

Document Root (Read-Only)

Selected Document
(New SCH Number) - MND - Initial Study Application No. 7814 and Classifi... Fresno County Created - 5/12/2020 Submitted - 5/12/2020 Ejaz Ahmad

Document Details

Attachments

Contact

Regions

Counties

Cities

Location Details

Local Action Types

Development Types

Project Issues

Review Agencies

Document Details
Lead Agency Fresno County
Document Type Mitigated Negative Declaration
Document Status Unsubmitted
Title Initial Study Application No. 7814 and Classified Conditional Use Permit Application No. 3672
Project Applicant Riverside Nursery
Present Land Use Grow Yard
Document Description Allow commercial nursery on an 18.5-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the northeastern corner of the intersection of West Shaw and North Chateau Fresno Avenues, approximately 2,050 feet west of the nearest city limits of the City of Fresno (7864 W. Shaw Avenue, Fresno) (SUP. DIST: 1) (APN 505-050-19).

Attachments

CUP 3672 Evaluation of Environmental Impact.pdf

CUP 3672 Initial Study Checklist.pdf

CUP 3672 Mitigation Monitoring.pdf

CUP 3672 MND Draft.pdf

CUP 3672 NOI.pdf

CUP 3672 Notice of Completion.pdf

CUP 3672 Reviewing Agencies Checklist.pdf

CUP 3672 Routing Pkg.pdf

Summary Form for Document Submittal.pdf

Contact

Ejaz Ahmad
County of Fresno
2220 Tulare Street, Suite A, Street Level
Fresno, CA 93721
Phone : (559) 600-4204
Fax : (559) 600-4200
eahmad@fresnocountyca.gov

Regions

(None)

Counties

Fresno

Cities

Fresno

Location Details

Cross Streets

Northeastern corner of the intersection of W. Shaw and N. Chateau Fresno Avenue

Total Acres - 18.5 | Parcel Number - 505-050-19 | Township - 13S | Range - 19E...

Local Action Types

Use Permit

Development Types

Commercial | Other (Commercial)

Project Issues

Aesthetic/Visual | Agricultural Land | Air Quality | Archaeologic-Historic | Biological...

Review Agencies

Air Resources Board | Conservation, Department of | Fish and Wildlife, Region 4 -...

Review Period

Review Started

5/22/2020

Review Ended

6/22/2020

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Initial Study Application No. 7814; Classified Conditional Use Permit Application No. 3672

Lead Agency: County of Fresno

Contact Name: Ejaz Ahmad

Email: eahmad@fresnocountyca.gov Phone Number: 559-600-4204

Project Location: Fresno
City *County*

Project Description (Proposed actions, location, and/or consequences).

Allow commercial nursery on an 18.5-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the northeastern corner of the intersection of West Shaw and North Chateau Fresno Avenues, approximately 2,050 feet west of the nearest city limits of the City of Fresno (7864 W. Shaw Avenue, Fresno) (SUP. DIST: 1) (APN 505-050-19).

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

To minimize any light and glare impact on the surrounding area resulting from outdoor lighting for security at night, the project will adhere to the following Mitigation Measure.

"All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets."

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

None

Provide a list of the responsible or trustee agencies for the project.

Air Resources Board
Department of Conservation
California Department of Fish & Wildlife (Region 4)
Department of Food and Agriculture
Department of Forestry and Fire Protection
Department of Health Services
Regional Water Quality Control Board #5
State Water Resources Control Board Water Quality
US Fish and Wildlife Service
San Joaquin Valley Air Pollution Control District

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Initial Study No. 7814 (Riverside Nursery)

Lead Agency: County of Fresno Contact Person: Ejaz Ahmad
Mailing Address: 2220 Tulare Street, Sixth Floor Phone: (559) 600-4204
City: Fresno Zip: 93721 County: Fresno

Project Location: County: Fresno City/Nearest Community: Fresno
Cross Streets: Northeastern corner of the intersection of W. Shaw and N. Chateau Avenue Zip Code:
Longitude/Latitude (degrees, minutes and seconds): ° ' " N / ° ' " W Total Acres: 18.5
Assessor's Parcel No.: 505-050-19 Section: 8 Twp.: 13S Range: 19E Base: Mt. Diablo
Within 2 Miles: State Hwy #: - Waterways: -
Airports: - Railways: - Schools: -

Document Type:

- CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other:
 Mit Neg Dec Other: FONSI

Local Action Type:

- General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other:

Development Type:

- Residential: Units Acres
 Office: Sq.ft. Acres Employees Transportation: Type
 Commercial: Sq.ft. Acres 18.5 Employees Mining: Mineral
 Industrial: Sq.ft. Acres Employees Power: Type MW
 Educational: Waste Treatment: Type MGD
 Recreational: Hazardous Waste: Type
 Water Facilities: Type MGD Other:

Project Issues Discussed in Document:

- Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other:

Present Land Use/Zoning/General Plan Designation:

Grow yard /AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District/Agriculture

Project Description: (please use a separate page if necessary)

Allow commercial nursery on an 18.5-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the northeastern corner of the intersection of West Shaw and North Chateau Fresno Avenues, approximately 2,050 feet west of the nearest city limits of the City of Fresno (7864 W. Shaw Avenue, Fresno) (SUP. DIST: 1) (APN 505-050-19).

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|---|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # <u>6</u> | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>5</u> |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>4</u> | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Other: <u>US Fish & Wildlife</u> |
| <input checked="" type="checkbox"/> Health Services, Department of | <input checked="" type="checkbox"/> Other: <u>San Joaquin Valley Air Pollution Control District</u> |
| <input type="checkbox"/> Housing & Community Development | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date May 22, 2020 Ending Date June 22, 2020

Lead Agency (Complete if applicable):

Consulting Firm: <u>County of Fresno</u>	Applicant: <u>Riverside Nursery</u>
Address: <u>2220 Tulare Street, 6th Floor</u>	Address: <u>4763 W. Spruce # 111</u>
City/State/Zip: <u>Fresno, CA 93721</u>	City/State/Zip: <u>Fresno CA 93722</u>
Contact: <u>Ejaz Ahmad, Project Planner</u>	Phone: <u>(559) 994-7872</u>
Phone: <u>(550)600-4204</u>	

Signature of Lead Agency Representative:  Date: 05-07-20

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

REVIEWING AGENCIES CHECKLIST

KEY
 S = Document sent by lead agency
 X = Document sent by SCH
 ✓ = Suggested distribution

Resources Agency

- Boating & Waterways
- Coastal Commission
- Coastal Conservancy
- Colorado River Board
- Conservation
- Fish & Wildlife
- Forestry
- Office of Historic Preservation
- Parks & Recreation
- Reclamation
- S.F. Bay Conservation & Development Commission
- Water Resources (DWR)

Business, Transportation & Housing

- Aeronautics
- California Highway Patrol
- CALTRANS District # 6
- Department of Transportation Planning (headquarters)
- Housing & Community Development
- Food & Agriculture

Health & Welfare

- Health Services, Fresno County

State & Consumer Services

- General Services
- OLA (Schools)

Environmental Protection Agency

- Air Resources Board
- APCD/AQMD
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- Regional WQCB # _____ (Fresno County)

Youth & Adult Corrections

- Corrections

Independent Commissions & Offices

- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- California Highway Patrol
- U.S. Fish & Wildlife Service
- S. J. Valley Air Pollution Control District

Public Review Period (to be filled in by lead agency)

Starting Date: May 22, 2020

Ending Date: June 22, 2020

Signature _____



Date _____

05-07-20

Lead Agency: Fresno County
 Address: 2220 Tulare Street, 6th Floor
 City/State/Zip: Fresno, CA 93721
 Contact: Ejaz Ahmad, Planner
 Phone: (559) 600-4204

Applicant: Riverside Nursery
 Address: 4763 W. Spruce # 111
 City/State/Zip Fresno, CA 93722
 Phone: (559) 994-7872

For SCH Use Only:
 Date Received at SCH: _____
 Date Review Starts: _____
 Date to Agencies: _____
 Date to SCH: _____
Clearance Date: _____
 Notes:

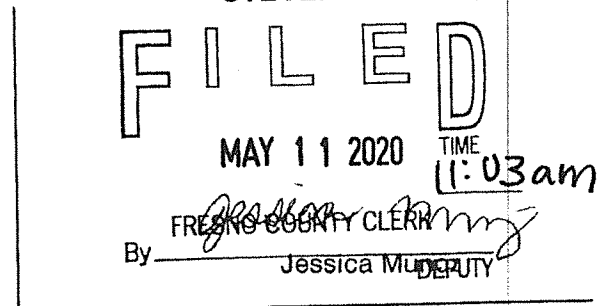


E202010000168

County of Fresno

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

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION



For County Clerk's Stamp

Notice is hereby given that the County of Fresno has prepared Initial Study Application (IS) No. 7814 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY APPLICATION NO. 7814 and **CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3672** filed by **RIVERSIDE NURSERY**, proposing to allow commercial nursery on an 18.5-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the northeastern corner of the intersection of West Shaw and North Chateau Fresno Avenues, approximately 2,050 feet west of the nearest city limits of the City of Fresno (7864 W. Shaw Avenue, Fresno) (SUP. DIST: 1) (APN 505-050-19). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7814 and take action on Classified Conditional Use Permit Application No. 3672 with Findings and Conditions.

(hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Mitigated Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7814 and the draft Mitigated Negative Declaration and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Mitigated Negative Declaration from May 22, 2020 through June 22, 2020.

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

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

IS Application No. 7814 and the draft Mitigated Negative Declaration may be viewed at the above address Monday through Thursday, 9:00 a.m. to 5:00 p.m., and Friday, 8:30 a.m. to 12:30 p.m. (except holidays). An electronic copy of the draft Mitigated Negative Declaration for the Proposed Project may be obtained from Ejaz Ahmad at the addresses above.

E202010000168

*** SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19 ***

Due to the current Shelter-in-Place Order covering the State of California and Social Distance Guidelines issued by Federal, State, and Local Authorities, the County is implementing the following changes for attendance and public comment at all Planning Commission meetings until notified otherwise. The Board chambers will not be open to the public. Any member of the Planning Commission may participate from a remote location by teleconference. Instructions about how to participate in the meeting will be posted to: <https://www.co.fresno.ca.us/planningcommission> 72 hours prior to the meeting date.

Public Hearing

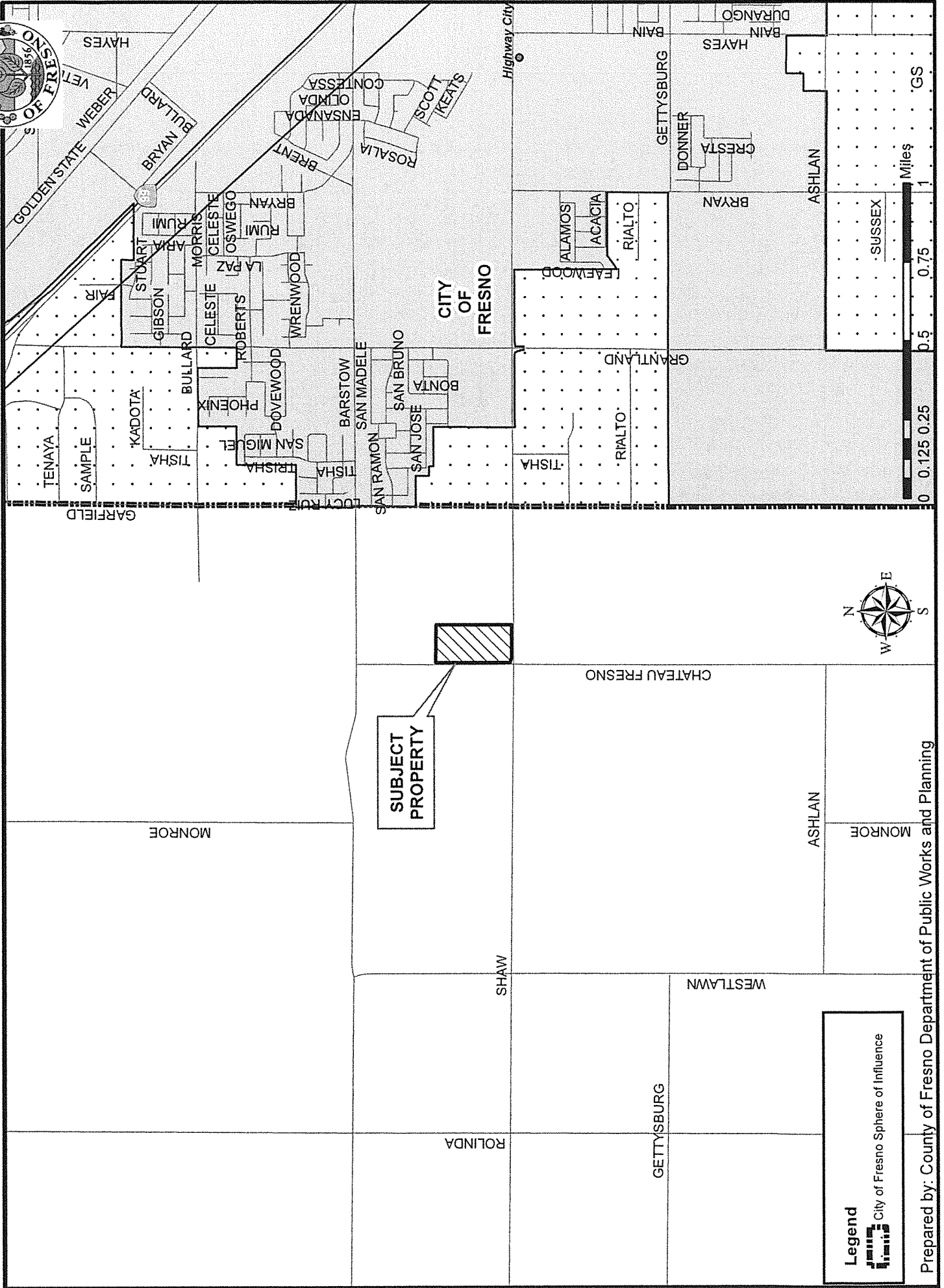
The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Mitigated Negative Declaration on June 25, 2020 at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft Mitigated Negative Declaration.

For questions, please call Ejaz Ahmad at (559) 600-4204.

Published: May 22, 2020

LOCATION MAP

CUP 3672





County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
Initial Study Application No. 7814 and Classified Conditional Use Permit Application No. 3672
2. **Lead agency name and address:**
Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721-2104
3. **Contact person and phone number:**
Ejaz Ahmad, Planner, (559) 600-4204
4. **Project location:**
The subject parcel is located on the northeastern corner of the intersection of West Shaw and North Chateau Fresno Avenues, approximately 2,050 feet west of the nearest city limits of the City of Fresno (7864 W. Shaw Avenue, Fresno) (SUP. DIST.: 1) (APN 505-050-19).
5. **Project sponsor's name and address:**
Riverside Nursery
4763 W. Spruce # 111
Fresno, CA 93722
6. **General Plan designation:**
Agriculture
7. **Zoning:**
AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)
8. **Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
Allow commercial nursery on an 18.5-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**
The subject parcel is in an agricultural area less than one-half mile west of the City of Fresno. The surrounding parcels are improved with orchard and vineyard with single-family residences.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**
None
11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

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

The project site is not in an area determined to be highly or moderately sensitive to archeological finds. Pursuant to Assembly Bill (AB) 52, project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. Staff received no response resulting in no further action on the part of the County.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

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

PERFORMED BY:

REVIEWED BY:



Ejaz Ahmad, Planner



Marianne Mollring, Senior Planner

Date: 4-29-2020

Date: 4-29-20

EA:
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**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study Application No. 7814 and
Classified Conditional Use Permit Application No.
3672)**

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

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

III. AIR QUALITY

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

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

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

V. CULTURAL RESOURCES

Would the project:

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

VI. ENERGY

Would the project:

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

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 2 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 2 ii) Strong seismic ground shaking?
 - 2 iii) Seismic-related ground failure, including liquefaction?
 - 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?
- 2 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- 2 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 2 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, 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, result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

XI. LAND USE AND PLANNING

Would the project:

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

XII. MINERAL RESOURCES

Would the project:

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

XIII. NOISE

Would the project result in:

- 1 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposing people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and

businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES

Would the project:

- 2 a) Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
- 2 i) Fire protection?
1 ii) Police protection?
1 iii) Schools?
1 iv) Parks?
1 v) Other public facilities?

XVI. RECREATION

Would the project:

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

XVII. TRANSPORTATION

Would the project:

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

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

XX. WILDFIRE

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

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 1 a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- 1 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Documents Referenced:

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

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

EA:
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County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Riverside Nursery

APPLICATION NOS.: Initial Study Application No. 7814 and Classified Conditional Use Permit Application No. 3672

DESCRIPTION: Allow commercial nursery on an 18.5-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the northeastern corner of the intersection of West Shaw and North Chateau Fresno Avenues, approximately 2,050 feet west of the nearest city limits of the City of Fresno (7864 W. Shaw Avenue, Fresno) (SUP. DIST: 1) (APN 505-050-19).

I. AESTHETICS

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

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

FINDING: NO IMPACT:

The subject parcel is zoned for agricultural uses and partially improved with a grow yard, a single-family residence and a shop building. The surrounding parcels are improved with orchard and vineyard with single-family residences. The parcel fronts on Shaw and Chateau-Fresno Avenues neither of which are identified as scenic drives in the County General Plan. There are no scenic vistas or scenic resources, rock outcroppings, or historic buildings on or near the site that could potentially be impacted by the project. No impact on scenic resources would occur.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the subject parcel contains a grow yard, a single-family residence and a shop building all of which are owned by the Applicant. Surrounding parcels are improved with orchard and vineyard with single-family residences.

The subject proposal will utilize a two-acre portion of an 18.5-acre parcel as a sales area for the sale of plants, trees, shrubs (both retail sale and wholesale) grown on the parcel along with related agricultural products. A 480 square-foot trailer with customer/employees parking will be used as a sales office and be connected to a new drive access off Chateau-Fresno Avenue. The trailer will be set back approximately 300 feet from Chateaus Fresno Avenue and will not be notably visible from the surrounding parcels. Its visibility will be blocked by existing landscaping along Chateaus Fresno Avenue, including foliage in the sales area, and orchard on adjacent parcels to the east and north of the proposal. The project will have a less than significant visual impact on the surrounding area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

To minimize any light and glare impact on the surrounding area resulting from outdoor lighting for security at night, the project will adhere to the following Mitigation Measure.

* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

FINDING: NO IMPACT:

Per the Fresno County 2016 Important Farmlands Map, the parcel contains Unique Farmland and Farmland of Local Importance. The subject proposal involves raising and selling of nursery stock and would not convert the parcel to a non-agricultural use.

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

FINDING: NO IMPACT:

The subject parcel is not under a Williamson Act Contract and the proposed use is compatible with the agricultural zoning on the property.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is inactive farmland. The proposed use is allowed on land designated for agriculture and will not convert the property to non-agricultural uses.

Per the comments provided by the Fresno County Agricultural Commissioner's Office, a Condition of Approval would require that the applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities in the surrounding of the proposed development.

III. AIR QUALITY

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

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; or
- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The installation of a 480 square-foot trailer as a sales office on the property will generate insignificant amount of short-term construction emissions. Long-term operational emissions will also be insignificant because the project will generate limited, sporadic customer trips to the site. As such, the air quality impacts resulting from the construction or operation of the proposed facility would be less than significant.

The San Joaquin Valley Air Pollution Control District (Air District) expressed no concerns with the project. As such, the project will not be in conflict with the applicable Air Quality Plan, or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, or expose sensitive receptors to substantial pollutant concentrations.

- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

Construction or operation of the proposed project will not generate any objectionable odors. The San Joaquin Valley Air Pollution Control District expressed no concerns related to odor.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: NO IMPACT:

Approximately one-half of the subject property has been pre-disturbed with the existing grow yard and related improvements (single-family residence and a shop building) and the other one-half has been disturbed with prior farming operations. The surrounding parcels currently improved with orchard and vineyards which also have been disturbed with on-going farming activities. The project site and the surrounding area do not provide habitat for state or federally listed species.

The project was routed to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service for comments. Neither agency expressed concerns that the project would affect any candidate, sensitive, or special-status species.

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

FINDING: NO IMPACT:

There are no natural sources of water on the project site. The site contains no riparian features, wetlands or waters under the jurisdiction of the United States. The nearest canal, Herndon No. 39, operated by Fresno Irrigation District is located approximately 1,260 feet north of the project site and will not be impacted by this proposal.

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

FINDING: NO IMPACT:

No wildlife or fish movement features (*e.g.*, waterways, arroyos, ridgelines) or any wildlife nursery sites exist on the project site. Also, the project is not located in a migratory wildlife corridor. No impact would occur.

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

FINDING: NO IMPACT:

The project is not subject to the County tree preservation policy or ordinance.

- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project site is located within an area covered by the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). This HCP applies only to PG&E's activities and will not impact the subject proposal.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or

C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: NO IMPACT:

The project site has been historically farmed and is not in an area determined to be highly or moderately sensitive to archeological finds. No impact on any archeological resources would occur from this proposal.

VI. ENERGY

Would the project:

A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Limited construction activity due to the installation of a 480 square-foot trailer will not result in inefficient, wasteful, or unnecessary energy use. The impact would be less than significant.

B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project development would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

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

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report, the project site is in an area which has 10 percent probability of seismic hazard in 50 years with peak horizontal ground acceleration of zero to 20 percent. The project development will

adhere to building standards, which include specific regulations to protect improvements against damage caused by earthquake and/or ground acceleration.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in an area of landslide hazards. The site is flat with no topographical variations, which precludes the possibility of landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is not in an area of erosion hazards. Grading activities resulting from this proposal may result in loss of some topsoil due to compaction and overcovering of soil. However, the impact would be less than significant with a Project Note requiring that a Grading Permit or Voucher shall be obtained for site grading for the project.

C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: NO IMPACT:

As noted above, the project site is flat with no topographical variations. The site bears no potential for on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse due to the project-related improvements. To ensure the weight-bearing capacity of the soils, a soil compaction report may be required prior to the issuance of building permits for the installation of a trailer on the property.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. Still the project development will implement all applicable requirements of the most recent California Building Standards Code and will consider hazards associated with shrinking and swelling of expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Any new onsite septic system on the property would require permits from the Fresno County Department of Public Works and Planning.

Per the Fresno County Department of Public Health, Environmental Health Division review of the project, a Project Note would require that the applicant consider having the existing septic tanks pumped and have the tank and leach fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years.

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

FINDING: NO IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District does not have an adopted threshold of significance for construction related Greenhouse Gas (GHG) Emissions. Due to limited construction activity resulting from installation of a trailer on the property, the project related construction emissions would be less than significant.

Regarding operation related GHG emissions, the project would generate 10 to 30 customer trips per day. Due to the limited, sporadic traffic trips to the site spread over different hours of a day, the project-related operational emissions would be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to sell plants (both retail and wholesale) produced on-site along with complimentary products such as fertilizers, potting soils and pest control products. The complimentary products, which are minor hazardous materials, are expected to be shipped to the location by the manufacturers and may be sold to the consumers in its original packaging.

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

The nearest school (Herndon-Barstow Elementary School) is approximately 1.2 miles northeast of the project site. Given the distance and the implementation of the above-noted requirements included as Project Notes, the project impact on school facilities would be less than significant.

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

Per the U.S. EPA's NEPAassist, the project site is not listed as a hazardous materials site.

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

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility Plan Update* adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno-Yosemite International Airport, is approximately eleven miles east of the project

site. Because of the distance, the airport will not be a safety hazard or source of excessive noise for the project.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire protection. The project will not expose persons or structures to wildland fire hazards.

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS regarding wastewater discharge.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the subject proposal, a Project Note would require that in an effort to protect groundwater, the applicant shall obtain a permit from the Health Department to destroy all abandoned water wells or septic systems on the parcel within the project area.

Per the State Water Resources Control Board, Division of Drinking Water review of the proposal, the project will be subject to the following Conditions of Approval: 1) No water from the onsite well shall be used to provide water to any member of the public; and 2) drinking water shall be supplied for employees through water bottles.

The Regional Water Quality Control Board, Central Valley Region also reviewed the proposal and expressed no concerns with the project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located within an area of the county defined as being a water short area. The existing grow yard on the property is serviced by an onsite well with a 3,000 gallons storage tank. Water consumption between the grow yard and the subject proposal would be approximately 3,100 gallons per day. The well will provide water to plants and any required restroom facility on the property. Drinking water will be supplied for employees through water bottles.

The Natural Resources and Geology section of the County reviewed the subject proposal and identified no adverse impacts to the water supply. The project was also reviewed by the North Kings Groundwater Sustainability Area (NKGSA). A Project Note would require that NKGSA shall be notified if water demand for the project increases significantly beyond 3,000 gallons of water per day.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1. Result in substantial erosion or siltation on or off site?
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the United States Geological Survey Quad Maps, no natural drainage channel runs through the project site. The Fresno Irrigation District (FID) Active Herndon No. 39 runs 1,260 feet and Flume No. 49 and Alex Pond No. 167 run 1,300 feet north of the project site. A Project Note would require that plans for any development near these facilities shall require FID's review and approval. Likewise, Thornton No. 328 Pipeline runs along the east side of the project site. FID shows this pipeline as active and requires it to be treated as such.

Development of the project will not cause significant changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code. A Project Note would require that any additional runoff generated by the proposed development of this site cannot be drained across property

lines, or into the County road right-of-way, and must be retained on-site.

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

FINDING: NO IMPACT:

The project site is not subject to flooding from the 100-year storm per the Federal Emergency Management Agency FIRM Panel 1545H.

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

FINDING: NO IMPACT:

Fresno County has no Water Quality Control Plan. As such, the subject proposal would not conflict with any such plan. The project is located within the North Kings Groundwater Sustainability Area (NKGSA). See discussion in Section X. B. above for comments from NKGSA.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not divide an established community. The project site is approximately 2,050 feet west of the City of Fresno.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated Agriculture in the Fresno County General Plan and is located outside of the City of Fresno Sphere of Influence. The subject proposal will not conflict with any land use plan, policy, or regulation of the city.

The County General Plan allows the proposed facility in an agricultural area by discretionary land use approval, provided applicable General Plan policies are met.

Concerning Policy LU-A.3, Criteria a. b. c. d., the siting of the proposed plant nursery for retail and wholesale operations on the subject property is appropriate which is an agricultural land within an agricultural area; the nursery will not convert the land to a non-agricultural use; is not located in a water-short area and will use limited water; and can be provided with adequate workforce from the City of Fresno.

Concerning Policy LU-A.12, LU-A.13 and LU-A. 14, the proposed nursery is a use compatible to agricultural uses and requires no separation from surrounding agricultural fields. Regarding Policy PF-C.17, the project will be using limited, 3,100 gallons per day water.

XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is outside of a mineral-producing area of the County.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels; or
- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

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

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or

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

FINDING: NO IMPACT:

The project involves no housing. As such, no increase in population would occur.

XV. PUBLIC SERVICES

Would the project:

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

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the North Central Fire Protection District (NCFPD), the project shall comply with the California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety, and upon County approval of the project and prior to the issuance of the building permits, the applicant shall submit approved plans for NCFPD approval. This requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

The proposed use will not result in the need for police protection, schools, parks or other any public facilities.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or

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

FINDING: NO IMPACT:

The project involves no residential development which may increase demand for neighborhood and regional parks, or other recreational facilities in the area.

XVII. TRANSPORTATION

Would the project:

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

FINDING: NO IMPACT:

The project will not conflict with any policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Located approximately 2,050 feet west of the City of Fresno along Shaw Avenue, the project site is designated as Arterial in the County General Plan. The project area is rural in nature where roadways are not provided with bicycle or pedestrian facilities. However, a portion of Shaw Avenue between Grantland and Dickenson Avenues is planned for bikeway per Rural Bikeway Plan in the Transportation and Circulation Element of the Fresno County General Plan.

According to the Applicant's Operational Statement, the project would generate up to 60 one-way traffic trips (30 round trips) on weekdays and up to a maximum of 120 one-way traffic trips (60 round trips) on weekends. Additionally, there could be up to 12 one-way daily trips (6 round trips) from employees and up to 6 service and delivery vehicle strips (3 round trips) on certain days of the week.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and expressed no concerns related to traffic nor required a Traffic Impact Study for the project.

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is less than one-half mile from the City of Fresno urban improvements. It is reasonable to expect that the project will serve those residing in the immediate vicinity which will help reduce total vehicle miles travelled to other similar facilities in the area the closest of which is approximately 2.8 miles southeast of the proposal. The subject proposal is not inconsistent with the above-noted section of CEQA Guidelines.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project design would result in no change to the existing roadway designs within the project area, which were designed in accordance with Fresno County roadway standards to avoid roadway hazards and other traffic-related hazardous features.

Per the Fresno County Road Maintenance and Operations Division review of the proposal, a Project Note would require that an encroachment permit shall be obtained prior to any work conducted in the County road right-of-way.

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

A paved drive access off Shaw Avenue serves a single-family residence and a gravel drive access off Chateau Fresno Avenue serves a grow yard on the property. With the addition of a third and new access to serve the proposed project, the project site will have adequate number of points of escape during an emergency. No concerns related to emergency access were raised by the North Central Fire Protection District upon its review of the project.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

The subject parcel is not located in an area of moderate or high sensitivity to archaeological finds. Pursuant to Assembly Bill (AB) 52, project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC)

Section 21080.3(b) with a 30-day window to formally respond to the County letter. Staff received no response resulting in no further action on the part of the County.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project will not result in the relocation or construction of new electric power, natural gas, or telecommunications facilities.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

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

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

FINDING: NO IMPACT:

Solid wastes (mostly green waste) will be removed by regular trash collection service and such removal will not be in excess of State and local standards.

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located in or near a State Responsibility Area for wildfire. See discussion above in Section XV. A. 1. PUBLIC SERVICES.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: NO IMPACT:

The project would not degrade the quality of the environment; 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; or reduce the number or restrict the range of an endangered, rare, or threatened species. No impacts on biological or cultural resources were identified in the project analysis.

- B. Have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to

reduce that project's impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural and Forestry Resources or Air quality were identified in the project analysis. Impacts identified for Aesthetics will be mitigated by compliance with the Mitigation Measure listed in Sections I of this report.

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

FINDING: NO IMPACT:

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

CONCLUSION/SUMMARY

Based upon Initial Study No. 7814 prepared for Classified Conditional Use Permit Application No. 3672, staff has concluded that the project will not have a significant effect on the environment.

It has been determined that there would be no impacts to biological resources, cultural resources, mineral resources, noise, population and housing, recreation, tribal cultural resources, or wildfire.

Potential impacts related to agriculture and forestry resources, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics have been determined to be less than significant with the identified Mitigation Measures.

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

EA:
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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7814	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Riverside Nursery	Project Title: Classified Conditional Use Permit Application No. 3672		
Project Description: Allow commercial nursery on an 18.5-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the northeastern corner of the intersection of West Shaw and North Chateau Fresno Avenues, approximately 2,050 feet west of the nearest city limits of the City of Fresno (7864 W. Shaw Avenue, Fresno) (SUP. DIST: 1) (APN 505-050-19).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7814) prepared for Classified Conditional Use Permit Application No. 3672, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to biological resources, cultural resources, mineral resources, noise, population and housing, recreation, tribal cultural resources, or wildfire. Potential impacts related to agriculture and forestry resources, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation and utilities and service systems have been determined to be less than significant. Potential impacts related to aesthetics have been determined to be less than significant with the included Mitigation Measure. The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – May 22, 2020		Review Date Deadline: Planning Commission – June 25, 2020	
Date: May 22, 2020	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No. _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7814
Classified Conditional Use Permit Application No. 3672**

Mitigation Measure					
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning	On-going, for duration of the project

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.

EA:
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County of Fresno

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

DATE: March 11, 2020

TO: * Development Services and Capital Projects, Attn: William M. Kettler, Division Manager
* Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
* Development Services and Capital Projects, Current Planning, Attn: Marianne Mollring, Senior Planner
* Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand, Senior Planner
* Development Services and Capital Projects, Zoning & Permit Review, Attn: Daniel Guitierrez/James Anders, Senior Planners
* Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna
* Development Services and Capital Projects, Building & Safety/Plan Check, Attn: Dan Mather, Chief Building Inspector
* Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
* Road Maintenance and Operations, Attn: Wendy Nakagawa/Nadia Lopez
* Design Division, Transportation Planning, Attn: Brian Spaunhurst/Gloria Hensley
* Water and Natural Resources Division, Attn: Glenn Allen, Division Manager; Roy Jimenez
* Department of Public Health, Environmental Health Division, Attn: Deep Sidhu/Steven Rhodes
Agricultural Commissioner, Attn: Rusty Lantsberger
County Counsel, Attn: Alison Samarin, Deputy County Counsel
* U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Matthew Nelson, Biologist
* CA Department of Fish and Wildlife, Attn: Craig Bailey, Environmental Scientist & R4CEQA@wildlife.ca.gov
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo/Caitlin Juarez
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Chris Acree, Cultural Resources Analyst
Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey/Cultural Resources Director
Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman/Hector Franco, Director/Shana Powers, Cultural Specialist II
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director
* San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor
* Fresno Irrigation District, Attn: Engr-Review@fresnoirrigation.com
* North King GSA, Attn: Kassy D. Chauhan
* North Central Fire Protection District, Attn: George Mavrikis, Fire Marshall

FROM: Ejaz Ahmad, Planner 
Development Services and Capital Projects Division

SUBJECT: Initial Study Application No. 7814, Classified Conditional Use Permit Application No. 3672

APPLICANT: Riverside Nursery

DUE DATE: March 25, 2020

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow horticulture and landscaping services in conjunction with a horticulture wholesale nursery on a 18.51-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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

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

We must have your comments by **March 25, 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, Ejaz Ahmad, 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) 600-4204, or email eahmad@fresnocountyca.gov.

EA:
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Activity Code (Internal Review): 2381

Enclosures



Date Received: 03-09-2020

CUP 3672

Fresno County Department of Public Works and Planning

MAILING ADDRESS: Department of Public Works and Planning, Development Services 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, Toll Free: 1-800-742-1011 Ext. 0-4497

(Application No.)

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, Time Extension for, Director Review and Approval, for 2nd Residence, Determination of Merger, Agreements, ALCC/RLCC, Other

DESCRIPTION OF PROPOSED USE OR REQUEST:

Allow horticulture and landscaping services in conjunction with a wholesale horticulture nursery

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: north side of Shaw Avenue, between Chateau Fresno and Garfield (NE corner of Chateau Fresno and Shaw), Street address: 7864 W. Shaw Avenue, Fresno, CA 93722

APN: 505-050-19, Parcel size: 18.5 acs, Section(s)-Twp/Rg: S 8 - T 13 S/R 19 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 Hutchason Family Trust, Riverside Nursery, and Troy T. Ewell, Esq.

CONTACT EMAIL: tewell@wjhattorneys.com; jhutchason@riversidenursery.com

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: CUP 3672, Fee: \$ 4,569.00, Application Type / No.: Pre-app. Credit, Fee: \$ -247.00, PER/Initial Study No.: IS 7814, Fee: \$ 3,901.00, Ag Department Review: Fee: \$ 93.00, Health Department Review: Fee: \$ 992.00, Received By: EIAZ, Invoice No.:, TOTAL: \$ 9,308.00

UTILITIES AVAILABLE:

WATER: Yes [] / No [], Agency: SEWER: Yes [] / No [], Agency:

STAFF DETERMINATION: This permit is sought under Ordinance Section:

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

Related Application(s): CUP 3527

Zone District: AE-20

Parcel Size: 18.5 acres

APN #, APN #, APN #, APN #



Development Services
and
Capital Projects
Division

Pre-Application Review
Department of Public Works and Planning

NUMBER: 19-109464
APPLICANT: RIVERSIDE NURSERY
PHONE: (559) 275-1891 (Ext. 1)

PROPERTY LOCATION: 7864 W. SHAW AVENUE

APN: 505 - 050 - 19 ALCC: No X Yes# VIOLATION NO. 19-103819

CNEL: No X Yes (level) LOW WATER: No X Yes WITHIN 1/2 MILE OF CITY: No X Yes

ZONE DISTRICT: AE-20 SRA: No X Yes HOMESITE DECLARATION REQ'D.: No X Yes

LOT STATUS:

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

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

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

SCHOOL FEES: No X Yes DISTRICT: CENTRAL UNIFIED PERMIT JACKET: No Yes

FMFCD FEE AREA: () Outside () District No. FLOOD PRONE: No X Yes

PROPOSED: ALLOW HORTICULTURE AND LANDSCAPING SERVICES IN CONJUNCTION WITH A HORTICULTURE WHOLESALE NURSERY WITHIN THE AE-20 ZONE DISTRICT.

COMMENTS:

ORD. SECTION(S): 816.3.K BY: ALBERT AGUILAR DATE: 1/7/20

GENERAL PLAN POLICIES:

LAND USE DESIGNATION: AGRICULTURE () GPA: () MINOR VA:
COMMUNITY PLAN: () JA: () HD: \$997.00
REGIONAL PLAN: () CUP: \$4,569.00 () AG COMM: \$93.00
SPECIFIC PLAN: () DRA: () ALCC:
SPECIAL POLICIES: () VA: () IS/PER: \$3,901.00
SPHERE OF INFLUENCE: () AT: () Viol. (35%):
ANNEX-REFERRAL (LU-G17/MOU): () JT: () Other:

PROCEDURES AND FEES:

Filing Fee: \$ 9,555.00

Pre-Application Fee: \$ 247.00

Total County Filing Fee: \$ 9,802.00

COMMENTS: None

FILING REQUIREMENTS:

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

OTHER FILING FEES:

- () Archaeological Inventory Fee: \$75 at time of filing (Separate check to Southern San Joaquin Valley Info. Center)
- () CA Dept. of Fish & Wildlife (CDFW): (\$50) (\$50+\$2,406.75) (Separate check to Fresno County Clerk for pass-thru to CDFW. Must be paid prior to IS closure and prior to setting hearing date.)

Referral Letter #

BY: [Signature] FAZ AHMAD DATE: 01-24-20

PHONE NUMBER: (559) 680-4284

NOTE: THE FOLLOWING REQUIREMENTS MAY ALSO APPLY:

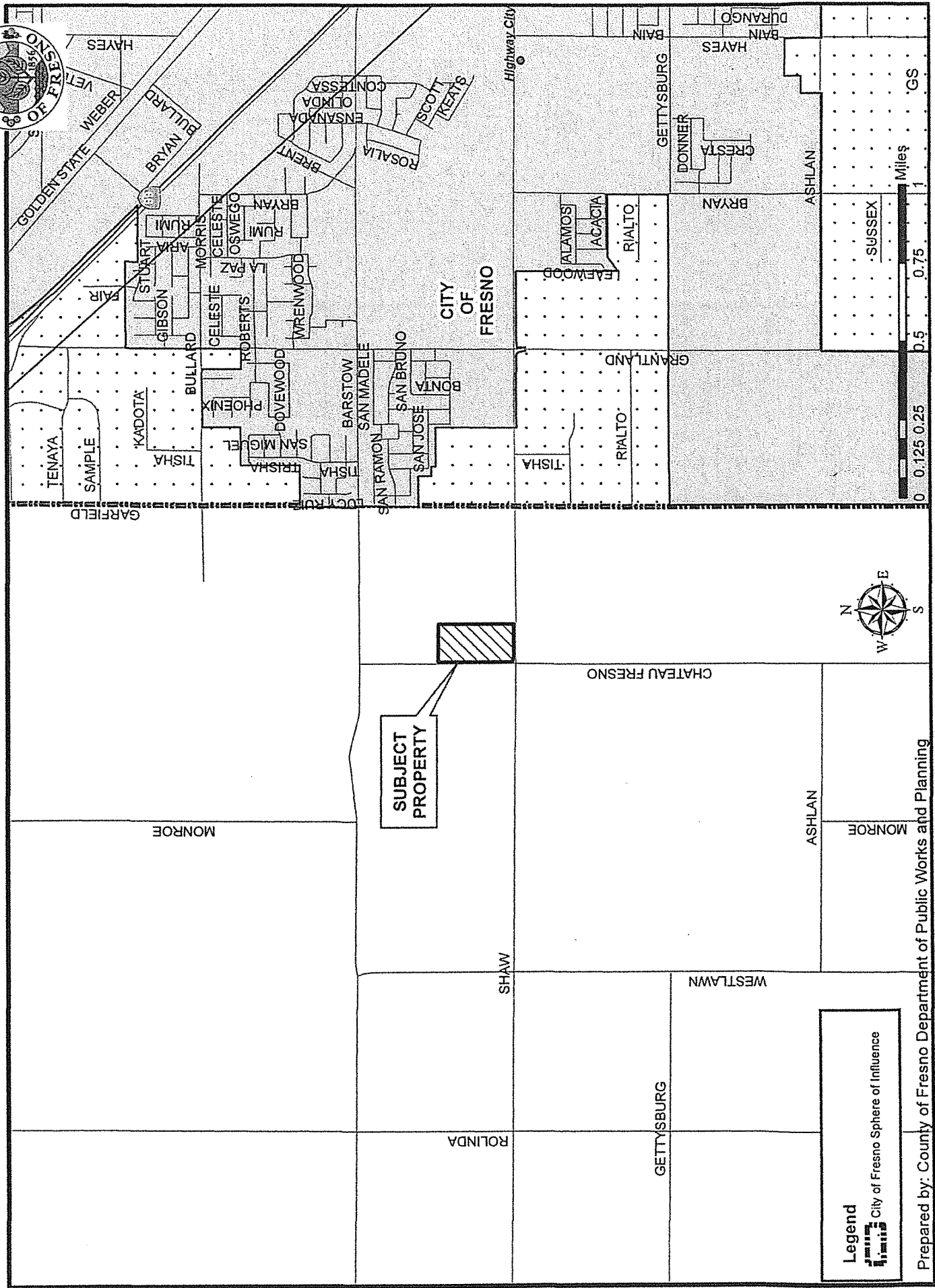
- () COVENANT (X) SITE PLAN REVIEW
- () MAP CERTIFICATE (X) BUILDING PLANS
- () PARCEL MAP (X) BUILDING PERMITS
- () FINAL MAP () WASTE FACILITIES PERMIT
- () FMFCD FEES (X) SCHOOL FEES
- () ALUC or ALCC () OTHER (see reverse side)

PLU # 113 Fee: \$247.00

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

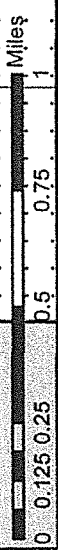
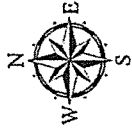
OVER.....

LOCATION MAP



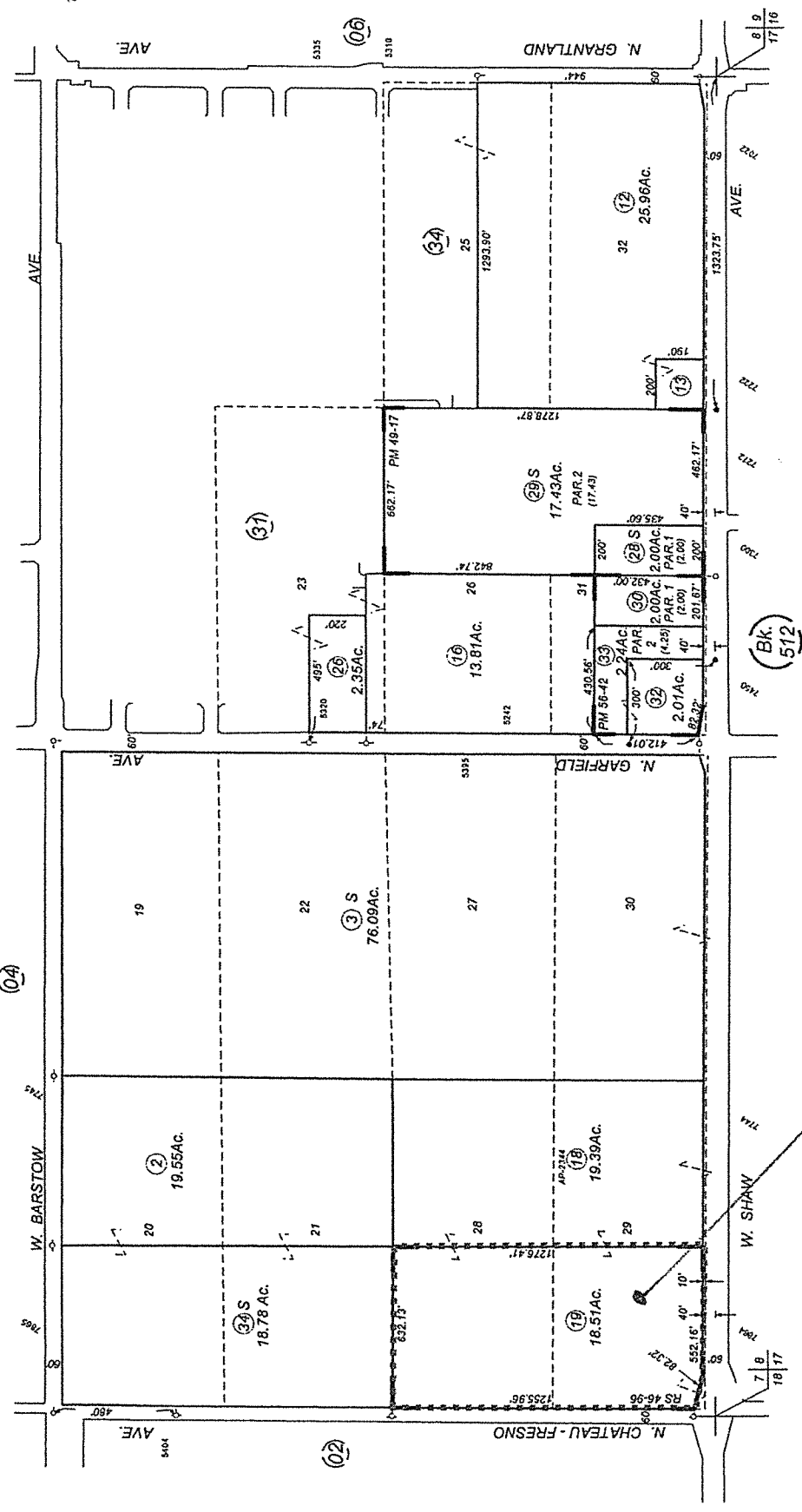
Legend

City of Fresno Sphere of Influence



SUBDIVIDED LAND IN POR. SEC. 8, T.13S., R.19E., M.D.B.&M.

-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
 Muscatel Estate - Plat Bk. 4, Pg. 67, 67A, 67B
 Parcel Map No. 7294 - Bk. 49, Pg. 17
 Record of Survey - Bk. 56, Pg. 42
 Record of Survey - Bk. 10, Pg. 33 All of Sec. 8
 Record of Survey - Bk. 46, Pg. 96

Assessor's Map Bk. 505 - Pg. 05
 County of Fresno, Calif.

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

SUBJ. PROP.

OPERATIONAL STATEMENT

1. Riverside Nursery operated a commercial nursery on Golden State Avenue just north of Shaw for over 35 years. Unfortunately, the California High Speed Rail (CHSR) condemned the Golden State nursery site and forced Riverside to close its business. Riverside also operated a grow yard on the northeast corner of Shaw and Chateau Fresno and used the grow yard to store excess inventory and propagate plants for sale at the nursery. During the negotiation with the CHSR, Riverside explored the possibility of moving the nursery operation to the grow yard site and acquired a CUP (CUP 3527) from the County based on a full scale transition of the business. CHSR had indicated that it would pay for the majority of the required site improvements (estimated to be in seven figures), so the economic risk to Riverside in moving was relatively low. However, CHSR at some point determined that it was unwilling or unable to pay for the improvements as previously indicated it would making the full scale move of the nursery site economically infeasible based on the remote location of the grow yard and the uncertainty whether customers would travel to the new site. Despite Riverside's decision to not move the business to the grow yard site, CHSR did not purchase all of Riverside's inventory existing at the Golden State or grow yard site. So, Riverside transported the inventory to the grow yard for storage.

Riverside now plans to drastically reduce the intensity of its intended operations at the grow yard site. Riverside now plans to utilize a small portion of land, approximately 2 acres of the 18.5 acre site, and current infrastructure of the growing grounds as a sales yard for the inventory left from the displacement and future products it produces. The scope of business will be significantly less than what was originally proposed. The main focus of the business will be to sell plants currently produced on site (both retail and wholesale) along with a small category of complimentary products, such as planter mixes and fertilizers.

2. Riverside will be open to the public from 7:30 am to 4:00 pm Monday through Friday and weekends seasonally, with exceptions for major Holidays.
3. Riverside's daily customer count averages around 10 to 30 customers per day. However, in the peak growing seasons, there may be more customers (up to 50) on a weekend day.
4. Riverside employs between 3 and 6 employees, depending on the season. Most employees work from 7:30 am - 4:00 pm. One family member will live on-site as a caretaker.
5. Riverside has approximately 3 service and delivery vehicles that will be used some days.

6. Presently, access to the existing house on the site is off Shaw Avenue, and access to the remainder of the site is through a driveway entering from Chateau Fresno on the western border of the property. For the proposed operation, Riverside will need to access the site from Chateau Fresno.
7. Riverside would need approximately 20 informal parking stalls for employees and customers. All of the stalls will be unpaved on a large open gravel area.
8. Riverside will be operated as a wholesale Nursery open to the public. Approximately 85 percent of the products sold will be produced on-site; the balance of products (including bulk soils, bark, fertilizers,) will be purchased from outside sources.
9. Riverside uses tractors and skip loaders to load bulk products.
10. Other than the plant material grown on site, Riverside stores a small amount of outdoor landscape items, including, fertilizers, potting soil, pest control products etc. These items are stored in the normal course of inventory predominantly in the packaging provided from the manufacturer.
11. The operation of the nursery and storage of inventory do not cause an unsightly appearance, glare or odor. However, certain activities such as the loading of bulk products may produce minimal dust.
12. The only wastes produced would be recyclable green waste.
13. The quantity of water is not more than what is currently being used. Presently, the site is utilized for a wholesale grow yard, which is serviced by an on-site well with a 3,000 gallon storage tank. The water from this well will only be used to water plants and provide water to flush the portable toilets provided on-site. No water from the well will be used to provide water to any member of the public. It is estimated that approximately 3,000 gallons/day is used to water the plants on-site, depending on the time of year. An additional 50-100 gallons/day is used by the portable toilet. Riverside will establish a station with hand sanitizer for members of the public to use after using the portable toilets. Drinking water is supplied for employees only through a water cooler with 5-gallon water bottles located inside the business trailer, which is not accessible by the public.
14. A small 4' x 8' marquee sign is already installed along Shaw Avenue and should be sufficient for future advertising.

15. We currently have a 55' x 100' metal shop building on-site which we use for storage, not accessible to the public. We also have a 40' x 12' temporary portable trailer that we will use for a sales office.
16. Riverside will use the portable trailer as a sales office.
17. Riverside will have outdoor lighting for security at night.
18. A chain link fence currently surrounds the property, which will be kept for security purposes.
19. See #1 above.
20. Mitch Hutcheson, James Hutcheson, Angela Hutcheson



County of Fresno

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

INITIAL STUDY APPLICATION

INSTRUCTIONS

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

OFFICE USE ONLY

IS No. 7814
Project No(s). CWP 3672
Application Rec'd.:
03-09-2020

GENERAL INFORMATION

- Property Owner: Mitchel L. Hutcherson and Angela Hutcherson Family Trust Phone/Fax: 559-994-7872
Mailing Address: 4763 W. Spruce Ave #111 Fresno CA 93722
Street City State/Zip
- Applicant: Riverside Nursery; Landscape, Inc. Phone/Fax: 559-994-7872
Mailing Address: 4763 W. Spruce Ave #111 Fresno CA 93722
Street City State/Zip
- Representative: Troy T. Ewell, Esq. Phone/Fax: 559-233-4800
Mailing Address: 265 E. River Park Circle, Suite 310 Fresno CA 93720
Street City State/Zip
- Proposed Project: Allied horticulture and landscaping services in conjunction with a horticulture wholesale nursery
- Project Location: Northeast corner of Shaw Avenue; Chateau Fresno
- Project Address: 7864 W. Shaw Avenue, Fresno, CA
- Section/Township/Range: 8 / 13S / 19E 8. Parcel Size: 18.5 Acres (2 ac project site)
- Assessor's Parcel No. 505-050-19

10. Land Conservation Contract No. (If applicable): WID

11. What other agencies will you need to get permits or authorization from: None

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

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

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

13. Existing Zone District¹: AE-20

14. Existing General Plan Land Use Designation¹: Ag

ENVIRONMENTAL INFORMATION

15. Present land use: Crow yard, storage site for landscaping equipment, open ground
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:

Single family residence, metal building, submersible pump, water tank

Describe the major vegetative cover: None

Any perennial or intermittent water courses? If so, show on map: None

Is property in a flood-prone area? Describe:
No

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

North: Agricultural

South: Agricultural

East: Agricultural

West: Agricultural

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

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

19. Transportation:

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

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

B. Daily traffic generation:

I. Residential - Number of Units _____
Lot Size _____
Single Family _____
Apartments _____

II. Commercial - Number of Employees 3-6 (seasonal)
Number of Salesmen -0-
Number of Delivery Trucks 3 (used intermittently)
Total Square Footage of Building _____

III. Describe and quantify other traffic generation activities: 10-30 customers per
day are anticipated to visit the project (Monday through
Friday (7:30-4:00) and seasonally on weekends

20. Describe any source(s) of noise from your project that may affect the surrounding area: None

21. Describe any source(s) of noise in the area that may affect your project: None

22. Describe the probable source(s) of air pollution from your project: None

23. Proposed source of water:

private well

community system³--name: _____

- 24. Anticipated volume of water to be used (gallons per day)²: No additional water - water used already
- 25. Proposed method of liquid waste disposal:
 septic system/individual
 community system³-name _____
- 26. Estimated volume of liquid waste (gallons per day)²: None (Portable toilets)
- 27. Anticipated type(s) of liquid waste: None
- 28. Anticipated type(s) of hazardous wastes²: None
- 29. Anticipated volume of hazardous wastes²: None
- 30. Proposed method of hazardous waste disposal²: N/A
- 31. Anticipated type(s) of solid waste: Recyclable green solid waste
- 32. Anticipated amount of solid waste (tons or cubic yards per day): Varies by season
- 33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): All
- 34. Proposed method of solid waste disposal: Mulching
- 35. Fire protection district(s) serving this area: NCN12
- 36. Has a previous application been processed on this site? If so, list title and date: CUP 3527
- 37. Do you have any underground storage tanks (except septic tanks)? Yes _____ No X
- 38. If yes, are they currently in use? Yes _____ No _____

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

Michael Hutcherson
 SIGNATURE

3-4-2020
 DATE

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

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

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

STATE FISH AND WILDLIFE FEE

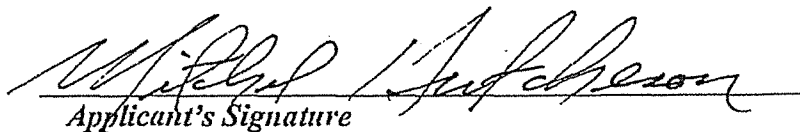
State law requires that specified fees (effective January 1, 2017: \$3,078.25 for an EIR; \$2,216.25 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

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

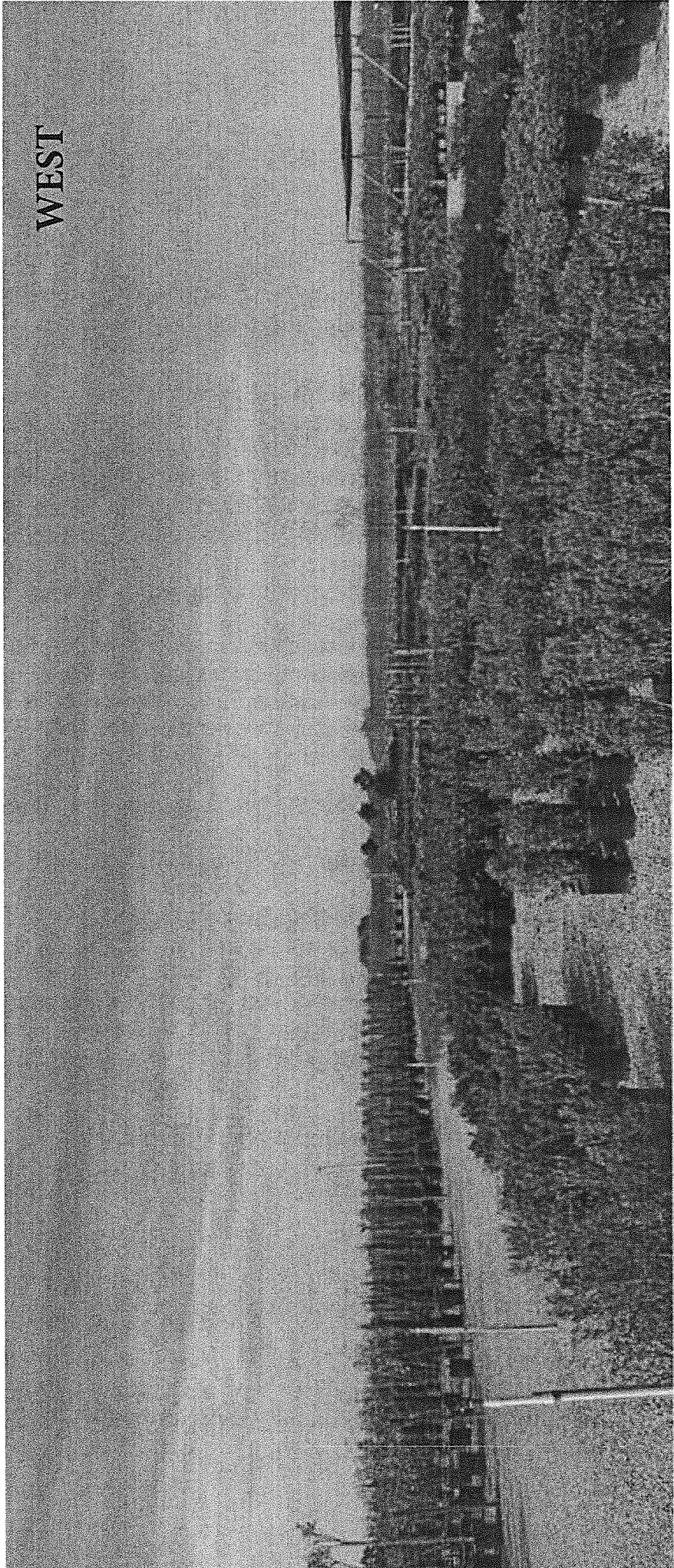
A fee exemption may be issued by CDFW for eligible projects determined by that agency to have "no effect on wildlife." That determination must be provided in advance from CDFW to the County at the request of the applicant. You may wish to call the local office of CDFW at (559) 222-3761 if you need more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

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


Applicant's Signature

3-4-7070
Date

WEST



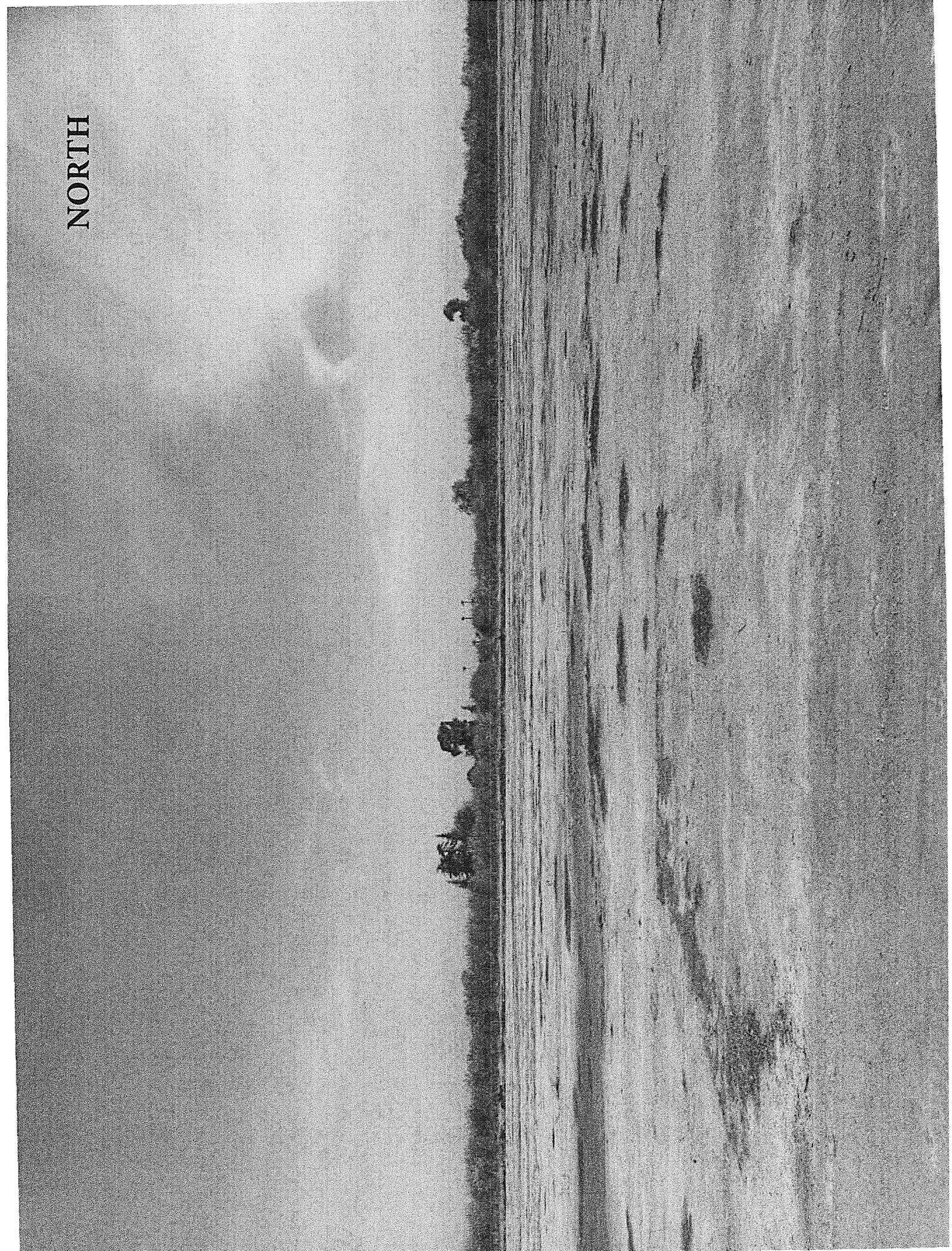
SOUTH



EAST



NORTH



Riverside Landscaping
 1515 North Clovis Street, Suite 202, Fresno, CA 93727
 Phone: (559) 236-1888
 Fax: (559) 278-2977
 riverside@riverside.com

RIVERSIDE NURSERY - SALES YARD
CHATEAU FRESNO & WEST SHAW
 PREPARED FOR:
 MATTHEW HUTCHINSON
 7804 WEST SHAW

NO.	REVISION	DATE

PROJECT: RIVERSIDE NURSERY - SALES YARD

DATE: 11/08/19

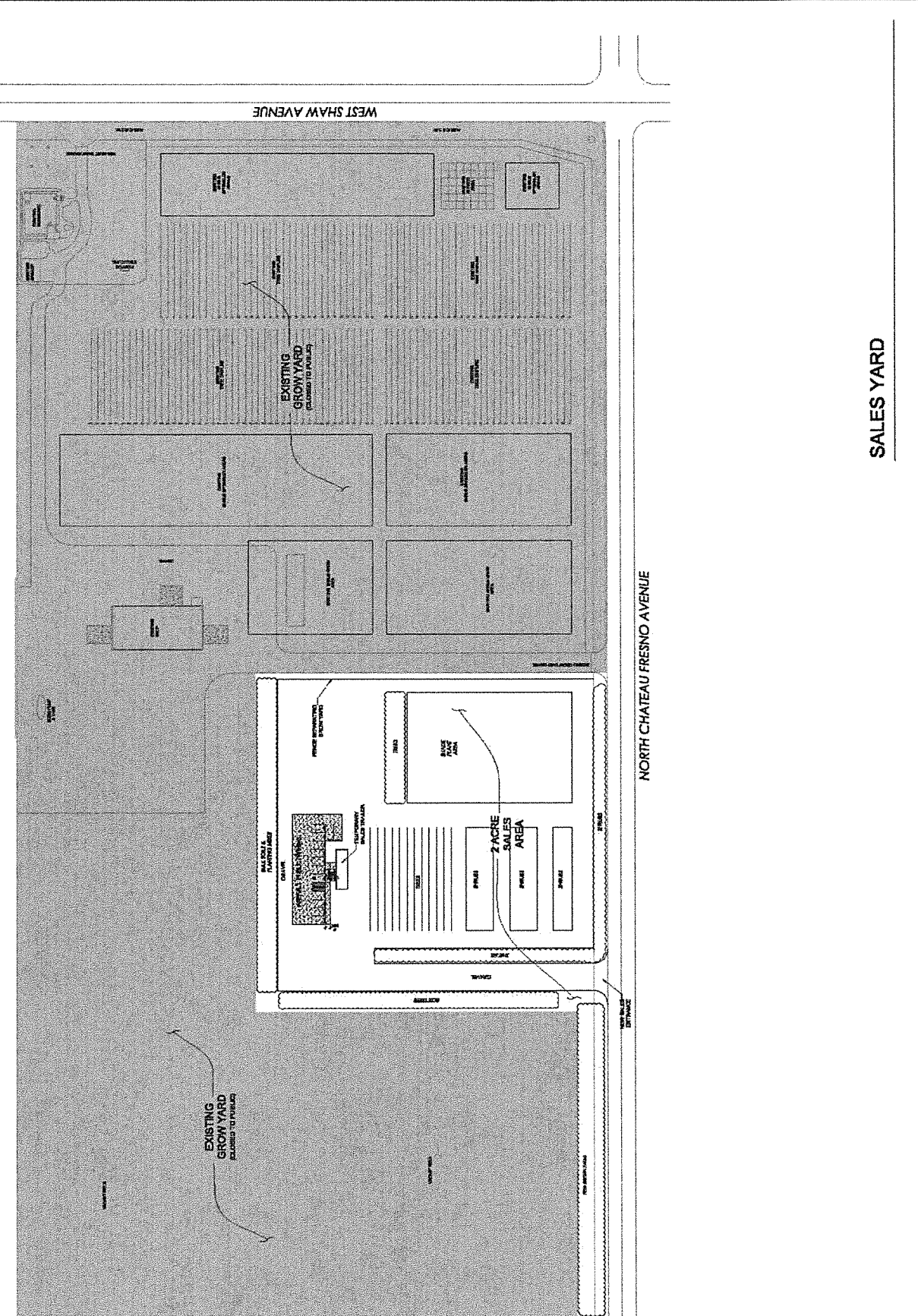
SCALE: 1"=40'-0"

DRAWN BY: E.S.

CHECKED BY: E.S.

PROJECT NUMBER: 1910001

LS1



SALES YARD