



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 March 11, 2021

**SUBJECT:** Initial Study No. 7679 and Amendment Application No. 3838

Rezone a 1.74-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District.

**LOCATION:** The project site is located on the east side of South Peach Avenue approximately 1,460 feet south of its nearest intersection with East North Avenue and is approximately 1.05 miles southeast of the nearest city limits of the City of Fresno (APN 331-200-01S) (3280 S. Peach Avenue, Fresno, CA) (SUP. DIST.: 4).

**OWNER:**  
**APPLICANT:** Harpreet Pawar

**STAFF CONTACT:** Thomas Kobayashi, Planner  
(559) 600-4224

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Move to recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared based on Initial Study No. 7679; and
- Recommend that the Board of Supervisors determine that the proposed M-1 (Light Manufacturing) Zone District is consistent with the General Plan and County-adopted Roosevelt Community Plan; 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. Uses Allowed under M-1 Zoning
6. Uses Allowed under AL-20 Zoning
7. Summary of Initial Study No. 7679
8. Draft Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	General Industrial, Roosevelt Community Plan	No change
Zoning	AL-20 (Limited Agricultural, 20-acre minimum parcel size)	M-1 (Light Manufacturing)
Parcel Size	1.74 acres	No change
Project Site	N/A	N/A
Structural Improvements	Single-Family Residence and accessory buildings	No change (No development proposed)
Nearest Residence	Approximately 68 feet north	No change
Surrounding Development	Industrial, residential, agricultural, and ponding basin	No change
Operational Features	Residential	Industrial
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential	Estimated 819 new weekday trips based on worst case scenario provided by Applicant's Traffic Impact Study
Lighting	Residential	N/A
Hours of Operation	N/A	N/A

Criteria	Existing	Proposed

**Setback, Separation and Parking**

	Current Standard: AL-20	Proposed Operation: M-1	Is Standard Met (y/n)
Setbacks	Front Yard: 35 feet  Side Yard: 20 feet  Rear Yard: 20 feet	Front Yard: None*  Side Yard: None*  Rear Yard: None*  *15-foot setback when adjacent to a residential district	Y
Parking	<u>Residential/By-Right Use:</u> No requirements  <u>Discretionary Use:</u> Dependent on use	One off-street parking space for each two permanent employees. One parking space for each truck operated by the concern and one parking space for each salesperson permanently employed.	Y
Lot Coverage	No requirement	No requirement	Y
Space Between Buildings	No requirement	No requirement	Y
Wall Requirements	No requirements	A six-foot high solid masonry wall shall be erected along the property line which is a district boundary between the M-1 District and any residential district.	Y  Subject parcel is not adjacent to a residential district
Septic Replacement Area	100 percent	100 percent	Y
Water Well Separation	Septic tank: 100 feet  Disposal field: 100 feet  Seepage pit: 150 feet	Septic tank: 100 feet  Disposal field: 100 feet  Seepage pit: 150 feet	Y

**Circulation and Traffic**

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Approximately 180 feet on South Peach Avenue	No change
Direct Access to Public Road	Yes	South Peach Avenue	No change
Road ADT		700 vehicles per day	No change
Road Classification		Collector	No change
Road Width		60 feet	No change
Road Surface		Paved	No change
Traffic Trips		700 vehicles per day	No change
Traffic Impact Study (TIS) Prepared	Yes	N/A	A TIS was prepared by Vang Inc. Consulting Engineers
Road Improvements Required		N/A	Required per Mitigation Measures

**Surrounding Properties**

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	0.96 acres	Single-family residence	AL-20	Approximately 67 feet
South	1.75 acres	Single-family residence	AL-20	Approximately 95 feet
East	21.98 acres	Fresno Metropolitan Flood Control District (Ponding Basin)	M-3	N/A
West	77.34 acres	Industrial	M-3	N/A

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

**ENVIRONMENTAL ANALYSIS:**

Initial Study No. 7679 was prepared for the subject application 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 (MND) is appropriate. A summary of the Initial Study and a draft MND is attached as Exhibits 6 and 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: January 25, 2021

**PUBLIC NOTICE:**

Notices were sent to 21 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

A rezoning is a legislative act requiring action by the Board of Supervisors. A decision by the Planning Commission in support of a 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's decision to deny a rezoning, however, is final unless appealed to the Board of Supervisors.

**BACKGROUND INFORMATION:**

On December 17, 1979, the Fresno County Board of Supervisors adopted the Roosevelt Community Plan and initiated a rezoning process to ensure that the zoning be consistent with the adopted community plan. Amendment Application No. 3148 is a County-initiated rezone to ensure consistent zoning with the newly adopted Roosevelt Community Plan. The subject parcel and parcels in proximity of the project site were rezoned from AE to AL-20 to prevent the establishment of incompatible land uses in areas designated for industrial use. This rezone was approved by the Board of Supervisors on September 29, 1980.

Under the current application, the Applicant proposes to rezone the subject property from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District.

Violation File No. 18-109252 was opened on the subject site on November 16, 2018. The violation is for operating a trucking company where expressly prohibited. The violation would be abated through the removal of the use from the property, or by rezoning the property so that the violating use would be compliant with the Zoning Ordinance under the proposed zone district.

**ANALYSIS/DISCUSSION/GENERAL PLAN CONSISTENCY**

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-F.29: The County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors:</p> <p>Criteria "a": Operational measures or specialized equipment to protect public health, safety, and welfare, and to reduce adverse impacts of noise, odor, vibration, smoke, noxious gases, heat and glare, dust</p>	<p>Criteria "a": Adverse impacts of noise, odor, vibration, smoke, noxious gasses, heat and glare, dust and dirt, combustibles, and other pollutants were addressed by Initial Study No. 7679, which was prepared for this application. Mitigation measures related to light and glare, and noise are implemented with this project to reduce adverse impacts resulting from the project to a less than significant impact. Those mitigation measures require lighting be hooded and directed downward and placement of equipment be placed in a way that will reduce noise impacts on surrounding sensitive receptors.</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>and dirt, combustibles, and other pollutants on abutting properties.</p> <p>Criteria “b”: Provisions for adequate off-street parking to handle maximum number of company vehicles, salespersons, and customers/visitors.</p> <p>Criteria “c”: Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties.</p> <p>Criteria “d”: Limitations on the industry’s size, time of operation, or length of permit.</p>	<p>Criteria “b”: Per the Fresno County Zoning Ordinance, under the M-1 Zone District, before any building or structure is erected on any lot in this District, a site plan shall have been submitted to and approved by the District pursuant to the provisions of Section 874 (Site Plan Review). As the project proposal only consists of the rezone, development of the subject parcel will be subject to a Site Plan Review and will verify the provision of adequate off-street parking.</p> <p>Criteria “c”: Based on the development standards of the proposed zone district and surrounding existing zone districts, there are no mandatory requirements for buffering of the use to isolate the use from abutting properties. As surrounding land is either industrial or agricultural, per the Zoning Ordinance, there is no requirements for isolation of the use by means of a non-objectionable use area.</p> <p>Criteria “d”: Mandatory Site Plan Review of any development on the site will reduce impacts on surrounding properties. Additionally, applicable Ordinance Codes and other standards are in place with the Site Plan Review permitting in place to verify applicable regulations are implemented.</p>
<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>Under the current proposal, there is no development being planned. Development of the site will be subject to the Site Plan Review application process which will indicate the use of the industrial zoned parcel and further determine if current sewer and water services are inadequate to sustain the use. The Department of Public Health, Environmental Health Division has provided comment on this policy and is included as a Condition of Approval for this project.</p>
<p>General Plan Policy LU-F.31: To the extent feasible, 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.</p>	<p>This area is planned under the County-adopted Roosevelt Community Plan for industrial development. The Roosevelt Community Plan designated the subject parcel and surrounding area for general industrial development. Currently, the area is zoned with a mix of industrial and agricultural zone districts. The road is designated as a Collector. Review of road conditions did not</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
	indicate that Peach Avenue is insufficient to handle industrial uses. Therefore, further landscaping and setbacks were not made a condition of approval and the development standards of the zone district would be applicable.
General Plan Policy LU-G.7: Within the spheres of influence and two (2) miles beyond, the County shall promote consultation between the cities and the County at the staff level in the early stages of preparing general plan amendments and other policy changes that may Impact growth or the provision of urban services. Staff consultations, particularly concerning community plans, shall provide for meaningful participation in the policy formulation process and shall seek resolution of issues prior to presentation to the decision-making bodies.	The subject site is not located within the Sphere of Influence of the City of Fresno. Although the project is not located within the SOI of the City of Fresno, they were still included on the initial project routing review and the Traffic Impact Study review. Their comments have been received and considered in reviewing the project.

**Reviewing Agency/Department Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is located one quarter mile south of the City of Fresno Sphere-of-Influence and is designated as General Industrial in the Roosevelt Community Plan. According to the Roosevelt Community Plan Zoning Compatibility Matrix, the proposed M-1 Zone District is a compatible Zone District for land designated General Industrial in the Roosevelt Community Plan.

This Application is necessary to address an exist violation on the property. The Building and Safety Section of the Fresno County Department of Public Works and Planning commented that the parcel currently has an open violation, File No. 18-109252. Cessation of activities/uses not allowed under the current zoning and payment of Violation citation fees are requested.

If approved, a rezone of the property will require:

- Compliance with California Building Code; Building, Fire, Mechanical, Plumbing, and Electrical, and County of Fresno Ordinances for all elements associated with the proposed use.
- Permits and inspections for improvements needed for the proposed use to reflect compliance with codes and ordinance (i.e. employee restroom facilities, accessibility, electrical for equipment, etc.).
- Plan submittals prepared by a qualified design professional licensed in California as part of the permit application “construction documents”.
- Improvements to wastewater/sewage disposal system will have to comply with County of Fresno Local Area Management Plan. Mandatory public sewer connection will have to be made if a public sewer system is available as applicable under Section 14.12 of the Fresno County Ordinance Code.
- Resolution of any unpermitted improvements to the parcel if determined through the County review process.

Fresno County Department of Agriculture: The Applicant's property has agricultural production to the northeast, southeast, and south. Therefore, the Applicant should acknowledge the Fresno County Right-to-Farm Notice. Fresno County Right-to-Farm Notice: "It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years." This shall be included as a Condition of Approval

Fresno County Department of Public Health, Environmental Health Division: 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 water and sewer 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 wastes. This shall be included as a Condition of Approval.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Peach Avenue is classified as a Collector road in the County's General Plan requiring 84 feet of road right-of-way. Currently, Peach Avenue has a total right-of-way of 60 feet, 30 feet each side of the centerline. An additional 12 feet of right-of-way is needed along parcel frontage to meet the ultimate right-of-way for Peach Avenue. Any setbacks for new construction should be based upon the ultimate right-of-way for Peach Avenue. No offer of dedication is being sought at this time.

Fresno Irrigation District: Fresno Irrigation District (FID) active Washington Colony No. 15 Canal runs southerly traversing the east side of the subject property in a 32-34-foot-wide right-of-way per Tract Map 1228.

FID requires that, within the limits of the proposed parcel to be rezoned, the landowner grant an exclusive easement for the land underlying the Washington Colony Canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and FID policy. The proposed easement (width) will depend on several factors including: 1) width of the canal, 2) height of canal banks, 3) final alignment of canal, 4) additional space needed where roads/avenues intersect canal, etc. This shall be included as a Condition of Approval.

Fresno Irrigation District (FID) requires its review and approval of all improvement plans which affect its property/easement and canal/pipeline facilities including but not limited to Sewer, Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry Utilities, and all other utilities. This shall be included as a Condition of Approval.

FID provided additional regulatory comments that have been included in the Project Notes.

Additional Comments from Departments and Agencies were submitted relating to regulatory requirements and have been included as Projects Notes in Exhibit 1.



**Analysis:**

The proposed rezone is consistent with the Fresno County General Plan. Review of applicable documents and information indicate that the subject site is located within the County-adopted Roosevelt Community Plan. Per the Roosevelt Community Plan, the subject site is designated for General Industrial and per the Roosevelt Community Plan Zoning Compatibility Matrix, the proposed M-1 Zone District is compatible with the land-use designation. Surrounding properties with the exception of the project to the east of the subject site are also designated for General Industrial. The property to the east is designated for a Ponding Basin. The proposal is not within the adopted City of Fresno Sphere of Influence (SOI). The boundary for the City’s SOI is approximately 1,430 feet north of the project site.

Parcels to the north and south of the project site are currently zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size). Properties to the east and west of the subject site are zoned M-3 (Heavy Industrial). Although parcels zoned AL-20 may be impacted by the project proposal, the proposal requests to rezone the subject parcel to the M-1 (Light Manufacturing) Zone District, which is a less intensive industrial zone district compared to the surrounding M-3 (Heavy Industrial) uses that are prevalent in this area. The project will allow by-right uses in the M-1 Zone District and more intensive uses subject to a land-use permit will be further scrutinized for impacts.

Comments received from the City of Fresno were considered but it was determined that there was insufficient nexus and proportionality to justify inclusion of their requests.

Based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval and Project Notes, staff believes that the proposed rezone will not have an adverse effect upon surrounding properties and is consistent with the Fresno County General Plan and Roosevelt Community Plan.

**Recommended Conditions of Approval:**

*See recommended Mitigation Measures, Conditions of Approval, and Project Notes attached as Exhibit 1. They address Aesthetic, Cultural Resources, Noise, Transportation, Right to Farm, and Limited Liquid Waste Discharges.*

**PUBLIC COMMENT:**

*None*

**CONCLUSION:**

Staff believes that the proposed rezone from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) to the M-1 (Light Manufacturing) Zone District is consistent with the Fresno County General Plan and County-adopted Roosevelt Community Plan, and recommends approval of Amendment Application No. 3838, subject to the Mitigation Measures, and Conditions of Approval, attached as Exhibit 1.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration

prepared for Initial Study No. 7679; and

- Recommend that the Board of Supervisors determine that the proposed M-1 (Light Manufacturing) Zone District is consistent with the General Plan and County-adopted Roosevelt Community Plan; and
- Direct the Secretary to prepare a Resolution documenting the Commission's actions.

**Alternative Motion** (Denial Action)

- Move to determine that the proposed M-1 (Light Manufacturing) Zone District is not consistent with the General Plan and County-adopted Roosevelt Community Plan (state reasons); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Mitigation Measures, recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

TK:im

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**EXHIBIT 1**  
**Mitigation Monitoring and Reporting Program**  
**Initial Study No. 7679 and Amendment Application No. 3838**  
**(Including Conditions of Approval and Project Notes)**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.	Applicant	Applicant / Department of Public Works and Planning (PW&P)	Ongoing
2.	Cultural Resources and Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant / PW&P	During ground-disturbing activities
3.	Noise	All trailers with refrigeration units operating shall be parked towards the middle of the trailer parking area with non-refrigeration trailers parked in outer parking spots to aid in buffering noise from the refrigeration units.	Applicant	Applicant / PW&P / Department of Public Health, Environmental Health Division (EHD)	Ongoing
4.	Transportation	The project shall pay its equitable share towards the dual lefts at the Jensen Avenue and Peach Avenue intersection. The Equitable Share Contribution from the developer was calculated to be 0.1% of the total cost, or approximately \$60.00.	Applicant	Applicant / PW&P	Ongoing
5.	Transportation	The project shall pay its equitable share towards the signalization of the Peach Avenue and Central Avenue intersection. The Equitable Share Contribution from the developer was calculated to be 1.1% of the total signalization cost, or approximately \$4,400.00.	Applicant	Applicant / PW&P	Ongoing
6.	Transportation	The project shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact (FMSI) Fee, a Traffic Signal Mitigation Impact (TSMI) Feet,	Applicant	Applicant / PW&P	Ongoing

		and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.			
7.	Transportation	Construct site frontage improvements along S. Peach Avenue to include curb, gutter, sidewalk and accommodates for bicycle facilities to be constructed in connection with the City of Fresno Active Transportation Plan. These include Class II facilities along S. Peach Avenue.	Applicant	Applicant / PW&P	Ongoing
8.	Transportation	Provide onsite bike racks/bike lockers and pedestrian accessibility to all proposed buildings and offsite sidewalks.	Applicant	Applicant / PW&P	Ongoing

**Conditions of Approval**

1.	The Applicant's property has agricultural production to the northeast, southeast, and south. Therefore, the Applicant should acknowledge the Fresno County Right-to-Farm Notice through recordation of a Right-to-Farm Covenant. Fresno County Right-to-Farm Notice: "It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years."
2.	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 water and sewer 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 wastes.
3.	Prior to County action on any grading and drainage plans, the County shall route said plans to the Fresno Irrigation District (FID) for review and comment. The County shall consider FID input with the intent to ensure that proposed development will not endanger the structural integrity of the pipeline or result in drainage patterns that could adversely affect the on-site FID facilities.
4.	Prior to such a time as on-site development/grading will occur within 100 feet of the Canal, the Applicant shall grant an exclusive easement for the land underlying the Washington Colony Canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and FID policy. The proposed easement (width) will depend on several factors including: 1) Width of canal, 2) height of canal banks, 3) final alignment of canal. FID requires that the Engineer/Land Surveyor use the inside top hinge of the canal to define the edge of FID's right-of-way such that FID has a minimum of 20 feet along all points along the canal bank, There are no minimum or suggested numbers of survey shots to take but, there must be enough survey points such that the top inside hinge of the canal bank is properly identified. Before finalizing the Final Maps, the Engineer/Land Surveyor will need to stake both the inside top hinge and the right-of-way/property for FID Staff to field evaluate an adequate width. FID staff must field verify the right-of-way/property boundary and the hinge line edges before signing plans to ensure that there are enough survey points to properly define the canal.

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

**Notes**

**The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.**

**Notes**

1.	<p>The Building and Safety Section of the Fresno County Department of Public Works and Planning provide the following comments:</p> <ol style="list-style-type: none"> <li>a. This parcel currently has an open violation, Violation File 18-109252. Cessation of activities/uses not allowed under the current zoning and payment of violation citation fees are requested.</li> <li>b. If approved, a rezone of the property will require:             <ol style="list-style-type: none"> <li>1. Compliance with California Building Code; Building, Fire, Mechanical, Plumbing, and Electrical, and County of Fresno Ordinances for all elements associated with the proposed use.</li> <li>2. Permits and inspections for improvements needed for the proposed use to reflect compliance with codes and ordinance (i.e. employee restroom facilities, accessibility, electrical for equipment, etc.).</li> <li>3. Plan submittals prepared by a qualified design professional licensed in California as part of the permit application “construction documents”.</li> <li>4. Improvements to wastewater/sewage disposal system will have to comply with County of Fresno Local Area Management Plan. Mandatory public sewer connection will have to be made if a public sewer system is available as applicable under Section 14.12 of the Fresno County Ordinance Code.</li> <li>5. Resolution of any unpermitted improvements to the parcel if determined through the County review process.</li> </ol> </li> </ol>
2.	<p>The Fresno County Department of Public Health, Environmental Health Division provide the following comments:</p> <ol style="list-style-type: none"> <li>a. It is recommended that the Applicant consider having the existing septic tanks pumped and have the tank and leach lines evaluated by an appropriately licensed contractor. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.</li> <li>b. The location of the onsite sewage disposal area should be identified and cordoned off to prevent truck trailer traffic from driving over, causing damage and possible failure of the septic system.</li> <li>c. In an effort to protect groundwater, all abandoned water wells and septic systems on the parcel shall be properly destroyed by an appropriately licensed contractor (permits required). Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The “oily water” removed from the well must be handled in accordance with federal, state and local government requirements.</li> <li>d. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous materials or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. The default State reporting thresholds that apply are: &gt;55 gallons (liquids), &gt;500 pounds (solids), &gt;200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.</li> <li>e. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.</li> <li>f. The Applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers, which may require the Owner/Operator to obtain a permit from the California Department of Resources Recycling and Recovery (CalRecycle).</li> </ol>
3.	<p>The Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning provide the following comments:</p> <ol style="list-style-type: none"> <li>a. Peach Avenue is classified as a Collector road in the County’s General Plan requiring 84 feet of road right-of-way. Currently, Peach Avenue has a total right-of-way of 60 feet, 30 feet each side of the centerline. An additional 12 feet of right-of-way is needed along parcel frontage to meet the ultimate right-of-way for Peach Avenue. Any setbacks for</li> </ol>

**Notes**

	<p>new construction should be based upon the ultimate right-of-way for Peach Avenue.</p> <ul style="list-style-type: none"> <li>b. Site improvement may be required such as drive approaches onto Peach Avenue should be paved a minimum of 100 feet from road right-of-way off Peach Avenue to minimize tracking and dust pollution. Additionally, such driveways should accommodate truck turning radii.</li> <li>c. Any proposed gates should be set back a minimum of 20 feet, or such other extra depth, so as to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate.</li> <li>d. An encroachment permit from Fresno County Road Maintenance and Operations Division is required prior to any work performed in the County road right-of-way.</li> </ul>
4.	<p>The Fresno Irrigation District provides the following comments:</p> <ul style="list-style-type: none"> <li>a. FID does not allow FID owner property or easements to be in common use with public utility and/or road easements and rights-of-ways but will in certain instances allow for its property to be in common use with landscape easements.</li> <li>b. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing all final maps/plans.</li> <li>c. If a new fence will be installed between the development and open canal, a block/masonry is required. Chain-link and wood fencing are not typically accepted for residential, commercial, and industrial development. If chain-link fencing is allowed, FID will require a minimum 25-year warranty heave duty slats be installed.</li> <li>d. Footings of retaining walls shall not encroach onto FID property/easement areas.</li> <li>e. Trees will not be permitted within FID's property/easement areas.</li> </ul>
5.	<p>The Fresno Metropolitan Flood Control District provides the following comments:</p> <ul style="list-style-type: none"> <li>a. The subject site shall pay drainage fees at the time of development based on the fee rates in effect at the time.</li> <li>b. Storm drain easements will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees. The easement may be slightly realigned to accommodate existing and/or future development, provided the property owner accepts the responsibility to grade the property such that the drainage from the property will reach the inlet on the alternate pipeline alignment, and accepts any additional costs for the construction of additional storm drain facilities that may be required. Any proposed storm drain alignments must be reviewed and approved by the District.</li> <li>c. The District requires that the storm drainage patters for the development conform to the District's Master Plan and therefore, runoff shall be directed to Peach Avenue. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. Specific construction requirements will be addressed with future entitlements on the property.</li> <li>d. Permanent drainage service is not available for the project site. The District recommends temporary facilities until permanent services become available.</li> <li>e. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.</li> <li>f. A State National Pollutant Discharge Elimination System (NPDES) general permit for storm water discharges associated with construction activities is required for all clearing, grading and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if a part of a larger common plan of development or sale).</li> </ul>
5.	<p>The Fresno County Fire Protection District provide the following comments:</p> <ul style="list-style-type: none"> <li>a. The application shall comply with California Code of Regulations Title 24 – Fire Code.</li> </ul>

<b>Notes</b>	
	<ul style="list-style-type: none"><li>b. Project/Development including: Single-Family Residential (SFR) property of three or more lots, Multi-Family Residential (MFR) property, Commercial property, Industrial property, and/or Office property shall annex into the Community Facilities District No. 2010-01 of the FCFPD.</li><li>c. Project/Development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.</li></ul>

TK

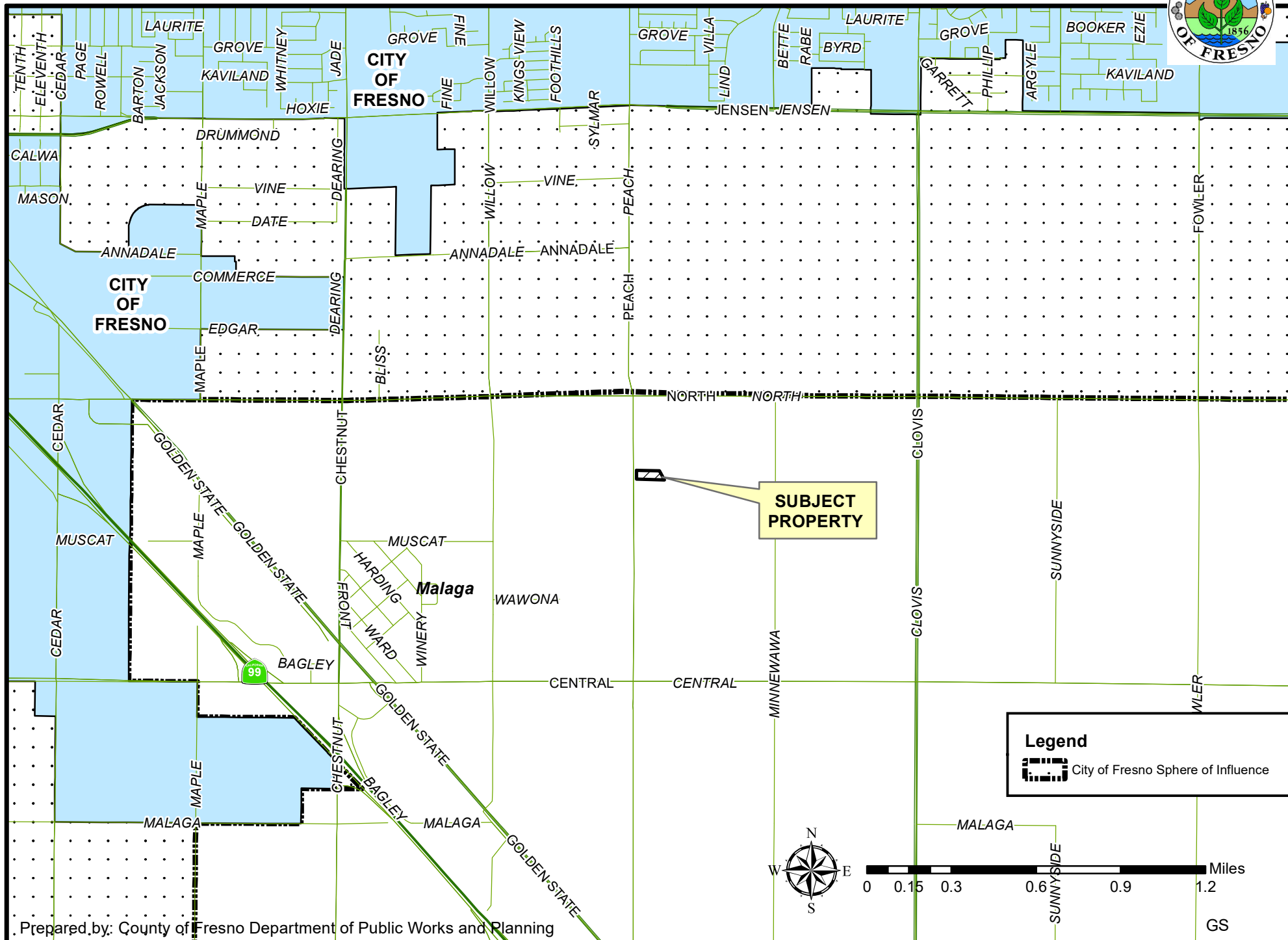
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# LOCATION MAP

AA 3838





# EXISTING ZONING MAP

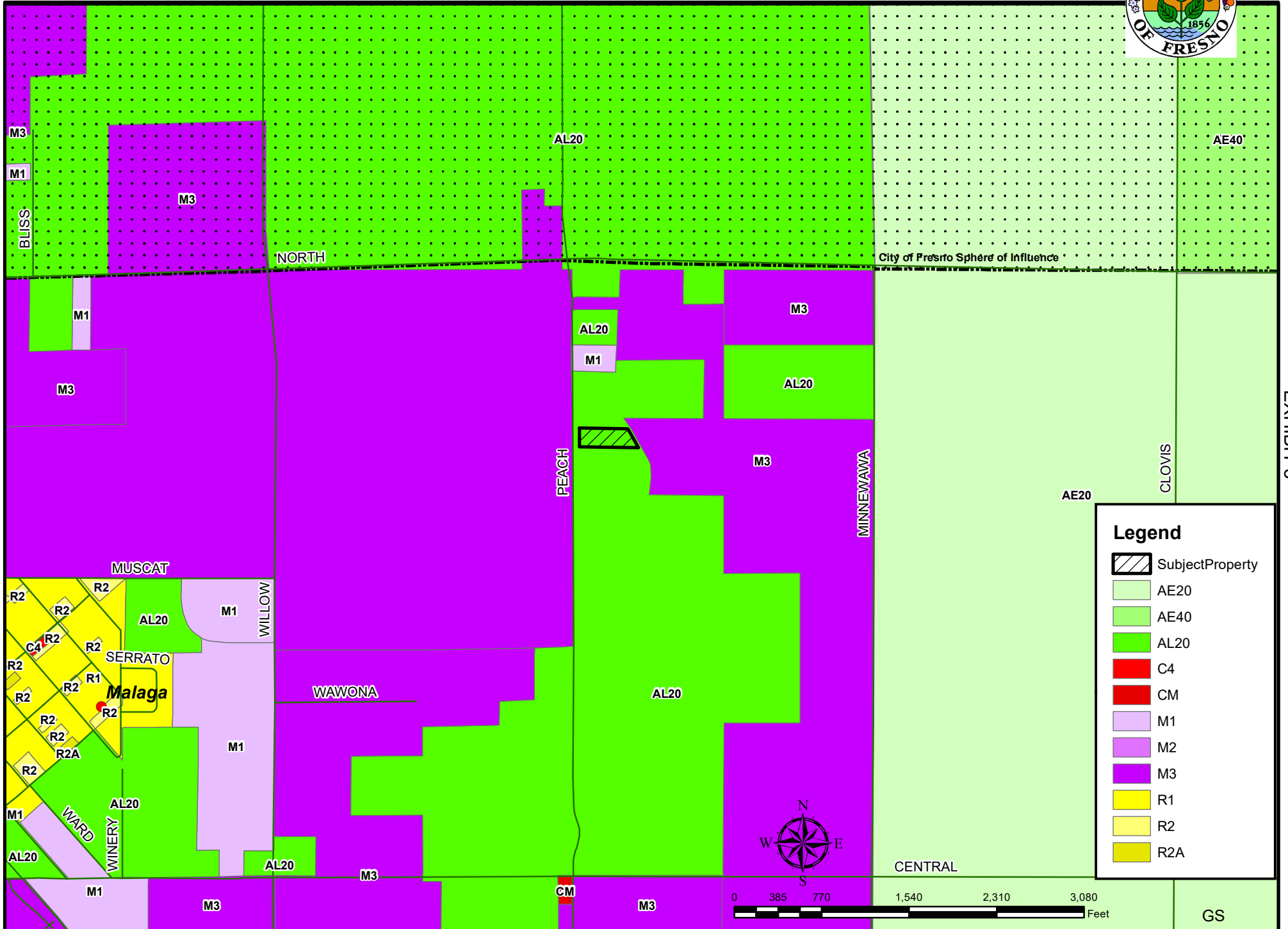


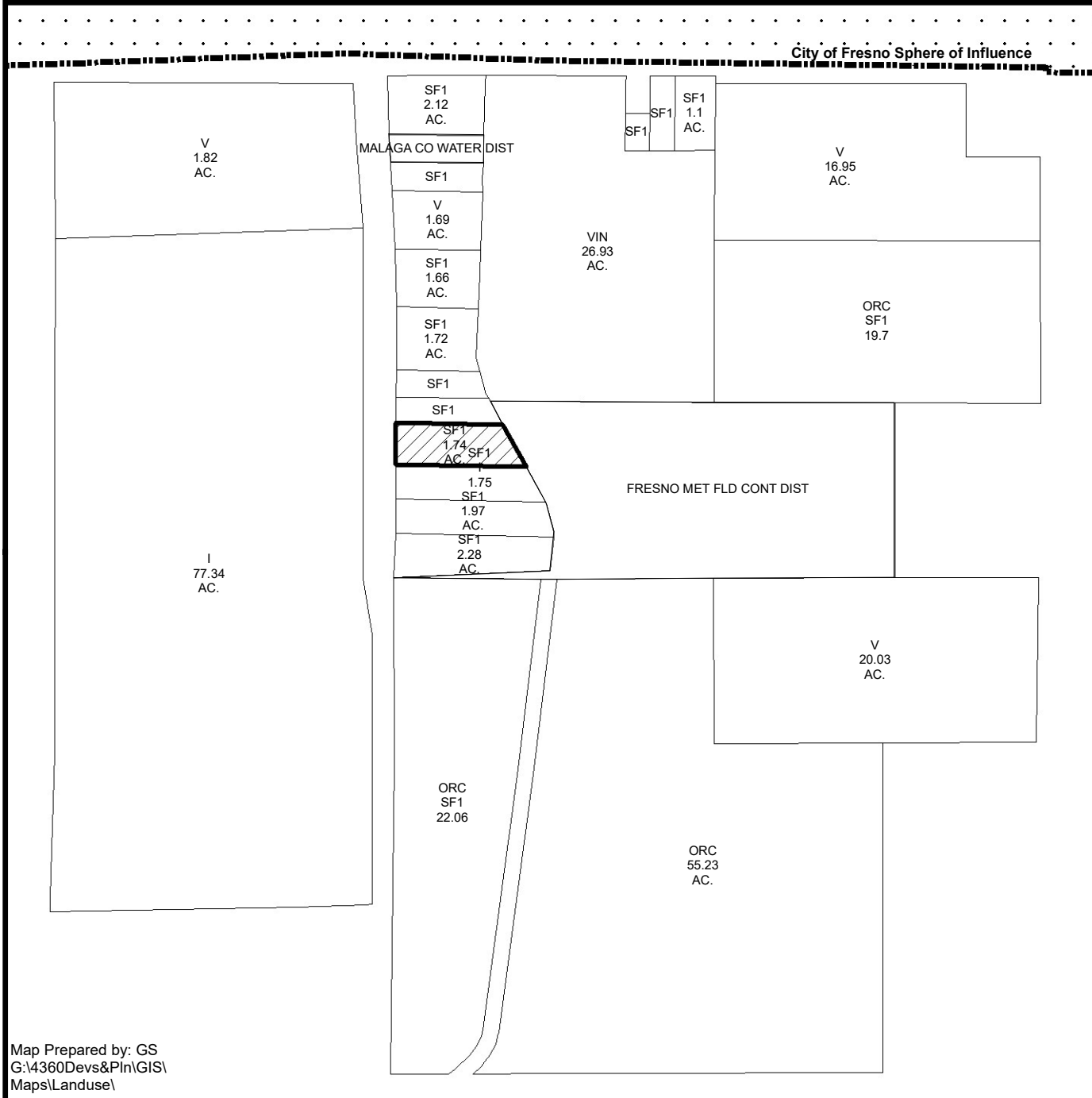
EXHIBIT 3

GS



# EXISTING LAND USE MAP

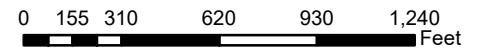
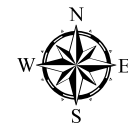
AA 3838



LEGEND	
I - INDUSTRIAL	
ORC - ORCHARD	
SF#- SINGLE FAMILY RESIDENCE	
V - VACANT	
VIN - VINEYARD	

LEGEND:

 Subject Property



Department of Public Works and Planning  
Development Services Division

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



SECTION 843

"M-1" - LIGHT MANUFACTURING DISTRICT

The "M-1" (Light Manufacturing) District is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of material that 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 persons residing in or conducting business in either this or any other district.

SECTION 843.1 – USES PERMITTED

The following uses shall be permitted in the "M-1" District. All uses shall be subject to 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. Public utility service yards with incidental buildings.
6. Electric distribution substations.
7. Temporary or permanent telephone booths.
8. Water pump stations.

SECTION 843.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Automobile and truck sales with incidental repair and service (any repair and service shall be conducted within a completely enclosed building.)  
(Added by Ord. T-064-336 adopted 3-6-01)
- B. Bars and cocktail lounges.  
(Added by Ord. 490.34 adopted 3-8-67)
- C. Boat Sales.  
(Added by Ord. T-O60-331 adopted 9-22-98)
- D. Microwave relay structures.
- E. Motorcycle Shops.  
(Added by Ord. T-060-331 adopted 9-22-98)
- F. Second caretaker's residence to be occupied by an employee.  
(Added by Ord. T-047-316 adopted 1-5-93)



SECTION 817"AL" - LIMITED AGRICULTURAL DISTRICT

The "AL" District is a limited agricultural district. It is intended to protect the general welfare of the agricultural community by limiting intensive uses in agricultural areas where such uses may be incompatible with, or injurious to, other less intensive agricultural operations. The District is also intended to reserve and hold certain lands for future urban use by permitting limited agriculture and by regulating those more intensive agricultural uses which, by their nature, may be injurious to non-agricultural uses in the vicinity or inconsistent with the express purpose of reservation for future urban use.

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

(Section 817 added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.188 adopted 10-29-79)

SECTION 817.1 - USES PERMITTED

The following uses shall be permitted in the "AL" Districts. All uses shall be subject to the Property Development Standards in Section 817.5.

(Amended by Ord. 490.174 re-adopted 5-8-79; Ord. 490.188 adopted 10-29-79)

- A. The maintaining, breeding and raising of bovine and equine animals except dairies, feed lots and uses specified in Sections 817.2 and 817.3.  
(Amended by Ord. 490.174 re-adopted 5-8-79)
- B. The keeping of rabbits and other similar small fur-bearing animals for domestic use.  
(Amended by Ord. T-038-306 adopted 5-22-90)
- C. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H, and similar organizations.  
(Added by Ord. T-038-306 adopted 5-22-90).
- D. The raising of tree, vine, field, forage, and other plant life of all kinds, except mushroom growing.  
(Added by Ordinance 490.174 re-adopted 5-8-79)
- E. One family dwellings, 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.
- F. Home Occupations, Class I, subject to the provisions of Section 855-N.  
(Amended by Ord. T-288 adopted 2-25-86)
- G. The use, storage, repair, and maintenance of tractors, scrapers, and land leveling and development equipment devoted primarily to agricultural uses when operated in conjunction with, or as part of, a bona fide agricultural operation.

- H. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- I. Signs, subject to the provisions of Section 817.5-K.
- J. Temporary or permanent telephone booths.
- K. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- L. Mobile home occupancy consisting of one or more mobile homes, subject to the provisions of Section 856 and Section 817.1-D.
- M. Historic and monument sites.
- N. The harvesting curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, or where such activity is carried on in conjunction with, or as a part of, a bona fide agricultural operation.  
(Added by Ord. T-052-286 adopted 3-8-94)
- O. Agricultural tourism uses and facilities subject to the provisions of Section 855-N.  
(Added by Ord. T-078-353, adopted 12-7-04)
- P. Farmworker Dwelling Units subject to the provisions of 855-O.  
(Added by Ord. T-803-371 adopted 12-8-15)
- Q. Farmworker Housing Complexes subject to the provisions of 855-O.  
(Added by Ord. T-803-371 adopted 12-8-15)
- R. Temporary Farmworker Housing subject to the provisions of 855-O.  
(Added by Ord. T-803-371 adopted 12-8-15)
- S. Wholesale Limited Winery subject to the provisions of Section 855-N. (Added by Ord. T-093-377 adopted 6-12-18)
- T. Micro Winery subject to the provisions of Section 855-N. (Added by Ord. T-093-377 adopted 6-12-18)
- U. Minor Winery subject to the provisions of Section 855-N. (Added by Ord. T-093-377 adopted 6-12-18)

**SECTION 817.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL**

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Churches, parsonages, and other religious institutions.
- B. Commercial stables or riding academies.
- C. Communications equipment buildings, microwave relay structures.
- D. Electrical transmission substations and electric distribution substation.



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

**APPLICANT:** Harpreet Pawar

**APPLICATION NOS.:** Initial Study No. 7679 and Amendment Application No. 3838

**DESCRIPTION:** Rezone a 1.74-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District.

**LOCATION:** The project site is located on the east side of South Peach Avenue approximately 1,460 feet south of its nearest intersection with East North Avenue and is approximately 1.05 miles southeast of the nearest city limits of the City of Fresno (APN 331-200-01S) (3280 S. Peach Avenue, Fresno, CA) (SUP. DIST.: 4).

### 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 located in an area of industrial uses to the west, residential uses directly north and south, and agricultural uses to the east. The site borders urbanized land to the west and rural agricultural land to the east. No scenic vista has been identified as being affected by the project proposal. According to Figure OS-2 of the Fresno County General Plan, there is no scenic roadway fronting the project site. No scenic resources have been identified as being affected by the project proposal.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Roosevelt Community Plan, the subject site is designated for General Industrial and the proposed rezone from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District would be consistent with its land designation. The subject site is currently improved with a single-family residence and accessory structures. The proposed rezone has the potential to change the visual character of the site from a residential/rural character consistent with the current underlying zone district to a more industrial character based on the uses allowed in the M-1 Zone District. This however is seen as a less than significant impact due to the area being planned for industrial activity as shown in the land designation and through consideration of the existing character of the area, which is already affected by industrial operations.

- 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 project site is currently improved with a single-family residence and accessory buildings. There is no development proposed with the subject application. Any new development on the project site could potentially result in light or glare. To ensure that public right-of-way and surrounding properties are not negatively impacted by light pollution from any future development, a Mitigation Measure shall be implemented that all outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.

\* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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



FINDING: NO IMPACT:

According to the Fresno County Important Farmland 2016 Map, the subject property is located in land designated as Rural Residential Land. Aerial imaging of the project site and photos provided by the Applicant further confirm that the subject property is not utilized for agricultural cultivation. Therefore, the project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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

FINDING: NO IMPACT:

The project proposes to rezone the subject site from its existing AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. The Subject site is a part of the Roosevelt Community Plan and is designated for General Industrial. The proposal will bring the parcel into further compliance with its land use designation under the Roosevelt Community Plan and will not conflict with the existing zoning. The subject parcel is not Williamson Act contracted.

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

FINDING: NO IMPACT:

The subject site is not zoned for forest land, timberland, or timberland zoned Timberland Production and will not result in the loss of forest land or conversion of forest land to non-forest use.

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

FINDING: NO IMPACT:

Per the County-adopted Roosevelt Community Plan, the subject site and surrounding land bounded by North Avenue to the north, Minnewawa Avenue to the east, Central Avenue to the south, and Peach Avenue to the west, are designated for general industrial. Currently land located within the identified area is zoned for agriculture under the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District or zoned for industrial use under the M-1 (Light Manufacturing) or M-3 (Heavy Industrial) Zone District. Therefore, although the project could lead to conversion of additional farmland to non-agricultural use, the area has been designated for industrial use and does not have an impact on agricultural resources.

### III. AIR QUALITY

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

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: NO IMPACT:

An Air Quality and Greenhouse Gas Emissions Analysis was prepared by Vang Inc. Consulting Engineers (VICE) for the project. The San Joaquin Valley Air Pollution Control District (SJVAPCD) reviewed the subject application and analysis and did not express concerns with the analysis or project proposal. The analysis states that the project proposal is consistent with the Air Quality Plan established with SJVAPCD as the project would result in short-term construction and long-term pollutant emissions that are less than the significance emissions threshold with control measures incorporated. Additionally, the Air Quality Plan is based on growth projections developed by the Air District. The County's General Plan is consistent with the Air District and in considering the land use designation of the project area of industrial, the project proposal was taken into account for the growth projections of the Air District. Therefore, the project will not conflict with or obstruct implementation of the applicable Air Quality Plan.

- B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

SJVAPCD annual emissions significance thresholds are: 100 ton per year of CO; 10 tons per year of NOx; 10 tons per year of ROG; 27 tons per year of SOx; 15 tons per year of PM10; and 15 tons per year of PM2.5. The Air Quality and Greenhouse Gas Emissions Analysis produced for the subject application estimated the construction emissions associated with the project shown for the years 2020 and 2021. Estimates of construction emissions for all criteria pollutants resulting from the project are under significance thresholds established by the SJVAPCD. Operational emissions are likely to come from two main sources, area sources and mobile sources. The operational air pollutant emissions are estimated to be under significance thresholds under SJVAPCD standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Fresno County Zoning Ordinance, the M-1 (Light Manufacturing) Zone District is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of material that 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 persons residing in or conducting business in either this or any other district. The by-right uses of the proposed zone district are not expected to expose sensitive receptors to substantial pollutant concentrations or result in emissions that would adversely affect a substantial number of people. Per the Air Quality analysis provided by the Applicant, estimated criteria pollutants both from proposed project construction and operation at the highest intensity of project buildout would be under significance thresholds established under the SJVAPCD. Any more intensive use under the proposed zone district that requires a land-use entitlement will require additional analysis of the use, therefore the site at build-out of the highest intensity would have a less than significant impact on sensitive receptors and would not adversely affect a substantial number of people.

#### IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

According to the California Natural Diversity Database, there are no reported occurrence of special status species on the project site. The site has historically been used as a single-family residential site. Aerial imaging of the site and surrounding area suggest that the project site is on the boundaries of urban development and agricultural operations indicating disturbed areas that would deter wildlife from occupying the site or any other site in the immediate vicinity of the project site. Both the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) were notified of the subject application and no concerns were expressed by either agency.

- 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: LESS THAN SIGNIFICANT IMPACT:

According to the National Wetlands Inventory (NWI), the subject parcel is easterly adjacent to an identified wetland. Upon further inspection, the identified wetland is a manmade canal under the jurisdiction of the Fresno Irrigation District (FID). FID identifies the canal as Washington Colony No. 15 Canal and runs southerly traversing the east side of the subject property. Development of the site will require compliance with setbacks and easements associated with the FID owned canal and avoid direct impacts on the canal. There are no riparian habitat or other sensitive natural communities identified on the project site. Although the identified wetland is not a state or federally-protected wetland, the project will avoid adversely impacting the wetland.

- 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 is located on the boundary of urban development and agricultural operations. The project will not interfere with the movement of any native resident or migratory fish. There are no identified migratory wildlife corridor or native wildlife nursery site on or near the project site.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

There are no local policies or ordinances protecting biological resources that would conflict with the project proposal. The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

## V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to Fresno County records, the site is not located in areas identified as being archeologically sensitive. The project site has experienced ground disturbance with construction of the existing single-family residence and accessory buildings. Although past ground disturbance has occurred, a mitigation measure will be implemented in the event that cultural resources are unearthed during further ground disturbance related to development of the site.

\* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An 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;  
or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT:

New development of the site will be subject to current building and energy codes that comply with state and local standards. Energy usage in the form of running equipment and vehicles is expected to increase, but will not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources.

VII. GEOLOGY AND SOILS

Would the project:

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

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

According to Figure 9-3 of the Fresno County General Plan Background Report (FCGPBR) and the Earthquake Hazard Zone Application, administered by the California Department of Conservation, the subject site is not located on or near a known earthquake fault.

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

FINDING: NO IMPACT:

Per Figure 9-5 of the FCGPBR, the subject site is not located in area identified as having a probabilistic seismic hazard with a peak horizontal ground acceleration of over 20%. The County of Fresno is situated in an area of relatively low seismic activity with faults and fault systems lying along the eastern and western boundaries of the County. The subject site is not located near the identified faults and fault system, therefore it can be seen that the site will not be subject to strong seismic ground shaking or seismic-related ground failure. The subject site is located in a relatively flat area, therefore risk of landslides is minimal. Additionally, per Figure 9-6 of the FCGPBR, the project site is not located any identified landslide hazard areas.

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

FINDING: NO IMPACT:

Further development of the project site could result in additional coverage of the parcel with impermeable surfaces which will decrease the potential for significant soil erosion. In reviewing the terrain of the site and taking into consideration the presence of the Fresno Metropolitan Flood Control District which will allow safe directing of storm water that further decrease the risk of soil erosion, no impact is seen from the project.

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

FINDING: NO IMPACT:

No geologic unit or unstable soil has been identified on the project site.

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

FINDING: NO IMPACT:

According to Figure 7-1 of the Fresno County General Plan Background Report, the subject site is not located on areas identified as having soils exhibiting moderately high to high expansive potential.

- D. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

FINDING: NO IMPACT:

There is no development proposed with the subject rezone. Building permit records indicate the presence of a single-family residence that is serviced by a septic system. Reviewing agencies and departments did not express concern with the project to indicate that the site has soils incapable of adequately supporting additional septic tanks or alternative wastewater disposal systems. If a new septic system or alternative wastewater disposal system were to be proposed, the development would be subject to review and permitting by the Department of Public Works and Planning.

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

FINDING: NO IMPACT:

No unique paleontological resource or unique geologic feature has been identified on the subject parcel.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Greenhouse Gas Emissions Analysis has been prepared for the subject application provided estimated greenhouse gas emissions based off the worst case scenario. Construction greenhouse gas emissions are estimated to be approximately 258.3597 metric tons of CO2 emissions per year. The analysis indicates that the proposed

rezone could result in a total CO2 emissions of 972.8874 metric tons per year in operation with the worst case scenario is mind.

The San Joaquin Valley Air Pollution District on December 17, 2009 published its Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA (Guidance). The Guidance recommends using performance-based standards as a means of determining the significance of project specific GHG emission impacts using established specifications or project design elements and Best Performance Standards. The effects of project specific GHG emissions are considered to be cumulative unless reduces or mitigated, their incremental contribution to global climate change could be considered cumulatively considerable. No numerical threshold of significance for GHG emissions has been established. Guidance also compare estimated operational emissions to a Business as Usual (BAU) scenario to a 2002-2004 baseline scenario to represent conditions if current regulations were not adopted.

The Greenhouse Gas (GHG) Emissions Analysis concluded that although the project proposal does not meet the percentage reduction threshold of 29% when compared to BAU emissions established under Guidance from the SJVAPCD, the project proposal is still consistent with State reduction goals as implementation of BPS and project design for GHG emission reduction will occur to the most possible extent as these items are addressed through State standards and regulations. Therefore, the project is not expected to generate GHG emissions that may have a significant impact on the environment. The SJVAPCD has reviewed the project proposal and prepared GHG Emissions Analysis and did not express concern to indicate that the project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The subject application proposes to rezone the project site from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. Permitted uses under the proposed zone district could result in the transport, use, or disposal of hazardous materials. However, if a use is established on the project site that would result in the handling or disposal of hazardous materials/waste, the operation would be subject to local, state, and federal regulations for permitting and handling of said hazardous materials/waste. More intensive uses listed outside of permitted uses would be subject to a land-use permit, which would



under go further review for handling of hazardous materials and waste. Reviewing agencies and departments did not express concern with the subject proposal. The Department of Public Health, Environmental Health Division listed state requirements for handling and storage of hazardous waste. Therefore, with compliance of local, state, and federal standards for handling of hazardous materials and waste, the project will result in a less than significant impact to the public and environment.

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

FINDING: NO IMPACT:

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

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; or
- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within two miles of an airport land use plan or public airport or public use airport.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Department and agency review of the subject application did not indicate that the project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The subject site is located on the boundary between urban and agricultural land and would not be subject to a significant risk of loss, injury, or death involving wildland fires.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Applicant, water is provided by a private well and liquid waste disposal is available via an onsite septic system. The Water and Natural Resources Division and the State Water Resources Control Board reviewed the subject application and did not express concern with the project to indicate that the project will result in violation of any water quality standards or a substantial decrease in groundwater supplies or recharge. The State Water Resources Control Board states that although development is not proposed with the subject application to rezone the parcel, if the future development to the site results in the formation of a new public water system, the Applicant will need to comply with Senate Bill 1263.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
  1. Result in substantial erosion or siltation on- or off-site?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject application does not propose direct development of the site and proposes to rezone the subject parcel to an industrial zone district. Future development of the site can result in the addition of impervious surfaces which can result in erosion or siltation on or off site. Development of the site will be subject to current building code and grading standards to ensure erosion or siltation of the site is reduced so as to not cause an adverse effect. The project site is in a generally flat area with the biggest change in elevation being a canal located abutting the eastern property line. The Fresno Irrigation District has reviewed the subject proposal and request that a minimum 20-foot easement be provided to ensure that their facilities are unaffected by any development proposed for this site. Additionally, the Fresno Metropolitan Flood Control District has reviewed the subject application and indicate that the project site is located in proximity to established drainage facilities and can accommodate development of the site subject to their requirements. Therefore, in considering the presence of facilities that can reduce impacts from the addition of impervious surfaces resulting from the project, a less than significant impact is seen.

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Further development of the site could result in an increase rate or amount of surface runoff which could result in flooding on- or off-site. The increase however is not considered significant as the subject site is located within the boundaries of the Fresno Metropolitan Flood Control District (FMFCD) and would be subject to requirements for providing improvements related to connecting to their facilities for stormwater runoff. The FMFCD have indicated that the existing facilities are adequate in servicing the subject parcel.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

Per FEMA FIRM Panel C2130H, the subject property is located in Zone X, Area of Minimal Flood Hazard. Therefore, the subject proposal and any future development would not impeded or redirect flood flows.

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

FINDING: NO IMPACT:

The subject site is not located in the 100-year flood zone hazard area and is not located near any body of water that would indicate that the site is at risk due to tsunami or seiche zones.

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

FINDING: NO IMPACT:

Agency and department review of the project proposal did not produce concern to indicate that the project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is located on a 1.74-acre parcel on the east side of South Peach Avenue of approximately 1,460 feet south of its nearest intersection with East North Avenue.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Policy Planning Section of the Fresno County Department of Public Works and Planning has reviewed the subject application and provided information regarding the project's consistency with the Fresno County General Plan. Per the County-adopted Roosevelt Community Plan, the subject parcel is designated General Industrial, therefore the proposed M-1 Zone District is compatible with the land-use designation.

Policy LU-F.29 states that the County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors. Criteria "a": Operational measures or specialized equipment to protect public health, safety, and welfare, and to reduce adverse impacts of noise, odor, vibration, smoke, noxious gases, heat and glare, dust and dirt, combustibles, and other pollutants on abutting properties; Criteria "b": Provisions for adequate off-street parking to handle maximum number of company vehicles, salespersons, and customers/visitors; Criteria "c": Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties; Criteria "d": Limitations on the industry's size, time or operation, or length of permit.

In regard to Policy LU-F.29, mitigation measures, conditions of approval, and project notes are to be implemented to ensure that impacts from the project proposal are reduced to at least a less than significant impact or meet State and local standards and regulations. Additional requirements per local standards will be implemented to ensure that the new industrial development not adversely impact surrounding properties.

Policy LU-F.30 states that 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.

The existing structures on the property include a single-family residence and accessory storage building. Per the Fresno County Zoning Ordinance, submittal and approval of a Site Plan Review application is necessary for new improvements to the subject site under the M-1 Zone District. Therefore, new improvements related to an industrial use would be subject to additional review and determine if community sewer and water services is necessary. More intensive industrial development under the zone district that requires a land-use permit will be subject to additional environmental review and further determination on the requirement of community sewer and water services.

Policy LU-F.31 states that to the extent feasible, 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.

The subject site and surrounding area per the County-adopted Roosevelt Community Plan is designated for industrial development. Although the area is not currently zoned for industrial development, the area is planned for industrial uses and with some existing industrial uses present. Additional land-use permit review or site plan requirements will address the need for landscaping and setbacks requirements.

## XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

According to Figure 7-7 and 7-8 of the Fresno County General Plan Background Report, the subject site is not located on or near any identified mineral resource location or mineral producing location.

## 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 application does not propose immediate development of the site. Future development of the site would be subject to the provisions of the Fresno County Noise Ordinance and should not exceed established noise level thresholds. According to the County-adopted Roosevelt Community Plan, the project site and area surrounding the property are designated for Limited Industrial. However, certain parcels in close proximity of the subject parcel that will continue to be zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and utilized for residential purposes. As a measure to protect the existing residences surrounding the subject parcel, all trailers with refrigeration units operating shall be parked towards the middle of the trailer parking area with non-refrigeration trailers parked in outer parking spots to aid in buffering noise from the refrigeration units. In considering the eventual conversion of land to industrial uses per land-use designations under the adopted plan and compliance with the Fresno County Noise Ordinance a permanent increase in noise levels will have a less than significant impact. Compliance with the listed mitigation measure will ensure a less than

significant impact on the surrounding existing residential uses from negative impacts resulting from certain uses allowed if the rezone were to be approved.

\* **Mitigation Measure(s)**

1. *All trailers with refrigeration units operating shall be parked towards the middle of the trailer parking area with non-refrigeration trailers parked in outer parking spots to aid in buffering noise from the refrigeration units.*

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: NO IMPACT:

The subject project site is not located on or within two miles of a private airstrip, airport land use plan, public airport or public use airport.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The subject rezone will not induce substantial unplanned population growth as the area has been identified in the Roosevelt Community Plan for industrial uses. The project does not displace a substantial number of existing people or housing necessitating 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 public services?

1. Fire protection;

FINDING: NO IMPACT:

The Fresno County Fire Protection District (FCFPD) has reviewed the subject proposal and did not express concern with the project to indicate that the rezone will require the provision of new or physically-altered governmental facilities.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the subject application to indicate that the project will result or require in the provision of new or physically-altered governmental facilities.

#### XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project will not result in increased use of existing neighborhood or regional parks or other recreational facilities. The project will not result in or require the construction or expansion of recreational facilities.

#### XVI. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

A Traffic Impact Study (TIS) has been prepared for the subject application addressing trip generation resulting from the proposal. The project proposes to rezone the subject property from the rural residential zone district to the light industrial zone district. The TIS addresses the highest traffic generating land uses allowed under the Light Industrial zone district. Uses utilized for traffic trip estimations are General Office, General Light Industrial, Manufacturing, and Shopping Center. Of the four uses, the shopping center produced the most weekday trips. A level of service and queuing analysis were also conducted and identified the S. Peach Avenue and E. Central Avenue intersection, the S. Peach Avenue and E. North Avenue intersection, the S. Peach Avenue and E. Jensen Avenue intersection, S. Peach Avenue and intersection with Driveway A, and S. Peach Avenue and intersection with Driveway B. Per the analysis, the Peach Avenue and Jensen Avenue intersection under the cumulative plus project scenario would cause the intersection to operate at a Level of Service of E. Based on comments provided by the Transportation Planning Section, the applicant will be required to pay their fair share of improvements needed for the intersection to function as a Level of Service of D or better. As this intersection is located in both the County of Fresno and City of Fresno, half of those improvements would be paid to the County with the other half going to the City. Additional mitigation in the form of payment of equitable share on the studied intersections was recommended by the City, County, and consultant to reduce traffic impacts resulting from the proposed rezone. Further mitigation measures are being implemented to ensure future development of the site meets the applicable circulation plans and programs of the City of Fresno and County of Fresno.

Under Section 15064.3, subdivision (b) of CEQA Guidelines, a Vehicle Miles Traveled (VMT) analysis was conducted by the consultant and estimated an annual VMT with mitigation of 1,340,039 miles resulting from the worst-case scenario. Review of the VMT analysis and estimates did not cause concern with reviewing agencies and departments, therefore a less than significant impact is seen from the project.

\* **Mitigation Measure(s)**

1. *The project shall pay its equitable share towards the dual lefts at the Jensen Avenue and Peach Avenue Intersection. The Equitable Share Contribution from the developer was calculated to be 0.1% of the total cost, or approximately \$60.00.*
2. *The project shall pay its equitable share towards the signalization of the Peach Avenue and Central Avenue intersection. The Equitable Share Contribution from the developer was calculated to be 1.1% of the total signalization cost, or approximately \$4,400.00.*
3. *The project shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact (FMSI) Fee, a Traffic Signal Mitigation Impact (TSMI) Fee, and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.*



4. *Construct site frontage improvements along S. Peach Avenue to include curb, gutter, sidewalk and accommodations for bicycle facilities to be constructed in connection with the City of Fresno Active Transportation Plan. These include Class II facilities along S. Peach Avenue.*
  5. *Provide onsite bike racks/bike lockers and pedestrian accessibility to all proposed buildings and offsite sidewalks.*
- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject application proposes to rezone the parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. There is no associated site plan with this proposal as there is no specific use being proposed. Per the Fresno County Zoning Ordinance, Section 843.6, "before any building or structure is erected on any lot in this District, a site plan shall be submitted to and approved by the Director, pursuant to the provisions of Section 874". Aerial images of the site indicate that the subject parcel is currently improved with a single-family residence and accessory structures. Development of the site in relation to any use allowed under the proposed zone district would be subject to the provisions of the Site Plan Review process addressed under Section 874, which will address design features of the site including circulation and parking on the site. The site is designated under the Roosevelt Community Plan for industrial use with some properties in the vicinity of the subject site zoned for industrial and are improved with industrial uses. Therefore, the proposal will not substantially increase hazards due to design features or incompatible uses.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

As stated, establishment of building and structures related to a use under the M-1 Zone District will require further review and compliance of circulation, parking, and emergency access standards. Therefore, the project will not result in inadequate emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size

and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Under the provisions of Assembly Bill 52 (AB 52), participating California Native American Tribes were given the opportunity to enter into consultation with the County on the subject application. No participating California Native American Tribe expressed concern with the project proposal. A Mitigation Measure is incorporated with the project proposal to ensure proper handling of the cultural resources in the event that a resource is unearthed during ground-disturbing activities on the project site. No historical resources were identified on the site or is affected by the project proposal.

\* **Mitigation Measure(s)**

1. *See Section V. Cultural Resources Mitigation Measure No. 1.*

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or
- 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:

The subject parcel is currently serviced by a private domestic well for water and an onsite septic system for wastewater service. The subject application does not include

provisions for additional improvements related to water or wastewater service. The Department of Public Health, Environmental Health Division has provided comments on the subject application noting that Fresno County General Plan Policy LU-F.30 states that “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.” The Environmental Health Division further states that 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 water and sewer 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 wastes. Currently, the proposal only requests to allow the rezone of the subject parcel with a use to be established at a later time. Per the Zoning Ordinance, any building or structure erected on the lot will be subject to submittal and approval of a Site Plan Review Application and will allow the County to screen the use for the establishment of a community water or wastewater service. Additional more intensive uses under the Zoning Ordinance that require a land-use permit will necessitate additional environmental review which can determine the establishment of a community water or wastewater service. Agency and Departmental review of the application indicates that the subject site is not located in a low water area.

- 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: LESS THAN SIGNIFICANT IMPACT:

The proposal entails the rezone of a subject site from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. Although uses permitted under the M-1 Zone District can potentially increase solid waste generation compared to certain uses permitted in the AL-20 Zone District, any permitted use on the site if the rezone were to be approved would be subject to all federal, state, and local standards for solid waste. Therefore, the project is not expected to generate solid waste in excess of state or local standards and will comply with federal, state, and local management and reductions statues related to solid waste.

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

Per the 2007 Fresno County Fire Hazard Severity Zones in LRA Map, published by the California Department of Forestry and Fire Protection, the subject site is not located in 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:

The subject site is located on the boundary between industrial development and rural agricultural use. Per the County-adopted Roosevelt Community Plan, the site and surrounding area is designated for industrial development. Existing conditions of the site and surrounding area suggest daily human disturbance from the present industrial residential, and agricultural uses. The subject property is already developed with a single-family residence with the possibility of further development. While the possibility of development could degrade the quality of the environment, the site is already developed to an extent where habitat for fish or wildlife species is not present and would not affect species to a point where self-sustaining levels would be threatened.

- 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: NO IMPACT:

No impacts were identified in this analysis which would be cumulatively considerable.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Environmental effects that could potentially have a substantial adverse effect on human beings, either directly or indirectly were identified and reduced to a less than significant impact with implementation of mitigation measures. Therefore, the project with implemented mitigation measures will not have an adverse effect on human beings.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Amendment Application No. 3838, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Agricultural and Forestry Resources, Geology and Soils, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

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

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

TK

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File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: <b>IS 7679</b>	<b>LOCAL AGENCY MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
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): Thomas Kobayashi Planner	Area Code: 559	Telephone Number: 600-4224	Extension: N/A
Project Applicant/Sponsor (Name): Harpreet Pawar	Project Title: Amendment Application No. 3838		
Project Description: Rezone a 1.74-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District.			
Justification for Negative Declaration:  Based upon the Initial Study prepared for Amendment Application No. 3838, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Agricultural and Forestry Resources, Geology and Soils, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.  Potential impacts related to Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Noise, Transportation, and Tribal Cultural Resources have determined to be less than significant with compliance with implementation of Mitigation Measures.  A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – January 25, 2021		Review Date Deadline: Planning Commission – March 11, 2021	
Date:	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Thomas Kobayashi Planner	

State 15083, 15085

County Clerk File No.: \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**