



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 4 November 18, 2021

**SUBJECT:** Consider Classified Conditional Use Permit Application No. 3526 and a Proposed Mitigated Negative Declaration based on Initial Study No. 7085.

Allow a personal/recreational vehicle storage facility and a caretaker's residence with office on two contiguous parcels totaling 38.91 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject property is located on the northwest corner of E. Shepherd Avenue and Locan Avenue, adjacent to the City of Clovis (APN 557-031-29 & 42) (Sup. Dist. 5).

**OWNER/  
APPLICANT:** WESCLO, LP, a California Limited Partnership

**STAFF CONTACT:** Ejaz Ahmad, Planner  
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David Randall, Senior Planner  
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### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration based on Initial Study (IS) No. 7085; and
- Approve Classified Conditional Use Permit No. 3256 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan/Floor Plan/Elevation
6. Applicant’s Operational Statement
7. Summary of Initial Study No. 7085
8. Proposed Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agriculture	No change
Zoning	AL-20 (Limited Agriculture, 20-acre minimum parcel size)	No change
Parcel Size	38.91 acres (comprised of two parcels)	No change
Project Site	Undeveloped	Personal/recreational vehicle storage facility and a caretaker’s residence with office on a 38.91-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.
Structural Improvements	None	<ul style="list-style-type: none"> <li>• 194,225 square-foot storage building (Phase I)</li> <li>• 124,400 square-foot storage building (Phase II)</li> <li>• 100,600 square-foot storage building (Phase III)</li> <li>• 1,327 square-foot caretaker’s residence with 391 square-foot garage</li> <li>• 804 square-foot office</li> </ul>
Nearest Residence	115 feet south of the site’s nearest boundary	No change

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Surrounding Development	Single-family residences; farm buildings/structures	No change
Operational Features	N/A	<ul style="list-style-type: none"> <li>• The proposed facility would allow the public to store personal/recreational vehicles on the property by lease agreements.</li> <li>• Personal and light hauling vehicles will be used for the transportation of personal property to storage units.</li> <li>• Recreational vehicles will be either self-propelled or towed to parking spaces.</li> <li>• Caretaker's residence/office will be occupied by two resident managers who will operate the office and control the facility entrance during business hours.</li> </ul>
Customers/Visitors	N/A	10 (Average per day) 30 (Maximum per day)
Employees	N/A	None (currently) 2 (future)
Traffic Trips	N/A	<p>Per the Traffic Impact Study prepared for the project:</p> <p>Phase 1 Project Trip Generation</p> <ul style="list-style-type: none"> <li>• 17 A.M. peak-hour round trips per day entering and exiting the site</li> <li>• 19 P.M. peak-hour round trips per day entering and exiting the site</li> </ul> <p>Full Project Trip Generation (includes Phase I, II and III)</p> <ul style="list-style-type: none"> <li>• 29 A.M. peak-hour round trips per day entering and exiting the site</li> <li>• 33 P.M. peak-hour round trips per day entering and exiting the site</li> </ul>
Lighting	None	Hooded outdoor security lighting
Hours of Operation	N/A	7:00 a.m. to 7:00 p.m.; seven days per week; 12 months per year

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

**ENVIRONMENTAL ANALYSIS:**

Initial Study No. 7085 was prepared for the project by County Staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 7.

A Notice of Intent to adopt a Mitigated Negative Declaration was published on September 17, 2021.

**PUBLIC NOTICE:**

On Friday, October 15, 2021 notices were sent to 88 property owners within 600 feet of the project site, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

A Classified Conditional Use Permit may be approved only if five Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission. The decision of the Planning Commission on a Classified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

The Fresno County Board of Supervisors approved Amendment to Text (AT) No. 370 on September 30, 2014, amending Sections 803.13 and 817.3 of the Fresno County Zoning Ordinance by adding Personal/Recreational Vehicle Storage in the AL (Limited Agriculture) Zone District, and permitted the use by Conditional Use Permit for those unincorporated areas of Fresno County located in an area within one half-mile of the Sphere of Influence (SOI) of the City of Clovis. The subject proposal is within one half-mile of the City of Clovis SOI and would allow construction of a personal/recreational vehicle storage facility on a 38.91 acres project site.

The project site is adjacent to the City of Clovis to the south, the project area is designated by the City's General Plan as a Mixed Area. However, the area is not within the City of Clovis' Sphere-of-Influence and cannot be annexed at this time. Hence, the proposed development is governed by County development standards. The project was routed to the City for comment, and they participated significantly in the traffic study prepared for the project.

The project will be developed in three phases. Phase-I include 194,225 square feet storage buildings, Phase-II include 124,400 square feet Storage building, and Phase-III (future) include 100,600 square feet for storage buildings, open carports, and enclosed carports. In Phase III, storage buildings and open and enclosed RV storage will occupy the same land area. Future storage buildings will be constructed as needed after removal of overlapping RV (Recreational Vehicle) storage. The open RV and closed RV will be occupying an approximately 197,050 square feet land area. The project also includes a 2,522 square-foot caretaker's residence/office for onsite resident managers who will operate the office and control the entrance to the site.

Related improvements include a 20-foot wide landscape strip along the property' frontage on Shepherd Avenue and the Applicants typical iconic water feature landscaping at the northwest corner of Shepherd Avenue and the private drive aligned with Locan Avenue. Locan Avenue north of Shepard does not exist, it was previously abandoned by the County. The applicant has chosen to develop it as a paved private drive aligned with Locan Avenue which provides the public point of entry to the facility. Public will access the site during the business operating hours from 7 a.m. to 7 p.m. Two on-site resident managers will reside in the caretaker's residence/office and will operate office and controlled entrance to the facility during business hours. The lessees of the storage units will utilize personal and light hauling vehicles to transport personal/recreational vehicle for storage on the property. Recreational vehicles will be either self-propelled or towed to parking spaces. The facility will be provided with 24-hour on-site security.

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

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	<ul style="list-style-type: none"> <li>• Front (Shepherd Ave; south property line): 20 feet</li> <li>• Side (east property line): Zero feet</li> <li>• Side (west property line): Zero feet</li> <li>• Rear (north property line): Zero feet &amp; 100 feet</li> </ul>	Yes. Setbacks and front yard landscaping will follow Zoning Ordinance Section 817.3 - L
Parking	One parking space for every two permanent employees, each salesperson, and each company vehicle	<ul style="list-style-type: none"> <li>• Six parking spaces, including one space for physically disabled</li> <li>• Two parking spaces inside garage for caretaker's residence.</li> </ul>	Yes
Lot Coverage	No requirement	No requirement	N/A
Separation Between Buildings	Six-foot minimum	20 feet	Yes. Storage buildings will maintain 20 feet separation.
Wall Requirements	No requirement	The facility will be enclosed by storage building and cyclone fencing	N/A

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Septic Replacement Area	100 percent for existing system	Individual sewage disposal system	Yes
Water Well Separation	Building sewer/ septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	Building sewer/septic tank: minimum 100 feet to the existing well	Yes

**Reviewing Agency/Department Comments:**

Zoning Section of the Fresno County Department of Public Works and Planning: A volunteer shall be required to merge two parcels into one parcel and this process be completed prior to the issuance of building permit. This has been included as a Condition of approval.

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

**Analysis Finding 1:**

Staff review of the Site Plan demonstrates that 38.91-acre project site is adequate in size to accommodate the project is comprised of storage buildings, open carports and enclosed for personal/recreational vehicles storage, caretaker residence/office, parking, landscaping, and a storm water drainage basin.

The proposed improvements meet the minimum setback requirements of the M-1 Zone District as specifically stipulated in the County Ordinance Section 817.3-L for storage facilities. The proposed improvements will set back approximately 20 feet from the south property line (no minimum required), zero feet from the east and west property lines (no minimum required), and zero feet and 100 feet from north property line (no minimum required). The 20 feet front yard setback will be landscaped as per the County Ordinance Section 817.3 - L.

The AL Zoning on the property requires one parking space for every two permanent employees, each salesperson, and each company vehicle. Per the Applicant's Operational Statement letter, two resident managers will operate the proposed facility. Floor Plan of the caretaker's residence (Exhibit 5) includes a garage with two parking spaces which is sufficient to meets the employees parking requirement. The project Site Plan (Exhibit 5) also provides for additional six parking spaces for public, located near the caretaker's residence/office building.

**Recommended Conditions of Approval:**

*None.*

**Conclusion Finding 1:**

Based on the above information and with adherence to a Site Plan Review, recommended as a Condition of Approval, staff believes the site is adequate to accommodate the proposal.

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

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Public Road Frontage	Yes	Shepherd Avenue located in City of Clovis; good condition	No change
Direct Access to Public Road	Yes	Shepherd Avenue located in City of Clovis; good condition	Regular access to the site will be taken from a driveway connecting to Locan Avenue alignment north of Shepherd Avenue. Emergency access to the site will be from Shepherd Avenue.
Road ADT (Average Daily Traffic)		Unknown	No change
Road Classification		Arterial	No change
Road Width		30-foot right-of-way north of section line and 73-foot right-of-way south of section line	Pursuant to County Standards, an additional 23 feet of right-of-way north of section line is required of the project.
Road Surface		Asphalt concrete paved;	No change
Traffic Trips		N/A	<p>Per the Traffic Impact Study (TIS) prepared for the project:</p> <p><u>Phase 1 Project Trip Generation</u></p> <ul style="list-style-type: none"> <li>• 15 A.M. peak-hour round trips per day entering the site and 14 A.M. peak-hour round trips per day exiting the site.</li> <li>• 15 P.M. peak-hour round trips per day entering and exiting the site.</li> <li>• 294 trips weekly</li> </ul> <p><u>Full Project Trip Generation (all Phases)</u></p> <ul style="list-style-type: none"> <li>• 29 A.M. peak-hour round trips per day entering the site and 27 A.M. peak-hour round trips per day exiting the site.</li> <li>• 32 P.M. peak-hour round trips per day entering the site and</li> </ul>

		Existing Conditions	Proposed Operation
			33 P.M. peak-hour round trip per day exiting the site. <ul style="list-style-type: none"> <li>• 641 trips weekly</li> </ul>
Traffic Impact Study (TIS) Prepared	Yes	N/A.	Per the TIS prepared for the project, a mitigation measure would require that the project shall pay its equitable share percentage for traffic signalization at the intersection of Shepherd and Locan Avenues.
Road Improvements Required		Shepherd Avenue; good condition	No improvements required

**Reviewing Agency/Department Comments:**

Design Division of the Fresno County Department of Public Works and Planning: The project shall pay its equitable share percentage for the installation of a traffic signal at Shepherd and Locan Avenues intersection. This requirement has been included as a Mitigation Measure in Exhibit 1 of this report.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: The project shall dedicate additional right-of-way north of Shepherd Avenue section line and west of Locan Avenue centerline. Master planned storm drainage facilities shall be installed in Shepherd Avenue, new utilities along Shepherd Avenue shall be underground, driveway improvements installed along Locan Avenue alignment for access to the site shall provide for two-way traffic. Prior to construction of a traffic signal at Shepherd and Locan, and as a temporary intersection safety measure, a concrete worm median shall be constructed at the driveway connection to Shepherd Avenue that will only allow right turns out of the site onto Shepherd Avenue. To ensure proposed structures can be seen by motorists during nighttime or low-visibility conditions, private lighting shall be installed for landscaping, signage and/or structural features to assist in illuminating the immediate building frontage near the driveway connection to Shepherd Avenue and at sufficient intervals within the asphalt paved sections of the private driveway alignment length. These requirements have been included as Conditions of Approval in Exhibit 1 of this report.

City of Clovis, Traffic Engineering Department: No concerns with the proposal. Note: Per the Traffic Impact Study for the project, the project shall pay its fair share of \$11,336 to the City of Clovis for the installation of a traffic signal at Shepherd and Locan Avenues intersection.

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

**Analysis Finding 2:**

The project site borders with Shepherd Avenue and Locan Avenue Alignment. Shepherd



Avenue is designated as an Arterial in the County General Plan, is maintained by the County, and is in good condition. Locan Avenue north of Shepherd Avenue was abandoned by the County Board of Superiors in 1958. No public road easement currently exists in this alignment.

Access to the project site will be taken from a paved private driveway connecting to Locan Avenue alignment north of Shepherd Avenue. Locan Avenue from driveway entrance to the site to the Shepherd Avenue will be asphalt concrete paved. A concrete worm median will be constructed where Locan Avenue meet with Shepherd Avenue. The median would allow only right turns out of the site onto Shepherd Avenue and will be removed after a traffic signal is installed at Shepherd and Locan Avenues intersection.

The Traffic Impact Study (TIS) prepared for the project has evaluated the project impact on County and City of Clovis roadways. Per the TIS, the intersection of Shepherd and Locan Avenues is currently operating at acceptable levels of service during the a.m. and p.m. peak hours with acceptable queuing conditions. However, by the year 2037, with or without the project, the intersection of Shepherd and Locan Avenues will operate at Level of Service (LOS) F. To mitigate the cumulative significant impact, the intersection of Shepherd and Locan Avenues shall be signalized, and the project shall contribute a fair share percentage of the cost of the signalization.

The Design Division of the Fresno County Department of Public Works and Planning and City of Clovis concurred with TIS finding to mitigate the project’s cumulative impact on transportation in the project area, the Shepherd and Locan Avenues intersection will be signalization to operate at acceptable levels of service in the future, and the project will pay its equitable share percentage towards the total cost of signalization. The project will pay its fair share for traffic signal and will perform offsite improvements noted as Conditions of Approval in Exhibit 1 of this report.

**Recommended Conditions of Approval:**

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

**Conclusion Finding 2:**

Based on the above information, staff believes Shepherd Avenue will remain adequate in width and pavement to accommodate the traffic generated by this proposal.

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

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	62.1 acres	Undeveloped land	AE-20	N/A
South	Less than one-half acres	Single-family residences in City of Clovis	R-1 (City of Clovis)	116 feet
East	33 acres 1.09 acres	Single-family residence; agricultural building	AE-20	85 feet

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
West	29.5 acres	Single-family residence	AE-20	336 feet

**Reviewing Agency/Department Comments:**

California Department of Fish and Wildlife (CDFW): The project development will impact California tiger salamander, a California and Federal Endangered species and burrowing owl, a State species of special concerns. The project development may also impact the adjoining and downstream reaches of Dry Creek. The project site shall be surveyed by a wildlife biologist to determine the project development impact on the special-status species at the site and to the adjoining Dry Creek. (Note: Mitigation Measures included in Exhibit 1 of this report will minimize the impact on Burrowing Owl, California Tiger Salamander; nesting birds; and kit fox).

U.S. Fish and Wildlife Service (USFWS): The project shall require avoidance and minimization measures for the federally listed as endangered San Joaquin kit fox that may be found present on the project site. (Note: A Mitigation Measure included in Exhibit 1 of this report will minimize the impact on San Joaquin kit fox).

Fresno Metropolitan Flood Control District (FMFCD): A minimum 500-foot-wide area adjacent to the Big Dry Creek Reservoir and dam face should remain clear of development and designated as an open space. This requirement has been included as a Mitigation Measure.

A temporary on-site storm water storage facility shall be provided for the development and be located and constructed such that once permanent FMFCD facilities become available, drainage can be directed to the street. The District shall review drainage and grading plans prior to its approval by the County. This requirement has been included as a Project Note.

Fresno County Department of Public Health, Environmental Health Division (Health Department): The existing on-site septic system consisting of a septic tank and two seepage pits shall be properly destroyed. As a measure to protect groundwater, all water wells (not intended for use by the project, or for future use) and septic systems that have been abandoned within the project area, shall be destroyed by a licensed contractor. Water wells located in the unincorporated area of Fresno County shall require permits for destruction and construction prior to commencement of work. These requirements have been included as Conditions of Approval.

Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may require to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, and Division 4.5. If any underground storage tank(s) are found during construction, an Underground Storage Tank Removal Permit shall be obtained from the Health Department.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposed development will be handled without adversely

impacting adjacent properties and shall be retained on-site per County standards. A grading permit or voucher shall be required for any grading proposed with this application. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be filed with the State Water Resources Control Board. Any work conducted within the public right-of-way shall require an encroachment permit from the City of Clovis. Any work within 300 ft. from the Dry Creek stream shall require an encroachment permit from the Central Valley Flood Protection Board or a letter from the Board or Kings River Conservation District indicating that an encroachment permit is not required. Per FEMA FIRM Panel 1585H, a portion of the project site is under shaded Flood Zone X. Any proposed building pad within Flood Zone X shall be elevated a minimum of twelve inches (12") and all electrical wiring below the flood elevation shall be in a watertight conduit or approved direct burial cable. The requirements have been included as Project Notes.

Fresno County Fire Protection District (FCFPD): The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19, obtain CalFire Conditions of Approval, and annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The requirements have been included as Project Notes.

Table Mountain Rancheria: Provide copy of any cultural Resources Report prepared for the project and consultation on the project be initiated.

The City of Clovis Planning & Development Department: The project area is within a General Plan Mixed Area, which requires a master plan with the first project and the property development shall be in accordance with the Clovis General Plan.

San Joaquin Valley Air Pollution Control District: The mitigated baseline emissions for construction and operation of the project will be less than two tons NO<sub>x</sub> per year and two tons PM<sub>10</sub> per year. of the rule. The project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site mitigation fees.

State Water Resources Control Board, Division of Drinking Water; Water and Natural Resources Division and Building and Safety Sections of the Fresno County Department of Public Works and Planning; Fresno County Agriculture Commissioner office; Native American Heritage Commission: No concerns with the proposal.

### **Analysis Finding 3:**

As noted in Background Information above, the project will be developed in three phases and includes storage buildings, a caretaker's residence, paved onsite parking and circulation areas, landscaping along Shepherd Avenue and at the corner of Shepherd and Locan Avenue, and gated access drive into the property off the Locan Avenue alignment.

The project site is currently undeveloped and unfarmed. The surrounding land uses include City of Clovis residential development to the south, vacant parcels to the north, and single-family homes and farm buildings/structures to the east and west of the site. The City of Fresno residential development is located approximately 3.8 miles to the west. The area consists of sparse farmland.

The proposed storage buildings and caretaker's residence will be 8.4 feet and 17 feet in height, which is below 35 feet height allowed in the AL District. The building height is compatible with other structures near the proposal. Given low building height, the storage building façade provided with appealing decorative design, and the proposed landscaping along Shepherd Avenue, the project will have a less than significant visual effects on the surrounding area.

An Initial Study prepared for the project has identified potential impacts to aesthetics, biological resources, cultural resources, hydrology and water quality, and transportation. To mitigate aesthetic impact, all outdoor lighting will be hooded and directed downward to avoid glare on adjoining properties. To mitigate biological impact, Burrowing Owl, California Tiger Salamander, and nesting bird surveys will be conducted prior to ground disturbance and signs of San Joaquin kit fox will be monitored for during ground disturbance and any sightings will be reported to the US Fish and Wildlife Service. To mitigate cultural resources impact, all work will be stopped if artifacts are uncovered during the ground disturbances and be reported to a qualified archeologist for evaluation. To mitigate hydrology and water quality impact, 500-foot-wide area adjacent to Big Dry Creek Reservoir and dam face will remain clear of development. To mitigate transportation impact, the project will pay its equitable share towards the cost of installing a traffic signal at Shepherd and Locan Avenue. These requirements have been included as Mitigation Measures (Exhibit 1).

Potential impacts related to air quality, geology and soils, hazard and hazardous materials, hydrology and water quality, and public services are less than significant. The project will: 1) comply with the San Joaquin Valley Air Pollution Control District rules and regulations; require an Engineered Grading and Drainage Plan for additional storm water run-off generated by the proposal; use, store, handle hazardous materials and wastes according to the requirements of the California Health and Safety Code; destroy all abandoned onsite water wells and septic systems by a licensed contractor; and require Fresno County Fire Protection District's approval on the County approved Site Plan.

A Biological Evaluation and a Biological Resource Assessment (Reports) were prepared for the project in 2017 and 2021 respectively and provided to the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (CDFW) for comments. Mitigation Measures were developed based on CDFW comments and the findings of the biological studies and were provided to CDFW for review and comments. The mitigation measures have been included in the Biological Resources Section (Exhibit 7) of this report. Further, per the 2017 Wetland Delineation Summary Report and the 2021 Biological Resource Assessment prepared for the project, found no wetlands (current or former) or other waters within the project area.

The project site is within County area outside of the City of Clovis Sphere of Influence (SOI). Per the City of Clovis, the project area is within City's General Plan Mixed Area, which requires the property to be developed in accordance with the City of Clovis General Plan. However, as the property is located within the County area at this time and has not annexed to the City, the proposed development will adhere to County development standards and be implemented through Site Plan Review. Conditions of the SPR may include but are not limited to design of parking and circulation, access, grading and drainage, fire protection, dedication of right-of-way and control of light.

The project site is not within or near an area sensitive to historical, archeological, or paleontological resources. Pursuant to AB (Assembly Bill) 52, the project was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. Dumna Wo Wah Tribal Government requested for a consultation, staff offered a meeting and provided a letter of Archaeological Records Search from the Southern San Joaquin Valley Information Center, and a letter of Sacred Lands Search from the Native American Heritage Commission, both showing negative results. The tribe provided no response to staff's request for a meeting which ultimately resulted in the

closure of consultation process. The Table Mountain Rancheria also requested for consultation. Staff offered a meeting and provided a copy of Cultural Resources Assessment Report identifying no cultural resources on the property. The tribe provided no response to the request for meeting which resulted in the closure of consultation process. In the unlikely event, if cultural resources are discovered on the property, the Mitigation Measure included in the CULTURAL ANALYSIS section (Exhibit 7) will reduce potential impact to tribal cultural resources.

**Recommended Conditions of Approval:**

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

**Conclusion Finding 3:**

Based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval, and mandatory Project Notes, staff believes that the proposal will have no adverse effect upon surrounding properties.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>Policy LU-A.3 allows agriculturally related uses by discretionary permit subject to meeting a number of specific criteria. Criteria LU-A.3.a. states that the use shall provide a needed service to the surrounding area, which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available.</p>	<p>The project will provide for a personal/recreational vehicle storage facility for the surrounding rural and urban communities. The project site is not a prime farmland and is classified as “Farmland of Local Importance” on 2016 Fresno County Important Farmland Map. The project will use limited groundwater (400 gallons per day) and can be provided with adequate workforce from the nearby City of Clovis and the City of Fresno. The project is consistent with Policy LU-A. 3.</p>
<p>General Plan Policy LU-A.12: In adopting land use policies, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>County Ordinance Section 817.3 - L. allows the proposed use in the AL-20 Zone District with discretionary land use approval. The project site will be enclosed with storage buildings and fencing to provide buffer between the project development and the adjacent land uses. The project is consistent with Policy LU-A.12 and LU-A.13.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact</p>	<p>The project is in a water-short area of Fresno County and is unable to connect to the City of Clovis community water system at this time. The proposed</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
on other water users in the County, and water sustainability.	caretaker's residence/office will utilize an estimated 400 gallons of water per day provided by an onsite well. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning expressed no concerns with the project related to water. The project will use limited water and will not impact other water users in the area. The project is consistent with Policy PF-C.17.
General Plan Policy PF-D.6: County shall permit individual on-site sewage disposal systems on such parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.	There is no community sewer system currently available to serve the proposed development. An individual sewage disposal system to serve the proposed caretaker's residence/office will be installed on the property. The project is consistent with Policy PF-D.6.
General Plan Policy TR-A.7: The County shall assess fees on new development sufficient to cover the fair share portion of the development's impacts on the local and regional transportation system.	Per the Traffic Impact Study prepared for the project, the project will pay its equitable share of the cost for the installation of a traffic signal at the intersection of Shepherd and Locan Avenues. The project is consistent with Policy TR-A.7.
General Plan Policy HS-B. 1: County shall review project proposals to identify potential fire hazards and to evaluate the effectiveness of preventative measures to reduce the risk to life and property.	The project will adhere to the California Code of Regulations Title 24 - Fire Code and will obtain District's approval prior to the issuance of building permits by the County. The project is consistent with Policy HS-B.1.
General Plan Policy HS-F. 1: County shall require the facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.	The project will handle hazardous material and wastes in accordance with state and local laws as discussed in Section IX. A. B. C., of the Exhibit 7. The project is consistent with Policy HS-F.1.

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The project site is zoned for AL-20 (Limited Agriculture) and not restricted by a Williamson Act Land Conservation Contract.

Policy LU-A.3 allows the proposed facility by discretionary land use approval subject to meeting certain criteria as noted above. Policy LU-A.12 requires protection of agricultural activities from

encroachment of incompatible uses. Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations. Policy PF-C.17 requires evaluation of adequacy and sustainability of water supply for the project. Policy PF-D.6 requires individual on-site sewage disposal systems to cause no harm to groundwater quality. Policy TR-A.7 requires new development pay a fair-share portion of the development's impacts on the local and regional transportation system. Policy HS-B.1 requires identification of potential fire hazards and the application of preventive measures to reduce risk to life and property. Policy HS-F.1 requires handling of all hazardous materials/waste be in accordance with applicable hazardous materials and waste management laws and regulations.

#### **Analysis Finding 4:**

The project site is designated as Agriculture in the Fresno County General Plan and is located outside of the City of Clovis Spheres of Influence.

The project is consistent with applicable policies of the County General Plan. Regarding consistency with Policy LU-A.3, the project meets the intent of said policy as discussed above. Regarding consistency with Policy LU-A.12 and Policy LU-A.13, the project is an allowed use in the AL Zone District with discretionary land use approval and peripheral fencing along with storage buildings will separate the proposed improvements from adjacent land uses. Regarding consistency with Policy PF-C.17, the caretaker's residence and landscaping will utilize limited groundwater provided by an onsite well. Regarding consistency with Policy PF-D.6, the caretaker's residence will install a new individual septic system which is deemed to avoid any impact on groundwater quality. Regarding consistency with Policy TR-A.7, the project will pay its share to cover the cost of the installation of a traffic signal at Shepherd and Locan Avenues. Regarding consistency with Policy HS-B.1 the project will comply with all applicable fire code requirements. Regarding consistency with Policy HS-F.1, the project will comply with all local and state laws for the handling of hazardous wastes.

#### **Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

#### **Conclusion Finding 4:**

Based on the above information, staff believes that the is consistent with the General Plan policies.

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

#### **Analysis Finding 5:**

The proposed mitigation measures and conditions of approval were developed based on studies and consultation with specifically qualified staff, consultants, and outside agencies. They were developed to address the specific impacts of the proposed project and were designed to address the public health, safety, and welfare. Additional comments and project notes have been included to assist in identifying existing non-discretionary regulations that also apply to the project. The Applicant has signed an acknowledgement agreeing to the proposed mitigation measures and has not advised staff of any specific objection to the proposed conditions of approval.

This includes the requirement that all outdoor lighting be hooded to minimize glare on adjacent roads/properties; site grading be performed according to the County Ordinance Code to protect adjacent properties from flooding hazards; 500-foot wide area adjacent to Big Dry Creek Reservoir and dam face be remain clear of development; all hazardous materials and wastes be used, stored, and handled in accordance with the requirements of the California Health and Safety Code; and Fresno County Fire Protection District's approval of Site Plan be required prior to the issuance of County building permits.

**Conclusion Finding 5:**

Finding 5 can be made, based on staff's analysis that the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

**PUBLIC COMMENT:**

None.

**SUMMARY CONCLUSION:**

Staff believes the subject proposal to allow a personal/recreational vehicle storage facility and a caretaker's residence/office in the AL Zone District is consistent with the Fresno County General Plan and will have less than significant impacts on the surrounding properties.

**SUMMARY RECOMMENDATION:**

Based on the factors cited in the analysis above, all required Findings for granting of a Classified Conditional Use Permit can be made. Staff therefore recommends adoption of Mitigated Negative Declaration prepared for Initial Study No. 7085, and approval of Classified Conditional Use Permit No. 3526, subject to the recommended mitigation measures and conditions of approval.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration based on Initial Study No. 7085; and
- Move to determine the required Findings can be made based on the analysis in the Staff Report and move to approve Classified Conditional Use Permit No. 3526, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**Alternative Motion** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit No. 3526; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

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



See attached Exhibit 1.

EA:jp

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EXHIBIT 1

**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 7085/Classified Conditional Use Permit Application No. 3526  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2.	Biological Resources	A Burrowing Owl (BUOW) survey shall be conducted prior to any ground-disturbing activities following the survey methodology developed by the California Burrowing Owl Consortium (CBOC 1993). In the event that burrowing owls are found, impacts to occupied burrows shall be avoided by implementation of a no-disturbance buffer zone in accordance with the Department's Staff Report on Burrowing Owl Mitigation (CDFG 2012) unless a qualified biologist approved by the department verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If burrowing owls will be evicted, passive relocation shall be adopted during the nonbreeding season and foraging habitat acquired and permanently protected to offset the loss of foraging and burrow habitat in accordance with the Department's Staff Report on Burrowing Owl Mitigation (CDFG 2012).	Applicant	Applicant/California Dept. of Fish and Wildlife (CDFWL)	As noted
3.		To minimize project-related impact on California Tiger Salamander (CTS):  a. Prior to any ground-disturbing activities, a silt fencing shall be installed to prevent wildlife from coming onto the project site during construction. The fencing shall be installed prior to the rainy season (preferably after May 15th or before October 15th) around the entire west and east boundaries of the property and the 100-foot setback line along the north side. The bottom of	Applicant	Applicant/ CDFWL	As noted

EXHIBIT 1

		<p>silt fencing shall be buried at least three (3) inches deep and be maintained during project grading and ground disturbing activity.</p> <p>b. A qualified wildlife biologist shall conduct a visual survey of the project site immediately prior to the beginning of ground-disturbing activities to ensure no ground burrowing mammals are present and to verify the installation of silt fencing.</p> <p>c. The portion of the project site north of the 100-foot setback line from the remnant Dry Creek channel shall be designated as an Environmentally Sensitive Area on the construction plans and specification, and the setback line shall be fenced with orange construction fencing to provide a visual demarcation.</p> <p>d. A qualified wildlife biologist shall serve as a biological monitor during initial grading and ground-disturbing activities to visually monitor for the presence of California Tiger Salamander (CTS). If any CTS are observed, ground disturbing activities shall immediately be halted, and the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) shall immediately be consulted about the appropriate next step.</p>			
4.		<p>To evaluate project-related impacts on nesting birds, a qualified wildlife biologist shall conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance during the breeding season of February 1 through August 31. If active nests are found, prior to initiation of construction activities, a qualified wildlife biologist conduct a survey to establish a behavioral baseline of all identified nests and upon start of construction continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, the work causing that change shall be cease and CDFW be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors shall be established and shall remain in place until the breeding season has ended or until a</p>	Applicant	Applicant/ CDFWL	As noted

		qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Any variance from these buffers shall be notified to CDFW in advance of implementing a variance.			
5.		To minimize the likelihood of mortality, harassment or harm to kit fox that may be present on site during construction, the avoidance and minimization measures found in 2011 Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance, found at <a href="https://www.fws.gov/sacramento/es/survey-protocols-guidelines/Documents/kitfox_standard_rec_2011.pdf">https://www.fws.gov/sacramento/es/survey-protocols-guidelines/Documents/kitfox_standard_rec_2011.pdf</a> shall be implemented. Any take that could occur as a result of the project would require consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.	Applicant	Applicant/ CDFWL	As noted
6.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours	Applicant	Applicant/ PW&P	As noted
7.	Hydrology and Water Quality	To address possible impacts related to the seepage component of the downstream face of the Big Dry Creek Reservoir and dam located northeast of the project site, a minimum of 500-foot-wide area adjacent to the dam face shall remain clear of development and designated as open space per the requirements of the Fresno Metropolitan Flood Control District (FMFCD).	Applicant	Applicant/Fresno Metropolitan Flood Control District	As noted
8.	Transportation	Prior to the issuance of building permits for the proposed project the applicant shall enter into an agreement with the City of Clovis agreeing to participate on pro-rata shares developed in the funding of future off-site traffic improvement as defined in the item below.	Applicant	Applicant/City of Clovis	As noted

		a. Applicant shall pay his proportionate share of costs for a future traffic signal at Shepherd and Locan Avenues. Applicant's proportionate share is \$11,336.			
<b>Conditions of Approval</b>					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permit, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include design of parking and circulation areas, access, on-site grading and drainage, dedication of right-of-way, fire protection, landscaping, signage and lighting.				
3.	<p>Applicant shall grant an additional 23 feet of road right-of-way along Shepherd Avenue and construct street improvements to the County of Fresno Standards. The cross-section shall provide 35 feet from median island curb to new curb and gutter. Said road improvements may be deferred through Agreement with the County of Fresno until such time that road widening takes place on adjacent properties.</p> <p>Note: A preliminary title report or lot book guarantee is required before the irrevocable offer of dedication can be processed. The owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial re-conveyance, or any other document required to clear title to the property, shall be borne by the owner or developer.</p>				
4.	Master planned storm drainage facilities shall be installed in Shepherd Avenue and along the prolongation of Locan Avenue north of Shepherd in accordance with the master plan on file with FMFCD. Applicant shall pay appropriate drainage fees to FMFCD in accordance with their master schedule of fees. If storm drainage facilities are also deferred by Agreement, then the applicant shall provide for the storage of additional drainage waters resulting from the development on site				
5.	Applicant shall provide for the undergrounding of any new utilities along Shepherd Avenue for service to the site. Additionally, any existing facilities that are impacted by the construction of road improvements shall be relocated or placed underground				
6.	Driveway improvements installed along Locan Avenue alignment for access to the site shall provide for two-way traffic. Paving shall be a minimum of 24-foot wide. Provisions for turnaround capabilities shall be provided at the northerly end of the drive approach. The drive approach may have to be a shared facility with the neighbor to the east. Only one connection shall be allowed for these two drives onto Shepherd Avenue if they are contiguous.				
7.	Prior to construction of a traffic signal at Shepherd and Locan, and as a temporary intersection safety measure, the applicant shall construct a concrete worm median at the driveway connection to Shepherd Avenue that will only allow right turns out of the site onto Shepherd Avenue. At such time that the traffic signal is constructed at the Shepherd and Locan intersection, then the concrete worm on the drive approach may be removed.				
8.	When street improvements are constructed along Shepherd Avenue for the driveway connection, an appropriate radial or tapered paving transition shall be constructed for right turn movements into the project driveway that are sufficient for the access limits of the largest vehicle serving the project or neighboring parcel (i.e. WB-67). Additionally, the project shall maintain the existing westbound 12-foot wide single thru-lane with edge line striping along the project frontage. A second thru-lane shall not be constructed, all new				

	pavement shall be considered additional roadway shoulder. The westbound terminus of new Shepherd Avenue road improvements at the west end of the project frontage shall be consist of a clean edge of pavement (perpendicular with the right of way) along with a street barricade and signage for an end lane, when required by the Road Department
9.	To ensure proposed structures can be seen by motorists during nighttime or low-visibility conditions, the applicant shall install private lighting for private landscaping, signage and/or structural features to assist in illuminating the immediate building frontage near the driveway connection to Shepherd Avenue and at sufficient intervals within the asphalt paved sections of the private driveway alignment length. Lighting shall be designed to minimize glare with adequate shielding to avoid illuminating the adjacent roadways. Proposed lighting shall be reviewed at the time of Site Plan Review
10.	The existing on-site septic system consisted of a septic tank and two seepage pits shall be properly destroyed.
11.	All water wells (not intended for use by the project, or for future use) and septic systems that have been abandoned within the project area, shall be properly destroyed by a licensed contractor.
12.	For water wells located in the unincorporated area of Fresno County, permits for destruction and construction shall be obtained from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work.
13.	Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO). Per the Governor's Drought Executive Order of 2015, a Landscape and Irrigation plans shall be submitted to the Department of Public Works and Planning, for review and approval prior to the issuance of Building Permits.
14.	Prior to the issuance of building permits, a volunteer merger shall be initiated and completed to merge a 19.85-acre parcel with a 19.06-acre parcel into a single 38.91-acre project site.

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

Conditions of Approval reference recommended Conditions for the project.

Project Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Construction plans, building permits and inspections will be required for all proposed improvements on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	To address site drainage impacts resulting from the project, the Fresno Metropolitan Flood Control District (The District) requires the following: <ul style="list-style-type: none"> <li>• A temporary on-site storm water storage facility shall be provided for the development and be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street.</li> <li>• Drainage and grading plans shall be reviewed by the District prior to approval by the County.</li> </ul>

**Project Notes**

4.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan shall be provided to show how additional storm water run-off generated by the proposal will be handled without adversely affecting adjacent properties and be retained on-site per County standards.</li> <li>• A Grading Permit for any grading proposed with this application.</li> <li>• A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be filed with the State Water Resources Control Board.</li> <li>• Any work conducted within the public right-of-way obtain an encroachment permit from the City of Clovis.</li> <li>• Any work within 300 ft. from the Dry Creek stream obtain an encroachment permit from the Central Valley Flood Protection Board or a letter from the Board or Kings River Conservation District indicating that an encroachment permit is not required.</li> <li>• Any proposed building pad within Flood Zone X shall be elevated a minimum of twelve inches (12") and all electrical wiring below the flood elevation shall be in a watertight conduit or approved direct burial cable.</li> </ul>
5.	<p>The project shall comply with California Code of Regulations Title 24 - Fire Code and California Code of Regulations Title 19. Prior to receiving Fresno County Fire Protection District (FCFPD) conditions of approval for the project, plans must be submitted to the County of Fresno Department of Public Works and Planning for review. Furthermore, the property shall annex to Community Facilities District (CFD) No. 2010-01 of FCFPD.</p>
6.	<p>To address site development impacts resulting from the project, the Site Plan Review Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"> <li>• All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.</li> <li>• Crash protection consisting of not less than four-inch (4") diameter, concrete filled steel or iron pipe not less than 36 inches above and 48 inches below ground level and spaced not more than 48 inches on center shall be provided to protect any tank or plumbing exposed to vehicular traffic</li> </ul> <p>Note: These requirements will be addressed through Site Plan Review.</p>
7.	<p>To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none"> <li>• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.</li> <li>• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• If any underground storage tank(s) are found during construction, an Underground Storage Tank Removal Permit shall be obtained from the Health Department...</li> </ul>

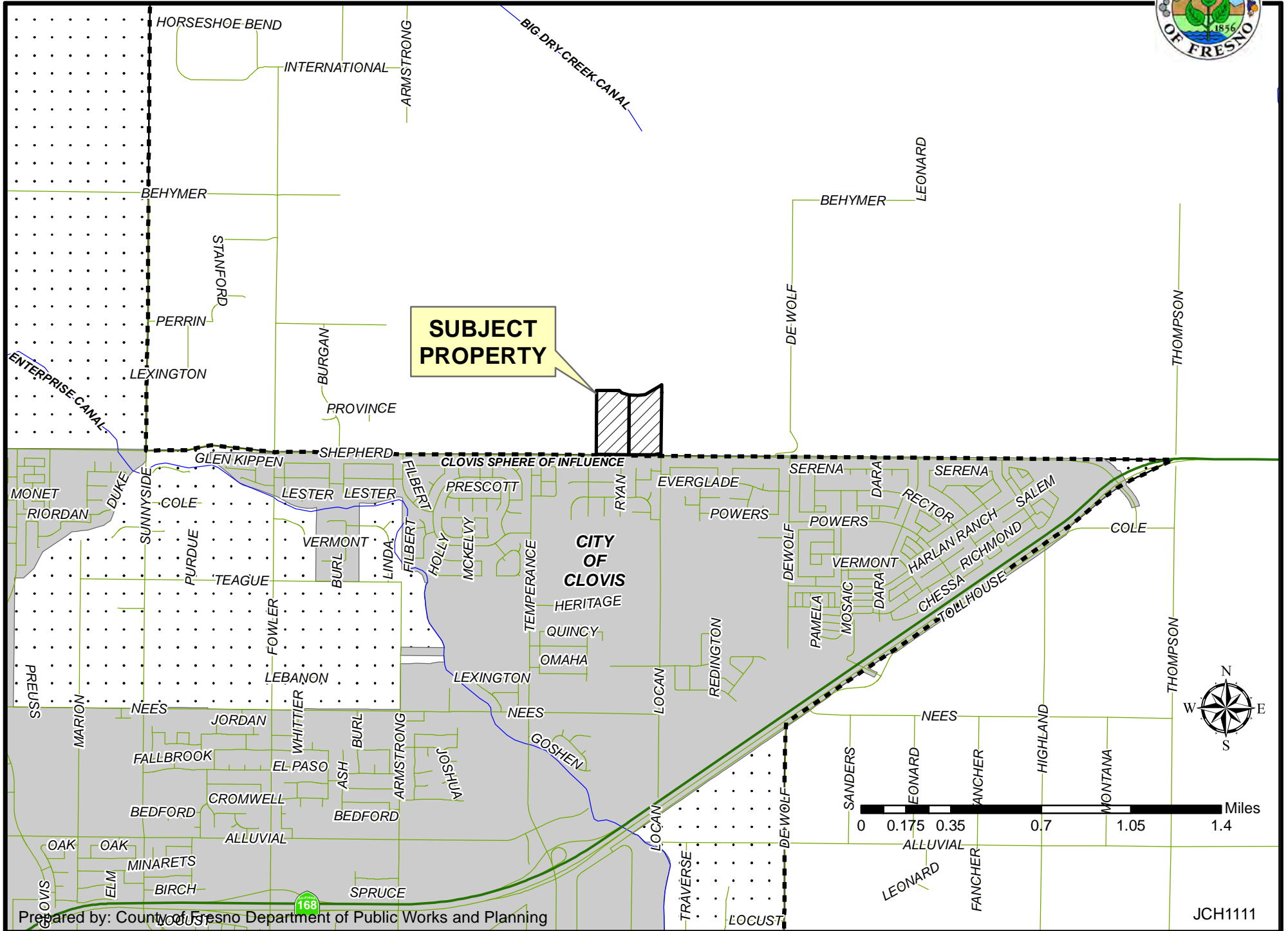


**Project Notes**

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# EXHIBIT 2 LOCATION MAP



**SUBJECT  
PROPERTY**

**CITY  
OF  
CLOVIS**



EXHIBIT 3  
**EXISTING ZONING MAP**

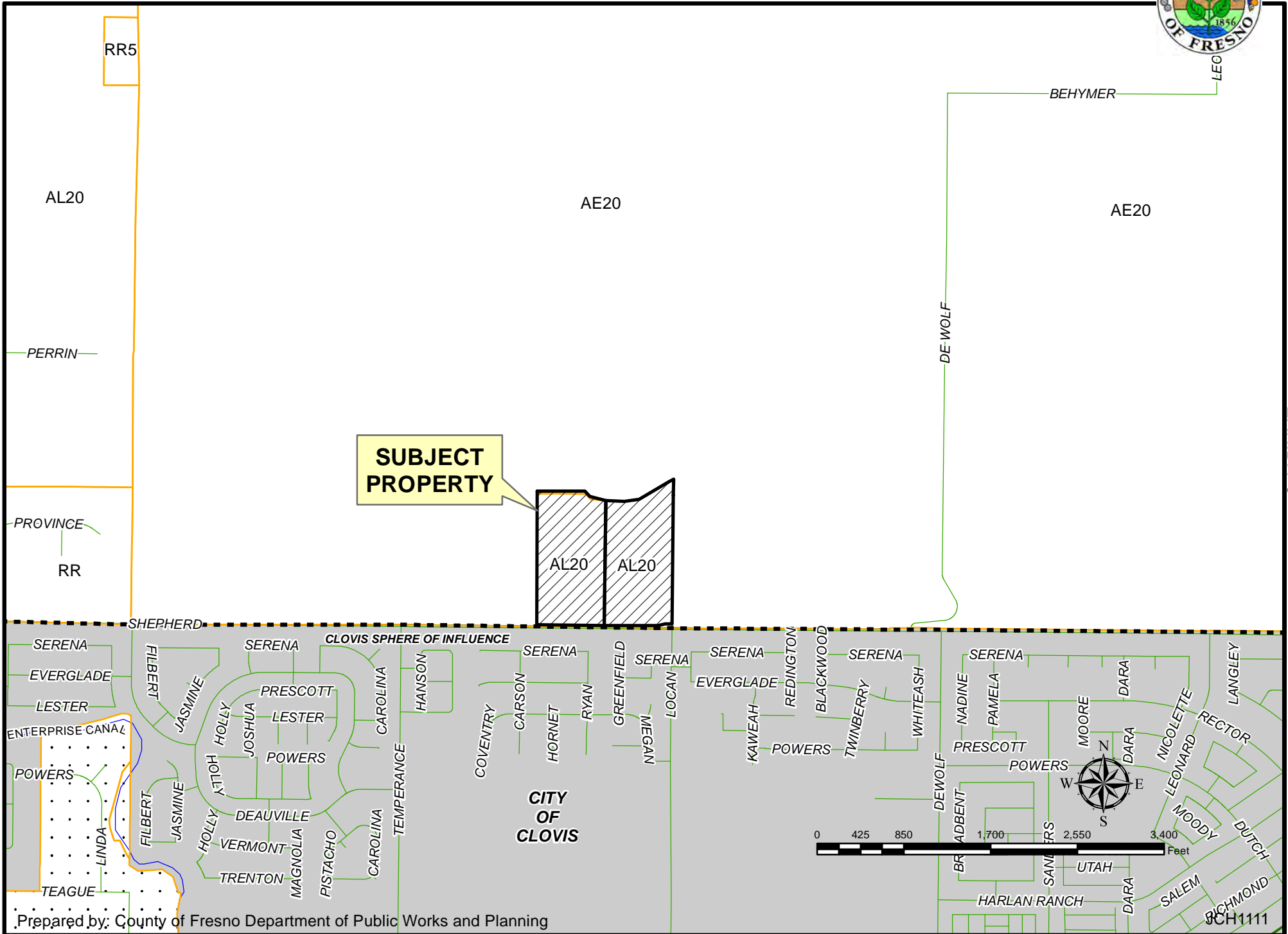
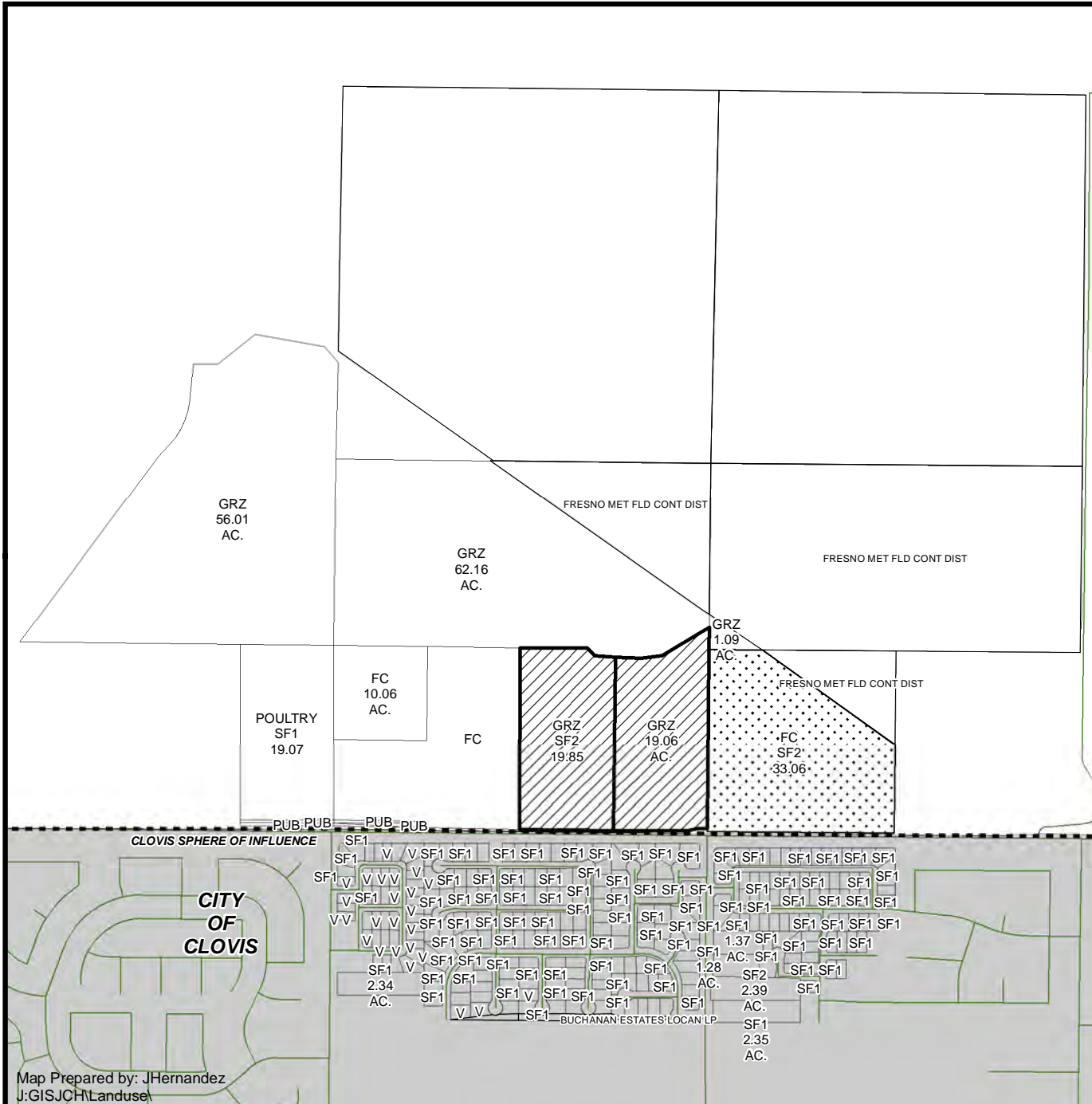


EXHIBIT 3



# EXHIBIT 4 EXISTING LAND USE MAP

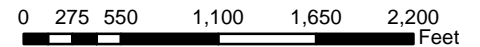


### LEGEND

- FC - FIELD CROP
- GRZ - GRAZING
- PUB - PUBLICLY OWNED
- SF#- SINGLE FAMILY RESIDENCE
- V - VACANT

### LEGEND:

-  Subject Property
-  Ag Contract Land

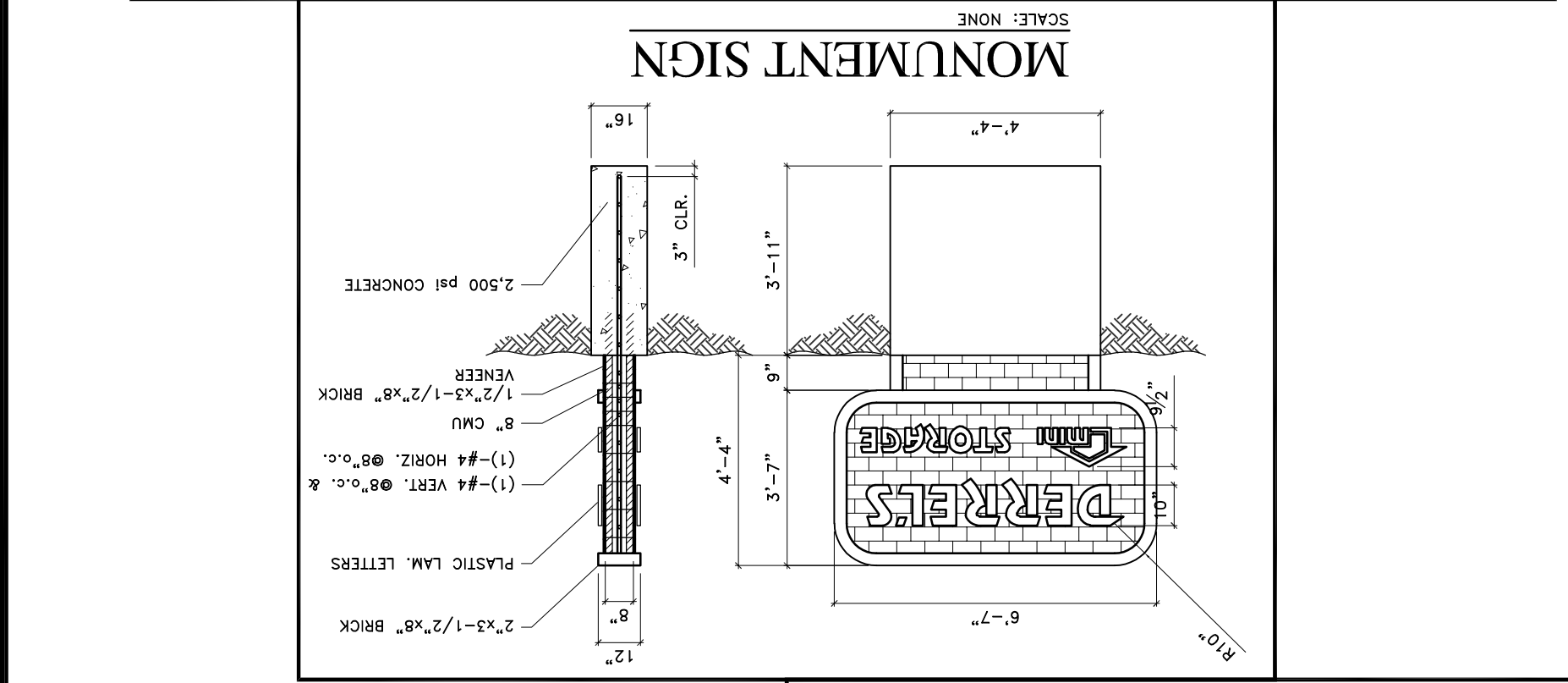
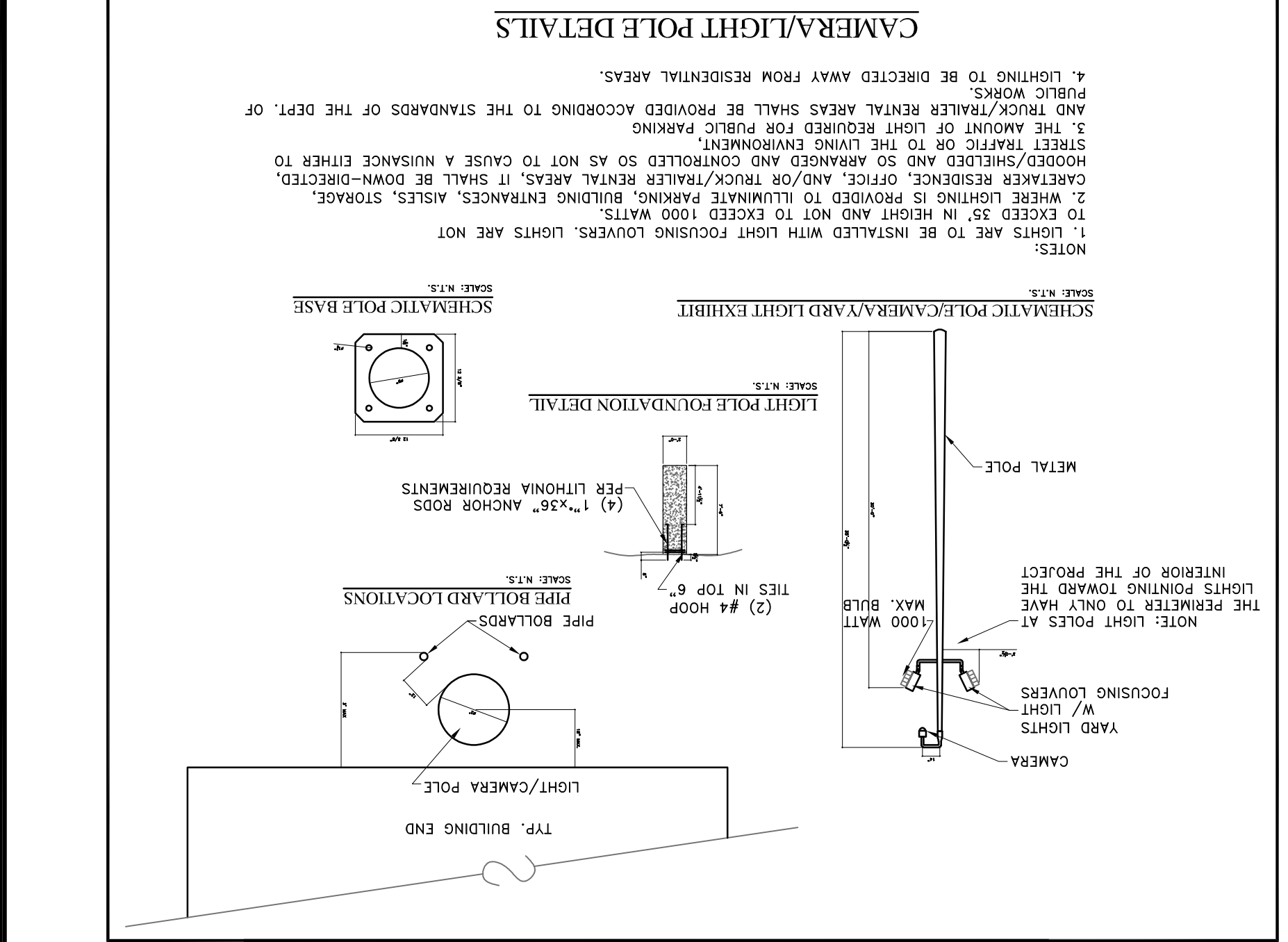
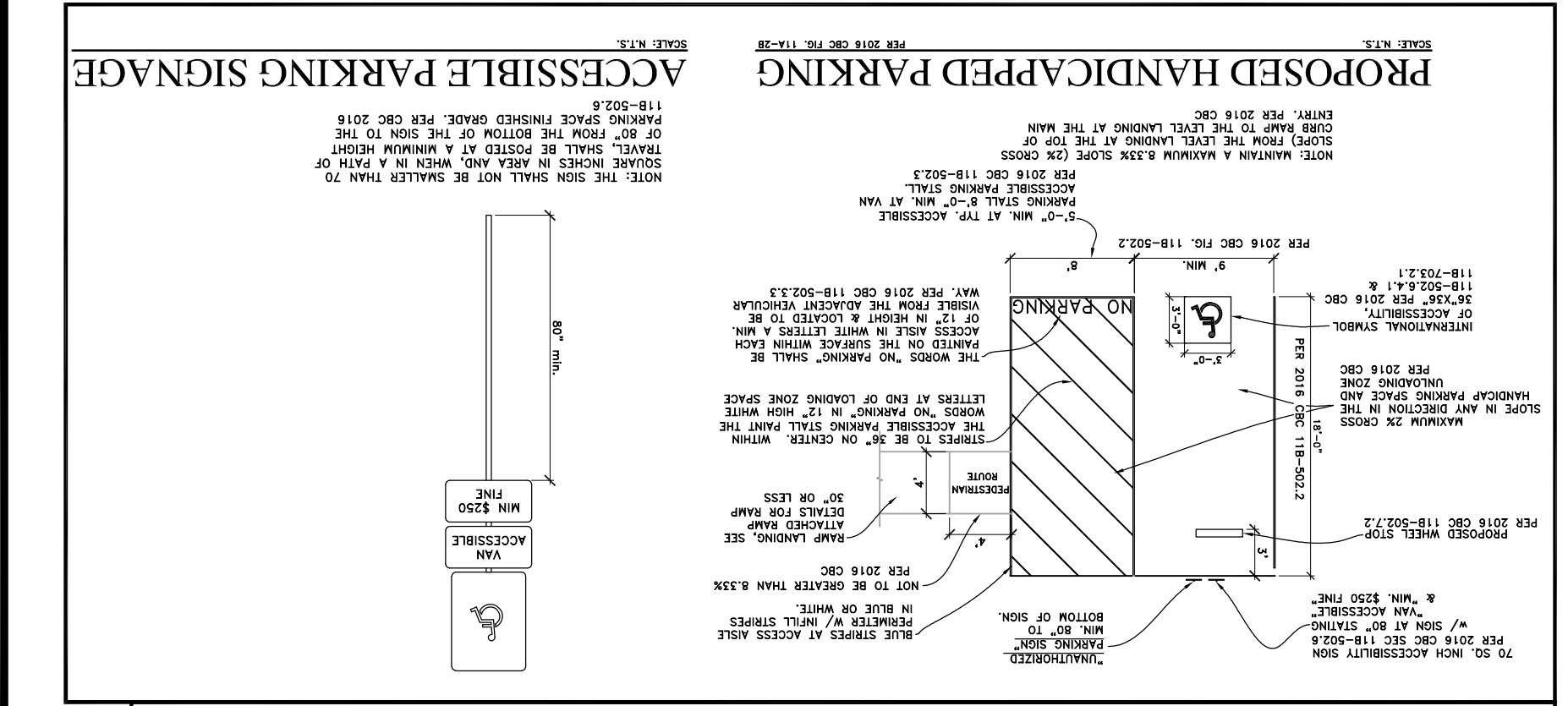


Department of Public Works and Planning  
Development Services Division





**SITE PLAN**



**LEGEND**

- 1. ACCESSIBLE PARKING SPACE W/ SIGN - SEE DETAIL ON SHEET D-2
- 2. BUILDING NUMBER
- 3. STANDARD DECORATIVE LIGHT FIXTURE
- 4. 150 WATT HIGH PRESSURE SODIUM LIGHT AT +/- 6"
- 5. COUNTY OF FRESNO APPROVED FIRE HYDRANT
- 6. 6'-0" HIGH CONCRETE BLOCK FENCE
- 7. 3'-0" HIGH CONCRETE BLOCK FENCE
- 8. 6" HIGH CONCRETE CURB
- 9. 24 IBC FIRE EXTINGUISHER IN CABINET AS REQUIRED
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- 100. 24 IBC FIRE EXTINGUISHER IN CABINET AS REQUIRED

**SITE DATA**

**PROPERTY OWNER**  
 BUILDING SQUARE FOOTAGE: 194,225 S.F.  
 DERRELS MINI STORAGE  
 3265 W ASHLAN AVE  
 FRESNO, CA 93722  
 III (Future): 100,600 S.F.  
 OFFICE: 804 S.F.  
 RESIDENCE: 1,227 S.F.  
 A.P.N.: 031-01-42  
 557-031-29  
 LAND ACREAGE: 4.2717 S.F.  
 RV SQUARE FOOTAGE: 197,090 S.F.  
 ENCL./CARPORTS: 197,090 S.F.  
 NET: 431.87 AC.  
 GROSS: 438.52 AC.

**PROJECT ADDRESS**  
 3265 W ASHLAN AVE  
 FRESNO, CA 93722  
 III (Future): 100,600 S.F.  
 OFFICE: 804 S.F.  
 RESIDENCE: 1,227 S.F.

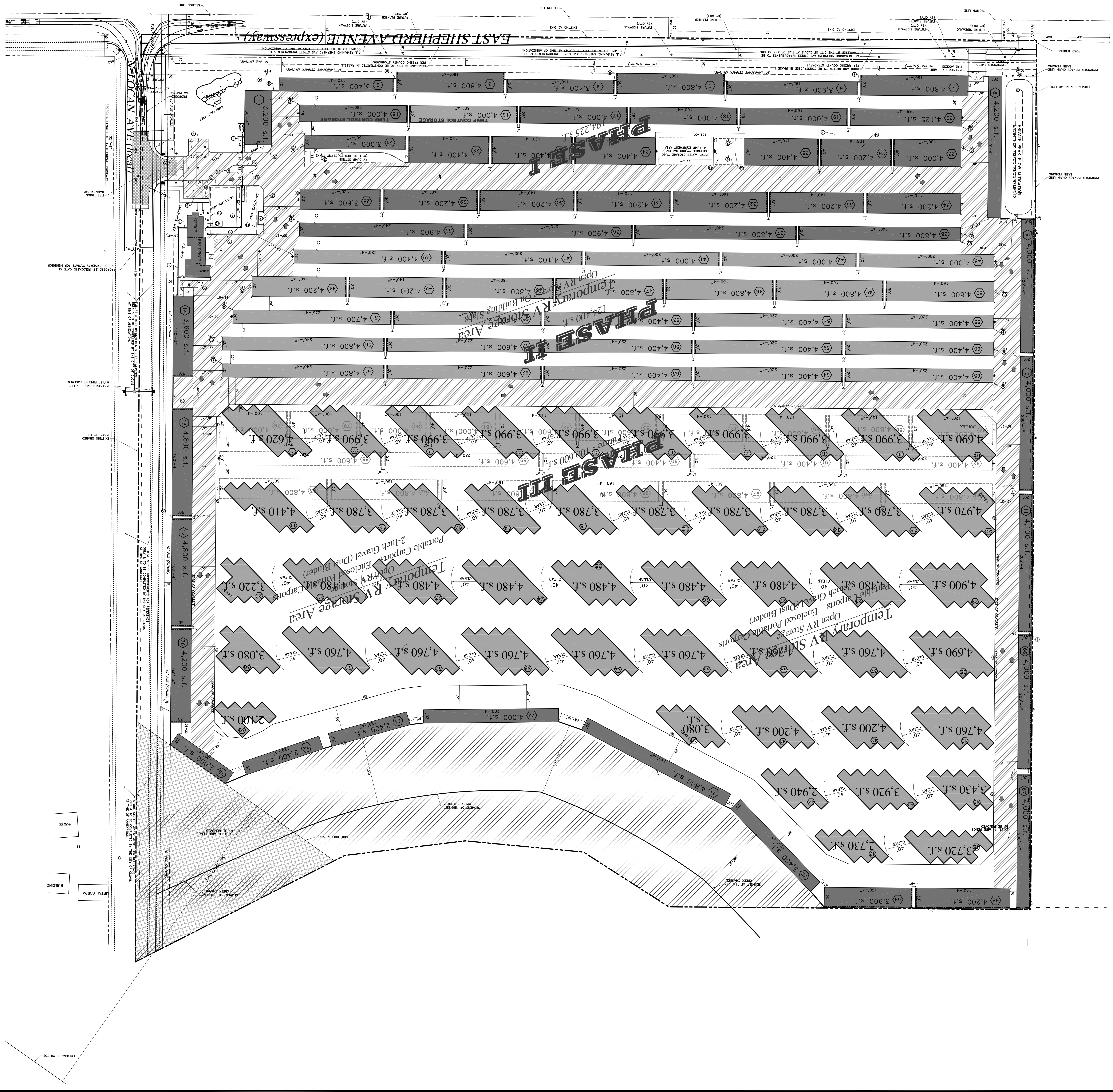
**TYPE OF CONSTRUCTION**  
 RESIDENCE: R-3  
 OFFICE: S-1  
 STORAGE: S-2

**OCCUPANCY**  
 RESIDENCE: UNLIMITED S.F.  
 OFFICE: 5,000 S.F.  
 STORAGE: 5,000 S.F.

**ALLOWABLE SQUARE FOOTAGE**  
 RESIDENCE: UNLIMITED S.F.  
 OFFICE: 5,000 S.F.  
 STORAGE: 5,000 S.F.

**VICINITY MAP**

**EXHIBIT 5**



R-1  
Fresno Co.  
Residence  
Floor Plan  
November 6, 2015

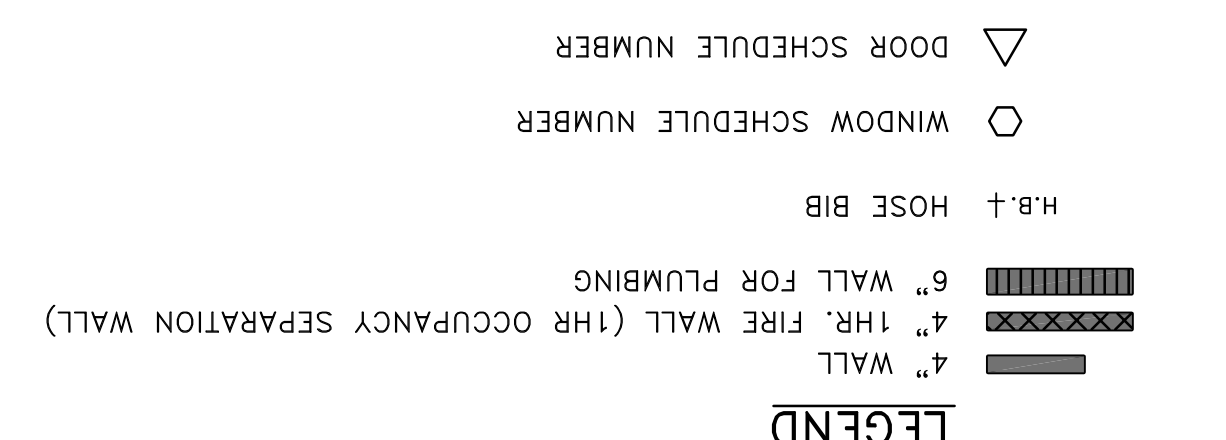
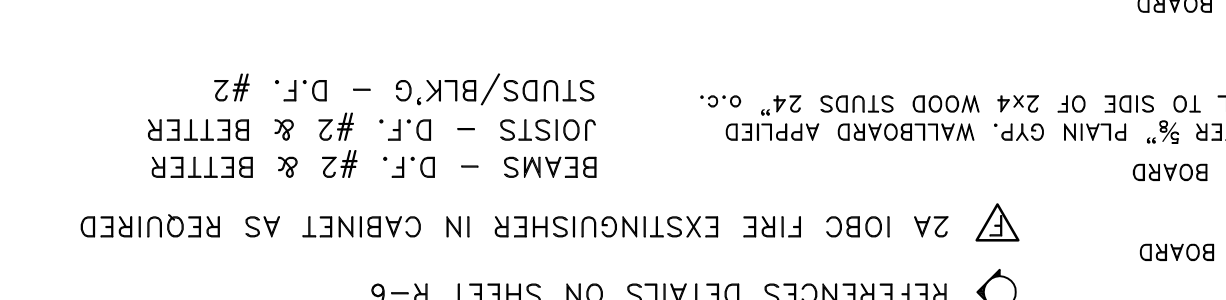
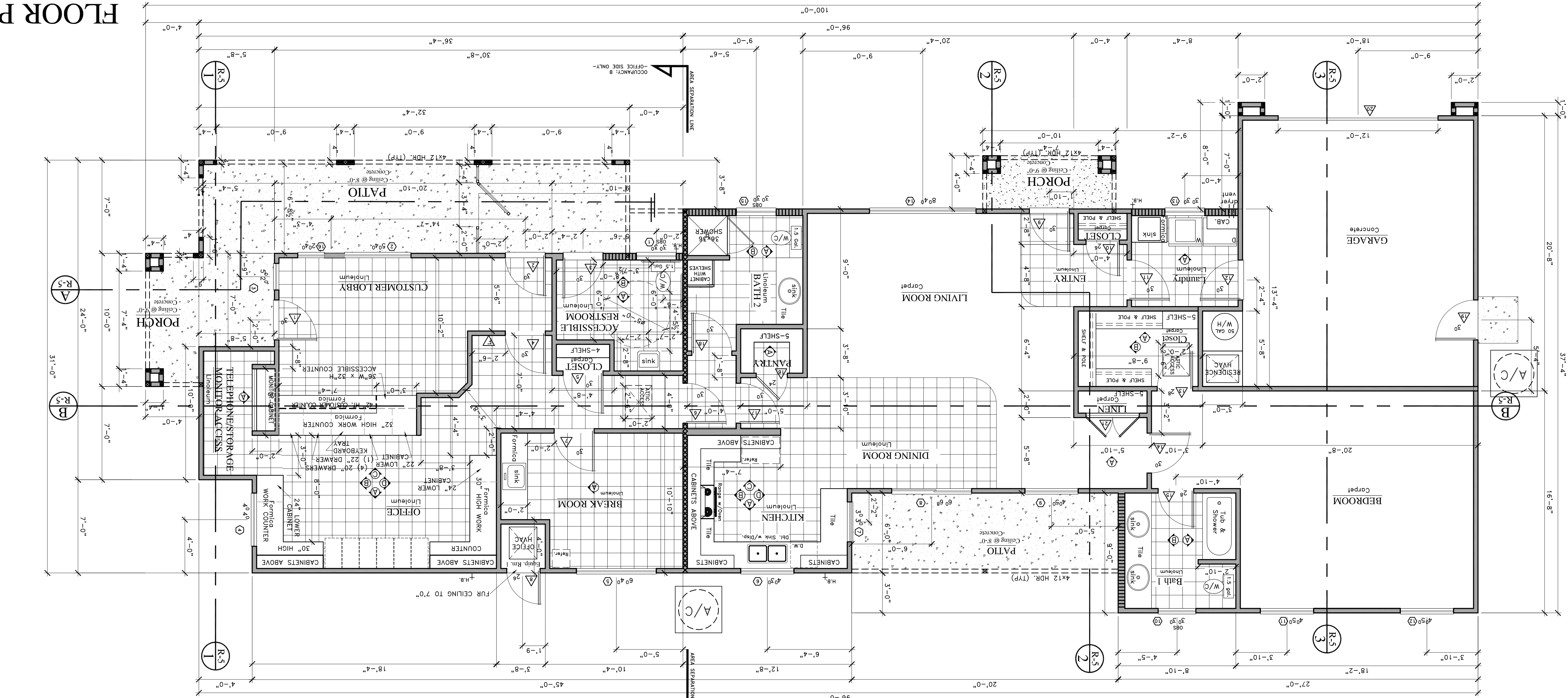
APPROVALS

DERRELS MINI STORAGE  
3265 W ASHLAN, AVE  
FRESNO CA 93722 (559) 224-9900

REVISIONS:

FLOOR PLAN

EXHIBIT 5, Page 2



NOTE: 1. ENTIRE OFFICE/RESIDENCE TO BE FIRE SPRINKLED PER NFPA 13D... 4. OCCUPANCY SEPARATION WALLS TO BE ONE HOUR PER CBC TABLE 508.4.

WINDOW SCHEDULE table with columns: No., Location, Size, Type, Frame, Glazing, SHGC, U-Value.

DOOR SCHEDULE table with columns: No., Location, Width, Type, Hardware, Key Type, Lamb.

ENERGY CONSERVATION NOTES: 1. ALL DOOR HARDWARE (CLOSERS, HINGES, ETC...) FOR RATED ASSEMBLIES SHALL HAVE AN APPROVED LISTING NUMBER.

GENERAL NOTES: 1. ALL WINDOWS ARE SLDERS... 5. SLYT FIRE RATED GLAZING AND PENETRATIONS IN FIRE RESISTIVE ASSEMBLIES.

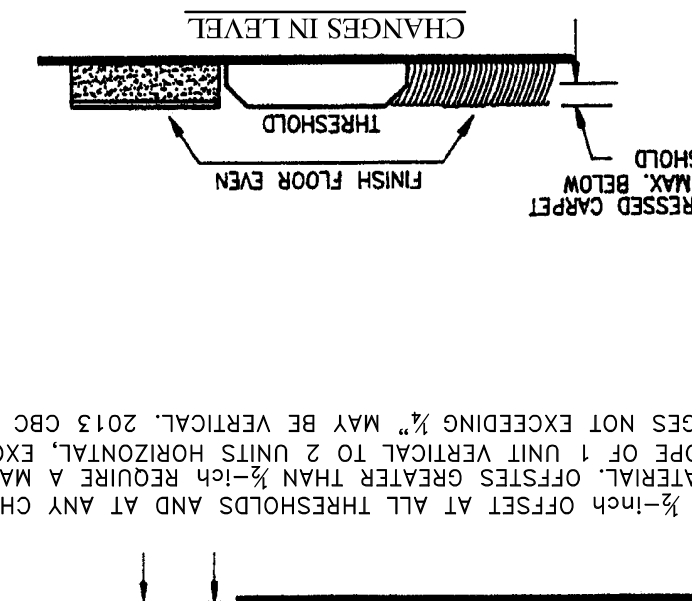
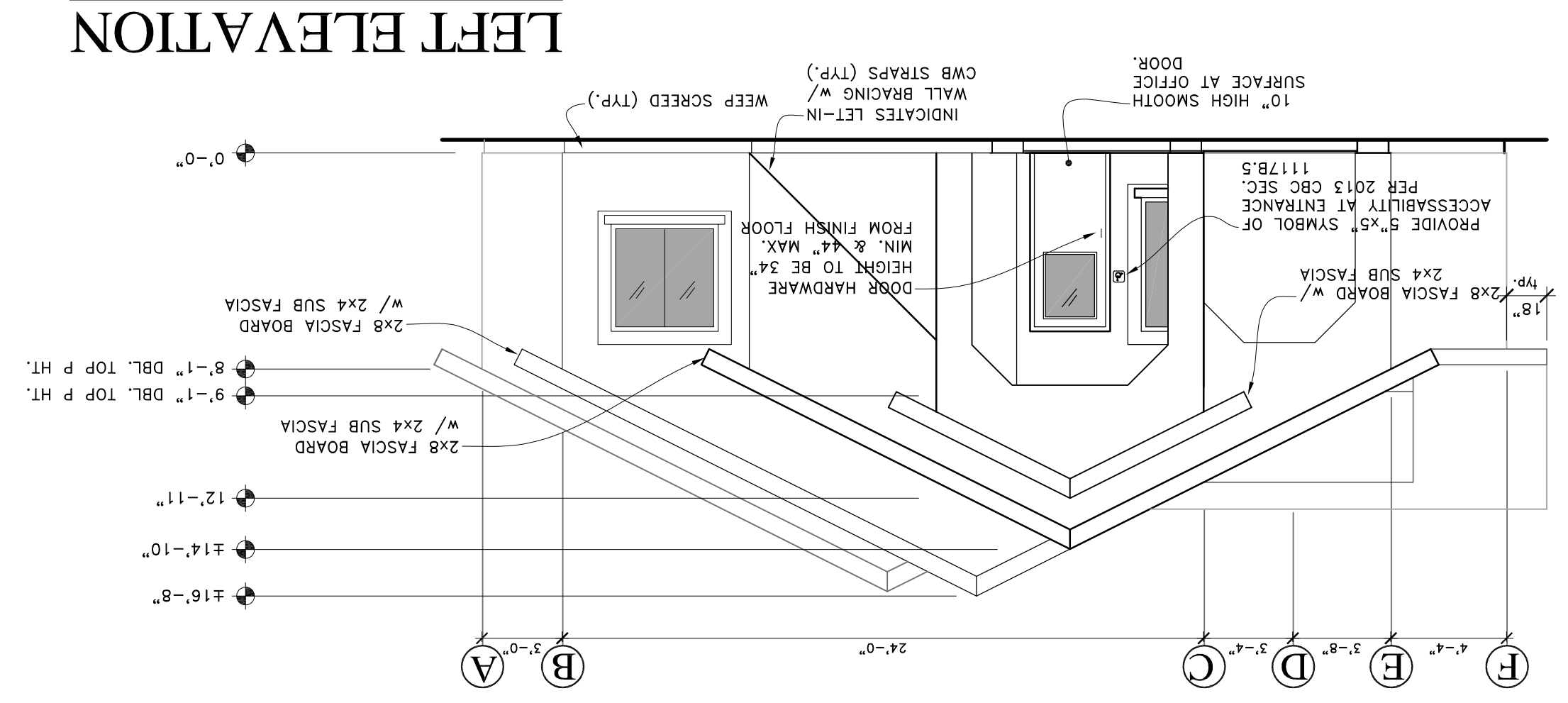
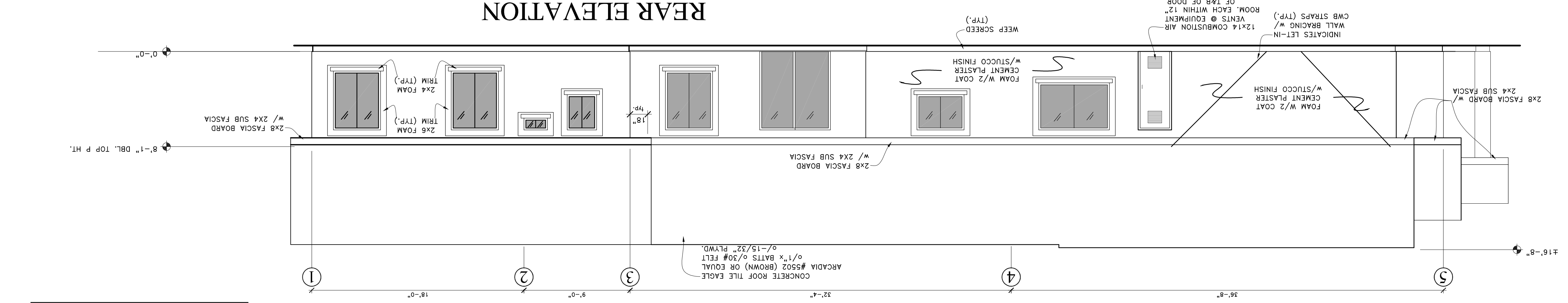
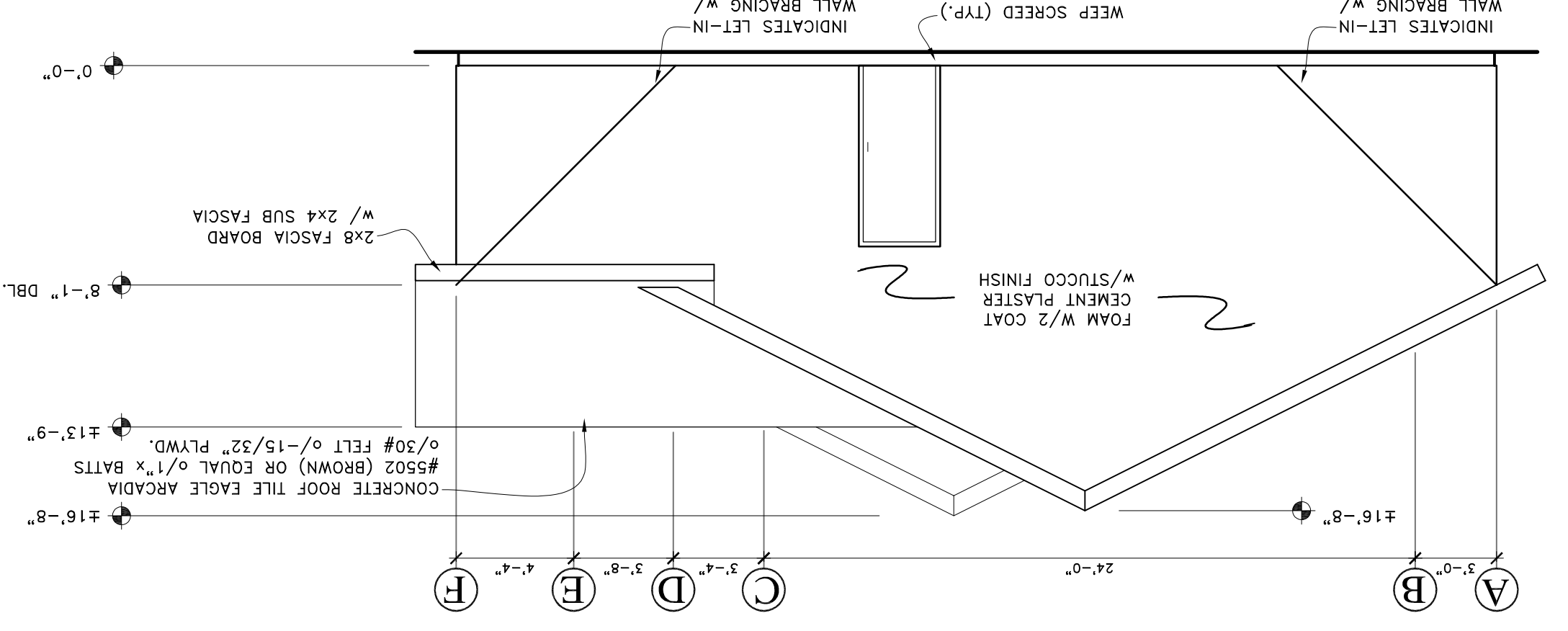


EXHIBIT 5, Page 3

ELEVATIONS



RIGHT ELEVATION



FRONT ELEVATION

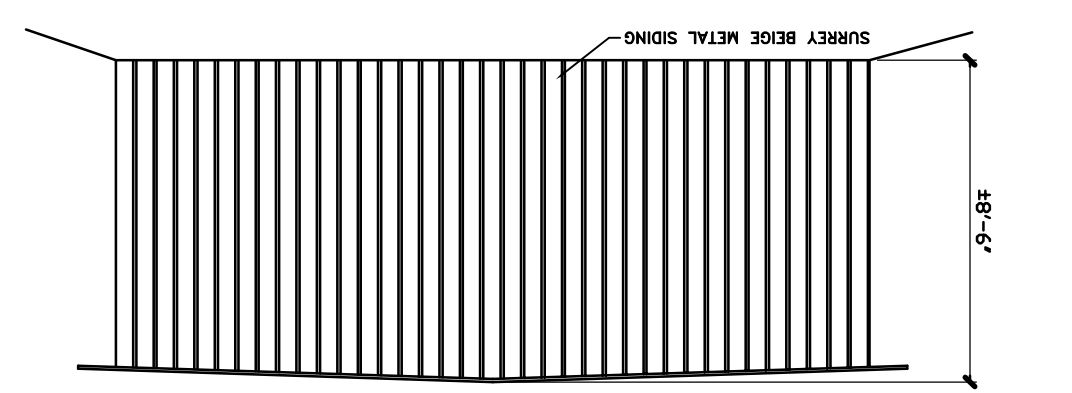
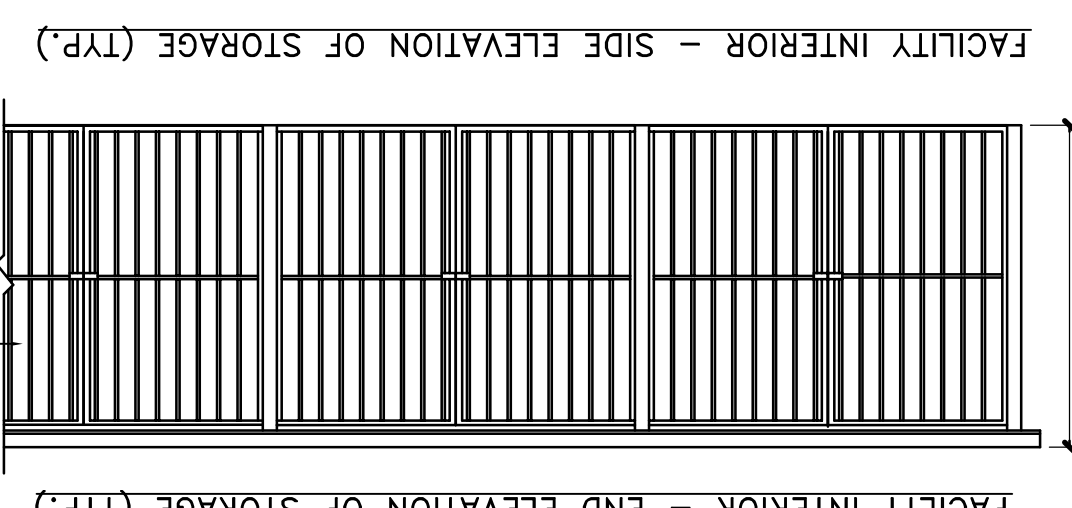
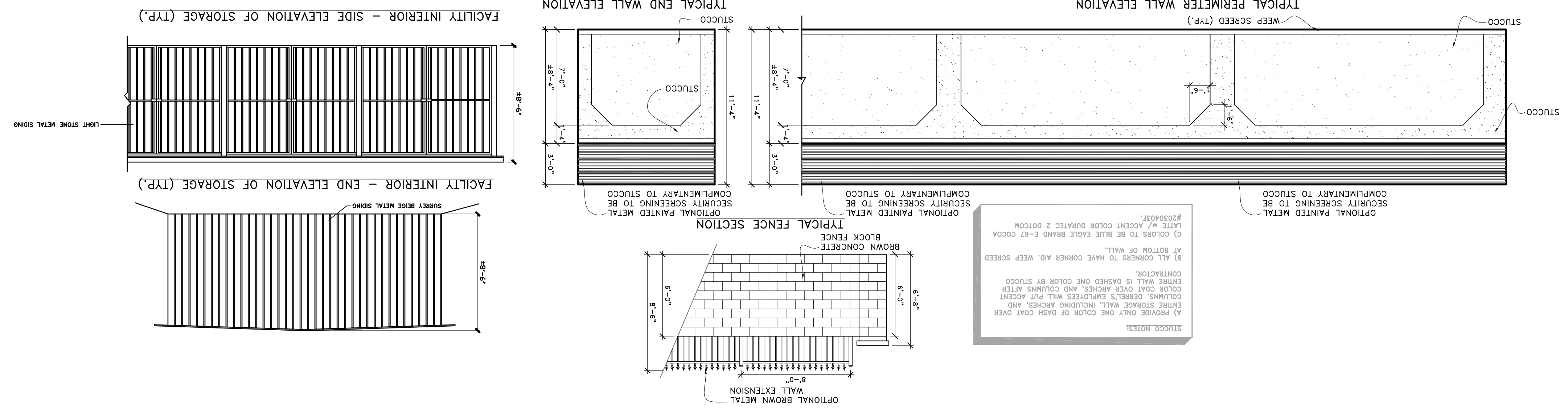
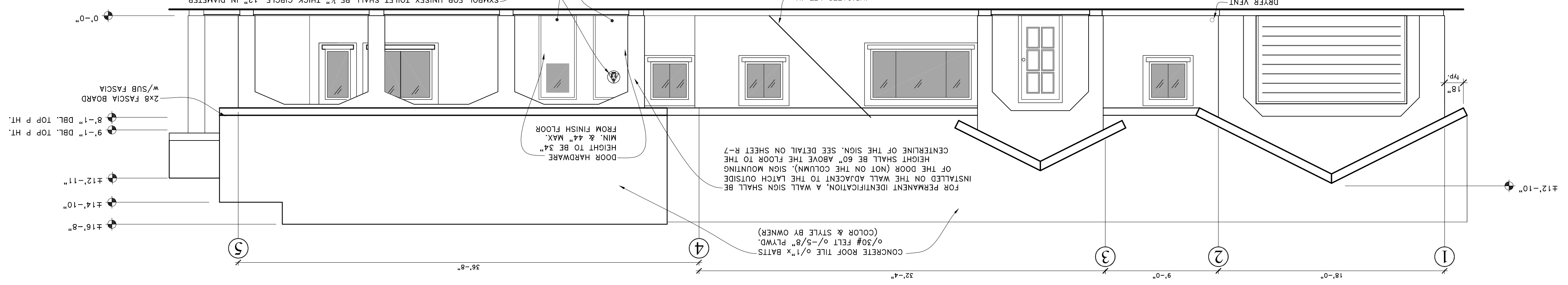




EXHIBIT 6

County of Fresno

Classified Conditional Use Permit No. 3526

**DERREL'S MINI STORAGE FACILITY  
NWC Shepherd and Locan Avenues**

1. Nature of the operation--what do you propose to do? Describe in detail.

*The proposed project is a Derrel's Mini Storage facility on two adjacent parcels totaling approximately 38.91 acres. The planned facility is typical of other Derrel's facilities in that it will contain separate storage units along with open and covered spaces for the storage of recreational vehicles for lease by the general public. The facility will include a caretaker's residence and office building adjacent to the gated entrance.*

*The facility will be accessed by the public during operating hours from Locan Ave near the northwest corner of its intersection with Shepherd Ave. A secondary emergency fire access gate will be located on Shepherd Ave at the southwest corner of the facility.*

*The facility is planned to contain approximately 419,225 sf of enclosed storage buildings, approximately 2,522 sf caretaker's residence and office building including a garage for the residents. The total building square footage will be approximately 421,747. Additionally, there will approximately 197,050 sf of covered or enclosed carport spaces for recreational vehicles.*

*No products will be produced by the facility. As is standard at Derrel's facilities, there will be two on-site resident managers residing in the residence/office building near the entrance. They typically operate the office and the controlled entrance to the facility during business hours and provide 24 hour on-site security.*

*The materials stored in the units are controlled by lease restrictions and monitored by the on-site managers. The vehicles that frequent the facility are typical of personal and light hauling vehicles utilized for the transportation of personal property by lessees of storage units. Recreational vehicles will be either self-propelled or towed to parking spaces. Service vehicles are limited to the facility owner's vehicles used for repair and maintenance.*

*Personal Storage use is allowed in the A-L Zone District through the approval of Text Amendment Ordinance T-089-370.*

2. Operational time limits:

Months: *Twelve months/year*

Days per week: *Seven*

Hours: *(from 7:00 AM to 7:00 PM)*

Total hours per day: *12*

Special activities: *None* Frequency: *N/A*

Hours: *N/A* Are these indoors or outdoors: *N/A*

3. Number of customers or visitors:

Average number per day: *10* Maximum no. per day: *30*

Hours (when they will be there): *Varies throughout operating hours.*

4. Number of employees:

Current: *none*

Future: *2*

Hours they work: *8 hours per day*

Do any live on-site as a caretaker? *Yes*

5. Service and delivery vehicles:  
 Number: 10                      Type: P/U to box vans                      Frequency: Daily trips
- Delivery vehicles will be those used by customers. Service vehicles will be those typically required for repair and maintenance of the facility and equipment.*
6. Access to the site:  
 Public Road: Yes-to be constructed.                      Surface: Paved
- Access to the site will be from North Locan Ave.*
7. Number of parking spaces for employees, customers, and service/delivery vehicles.  
 Type of surfacing on parking area: Paved
- There will be 6 stalls for the public adjacent to the office building.  
 There will be 2 stalls for employees at the rear of the office/building.*
- Delivery vehicles will stop at the office in front of the office building and proceed to the storage area for unloading.*
- Recreational vehicles will park in designated areas or in assigned carports.  
 Service vehicles will temporarily park closest to the building they are servicing.*
8. Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location? *Supplies for packing and storage not produced on-site.*
9. What equipment is used? *Golf cart.*
10. What supplies or materials are used and how are they stored?  
*All supplies and materials will be stored in storage units.*
11. Does the use cause an unsightly appearance? *No*  
 Noise? *Very minor*    Glare? *No*    Dust? *No*    Odor? *No.*  
 If so, explain how this will be reduced or eliminated? *N/A*
12. List any solid or liquid wastes to be produced.  
 Estimated volume of wastes: How and where is it stored? How is it hauled, and where is it disposed? How often?
- Solid waste will be that which is produced by the caretakers and packaging materials left by customers. Liquid waste will be limited to domestic waste water from the residence and a public restroom.  
 Domestic solid waste will be removed by contracted carrier from on-site bin.  
 Domestic liquid waste will go to an on-site septic system.*
13. Estimated volume of water to be used (gallons per day). Source of water?
- Daily water usage is anticipated to be approximately 400 gallons per day.*
- The source of water is TBD and may be from an on-site well or connection to municipal water system.*

14. Describe any proposed advertising including size, appearance, and placement.
- Signage will be minimal and consist of a +/- 4 foot high monument sign as shown on the Site Plan.*  
*On-site directional sign will be as required for compliance and operations.*
15. Will existing buildings be used or will new buildings be constructed?  
Describe type of construction materials, height, color, etc.  
Provide floor plan & elevations, if appropriate.
- All buildings will be new. Floor Plans are included in the submitted exhibits.*
16. Explain which buildings or what portion of buildings will be used in the operation.
- All buildings will be used for lease storage space except for the caretaker's residence/office.*
17. Will any outdoor lighting or an outdoor sound amplification system be used? Describe and indicate when used.
- Outdoor hooded security lighting will be installed per the Site Plan and there will be no outdoor sound amplification.*
18. Landscaping or fencing proposed? Describe type and location.
- The storage buildings will enclose the entire site except for decorative fencing at the entrance to the site. Landscaping will be installed along the street frontages as required by development code and at the caretaker/office building as shown on the Site Plan.*
19. Any other information that will provide a clear understanding of the project or operation.
- The proposed facility will not have any known adverse effect(s) upon the environment including unusual odor, lighting, noise, traffic, soot, gas emissions, dust or vibration to any degree which might be obnoxious or offensive to persons residing or conducting business in this area.*
20. Identify all Owners, Officers and/or Board Members for each application submitted.
- General Partner: Ridenour Corporation  
President: Derrel A. Ridenour  
Vice President: Stephen J. Dalich  
Secretary & Treasurer: Dianne J. Dalich*







# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Wesclo, LP
- APPLICATION NOS.: Initial Study No. 7085 and Classified Conditional Use Permit Application No. 3526
- DESCRIPTION: Allow a personal/recreational vehicle storage facility and a caretaker's residence with office on two contiguous parcels totaling 38.91 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The subject property is located northwest of the intersection of E. Shepherd Avenue and Locan Avenue, approximately 2,650 feet west of N. De Wolf Avenue adjacent to the City of Clovis (APN 557-031-29 & 42) (Sup. Dist. 5).

### 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:

The project site fronts on Shepherd Avenue which is not a State Scenic Highway. The site is currently vacant with no improvements and is surrounded by properties with no or little improvements. No scenic vistas or scenic resources including trees, rock outcroppings, and historic buildings were identified on or near the site to be impacted by this proposal. The project will have 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 points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal would allow a personal/recreational vehicle storage facility on two contiguous parcels, totaling 38.91 acres. The project site is currently undeveloped and unfarmed. Residential subdivisions in the City of Clovis are located to the south, vacant parcels to the north, and parcels with single-family homes and farm buildings/structures to the east and to the west of the site. Residential subdivisions in the City of Fresno are located approximately 3.8 miles to the west. The area has limited farming activities.

The proposed improvements consist of 319,925 square feet of enclosed storage buildings, 222,281 square feet of covered or enclosed carport spaces for recreational vehicles, and a 2,522 square-foot caretaker's residence/office.

The proposed 8.4-foot-tall storage buildings and the 17-foot-high single-family residence are compatible in height, design, and look to other similar improvements in the area. Stucco façade of the proposed storage buildings fronting on Shepherd Avenue and Locan Avenue alignment will include appealing decorative design typical of such facilities. Additionally, landscaping will be provided along these streets as well.

With low building height, decorative building façade, and the proposed landscaping, the project will have a less than significant visual impact on the surrounding area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project will install outdoor security lighting, which has the potential of generating glare in the area. To minimize such impacts, a mitigation measure would require that all lighting shall be hooded and directed downward so as to not shine toward adjacent property and public streets.

\* **Mitigation Measure**

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

## II. AGRICULTURAL AND FORESTRY RESOURCES

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not in conflict with agricultural zoning and is an allowed use on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. The project site is not classified as Prime or Unique Farmland, or Farmland of Statewide Importance. The site is classified as Farmland of Local Importance on the 2016 Fresno County Important Farmland Map and is not restricted by a Williamson Act Land Conservation Contract. Previously, a Notice of Non-Renewal for contract was filed for Williamson Act Land Conservation Contract No. 26 on June 24, 2002, which allowed the Contract to expire on December 31, 2011.

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

FINDING: NO IMPACT:

The project is not in conflict with the existing AL-20 (Limited Agricultural, 20-acre minimum parcel size) zoning on the property and is not located in an area designated for timberland or zoned for timberland production. No forests occur in the vicinity; therefore, no impacts to forests, conversion of forestland, or timberland zoning would occur because of the subject proposal.

The proposed RV sales and storage facility requires discretionary land use approval. The use was added to the AL-20 Zone District through Amendment to Text (AT) No. 370, approved by the County Board of Supervisors on September 30, 2014.

The Fresno County Agricultural Commissioner’s Office reviewed the proposal and offered no comments on the project.

### III. AIR QUALITY

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

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

An Air Quality and Greenhouse Gas Analysis Report, was prepared for the project by Mitchell Air Quality Consulting, dated May 26, 2019, and was provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for comments. No comments provided by the Air District.

Construction and operation of the project (light industrial uses) would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>).

As discussed in Section III, B. below, emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> associated with the construction and operation of the project would not exceed the District's significance thresholds. Furthermore, as discussed in Section III, C. below, the project would not result in CO hotspot that would violate CO standards. The project is consistent with the current AQP (Air Quality Plan) and the impact would be less than significant.

The San Joaquin Valley Air Pollution Control District approved Air Impact Assessment (AIA) application for the project and determined that the mitigated baseline emissions for construction and operation will be less than two tons NO<sub>x</sub> per year and two tons PM<sub>10</sub> per year. Further, pursuant to District Rule 9510 Section 4.3, the project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. Therefore, the project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site mitigation fees.

- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The primary pollutants of concern during project construction and operation are ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. The San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing, and Monitoring Air Quality Impacts (GAMAQI) adopted in 2015 contains threshold for CO, NO<sub>x</sub>, ROG, SO<sub>x</sub> PM<sub>10</sub> and PM<sub>2.5</sub>. The SJVAPCD's annual emission significance thresholds used for the project, define the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO<sub>x</sub>, 100 tons per year CO, 27 tons per year SO<sub>x</sub>, 15 tons per year PM<sub>10</sub>, and 15 tons per year PM<sub>2.5</sub>. The project does not contain sources that would produce substantial quantities of SO<sub>2</sub> emissions during construction and operation.

Per the Air Quality and Greenhouse Gas Analysis Report, year 2022 through 2025 the construction air pollutant emissions (ton per year) associated with the project would be

0.46 for ROG, 3.92 for NOx, 2.71 for CO, 1.11 for PM<sub>10</sub>, and 0.32 for PM<sub>2.5</sub>, which are less than the threshold of significance. Likewise, the operational air pollutant emission over the life of the project, primarily from energy use and mobile sources, would be 2.85 for ROG, 0.54 for NOx, 1.87 for CO, 0.71 for PM<sub>10</sub>, and 0.19 for PM<sub>2.5</sub>, which are less than the threshold of significance.

Per the SJVAPCD Air Quality Attainment Plans, nonattainment pollutant emissions will continue to decline each year as regulations adopted to reduce these emissions are implemented, accounting for growth projected for the region. Therefore, the cumulative health impact will also decline even with the project's emission contribution.

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

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors as defined by San Joaquin Valley Air Pollution Control District are hospitals, residences, convalescent facilities, and schools. The closest sensitive receptor, a house, is located approximately 100 feet south of the project site.

Per the Air Quality and Greenhouse Gas Analysis Report, an analysis of maximum daily emissions during construction and operation of the project was conducted to determine if emissions would exceed 100 pounds per day for any pollutant of concern which include NO<sub>x</sub>, CO, PM<sub>10</sub>, or PM<sub>2.5</sub>. The maximum daily air pollutant emissions (pound per day) during construction would be 3.30 for ROG, 25.56 for NO<sub>x</sub>, 24.87 for CO, 7.80 for PM<sub>10</sub>, and 2.17 for PM<sub>2.5</sub>, and would not exceed SJVAPCD screening thresholds for any pollutant.

Operational emissions are generated on-site by area sources such as consumer products, landscape maintenance, energy use, and onsite motor vehicle operation at the project site. Most motor vehicle emissions would occur distant from the site and would not contribute to a violation of ambient air quality standards, making the analysis highly conservative. The maximum daily air pollutant emissions (pound per day) during operations (2023) would be 15.87 for ROG, 3.05 for NO<sub>x</sub>, 11.56 for CO, 3.99 for PM<sub>10</sub> and 1.09 for PM<sub>2.5</sub> and would not exceed SJVAPCD screening thresholds for any pollutant.

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. Construction of the project would result in minor increases in traffic for the surrounding road network during the duration of construction. The project is in a location with low traffic volumes. No congested conditions that would result in a CO hotspot are possible. In addition, the highest background 8-hour average of carbon monoxide during the latest year CO was monitored is 2.06 ppm, which is 78 percent

lower than the state ambient air quality standard of 9.0 ppm. Therefore, the project would not significantly contribute to an exceedance of state or federal CO standards.

The project construction would involve the use of diesel fueled vehicles and equipment that emit DPM (diesel particulate matter) which is considered a Toxic Air Contaminants (TAC). The SJVAPCD's latest threshold of significance for TAC emissions are an increase in cancer risk for the maximally exposed individual of 20 in a million. The SJVAPCD's 2015 GAMAQI does not currently recommend analysis of TAC emissions from project construction activities, but instead focuses on projects with operational emissions that would expose sensitive receptors over a typical lifetime of 70 years. In addition, the project's storage units are prefabricated and require the limited use of diesel construction equipment.

The project is not a use that will generate substantial toxic air contaminant emissions. Traffic generation from the mini storage facility is minimal and the volume of truck traffic is low. The project includes an on-site manager's residence. The traffic volume on E. Shepherd Avenue at N. Fowler Avenue was 6,201 trips per day and no traffic volumes were available for N. Locan Avenue near the project site. The project would not exceed California Air Resources Board (ARB) recommendation of avoiding new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. The project also complies with ARB distance recommending from fueling stations, dry cleaning operations and auto body shops.

Valley fever (coccidioidomycosis), is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (*C. immitis*) which lives in soil. The project site is situated on previously disturbed farmland that does not provide suitable habitat for the spores. Construction activities, however, could generate fugitive dust that contain *C. immitis* spores. The project will minimize the generation of fugitive dust during construction activities by complying with the District's Regulation VIII. Therefore, this regulation, combined with the relatively low probability of the presence of *C. immitis* spores, would reduce Valley fever impacts to less than significant. During operations, dust emissions are anticipated to be relatively small, because most of the project area would be occupied by buildings, gravel surfaces, and concrete pavement. This condition would lessen the possibility that the project would provide suitable habitat for *C. immitis* spores and generate fugitive dust that may contribute to Valley fever exposure. Impacts would be less than significant.

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

In summary, localized impacts from criteria pollutant emissions would not exceed SJVAPCD screening thresholds. The project does not include substantial amounts of diesel equipment and truck trips that would result in a significant increase in cancer risk, chronic risk, and acute risk due to TAC emissions. Impacts from Valley fever exposure and naturally occurring Asbestos would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

The SJVAPCD defines common odor producing land uses as landfill sites, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The project would not engage in any of these activities.

The project includes an on-site caretaker's residence which is considered a sensitive receptor. As there are no major odor-generating sources, as listed above, are within screening distance of the site, there will be no substantial odor impacts on the residence. During construction, the various diesel-powered vehicles and equipment used onsite would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would, therefore, be less than significant.

#### IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The project site is located immediately down gradient of the Big Dry Creek Flood Control Basin north of a residential subdivision in the City of Clovis. The area historically has been residential and agricultural. The property east of the site is used for livestock grazing as are the other surrounding lands on the north and west. Historically, a single-family residence existed on the property but has been demolished in 2016. The current proposal is to utilize the site as a RV sales and storage facility.

The subject proposal was routed to the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) for review and comments. The CDFW review indicates that the project could have significant impact on California tiger

salamander (*Ambystoma californiense*), a California and Federal Endangered species and burrowing owl (*Athene cunicularia*), a State specie of special concerns. The agency also expressed concerns regarding impact to the adjoining and downstream reaches of Dry Creek and required that the project site be surveyed by a wildlife biologist to determine the project development impact on the special-status species at the site and to the adjoining Dry Creek. The U.S. Fish and Wildlife Service (USFWS) also reviewed the project and required avoidance and minimization measures for the federally listed as endangered San Joaquin kit fox that may be found present on the project site.

A Biological Evaluation (BE) was prepared for the project by the Argonaut ecological Consulting, Inc., dated September 20, 2017 and a copy was provided to CDFW and USFWS. The BE concluded that the project Study Area supports two primary habitat types (non-native grassland and ruderal) and does not support required habitat elements for California tiger salamander as there is no breeding habitat or aestivation habitat. The BE also concluded that the Study Area does not support any wetlands (including vernal pools, seasonal swales, drainages), or waters of the U.S., or waters of the State of California.

More recently, Biological Resource Assessment (BRA) prepared for the project by Argonaut Ecological Consulting, Inc., and dated March 8, 2021 made similar findings. The BRA concluded that the project site does not support habitat for special status species and the likelihood of species presence is low because of recurring disturbance since at least the 1950's. Further, aside from the remnant Dry Creek channel there are no wetlands or waters of the U.S. of State water within the project area (see further discussion in Section IV, C. below). A 100-foot setback from the southern edge of the remnant dewatered Dry Creek channel will protect the remnant Dry Creek channel and adjacent areas from the proposed development.

Regarding biological resources, the BRA concluded that there is no California Tiger Salamander (CTS) aquatic breeding habitat and no ground burrowing mammals or ground burrows on or near the project site. Due to the lack of suitable habitat, CTS is likely absent from the site. Also, there is lack of breeding habitat on or near the project site for another special status specie called Western spadefoot. Furthermore, no evidence of the presence of other special status species such as Swainson's hawk, Fresno kangaroo rat, San Joaquin kit fox, Northern California legless lizard, California glossy snake or Coast horned lizard were found within the project area.

The BRA further concluded that despite the absence of any special status species within the project site, there is a remote possibility that California tiger salamander or other wildlife species could come onto the site during construction and be harmed. To protect against the unlikely possibility that any wildlife could potentially come onto the Study Area from nearby properties during the construction and thus be harmed, the project will adhere to the following mitigation measures.

\* **Mitigation Measures**



1. *A Burrowing Owl (BUOW) survey shall be conducted prior to any ground-disturbing activities following the survey methodology developed by the California Burrowing Owl Consortium (CBOC 1993). In the event that burrowing owls are found, impacts to occupied burrows shall be avoided by implementation of a no-disturbance buffer zone in accordance with the Department's Staff Report on Burrowing Owl Mitigation (CDFG 2012) unless a qualified biologist approved by the department verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If burrowing owls will be evicted, passive relocation shall be adopted during the nonbreeding season and foraging habitat acquired and permanently protected to offset the loss of foraging and burrow habitat in accordance with the Department's Staff Report on Burrowing Owl Mitigation (CDFG 2012).*
  
2. *To minimize project-related impact on California Tiger Salamander (CTS):*
  - a. *Prior to any ground-disturbing activities, a silt fencing shall be installed to prevent wildlife from coming onto the project site during construction. The fencing shall be installed prior to the rainy season (preferably after May 15th or before October 15th) around the entire west and east boundaries of the property and the 100-foot setback line along the north side. The bottom of silt fencing shall be buried at least three (3) inches deep and be maintained during project grading and ground disturbing activity.*
  
  - b. *A qualified wildlife biologist shall conduct a visual survey of the project site immediately prior to the beginning of ground-disturbing activities to ensure no ground burrowing mammals are present and to verify the installation of silt fencing.*
  
  - c. *The portion of the project site north of the 100-foot setback line from the remnant Dry Creek channel shall be designated as an Environmentally Sensitive Area on the construction plans and specification, and the setback line shall be fenced with orange construction fencing to provide a visual demarcation.*
  
  - d. *A qualified wildlife biologist shall serve as a biological monitor during initial grading and ground-disturbing activities to visually monitor for the presence of California Tiger Salamander (CTS). If any CTS are observed, ground disturbing activities shall immediately be halted, and the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) shall immediately be consulted about the appropriate next step.*
  
3. *To evaluate Project-related impacts on nesting birds, a qualified wildlife biologist shall conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance during the breeding season of February 1 through August 31. If active nests are found, prior to initiation of construction activities, a qualified wildlife biologist conduct a survey to establish a behavioral baseline of all identified nests and upon start of construction continuously monitor nests to*

*detect behavioral changes resulting from the project. If behavioral changes occur, the work causing that change shall be cease and CDFW be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors shall be established and shall remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Any variance from these buffers shall be notified to CDFW in advance of implementing a variance.*

4. *To minimize the likelihood of mortality, harassment or harm to kit fox that may be present on site during construction, the avoidance and minimization measures found in 2011 Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance, found at [https://www.fws.gov/sacramento/es/survey-protocols-guidelines/Documents/kitfox\\_standard\\_rec\\_2011.pdf](https://www.fws.gov/sacramento/es/survey-protocols-guidelines/Documents/kitfox_standard_rec_2011.pdf) shall be implemented. Any take that could occur as a result of the project would require consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.*

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

FINDING: NO IMPACT:

A Wetland Delineation Summary Report was prepared for the project by Agronaut Ecological Consulting, Inc., and dated February 28, 2017. Nine (9) data points were sampled on site to determine the presence of wetland or Waters of the United States. However, none of them met all three criteria (hydric soils, predominance of wetland vegetation, and evidence of wetland hydrology) for wetland or Waters of the United States. The report concluded that jurisdictional wetlands/waters are non-existent on the site.

Furthermore, according to the Biological Resource Assessment (BRA) prepared for the project by Argonaut Ecological Consulting, Inc., and dated March 8, 2021, the entire project site was walked on November 10, 2020, and January 27, 2021 to look for any evidence of current or former wetlands within the site. Soil test pits were dug to look for evidence of hydric soils, and none was found. The soils within the Dry Creek channel are coarse sands over loam. Aside from the remnant Dry Creek channel, there are no wetlands or other waters within the project area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Wetland Delineation Summary Report, the site is surrounded by developed or highly disturbed lands which do not constitute a “movement corridor” for native wildlife. Site development may affect home range and dispersal movements of wildlife currently using the site, but such movements do not constitute a movement corridor. The project will have a less than significant impact on regional wildlife movements.

- 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:

No sensitive plant communities were identified to exist on the project site. The project will not conflict with any biological resources related to tree preservation policy or any adopted Conservation Plans.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The project site is not within or near an area sensitive to historical, archeological or paleontological resources. A Cultural Resources Assessment (Report), prepared for the project and dated February 4, 2018 concluded that there are no archaeological or other cultural resources on the property.

Per the discussion in Section XVIII TRIBAL CULTURAL RESOURCES below, in the unlikely event that cultural resources are unearthed during construction activities on the property, the following actions shall be required to ensure that impacts to such cultural resources remain less than significant.

\* **Mitigation Measure**

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

## VI. ENERGY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would not result in significant consumption of energy (gas, electricity, gasoline, and diesel) during construction or operation of the facility. Construction activities and corresponding fuel energy consumption would be temporary and localized. There are no unusual project characteristics that would cause the use of construction equipment to be less energy efficient compared with other similar construction sites in other parts of the State. Therefore, construction-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the area.

Operations and maintenance of the project would require on-site manager within caretaker's residence. Gasoline used by the manager commuting to and from the project site would be minimal and insignificant in comparison of the county's yearly consumption of gasoline. Therefore, gasoline use during Project operation would not constitute a wasteful, inefficient, or unnecessary use of energy.

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

FINDING: NO IMPACT:

The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and no impact would occur.

The proposed caretaker's residence and other structures would be subject to Building Energy Efficiency Standards as required by Title 24, Part 6. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the County would review the design components of the Project's energy conservation measures when the Project's building plans are submitted. These measures could include insulation; use of energy-efficient heating, ventilation and air conditioning equipment (HVAC); solar-

reflective roofing materials; energy-efficient indoor and outdoor lighting systems, and other measures.

## VII. GEOLOGY AND SOILS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Alquist-Priolo Fault Activity Map shows the closest fault is approximately 62.5 miles northeast of the project site. It is not known if this is an active fault. Due to the project's distant location from this fault, the uncertainty of the fault's activity, and the existing regulations which require buildings to be constructed to withstand a certain amount of ground shaking, there will be less than significant impact.

Figure 9-5 of FCGPBR describes the Peak Ground Accelerations (PGA) values that have a 10 percent probability of being exceeded in 50 years. The project is in an area with 0-20 percent of PGA, which is the lowest impact range available on the map.

Figure 9-6 of FCGPBR shows that the project site is outside of those areas of moderate or high landslide hazard and those areas of shallow or deep subsidence.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Site grading resulting from the construction of caretakers' residence and storage buildings on the property may result in some soil erosion or loss of topsoil. However, the loss would be less than significant with Project Notes from the Development Engineering Section of the Fresno County Department of Public Works and Planning requiring: 1) an Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposal will be handled without adversely affecting adjacent properties; and 2) a Grading Permit for any grading proposed with this application.

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

Per Figure 7-1 of Fresno County General Plan Background Report, the project site is not in an area where soils have been determined to exhibit moderately high to high expansion potential. The project development will implement all applicable requirements of the most recent California Building Standards Code and will consider any potential hazards associated with shrinking and swelling of expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will require installation of an individual sewage disposal system for the proposed single-family residence/office. The residence and the use of public restroom by visitors while visiting the facility will generate limited wastewater disposal. The City of Clovis community sewer system is currently unavailable to serve the property.

The Fresno County Department of Public Health, Environmental Health Division expressed no concerns with the proposal related to wastewater disposal except that the existing on-site septic system consisting of a septic tank and two seepage pits shall be properly destroyed. This requirement will be included as a Condition of Approval.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Human activities, including fossil fuel combustion and land use changes, release carbon dioxide (CO<sub>2</sub>) and other compounds cumulatively termed greenhouse gases. GHGs are effective at trapping radiation that would otherwise escape the atmosphere. The SJVAPCD, a CEQA Trustee Agency for this project, has developed thresholds to determine significance of a proposed project – either implement Best Performance Standards or achieve a 29% reduction from Business as Usual (BAU) (a specific numerical threshold). On December 17, 2009, SJVAPCD adopted *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* (SJVAPCD 2009), which outlined the SJVAPCD’s methodology for assessing a project’s significance for GHGs under CEQA.

Project construction and operational activities would generate greenhouse gas (GHG) emissions. In the Air Quality and Greenhouse Gas Analysis Report prepared for the project by Mitchell Air Quality Consulting and dated May 26, 2019, GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 (California Air Pollution Control Officers Association (CAPCOA) 2017), which is the most current version of the model approved for use by the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The Air Quality and Greenhouse Gas Analysis Report indicates that the project would achieve reductions 11.1 percent beyond the ARB (Air Resource Board) 2020 21.7 percent target and 3.8 percent beyond the SJVAPCD 29 percent reduction from BAU (Business As Usual) requirements from adopted regulations and on-site design features. No new threshold has been adopted by the County or the SJVAPCD for the SB 32 2030 target. However, the project would achieve reductions of 17.6 percent beyond the 2020 target by 2030 through compliance with existing regulations. Based on this progress and the strong likelihood that the measures included in the 2017 Scoping Plan Update will be implemented, it is reasonable to conclude that the project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution to achieving the 2030 target. Fair share may very well be achieved through compliance with increasingly stringent state regulations that apply to new development, such as Title 24 and CALGreen; regulations on energy production, fuels, and motor vehicles that apply to both new and existing development; and voluntary actions to improve energy efficiency in existing development. In addition, compliance with the VMT targets adopted to comply with SB 375 and implemented through the RTP/SCS may be considered to adequately address GHG emissions from passenger cars and light-duty trucks. Therefore, the Greenhouse Gas Emission impact in terms of the extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting and whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project would be less than significant.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be subject to any regulations developed under AB (Assembly Bill) 32 as determined CARB (California Air Resources Board). AB 32 focuses on reducing GHGs (CO<sub>2</sub>, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. Per the Air Quality and Greenhouse Gas Analysis Report, the project is consistent with most of the strategies contained in the Scoping Plan, while others are not applicable to the project.

#### IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the proposal and requires the following as Project Notes: 1) Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5; 2) Any business that handles a hazardous material or hazardous waste may require to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95; 3) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5; and 4) If any underground storage tank(s) are found during construction, an Underground Storage Tank Removal Permit shall be obtained from the Health Department.

The project site is not located within one quarter-mile of a school. The nearest school, Dry Creek Elementary, is approximately one mile southwest of the project site.



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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility Plan Update* adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno-Yosemite International Airport is approximately 6.7 miles southwest of the site. Given the distance, the airport will not be a safety hazard, or a cause of excessive noise for people residing/working on the site.

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

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The future development proposals do not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. No impacts would occur.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire protection. No persons or structures will be exposed to wildland fire hazards.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII., E. Geology and Soils regarding waste discharge requirements.

According to the Fresno County Department of Public Health, Environmental Health Division, as a measure to protect groundwater, all water wells (not intended for use by the project, or for future use) and septic systems that have been abandoned within the project area, shall be properly destroyed by an appropriately licensed contractor. Additionally, water wells located in the unincorporated area of Fresno County shall require permits for destruction and construction prior to commencement of work. These requirements will be included as Conditions of Approval.

- 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:

According to the Applicant's Operational Statement, the project will use approximately 400 gallons of water per day provided by an on-site well.

The project site is outside of the City of Clovis Sphere of Influence but part of Clovis future planned Northeast Growth Area. The City's current water master plan and sewer master plan identifies no water source or sewer source for this future growth area; therefore, site connectivity to the City of Clovis water system or sewer system currently or in the foreseeable future is not possible.

The State Water Resources Control Board reviewed the project and stated that based on the total number of people to be served, the proposed facility is not classified as a non-transient non-community water system and therefore is not required to connect with the City of Clovis community water system. Per the Local Area Formation Commission (LAFCo), an extension of sewer and water services outside of the City's SOI would require LAFCo's approval.

The subject property is in a low water area of Fresno County. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and due to low water usage (400 gallons per day) expressed no concerns with the project.

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

- 1. Result in substantial erosion or siltation on or off site?

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

Big Dry Creek Reservoir and dam are located north of the project site. According to the Fresno Metropolitan Flood Control District (FMFCD), function of the earthen dam includes a seepage component at the downstream face, and for that reason, it is unsuitable to designate development in this area.

The FMFCD review of the proposal requires that a minimum 500-foot-wide area adjacent to the dam face should remain clear of development and designated as an open space. This requirement will be included as a Mitigation Measure.

\* **Mitigation Measure:**

1. *To address possible impacts related to the seepage component of the downstream face of the Big Dry Creek Reservoir and dam located northeast of the project site, a minimum of 500-foot wide area adjacent to the dam face shall remain clear of development and designated as open space per the requirements of the Fresno Metropolitan Flood Control District (FMFCD).*

The following comments from FMFCD will be included as Project Notes: 1) a temporary on-site storm water storage facility shall be provided for the development and be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street; and 2) drainage and grading plans shall be reviewed by the District prior to the project approval by the County.

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

FINDING: NO IMPACT:

According to FEMA FIRM Panel 1585H, the project site is not subject to flooding from the One percent (1%) chance storm.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the application to indicate that the project will conflict with or obstruct implementation of a water quality control plan or sustainable management plan.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The City of Clovis is approximately 92 feet south of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal entails development of a personal/recreational vehicle storage facility on a 38.91-acre property zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) in the County Zoning Ordinance and designated Agriculture in the County General Plan. According to the City of Clovis, the project area is within a General Plan Mixed Area, which requires a master plan with the first project and the property development to be in accordance with the Clovis General Plan. In a letter dated August 16, 2017, County informed the City that the project site is within County area, designated Agriculture in the County General Plan and is outside of the City's SOI. As such, there is no nexus in requiring the project development to be in accordance with the City's development standards and connect to City's water, wastewater, or recycled water system.

The County General Plan allows a personal/recreational vehicle storage facility in an agriculturally zoned area by discretionary land use approval provided it meet applicable General Plan policies.

Regarding Policy LU-A.3 a. b. c. d. g., the proposed project is near City of Clovis residential development and will adequately serve the surrounding residential development, is not located on a prime farmland, will use limited groundwater (400 gallons per day), for the office/residential, and can be served by adequate workforce from the City of Clovis.

Regarding Policy LU-A.12 and Policy LU-A.13, the project is a compatible use pursuant to Policy LU-A.3 and the project site will be separated from adjacent uses via perimeter building wall and the proposed landscaping.

Regarding Policy PF-C.17 and Policy PF-D.6, the project will utilize an on-site water well and individual sewage disposal system. The City of Clovis water and sewer services are currently unavailable to serve the property.

## XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is not within a mineral-producing area of the County.

## XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

See discussion in Section IX. E above, the project will not be impacted by airport noise.

## XIV. POPULATION AND HOUSING

Would the project:

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

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

FINDING: NO IMPACT:

The project will not result in an increase of housing, nor will it otherwise induce population growth. The caretaker's residence/office will be limited to business operations.

XV. PUBLIC SERVICES

Would the project:

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

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Fresno County Fire Protection District's (CalFire) review of the project did not identify any concerns with the proposal. The project will comply with the California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19; 2) obtain CalFire conditions of approval; and 3) annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.

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

FINDING: NO IMPACT:

The project will not result in the need for additional public facilities and will not affect existing public services.

XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project will have no impact on neighborhood and regional parks or other recreational facilities in the area.

XVII. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The Design Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and required a traffic impact study to determine the project's impacts to County Roads and Intersections. A Traffic Impact Study (TIS) was prepared by Peters Engineering Group, and dated November 28, 2016. According to the TIS, the intersection of Shepherd and Locan Avenues is currently operating at acceptable levels of service during the a.m. and p.m. peak hours with acceptable queuing conditions and the project is not expected to cause a significant impact at the intersection of Shepherd and Locan Avenues in the existing-plus-Project and near-term conditions. Also, queuing issues at the site entrance is not expected to result from the project. However, by the year 2037, with or without the Project, the intersection of Shepherd and Locan Avenues will operate at Level of Service (LOS) F. In order to mitigate the cumulative significant impact, the intersection would require signalization. To mitigate its share of the impact, the project would be responsible to contribute a fair share percentage of the cost of the mitigation.

The City of Clovis also reviewed the TIS and concurred with the pro-rata share cost calculated by the County as a lead agency on the project. Additionally, the City indicated that pursuant to the City's policy regarding the timing of installation of traffic signals in the urban intersections, the project proponent shall install a traffic signal at the intersection of Shepherd and Locan Avenues at this time, and provide necessary right-of-way to install all signal components in their ultimate location.

The subject property is in the County outside of the City of Clovis Sphere of Influence. The County has determined that a nexus cannot be established between the use and the anticipated traffic volume, therefore a traffic signal is not required now to accommodate the proposal. However, per the TIS recommendation and consensus

between the County and City, the project pay will pay its equitable share percentage for a future signalization of the intersection of Shepherd and Locan Avenues. Based on a p.m. peak hour project trip estimate of 44 vehicles, the equitable share is 2.3% of the signal cost, and the project contribution was calculated to be \$11,336.00. This requirement reflects in the following mitigation measure.

\* **Mitigation Measure**

1. *Prior to the issuance of building permits for the proposed project the applicant shall enter into an agreement with the City of Clovis agreeing to participate on pro-rata shares developed in the funding of future off-site traffic improvement as defined in the item below.*

a. *Applicant shall pay his proportionate share of costs for a future traffic signal at Shepherd and Locan Avenues. Applicant's proportionate share is \$11,336.*

Furthermore, as required by the Site Plan Review Unit of the Fresno County Department of Public Works and Planning and Road Maintenance and Operations Division (RMO) of the Development Services and Capital Projects Division, the project shall comply with the following requirements included as Conditions of Approval.

- Applicant shall grant an additional 23 feet of road right-of-way along Shepherd Avenue and construct street improvements to the County of Fresno Standards. The cross-section shall provide 35 feet from median island curb to new curb and gutter. Said road improvements may be deferred through Agreement with the County of Fresno until such time that road widening takes place on adjacent properties.
- Master planned storm drainage facilities shall be installed in Shepherd Avenue and along the prolongation of Locan Avenue north of Shepherd in accordance with the master plan on file with FMFCD. Applicant shall pay appropriate drainage fees to FMFCD in accordance with their master schedule of fees. If storm drainage facilities are also deferred by Agreement, then the applicant shall provide for the storage of additional drainage waters resulting from the development on site.
- Applicant shall provide for the undergrounding of any new utilities along Shepherd Avenue for service to the site. Additionally, any existing facilities that are impacted by the construction of road improvements shall be relocated or placed underground.
- Driveway improvements installed along Locan Avenue alignment for access to the site shall provide for two-way traffic. Paving shall be a minimum of 24-foot wide. Provisions for turnaround capabilities shall be provided at the northerly end of the drive approach. The drive approach may have to be a shared facility with the neighbor to the east. Only one connection shall be allowed for these two drives onto Shepherd Avenue if they are contiguous.
- Prior to construction of a traffic signal at Shepherd and Locan, and as a temporary intersection safety measure, the applicant shall construct a concrete worm median at the driveway connection to Shepherd Avenue that will only allow right turns out of the site onto Shepherd Avenue. At such time that the traffic signal is constructed at



the Shepherd and Locan intersection, then the concrete worm on the drive approach may be removed.

- When street improvements are constructed along Shepherd Avenue for the driveway connection, an appropriate radial or tapered paving transition shall be constructed for right turn movements into the project driveway that are sufficient for the access limits of the largest vehicle serving the project or neighboring parcel (i.e. WB-67). Additionally, the project shall maintain the existing westbound 12-foot wide single thru-lane with edge line striping along the project frontage. A second thru-lane shall not be constructed, all new pavement shall be considered additional roadway shoulder. The westbound terminus of new Shepherd Avenue road improvements at the west end of the project frontage shall be consist of a clean edge of pavement (perpendicular with the right of way) along with a street barricade and signage for an end lane, when required by the Road department.
- To insure proposed structures can be seen by motorists during nighttime or low-visibility conditions, the applicant shall install private lighting for private landscaping, signage and/or structural features to assist in illuminating the immediate building frontage near the driveway connection to Shepherd Avenue and at sufficient intervals within the asphalt paved sections of the private driveway alignment length. Lighting shall be designed to minimize glare with adequate shielding to avoid illuminating the adjacent roadways. Proposed lighting shall be reviewed at the time of Site Plan Review.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is to allow a mini storage facility with spaces for storage of personal/recreational vehicles. The project will be developed in phases with a total of 419,225 square feet of rentable storage area and approximately 410 vehicle storage spaces.

The State of California Governor's Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018 states: "Of land use projects, residential, office, and retail projects tend to have the greatest influence on VMT." Mini storage projects are not addressed in the Technical Advisory. The mini-storage facilities are typically strategically located near areas in need of such facilities. By adding mini-storage facilities to the existing residential and urban fabric and thereby improving destination proximity, local-serving mini-storage facilities tends to shorten trips and reduce VMT (Vehicle Miles Travelled). Given that, the project would create a less-than-significant transportation impact.

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

FINDING: NO IMPACT:

The project site fronts on Shepherd Avenue and will gain access from Locan Avenue alignment as a private drive easement. The project will not increase traffic hazards due to design features due to Conditions of Approvals noted in XVII., A., above.

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Access to the project site will be from Locan Avenue alignment. The project design provides for emergency fire exit located along Shepherd Avenue approximately 80 feet east of the west property line.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not in an area designated as highly or moderately sensitive for archeological resources. Pursuant to Assembly Bill (AB) 52, the project was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. Dumna Wo Wah Tribal Government requested for consultation, staff offered a meeting and provided a letter of Archaeological Records Search from the Southern San Joaquin Valley Information Center, and a letter of Sacred Lands Search from the Native American Heritage Commission, both showing negative results. The tribe provided no response to the request for a meeting and the consultation process was closed.

The Table Mountain Rancheria also requested for consultation, staff offered a meeting, and provided a Cultural Resources Assessment (Report) prepared for the project identifying no cultural resources on the property. The tribe provided no response to the request for a meeting, and the consultation process was closed.

In the unlikely event, if cultural resources are discovered on the property, the Mitigation Measure included in the CULTURAL ANALYSIS section of this report will reduce any potential impact to tribal cultural resources to a less than significant level.

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Limited solid waste will be produced by onsite office/caretaker residence and will go into local land fill site through regular trash collection service. The impact would be less than significant.

## XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located within or near a State Responsibility Area for wildfire.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Impacts on biological and cultural resources have been reduced to a less than significant level with the Mitigation Measures discussed in Section IV, and Section V above.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The subject proposal will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural, and Forestry Resources, Air Quality, or Greenhouse Gas Emission were identified in the project analysis. Impacts identified for Aesthetics, Biological Resources, Cultural Resources, Hydrology & Water Quality, and Transportation will be addressed with the Mitigation Measures discussed in Section I, Section IV, Section V, Section X, and Section XVII of this report.

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

FINDING: NO IMPACT:

No cumulative impacts were identified in this analysis. No substantial adverse effects on human beings were identified.

## **CONCLUSION/SUMMARY**

Based upon Initial Study (IS) No. 7085 prepared for Classified Conditional Use Permit Application No. 3526, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there will be no impacts to mineral resources, noise, population and housing, recreation, or wildfire.

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

Potential impacts to aesthetics, biological resources, cultural resources, hydrology and water quality, and transportation have been determined to be less than significant with the identified mitigation measures.

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

EA:

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**EXHIBIT 8**

File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7085	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>	County Clerk File No: <b>E-</b>	
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): WESCLO LP	Project Title: Classified Conditional Use Permit Application No. 3526		
Project Description: Allow a personal/recreational vehicle storage facility and a caretaker's residence with office on two contiguous parcels totaling 38.91 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District. The subject property is located northwest of the intersection of E. Shepherd Avenue and Locan Avenue, approximately 2,650 feet west of N. De Wolf Avenue adjacent to the City of Clovis (APN 557-031-29 & 42) (Sup. Dist. 5).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7085) prepared for Classified Conditional Use Permit Application No. 3526, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to mineral resources, noise, population and housing, recreation, or wildfire.  Potential impacts related to agricultural and forestry resources, air quality, energy, geology and soils, greenhouse gas emissions, hazard and hazardous materials, land use and planning, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant.  Potential impact related to aesthetics, biological resources, cultural resources, hydrology and water quality, and transportation has been determined to be less than significant with the identified mitigation measure.  The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 17, 2021`		Review Date Deadline: October 18, 2021	
Date: Sept. 17, 2021	Type or Print Name: David Randall, Senior Planner	Submitted by (Signature):	

State 15083, 15085

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

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**