



County of Fresno

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

DATE: April 16, 2020

TO: Department of Public Works and Planning, Attn: Steven E. White, Director
Department of Public Works and Planning, Attn: Bernard Jimenez, Assistant Director
Department of Public Works and Planning, Attn: John R. Thompson, Assistant Director
Development Services and Capital Projects, Attn: William M. Kettler, Division Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, 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 Services and Capital Projects, Building & Safety/Plan Check, CASp, Attn: Dan Mather
Resources Division, Solid Waste, Attn: Amina Flores-Becker
Resources Division, Special Districts, Attn: Amina Flores-Becker/Daniel Vang
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
Road Maintenance and Operations, Attn: John Thompson/Nadia Lopez
Design Division, Transportation Planning, Attn: Mohammad Alimi/Dale Siemer/Brian Spaunhurst
Community Development Division, Attn: Glenn Allen, Division Manager
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager; Roy Jimenez
Department of Public Health, Environmental Health Division, Attn: Kevin Tsuda/Deep Sidhu/Steven Rhodes
Sheriff's Office, Attn: Captain John Zanoni, Lt. John Reynolds, Lt. Louie Hernandez, Lt. Kathy Curtice, Lt. Ryan Hushaw
Assessor's Office, Attn: Paul Dictos
Fresno County Historical Landmarks Commission, Attn: Karen Coletti
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Patricia Cole
U.S. Environmental Protection Agency, Air Division, Air Planning Office, Region 9,
CA Regional Water Quality Control Board, Attn: Dale Harvey
CALTRANS, Attn: Dave Padilla
CA Department of Fish and Wildlife, Attn: Craig Bailey, Environmental Scientist
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Carl Carlucci, Jose Robeldo
Southern San Joaquin Valley Information Center, Attn: Celeste Thomson
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor

Consolidated Irrigation District, Attn: Phil Desatoff, General Manager
Fresno County Fire Protection District, Attn: Jim McDougald, Battalion Chief

FROM: Chrissy Monfette, Planner
Development Services and Capital Projects Division

SUBJECT: Tentative Tract Application No. 6297 (previously approved as Tentative Tract
Application No. 5676)

APPLICANT: Kanwarjit S. Batth

DUE DATE: May 1, 2020

The Department of Public Works and Planning, Development Services Division is reviewing the subject application proposing to allow a 13-lot subdivision of a 3.41-acre parcel in the R-1 (Single Family Residential) Zone District. This application is substantially similar to was approved as Tentative Tract (TT) 5676; however, this new application is required because TT 5676 expired prior to development.

The project site is located on the south side of W. Caruthers Avenue between S. Marks and Kincaid Avenues, on a 3.41-acre site located within the unincorporated community of Caruthers. (SUP. DIST.: 4) (APN: 043-201-27).

NOTE:

Section 15162 of the California Environmental Quality Act states that **no subsequent Environmental Impact Report (EIR) or Mitigated Negative Declaration shall be prepared unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:**

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Mitigated Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Mitigated Negative Declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation Measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the

project, but the project proponents decline to adopt the Mitigation Measure or alternative; or

- d. Mitigation Measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the Mitigation Measure or alternative.

A copy of the original Initial Study is attached to this routing package.

We must have your comments by **May 1, 2020**. 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, Chrissy Monfette, 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) 600-4245 or cmonfette@fresnocountyca.gov via email.

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Activity Code (Internal Review): 2361

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 10/24/19

TT6227
IS 7740
(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
Amendment to Text
Conditional Use Permit
Variance (Class)/Minor Variance
Site Plan Review/Occupancy Permit
No Shoot/Dog Leash Law Boundary
General Plan Amendment/Specific Plan/SP Amendment
Director Review and Approval
for 2nd Residence
Determination of Merger
Agreements
ALCC/RLCC
Other Tentative Tract Map

DESCRIPTION OF PROPOSED USE OR REQUEST:

A 13 lot subdivision on a 3.41 acre parcel zoned R-1 with a minimum lot size of 6,682 sq. ft.

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: South side of Caruthers Avenue between Marks Avenue and Kincaid Avenue Street address:

APN: 043-201-27 Parcel size: 3.41 Acres Section(s)-Twp/Rg: S 18 - T 16 S/R 20 E

ADDITIONAL APN(s):

I, [Signature] (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.

Table with 5 columns: Name, Address, City, Zip, Phone. Rows include Karwarjit S. Bath, Chandjit Singh Bath, LLC, and Jonathan Doyal.

CONTACT EMAIL: johndoyal@sbcglobal.net

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: TTM 6227 Fee: \$ 10,431.00
Application Type / No.: Pre-App 19-164128 Fee: \$ -247
PER/Initial Study No.: 7740 Fee: \$ 3,901.00
Ag Department Review: Fee: \$
Health Department Review: Fee: \$ 1,430.00
Received By: cmm Invoice No.: 24162 TOTAL: \$ 15,515.00

UTILITIES AVAILABLE:

WATER: Yes [X] / No []
Agency: Caruthers CSO
SEWER: Yes [X] / No []
Agency: Caruthers CSO

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Sect-Twp/Rg: - T - S/R - E
APN # - - -
APN # - - -
APN # - - -
APN # - - -

826.5
Related Application(s): TT 5676
Zone District: R-1
Parcel Size: 3.41

OVER.....

COUNTY TRACT NO. 6297

Being a division of the North Half of the Northwest Quarter of Section 10, Township 19 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California.

OWNER:
Charanjit S. Batth, LLC
Kanwarjit S. Batth
5434 W. Kamm Ave.
Caruthers, CA 93609

ENGINEER:
Johnathan L. Doyel
9391 13 1/2 Avenue
Hanford, CA 93230

SUBDIVIDERS STATEMENT

Tract No. 6297
Date: August 13, 2019

To: Fresno County Planning Commission
2220 Tulare Street, 6th Floor
Fresno, California 93721

I hereby apply for approval of the attached Tentative Tract Map.

The acreage of this 3.41 Acres. There will be 13 lots in this tract with a minimum size of 6,682 square feet.

The existing use of this property is vacant.

The proposed use of this property is single family residential.

The existing zoning on this property is R-1.

The existing structures on this property include overhead power lines, these structures will be abandoned.

The existing easements on this property include an access easement within the proposed north-south street.

Type of street trees to be planted are none. The interval of these trees will be 0 feet.

The proposed drainage, flood control measures, and methods of storm water disposal is: Site is proposed to be drained into a basin on the parcel south of this site as a common basin. Owner will acquire easements for drainage and pipeline facilities.

The proposed fire hydrant and water flow will conform to County Standards. Fire hydrants will be installed at intervals of 500 feet.

The proposed source of water supply is Caruthers Community Services District. The proposed source of sewage disposal is Caruthers Community Services District.

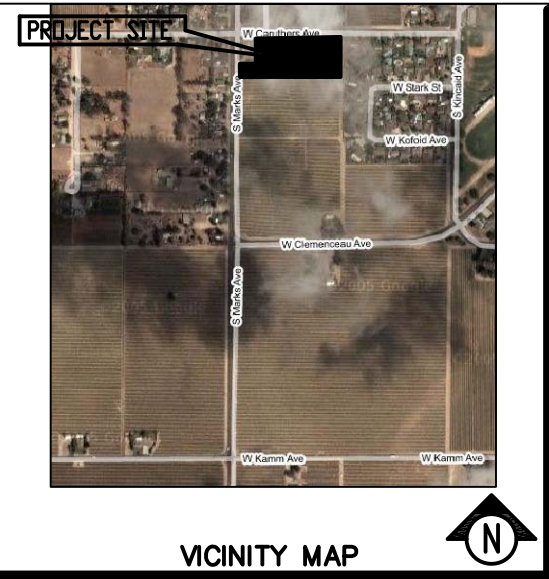
The following utilities are to be provided: natural gas power phone cable arrangements have not been made with utility companies serving this area.

Signature of Subdivider
Charanjit S. Batth, LLC
Kanwarjit S. Batth
5434 W. Kamm Avenue
Caruthers, CA 93609

Signature of Engineer
Johnathan L. Doyel
9391 13 1/2 Avenue
Hanford, CA 93230

I, Charanjit S. Batth, LLC, hereby certify that I am the record owner of the property shown on the Tentative Map of Tract No. 6297, That I have examined the map and consent to its submission to the Fresno County Planning Commission for consideration.

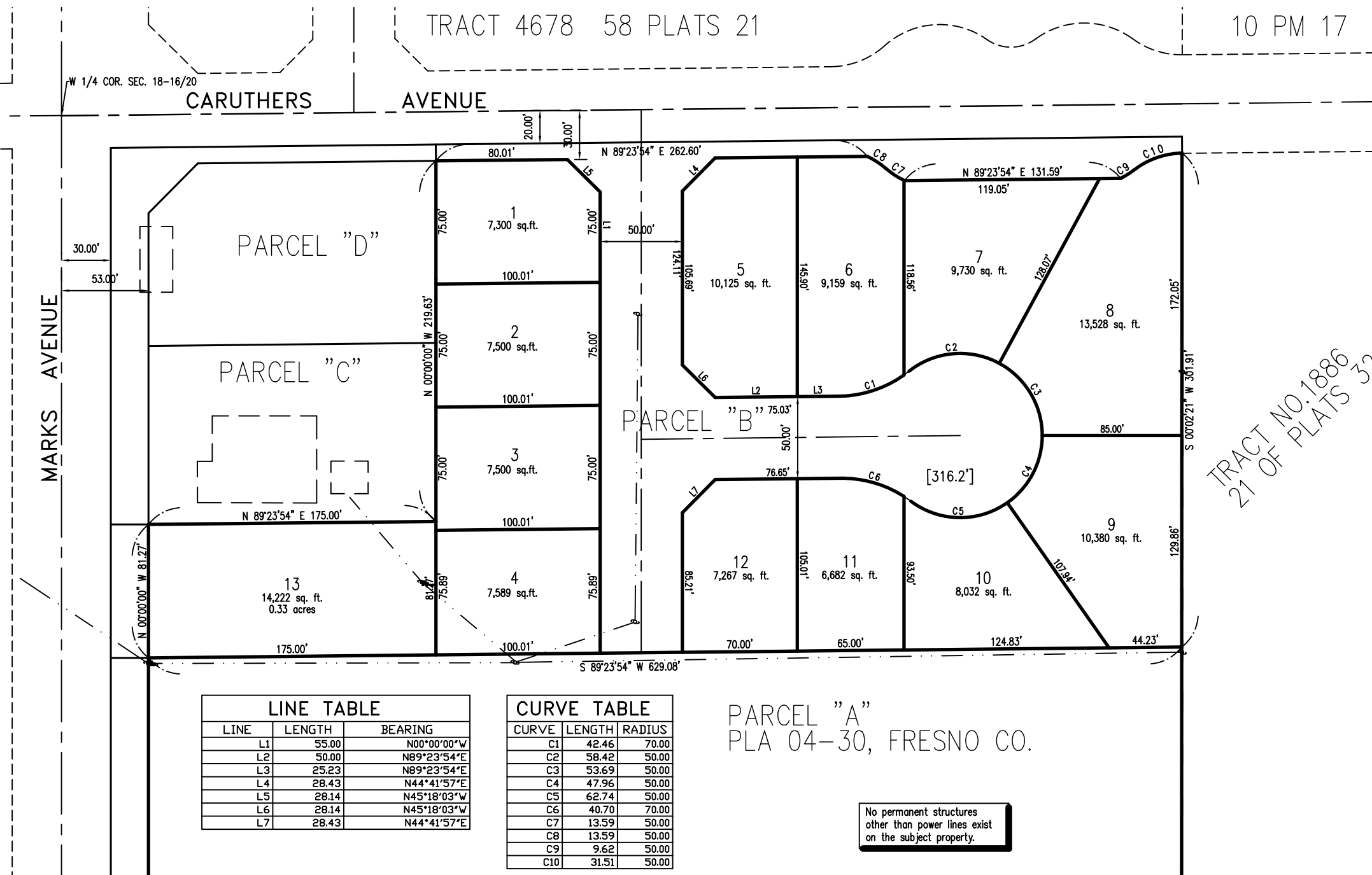
Signature
Charanjit S. Batth, LLC
Kanwarjit S. Batth
5434 W. Kamm Avenue
Caruthers, CA 93609



LEGAL DESCRIPTION OF SUBJECT PROPERTY

COMMENCING AT A FOUND 2"x2" HUB WITH A NAIL MARKING THE NW CORNER OF THE SW 1/4 OF SW 1/4 OF SECTION 18 T.16S., R. ZOE., M.D. B. & M., THENCE ALONG THE WEST LINE OF SAID SECTION 18, N00°00'00"E, 659.90'; THENCE LEAVING SAID WEST SECTION LINE N 89° 24' 33" E, 53.00'; THENCE N 00° 00' 00" E, 329.00' TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING, N 00° 00' 00" E, 81.27'; THENCE N 89° 23' 54" E, 175.00'; THENCE N 00° 00' 00" E, 219.63'; THENCE N 89° 23' 54" E, 262.60'; THENCE ALONG A TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY WITH A RADIUS OF 50.00' THROUGH A CENTRAL ANGLE OF 15° 34' 04", AN ARC LENGTH OF 13.59'; THENCE ALONG A REVERSE CURVE TO THE LEFT, CONCAVE NORTHEASTERLY WITH A RADIUS OF 50.00' THROUGH A CENTRAL ANGLE OF 15° 34' 04", AN ARC LENGTH OF 13.59'; THENCE N 89° 23' 54" E, 131.59'; THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHERLY WITH A RADIUS OF 50.00', A RADIAL BEARING OF S26° 26' 37" E THROUGH A CENTRAL ANGLE OF 11° 01' 41", AN ARC LENGTH OF 9.62'; THENCE ALONG A REVERSE CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY WITH A RADIUS OF 50.00' THROUGH A CENTRAL ANGLE OF 36° 06' 09" AN ARC LENGTH OF 31.51'; THENCE S00° 02' 21" W, 300.91'; THENCE S89° 23' 54" W, 629.08' BACK TO THE TRUE POINT OF BEGINNING.

PURSUANT TO PARCEL "B" OF PARCEL LINE ADJUSTMENT NO. 04-30.



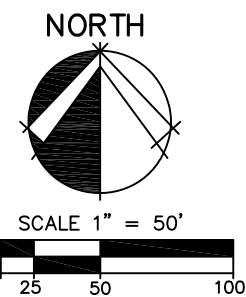
LINE	LENGTH	BEARING
L1	55.00	N00°00'00"W
L2	50.00	N89°23'54"E
L3	25.23	N89°23'54"E
L4	28.43	N44°41'57"E
L5	28.14	N45°18'03"W
L6	28.14	N45°18'03"W
L7	28.43	N44°41'57"E

CURVE	LENGTH	RADIUS
C1	42.46	70.00
C2	58.42	50.00
C3	53.69	50.00
C4	47.96	50.00
C5	62.74	50.00
C6	40.70	70.00
C7	13.59	50.00
C8	13.59	50.00
C9	9.62	50.00
C10	31.51	50.00

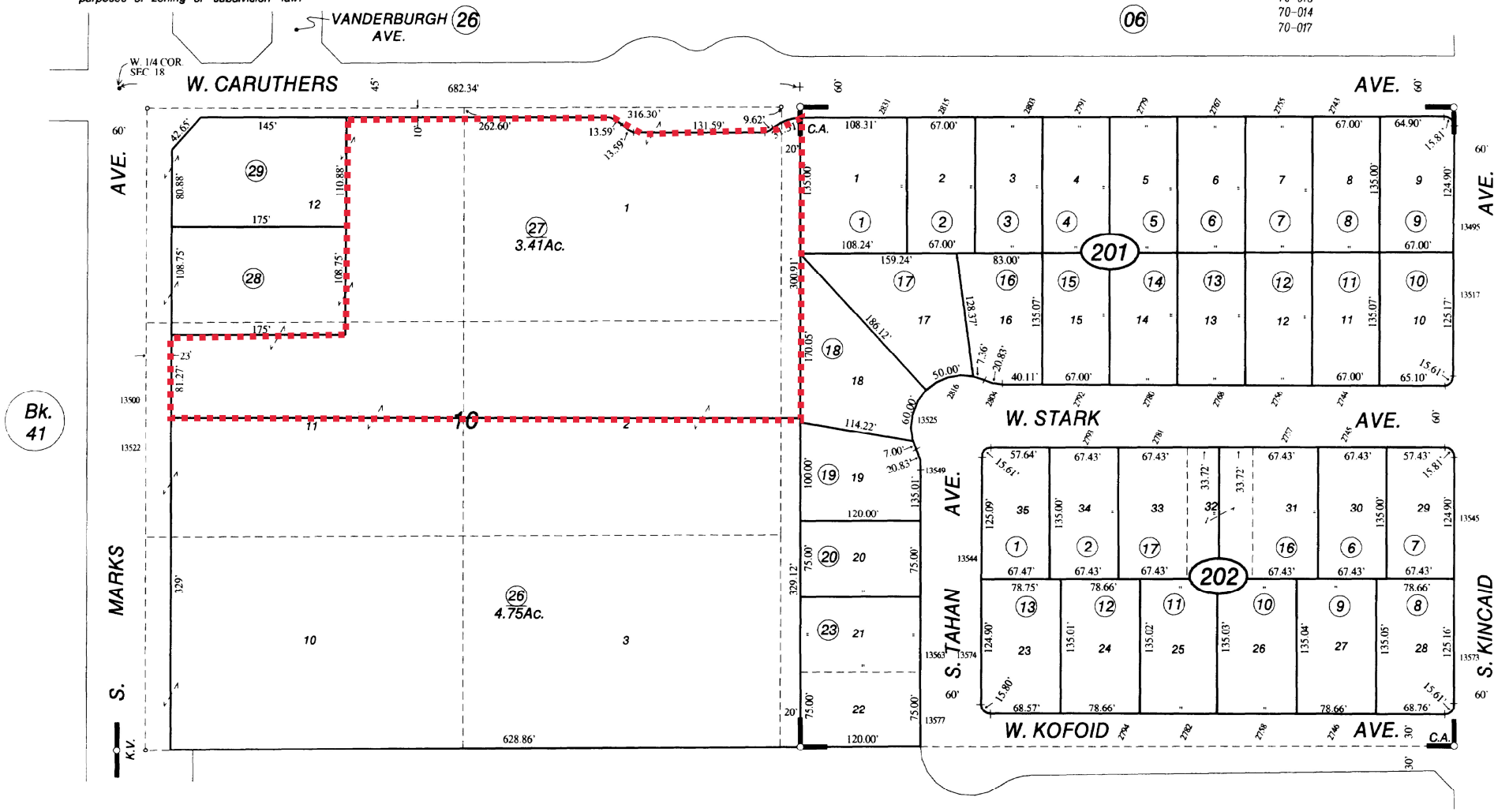
PARCEL "A"
PLA 04-30, FRESNO CO.

No permanent structures other than power lines exist on the subject property.

TRACT NO. 18886
21 OF PLATS 32



--- 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.



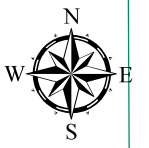
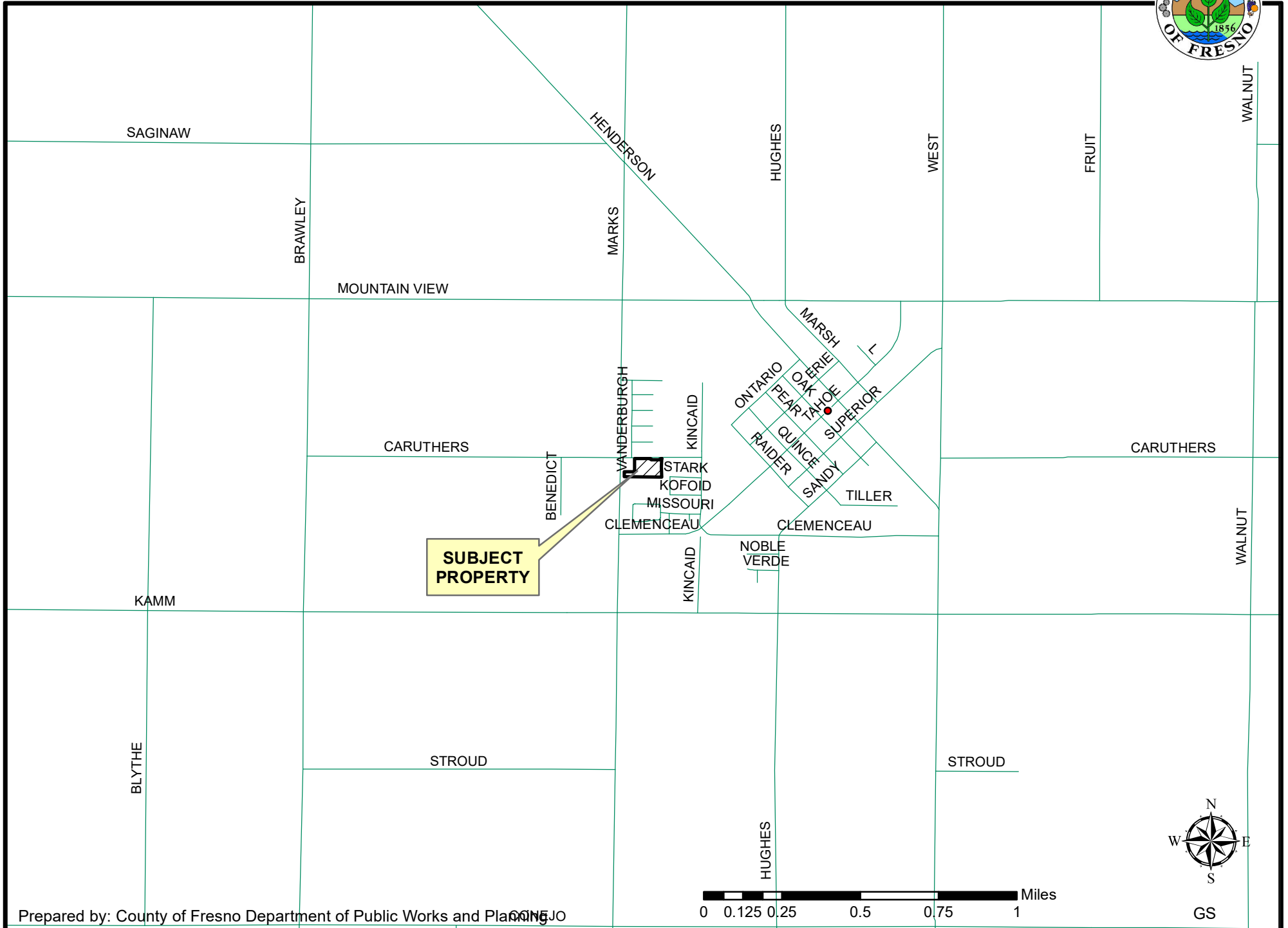
Agricultural Preserve
Countryside Acres - Tr.1886 - Plat Bk.21, Pg.32
Kamm Villa Tract - R.S. Bk.6, Pg.52

Assessor's Map Bk. 043 - Pg. 20
County of Fresno, Calif.

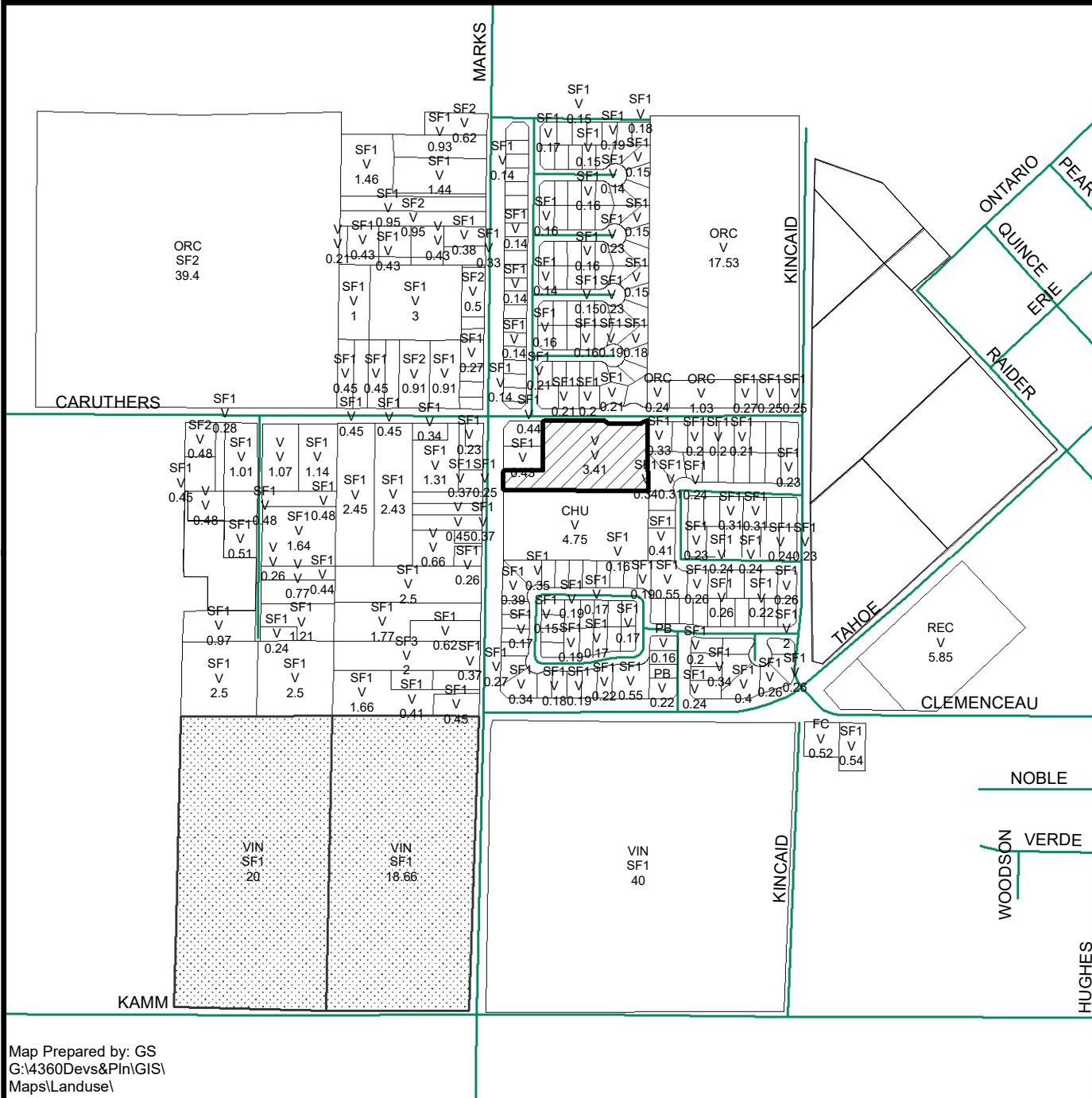
NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.



LOCATION MAP



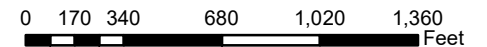
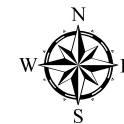
EXISTING LAND USE MAP



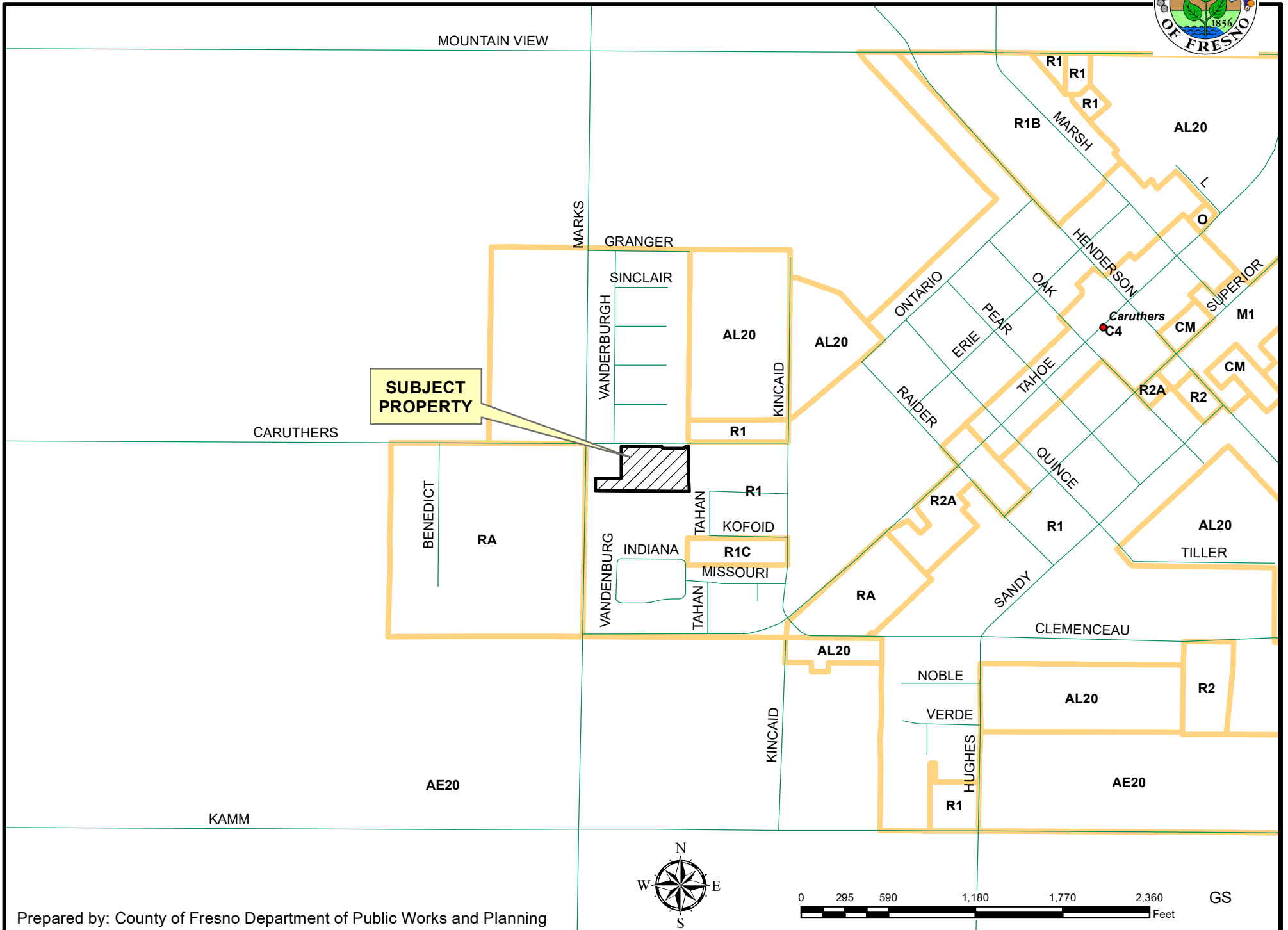
LEGEND	
AP1	- APARTMENT
C	- COMMERCIAL
CHU	- CHURCH
CN#	- CONDOMINIUM
CP	- OFFICE COMM./PROF.
FC	- FIELD CROP
ORC	- ORCHARD
	PONDING BASIN
REC	- RECREATION
RG	- RESIDENTIAL GROUP FACIL
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT
VIN	- VINEYARD

LEGEND:

- Subject Property
- Ag Contract Land



EXISTING ZONING MAP



**SUBJECT
PROPERTY**

RECEIVED
COUNTY OF FRESNO

OCT 24 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

TT 6227

Site Photographs for APN 043-201-027



Facing South



Facing Southeast

RECEIVED
COUNTY OF FRESNO

OCT 24 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

TT 6227

Site Photographs for APN 043-201-027



Facing East



Facing South

RECEIVED
COUNTY OF FRESNO

OCT 24 2019

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION
6227

Site Photographs for APN 043-201-027



Facing Northeast



Facing West



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

Subdivision Review Committee Report Agenda Item No. 3 September 20, 2007

SUBJECT: Initial Study Application No. 5525 and
Tentative Tract Map Application No. 5676

Allow a residential development consisting of thirteen lots with a minimum parcel size of 6,682 square feet on a 3.41-acre parcel in the R-1 (Single Family Residential, 6,000 square-foot) District.

LOCATION: Located on the south side of W. Caruthers Avenue between S. Marks and Kincaid Avenues, within the unincorporated community of Caruthers. (SUP. DIST.: 4)(APN: 043-201-27).

Applicant/Owner: David Davila

STAFF CONTACT: Brian Ross, Planner
(559) 262-4321

Chris Motta, Senior Planner
(559) 262-4241

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study No. 5525; and
- Approve Tentative Tract Map Application No. 5676 with recommended findings and conditions; and

- Direct the Secretary to prepare a resolution documenting the Commission's action.

IMPACTS ON JOB CREATION

Housing construction and other improvement activities associated with approval of this application may provide for some short-term job opportunities.

EXHIBITS:

1. Location Map
2. Existing Land Use Map
3. Existing Zoning Map
4. Tentative Tract Map No. 5676
5. Summary of Initial Study Application No. 5525

PROJECT DESCRIPTION AND SUMMARY:

Listed below are key features of the project based on information contained in the application and tentative tract map (Exhibit 4).

Proposed Use:

- Allow a thirteen-lot subdivision on a 3.41-acre parcel in the R1 (Single Family Residential, 6,000 square-foot) District. The subdivision is proposed to be served by community water and sewer from the Caruthers Community Services District.

Project Site:

- 3.41 acres

Existing Improvements:

- None; Vacant Land

Proposed Improvements:

- Thirteen single-family lots
- Interior road system
- Community water and sewer improvements
- Fire protection improvements
- Drainage facilities

ENVIRONMENTAL ANALYSIS:

Initial Study Application No. 5525 was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 5.

Notice of Intent to adopt a Mitigated Negative Declaration publication date: August 31, 2007.

PUBLIC NOTICE:

Notices were sent to 114 property owners within 600 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Tentative Tract Map Application may be approved only if five findings specified in the Subdivision Map Act are made. These findings are included in the body of the Subdivision Review Committee Report. Approval of the Tentative Tract Application is final unless appealed to the Board of Supervisors within 15 (fifteen days) of the approval action.

KEY INFORMATION PERTINENT TO STAFF ANALYSIS:

- Date of Subdivision Review Committee Meeting: August 23, 2007
- Subdivider: David Davila
- Engineer: Jonathon Doyel
- Location: Located on the south side of W. Caruthers Avenue between S. Marks and Kincaid Avenues.
- Nearest City Limits: Within the unincorporated community of Caruthers, approximately eleven miles south of the nearest city limits of the City of Fresno
- Number of Acres: 3.41-acres

- Number of Lots: Thirteen
- Minimum Lot Size: 6,682 square feet
- Proposed Source of Water: Caruthers Community Services District
- Proposed Means of Sewage Disposal: Caruthers Community Services District
- Drainage: On-site drainage basins or other facility acceptable to the Director of the Department of Public Works & Planning and the Caruthers Community Services District
- Zoning on Subject Property: R-1
- Surrounding Zoning: R-1, R-A, AL-20, AE-20
- Proposed Use: Single Family Residential, Medium Density
- Land Use on Subject Property: Vacant
- Surrounding Land Use: Medium density residential, commercial, public school, and agricultural (See Existing Land Use Map, Exhibit 2)

ANALYSIS / DISCUSSION:

Finding 1: General Plan Consistency

The subject parcel is designated Reserve with an underlying designation of Medium Density Residential in the Caruthers Community Plan and is zoned R-1 District which is consistent with this designation.

The Caruthers Community Plan states that development of Reserve areas to the underlying designation will not occur until annexation to the Caruthers Service District. Additionally, the Urban Residential Policies of the General Plan require that community sewer and water services be provided for this density of development. In this case, community water lines are located adjacent to the project site along Marks and Caruthers Avenues. The water supply is potable and the Caruthers Community Services District maintains a Water Supply Permit with the California Department of

Health Services. After requested from the applicant, the District issued a will serve letter allowing the applicant to connect to the community's water and sewer services. The applicant is subject to conditions of the will serve which include constructing new water mains, protecting the District's facilities, submitting improvement plans for the District's review and approval, installing new fire hydrants, and paying all applicable District fees. This property, along with the adjacent property to the south, was approved for annexation to the Caruthers Community Service District by LAFCo on November 15, 2006. The annexation has not been recorded yet due to conditions that have not yet been completed. Prior to connecting to the Caruthers Community Service District, the conditions of LAFCo shall be met and the annexation shall be recorded. These requirements are included as project notes.

The Housing Element of the General Plan indicates that a total of 130 new housing units are needed in the central valley area of Biola, Caruthers, Lanare, Laton and Riverdale. Since the year 2000, the year the County's General Plan was adopted, approximately 68 new parcels have been created in these unincorporated communities. Approval of this subdivision will provide thirteen single-family residential units, which will provide additional housing furthering the goal stated in the Housing Element.

The Circulation Policies of the General Plan state that the County will, as conditions of development, require dedication of right-of-way and road improvements as necessary to ensure the road will safely serve expanding development. Access to proposed lots one through twelve will be via proposed interior public road from Caruthers Avenue. Access to proposed parcel thirteen will be from Marks Avenue. The Road Classification of W. Caruthers Avenue is a collector road with 30 feet of right-of-way existing south of the section line. The applicant will be required to sign an irrevocable offer dedicating five feet in width along the north property line. In accordance with County Improvement Standard A-2 W, Caruthers Avenue shall be improved with concrete curb and gutter, a pavement tie and sidewalk.

The Road Classification of S. Marks Avenue is an arterial road with 53 feet of right-of-way. No additional of right-of-way is required. However, due to the classification of the road, the applicant will only be allowed access from Marks Avenue if they install a "right turn in, right turn out" ingress/egress point to lot no. 13. An on-site turnaround, "hammerhead" driveway or other means acceptable to the Director of the Department of Public Works and Planning shall also be incorporated on proposed lot thirteen in order to avoid vehicles from backing out onto Marks Avenue. If these measures are followed, then the Design Division and Development Engineering section of the Fresno County Department of Public Works & Planning have determined that direct access to the parcel from Marks Avenue is acceptable.

A condition is also included requiring all interior roads of the subdivision to be constructed to County Improvement Standards. The improvements shall be in accordance with Improvement Standard A-1, Case A-1 with concrete curbs, gutters,

sidewalk and 36 feet of base and pavement between curbs. Cul-de-sacs shall be constructed in accordance with Improvement Standard B-2. All right angle turn street intersections shall be provided with a knuckle design per proposed A-26 Standard. Adequate sight distance shall be provided at all intersections together with 20-foot by 20-foot corner cutoffs. Ramps shall be provided at all intersecting street corners with sidewalks in compliance with the ADA regulation.

The School Facilities Policy of the General Plan states that new residential development in the unincorporated areas of the County shall not be approved unless adequate public school facilities are available to serve such residential development. The proposed project lies within the Caruthers Unified School District which has adopted resolution requiring the payment of a construction fee. The collection of this fee through the building process will ensure that adequate school facilities are maintained.

The Public Facilities and Services Element of the General Plan states that the County shall strive to maintain a staffing ratio of two sworn officers per 1,000 residents served. A mitigation measure has therefore been included requiring creation of a Community Facilities District, or other appropriate funding mechanism, to provide for police protection. The applicant has agreed that, prior to recordation of a final map, a funding mechanism shall be established through a Community Facilities District or Districts under the Mello-Roos Community Facilities Act of 1982, or through other appropriate funding mechanism to be determined by the County, to support cost for Sheriff protection services to achieve a ratio of two sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.

The proposed subdivision is located in close proximity to agricultural areas. Vineyards and orchards are located to the northwest and are zoned AE-20. The Fresno County Ordinance requires that approval of residential subdivisions within 300 feet of the AE-20 Zone District have a condition placed upon the map requiring the recordation of a Right-to-Farm Notice. This notice informs the residents of the subdivision that they should be prepared to accept the inconveniences and discomfort associated with normal farming activities.

Based on information and findings provided above, staff believes that Finding 1 can be made.

Finding 2: Suitability of Site

The subject property is located on the southeast corner of W. Caruthers and S. Marks Avenues within the unincorporated community of Caruthers. The topography of the site is essentially flat and it is not shown on FEMA maps as being flood prone. Storm water runoff generated by this project will be conveyed to a one

or more drainage basins or other facilities acceptable to the Director of the Department of Public Works & Planning. This will be addressed during the mapping application. The site will be served by community sewer and water services negating the need for additional on-site septic or well facilities. The site is physically suitable for the type and density of development proposed.

In accordance with the requirements of the Subdivision Ordinance, the design of the subdivision (see Exhibit 4) must be reviewed for conformance with the R-1 District property development standards. All lots in the proposed subdivision are required to be a minimum of 6,000 square feet in size, exclusive of all road and canal rights-of-way, recreation easements, permanent water bodies, and public or quasi-public common use areas. The design of the proposed subdivision will result in all of the thirteen lots being 6,000 square feet net in size or greater.

Based on information and findings provided above, staff believes that Finding 2 can be made.

Finding 3: Environmental Effects

The Subdivision Ordinance requires that a Tentative Tract Map Application be denied if a finding is made that the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project is located in an Urban Residential setting with neighboring parcels ranging in size from 6,000 square feet to 40 acres. Surrounding parcels are used for vineyard, single-family residences, commercial uses, and a public school.

The Initial Study (see Exhibit 5) 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 aesthetics, agricultural resources, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, and utilities. Potential impacts related to traffic and circulation has been determined to be less than significant with conditions of approval. Potential impacts related to noise and funding for public services have been determined to be less than significant with mitigation measures incorporated.

The Design Division of the Fresno County Department of Public Works and Planning identified potential impacts to the existing transportation system from traffic generated by the proposed project and determined a Traffic Impact Study (TIS) was required in order to determine the full extent of project-related traffic impacts. The applicant provided a TIS prepared by TPG Consulting Incorporated dated October, 2003 and an amendment to the Traffic Study dated May 22, 2007. The traffic study was originally prepared for a subdivision of twenty parcels and a church. In this

case, the twenty parcels have been reduced to thirteen, and the church was approved under CUP 3036. Access to the church will be provided from the subdivision. After review of the traffic study, it was determined that the project will not generate enough traffic to warrant off-site traffic funding improvements.

The proposal has the potential to generate additional noise from the construction activity associated with the development of thirteen residential units. The proposed project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications should require that all construction equipment be maintained according to manufacturer's specifications, and that noise-generating construction equipment be equipped with mufflers. Potential noise impacts resulting from the construction of the proposed development would be short-term and not considered significant. A mitigation measure limiting noise-generating construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

The San Joaquin Valley Air Pollution Control District (Valley Air District) states that the project will be subject to mandatory rules and regulations to limit emissions of PM10 and NOx in residential developments, including District Rules 4901 and 4902, which regulate the sale and installation of wood burning devices and natural gas-fired water heaters. In addition the project will be subject to the District Regulation VIII – Fugitive Dust Rules, a series of rules designed to reduce PM10 emissions generated by human activity; and the District Rule 4103, which regulates the burning of agricultural material.

The District recommends that the applicant consider design features which serve to reduce vehicle trips (and emissions) and increase activities such as walking, bicycling, transit use, and energy conservation. Use of energy conserving and well-designed features are also recommended to be included in the design and construction of the project, and the project should include as many clean alternative energy features as possible to promote energy self-sufficiency, including selecting and locating trees to protect building(s) from "energy sapping" environmental conditions. The applicant has been made aware of the comments of the Valley Air District.

In this case, the applicant will not be required to apply for an Indirect Source Review (ISR) application prior to land use approval. According to the Valley Air District, subdivisions creating 13 lots or less do not generate the need for ISR applications.

The California Department of Fish and Game has not expressed concerns regarding any possible impacts of the project on fish or wildlife. Based upon this response staff believes that this subdivision or related improvements are not likely to cause substantial environmental damage nor substantially injure fish or wildlife in their environment. Additionally, the site is currently disturbed vacant land. The parcel does not contain any significant vegetation or wetlands.

Based on the above, staff believes Finding 3 can be made and that this subdivision will not cause substantial environmental damage or substantially injure fish or wildlife.

Finding 4: Public Utilities and Easements

The subdivision design is required to accommodate any easements acquired by the public at large for access through or use of the property. In this case, there are no existing public easements. Pacific Gas & Electric (PG&E) requests that adequate right-of-way be provided for their existing utility pole that crosses the property. This has been included as a condition.

PG&E also indicates that a PUE be incorporated within all public roads. PG&E further indicates that an easement from the property owners of the newly created PUE's may be required. The exact size and locations of the PUE's, together with the need for an easement, will be finalized during the final map review. Existing gas or electric facility relocations necessitated by new street improvements shall be done at the expense of the developer.

As indicated in Finding #1, the applicant will require connection into the Caruthers Community Services District. As part of the conditions for District connection, the developer will be required to construct new water mains, protect the District's facilities, submit improvement plans for the District's review and approval, implement new fire hydrants, and pay all applicable District fees. This has been included under mandatory project notes.

Conditions have been included requiring that all new and existing electrical utilities in the tract shall be placed underground in accordance with the provisions of the Subdivision Ordinance.

Finding 5: Public Health

Neither the design of the subdivision nor the type of improvements are likely to cause serious health problems. Community water and sewer services will be provided by the Caruthers Community Services District.

According to the County Subdivision Ordinance, if a subdivision is at any point within 300 feet of an AE or AL Zone District, a "Right-to-Farm" Notice must be recorded as a condition of approval of the Tentative and Final Subdivision Map. The "Right-to-Farm" Notice is intended to alert future property owners within the subdivision that there may be existing farming operations in the area, and that subdivision residents should be prepared to accept the inconveniences and discomfort associated with normal farming activities. Since the subject parcel is adjacent to AE zoned property the "Right-to-Farm" Notice will be required as a condition of approval.

The Fresno County Fire Department has requested adequate facilities for fire fighting purposes, including improvements to attain sufficient fire flow capability. A condition has been recorded requiring that the design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Department of Public Works and Planning after consideration of the recommendations of the fire district that has jurisdiction of the area. The California Department of Health Services indicates that they have no concerns with the proposed project, the water supply is potable, and the Caruthers Community Services District maintains a Water Supply Permit.

As noted in Finding 1, the applicant has agreed that, prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of two sworn officers per 1,000 residents for the affected properties. This has been included as a mitigation measure.

Based on the above considerations, the design of the subdivision and the type of improvements are not likely to cause serious health problems provided that the development complies with the required mitigation measures and conditions of approval.

CONCLUSION:

Staff believes the required findings for granting Tentative Tract Map Application No. 5676 can be made based on the factors cited in the analysis and the recommended conditions and notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for Initial Study Application No. 5525 and recommends approval of Tentative Tract Map Application No. 5676, subject to the recommended conditions, mitigation measures, and mandatory project notes.

PLANNING COMMISSION MOTIONS:

RECOMMENDED MOTION (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 5525; and
- Adopt findings noted in the Staff Report and approve Tentative Tract Map Application No. 5676, subject to conditions and notes as stated below; and

- Direct the secretary to prepare a resolution documenting the Commission's action.

ALTERNATIVE MOTION (Denial Action)

- Deny Tentative Tract Map Application No. 5676 as proposed; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

CONDITIONS AND NOTES

A. MARKS AVENUE:

1. Is classified as an arterial road with 53 feet of right-of-way existing. No additional right-of-way is required.
2. Shall be improved with curb and gutter, a pavement tie and sidewalk in accordance with County Standard A-4 adjacent to Lot 13.
3. Access rights from proposed Lot 13 shall be limited to "RIGHT TURN IN RIGHT TURN OUT" only. An on-site turnaround, "hammerhead" driveway or other means acceptable to the Director of the Department of Public Works so that vehicles do not need to back out onto the County road shall be provided.
4. All conditions of CUP 3036 relating to the improvement of Marks Avenue shall be complied with.

B. CARUTHERS AVENUE:

1. Is classified as a collector road with 30 feet of right-of-way existing south of the centerline. An irrevocable offer of dedication, 5 feet in width is required along the north property line. No other additional right-of-way is required.
2. Shall be improved with curb and gutter, a pavement tie and sidewalk in accordance with County Standard A-2.
3. Direct access rights from proposed Lot 1 & 5 thru 8 shall be relinquished. A non-access barrier acceptable to the director of the Department of Public Works shall be provided.
4. Thirty by thirty-foot corner cutoffs shall be provided at the proposed interior street.

C. INTERIOR ROADS:

1. Shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standard A-1 Case A-1E (50) with 32 feet of base and pavement, 50 feet of right-of-way).
2. Access from the south through the Templo Sinai Church parking lot, shall be limited to church related traffic only. NO "THRU" traffic will be allowed into Tract 5676.
3. The southerly stub street proposed for connection to the adjacent church property shall be gated and only used for ingress/egress purposes.
4. A County Standard B-2 residential cul-de-sac with 50' min. radii shall be provided at the east end of the east/west interior street.
5. Twenty by twenty-foot corner cutoffs shall be provided at the proposed interior street intersection.
6. The interior roads shall be named. The subdivider shall submit name to the Street Name Committee for review and approval prior to final map approval.
7. Street and regulatory signs and markings shall be included in the design in accordance with County Standards.

D. DRAINAGE AND EROSION CONTROL:

1. Provisions shall be made to retain all runoff generated from the developed portion of this tract within one or more drainage basins or other facility acceptable to the Director of Public Works and the Caruthers Community Services District.
2. Any basin proposed within the subdivision shall be built in conformance with County standards and have a volume based upon the formula $V_b = 0.5 * C * A$. Any basin deeper than 18 inches must be enclosed with a 6' high chain link fence or approved equal.

E. MAINTENANCE:

1. A Zone of Benefit in an approved County Service Area or other method acceptable to the Director of Public Works shall be provided for the maintenance of the new roads and storm drain system.
2. The subdivider will be required to secure the maintenance of the new road for a period of one year after the acceptance thereof.

F. FIRE PROTECTION:

1. The design of a fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by Public Works and Planning after consideration of the requirement of the County Fire District for the area.
2. Hydrant spacing and location shall be reviewed and approved by the Caruthers Community Services District.

G. UTILITIES:

1. All new utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance. Any existing utilities within this tract not in conformance with these requirements shall be removed or placed underground.
2. The applicant shall provide adequate right-of-way to PG&E for the existing utilities crossing the property. All right-of-way proposals shall be reviewed and approved by PG&E.
3. Design of water, sewer and storm drainage facilities shall be in accordance with the standards adopted by the Caruthers Community Service District and Fresno County and constructed in accordance with Fresno County Improvement Standards.
4. Plans for these improvements shall be submitted to the Caruthers Community Service District and the County for review and approval.

H. SEWER & WATER SERVICE:

1. Contact the Caruthers Community Services District for all utilities related to sewer and water services and their distribution systems.

I. OTHER CONDITIONS

1. Improvement plans shall be submitted for review and approval by the Department of Public Works and Planning prior to any construction on the site. Engineered plans for the road improvements shall be submitted to the County for review and approval. The initial submittal shall include a soils report which identifies a recommended traffic index, R-value and pavement structural section. Additional R-value testing may be required.
2. All proposed improvements for Marks Avenue shall comply with the mitigations measured outlined in the approved traffic study prepared by

TPG Consulting and coordinate with the construction of the Templo Sinai Church.

3. Street trees shall be provided in accordance with the Fresno County Ordinance code. A landscape plan shall be submitted for review and approval prior to the recording of the final map that demonstrates the implementation of energy conservation methods for the subdivision.
- *4. To mitigate potential noise impacts, all noise-generating construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.
- *5. Prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.

* MITIGATION MEASURES – Measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.

NOTES:

The following notes reference various mandatory requirements of Fresno County or other agencies and is provided as information to the project applicant if approved.

1. Water and sewer services shall be provided from the Caruthers Community Services District. The developer shall adhere to all the conditions of the October 12, 2006 will serve letter. Prior to connection, annexation into the District shall be recorded with LAFCo.
2. Prior to recording a final map, an agreement incorporating the provisions of the "Right-to-Farm" notice (Ordinance Code Section 17.04.100) shall be entered into with Fresno County.
3. The Caruthers Unified School District in which you are proposing construction has adopted a resolution requiring the payment of a construction fee. The County, in accordance with State law that authorizes the fee, may not issue a building permit without certification from the school district that the fee has

been paid. An official certification form will be provided by the County when application is made for a building permit.

4. Construction activity including grading, clearing, grubbing, filling, excavation, development or redevelopment of land that results in a disturbance of five acres or more (or less than five acres if part of a larger common plan of development or sale) must secure a construction storm water discharge permit in compliance with U.S.E.P.A.'s NPDES regulations (CFR Parts 122-124, November, 1990).
5. The proposed development shall implement all applicable Best Management Practices (BMPs) presented in the Construction Site and Post-Construction Storm Water Quality Management Guidelines, to reduce the release of pollutants in storm water runoff to the maximum extent practicable.
6. An encroachment permit shall be required prior to constructing any improvements on S. Marks and W. Caruthers Avenues.
7. Improvement plans shall be submitted for review and approval by the Department of Public Works and Planning prior to any construction on the site.
8. All other improvements shall be in accordance with the County standards.
9. The applicant shall adhere to the following rules and regulations set by the San Joaquin Air Pollution District:
 - Regulation VIII – Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM10 emissions (predominantly dust/dirt) generated by human activity, including construction, road construction, bulk materials storage, landfill operations, etc.
 - Rule 3135 – Provision of fees to the Air District and a dust control plan to the District.
 - Rule 4102 – (Nuisance) Applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action
 - Rule 4103 – (Open Burning) regulates the burning of agricultural material. Agricultural material shall not be burned when the land use is converting from agriculture to nonagricultural purposes. In the event that the project applicant burned or burns agricultural material, it would violate Rule 4103 and be subject to District enforcement action.

- Rule 4641 – (Cutback, Slow Cure, and Emulsified Asphalt, Paving and maintenance Operations) if asphalt paving will be used, then paving operations of this project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.
- Rule 4901 – (wood Burning Fireplaces and Wood Burning Heaters) this rule limits PM10 and PM2.5 emissions from residential development. Construction plans for residential developments may be affected by section 5.3.

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ORIGINAL SR
(2007)

LOCATION MAP



RAISIN CITY

MANNING

MARKS

41

CEDAR

HENDERSON

MOUNTAIN VIEW

SUBJECT PROPERTY

CARUTHERS

GLEMENCEAU

KAMM

ELKHORN




0 0.5 1 1.5 2 2.5 3 Miles


ORIGINAL SR (2007)

EXISTING LAND USE MAP



Legend	
SF#-	SINGLE FAMILY RESIDENCE
TF	TREE FARM
V	VACANT
VIN	VINEYARD

 Subject Property

 Ag Contract Land

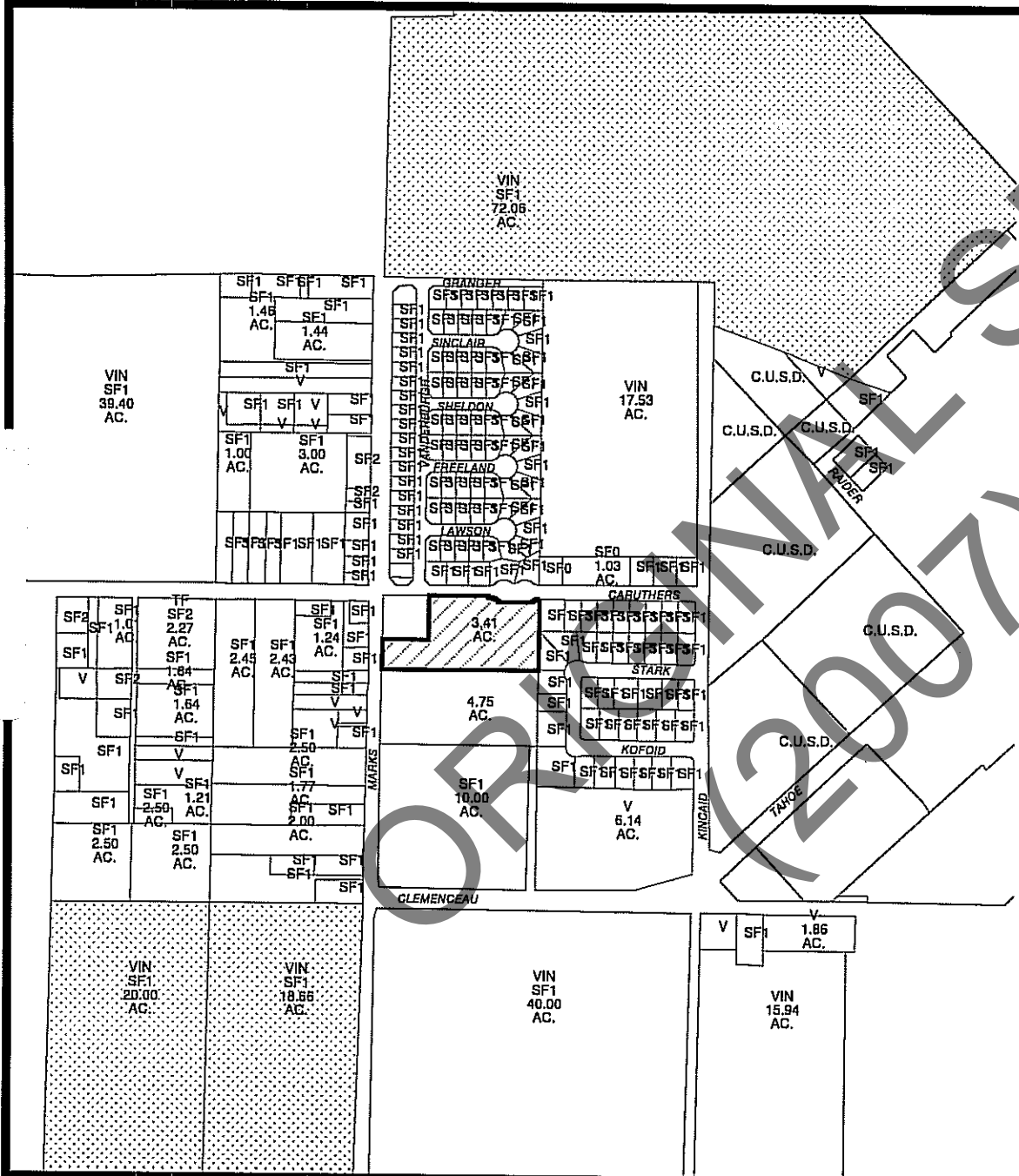
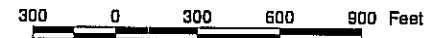
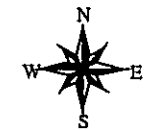


Exhibit 2 - Page 1

EXHIBIT 2

EXISTING ZONING MAP

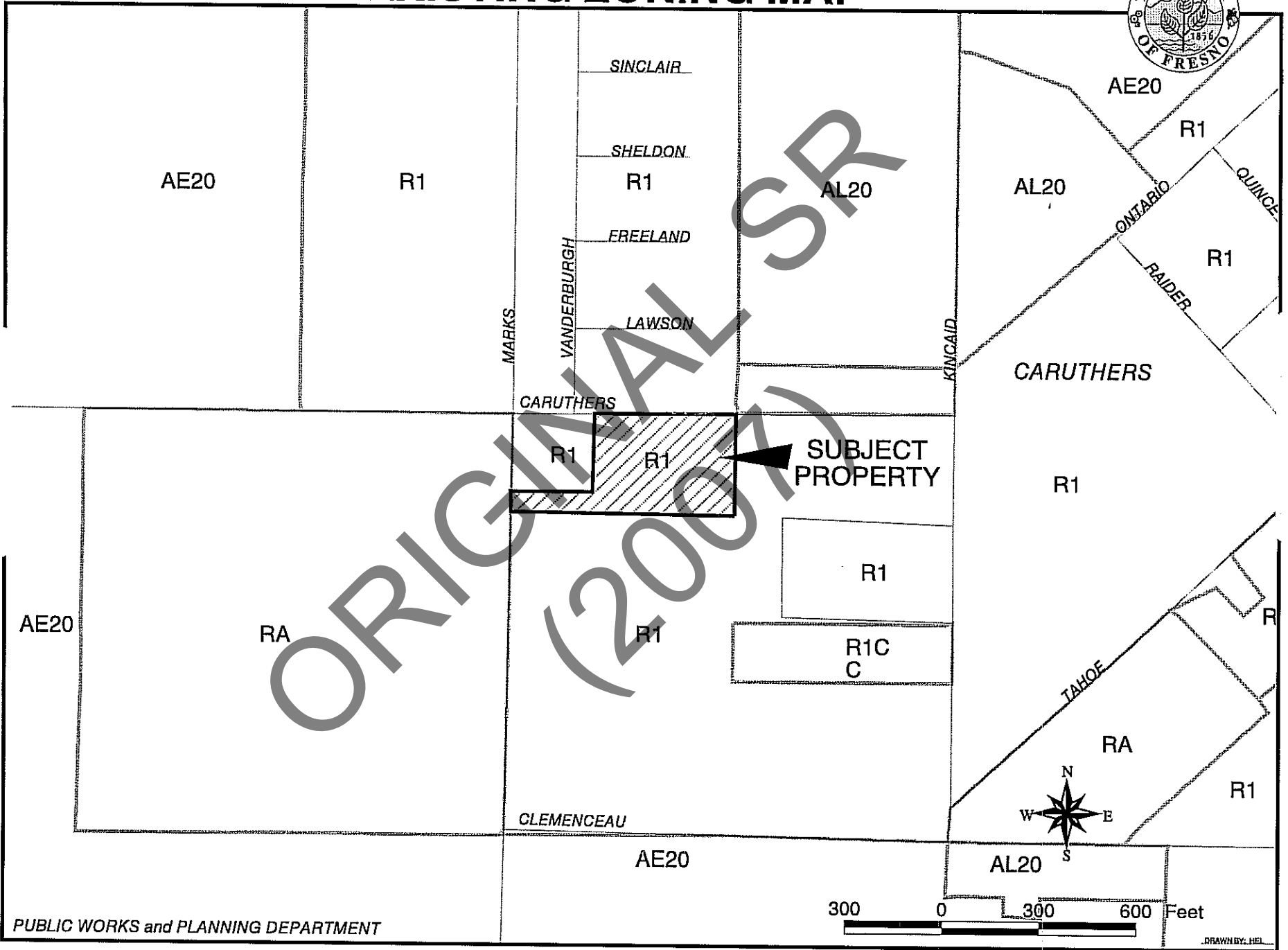


Exhibit 3 - Page 1

EXHIBIT 3



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Notice is hereby given that Fresno County intends to adopt a Mitigated Negative Declaration for the following project:

Initial Study Application No. 5525 and Tentative Tract Map No. 5676 filed by David Davila proposing to allow a residential development consisting of thirteen lots with a minimum parcel size of 6,682 square feet in the R-1 (Single Family Residential, 6,000 square-foot) District. The project is located on the south side of W. Caruthers Avenue between S. Marks and Kincaid Avenues, on a 3.41-acre site located within the unincorporated community of Caruthers. (SUP. DIST.: 4)(APN: 043-201-27).

The public review period during which Fresno County will receive written comments on the proposed project and Mitigated Negative Declaration will begin on August 30, 2007 and end on September 19, 2007. The public hearing will be held on September 20, 2007, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno, California.

To view documents, or mail written comments:

Fresno County Department of Public Works and Planning
Development Services Division
Attn: Brian Ross bross@co.fresno.ca.us
2220 Tulare Street, Suite A
Fresno, CA 93721

Hours: Monday through Friday, 9:00 a.m. to 5:00 p.m. (except holidays).

For questions call Brian Ross (559) 262-4321

Published: August 31, 2007

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DEVELOPMENT SERVICES DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 262-4055 / 262-4029 / 262-4302 / 262-4022 FAX 262-4893
Equal Employment Opportunity • Affirmative Action • Disabled Employer



ENVIRONMENTAL CHECKLIST FORM

Initial Study Application No. 5525

Tentative Tract Map No. 5676

1. Project title:

Tentative Tract Application No. 5676 and Initial Study Application No. 5525

2. Lead agency name and address:

*Fresno County Department of Public Works and Planning
Development Services – 6th Floor
2220 Tulare Street, Fresno, CA 93721-2104*

2. Contact person and phone number:

Brian Ross, Planner, (559) 262-4321

3. Project location:

Located on the south side of W. Caruthers Avenue between S. Marks and Kincaid Avenues, in the unincorporated community of Caruthers (SUP. DIST.: 4) (APN: 043-201-27).

5. Project sponsor's name and address:

*David Davila
2576 W. Noble
Caruthers, CA 93609*

6. General plan designation:

Reserve, Medium Density Residential

7. Zoning:

R1 (Single Family Residential, 6,000 square-foot) District

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 a residential development consisting of thirteen lots with a minimum parcel size of 6,682 square feet on a 3.41-acre site in the unincorporated community of Caruthers.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The project site is located within the unincorporated community of Caruthers, which consists of mostly residential and commercial uses. Agricultural land and vacant land is located to the north and west of the subject site, while Caruthers High School and the Caruthers fairgrounds are within ¼ mile of the subject site.

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

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:



Brian Ross, Planner III



Chris Motta, Senior Planner

Date: 8/28/07

Date: 8/28/07

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

(Initial Study Application No. 5150, Tentative Tract Map No. 5334, Variance Application No. 3786 – Corrine Hatfield/Adrienne Lawley)

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 | 3 = Less Than Significant Impact with Mitigation Incorporated |
| 2 = Less Than Significant Impact | 4 = Potentially Significant Impact |

I. AESTHETICS

Would the project:

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

- 1 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 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?

II. AGRICULTURAL RESOURCES

Would the project:

- 2 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) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

V. CULTURAL RESOURCES

Would the project:

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

III. AIR QUALITY

Would the project:

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

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 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 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?

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 Game 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 Game or U.S. Fish and Wildlife Service?

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 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 for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

VIII. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements or otherwise degrade water quality?
- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 2 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

IX. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

X. 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?

XI. NOISE

Would the project:

- 1 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 3 b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 3 c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 3 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 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 expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XII. POPULATION AND HOUSING

Would the project:

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

XIII. PUBLIC SERVICES

Would the project:

- 3 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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?

XIII. PUBLIC SERVICES (CONTINUED)

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

XIV. RECREATION

Would the project:

- 2 a) Would the project 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?
- 2 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XV. TRANSPORTATION / TRAFFIC

Would the project:

- 2 a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- 2 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Result in inadequate parking capacity?
- 1 g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 1 a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Does the project 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)?
- 1 c) Does the project 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 Division, 2220 Tulare Street, Fresno, California (corner of M & Tulare Streets).

- Fresno County General Plan, Policy Document and Final EIR
- Fresno County Zoning Ordinance
- Important Farmland 2000 Map, State Department of Conservation
- Templo Sinai Church Traffic Study, TPG Consulting Incorporated, October 2003
- Templo Sinai Church Residential Component, TPG Consulting Incorporated, May 22, 2007

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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: David Davila

APPLICATION NOS: Initial Study Application No. 5525 and Tentative Tract Application No. 5676

DESCRIPTION: Allow a residential development consisting of thirteen lots with a minimum parcel size of 6,682 square feet on a 3.41-acre parcel in the R-1 (Single Family Residential, 6,000 square-foot) District. The project is located on the south side of W. Caruthers Avenue between S. Marks and Kincaid Avenues, within the unincorporated community of Caruthers. (SUP. DIST.: 4)(APN: 043-201-27).

I. AESTHETICS

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

FINDING: NO IMPACT:

The site is located within an area of mixed residential and agricultural land uses. There are no scenic vistas that would be adversely impacted by development of this subdivision. There are no scenic resources including significant rock outcroppings, stands of trees, or historic buildings on the property, and the project site is not within the vicinity of a state scenic highway.

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

DEVELOPMENT SERVICES DIVISION

FINDING: LESS THAN SIGNIFICANT IMPACT:

The site is a vacant, open field. Topography is flat and the general character of the site would be similar to surrounding properties once developed. Development of a low/medium density residential subdivision in an area generally developed with other medium density residential development will have a less than significant impact on the visual character of the project site or its surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

The project would generate new sources of light and glare in the form of residential lighting (exterior and interior) and vehicle headlights. The impacts would be comparable to the existing development in the vicinity of the project site.

II. AGRICULTURAL RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use;**

FINDING: LESS THAN SIGNIFICANT IMPACT:

The site is identified as Prime Farmland in the State Farmland Importance Map. However, the property is designated in the Caruthers Community Plan as Reserve (medium density residential) and is zoned R-1. Additionally, the site is not currently in agricultural production. The project site is surrounded by R-1 zoned property, much of which has been developed. Additionally, the subject site is not under a Williamson Act contract.

- B. Would the project conflict with existing agricultural zoning or Williamson Act contracts; or**

FINDING: LESS THAN SIGNIFICANT IMPACT:

This property is not under Williamson Act. The property is adjacent to agriculture operations. Pursuant to the General Plan, the applicant will be required to sign a right-to-farm notice to be recorded on the property. This shall be completed prior to recordation of the final map.

- C. Would the project involve other environmental changes which, due to their location or nature, could result in conversion of farmland to non-agricultural use?**

FINDING: NO IMPACT:

No environmental changes that will result in the conversion of farmland to non-agricultural uses due to location or nature were identified in the project analysis. The project site is not currently being farmed. The surrounding properties have already been developed for low and medium density residential, public school, and commercial uses in the unincorporated community of Caruthers.

III. AIR QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed this project and indicated that the entire San Joaquin Valley is non-attainment for ozone and fine particulate matter (PM-10) and that the subject project would contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. According to the Air District, subdivisions creating thirteen lots or less do not generate the need for ISR applications.

The Air District indicated that although the project alone would not generate significant air emissions, the increase in emissions from the project and others like it would cumulatively reduce the air quality in the San Joaquin Valley. The Air District indicated that a concerted effort should be made to reduce project-related emissions. The construction and operational phases of the project will be subject to District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10. The project will also be subject to District Rules 4102 (public nuisance), 4601 (architectural coatings), 4641 (cutback, slow cure, and emulsified asphalt, paving and maintenance operations), 4901 (wood burning fireplaces and wood burning heaters) and 4902 (residential water heaters). The Air District further stated that there are a number of recommended, but non-

mandatory, measures that can be incorporated into the design of the project to reduce the project's overall level of emissions. A list of these measures has been provided to the applicant.

The District indicates that with these recommended measures, that impacts to air quality can be considered less than significant.

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

FINDING: NO IMPACT:

As proposed, the single family residential development will not create objectionable odors.

IV BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFG or USFWS?**
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFG or USFWS?**
- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means?**

FINDING: NO IMPACT:

The project site is not within any sensitive areas for species as identified in the California Natural Diversity Database. The subject site does not contain any riparian features, and the California Department of Fish and Game did not express any concerns regarding the proposal or its location. Therefore, impacts related to sensitive natural communities in local or regional plans are not considered significant.

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

FINDING: NO IMPACT:

The project site contains no water courses or identified wildlife movement corridors.

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

There are no adopted Natural Conservation Plans in the area of the project.

V. CULTURAL RESOURCES

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

FINDING: NO IMPACT:

According to County records, the subject site is not located within or near any areas of known archeological or historical activities. This site is not located near any natural water channels that are associated with cultural resource areas.

VI. GEOLOGY AND SOILS

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

- 1. Rupture of a known earthquake?**
- 2. Strong seismic ground shaking?**
- 3. Seismic-related ground failure, including liquefaction?**
- 4. Landslides?**

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site could result in changes in absorption rates, drainage patterns and the rate and amount of surface run-off, in the form of drainage from building roofs and new paved parking and circulation areas. These effects are not considered significant because the applicant will be required to adhere to the Grading and Drainage Sections of the County Ordinance Code.

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

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

FINDING: NO IMPACT:

The project is not located within a known area of risk for landslides, lateral spreading, subsidence, liquefaction, or collapse, or within an area of known expansive soils.

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

FINDING: NO IMPACT:

The applicant is required to connect to the Caruthers Community Services District for sewer and water services. The Community Services District

issued the applicant a will serve letter on October 12, 2006. The applicant may be required, per the District's request, to construct new water and sewer mains.

VII. HAZARDS AND HAZARDOUS MATERIALS

- A. **Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials?**
- B. **Would the project create a significant hazard involving accidental release of hazardous materials into the environment?**
- C. **Would the project emit hazardous materials within one-quarter mile of a school?**
- D. **Would the project be located on a hazardous materials site?**

FINDING: NO IMPACT:

No impacts relating to hazardous materials were identified in the project review process. The nature of a proposed residential subdivision will not generate or involve the transport of quantities of hazardous materials with the potential to impact surrounding property owners or the environment. No hazardous materials sites were identified within the project area by the Department of Community Health, Environmental Health Division.

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

FINDING: NO IMPACT:

The project site is not located within an airport land use plan area, within two miles of a public use airport, or in the vicinity of a private airstrip.

- G. **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

FINDING: NO IMPACT:

The project will not impair implementation or physically interfere with an adopted emergency response plan.

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

FINDING: NO IMPACT:

The project is not located within a wildland fire area.

VIII. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT

The project will not violate any water quality standards, waste discharge requirements or substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project will utilize community water and sewer. Caruthers Community Service District has indicated that the subject property is adjacent to District boundaries. The developer is required to submit an application to LAFCo for annexation to the District. This will be included as a project note.

On October 12, 2006 the District provided a will serve letter allowing the applicant to connect, provided that the applicant follow the District's conditions. Those conditions include implementing additional improvements to the existing sewer system, protecting the community's facilities, funding all costs for District's review of water and sewer improvement plans, precluding storm water from being discharged to the sanitary sewer system, paying all applicable District fees, and developing a schedule for the proposed construction. These connection requirements will be included as project notes.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

The applicant will be required to have water and sewer services for all lots connect to the Caruthers Community Services District. On October 12, 2006, the District provided a will serve letter allowing the applicant to connect, provided that the conditions identified under VIII.A are met.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The applicant will be required to retain all runoff generated from the developed portion of this tract within one or more drainage basins or other facility acceptable to the Director of Public Works and the Caruthers Community Services District.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will create new impermeable surfaces in the form of pavement and roof covering. All site grading will be conducted in accordance with requirements of the County's Grading and Drainage Sections of the County Ordinance Code. No streams or rivers exist on-site or in the proximity of the site.

- F. Would the project otherwise- substantially degrade water quality?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

See VIII.A Site Hydrology and Water Quality above.

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

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

FINDING: NO IMPACT:

The project site is not located within a 100-year flood plain. .

- I. Would the project expose persons or structures to levee or dam failure?**

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

FINDING: NO IMPACT:

The subject site is not prone to a seiche, tsunami or mudflow, nor is the project exposed to potential levee or dam failure. Thus, the project will not expose persons or structures to natural disasters resulting from either a levee or dam failure, seiche, tsunami or mudflow.

IX. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The subject property is located within a Reserve, Medium Density Residential area. Development of this property is for a low/medium density residential subdivision and will not conflict with and/or divide the area.

B. Will the project conflict with any land use plan, policy or regulation of an agency with jurisdiction over the project?

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

FINDING: NO IMPACT:

The site will not conflict with any land use plan or habitat or natural community conservation plan. The subject property is designated for Reserve, Medium Density Residential use in the Caruthers Community Plan.

X. MINERAL RESOURCES

A. Would the project result in the loss of availability of a known mineral resource?

B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a general plan?

FINDING: NO IMPACT:

According to the Principal Mineral Producing Locations (Figure 7-8 and 7-9 of the General Plan), the subject area is not located in any mineral producing locations.

XI. NOISE

A. Would the project result in exposure of people to severe noise levels?

FINDING: NO IMPACT:

The proposed subdivision project was reviewed by the Department of Community Health, Environmental Health Section. No potential impacts related to exposure to severe noise levels were identified. The proposed subdivision is not located within the vicinity of any noise-generating land uses including any arterials or expressways.

B. Would the project result in ground borne vibration?

C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity?

D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The proposal has the potential to generate additional noise from the construction activity associated with the development of thirteen residential units. Therefore, the proposed project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications should require that all construction equipment be maintained according to manufacturer's specifications, and that noise-generating construction equipment be equipped with mufflers. Potential noise impacts resulting from the construction of the proposed development would be short-term and not considered significant.

A mitigation measure limiting noise-generating construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activity occurs between these hours.

***Mitigation Measure**

- 1. To mitigate potential noise impacts noise-generating construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.*

- E. Would the project expose people to excessive noise levels associated with a location near an airport, or a private airstrip?**

FINDING: NO IMPACT:

The project site is not located near an airport or private airstrip.

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

FINDING: NO IMPACT:

The project site is not located near an airport or private airstrip.

XII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would result in the construction of a maximum of thirteen single-family residences on a combined 3.41-acre site in an area planned for Medium Density Residential development. The population growth resulting from the project is not considered significant.

- B. Would the project displace substantial numbers of existing housing?**

- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?**

FINDING: NO IMPACT:

No demolition of any single family residences would occur with approval of the proposed subdivision tract. The proposal would not displace substantial numbers of existing housing, nor displace substantial numbers of people.

XIII. PUBLIC SERVICES

- A. Would the project result in physical impacts associated with the provision of new public services in the following areas:**

- 1. Fire protection**

FINDING: LESS THAN SIGNIFICANT IMPACT:

The applicant will be required to design a fire protection water system that conforms to County Standards, and shall be approved by the Director of the Department of Public Works and Planning, and the standards set by the Fresno County Fire Protection District. This will be included as project notes in the staff report.

2. Police protection

FINDING: LESS THAN SIGNIFICANT IMPACT WITH
MITIGATION INCORPORATED:

The Board of Supervisors has directed that a funding mechanism be established to provide for minimum level manning of Sheriff's services in areas experiencing new residential growth. This is consistent with General Plan Policy PF-G.2, which states that the County shall strive to maintain a staffing ratio of two sworn officers per 1,000 residents served. A mitigation measure has, therefore, been included requiring creation of a Community Facilities District or other appropriate funding mechanism to provide for police protection at a ratio of two sworn officers per 1,000 residents. The applicant has agreed to the following condition:

***Mitigation Measure**

- 1. Prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.*

3. Schools

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is within one half mile of the Caruthers High School. Activity related to grading and construction will be less than significant per compliance with regulations identified in Section III, Air Quality. The project was routed to the Caruthers Unified School District, who did not express any concerns regarding the proposed subdivision tract.

- 4. **Parks**
- 5. **Other public facilities?**

FINDING: NO IMPACT:

No impacts related to the provision of other services were identified in review of the project.

XIV. RECREATION

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

FINDING: NO IMPACT:

No significant impacts on recreational resources were identified in the analysis. The proposal is not replacing an existing recreational facility.

XV. TRANSPORTATION/CIRCULATION

- A. **Would the project result in increased vehicle or traffic congestion?**
- B. **Would the project exceed the established level of service standards?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

Additional traffic from the proposed thirteen-lot subdivision required a traffic analysis. The traffic analysis was reviewed by the Design Division of the Fresno County Department of Public Works and Planning. The Design Division commented that based on the traffic generated by this project and on expected Level of Service for this area, it was determined that the project will not significantly impact Country roads and intersections. The applicant, however, is prohibited from having driveway access to and from Marks Avenue due to the arterial classification of Marks Avenue.

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

FINDING: NO IMPACT:

The project will not change or affect air traffic patterns.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Marks Avenue is classified as an arterial road in the Fresno County General Plan. Driveways are not allowed to access Marks Avenue.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

The proposed roads are wide enough to adequately provide emergency access to Caruthers Avenue.

F. Would the project result in inadequate parking capacity?

FINDING: NO IMPACT:

The project will provide adequate off-street parking for the proposed use.

G. Would the project conflict with adopted plans, policies or programs supporting alternative transportation?

FINDING: NO IMPACT:

The project will not conflict with any adopted transportation plans.

XVI. UTILITIES AND SERVICE SYSTEMS

A. Would the project exceed wastewater treatment requirements?

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

FINDING: LESS THAN SIGNIFICANT IMPACTS

The applicant will be required to connect to the Community Services District for sewage services. The applicant will be required to construct new sewer mains along the entire frontage of the property. The proposal shall conform to the district standards and specifications. See Section VIII.A.

C. Would the project require construction of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VIII.C above, Hydrology and Water Quality.

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

FINDING: NO IMPACT:

See discussion in Section VIII.C above, Hydrology and Water Quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Section VI.E under Geology and Soils discusses a mitigation measure related to engineered sewage disposal systems for the project site.

- F. Would the project be served by a landfill with sufficient permitted capacity?**

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

FINDING: NO IMPACT:

The proposal will not create a substantial amount of solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: NO IMPACT

No impacts on biological resources were identified in the analysis. The Department of Fish & Game had no comments or concerns related to this project. The National Diversity Database did not identify any endangered species. Furthermore, wetlands are not located on or near the parcel. The project site is currently undeveloped land zoned for low density residential land uses.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) has reviewed the project and has commented that the entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). The project would contribute to the overall decline in air quality due to construction activity and an increase in traffic. The Air District indicated that the project is subject to several of its adopted mandatory rules and regulations designed to reduce emissions throughout the San Joaquin valley.

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

FINDING: NO IMPACT:

The proposed project consists of a thirteen-lot medium residential subdivision. No impacts were address causing substantial adverse effects on human beings.

CONCLUSION / SUMMARY

Based upon the Initial Study prepared for Tentative Tract Application No. 5676, staff has concluded that the project will not have a significant effect on the environment. Potential impacts related to aesthetics, agricultural resources, population and housing, and recreation are less than significant.

Potential impacts related to air quality will be addressed by compliance with permit requirements and public nuisance rules of the San Joaquin Valley Air Pollution Control District. Potential impacts related to geology and soils and storm water runoff will not be significant with adherence to the Grading, Drainage and Building Sections of the County Ordinance Code and County permit requirements. In order to limit impacts to water quantity, quality, and sewage capacity, the applicant will connect to the Caruthers Community Services District.

Potential impacts relating to noise will be addressed by inclusion of a mitigations measure limiting construction-related activity.

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, Ste. "A", Fresno, CA.

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Inter Office Memo

DATE: September 20, 2007
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12067 - INITIAL STUDY APPLICATION NO. 5525
AND TENTATIVE TRACT MAP APPLICATION NO. 5676

APPLICANT: David Davila
OWNER: David Davila

REQUEST: Allow a residential development consisting of thirteen lots with a minimum parcel size of 6,682 square feet on a 3.41-acre parcel in the R-1 (Single Family Residential, 6,000 square-foot) District.

LOCATION: Located on the south side of W. Caruthers Avenue between S. Marks and Kincaid Avenues, within the unincorporated community of Caruthers. (SUP. DIST.: 4) (APN: 043-201-27).

PLANNING COMMISSION ACTION:

At its hearing of September 20, 2007, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Goodman and seconded by Commissioner Yancey to adopt the Mitigated Negative Declaration prepared for the project; adopt the recommended findings of fact in the Staff Report; and approve Tentative Tract Map Application No. 5676, subject to the conditions listed in staff report and an additional condition requiring the applicant to provide fencing along all property lines that abut neighboring residential properties, as listed in Exhibit "B".

EXHIBIT "A"

Initial Study Application No. 5525
Tentative Tract Map Application No. 5676

Staff: The Fresno County Planning Commission considered the Staff Report dated September 20, 2007, and heard a summary presentation by staff.

Applicant: The applicant's representative concurred with the Staff Report and the recommended conditions. He described the project and offered the following information to clarify the intended use:

- We currently have a will-serve letter from the Caruthers Community Services District.
- We accept the additional condition requiring fencing along the all property lines that abut neighboring residential properties.
- The proposed church, located on the parcel adjacent to the south of the subject property, is currently in the permitting process (Plan Check) with the County and plans should be complete by the middle of October.

Others: No other individuals presented information in support of or in opposition to the project.

Correspondence: One letter was presented to the Planning Commission requesting a barrier to separate the subject property from the neighboring residential property to the northwest, thus requesting the barrier around proposed parcels 1, 4, and 13.

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EXHIBIT "B"

Conditions of Approval

Initial Study Application No. 5525
Tentative Tract Map Application No. 5676

A. MARKS AVENUE:

1. Is classified as an arterial road with 53 feet of right-of-way existing. No additional right-of-way is required.
2. Shall be improved with curb and gutter, a pavement tie and sidewalk in accordance with County Standard A-4 adjacent to Lot 13.
3. Access rights from proposed Lot 13 shall be limited to "RIGHT TURN IN RIGHT TURN OUT" only. An on-site turnaround, "hammerhead" driveway or other means acceptable to the Director of the Department of Public Works so that vehicles do not need to back out onto the County road shall be provided.
4. All conditions of CUP 3036 relating to the improvement of Marks Avenue shall be complied with.

B. CARUTHERS AVENUE:

1. Is classified as a collector road with 30 feet of right-of-way existing south of the centerline. An irrevocable offer of dedication, 5 feet in width is required along the north property line. No other additional right-of-way is required.
2. Shall be improved with curb and gutter, a pavement tie and sidewalk in accordance with County Standard A-2.
3. Direct access rights from proposed Lot 1 & 5 thru 8 shall be relinquished. A non-access barrier acceptable to the director of the Department of Public Works shall be provided.
4. Thirty by thirty-foot corner cutoffs shall be provided at the proposed interior street.

C. INTERIOR ROADS:

1. Shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standard A-1 Case A-1E (50) with 32 feet of base and pavement, 50 feet of right-of-way).
2. Access from the south through the Templo Sinai Church parking lot, shall be limited to church related traffic only. NO "THRU" traffic will be allowed into Tract 5676.
3. The southerly stub street proposed for connection to the adjacent church property shall be gated and only used for ingress/egress purposes.
4. A County Standard B-2 residential cul-de-sac with 50' min. radii shall be provided at the east end of the east/west interior street.
5. Twenty by twenty-foot corner cutoffs shall be provided at the proposed interior street intersection.
6. The interior roads shall be named. The subdivider shall submit name to the Street Name Committee for review and approval prior to final map approval.
7. Street and regulatory signs and markings shall be included in the design in accordance with County Standards.

D. DRAINAGE AND EROSION CONTROL:

1. Provisions shall be made to retain all runoff generated from the developed portion of this tract within one or more drainage basins or other facility acceptable to the Director of Public Works and the Caruthers Community Services District.
2. Any basin proposed within the subdivision shall be built in conformance with County standards and have a volume based upon the formula $V_b = 0.5 \cdot C \cdot A$. Any basin deeper than 18 inches must be enclosed with a 6' high chain link fence or approved equal.

E. MAINTENANCE:

1. A Zone of Benefit in an approved County Service Area or other method acceptable to the Director of Public Works shall be provided for the maintenance of the new roads and storm drain system.
2. The subdivider will be required to secure the maintenance of the new road for a period of one year after the acceptance thereof.

F. FIRE PROTECTION:

1. The design of a fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by Public Works and Planning after consideration of the requirement of the County Fire District for the area.
2. Hydrant spacing and location shall be reviewed and approved by the Caruthers Community Services District.

G. UTILITIES:

1. All new utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance. Any existing utilities within this tract not in conformance with these requirements shall be removed or placed underground.
2. The applicant shall provide adequate right-of-way to PG&E for the existing utilities crossing the property. All right-of-way proposals shall be reviewed and approved by PG&E.
3. Design of water, sewer and storm drainage facilities shall be in accordance with the standards adopted by the Caruthers Community Service District and Fresno County and constructed in accordance with Fresno County Improvement Standards.
4. Plans for these improvements shall be submitted to the Caruthers Community Service District and the County for review and approval.

H. SEWER & WATER SERVICE:

1. Contact the Caruthers Community Services District for all utilities related to sewer and water services and their distribution systems.

I. OTHER CONDITIONS

1. Improvement plans shall be submitted for review and approval by the Department of Public Works and Planning prior to any construction on the site. Engineered plans for the road improvements shall be submitted to the County for review and approval. The initial submittal shall include a soils report which identifies a recommended traffic index, R-value and pavement structural section. Additional R-value testing may be required.
2. All proposed improvements for Marks Avenue shall comply with the mitigations measured outlined in the approved traffic study prepared by TPG Consulting and coordinate with the construction of the Templo Sinai Church.

3. Street trees shall be provided in accordance with the Fresno County Ordinance code. A landscape plan shall be submitted for review and approval prior to the recording of the final map that demonstrates the implementation of energy conservation methods for the subdivision.
- *4. To mitigate potential noise impacts, all noise-generating construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.
- *5. Prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.
6. Fencing shall be required along all property lines where the subject property abuts neighboring residential property.

* MITIGATION MEASURES – Measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.