



County of Fresno

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

DATE: March 23, 2018

TO: Department of Public Works and Planning, Attn: Steven E. White, Director
Department of Public Works and Planning, Attn: Bernard Jimenez, Assistant Director
Development Services and Capital Projects, Attn: William M. Kettler, Division
Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, Policy Planning, ALCC,
Attn: Mohammad Khorsand
Development Services and Capital Projects, Zoning & Permit Review, Attn: Tawanda
Mtunga
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna
Development Services and Capital Projects, Building & Safety/Plan Check,
Attn: Chuck Jonas
Development Services and Capital Projects, Building & Safety/Plan Check, CASp,
Attn: Dan Mather
Road Maintenance and Operations, Attn: Randy Ishii/Frank Daniele/Nadia Lopez
Design Division, Transportation Planning, Attn: Mohammad Alimi/Dale Siemer
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager
Department of Public Health, Environmental Health Division, Attn: Kevin Tsuda/Deep
Sidhu/Steven Rhodes
Agricultural Commissioner, Attn: Les Wright
CA Regional Water Quality Control Board, Attn: Matt Scroggins
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division),
Attn: PIC Supervisor
CA Department of Fish and Wildlife, Attn: Renee Robison, Environmental Scientist
City of Clovis, Attn: Planning Director
City of Firebaugh, Attn: Planning Director
City of Fresno, Attn: Planning Director
City of Kerman, Attn: Planning Director
City of Mendota, Attn: Planning Director
City of Huron, Attn: Planning Director
City of Kingsburg, Attn: Planning Director
City of Orange Cove, Attn: Planning Director
City of Parlier, Attn: Planning Director
City of San Joaquin, Attn: Planning Director
City of Selma, Attn: Planning Director
City of Coalinga, Attn: Planning Director
City of Fowler, Attn: Planning Director
City of Reedley, Attn: Planning Director
City of Sanger, Attn: Planning Director

FROM: Marianne Mollring, Senior Planner
Development Services Division

SUBJECT: Amendment to Text Application No. 377

APPLICANT: County of Fresno

DUE DATE: April 24, 2018

The Department of Public Works and Planning, Development Services and Capital Projects Division is processing the subject text amendment to the Fresno County Zoning Ordinance to permit Wholesale Limited, Minor, and Micro wineries as either by-right uses or uses subject to a discretionary land use permit in the R-R (Rural Residential), AL (Limited Agricultural) and AE (Exclusive Agricultural) Zone Districts. Permitted uses will be per specific standards to be included in Section 855-N.37 of the Zoning Ordinance. The uses will be limited by volume of production, tasting days, and tasting events.

The Department of Public Works and Planning, Development Services Division has prepared an Initial Study for the subject application which proposes to amend the Fresno County Zoning Ordinance to permit Wholesale Limited, Minor, and Micro wineries as either by-right uses or uses subject to a discretionary land use permit in the R-R (Rural Residential), AL (Limited Agricultural) and AE (Exclusive Agricultural) Zone Districts. Permitted uses will be per specific standards to be included in Section 855-N.37 of the Zoning Ordinance. The uses will be limited by volume of production, tasting days, and tasting events.

An Initial Study was prepared for this project to identify adverse environmental impacts, wherein it was determined that a Negative Declaration would be appropriate. The complete study may be viewed at this address:

We must have your comments by **April 24, 2018**. Any comments received after this date may not be used.

NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to Marianne Mollring, Senior Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4569, or email mmollring@co.fresno.ca.us.

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Activity Code (Internal Review):2602

Enclosures



County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
Amendment to Text Application No. 377 – Wineries (Countywide)
2. **Lead agency name and address:**
*County of Fresno
Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721*
3. **Contact person and phone number:**
*Marianne Mollring, Senior Planner
(559) 600-4569*
4. **Project location:**
Countywide
5. **Project Applicant's name and address:**
*County of Fresno
Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721*
6. **General Plan designation:**
Agricultural and Rural Residential designated properties within Fresno County
7. **Zoning:**
R-R (Rural Residential), AE (Exclusive Agricultural), and AL (Limited Agricultural) Zone Districts
8. **Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**

Amend various sections of the Fresno County Zoning Ordinance to permit Wholesale Limited, Minor, and Micro wineries as either by-right uses or uses subject to a discretionary land use permit in the R-R (Rural Residential), AL (Limited Agricultural) and AE (Exclusive Agricultural) Zone Districts per specific standards to be included in Section 855-N.37. The uses will be limited by volume of production, tasting days, and tasting events.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**
Countywide change to the Zoning Ordinance affecting Agricultural and Rural Residential Zone Districts

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Greenhouse Gas Emissions |

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

PERFORMED BY:

REVIEWED BY:

M. MOLLRING
Marianne Mollring, Senior Planner

Chris Motta
Chris Motta, Principal Planner

Date: 3-22-18

Date: 3/22/2018

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study Application No. 7412 and
Amendment to Text Application No. 377)**

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 2 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL AND FORESTRY RESOURCES

Would the project:

- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

III. AIR QUALITY

Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable Federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 2 d) Expose sensitive receptors to substantial pollutant concentrations?
- 2 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 2 b) 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 or U.S. Fish and Wildlife Service?
- 2 c) Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 2 d) 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?
- 2 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 2 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

V. CULTURAL RESOURCES

Would the project:

- 2 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 2 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 2 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 2 d) Disturb any human remains, including those interred outside of formal cemeteries?
- 2 e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 2 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 2 ii) Strong seismic ground shaking?
 - 2 iii) Seismic-related ground failure, including liquefaction?
 - 2 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 2 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 2 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- 2 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 2 b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 2 c) Create hazardous emissions or utilize hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 2 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 2 e) Result in a safety hazard for people residing or working in the project area for a project located within an Airport Land Use Plan or, where such a Plan has not been adopted, within two miles of a public airport or public use airport?
- 2 f) Result in a safety hazard for people residing or working in the project area for a project within the vicinity of a private airstrip?
- 2 g) Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?
- 2 h) 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?

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards or waste discharge requirements?
- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?
- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage

systems or provide substantial additional sources of polluted runoff?

- 2 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Cause inundation by seiche, tsunami, or mudflow?

X. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

XI. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

XII. NOISE

Would the project:

- 2 a) Expose persons to or generate noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies?
- 2 b) Expose persons to or generate excessive ground-borne vibration or ground-borne noise levels?
- 2 c) Create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) Create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 e) Expose people residing or working in the project area to excessive noise levels, for a project located within an Airport Land Use Plan or, where such a Plan has not been adopted, within two miles of a public airport or public use airport?
- 2 f) Expose people residing or working in the project area to excessive noise levels, for a project within the vicinity of a private airstrip?

XIII. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV. PUBLIC SERVICES

Would the project:

Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 2 a) Fire protection?
- 2 b) Police protection?
- 1 c) Schools?
- 1 d) Parks?
- 1 e) Other public facilities?

XV. RECREATION

Would the project:

- 1 a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVI. TRANSPORTATION / TRAFFIC

Would the project:

- 2 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 2 b) Conflict with an applicable Congestion Management Program including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?
- 2 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, which results in substantial safety risks?
- 2 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 2 e) Result in inadequate emergency access?

- 1 f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 2 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 2 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 2 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 2 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) 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 history or prehistory?
- 2 b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- 2 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Documents Referenced:

This Initial Study is referenced by the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services and Capital Projects Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document and Final EIR
Fresno County Zoning Ordinance
Important Farmland 2010 Map, State Department of Conservation

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County of Fresno

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

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

For County Clerk's Stamp

Notice is hereby given that the County of Fresno has prepared Initial Study Application (IS) No. 7412 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY APPLICATION NO. 7412 and AMENDMENT TO TEXT APPLICATION NO. 377 filed by **THE COUNTY OF FRESNO**, proposing to amend various sections of the Fresno County Zoning Ordinance to permit Wholesale Limited, Minor, and Micro wineries as either by-right uses or uses subject to a discretionary land use permit in the R-R (Rural Residential), AL (Limited Agricultural) and AE (Exclusive Agricultural) Zone Districts per specific standards to be included in Section 855-N.37. The uses will be limited by volume of production, tasting days, and tasting events. Adopt the Negative Declaration prepared for Initial Study Application No. 7412 and approve Amendment to Text Application No. 377.

(hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7412 and the draft Negative Declaration, and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Negative Declaration from March 26, 2018 through April 24, 2018.

Email written comments to mmollring@co.fresno.ca.us, or mail comments to:

Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
Attn: Marianne Mollring
2220 Tulare Street, Suite A
Fresno, CA 93721

IS Application No. 7412 and the draft Negative Declaration may be viewed at the above address Monday through Thursday, 9:00 a.m. to 5:00 p.m., and Friday, 8:30 a.m. to 12:30 p.m. (except holidays), or at www.co.fresno.ca.us/initialstudies. An electronic copy of the draft Negative Declaration for the Proposed Project may be obtained from Marianne Mollring at the addresses above.

Public Hearing

The Planning Commission will hold a public hearing to consider recommending approval the Proposed Project and the Negative Declaration on April 26, 2018, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft Mitigated Negative Declaration.

The item is anticipated to be heard by the **Board of Supervisors** at a later date should the Commission recommend approval or if the Commission's action is appealed. A separate notice will be sent confirming the Board of Supervisors' hearing date.

For questions please call Marianne Mollring (559) 600-4569.

Published: March 23, 2018

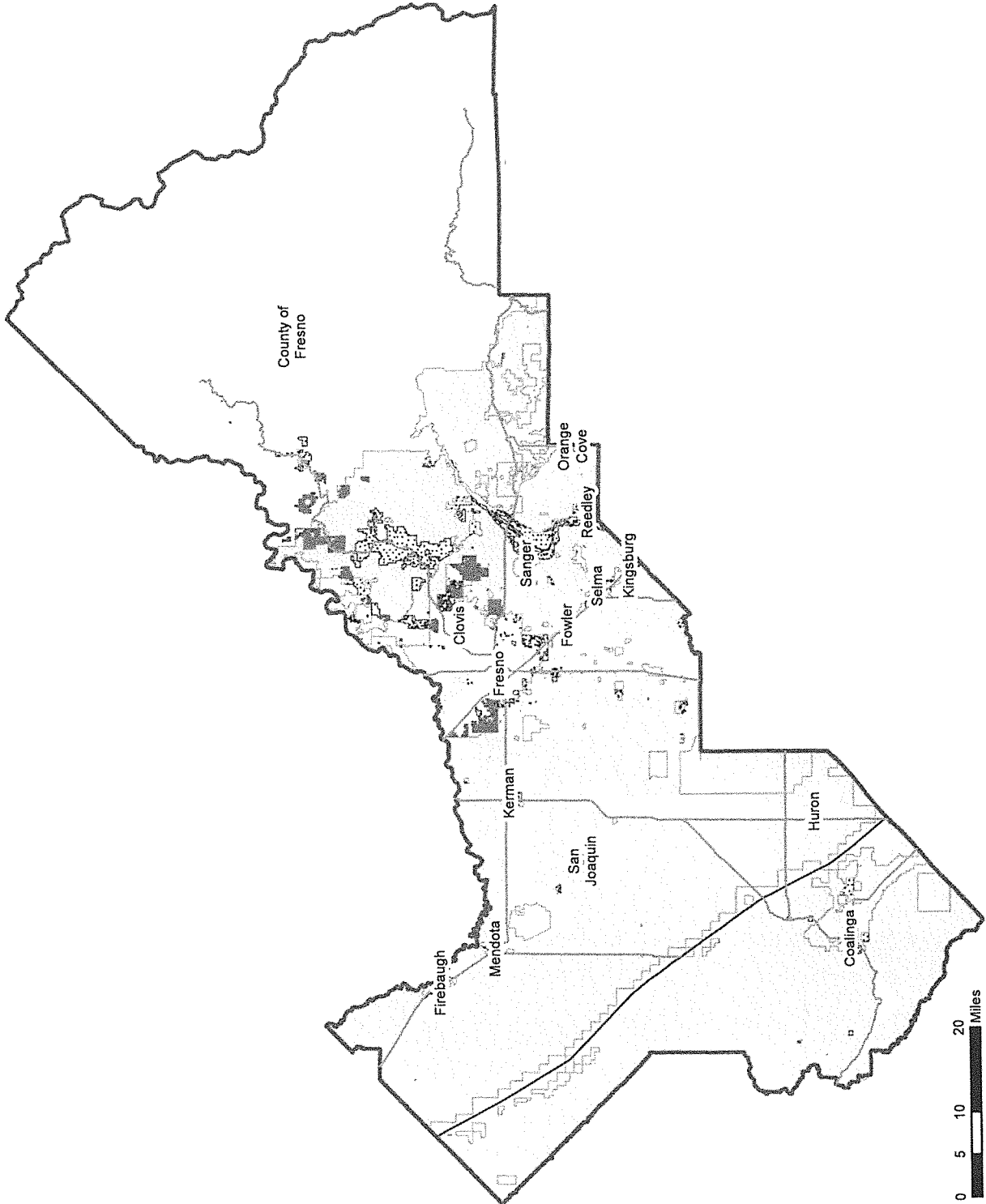
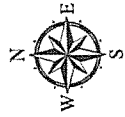
LOCATION MAP AT 377 - Wineries



EXHIBIT 2

Legend

- Highways
- RR - RURAL RESIDENTIAL
- AL - LIMITED AG
- AE - EXCLUSIVE AG





County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Fresno County
- APPLICATION NOS.: Initial Study Application No. 7412 and Amendment to Text Application No. 377
- DESCRIPTION: Amend various sections of the Fresno County Zoning Ordinance to permit Wholesale Limited, Micro and Minor wineries, as either by-right uses or uses subject to a discretionary land use permit in the R-R (Rural Residential), AL (Limited Agricultural) and AE (Exclusive Agricultural) Zone Districts per specific standards to be included in Section 855-N.37. The uses will be limited by volume of production, tasting days, and tasting events.
- LOCATION: Countywide subject to location restrictions as outlined in the language of the Ordinance Amendment

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

The subject application itself involves no development, but if approved, some listed uses will be allowed as a matter of right, and in other instances a discretionary land use permit will be necessary and subject to additional CEQA review depending on the zone district. It is anticipated though that few lighting impacts could result from this proposal as a Limited Site Plan Review (SPR), at a minimum, will be required for by-right uses and lighting can be addressed through this process. Conditioning through the Limited SPR process will insure that outdoor lighting is hooded, directed downward, and directed away from surrounding properties and roadways. The proposed text

amendment will not have a substantial adverse effect on a scenic vista, substantially damage scenic resources, substantially degrade the existing visual character or quality of a site and its surroundings, and will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area as the proposed permitted activities are similar to other agricultural uses already permitted in the subject zone districts as by-right activities permitted through a Limited SPR are anticipated to be of a scale, similar construction envelope, and on-site activity level to other uses permissible in the same zone district.

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: NO IMPACT:

The proposed Amendment to Text itself would not involve significant levels of development and will provide a mechanism to augment existing agricultural and rural residential uses by allowing small-scale winery operations, which create very limited ground disturbance and limited additional building area. As such, the proposal would not convert prime or unique farmlands or farmland of statewide importance to non-agricultural uses, conflict with existing agricultural zoning or Williamson Act Contracts, conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production, and would not 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 uses. Further the Rural Residential Zone District shall be limited to wholesale wineries as a matter of right, which limits production to 2,500 gallons annually and no on-site sales or events.

Potential impacts to existing agricultural operations as it relates to water quality are further discussed in Section IX *Hydrology and Water Quality*, and potential impacts related to parking and traffic, which could affect farming operations, are discussed in Section XVI *Transportation and Traffic*. For both areas, impacts have been determined to be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed Amendment to Text augments existing agricultural and rural residential uses by allowing small-scale winery operations, creating very limited ground disturbance, and is a use consistent with existing agricultural operations. For those wineries permitted through the ministerial SPR process, which are limited in scope and permitted by-right only in certain zone districts, specific requirements and conditions and coordination with key permitting agencies will reduce the potential for impacts to air quality. As such the proposal would not conflict with or obstruct implementation of the applicable Air Quality Plan, isolate any air quality standard or contribute to an existing or projected air quality violation, 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 create objectionable odors affecting a substantial number of people. Any odor emitted during the fermentation process would be subject to the San Joaquin Valley Air Pollution Control District's Nuisance Rule.

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; or
- 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: LESS THAN SIGNIFICANT IMPACT:

The proposed Amendment to Text provides for a mechanism to augment existing agricultural and rural residential uses by allowing small-scale winery operations, which create very limited ground disturbance. In some instances, subsequent discretionary review will be required which could include additional review under CEQA. For those uses permitted as by right through a limited SPR, potential biological impacts which could be related to lighting, water quality and traffic have been determined to be less than significant and are discussed in Sections *I. Aesthetics*, *XII Noise*, *XVI Transportation and Traffic* and *IX Hydrology and Water Quality*. Further, by-right activities will be permitted through a Limited SPR, and are anticipated to be of a scale, similar construction envelope and on-site activity level to other uses permissible in the same zone district.

As such, the proposal would not have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species, 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 Game (CDFG) or U.S. Fish and Wildlife Service (USFWS), 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, 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, conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan.

All existing development standards of the subject zone district, including setbacks, building height and density will remain unchanged.

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; or
- 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 proposed text amendment would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature or disturb any human remains, including those interred outside of formal cemeteries. It is not anticipated that ground disturbing activities for permitted wineries in the agricultural zone districts would exceed those ground disturbing activities permitted as matter of right for other agricultural activities in the same district. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities will be permitted through a Limited SPR, and are anticipated to be of a scale, similar construction envelope and on-site activity level to other uses permissible in the same zone district.

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?
 - 2. Strong seismic ground shaking?
 - 3. Seismic-related ground failure, including liquefaction?
 - 4. Landslides; or
- B. Would the project result in substantial erosion or loss of topsoil; or
- 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; or

- 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:

Potential for physical activities or ground disturbance with the proposed uses would not exceed other permitted uses in the subject agricultural or rural residential districts. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities will be permitted through a Limited SPR, and are anticipated to be of a scale, similar construction envelope and on-site activity level to other uses permissible in the same zone district. As such, the proposal would not result in substantial erosion or loss of topsoil, on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, generate additional development on sites located on expansive soils creating substantial risks to life or property, or develop areas on soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal.

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:

The limited size and potential for ground disturbing activities of these operations would not increase or generate significant levels of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. For those wineries permitted through the ministerial SPR process, which are limited in scope and permitted by-right only in certain zone districts, specific requirements and conditions and coordination with key permitting agencies will reduce the potential for impacts to air quality. Individual projects will be subject to the San Joaquin Valley Air Pollution Control District's Rules.

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; or
- D. Would the project be located on a hazardous materials site; or
- 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; or
- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or
- 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: LESS THAN SIGNIFICANT IMPACT:

The uses allowed under this amendment to the Zoning Ordinance require a Limited Site Plan Review (SPR) or in some instances a discretionary land use permit. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities will be permitted through a Limited SPR, and are anticipated to be of a scale, similar construction envelope and on-site activity level to other uses permissible in the same zone district. This will aid in addressing site hazards and thus would not create a significant public hazard through routine transport, use or disposal of hazardous materials, create a significant public hazard involving accidental release of hazardous materials into the environment, emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school, propose development on hazardous materials sites, generate additional development 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, locate development within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area or impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan.

IX. HYDROLOGY AND WATER QUALITY

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

- 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; or
- 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; or
- F. Would the project otherwise substantially degrade water quality; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The uses allowed under this amendment to the Zoning Ordinance require a Limited Site Plan Review (SPR), in some instances a discretionary land use permit. For those proposals permitted as by-right, but subject to an SPR, a Letter of Exemption from the California Regional Water Quality Control Board will be a requirement of approval, which will ensure agency oversight and aid in addressing any impacts to water quality. Further, the production volume of the small-scale wineries will be limited by Ordinance and water use would be limited to maintenance and sanitation activities. As such the proposal would not 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, 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, 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, create or contribute run-off which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off, otherwise substantially degrade water quality.

- G. Would the project place housing within a 100-year floodplain; or
- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows; or
- 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 uses allowed under this amendment to the Zoning Ordinance would not expose persons or structures to levee or dam failure or cause inundation by seiche, tsunami or mudflow.

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community; or
- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project; or
- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The proposed Amendment to Text would create very limited ground disturbance. The proposal would not physically divide an established community or conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities will be permitted through a Limited SPR, and are anticipated to be of a scale, similar construction envelope and on-site activity level to other uses permissible in the same zone district.

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 proposed Amendment to Text involves no development and will provide a mechanism to augment existing agricultural and rural residential uses by allowing small-scale winery operations, which create very limited ground disturbance. As such the proposal would not result in the loss of availability of a known mineral resource or result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities permitted through a Limited SPR are anticipated to be of a scale, similar construction envelope and on-site activity level similar to other uses permissible in the same zone district. Those facilities permitted through the ministerial SPR process are limited in scope, permitted by-right in specified zone districts, will be subject to specific requirements and conditions, and may require coordination with key permitting agencies.

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; or
- 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: LESS THAN SIGNIFICANT IMPACT:

Public activities are limited to infrequent public tastings and tasting events and in the instance of rural residential districts subject to discretionary land use permit. Noise levels will be consistent with the underlying Zone District and all uses, whether approved through a ministerial SPR process or through a subsequent discretionary land use permit shall be subject to Fresno County Ordinance restrictions. Noise compliance will include acceptable volumes, hours of operation and will include outdoor gatherings or limited amplified music. As such, the proposal would not result in exposure of people to severe noise levels, would not result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise level, cause a substantial permanent increase in ambient noise levels in the project vicinity, result in a substantial temporary or periodic increase in ambient noise levels, expose people to excessive noise levels associated with a location near an airport, or a private airstrip or expose people residing or working in the project area to excessive noise levels within the vicinity of a private airstrip.

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 proposal would provide a mechanism to augment existing agricultural and rural residential uses with very limited ground disturbance. The proposed additional winery uses in the Rural Residential, Exclusive Agricultural, and Limited Agricultural Zone Districts would not result in an increase to housing, would not induce substantial population growth either directly or indirectly, displace substantial numbers of existing housing or displace substantial numbers of people, nor necessitate the construction of housing elsewhere. The uses proposed are complementary to existing permitted

agricultural uses in these districts. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities permitted through a Limited SPR are anticipated to be of a scale, similar construction envelope and on-site activity level similar to other uses permissible in the same zone district. Those facilities permitted through the ministerial SPR process are limited in scope, permitted by-right in specified zone districts, will be subject to specific requirements and conditions, and may require coordination with key permitting agencies.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Public events associated with the micro and minor wineries are limited in frequency and size. Micro wineries will be limited to 50 public tasting days and 10 public tasting events per year with a maximum of 100 people per event. Minor wineries will be limited to 75 public tasting days per year and 150 trips per event maximum. As such the project would not have a significant impact on public services or public facilities. Although additional activities associated with micro and minor wineries could occur, the limited event dates and number of people associated would be less than significant for police and fire services. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities permitted through a Limited SPR are anticipated to be of a scale, similar construction envelope and on-site activity level similar to other uses permissible in the same zone district. Those facilities permitted through the ministerial SPR process are limited in scope, permitted by-right in specified zone districts, will be subject to specific requirements and conditions, and may require coordination with key permitting agencies.

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 proposal would not increase the use of existing neighborhood and regional parks and would not require the construction of or expansion of 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; or
- C. Would the project result in a change in air traffic patterns; or
- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access; or
- 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: LESS THAN SIGNIFICANT IMPACT:

The uses allowed under this amendment to the Zoning Ordinance require a Limited Site Plan Review (SPR) or a subsequent discretionary land use permit and are subject to the County Traffic Safety Guidelines. Further, additional standards in the text amendment will prohibit uses from blocking or obstructing public right-of-way and may include preparation of a traffic control plan to address ingress and egress, off street parking or parking on public right-of-way. Public tasting events and tastings are limited in frequency and number of attendees. As such the proposal would not 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, conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demands measures, result in a change in air traffic patterns, substantially increase traffic hazards due to design features, result in inadequate emergency access, or conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities. Micro wineries will be limited to 50 public tasting days and 10 public tasting events per year with a maximum of 100 people per event. Minor wineries will be limited to 75 public tasting days per year and 150 trips per event maximum.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or

- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities; or
- C. Would the project require or result in the construction or expansion of new storm water drainage facilities; or
- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or
- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand; or
- 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 uses permitted have small production caps, thus limiting the disposal of wastewater and pumice. Wholesale limited wineries are limited to 2,500 gallons, micro wineries are limited to 5,000 gallons, and minor wineries are limited to 10,000 gallons production annually and require a Letter of Exemption from the California Regional Water Quality Control Board. The proposal would not cause wastewater treatment requirements to be exceeded, require construction of or the expansion of a new water or wastewater treatment facilities, require or result in the construction or expansion of new stormwater drainage facilities, impact water supplies available from existing entitlements and resources, or require new or expanded entitlements, result in a determination of inadequate wastewater treatment capacity to serve project demand, affect landfill capacity or impact federal, state and local statutes and regulations related to solid waste. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities permitted through a Limited SPR are anticipated to be of a scale, similar construction envelope and on-site activity level similar to other uses permissible in the same zone district. Those facilities permitted through the ministerial SPR process are limited in scope, permitted by-right in specified zone districts, will be subject to specific requirements and conditions, and may require coordination with key permitting agencies.

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; or

- B. Does the project have impacts that are individually limited, but cumulatively considerable; or
- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Since the activities proposed to be accommodated through this Text Amendment are limited in scope, involve no significant level of development, and will provide a mechanism to augment existing agricultural and rural residential uses by allowing small-scale winery operations, which create very limited ground disturbance, the proposal does not 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 and will not have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly. Impacts related water quality, noise, transportation, and utility systems will be less than significant based on the limited size of the facilities and the operational constraints set by Ordinance. Some uses will require subsequent discretionary permitting which may be subject to additional CEQA review. By-right activities permitted through a Limited SPR are anticipated to be of a scale, similar construction envelope and on-site activity level similar to other uses permissible in the same zone district. Those facilities permitted through the ministerial SPR process are limited in scope, permitted by-right in specified zone districts, will be subject to specific requirements and conditions, and may require coordination with key permitting agencies.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for 7412 Amendment to Text Application No. 377, staff has concluded that the project will not/will have a significant effect on the environment. It has been determined that there would be no impacts to Aesthetics, Agricultural and Forestry Resources, Land Use and Planning, Mineral Resources, Population and Housing, and Recreation.

Potential impacts related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Green House Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation, and Utilities and Service Systems have been determined to be less than significant.

A 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" Street, Fresno, California.

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County of Fresno

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

DATE: March 20, 2018

TO: Department of Public Works and Planning, Attn: Steven E. White, Director
Department of Public Works and Planning, Attn: Bernard Jimenez, Assistant Director
Development Services and Capital Projects, Attn: William M. Kettler, Division
Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, Policy Planning, ALCC,
Attn: Mohammad Khorsand
Development Services and Capital Projects, Zoning & Permit Review, Attn: Tawanda
Mtunga
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna
Development Services and Capital Projects, Building & Safety/Plan Check,
Attn: Chuck Jonas
Development Services and Capital Projects, Building & Safety/Plan Check, CASp,
Attn: Dan Mather
Road Maintenance and Operations, Attn: Randy Ishii/Frank Daniele/Nadia Lopez
Design Division, Transportation Planning, Attn: Mohammad Alimi/Dale Siemer
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager
Department of Public Health, Environmental Health Division, Attn: Kevin Tsuda/Deep
Sidhu/Steven Rhodes
Agricultural Commissioner, Attn: Les Wright
CA Regional Water Quality Control Board, Attn: Matt Scroggins
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division),
Attn: PIC Supervisor
CA Department of Fish and Wildlife, Attn: Renee Robison, Environmental Scientist
City of Clovis, Attn: Planning Director
City of Firebaugh, Attn: Planning Director
City of Fresno, Attn: Planning Director
City of Kerman, Attn: Planning Director
City of Mendota, Attn: Planning Director
City of Huron, Attn: Planning Director
City of Kingsburg, Attn: Planning Director
City of Orange Cove, Attn: Planning Director
City of Parlier, Attn: Planning Director
City of San Joaquin, Attn: Planning Director
City of Selma, Attn: Planning Director
City of Coalinga, Attn: Planning Director
City of Fowler, Attn: Planning Director
City of Reedley, Attn: Planning Director
City of Sanger, Attn: Planning Director

FROM: Marianne Mollring, Senior Planner
Development Services Division

Marianne
Mollring

Digitally signed by Marianne
Mollring
Date: 2018.03.20 14:10:27 -0700

SUBJECT: Amendment to Text Application No. 377

APPLICANT: County of Fresno

DUE DATE: April 2, 2018

The Department of Public Works and Planning, Development Services and Capital Projects Division is processing the subject text amendment to the Fresno County Zoning Ordinance to amend various sections to permit Wholesale Limited, Minor, and Micro wineries as either by-right uses or uses subject to a discretionary land use permit in the R-R (Rural Residential), AL (Limited Agricultural) and AE (Exclusive Agricultural) Zone Districts. Permitted uses will be per specific standards to be included in Section 855-N.37 of the Zoning Ordinance. The uses will be limited by volume of production, tasting days, and tasting events.

- An Amendment to Text involves changing or amending the Fresno County Zoning Ordinance and requires final approval by the Board of Supervisors.
- See the Attachment for the proposed revised text to the Zoning Ordinance.

We must have your comments by **April 2, 2018**. Any comments received after this date may not be used.

NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to Marianne Mollring, Senior Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4569, or email mmollring@co.fresno.ca.us.

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Activity Code (Internal Review):2602

Enclosures

EXHIBIT 1

AMENDMENT TO TEXT APPLICATION NO. 377

The subject application proposes to amend various sections of the Fresno County Zoning Ordinance to permit Wholesale Limited, Minor, and Micro wineries as either by-right uses or uses subject to a discretionary land use permit in the R-R (Rural Residential), AL (Limited Agricultural) and AE (Exclusive Agricultural) Zone Districts per specific standards to be included in Section 855-N.37.

Sections 803.13, 803.18, 816.1.U-W, 817.1.P-R, 820.1.P, 820.2.Q, 820.3.M, and 855-N.37 will be added as follows:

SECTION 803.13: SPECIFIC DEFINITIONS GROUP L

PUBLIC shall mean customers/patrons of the business operating on a particular site. Public shall not include family and/or friends of the owner/owners family.

SECTION 803.17: SPECIFIC DEFINITIONS GROUP P

TASTING DAY shall mean days that the winery is open during regular advertised hours to allow public tastings.

TASTING EVENTS shall mean special scheduled events to attract customers for wine tasting. These events are limited to the purpose of wine tasting only.

SECTION 816 "AE" EXCLUSIVE AGRICULTURAL ZONE DISTRICT

SECTION 816.1 – USES PERMITTED

- U. Wholesale Limited Winery
- V. Micro Winery
- W. Minor Winery

SECTION 817 "AL" LIMITED AGRICULTURAL ZONE DISTRICT

SECTION 817.1 – USES PERMITTED

- P. Wholesale Limited Winery
- Q. Micro Winery
- R. Minor Winery

SECTION 820 "R-R" RURAL RESIDENTIAL ZONE DISTRICT

SECTION 820.1 – USES PERMITTED

- P. Wholesale Limited Winery

SECTION 820.2 – USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

Q. Micro Winery

SECTION 820.3 – USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

M. Minor Winery

SECTION 855
PROPERTY DEVELOPMENT STANDARDS

SECTION 855-N – SPECIAL STANDARDS OF PRACTICE AND REGULATIONS

37. Wineries

- a) Wholesale Limited Winery shall mean a winery limited to 2,500 gallons production maximum annually and off-site sale only. No customers on site and no tasting days or events allowed. Applicant must provide Letter of Exemption from the California Regional Water Quality Control Board.
- b) Micro Winery shall mean a winery limited to 5,000 gallons production maximum annually, 25% of the grapes or other fruit products used shall be grown on site, with a maximum of 50 public tasting days and 10 public tasting events allowed per year, 100 people per event maximum. Subject to Administrative Review (development and building standards), and Limited Site Plan Review (subject to Traffic Safety Guidelines) required. Applicant must provide Letter of Exemption from the California Regional Water Quality Control Board.
- c) Minor Winery shall mean a winery limited to 10,000 gallons production maximum annually, 25% of the grapes or other fruit products used shall be grown on site, with a maximum of 75 public tasting days and 15 public tasting events per year, 150 trips per event maximum. Subject to Agricultural Tourism Standards unless superseded by these provisions, Limited Site Plan Review (subject to Traffic Safety Guidelines) required. Applicant must provide Letter of Exemption from the California Regional Water Quality Control Board.
- d) Small Winery shall mean an establishment used for the commercial purpose of processing grapes or other fruit products to produce wine or similar spirits not to exceed 100,000 gallons per year. A minimum of twenty-five percent (25%) of the grapes or other fruit products fermented shall derive from the parcel or parcels of land farmed and owned or leased by the winery operator. Compliance with this standard shall be based on a production factor of 750 gallons per acre. Related activities may include, but are not limited to, crushing, fermenting, blending, aging, storage, bottling, disposal of wastewater and pumice, administrative office functions, warehousing operations, wholesale sales, retail sales, wine tasting facilities and related promotional events.

LOCATION MAP

AT 377 - Wineries



EXHIBIT 2

Legend

- Highways
- RR - RURAL RESIDENTIAL
- AL - LIMITED AG
- AE - EXCLUSIVE AG

