



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 March 11, 2021

SUBJECT: General Plan Amendment Application No. 553, Amendment Application No. 3830, and Initial Study No. 7494

Amend the County General Plan by changing land use designation of a 8.38-acre parcel from Agriculture to limited Industrial, and rezone the said parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to M-1 (c) (Light Manufacturing; Conditional) Zone District to allow light manufacturing uses excluding automobile service stations, banks, and truck service stations.

LOCATION: The subject parcel is located on the southwest corner of E. Adams and S. Cherry Avenues approximately three miles south of the nearest city limits of the City of Fresno (SUP. DIST. 1) (APN 335-070-52).

OWNER: Maria and Leo Gonzales
APPLICANT: Gary A. Rogers

STAFF CONTACT: Ejaz Ahmad, Planner
Initial Study/Amendment Application Information
(559) 600-4204

Derek Chambers, Planner
General Plan Amendment Application Information
(559) 600-4205

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Deny General Plan Amendment Application No. 553 and concurrent Amendment Application No. 3830; 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. Summary of Initial Study Application No. 7494
6. Proposed Mitigated Negative Declaration
7. List of Allowed By-right Uses in the AE-20 (Exclusive Agriculture) Zone District
8. List of By-right Uses Proposed to be Allowed in the M-1 (c) (Light Manufacturing, Conditional) Zone District

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

| Criteria | Existing | Proposed |
|--------------------------|--|--|
| General Plan Designation | Agriculture | Limited Industrial |
| Zoning | AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) | M-1(c) (Light Manufacturing, Conditional) |
| Parcel Size | 8.38 acres | No change |
| Project Site | Vacant | Amend the County General Plan by changing land use designation of a 8.38-acre parcel from Agriculture to Limited Industrial and rezone the said parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow industrial uses as listed in Exhibit 8. |
| Structural Improvements | None | None |
| Nearest Residence | 178 feet to the east and 228 feet to the southeast of the nearest project boundaries | No change |
| Surrounding Development | North: Church South: Vineyard with single-family residence | No change |

| Criteria | Existing | Proposed |
|----------------------|---|--|
| | East: Vineyard with single-family residence West: State Route 41 | |
| Operational Features | N/A- The project site is undeveloped | See "Project Site" above |
| Employees | N/A | None. Will be determined at the time a use is established on the property. |
| Customers/Supplier | N/A | None. Will be determined at the time a use is established on the property. |
| Traffic Trips | N/A | Per the Traffic Impact Study for the project, the worst-case number of trips are as follows: Automobile Trips for General Office Building and Restaurant with Drive-Through: <ul style="list-style-type: none"> • 268 AM Peak Hour trips • 208 PM Peak Hour trips Truck Trips for Manufacturing <ul style="list-style-type: none"> • 57 AM Peak Hour trips • 62 PM Peak Hour trips Truck Trips for Industrial Park <ul style="list-style-type: none"> • 37 AM Peak Hour trips • 37 PM Peak Hour trips Truck Trips for High-Cube Transload and Short-Term Storage Warehouse <ul style="list-style-type: none"> • 12 AM Peak Hour trips • 15 PM Peak Hour trips |
| Lighting | None | None. Will be determined at the time a use is established on the property. |
| Hours of Operation | N/A | None. Will be determined at the time a use is established on the property. |

Setback, Separation and Parking

| | Current Standard: | Proposed Operation: | Is Standard Met (y/n) |
|------------------------------|--|---|---|
| Setbacks | For the existing AE-20 Zone District: Front: 35 feet Side: 20 feet Rear: 20 feet | For the proposed M-1(c) Zone District: Front: None Side: None Rear: None | The proposed uses in M-1 Zone District will meet setbacks comparable to AE20 Zone District: Front: 35 feet Side: 20 feet Rear: 20 feet |
| Parking | No requirement | None required for the subject proposal | N/A |
| Lot Coverage | No requirement | No requirement | N/A |
| Separation between Buildings | 40 feet separation between structures for sheltering animals and building for human occupancy in the AE-20 Zone District | No requirement | N/A |
| Wall Requirements | Per Section 855-H.2 of the County Ordinance Code in the AE-20 Zone District | None. The proposal is not adjacent to residentially zoned property | N/A |
| Septic Replacement Area | 100 percent for the existing system | None required for the subject proposal | N/A- The proposed uses in M-1 Zone District will utilize on-site sewage disposal systems. |
| Water Well Separation | Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet | None required for the subject proposal | N/A- The proposed uses in M-1 Zone District will utilize an on-site water well and the separation between well and septic will be met during Site Plan Review |

Circulation and Traffic

| | | Existing Conditions | Proposed Operation |
|--------------|----|----------------------------|---------------------------|
| Private Road | No | N/A | N/A |

| | | Existing Conditions | Proposed Operation |
|----------------------------------|-----|--|---|
| Public Road Frontage | Yes | Cherry Avenue; Good condition Adams Avenue; Good Condition | No change No change |
| Direct Access to Public Road | Yes | Cherry Avenue | The proposed uses will gain access from Cherry Avenue. Caltrans allows no access off Adams Avenue due to the site's proximity to Adams and State Route 41 future interchange. |
| Road ADT (Average daily Traffic) | | 1000 (Cherry Avenue) Unknown (Adams Avenue) | No change |
| Road Classification | | Local (Cherry Avenue) Collector (Adams Avenue) | No change No change |
| Road Width | | 30 feet west of centerline (Cherry Avenue) 30 feet south of centerline (Adams Avenue); maximum right-of-way (ROW) required: 42 feet | No additional ROW needed for Cherry Avenue Adams Avenue near project site is maintained by Caltrans which has acquired additional land in ROW from the property for 2040 interchange of State Route (SR) 41 and Adams Avenue |
| Road Surface | | Asphalt concrete paved (Cherry Avenue); pavement width: 22 feet Asphalt concrete paved (Adams Avenue); pavement width: unknown | No change No change |
| Traffic Trips | | N/A | Per the Traffic Impact Study for the project, the worst-case number of trips are as follows: Automobile Trips for General Office Building and Restaurant with Drive-Through: |

| | | Existing Conditions | Proposed Operation |
|-------------------------------------|-----|--|---|
| | | | <ul style="list-style-type: none"> • 268 AM Peak Hour trips • 208 PM Peak Hour trips <p>Truck Trips for Manufacturing</p> <ul style="list-style-type: none"> • 57 AM Peak Hour trips • 62 PM Peak Hour trips <p>Truck Trips for Industrial Park</p> <ul style="list-style-type: none"> • 37 AM Peak Hour trips • 37 PM Peak Hour trips <p>Truck Trips for High-Cube Transload and Short-Term Storage Warehouse</p> <ul style="list-style-type: none"> • 12 AM Peak Hour trips • 15 PM Peak Hour trips |
| Traffic Impact Study (TIS) Prepared | Yes | N/A | Per the TIS, the project will cause a significant pavement impact by increasing the TI (Traffic Index) on Cherry Avenue and will pay its pro-rata share for the overlaying of Cherry Avenue (See Exhibit 1, MMRP) |
| Road Improvements Required | | <p>Cherry Avenue; Good condition</p> <p>Adams Avenue; Unknown condition. (Note: Adams Avenue at the project location is maintained by Caltrans</p> | <p>One-mile structural section overlay of Cherry Avenue at the location of Cherry and Adams Avenues.</p> <p>No change</p> |

Surrounding Properties

| | Size: | Use: | Zoning: | Nearest Residence: |
|-------|------------------------|------------------------------|----------------|---------------------------|
| North | 1.58 acres | Church | AE-20 | 285 feet |
| South | 15.1 acres One acre | Vineyard; Single-Family Home | AE-20 | 228 feet to the southeast |
| East | 25.6 acres | Vineyard; Single-Family Home | AE-20 | 178 feet |

| | Size: | Use: | Zoning: | Nearest Residence: |
|------|--------------|------------------------------|----------------|---------------------------|
| West | 15.1 acres | Vineyard; Single-Family Home | AE-20 | 1,700 feet |

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

Initial Study No. 7494 was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 5.

Notice of Intent of Negative Declaration publication date: February 5, 2021.

PUBLIC NOTICE:

Notices were sent to 28 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.

Should the Planning Commission recommend approval, a subsequent hearing date before the Board of Supervisors will be scheduled as close to the Commission’s action as practical to make the final decision on the General Plan Amendment and rezoning request. Information for that hearing will be provided under separate notice.

PROCEDURAL CONSIDERATIONS:

A General Plan Amendment and rezoning (Amendment) are legislative acts requiring final action by the Board of Supervisors. A decision by the Planning Commission in support of General Plan Amendment and rezoning request is an advisory action requiring an affirmative vote of the majority of its total membership. A recommendation for approval is then forwarded to the Board of Supervisors for final action. A Planning Commission decision to deny a General Plan and rezoning, however, is final unless appealed to the Board of Supervisors.

Amendment Application No. 3830 has been concurrently submitted in conjunction with General Plan Amendment Application No. 553. The Planning Commission must first consider the issue of amending the General Plan before acting on the subject rezone. If the Commission determines that the General Plan should not be amended, then the related Amendment Application cannot be approved. Action needs to be taken on all applications whether denied or recommended for approval.

BACKGROUND INFORMATION:

The subject property is undeveloped and is located approximately 2.9 miles southwest of the nearest boundary of the City of Fresno. The surrounding land uses are agriculture with sporadic homes on cultivated and non-cultivated land zoned for AE-20. Within the unincorporated community of Easton, strip commercial development on land zoned for C-2, C-4, C-6 and C-M is located approximately 0.9 miles north of the property and clusters of residential developments on land zoned for R-1, R-2, RR and RA are located approximately 0.8-mile north of the property.

The nearest stand-alone Industrial development surrounded by agricultural fields and zoned for M-1 is located approximately 0.6 mile southwest of the project site. Other major industrial developments on land zoned for M-3 are located approximately 2.6 miles northeast of the project site at the outskirts of the City of Fresno near Golden State Industrial Corridor.

The subject property and the surrounding land were zoned Interim R-A (Single-Family Residential Agricultural District; 36,000 square feet parcel size) in June 8, 1960. The zoning changed from Interim R-A to the current AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) in August 31, 1976.

Under the subject proposal, the Applicant is proposing to amend the County General Plan by re-designating a 8.38-acre parcel (subject property) from Agriculture to Limited Industrial and rezone the parcel from the AE-20 Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District, to allow light manufacturing uses as listed in Exhibit 8 of this report. No development is proposed by the subject proposal (GPA & Rezone) and any subsequent development on the property will be subject to mandatory Site Plan Review to ensure compliance with the development standards of the new zone district.

ANALYSIS/DISCUSSION/GENERAL PLAN CONSISTENCY:

| Relevant Policies: | Consistency/Considerations: |
|---|--|
| <p>General Plan Policy LU-A.1: County shall maintain agriculturally designated areas for agriculture use and shall direct urban growth away from valuable agricultural lands to cities, unincorporated communities and other areas planned for such development where public facilities and infrastructures are available.</p> | <p>The subject proposal is for the conversion of Prime Agricultural Land located in an agricultural area to an industrial use and is several miles away from any cities or unincorporated communities planned for industrial uses where public facilities and infrastructures are available. The nearest established industrial development at the outskirts of the City of Fresno is approximately 2.6 miles northeast of the proposal. Likewise, industrial development in the City of Fowler is approximately five miles east of the proposal. The proposal is inconsistent with this Policy.</p> |
| <p>General Plan Policy LU-A.12: The County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits include an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</p> | <p>Approval of this proposal would allow conversion of the subject property which is a Prime Farmland and is surrounded by other Prime Farmland to an industrial use. The proposal is inconsistent with this Policy.</p> |
| <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural</p> | <p>Cherry Avenue will provide a buffer between the proposed M-1 uses on the property and agricultural fields to the east, and the fencing along south property line will separate uses from adjacent agricultural field. Additionally,</p> |

| Relevant Policies: | Consistency/Considerations: |
|--|---|
| operations. | the required landscaping along the south and east property boundaries will provide an additional buffer from surrounding land uses. The proposal is consistent with this Policy. |
| General Plan Policy LU-F.29, criteria a, b, c, d: The County may approve rezoning requests for new industrial development, provided that the project's operational measures protect public health, safety, and welfare; project provides adequate off-street parking; project maintains non-objectionable use areas adjacent to abutting properties; and project limits the industry's size, time of operation, or length of permit. | To protect public health, safety and welfare, the proposed M-1 uses on the property will: comply with Fresno County Noise Ordinance and acoustical analysis (if needed), comply with San Joaquin Valley Air Pollution Control District construction and operational rules, conserve energy resources, generate small amount of liquid waste, pay their fair share of offsite (street) improvement, and be analyzed against M-1 Zone District development standards during mandatory Site Plan Review. The proposal is consistent with this Policy. |
| <p>General Plan Policy LU-F.30: The County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.</p> <p>General Plan Policy PF-A.2: The County shall require new industrial development to be served by Community sewer, stormwater, and water systems where such systems are available or can feasibly be provided.</p> | No community water, community sewer or stormwater system is currently available to serve the subject property. A Mitigation Measure has been included limiting uses to those only generating small amounts of liquid waste until the property is served by community sewer and water or adequate information is submitted to the Public Health Department and the County Geologist demonstrating the property can accommodate higher volumes of liquid waste and adequate water supply is available to the uses. The proposal as conditioned is consistent with these Policies. |
| General Plan Policy LU-F.31: To the extent possible, the County shall require that all industrial uses located adjacent to planned non-industrial areas or roads carrying significant non-industrial traffic be designed with landscaping and setbacks comparable to the non-industrial area. | Adams Avenue runs east/west through active farmland and carries significant non-industrial traffic through the area. Conditions of Approval has been included requiring landscaping along Adams Avenue frontage of the property and the M-1 uses on the property adhere to the AE Zone District setback standards. The proposal as conditioned is consistent with this Policy. |
| General Plan Policy PF-C.17: The County shall, prior to consideration of any discretionary projects related to land use, undertake a water supply evaluation. The evaluation shall include a determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question and if groundwater is | The subject proposal is not in a low water area of Fresno County and therefore no concerns related to the availability of water for the proposed M-1 uses were expressed by Water and Natural Resources Section of the Development Services Division. However, as discussed above, only low water uses and uses that generate small amounts of liquid |

| Relevant Policies: | Consistency/Considerations: |
|---|--|
| proposed, a hydrological investigation may be required to confirm the availability of water in amounts necessary to meet project demand. | waste would be permitted until such time that the property is served by a community sewer and water facilities. The proposal as conditioned is consistent with this Policy. |
| General Plan Policy TR-A.5: County shall require dedication of right-of-way and road improvements as a Condition of land development, and require analysis of traffic impacts from land development projects. | Per the Traffic Impact Study for the project, the proposed M-1 uses will cause a significant pavement impact by increasing the TI (Traffic Index) on Cherry Avenue. A Mitigation Measure has been included requiring the project to pay its pro-rata share for the overlaying (a portion) of Cherry Avenue. The proposal is consistent with this Policy. |

Reviewing Agency/Department Comments:

Design Division of the Fresno County Department of Public Works and Planning: One-mile structural section overlay of Cherry Avenue at the location of Cherry Avenue and Adams Avenue is required. The project’s maximum share for the cost of overlay is \$217,630.14.

Fresno County Department of Public Health, Environmental Health Division (Health Department): If onsite water wells and/or sewage disposal systems are permitted, only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community sewer and water facilities or adequate information is submitted to the Fresno County Department of Public Health and Department of Public Works and Planning to demonstrate that the property can accommodate higher volumes of liquid waste.

All uses in the M-1 Zone District require Site Plan Review. The applicant may be required to submit an acoustical analysis, as determined by Health Department addressing the potential impacts to nearby noise sensitive receivers from the proposed project.

The project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications shall require that all construction equipment be maintained according to manufacturers’ specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating activities should be limited to the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday, and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activity occurs between these hours.

The above-noted requirements have been included as Mitigation Measures.

There were no other relevant comments from reviewing agencies or County departments regarding the project other than advisory statements about required regulations. They are included as Project Notes in Exhibit 1 of the staff report.

The project was routed to various departments and outside agencies, the following did not have any comments or responses: Zoning, Water and Natural Resources; Building and Safety Sections, and Road Maintenance and Operations Division of the Fresno County Department of

Public Works and Planning; California Department of Fish and Wildlife; US Fish and Wildlife Service; State Water Resources Control District, Division of Drinking Water; Fresno County Department of Agriculture (Ag Commissioner's Office); CalFire - Fresno County Fire.

The project was also routed to Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Native American Heritage for consultation pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, but there were no requests for consultations or comments on the project.

Analysis:

General Plan Amendment No. 553:

The subject 8.38-acre property is classified as Prime Farmland on 2016 Fresno County Important Farmland Map and is fallow for over a decade.

The subject proposal involves amending the General Plan designation of the subject parcel from Agricultural to Limited Industrial and changing the zoning from AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District to the M-1(c) (Heavy Industrial, conditional) Zone District to allow light manufacturing uses listed in Exhibit 8 of this report.

The Limited Industrial land use designation is defined in the General Plan as land that provides for restricted non-intensive manufacturing and storage activities that do not have detrimental impacts on surrounding properties. The Fresno County Zoning Ordinance defines the M-1 Zone District as a light manufacturing district intended to provide for the development of industrial uses which are in already processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be obnoxious or offensive to those residing in the area. The M-1 Zone District provides for light manufacturing uses as a by-right use, or subject to the Director Review and Approval or a Conditional Use Permit. All new buildings or structures are subject to the Site Plan Review Process.

The unifying theme and focus of the General Plan are one of maintaining the economic viability of agriculture and providing for the long-term conservation of productive and potentially productive agricultural lands within the County. The General Plan frequently emphasizes the importance of agriculture and the need to conserve farmland, starting with the introduction to the Vision Statement along with specific policies contained in the Agriculture and Land Use Element as stated below:

- *The County sees its primary role to be the protector of prime agricultural lands, open space, recreational opportunities, and environmental quality, and the coordinator of Countywide efforts to promote economic development. (Vision Statement)*
- *The Plan seeks to protect its productive agricultural land as the County's most valuable natural resource and the historical basis of its economy through directing new urban growth to cities and existing unincorporated communities and by limiting the encroachment of incompatible development upon agricultural areas. (Vision Statement, Agricultural Land Protection)*
- *The Plan seeks to promote job growth and reduce unemployment through the enhancement and expansion of its traditional agricultural economic base and through the diversification of its economic base, expanding such business clusters as information*

technology, industrial machinery, and tourism. (Vision Statement, Economic Development)

- *The County shall encourage the location of new industry within cities and unincorporated communities. The County, in cooperation with the cities will identify circumstances for locating industrial uses in other unincorporated areas consistent with the cities' economic development strategies and taking into account opportunities offered by variations in local environmental conditions. (Economic Development Element, Policy ED-A.8)*
- *To promote the long-term conservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that supports the viability of agriculture and further the County's economic development goals. (Agriculture and Land Use Element, Goal LU-A)*
- *To direct urban development within city Spheres of Influence to existing incorporated cities and to ensure that all development in city fringe areas is well planned and adequately served by necessary public facilities and infrastructure and furthers Countywide economic development goals. (Agriculture and Land Use Element, Goal LU-G)*
- *The County shall maintain agriculturally designated areas for agriculture use and shall direct urban growth away from valuable agricultural lands to cities, unincorporated communities, and other areas planned for such development where public facilities and infrastructure are available. (Agriculture and Land Use Element, Policy LU-A.1)*
- *The County, in adopting Land Use Policies, regulations and programs, shall seek to protect agricultural activities from encroachment of incompatible land uses. (Agriculture and Land Use Element, Policy LU-A.12)*
- *The County shall ensure that the review of discretionary permits include an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. (Agriculture and Land Use Element, Policy LU-A.14)*

The Goals and Policies of the General Plan listed above seek to promote the overall objective of protection of productive soils. This is to be achieved by generally directing intensive land uses from productive lands to urbanize areas where urban-agriculture conflicts are minimized, and the full range of urban services, such as community water and sewer services, could be provided. Also, it should be noted that land planned for urban uses typically include streets, services, and drainage to accommodate such uses and the surrounding planned urban area. Another consideration is the availability and presence of a more substantial employment base located in urban areas as compared to sparsely populated rural and agricultural areas.

Placing an industrial use in an area surrounded by farming operations may create a situation in which incompatible land use has a negative impact on long-term productivity and existing agricultural uses within the vicinity of the proposal. This includes additional traffic that may be non-seasonal and in conflict with traffic generated from surrounding agricultural uses, potential light and glare from industrial development, and development conflict with adjacent agricultural parcels. Staff has attempted to address lighting and adjacent property conflicts with a Mitigation Measure requiring shielded lighting directed away from surrounding properties, and a landscaping Condition has been recommended for the project. Staff has included a recommended Condition implementing project site setbacks complementary to the Exclusive

Agriculture Zone District which would provide some buffering between site development and adjacent agricultural parcels.

The Urban Industrial Policies of the General Plan direct industrial development to planned industrial areas where urban services are available. In this case, the nearest planned industrial area located within the City of Fresno, is approximately 2.6 miles to the northeast of the subject proposal.

As was mentioned above, the subject 8.38-acre parcel is designated as Agricultural and is zoned AE (Exclusive Agriculture). The parcel is currently fallow. Properties surrounding the subject site are all designated as Agriculture and are zoned AE. The nearest M-1 zoned parcel surrounded by AE zoned parcels is located approximately 0.6 mile southwest of the subject proposal. Major industrial developments on land zoned for M-3 are located approximately 2.6 miles northeast of the project site at the outskirts of the City of Fresno near Golden State Industrial Corridor. Although the subject parcel is not under Williamson Act Contract some nearby parcels currently in farming operations are. Staff is concerned that the subject proposal can set a precedent for the rezoning of those parcels whereas the establishment of the proposed industrial use may result in future Contract cancellations on the most productive farmland.

Although the Applicant's proposal seeks light manufacturing uses which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be obnoxious or offensive to those residing in the area, re-designation of the subject property from agriculture to industrial would set a precedent for conversion of agricultural land in the vicinity of the site and throughout the County. Similar proposals for conversion of surrounding agricultural land into industrial land by other landowners in the future may promote the negation of the General Plan Policies and could negatively affect orderly growth and provision of services. Presently, most if not all, properties within 2.6 miles radius of the subject property are designated as Prime Farmland and zoned AE-20. It should be noted that decision-makers should consider long-term uses of the land proposed for General Plan Amendments and rezoning. Since zoning runs with the land for an indefinite period and does not expire based on a change of ownership status, potential expansion of industrial uses allowed by this application onto adjoining farmland is always a possibility. Therefore, this proposal not only would result in removal of 8.38 acres of Prime Agricultural land from production, it may also induce conversion of adjacent agricultural lands to industrial uses due to the potential incompatibility between agricultural and industrial land uses.

Additionally, the proposed General Plan Amendment and rezoning to facilitate development of various industrial uses on the 8.38-acre site will create an island of industrial uses within a large area designated and zoned for agricultural use. Furthermore, establishment or expansion of industrial uses in agriculturally designated areas increases the potential for conflicts between existing agricultural operations and industrial uses and would create discontinuous patterns of urban development. Staff would like to acknowledge the potential economic benefits of the proposed project. However, this project is most suitable for an industrial area of the County where the use would be compatible with the surrounding land uses, the infrastructure and services needed to support the industrial facilities that are available or could be easily provided. In that regard, there are adequate comparable sites within the Golden State Industrial Corridor with access to State Route 99 and within the Cities of Fresno, Fowler, Selma, and Kingsburg that can accommodate industrial uses.

Based on the discussion above, the proposed General Plan Amendment and the accompanying zone change does not appear to be in line with the County's vision for protecting its Prime Agricultural land and is not furthering the Goals and Policies of the General Plan in preventing

encroachment of incompatible uses into the County's agricultural areas. Therefore, the proposal is inconsistent with the existing land use designation of the property as well as General Plan Goals and Policies for preservation of the most productive land in Fresno County.

Amendment Application No. 3830

Any rezone request must be consistent with the General Plan. As discussed previously the parcel is currently designated Agriculture in the County General Plan and is proposed to be redesignated to Limited Industrial, which would be consistent with the proposed M-1(c) (Light Manufacturing, Conditional) Zone District.

If the proposed General Plan amendment is approved, then the zone change proposal is consistent with the following policies of the General Plan:

General Plan Policy LU-F.29 provides that appropriate Conditions shall be imposed on the approval of rezoning requests and discretionary permits for new or expanded industrial development in order to protect public health, safety and welfare, and provide for adequate parking to reduce adverse impacts on abutting properties.

The Initial Study (IS) prepared for this proposal included a Traffic Impact Study (TIS) and VMT evaluation, as well as a Greenhouse Gas Impact Analysis. These studies and other analysis in the IS have identified potential impacts that have been determined to be less than significant on public health, welfare and safety resulting from the proposed rezone with identified Mitigation Measures in the areas of: Aesthetics (outdoor lighting); Air Quality (standard construction and operations practices); and Cultural Resources (in unlikely event of a finding); Energy (conservation of energy resources); Hydrology and water quality (limiting uses to generating a small amount of liquid waste); Noise (acoustical analysis for the proposed uses and construction noise conformance with County Noise Ordinance); and Transportation (project paying fair share for street overlay).

General Plan Policy LU-F.30 provides that the County shall generally require community sewer and water services for industrial development. Due to inaccessibility of community sewer and water to the property, a Mitigation Measure would require that only those uses that generate only small amounts of liquid waste shall be permitted until such time the property is served by community sewer and water system, or otherwise as determined by the Health Department and/or the County Geologist.

General Plan Policy LU-F.31 provides that all industrial uses located adjacent to planned non-industrial areas or roads carrying significant non-industrial traffic shall be designed with landscaping and setbacks comparable to the non-industrial areas. Conditions of Approval for the project would require landscaping along Adams Avenue frontage of the property and building setbacks comparable to AE-20 Zone District setbacks, shall be provided along all property lines of the subject property.

General Plan Policy PF-C.17 provides that a water supply evaluation shall be conducted for the project. The property is not in water short area of Fresno County and as noted above would be allowed with uses that generate small amount of liquid wastes until property connects to a community water and sewer system.

General Plan Policy TR-A.5 provides that traffic impacts from all land development projects, including from truck traffic, shall be made as a Condition of land development proposals. A

Mitigation Measure would require that the project shall pay its pro-rata share for Cherry Avenue overlay.

In summary, if General Plan Amendment Application No. 553 is approved, the subject 8.38-acre site would be designated Limited Industrial. The Policies of the General Plan indicate that the proposed M-1 (c) Zone District is a compatible zoning for lands designated Limited Industrial. The proposal would meet General Plan Policies as discussed above in that the public, health safety and welfare issues will be met with the implementation of Mitigation Measures, Conditions of Approval and mandatory project Notes as noted in Exhibit 1 of this report and the Initial Study (Exhibit 5). These requirements and others pertaining to the design of parking and circulation, access, grading and drainage, fire protection, noise, and control of light will apply on all the uses proposed by this application and be addressed through mandatory Site Plan Review process as specified in Section 874 of the Zoning Ordinance. Site Plan Review approval is required at the time a use is established on the property and prior to the issuance of building permits.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes that amendment to the County General Plan from Agriculture to Limited Industrial and the proposed rezone from the AE-20 (Exclusive Agricultural) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District is inconsistent with the Fresno County General Plan and will have significant impacts on the surrounding properties. If the Planning Commission approves General Plan Amendment No. 553, staff would recommend approval of Amendment Application No. 3830 for conditional M-1(c) zoning limited to the proposed uses, subject to the recommended Mitigation Measures, and Conditions of Approval in the Staff Report.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Determine that the proposed General Plan Amendment No 553 to re-designate the subject 8.38-acre parcel from Agriculture to Limited Industrial is inconsistent with the County General Plan Vision Statement, Goals, and Policies, and recommend denial of General Plan Amendment No. 553 and concurrent Amendment Application No. 3830; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action and forwarding the above recommendation to the Board of Supervisors.

Alternative Motion (Approval Action)

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7494; and

- Recommend that the Board of Supervisors determine that the proposed General Plan Amendment No 553 to re-designate the subject 8.38-acre parcel from Agriculture to Limited Industrial as the first General Plan Amendment cycle in 2021 is consistent with the General Plan's Vision Statement, Goals, and Policies, and
- Recommend that the Board of Supervisors determine that the proposed rezone from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (c) (Light Manufacturing; Conditional) Zone District is consistent with the General Plan and approve Amendment Application No. 3830, subject to the recommended Mitigation Measures, and Conditions of Approval; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action and forwarding the above recommendation to the Board of Supervisors.

EA:im

G:\4360Devs&PIn\PROJSEC\PROJDOCS\AA\3800-3899\3830 - See GPA 553\SR\AA3830 SR.docx

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7494; General Plan Amendment Application No. 553; Amendment Application No. 3830

| Mitigation Measures | | | | | |
|-------------------------|-----------------------------|--|-------------------------------|---|-----------|
| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
| *1. | Aesthetics | All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets. | Applicant | Applicant/Fresno County Dept. of Public Works and Planning (PW&P) | As noted |
| *2. | Cultural Resources | In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. | Applicant | Applicant/PW&P | As noted |
| *3. | Energy | The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction. | Applicant | Applicant/PW&P | As noted |
| *4. | Hydrology and Water Quality | If onsite water wells and/or sewage disposal systems are permitted, only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community sewer and water facilities or adequate information is submitted to the Fresno County Department of Public Health and Department of Public Works and Planning to demonstrate that the property can accommodate higher volumes of liquid waste. | Applicant | Applicant/ Fresno County Department of Public Health (FCDPH) | As noted |
| *5. | Noise | At the Site Plan Review stage of the project, the applicant may be required to submit an acoustical analysis, as determined by the Fresno County Department of Public Health, Environmental Health Division, to be prepared by a qualified acoustical consultant, which must address the | Applicant | Applicant/ (FCDPH) | As noted |

| | | | | | |
|-----|----------------|---|-----------|--------------------|----------|
| | | potential impacts to nearby noise sensitive receivers from the proposed project. | | | |
| *6. | Noise | The project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications shall require that all construction equipment be maintained according to manufacturers' specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating activities should be limited to the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activity occurs between these hours. | Applicant | Applicant/ (FCDPH) | As noted |
| *7. | Transportation | <p>Prior to the issuance of building permits for the uses allowed on M-1 zoned property, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvement defined in items 'a' below. The traffic improvements and the project's maximum pro-rata share based on 8.38 acres of the associated costs are as follows:</p> <p>a. One-mile structural section overlay of Cherry Avenue at the location of Cherry Avenue and Adams Avenue is required for the project. The project's maximum share for the 2040 scenario is 100% or \$217,630.14 (includes construction cost, contingencies, preliminary engineering, and construction engineering).</p> <p>The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall annually adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.</p> | Applicant | Applicant/PW&P | As noted |

| Conditions of Approval | |
|-------------------------------|---|
| 1. | The uses allowed on the property shall be limited to those uses specified in Exhibit 8 of the Planning Commission Staff Report. |
| 2. | Setbacks for site development shall be comparable to the AE-20 Zone District setbacks with a 35-foot building setback along the eastern property line (front yard), 20-foot setback along north and south property lines (side yards) and a 20-foot setback along the west property line (rear yard). No building structures, other than required landscaping, shall be allowed within these setbacks. |
| 3. | Landscaping, consisting of trees and shrubs for a minimum depth of 15 feet or more shall be provided along the north property line (along Adams Avenue), east property line (along Cherry Avenue) and south property line of the subject parcel. A Landscaping and Irrigation Plan shall be submitted to and approved by Fresno County as part of the mandatory Site Plan Review at the time of development of a use occurs on the property. All landscaping shall be completed prior to occupancy of the use. |
| Project Notes | |
| 1. | Before any building or structure is erected on the subject property with M-1 (c) zoning, a Site Plan Review Application shall be submitted to and be approved by the Director of 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, but are not limited to, design of parking and circulation, access, grading and drainage, fire protection, noise, and control of lighting. |
| 2. | The construction of any structures on the property shall meet all the Building Code requirements in effect at the time they are constructed. |
| 3. | <p>Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> • Any tenant proposing to utilize hazardous materials or create hazardous wastes shall complete Hazardous Materials Business Plan or a Business Plan Exemption form. • All hazardous wastes shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.95. • Any tenant proposing to utilize underground storage tank systems shall submit plans and specifications to Health Department. • Any tenant proposing to utilize above-ground petroleum storage tank shall contact Certified Unified Program Agency and local fire authority. • Permit shall be obtained from the California Department of Resources Recycling and Recovery regarding Waste Tire Facilities and Waste Tire Hauling. • Should a retail food establishment be proposed, prior to issuance of building permits, the applicant or future tenant shall submit complete food facility plans and specifications to the Health Department. • Prior to operation, future tenants may be required to apply for and obtain a license to sell alcoholic beverages and construction and operating permits may be required by the State of California, Department of Health Services for wholesale food manufacturing. |

| | |
|----|--|
| 4. | <p>Per the Development Engineering Section of the Fresno County Department of Public Works and Planning, development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> • A grading permit or voucher may be required for any grading that has been done without a permit and any grading proposed with this application. • If not already present, a 10-foot by 10-foot corner cutoff should be improved for sight distance purposes at the exiting driveways onto Cherry Avenue. |
| 5. | <p>Fresno Irrigation District (FID) Winters No. 224 Pipeline runs westerly and traverses the west edge of the subject parcel. Future development proposals will require FID's approval of Grading and Drainage Plan to ensure that the development will not endanger structural integrity of the District's pipeline or affect the District's easement.</p> |
| 6. | <p>Per the San Joaquin Valley Air Pollution Control District, development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> • District Rule 9510 if equals or exceeds 39,000 square feet of general office space. • Filing of an Air Impact Assessment Application and paying any applicable off-site mitigation fees before issuance of first building permit. • District Regulation VIII - (Fugitive PM10, Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) and District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). |

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

EA:
G:\4360Devs&Pln\PROJSEC\PROJDOCS\AA\3800-3899\3830-See GPA 553\IS-CEQA\AA 3830 MMRP - Exhibit 1.doc

LOCATION MAP

GPA 553, AA 3830

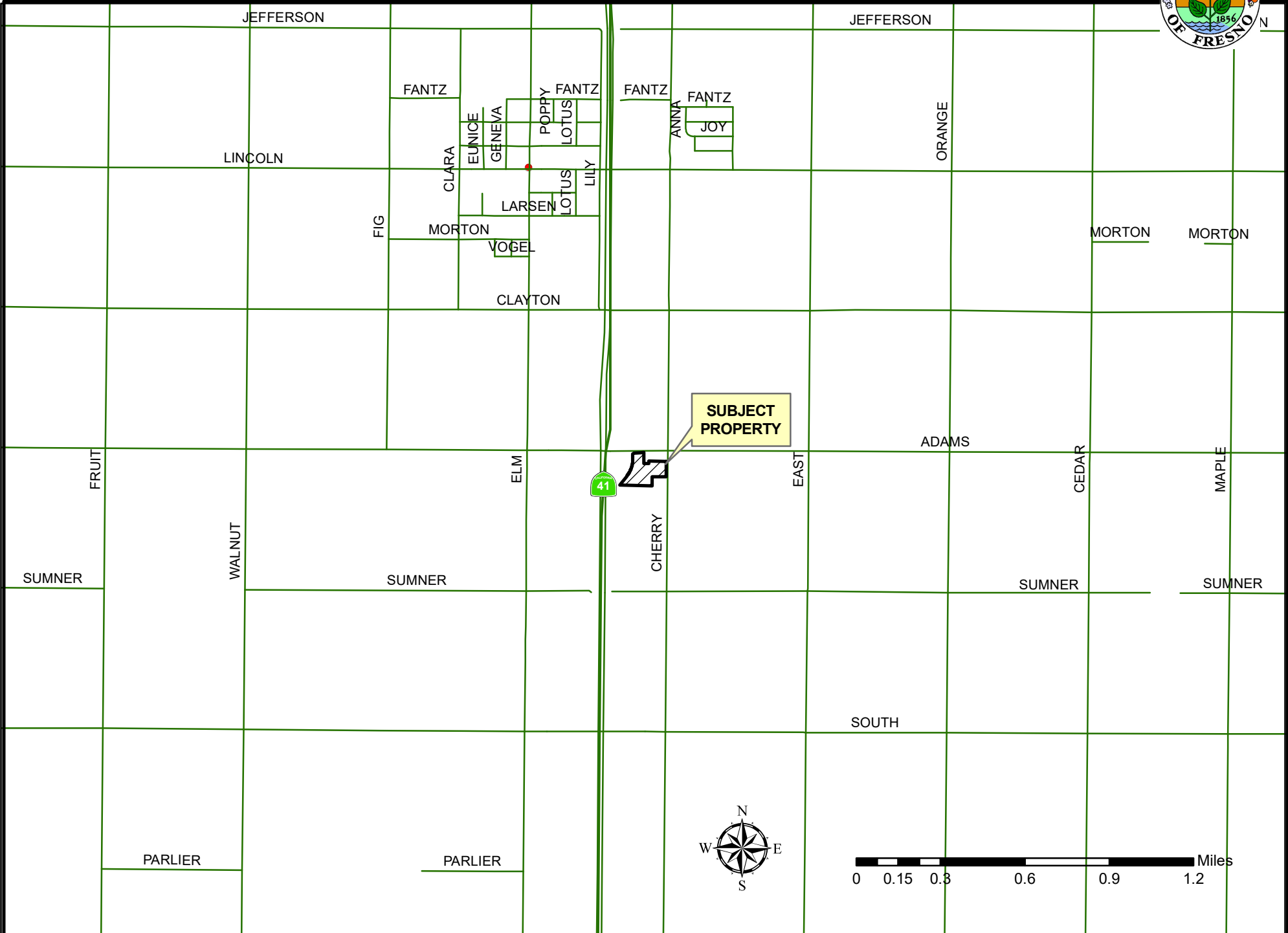
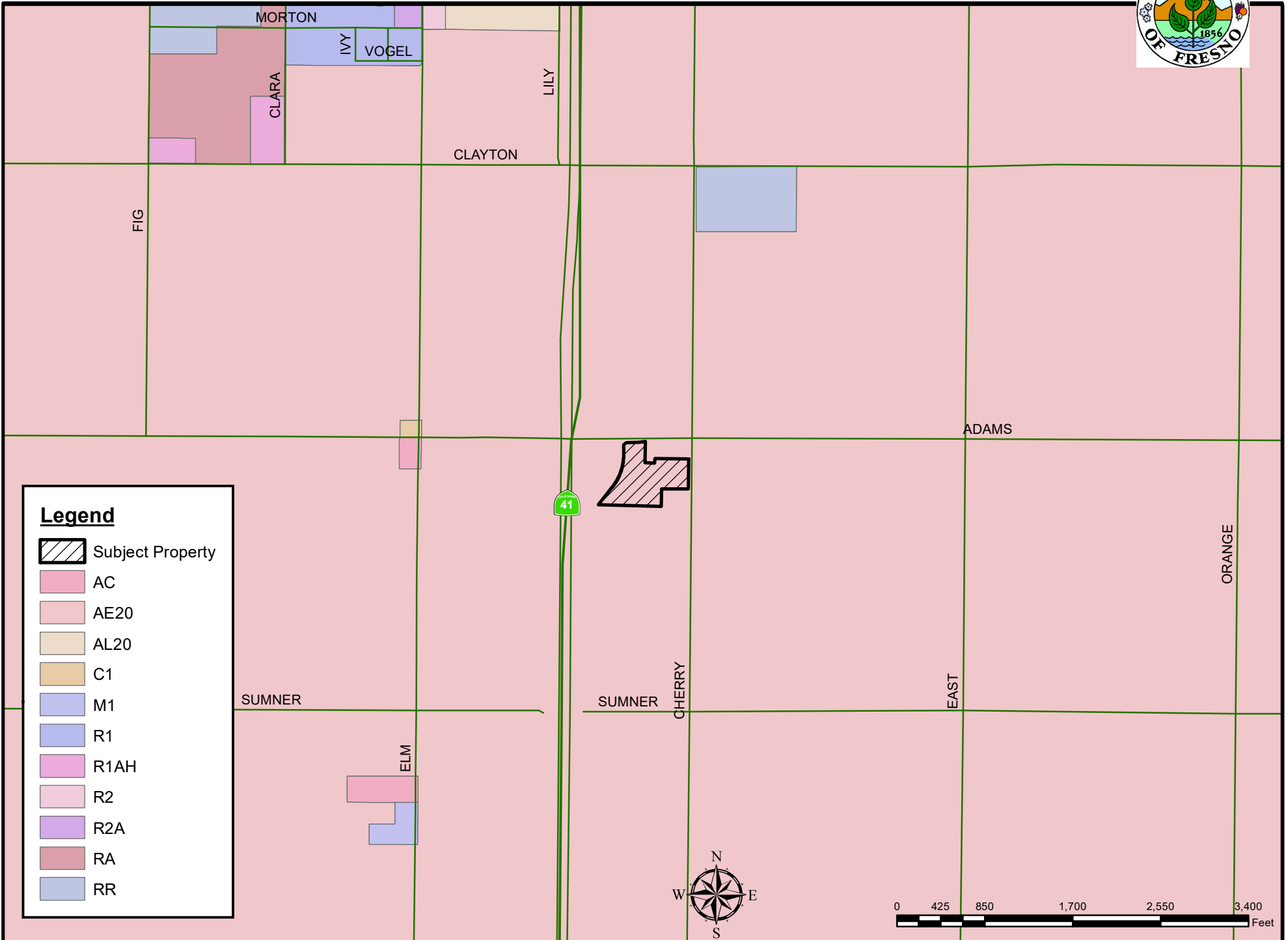


EXHIBIT 3 EXISTING ZONING MAP



EXISTING LAND USE MAP

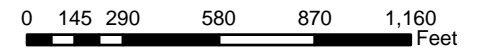
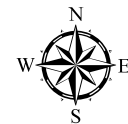
GPA 553, AA3830



| LEGEND | |
|------------------------------|--|
| CHU - CHURCH | |
| FC - FIELD CROP | |
| SF#- SINGLE FAMILY RESIDENCE | |
| V - VACANT | |
| VIN - VINEYARD | |

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Gary A. Rogers on behalf of Maria and Leo Gonzales
- APPLICATION NOS.:** General Plan Amendment Application No. 553, Amendment Application No. 3830, Initial Study Application No. 7494
- DESCRIPTION:** Amend the County General Plan by changing the land use designation of a 8.38-acre parcel from Agriculture to limited Industrial, and rezone the said parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to M-1 (c) (Light Manufacturing; Conditional) Zone District to allow light manufacturing uses excluding automobile service stations, banks, and truck service stations.
- LOCATION:** The subject parcel is located on the southwest corner of E. Adams and S. Cherry Avenues approximately three miles south of the nearest city limits of the City of Fresno (SUP. DIST. 1) (APN 335-070-52).

I. AESTHETICS

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

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

FINDING: NO IMPACT:

The subject parcel is an uncultivated land located in an agricultural area with single-family homes. Adams Avenue, Cherry Avenue, and State Route 41 that borders the parcel are not designated as state scenic highways in the County General Plan. There are no scenic vistas or scenic resources, including trees, rock outcroppings, or historic buildings on or near the property that may be impacted by the subject proposal. The proposal will have no impact on scenic resources.

- 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 subject proposal would rezone an 8.38-acre parcel from an AE-20 Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow limited by-right industrial uses.

The "M-1" District is a light manufacturing district intended to provide for the development of industrial uses which are in already processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be obnoxious or offensive to those residing in the area. The subject proposal would allow limited by-right industrial uses on the property that are least intensive in terms of generating traffic, odor, dust and sound as compared to by-right uses allowed in the M-2 (General Industrial) and M-3 (Heavy Industrial) Zone Districts. Therefore, the conditional rezone of the subject property from the AE-20 Zone District to an M-1 (c) Zone District is expected to have a less than significant impact on the surrounding land uses.

The subject parcel is currently undeveloped and unfarmed. Surrounding parcels are both cultivated and uncultivated land with single-family residences. The nearest single-family home is located approximately 178 feet to the east and 228 feet to the southeast of the subject parcel. To minimize any visual/aesthetical impact resulting from this proposal, a Condition of Approval would require that landscaping, consisting of trees and shrubs for a depth of 15 feet, be provided along the south and east property lines of the subject parcel.

Policy LU-F.31 requires that to the extent feasible, industrial uses located adjacent to planned non-industrial areas or on roads carrying significant non-industrial traffic shall be designed with landscaping and setbacks comparable to the non-industrial area. The nearest active agricultural fields are located adjacent to the property to the east and approximately 700 feet to the west. Adams Avenue runs in the east and west direction and carries significant non-industrial traffic serving these agricultural fields and others in the area. To minimize visual impacts caused by site development to the non-industrial traffic passing through Adams Avenue, a Condition of Approval would require that the property frontage along Adams Avenue shall be landscaped and maintained.

State Route 41 runs along the westerly boundary of the subject parcel and is not identified as a Scenic Highway in the Fresno County General Plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The subject applications involve no development; therefore, no lighting impacts would result from this proposal. However, future development proposals on the property could result in the creation of new sources of light and glare in the area and would be subject to Section 855-I.3.d. of the Zoning Ordinance, which requires outdoor lighting to be hooded, arranged and controlled so as not to cause a nuisance either to highway traffic or the living environment. This requirement will be included as a mitigation measure and be addressed through Site Plan Review prior to a use is established on the property.

* **Mitigation Measure**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) in the County Zoning Ordinance and is designated Agriculture in the County General Plan.

Parcels to the north and west of the subject parcel are designated as Urban Build-Up Land and Farmland of Local Importance, and parcels to the east and south are designated as Prime Farmland on 2016 Fresno County Important Farmland Map. Parcels to the north are developed with a church and single-family residences; parcel to the west (currently undeveloped) is reserved for highway 41 and Adams Avenue future interchange, and parcels to the east and south contain field crops with single family residences.

General Plan Policy LU-A.1 requires that agriculturally related areas for agriculture uses shall be maintained and urban growth shall be directed closer to areas where public facilities and infrastructures are available and Policy LU-A.12 requires that agricultural

activities be protected from encroachment of incompatible land uses. Although challenges related to these policies do exist for this application in that the project site is designated as Prime Farmland and is situated away from urban services, loss of farm land, however, due to the proposed rezoning from agricultural to industrial has not been determined to be a significant and unavoidable impact. Section XI, LAND USE AND PLANNING of this analysis has additional discussion regarding General Plan Policies. The subject proposal will allow by-right light industrial uses on the property majority of which will be supportive of agriculture and incidental to farming operation in the area.

The Fresno County Department of Agriculture reviewed the proposal and offered no comments on changing the use of land from agriculture to industrial.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed M-1 conditional zoning will not conflict with agricultural use with the approval of the subject General Plan Amendment to allow General Plan compatibility with the zoning. The subject GPA Application No. 553 will allow the change of the current land use designation from Agriculture to Limited Industrial and the zoning from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) to M-1 (c) (Light Manufacturing; Conditional). The subject parcel is not in Williamson Act Land Conservation Contract.

C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or

D. Result in the loss of forest land or conversion of forest land to non-forest use; or

E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is not located in an area designated for timberland or zoned for timberland production. No forests occur in the vicinity; therefore, no impacts to forests, conversion of forestland, or timberland zoning would occur because of the subject proposal.

The subject proposal will convert an 8.38-acre agricultural land to light industrial uses; however, this transition will be subject to the General Plan Amendment of current designation of Agriculture to Limited Industrial. The light industrial uses are least intensive in nature, supportive of agriculture and are incidental to farming operations.

According to the 2000 Fresno County General Plan, Background Information, the county has approximately 374,567 acres of prime agricultural land. Given the total prime Farmland available for agriculture in the County, loss of an 8.38-acre non-active

farmland due to the subject proposal is not a significant impact on the loss of Prime Farmland. The impacts would be less than significant.

III. AIR QUALITY

Where available, the significant 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report, was prepared for the project by Mitchell Air Quality Consulting, dated April 11, 2020, and was provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for comments. Construction and operation of the project (light industrial uses) would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO_x), sulfur dioxide (SO₂), and particulate matter (PM₁₀ and PM_{2.5}).

As discussed in II. B below, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} associated with the construction and operation of the project would not exceed the District's significance thresholds. The project complies with all applicable rules and regulations from the applicable AQP (Air Quality Plan). Therefore, the impact would be less than significant. Furthermore, as discussed in III. C below, the project would not result in CO hotspot that would violate CO standards.

Per the San Joaquin Valley Air Pollution Control District, future development proposals resulting from this proposal would: 1) be subject to District Rule 9510 if equals or exceeds 39,000 square feet of general office space; 2) require an Air Impact Assessment Application prior to no later than seeking project level approval and; 3) pay any applicable off-site mitigation fees before issuance of first building permit. The development proposals may also be subject to the District Regulation VIII - (Fugitive PM₁₀, Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) and District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). These requirements will be addressed through mandatory Site Plan Review prior a use is established on the property.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The primary pollutants of concern during project construction and operation are ROG,

NO_x, CO, PM₁₀, and PM_{2.5}. The San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing and Monitoring Air Quality Impacts (GAMAQI) adopted in 2015 contains threshold for CO, NO_x, ROG, SO_x PM₁₀ and PM_{2.5}. The SJVAPCD's annual emission significance thresholds used for the project, define the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO_x, 100 tons per year CO, 27 tons per year SO_x, 15 tons per year PM₁₀ and 15 tons per year PM_{2.5}. The project does not contain sources that would produce substantial quantities of SO₂ emissions during construction and operation.

Per the Air Quality and Greenhouse Gas Analysis Report, the 2021-22 construction emissions (ton per year) associated with the project would be 0.99 for ROG, 3.39 for NO_x, 3.11 for CO, 0.48 for PM₁₀ and 0.24 for PM_{2.5} which are less than the threshold of significance. Likewise, the operational emission over the life of the project, primarily from energy use and mobile sources, would be 1.12 for ROG, 1.41 for NO_x, 4.2 for CO, 1.41 for PM₁₀ and 0.39 for PM_{2.5} which are less than the threshold of significance.

As discussed above, the regional analysis of the construction and operational emissions indicates that the project would not exceed the District's significance thresholds and is consistent with the applicable Air Quality Attainment Plan. Therefore, the project would not result in significant cumulative health impacts.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as hospitals, residences, convalescent facilities, and schools. The closest sensitive receptor, a single-family residence, is located east of the project site. Other residential receptors are located north of the site. A church is located directly to the north of the site and would be considered a worker location on days when it is in use.

Per the Air Quality and Greenhouse Gas Analysis Report, an analysis of maximum daily emissions during construction and operation of the project was conducted to determine if emissions would exceed 100 pounds per day for any pollutant of concern which include NO_x, CO, PM₁₀ or PM_{2.5}. The maximum daily construction emissions (pound per day) during 2021 would be 59.18 for ROG, 40.57 for NO_x, 24.56 for CO, 10.41 for PM₁₀ and 6.41 for PM_{2.5} and would not exceed SJVAPCD screening thresholds for any pollutant.

Operational emissions are generated on-site by area sources such as consumer products, landscape maintenance, energy use, and onsite motor vehicle operation at the project site. Most motor vehicle emissions would occur distant from the site and would not contribute to a violation of ambient air quality standards, making the analysis highly conservative. Maximum daily air pollutant emissions (pound per day) during operations (2022) would be 7.23 for ROG, 10.21 for NO_x, 34.42 for CO, 10.49 for PM₁₀ and 2.9 for PM_{2.5} and would not exceed SJVAPCD screening thresholds for any pollutant.

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. Given the minor increase in traffic for the surrounding road network during construction and operation of the project, modeling to demonstrate that a CO hotspot is possible was not required for the project.

The project construction would involve the use of diesel fueled vehicles and equipment that emit DPM (diesel particulate matter) which is considered a Toxic Air Contaminants (TAC). The SJVAPCD's latest threshold of significance for TAC emissions are an increase in cancer risk for the maximally exposed individual of 20 in a million.

Some uses allowed by M-1 Zone District zone district would require deliveries and ship products by truck. An analysis prepared using the SJVAPCD Health Risk Prioritization Screening to determine if a health risk assessment would be required showed that the health risk from the project was 1.29 compared to the screen risk score threshold of 10, and chronic and acute risk scores were 0.038 and zero respectively compared to the screening threshold of 1. The project would not exceed the cancer risk, chronic risk, and acute risk screening threshold levels resulting in a less than significant impact.

Valley fever (coccidioidomycosis), is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (*C. immitis*) which lives in soil. Construction activities, however, could generate fugitive dust that contain *C. immitis* spores. The project will minimize the generation of fugitive dust during construction activities by complying with the District's Regulation VIII. Therefore, this regulation, combined with the relatively low probability of the presence of *C. immitis* spores, would reduce Valley fever impacts to less than significant.

Per the U.S. Geological Survey 2011, the project area is outside of an area of naturally occurring asbestos in California. Therefore, development of the project is not anticipated to expose receptors to naturally occurring asbestos. Impacts would be less than significant.

In conclusion, localized impacts from criteria pollutant emissions would not exceed SJVAPCD screening thresholds. The project emissions from diesel equipment and trucks would not exceed SJVAPCD screening criteria and would not result in a significant increase in cancer risk, chronic risk, and acute risk due to TAC emissions. The impacts would also be less than significant from valley fever exposure and naturally occurring Asbestos.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, and schools. The project is located near residences and a church an agricultural/ rural residential area where similar odors are common.

Per the SJVAPCD, the common odor producing land uses are landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The project would not engage in any of these activities. If an odor generating use is constructed, the project would be subject to SJVAPCD Rule 4102 - Nuisance which would result in enforcement actions if confirmed odor complaints are generated by future project uses. Therefore, the potential project odor impacts would be considered less than significant.

During construction, the various diesel-powered vehicles and equipment used on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would therefore be less than significant.

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 subject parcel has been followed over the years and contain no riparian features, wetlands, or waters under the jurisdiction of the United States and no drainage channels run through the property or are located near the property.

This proposal was routed to the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) for comments. The USFWS provided 'no comments' response and CDFW did not respond during the project review period. Therefore, no impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; or 3) federally-protected wetlands as defined by Section 404 of the Clean Water Act.

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

FINDING: NO IMPACT:

The project area cannot be characterized as an area for migratory wildlife species or suitable for migratory wildlife corridors. As stated earlier, the subject property is fallow for several years and the surrounding farmland have been disturbed by current and past farming activities.

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

FINDING: NO IMPACT:

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

- F. 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 subject property is within the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP) area which only applies to the activities related to PG&E's operations. The project is not in conflict with HCP.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The subject property is not in an area sensitive to historical, archeological, or paleontological resources. Native Americans Heritage Commission (NAHC) conducted a Sacred Lands Search for the property and reported negative results in its search for any sacred sites. Although, Table Mountain Rancheria (TMR) declined participation in AB 52 for the proposal but requested to be notified in the unlikely event that cultural resources are unearthed during ground disturbance. The project will adhere to the following mitigation measure to ensure that impacts to cultural resources remain less than significant.

* **Mitigation Measure**

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

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 WITH MITIGATION
INCORPORATED:

Future development proposals on the property are unlikely to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. To minimize the potential for wasteful or inefficient consumption of energy resources, development proposal would require adherence to the following Mitigation Measure.

* **Mitigation Measure**

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

Development proposals will also be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen), effective January 1, 2020 to meet the goals of AB (Assembly Bill) 32 which established a comprehensive program of cost-effective reductions of greenhouse gases to 1990 levels by 2020.

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

FINDING: NO IMPACT:

Development of industrial uses on the property would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

All construction activities would comply with the 2019 Building Energy Efficiency Standards effective January 1, 2020. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the County would review the design components of the project's energy conservation measures when the Project's building plans are submitted. These measures could include insulation; use of energy-efficient heating, ventilation and air conditioning equipment (HVAC); solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; and other measures.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 2. Strong seismic ground shaking?
 3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report relating to probabilistic seismic hazards, the project site is within an area of peak horizontal ground acceleration of 0 to 20 percent. Any impact resulting from seismic activity would be less than significant.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in any identified landslide hazard area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal will not result in substantial erosion or loss of topsoil. Any site grading and drainage associated with future development proposals will adhere to the Grading and Drainage Sections of the County Ordinance Code through subsequent Site Plan Review.

- 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:

Per Figure 9-6 of Fresno County General Plan Background Report, the subject parcel is not in an area at risk of landslides. Also, the subject proposal involves no underground materials movement and therefore poses no risks related to subsidence.

- 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 subject parcel is not located in an area where the soils exhibit moderately high to high expansion potential. However, future development proposals will require implementation of all applicable requirements of the most recent California Building Standards Code and will consider any potential 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:

Future development proposals on the property will utilize on-site sewage disposal systems. The Fresno County Department of Public Health, Environmental Health Division (Health Department) expressed no concerns related to the incapability of soils to support onsite individual sewage disposal systems. However, a mitigation measure from the Health Department included in Section IX. A. B. below would require that only low water uses that would generate small amount of liquid waste shall be allowed until the property is served by a community sewer system.

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

FINDING: LESS THAN SIGNIFICANT 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report (GHG Analysis) completed by Mitchell Air Quality Consulting, dated April 11, 2020, estimated project GHG emissions for construction and operation using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

The total GHG emission generated during all phases of construction for 2021-22 is 693.23 metric tons of CO₂ per year. However, in order to account for the construction emissions, amortization of the total emission generated during construction based on 30-year life of the development amounts to 23.11 metric tons of CO₂ per year which is less than significant.

The total GHG emission generated during operation of the project would be approximately 2,653.93 metric tons of CO₂e under Business as Usual (BAU) and 1,813.26 metric tons of CO₂ for year 2022. The project would achieve a reduction of 30.9 percent from BAU which is 9.2 percent beyond the 21.7 percent average reduction required by State from all sources to achieve Assembly Bill (AB) 32 targets (AB 32 requires GHGs emitted in California be reduced to 1990 levels by the year 2020). Likewise, the total GHG emission generated during operation of the project would be approximately 2,625.93 metric tons of CO₂e under Business as Usual (BAU) and 1,453.73 metric tons of CO₂ for year 2030. The project would achieve a reduction of 44.7 percent from BAU which is 21.5 percent beyond the 23.2 percent average reduction required by State from all sources to achieve AB 32 targets. The project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution (through compliance of Title 24 and CALGreen; regulations on energy production, fuels, and voluntary actions to improve energy efficiency in existing development) to achieving 2030 target.

- 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:

Adopted in 2006, Assembly Bill (AB) 32 focuses on reducing Greenhouse Gases to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the Air Resources Board (ARB) adopted the Climate Change Scoping Plan in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for reduction in California's GHG emissions, cutting approximately 30 percent (currently 21.7 percent) from BAU emission levels projected for 2020 to achieve AB 32 targets. The Scoping Plan contains a variety of strategies to reduce the State's emissions. The project is

consistent with most of the strategies contained in the Scoping Plan while others are not applicable to the project.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The uses allowed under the subject M-1 zoning could involve handling of potentially hazardous materials. The Fresno County Public Health Department, Environmental Health Division (Health Department) reviewed the subject proposal and requires that the following requirements shall be included as Project Notes: 1) any tenant proposing to utilize hazardous materials or create hazardous wastes shall complete Hazardous Materials Business Plan or a Business Plan Exemption form; 2) all hazardous wastes shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.95; 3) any tenant proposing to utilize underground storage tank systems shall submit plans and specifications to Health Department; 4) any tenant proposing to utilize above-ground petroleum storage tank shall contact Certified Unified Program Agency and local fire authority; and 5) permit shall be obtained from the California Department of Resources Recycling and Recovery regarding Waste Tire Facilities and Waste Tire Hauling.

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

FINDING: NO IMPACT:

According to the search results of the U.S. EPA's NEPAAssist Tool, the project site is not listed as a hazardous materials site. The project will not create hazards to the public or the environment.

- 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, Selma Airport, is approximately 5.7 miles southeast of the project site. At that distance, the airport will not result in a safety hazard or excessive noise for people residing or working in the project area.

- 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 future development proposals do 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. 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. No persons or structures will be exposed 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; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

Future development proposals on the property will utilize on-site water well and sewage disposal systems. The nearest community water and sewer systems is five miles east of the property in the City of Fowler and three miles north of the property in the City of Fresno.

Per the comments provided by the Fresno County Department of Public Health, Environmental Health Division (Health Department) the subject proposal shall adhere to the following mitigation measure:

* **Mitigation Measure**

1. *If onsite water wells and/or sewage disposal systems are permitted, only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community sewer and water facilities or adequate information is submitted to the Fresno County Department of Public Health and Department of Public Works and Planning to demonstrate that the property can accommodate higher volumes of liquid waste.*

The subject property is not located within a low water area of Fresno County. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning expressed no concerns related to the availability/sustainability of water for the project.

Per the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW), the subject proposal will not meet the definition of a public water system and therefore is not regulated by SWRCB-DDW.

- 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:

As subject proposal involves not physical improvements, no impact related to drainage would occur. The future development proposals on the property will adhere to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code to address changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off.

Per the United States Geological Survey Quad Maps, no natural drainage channels run adjacent to or through the subject property. The Fresno Irrigation District (FID) Winters No. 224 Pipeline runs westerly and traverses the west edge of the subject parcel. Per the comments provided by FID, future development proposals will require FID's approval of Grading and Drainage Plan to ensure that the development will not endanger structural integrity of the District's pipeline or affect the District's easement.

This requirement will be included as a Project Note and addressed through mandatory Site Plan Review at the time a use is established on the property.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located in a 100 Year Flood Inundation Area and not subject to flooding from the 100-year storm per the Federal Emergency Management Agency (FEMA) FIRM Panel 2125H.

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

FINDING: NO IMPACT:

The subject proposal would not conflict with Water Quality Control Plan as there is none for Fresno County. The subject property is located within the North Kings Groundwater Sustainability Area (GSA) which expressed no concerns related to groundwater resources.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is approximately three miles south of the City of Fresno and five miles west of the City of Fowler.

- 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 subject parcel is designated Agriculture in the County General Plan and zoned AE-20 (Exclusive Agriculture, 20-acre minimum parcel size district) in the county zoning ordinance. The subject proposal would redesignate the parcel from Agriculture to Limited Industrial and rezone from the AE-20 Zone District to the M-1 (c) (Light Manufacturing; Conditional) Zone District. With the General Plan Amendment and Rezone, the proposal is not in conflict with any land use plan, policy, or regulation of

any agency with jurisdiction over the project other than Fresno County. The project is subject to the following General Plan policies.

Regarding General Plan Policy LU-A.1, the subject parcel is designated as Prime Farmland in the 2016 Fresno County Important Farmland Map. The parcel is small (8.38 acres), has not been farmed in 14 years, and is uniquely located at the intersection of State Route 41 and Adams Avenue. Considering the parcel size in comparison to the total Prime farmland (374,567 acres) available for agriculture in Fresno County, loss of the agricultural use resulting from this proposal is not significant enough to warrant preparation of an EIR. As such, loss of farmland due to the proposed General Plan Amendment and rezoning from agricultural to industrial has not been determined to be a significant and unavoidable impact.

Regarding General Plan Policy LU-A.13 Cherry Avenue will provide buffer between onsite development and agricultural fields to the east, and the existing fencing will separate onsite development from agricultural fields to the south.

Regarding General Plan Policy LU-F.29. Criteria a, b, c & d, future development proposals on the property will comply with Fresno County Noise Ordinance and Air District rules and regulations and be analyzed against M-1 Zone District development standards during Site Plan Review.

Regarding General Plan Policy LU-F.30 and Policy PF-A.2, no community water and sewer facility is currently available to serve the property. As such, only low water uses and uses that generate only small amount of liquid waste will be allowed on the property until such time the property is served by community sewer and water system or as determined by the Health Department and County geologist that the property can accommodate higher volumes of liquid waste.

Regarding General Plan Policy LU-F.31 landscaping will be provided along Adam Avenue frontage of the property and be maintained.

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 not located within 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:

The subject proposal involves no development. Future development proposals on the property include by-right uses in the M-1 Zone District.

Per the Fresno County Department of Public Health, Environmental Health Division review of the proposal, to minimize noise impact resulting from the construction of development proposals on the property, the project will adhere to the following mitigation measures:

* **Mitigation Measures**

1. *At the Site Plan Review stage of the project, the applicant may be required to submit an acoustical analysis, as determined by the Fresno County Department of Public Health, Environmental Health Division, to be prepared by a qualified acoustical consultant, which must address the potential impacts to nearby noise sensitive receivers from the proposed project.*
 2. *The project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications shall require that all construction equipment be maintained according to manufacturers' specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating activities should be limited to the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activity occurs between these hours.*
- 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 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)?
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project would not induce population growth, displace housing, or displace a substantial number of people, necessitating the construction of replacement housing elsewhere.

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:
- B.
 - 1. Fire protection?

FINDING: NO IMPACT:

Fresno County Fire Protection District (CalFire) reviewed the subject proposal and did not expressed any concerns related to fire protection.

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

FINDING: NO IMPACT:

Industrial uses resulting from this proposal would result in no impact on schools, parks, policing, or other public services.

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:

Industrial uses resulting from this proposal will have no impact on neighborhood and regional parks or other recreational facilities in the area.

XVII. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The Design Division of the Fresno County Department of Public Works and Planning and the California Department of Transportation (Caltrans) reviewed the subject proposal and required that a Traffic Impact Study (TIS) be prepared to determine the traffic impact to County and State roadways.

Peters Engineering Group prepared a Traffic Impact Study (TIS), dated April 22, 2020. Per the TIS, the study intersections are currently operating at acceptable levels of service with acceptable queuing conditions, and that acceptable conditions are expected to continue through the year 2040 with or without construction of a project in conformance with the proposed conditional M-1 zoning. As the project may cause a significant pavement impact by increasing the TI (Traffic Index) on Cherry Avenue along the property frontage, overlay or reconstruct of these road segments may be required to mitigate the significant impacts. Since the TIS represents the worst-case scenario, the TI with the project should be verified once an actual project is proposed at the site to avoid over-mitigating the pavements. A left-turn lane at the site access driveway is not warranted.

The Design Division and the Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning identified no concerns with Traffic Impact Study (TIS). The following road improvement identified by Design Division has been included as a Mitigation Measure and will be addressed through mandatory Site Plan Review prior to a use is established on the property.

* **Mitigation Measure:**

1. *Prior to the issuance of building permits for the uses allowed on M-1 zoned property, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvement defined in items 'a' below. The traffic improvements and the project's maximum pro-rata share based on 8.38 acres of the associated costs are as follows:*
 - a. *One-mile structural section overlay of Cherry Avenue at the location of Cherry Avenue and Adams Avenue is required for the project. The project's maximum share for the 2040 scenario is 100% or \$217,630.14 (includes construction cost, contingencies, preliminary engineering, and construction engineering).*

The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall annually adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.

The California Department of Transportation (Caltrans) review of the Traffic Impact Study (TIS) requires that access to future development proposals on the property shall be from Cherry Avenue only. Further, State Route (SR 41) is an existing four-lane expressway with an at grade signalized intersection with Adams Avenue. The 2040 concept of a four-lane freeway, requires a grade separation and interchange with Adams Avenue. Based on the existing right-of-way map, the footprint for the future interchange has been accommodated along with access control.

The Traffic Impact Study and the conceptual site plan provided by the applicant represent a worst-case scenario for development of the site. The TIS has concluded that there would be no traffic impacts on the State highway and consequently no improvement needed on the State highway system that would require a fair share. As such, no fair share to Caltrans is required.

Per the Development Engineering Division's review of the subject proposal, Adams Avenue is a Collector with an existing 30 feet right-of-way south of section line along parcel's northerly frontage. The minimum width for a local right-of-way south of section line is 42 feet. A Condition of Approval would require that a 12-foot in additional right-of-way for Adams Avenue shall be provided through mandatory Site Plan Review prior to a use is established on the property.

- 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:

According to the *Addendum No. 1-Traffic Impact Study (Vehicle Mile Travelled)* prepared by Peters Engineering Group and dated April 22, 2020, the rezone in and of itself will not generate trips and results in zero VMT. Due to the geographic location of the site, an office complex (considered as a worst-case scenario with respect to operational analyses) is least likely to be constructed on the project site. With respect to VMT, the site would likely be developed with industrial or manufacturing uses, or with local-serving retail designed to capture customers from highway traffic passing near the site. As such, it is expected that the transportation impacts for purposes of the CEQA analyses would be less than significant.

- 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:

For future development proposals, access to the site will be from Cherry Avenue. Caltrans allows no access off Adams Avenue due to the site's proximity to the Adams and Highway 41 future interchange. With that restriction impact of any traffic hazard due to site access will be reduced to less than significant.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

All development proposals on the property will be subject to mandatory Site Plan Review to ensure that the design of each use proposed on the property incorporates adequate emergency access acceptable by local fire agency. As noted above, access to the site will be restricted to Cherry Avenue.

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: LESS THAN SIGNIFICANT IMPACT:

The subject property is not in an area designated as highly or moderately sensitive for archeological resources. Pursuant to Assembly Bill (AB) 52, the subject proposal 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. The Table Mountain Rancheria (TMR), however, requested to be informed in the unlikely event that cultural resources are identified on the property. With the Mitigation Measure included in the CULTURAL ANALYSIS section of this report any potential impact to tribal cultural resources will be reduced to less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section X. A. 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:

The subject proposal involves no developments. The waste disposal resulting from future development proposals will be through regular trash collection service.

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 within or near state responsibility areas or lands classified as very high fire hazard severity zones.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will have no impact on biological resources. Impacts on cultural resources have been reduced to a less than significant level with the incorporation of a Mitigation Measure discussed in Section V.A.B.C.D. CULTURAL RESOURCES.

- 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 subject proposal to overall development in the area is less than significant.

The subject proposal 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, Air Quality, or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Cultural Resources, Energy, Hydrology and Water Quality, Noise, and Transportation will be addressed with the Mitigation Measures discussed above in Section I, Section V, Section VI, Section X, Section XIII and Section XVII.

- 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 the Initial Study No. 7494 prepared for General Plan Amendment Application No. 553 and Amendment Application No. 3830, 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, mineral resources, population and housing, recreation, and wildfire.

potential impacts related to agricultural and forestry resources, air quality, geology and soils, greenhouse gas emission, hazards and hazardous materials, land use and planning, public services, tribal cultural resources, and utilities and service systems, have been determined to be less than significant.

Potential impacts to aesthetics, cultural resources, energy, hydrology and water quality, noise and transportation have been determined to be less than significant with the identified Mitigation Measure.

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

EA:IM

G:\4360Devs&Plan\PROJSEC\PROJDOCS\AA\3800-3899\3830 - See GPA 553\IS-CEQA\AA 3830 IS wu.docx

EXHIBIT 6

| | | | | |
|---|---|---|---|-------------------|
| 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: Initial Study (IS) No 7494 | 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 |
| Project Applicant/Sponsor (Name): Gary A. Roger | | Project Title: General Plan Amendment Application (GPA) No. 553; Amendment Application (AA) No. 3830 | | |
| Project Description: Amend the County General Plan by changing the land use designation of a 8.38-acre parcel from Agriculture to limited Industrial and rezone the said parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to M-1 (c) (Light Manufacturing; Conditional) Zone District to allow light manufacturing uses excluding automobile service stations, banks, and truck service stations. The subject parcel is located on the southwest corner of E. Adams and S. Cherry Avenue approximately three miles south of the nearest city limits of the City of Fresno (SUP. DIST. 1) (APN 335-070-52). | | | | |
| Justification for Negative Declaration: Based upon the Initial Study (IS 7494) prepared for General Plan Amendment Application No. 553 and Amendment Application No. 3830, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to biological resources, mineral resources, population and housing, recreation, or wildfire. Potential impacts related to agricultural and forestry resources, air quality, geology and soils, greenhouse gas emission, hazards and hazardous materials, land use and planning, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant. Potential impact related to aesthetics, cultural resources, energy, hydrology and water quality, noise and transportation have been determined to be less than significant with the identified mitigation measure. The Initial Study and 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 5, 2021 | | | Review Date Deadline: Planning Commission – March 11, 2021 | |
| Date: | Type or Print Signature: David Randall, Senior Planner | Submitted by (Signature): Ejaz Ahmad | | |

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
 MITIGATED NEGATIVE DECLARATION**

EA:
 G:\4360Devs&Pln\PROJSEC\PROJDOCS\AA\3800-3899\3830 – See GPA 553\IS-CEQA\AA 3830 MND (Proposed)

EXHIBIT 7

SECTION 816

"AE" EXCLUSIVE AGRICULTURAL DISTRICT

The "AE" District is intended to be an exclusive district for agriculture and for those uses which are necessary and an integral part of the agricultural operation. This district is intended to protect the general welfare of the agricultural community from encroachments of non-related agricultural uses which by their nature would be injurious to the physical and economic well-being of the agricultural district.

The "AE" District shall be accompanied by an acreage designation which establishes the minimum size lot that may be created within the District. Acreage designations of 640, 320, 160, 80, 40, 20, 5 are provided for this purpose. Parcel size regulation is deemed necessary to carry out the intent of this District.

(Amended by Ord. 490.38 adopted 11-21-67)

SECTION 816.1 - USES PERMITTED

The following uses shall be permitted in the "AE" Districts, except as otherwise provided in Subsection K of Section 816.2 for Interstate Interchange Impact Areas. All uses shall be subject to the Property Development Standards in Section 816.5.

(Amended by Ord. 490.95 adopted 11-27-73; Ord. 490.174 re-adopted 5-8-79)

- A. The maintaining, breeding, and raising of livestock of all kinds, except as provided in Sections 816.2 and 816.3.
(Amended by Ord. 490.117 adopted 10-5-76; Ord. T-038-306 adopted 5-22-90)
- B. The maintaining, breeding, and raising of poultry of all kinds, subject to the provisions of Section 868.
(Added by Ord. T-038-306 adopted 5-22-90)
- C. The raising of tree, vine, field, forage, and other plant life crops of all kinds.
(Amended by Ord. T-077-352, adopted 3-2-04)
- D. One family dwellings and accessory buildings and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.
- E. Home Occupations, Class I, subject to the provisions of Section 855-N.
(Amended by Ord. T-288 adopted 2-25-86)
- F. The harvesting, curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, subject to the provisions of 855-N.32.
(Amended by Ord. T-077-352, adopted 3-2-04)
- G. When carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten (10) percent of the total land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises, any of the following uses:

1. The manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds.
 2. The manufacture, storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides.
 3. The transportation of agricultural products, supplies or equipment together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor.
 4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries.
(Added by Ord. 490.65 adopted 8-4-70)
- H. Farmworker Housing Complexes subject to the provisions of 855-O. (Amended by Ord. T-803-371 adopted 12-8-15)
- I. The use, storage, repair and maintenance of tractors, scrapers, and land leveling and development equipment when operated in conjunction with, or as part of, a bona fide agricultural operation.
(Amended by Ord. 490.117 adopted 10-5-76)
- J. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- K. Signs, subject to the provisions of Section 816.5-K.
- L. Temporary or permanent telephone booths.
- M. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- N. Trailer house occupancy consisting of one or more trailers, subject to the provisions of Section 856 and 816.1-C.
(Amended by Ord. 490.18 adopted 12-29-64; Ord. 490.81 adopted 10-24-72)
- O. Breeding and personal kennels.
(Added by Ord. 490.36 adopted 7-25-67)
- P. Historic and monument sites.
(Added by Ord. 490.117 adopted 10-5-76)
- Q. Water-well drilling or pump installation service.
(Added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.157 adopted 9-19-78)
- R. Welding and blacksmith shops and farm equipment and machinery sales, rental storage, and maintenance facilities when in conjunction with welding and blacksmith shops.
(Added by Ord. 490.117 adopted 10-5-76)

- S. Value-added agricultural uses and facilities subject to the provisions of Section 855-N.32 and Section 874.
(Added by Ord. T-077-352, adopted 3-2-04)
- T. Agricultural tourism uses subject to the provisions of Section 855-N.
(Added by Ord. T-078-353, adopted 12-7-04)
- U. Temporary Mill/Chipping Facilities subject to the provisions of Section 855-N.34.5. (Added by Ord. No. T-092-373 adopted 8-23-2016)
- V. Farmworker Dwelling Units subject to the provisions of 855-O. (Added by Ord. T-803-371 adopted 12-8-15)
- W. Temporary Farmworker Housing subject to the provisions of 855-O. (Added by Ord. T-803-371 adopted 12-8-15)
- X. Wholesale Limited Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)
- Y. Micro Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)
- Z. Minor Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)

“M-1” – LIGHT MANUFACTURING DISTRICT

(Uses allowed by-right – Strikethrough not allowed by proposed conditional zoning)

The uses allowed on the property shall be limited to the following by-right uses (in **bold**) listed in Section 843.1 and shall be subject the property development standards in Section 843.5.

A. RELATED USES

1. **Advertising structures.**
2. **Animal hospitals and shelters.**
3. **Automobile repairs (conducted within a completely enclosed building).**
4. **Automobile re-upholstery.**
5. ~~Automobile service stations.~~
6. ~~Banks.~~
7. **Caretaker's residence, which may include an office for the permitted industrial use. (Amended by Ord. 490.152 adopted 7-10-78)**
8. **Commercial uses that are incidental to and directly related to and serving the permitted industrial uses.**
9. **Delicatessens.**
10. **Electrical supply.**
11. **Equipment rental or sale**
12. **Farm equipment sales and service.**
13. **Frozen food lockers.**
14. **Grocery stores.**
15. **Boarding and training, breeding and personal kennels. (Amended by Ord. 490.36 adopted 7-25-67)**
16. **Ice and cold storage plants**
17. **Mechanical car, truck, motor and equipment wash, including self-service. (Added by Ord. 490.23 adopted 12-28-65)**
18. **Newspaper publishing**
19. **Offices:**
 - a. **Administrative.**
 - b. **Business.**
 - c. **General.**
 - d. **Medical**
 - e. **Professional**
20. **New and used recreational vehicle sales and service. (Added by Ord. 490.129 adopted 1-11-77)**
21. **Restaurants.**
22. **Signs, subject to the provisions of Section 843.5-K.**
23. ~~Truck service stations.~~
24. **Truck driver's training schools. (Amended by Ord. T-070-341 adopted 4-23-02)**

B. ADULT BUSINESSES that are licensed under Chapter 6.33 of Ordinance Code, including uses such as:

1. **Bars.**
2. **Restaurants.**
3. **Theaters.**

4. Video stores.
5. Book stores.
6. Novelty sales. (Added by Ord. T-074-346 adopted 7-30-02)

C. MANUFACTURING

1. Aircraft, modification, storage, repair and maintenance
2. Automotive:
 - a. Painting.
 - b. Automotive reconditioning.
 - c. Truck repairing and overhauling.
 - d. Upholstering.
 - e. Battery assembly (including repair and rebuilding) limited to the use of previously manufactured components. (Added by Ord. 490.33 adopted 1-17-67)
3. Boat building and repairs.
4. Book binding.
5. Bottling plants.
6. Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas.
7. Commercial grain elevators.
8. Garment manufacturing.
9. Machinery and shop (no punch presses over twenty (20) tons or drop hammers):
 - a. Blacksmith shops.
 - b. Cabinet or carpenter shops.
 - c. Electric motor rebuilding.
 - d. Machine shops.
 - e. Sheet metal shops.
 - f. Welding shops.
 - g. Manufacturing, compounding, assembly or treatment of articles or merchandise from previously prepared metals.
10. Manufacturing, compounding, processing, packing or treatment of such products as:
 - a. Bakery goods.
 - b. Candy.
 - c. Cosmetics.
 - d. Dairy products.
 - e. Drugs.
 - f. Food products (excluding fish and meat products, sauerkraut, wine, vinegar, yeast and the rendering of fats and oils) if connected with an adequate sewer system.
 - g. Fruit and vegetables (packing only).
 - h. Honey extraction plant.
 - i. Perfume.
 - j. Toiletries.
11. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:
 - a. Canvas.
 - b. Cellophane.
 - c. Cloth.

- d. Cork.
 - e. Felt.
 - f. Fibre.
 - g. Fur.
 - h. Glass.
 - i. Leather.
 - j. Paper, no milling.
 - k. Precious or semi-precious stones or metals.
 - l. Plaster.
 - m. Plastic.
 - n. Shells.
 - o. Textiles.
 - p. Tobacco.
 - q. Wood.
 - r. Yarns.
- 12. Manufacturing and maintenance of electric or neon signs
 - 13. Novelties.
 - 14. Planing mills.
 - 15. Printing shops, lithographing, publishing.
 - 16. Retail lumber yard.
 - 17. Rubber and metal stamps.
 - 18. Shoes.
 - 19. Stone monument works.
 - 20. Storage yards:
 - a. Contractors storage yard.
 - b. Draying and freight yard.
 - c. Feed and fuel yard.
 - d. Machinery rental.
 - e. Motion picture studio storage yard.
 - f. Transit storage.
 - g. Trucking yard terminal, except freight classifications.
 - 21. Textiles.
 - 22. Wholesaling and warehousing.
 - 23. Wholesale meat cutting and packing, provided there shall be no slaughtering, fat rendering or smoke curing. (Added by Ord. 490.21 adopted 9-14-65)

D. PROCESSING

- 1. Creameries.
- 2. Laboratories.
- 3. Blueprinting and photocopying.
- 4. Laundries.
- 5. Carpet and rug cleaning plants.
- 6. Cleaning and dyeing plants.
- 7. Tire retreading, recapping, rebuilding.
- 8. Lumber drying kilns; gas, electric or oil fired only.
(Added by Ord. 490.77 adopted 8-17-72)
- 9. Feather cleaning and storage of cleaned feathers within an enclosed structure. (Added by Ord. 490.82 adopted 11-21-72)

E. FABRICATION

1. Rubber, fabrication of products made from finished rubber.
2. Assembly of small electric and electronic equipment.
3. Assembly of plastic items made from finished plastic.

F. OTHER USES

1. Agricultural uses.
2. Communication equipment buildings.
3. Electric transmission substations.
4. Off-street parking.
5. Medical Marijuana Cultivation Facility licensed under Chapter 6.6 of Title of County Ordinance Code. (Added by Ord. T-086-364 adopted 8-9-11)
6. Public utility service yards with incidental buildings.
7. Electric distribution substations.
8. Temporary or permanent telephone booths.
9. Water pump stations.