



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 June 11, 2020

SUBJECT: Initial Study Application No. 7759 and Unclassified Conditional Use Permit Application No. 3664

Allow a high-intensity park with related improvements for weddings and other venues appropriate and incidental to parks on a 2.13-acre portion of a 19.55-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of S. Brawley Avenue approximately 660 feet south of its intersection with W. Annadale Avenue and 2.5 miles west of the nearest city limits of the City of Fresno (2588 S. Brawley Avenue, Fresno) (SUP. DIST. 1) (APN 327-140-64).

**OWNER/
APPLICANT:** Josh and Allison Verburg

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4204

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7759; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3664 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan/Floor Plan/Elevations
6. Applicant’s Submitted Operational Statement
7. Summary of Initial Study Application No. 7759
8. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	19.55 acres	No change
Project Site	<ul style="list-style-type: none"> • Single-family residence with septic tank and leach fields • Pole barn/pavilion • Agricultural buildings • Driveways off Brawley Avenue • Water well • Grass area 	Allow a high-intensity park with related improvements for weddings and other venues appropriate and incidental to parks on a 2.13-acre portion of a 19.55-acre parcel.
Related Structural Improvements	<ul style="list-style-type: none"> • Single-family residence • Pole barn/pavilion • Agricultural buildings 	<ul style="list-style-type: none"> • 600 square-foot restroom building • Event parking
Nearest Residence	Approximately 50 feet south of south property line of the project site	No change
Surrounding Development	Orchard, single-family residences	No change
Operational Features	None	A high-intensity park with related improvements for weddings and

Criteria	Existing	Proposed
		<p>similar special events on a 2.13-acre portion of a 19.55-acre parcel. The project:</p> <ul style="list-style-type: none"> • Will allow 50 to 250 guests attending one day weekend events for six hours. • Will utilize an existing pole barn and lawn in conjunction with new improvements (restroom building, onsite parking and perimeter fencing).
Employees	N/A	No change
Customers or Visitors	N/A	No change
Traffic Trips	N/A	100 or less trips per event resulting from 50 to 250 guests attending one day weekend event outside of peak hours
Lighting	Inside pole barn/pavilion	String lighting above grass area to be used for outdoor activities – must be compliant with Mitigation Measure 1
Hours of Operation	N/A	One day per week for six hours

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: February 24, 2020

PUBLIC NOTICE:

Notices were sent to 18 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (CUP) may be approved only if five Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission. The decision of the Planning Commission on an Unclassified CUP application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

According to the County permit records, building permits were issued for a dairy facility on a 19.55-acre project site in 1963. The existing improvements related to that dairy include a single-family residence, a pole barn/pavilion, and agricultural buildings of various size scattered throughout the property. The dairy operation was ceased within the past 10 years. The current property owners and the project Applicants reside on the property, and a Grant Deed showing ownership in their name was recorded on August 30, 2018.

The Applicant is proposing to allow the establishment of a high-intensity park for weddings and other venues appropriate and incidental to parks on a 2.13-acre portion of the project site. The proposed improvements, consisting of a 600 square-foot restroom building and onsite parking, will be used in conjunction with the existing improvements (pole barn and grass area adjacent to pole barn) for hosting events. The grass area may also be occupied by a shade tent no larger than 3,000 square feet with building permits issued by the County. Additionally, the 2.13-acre project area (pole barn, grass area, restroom and parking) will be secured by fencing to separate the proposed facility from other improvements on the property. The project area will connect to and utilize the existing ingress and egress to the property off Brawley Avenue.

Finding 1: That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (west property line): 900 feet Side (north property line): 840 feet Side (south property line): 328 feet Rear (east property line): 1,230 feet	Yes
Parking	One (1) parking space for every five (5) permanent seats or one for every 40 square feet of area within the main auditorium or meeting hall	85 parking spaces including four ADA spaces (50 required)	Yes
Lot Coverage	No Requirement	No requirement	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Separation Between Buildings	Six-foot minimum	N/A	N/A
Wall Requirements	No requirement	No requirement	N/A
Septic Replacement Area	100 percent	100 percent	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	Will utilize the existing well on the property	N/A

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvements meet the building setback requirements of the AE-20 Zone District. A Site Plan Review shall be required to ensure compliance with development Standards.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis:

Staff review of the Site Plan demonstrates that the project meets the minimum setback requirements of the AE Zone District. The proposed improvements will be set back approximately 900 feet from the west property line (35 feet required along Brawley Avenue), 840 feet from the north property line (20 feet required), 328 feet from the south property line (20 feet required) and 1,230 feet from the east property line (20 feet required) of the subject property.

The subject property is adequate in size to accommodate the proposed restroom and event parking. Regarding parking, the Zoning Ordinance requires one (1) parking space for every five (5) permanent seats or one for every 40 square feet of area within the main auditorium or meeting hall. According to the Site Plan Review Unit of the Fresno County Department of Public Works and Planning, the project requires 50 parking spaces, including two handicapped-accessible spaces. The Applicant-submitted project Site Plan (Exhibit 5) depicts 85 parking spaces (including four handicapped-accessible spaces), which meets the requirement.

Based on the above information, staff believes that the project site is adequate in size and shape to accommodate the proposal.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 1 can be made.

Finding 2: *That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use*

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Brawley Avenue; fair condition	No change
Direct Access to Public Road	Yes	Brawley Avenue	No change
Road ADT (Average Daily Traffic)		900	Unknown
Road Classification		Local	No change
Road Width		60 feet	No change
Road Surface		Asphalt concrete paved; 21 feet pavement width	No change
Traffic Trips		N/A	100 or less trips per event resulting from 50 to 250 guests attending one-day events outside of peak hours
Traffic Impact Study (TIS) Prepared	No	N/A	No TIS required. In lieu of TIS, a Traffic Management Plan (TMP) is required to demonstrate how the traffic will be handled during events. The TMP will be reviewed and approved by the Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning prior to approval of Site Plan Review.
Road Improvements Required		Brawley Avenue; fair condition	No road improvement required

Reviewing Agency/Department Comments:

Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: A Traffic Management Plan (TMP) shall be prepared for the project to demonstrate how the traffic will be handled during events. This requirement has been included as a Mitigation Measure.

Development Engineering Section of the Fresno County Department of Public Works and Planning: If not already present, a 20-foot by 20-foot corner cut-off shall be improved for sight distance purposes at the existing driveway onto Brawley Avenue. This requirement has been included as a Project Note.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis:

The project site fronts on Brawley Avenue which is an asphalt concrete paved road with pavement width of 21 feet and carries an Average Daily Traffic (ADT) of 900.

Brawley Avenue is designated as a Local road in the County General Plan and has an existing 30 feet of right-of-way east of the section line along the parcel frontage. The minimum width for a Local road is 30 feet. Brawley Avenue meets right-of-way width for a Local road as required by the County General Plan.

As the proposed facility will operate on weekends outside of peak traffic hours, the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning determined no Traffic Impact Study (TIS) is required for the project. However, in lieu of a TIS, the project will require completion of a Traffic Management Plan (TMP) to demonstrate how the traffic will be handled during events. This requirement will be met prior to the approval of a Site Plan Review for the project.

Based on the above information, and with adherence to the Mitigation Measure requiring a TMP and Project Note, staff believes Brawley Avenue will remain adequate to accommodate the traffic generated by the proposal.

Recommended Conditions of Approval:

See Mitigation Measure and Project Notes attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	9.77 acres	Single-family Residence	AE-20	255 feet
South	2.2 acres 32.8 acres	Orchard; Single-family Residence	AE-20	50 feet
East	19.7 acres	Orchard; Single-family Residence	AE-20	795 feet
West	37.6 acres	Orchard; Single-family	AE-20	930 feet

Surrounding Parcels				
		Residence		

Reviewing Agency Comments:

Fresno County Department of Public Health, Environmental Health Division (Health Department): The project-related noise levels shall adhere to the Acoustical Analysis prepared by WJV Acoustics, dated February 7, 2020, and shall not exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards. (Note: This requirement has been included as a Mitigation Measure.)

Demolition of existing structures shall be subject to the following requirements: 1) should the structure have an active rodent or insect infestation, the infestation shall be abated prior to remodel of the structure in order to prevent the spread of vectors to adjacent properties; 2) If asbestos-containing materials are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted; 3) if the structure was constructed prior to 1979, or if lead-based paint is suspected to have been used in these structures, then prior to remodel work the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9, State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted; and 4) any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

A sewage feasibility analysis/engineered septic system shall be reviewed and approved by the Fresno County Department of Public Works and Planning (PW&P) and the septic system shall be installed under permit and inspection by PW&P.

The Uniform Plumbing Code does not allow an impervious surface over the area of the drain field for an individual sewage disposal system. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation or sewer effluent. The location of the onsite sewage disposal area shall be identified and cordoned off to prevent vehicle traffic from driving over, causing damage and possible failure of the septic system. The Applicant should consider having the existing septic tank pumped and have the tank and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years.

The food and beverages shall be provided by a caterer permitted by the Health Department. In the future, if food is proposed to be prepared at the project site, then the Applicant shall submit complete food facility plans and specifications to the Health Department.

These requirements have been included as Project Notes.

Fresno County Agricultural Commissioner's Office: The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities in the surrounding area of the proposed development. This requirement has been included as a Condition of Approval.

Site Plan Review Unit of the Fresno County Department of Public Works and Planning: A dust palliative shall be required on all parking and circulation areas. This requirement has been included as a Condition of Approval.

ADA stall(s) must be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. ADA stalls shall be concrete or asphalt concrete paved and must be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. A four-foot path of travel for disabled persons shall be constructed and striped in accordance with state standards. All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.

Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning: Any work within the road right-of-way to construct a new driveway or improve an existing driveway shall require an encroachment permit from RMO. Any proposed entrance swing gates along Brawley Avenue should be set back a minimum of 20 feet from the road right-of-way of Brawley Avenue, or such other extra depth, to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate. For all access driveways onto Brawley Avenue, the first 100 feet of the roadway or driveway from the public road shall be paved or treated with dust palliative to minimized tracking and dust pollution to County roads.

North Kings Groundwater Sustainability Area: The anticipated groundwater use for the project should be balanced with enough recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft. A Condition of Approval would require that any new landscaping shall comply with MWEL (Model Water Efficient Landscape Ordinance) standards to conserve water.

Fresno County Fire Protection District: The project shall comply with the California Code of Regulations Title 24 – Fire Code, require approval of County-approved site plans by the Fire District prior to issuance of building permits by the County, and annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. A grading permit or voucher shall be required for any grading that has been done without a permit and any grading proposed with this application.

Fresno Irrigation District (FID): FID's Fanning No. 76 runs southwesterly, and crosses Brawley Avenue approximately 1,900 feet north of the subject property. Plans for any street and/or utility improvements along Brawley Avenue or in the vicinity of this pipeline shall require FID review and approval. FID's Fresno Colony No. 24 runs westerly, and crosses Valentine Avenue approximately 2,800 feet southeast of the subject property. Plans for any street and/or utility improvements along Valentine Avenue or in the vicinity of this canal shall require FID's review and approval. Privately-owned canals Arnett No. 248 and Levitt No. 282 that run near the project site are active canals and shall be treated as such.

The above-noted requirements have been included as Project Notes.

San Joaquin Valley Air Pollution Control District; Water and Natural Resources Division of the Fresno County Department of Public Works and Planning; California Department of Transportation; U.S. Fish and Wildlife Service; California Department of Fish and Wildlife; Regional Water Quality Control Board; State Water Resources Control Board, Division of Drinking Water; and Native American Heritage Commission: No concerns with the proposal.

Analysis:

The proposed project entails establishment of a high-intensity park with related improvements for weddings and similar special events on a 2.13-acre portion of a 19.55-acre parcel. The project site is in an area marked by agricultural and residential land uses. Surrounding land uses include single-family residences to the north and cultivated land with single-family residences to the east, south and west of the site.

The existing improvements (single-family residence, pole barn, and agriculture buildings) were previously utilized by a dairy facility on the property. The subject proposal will use a combination of existing and proposed improvements for hosting events. New improvements, consisting of a 600 square-foot restroom and parking, will be used in conjunction with the existing pole barn/pavilion and grass area for outdoor and indoor events/gatherings. Fencing around the 2.13-acre project area will be provided to separate the proposed facility from other improvements on the property (Exhibit 5). Access to the project area will be via the existing ingress and egress to the property off Brawley Avenue.

The Initial Study prepared for this project identified potential impacts to aesthetics, noise and transportation. To mitigate light impact, all outdoor lighting will be hooded and directed downward to avoid glare on adjoining properties. To mitigate noise impact, the project will adhere to the Acoustical Analysis prepared by WJV Acoustics, dated February 7, 2020. To mitigate traffic impact, a Traffic Management Plan (TMP) will be required to demonstrate how the traffic will be handled during events. These requirements have been included as Mitigation Measures (Exhibit 1).

Potential impacts related to agriculture and forestry resources, geology and soils, hazard and hazardous materials, hydrology and water quality, public services have been determined to be less than significant. The project will require acknowledgment of a Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities in the area; an Engineered Grading and Drainage Plan and a Grading Permit or Voucher for site grading; adherence to building standards for protection against earthquake; demolition of any existing structure per the federal, state, and local requirements; compliance with MWELo (Model Water Efficient Landscape Ordinance) standards to conserve water; adherence to the current Fire Code and Building Code and annexation to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. These requirements have been included as Conditions of Approval and mandatory Project Notes and will be addressed through Site Plan Review recommended as a Condition of Approval.

The project site is not in an area determined to be highly or moderately sensitive to archeological resources. Pursuant to Assembly Bill (AB) 52, the project was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria 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. No tribe requested consultation, resulting in no further action on the part of the County.

Based on the above information and with adherence to the Mitigation Measures, recommended Conditions of Approval (including Site Plan Review for design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting) and mandatory Project Notes identified in the Initial Study (IS) prepared for this project and discussed in this Staff Report, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See *Mitigation Measures, recommended Conditions of Approval, and Project Notes attached as Exhibit 1.*

Conclusion:

Finding 3 can be made.

Finding 4: *That the proposed development is consistent with the General Plan*

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3 (Agriculture and Land Use): allows agriculturally-related uses by discretionary permit, provided that they meet the following criteria.</p> <p>a. Criteria LU-A.3. a. states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics.</p> <p>b. Criteria LU-A.3. b. states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity.</p> <p>c. Criteria LU-A.3. c. states that the use shall not have a detrimental impact on water resources.</p> <p>d. Criteria LU-A.3. d. states that a probable workforce should be located nearby or readily available.</p>	<p>Regarding Criteria “a”, the project will provide opportunities for weddings and similar special events to those residing in the west side of the City of Fresno. The outdoor nature of the proposed use requires a sparsely-populated area. The project site is located approximately 2.5 miles west of the City of Fresno urban development and is least suited for agricultural uses. The site previously had a dairy facility.</p> <p>Regarding Criteria “b”, the project site is not productive farmland. The site is classified as Confined Animal Agriculture on the 2016 Fresno County Important Farmland Map suited for poultry facilities, feed lots, dairy facilities and fish farms.</p> <p>Regarding Criteria “c”, the project is not located in a water-short area and will utilize limited groundwater.</p> <p>Regarding Criteria “d”, the project is near the City of Fresno which can provide adequate workforce. The project is consistent with this policy.</p>
<p>General Plan Policy LU-A.12: County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: County shall require buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> <p>Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation shall be required where appropriate.</p>	<p>The subject property is not an active farmland and had a dairy facility in the past. The project will not impact surrounding farmland, in that the 2.13-acre project area sits in the middle of the property and will be fenced off. Additionally, the project will require signing of a covenant to acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities in the area. The project is consistent with this policy.</p>

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</p>	<p>The project site is not in a low-water area and will use limited groundwater (85 gallons per event). Water consumption will mostly be in the restroom and minimal or no use of potable water is expected during events, as catering companies will supply beverages and bottled water to the event participants. Also, the project will utilize the existing landscaping, resulting in no additional water usage for landscaping. To address the North Kings Groundwater Sustainability Area concerns regarding impact on groundwater resources, any new landscaping will be subject to MWELO (Model Water Efficient Landscape Ordinance) standards to conserve water. No concerns related to water quantity, quality, or sustainability were expressed by the State Water Resources Control Board, Division of Drinking Water or the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning. The project is consistent with this policy.</p>
<p>General Plan Policy FP-D.6 requires that the County shall permit onsite sewage disposal systems on parcels that have the area, soils and other characteristics that permit installation of such systems without threatening groundwater quality or posing health hazards.</p>	<p>An individual sewage disposal system will be installed for the proposed restroom. No concerns regarding installation or use of such system were expressed by the Fresno County Department of Public Health, Environmental Health Division. The project is consistent with this policy.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject property is designated Agriculture in the County General Plan. Policy LU-A.3 allows agriculturally-related uses by discretionary permit if they meet certain criteria. Policy LU-A.12 requires protection of agricultural activities from encroachment of incompatible uses; Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations; and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land. Policy PF-C.17 requires evaluation of adequacy and sustainability of the water supply for the project. Policy PF-D.6 requires individual onsite sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality.

Analysis:

As discussed above in General Plan Consistency/Considerations, the subject proposal meets the intent of Policy LU-A.3. Regarding consistency with Policy LU-A.12, Policy LU-A.13, and Policy LU-A.14, the proposed use is compatible with agricultural zoning with discretionary land use approval and will be separated from the adjacent farmland by perimeter fencing. Regarding

consistency with Policy PF-C.17 and Policy PF-D.6, the project will use limited groundwater and will an individual sewage disposal system, having to have no impact on groundwater quality.

Based on the above information, staff believes the proposal is consistent with the Fresno County General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

Finding 5: That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare

Reviewing Agency Comments:

Refer to **Reviewing Agency Comments** in Finding 3 of this report.

Analysis:

As discussed above in Finding 3, the project will comply with the Site Plan Review included as a Condition of Approval in the Resolution. This Condition was deemed necessary to ensure that project-related onsite and offsite improvements are constructed in a manner which protects public health, safety and general welfare. This includes the requirement that site grading be performed according to the County Ordinance Code to protect adjacent properties from flooding hazards; demolition of any existing structure be in accordance with federal, state, and local requirements; new landscaping be subject to water conservation measures; and a right-to-farm notice be recorded regarding inconvenience associated with farming in the project area. Additional conditions deemed necessary to protect public health, safety and general welfare and included in the Resolution require that all outdoor lighting be hooded in order to minimize glare on adjacent roads/properties, the project-related noise levels adhere to the Acoustical Analysis prepared for the project to remain within the applicable County of Fresno daytime noise level standards, and a Traffic Management Plan (TMP) be prepared to demonstrate how the traffic will be handled during events on the property.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 5 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit (CUP) can be made. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Unclassified Conditional Use Permit No. 3664, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7759; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3664, subject to the Conditions of Approval and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state the basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3664; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7759/Unclassified Conditional Use Permit Application No. 3664
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	During project life
2.	Noise	The project-related noise levels shall adhere to the Acoustical Analysis prepared by WJV Acoustics, dated February 7, 2020, and shall not exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards.	Applicant	Applicant/Fresno County Dept. of Public Health, Environmental Health Division	As noted
3.	Transportation	The project proponent shall prepare a Traffic Management Plan (TMP) to show how the traffic will be handled during events. The TMP shall be reviewed and approved by the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning prior to the approval of Site Plan Review.	Applicant	Applicant/PW&P	As noted
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plans, Elevations, and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permits, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include design of parking and circulation areas, access, onsite grading and drainage, fire protection, landscaping, signage and lighting.				
3.	Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of Landscape and Irrigation plans per the Governor's Drought Executive Order of 2015. The Landscape and Irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review Unit for review and approval prior to the issuance of Building Permits.				
4.	The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development.				

EXHIBIT 1

5.	A dust palliative shall be required on all parking and circulation areas.
6.	Prior to setting up any shade tent on the property, building permits shall be obtained from the Building and Safety Section of the Fresno County Department of Public Works and Planning.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period in excess of two years.
2.	Plans, permits and inspections are required for all onsite proposed improvements, including shade tents. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	<p>To address site development impacts resulting from the project, a Site Plan Review is required by the Site Plan Review Unit of the Fresno County Department of Public Works and Planning, including the following:</p> <ul style="list-style-type: none"> • ADA stall(s) must be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. • ADA stalls shall be concrete or asphalt concrete paved and must be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. • A four-foot path of travel for disabled persons shall be constructed and striped in accordance with state standards. • All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. <p>Note: These requirements and those noted below in the Road Maintenance and Operations Division comments will be addressed through Site Plan Review.</p>
4.	<p>To address site development impacts resulting from the project, the Road Maintenance and Operations Division of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • Any work within the road right-of-way to construct a new driveway or improve an existing driveway shall require an encroachment permit from Fresno County Road Maintenance and Operations. • Any proposed entrance swing gates along Brawley Avenue should be set back a minimum of 20 feet from the road right-of-way of Brawley Avenue, or such other extra depth, so as to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate. • For all access driveways onto Brawley Avenue, the first 100 feet of the roadway or driveway from the public road must be paved or treated with dust palliative to minimized tracking and dust pollution to County roads.

Notes

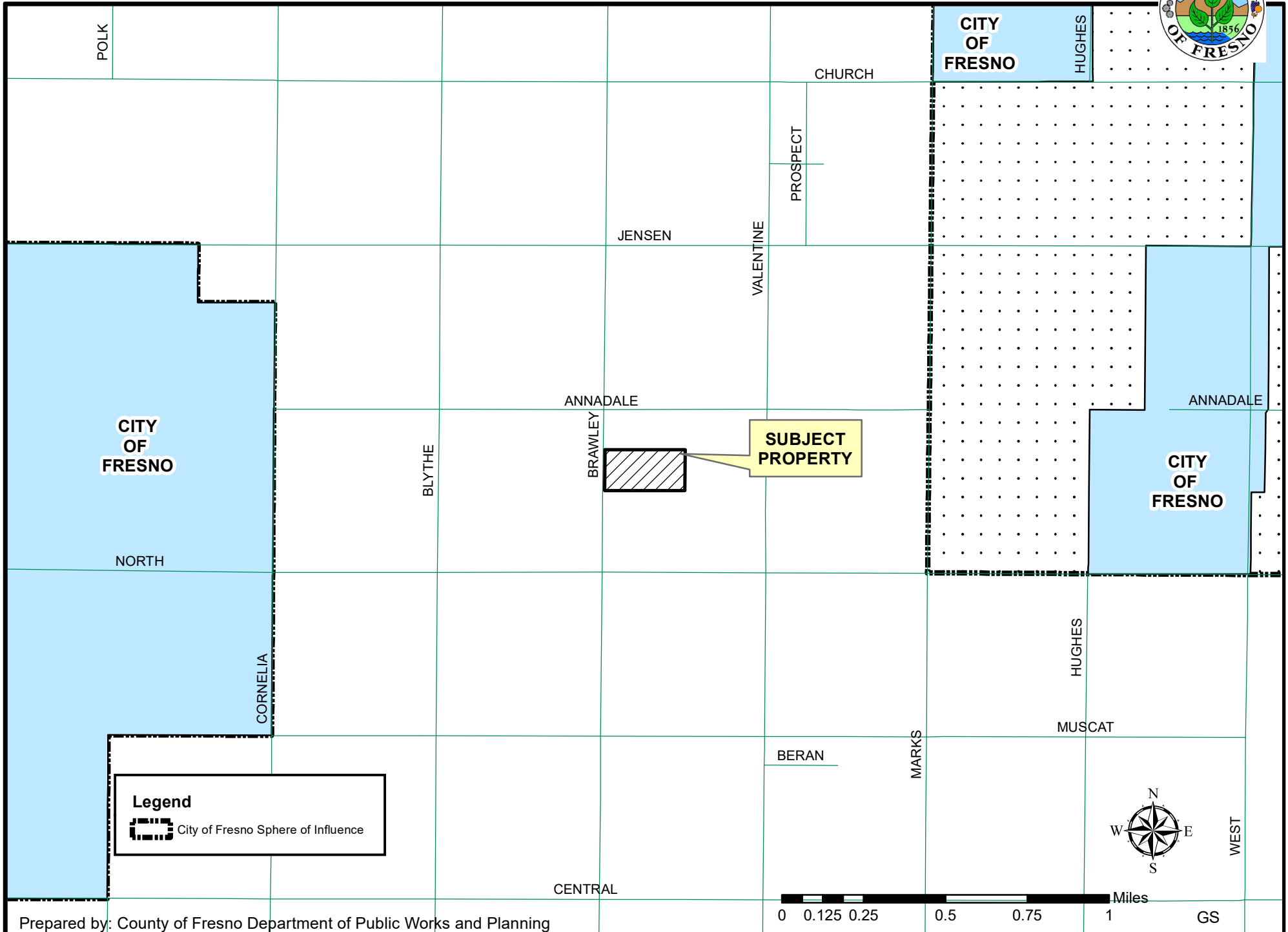
- | | |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. | <p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none">• An Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.• A grading permit or voucher shall be required for any grading that has been done without a permit and any grading proposed with this application.• If not already present, a 20-foot by 20-foot corner cut-off shall be improved for sight distance purposes at the existing driveway onto Brawley Avenue. |
| 6. | <p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires that demolition of existing structures shall be subject to the following requirements:</p> <ul style="list-style-type: none">• Should the structure have an active rodent or insect infestation, the infestation shall be abated prior to remodel of the structure in order to prevent the spread of vectors to adjacent properties;• In the process of demolition of the existing structure, if asbestos-containing materials are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted;• If the structure was constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to remodel work, the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9, State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted; and• Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements. <p>Furthermore:</p> <ul style="list-style-type: none">• A sewage feasibility analysis/engineered septic system shall be reviewed and approved by the Fresno County Department of Public Works and Planning (FCDPP) and septic system shall be installed under permit and inspection by FCDPP.• The Uniform Plumbing Code does not allow an impervious surface over the area of the drain field for an individual sewage disposal system. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation or sewer effluent.• The location of the onsite sewage disposal area shall be identified and cordoned off to prevent vehicle traffic from driving over, causing damage and possible failure of the septic system.• The Applicant should consider having the existing septic tank pumped and have the tank and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.• The food and beverages shall be provided by a caterer permitted by the Fresno County Department of Public Health, Environmental Health Division. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.• In the future, if food is proposed to be prepared at the project site, then the Applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-3357 for more information. |


Notes	
7.	The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving Fresno County Fire Protection District (FCFPD) conditions of approval for the subject application; plans shall be submitted to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD. In addition, the property shall annex to Community Facilities District (CFD) No. 2010-01 of FCFPD.
8.	Fresno Irrigation District's Lower Dry Creek No. 77 runs southwesterly, and crosses Blythe Avenue approximately 3,300 feet northwest of the subject property. Plans for any street and/or utility improvements along Blythe Avenue, Annadale Avenue, or in the vicinity of the canal, shall require FID's review and approval.
9.	Fresno Irrigation District's Fanning No. 76 runs southwesterly, and crosses Brawley Avenue approximately 1,900 feet north of the subject property. Plans for any street and/or utility improvements along Brawley Avenue or in the vicinity of this pipeline shall require FID's review and approval.
10.	Fresno Irrigation District's Fresno Colony No. 24 runs westerly, and crosses Valentine Avenue approximately 2,800 feet southeast of the subject property. Plans for any street and/or utility improvements along Valentine Avenue or in the vicinity of this canal shall require FID's review and approval.
11.	Privately-owned canals Arnett No. 248 and Levitt No. 282, that run near the project site, are active canals and shall be treated as such.

EA:ksn

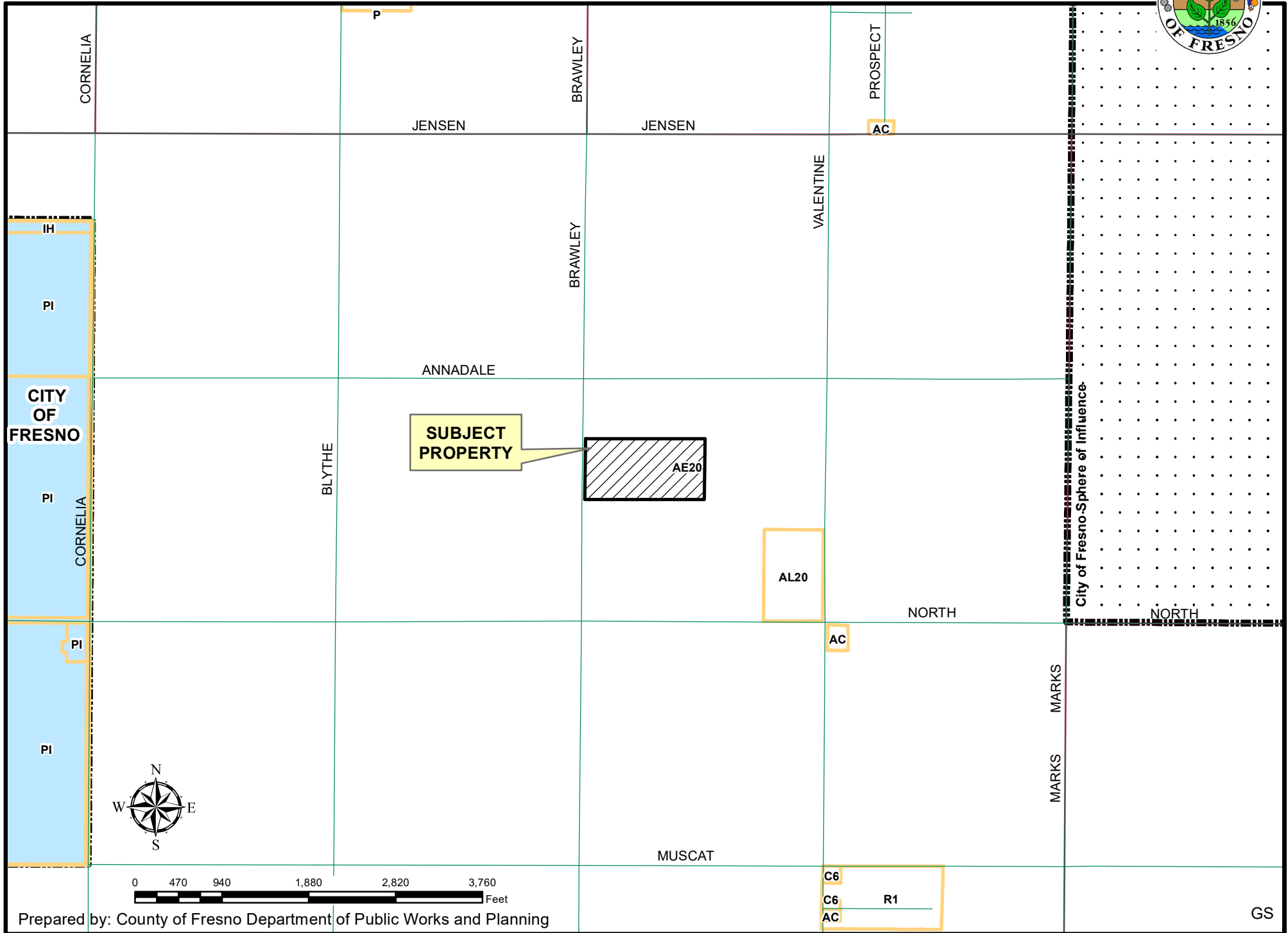
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LOCATION MAP

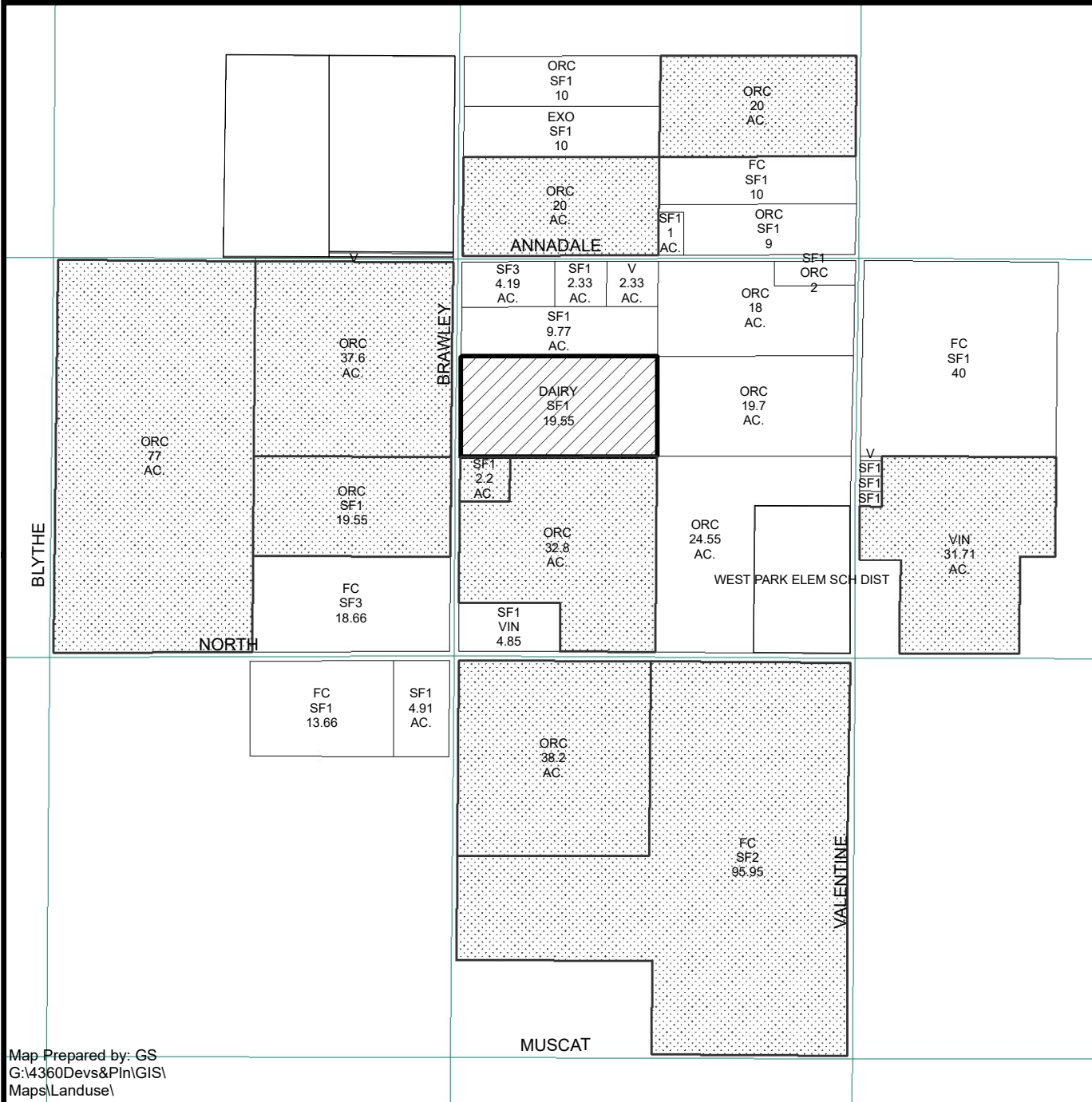


Legend
 City of Fresno Sphere of Influence

EXISTING ZONING MAP



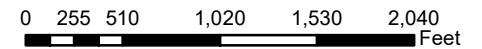
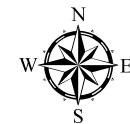
EXISTING LAND USE MAP



LEGEND	
	DAIRY
	EXO - EXOTIC CROP
	FC - FIELD CROP
	ORC - ORCHARD
	SF#- SINGLE FAMILY RESIDENCE
	V - VACANT
	VIN - VINEYARD

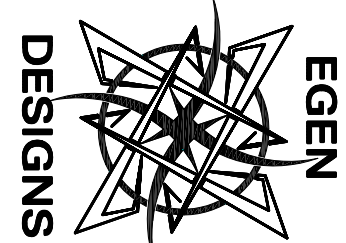
LEGEND:

- Subject Property
- Ag Contract Land



Map Prepared by: GS
 G:\4360Devs&PIn\GIS\Maps\Landuse\

Department of Public Works and Planning
 Development Services Division



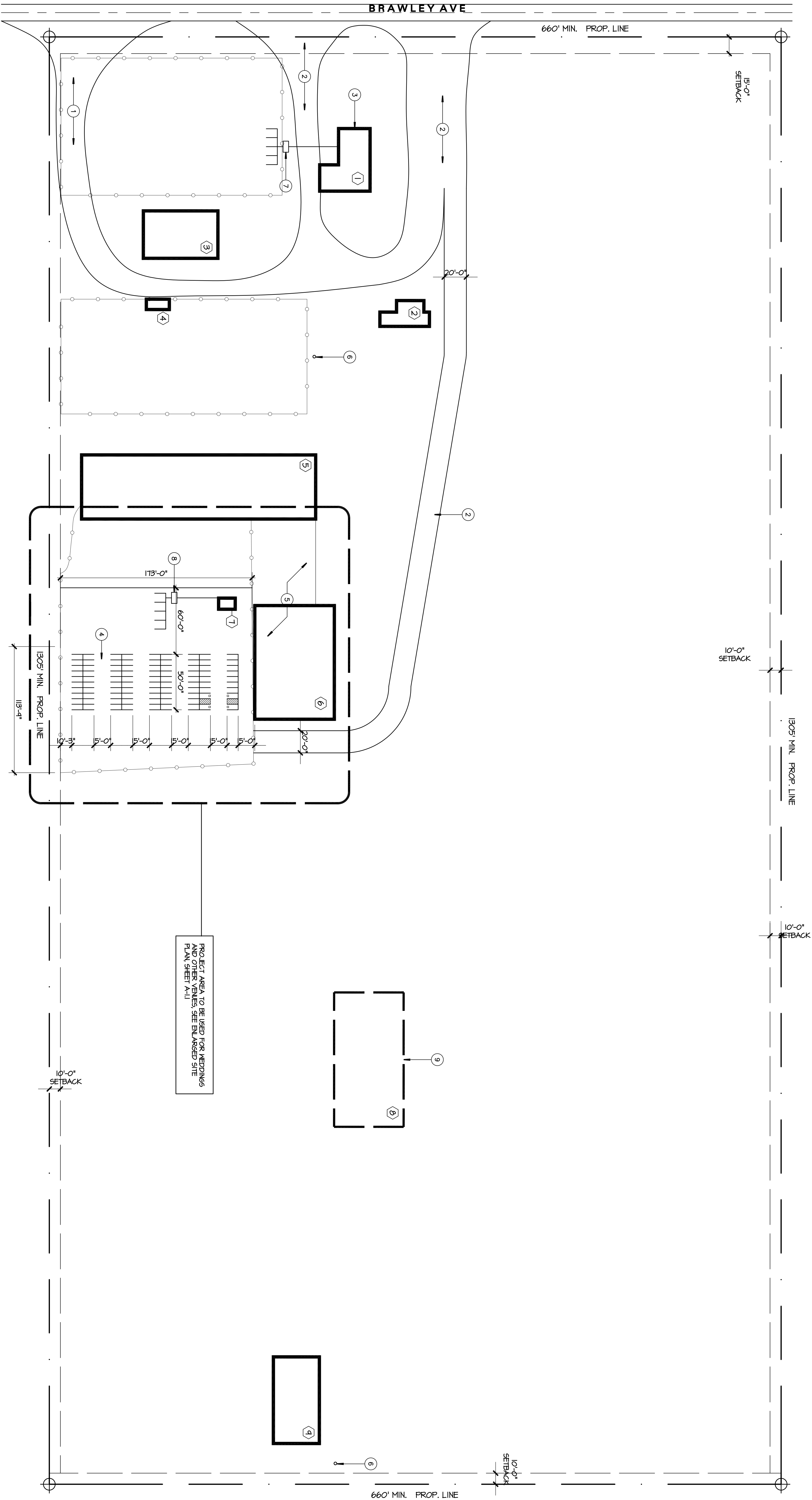
DRAWN BY :
T.H.
JOB NUMBER :
19-005R
DATE :
4/22/2014

VERBURG C.U.P.
2588 S. BRAWLEY AVE.
FRESNO, CA 93706
COUNTY OF FRESNO

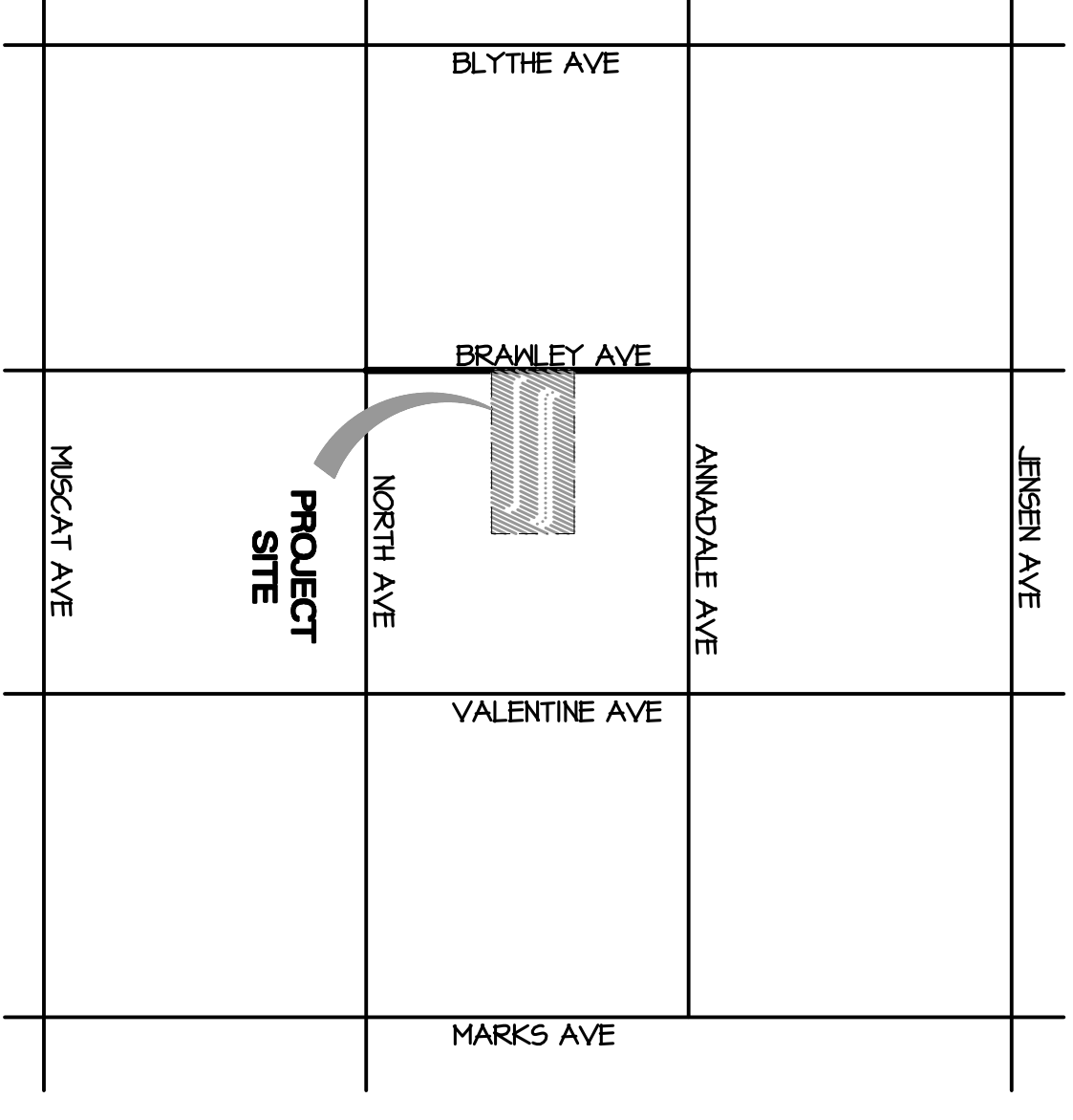
2688 HAMPTON WAY
CLOVIS, CA 93611
PHONE : (559) 433-7788
EMAIL : EGENDSIGN@YAHOO.COM

VERBURG C.U.P.
FRESNO, CALIFORNIA

EGEN DESIGNS COMMERCIAL / RESIDENTIAL DESIGN



VICINITY MAP :



KEY NOTES :

- 1 EXISTING ABANDONED DRIVEWAY AND DRIVE APPROACH
- 2 EXISTING DRIVEWAY
- 3 EXISTING RESIDENCE
- 4 PROPOSED GRASS AREA FOR MEDDINGS
- 5 EXISTING GRASS AREA FOR MEDDINGS
- 6 EXISTING WELL
- 7 EXISTING SEPTIC TANK AND LEACH LINES
- 8 PROPOSED SEPTIC TANK AND LEACH LINES UNDER SEPARATE PERMIT
- 9 EXISTING AS STORAGE BUILDING TO BE REMOVED

SCOPE OF WORK:
MEDDING FACILITY WITH RESTROOM BUILDING AND PARKING FOR APPROX. 200 VISITORS.

GOVERNING CODES :

- 1. ALL WORK AND MATERIAL SHALL BE PERFORMED AND INSTALLED IN CONFORMANCE WITH THE FOLLOWING CODES AND REGULATIONS UNLESS OTHERWISE SPECIFIED IN THESE PLANS. NOTHING IN THESE PLANS IS TO BE CONSIDERED TO PERMIT WORK NOT CONFORMING TO THESE CODES.
- 2. 2016 CALIFORNIA BUILDING CODE
- 3. 2016 CALIFORNIA RESIDENTIAL CODE
- 4. 2016 CALIFORNIA PLUMBING CODE
- 5. 2016 CALIFORNIA MECHANICAL CODE
- 6. 2016 CALIFORNIA ELECTRICAL CODE
- 7. 2016 CALIFORNIA ADMINISTRATIVE CODE
- 8. 2016 CALIFORNIA FIRE CODE & STATE FIRE MARSHAL 2016
- 9. 2016 CALIFORNIA ENERGY CODE & TITLE 24 AND 2016 CALIFORNIA CODE OF REGULATIONS
- 10. CALIFORNIA ENERGY EFFICIENCY STANDARDS (CEEC) 2016
- 11. SAFETY ORDERS OF THE STATE DIVISION OF INDUSTRIAL SAFETY
- 12. CITY ORDINANCES
- 13. COUNTY ORDINANCES
- 14. APPLICABLE SEC. OF THE CA ENERGY CONSERVATION STANDARDS
- 15. 2015 INTERNATIONAL BUILDING CODE

BUILDING DATA :

APN :	020-330-042
LOT SIZE :	861300 SQ. FT. (19.77 ACRES)
CURRENT ZONE :	A6 (VACANT)
ALLOWED USE :	A6
PROPOSED USE :	CLUP (COMMERCIAL)
PARKING REQ'T :	SEE BELOW
LANDSCAPE REQ'T :	N/A
BUILDING TYPE :	V-B
CONSTRUCTION :	HTL. BUILDING OVER CONC. SLAB
BUILDING FOOTPRINT (PROPOSED BUILDING) :	1320 SQ. FT. (RESIDENCE)
BUILDING '1' :	840 SQ. FT. (TO BE REMOVED)
BUILDING '2' :	1800 SQ. FT. (TO BE REMOVED)
BUILDING '3' :	110 SQ. FT. (A6 BLDG.)
BUILDING '4' :	4000 SQ. FT. (A6 BLDG.)
BUILDING '5' :	6000 SQ. FT. (POLE BARN)
BUILDING '6' :	800 SQ. FT. (RESTROOM BLDG.)
BUILDING '7' :	1200 SQ. FT. (TO BE REMOVED)
BUILDING '8' :	3000 SQ. FT. (A6 BLDG.)
BUILDING '9' :	25070 SQ. FT.
TOTAL :	2498

PARKING DATA :

APN :	020-330-042
LOT SIZE :	861300 SQ. FT. (19.77 ACRES)
CURRENT ZONE :	A6 (VACANT)
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TOTAL :	2498

SITE ADDRESS :

2588 S. BRAWLEY AVE.
FRESNO, CA 93706
APN: 020-330-042

PREPARED BY :

EGEN DESIGN, INC.
1250 SUNNYSIDE AVE., SUITE 1106
CLOVIS, CA 93611
PHONE : (559) 433-7788

ENGINEER OF RECORD :

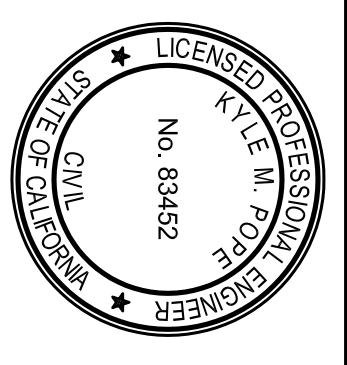
KYLE H. POPE, P.E.
1250 SUNNYSIDE AVE. #1105
CLOVIS, CA 93611
PHONE : (559) 382-5110

OWNER :

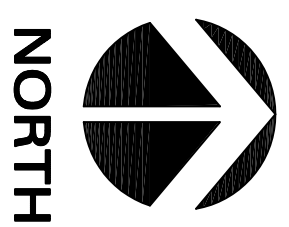
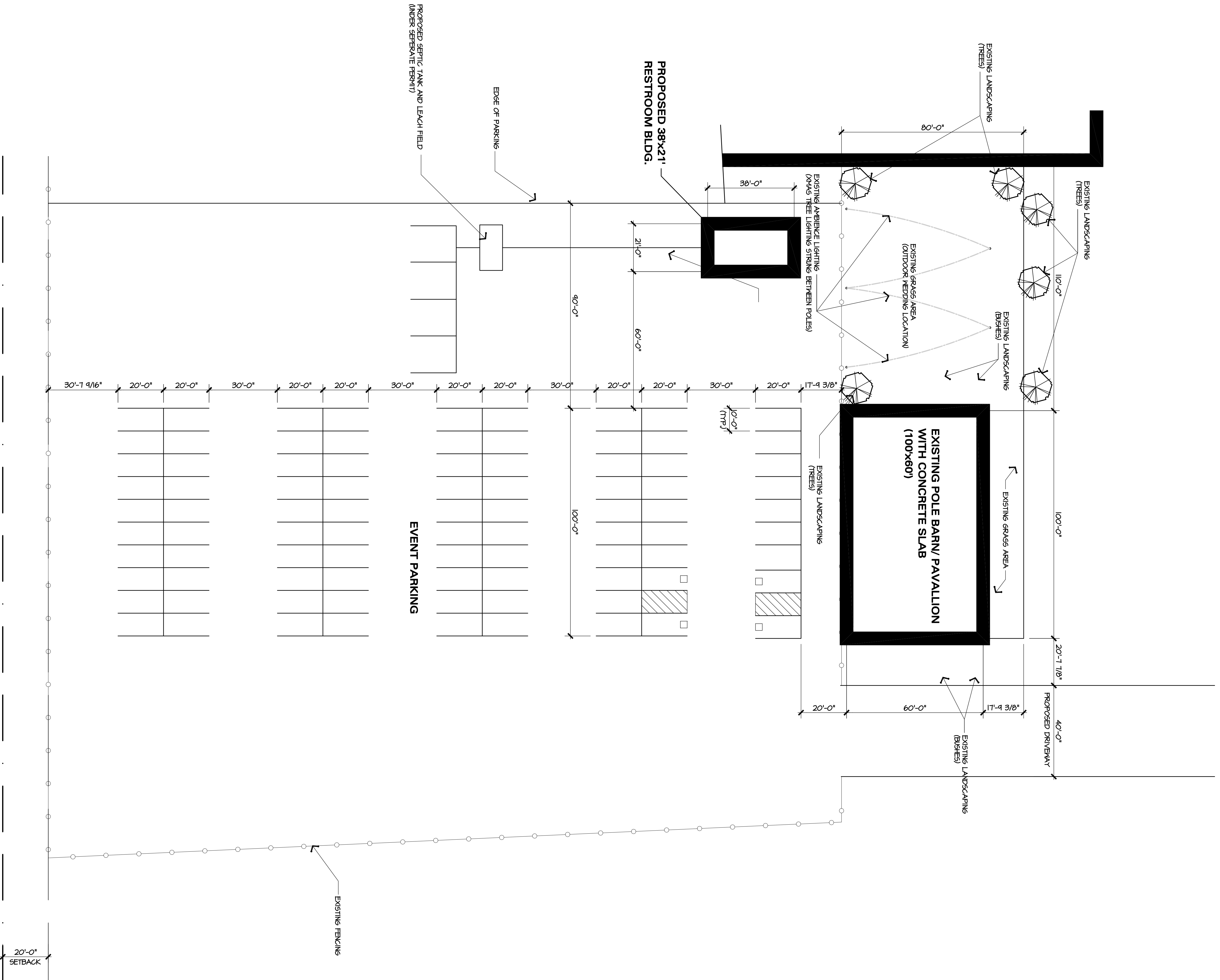
JOSH & ALLISON VERBURG
2588 S. BRAWLEY AVE.
FRESNO, CA 93706
PHONE : (559) 104-9381

GROUND SPEED (MPH)	WIND DESIGN CATEGORY	SEVERE WEATHERING	WINTER DESIGN TEMP	ICE BARRETT REQUIRED	FLOOD HAZARDS	AIR FRICTION INDEX	MEAN ANNUAL TEMP			
0.00	110 C	D	5000+HRS	0 INCHES	VERY HEAVY	28	NO	04/26/03	1500	62.1 DEG.

SITE PLAN
SCALE : 1" = 40'-0"



SHEET NO. **A-1** OF



SITE PLAN

SHEET NO. **A1.1**
OF

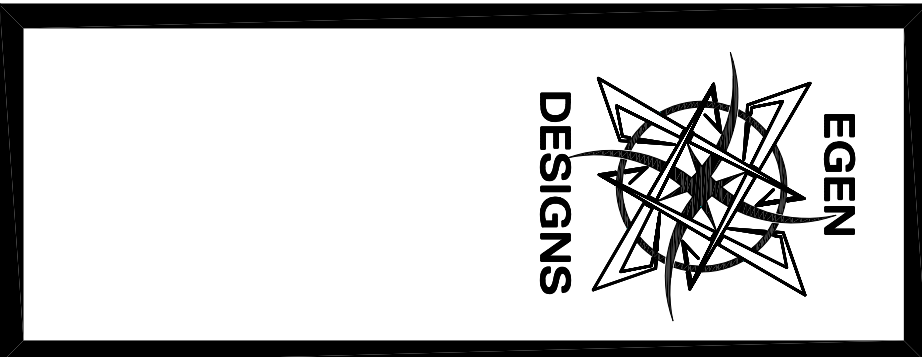
VERBURG C.U.P.
FRESNO, CALIFORNIA

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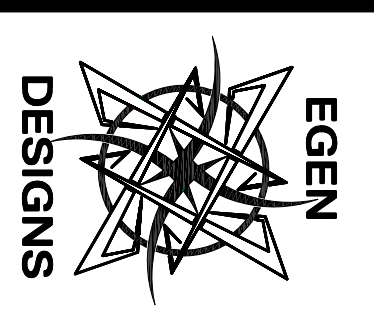
VERBURG C.U.P.
2588 S. BRAWLEY AVE.
FRESNO, CA 93706
COUNTY OF FRESNO

2688 HAMPTON WAY
CLOVIS, CA. 93611
PHONE: (559) 438-7798
EMAIL: EGENDESIGNS@YAHOO.COM

DRAWN BY :
T.H.
JOB NUMBER :
19-005R
DATE :
4/12/2014



REVISIONS :



DRAWN BY :
T.H.
JOB NUMBER :
19-005R
DATE :
4/12/2014

VERBURG C.U.P.
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FRESNO, CA 93706
COUNTY OF FRESNO

2688 HAMPTON WAY
CLOVIS, CA 93611
PHONE : 559-298-1111
EMAIL: EGENDESIGNS@YAHOO.COM

SHEET NO.
A-2
OF

VERBURG C.U.P.
FRESNO, CALIFORNIA

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KEY NOTES :

1. METAL COLUMN, SEE METAL BUILDING DRAWINGS
2. ROOF X-BRACING, SEE METAL BUILDING DRAWINGS
3. VNA
4. 3'-0" x 6'-8" HOLLOW METAL DOOR
5. ACCESSIBLE RESTROOM, SEE RESTROOM DETAILS 4.5.1.1/4.6.1
6. 3'-4" HIGH ACCESSIBLE COUNTERTOP
7. 5'-0" DEEP CONCRETE LANDING/WALK
8. RESTROOM DOOR SLOWS, SEE DETAIL 4(A)/4
9. OMITTED
10. PROVIDE BRAILLE RESTROOM SYMBOLS, SEE DETAIL 4(A)/4
11. HOP SINK, SEE PLUMBING PLAN
12. OMITTED
13. FLOOR DRAIN, SEE PLUMBING PLAN
14. ELECTRICAL SUB-PANEL, SEE ELECTRICAL PLANS
15. CONCRETE FLAT WORK
16. SHEET METAL BUILDING PANELS
17. ROOF CONSTRUCTION ASSEMBLY, METAL ROOF PANELS HANGING FROM BT
18. CROSS BRACING, SEE METAL BUILDING DRAWINGS
19. OMITTED
20. COMPACTED FINISH GRADE.

GENERAL NOTES

1. CONTRACTOR TO VERIFY ALL DIMENSIONS IN FIELD AND REPORT ANY DISCREPANCIES TO THE DESIGNER PRIOR TO ANY CONSTRUCTION.
2. CONTRACTOR TO VERIFY ALL CONDITIONS AT WHERE EXISTING MATERIALS MEET NEW FINISH MATERIALS.
3. GENERAL CONTRACTOR SHALL INTERFACE WITH PLUMBING, MECHANICAL, AND ELECTRICAL PLANS TO CONFIRM ANY SPECIFIC REQUIREMENTS OF ALL FINISHED FURNISHINGS SHOWN ON PLANS.
4. GENERAL CONTRACTOR IS RESPONSIBLE TO COORDINATE ALL ROOFING AND BRACING LOCATIONS AND REQUIREMENTS WITH ARCHITECT'S FINISHES & FINISH SCHEDULE.
5. SEE PLUMBING PLAN FOR FURTHER NOTES, DETAILS, AND SCHEDULE.
6. SEE ELECTRICAL PLAN FOR FURTHER NOTES, DETAILS, AND SCHEDULE.
7. SEE ACCESSIBILITY SHEET A-1 FOR ACCESSIBLE MOUNTING HEIGHTS AND NOTES.
8. PROVIDE A 10" HIGH SOLID PANEL AT THE BOTTOM OF DOOR, CBC 11B-404.2.10.
9. PROVIDE A 60 INCH CLEAR LANDING ON RAMP SIDE OF RESTROOM DOOR, CBC 11B-404.2.4.1.
10. PANELS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST AND SHALL NOT REQUIRE A FORCE GREATER THAN 5 LBS TO OPEN. PROVIDE THE CONTROLS, CBC 11B-501.1.2(2) 11B-501.2 AND CBC 11B-501.2.

WALL LEGEND :

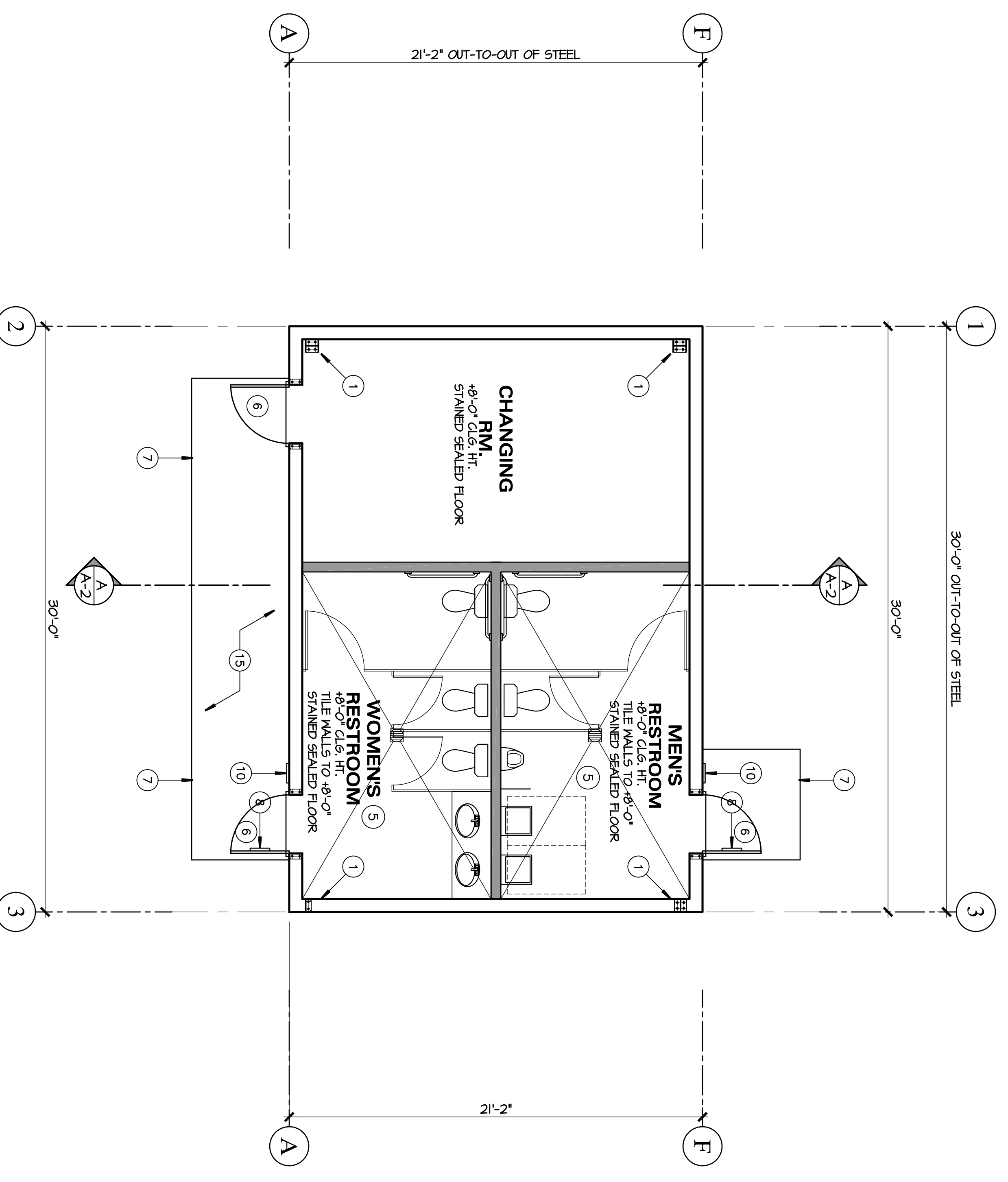
- EXTERIOR WALL
1 1/2" x 5 1/2" 16 GA. METAL STUDS @ 16" O.C.
W/ HTL. SIDING ON EXTERIOR
SEE METAL BUILDING DRAWINGS
- INTERIOR WALL
1 1/2" x 5 1/2" 16 GA. METAL STUDS @ 16" O.C.
W/ 1/2" 5/16" BD. BOTH SIDES

BUILDING DATA :

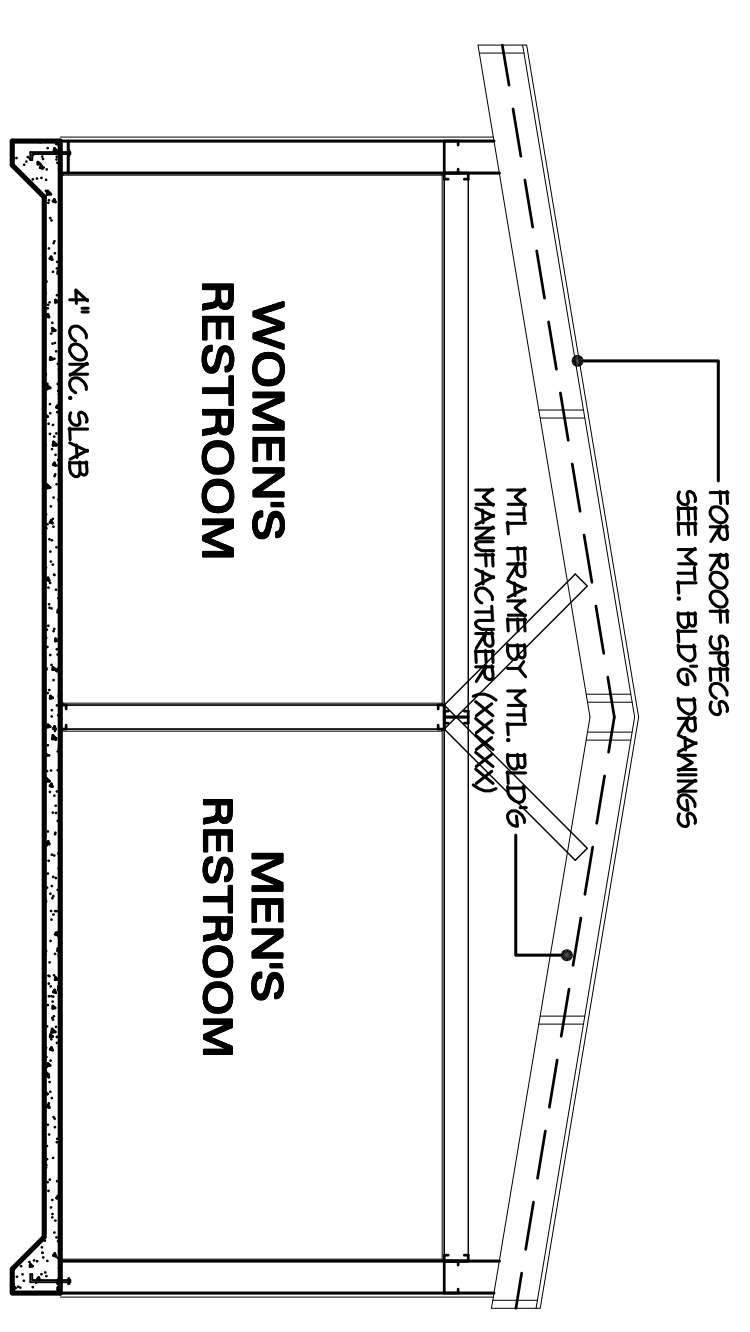
FLOOR AREA : 635 SQ. FT.
OCCUPANCY GROUP : U
OCCUPANCY LOAD : SEE SITE PLAN SHT. A-1
CONSTRUCTION TYPE : III-B (NON-FRANKLINED)
EXITS : (1) ONE EXIT REQUIRED (MIN)

SEE STRUCTURAL FOR ANCHORAGE AT ALL WALLS.
SEE EXTERIOR ELEVATIONS FOR FINISH.
ALL INTERIOR PAINT FINISH AND EXTERIOR COLOR PER OWNER.

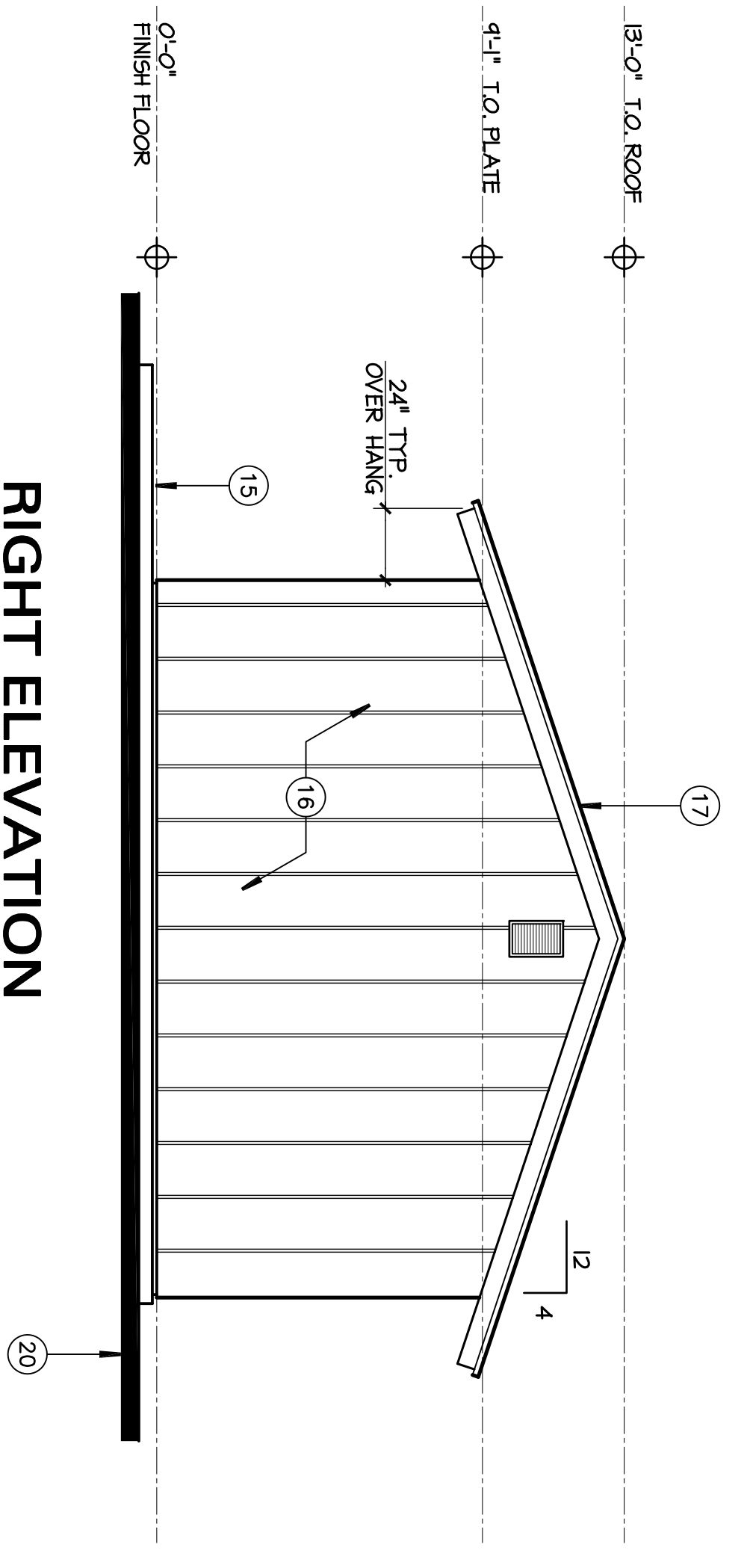
FLOOR PLAN



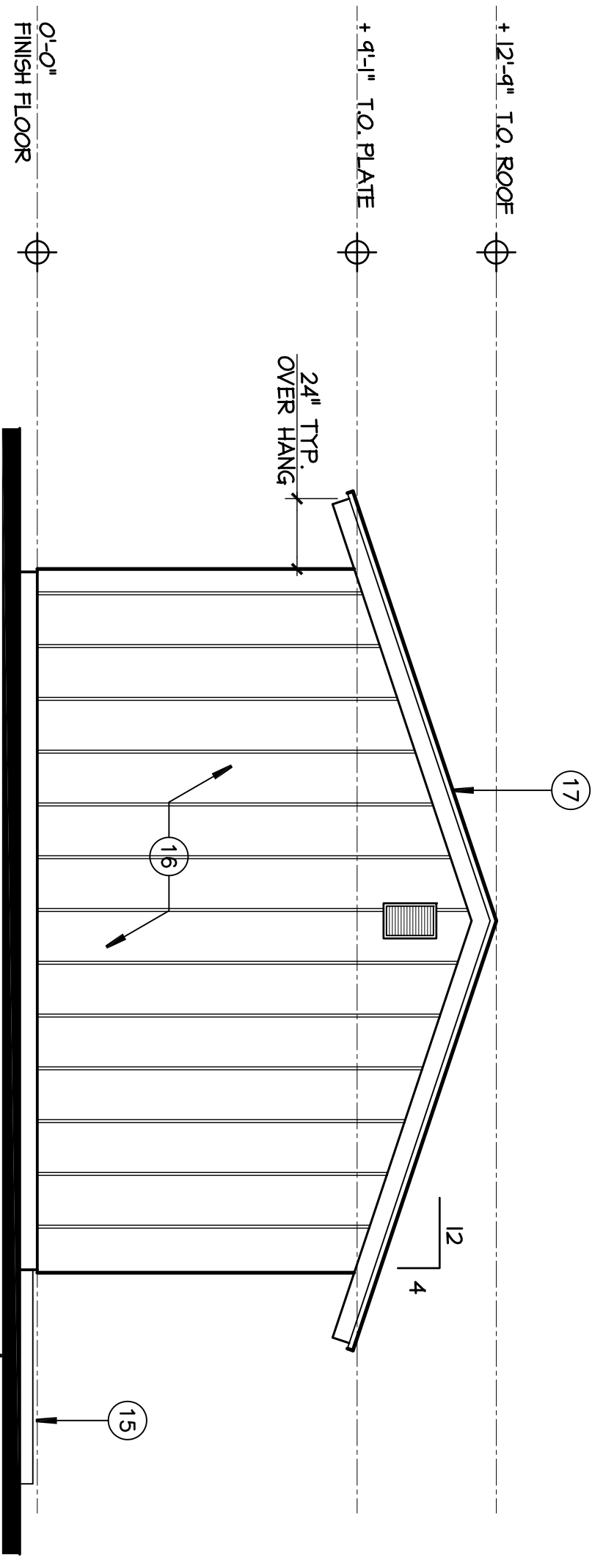
SECTION A



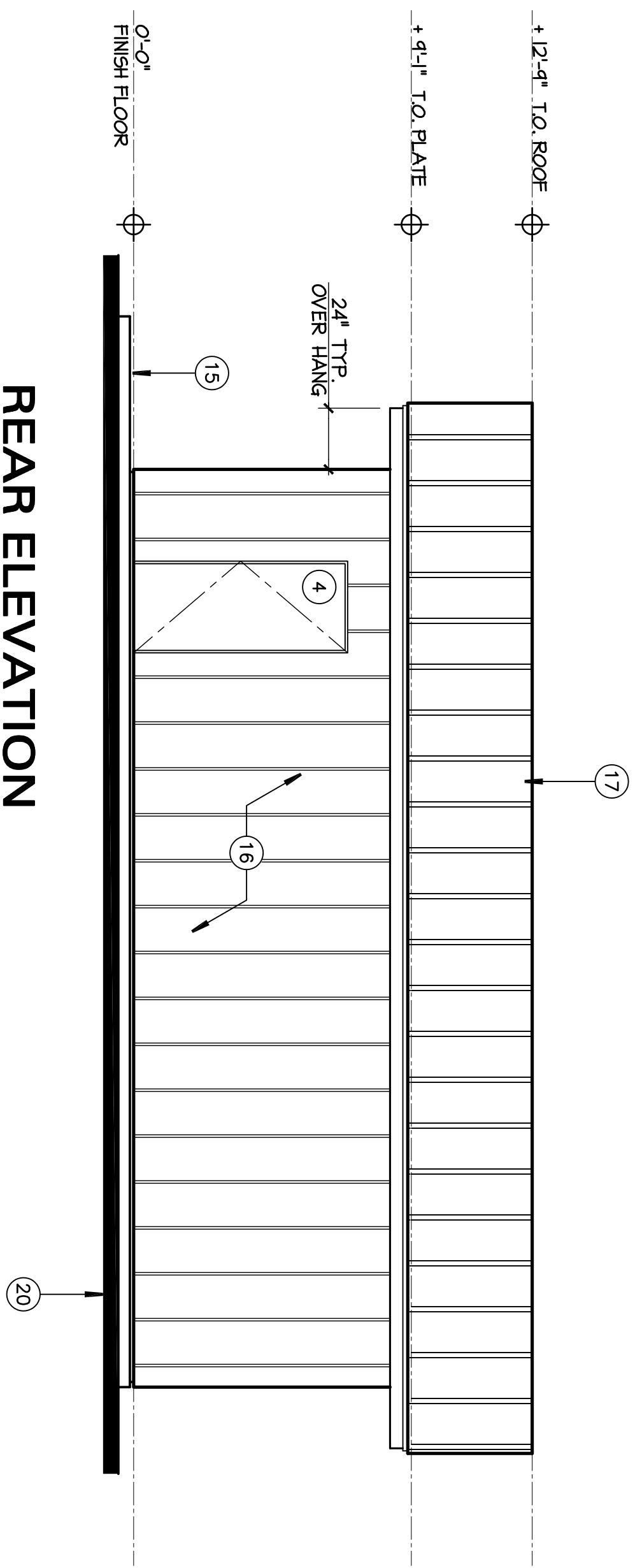
**RIGHT ELEVATION
FACING EAST**



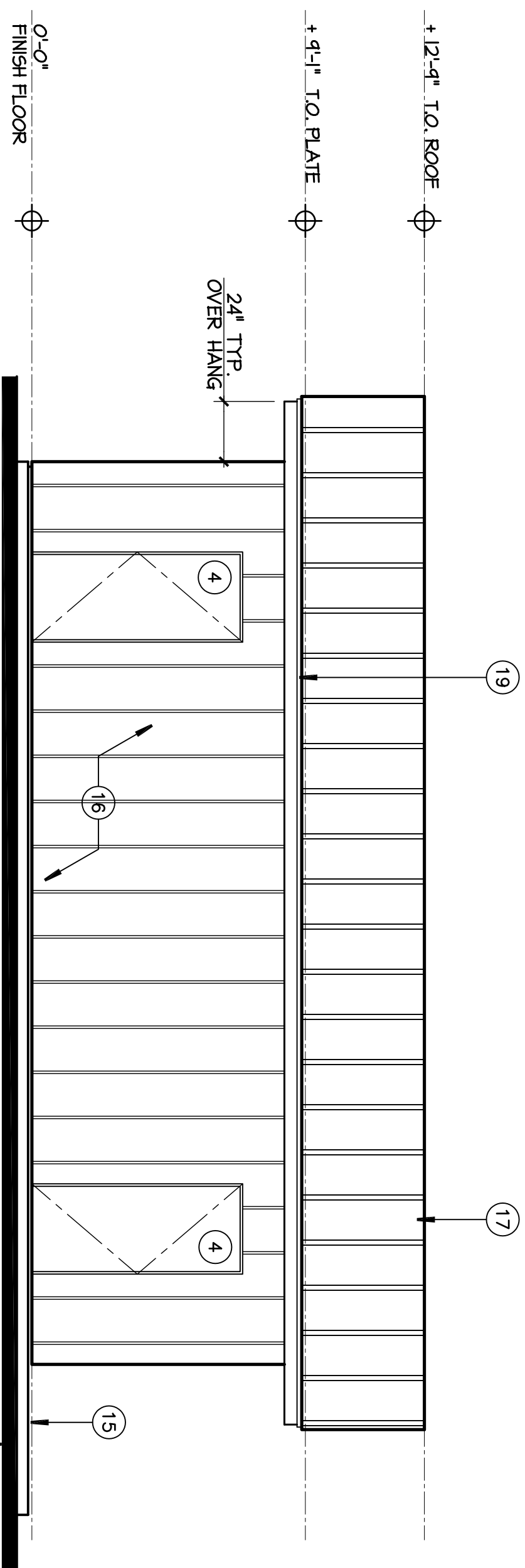
**LEFT ELEVATION
FACING WEST**



**REAR ELEVATION
FACING NORTH**

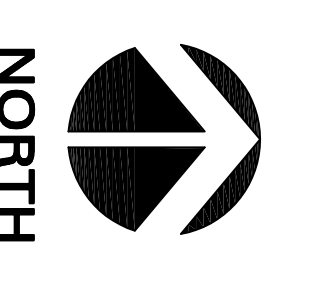


**FRONT ELEVATION
FACING SOUTH**

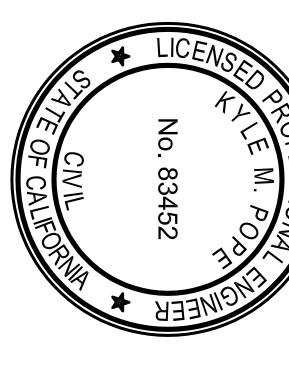


EXT. ELEV. NOTES :

1. ROOF CONSTRUCTION ASSEMBLY, METAL ROOF PANELS OVER METAL FRAMING
2. INSULATION, AS NOTED
3. CEILING, 1/2" TYP. GYPSUM BOARD AT 24" FINISH HEIGHTS AT 24" O.C.
4. FLOOR CONSTRUCTION ASSEMBLY, CONCRETE SLAB ON GRADE, AS NOTED ON FOUNDATION PLAN
5. LATH AND PLASTER SHALL COMPLY WITH SECTION 2507 OF THE CBC.
6. OMITTED
7. OMITTED
8. OMITTED
9. ALL REEF SCREENS SHALL BE INSTALLED A MIN. OF 4" ABOVE THE ENTRY AND TWO 2" INCHES ABOVE PAVED AREAS AND TO REQUIREMENTS. SEE DETAIL SHEET D-1.
10. METAL BUILDING ROOFING COLOR TO BE SELECTED BY OWNER FROM STANDARD COLORS.



RESTROOM ARCHITECTURAL PLAN
635 S.F.
SCALE : 1/4" = 1'-0"



Operational Statement for The Alli V

1. The Alli V will be a place that people could rent out to hold events. The 20 acre ranch at 2588 S Brawley Ave, where owners Josh and Allison Verburg live has a shaded area and grass next to it that people could rent out to host an event, graduation/birthday/bridal shower, etc. The area would occur between the months of March through October, typically lasting for up to six (6) hours, and predominantly occurring on Saturdays. The events could include amplified speech and music in an outdoor setting, with all amplified speech and music concluding by 10:00 p.m.
3. Average number of people to attend an event would range from 50-250. One day of the week for 6 hours.
4. We (Josh and Allison Verburg) live on the property and we would be the only people to be taking care of the area but will have security while events are taking place.
5. There would be a couple service vehicles including, DJ, and catering and any décor vendors a renter might have.
6. From the public road S. Brawley we have a dirt road to the venue area which the first 100 feet from Brawley Ave is paved. All area is level and after the paved part is dirt. In the future we plan to put gravel down.
7. Parking for events is also dirt and all level. We would put up handicap signs and mark those spaces clearly.
8. No goods would be sold on-site.
9. No equipment used.
10. We propose to build bathrooms but renters would be responsible for all other goods.
11. Renters will be able to provide music for any event if they do to choose so but would have to keep it at the sound level required by the Fresno County of health and turned off by 10PM at the latest. We would water the dirt road leading to the event area and parking area before events to control any dust.
12. All trash produced from events will stay on the property and will be disposed of in our trash through Mid Valley Disposal and anticipate 1 yard of trash per event.
13. Renters will be providing water for their guest, we water the grass and plants on timed sprinklers.
14. Advertising will be word of mouth and social media due to the small volume of events we plan to hold per year.
15. Renters would be able to use our grass area for parties. If they would like shade they can put up a shade tent with no sides in the grass area no larger than 3,000 square feet for the weekend. We would like to construct a building for restrooms and a plan for that is attached.
16. All of the existing grass and projected bathrooms would be used.
17. String lights above the grass area. Renters may choose to bring in an amplification system for their event but must turn it off by 10PM.
18. The landscaping is grass and a couple small shrubs and trees.
19. We would like a conditional use permit to be able to rent out our property 20 times a year for people to hold events.
20. Josh and Allison Verburg are the owners of property at 2588 S Brawley and live on the property.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Josh and Allison Verburg
- APPLICATION NOS.: Initial Study Application No. 7759 and Unclassified Conditional Use Permit Application No. 3664
- DESCRIPTION: Allow a high-intensity park with related improvements for weddings and other venues appropriate and incidental to parks on a 2.13-acre portion of a 19.55-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the east side of S. Brawley Avenue approximately 660 feet south of its intersection with W. Annadale Avenue and 2.5 miles west of the nearest city limits of the City of Fresno (2588 S. Brawley Avenue, Fresno) (SUP. DIST. 1) (APN 327-140-64).

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 project site contains a single-family residence, agricultural buildings and other improvements that were used by a dairy operation in the past. The site fronts Brawley Avenue which is not identified as a scenic drive in the County General Plan. There are no scenic vistas or scenic resources including trees, rock outcroppings, or historic buildings identified 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:

The existing improvements on the subject property include a 8,038 square-foot single-family residence, 29,403 square-foot pole barn, and agriculture buildings varying in size from 774 square feet to 48,786 square feet. These improvements were utilized by a dairy on the property which no longer exists.

The proposed improvements related to the subject proposal include a 600 square-foot restroom building and onsite parking for event guests. These improvements will be used in conjunction with the existing pole barn for covered events/gatherings and a grassy area fronting the pole barn for open events/gatherings. The 2.13-acre project area will be fenced off to separate the proposed use from other improvements on the property and will connect to the existing ingress and egress off Brawley Avenue.

The surrounding land uses include agricultural and residential uses. Parcels to the north are developed with single-family residences and parcels to the east, south and west are cultivated land with single-family residences.

The proposed improvements will be set back approximately 840 feet from north property line, 1,230 feet from the east property line and 900 feet from the west property line of the subject property and, given the setbacks, will have a less than significant visual impact on adjacent parcels. However, to minimize the project's visual impact on the adjacent parcel to the south, a Condition of Approval would require that the proposed fencing on the south and east sides of the project area shall be provided with slats to block the view of the proposed facility and provide privacy to the neighboring property.

- 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:

Use of any outdoor lighting during for the project has the potential of generating new sources of light and glare in the area. To minimize any light and glare impact resulting from this proposal, 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; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

The project site is not prime farmland and not enrolled in a Williamson Act Land Conservation Contract. Classified as Confined Animal Agriculture on the 2016 Fresno County Important Farmland Map, the site is suited for poultry facilities, feed lots, dairy facilities and fish farms. The project will have no impact, either individually or cumulatively, on agricultural resources.

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

FINDING: NO IMPACT:

The project is not in conflict with agricultural zoning and is an allowed use on land designated for agriculture with discretionary land use approval and adherence to the applicable General Plan Policies. The project site is not forest land or timberland. The site was previously used for a dairy.

- 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:

As noted above, the project site is not farmland or forest land, and the subject proposal is an allowed use on land designated for agriculture.

Per the comments provided by the Fresno County Agricultural Commissioner's Office, a Condition of Approval will 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 project will construct a 600 square-foot restroom building and events guest parking. Construction will trigger limited Short-Term Construction Emissions. Long-Term Operational Emissions will also be limited in that the project will generate limited once-a-week traffic trips for a short duration with each trip to have several riders. As such, the air quality impacts resulting from this proposal would be less than significant.

The San Joaquin Valley Air Pollution Control District (Air District) expressed no concerns with the project, resulting in the determination that 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:

The project construction or operation 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; or
- 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:

The project site was used for a dairy operation in the past and is pre-disturbed with buildings and other improvement related to that use. The neighboring parcel are also pre-disturbed with residential development and farming, and as such do not provide habitat for state or federally-listed species. Additionally, the site does not contain any riparian features or wetlands or waters under the jurisdiction of the United States.

The project was routed to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service for review and comments. Neither agency expressed any concerns with the project.

- 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 are present on the property. The project will not impact these resources.

- 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 not within the boundaries of a Habitat Conservation Plan or Natural Community Conservation Plan. The project will not conflict with the provisions of such a Plan.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

The project site is not in an area determined to be highly or moderately sensitive to archeological resources. The Native Americans Heritage Commission (NAHC) conducted a Sacred Lands Search for the project site and reported negative results in its search for any sacred sites. The project will not impact archeological resources.

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:

The project will not result in inefficient, wasteful, or unnecessary energy use. The project involves limited construction activities involving restrooms, parking and fencing. As such, the project consumption of energy (gas, electricity, gasoline, and diesel) is expected to be less than significant.

The project will be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen) to achieve the goals of Assembly Bill (AB) 32, which has established a comprehensive program of cost-effective reductions of greenhouse gases (GHG) to 1990 levels by 2020.

- 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; or
 - 2. Strong seismic ground shaking; or
 - 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 would be subject 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 to prepare for the foundation for restroom and parking. However, the impact would be less than significant with a Project Note requiring that an Engineered Grading and Drainage Plan shall be prepared for the project and a Grading Permit or Voucher shall be obtained for site grading.

- 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. As a standard requirement, a soil

compaction report may be required prior to the issuance of building permits to ensure the weight-bearing capacity of the soils for portable units.

- 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. However, the project construction 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:

The proposed restroom building will connect to an individual sewage disposal system.

Per the Fresno County Department of Public Health, Environmental Health Division review of the proposal, a Project Note would require that the applicant: 1) shall provide a sewage feasibility analysis/engineered septic system for review and approval by the Fresno County Department of Public Works and Planning (FCDPP); and 2) shall install the septic system under permit and inspection by the FCDPP.

- 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 GHG emissions. As the project

involves limited construction activities (restrooms, parking, fencing), construction emission for the project would be less than significant.

Regarding operation-related GHG emissions, the project would generate limited traffic trips. This includes once-a-week event trips with each trip to have several riders. Given that scenario, the long-term operation-related greenhouse gas emissions are expected to 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: NO IMPACT:

The project operation does not involve transport, use, disposal, or handling of hazardous materials.

The Fresno County Department of Public Health, Environmental Health Division, reviewed the proposal and requires that demolition of existing structures shall be subject to the following requirements: 1) should the structure have an active rodent or insect infestation, the infestation shall be abated prior to remodel of the structure in order to prevent the spread of vectors to adjacent properties; 2) In the process of demolition of the existing structure, if asbestos-containing materials are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted; 3) if the structure was constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to remodel work the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9, State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted; and 4) any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements. These requirements will be included as Project Notes.

The nearest school, West Park Elementary School, is approximately 690 feet southeast of the project site. With adherence to the above-noted Project Notes, impact to the School 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. No impacts would occur.

- 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 nine miles northeast of the project site. At that 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. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

- 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: NO IMPACT:

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

The proposed facility will host roughly 20 events a year as noted by the Applicant. The State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) reviewed the proposal and stated that the project would not meet the definition of a public water system and will not require a water permit due to hosting less than 60 events per year.

The Regional Water Quality Control Board, Central Valley Region also reviewed the proposal and expressed no concerns related to impact on groundwater quality.

- 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 located within the North Kings Groundwater Sustainability Area (NKGSA). The Fresno Irrigation District on behalf of NKGSA reviewed the proposal and suggested that the anticipated groundwater use for the project should be balanced with enough recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft.

The water supply to the proposed project will come from an existing well on the property. The project will use limited water (85 gallons per day) that will mostly be used in the restroom facilities by event participants. Minimal or no use of potable water for human consumption is expected during events, as catering companies will supply beverages and bottled water to the event participants. Additionally, the project will utilize the existing landscaping, and for that reason, the current water consumption for landscaping will remain unchanged. However, if new landscaping is proposed by the applicant, a Condition of Approval would require that such landscaping shall comply with MWELO (Model Water Efficient Landscape Ordinance) standards to conserve water. With the implementation of this condition, the impact on groundwater resources resulting from additional landscaping will be reduced to less than significant.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal, stated that the project site is not located within the County's water-short area, and offered no comments on the availability/sustainability of water for the project.

- 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; or

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
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:

No natural drainage channels run through the project site. The existing Fresno Irrigation District's creeks and private canals in the area will not be impacted by this proposal.

Development of the subject proposal 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.

- 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 2105H.

- 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 water quality control plan. The project is located within the North Kings Groundwater Sustainability Area. See discussion in Section X. B. above.

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 2.5 miles 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 an agency with jurisdiction.

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 proposed high-intensity park for weddings and other events fit to the use of the subject property which is not an agricultural land and is located in a non-urban area due to the nature of the proposed use; is not located on prime farmland; is not located in a water-short area and involves limited water usage (85 gallons per event); and can be provided with adequate workforce from the nearby City of Fresno.

Concerning Policy LU-A.12, LU-A.13 and LU-A. 14, the project site is not farmland, and the 2.13-acre project area will be fenced off to separate the proposed use from surrounding farmland. Regarding Policy PF-C.17, the project will use limited groundwater (85 gallons per event) which will be supplemented by surface water to minimize impact on groundwater reserves. Regarding Policy PF-D.6, the proposed restroom will connect to an individual sewage disposal system.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

An Acoustical Analysis was prepared for the project by WJV Acoustics, dated February 7, 2020. Per the Analysis, the project-related noise levels are not expected to exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards if noise levels produced by on-site speaker systems are not set to excessively high volumes and/or the speaker system is not located in an area other than indicated by the project applicant, and/or the speakers are not oriented in a different direction other than that which was indicated by the project applicant.

The Fresno County Department of Public Health, Environmental Health Division reviewed the Acoustical Analysis and required that the noise levels shall be maintained according to the Acoustical Analysis. The project will be subject to the following Mitigation Measure.

* **Mitigation Measure**

1. *The project-related noise levels shall adhere to the Acoustical Analysis prepared by WJV Acoustics, dated February 7, 2020 and shall not exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards.*

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:

See discussion in Section IX. E. HAZARDS AND HAZARDOUS MATERIALS above.

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 will not result in an increase of housing, nor will it otherwise induce population growth.

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:

Per the Fresno County Fire Protection District (CalFire), the project shall comply with the California Code of Regulations Title 24 – Fire Code and, upon County approval of the project and prior to issuance of the project building permits, approved site plans shall be submitted for the District’s review and approval. Additionally, the project shall annex to Community Facilities District No. 2010-01 of CalFire. These requirements will be included as Project Notes.

2. Police protection?

FINDING: NO IMPACT:

The project was routed to the Fresno County Sheriff’s Office which expressed no concerns with the project.

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact existing public services, nor will it result in the need for additional public services related to schools or parks.

XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project will not induce population growth which may require construction of new or expanded 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project will not conflict with any policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The project area is rural in nature and is not planned for any transit, bicycle, or pedestrian facilities per the Transportation and Circulation Element of the Fresno County General Plan.

The Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and stated that the proposed facility will operate on weekends outside of peak traffic hours. Therefore, in lieu of a Traffic Impact Study, a Traffic Management Plan (TMP) shall be prepared for the project to demonstrate how the traffic will be handled during events. The project will adhere to the following Mitigation Measure.

* **Mitigation Measure:**

1. *The project proponent shall prepare a Traffic Management Plan (TMP) to show how the traffic will be handled during events. The TMP shall be reviewed and approved by the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning prior to the approval of Site Plan Review.*

The California Department of Transportation also reviewed the subject proposal and expressed no concerns related to traffic.

- 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 subject proposal would allow weddings and other venues appropriate and incidental to parks on a 2.13-acre portion of a 19.55-acre parcel. The project site is located approximately 2.5 miles west of the nearest city limits of the City of Fresno. Given the location, it is reasonable to expect that the project will serve those residing in the City of Fresno and other nearby communities. This will help

reduce total vehicle miles travelled to other similar facilities located elsewhere in the County and often far away from the urban areas. Given this scenario, staff believes the proposed development would not conflict or be inconsistent with above-noted 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 will not create traffic hazards or bring any changes to the current ingress and egress to the property off Brawley Avenue. According to the Road Maintenance and Operations Division and Site Plan Review Section, the following shall be required as Project Notes: 1) any work within the road right-of-way shall require an encroachment permit from Fresno County Road Maintenance and Operations; 2) any proposed entrance with swing gates shall be set back a minimum of 20 feet from the Brawley Avenue right-of-way; and 3) the first 100 feet of the driveway from off Brawley Avenue shall be paved or treated with dust palliative to minimized tracking and dust pollution to County roads.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project will utilize the existing ingress and egress to the site off Brawley Avenue.

The initial review of the project by the County Fire Department resulted in no concerns regarding inadequate emergency access to the site. The emergency access will be further analyzed by the Fire Department through subsequent Site Plan Review recommended as a Condition of Approval for 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:

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. No tribe requested consultation, 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: NO 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; or

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

FINDING: NO IMPACT:

All solid wastes produced by the proposed facility will be collected for the local landfill through regular trash collection service. All solid waste disposal will adhere to local and state standards. The project impact on the holding capacity of local landfills will be less than significant.

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 within or near a State Responsibility Area for wildfire.

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 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, Noise and Transportation will be mitigated by compliance with the Mitigation Measures listed in Sections I., XIII. and XVII 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. 7759 prepared for Unclassified Conditional Use Permit Application No. 3664, 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, hazards and hazardous materials, mineral resources, 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, hydrology and water quality, land use and planning, public services, and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics, noise and transportation 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:ksn

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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 7759	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): Josh and Allison Verburg	Project Title: Unclassified Conditional Use Permit Application No. 3664		
Project Description: Allow a high-intensity park with related improvements for weddings and other venues appropriate and incidental to parks on a 2.13-acre portion of a 19.55-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the east side of S. Brawley Avenue approximately 660 feet south of its intersection with W. Annadale Avenue and 2.5 miles west of the nearest city limits of the City of Fresno (2588 S. Brawley Avenue, Fresno) (SUP. DIST. 1) (APN 327-140-64).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7759) prepared for Unclassified Conditional Use Permit Application No. 3664, 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, hazards and hazardous materials, mineral resources, 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, hydrology and water quality, land use and planning, public services, and utilities and service systems have been determined to be less than significant. Potential impacts related to aesthetics, noise and transportation have been determined to be less than significant with the included Mitigation Measures. 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 – February 24, 2020		Review Date Deadline: Planning Commission – March 26, 2020	
Date: February 21, 2020	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No. _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**