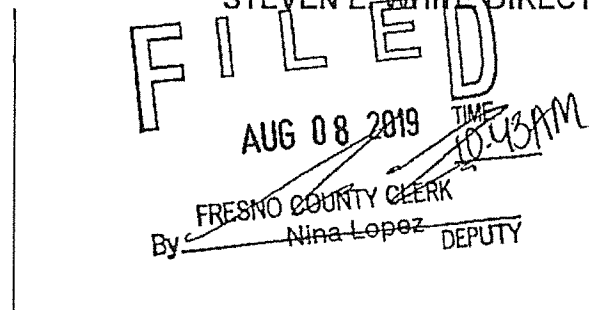




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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE DIRECTOR



For County Clerk's Stamp

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the County of Fresno has prepared Initial Study Application (IS) No. 7602 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY APPLICATION NO. 7602 and CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3640 filed by **TROY TURNER**, proposing to allow retail liquefied petroleum gas distribution and storage on a 5.54-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the northwest corner of Belmont Avenue and McCall Avenue, approximately 2.9 miles east of the nearest city limits of the City of Fresno (SUP. DIST. 5) (APN 309-290-37). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7602, and take action on Classified Conditional Use Permit Application No. 3640 with Findings and Conditions.

(hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Mitigated Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7602 and the draft Mitigated 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 Mitigated Negative Declaration from August 9, 2019 through September 9, 2019.

Email written comments to TKobayashi@FresnoCountyCA.gov, or mail comments to:

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

IS Application No. 7602 and the draft Mitigated 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 Mitigated Negative Declaration for the Proposed Project may be obtained from Thomas Kobayashi at the addresses above.

Public Hearing

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Mitigated Negative Declaration on September 12, 2019, 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.

For questions please call Thomas Kobayashi (559) 600-4224.

Published: August 9, 2019



County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project title:** Initial Study Application No. 7602 and Classified Conditional Use Permit Application No. 3640
2. **Lead agency name and address:**
County of Fresno, Department of Public Works and Planning
2220 Tulare St. 6th Floor
Fresno, CA 93721
3. **Contact person and phone number:**
Thomas Kobayashi, Planner
(559)600-4224
4. **Project location:**
The project site is located on the northwest corner of Belmont Avenue and McCall Avenue, approximately 2.9 miles east of the nearest city limits of the City of Fresno.
5. **Project sponsor's name and address:**
Troy Turner
1175 Shaw Avenue #247
Clovis, CA 93612
6. **General Plan designation:**
Agricultural
7. **Zoning:**
AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)
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.)**
Allow retail liquefied petroleum gas distribution and storage on a 5.54-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**
The project site is located in an agricultural area with single-family residences located throughout the region.
10. **Other public agencies whose approval is required (g., permits, financing approval, or participation agreement.)**
Department of Public Health, Environmental Health Division
Development Services and Capital Projects Division
Road Maintenance and Operations Division
11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Per Assembly Bill 52 (AB52), participating California Native American Tribes were notified of the project, and given the opportunity to enter into consultation with the County regarding the proposal. Participating California Native American Tribes either did not respond to the notification or declined the opportunity to enter consultation.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards & 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 | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Mandatory Findings of Significance | |

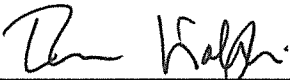
DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

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:



Thomas Kobayashi, Planner
Date: 8/8/19



Marianne Mollring, Senior Planner
Date: 8-8-19

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**
(Initial Study Application No. 7602 and
Classified Conditional Use Permit
Application No. 3640)

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

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 2 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- 2 c) Expose sensitive receptors to substantial pollutant concentrations?
- 2 d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 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?
- 1 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 state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 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?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 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:

- 3 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- 3 c) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

- 3 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- 3 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 3 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

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. 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?

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 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?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 1 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?
- 1 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- 1 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?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

VIII. 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?

IX. 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?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 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?
- 1 e) 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- 1 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 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 or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
 - 2 i) Result in substantial erosion or siltation on- or off-site;
 - 2 ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
 - 2 iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - 2 iv) Impede or redirect flood flows?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 2 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

XII. 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?

XIII. NOISE

Would the project result in:

- 2 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 2 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or 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, would the project expose people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES

Would the project:

- 2 a) 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 i) Fire protection?
 - 1 ii) Police protection?
 - 1 iii) Schools?
 - 1 iv) Parks?
 - 1 v) Other public facilities?

XVI. 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?

XVII. TRANSPORTATION

Would the project:

- 2 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 2 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 3 a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - 3 i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - 3 ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public

Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- 2 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 1 c) 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?
- 1 d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) Have the potential to substantially 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, substantially 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 2016 Map, State Department of Conservation
- 2007 Fire Hazard Severity Zones, California Department of Forestry and Fire Protection

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County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Troy Turner

APPLICATION NOS.: Initial Study Application No. 7602 and Classified Conditional Use Permit Application No. 3640

DESCRIPTION: Allow retail liquefied petroleum gas distribution and storage on a 5.54-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northwest corner of Belmont Avenue and McCall Avenue, approximately 2.9 miles east of the nearest city limits of the City of Fresno. (APN: 309-290-37) (9886 E. Belmont Avenue, Sanger, CA) (SUP DIST.: 5)

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure OS-2 of the Fresno County General Plan, Belmont Avenue from Temperance Avenue to Academy Avenue is designated as a Scenic Drive. The project site is located along the Scenic Drive and will be held to strict aesthetic standards to minimize impacts on the scenic drive.

Policy OS-L.3 of the Fresno County General Plan states that intensive land development proposals including commercial development shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain. The design of said development proposals shall also provide for maintenance of a natural open space area two hundred (200) feet in depth parallel to the right-of-way. Modification of the setback requirement may be appropriate when any one of the following conditions exist: 1.) Topographic or vegetative characteristics preclude such a setback; 2.) Topographic or vegetative characteristics provide screening of buildings and parking areas from right-of-way; 3.) property dimensions preclude such a setback;

and 4.) Development proposal involves expansion of an existing facility or an existing concentration of uses.

The Applicant has designed this project to be outside of the 200-foot open space area, which will reduce the project's effect on the scenic roadway to a less than significant impact.

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Belmont Avenue, along the project frontage, has been designated as a Scenic Drive. Although the project fronts a Scenic Drive, the proposed improvements will be located on an approximately 748 square-foot concrete pad, over 200 feet north of Belmont Avenue. The 1,000 gallon propane tank, filling equipment, concrete pad, and parking area will be the visible improvements associated with the proposal. The improvements are not expected to substantially degrade the existing visual character or quality of public views of the site and its surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The applicant has stated that LED lighting will be used during operating hours and low safety lighting will be used during non-operational hours. A mitigation measure will be implemented that all outdoor lighting shall be hooded and directed downward so as not to shine on public roads or surrounding properties.

* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on public roads or surrounding properties.*

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and

forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 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; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

According to the 2016 Fresno County Important Farmlands Map, the project site is located in R (Rural Residential) designated land and will not convert prime farmland, unique farmland, or farmland of statewide importance. The project site is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size). Pursuant to Section 816.3-N of the Fresno County Zoning Ordinance, the project proposal is allowed subject to a Conditional Use Permit. As the project proposal is allowed subject to the Conditional Use Permit, the project is not conflicting with existing zoning for agricultural use and is not subject to a Williamson Act Contract.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not located in designated forest land, timberland or timberland zoned Timberland Production. The project will not result in the loss or conversion of forest land.

- 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?

FINDING: NO IMPACT:

The project has been designed to have a relatively small footprint and is considered supportive for agricultural and residential uses located within the vicinity of the project area. As the commercial activity is minimal, the project will not result in the conversion of farmland to non-agricultural use. As the project is not located in forest land, it will not convert forest land to non-forest use.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District did not express concerns about the project to indicate that the proposal would conflict with or obstruct implementation of the applicable Air Quality Plan or would result in a cumulatively considerable net increase of any criteria pollutant. Minor increases in criteria pollutants could occur during project construction. The Applicant has indicated that the access points off the existing paved driveways will be improved with ¾ inch base rock or decomposed granite to reduce dust produced from customers and refilling trucks coming onsite.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The nearest sensitive receptor is a single-family residence located approximately 118 feet west of the project site. Based on the projects proximity to the single-family residence, the increase of criteria pollutants from project construction could affect the receptor. The Applicant has indicated the sale of propane from the liquefied petroleum gas tank. Propane is odorless and typically an additive is combined to provide an odor to propane to provide a warning indication in the event of a leak or when being used. Although the emission could expose people to odors, the tank is located outside and the gas and odor should dissipate quickly before affecting a substantial amount of people.

IV. BIOLOGICAL RESOURCES

Would the project:

- 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?

FINDING: NO IMPACT:

The project site is located in an area of agricultural and residential uses. As the project site is located on the corner of a road intersection, human disturbance from road traffic, agricultural operations, and human occupation occurs on a daily basis. Staff believes that due to the common occurrence of human disturbance, there will be no impact to

special status species. Additionally, the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife were given the opportunity to comment on the project proposal. Neither agency expressed concerns with the project.

- 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?

FINDING: NO IMPACT:

No riparian habitat or other sensitive natural community has been identified on or near the project site.

- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the National Wetlands Inventory (NWI), there is an identified riverine system located on the eastern portion of the project site. Although there is an identified riverine system, the Fresno Irrigation District has identified the presence of a private pipeline known as Rodgers E. BR. No. 571, which is located in the same area identified in the National Wetlands Inventory. Submitted photos from the Applicant suggest that there are no visible signs of a wetland located in the identified area from the NWI. A less than significant impact is seen as the proposed structures are located approximately 100 feet west of the facility and that the facility is an underground manmade pipeline for irrigation purposes.

- 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?

FINDING: NO IMPACT:

The project site is located in an area of agricultural and residential uses. No wildlife corridor or native wildlife nursery site have been identified on or near the project site. The proposal will not interfere substantially with the movement of any native resident or migratory fish or wildlife species.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- 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?

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources and will not 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:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is located in an agricultural and residential area. Ground-disturbance has likely occurred due to improvements being made to the subject parcel and surrounding area. Additionally, an underground pipeline has been identified on the eastern property line. No historical resource has been identified on or in the vicinity of the project site. According to County records, the project site is not located in areas of archaeological sensitivity. A Mitigation Measure will be incorporated to address cultural resources or human remains in the slight chance that they are encountered during ground-disturbing activity related to the project proposal.

* **Mitigation Measure(s)**

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

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project proposal will be subject to current California Building Codes that address energy efficiency and will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. A Mitigation Measure related to the avoidance of idling of onsite equipment and vehicles will be incorporated to reduce potential of wasteful or inefficient consumption of energy resources during project construction.

* **Mitigation Measure(s)**

1. *The idling of onsite vehicles and equipment will be avoided to the most possible extent to avoid wasteful or inefficient energy consumption during the construction of the project.*

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 1. 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?

FINDING: NO IMPACT:

According to the California Earthquake Hazards Zone Application, the project site is not located on or near a known rupture of an earthquake fault. Additionally, Figure 9-3 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located near identified earthquake hazard zones.

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

FINDING: NO IMPACT:

According to Figure 9-5 of the FCGPBR, the project site is not located in probabilistic seismic hazard areas. As strong seismic ground shaking is not likely to occur on or near the project site, liquefaction and other seismic-related ground failure risks are also minimal.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the FCGPBR, the project site is not located near identified landslide hazard areas.

B. Result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will result in the loss of topsoil as portions of the project area will be paved to accommodate vehicle access and structures. The project site is located on flat land and will not result in substantial soil erosion. Any grading proposed for the project will be subject to review and permitting by the Development Engineering Section of the Development Services and Capital Projects Division.

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?

FINDING: NO IMPACT:

No unstable geologic unit or soil has been identified on the project site. The project will be subject to review and permitting by the Development Engineering Section and the Building and Safety Section of the Development Services and Capital Projects Division and verify that the proposal will not result in on or offsite landslides, lateral spreading, subsidence, liquefaction, or collapse.

C. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

Per Figure 7-1 of the FCGPBR, the project site is not located on any identified expansive soil areas.

D. 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; or

E. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: NO IMPACT:

No septic tanks or alternative wastewater disposal system is being proposed with the subject application. No unique paleontological resource or unique geologic feature were identified on or near the project site.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposal is for small-scale retail sales of liquefied petroleum gas. The Applicant estimates that one delivery truck will provide refills of the propane on a monthly basis and estimates the operation to serve 10 customers per day. The use is intended to provide a necessary service closer to the agricultural community, which in turn can reduce the total amount of greenhouse gas emissions by reducing travel times compared to a similar use located closer to urban areas. The operation of the retail sales will not generate a significant amount of greenhouse gas emissions. The project will not 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:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division (EHD) has reviewed the subject application and has commented that the use and storage of hazardous materials involved in the project involves risk of accidental release of hazardous substances. The operator will be required to follow California Health and Safety Code, the California Code of Regulations regarding hazardous materials and waste to minimize risk of upset and accidents. Additionally, the project will be subject to the California Building Code and will require building permits that address the stability and safety measures in place to reduce risk of a potential accidental release from the tank.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: NO IMPACT:

There are no existing or proposed schools within a one-quarter mile of the project site.

- 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?

FINDING: NO IMPACT:

According to a NEPAassist report generated for the project site, there are no listed hazardous materials sites located on or near the subject property.

- E. 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or public use airport.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

The Fresno County Fire Protection District and other reviewing agencies did not express concern with regard to the implementation of an adopted emergency response plan or emergency evacuation plan. According to the 2007 Fire Hazard Severity Zones in LRA Map by the California Department of Forestry and Fire Protection (CalFire), the project site is not located in an identified fire hazard zone.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: NO IMPACT:

The project is proposing to use an existing domestic well for water use associated with the project. The Water and Natural Resources Division and the State Water Resources Control Board did not express concern that the proposal would violate water quality standards, waste discharge requirements, or substantially degrade surface or ground water quality. Reviewing departments and agencies also did not express concern related to groundwater supplies or interference with groundwater recharge.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
1. Result in substantial erosion or siltation on- or off-site;
 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
 3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Development Engineering Section of the Department of Public Works and Planning reviewed the subject application and did not express concern with regard to erosion or siltation on- or off-site. In addressing surface runoff and planned stormwater drainage systems, with the additional impervious surfaces proposed with the project, an Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. According to FEMA FIRM Panel C1615H, the parcel is not subject to flooding from the 100-year storm, therefore no impact is seen on flood flows.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

According to Figure 9-8 of the Fresno County General Plan Background Report, the project site is located outside of Dam Failure Flood Inundation Areas. FEMA FIRM Panel C1615H indicates that the project site is not subject to flooding from the 100-year

storm. The project site is not located near a body of water subject to tsunami or seiche risks.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

The project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Both the Water and Natural Resources Division and the State Water Resources Control Board did not express concerns that indicate the project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Policy Planning Section of the Development Services and Capital Projects Division states that the subject parcel is designated Agricultural in the Fresno County General Plan. The proposed non-agricultural use is allowed by the Fresno County General Plan, provided that the use meets General Plan Policy LU-A.3, Criteria a., b., c., and d.

General Plan Policy LU-A.3 states that the County may allow by discretionary permit in areas designated as Agricultural, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses. Approval of these and similar uses in area designated as Agricultural shall be subject to the following criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use should not be sited on productive agricultural lands if less productive land is available in the vicinity. Criteria LU-A.3.c states that the operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius.

Criteria LU-A.3.d states that a probable workforce should be located nearby or be readily available.

In regard to Criteria "a", the proposed operation will provide a retail liquefied petroleum location to serve the surrounding agricultural community. The Applicant has indicated that there are no other operations similar to the proposal in the vicinity of the project area and that the closest similar operation is located approximately 2.9 miles west of the project site. In regard to Criteria "b", the project site is not being actively farmed. The primary use of the site is residential with the project located on a vacant portion of the subject parcel. Therefore, the project will not be sited on productive agricultural lands. In regard to Criteria "c", the project is proposing to utilize the existing well for maintenance of the site. The Applicant estimates that 20-50 gallons of water per day will be used. The Water and Natural Resources Division of the Department of Public Works and Planning did not express any concerns with the proposal and water usage. With regard to Criteria "d", the project site is located approximately 2.3 miles southeast of the City of Clovis, approximately 2.9 miles east of the City of Fresno, and approximately 2.7 miles northwest of the City of Sanger. All three of those cities are located within proximity of the project site and can be considered for probable workforces. Additionally, the Applicant has indicated that they are currently not looking for employees and will manage the operation with a business partner.

General Plan Policy PF-C.17 states that the County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following. Criteria PF-C.17.a states that a determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made "firm" by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Criteria PF-C.17.c states that a determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.

The Applicant has indicated that the proposed use will utilize approximately 20-50 gallons of water a day to maintain the project site. The Water and Natural Resources Division did not express concerns in regard to availability of groundwater to service the proposal nor did they require a hydrogeologic study.

XII. MINERAL RESOURCES

Would the project:

- 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; or
- 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?

FINDING: NO IMPACT:

According to Figure 7-7 of the FCGPBR, the project site is not located on any identified Mineral Resource Location. Therefore, the project will not result in the loss of availability of a known mineral resource or the loss of availability of a locally-important mineral resource recovery site.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction of the project is expected to temporarily increase noise levels. Once construction is completed, operation of the project will not increase noise levels above thresholds established in the Fresno County Noise Ordinance. Minor increases of noise could occur when the delivery truck to refill the tank is brought onsite, but is not expected to exceed noise thresholds established by the County. Adherence to the County Noise Ordinance is a project requirement.

- C. For a project located within the vicinity of a private airstrip or 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, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or public use airport.

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned 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)?; or

- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project site is located on a vacant portion of a parcel that is mainly used for residential purposes. The subject parcel is located in an agricultural area with established single-family residences and agricultural operations. The project is a small scale liquefied petroleum retail operation, which will not induce substantial unplanned population growth nor displace people or housing.

XV. PUBLIC SERVICES

Would the project:

- A. 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?

1. Fire protection;

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District has reviewed the subject application and has stated that the project shall comply with California Code of Regulations Title 24 – Fire Code, the commercial property shall annex into the Community Facilities District No. 2010-01, and the project/development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought. No concerns were expressed by the Fresno County Fire Protection District in regard to requiring the provision of new or physically-altered governmental facilities.

2. Police protection;

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

No other reviewing agency expressed concerns in regard to providing new or physically-altered governmental facilities.

XVI. RECREATION

Would the project:

- 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; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project will not increase the use of existing neighborhood and regional parks or other recreational facilities. The project will not require the construction or expansion of recreational facilities.

XVI. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located on the northwest corner of Belmont Avenue and McCall Avenue. As discussed in Section I. Aesthetics, the project is located on a scenic drive, which provides further restrictions on development. Belmont Avenue and McCall Avenue are classified as arterial roads. Policies and standards listed in the Fresno County General Plan provide specifications for access design for properties located on arterial class roads. Based on the design provided by the Applicant, the project proposes to utilize existing driveways for access to the project site. Both existing driveways are located in excess of 100 feet from the intersection of Belmont Avenue and McCall Avenue. In proposing to utilize the existing driveways, no conflict with policies related to the road classifications and associated design standards exists.

- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposal is to allow a propane tank refilling station located close to rural residential and agricultural communities. The next closest similar use is approximately 2.9 miles west of the project site. Considering the proximity of the closest similar operation, it can be considered that the project will reduce vehicle miles traveled by providing the use closer to the rural residential and agricultural community. Therefore, the project will reduce vehicle miles traveled and not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Based on proposed site design and implementation of comments provided by the Design Division, Road Maintenance and Operations Division, and Development Engineering Section, hazards due to geometric design features or incompatible uses will not occur.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The Fresno County Fire Protection District (FCFPD) reviewed the subject application and did not express concerns that would indicate that the project will result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per Assembly Bill 52 (AB52), participating California Native American Tribes were given the opportunity to review the project and enter consultation with the County to address impacts to tribal cultural resources that may occur due to the project. No participating California Native American Tribe expressed concerns with regard to the project. A Mitigation Measure will be implemented to address cultural resources and tribal cultural resources, in the event they are discovered during the construction of the project.

* Mitigation Measure(s)

1. See Section V. Cultural Resources A., B., and C., Mitigation Measure No. 1

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Applicant has indicated that the project will be served by an existing well. The Applicant estimates that water usage will be from 20 to 50 gallons of water a day ranging from maintenance of the site to irrigation of landscaping. No concerns were expressed from either the Water and Natural Resources Division or the State Water Resource Control Board to indicate that the project would have an effect on water supplies.

- C. 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?

FINDING: NO IMPACT:

No wastewater treatment system has been proposed with the project. The Applicant has indicated that if required, a portable sanitary facility will be made available onsite and maintained by the rental company. The operation proposes to have customers onsite for a short time to refill propane tanks. Considering the short-term aspect, the project is not expected to impact existing wastewater treatment systems.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;
or

- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The Applicant anticipates solid waste generation to be minimal. Based on the Applicant's description of the operation, the proposed use will require customers to refill their propane container, which takes an average of ten minutes. Minimal solid waste generation will occur due to the average length of the customer's visit and nature of the service. The project will comply with federal, state and local management and reduction statutes and regulations related to solid waste.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

Based on the California Department of Forestry and Fire Protection (Cal Fire) 2007 Fire Hazard Severity Zones for Fresno County, the project site is not located in a fire hazard severity zone.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially 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, substantially 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not substantially reduce the habitat of a fish or wildlife species. The project will have a less than significant impact on Cultural and Tribal Cultural Resources with mitigation measures incorporated and will not eliminate important examples of major periods of California history or prehistory.

- 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)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Cumulative impacts identified in the analysis were related to Aesthetics, Cultural Resources, Energy, Hazards and Hazardous Materials, and Tribal Cultural Resources. These impacts will be reduced to a less than significant impact with incorporated Mitigation Measures discussed in Section I.D., Section V.A., B., and C., Section VI.A. and B., Section VIII.A. and B., and Section XVIII.A.1., and 2.

- C. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No.3640, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Agricultural and Forestry Resources, Mineral Resources, Population and Housing, Recreation, and Wildfire.

Potential impacts related to Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land-Use Planning, Noise, Public Services, Transportation, Hazards and Hazardous Materials, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, and Tribal Cultural Resources have determined to be less than significant with compliance with the incorporated Mitigation Measures.

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

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7602 and Classified Conditional Use Permit Application No. 3640

Mitigation Measures						
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span	
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine on public roads or surrounding property.	Applicant	Applicant/Department of Public Works and Planning (PW&P)	Ongoing	
2.	Cultural Resources and Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities.	
3.	Energy	The idling of onsite vehicles and equipment will be avoided to the most possible extent to avoid wasteful or inefficient energy consumption during the construction of the project.	Applicant	Applicant/PW&P	During ground-disturbing activities.	

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only.	
Agency File No: IS 7602		LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION	
Responsible Agency (Name): Fresno County		Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	
Agency Contact Person (Name and Title): Thomas Kobayashi Planner		Area Code: 559	
Project Applicant/Sponsor (Name): Troy Turner		Project Title: Classified Conditional Use Permit Application No. 3640	
City: Fresno		Zip Code: 93721	
Telephone Number: 600-4224		Extension: N/A	
Project Description: Allow retail liquefied petroleum gas distribution and storage on a 5.54-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3640, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Agricultural and Forestry Resources, Mineral Resources, Population and Housing, Recreation, and Wildfire. Potential impacts related to Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land-Use Planning, Noise, Public Services, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, Hazards and Hazardous Materials, and Tribal Cultural Resources have determined to be less the significant with compliance with the incorporated Mitigation Measures. A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, CA.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – August 9, 2019		Review Date Deadline: Planning Commission – September 12, 2019	
Date:	Type or Print Signature: Marianne Mollring Senior Planner	Submitted by (Signature): Thomas Kobayashi Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**



County of Fresno

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

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

From: Fresno County Department of Public Works and Planning, Development Services and Capital Projects
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resource Code

Project: Initial Study Application No. 7602, Classified Conditional Use Permit Application No. 3640

Location: The subject parcel is located on the northwest corner of Belmont Avenue and McCall Avenue, approximately 2.9 miles east of the nearest city limits of the City of Fresno (Sup. Dist. 5) (APN 309-290-37).

Sponsor: Troy Turner

Description: Allow retail liquefied petroleum gas distribution and storage on a 5.54-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

This is to advise that the County of Fresno (Lead Agency Responsible Agency) has approved the above described project on September 12, 2019, and has made the following determination:

1. The project **will** **will not** have a significant effect on the environment.
2. An Environmental Impact Report (EIR) **was not** prepared for this project pursuant to the provisions of CEQA. / A Mitigated Negative Declaration **was** prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures **were** **were not** made a condition of approval for the project.
4. A statement of Overriding Consideration **was** **was not** adopted for this project.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Corner of Tulare and "M" Streets, Fresno, California.

Thomas Kobayashi, Planner
(559) 600-4224 / TKobayashi@FresnoCountyCA.gov

Date

Document4



County of Fresno

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

DATE: March 12, 2019

TO: 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, Current Planning, Attn: Marianne Mollring, Senior Planner
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand, Senior Planner
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 Engineering, Attn: Laurie Kennedy, Grading/Mapping
Road Maintenance and Operations, Attn: 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
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Patricia Cole
CA Regional Water Quality Control Board, Attn: Dale Harvey
CALTRANS, Attn: Dave Padilla
CA Department of Fish and Wildlife
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst
Picayune Rancheria of the Chuckchansi Indians, Attn: Tara C. Estes-Harter, THPO/Cultural Resources Director
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director/Kim Taylor, Cultural Resources Department/Sara Barnett, Cultural Resources Department
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor
Fresno Irrigation District
Fresno Metropolitan Flood Control District
Kings River Conservation District, Attn: Rick Hoelzel
Sierra Resource Conservation District, Attn: Steve Haze, District Manager
Fresno County Fire Protection District, Attn: Chris Christopherson, Battalion Chief

FROM: Thomas Kobayashi, Planner
Development Services and Capital Projects Division

SUBJECT: Initial Study Application No. 7602 and Classified Conditional Use Permit Application No. 3640

APPLICANT: Troy Turner

DUE DATE: March 27, 2019

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow retail liquefied petroleum gas distribution and storage on a 5.54-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. (APN 309-290-37) (9886 E. Belmont, Sanger, CA)

The Department is also reviewing for environmental effects, as mandated by the California Environmental Quality Act (CEQA) and for conformity with plans and policies of the County.

Based upon this review, a determination will be made regarding conditions to be imposed on the project, including necessary on-site and off-site improvements.

We must have your comments by **March 27, 2019**. 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 me, Thomas Kobayashi, 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) 600-4224, or email TKobayashi@FresnoCountyCA.gov.

TK
G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3640\ROUTING\CUP 3640 Routing Ltr.doc

Activity Code (Internal Review):2381

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 3/7/19

CWP 3640
IS 7602
(Application No.)

MAILING ADDRESS:
Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare St., 6th Floor
Fresno, Ca. 93721

LOCATION:
Southwest corner of Tulare & "M" Streets, Suite A
Street Level
Fresno Phone: (559) 600-4497

APPLICATION FOR:

- Pre-Application (Type) _____
- Amendment Application Director Review and Approval
- Amendment to Text for 2nd Residence
- Conditional Use Permit Determination of Merger
- Variance (Class)/Minor Variance Agreements
- Site Plan Review/Occupancy Permit ALCC/RLCC
- No Shoot/Dog Leash Law Boundary Other _____
- General Plan Amendment/Specific Plan/SP Amendment)
- Time Extension for _____

DESCRIPTION OF PROPOSED USE OR REQUEST:

Allow the use for liquefied petroleum gas distribution and storage, retail on APN# 309 290 ~~37~~ 37

CEQA DOCUMENTATION: Initial Study PER N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. Attach Copy of Deed, including Legal Description.

LOCATION OF PROPERTY: _____ side of Northwest Corner of Belmont Ave and McCall Ave.
between N/A and N/A

Street address: 9886 E. Belmont Sanger ca. 93657

APN: 309-290-37 Parcel size: 5.54 Ac. Section(s)-Twp/Rg: S _____ - T _____ S/R _____ E

ADDITIONAL APN(s): N/A

I, Troy Turner (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

<u>Troy Turner</u> Owner (Print or Type)	<u>1175 Shaw Ave #247</u> Address	<u>Clavis, Ca.</u> City	<u>93612</u> Zip	<u>559 999 8728</u> Phone
<u>Troy Turner</u> Applicant (Print or Type)	<u>1175 Shaw Ave #247</u> Address	<u>Clavis, Ca.</u> City	<u>93612</u> Zip	<u>559 999 8728</u> Phone
<u>Troy Turner</u> Representative (Print or Type)	<u>1175 Shaw Ave #247</u> Address	<u>Clavis, Ca.</u> City	<u>93612</u> Zip	<u>559 999 8728</u> Phone

CONTACT EMAIL:

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: <u>CWP 3640</u>	Fee: \$ <u>4,569.00</u>
Application Type / No.: <u>Pre-APP 39520</u>	Fee: \$ <u>-247.00</u>
Application Type / No.:	Fee: \$
Application Type / No.:	Fee: \$
PER (Initial Study) No.: <u>IS 7602</u>	Fee: \$ <u>3,101.00</u>
Ag Department Review: <u>r</u>	Fee: \$ <u>93.00</u>
Health Department Review:	Fee: \$ <u>992.00</u>
Received By: _____ Invoice No.:	TOTAL: \$ <u>9,308.00</u>

UTILITIES AVAILABLE:

WATER: Yes / No
Agency: Owner private well

SEWER: Yes / No
Agency: Porta-Potty if needed

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Sect-Twp/Rg: _____ - T _____ S/R _____ E

Related Application(s): _____

APN # _____ - _____ - _____

Zone District: AE-20

APN # _____ - _____ - _____

Parcel Size: 5.54 acres

APN # _____ - _____ - _____

over.....



Development Services
and
Capital Projects Division

Mail To:
1175 SHAW AVE #247
CLOVIS, CA 93612

Email:
HEATHERBROOKSHER@
YAHOO.COM

Pre-Application Review

Department of Public Works and Planning

NUMBER: 39520
APPLICANT: Troy Turner
PHONE: (559) 999-8728

PROPERTY LOCATION: NORTH WEST CORNER OF BELMONT & MC CALL
APN: 309 - 290 - 36 & 37 ALCC: No Yes # VIOLATION NO. N/A
CNEL: No Yes (level) LOW WATER: No Yes WITHIN 1/2 MILE OF CITY: No Yes
ZONE DISTRICT: AE-20; SRA: No Yes HOMESITE DECLARATION REQ'D.: No Yes
LOT STATUS:

Zoning: () Conforms; (X) Legal Non-Conforming lot; () Deed Review Req'd (see Form #236)

Merger: May be subject to merger: No Yes ZM# Initiated In process

Map Act: () Lot of Rec. Map; () On '72 rolls; () Other PERMIT HISTORY; () Deeds Req'd (see Form #236)

SCHOOL FEES: No Yes DISTRICT: Clovis Unified Trustee Area 7, State Center CC Trustee Area 3 PERMIT JACKET: No Yes

FMFCD FEE AREA: (X) Outside () District No.: FLOOD PRONE: No AREA OF MINIMAL FLOOD HAZARD Yes PROPOSAL

PRE-APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW THE USE FOR LIQUEFIED

PETROLEUM GAS DISTRIBUTION AND STORAGE, RETAIL ON APNs 309-290-36 & 309-290-37 THAT ARE

CLASSIFIED AS (1) 6 ACRE ZONING PARCEL WITH TWO TAX IDENTIFICATION NUMBERS.

COMMENTS:

ORD. SECTION(S): 816.3-N BY: OBER RAMIREZ DATE: 8/28/18

GENERAL PLAN POLICIES:

LAND USE DESIGNATION: Agriculture () GPA: () MINOR VA:

COMMUNITY PLAN: () JAA: (X) HD: \$ 992.00

REGIONAL PLAN: (X) CUP: \$ 569.00 (X) AG COMM: \$ 93.00

SPECIFIC PLAN: () JDR: () ALCC:

SPECIAL POLICIES: () JVA: (X) ISPER: \$ 3901.00

SPHERE OF INFLUENCE: () JAT: () Viol. (35%):

ANNEX REFERRAL (LU-G17/MOU): () JT: () Other:

PROCEDURES AND FEES:

Filing Fee: \$ 9,555.00

Pre-Application Fee: - \$247.00

Total County Filing Fee: \$ 9,308.00

COMMENTS:

FILING REQUIREMENTS:

- (X) Land Use Applications and Fees
- (X) This Pre-Application Review form
- (X) Copy of Deed / Legal Description
- (X) Photographs
- () Letter Verifying Deed Review
- (X) IS Application and Fees* * Upon review of project materials, an Initial Study (IS) with fees may be required.
- (X) Site Plans - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- (X) Floor Plan & Elevations - 4 copies (folded to 8.5"x11") + 1 - 8.5"x11" reduction
- (X) Project Description / Operational Statement (Typed)
- () Statement of Variance Findings
- () Statement of Intended Use (ALCC)
- () Dependency Relationship Statement
- () Resolution/Letter of Release from City of Referral Letter #

OTHER FILING FEES:

- (X) Archaeological Inventory Fee: \$75 at time of filing
(Separate check to Southern San Joaquin Valley Info. Center)
- (X) CA Dept. of Fish & Wildlife (CDFW): (\$50) (\$50+\$2,280.75)
(Separate check to Fresno County Clerk for pass-thru to CDFW.
Must be paid prior to IS closure and prior to setting hearing date.)

PLU # 113 Fee: \$247.00

Note: This fee will apply to the application fee if the application is submitted within six (6) months of the date on this receipt.

RECEIVED
COUNTY OF FRESNO

MAR 07 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

BY: Thomas Kobayashi DATE: 9/4/18
PHONE NUMBER: (559) 600-4224

NOTE: THE FOLLOWING REQUIREMENTS MAY ALSO APPLY:

- () COVENANT
- () MAP CERTIFICATE
- () PARCEL MAP
- () FINAL MAP
- (X) FMFCD FEES
- () ALUC or ALCC
- (X) SITE PLAN REVIEW
- (X) BUILDING PLANS
- (X) BUILDING PERMITS
- () WASTE FACILITIES PERMIT
- (X) SCHOOL FEES
- () OTHER (see reverse side)



RECEIVED
COUNTY OF FRESNO

County of Fresno

MAR 07 2019

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

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

INITIAL STUDY APPLICATION

INSTRUCTIONS

Answer all questions completely. An incomplete form may delay processing of your application. Use additional paper if necessary and attach any supplemental information to this form. Attach an operational statement if appropriate. This application will be distributed to several agencies and persons to determine the potential environmental effects of your proposal. Please complete the form in a legible and reproducible manner (i.e., USE BLACK INK OR TYPE).

OFFICE USE ONLY

IS No. IS 7602

Project No(s) CUP 3640

Application Rec'd: _____

GENERAL INFORMATION

- Property Owner: Troy Turner Phone/Fax: 559 999 8728
Mailing Address: 1175 Shaw Ave #247 Clavis Ca. 93612
Street City State/Zip
- Applicant: Troy Turner Phone/Fax: 559 999 8728
Mailing Address: 1175 Shaw Ave #247 Clavis Ca. 93612
Street City State/Zip
- Representative: Troy Turner Phone/Fax: 559 999 8728
Mailing Address: 1175 Shaw Ave #247 Clavis Ca. 93612
Street City State/Zip
- Proposed Project: To refill liquid propane cylinders for the general public for use in barbecuers, propane patio heaters, campers that use propane, RVs that use propane, etc...
- Project Location: Northwest corner of McCall Ave and Belmont Ave.
- Project Address: 9886 E. Belmont Sanger Ca. 93657
- Section/Township/Range: / / 8. Parcel Size: 5.54 Ac.
- Assessor's Parcel No. 309-290-37 OVER.....

10. Land Conservation Contract No. (If applicable): N/A

11. What other agencies will you need to get permits or authorization from:

- | | |
|--|--|
| <input type="checkbox"/> LAFCo (annexation or extension of services) | <input type="checkbox"/> SJVUAPCD (Air Pollution Control District) |
| <input type="checkbox"/> CALTRANS | <input type="checkbox"/> Reclamation Board |
| <input type="checkbox"/> Division of Aeronautics | <input type="checkbox"/> Department of Energy |
| <input type="checkbox"/> Water Quality Control Board | <input type="checkbox"/> Airport Land Use Commission |
| <input checked="" type="checkbox"/> Other <u>Board of Equalization</u> | |

12. Will the project utilize Federal funds or require other Federal authorization subject to the provisions of the National Environmental Policy Act (NEPA) of 1969? Yes No

If so, please provide a copy of all related grant and/or funding documents, related information and environmental review requirements.

13. Existing Zone District: AE-20

14. Existing General Plan Land Use Designation: Agriculture

ENVIRONMENTAL INFORMATION

15. Present land use: Vacant
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:

Describe the major vegetative cover: N/A

Any perennial or intermittent water courses? If so, show on map: N/A

Is property in a flood-prone area? Describe:

N/A

16. Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):

North: Residential 2+ Ac.

South: Agriculture/Sheep Farm

East: Vacant Field approx. 7.5 Ac.

West: Residential 2+ Ac.

17. What land use(s) in the area may be impacted by your Project?: None

18. What land use(s) in the area may impact your project?: None

19. Transportation:

NOTE: The information below will be used in determining traffic impacts from this project. The data may also show the need for a Traffic Impact Study (TIS) for the project.

A. Will additional driveways from the proposed project site be necessary to access public roads?
 Yes No

B. Daily traffic generation:

I. Residential - Number of Units N/A
Lot Size 2+ Ac.
Single Family X
Apartments N/A

II. Commercial - Number of Employees 2
Number of Salesmen N/A
Number of Delivery Trucks one (1)
Total Square Footage of Building N/A

III. Describe and quantify other traffic generation activities: Max 10 customers per day

20. Describe any source(s) of noise from your project that may affect the surrounding area: N/A

21. Describe any source(s) of noise in the area that may affect your project: N/A

22. Describe the probable source(s) of air pollution from your project: Very minimal to N/A

23. Proposed source of water:
 private well
 community system³--name: N/A OVER.....

- 24. Anticipated volume of water to be used (gallons per day)²: 30-50 gal.
- 25. Proposed method of liquid waste disposal:
 septic system/individual
 community system³-name Porta-Potty if needed
- 26. Estimated volume of liquid waste (gallons per day)²: N/A to Minimal
- 27. Anticipated type(s) of liquid waste: N/A
- 28. Anticipated type(s) of hazardous wastes²: N/A
- 29. Anticipated volume of hazardous wastes²: N/A
- 30. Proposed method of hazardous waste disposal²: N/A
- 31. Anticipated type(s) of solid waste: Common trash
- 32. Anticipated amount of solid waste (tons or cubic yards per day): N/A to minimal
- 33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): minimal
- 34. Proposed method of solid waste disposal: Waste Management 1 1/2 yrd. bin once per week
- 35. Fire protection district(s) serving this area: Cal Fire
- 36. Has a previous application been processed on this site? If so, list title and date: N/A
- 37. Do you have any underground storage tanks (except septic tanks)? Yes _____ No X
- 38. If yes, are they currently in use? Yes _____ No X

TO THE BEST OF MY KNOWLEDGE, THE FOREGOING INFORMATION IS TRUE.

[Signature]
SIGNATURE

3/7/19
DATE

¹Refer to Development Services and Capital Projects Conference Checklist
²For assistance, contact Environmental Health System, (559) 600-3357
³For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

The Board of Supervisors has adopted a policy that applicants should be made aware that they may be responsible for participating in the defense of the County in the event a lawsuit is filed resulting from the County's action on your project. You may be required to enter into an agreement to indemnify and defend the County if it appears likely that litigation could result from the County's action. The agreement would require that you deposit an appropriate security upon notice that a lawsuit has been filed. In the event that you fail to comply with the provisions of the agreement, the County may rescind its approval of the project.

STATE FISH AND WILDLIFE FEE

State law requires that specified fees (effective January 1, 2018: \$3,168.00 for an EIR; \$2,280.75 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

- 1. All projects statutorily exempt from the provisions of CEQA (California Environmental Quality Act).*
- 2. All projects categorically exempt by regulations of the Secretary of Resources (State of California) from the requirement to prepare environmental documents.*

A fee exemption may be issued by CDFW for eligible projects determined by that agency to have "no effect on wildlife." That determination must be provided in advance from CDFW to the County at the request of the applicant. You may wish to call the local office of CDFW at (559) 222-3761 if you need more information.

Upon completion of the Initial Study you will be notified of the applicable fee. Payment of the fee will be required before your project will be forwarded to the project analyst for scheduling of any required hearings and final processing. The fee will be refunded if the project should be denied by the County.

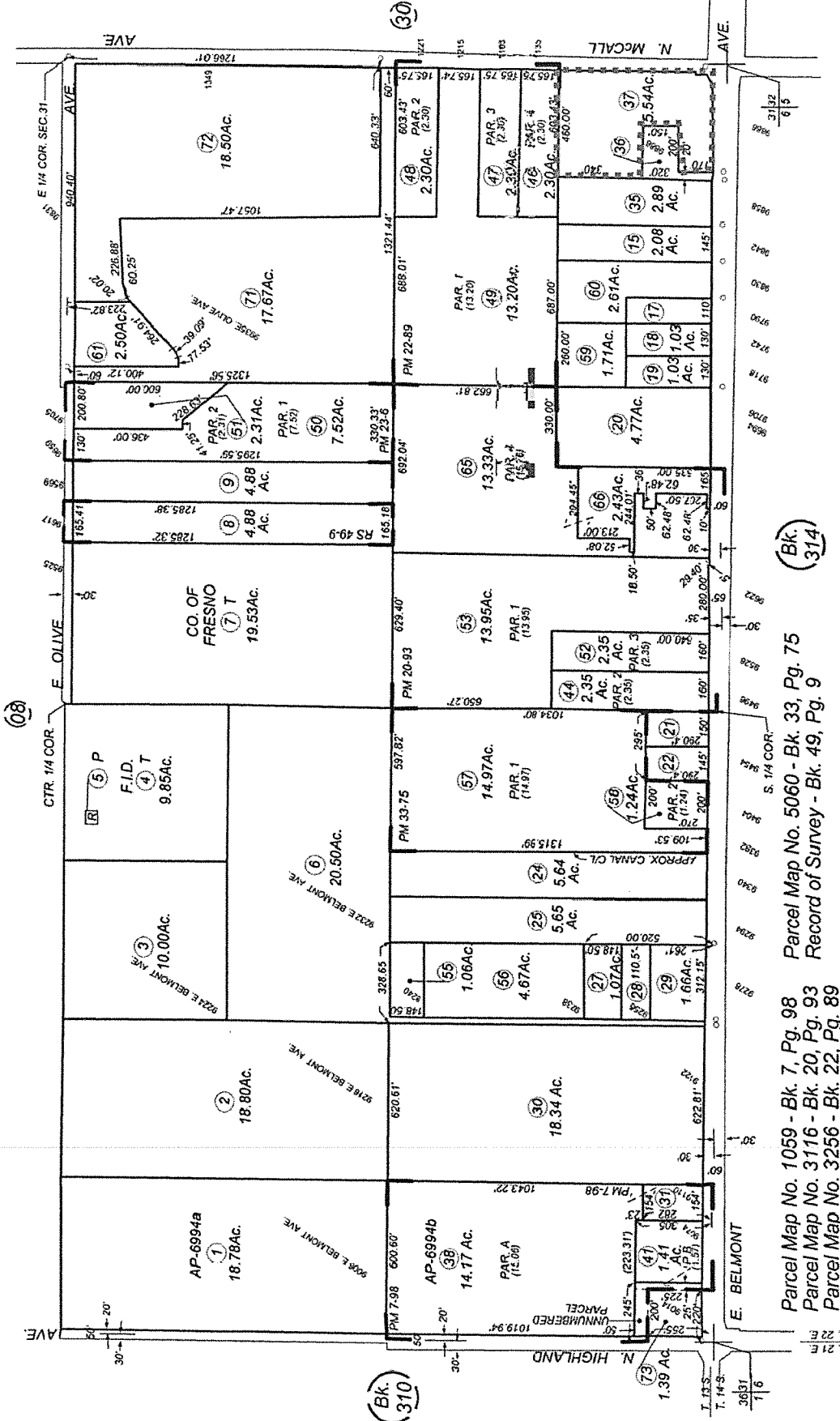
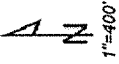


Applicant's Signature



Date

-NOTE-
This map is for Assessment purposes only.
It is not to be construed as portraying legal
ownership or divisions of land for purposes
of zoning or subdivision. law.



Assessor's Map Bk. 309 - Pg. 29
County of Fresno, Calif.

Note - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

(Bk. 314)

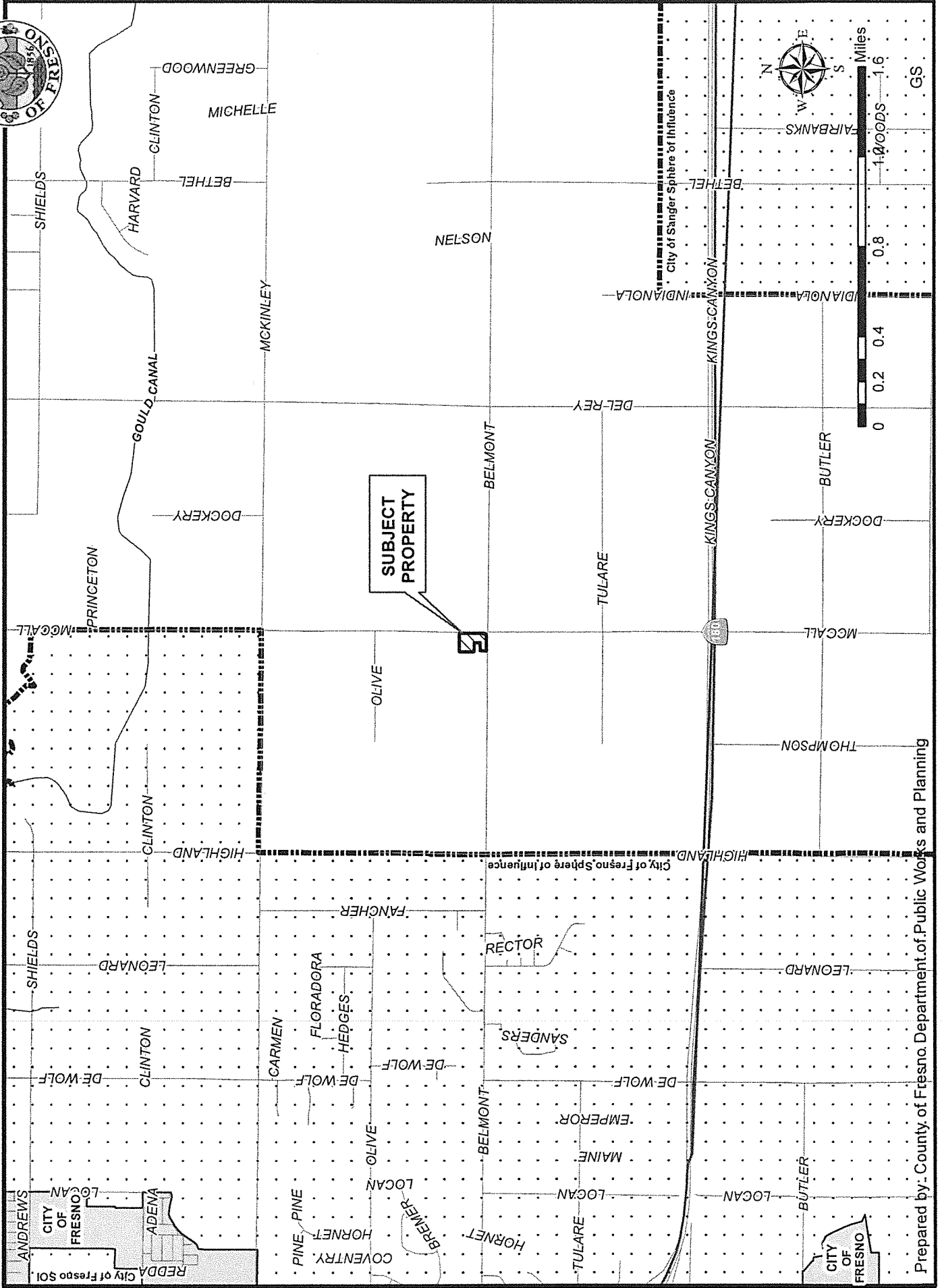
Parcel Map No. 1059 - Bk. 7, Pg. 98
Parcel Map No. 3116 - Bk. 20, Pg. 93
Parcel Map No. 3256 - Bk. 22, Pg. 89
Parcel Map No. 2825 - Bk. 23, Pg. 6

Parcel Map No. 5060 - Bk. 33, Pg. 75
Record of Survey - Bk. 49, Pg. 9

LOCATION MAP



CUP 3640

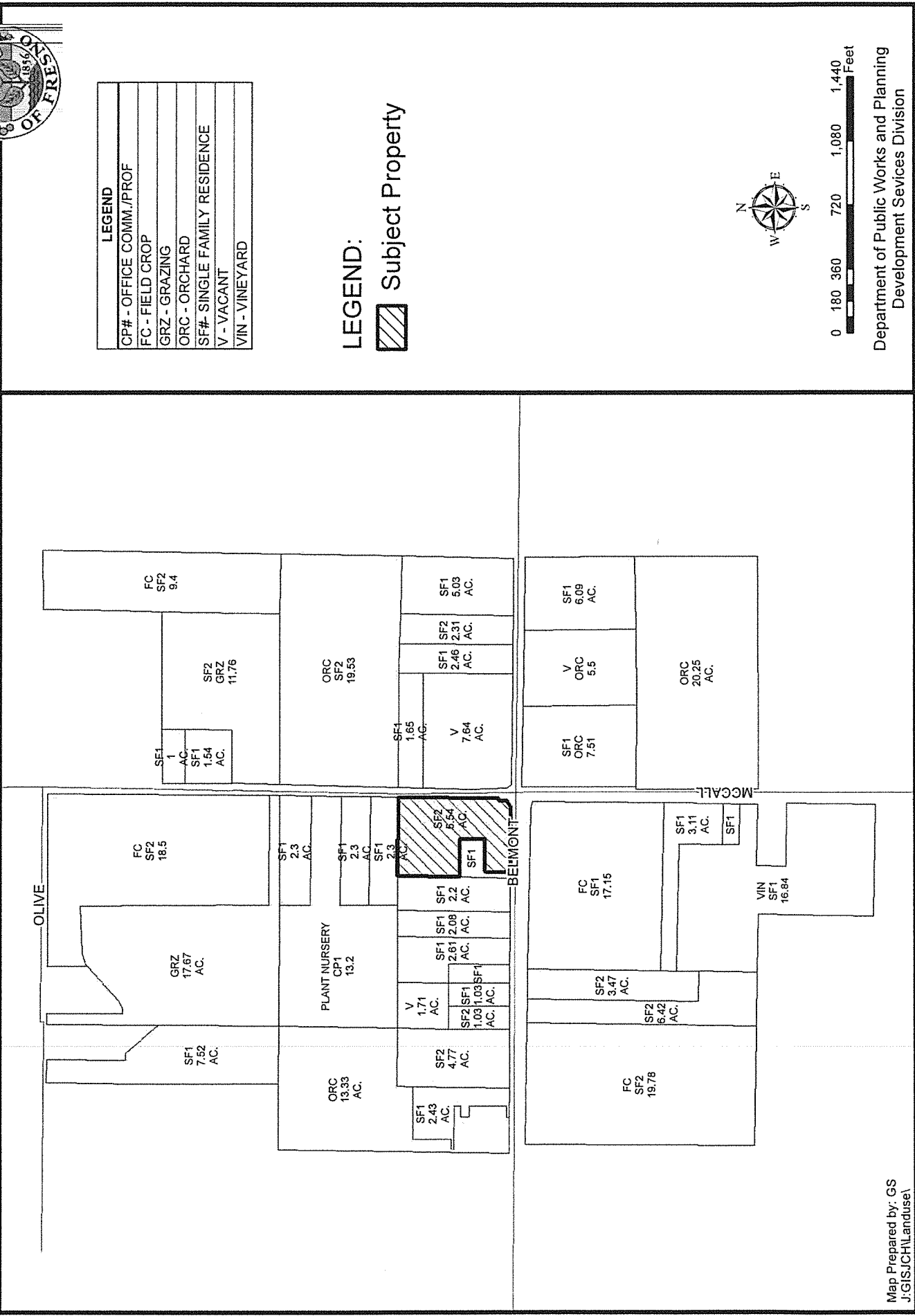


Prepared by: County of Fresno, Department of Public Works and Planning



EXISTING LAND USE MAP

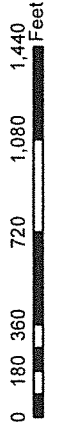
CUP 3640



LEGEND

CP# - OFFICE COMM./PROF
FC - FIELD CROP
GRZ - GRAZING
ORC - ORCHARD
SF# - SINGLE FAMILY RESIDENCE
V - VACANT
VIN - VINEYARD

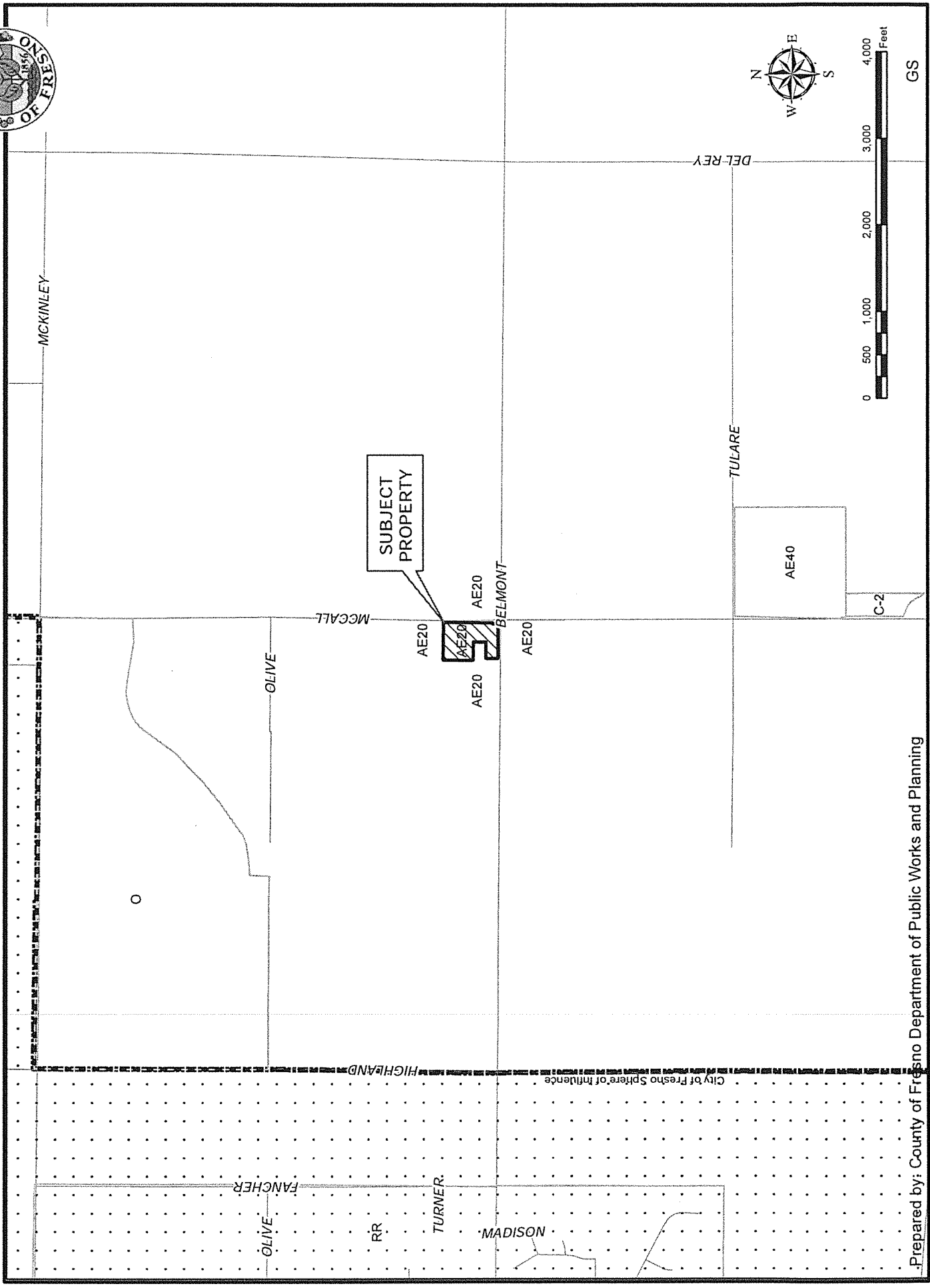
LEGEND:
 Subject Property



Department of Public Works and Planning
 Development Services Division

CUP 3640
STR 31-13/22

EXISTING ZONING MAP



FRESNO County Recorder
Paul Dictos, C.P.A.
DOC-
2017-0102109-00
Acct 3059-Fidelity National Title - Fresno
Wednesday, AUG 16, 2017 10:59:16
Ttl Pd \$454.00 Rcpt # 0004825621
ARG/R3/1-2

RECORDING REQUESTED BY:
Fidelity National Title Company

When Recorded Mail Document
and Tax Statement To:
Heather L. Brooksher and Troy D. Turner
1175 Shaw Avenue Apt 247
Clovis, CA 93612

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow Order No.: FFOM-2011702338

Property Address: 9886 East Belmont Avenue,
Sanger, CA 93657
APN/Parcel ID(s): 309-290-36

GRANT DEED

RECEIVED
COUNTY OF FRESNO

MAR 07 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

The undersigned grantor(s) declare(s)

- This transfer is exempt from the documentary transfer tax.
 - The documentary transfer tax is \$440.00 and is computed on:
 - the full value of the interest or property conveyed.
 - the full value less the liens or encumbrances remaining thereon at the time of sale.
- The property is located in an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Cary W. Stanley and Connie F. Stanley, Trustee of the Cary W. and Connie F. Stanley 2002 Trust dated September 9, 2002

hereby GRANT(S) to Heather L. Brooksher, a single woman and Troy D. Turner, a single man, as joint tenants

the following described real property in the Unincorporated Area of the County of Fresno, State of California:

For APN/Parcel ID(s): 309-290-36

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THE WEST 220 FEET OF THE SOUTH 320 FEET OF THE EAST 460 FEET OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, FRESNO COUNTY RECORDS.

EXCEPT THE SOUTH 170 FEET OF THE EST 200 FEET THEREOF.

GRANT DEED
(continued)

APN/Parcel ID(s): 309-290-36

Dated: June 19, 2017

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Cary W. Stanley and Connie F. Stanley, Trustee of the Cary W. and Connie F. Stanley 2002 Trust dated September 9, 2002

BY: Cary W. Stanley
Cary W. Stanley
Trustee

BY: Connie F. Stanley
Connie F. Stanley
Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Fresno

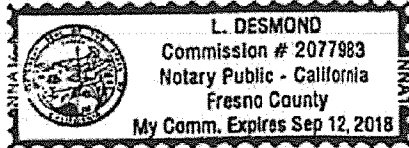
On 7-21-17 before me, L. Desmond, Notary Public,
(here insert name and title of the officer)

personally appeared Cary W. Stanley and Connie F. Stanley, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
L. Desmond
Signature

(Seal)



FRESNO County Recorder
Paul Dictos, C.P.A.
DOC-
2017-0163835-00
Acct 3078-Chicago Title - Fresno
Tuesday, DEC 19, 2017 15:35:19
Ttl Pd \$150.65 Rcpt # 0004906232
APR/R2/1-3

RECORDING REQUESTED BY:
Chicago Title Company

When Recorded Mail Document
and Tax Statement To:
Troy D. Turner
1175 Shaw Avenue # 247
Clovis, CA 93612

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow Order No.: FWFM-4501705130

Property Address: 9886 East Belmont Avenue,
Sanger, CA 93657
APN/Parcel ID(s): 309-290-37

GRANT DEED

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AND PLANNING
DEVELOPMENT SERVICES DIVISION

The undersigned grantor(s) declare(s)

- This transfer is exempt from the documentary transfer tax.
 The documentary transfer tax is \$133.65 and is computed on:
 the full value of the interest or property conveyed.
 the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Kenneth A. Williams, Jr and Jayne R. Williams, as sole Trustees of the Kenneth A. Williams, Jr and Jayne R. Williams Trust dated 1/24/96

hereby GRANT(S) to

Troy D. Turner, a single man

the following described real property in the Unincorporated Area of the County of Fresno, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

APN/Parcel ID(s): 309-290-37

Dated: December 13, 2017

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Kenneth A. Williams, Jr and Jayne R. Williams Trust dated 1/21/96

BY: Kenneth A. Williams, Jr
Trustee

BY: Jayne R. Williams
Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of El Dorado

On 12/18/17 before me, Tara L. Gomez, Notary Public,
(here insert name and title of the officer)

personally appeared Kenneth A Williams and Jayne R Williams
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Tara L. Gomez
Signature

(Seal)

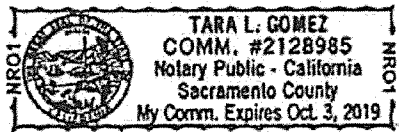


EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 309-290-37

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THE EASTERLY 460 FEET OF THE SOUTHERLY 660 FEET OF THE SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, FRESNO COUNTY RECORDS.

EXCEPTING THEREFROM THE FOLLOWING:

THE WEST 220 FEET OF THE SOUTH 320 FEET OF THE EAST 460 FEET OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, FRESNO COUNTY RECORDS EXCEPT THE SOUTH 170 FEET OF THE EAST 200 FEET THEREOF.

OPERATIONAL STATEMENT

Pine Flat Propane

Troy Turner 559/999-8728

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. Nature of the operation
To re-fill propane cylinders for the general public for use in barbeques, patio heaters, campers, RV's etc.
2. Operational Time limits
Our hours will be 7:00 am to 7:00 pm 7 days a week.
3. Number of customers or visitors
We expect a maximum of 10 customers per day for less than 10 minutes per visit.
4. Number of employees hours they work
Currently there are no employees. The owners of the company will work the hours of operation. Employees may be added in the future as the business demands. Two owners, one to two employees in the future.
5. Service and delivery vehicles
There will be an Ameri-Gas propane delivery truck to re-fill our 500 or 1,000 gallon tank at least once per month as needed.
6. Access to the site
We have two access points to the site, one from McCall Ave and one from Belmont Ave with ¾ inch base rock or decomposed granite.
7. Number of parking spaces for employees, customers, and service/delivery vehicles
Three parking spaces for customers and employees in ¾" base rock or DG and one van accessible handicapped space in concrete

8. Are any goods to be sold on site – are they grown/produced on site or other location
Yes, Liquid propane and canned soda and waters as well as ice
9. What equipment is to be used
There will be a 500 or 1,000 gallon propane tank and filling equipment/pump to fill the smaller tanks
10. What supplies of material are used and how are they stored
The propane will be stored in a 500 or 1,000 gallon tank that is mounted on a concrete pad according to Ameri-Gas specifications. All beverages will be stored in a cool dry area and the ice in a freezer or ice bin
11. Does the use cause an unsightly appearance – Noise, glare, dust, odor – How will this be reduced or eliminated
This is an undeveloped corner. Neighbors are at least 100 yards away from the site. We plan to landscape to improve any glare or unsightliness. Dust from customer or delivery traffic will be controlled by ¾" base rock or DG on driveways and parking areas. Odors from the propane are expected to be minimal and should dissipate fairly quickly
12. List any solid or liquid wastes. Estimated volume of waste, where is it stored, hauled, disposed of & how often
Not applicable or to a minimum. This operation should not generate any waste other than possible customer use of trash cans. If any waste occurs, the 1-1/2 yard bin located on site with standard weekly trash pickup by Waste Management will be used.
13. Estimated volume of water to be used (gallons per day) – Source of water
We estimate between the irrigation of the landscape and general maintenance of the site should be approximately 20 to 50 gallons per day supplied by the well on the property
14. Describe proposed advertising including size and appearance and placement
Two banner signs not bigger than 4 foot by 8 foot near the parking lot and occasional promotional signs or banners provided by Ameri-gas which are not bigger than 4 foot by 8 foot

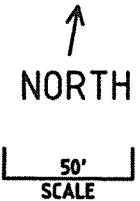
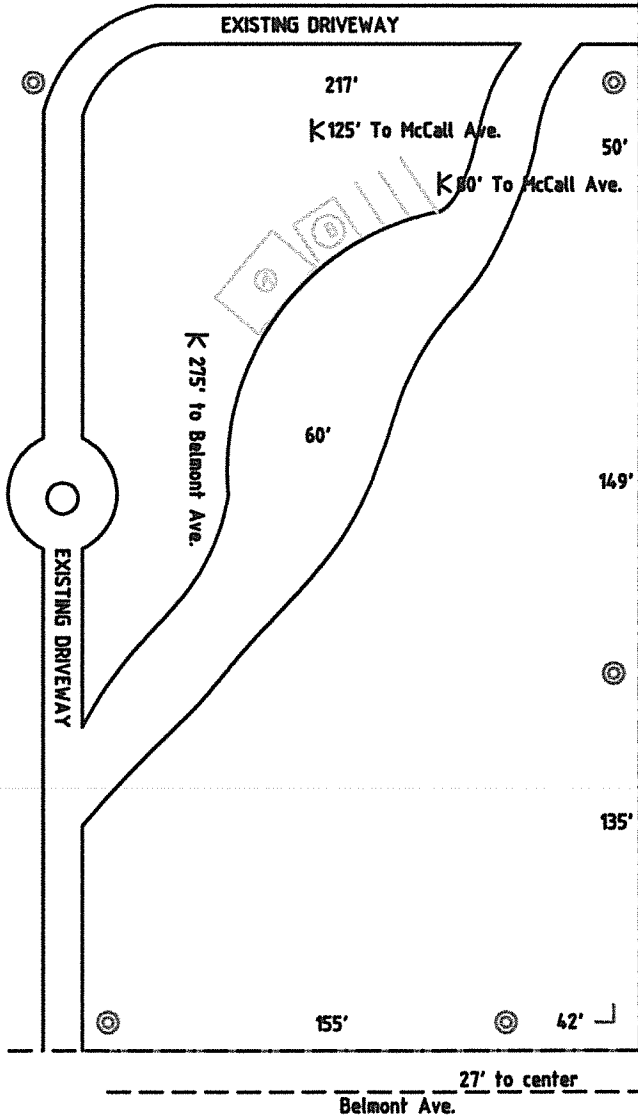
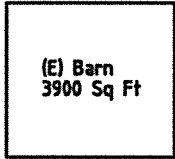
<p>15. Will existing buildings be used or will new buildings be constructed – describe construction materials and floor plan</p>
<p>A new concrete pad will be poured with safety balustrades surrounding the tank. A 10 foot by 10 foot canopy will be used for owner/operator comfort and safety (example: easy-up shade)</p>
<p>16. Explain which buildings or what portion of buildings will be used in the operation</p>
<p>None at this time</p>
<p>17. Will any outdoor lighting or an outdoor sound amplification system be used</p>
<p>LED lighting will be used during operating hours and low safety lighting will be used during no-operation hours. No sound amplification equipment.</p>
<p>18. Landscaping or fencing proposed – describe type and location</p>
<p>Small trees (such as Crepe Myrtle) will be planted surrounding the parking area and along the edge of the site.</p>
<p>19. Any other information that will provide a clear understanding of the project or operation</p>
<p>We are simply wanting to open this business for re-filling propane cylinders for propane barbeques, propane patio heaters, campers that use propane, rv's that use propane, etc.</p>
<p>20. Identify all owners, officers and/or board members, for each application submitted</p>
<p>Troy Turner – owner, Jason White – owner, no officers or board members</p>

① Concrete Pad For 1000 Gallon Propane Tank
22' x 34', Ballards 1" Inlay, 4' On Center

② Van Accessible Handicap Parking
15' x 18'

Note: Distances shown are from power pole to power pole, or power pole to edge of proposed driveway. Approximate distance from existing driveway to proposed driveway (edge to edge) are: 65' McCall, 60' Belmont.

Proposed entry on existing driveways: Approximately 35' from center line of McCall entrance, 80' from center line of Belmont entrance. Both proposed entries to be approximately 40' wide.



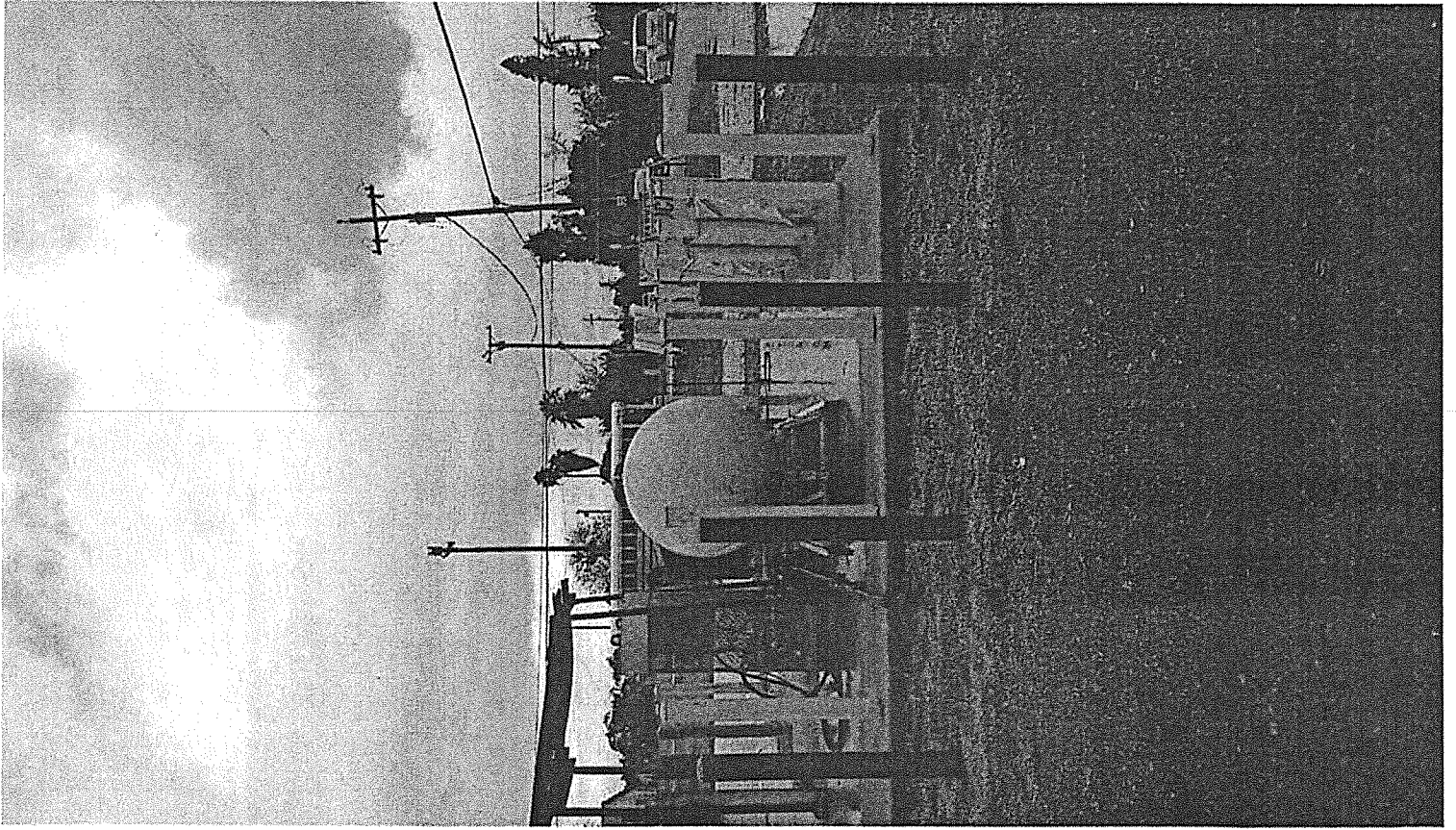


Example of Proposed Propane tank
Streets: Belmont and Temperance

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Side view of proposed propane tank
(looking North)

Street: Belmont and Temperance



Example of proposed propane tank
45° angle

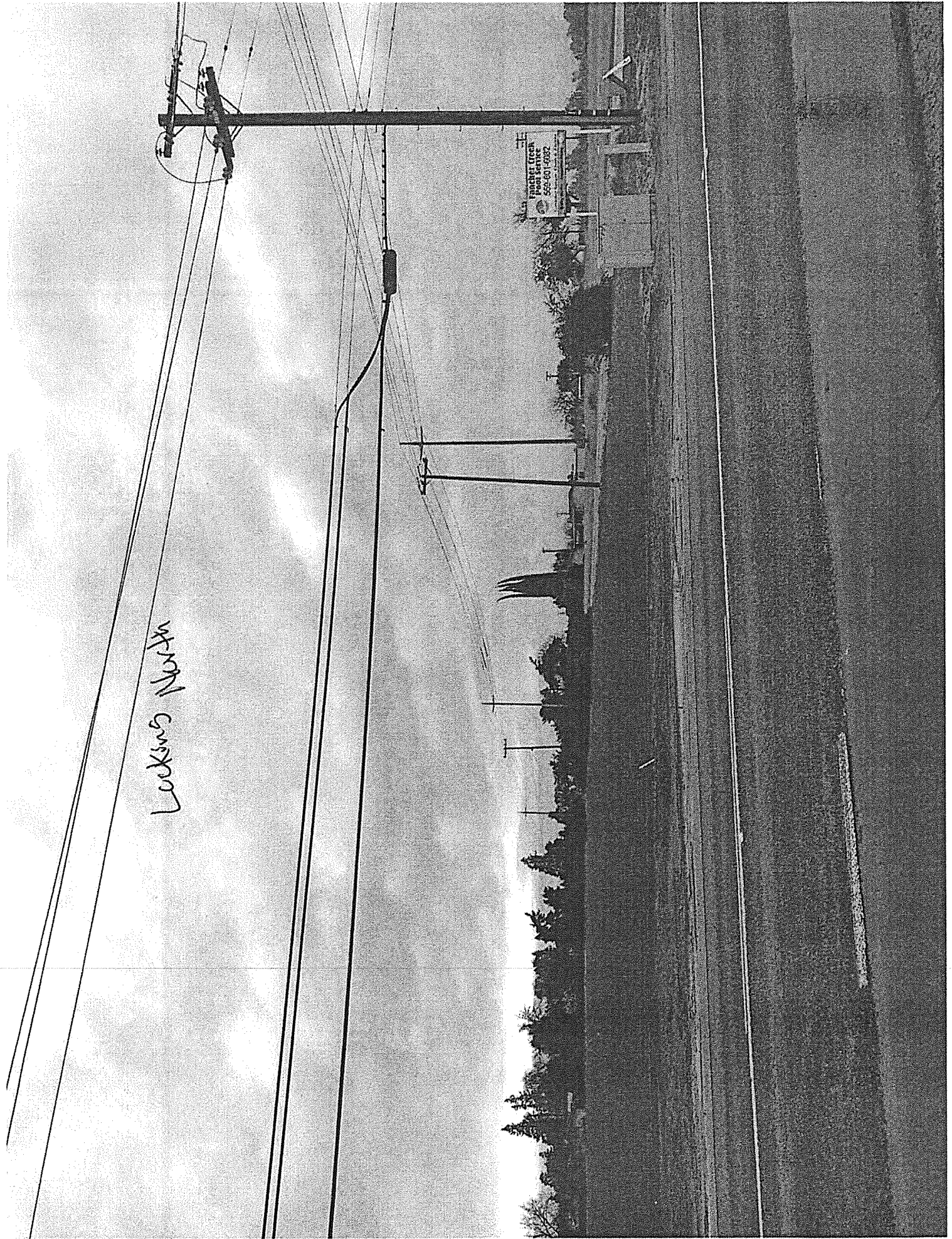
Sheets: Belmont and Tompkins



Looking South

Luckins North

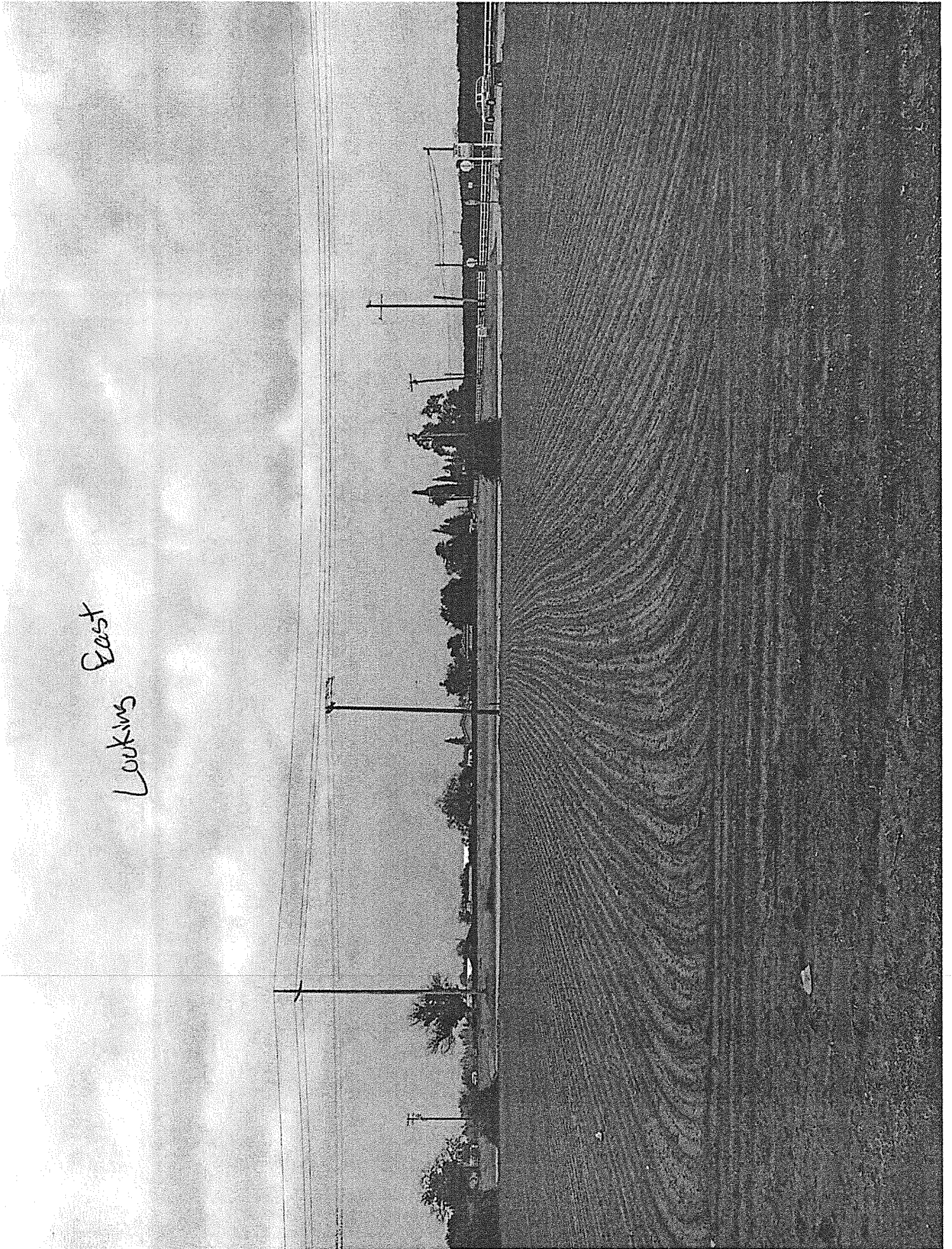
Fractal Creek
Food Service
562-601-4922



Looking Northwest
From: Cornwell



Looking East





Google Maps North McCall Avenue & Belmont Avenue



Imagery ©2019 Google, Map data ©2019 Google 100 ft



North McCall Avenue & Belmont Avenue
California 93657

Photos





N McCall Ave

N McCall Ave

N 3

Avenue

Belmont Avenue