



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Wyatt Dean Fulbright
- APPLICATION NOS.: Initial Study No. 7931 and Variance Application No. 4094
- DESCRIPTION: Reduce the minimum parcel size requirement in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District to allow creation of an approximately 30.18-acre parcel and an approximately 13.20-acre parcel from two parcels totaling 43.38 acres in land (APN 333-100-14 and 333-100-47).
- LOCATION: The project site is located on the south side of State Route 180 (E. Kings Canyon Road) approximately 3,530 feet east of its nearest intersection with S. Frankwood Avenue and approximately 5.94 miles east of the City of Sanger.

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: LESS THAN SIGNIFICANT IMPACT:

Per Figure OS-2 of the Fresno County General Plan, State Route 180 is designated as a Scenic Highway. There are certain policies regarding development of parcels adjacent to scenic drives and highways. The project does not directly request development of the parcel and only requests to split the parcel. In considering the request and its impact on the scenic resource, the potential to develop on the existing parcel and impact the Scenic Highway is present. The proposal, if approved can allow additional development. It should be noted that development standards per the Fresno County Zoning Ordinance would apply to any development should it be proposed in the future. The General Plan Policies and development standards provided under the Fresno County General Plan provide measures that will have a less than significant impact on scenic resources should future development be proposed. Any intensive land development subject to additional land-use permits would be subject to additional analysis. Therefore, although an impact could occur from development of the site,

mandatory compliance with applicable General Plan Policies and development standards will ensure a less than significant impact on scenic resources.

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

FINDING: NO IMPACT:

The subject application does not propose any development and only requests to legally divide the project site. The project will not substantially degrade the existing visual character or quality of public views of the site and its surroundings and would not introduce new sources of substantial light or glare than what is already permitted by right.

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:

Per the 2016 Fresno County Important Farmland Map, the subject site has land designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. The project proposes to allow a legal split of the project site. There is no development associated with this project that would convert land to a non-agricultural use.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Parcel 333-100-47 is currently contracted under Williamson Act Contract No. 51. The proposed split will result in Parcel 333-100-47 having 30.18 acres and Parcel 333-100-14 containing 13.20 acres. Review of the project proposal by the Policy Planning Section indicated that a small portion of Parcel 333-100-47 is discontinuous from the main portion of the parcel and will be absorbed by Parcel 333-100-14. This small portion to be absorbed will need to be removed from the Williamson Act Program through the nonrenewal process, per the Policy Planning Section. The Nonrenewal of the Williamson Act Contract on this portion of land was recorded on April 2, 2021. Therefore, with the recordation of the nonrenewal, the proposed parcel split will not be in conflict with the Williamson Act Program. If approved, both parcels after the split would be subject to the development standards and regulations of the existing underlying agricultural zone district. The project would not conflict with the existing zoning for agricultural use.

- 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 parcels are not zoned for forest land, timberland or timberland zoned Timberland Production or 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:

The project does not propose any change that would result in the conversion of farmland or forest land to a non-agricultural or non-forest use. The project site will be subject to the same standards and regulations dictated by the underlying zone district.

III. AIR QUALITY

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

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. 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: NO IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has reviewed the subject application and did not indicate that the project would result in a conflict with an applicable Air Quality Plan or cumulative increase in criteria pollutants. The project proposes to legally split the subject parcels and will be subject to the same rules and regulations of the underlying zone district. Any more intensive uses that require a land-use permit would be reviewed further under the applicable air quality plan or consider an increase in criteria pollutants.

- 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: NO IMPACT:

The project proposes to create legal parcels and does not have any development tied to the proposal. Aerial images of the subject site do show that there are single-family residences in the vicinity of the subject parcels, but in considering the project scope, would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions affecting 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; or
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to legally create two separate parcels that will be substandard in size. There is no development associated with this application. The subject parcels have been historically utilized for agricultural production.

Per the California Natural Diversity Database (CNDDDB), there is a reported occurrence of the San Joaquin Adobe Sunburst. The San Joaquin Adobe Sunburst is a federally listed and state listed. It is federally listed as threatened and state listed endangered. CNDDDB lists the site visit date as March 21, 2010 and is presumed extant. The reported occurrence is located in the northeast portion of Parcel 333-100-47. As noted,

the subject application does not propose development with the Applicant indicating that the proposed parcels would still be utilized for agricultural purposes.

The California Department of Fish and Wildlife (CDFW) provided comments on the subject application expressing concern that the project could affect the California Tiger Salamander, a state and federally threatened species. CDFW indicates the review of aerial imagery of the site depicts several wetland/stream features that have potential to support breeding California Tiger Salamander. The project site is within the range of the California Tiger Salamander and may have suitable habitat. CDFW recommends that Mitigation Measures be included with this project due to potentially suitable habitat for California Tiger Salamander. The recommended mitigation measures include focused surveys, avoidance measures, and take authorization. As stated, the project proposes to legally create the subject parcels and will continue to be used for agricultural purposes. As there is no development proposed with this project, a less than significant impact on special status species is seen. More intensive development subject to a land-use permit would be subject to additional environmental review.

There were no riparian habitat or other sensitive natural community identified on the subject parcels. As noted, the parcel has historically been utilized for agricultural purposes.

- 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, the subject site contains three identified wetlands. There are two identified riverine habitats and one freshwater emergent wetlands on the subject property. Further review of the site and aerial imagery of the site shown that one of the riverine habitats is the Alta Main Canal which is a manmade canal utilized for agricultural purposes. The subject application proposes to legally create two parcels. There is no development associated with this project that would substantially effect state or federally-protected wetlands. The property is expected to be used for agricultural production.

- 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; or
- 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 were no migratory corridor or native wildlife nursery site identified on the project site. There were no identified policies, ordinances, Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state Habitat Conservation Plan that would conflict with the project proposal.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

Review of the existing condition of the subject parcels show that the site is currently void of any structures and appears to be utilized for agricultural production. The project proposes to legally split the subject parcels, one of which is under the minimum acre size and requires a Variance to be approved to allow creation of a substandard sized parcel. As the site is not improved with any structures, there is minimal chance that a historical or archaeological resource is on the site. Given that the subject parcels are currently utilized for agricultural production, and no evidence of a cultural resource has been reported on the site, it is unlikely that the project and any subsequent development would adversely affect the subject resources or any human remains. Therefore, as there is no development associated with the request, the project would not have an impact on cultural resources.

VI. ENERGY

Would the project:

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

FINDING: NO IMPACT:

The subject proposal does not include development that would result in energy consumption. Therefore, the project will not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. If

development were to occur after the project, construction would be subject to the current building and energy code.

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:

Per the Earthquake Hazard Zone Application (EQZapp) and Figure 9-2 of the Fresno County General Plan Background Report, the subject parcels are not located on or near a known earthquake fault.

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

FINDING: NO IMPACT:

Per Figure 9-5 and 9-6 of the Fresno County General Plan Background Report (FCGPBR) the project site is not located in areas identified as being subject to subsidence and has a low percentage for peak horizontal ground acceleration during a probabilistic seismic hazard.

4. Landslides?

FINDING: NO IMPACT:

According to Figure 9-6 of the FCGPBR, the project site is not located in area designated as having a moderate or high landslide hazard.

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

FINDING: NO IMPACT:

The project proposes to legally split the subject parcels. There is no development associated with the proposal, therefore the project would not result in soil erosion or loss of topsoil when compared to existing conditions.

- 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:

According to Figure 9-6 the subject project is not located on land designated as being subject to landslide hazard or subsidence. There was no geologic unit or unstable soil identified on the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-1 of the FCGPBR, the project site could be located on soils exhibiting moderately high to high expansion potential. Although located on area identified as having expansion potential, the project only proposes to legally create parcels and does not propose any development at this time. Any new development would be subject to the current building code, which would take into account standards and regulations to reduce risk of development on expansive soil. Therefore, a less than significant impact is seen.

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

FINDING: NO IMPACT:

The subject proposal does not include development of the site. If development were to occur on the site and use of a septic system or alternative wastewater disposal system were to be proposed, the system would be subject to mandatory requirements described in the Fresno County Local Area Management Program (LAMP) for design, installation, and operation of on-site wastewater treatment systems. In considering the project proposal and mandatory requirements set forth by the Fresno County LAMP, no impact is seen from the project proposal.

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

FINDING: NO IMPACT:

No paleontological resource or geologic feature has been identified on the project site.

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: NO IMPACT:

The project proposal would not directly or indirectly generate greenhouse gas emissions or be in conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project proposes to legally create the subject parcels and would not generate greenhouse gas emissions.

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: NO IMPACT:

The project proposes to legally create the subject parcels. There is no development or operation involved with the project that would create a significant hazard to the public or environment through the transport, use or disposal of hazardous materials or a hazard through upset or accident conditions involving the release of hazardous materials into the 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:

The project site is not within one-quarter mile of an existing or proposed school. Additionally, the project would not emit hazardous emissions or handle hazardous materials.

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

FINDING: NO IMPACT:

Per the NEPAssist database maintained by the U.S. Environmental Protection Agency, the subject site is not located on a listed hazardous materials site nor would it result in creation of a significant hazard to the public or environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, 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 within 2 miles of a public or public use airport. Therefore, the project will not result in a safety hazard or excessive noise for people residing or working in the project area.

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

Reviewing agencies and departments did not express concern to indicate that the project will result in impairing implementation of or physically interfere with an adopted emergency response plan or emergency evacuation nor were there expressed concerns that the project would expose people or structures 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:

The Water and Natural Resources Division provided comment, noting that the subject parcels are located within a low water area and that a water supply evaluation may be necessary. In considering the request for a water supply evaluation, the project proposal will be a difference in approximately 1.25 acres between the two subject parcels. There is no change to the underlying zone district and there is no development associated with the project where an increase in water usage could be expected. In the

event that a more intensive use that requires a discretionary permit is request on either of the parcels, consideration of a water supply evaluation will be given as there will be more direct water impacts. Therefore, the specific project proposal is not expected to violate water quality standards or waste discharge requirements or substantially decrease groundwater supplies or interfere with groundwater recharge.

- 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;
 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; or
 4. Impede or redirect flood flows?

FINDING: NO IMPACT:

The project proposes to change the parcel lines between two existing parcels to create an approximately 30.18-acre parcel and 13.20-acre parcel. There is no development associated with this project that would result in substantial erosion or siltation, or increase surface runoff. There is not planned stormwater drainage system and per County regulations, stormwater runoff shall not cross property lines and will be expected to be contained within the project site. The project will not impede or redirect flood flows. Per FEMA FIRM Panel C2200H, the subject site is designated Zone X, Area of Minimal Flood Hazard.

- 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 within a flood hazard zone nor is it located on or near bodies of water that would indicate risk from tsunami or seiche zones.

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

FINDING: NO IMPACT:

Per the Water and Natural Resources Division, the subject site is located in a low water area. There were no concerns expressed by reviewing agencies and departments to indicate that a conflict with or obstruction of implementation of a water quality plan or

sustainable groundwater management plan exists. Therefore, no impact resulting from the project is seen.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project site is located on the south side of State Route 180 approximately 3,530 feet east of its intersection with S. Frankwood Avenue. The project would not physically divide an established community.

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:

Development in Fresno County is required to be consistent with the Fresno County General Plan. Goal LU-A reads "To promote the long-term conservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the County's economic development goals." This goal relates to the environmental impacts of the loss of farmland and is supported by the following policy:

LU-A.6: The County shall maintain twenty acres as the minimum permitted parcel size in areas designated Agricultural, except as provided in Policies LU-A.9, LI-A.10, and LU-A.11. The County may require parcel sizes larger than twenty (20) acres, based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.

The above mentioned policy is intended to address the environmental concern that an increase in the number of parcels and general decrease in parcel size in Fresno County could lead to a conversion of productive agricultural land.

This application is not consistent with the above policies because the proposed 13.20-acre parcel does not qualify for any exemption under Policy LU-A.9 (financing parcel, gift to family to assist with farming; or ownership prior to adoption of AE-20 zoning), LU-A.10 (agricultural commercial center), and LU-A.11 (resource recovery location). However, these policies are codified in the Fresno County Zoning Ordinance under Section 816.5.A, where this Variance application is requesting relief from the 40-acre minimum parcel size.

One out of the two subject parcels are enrolled in the Williamson Act Program. The unenrolled parcel will merge with a portion of Williamson Act Contracted parcel and

would not be compliant with the Williamson Act Program. This small portion of the enrolled parcel will be required to be removed from the Williamson Act through the Nonrenewal process. The nonrenewal process starts a 10-year period where the parcel will be removed from the Williamson Act Program after the period ends. This application is for a Variance from the minimum parcel size required by the Zone District, however, no Variance is available for the Williamson Act. The remaining portion of the contracted parcel will remain in the Williamson Act.

Although the project is in conflict with the identified policies, this is not considered to be a significant environmental impact as the nonrenewal of the contract establishes a 10-year wind-down period during which time, the Applicant is still subject to the terms of the Williamson Act. Per the Applicant, they intend to continue utilizing the parcel for agricultural production, but in a more efficient manner if the Variance is approved. There is no significant loss of agricultural resources and a less than significant impact is seen due to conflict with plans and policies adopted to avoid environmental effect.

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

FINDING: NO IMPACT:

The project does not propose any development that would generate noise or permanently increase noise levels. As stated, the proposal would allow legal creation of parcels. Any use allowed under the Fresno County Zoning Ordinance is regulated by the Fresno County Noise Ordinance and any more intensive use requiring a land-use permit would be reviewed further for noise impacts. The project site is not located within two miles of a public airport or public use airport that would expose people residing or working in the project area to excessive noise levels.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project if approved will legally create two parcels, both of which are under the minimum parcel size required by the underlying zone district. There is no use or development associated with the project that would induce substantial unplanned population growth. The subject site is not improved with any single-family residences or other types of housing therefore, the project would not displace people or housing.

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;
 - 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 project proposal to indicate that provision of new or physically-altered governmental facilities are needed to maintain acceptable service ratios, response times, or other performance objectives.

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 proposal would not increase the use of existing neighborhood and regional parks and does not propose 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)?; or
- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The subject application proposes to legally create the subject parcels. There is no new use of development involved with this project. The Applicant has indicated that the subject parcels will be utilized for agricultural production and is allowed by the underlying zone district. Reviewing agencies and departments did not express concern with the application in terms of trip generation. Any intensive use requiring a land-use permit will be further reviewed for impacts to transportation impacts. The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, and is not in conflict with CEQA Guidelines Section 15064.3. There were no hazards

due to design features or incompatible uses identified and no indication by reviewing agencies and departments that the project would 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: NO IMPACT:

As noted in Section V. Cultural Resources, the subject parcels have historically been in agricultural production and no development of the site is proposed with this project. Under the provisions of Assembly Bill 52, participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County to address concerns they may have regarding the project. No requests for consultation was received and no concerns were expressed by reviewing agencies and departments regarding Tribal Cultural Resources. The subject site is not a listed historical site.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal does not require or propose construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. The Applicant has indicated that the subject parcels if

legally created will be utilized for agricultural purposes and improved with an on-site wells for the parcel that does not contain the existing well. The subject site is located in an area identified as being water short and therefore would be subject to further review by the Water and Natural Resources Division which may include the preparation and review of a hydrogeological investigation to identify the water source and determine impacts resulting from the proposed water usage.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Water and Natural Resources Division, the project site is located in an area designated as being water short. The project proposal requests to change existing parcels lines between two parcels and result in one 30.18-acre parcel and one 13.20-acre parcel in an agricultural area. There is no development requested with the project. The parcels have historically been utilized for agricultural purposes. As there is no new use or development proposed, water supplies are not expected to be heavily impacted by the project proposal as little change in the operation or physical environment of the project site will change when compared to the existing site.

- 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; or
- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project proposes to legally create the subject parcels that are under the minimum parcel size requirements. There is no development involved with this project. Therefore, no wastewater treatment facility or provider is necessary to service the project site. If a use is to be established on the site that requires wastewater treatment, the facility will be required to be compliant with the Fresno County Local Area Management Program (LAMP) and be subject to further review and permitting. The project will not generate solid waste and there is no identified federal, state or local management and reduction statutes and regulation that would be in conflict with the project.

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: LESS THAN SIGNIFICANT IMPACT:

Per the 2007 Fresno County Fire Hazard Severity Zones in LRA Map prepared by the California Department of Forestry and Fire Protection, the subject site is situated in a State Responsibility Area and classified as Moderate Fire Hazard Severity Zone. The project was reviewed by the Fresno County Fire Protection District (FCFPD) with no significant impacts identified by Fire Protection District. They did note that if development of the site is sought, they developer will be subject to the current building code and fire code, and additional review by the FCFPD. The project will not substantially impact an adopted emergency response plan or evacuation plan. The subject site is located on relatively flat agricultural land and does not require installation of infrastructure to mitigate fire risk. The project would not expose people or structures to significant risk due to post-fire instability.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

In considering comments provided by the California Department of Fish and Wildlife and records establishing existing natural resources on the project site, the project will have a less than significant impact. The project proposes to allow creation of a 30.18-acre parcel and 13.20-acre parcel from an existing 31.43-acre parcel and 11.95-acre parcel.

There is no development associated with this project and the site has historically been used for agricultural purposes. The physical nature of the site will be unchanged if the project is approved, therefore the project will not substantially degrade the quality of the environment.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

There were no cumulative impacts identified in the analysis of the project proposal.

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

FINDING: NO IMPACT:

The project would not have substantial adverse effect on human beings, either directly or indirectly.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Variance Application No. 7094, 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 Air Quality, Cultural Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Mineral Resources, Noise, Population and Housing, Public Service, Recreation, Transportation, and Tribal Cultural Resources.

Potential impacts related to Aesthetics, Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use Planning, Utilities and Service Systems, and Wildfire have been determined to be less than significant.

A 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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County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project title:

Initial Study No. 7931 and Variance Application No. 4094

2. Lead agency name and address:

County of Fresno, Department of Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

3. Contact person and phone number:

Thomas Kobayashi, Planner
(559) 600-4224

4. Project location:

The project site is located on the south side of State Route 180 (E. Kings Canyon Road) approximately 3,530 feet east of its nearest intersection with S. Frankwood Avenue and approximately 5.94 miles east of the City of Sanger.

5. Project sponsor's name and address:

Wyatt Dean Fulbright
8533 E. Central Avenue
Del Rey, CA 93616

6. General Plan designation:

Agriculture

7. Zoning:

AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District

8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Reduce the minimum parcel size requirement in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District to allow creation of an approximately 30.18-acre parcel and an approximately 13.20-acre parcel from two parcels totaling 43.38 acres in land.

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

The subject property is located in a mainly agricultural area. State Route 180 is directly north of the project site. Additionally, the Friant Kern Canal is located north, and the Alta Main Canal is located along the western and southern property boundary of the subject site.

10. Other public agencies whose approval is required (g., permits, financing approval, or participation agreement.)

County of Fresno, Department of Public Works and Planning

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Per Assembly Bill 52, participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County to address potential impacts to cultural resources. No concerns were expressed by reviewing California Native American Tribes.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

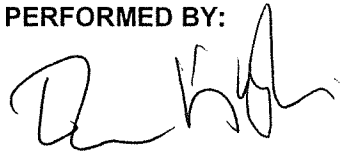
- | | |
|-------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/>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

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

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

PERFORMED BY:



Thomas Kobayashi, Planner

Date: 5/13/21

REVIEWED BY:



David Randall, Senior Planner

Date: 5/17/21

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study No. 7931 and
Variance Application No. 4094)**

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

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

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

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

III. AIR QUALITY

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

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

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 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?
- 2 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?
- 2 c) Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

V. CULTURAL RESOURCES

Would the project:

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

VI. ENERGY

Would the project:

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

VII. GEOLOGY AND SOILS

Would the project:

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

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- 2 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 1 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 i) Result in substantial erosion or siltation on- or off-site;
 - 1 ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
 - 1 iii) 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; or
 - 1 iv) Impede or redirect flood flows?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

XI. LAND USE AND PLANNING

Would the project:

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

XII. MINERAL RESOURCES

Would the project:

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

XIII. NOISE

Would the project result in:

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

XIV. POPULATION AND HOUSING

Would the project:

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

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

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

XV. PUBLIC SERVICES

Would the project:

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

XVI. RECREATION

Would the project:

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

XVII. TRANSPORTATION

Would the project:

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

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

XX. WILDFIRE

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

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

Documents Referenced:

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

Fresno County General Plan, Policy Document and Final EIR
Fresno County Zoning Ordinance
Important Farmland 2016 Map, State Department of Conservation
Fire Hazard Severity Zones in LRA 2007 Map, State Department of Forestry and Fire Protection

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Notice of Completion & Environmental Document Transmittal

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

SCH #

Project Title: Initial Study No. 7931 and Variance Application No. 4094

Lead Agency: County of Fresno, Department of Public Works and Planning Contact Person: Thomas Kobayashi
 Mailing Address: 2220 Tulare Street, 6th Floor Phone: (559) 600-4224
 City: Fresno Zip: 93721 County: Fresno

Project Location: County: Fresno City/Nearest Community: Sanger
 Cross Streets: State Route 180 (E. Kings Canyon Road) approximately 3,530 feet east of S. Frankwood Zip Code: _____
 Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: 43.38
 Assessor's Parcel No.: 333-100-14 and 47 Section: _____ Twp.: _____ Range: _____ Base: _____
 Within 2 Miles: State Hwy #: SR 180 Waterways: Friant-Kern Canal, Alta Main Canal
 Airports: _____ Railways: _____ Schools: _____

Document Type:

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

Local Action Type:

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

Development Type:

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

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

Agriculture / AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District) / Agricultural

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

The project proposes to reduce the minimum parcel size requirement in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District to allow creation of an approximately 30.18-acre parcel and an approximately 13.20-acre parcel from two parcels totaling 43.38 acres in land.

Reviewing Agencies Checklist

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

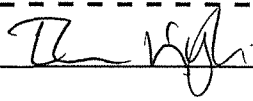
- | | |
|------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating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

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

Starting Date May 14, 2021 Ending Date June 14, 2021

Lead Agency (Complete if applicable):

Consulting Firm: <u>County of Fresno</u>	Applicant: <u>Wyatt Dean Fulbright</u>
Address: <u>2220 Tulare Street, 6th Floor</u>	Address: <u>8533 E. Central Avenue</u>
City/State/Zip: <u>Fresno, CA 93721</u>	City/State/Zip: <u>Del Rey, CA 93616</u>
Contact: <u>Thomas Kobayashi</u>	Phone: <u>N/A</u>
Phone: <u>(559) 600-4224</u>	

Signature of Lead Agency Representative:  Date: 5/17/21

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



E202110000113

County of Fresno

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

FILED

MAY 13 2021

TIME 11:00AM

By  FRESNO COUNTY CLERK
DEPUTY

For County Clerk's Stamp

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

Notice is hereby given that the County of Fresno has prepared Initial Study (IS) No. 7931 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY NO. 7931 and **VARIANCE APPLICATION NO. 4094** filed by **WYATT DEAN FULBRIGHT**, proposing to reduce the minimum parcel size requirements in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District to allow creation of an approximately 30.18-acre parcel and an approximately 13.20-acre parcel from two parcels totaling 43.38 acres in land. The project site is located on the south side of State Route 180 (E. Kings Canyon Road) approximately 3,530 feet east of its nearest intersection with S. Frankwood Avenue and approximately 5.94 miles east of the City of Sanger (SUP. DIST. 5) (APN 333-100-47 and 14). Adopt the Negative Declaration prepared for Initial Study No. 7931 and take action on Variance Application No. 4094 with Findings and Conditions.

(hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS No. 7931 and the draft Negative Declaration, and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Negative Declaration from May 14, 2021 through June 14, 2021.

Email written comments to TKobayashi@fresnocountyca.gov, or mail comments to:

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

IS No. 7931 and the draft Negative Declaration may be viewed at the above address Monday through Thursday, 9:00 a.m. to 5:00 p.m., and Friday, 8:30 a.m. to 12:30 p.m. (except holidays), or at www.co.fresno.ca.us/initialstudies. An electronic copy of the draft Negative Declaration for the Proposed Project may be obtained from Thomas Kobayashi at the addresses above.

E202110000113

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

Due to the current Shelter-in-Place Order covering the State of California and Social Distance Guidelines issued by Federal, State, and Local Authorities, the County is implementing the following changes for attendance and public comment at all Planning Commission meetings until notified otherwise. The Board chambers will be open to the public. Any member of the Planning Commission may participate from a remote location by teleconference pursuant to Governor Gavin Newsom's executive Order N-25-20. Instructions about how to participate in the meeting will be posted to: <https://www.co.fresno.ca.us/planningcommission> 72 hours prior to the meeting date.

- *The meeting will be broadcast. You are strongly encouraged to listen to the Planning Commission meeting at: <http://www.co.fresno.ca.us/PlanningCommission>.*
- *If you attend the Planning Commission meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals. Due to Shelter-in-Place requirements, the number of people in the Board chambers will be limited. Members of the public who wish to make public comments will be allowed in on a rotating basis.*
- *If you choose not to attend the Planning Commission meeting but desire to make general public comment on a specific item on the agenda, you may do so as follows:*

Written Comments

- *Members of the public are encouraged to submit written comments to: Planningcommissioncomments@fresnocountyca.gov. Comments should be submitted as soon as possible, but not later than 8:30am (15 minutes before the start of the meeting). You will need to provide the following information:*
 - *Planning Commission Date*
 - *Item Number*
 - *Comments*
- *Please submit a separate email for each item you are commenting on.*
- *Please be aware that public comments received that do not specify a particular agenda item will be made part of the record of proceedings as a general public comment.*
- *If a written comment is received after the start of the meeting, it will be made part of the record of proceedings, provided that such comments are received prior to the end of the Planning Commission meeting.*
- *Written comments will be provided to the Planning Commission. Comments received during the meeting may not be distributed to the Planning Commission until after the meeting has concluded.*
 - *If the agenda item involves a quasi-judicial matter or other matter that includes members of the public as parties to a hearing, those parties should make arrangements with the Planning Commission Clerk to provide any written*

E202110000113

materials or presentation in advance of the meeting date so that the materials may be presented to the Planning Commission for consideration. Arrangements should be made by contacting the Planning Commission Clerk at (559) 600-4230.

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/ procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Current Planning staff as soon as possible during office hours at (559) 600-4497 or at imoreno@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

Public Hearing

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Negative Declaration on June 24, 2021, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft Negative Declaration.

For questions please call Thomas Kobayashi (559) 600-4224.

Published: May 14, 2021



County of Fresno

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

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

From: Fresno County Department of Public Works and Planning, Development Services and Capital Projects
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resource Code

Project: Initial Study No. 7931 and Variance Application No. 4094

Location: The project site is located on the south side of State Route 180 (E. Kings Canyon Road) approximately 3,530 feet east of its nearest intersection with S. Frankwood Avenue and approximately 5.94 miles east of the City of Sanger (SUP. DIST. 5) (APN 333-100-47 and 14).

Sponsor: Wyatt Dean Fulbright

Description: Reduce the minimum parcel size requirements in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District to allow creation of an approximately 30.18-acre parcel and an approximately 13.20-acre parcel from two parcels totaling 43.38 acres in land.

This is to advise that the County of Fresno (Lead Agency Responsible Agency) has approved the above described project on June 24, 2021, and has made the following determination:

1. The project **will** **will not** have a significant effect on the environment.
2. An Environmental Impact Report (EIR) **was not** prepared for this project pursuant to the provisions of CEQA. / A Negative Declaration **was** prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures **were** **were not** made a condition of approval for the project.
4. A statement of Overriding Consideration **was** **was not** adopted for this project.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Corner of Tulare and "M" Streets, Fresno, California.

Thomas Kobayashi, Planner
(559) 600-4224 / TKobayashi@FresnoCountyCA.gov

Date

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DRAFT

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS No. 7931	LOCAL AGENCY NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Thomas Kobayashi Planner	Area Code: 559	Telephone Number: 600-4224	Extension: N/A
Project Applicant/Sponsor (Name): Wyatt Dean Fulbright	Project Title: Variance Application No. 4094		
Project Description: Reduce the minimum parcel size requirement in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District to allow creation of an approximately 30.18-acre parcel and an approximately 13.20-acre parcel from two parcels totaling 43.38 acres in land.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Variance Application No. 7094, 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 Air Quality, Cultural Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Mineral Resources, Noise, Population and Housing, Public Service, Recreation, Transportation, and Tribal Cultural Resources. Potential impacts related to Aesthetics, Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use Planning, Utilities and Service Systems, and Wildfire have been determined to be less than significant.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – May 14, 2021		Review Date Deadline: Planning Commission – June 24, 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**



County of Fresno

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

DATE: September 23, 2020

TO: Development Services and Capital Projects, Attn: William M. Kettler, Division Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, Current Planning, Attn: David Randall, Senior Planner
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand, Senior Planner
Development Services and Capital Projects, Zoning & Permit Review, Attn: Daniel Gutierrez/James Anders
Development Services and Capital Projects, Building & Safety/Plan Check, CASp, Attn: Dan Mather
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
Road Maintenance and Operations, Attn: John Thompson/Nadia Lopez/Martin Querin/Wendy Nakagawa
Design Division, Transportation Planning, Attn: Mohammad Alimi/Dale Siemer/Brian Spaunhurst/Gloria Hensley
Water and Natural Resources Division, Attn: Glenn Allen, Division Manager; Roy Jimenez
Department of Public Health, Environmental Health Division, Attn: Deep Sidhu/Steven Rhodes
Agricultural Commissioner, Attn: Melissa Cregan
County Counsel, Attn: Alison Samarin, Deputy County Counsel
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Matthew Nelson, Biologist
CA Regional Water Quality Control Board, Attn: Dale Harvey
CALTRANS, Attn: Dave Padilla
CA Department of Fish and Wildlife, Attn: Craig Bailey, Environmental Scientist & R4CEQA@wildlife.ca.gov
State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo, Caitlin Juarez
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst
Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey/Cultural Resources Director
Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman/Hector Franco, Director/Shana Powers, Cultural Specialist II
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director/Kim Taylor, Cultural Resources Department/Sara Barnett, Cultural Resources Department
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor
Kings River East GSA, Attn: Chad Wegley, General Manager at cw@altaid.org
Alta Irrigation District, Attn: Chad B. Wegley, General Manager
Sierra Resource Conservation District, Attn: Steve Haze, District Manager

Fresno County Fire Protection District, Attn: Jim McDougald, Division Chief

FROM: Thomas Kobayashi, Planner
Development Services and Capital Projects Division

SUBJECT: Initial Study Application No. 7931 and Variance Application No. 4094

APPLICANT: Wyatt Dean Fulbright

DUE DATE: October 8, 2020

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to reduce the minimum parcel size in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District to allow creation of an approximately 30.18-acre parcel and an approximately 13.20-acre parcel from two parcels totaling 43.38 acres in land (APN 333-100-14 and 333-100-47). .

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

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

We must have your comments by **October 8, 2020**. Any comments received after this date may not be used.

NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Thomas Kobayashi, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4224, or email TKobayashi@FresnoCountyCA.gov.

TK
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Activity Code (Internal Review):2377

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 9/3/20

VA 4094
IS 7931

(Application No.)

MAILING ADDRESS:

Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare St., 6th Floor
Fresno, Ca. 93721

LOCATION:

Southwest corner of Tulare & "M" Streets, Suite A
Street Level
Fresno Phone: (559) 600-4497

APPLICATION FOR:

- Pre-Application (Type) _____
- Amendment Application Director Review and Approval
- Amendment to Text for 2nd Residence
- Conditional Use Permit Determination of Merger
- Variance (Class)/Minor Variance Agreements
- Site Plan Review/Occupancy Permit ALCC/RLCC
- No Shoot/Dog Leash Law Boundary Other _____
- General Plan Amendment/Specific Plan/SP Amendment)
- Time Extension for _____

DESCRIPTION OF PROPOSED USE OR REQUEST:

Substandard Parcel
Creation

CEQA DOCUMENTATION: Initial Study PER N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. Attach Copy of Deed, including Legal Description.

LOCATION OF PROPERTY: SOUTH side of ROUTE Hwy 180, 3,670 feet EAST of S. Frankwood AVE
between _____ and _____
Street address: _____

APN: 333-100-1447 Parcel size: 43 ACRE Section(s)-Twp/Rg: S _____ - T _____ S/R _____ E

ADDITIONAL APN(s): 333-100-14, 333-100-47

I, [Signature] (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

WYATT DEAN Fulbright 8533 E. CENTRAL AVE DEL REY 93616 559 908-4127
Owner (Print or Type) Address City Zip Phone

WYATT DEAN Fulbright 8533 E. CENTRAL AVE DEL REY 93616 559-908-4127
Applicant (Print or Type) Address City Zip Phone

SAME AS ABOVE.
Representative (Print or Type) Address City Zip Phone

CONTACT EMAIL:

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: <u>VA 4094</u>	Fee: \$ <u>6,049.00</u>
Application Type / No.: <u>Pre-App 20-106320</u>	Fee: \$ <u>-247.00</u>
Application Type / No.:	Fee: \$
Application Type / No.:	Fee: \$
PER/Initial Study No.: <u>IS 7931</u>	Fee: \$ <u>1,212.00</u>
Ag Department Review:	Fee: \$ <u>76.00</u>
Health Department Review:	Fee: \$ <u>703.00</u>
Received By: <u>Thomas V.</u> Invoice No.: <u>133543</u>	TOTAL: \$ <u>7,793.00</u>

UTILITIES AVAILABLE:

WATER: Yes / No
Agency: _____
SEWER: Yes / No
Agency: _____

STAFF DETERMINATION: This permit is sought under Ordinance Section:

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

Related Application(s): _____

APN # _____ - _____ - _____

Zone District: AE-410

APN # _____ - _____ - _____

Parcel Size: 11.95 and 31.43 acres

APN # _____ - _____ - _____

APN # _____ - _____ - _____

over.....



**Development Services
and
Capital Projects
Division**

Mail To:
Wyatt Fulbright
5293 N. First St.
Fresno, Ca 93710

Email To:
wdfconcrete@yahoo.com

Pre-Application Review

Department of Public Works and Planning

NUMBER: 20-106320
APPLICANT: WYATT FULBRIGHT
PHONE: (559) 908-4127

PROPERTY LOCATION: 333-100-14 & 47, REEDLEY, California, 93654
APN: 333-100-14 & 47 ALCC: No Yes # AP-51 VIOLATION NO. N/A
CNEL: No X Yes (level) LOW WATER: No Yes X WITHIN 1/2 MILE OF CITY: No X Yes
ZONE DISTRICT: AE-40; SRA: No Yes X HOMESITE DECLARATION REQ'D.: No X Yes
LOT STATUS:

Zoning: () Conforms; (X) Legal Non-Conforming lot; () Deed Review Req'd (see Form #236)
Merger: May be subject to merger: No X Yes ZM# Initiated In process
Map Act: () Lot of Rec. Map; (X) On '72 rolls; () Other ; () Deeds Req'd (see Form #236)

SCHOOL FEES: No X Yes DISTRICT: PERMIT JACKET: No X Yes
FMFCD FEE AREA: (X) Outside () District No.: FLOOD PRONE: No X Yes

PROPOSAL VA TO ALLOW THE CREATION OF 2 PARCELS FROM AN EXISTING 43 AC PARCEL WITH (2) APNS LOCATED WITHIN THE AE-40 ZONE DISTRICT. IF APPROVED MAPPING PROCEDURE IN THEIR CREATION.

COMMENTS: The parcel is Subject to a Williamson Act Contract and Clearance from Policy Planning is Required.
ORD. SECTION(S): 816.5 BY: O. RAMIREZ DATE: 08/03/2020

GENERAL PLAN POLICIES:

LAND USE DESIGNATION: Agriculture
COMMUNITY PLAN:
REGIONAL PLAN:
SPECIFIC PLAN:
SPECIAL POLICIES:
SPHERE OF INFLUENCE:
ANNEX REFERRAL (LU-G17/MOU):

PROCEDURES AND FEES:

() GPA: () MINOR VA:
() AA: (X) HD: \$ 703.00
() CUP: (X) AG COMM: \$ 76.00
() DRA: () ALCC:
(X) VA: \$6,049.00 (X) IS/PER*: \$1,212.00
() AT: () Viol. (35%):
() JT: () Other:

COMMENTS:

Filing Fee: \$ 6,040.00
Pre-Application Fee: - \$247.00
Total County Filing Fee: \$ 7,793.00

FILING REQUIREMENTS:

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

OTHER FILING FEES:

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

BY: Thomas Kobayashi DATE: 8/4/20
PHONE NUMBER: (559) 600 - 4224

- NOTE: THE FOLLOWING REQUIREMENTS MAY ALSO APPLY:
- () COVENANT
 - () MAP CERTIFICATE
 - (X) PARCEL MAP
 - (X) FINAL MAP
 - () FMFCD FEES
 - (X) ALUC or ALCC
 - () SITE PLAN REVIEW
 - () BUILDING PLANS
 - () BUILDING PERMITS
 - () WASTE FACILITIES PERMIT
 - () SCHOOL FEES
 - () OTHER (see reverse side)

PLU # 113 Fee: \$247.00
Note: This fee will apply to the application fee if the application is submitted within six (6) months of the date on this receipt.

RECEIVED
COUNTY OF FRESNO
SEP 03 2020
DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

OVER.....



RECEIVED
COUNTY OF FRESNO

SEP 03 2020

County of Fresno

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

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

INITIAL STUDY APPLICATION

INSTRUCTIONS

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

OFFICE USE ONLY

IS No. 7931

Project No(s). VA 4094

Application Rec'd.:
9/3/20

GENERAL INFORMATION

- Property Owner: WYATT DEAN Fulbright Phone/Fax: (559) 908-4127
Mailing Address: 8533 E. CENTRAL AVE DEL REY CA 93616
Street City State/Zip
- Applicant: WYATT DEAN Fulbright Phone/Fax: (559) 908-4127
Mailing Address: 8533 E. CENTRAL AVE DEL REY CA 93616
Street City State/Zip
- Representative: SAME AS ABOVE. Phone/Fax: _____
Mailing Address: _____
Street City State/Zip
- Proposed Project: VARIANCE TO LEGALLY SEPARATE APN. # ON THESE
CURRENT PROPERTY LINES.
- Project Location: Songor CA APN: 333-100-14 & 47
- Project Address: NA
- Section/Township/Range: _____ / _____ / _____
- Parcel Size: 43⁺
- Assessor's Parcel No. 333-100-14 & 47 OVER.....

10. Land Conservation Contract No. (If applicable): AP 51

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

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

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

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

13. Existing Zone District¹: AE 40

14. Existing General Plan Land Use Designation¹: Agriculture

ENVIRONMENTAL INFORMATION

15. Present land use: Ag Land - NO current structures
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:

Describe the major vegetative cover: TALL WEEDS, wild grass.

Any perennial or intermittent water courses? If so, show on map: _____

Is property in a flood-prone area? Describe:

NO

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

North: Ag land with a home Residents

South: Ag land with a home Residents

East: Ag land.

West: Ag land with (School house Restaurant)

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

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

19. Transportation:

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

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

B. Daily traffic generation:

I. Residential - Number of Units 0
Lot Size 0
Single Family 0
Apartments 0

II. Commercial - Number of Employees 0
Number of Salesmen 0
Number of Delivery Trucks 0
Total Square Footage of Building 0

III. Describe and quantify other traffic generation activities: NONE

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

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

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

23. Proposed source of water:
 private well - FUTURE.
 community system³--name: _____ OVER.....

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

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


SIGNATURE

8/24/2020
DATE

¹Refer to Development Services and Capital Projects Conference Checklist

²For assistance, contact Environmental Health System, (559) 600-3357

³For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

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

STATE FISH AND WILDLIFE FEE

State law requires that specified fees (effective January 1, 2020: \$3,343.25 for an EIR; \$2,406.75 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

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

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

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

Applicant's Signature

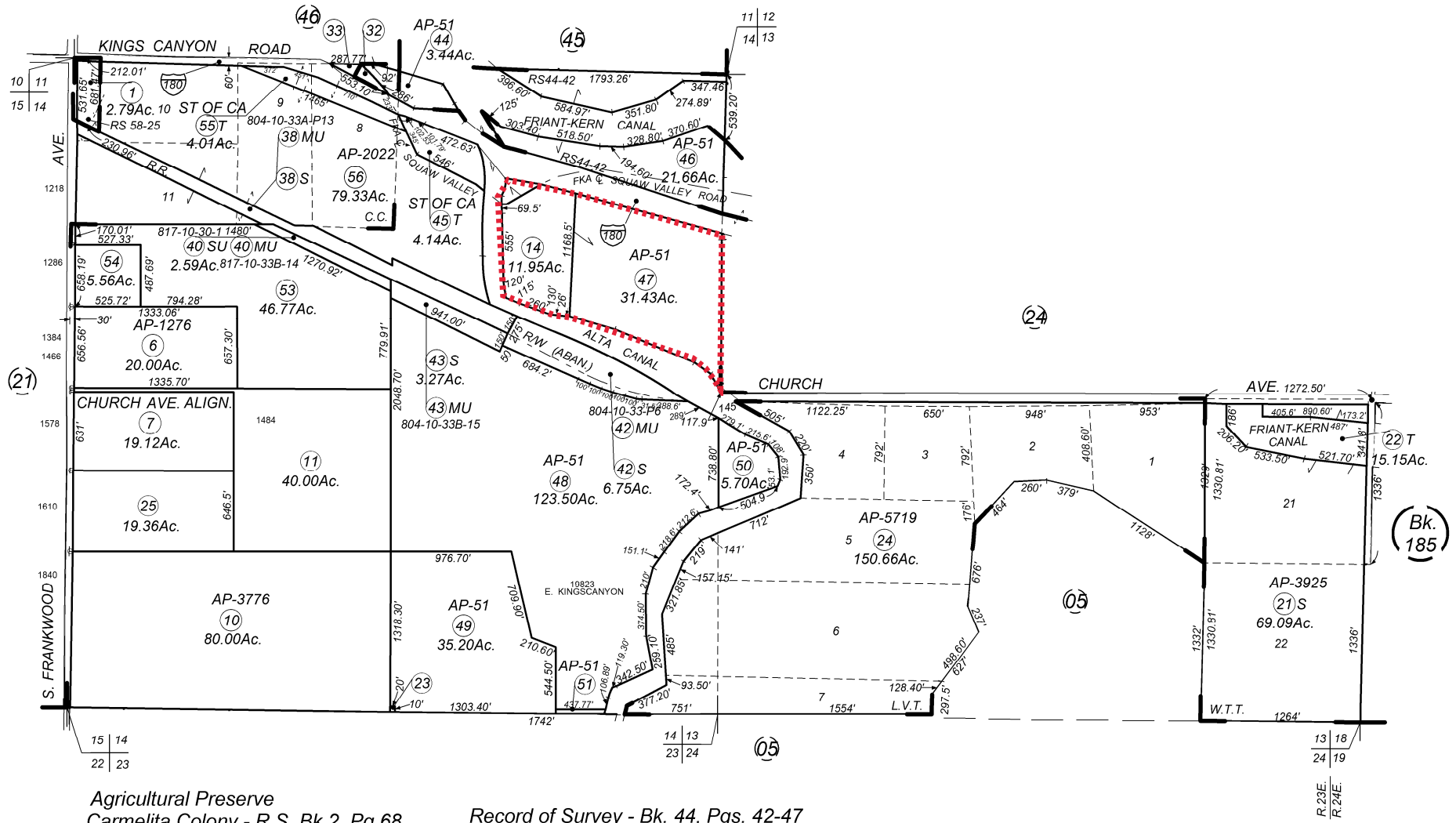
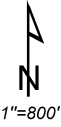
8/28/2020
Date

-NOTE-
This map is for Assessment purposes only.
It is not to be construed as portraying legal
ownership or divisions of land for purposes
of zoning or subdivision law.

SUBDIVIDED LAND, SEC. 14 & POR. SEC. 13, T. 14 S., R. 23 E., M. D. B. & M.

Tax Rate Area
71-004
71-006

333-10



Agricultural Preserve
Carmelita Colony - R.S. Bk.2, Pg.68
Linda Vista Tract - R.S. Bk.3, Pg.16
Wahtoke Thermal Tract - R.S. Bk.3, Pg.26

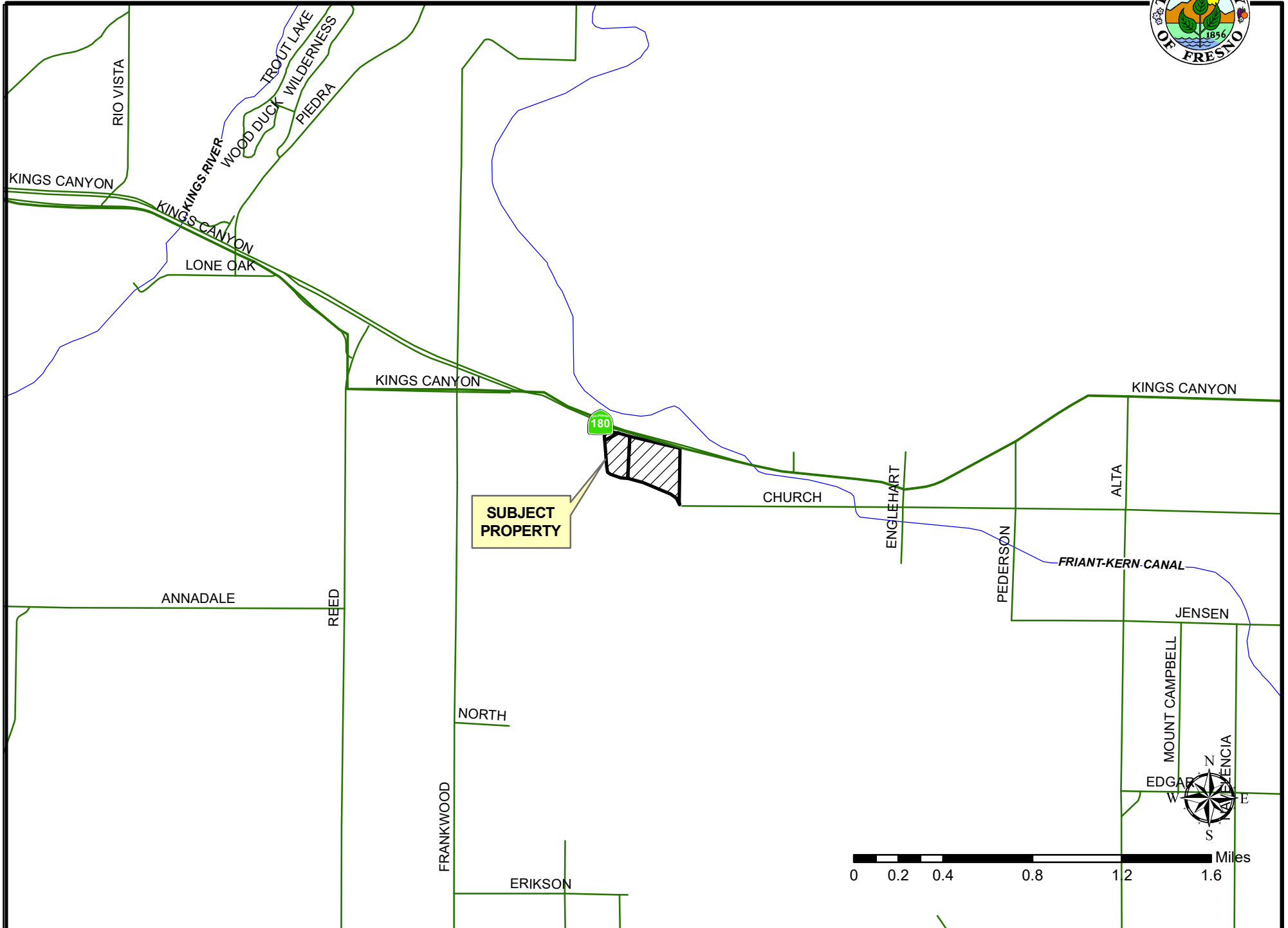
Record of Survey - Bk. 44, Pgs. 42-47
Record of Survey - Bk. 58, Pg. 25

Assessor's Map Bk.333 - Pg.10
County of Fresno, Calif.

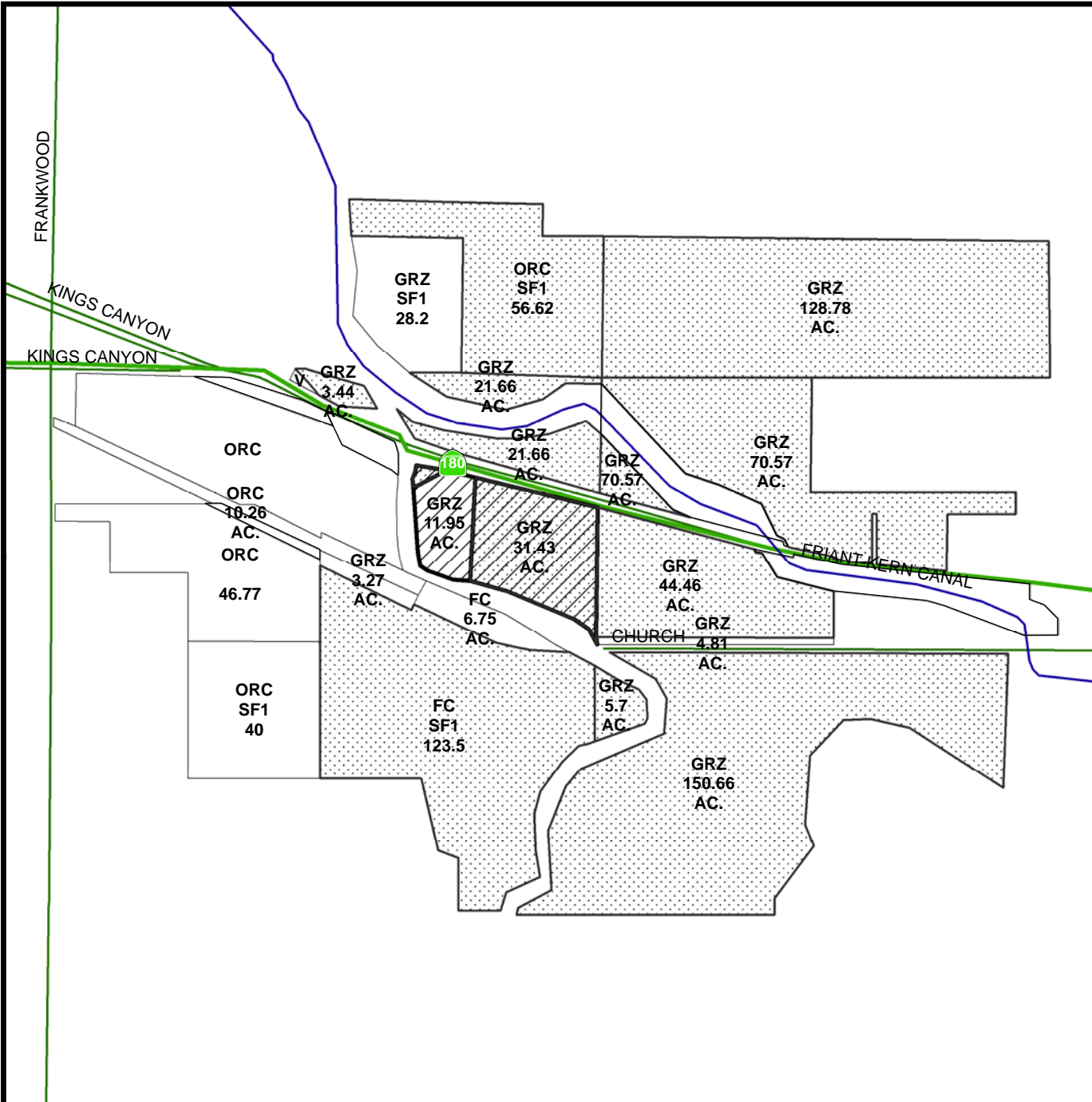
Note - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

8/22/2018

LOCATION MAP



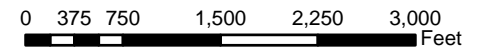
EXISTING LAND USE MAP



LEGEND	
SF#	- SINGLE FAMILY RESIDENCE
FC	- FIELD CROP
GRZ	- GRAZING
ORC	- ORCHARD
V	- VACANT

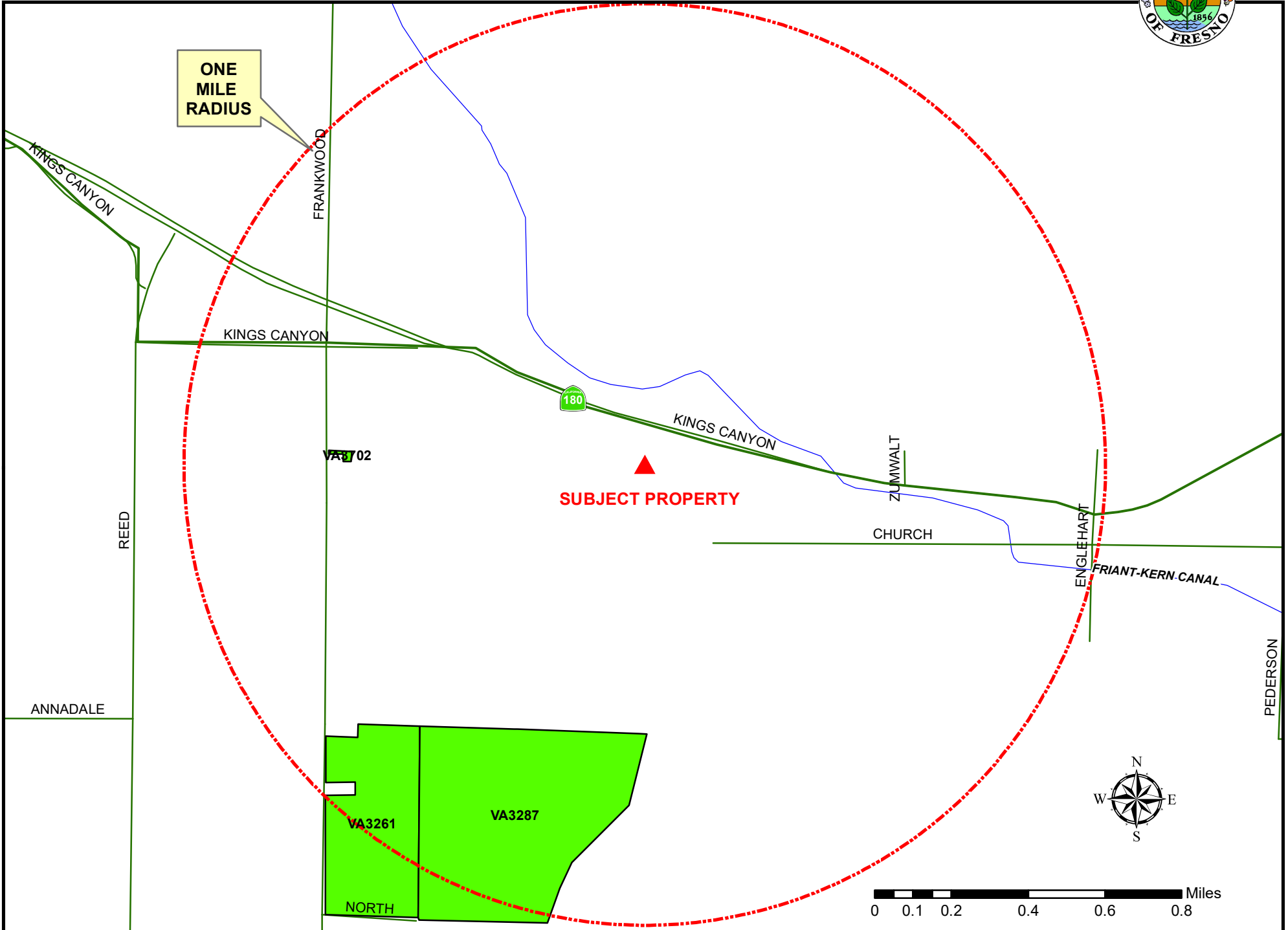
LEGEND:

- Subject Property
- Ag Contract Land

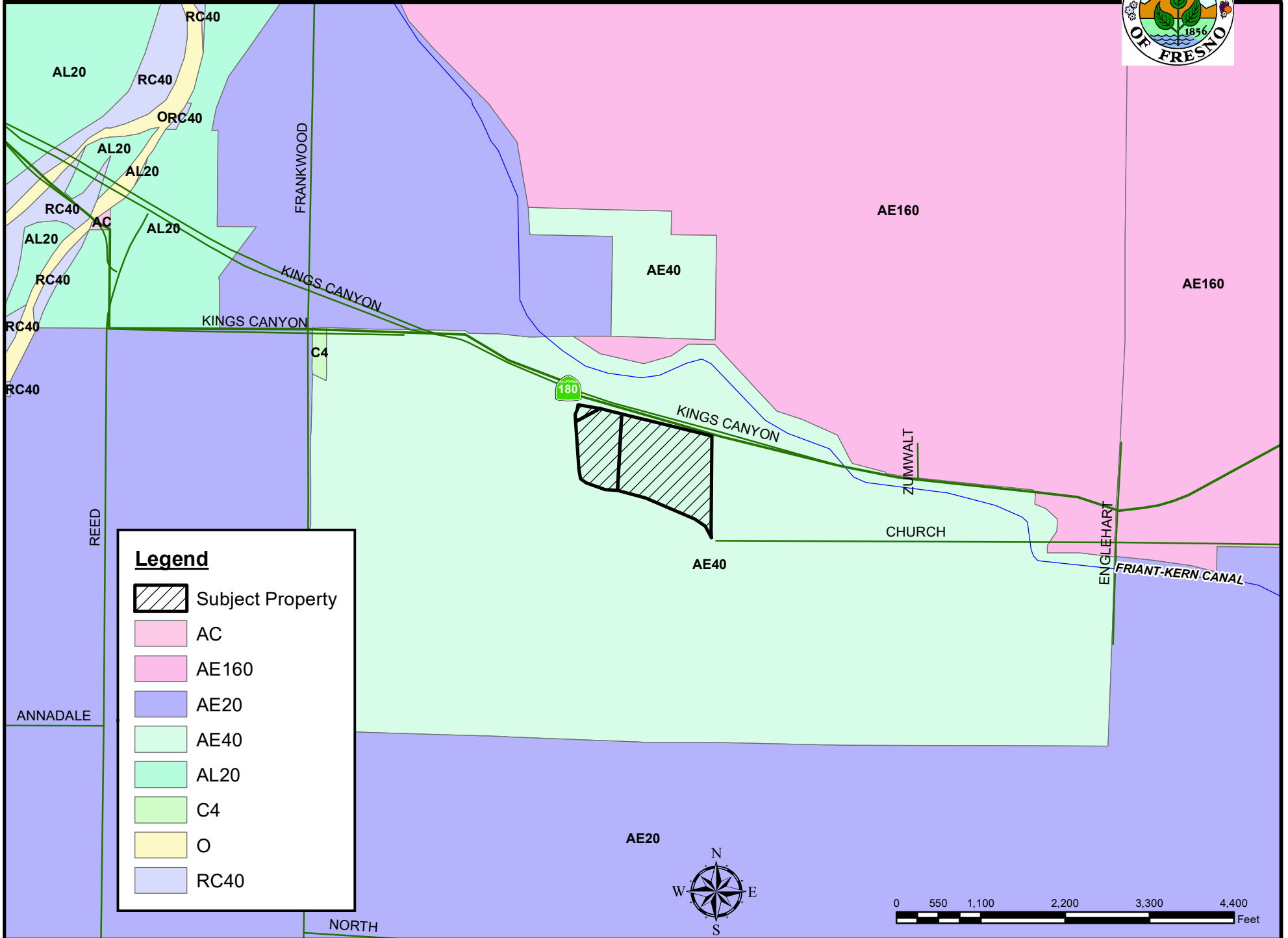


Department of Public Works and Planning
Development Services Division

APPROVED VARIANCES WITHIN A ONE MILE RADIUS



EXISTING ZONING MAP



Legend

- Subject Property
- AC
- AE160
- AE20
- AE40
- AL20
- C4
- O
- RC40

FRESNO County Recorder
Paul Dictos, C.P.A.
DOC-
2018-0123516-00
Acct 3078-Chicago Title - Fresno
Monday, OCT 08, 2018 11:28:16
Ttl Pd \$347.00 Rcpt # 0005088603
APR/R2/1-3

RECORDING REQUESTED BY:
Chicago Title Company

When Recorded Mail Document
and Tax Statement To:
Wyatt Dean Fulbright and Shanda Renee
Fulbright
8533 East Central
Del Rey, CA 93616

COPY

Escrow Order No.: FWFM-4501804066

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from fee per GC 27388.1 (a) (2); recorded in connection with a transfer subject to the imposition of documentary transfer tax.

Property Address: APN'S: 333-100-14 and
333-100-47,
Sanger, CA 93657
APN/Parcel ID(s): 333-100-14
333-100-47

GRANT DEED

RECEIVED
COUNTY OF FRESNO

SEP 03 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

The undersigned grantor(s) declare(s)

- This transfer is exempt from the documentary transfer tax.
- The documentary transfer tax is \$330.00 and is computed on:
 - the full value of the interest or property conveyed.
 - the full value less the liens or encumbrances remaining thereon at the time of sale.

The property is located in an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Jon Stephen Simons and Katherine Julia Simons, husband and wife as joint tenants,

hereby GRANT(S) to Wyatt Dean Fulbright and Shanda Renee Fulbright, husband and wife as joint tenants,

the following described real property in the Unincorporated Area of the County of Fresno, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

NOT A

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

APN/Parcel ID(s): 333-100-14
333-100-47

Dated: September 28, 2018

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

[Signature]
Jon Stephen Simons
[Signature]
Katherine Julia Simons

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Fresno

On 10/3/18 before me, R.M. Matteson, Notary Public,
(here, insert name and title of the officer)

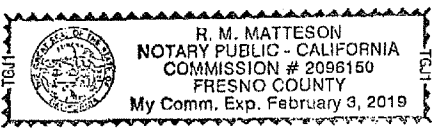
personally appeared Jon Stephens Simons and Katherine Julia Simons,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
Signature

(Seal)



Notarified Copy

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 333-100-14 and 333-100-47

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 SOUTH, RANGE 23 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 14, AT A POINT 100 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH 38° 02' WEST, 121.0 FEET;

THENCE NORTH 55° 14' WEST, 172.0 FEET;

THENCE NORTH 68° 43' WEST, 703.0 FEET;

THENCE NORTH 76° 18' WEST, 328.0 FEET;

THENCE NORTH 87° 19' WEST, 160.0 FEET;

THENCE NORTH 70° 37' WEST, 374.0 FEET;

THENCE NORTH 03° 44' WEST, 91.0 FEET;

THENCE NORTH 17° 32' WEST, 202.0 FEET;

THENCE NORTH 06° 47' WEST, 560.0 FEET;

THENCE NORTH 13° 24' EAST, 91.0 FEET;

THENCE NORTH 12° 17' WEST TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF CALIFORNIA STATE HIGHWAY NO. 180 AS DESCRIBED IN CONDEMNATION PROCEEDINGS, IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF FRESNO, CASE NO. 97382, RECORDED JUNE 20, 1957, IN BOOK 3939, PAGE 620 OF OFFICIAL RECORDS, DOCUMENT NO. 41898, SAID LINE BEING THE SOUTH LINE OF PARCEL 1-B IN THE ABOVE DESCRIBED DOCUMENT;

THENCE SOUTHEASTERLY, ALONG THE SOUTH LINE OF SAID PARCEL 1-B TO THE INTERSECTION OF SAID LINE WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTH, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE POINT OF BEGINNING.

PRELIMINARY COPY ONLY - SUBJECT TO REVISION

RECORD OF SURVEY

COUNTY OF FRESNO
STATE OF CALIFORNIA

A PORTION OF THE NORTHEAST QUARTER OF SECTION 14,
TOWNSHIP 14 SOUTH, RANGE 23 EAST, MOUNT DIABLO BASE AND
MERIDIAN
(CONSISTING OF ONE SHEET)

BASIS OF BEARINGS:

THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 SOUTH,
RANGE 23 EAST, MOUNT DIABLO BASE & MERIDIAN, TAKEN TO BE S89°04'26"E AS PER
(R-1).

NORTHWEST CORNER OF
SECTION 14 14/23. FOUND
SQUARE BOLT, DOWN 0.4' AS
PER F.C.C.R. 4871.

NORTH QUARTER CORNER OF
SECTION 14 14/23. FOUND 1 1/2"
IRON PIPE, NO TAG, UP 0.1' AS
PER F.C.C.R. 4838.

NORTHEAST CORNER OF SECTION 14
14/23. FOUND CALTRANS BRASS
CAP MONUMENT IN CONCRETE,
DOWN 0.7' AS PER R-2.

LEGEND:

- ⊙ SET 3/4" X 30" IRON PIPE TAGGED "L.S. 9363", DOWN 6" UNLESS OTHERWISE NOTED.
- ⊕ MONUMENTS FOUND AND ACCEPTED UNLESS OTHERWISE NOTED.
- (R-1) RECORD DATA CALIFORNIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP ROUTE 180 PM 78.54-79.29 ON FILE WITH THE FRESNO COUNTY SURVEYOR.
- (R-2) RECORD DATA PER RECORD OF SURVEY RECORDED IN BOOK 61 AT PAGE 57 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS.
- F.C.C.R. FRESNO COUNTY CORNER RECORD.
- T.F. TIES ON FILE WITH THE FRESNO COUNTY SURVEYOR.
- O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY.
- INDICATES SUBJECT PARCEL BOUNDARY.
- DISTANCES NOT MONUMENTED ARE CALCULATED.

Line #	Length	Direction
L1	242.28'	S12° 40' 42"E
L2	91.00'	N13° 00' 18"E
L3	202.00'	N17° 55' 42"W
L4	91.00'	N04° 07' 42"W
L5	374.00'	N71° 00' 42"W
L6	160.00'	N87° 42' 42"W
L7	328.00'	N76° 41' 42"W
L8	172.00'	N55° 37' 42"W
L9	121.00'	N38° 25' 42"W
L10	90.05'	S54° 58' 28"W
L11	69.47'	N45° 08' 50"E
L12	544.56'	S75° 09' 18"E

COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE
PROFESSIONAL LAND SURVEYORS' ACT THIS _____ DAY OF _____
2018.

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

BY: KEVIN NEHRING P.L.S. 8200
DEPUTY COUNTY SURVEYOR

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION
IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS'
ACT AT THE REQUEST OF STEPHEN SIMONS IN MAY, 2018.

DATE: _____
SAM ESPINOSA P.L.S. 9363



RECORDER'S STATEMENT

DOCUMENT No. _____ FEE PAID: _____
FILED THIS _____ DAY OF _____ 2018, AT _____ M.,
IN BOOK _____ OF RECORD OF SURVEYS AT PAGE _____
AT THE REQUEST OF LATITUDE LAND SURVEYING.

PAUL DICTOS, CPA
FRESNO COUNTY RECORDER

BY: _____
DEPUTY COUNTY RECORDER

**LATITUDE
LAND SURVEYING**

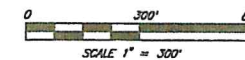
2646 E LESTER AVE
FRESNO, CA. 93720
Tel. (559) 360-1255

DATE OF SURVEY	4/25/2018
JOB NO.	
DRAWN BY	S.ESPINOSA
DRAWING NAME	
REVISION DATE	

RECEIVED
COUNTY OF FRESNO

SEP 03 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



*Proposed
PROPERTY LINE*

STATE ROUTE 180

ALTA

14

47

DOCUMENT No.
2007-0214566 O.R.F.C.

CANAL

POSITION FOR THE EAST QUARTER
CORNER OF SEC 14 14/23
NOTHING FOUND OR SET.

WITNESS CORNER FOR THE EAST
QUARTER CORNER. FOUND 2" IRON
PIPE WITH BRASS TAG STAMPED
"CALTRANS", UP 0.2'. ALSO FOUND
3/4" IRON PIPE, NO TAG, UP 0.3'
2.05' NORTH AND 0.67' EAST OF 2"
IRON PIPE - DID NOT ACCEPT.

Variance Findings

RECEIVED
COUNTY OF FRESNO

SEP 03 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Location: 333-100-14 & 47

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that may not apply generally to other properties in the vicinity having that in identical zoning classification.

RESPONSE: This parcel is extremely unique it's the only one in the area that has Highway 180 on its entire 2000' property line to the north and also trapped by Alta canal on it's entire west and south side property line over 3000'. The west and north side also site approx 20' higher then the surrounding land, This only leaves a adjoining land to the East. Even though it is lined by Alta canal on the west and south side of the property, it is not with in there jurisdiction to sell and canal water for farming. The property Also contains a creek that runs through the middle of APN number 47 To allow water to drain from underneath Highway 180 into the Alta canal on the south side of the property. With these unique qualities when you factor in roads to move around the perimeter of the property it is nowhere near the agriculture or farmable AE 40. You are losing approximately 12 acres of usable land. Attached is a picture of map .

2. Such variance is necessary for the preservation and enjoyment of a sustainable property right of the applicant, which right is possessed by other property owners under light conditions in the vicinity having identical zoning classification.

RESPONSE: I believe by splitting the land on its current divided APN numbers would allow me the owner to correctly use this land in a much more appropriate and successful way. Due to so much of its unusable land, With this variance it would allow a much more efficient or appropriate use of land that the current parcel configuration does not allow. I would be able to invest in my land with a Greater return on investment in such items as Higher risk trees or other agricultural crops which is need due to lack of productive land in its current state. I would need multiple wells for this land to mange any crops because there is no rights to canal water. This would allow me to build a well on each parcel. This variance would be a successful and appropriate use of the parcels.

3. The granting of the variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity of which the property is located.

RESPONSE: The proposed variance will have absolutely NO impact on the public welfare. it is currently already divided by those APN numbers and it already contains access to both parcels, it will also still remain agricultural land with the intent of possible farming.

NORTH VIEW



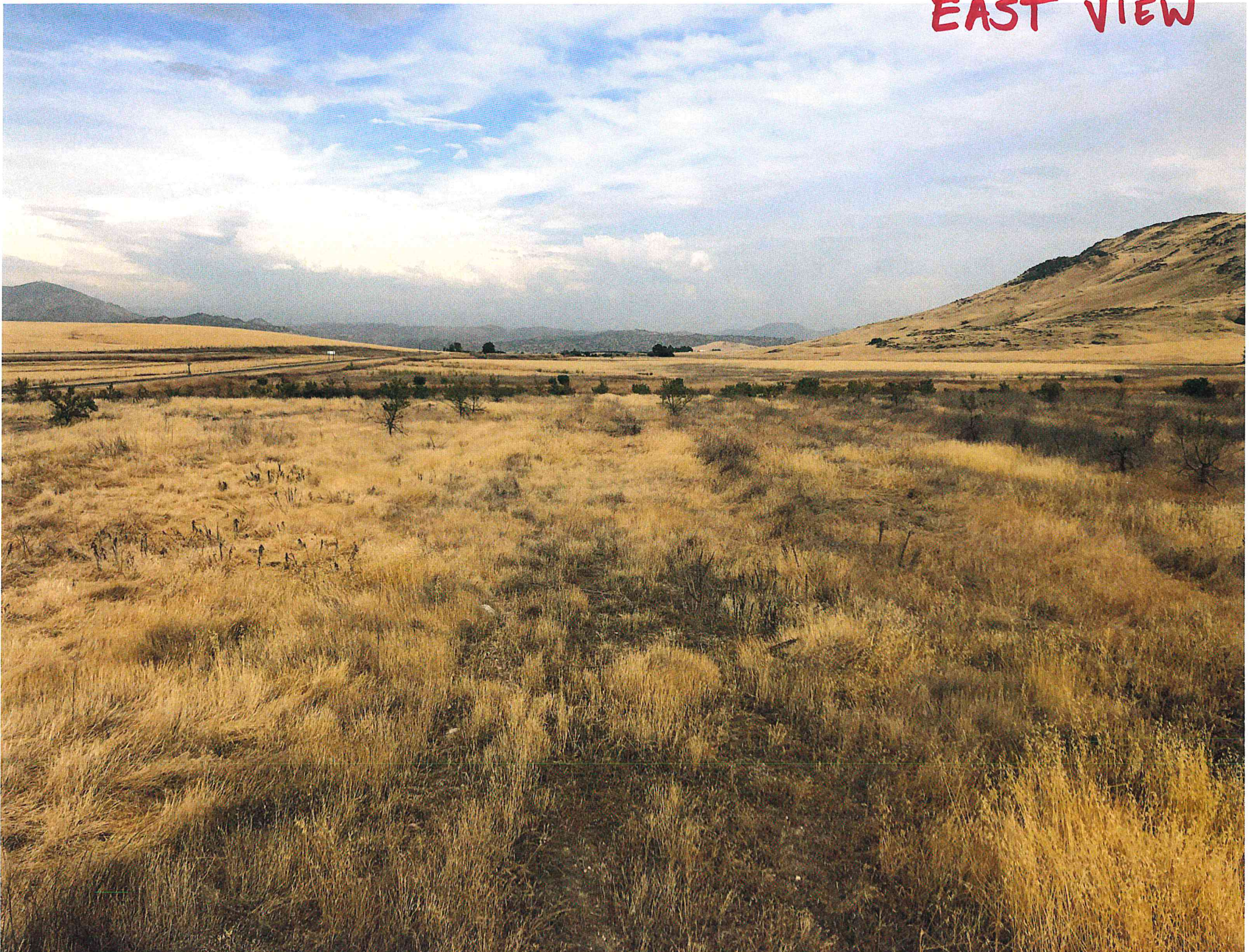
SOUTH VIEW



WEST VIEW



EAST VIEW



Σ P 14,525.43 ft
Σ A 11.61 ac

Easement area

Road

Creek / Drainage

Road

Road

