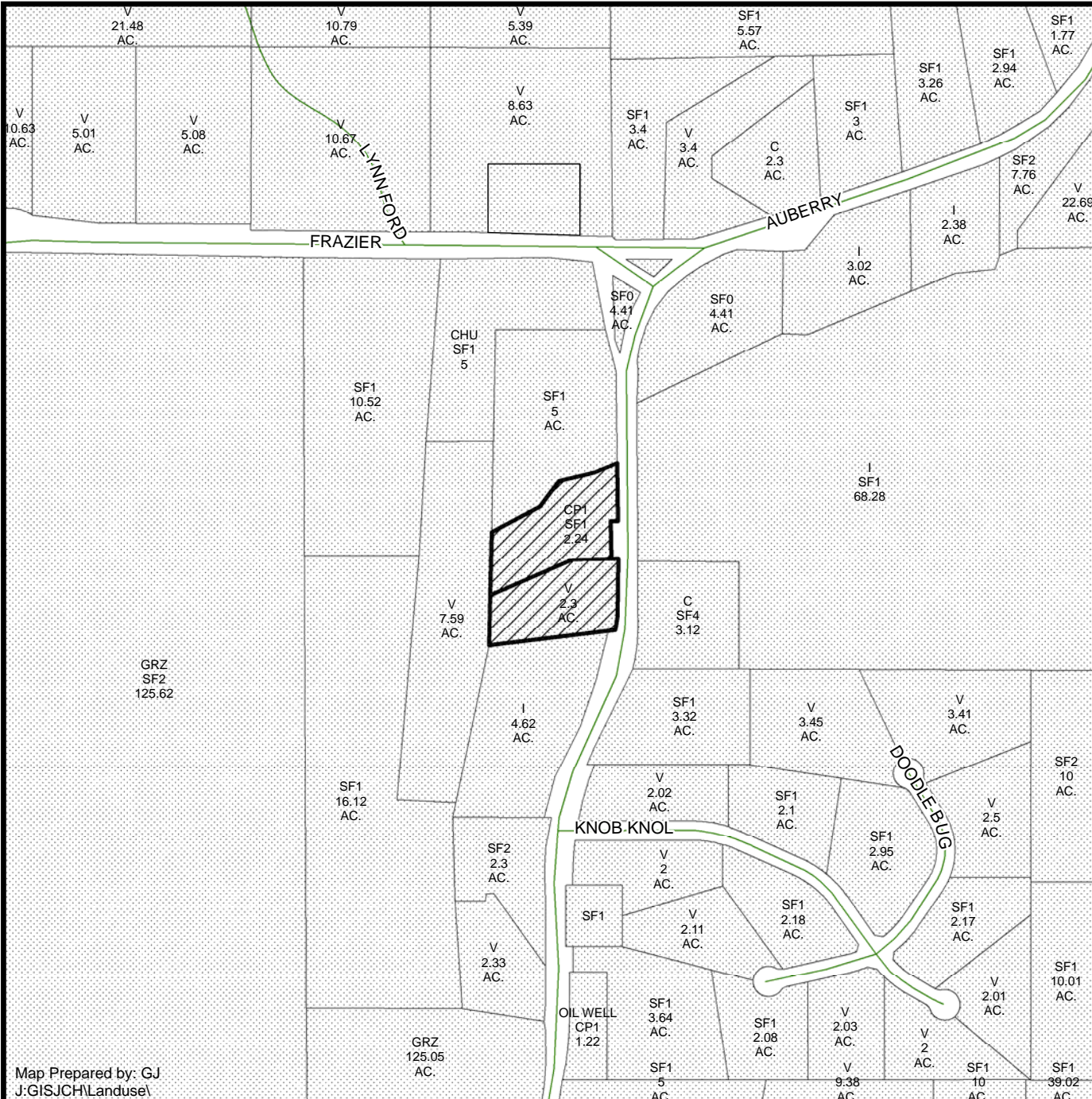


**SUBJECT
PROPERTY**

EXISTING ZONING MAP



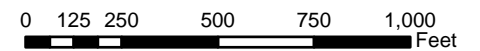
EXISTING LAND USE MAP



LEGEND	
CP#	OFFICE COMM/PROF
C	COMMERCIAL
CHU	CHURCH
CP#	OFFICE COMM/PROF
GRZ	GRAZING
I	INDUSTRIAL
SF#	SINGLE FAMILY RESIDENCE
V	VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division

Uses Allowed by Amendment Application No. 3620
(Approved: August 24, 1993)

- Caretaker's residence
- Mini-storage facility
- Truck yard
- Logging truck and equipment repair shop and office

Uses Proposed by Amendment Application No. 3826

- Storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels
- Boat and repair facility

**Conditions of Approval
AA 3620**

1. Uses permitted shall be limited to a caretaker's residence, a mini-storage facility, a truck yard and a logging truck and equipment repair shop and office.
2. All buildings and structures, except for signs, shall be set back a minimum of 50 feet from Auberry Road.
3. Landscaping shall be planted and maintained within the 50-foot setback area to enhance the appearance of the property.
4. Free-standing signs shall be set back a minimum of ten feet from the front property line and shall be limited to a maximum height of 35 feet.
5. Appropriate conditions shall be required under Site Plan Review in order to ensure the development and use of the property will be in compliance with the Noise Ordinance. These conditions may include, but are not limited to, design features and operational controls.
6. Development may be subject to a provision of off-site road improvements and dedication of additional right-of-way if deemed necessary by the County to ensure the adequacy of the roads serving the project. A traffic study, to be provided by the applicant, may be required. If a traffic study is required, it will be reviewed for acceptance by the Director of Public Works & Development Services Department and used to determine the necessary improvements and dedication. This determination shall be made during the Site Plan Review process in conjunction with a specific development proposal.
7. EPA (Environmental Protection Agency) certified wood burning stoves or inserts shall be installed in lieu of fireplaces.
8. Electric or low nitrogen oxide emitting gas-fired water heaters shall be installed.
9. All areas proposed for parking and any driveways ~ roadways within the project site that are subject to vehicular traffic shall be paved or treated with a dust palliative. Dust palliatives are subject to the District Rule 4641, Cutback Asphalt Paving Materials.
10. During pre-construction, the following mitigation measures shall be followed:
 - a. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day.
 - b. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds greater than 20 miles-per-hour average over one hour.
 - c. All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

- d. Where acceptable to the fire department, weed control shall be accomplished by mowing instead of disking, thereby leaving the ground undisturbed and with mulch covering.
11. During construction, the following mitigation measures shall be followed:
- a. Construction areas shall be sufficiently watered to prevent excessive amounts of dust.
 - b. On-site vehicle speeds shall be limited to 15 miles-per-hour.
 - c. All areas with vehicle traffic shall be watered periodically or have petroleum-based palliatives applied for stabilization of dust emissions.
 - d. All internal combustion engine driven equipment shall be properly maintained and tuned to manufacturer's specifications.
 - e. Dust control measures are to be employed at the direction of a single person having responsibility for monitoring a given working shift. The designated party must be made known to the Public Works & Development Services Department and be available through a telephone connection or on-site schedule of hours on the job to facilitate contact by the County Public Works and Development Services Department.

SK
Jan #53
RECEIVED
SEP 1 1993
COUNTY OF FRESNO
PUBLIC WORKS & DEVELOPMENT SERVICES DEPT

Date: August 24, 1993
To: Board of Supervisors
From: Planning Commission
Subject: RESOLUTION NO. 10832 - AMENDMENT APPLICATION NO. 3620, ENVIRONMENTAL ASSESSMENT NO. 3958

APPLICANT: Warren Raddatz

REQUEST: Rezone a 4.60-acre parcel of land in the C-6(c) (General Commercial, conditional) and R-R (Rural Residential) Districts to the M-1(c) (Light Manufacturing, 9,000 square-foot minimum parcel size, conditional) or more restrictive district with a condition limiting development to a caretaker's residence, a mini-storage facility, a truck yard, and a logging truck and equipment repair shop and office.

LOCATION: The subject parcel is located on the west side of Auberry Road, approximately one-eighth of a mile south of Frazier Road within the unincorporated community of Auberry (31911 Auberry Road). (SUP. DIST.: 5) (APN 128-450-36, 37)

PLANNING COMMISSION ACTION:

At its hearing of July 22, 1993, the Commission considered the Staff Report and testimony (summarized on Exhibit "A"), approved the Negative Declaration prepared for the project, determined the proposed M-1(m)(c) zoning to be consistent with the General Plan, and directed its Secretary to forward Amendment Application No. 3620 to the Board of Supervisors with a recommendation for approval subject to the following conditions:

1. Uses permitted shall be limited to a caretaker's residence, a mini-storage facility, a truck yard, and a logging truck and equipment repair shop and office.

ADMINISTRATIVE OFFICE REVIEW

BOARD ACTION: DATE August 24, 1993

APPROVED AS RECOMMENDED

Page 1 of 3
OTHER X



APPROVED NEGATIVE DECLARATION AND AMENDMENT APPLICATION NO. 3620 WITH CONDITIONS AS RECOMMENDED BY PLANNING COMMISSION; ADOPTED ORDINANCE NO. R-338-3620.

UNANIMOUS CONRAD KOLIGIAN LEVY OKEN VAGIM

2. All buildings and structures, except for signs, shall be set back a minimum of 50 feet from Auberry Road.
3. Landscaping shall be planted and maintained within the 50-foot setback area to enhance the appearance of the property.
4. Free-standing signs shall be set back a minimum of ten feet from the front property line and shall be limited to a maximum height of 35 feet.
 - . Appropriate conditions shall be required under Site Plan Review in order to ensure the development and use of the property will be in compliance with the Noise Ordinance. These conditions may include, but are not limited to, design features and operational controls.
6. Development may be subject to a provision of off-site road improvements and dedication of additional right-of-way if deemed necessary by the County to ensure the adequacy of the roads serving the project. A traffic study, to be provided by the applicant, may be required. If a traffic study is required, it will be reviewed for acceptance by the Director of Public Works & Development Services Department and used to determine the necessary improvements and dedication. This determination shall be made during the Site Plan Review process in conjunction with a specific development proposal.
- *7. EPA certified wood burning stoves or inserts shall be installed in lieu of fireplaces.
- *8. Electric or low nitrogen oxide emitting gas-fired water heaters shall be installed.
- *9. All areas proposed for parking and any driveways or roadways within the project site that are subject to vehicular traffic shall be paved or treated with a dust palliative. Dust palliatives are subject to the District Rule 4641, Cutback Asphalt Paving Materials.
- *10. During pre-construction the following mitigation measures shall be followed:
 - a. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day.
 - b. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds greater than 20 miles-per-hour average over one hour.
 - c. All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
 - d. Where acceptable to the fire department, weed control shall be accomplished by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.

*11. During construction the following mitigation measures shall be followed:

- a. Construction areas shall be sufficiently watered to prevent excessive amounts of dust.
- b. On-site vehicle speeds shall be limited to 15 miles-per-hour.
- c. All areas with vehicle traffic shall be watered periodically or have petroleum-based palliatives applied for stabilization of dust emissions.
- d. All internal combustion engine driven equipment shall be properly maintained and tuned to manufacturer's specifications.
- e. Dust control measures are to be employed at the direction of a single person having responsibility for monitoring a given working shift. The designated party must be made known to the Public Works & Development Services Department and be available through a telephone connection or on-site schedule of hours on the job to facilitate contact by the County Public Works and Development Services Department.

VOTING: Yes: Commissioners Comstock, Petersen, Abrahamian, Cucuk, Kazanjian, Keep, Laub, Molen

No: None

Absent: Commissioner Campbell

RICHARD D. WELTON, Director
Public Works & Development Services Department
Secretary-Fresno County Planning Commission

By *Kerry L. McCants*
Kerry L. McCants, Manager
Development Services Division

- NOTES:
1. Conditions with asterisk are measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document and a new or amended environmental document may be required.
 2. The only residential use allowed in the M-1 District is a caretaker's residence in conjunction with a permitted industrial use. The existing residence on the subject property will therefore be considered "non-conforming" in the M-1 District. As a non-conforming use, this residence cannot be expanded nor can it be replaced if it is destroyed.

DC:gah 37821



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Jerome Sandstrom
- APPLICATION NOS.: Initial Study Application No. 7399 and Amendment Application No. 3826
- DESCRIPTION: Modify the existing M-1 (c) (Light Manufacturing; Conditional) zoning on two contiguous parcels totaling 4.54 acres approved by Amendment Application No. 3620 to allow additional uses on the property which include storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels, and a boat and repair facility.
- LOCATION: The subject property is located on the west side of Auberry Road, approximately 662 feet south of Frazier Road within the unincorporated community of Auberry (32177 and 31911 Auberry Road, Auberry) (SUP. DIST. 5) (APN: 128-450-36 & 37).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista?

FINDING: NO IMPACT:

The project site is located in an area comprised of industrial and residential uses. The project area mostly consists of flat terrain with scenic views of the Sierra Mountains to the east of the site. The uses proposed by this application will be located on the north side of Auberry Road and will not interfere with the view of the mountains for travelers along Auberry Road.

- 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: LESS THAN SIGNIFICANT IMPACT:

The Fresno County General Plan (Open Space Element) identifies Auberry Road (State Route 168) as a Scenic Roadway. Under General Plan Policy OS-L.3, development on a Scenic Roadway shall adhere to a 200-foot setback of natural open space. However, the policy provides for flexibility if the property dimensions preclude such setback. In this case, the subject parcels' size and configuration prohibits reasonable application of the 200-foot setback. The parcels are limited in

size (2.24 acres and 2.3 acres) and irregular in shape, and would be difficult to accommodate the proposed uses without encroaching into the required 200-foot natural open space setback. Therefore, the 50-foot setback along Auberry Road approved by Amendment Application (AA) No. 3620 as a Condition of Approval not only meets Sierra-North Regional Plan policy but also is consistent with the flexibility identified in the General Plan Policy OS-L.3. This condition and another Condition approved by AA No. 3620 requiring that landscaping shall be planted and maintained within the 50-foot setback area to enhance the appearance of the property will remain in effect and apply to this proposal.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

While the project area contains some scenic qualities, the project site does not contain any qualitative scenic resources. Improved with a 600 square-foot storage shed, 600 square-foot office/repair shop, 1,500 square-foot caretaker residence, 7,600 square-foot pole barn, well house, and a storage tank, the project site is relatively flat and not located at a high point. Given the required landscaping within the 50-foot front yard setback as identified in Section I.B above, the view of the uses proposed by this application will be shielded from Auberry Road. The project will have a less than significant impact on the surrounding environment.

- 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: NO IMPACT:

The subject application involves no development and therefore no lighting impacts will result from this proposal. All uses allowed in the current M-3 (c) Zone District require a Site Plan Review (SPR). As such, the lighting requirements will be addressed through SPR appropriate to the use established on the property.

II. AGRICULTURAL AND FORESTRY RESOURCES

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

- 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: LESS THAN SIGNIFICANT IMPACT:

The project site is not forest land or timberland. The site is classified as Rural Residential Land in the 2014 Fresno County Important Farmland Map and unrestricted by a Williamson Act Land Conservation Contract. The subject proposal will allow additional industrial uses on the property with no change to the current M-1(c) zoning on the property.

The proposed uses are similar in nature to other industrial uses (caretaker's residence, mini-storage facility, truck yard, logging truck and equipment repair shop/office) allowed on the property under current M-1 (c) zoning and matches with other industrial uses in the vicinity of the project site.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District, the project specific annual emissions of criteria pollutants will not exceed District significance thresholds of 100 tons/year CO, 10 tons/year NOX, 10 tons/year ROG, 27 tons/year SOx, 15 tons/year PM10 or 15 tons/year PM2.5. As such, the project will have a less than significant impact on air quality and is not subject to Air District Rule 9510.

Other Air District Rules that may apply to this proposal include District Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed.

The Air District 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. These requirements will be included as Project Notes.

- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: NO IMPACT:

The project will not create objectionable odors to affect people on or around the proposed facility.

The San Joaquin Valley Air Pollution Control District expressed no specific concerns regarding odor except that the project may be subject to District Rule 4102 (Nuisance). This Rule applies to any source operation which may emit air contaminants (including odor) or other materials.

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; or
- 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: LESS THAN SIGNIFICANT IMPACT:

The project site is located in area of industrial and residential uses. A portion of the parcel identified by Assessor's Parcel No. 128-450-37 has been developed with buildings and structures and the adjacent parcel identified by Assessor's Parcel No. 128-450-37 is unimproved. Both parcels have been disturbed with the existing improvements and related traffic and circulation. The site contains no riparian features, and provides no suitable habitat for the state and federally-listed species.

The proposal was routed to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for review and comments. No concerns were expressed by either agency. Therefore, no impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; 3) federally-protected wetlands as defined by Section 404 of the Clean Water Act; or 4) the movement of any native resident or

migratory fish or wildlife species, established native resident or migratory wildlife corridors, or native wildlife nursery sites.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- 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 subject proposal involves no development. As such, it will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation 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 a 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is located in an area of high archeological sensitivity. The California Historical Resources Information System (CHRIS) reviewed the proposal and recommended a site survey by a professional archeologist. Although most uses proposed by this application may not result in subsurface ground disturbances, finding cultural resources is always a possibility. Therefore, to mitigate impact on cultural resources resulting from this proposal, a mitigation measure would require that in case archeological resources are uncovered, all work must stop until a qualified archeologist evaluates the findings, and if human remains are discovered, the Fresno County Sheriff-Coroner shall be notified. Further, if the remains are of Native Americans, the Sheriff-Coroner shall also notify to the Native American Commission (NAHC) within 24 hours of discovery in accordance with California Health and Safety Code 7050.5 and Public Resource Code 5097.98.

* **Mitigation Measure:**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

- 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: LESS THAN SIGNIFICANT IMPACT:

The project impact on tribal cultural resources would be less than significant with the implementation of the aforementioned mitigation measure. The project was routed to the Dumna Wo Wah Tribal Government, and 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; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction; or
4. Landslides?

FINDING: NO IMPACT:

The project is not located within a fault zone or an area of known landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal will not result in substantial erosion or loss of topsoil. Any site grading and drainage associated with the uses proposed by this application will adhere to the Grading and Drainage Sections of the County Ordinance Code and be subject to a Grading Permit or Voucher from the Development Engineering Section of the Fresno

County Department of Public Works and Planning. Included as a Project Note, this requirement will be addressed through subsequent Site Plan Review.

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

FINDING: NO IMPACT:

There are no impacts related to off-site landslides, lateral spreading, subsidence, liquefaction, or collapse, nor is the project within an area of known expansive soils.

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

FINDING: NO IMPACT:

No soil-related impacts were identified in the project analysis.

- 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:

Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to wastewater disposal except that the existing sewage disposal system on the property shall be evaluated for adequacy under permit and inspection from the Department of Public Works and Planning, Development Services Division. This will be included as a Project Note.

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: NO IMPACT:

No greenhouse gas impacts were identified in the project analysis. All uses proposed by this application will require Site Plan Review and review of each use by the Air District for any issues related to greenhouse gas emission.

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 Fresno County Public Health Department, Environmental Health Division (Health Department) reviewed the proposal and requires that facilities proposing to use and/or store hazardous materials/hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. In addition, any business that handles a hazardous material or hazardous waste shall submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 and all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

Furthermore, future tenants shall be advised of the State of California Public Resources Code, Division 30, Waste Management (Chapter 16), Waste Tire Facilities (Chapter 19), and Waste Tire Haulers, and shall obtain a permit from the California Department of Resources Recycling and Recovery (CalRecycle).

These requirements will be included as Project Notes.

The nearest school, Foothill Middle School in Auberry, is approximately 2.2 miles southwest of the proposal.

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

FINDING: NO IMPACT:

The project site is not a hazardous materials site. The Fresno County Department of Public Health, Environmental Health Division expressed no concerns with the proposal.

- 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 or within two miles of a public use airport. The nearest airport, Topham Ranch Auberry Airport, is approximately 2.1 miles north of the project site.

- 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 will not impair implementation or physically interfere with an adopted emergency response 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 located within the SRA (State Responsibility Area) boundary. Any future improvements on the property will be in accordance with the applicable SRA Fire Safe Regulations relating to building setbacks, driveway construction and gating, display of street address, disposal of flammable vegetation, water supply facilities for fire protection, and roofing materials.

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 SIGNIFICANT IMPACT:

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

Per the project review by the Fresno County Department of Public Health, Environmental Health Division (Health Department), prior to the issuance of building permits for any underground storage tank, complete plans and specifications regarding the installation of any underground storage tanks shall be submitted to the Health Department. This requirement will be included as a Project Note.

The Regional Water Quality Control Board, Central Valley Region also reviewed the proposal and expressed no concerns related to 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:

The project site is located within an area defined as water short. An existing on-site well provides water to the existing improvements on the property.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and determined that the additional uses proposed by this application will have less than significant impact on groundwater supply.

The State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) also reviewed the proposal and stated that the project does not meet the definition of a public water system and will not be regulated by SWRCB-DDW.

- 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:

The U.S.G.S. Quad Map shows existing natural drainage channels traversing the subject parcel identified by APN: 128-450-37. However, the site aerial photo shows no traces of the channels. No concerns related to channels were expressed by any reviewing agency/department.

The subject application proposes no improvements. As such, no impacts to drainage channels are expected from this 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:

According to the Development Engineering Section of the Department of Public Works and Planning, any additional runoff generated by the proposal cannot be drained across property lines and must be retained or disposed of per County Standards. The site drainage requirements appropriate to the uses proposed by this application will be addressed through subsequent Site Plan Review.

- 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 0700H, portions of the property are in Zone A, which is subject to flooding from the 100-year storm. Any development within the area identified as Zone A must comply with the County Flood Hazard Ordinance (Title 15.48). This requirement will be included as a Project Note.

- 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 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 project site is within the boundaries of the unincorporated community of Auberry.

- 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 project will not conflict with any Land Use Plan, policy or regulation of an agency (other than the County) with jurisdiction over the project. The project site is designated Mountain Urban within the Sierra-North Regional Plan and zoned M-1 (c) (Light Manufacturing) to allow for limited industrial uses. The subject application would allow additional industrial uses on the property as proposed by the Applicant.

The Policy Planning Section of the Fresno County Department of Public Works and Planning reviewed the proposal and, given limited new industrial uses proposed on an existing industrially-zoned property, expressed no concerns with the proposal.

- 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:

The project 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: NO IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to noise.

- 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. The nearest airport, Topham Ranch Auberry Airport, is approximately 2.1 miles north of the project 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:

This proposal will not result in an increase of housing, nor will it otherwise 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:

The Fresno County Fire Protection District (Cal Fire) reviewed the proposal and identified no concerns with the project. The proposed uses will comply with the California Code of Regulations Title 24 – Fire Code, County-approved site plans and will require Fire District approval prior to the issuance of building permits by the County. Additionally, the property will require annexation to Cal Fire’s Community Facilities District No. 2010-01. These requirements will be addressed through subsequent Site Plan Review required for all uses in the M-1 Zone District.

- 2. Police protection; or
- 3. Schools; or
- 4. Parks; or
- 5. Other public facilities?

FINDING: NO IMPACT:

The project will have no impact on police services, schools, parks or any other public facilities.

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:

The project was routed to the California Department of Transportation (Caltrans) and Design Division of the Department of Public Works and Planning for review and comments.

Given the parcel size and location, Caltrans expressed no concerns related to traffic generated by the subject proposal. According to the Caltrans, the project site is approximately 1.6 miles north of State Route (SR) 168 and at that distance, traffic generated by the proposal will not affect 6 a.m. and 8 p.m. peak-hour trips at SR 168.

The Design Division concurred with Caltrans comments and expressed no concerns related to traffic. Neither required a Traffic Impact Study for the project.

- 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 site currently gains access from Auberry Road (State Route 168) via two existing unpaved access drives.

No concerns regarding traffic hazards resulting from this proposal were expressed by the California Department of Transportation (Caltrans). Likewise, 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 Fresno County Fire Protection District's review of the project did not identify any concerns regarding inadequate emergency access. The Fresno County Fire Protection District Emergency will analyze emergency access to the site when uses are established on the property through subsequent Site Plan Review.

- 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

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements?

FINDING: LESS THAN SIGNIFICATION 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 SIGNIFICATION 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 SIGNIFICATION 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: NO IMPACT:

No such impacts were identified in the project analysis.

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: LESS THAN SIGNIFICANT IMPACT:

No impacts on biological resources were identified in the project analysis. Impacts on cultural resources have been reduced to a less than significant level with the Mitigation Measure discussed above in Section V. A. B. C. D.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will adhere to permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Valley Air Pollution Control District, and the California Code of Regulations Fire Code. The cumulatively considerable impacts identified in the analysis relating to Cultural Resources have been reduced to a less than significant level with the Mitigation Measure discussed in Section V. A. B. C. D.

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

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study (IS No. 7399) prepared for Amendment Application No. 3826, 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 greenhouse gas emissions, mineral resources, noise, population and housing, or recreation.

Potential impacts related to aesthetics, agricultural and forestry resources, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation/traffic, and utilities and service systems have been determined to be less than significant.

Potential impacts to cultural resources have been determined to be less than significant with the identified Mitigation Measure.

A Mitigated Negative Declaration is recommended for the project 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 southwest corner of Tulare and "M" Streets, Fresno, California.

EA:
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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00		
Agency File No: IS 7399		LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
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): Jerome Sandstrom		Project Title: Amendment Application No. 3826		
Project Description: Modify the existing M-1 (c) (Light Manufacturing; Conditional) zoning on two contiguous parcels totaling 4.54 acres approved by Amendment Application No. 3620 to allow additional uses on the property which include storage of boats, trailers, recreational vehicles including travel trailers, motorhomes, fifth-wheels, and a boat and repair facility. The subject property is located on the west side of Auberry Road, approximately 662 feet south of Frazier Road within the unincorporated community of Auberry (32177 and 31911 Auberry Road, Auberry) (SUP. DIST.: 5) (APN: 128-450-36 & 37).				
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7399) prepared for Amendment Application No. 3826, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to greenhouse gas emissions, mineral resources, noise, population and housing, or recreation. Potential impacts related to aesthetics, agricultural and forestry resources, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation/traffic, and utilities and service systems have been determined to be less than significant. Potential impact related to cultural resources 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 – February 19 , 2018			Review Date Deadline: March 21, 2018	
Date: February 13, 2018	Type or Print Name: Marianne Mollring, Senior Planner		Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**