



Planning Commission Staff Report Agenda Item No. 4 February 16, 2017

SUBJECT: Initial Study Application No. 7090, Director Review and Approval Application No. 4431, Variance Application No. 4009

Allow a church with a 76-foot building height (maximum 35 feet allowed) with related facilities including daycare in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the west side of N. Thompson Avenue approximately 460 feet south of the N. Thompson Avenue and E. Ashlan Avenue intersection and 1,940 feet east of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APN 309-021-25).

**OWNER/
APPLICANT:** Roman Catholic Bishop of Fresno

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RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7090; and
- Approve Director Review and Approval (DRA) No. 4431 with recommended Findings and Conditions; and
- Approve Variance No. 4009; 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
6. Floor Plans/Elevations/Architectural Perspectives
7. Applicant’s Operational Statement
8. Applicants’ Statement of Variance Findings
9. Summary of Initial Study (IS) Application No. 7090
10. Draft Mitigated Negative Declaration
11. Applicant-provided Information

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	10.61 acres	No change
Project Site	Vacant	Allow a church with a 76-foot building height (maximum 35 feet allowed) with related facilities including a daycare.
Structural Improvements	None	Phase I: <ul style="list-style-type: none"> • 20,000 square-foot church building, parking, storm water retention basin Phase 2: <ul style="list-style-type: none"> • 8,700 square-foot offices/meeting building, parking Phase 3: <ul style="list-style-type: none"> • 13,800 square-foot hall/plaza,

Criteria	Existing	Proposed
		turf/soccer field Phase 4: <ul style="list-style-type: none"> • 6,600 square-foot daycare building
Nearest Residence	493 feet to the east	No change
Surrounding Development	Single-Family Residences	No change
Operational Features	N/A	<ul style="list-style-type: none"> • The church and related facilities will be constructed in Phase 1, 2 and 3. • Daycare will be constructed in Phase 4. • Two 76-foot-high bell towers (bells could be allowed if a noise study is approved by the County Health Department) • The property will connect to City of Clovis municipal sewer and water system.
Employees	N/A	Church: Two full-time and one part-time Daycare: 9 to 12 teachers
Customers/Visitors	N/A	Church: <ul style="list-style-type: none"> • 40 to 60 visitors per day (Monday thru Friday) • 400 visitors on Sundays • 500 visitors during each of the two Sunday masses in Phase 1 • 255 additional visitors during Sunday mass in Phase 2. Daycare: 52 visitors for child pick-up and drop-off
Traffic Trips	N/A	Per the Traffic Impact Study Weekend Analysis prepared by Peters Engineering Group, dated Dec. 2, 2016 <ul style="list-style-type: none"> • 448 daily one-way vehicle trips (224 round trips) for church

Criteria	Existing	Proposed
		<ul style="list-style-type: none"> • 228 daily one-way vehicle trips (114 round trips) for daycare
Lighting	N/A	Outdoor lighting on building exteriors and parking lot
Hours of Operation	N/A	Church: 7:00 a.m. to 8:00 p.m. Monday thru Sunday Daycare: 7:00 a.m. to 6:00 p.m. Monday thru Friday.

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

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 9.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: January 13, 2017.

PUBLIC NOTICE:

Notices were sent to 30 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Director Review and Approval (DRA) may be approved only if four Findings specified in Zoning Ordinance Section 872.C necessary for granting of a DRA are made. The four Findings for DRA approval include: adequacy of site, adequacy of streets and highways; no detrimental effects on neighboring properties; and project compliance with the General Plan.

A Variance (VA) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

Variance applications are required to be brought before the Commission for consideration, however DRA applications may be acted on at staff level. The Zoning Ordinance provides that the Director, at his discretion, may refer a DRA Application directly to the Planning Commission for a public hearing and decision. In this case, both Applications (VA and DRA) are being brought before the Commission for consideration, as they represent an interrelated request for a single project. The subject DRA Application and the concurrent VA shall be considered separately. However, denial of the DRA will also deny the VA. On the other hand, denial of the VA will not automatically deny the DRA but would require modifications to the project. The DRA may still be approved subject to meeting four Findings.

The decision of the Planning Commission on a DRA and VA Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

The following analysis addresses each of the required Findings for Director Review and Approval (DRA) No. 4431 and then for Variance Application (VA) No. 4009:

ANALYSIS/DISCUSSION – DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4431 to allow a church with related facilities including a daycare

ANALYSIS/DISCUSSION:

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

	Current Standard:	Proposed Operation:	Is Standard Met (Y/N)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (east): 165 feet Side (north): 25 feet Side (south): 317 feet Rear (west): 25 feet	Yes
Parking	Church: <ul style="list-style-type: none"> • One (1) parking space for every five (5) permanent seats; or one for every 40 square feet of area within the main auditorium or meeting hall, whichever provides the greater number of spaces Daycare: <ul style="list-style-type: none"> • One (1) parking space for each non-resident employee and two (2) parking spaces for the drop-off and pick-up of children per Section 855-1(2)g of the Zoning Ordinance 	Church: <ul style="list-style-type: none"> • Phase 1 parking lot 163 parking spaces and Phase 2 parking lot 191 parking spaces (total spaces required 213; provided 354) Daycare: <ul style="list-style-type: none"> • Six parking spaces for up to 12 teachers and two parking spaces for the drop-off and pick-up (total spaces required 8) 	Yes Yes
Lot Coverage	No Requirement	No Requirement	N/A
Separation Between Buildings	40-foot separation between any animal shelter and dwelling or other building	69 feet	Yes
Wall Requirements	35-foot (maximum); same	<ul style="list-style-type: none"> • Six-foot block wall along 	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (Y/N)
	as building height	west property line • Six-foot wrought iron fence along north, south and east property lines	
Septic Replacement Area	100 percent for the existing system	The property will connect to City of Clovis Community sewer system	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	The property will connect to City of Clovis Community water system	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Department of Public Works and Planning: The proposed improvements meet the setback requirements of the AE-20 Zone District. Completion of a Site Plan Review is recommended as a Condition of Approval for the project.

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

Analysis:

Staff review of the Site Plan demonstrates that the proposed improvements exceed the minimum building setback requirements of the AE-20 Zone District. The improvements will be set back approximately 165 feet from the east property line (35 feet required), 25 feet from the north property line (20 feet required), 317 feet from the south property line (20 feet required), and 25 feet from the west property line (20 feet required).

In regard to off-street parking for the church, the Zoning Ordinance requires one (1) parking space for every five (5) permanent seats or one for every 40 square feet of area within the main auditorium or meeting hall. In regard to off-street parking for the daycare facility, the Zoning Ordinance requires one parking space for each non-resident employee and two (2) parking spaces for the drop-off and pick-up of children. Additionally, the California Building Code requires one parking space for the physically handicapped per every 25 parking spaces. According to the Site Plan Review Section of the Fresno County Department of Public Works and Planning, at least 213 parking spaces are required for the church and 8 parking spaces are required for the daycare facility. The proposal for the project has 354 parking spaces (including 8 spaces designated Americans with Disabilities Act [ADA]-accessible), which meets the requirement.

Based on the above information and with adherence to Site Plan Review recommended as a Condition of Approval to ensure compliance with the setback requirements, design of parking and circulation area, access, on-site grading and drainage, fire protection, road right-of-way, landscaping, signage, and lighting, staff believes the project site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

None

Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Thompson Avenue; Good condition	No change
Direct Access to Public Road	Yes	Thompson Avenue; Good condition	No change
Road ADT		200	No change
Road Classification		Local	No change
Road Width		Right-of-way for Thompson Avenue <ul style="list-style-type: none"> • 20 feet west of centerline • 20 feet east of centerline 	Additional right-of-way required for Thompson Avenue: <ul style="list-style-type: none"> • 52 feet (existing 20 feet) west of centerline • 22 feet (existing 20 feet) east of centerline
Road Surface		Asphalt concrete; pavement width 18.5 feet	See "Road Improvements Required" below
Traffic Trips		N/A	Per the Traffic Impact Study Weekend Analysis prepared by Peters Engineering Group and dated Dec. 2, 2016 <ul style="list-style-type: none"> • 448 daily one-way vehicle trips (224 round trips) for church • 228 daily one-way vehicle trips (114 round trips) for daycare
Traffic Impact Study (TIS) Prepared	Yes	N/A	A Traffic Impact Study (TIS), TIS Weekend Analysis, and Addendum to TIS were prepared for the project by Peters Engineering Group and reviewed

		Existing Conditions	Proposed Operation
			and approved by the California Department of Transportation, Design Division of the Fresno County Department of Public Works and Planning, and City of Clovis.
Road Improvements Required		Thompson Avenue; Good condition	<p>Along Thompson Avenue frontage of the property:</p> <ul style="list-style-type: none"> • 48 feet permanent paving (30 feet + 18 feet) • 3 feet paved swale • Transitional paving as needed. <p>Along non-adjacent major street between the north property line and Ashlan Avenue:</p> <ul style="list-style-type: none"> • 36 feet permanent paving (18 feet +18 feet) • 2 to 3 feet paved swales • Transitional paving as needed

Reviewing Agency/Department Comments:

Design Division of the Fresno County Department of Public Works and Planning: The Applicant shall pay the Major Street Development Fees for the intersection of Ashlan and Leonard Avenues to the City of Clovis.

City of Clovis, Traffic Engineering Department: The project shall pay its proportionate share of Development Impacts Fees (total \$479,381.64) according to the Memorandum of Understanding (MOU) between the City and the County. Along the Thompson Avenue frontage of the property, the Applicant shall provide right-of-way acquisition for 52 feet (existing 20 feet) west and 22 feet (existing 20 feet) east of the centerline, and improve with curb, gutter, sidewalk, curb return ramps, street lights, 48 feet (30 feet + 18 feet) permanent paving, 3 feet paved swale, and transitional paving as needed. For non-adjacent major street requirements, the Applicant shall provide between the north property line and Ashlan Avenue for 22 feet west and 22 feet east of the centerline and improve with 36 feet (18 feet +18 feet) of permanent paving, 2 to 3 feet paved swales and all transitional paving as required, or on another City-approved alternate route. Alternative temporary cross sections and dedications for Thompson Avenue shall require approval of the City Engineer.

Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning: In the case of the City's deferment of off-site improvements, the Applicant shall enter into a deferment of construction agreement with the County.

The aforementioned requirements have been included as Conditions of Approval.

Any work done within the road right-of-way shall require an encroachment permit from the Road Maintenance and Operations Division. Gated drive/entry approaches to the site shall be set

back a minimum of 20 feet from the ultimate road right-of-way for Thompson Avenue. Fences associated with drive/entry approaches shall be constructed with a 10-foot by 10-foot corner cutoff on each side to promote sight visibility during exit movements. These requirements have been included as Project Notes.

Analysis:

The project site fronts Thompson Avenue, which is classified as a Local. Thompson Avenue has an existing right-of-way of 20 feet west of the centerline along the parcel frontage.

The site gains access from Thompson Avenue. Thompson Avenue at the subject property is asphalt paved (pavement width 18.5 feet), carries an Average Daily Traffic (ADT) of 200, and is in good condition. Per the Traffic Impact Study (TIS), TIS Weekend Analysis, and Addendum to TIS prepared for the project, the church will generate 448 one-way daily trips (224 round trips) and the daycare will generate 228 one-way daily trips (114 round trips).

The subject property is within the City of Clovis Sphere of Influence (SOI). The City of Clovis Traffic Engineering Department reviewed the traffic studies and required road improvements and additional right-of-way for Thompson Avenue due to traffic generated by the proposal. The Design Division and Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning also reviewed the traffic studies and concurred with their findings. Traffic-related Conditions of Approval offered by the City of Clovis, Design Division and RMO Division are noted above.

Based on the above information, and with adherence to the Conditions of Approval and Project Notes, staff believes that Thompson Avenue at the project site can accommodate the proposed use.

Recommended Conditions of Approval:

See Recommended Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will not be detrimental to the character of the development in the immediate neighborhood or the public health, safety, and general welfare

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North/West:	63.09 acres	Vacant	AE-20	None
South:	4.85 acres	Vacant	AE-20	1,000 feet
East:	4.85 acres 29.25 acres	Single-Family Residences	AE-20	493

Reviewing Agency/Department Comments:

City of Clovis Engineering Department: The proposed facility is within the City of Clovis Sphere of Influence and within one half-mile of the current City boundary. Prior to occupancy, the facility shall connect to the City of Clovis sanitary sewer system. Such connection would require a LAFCo (Local Agency Formation Commission) approval action, abandonment of septic system to City standards, and payment of development fees upon annexation of the site into the City of Clovis. Prior to occupancy, the facility shall connect to the City of Clovis water system. Such connection would require a LAFCo (Local Agency Formation Commission) approval action, abandonment of all water wells to City standards, and payment of development fees upon annexation of the site into the City of Clovis. Such connection may not preclude the need for on-site water storage to meet fire flow/fire safety requirements. Note: Total development fees to be paid for the project amount to \$479,381.64.

State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW): The proposed church shall connect to the City of Clovis water system for domestic water supply to avoid the need to become permitted as a public water system.

Fresno County Department of Public Health, Environmental Health Division: The proposed facility is within the City of Clovis Sphere of Influence and within one half-mile of the current City boundary. The facility shall connect to the City of Clovis water system for sewer and water services. If there are existing water wells and septic systems on the parcel, they shall be properly destroyed under permit and inspection by the County of Fresno. No outdoor sound-generating devices such as bells, carillon, or loudspeakers shall be utilized at this time. Prior to the installation of such equipment, an acoustical analysis shall be prepared by a qualified acoustical consultant with experience in evaluating community noise levels and standards to determine if noise levels will exceed acceptable standards, and to offer mitigation measures to comply with Fresno County Noise Ordinance standards. The results of the acoustical analysis shall be submitted to both the County Department of Public Works and Planning and the Environmental Health Division of the Department of Public Health for review and approval.

These aforementioned requirements have been included as Mitigation Measures.

Fresno County Department of Agriculture (Ag Commissioner's Office): The project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities in the surrounding of the proposed development. This requirement has been included as a Condition of Approval.

Fresno County Department of Public Health, Environmental Health Division: Churches currently do not meet the definition of a retail food facility in the California Retail Food Code [CalCode 113789(c)(3)], provided that the church gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three (3) days in any ninety-day period. However, it is recommended that the Applicant consider constructing the kitchen to commercial standards. This would allow future use of the facility for approved community events.

San Joaquin Valley Air Pollution Control District (Air District): The project shall pay any applicable off-site mitigation fees prior to the issuance of the first building permit and be subject to the following District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially

demolished, or removed.

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 the additional storm water run-off generated by the proposed development will be handled without adversely impacting the adjacent properties. A Grading Permit or Voucher shall be required for any grading proposed with this application.

Fresno Metropolitan Flood Control District: The project site lies within the District's Drainage Area "DP" and shall be subject to applicable District fees prior to issuance of building permits. All additional run-off generated by the project shall stay on site in a temporary on-site storm water storage facility as required by the County, and once permanent FMFCD facilities become available, drainage can be directed to the street. FMFCD shall review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. Redbank Creek Tributary No. 10 (natural stream course) traversing the easterly and southerly perimeter of the proposed development shall be protected and preserved as part of the proposed development. Modification or relocation of the channel shall require compliance with the regulations of California Fish & Wildlife, Regional Water Quality Control Board and the U.S. Army Corps of Engineers. A Clean Water Act Section 404 permit application if prepared for the project shall be reviewed by FMFCD. Construction activity, including grading, clearing, grubbing, filling, or excavation that results in a disturbance of one acre or more of total land area shall require a storm water discharge permit in compliance with US Environmental Protection Agency's National Pollutant Discharge Elimination System regulations by filing a Notice of Intent (NOI) for the state General Permit for Construction Activity with the State Water Resources Control Board.

Fresno County Fire Protection District: The project shall comply with California Code of Regulations Title 24 – Fire Code, and County-approved site plans shall be approved by the Fire District prior to issuance of building permits by the County. The project may also be subject to joining the Community Facilities District (CFD).

Site Plan Review Section of the Fresno County Department of Public Works and Planning: The secondary parking lot (Phase 2) may be utilized to satisfy required parking prior to completion of said parking lot. That portion of the secondary parking lot utilized for parking shall incorporate a dust palliative for dust control until the secondary parking lot is constructed. Asphalt concrete driveway approaches shall be required and two-way driveways are to be 24 to 35 feet in width. Driveway widths greater than 35 feet in width must be approved by the Road Maintenance and Operations Division. If only the driveways are to be paved, the driveways should be concrete or asphalt concrete paved a minimum width of 24 feet for the first 100 feet off of the edge of the road right-of-way. All parking and circulation areas not concrete or asphalt concrete paved should be treated with a dust palliative to prevent the creation of dust.

Fresno Irrigation District (FID): FID's active Redbanks No. 388 runs southwesterly, and crosses Ashlan Avenue approximately 650 feet northwest and Thompson Avenue approximately 1,300 feet north of the subject property. All plans for any street and/or utility improvements along Ashlan Avenue, Thompson Avenue, or in the vicinity of the pipeline crossing shall require FID's review and approval.

The aforementioned requirements have been included as Project Notes.

Fresno Local Agency Formation Commission: The property should connect to the City of Clovis municipal service system when it becomes available, or as mutually agreed with the City.

Fresno County Sheriff; California Regional Water Quality Control Board; California Department of Transportation; Table Mountain Rancheria: No concerns.

Analysis:

The project entails establishment of a church with related facilities including a daycare on a 10.61-acre parcel. Phase I of the proposed development includes a 20,000 square-foot church building, storm water retention basin and parking; Phase 2 includes a 8,700 square-foot office/meeting building and parking; Phase 3 includes a 13,800 square-foot hall/plaza, and a turf/soccer field; and Phase 4 includes a 6,600 square-foot daycare building. Other improvements include paved parking, three paved access drives from Thompson Avenue and block/iron fencing around the property.

The proposed buildings would range from 18 feet to 27 feet in height. However, the church building would be 52.5 feet in height with two bell towers attached to it; the proposed height (including cross) would reach 76 feet, exceeding the 35-foot maximum building height allowed in the AE-20 Zone District. This increase in the building height is subject to the approval of Variance No. 4009.

The project site is currently undeveloped and is located within the City of Clovis Sphere of Influence (SOI). The site is expected to be annexed and additional residences to be developed in the City of Clovis on the adjacent westerly parcel.

The surrounding land uses include orchards with single-family homes to the north and west and single-family residences to the east and south. Visual impacts to neighboring properties are expected to be less than significant, as the tallest building (church building) on the property will be approximately 493 feet from the nearest single-family residence to the east, and 1,000 feet from the nearest single-family residence to the south. Further, the site will be secured by a six-foot-tall iron fence along the north, east and south property lines and a block wall along the west property line. Landscaping will also be provided along the project site's Thompson Avenue frontage. The perimeter fencing and landscaping will help screen the visibility of the improvements from the public road and surrounding properties.

An Initial Study prepared for the project has identified potential impacts to aesthetics, geology and soils, hydrology and water quality, and noise. Regarding aesthetic impact, all outdoor lighting will be required to be hooded and directed downward to avoid glare on adjoining properties. In regard to cultural resources, any cultural resources or human remains discovered during ground-disturbance activities will require all work to be stopped and findings be evaluated by an archeologist. In regard to the geology and soils, the project will connect with the City of Clovis sanitary sewer system. In regard to hydrology and water quality, the project will connect with the City of Clovis water system. In regard to noise, prior to the installation of bells, carillon, or loudspeakers, an acoustical analysis will be required to be prepared by a qualified acoustical consultant and be reviewed and approved by the Fresno County Department of Public Health, Environmental Health Division.

Potential impacts related to air quality, public services, and transportation/traffic are considered to be less than significant. The project will be required to comply with the Air District rules and pay any applicable off-site mitigation fees prior to issuance of building permits; obtain Fresno County Fire Protection District's approval prior to issuance of building permits and occupancy;

pay major Street Development fees and pro-rata share of Development Impacts Fees according to the Memorandum of Understanding (MOU) between the County and City of Clovis; provide additional right-of-way; and complete off-site improvements (curb, gutter, sidewalk) for Thompson Avenue.

Based on the above information, and with adherence to the Mitigation Measures, Condition of Approval, and mandatory Project Notes, staff believes that the proposal will not have adverse effects upon surrounding properties.

Recommended Conditions of Approval:

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

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3 allows agriculturally-related uses by discretionary permit, provided that they meet the following criteria:</p> <ul style="list-style-type: none"> a. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. b. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. c. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one quarter-mile radius. d. Criteria LU-A.3.d states that a probable workforce should be located nearby or be readily available. g. Criteria LU-A.3.g states that churches should be no larger than needed to serve the surrounding agricultural community 	<p>With regard to Criteria “a”, churches are permitted in an agricultural area, provided they serve the surrounding agricultural community. The subject property location in an agricultural area is unique in that it is in close proximity (1,940 feet) to the City of Clovis urban development and within the City’s Sphere of Influence (SOI). The property will be annexed with the City of Clovis and provided with the City services. With regard to Criteria “b”, the project site is not a Prime farmland. The site is designated as Farmland of Local Importance. With regard to Criteria “c”, the project will not impact groundwater resources. The property will connect to the City of Clovis community water system. With regard to Criteria “d”, the project site is in the vicinity of the City of Clovis which can provide an adequate workforce. The proposal is consistent with this policy. With regard to Criteria “g”, the subject property is located near the City of Clovis within the City SOI, will be developed in accordance with the City’s Loma Vista Specific Plan for the area, and constructed in phases to serve the area population no larger than needed to be served at the time.</p>

Relevant Policies:	Consistency/Considerations:
<p>Policy LU-A.12 of the General Plan requires that agricultural activities be protected from encroachment of incompatible uses.</p> <p>Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>The project is a compatible use pursuant to Policy LU-A.3 as discussed above and will maintain separation from the adjacent land through perimeter fencing and landscaping. The proposal is consistent with these policies.</p>
<p>General Plan Policy LU-G.1: The County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.</p>	<p>The subject property is within the Sphere of Influence (SOI) of the City of Clovis. The City reviewed the proposal and concurred with the development within its SOI. The project will comply with the City of Clovis Loma Vista Specific Plan Guidelines for the area, meet the standards of the City of Clovis Development codes, pay development impact fees, and be annexed to receive City services including sewer and water.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</p>	<p>The project will connect to the City of Clovis municipal water system. The proposal is consistent with this Policy.</p>
<p>General Plan Policy PF-D. 6: County shall permit individual on-site sewage disposal systems on the parcels where community sewer service is not available and cannot be provided.</p>	<p>The project will connect to the City of Clovis sanitary sewer system. The proposal is consistent with this Policy.</p>

Reviewing Agency/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the County General Plan. Policy LU-A.3 allows agriculturally-related uses by discretionary permit provided that they meet certain criteria. Policy LU-A.12 requires protection of agricultural activities from encroachment of incompatible uses and 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 the water supply for the project. Policy PF-D.6 requires individual on-site sewage disposal systems on parcels where community sewer service is not available and cannot be provided.

Analysis:

The property is designated Agriculture in the General Plan and is located within the City of Clovis Sphere of Influence (SOI) and City of Clovis Loma Vista Specific Plan.

The project is consistent with all the applicable General Plan policies as discussed above. In regard to consistency with Policy LU-A.3, the project will meet the needs of surrounding communities over time, is not located on productive farmland, will not impact groundwater

resources, and will have workforce available from nearby. In regard to consistency with Policy LU-A.12 and LU-A.13, the project site is not prime farmland and will be separated from the adjacent lands through perimeter fencing and landscaping. In regard to consistency with Policy PF-C.17 and PF-D.6, the project will connect to City of Clovis water and sanitary sewer systems.

The project is also consistent with the land use plan and policies of the City of Clovis. While to be developed in the County, the project will comply with City of Clovis Loma Vista Specific Plan Guidelines, meet the standards of the City of Clovis Development codes, and be annexed with the City in the near future.

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

Recommended Conditions of Approval:

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

Conclusion:

Finding 4 can be made.

ANALYSIS/DISCUSSION – VARIANCE APPLICATION NO. 4009 to allow a maximum building height of 76 feet

Staff research indicates that no other building height-related Variance Applications were filed within one mile of the subject property.

Finding 1: There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification; and

Finding 2: Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

Reviewing Agencies/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: AE-20 Zone District requires a 35-foot building height. A Variance is required to waive this requirement to allow a building height of 76 feet.

Analysis:

In support of Finding 1, the Applicant states that the church building is confined within a 10.16-acre project site at a significant distance from the property lines; space of the building height that is over 35 feet is not floor space; and the building height and the height-to-width ratio are an essential part of traditional architecture of Roman Catholic Churches and are necessary for the California Mission language of the design. The Applicant also notes that the subject property is within the City of Clovis Sphere of Influence and if it were to be developed in the City of Clovis, a Conditional Use Permit would accommodate both the church and the building height.

In support of Finding 2, the Applicant states that the AE-20 Zone District allows an exception to the 35-foot maximum building height for non-dwelling structures and other accessory farm buildings. The church is a non-dwelling structure and the overall height portion will be more appealing than that of an over-height non-dwelling farming-related building that would be allowed as an exemption in the current ordinance code.

The proposed 52.5-foot-high church building with 76-foot-tall bell towers (including cross) is located in the center of the property and at significant distance from the property lines. The building will be set back approximately 220 feet from the north property line, 505 feet from the south property line, 260 feet from the east property line and 83 feet from the west property line. There are no improvements on the adjacent westerly parcel and the closest residential developments are approximately 493 feet to the east and 1,000 feet to the south of the property. Ashlan Avenue, a major thoroughfare in the area, is approximately 658 feet north of the building.

Staff would clarify the statement made by the Applicant in Finding 2 regarding non-dwelling structures being exempt from building height requirements. This exemption is no longer available in the AE Zone District, as it was removed from the County Zoning Ordinance in 2006. The proposed church building is subject to building height requirements of the AE-20 Zone District (maximum 35-foot allowed). Staff notes that church buildings in general and bell towers in particular require greater height due to architectural design stemming from functionality of the use. If the church building of the size proposed by the Applicant is determined to be an appropriate use at the project site, then it would not be unreasonable to expect the height of the building to exceed the 35-foot maximum permitted in the AE-20 Zone District. Given the building height and the height-to-width ratio being an essential part of the of traditional architecture of Roman Catholic Churches, the 52.5-foot height proposed for the building and 76 feet for the bell towers is not excessive when compared to other similar structures of the same size and architectural design. The 76-foot-high towers with cross serve both as a symbolic and aesthetic purpose that is common to many churches. Taking these factors into consideration, the subject Variance request for a building design with a higher elevation is justified.

A consideration in addressing Findings 1 and 2 is whether there are alternatives that would avoid the need for the Variance. Because the proposed building height is relative to the use and operations of the church building, the only alternative would be to eliminate the use from the proposal or reduce the overall building height through a minor variance which would give a 10 percent (or 3.5-foot) increase over the maximum 35-foot building allowed. However, this option would be highly undesirable by the Applicant. Therefore, staff believes that to allow a maximum building height of 76 feet (including church and bell tower) is an appropriate option to accommodate the use. Based on this discussion, staff believes Findings 1 and 2 can be made.

Recommended Condition of Approval:

None

Conclusion:

Findings 1 and 2 can be made.

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

Reviewing Agencies/Department Comments:

Fresno County Fire Protection District: The project shall comply with California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fire District prior to issuance of building permits by the County. The project may also be subject to joining the Community Facilities District (CFD).

Fresno County Department of Public Health, Environmental Health Division; City of Clovis:
No comments.

Analysis:

In support of Finding 3, the Applicant states that given the location of the over-height portion of the structure on the property, the granting of the Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity.

The primary purpose of the height requirement for building structures is to protect the aesthetic character of the neighborhood. Without building height standards, extreme height variations can occur between buildings on adjacent properties, which can negatively affect the appearance along streets.

The area of the proposed development includes a mix of agricultural and residential land uses. However, most parcels in the immediate vicinity of the project site are vacant, unfarmed or developed with single-family homes. The project site is within the City of Clovis Sphere of Influence (SOI) and is planned to be annexed with the City. The annexation would also include the adjacent westerly parcel for residential development in the City of Clovis.

As noted above, the project site is located in an area of agricultural and residential uses. With a roof height of 52.5 feet and 76-foot-high bell towers with cross, the church building of the size proposed could present an imposing appearance to residents of surrounding properties. This concern, however, is diminished by the fact that the building will be approximately 493 feet from the nearest single-family residence to the east, 1,000 feet from the nearest single-family residence to the south, and 658 feet from the area’s major thoroughfare (Ashlan Avenue). The proposed location will reduce the prominence of the building and the towers. It is also anticipated that the towers or the church building will cast little or no shadow over neighboring properties due to their location on the property and increased setbacks from property lines. Further, the proposed landscaping along Thompson Avenue frontage of the property coupled with perimeter fencing will help to mitigate the visual impact of the increased building height. The City of Clovis expressed no concerns with the proposed building heights and stated that the agency would honor approval of this Variance by the County.

Based on this discussion, staff does not believe that the building height proposed by the Applicant will create a negative impact on the neighborhood or be detrimental to the public welfare; therefore Finding 3 can be made.

Recommended Conditions of Approval:

See Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: The granting of such a Variance will not be contrary to the objectives of the General Plan.

Analysis:

In support of Finding 4, the Applicant states that the height of the proposed church building is consistent with other churches in the community; the proposed increase in height will not be contrary to the objectives of the County General Plan; and the project site located within the City of Clovis Sphere of Influence (SOI) is planned for low-density residential which allows churches with approval of a Conditional Use Permit.

The subject property is designated Agricultural in the Fresno County General Plan. The policies in the General Plan do not specifically address building height. Therefore, approval of the Variance would not be in conflict with the Agricultural Policies of the General Plan.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

APPLICANT-PROVIDED INFORMATION:

Additional information was received from the Applicant (Exhibit 11). This includes City of Clovis Development Plan with Site Location, location map, architectural renderings (Site Plan and architectural perspectives), elevations (church building), and Site Plan with proposed improvements.

CONCLUSION:

Staff believes the required findings for granting the Director Review and Approval can be made based on the factors cited in the analysis. Staff also believes the required findings for granting the Variance can be made based on the factors cited in the analysis. Therefore, staff recommends adoption of the Mitigated Negative Declaration prepared for this project, and approval of Director Review and Approval No. 4431 and Variance No. 4009, subject to the recommended conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative declaration prepared for Initial Study (IS) Application No. 7090; and
- Move to determine the required Findings can be made and move to approve Director Review and Approval No. 4431 subject to Conditions and Project Notes attached as Exhibit 1; and

- Move to determine that the required Findings can be made and move to approve Variance No. 3990 subject to Conditions and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine the required Findings cannot be made (state basis for not making the Findings) and move to deny Director Review and Approval No. 4431; and
- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Variance No. 4009; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Condition of Approval and Project Notes:

See attached Exhibit 1.

EA:ksn

G:\4360Devs&Pln\PROJSEC\PROJDOCS\DRA\4400-4499\4431 - See VA 4009\SR\DRA4431 VA4009 SR.docx

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7090/ Director Review and Approval Application No. 4431/ Variance Application No. 4009
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*	Aesthetics	All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2*	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted
3*	Geology and Soils	The proposed facility is within the City of Clovis Sphere of Influence and within one half-mile of the current City boundary. Prior to occupancy, the facility shall connect to the City of Clovis sanitary sewer system. Such connection would require a Local Agency Formation Commission (LAFCo) approval action, abandonment of the septic system to City standards, and payment of development fees upon annexation of the site into the City of Clovis.	Applicant	Applicant/ City of Clovis/ Local Agency Formation Commission (LAFCo)	As noted
4*	Geology and Soils	If there are existing water wells and septic systems on the parcel, they shall be properly destroyed under permit and inspection by the County of Fresno.	Applicant	Applicant/Department of Public Health, Environmental Health Division	As noted
5*	Hydrology and Water Quality	The proposed facility is within the City of Clovis Sphere of Influence and within one half-mile of the current City boundary. Prior to occupancy, the facility shall connect to the City of Clovis water system. Such connection	Applicant	Applicant/City of Clovis/LAFCo	As noted

		would require a LAFCo approval action, abandonment of all water wells to City standards, and payment of development fees upon annexation of the site into the City of Clovis. Such connection may not preclude the need for on-site water storage to meet fire flow/fire safety requirements.			
6*	Noise	No outdoor sound-generating devices such as bells, carillon, or loudspeakers shall be utilized at this time. Prior to the installation of such equipment, an acoustical analysis shall be prepared by a qualified acoustical consultant with experience in evaluating community noise levels and standards to determine if noise levels will exceed acceptable standards, and offer mitigation measures to comply with Fresno County Noise Ordinance standards. The results of the acoustical analysis shall be submitted to both the County Department of Public Works and Planning and the Environmental Health Division of the Department of Public Health for review and approval.	Applicant	Applicant/Department of Public Health, Environmental Health Division	As noted

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations and Operational Statement approved by the Commission.
2.	Prior to occupancy, 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, fire protection, right-of-way, landscaping, signage and lighting.
3.	Landscaping, including trees and shrubs, shall be provided and maintained along the Thompson Avenue frontage of the property to buffer the property from the adjacent roadway. Landscaping shall meet City of Clovis landscaping requirements for width, type of plantation, and irrigation system. A Landscaping and Irrigation Plan shall be submitted to and approved by Fresno County and the City of Clovis as part of the Site Plan Review. All landscaping shall be planted prior to occupancy and maintained in healthy condition.
4.	The Applicant shall coordinate with the City of Clovis and the County of Fresno for off-site improvements, including, but not limited to, road pavement, curb and gutter, sidewalks, etc. All off-site improvements as required by the City shall be completed prior to occupancy unless deferred. In case of deferment, a deferment of construction agreement shall be executed between the County and the Applicant as part of the Site Plan Review.
5.	Per the Design Division of the Fresno County Department of Public Works and Planning, the Applicant shall pay the Major Street Development Fees for the intersection of Ashlan and Leonard Avenues to the City of Clovis.

Conditions of Approval	
6.	<p>Per the City of Clovis, Traffic Engineering Department:</p> <ul style="list-style-type: none"> • The project shall pay its proportionate share of Development Impacts Fees according to the Memorandum of Understanding (MOU) between the City and the County. • Along the Thompson Avenue frontage of the property, the Applicant shall provide right-of-way acquisition for 52 feet (existing 20 feet) west and 22 feet (existing 20 feet) east of the centerline, and improve with curb, gutter, sidewalk, curb return ramps, street lights, 48 feet (30 feet + 18 feet) permanent paving, 3-foot paved swale, and transitional paving as needed. • For non-adjacent major street requirements, the Applicant shall provide between the north property line and Ashlan Avenue for 22 feet west and 22 feet east of the centerline and improve with 36 feet (18 feet +18 feet) of permanent paving, 2- to 3-foot paved swales and all transitional paving as required, or provide another City-approved alternate route. • Alternative temporary cross sections and dedications for Thompson Avenue shall require approval of the City Engineer.
7.	<p>Prior to occupancy, the project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities in the surrounding of the proposed development.</p>

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

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Plans, permits and inspections are required for all proposed structures, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal. Fences over six feet in height are also subject to building permit and inspections. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	<p>Per Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • Any work done within the road right-of-way shall require an encroachment permit from the Road Maintenance and Operations Division. • Fences associated with drive/entry approaches shall be constructed with a 10-foot by 10-foot corner cutoff each side to promote sight visibility during exit movements. • Gated drive/entry approaches to the site shall be set back a minimum of 20 feet from the ultimate road right-of-way for Thompson Avenue.
4.	<p>Per Site Plan Review Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • The secondary parking lot (phase 2) may be utilized to satisfy required parking prior to completion of said parking lot. That portion of the secondary parking lot utilized for parking shall incorporate a dust palliative for dust control until secondary parking lot is constructed. • Asphalt concrete driveway approaches shall be required. Two-way driveways are to be 24 to 35 feet in width.

Notes

	<ul style="list-style-type: none"> • Driveway widths greater than 35 feet must be approved by the Road Maintenance and Operations Division. • If only the driveways are to be paved, the driveways should be concrete or asphalt concrete paved a minimum width of 24 feet for the first 100 feet off of the edge of the road right-of-way. • All parking and circulation areas not concrete or asphalt concrete paved should be treated with a dust palliative to prevent the creation of dust.
5.	<p>Per Fresno County Department of Public Health, Environmental Health Division, churches currently do not meet the definition of a retail food facility in the California Retail Food Code [CalCode 113789(c)(3)], provided that the church gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three (3) days in any ninety-day period. However, it is recommended that the Applicant consider constructing the kitchen to commercial standards. This would allow future use of the facility for approved community events.</p>
6.	<p>Per the San Joaquin Valley Air Pollution Control District (Air District), the project shall pay any applicable off-site mitigation fees prior to the issuance of the first building permit and be subject to the following District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished, or removed.</p>
7.	<p>Per the Development Engineering Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan is required to show how the additional storm water run-off generated by the proposed development will be handled without adversely impacting the adjacent properties. • A Grading Permit or Voucher is required for any grading proposed with this application.
8.	<p>Per the Fresno Metropolitan Flood Control District:</p> <ul style="list-style-type: none"> • The project site lies within the District's Drainage Area "DP" and shall be subject to applicable District fees prior to issuance of building permits. • All additional run-off generated by the project shall stay on site in a temporary on-site storm water storage facility as required by the County and once permanent FMFCD facilities become available, drainage can be directed to the street. • FMFCD shall review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. • Redbank Creek Tributary No. 10 (natural stream course) traversing the easterly and southerly perimeter of the proposed development shall be protected and preserved as part of the proposed development. • Modification or relocation of the channel shall require compliance with the regulations of California Fish & Wildlife, Regional Water Quality Control Board and the U.S. Army Corps of Engineers. • A Clean Water Act Section 404 permit application if prepared for the project shall be reviewed by the FMFCD. • Construction activity, including grading, clearing, grubbing, filling, or excavation that results in a disturbance one acre or more of total land area shall require a storm water discharge permit in compliance with the US Environmental Protection Agency's National Pollutant Discharge Elimination System regulations, secured by filing a Notice of Intent (NOI) for the State General Permit for Construction Activity with the State Water Resources Control Board.

Notes	
9.	The proposal shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Protection District for review and approval. The Applicant shall submit evidence that their Plans were approved by the Fresno County Fire Protection District, and all fire protection improvements shall be installed prior to occupancy being granted for the use. The project may also be subject to joining the Community Facilities District (CFD).
10.	Fresno Irrigation District's active Redbanks No. 388 runs southwesterly, crosses Ashlan Avenue approximately 650 feet northwest and Thompson Avenue approximately 1300 feet north of the subject property. All plans for any street and/or utility improvements along Ashlan Avenue, Thompson Avenue, or in the vicinity of the pipeline crossing shall require FID's review and approval.

EA:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\DRA\4400-4499\4431 - See VA 4009\SR\DRA4431 VA 4009 Conditions & PN (Ex 1).docx

LOCATION MAP

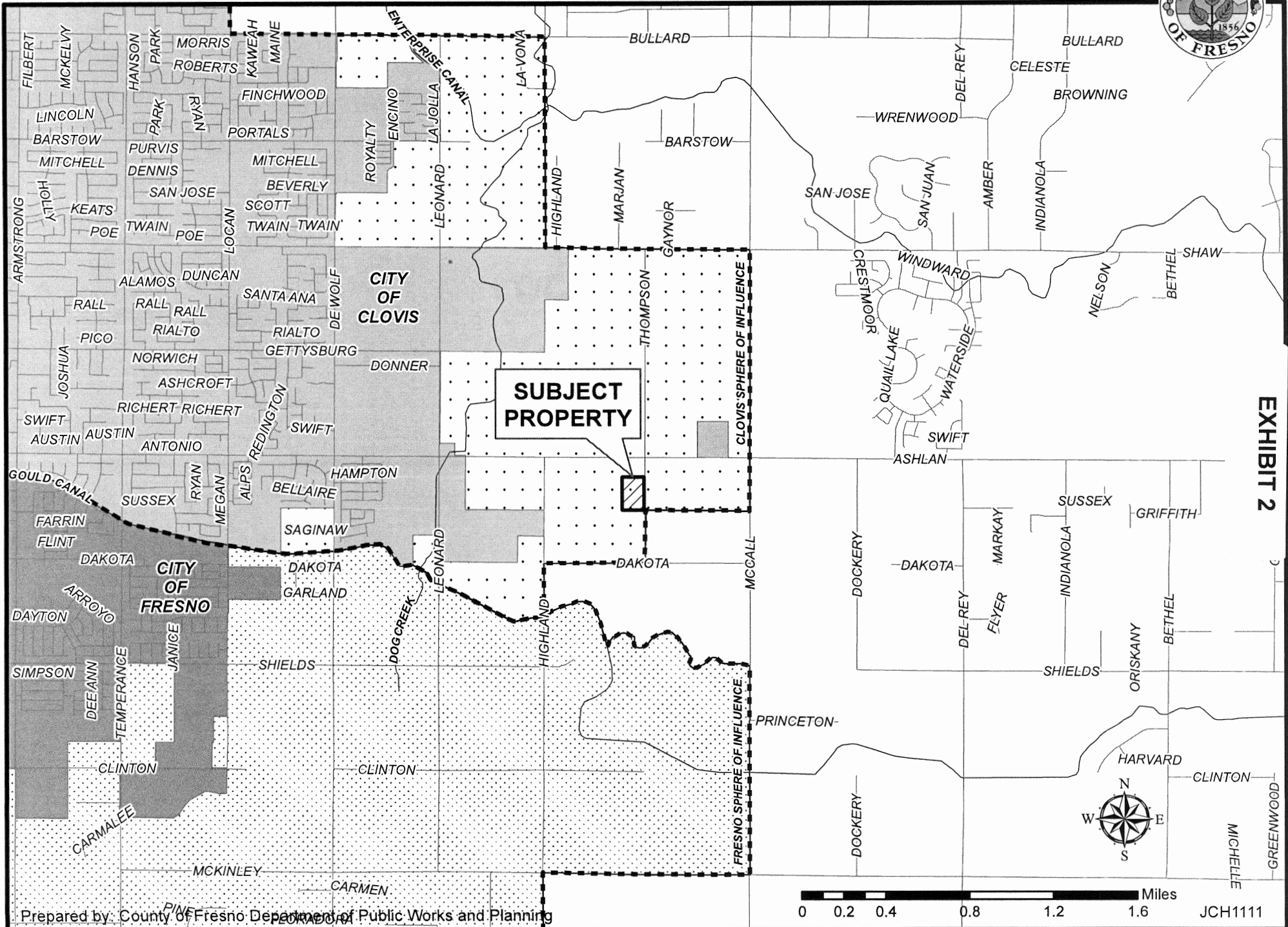


EXHIBIT 2

EXISTING ZONING MAP

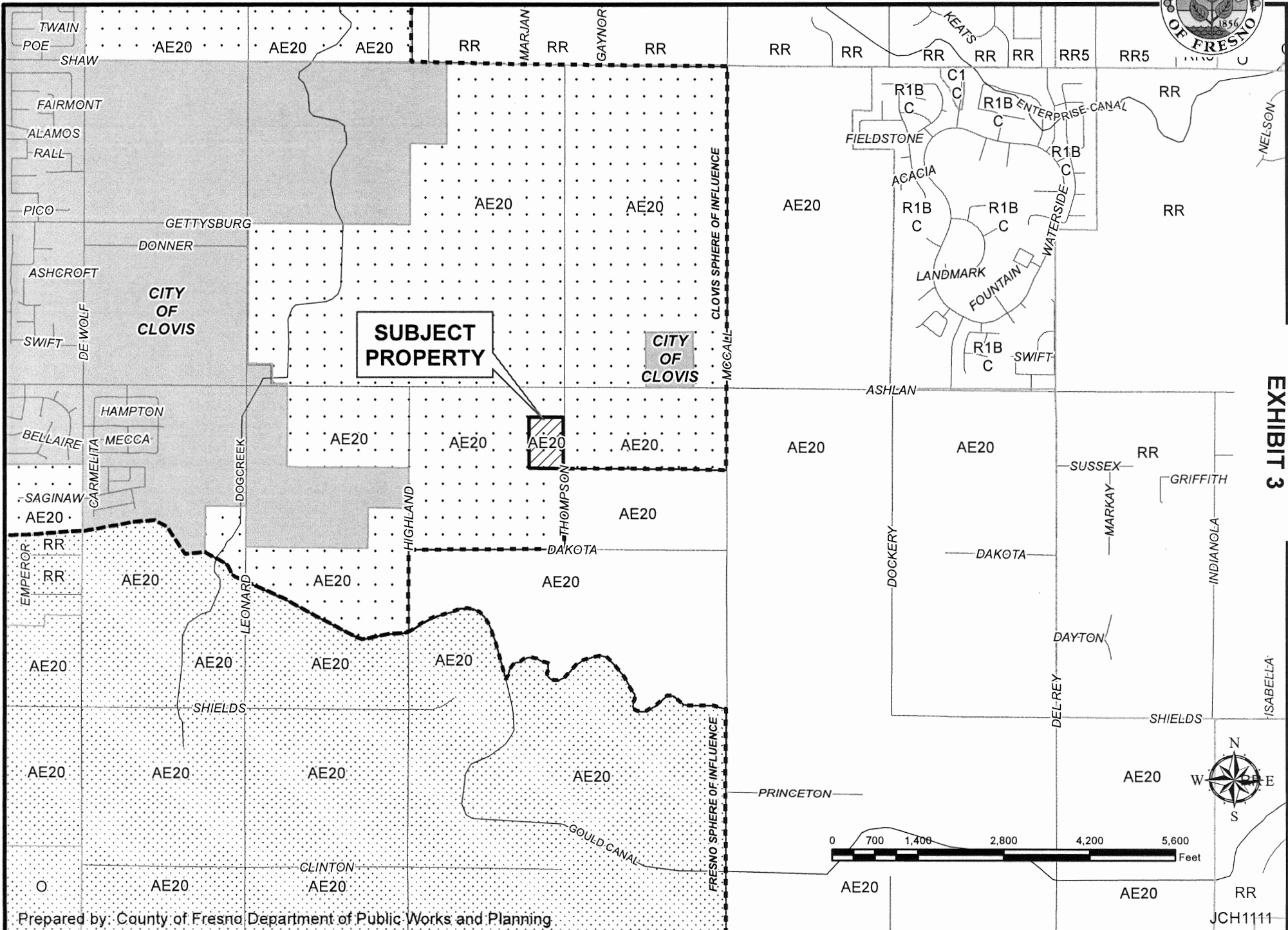
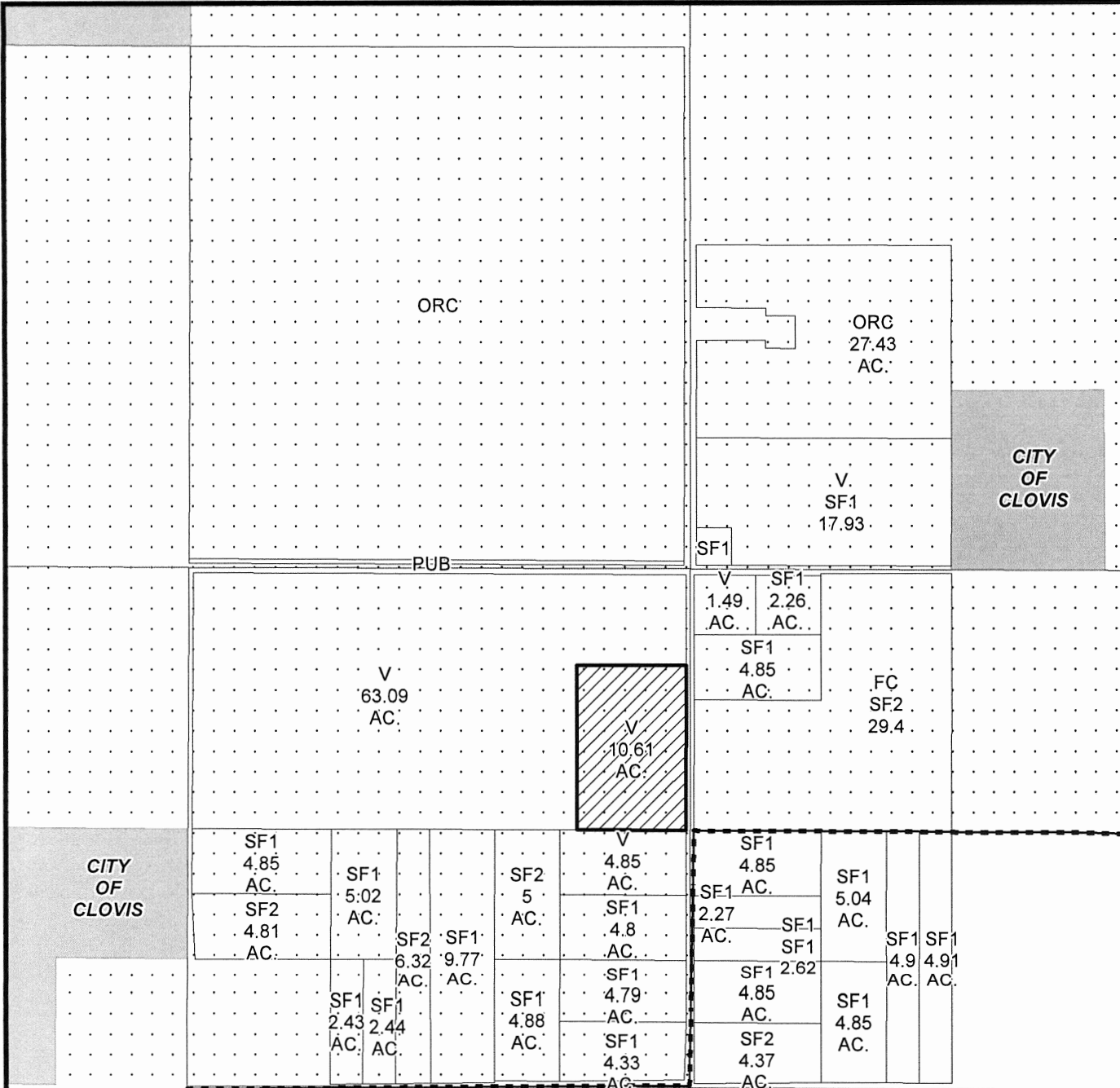


EXHIBIT 3

EXISTING LAND USE MAP



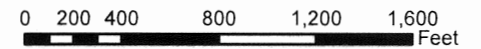
LEGEND

- FC - FIELD CROP
- ORC - ORCHARD
- PUB - PUBLICLY OWNED
- SF#- SINGLE FAMILY RESIDENCE
- V - VACANT

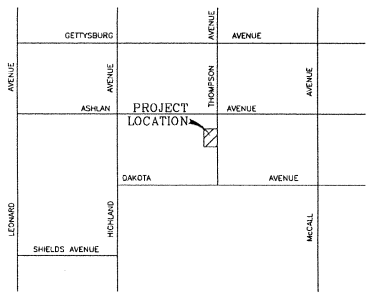
LEGEND:

Subject Property

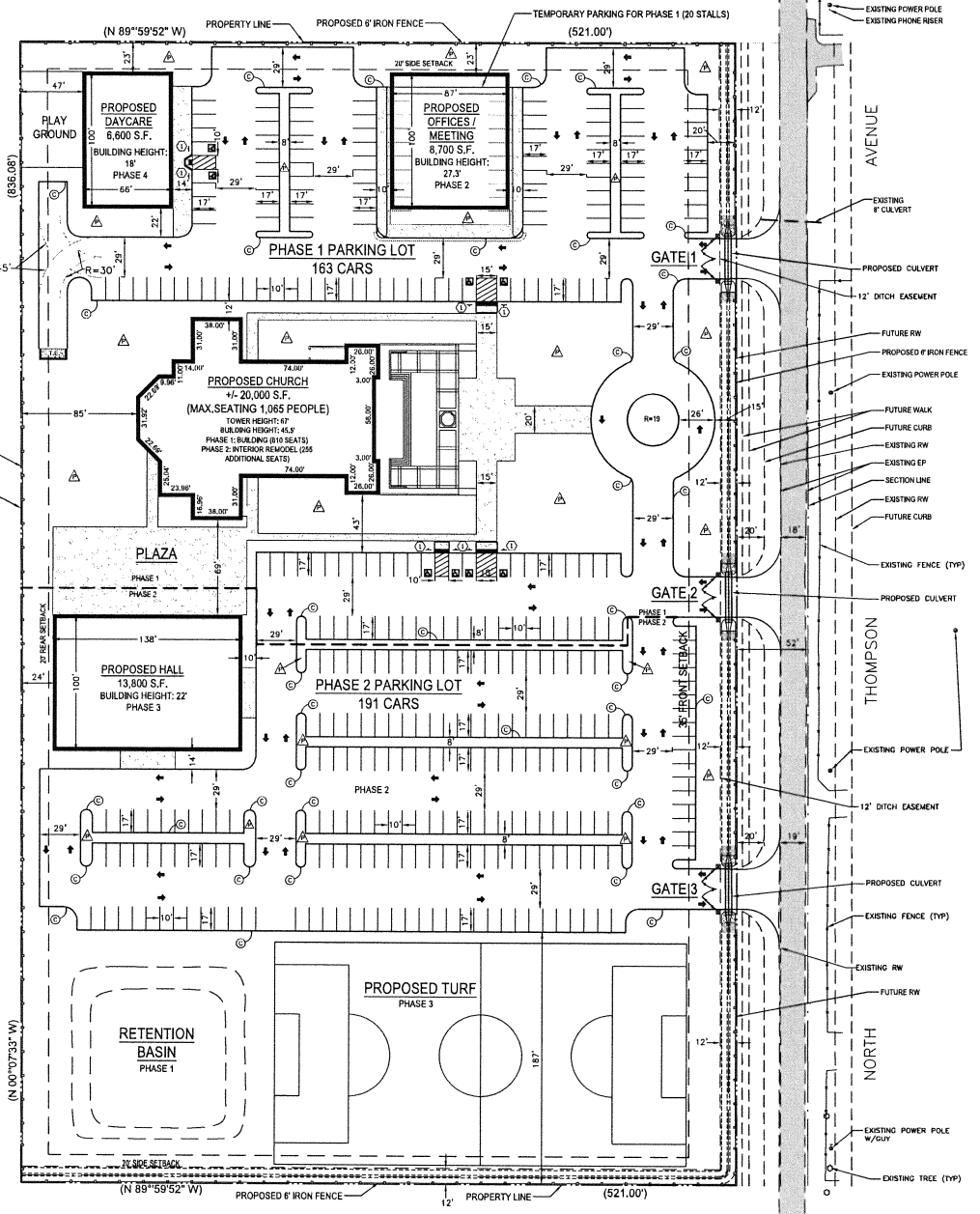
EXHIBIT 4



Department of Public Works and Planning
Development Services Division



VICINITY MAP

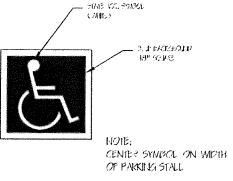


GENERAL NOTES

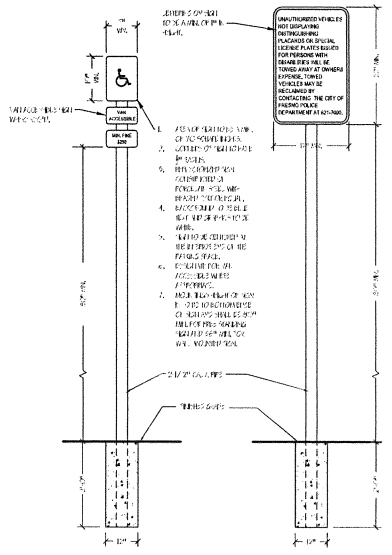
- ON-SITE LIGHTING TO BE MOUNTED TO BUILDINGS AND DIRECTED IN A MANNER NOT TO SHINE ON ADJACENT PROPERTY.

LEGEND

- EXISTING PAVEMENT
- PHASE LINE
- PROPOSED LANDSCAPING
- PROPOSED 6" CURB
- INTERNATIONAL ACC SYMBOL & TOW-AWAY WARNING NOTICE POSTED ON 7' HIGH SIGN, TYP. SEE DETAIL THIS SHEET
- INTERNATIONAL ACC SYMBOL SEE DETAIL BELOW



INTERNATIONAL ACC SYMBOL DETAIL



INTERNATIONAL ACC SIGN DETAIL

LEGAL DESCRIPTION

PARCEL 3 OF PARCEL MAP NO. 8101 IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, A THE MAP THEREOF RECORDED IN BOOK 71 OF PARCEL MAPS AT PAGES 84-85, FRESNO, CC RECORDS.

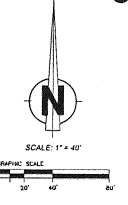
OWNER:
ROMAN CATHOLIC BISHOP OF FRESNO
1550 NORTH FRESNO ST.
FRESNO, CA 93703

EXISTING ZONING:
AE-20

APN:
309-021-25

SITE ADDRESS:
100

TOTAL PARKING STALLS
PHASE 1 PERMANENT STALLS = 163
PHASE 1 TEMPORARY STALLS = 20
PHASE 2 PERMANENT STALLS = 191
TOTAL PERMANENT STALLS = 354



SITE PLAN

APPLICANT
DIVINE MERCY CATHOLIC CHURCH
2525 SULLIVAN AVE., STE. 241
CLONIS, CA 93611
559-737-0284

DATE: 1-18-17 SCALE: 1"=40'

Revisions Table:

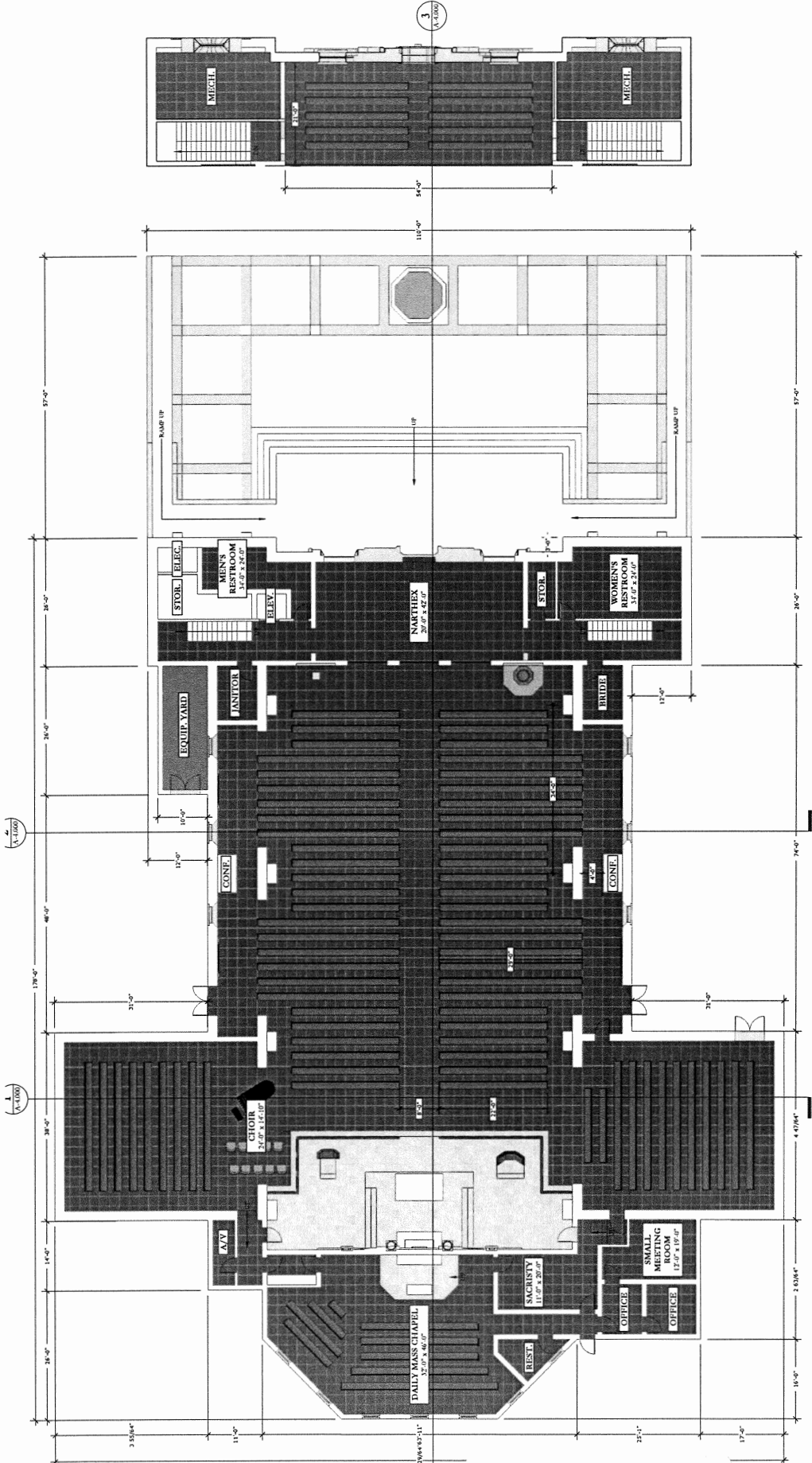
REVISIONS	SHEET NO.
	1
	OF
	1

Harbour & Associates
Civil Engineers
388 Civic Avenue, Suite 300 • Clovis, California 93612
(559) 325-7878 • Fax (559) 325-7899

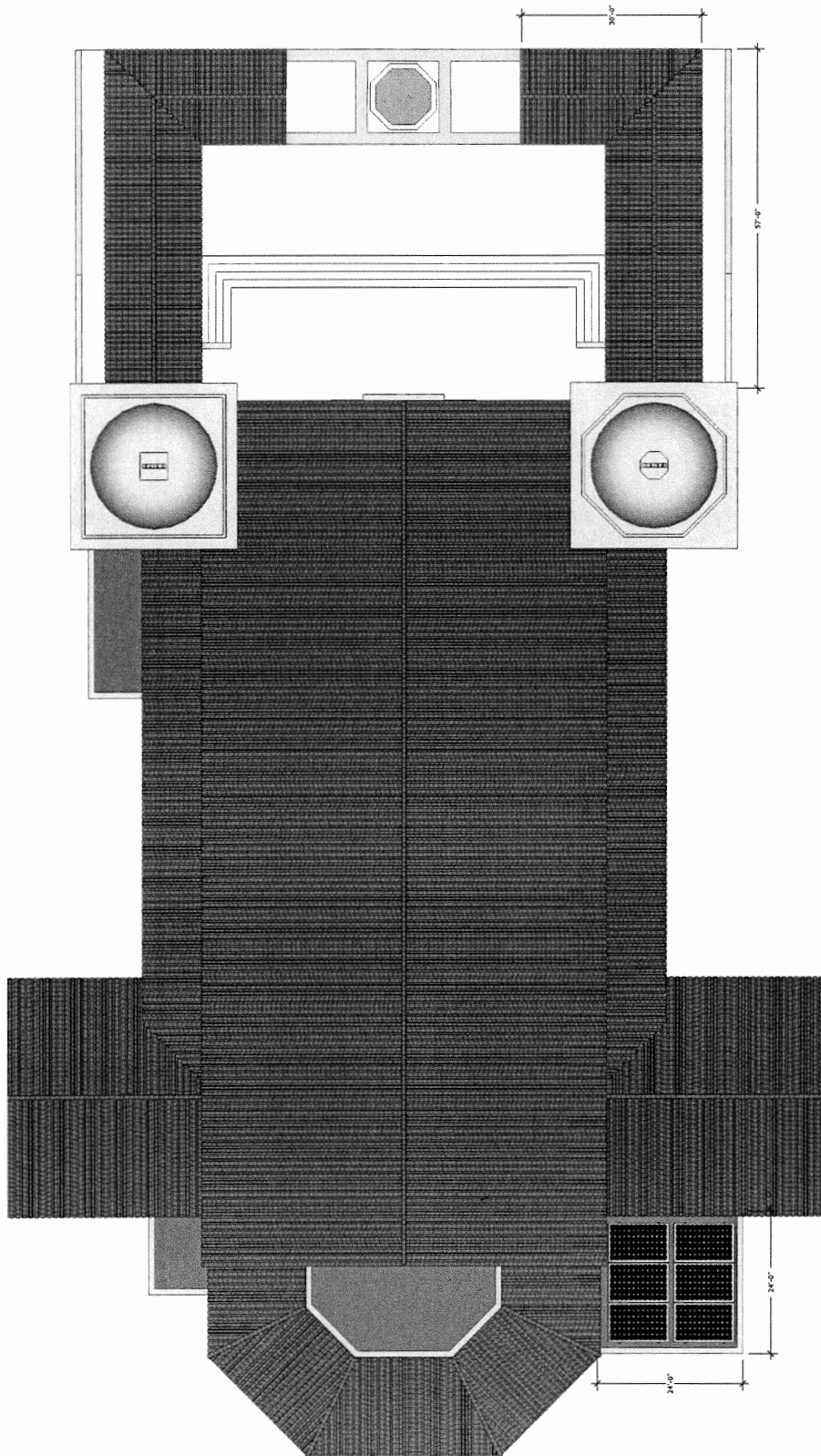
SITE PLAN

EXHIBIT 6

No. 110 (Rev. 10/15)
 ARCHITECTURAL DRAWING
 FLOOR PLAN
 SCALE: 1/8" = 1'-0"

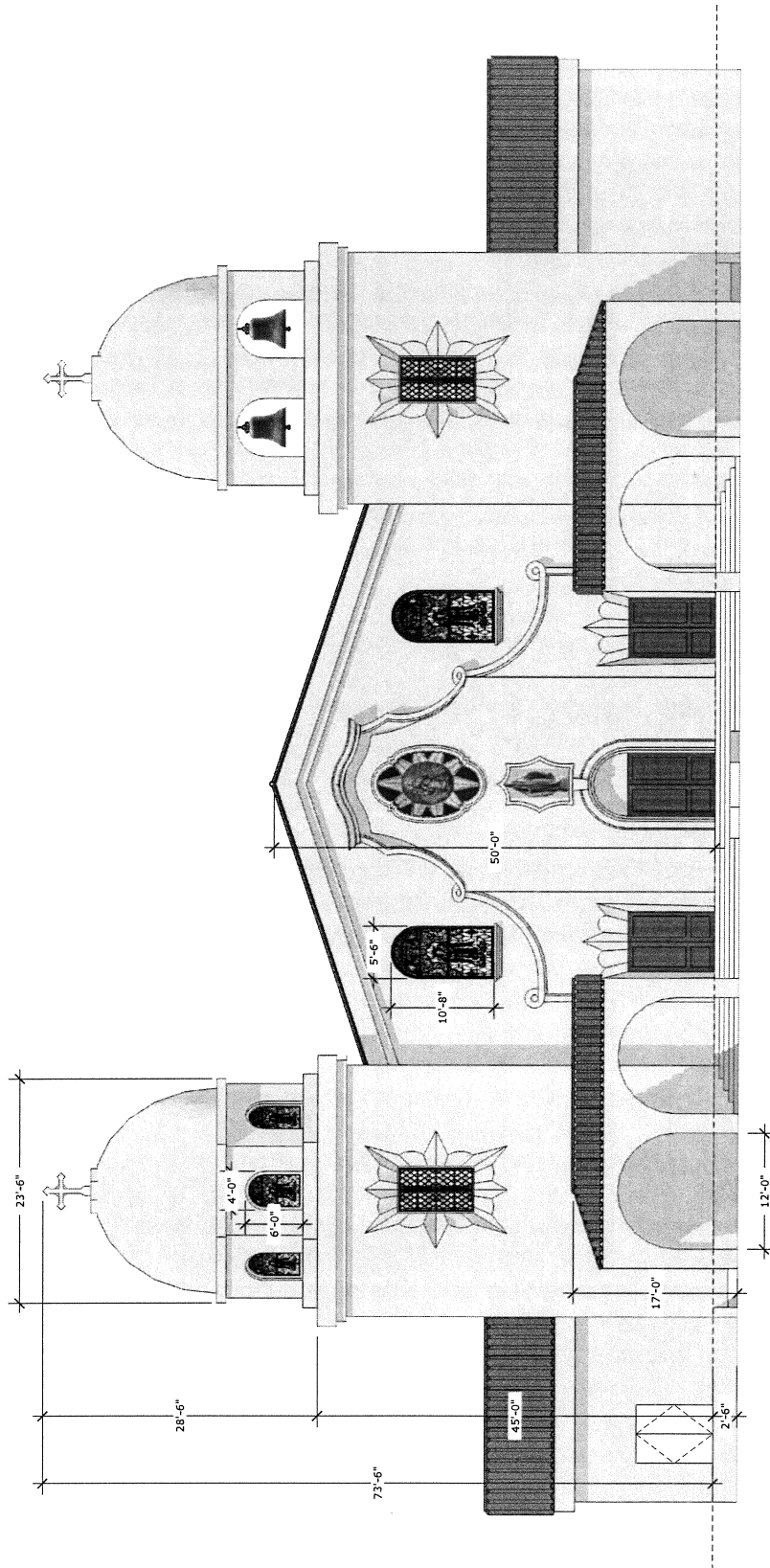


FLOOR PLAN (PROPOSED CHURCH)

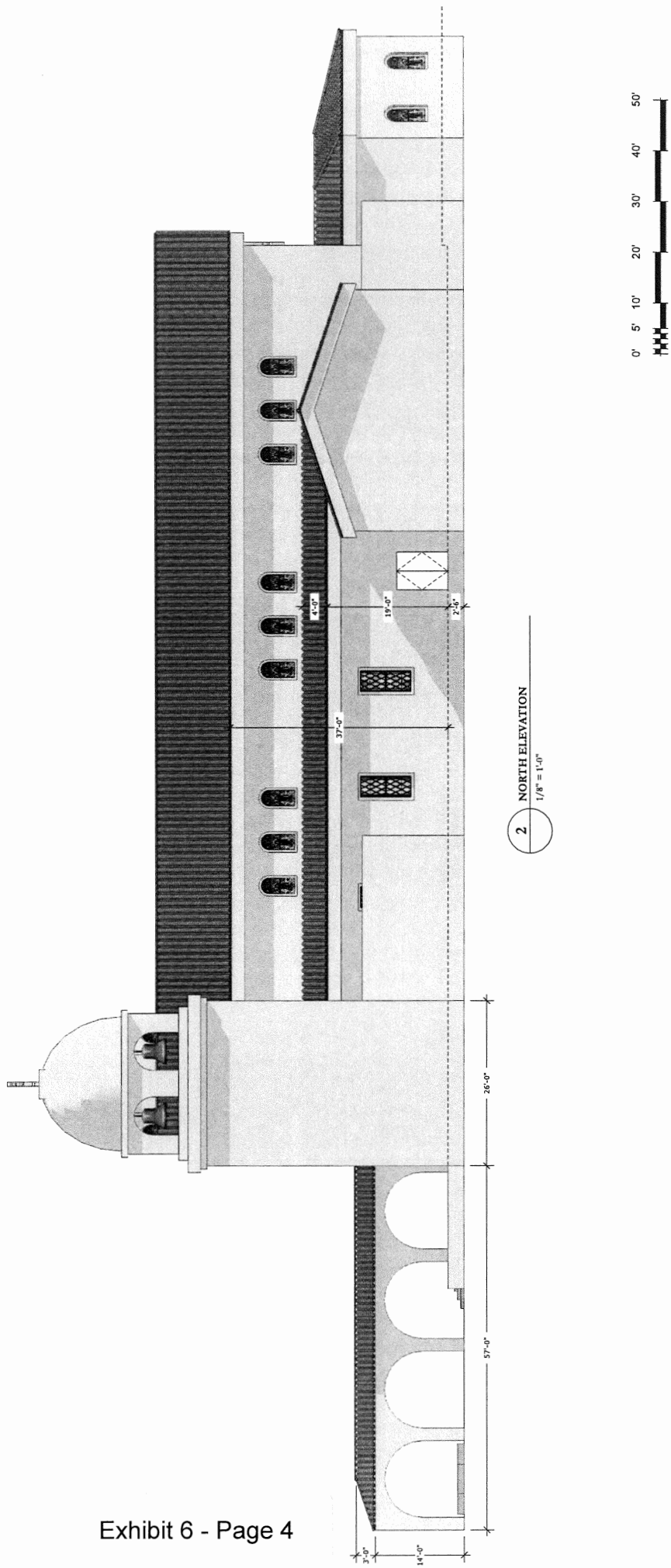


1 ROOF PLAN
1/8" = 1'-0"

ROOF PLAN (PROPOSED CHURCH)



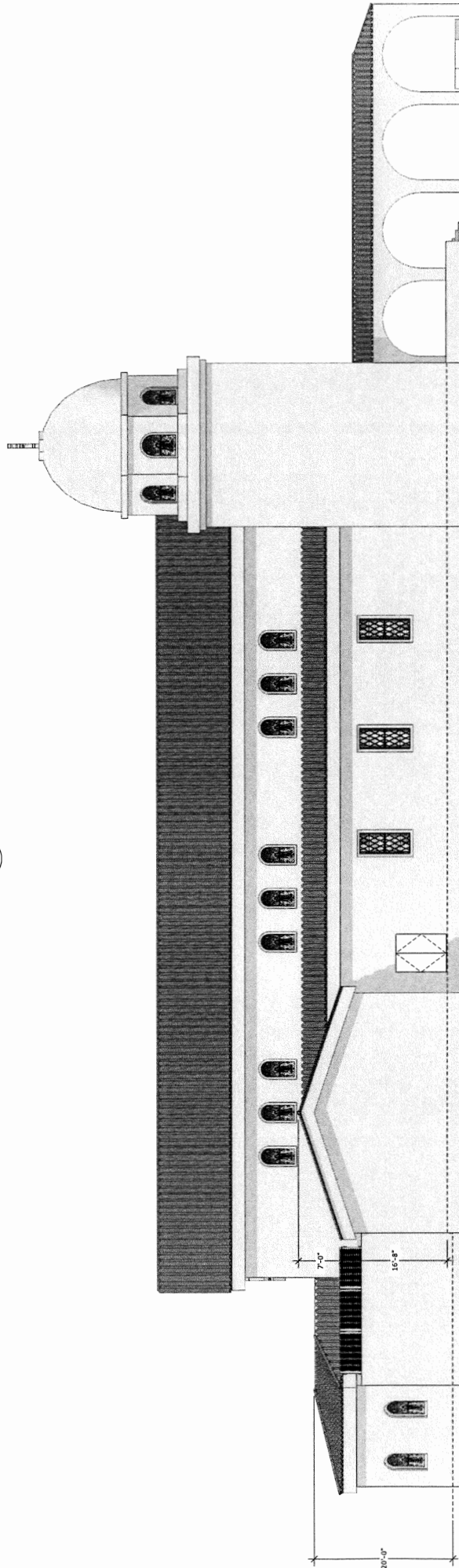
ELEVATION (CHURCH)



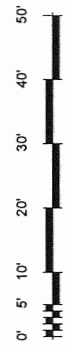
2 NORTH ELEVATION
1/8" = 1'-0"

THESE DRAWINGS AND ANY INFORMATION CONTAINED THEREIN ARE THE PROPERTY OF THE ARCHITECT. NO PART OF THESE DRAWINGS IS TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE RECORD DRAWINGS OR FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR THEREIN. THE ARCHITECT'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE RECORD DRAWINGS OR FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR THEREIN.

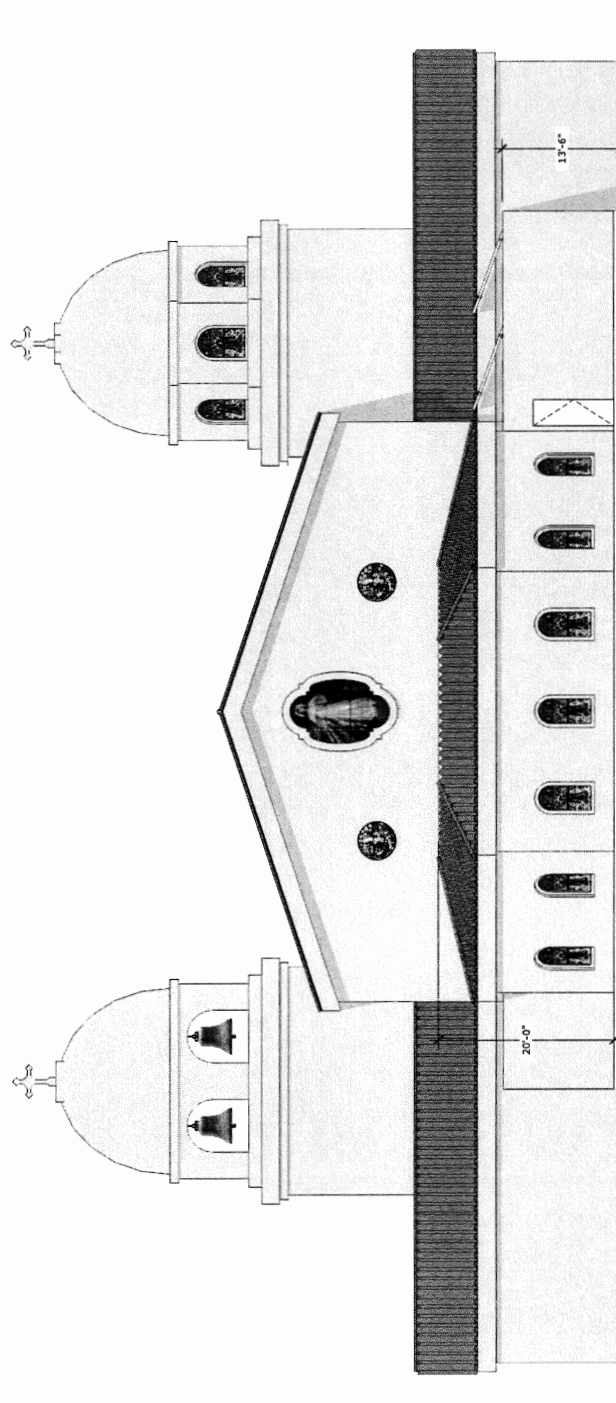
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"

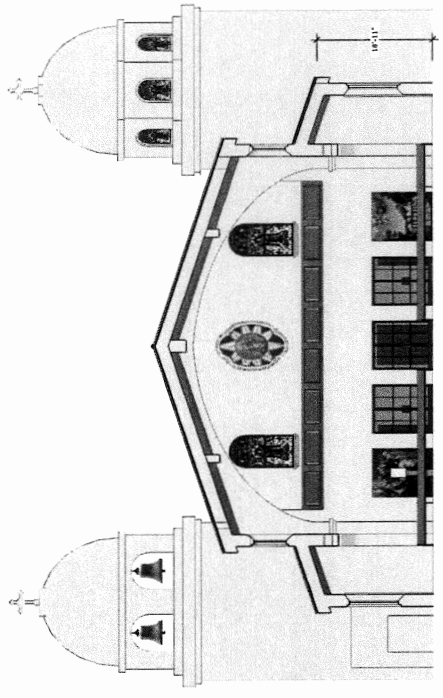


THIS DRAWING IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THESE TERMS APPLY TO ALL REPRODUCTIONS OF THIS DRAWING.

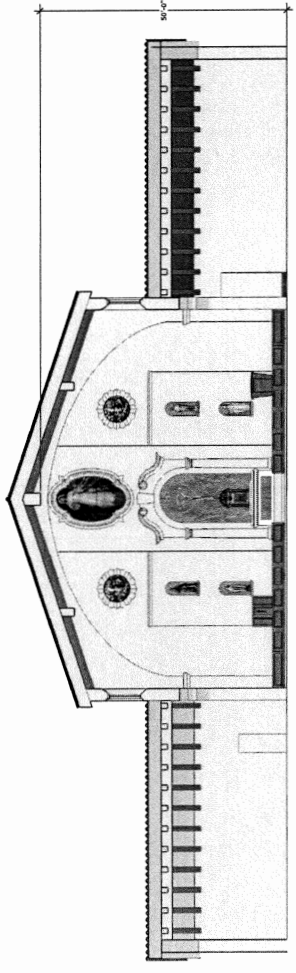


1 WEST ELEVATION
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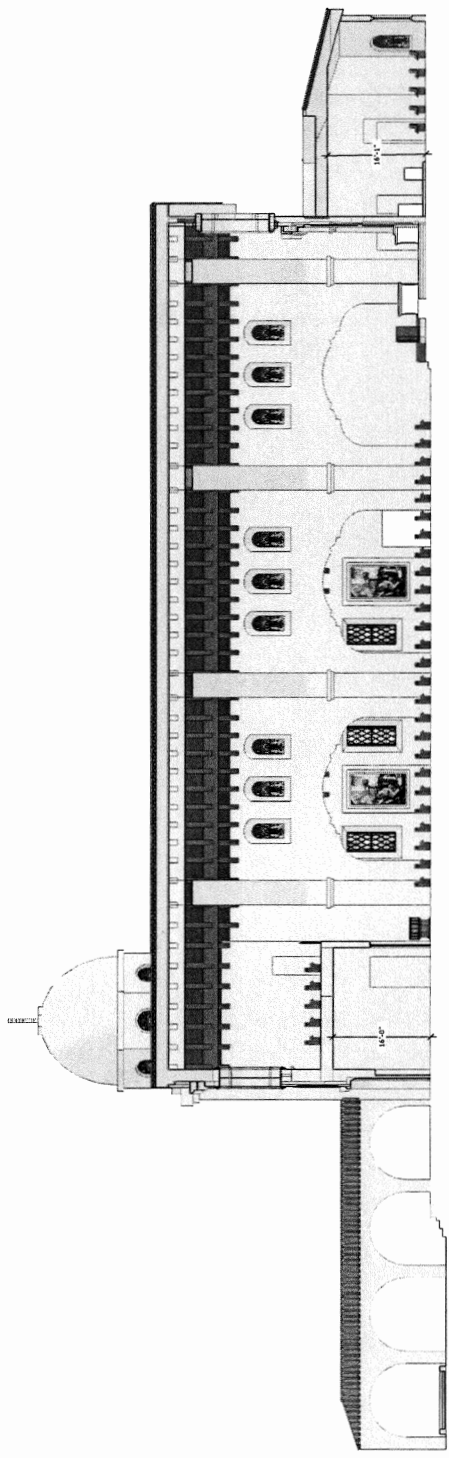
8



2 BUILDING SECTION
1/8" = 1'-0"



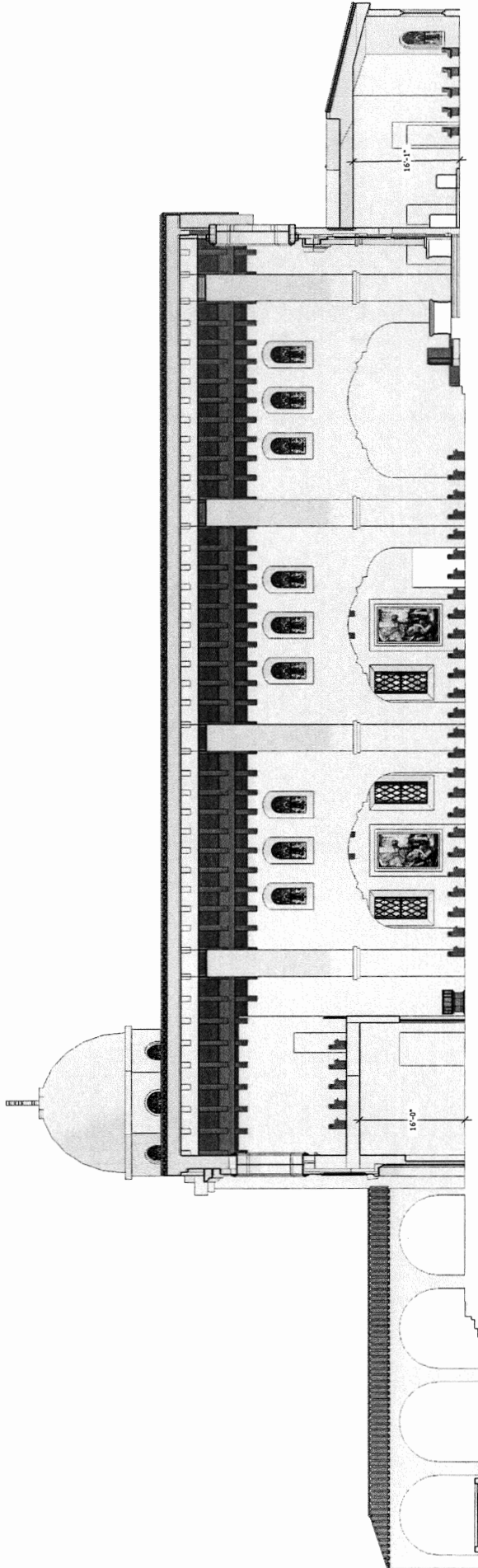
1 BUILDING SECTION
1/8" = 1'-0"



3 BUILDING SECTION
1/8" = 1'-0"

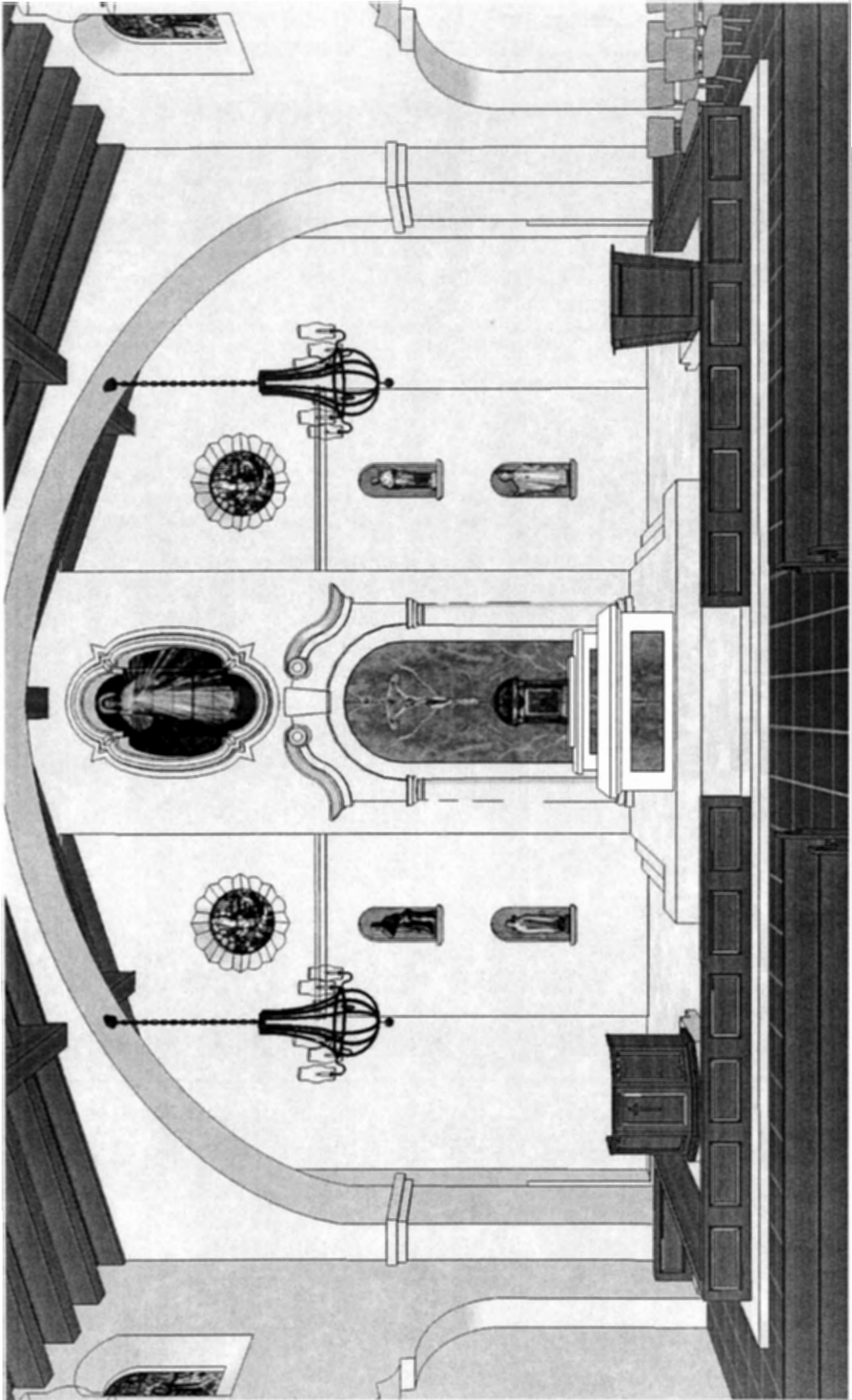


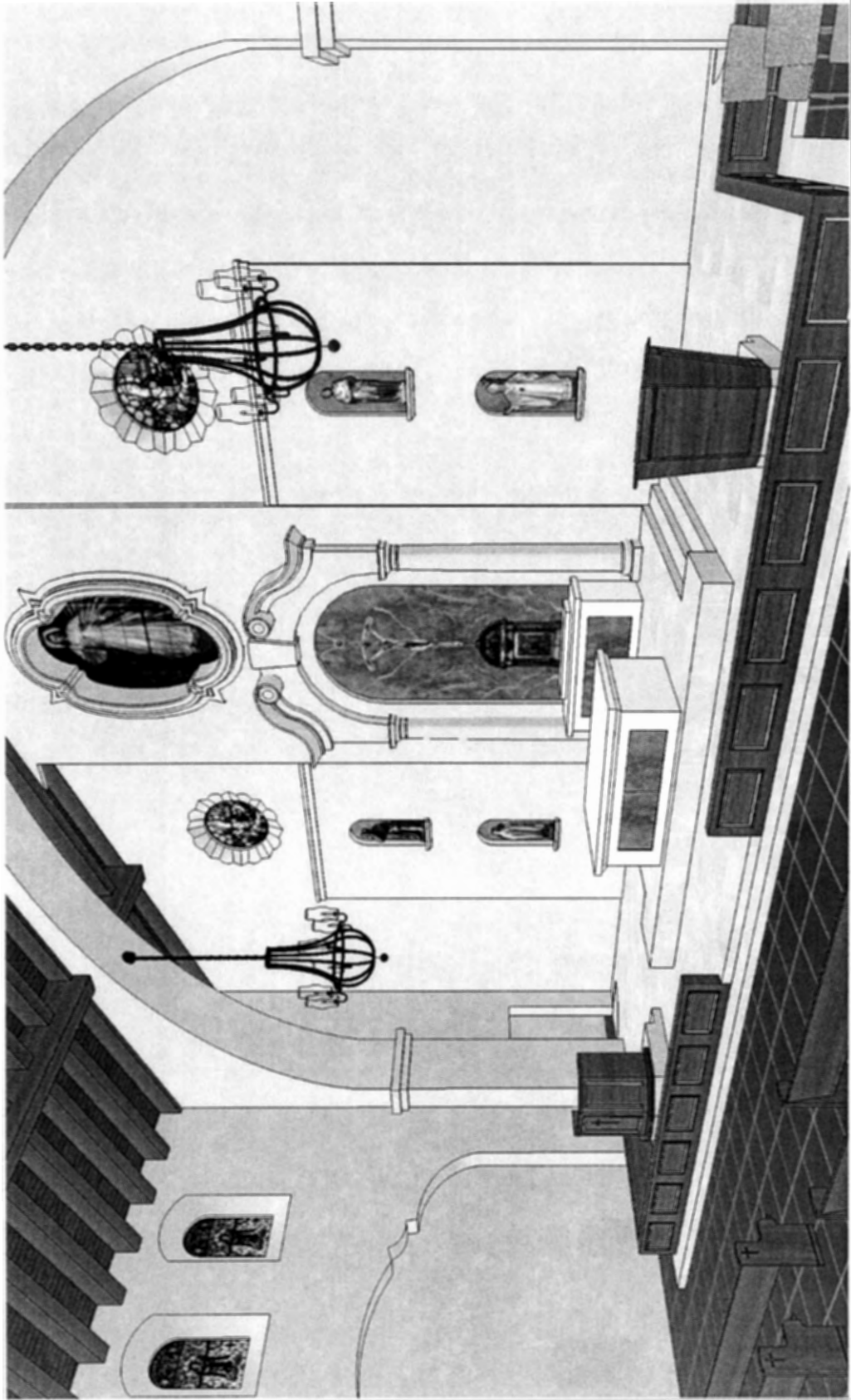
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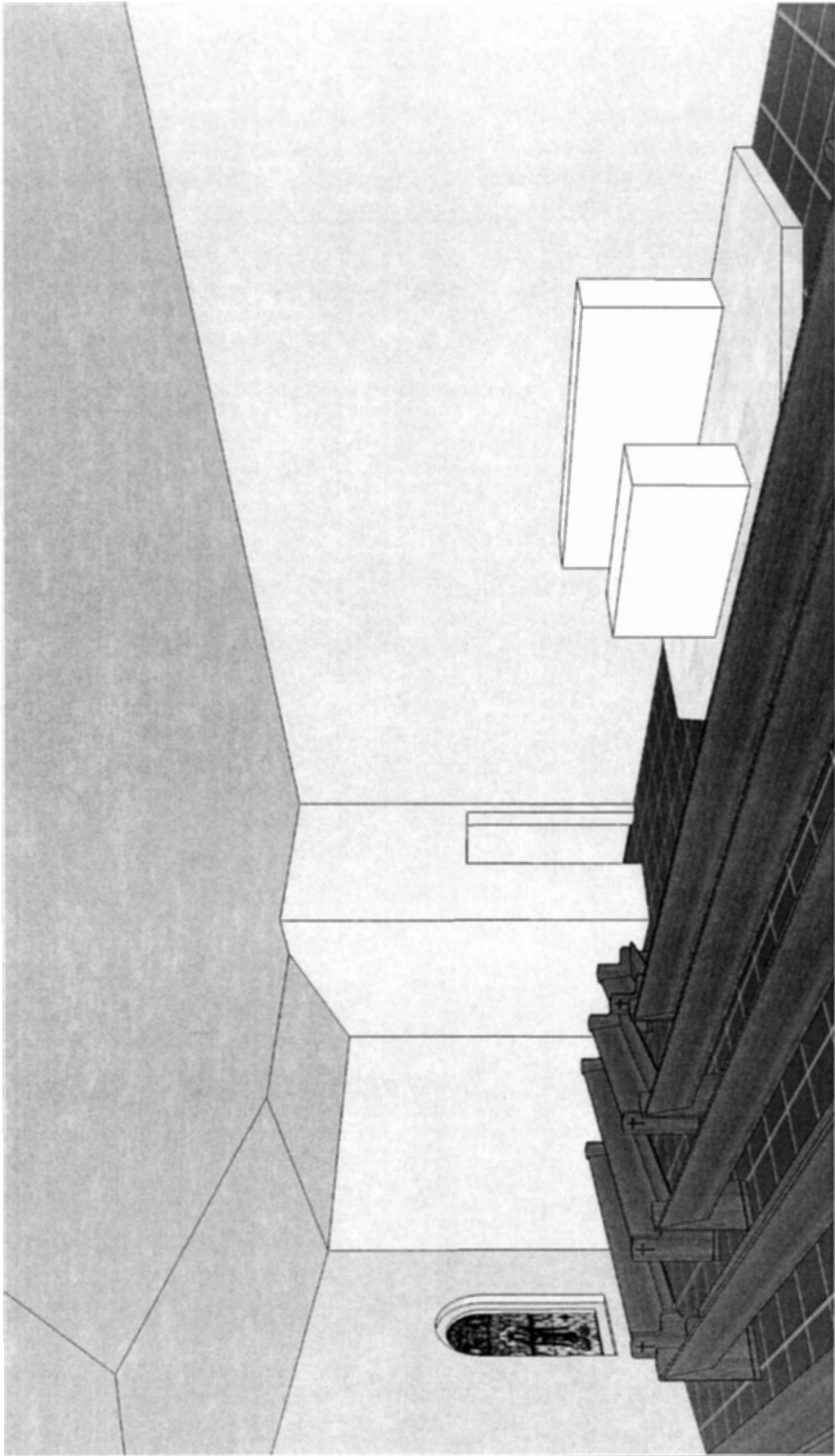
3 BUILDING SECTION
1/8" = 1'-0"





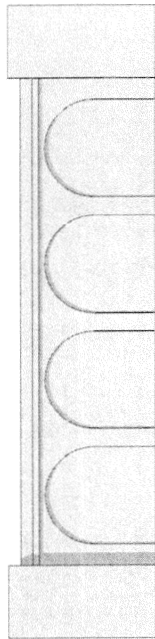
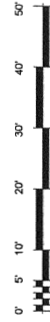




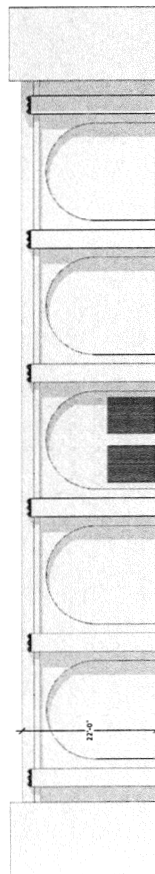


PROPOSED HALL

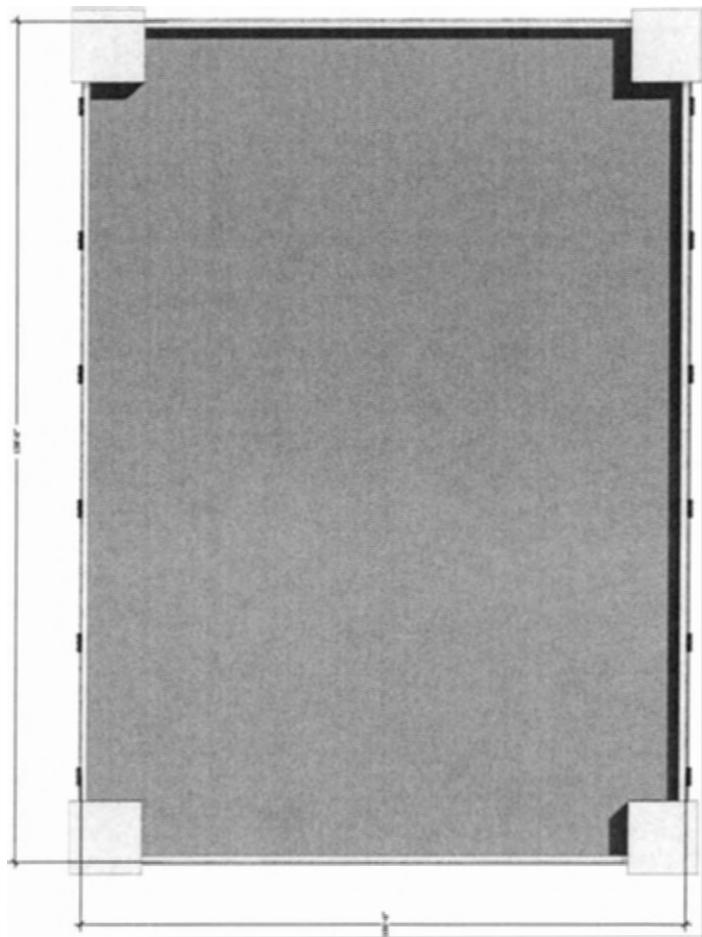
SCHEMATIC DESIGN
 JANUARY 18, 2018



2 ELEVATION 2
 1/8" = 1'-0"



1 ELEVATION 1
 1/8" = 1'-0"



3 ROOF PLAN
 1/8" = 1'-0"

NOTES: 1. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AS SHOWN ON THESE PLANS. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE PRIOR TO CONSTRUCTION. 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND ADJACENT STRUCTURES DURING CONSTRUCTION. 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC AREAS AT ALL TIMES. 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL TREES AND LANDSCAPE FEATURES TO REMAIN. 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE. 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LABOR AGREEMENTS. 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SAFETY PERMITS. 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAFFIC CONTROL PERMITS. 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY NOISE ABATEMENT PERMITS. 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY AIR QUALITY PERMITS. 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY WATER QUALITY PERMITS. 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SOIL QUALITY PERMITS. 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SEWER QUALITY PERMITS. 16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY GROUNDWATER QUALITY PERMITS. 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY AIR POLLUTION PERMITS. 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY NOISE POLLUTION PERMITS. 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY VIBRATION PERMITS. 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY OTHER PERMITS AS REQUIRED BY LOCAL, STATE, AND FEDERAL REGULATIONS.

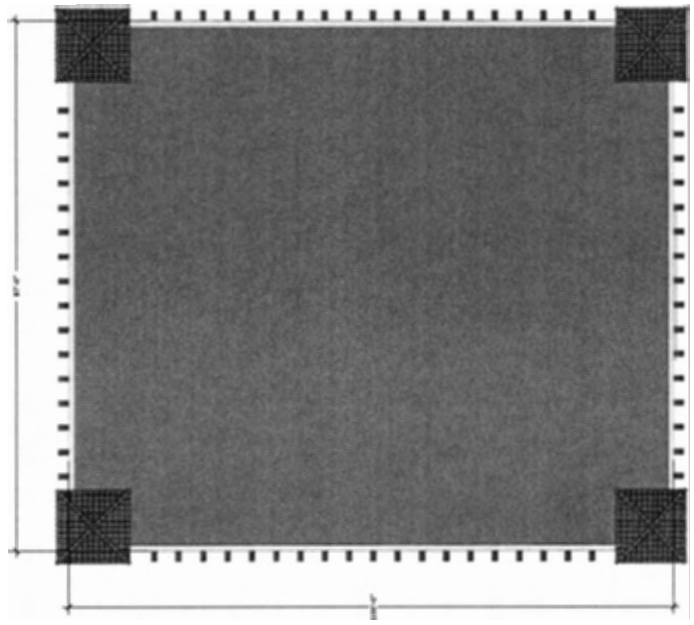
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PROJECT NAME	AUXILIARY BUILDING
PROJECT ADDRESS	1455 CHURCH ST. WALKER, CA 94791
DATE	1/14/16
SCALE	1/8" = 1'-0"
DESIGNED BY	AS
DRAWN BY	AS
CHECKED BY	
DATE	
SCALE	
PROJECT NO.	
PROJECT NAME	
PROJECT ADDRESS	
DATE	
DESIGNED BY	
DRAWN BY	
CHECKED BY	
DATE	
SCALE	

DIVINE MERCY
CLOVIS, CALIFORNIA

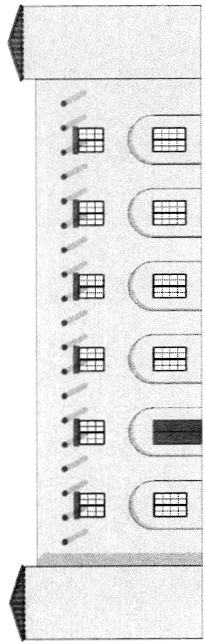


1455 CHURCH ST., WALKER, CA 94791
 DIVINE MERCY
 CLOVIS, CALIFORNIA
 www.harrison-design.com

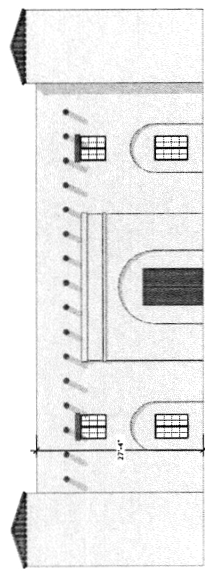
PROPOSED OFFICE/MEETING



3 ROOF PLAN
1/8" = 1'-0"



2 ELEVATION 2
1/8" = 1'-0"



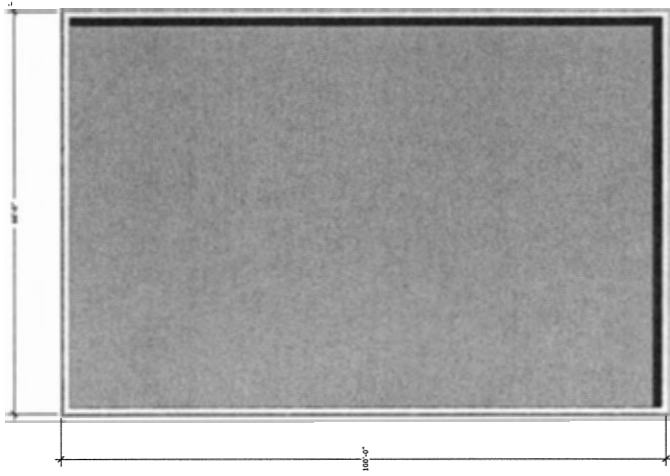
1 ELEVATION 1
1/8" = 1'-0"

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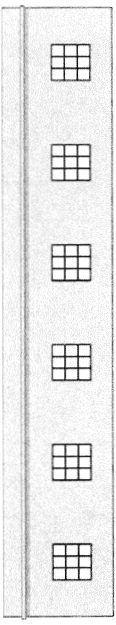
SCHEMATIC DESIGN
January 14, 2016



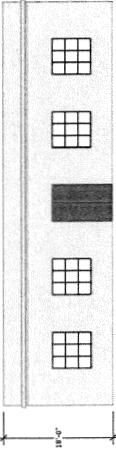
3 ROOF PLAN
1/8" = 1'-0"



2 ELEVATION 2
1/8" = 1'-0"



1 ELEVATION 1
1/8" = 1'-0"



DIVINE MERCY
CLOVIS, CALIFORNIA

PROPOSED DAYCARE



115 COMPTON AVENUE, SUITE 100
CLOVIS, CALIFORNIA 95326
TEL: 530.833.1111
WWW.HARRISONDDESIGN.COM

ARCHITECT
115 COMPTON AVENUE, SUITE 100
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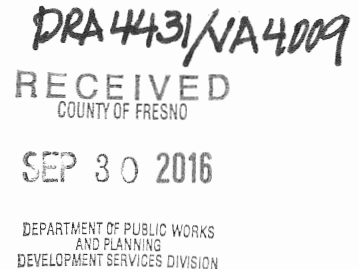
EXHIBIT 7



Office Address: 2525 Alluvial Ave., Suite 241, Clovis, CA 93611
(559) 374-2242 (559) 797-0284 • Fax: (559) 294-5906

September 14, 2016

The County of Fresno
Department of Public Works and Planning
Development Services Division
2220 Tulare Street, Suite A
Fresno, California 93721



Operational Statement Information

The proposed project consists of the construction of a Roman Catholic Church and related buildings on a currently vacant 10 parcel, located on the west side of Thompson Avenue and south of Ashlan Avenue (APN 309-021-25). The main church will exceed 35' in height and will require a variance. A 6' block wall will be constructed along the west property line. 6' wrought iron fencing will be installed along the north, south and east property lines. The church will be in operation seven (7) days a week, Monday through Sunday. The hours of operation will be from 7:00 am to 8:00 pm. There will be 2 to 8 employees on-site during open hours. There will not be any on-site living quarters. Access to this site will be through 3 proposed gates on Thompson Avenue. It is anticipated that there will be at least one delivery a day from USPS, FED EX, UPS, etc. We expect 40 to 60 visitors per day, Monday through Friday, approximately 400 visitors on Saturdays, depending on the function. There will be two masses on Sunday with approximately 500 visitors per mass with phase 1 and approximately 255 additional visitors per mass with phase two. At build out there will be 354 permanent parking stalls, of which 8 will be accessible stalls. There will be two proposed buildings, one will be a gift shop and one will be a meeting hall which will include a kitchen. Office supplies and general cleaning supplies will be stored within the buildings. The office supplies and cleaning supplies for the proposed daycare will be stored within a locked cabinet, locked closet or locked room. The use of this site for a church will not generate noise, dust, odor or glare. Solid Waste generated by this project will consist of paper, plastic, glass, minimal food waste and diapers. There will also be green waste from landscape maintenance. We will connect to the City of Clovis' municipal sewer and water system. The anticipated water demand will be 200 gallons per day. Other utilities; gas, electric, telephone and cable TV will be extended to this site. Two monument signs will be proposed near the frontage of Thompson Avenue. Other on-site signage will consist of building addresses, building identification, parking lot directional signs and accessible parking signage. Parking lot lighting is proposed, locations to be determined. All lighting will be directed inward and will not shine on adjacent properties. The proposed monument signs may be lighted (either back lit or lighting facing the monument). A bell tower is proposed; no operational bells are being requested. Drought tolerant landscaping will be installed in all planters. Trees will be installed for parking lot shading. There is a proposed play field that will utilize turf.

Phasing will be developed as follows:

Phase 1

Phase one consists of the construction of the main church building (+/- 20,000 sf) with 810 seats, gates 1 and 2, 176 permanent parking stalls, 22 temporary parking stalls, masonry wall, wrought iron fencing, parking lot lighting, monument signs, parking lot signage, walkways and a ponding basin for onsite drainage. The temporary parking stalls will be in a paved area where the phase 2 proposed offices/meeting building is shown.

Phase 2

Phase two will consist of adding; 255 seats to the main church building, construction the proposed 8,700 sf office/meeting building, gate number 3, the remainder of the permanent parking lot (191 additional parking stalls) and the proposed turf play field.

Phase 3

Phase three will consist of construction of the proposed 13,800 sf meeting hall and a portion of the plaza (concrete area) between the main church and the proposed meeting hall.

Phase 4

Phase four will consist of construction of the proposed 6,600 sf daycare. The daycare proposes a maximum of 52 toddlers/children with 9 - 12 teachers. The hours of operation will be from 7:00 am to 6:00 pm, Monday through Friday, except traditionally recognized holidays.

EXHIBIT 8

Variance Findings

- 1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties in the vicinity having the identical zoning classification;**

The subject property is within the City of Clovis Sphere of Influence and is located less than a half mile to the east of the City of Clovis border. If this property were developed in the City of Clovis, a Conditional Use Permit application would be the planning application used for the proposed project and the over-height condition could be approved with the Conditional Use Permit.

The proposed church nave that is proposed 52'-6" high and the bell and cross towers are 76' high. These features are approximately 109' from the west property line, 230' from the north property line, 259' from the east property line and 518' from the south property line. This location is well within the 10 acre parcel and the property to the west is vacant.

The space of the building that is over 35' high is not floor space. Both the overall height and the height-to-width ratio are an essential part of traditional architecture of Roman Catholic Churches and are necessary for the California Mission language of the design.

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

The AE zone district, in which this project is located, has an exception to the 35' maximum building height for non-dwelling structures and other accessory farm buildings. The church is a non-dwelling structure and the over height portion will be more appealing than that of an over-height non-dwelling farming related building. An over-height non-dwelling farming related building would be allowed as an exemption in the current ordinance code.

The design and height of this Roman Catholic Church is consistent with many other Roman Catholic Church designs in the community, especially those based on traditional California Mission architecture.

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

Because of the location of the over-height portion of the structure on this 10 acre parcel, the granting of this variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity.

- 4. The granting of such variance will not be contrary to the objectives of the Fresno County General Plan;**

The proposed church use on this parcel is allowed with a Director Review and Approval. The height of the proposed Catholic Church is consistent other churches in the community. We believe that the additional height proposed with this church will not be contrary to the objectives of the Fresno County General Plan. Furthermore, this site is located within the City of Clovis sphere of influence and is planned for low density residential. Churches are allowed in a low density residential district with approval of a Conditional Use Permit. The over-height could also be approved with the Conditional Use Permit.

VA 4009

RECEIVED
COUNTY OF FRESNO

AUG 01 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Roman Catholic Bishop of Fresno
- APPLICATION NOS.:** Initial Study Application No. 7090, Director Review and Approval Application No. 4431, Variance Application No. 4009
- DESCRIPTION:** Allow a church with a 76-foot building height (maximum 35 feet allowed) with related facilities including daycare in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION:** The project site is located on the west side of N. Thompson Avenue approximately 460 feet south of the N. Thompson Avenue and E. Ashlan Avenue intersection and 1,940 feet east of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APN 309-021-25).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

The project is located in an area comprised of agricultural and residential land uses. Neither the project site nor any surrounding land use contains features typically associated with scenic vistas (*e.g.*, ridgelines, peaks, overlooks) that could be impacted by the project. The project site is currently undeveloped and contains no trees, rock outcropping, or historic buildings. Thompson and Ashlan Avenues that provide access to the site are not designated as scenic drives in the County General Plan. The project will not affect scenic resources.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails construction of a church facility and related improvements on a 10.61-acre parcel. Phase I of the development includes a 20,000 square-foot church

building, storm water retention basin and parking; Phase 2 includes a 8,700 square-foot offices/meeting building and parking; Phase 3 includes a 13,800 square-foot hall, plaza, and a turf/soccer field; and Phase 4 includes a 6,600 square-foot daycare building. Related improvements include paved access to the site and block/iron fencing around the property.

The proposed buildings would range 18 feet to 27 feet in height. However, the church building would be 48 feet in height and with two minarets attached to it; the proposed height would reach 76 feet, exceeding the 35-foot maximum building height allowed in the AE-20 Zone District. This increase in the building height is subject to the approval of Variance Application No. 4009. The elevations provided indicate that the church building and other structures will be architecturally similar and the church will be set back approximately 260 feet from Thompson Avenue.

Surrounding land uses include orchards with a single-family home to the north and west and single-family residences to the east and south. Staff notes that proposed annexation and additional residences developed in the City of Clovis are proposed in proximity to the site. Visual impacts to neighboring properties are expected to be less than significant, as the tallest building on the property (church building) will be approximately 493 feet from the nearest single-family residence to the east, and 1,000 feet from the nearest single-family residence to the south. Further, the site will be provided with six-foot-tall iron fencing along the north, east and south property line and block wall fencing along the west property line. Section 855-E.3.a. of the County Zoning Ordinance requires landscaping be provided and maintained along the front yard of church properties. The provision of landscaping along the project site's Thompson Avenue frontage coupled with perimeter fencing will help screen the visibility of the proposal from the public road and surrounding properties. Said landscaping will meet the City of Clovis landscaping requirements for width, type of plantation, and irrigation system. This landscaping requirement will be included as a Condition of Approval.

- D. Would the project 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 utilize outdoor lighting that has the potential of generating new sources of light and glare in the area. To minimize lighting impact, a mitigation measure would require all lighting to be hooded and directed as to not shine toward adjacent properties and public streets.

* **Mitigation Measure:**

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

The project's Phase I and Phase 2 parking sits approximately 310 feet west of the nearest single-family residences on adjacent parcels. The proposed landscaping along Thompson Avenue frontage will help block much of automobile headlight glare from

shinning onto the residences. However, Phase 2 parking is approximately 712 feet north of the nearest existing single-family residences on adjacent parcels. At that distance, impact of automobile headlight glare on the residences is expected to be less than significant.

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?

FINDING: NO IMPACT:

The project is not in conflict with agricultural zoning and is an allowed use on land designated for agriculture with discretionary land use approval and adherence to the applicable General Plan Policies. The subject parcel is classified as Farmland of Local Importance on the 2010 Fresno County Important Farmland Map and is not encumbered by a Williamson Act Land Conservation Contract. Also, the subject property is within the City of Clovis Sphere of Influence with proposed residential development in the vicinity.

- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

According to the County Zoning Ordinance, the project site is currently zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size). The proposed church facility is not in conflict with the existing zoning and the project site is not an active forest land nor does it support trees that may be commercially harvested.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is designated Agriculture in the Fresno County General Plan and is located within the City of Clovis Sphere of Influence (SOI) and the City of Clovis Loma Vista Specific Plan. The subject proposal is an allowed use in the County General Plan and the City's Specific Plan.

The Fresno County Agricultural Commissioners' Office reviewed the project and requires that the Applicant shall acknowledge the Fresno County Right-to-Farm

Ordinance regarding inconveniences and discomfort associated with normal farm activities that occur surrounding the proposed project. This requirement will be included as a Condition of Approval.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District (Air District) the project-specific criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG and 15 tons/year PM10. The project-specific criteria pollutant emissions would have no significant impact on air quality.

However, the project would equal or exceed 9,000 square feet of educational space and therefore would be subject to District Rule 9510 (Indirect Source Review), which requires filing of an Air Impact Assessment (AIA) Application no later than applying for the final discretionary approval, and paying off-site Mitigation Fees prior to issuance of the first grading/building permit. The Applicant has filed an AIA Application (ISR Project Number C-20160209) with the Air District, deemed complete on August 18, 2016. The project will pay any applicable off-site mitigation fees prior to issuance of the first building permit.

The following Air District Rules may also apply to this proposal and will be included as Project Notes: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished, or removed.

- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District did not identify any specific concerns related to odor. As noted above, the project may be subject to District Rule

4102 (Nuisance) which applies to any source operation (including odor) which may emit air contaminants or other materials.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project 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 (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The project site is located in an agricultural area. Additionally, the subject parcel has been historically utilized for agricultural cultivation and therefore has been previously disturbed. This proposal was reviewed by the United States Fish and Wildlife Service, which did not express any concerns related to the project. This proposal was also routed for comments to the California Department of Fish and Game, which also did not express any concerns. Therefore, no impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; 3) Federally-protected wetlands as defined by Section 404 of the Clean Water Act; and 4) the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impediment the use of native wildlife nursery sites.

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

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project 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. However, given the project's proximity to historic Dog Creek channel, a mitigation measure would require that if cultural materials, including human remains, are unearthed during construction, all work is to be halted in the area of the find, and an archeologist shall be called in to evaluate the findings in order to make any necessary mitigation recommendations. Inclusion of this requirement as a mitigation measure will reduce impacts to cultural resources to a less than significant level.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.*

- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will have no impact on tribal cultural resources as defined in Public Resources Code Section 21074 with the aforementioned mitigation measure.

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

The project site is not located within a fault zone.

4. Landslides?

FINDING: NO IMPACT:

The project site contains naturally flat relief which precludes the possibility of landslides on site.

- B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed development will result in compaction and over covering of soil due to construction of buildings, parking and circulation areas. Changes in topography and erosion could also result from grading for the project.

The Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the project and requires the following: 1) an Engineered Grading and Drainage Plan to show how the additional storm water run-off generated by the proposed development will be handled without adversely impacting the adjacent parcels; and 2) a Grading Permit or Voucher for any grading proposed with this application. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located within an area of known risk of landslides, lateral spreading, subsidence, liquifaction, or collapse, or within an area of known expansive soils. No concerns related to soils suitability were expressed by the Development Engineering Section of the Fresno County Department of Public Works and Planning.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and indicated that the project site is within the City of Clovis Sphere of Influence and one half-mile of the current City boundary and therefore shall be connected to the City of Clovis sanitary sewer system. This requirement will be included as a Mitigation Measure. An additional requirement from the Health Department also included as a Mitigation Measure (**in bold**) would require destruction of all water well and septic systems on the property under permit and inspection by the County.

* **Mitigation Measure:**

1. *The proposed facility is within the City of Clovis Sphere of Influence and within one half-mile of the current City boundary. Prior to occupancy, the facility shall connect to the City of Clovis sanitary sewer system. Such connection would require a LAFCo (Local Agency Formation Commission) approval action, abandonment of septic system to City standards, and payment of development fees upon annexation of the site into the City of Clovis.*
2. **If there are existing water wells and septic systems on the parcel, they shall be properly destroyed under permit and inspection by the County of Fresno. For water well destruction, please contact the Environmental Health Division at (559) 600-3271.**

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and expressed no concerns related to the Greenhouse Gas Emissions. The project will adhere to Air District rules discussed in Section III A. B. C. D. (Air Quality) of this report.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school; or
- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The project will not generate or handle hazardous materials. The project site is not located on a hazardous materials site or within one quarter-mile of a school.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or
- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not within an airport land use plan, within two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Fresno Yosemite International Airport, is approximately 4.5 miles southwest of the site.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

The proposed project is located in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project site is adjacent to City of Clovis and outside of any wildland fire area. The project will not expose persons or structures to wildland fire hazards.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section VI. E. Geology and Soils. The project will connect to the City of Clovis sanitary sewer system.

The Regional Water Quality Control Board, Central Valley Region reviewed the proposal and identified no impact on water quality.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject property is within the City of Clovis Sphere of influence (SOI) and within one half-mile of the current City boundary. The State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) reviewed the proposal and requires that the project shall connect to the City of Clovis water system to avoid the need to become permitted as a public water system. The Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the proposal requires the same and so was recommended by the City of Clovis. This requirement that the project shall connect to the City water system will be included as a Mitigation Measure:

* **Mitigation Measure:**

- 1. The proposed facility is within the City of Clovis Sphere of Influence and within one half-mile of the current City boundary. Prior to occupancy, the facility shall connect to the City of Clovis water system. Such connection would require a LAFCo (Local Agency Formation Commission) approval action, abandonment of all water wells to City standards, and payment of development fees upon annexation of the site in the City of Clovis. Such connection may not preclude the need for on-site water storage to meet fire flow/fire safety requirements.*

The Fresno County Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning also reviewed the proposal and did not identify any impact related to water.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site; or
- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the discussion in Section VI. B. Geology and Soils, any changes to the existing drainage pattern resulting from this proposal will require review and approval of an Engineered Grading and Drainage Plan and a Grading Permit or Voucher from the Development Engineering Section of the Fresno Department of Public Works and Planning.

According to Fresno Metropolitan Flood Control District (FMFCD): 1) the project site lies within the District's Drainage Area "DP" and shall be subject to applicable District fees prior to issuance of building permits; 2) all additional run-off generated by the project shall stay on site in a temporary on-site storm water storage facility as required by the County and once permanent FMFCD facilities become available, drainage can be directed to the street; 3) FMFCD shall review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area; and 4) Redbank Creek Tributary No. 10 (natural stream course) traversing the easterly and southerly perimeter of the proposed development shall be protected and preserved as part of the proposed development. These requirements will be included as Project Notes and addressed through Site Plan Review, recommended as a Condition of Approval.

- F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not degrade water quality. The project will connect to the City of Clovis water system.

- G. Would the project place housing within a 100-year floodplain; or
- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

According to Federal Emergency Management Agency (FEMA) FIRM Panel 1615H, the project site is not subject to flooding from the 100-year storm. The project will not expose persons to flood or inundation hazards.

- I. Would the project expose persons or structures to levee or dam failure?

FINDING: NO IMPACT:

The project is not exposed to potential levee or dam failure, as none are located near the project site.

- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The project site is not near inland bodies of water, within a volcanically-active area, or adjacent to steep slopes. These conditions preclude the possibility of seiche, tsunami and mudflow inundations.

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is outside the boundaries of the City of Clovis, but is within the City's Loma Vista Specific Plan and Sphere of Influence (SOI).

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is designated Agriculture in the Fresno County General Plan and is located within the City of Clovis Sphere of Influence (SOI) and the City of Clovis Loma Vista Specific Plan.

The proposed church will not conflict with any land use plan, policy, or regulation of an agency with jurisdiction over the project. The City of Clovis has noted that the project shall comply with City of Clovis Loma Vista Specific Plan Guidelines, meet the standards of the City of Clovis Development codes, and provide a Site Plan of the development for review. The City acknowledged that the property be developed in the County of Fresno to be annexed with the City at a later date. No further land use comments related to the project were offered by the City.

The County General Plan allows a church in an agriculturally-zoned area by discretionary land use approval provided it meets applicable General Plan policies. The

subject proposal meets Policy LU-A.3 in that it will serve the surrounding community over time, is not located on a prime farmland, will not utilize groundwater resources, and the nearest city (City of Clovis) can provide an adequate workforce. The project also meets Policy LU-A.12 and Policy LU-A.13 in that it is a compatible use pursuant to Policy LU-A.3 and will maintain separation from the adjacent farmland through perimeter fencing. Policy PF-C.17 and Policy PF-D.6 are met in that the proposal will connect to the City of Clovis water system to provide for a sustainable water supply and will connect to the City of Clovis sanitary sewer system.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The project site is not within the boundaries of a habitat conservation plan or natural community conservation plan. No impacts would occur.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

The site is not located in an identified mineral resource area as identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

Noise impacts associated with construction are expected to be short-term. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided that noise-generating construction activity should be limited to the hours of

6:00 a.m. to 9:00 p.m. Monday through Friday, and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

The subject proposal includes a 76-foot-tall bell tower. The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires the following to be included as a Mitigation Measure for the project:

* **Mitigation Measure:**

1. *No outdoor sound-generating devices such as bells, carillon, or loudspeakers shall be utilized at this time. Prior to the installation of such equipment, an acoustical analysis shall be prepared by a qualified acoustical consultant with experience in evaluating community noise levels and standards to determine if noise levels will exceed acceptable standards, and offer mitigation measures to comply with Fresno County Noise Ordinance standards. The results of the acoustical analysis shall be submitted to both the County Department of Public Works and Planning and the Environmental Health Division of the Department of Public Health for review and approval.*

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT

The project site is not located near an airport or private airstrip. The nearest airport, Fresno Yosemite International Airport, is approximately 4.6 miles southwest of the site.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

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

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:

1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The preliminary review of this proposal by the Fresno County Fire Protection District (Cal Fire) did not identify any concerns with the project. The project will comply with California Code of Regulations Title 24 – Fire Code and County-approved site plans will be required to be approved by the Fire District prior to issuance of building permits by the County. The project may also be subject to joining the Community Facilities District (CFD). These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval. The project site may require on-site water storage to meet fire flow requirements as determined by Cal Fire.

2. Police protection?

FINDING: NO IMPACT:

The Fresno County Sheriff's office reviewed the proposal and expressed no concerns with the project.

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not have impacts on schools, parks or other public facilities.

XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

The project will not impact any existing or future parks or recreational facilities in the area.

XVI. TRANSPORTATION/TRAFFIC

A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or

- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the proposed church facility will operate seven days a week. Approximately 40 to 60 customers/visitors on weekends (Monday through Saturday) and 400 on Saturdays are expected to visit the facility. Additionally, there will two masses on Sundays and each mass will draw approximately 500 people in the first few years, potentially increasing in the future. The proposed daycare facility will serve a maximum of 52 children with 9 to 12 teachers. The hours of operation will be from 7:00 a.m. to 6:00 p.m. Monday thru Friday.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and required a Traffic Impact Study (TIS) to assess the project's potential impacts to County roadways and intersections.

A Traffic Impact Study (TIS) prepared for the project by Peters Engineering Group and dated July 26, 2016 indicated that the Ashlan/DeWolf, Ashlan/Leonard, and Ashlan/Highland intersections are expected to continue to operate at acceptable levels of service (LOS) through the year 2037 on Sundays. However, the subject proposal will contribute to cumulative near-term and year 2037 significant impacts at the intersection of Ashlan and Thompson Avenues on Sundays. The significant impact is expected to occur between masses on Sunday mornings and can be mitigated if the two masses are separated by a sufficient amount of time to allow a majority of vehicles attending the first mass to leave the area before vehicles begin arriving for the second mass. The TIS suggested that a separation of approximately 45 minutes between masses would minimize overlap of entering and exiting vehicles at the intersection of Ashlan and Thompson Avenues. Further, a left-turn lane at the site access driveways is not warranted. A Supplemental TIS prepared by Peters Engineering Group and dated December 2, 2016 to include weekday analysis for the church and daycare indicated that the intersection of Ashlan and Leonard Avenues is expected to operate at LOS 'F' by the year 2037 and as such will require widening improvements noted in the TIS by the year 2037. An Addendum to Supplemental Traffic Impact Study was also prepared by Peters Engineering Group and dated December 28, 2016 for additional analysis of the project as required by Design Division of the Fresno County Department of Public Works and Planning. It is noted that the substandard LOS is only expected to occur during periods of peak school traffic from the existing schools near the intersection of Ashlan and Leonard Avenues.

The TIS/Supplemental TIS and Addendum to Supplemental TIS were reviewed by the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, and the City of Clovis Traffic Engineering Division.

The Design Division concurred with the TIS findings by stating that the Applicant shall pay the Major Street Development Fees for the intersection of Ashlan and Leonard Avenues to the City of Clovis.

The City of Clovis stated that the project shall pay its proportionate share of Development Impacts Fees according to the Memorandum of Understanding (MOU) between the City and the County. Additionally: along the Thompson Avenue frontage of the property, the Applicant shall provide right-of-way acquisition for 52 feet (existing 20 feet) west and 22 feet (existing 20 feet) east of the centerline, and improve with curb, gutter, sidewalk, curb return ramps, street lights, 48 feet (30 feet plus 18 feet) permanent paving, 3 feet paved swale, and transitional paving as needed. For non-adjacent major street requirements, the Applicant shall provide between the north property line and Ashlan Avenue for 22 feet west and 22 feet east of the centerline and improve with 36 feet (18 feet +18 feet) of permanent paving, 2 to 3 paved swales and all transitional paving as required, or another City approved alternate route. Alternative temporary cross sections and dedications for Thompson Avenue shall require approval of the City Engineer. These requirements will be included as Conditions of Approval, including a condition requiring the Applicant to coordinate with the City of Clovis and the County for dedication of right-of-way and complete all required off-site improvements prior to occupancy.

The Road Maintenance and Operations Division concurred with the City's comments on the project and stated that in the case of the City's deferment of off-site improvements, the Applicant shall enter into a deferment of construction agreement with the County. This requirement will also be included as a Condition of Approval.

C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns. The nearest airport, Fresno Yosemite International Airport, is approximately 4.6 miles southwest of the site. The tallest building on the property is 76 feet in height. The building height and the distance from the airport eliminate the possibility of the proposed project altering air traffic patterns.

D. Would the project substantially increase traffic hazards due to design features?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No design features of the project are anticipated to cause traffic hazards. No concerns were expressed by the Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning except that: 1) any work done within the road right-of-way shall require an encroachment permit from RMO; 2) all proposed gates shall be set back a minimum of 20 feet from the ultimate road right-of-way for Thompson Avenue so as to preclude any vehicles stopped to open the gate from encroaching into the road right-of-way; and 3) fences associated with drive/entry approaches shall be constructed with a 10-foot by 10-foot corner cutoff each side to promote sight visibility during exit movements. These will be included as Project Notes.

E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site has direct access from Thompson Avenue which can provide adequate emergency access. Further review of emergency access will occur at the time the project is reviewed by the Fresno County Fire Protection District during the Site Plan Review recommended as a Condition of Approval and prior to issuance of building permits.

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

The project will not conflict with any adopted transportation plans.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or
- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E. Geology and Soils.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.E Hydrology and Water Quality.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI. E. Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or
- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project will generate some amounts of solid waste from regular operations of church facilities. All solid wastes will be handled through regular trash collection service.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to 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, 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 prehistory or history?

FINDING: NO IMPACT

The project will have no impact on biological or cultural resources.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than Aesthetics, Geology and Soils, Hydrology and Water Quality, and Transportation/Traffic that will be addressed with the Mitigation Measures discussed in Section I.D., Section VI. E., Section IX. B. and Section XVI. A. B.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Director Review and Approval (DRA) Application No. 4431 and Variance Application (VA) No. 4009, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to biological resources, cultural resources, hazards and hazardous materials, mineral resources, noise, population and housing, and recreation.

Potential impacts related to agricultural and forestry resources, air quality, greenhouse gas emissions, land use and planning, public services, transportation/traffic, and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics, geology and soils, and hydrology and water quality 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" Streets, Fresno, California.

EA:ksn

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EXHIBIT 10

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. <small>CLK-2046.00 E04-73 R00-00</small>		
Agency File No: IS 7090	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-	
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor		City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner		Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Roman Catholic Bishop of Fresno		Project Title: Director Review and Approval Application No. 4431 and Variance Application No. 4009		
Project Description: Allow a church with a 76-foot building height (maximum 35 feet allowed) with related facilities including daycare in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the west side of N. Thompson Avenue approximately 460 feet south of the N. Thompson Avenue and E. Ashlan Avenue intersection and 1,940 feet east of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APN 309-021-25). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7090 and approve Director Review and Approval No. 4431 and Variance No. 4009 with Findings and Conditions.				
Justification for Mitigated Negative Declaration: Initial Study Application No. 7090 indicates that the project will not have a significant effect on the environment. It has been determined that there would be no impacts biological resources, cultural resources, hazards and hazardous materials, mineral resources, noise, population and housing, and recreation. Potential impacts related to agricultural and forestry resources, air quality, greenhouse gas emissions, land use and planning, public services, and utilities and service systems, have been determined to be less than significant. Potential impacts to aesthetics, geology and soils, hydrology and water quality, and transportation/traffic have been determined to be less than significant with the identified Mitigation Measures. 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 – January 13, 2017			Review Date Deadline: Planning Commission – February 16, 2017	
Date: January 12, 2017	Type or Print Name: Chris Motta, Principal Planner		Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

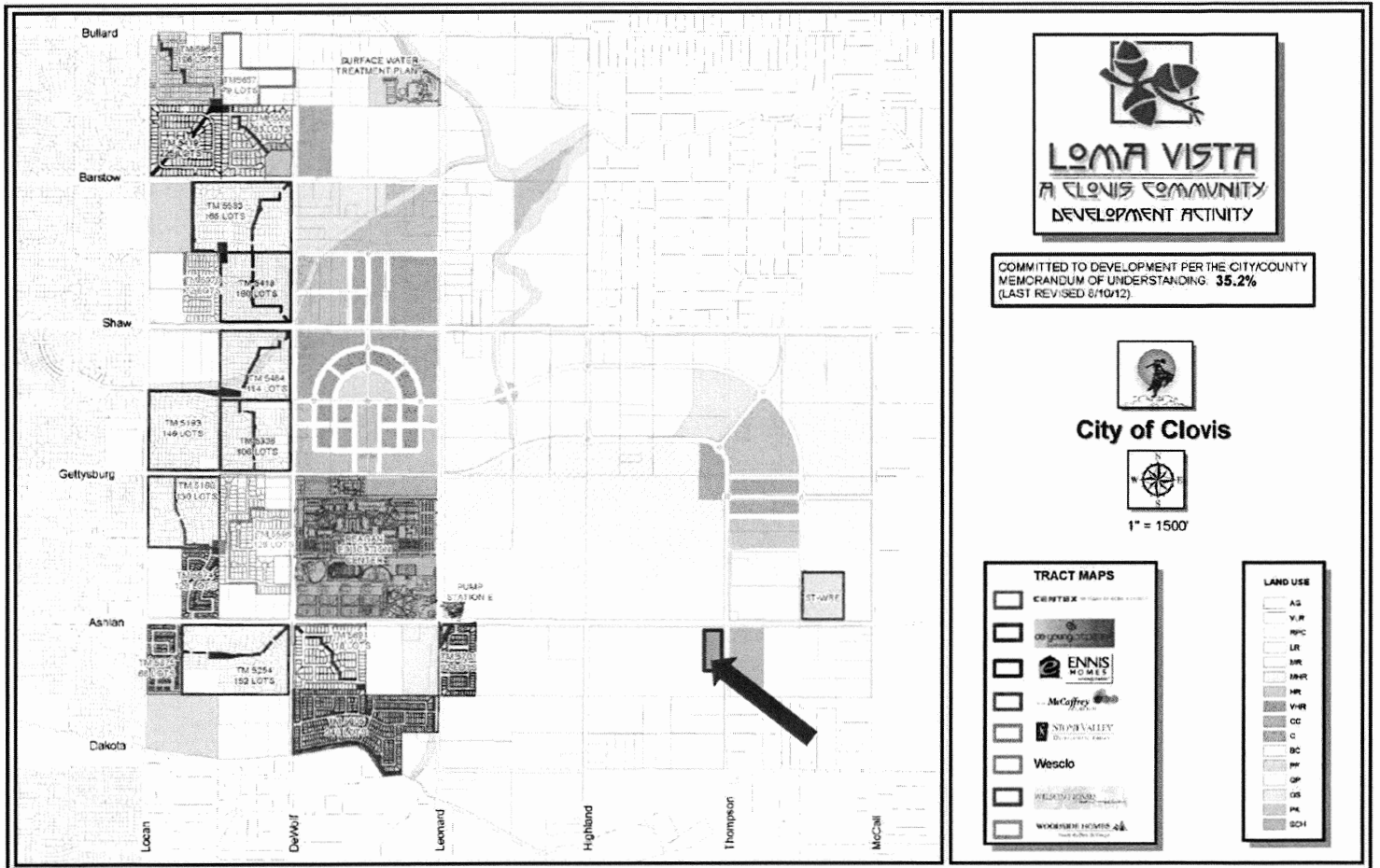
LOCAL AGENCY MITIGATED NEGATIVE DECLARATION

EXHIBIT 11

DIVINE MERCY CATHOLIC CHURCH
CLOVIS, CALIFORNIA



DIVINE MERCY CATHOLIC CHURCH CLOVIS, CALIFORNIA

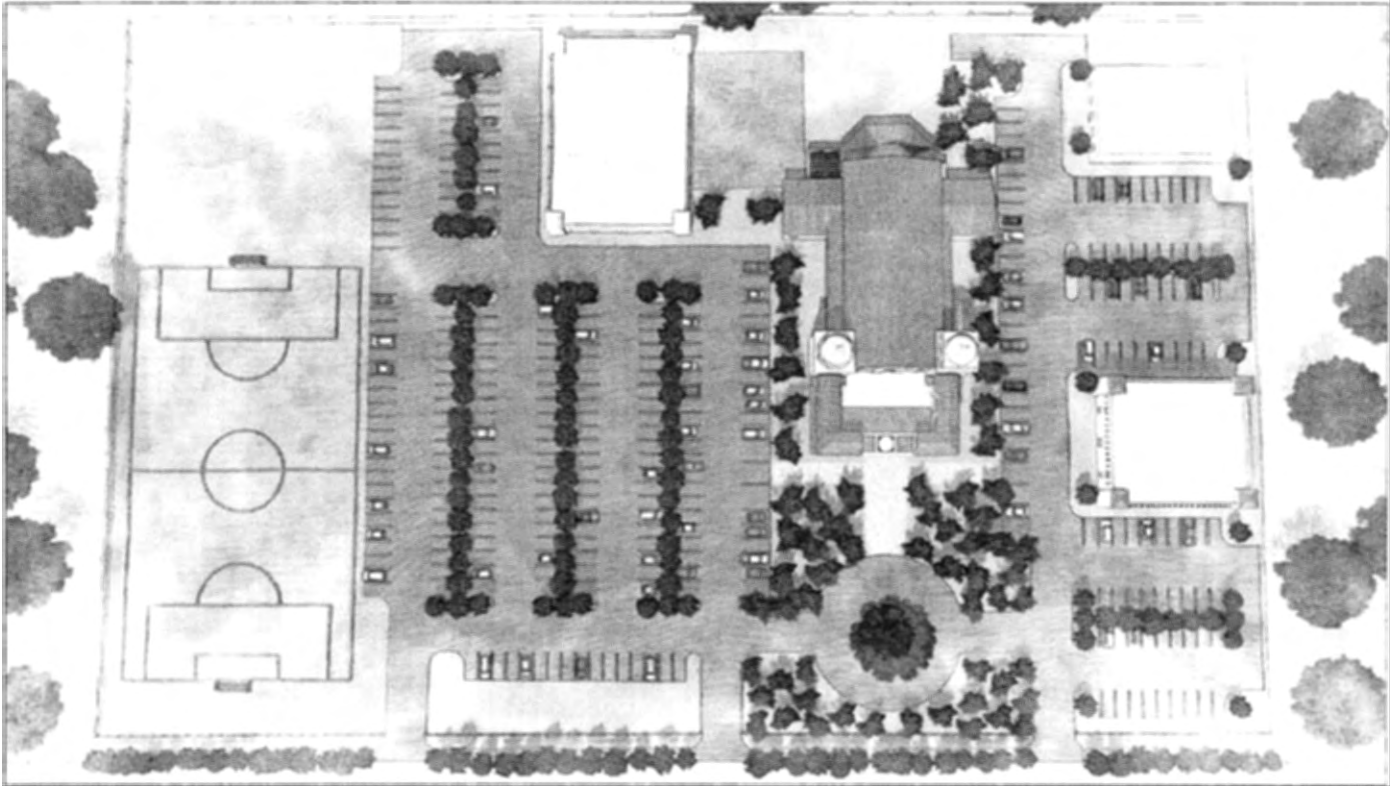


CLOVIS DEVELOPMENT PLAN WITH SITE LOCATION

DIVINE MERCY CATHOLIC CHURCH CLOVIS, CALIFORNIA

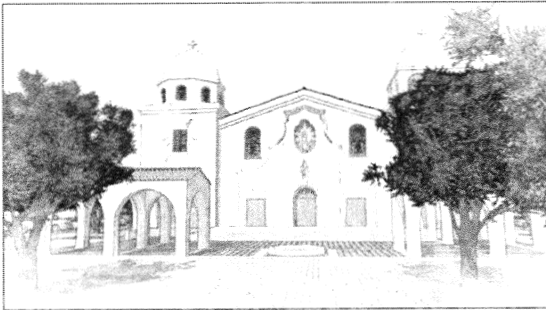


DIVINE MERCY CATHOLIC CHURCH
CLOVIS, CALIFORNIA



DIVINE MERCY CATHOLIC CHURCH

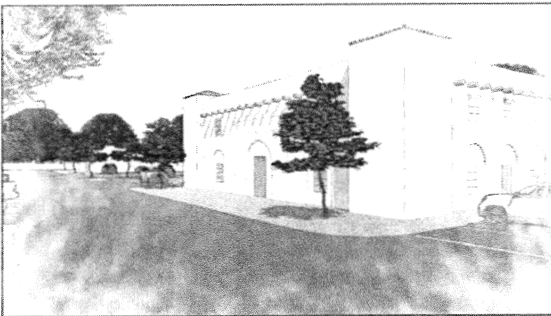
CLOVIS, CALIFORNIA



1 MAIN FACADE



2 AERIAL VIEW LOOKING NORTHWEST



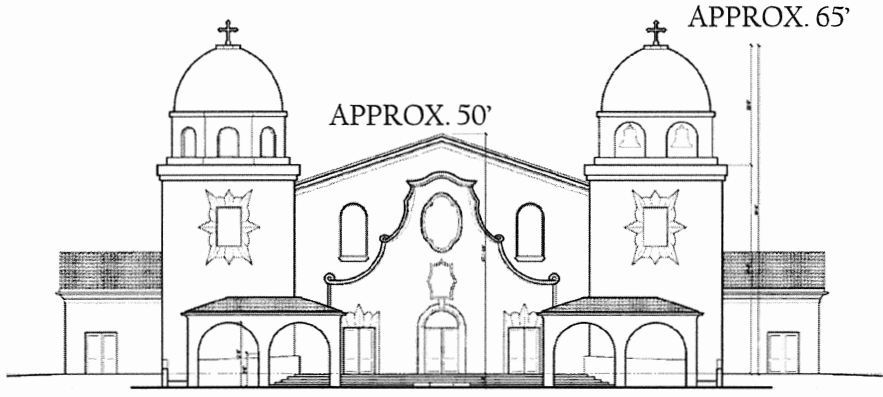
3 PROPOSED OFFICES, LOOKING NORTH-WEST



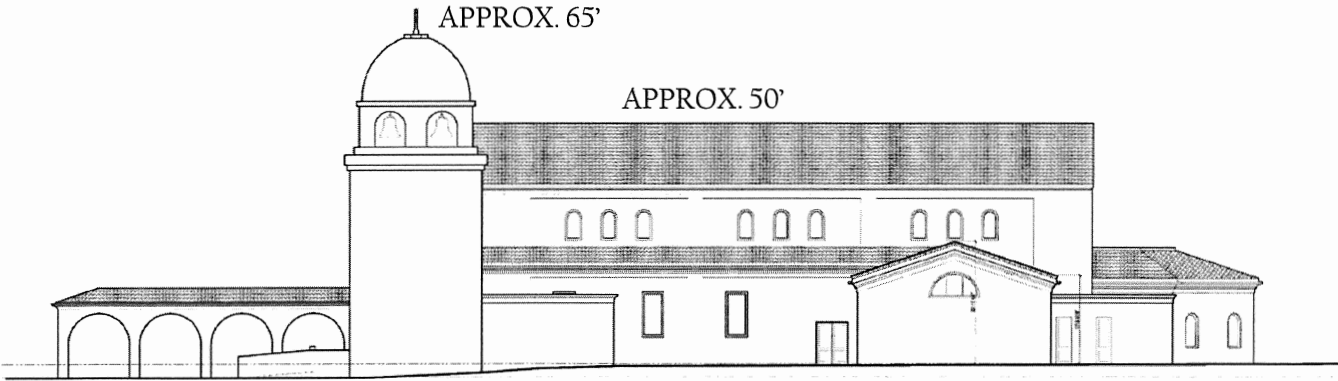
4 AERIAL VIEW LOOKING WEST

- CHURCH BUILDING IS SET WELL BACK FROM ALL PROPERTY LINES
- THE TALLEST ELEMENTS, THE TOWERS, ARE LOCATED NEAR THE MIDDLE OF THE PROPERTY
- THE DESIGN REFERENCES THE CALIFORNIA MISSIONS, AS WELL AS THE SPANISH REVIVAL STYLE FOUND IN FRESNO AND ACROSS THE STATE.
- ALL ADDITIONAL SITE BUILDINGS PROPOSED IN COMPLIMENTARY PUEBLO-REVIVAL STYLE, AND KEPT TO WITHIN HEIGHT RESTRICTIONS

DIVINE MERCY CATHOLIC CHURCH CLOVIS, CALIFORNIA



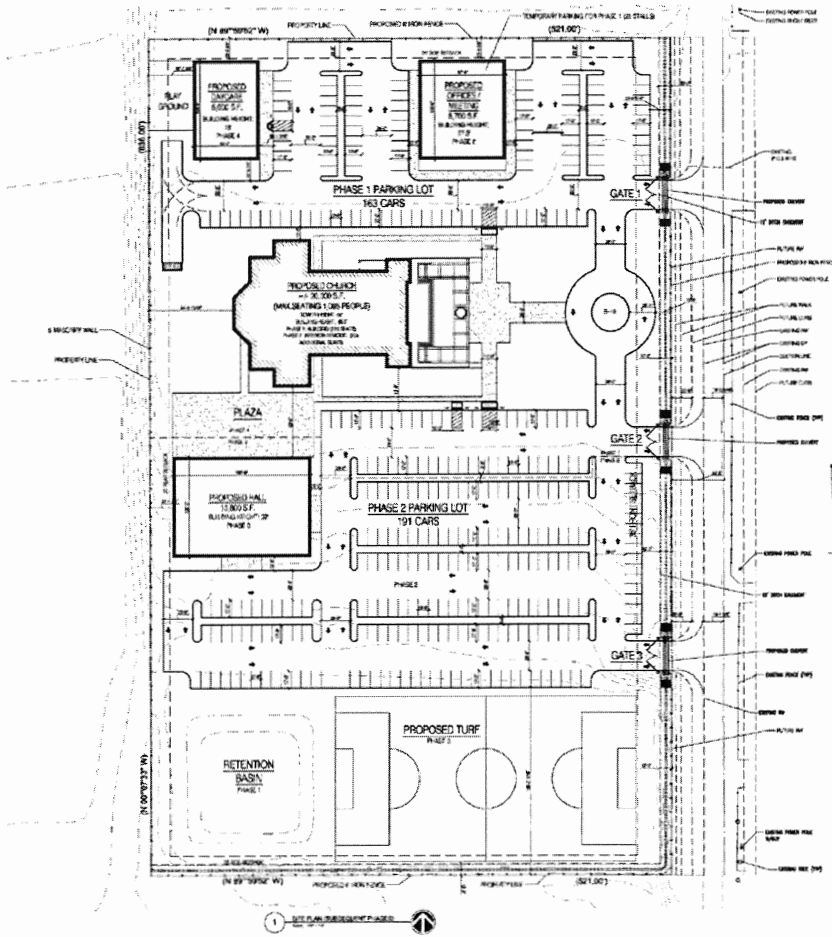
1 WEST ELEVATION
DATE: 07-17



2 NORTH ELEVATION
DATE: 07-17

DIVINE MERCY CATHOLIC CHURCH

CLOVIS, CALIFORNIA



- CLOVIS RAPID GROWTH AND LIMITED CHURCH FACILITIES HAVE CREATED A SITUATION WHERE THE POPULATION IS UNDERSERVED.
- AVERAGE FULLY-DEVELOPED PARISHES ARE AT APPROX 4,000 FAMILIES. CURRENTLY, DIVINE MERCY PARISH IS AT NEARLY 500 FAMILIES (EVEN WITHOUT A REGULAR CHURCH FACILITY).
- THE AREA AROUND THE NEW CHURCH SITE IS RAPIDLY EXPANDING WITH FAMILY HOUSING, WHICH WILL CREATE EVEN MORE LOCAL DEMAND.
- THE ANNEXATION PROCESS IS UNDERWAY, WITH FUTURE DEVELOPMENT ALREADY PLANNED BEYOND THE SITE.
- THE CITY OF CLOVIS IS SUPPORTIVE OF THE PROJECT, AND SEES THE CHURCH DESIGN AS A VISUAL ANCHOR FOR THE COMMUNITY.