



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 3 August 9, 2018

**SUBJECT:** Variance Application No. 4045

Allow the creation of an 8.70-acre parcel and a 1.15-acre parcel from existing 4.83-acre and 4.77-acre parcels in the R-R (Rural Residential, 2-acre minimum parcel size) Zone District and waive the public road frontage required for the proposed 1.15-acre parcel (165 feet required).

**LOCATION:** The project site is located on the north side of Belmont Avenue approximately 830 feet west of its intersection with De Wolf Avenue, approximately 0.7 miles east of the nearest city limits of the City of Fresno (7730 and 7780 E. Belmont Avenue) (SUP. DIST. 5) (APN 310-143-34, -35).

**OWNER/  
APPLICANT:** TFS Investments

**STAFF CONTACT:** Danielle Crider, Planner  
(559) 600-9669

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Deny Variance No. 4045; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Proposed Parcel Configuration (Site Plan)
6. Variance Map
7. Applicant's Statement of Variance Findings

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Rural Residential	No change
Zoning	R-R (Rural Residential)	No change
Parcel Size	Parcel 1: 4.83 acres (Net) Parcel 2: 4.77 acres (Net)	Parcel 1: 1.15 acres (Gross) Parcel 2: 8.70 acres (Gross)
Structural Improvements	Parcel 1: One single-family residence, three nursery-related structures Parcel 2: One single-family residence, one nursery-related structure	Parcel 1: One single-family residence, four nursery-related structures Parcel 2: One single-family residence
Nearest Residence	Less than 10 feet east of the subject parcels	No change
Surrounding Development	Agricultural and low-density residential	No change

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

It has been determined pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines, that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

**PUBLIC NOTICE:**

Notices were sent to 53 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

A Variance (VA) may be approved only if the four Findings specified in the Fresno County Zoning Ordinance, Section 877-A are made by the Planning Commission.

The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

The existing 4.83- and 4.77-acre parcels currently conform to the 2-acre minimum parcel size required in the R-R (Rural Residential) Zone District. These parcels are adjacent and bounded to the north by the Fancher Canal and to the south by Belmont Avenue. On the northern end of each parcel there is a single-family residence, and the majority of acreage on both parcels is leased for the operation of the Belmont Nursery. If the proposed Variance and subsequent mapping procedure are approved, one residence and the entirety of the Belmont Nursery would be located on an 8.70-acre parcel that conforms to the development standards required in the R-R Zone District. The remaining residence would be located on a substandard 1.15-acre parcel with no public road frontage (165 feet required), and would be accessible through a proposed easement.

This Variance would allow Belmont Nursery to operate on a single parcel, and would facilitate the proper permitting of existing unpermitted structures that are currently built across the property line.

The Belmont Nursery has been in operation for at least 20 years. The eastern parcel has been owned by Gerald and Varrel Palmer since 2011, and the western parcel has been owned by TFS Investments since 2017.

In addition to the subject application, there have been 7 other variance applications within one mile of the subject property which have allowed the creation of parcels with fewer than 2 acres, and there have been no variances within one mile of the subject property which allowed the creation of a parcel without road frontage. The following table provides a brief summary of these Variance (VA) applications and final actions.

<b>Application/Request:</b>	<b>Date of Action:</b>	<b>Staff Recommendation:</b>	<b>Final Action:</b>
VA No. 3833: Allow the creation of two 1.35-acre parcels from an existing 2.70-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.	February 16, 2006	Denial	Approved by the Planning Commission
VA No. 3767: Allow the creation of one 2.07-acre and one 3.09-acre parcel from a 5.15-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District and allow one parcel to have no road frontage (165 feet required).	September 11, 2003	Denial	Approved by the Planning Commission
VA No. 3696: Allow the creation of a 0.38-acre parcel and a 0.28-acre parcel and waive road frontage, lot depth, and side-yard setbacks in the R-R (Rural Residential) Zone District.	Jun 14, 2001	Denial	Approved by the Planning Commission

VA No. 3098: Allow the creation of two 1-acre parcels with 157 feet of road frontage (165 feet required) from an existing 2.02-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.	September 24, 1987	Denial	Approved by the Planning Commission
VA No. 2876: Allow the creation of three 2.11-acre parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.	December 6, 1984	Denial	Approved by the Planning Commission
VA No. 2850: Allow the creation of a 1.89-acre and a 1.71-acre parcel from two 1.80-acre parcels in the R-R (Rural Residential) Zone District.	August 2, 1984	Approval	Approved by the Planning Commission
VA No. 2717: Allow the creation of two parcels from a 1.17-acre parcel in the R-R (Rural Residential) Zone District.	August 12, 1982	Denial	Approved by the Planning Commission

Although there is a history of variance requests within proximity of the subject parcel, each variance request is considered on its own merit, based on unique site conditions and circumstances.

**ANALYSIS/DISCUSSION:**

*Findings 1 and 2:* There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification; and

*Such a Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.*

	<b>Current Standard:</b>	<b>Proposed Configuration:</b>	<b>Is Standard Met (y/n):</b>
Setbacks	Front: 35 feet Side: 20 feet Street Side: 35 Rear: 20 feet	<u>Parcel 1:</u> Front (south property line): 60 feet Side (west property line): 58 feet Side (east property line): 84 feet Rear (north property line): 55 feet	Parcel 1: Yes

	<b>Current Standard:</b>	<b>Proposed Configuration:</b>	<b>Is Standard Met (y/n):</b>
		<u>Parcel 2:</u> Front (south property line): 225 feet Side (west property line): 60 feet Side (east property line): 32 feet Rear (north property line): 60 feet from residence	Parcel 2: Yes
Parking	One parking space shall be required per residence, and it must be located on the same parcel as the residence.	Both residences will retain the required parking space on their respective parcels.	Yes
Lot Coverage	No Requirement	No Requirement	N/A
Separation Between Buildings	No Requirement	No Change	N/A
Wall Requirements	No Requirement	No Requirement	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No Change	Yes

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

Development Engineering Section of the Fresno County Department of Public Works and Planning: Belmont Avenue is classified as an Arterial road with an existing 30-foot right-of-way north of the section line along the parcel frontage, per Plat Book. The minimum width for an Arterial road right-of-way north of the section line is 58 feet.

Belmont Avenue is a County-maintained road. Records indicate this section of Belmont Avenue, from Locan Avenue to De Wolf Avenue, has an ADT of 3800, pavement width of 34.4 feet, structural section of 0.2 feet AC, and is in excellent condition.

According to FEMA, FIRM Panel 1595H, the parcels are not subject to flooding from the 100-year storm.

Zoning Section of the Fresno County Department of Public Works and Planning: Structures over 120 square feet, if built after March 1, 1958, require review, approval, permits, and inspection from the Zoning Section of the Fresno County Department of Public Works and Planning. Appropriate permits must be acquired for unpermitted structures in Belmont Nursery within 90

days of the effective date of approval. Additionally, these permits must be acquired prior to the final approval of the subsequent mapping action to authorize the proposed parcelization. This comment will be included as a Condition of Approval.

Fresno Irrigation District (FID): FID requests that the Applicant consult with them on all proposed development, and that the owner grant an easement to FID for the width of the canal and the space required to maintain the Fancher Canal. Because no development is proposed, no consultation will be required. The Applicant will be required as a Condition of Approval to map the portion of the properties beneath Fancher Canal and grant an exclusive easement on this land to the Fresno Irrigation District. This will be required as a Condition of Approval.

**Analysis:**

In support of Finding 1, the Applicant states that the presence of Belmont Nursery is a special circumstance that justifies a variance from established development standards. Additionally, this Variance would allow the company to acquire permits for operational structures currently built over property lines. In support of Finding 2, the Applicant states that there are approximately 100 parcels under 2 acres within one mile of the project site.

With regard to Finding 1 and Finding 2, staff does acknowledge that the Belmont Nursery is a unique operation that is not typical of nearby R-R properties. Staff also recognizes that development near unique landforms, such as Fancher Creek, could experience uncommon difficulties as a result of their proximity to the landform. However, these parcels are already fully developed and the Applicant is only seeking the ability to convey legal ownership of one of the existing residences separately from the Belmont Nursery and to acquire permits for unpermitted structures. The ability to create, sell, or transfer ownership of a substandard parcel is not a substantial property right, and there are no conditions specific to this site that are preventing the owners from developing their properties in the same manner as their neighbors.

Staff concurs with the Applicant that there are many parcels within a one-mile radius which are fewer than 2 acres in size. Fifteen of these parcels were created by variances, and the others were created through tentative tract map applications or were created prior to the implementation of current development standards in this area.

A consideration in addressing variance applications is whether there are alternatives available that would avoid the need for the Variance. In this case, the Applicant could choose to merge the two subject parcels into a 9.60-acre parcel, which would result in Belmont Nursery being entirely on one parcel and could meet all development standards. To keep both of the existing residences, a Director Review and Approval Application would be required in this situation. Alternatively, the Applicant could propose a different lot line adjustment to create a 2-acre parcel that included 7730 E. Belmont Avenue, and a 7.60-acre parcel that would contain the nursery and 7780 E. Belmont Avenue, which is allowed in the R-R Zone District. A variance would still be required to waive public road frontage in this situation.

**Recommended Condition of Approval:**

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

**Conclusion:**

Findings 1 and 2 cannot be made.

**Finding 3:** *The granting of a Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.*

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North:	84.59 acres	Orchard/Single-Family Residence	R-R	1,620 feet
West:	25.76 acres	Field Crops/Single-Family Residence	R-R	820 feet
South:	2.11 acres	Single-Family Residence	R-R	165 feet
	1.23 acres	Single-Family Residence	R-R	125 feet
	2.31 acres	Single-Family Residence	R-R	175 feet
	2.31 acres	Single-Family Residence	R-R	190 feet
East:	2.44 acres	Single-Family Residence	R-R	820 feet

**Reviewing Agencies/Department Comments:**

Environmental Health Division of the Fresno County Department of Public Health: In the case of this application, it appears the parcel can accommodate the sewage disposal systems and expansion areas, meeting the mandatory setback requirements as established in the California Plumbing Code and California Well Standards Ordinance. It is recommended that the Applicant consider having the existing septic tank pumped, and have the tank and drain fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system. This recommendation has been included as a Project Note.

Any new land development utilizing private sewage dispersal system as defined in Tier 2 Local Area Management Plan (LAMP) of the OWTS Policy requires a minimum 2-acre parcel size to conform to the new Local Area Management Program (LAMP) approved by the Central Valley Regional Water Quality Control Board (RWQCB). This has been included as a Project Note.

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: The proposed project is not within an area of the County defined as being water short; as such, the Division has no comments.

**Analysis:**

In support of Finding 3, the Applicant states that the size of a parcel has no effect on the general public, the site is not within a water-short area, and soil surveys of eastern Fresno indicate the presence of soil that is well drained and that provides good conditions for septic leach fields.

In regard to the Applicant's third finding, staff concurs that the site is not in a water-short area. However, the Applicant provided no studies or surveys supporting their claim that the soil is well drained and well suited for septic leach fields.

If approved, the granting of this Variance will allow the creation of an 8.70-acre parcel and a 1.15-acre parcel, without public road frontage. This parcel will be accessible via a 30-foot-wide easement which will follow an existing partially-paved and partially-graveled private road along the western boundary of the existing western parcel. Aerial photographs indicate that this road is also used by many cars and trucks to access the Belmont Nursery and to transport their products. Each of the proposed parcels will be improved with an existing single-family residence, and the 8.70-acre parcel will include the existing Belmont Nursery.

Approval of this Variance in itself may not have a significant impact on the existing character of the neighborhood; however, it may establish a precedent for owners of similar parcels to seek variance approval to develop similar substandard parcels without public road frontage. The Zoning Ordinance requires all lots in the R-R Zone District to have frontage on a public road and be at least 2-acres in size.

The Local Area Management Program (LAMP) was enacted by the Central Valley Regional Water Quality Control Board (RWQCB) to ensure that a high volume of septic systems would not affect the quality of the water used by all residents. This Program requires a minimum parcel size of 2 acres to support one septic system in an effort to ensure the long-term quality of the water supply. The creation of parcels below this minimum size could have a cumulatively negative affect on the water quality in the area, and will be required to provide engineered plans for septic system replacement when needed.

The surrounding area is residential and agricultural in nature, as is the existing development on the subject parcels. No new development will result from the proposed project, so the existing uses would continue to be compatible with the surrounding area.

Based on the above analysis, Finding 3 can be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 3 can be made.

*Finding 4:* *The granting of such a Variance will not be contrary to the objectives of the General Plan.*

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>Policy LU-E.3: The County shall maintain two (2) acres as the minimum permitted parcel size, exclusive of all road and canal rights-of-way, recreation easements, permanent water bodies, and public or quasi-public common use areas.</p>	<p>The proposed 1.15-acre parcel does not meet this standard. Additionally, the full width of the northern edge of this proposed parcel would extend to the center of the Fancher Canal, and staff approximates that 0.10 acres of this proposed parcel is permanently covered by Fancher Canal. According to this General Plan policy, the proposed parcel would only be 1.05 acres in size (excluding permanent water bodies), or 53% of the required size.</p>



<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
Policy PF-C. 17: The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation.	The project is not in a low-water area. No new development or change in land use is proposed with this application.
Policy PF-D.6: The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.	The Local Area Management Program (LAMP) enacted by the Central Valley Regional Water Quality Control Board (RWQCB) aims to protect water quality and requires 2 acres of land per septic system. This program indicates that the creation of parcels with fewer than 2 acres which are unable to be served by a community sewer system and are intended for development that would require a septic system could threaten groundwater quality.

**Reviewing Agencies/Department Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcels are not subject to a Williamson Act Contract.

**Analysis:**

In support of Finding 4, the Applicant states that the granting of this Variance would not be contrary to the objectives of the General Plan because it is in the best interest of the Belmont Nursery, which has positive economic development impacts and is agricultural in nature.

In regard to the Applicant’s statements, staff notes that the nursery already exists and will not expand its operation as a result of the proposed Variance. The proposed 1.15-acre parcel is not consistent with General Plan policies because the parcel size is less than 2 acres in size. New development standards set forth by the Central Valley Regional Water Quality Control Board (RWQCB) indicate that residential parcels with fewer than 2 acres that are served by septic systems could cumulatively threaten water quality and pose health hazards. The proposed project is not in conformance with the General Plan for these reasons.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 cannot be made.

**PUBLIC COMMENT:**

*None.*

## **CONCLUSION:**

Staff believes the required Findings 1, 2 and 4 for granting the Variance cannot be made based on the factors cited in the analysis. Staff therefore recommends denial of Variance No. 4045.

## **PLANNING COMMISSION MOTIONS:**

### **Recommended Motion** (Denial Action)

- Move to determine the required Findings cannot be made and move to deny Variance No. 4045; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### **Alternative Motion** (Approval Action)

- Move to determine that the required Findings can be made (state basis for making the Findings) and move to approve Variance No. 4045; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### **Recommended Condition of Approval and Project Notes:**

See attached Exhibit 1.

DTC:

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**Variance Application No. 4045  
Conditions of Approval and Project Notes**

<b>Conditions of Approval</b>	
1.	Development shall be in substantial compliance with the site plan, as approved by the Planning Commission.
2.	Permits must be acquired from the Zoning Section of the Fresno County Department of Public Works and Planning for unpermitted structures in Belmont Nursery within 90 days of the effective date of approval of this Variance and prior to the final approval of the subsequent mapping action to authorize the proposed parcelization.
3.	Prior to final mapping approval, the Applicant must have the portion of parcels 310-143-34 and 310-143-35 that is under the Fancher Canal mapped, and they shall grant an exclusive easement on this portion of these parcels to the Fresno Irrigation District.

Conditions of Approval reference recommended Conditions for the project.

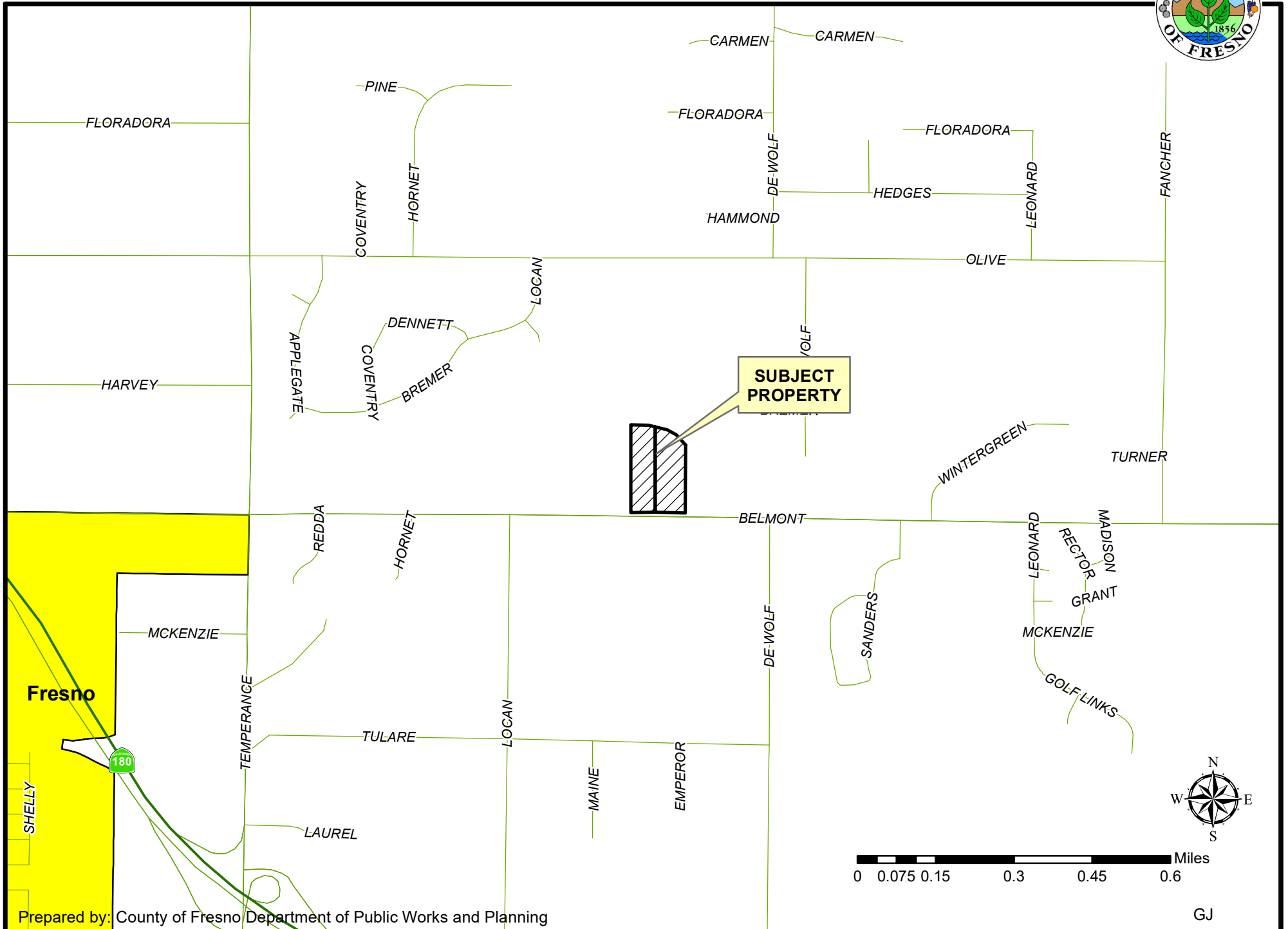
<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	In the case of this application, it appears the parcel can accommodate the sewage disposal systems and expansion areas, meeting the mandatory setback requirements as established in the California Plumbing Code and California Well Standards Ordinance. It is recommended that the Applicant consider having the existing septic tank pumped, and have the tank and drain fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.
2.	Septic system density will be limited to one system per two acres. Any new development of less than two acres or secondary dwelling on less than four acres will require a nitrogen-loading analysis by a qualified professional, demonstrating to the Department that the regional characteristics are such that an exception to the septic system density limit can be accommodated. The Department will refer any analysis to RWQCB for their concurrence and input. Supplemental treatment systems for nitrogen reduction will be referred to RWQCB for permitting.

DTC:

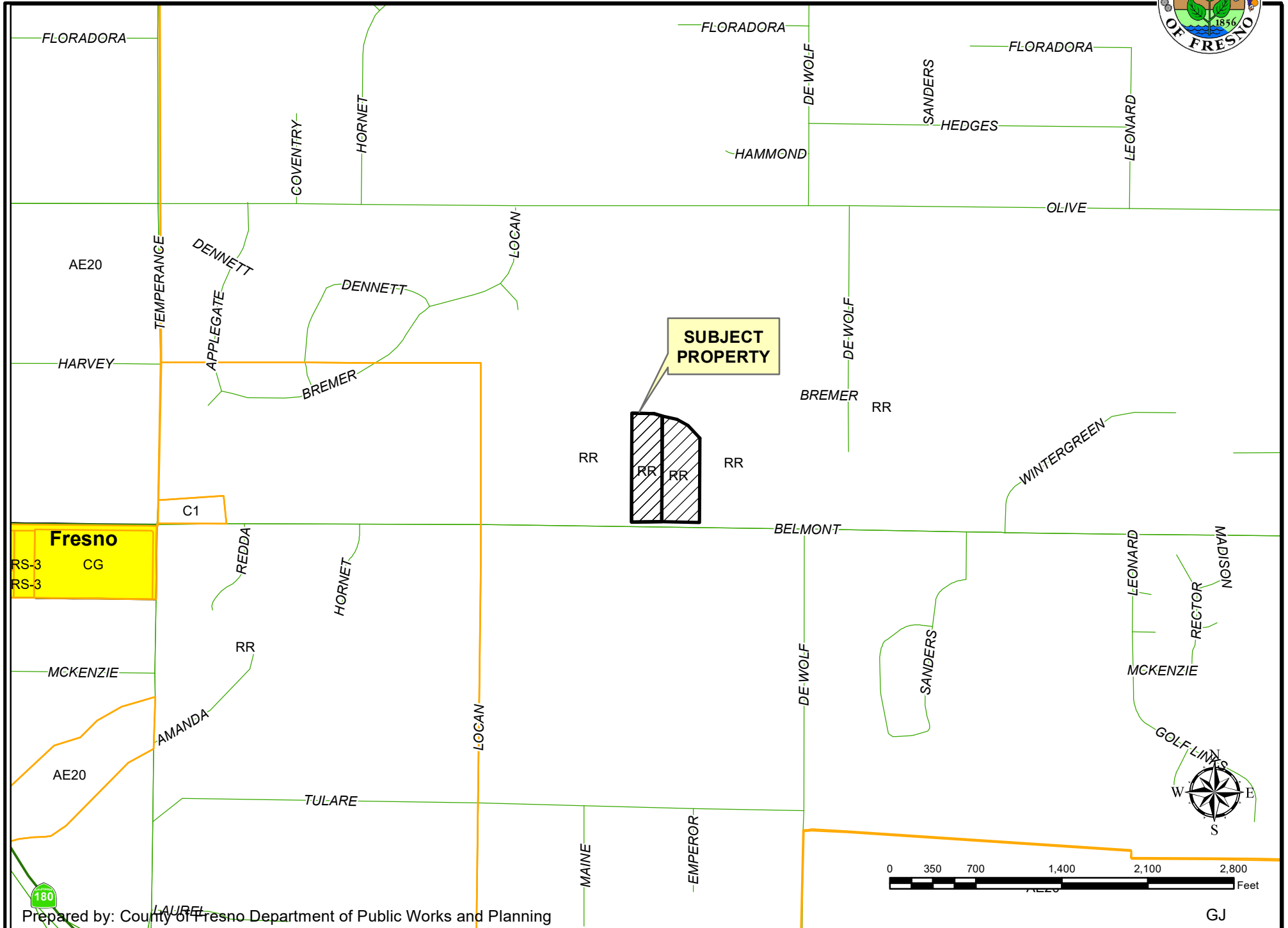
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**EXHIBIT 1**

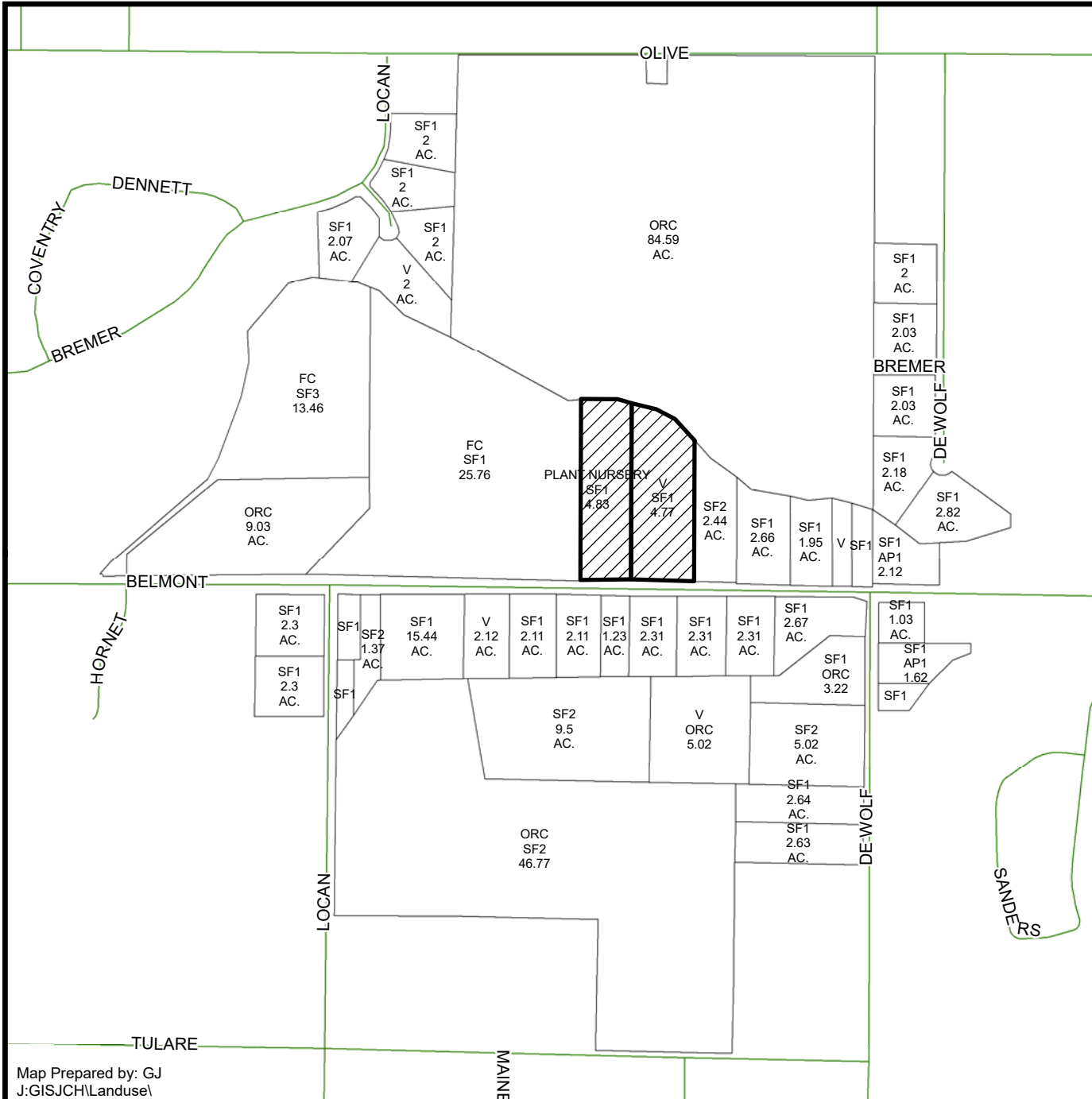
# LOCATION MAP



# EXISTING ZONING MAP




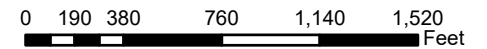
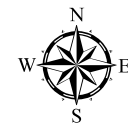
# EXISTING LAND USE MAP



LEGEND	
AP1	- APARTMENT
ORC	- ORCHARD
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

### LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning  
Development Services Division

# VARIANCE EXHIBIT / LLA

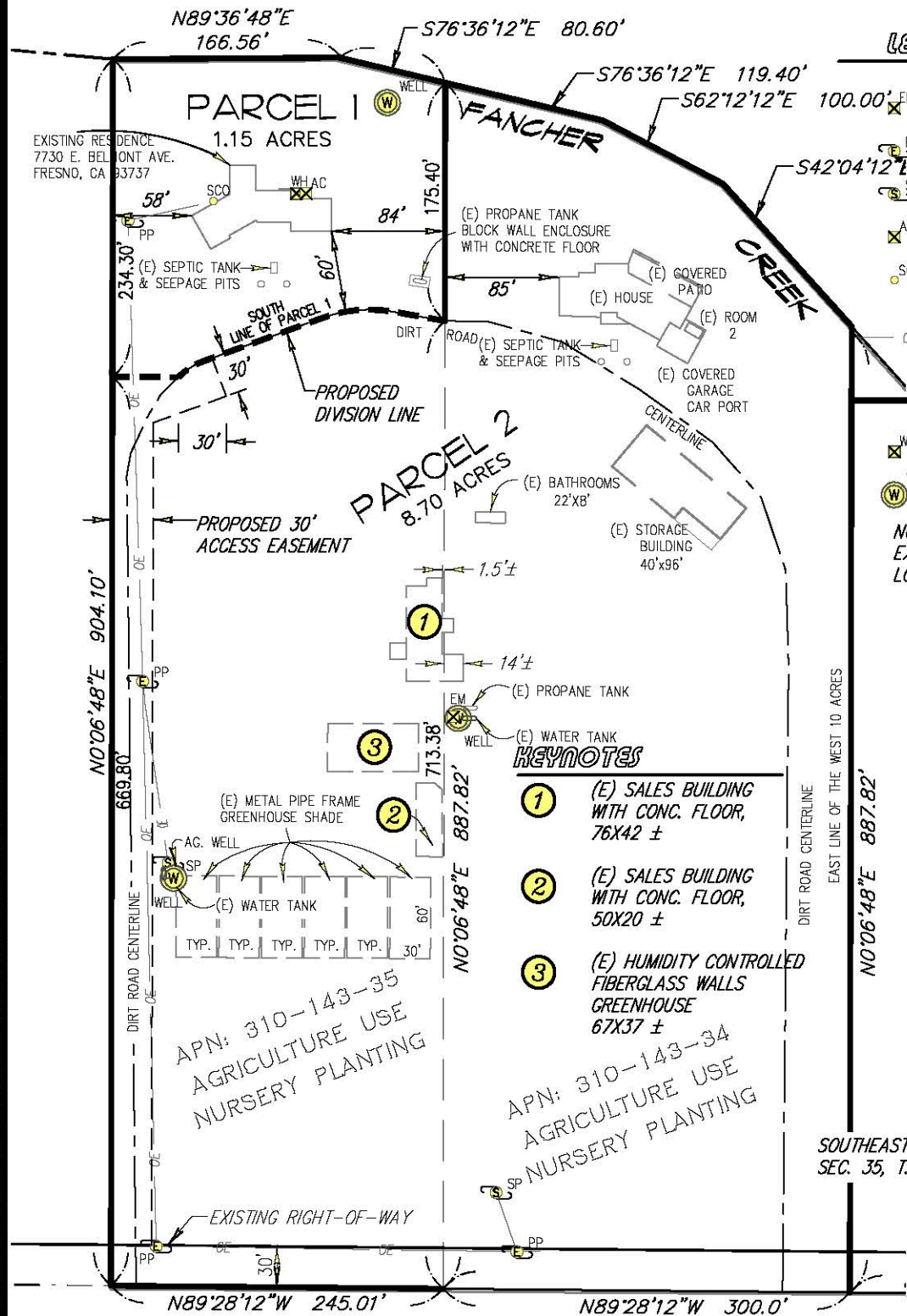
## LEGEND

- EXISTING ELECTRICAL METER
- EXISTING POWER POLE
- EXISTING SERVICE POLE
- EXISTING AC UNIT
- EXISTING SANITARY SEWER CLEAN OUT
- EXISTING OVERHEAD ELECTRICAL LINE
- SUBJECT SITE BOUNDARY
- EXISTING WATER METER
- EXISTING WATER WELL

NOTE:  
EXISTING SEPTIC TANK AND WELL  
LOCATED FROM 1961 PERMIT CARD



- KEYNOTES**
- 1 (E) SALES BUILDING WITH CONC. FLOOR, 76X42 ±
  - 2 (E) SALES BUILDING WITH CONC. FLOOR, 50X20 ±
  - 3 (E) HUMIDITY CONTROLLED FIBERGLASS WALLS GREENHOUSE 67X37 ±



APN: 310-143-35  
AGRICULTURE USE  
NURSERY PLANTING

APN: 310-143-34  
AGRICULTURE USE  
NURSERY PLANTING

**EAST BELMONT AVENUE**

## SITE PLAN

FOR  
**TFS INVESTMENTS**

GRAPHIC SCALE  
0 120

1 INCH = 120 FEET

BY: J. LOR - 07/2/18  
DMA CADFILE: 17-094EX01  
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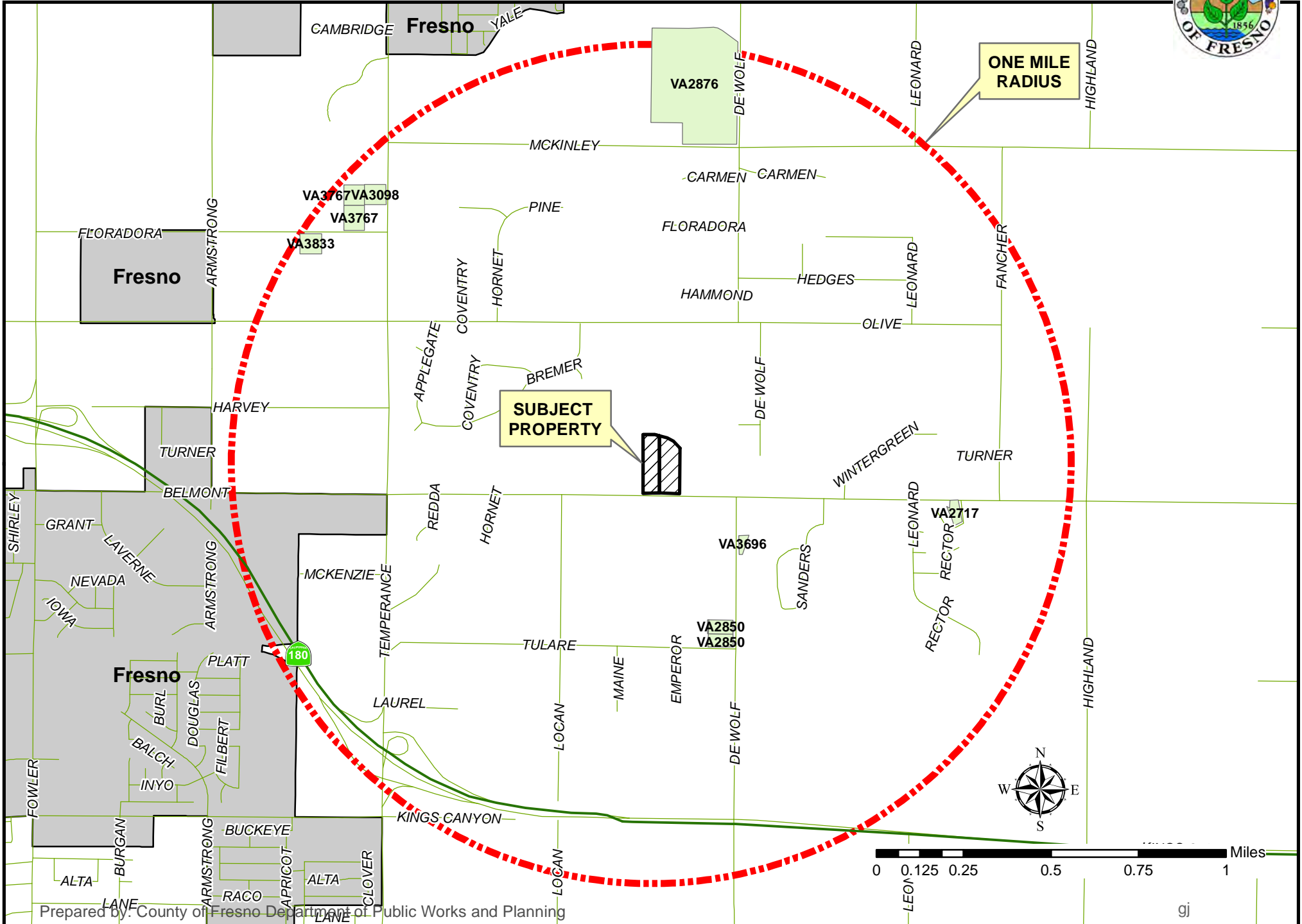
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PREPARED BY:

**DALE G. MELL & ASSOCIATES**  
ENGINEERING & SURVEYING SERVICES  
2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703  
(559) 292-4046 \* FAX 251-9220 \* EMAIL: STAFF@DALEMELL.COM

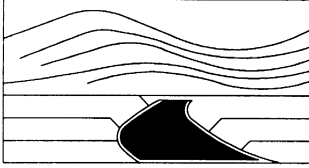
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FRESNO, CA 93721

# APPROVED VARIANCE WITHIN A ONE MILE RADIUS



## EXHIBIT 6





# DALE G. MELL & ASSOCIATES

## ENGINEERING & SURVEYING SERVICES

2090 N. WINERY AVENUE · FRESNO, CALIFORNIA 93703 · PH (559) 292-4046 · FAX (559) 251-9220

### Findings for Variance

1.) Exceptional conditions applicable to the property as follows:

- A). Existing "TFS" Residence was constructed at the north limits of property adjacent to Fancher Creek with the remainder farmed by Belmont Nursery.
- B). Width of tax Parcel 35 is 248 feet, insufficient width to divide into East/West half. Minimum of 165 ft. required on each parcel per RR Zone District.
- C) During the initial Variance review process it was discovered that the unpermitted operational structures were built across property lines by the Belmont Nursery (Lessee) (APN: 310-143-35 "TFS" & 3610-143-34 "Palmer"). As a result of this discovery "TFS" and "Palmer" agree to merge the current nursery portions of the subject tax parcel 35 into the neighboring tax parcel 34, "TFS" will retain the residence on tax parcel 35 and the farming portion of tax parcel 35 will attach to tax parcel 34 by lot line adjustment application and resolve the building code issue.

2.) Variance necessary for the preservation and enjoyment of substantial property right as follows:

- A). Right to divide the current parcel with residence located on 1.3 acre parcel home site and remaining 3.5 acre parcel fronting on Belmont Avenue will be attached to tax parcel 34.
- B). There are approximately 100 parcels under 2 acres within a mile radius of the project site.

3.) Granting of this variance will not be detrimental to the public welfare or injurious to property as follows:

- A). The parcel size will have no effect on the general public;
- B). The site is not within a water shortage area;
- C). From the Eastern Fresno area soils survey the soils are of the Delhi Series, The site has soils that are well drained and provide good conditions for septic leach fields.. Therefore we feel that the grading of this variance will not be detrimental or have any impact or effect on the public.

- 4.) Granting of the Variance would not be contrary to the objectives of the Fresno County General built on the following ten major themes:

**Economic Development:**

Promote job growth and reduce unemployment through the enhancement and expansion of its traditional agricultural economic base. Allow for the creation of a 3.5 acre parcel for farming and expansion of the Belmont Nursery, currently leased, granting of this variance would approve the creation of a parcel to commit the Belmont Nursery to the area and maintaining of the county's natural resources.

**Agricultural Land Protection:** Granting of this Variance will protect the productive agricultural land as the county's most valuable natural resource and the historical basis of its economy by limiting the encroachment of incompatible development upon agricultural areas. The residence will remain on a reduced area parcel (1.3 acres) limits currently developed so as to ensure the maximum area retained for farming.

**Growth Accommodation:** Granting of this Variance will align with the plan designed to accommodate population growth through the year 2045. Creating a residential lot adjacent to the south bank of Fancher Creek and maintaining productive Ag land

**Urban-Centered Growth:** Granting of this Variance and reduced parcel size will promote compact growth by the orderly development of this existing rural residential/Ag setting.

**Efficient and Functional:** Granting of this Variance does maintain & promote compact, mixed-use, and pedestrian focus in the county's unincorporated communities. Use of the canal as a trail, running and biking path to enrich the community and rural life style.

**Service Efficiency:** The plan provides for the orderly and efficient extension of infrastructure such as roadways, water, waste water, drainage, and expansion services to support the county's economic development goals and to facilitate compact growth patterns. Granting of this Variance will maintain compact growth as well as productive farm land.

**Recreational Development:** The plan supports the expansion of existing recreational opportunities and the development of new opportunities, particularly along the San Joaquin and Kings Rivers, **Resource Protection:** Granting of this Variance will support this theme by providing an opportunity for a 1.3 acre parcel with an existing residence in a high density rural life style setting next to Fancher Creek.

Health and Safety Protection: Granting of this Variance would be aligned with the GP that seeks to protect county residents and visitors through mitigation of hazards and nuisances.

Enhanced Quality of Life: Granting of this Variance will improve the attractiveness of the county life style to new residents and protection of open space, view corridors, outdoor activities and expansion of recreational opportunities.