



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 4 January 26, 2017

SUBJECT: Initial Study Application No. 7163 and Amendment Application No. 3819

Rezone a 16.95-acre parcel and a 2.06-acre parcel from M-3(c) (Heavy Industrial, Conditional) to M-3(c) (Heavy Industrial, Conditional) in order to allow for the following additional by-right land uses: Transportation Refrigeration Unit (TRU) Truck and Trailer Storage, ancillary uses exclusive to the on-site Occupant to include Administrative Offices, Truck and Trailer Service Facilities, Fuel Dispensing Facilities, and Driver Dispatch Facilities.

LOCATION: The subject property is located on the southwest corner of North Avenue and Minnewawa Avenue, approximately one mile south of the nearest city limits of the City of Fresno (3037 S. Minnewawa Avenue) (Sup. Dist. 4) (APNs 331-080-58, 331-080-59).

OWNER/APPLICANT: Jerry Najarian

STAFF CONTACT: Derek Chambers, Planner
(559) 600-4205

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7163; and
- Recommend that the Board of Supervisors approve Amendment No. 3819 with the Mitigation Measures, recommended Conditions of Approval and Project Notes; and
- Direct the Secretary to prepare a Resolution to forward Amendment Application No. 3819 to the Board of Supervisors with a recommendation for approval, subject to the Mitigation Measures, recommended Conditions of Approval and Project Notes as listed in the Staff Report.

DEVELOPMENT SERVICES DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200

The County of Fresno is an Equal Employment Opportunity Employer

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Assessor's Map
6. Uses Allowed Under the Current Zoning
7. Uses Allowed Under the Proposed Zoning
8. Summary of Initial Study Application No. 7163
9. Public Correspondence (support letters)

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	General Industrial in the County-adopted Roosevelt Community Plan	No change
Zoning	M-3(c) [Heavy Industrial, conditionally limited to self-storage, truck storage (excluding Transportation Refrigeration Units), and recreational vehicle storage]	M-3(c) [Heavy Industrial, conditionally limited to self-storage, truck storage, recreational vehicle storage, Transportation Refrigeration Unit (TRU) truck and trailer storage, ancillary uses exclusive to the on-site Occupant to include administrative offices, truck and trailer service facilities, fuel dispensing facilities, and driver dispatch facilities]
Parcel Size	<u>APN 331-080-58:</u> 16.95 acres <u>APN 331-080-59:</u> 2.06 acres	No change
Project Site	<u>APN 331-080-58:</u> 16.95-acre parcel; 950 square-foot pole barn; 3,300 square-foot barn; water well; paved driveway access from North Avenue	No change (no development proposed)

Criteria	Existing	Proposed
	<p><u>APN 331-080-59:</u> 2.06-acre parcel; 1,576 square-foot single-family residence with septic system and water well; 1,736 square-foot shop building; eight 160 square-foot storage units; 1,400 square-foot pole barn; paved driveway access from Minnewawa Avenue</p>	
Structural Improvements	<p><u>APN 331-080-58:</u> 950 square-foot pole barn; 3,300 square-foot barn</p> <p><u>APN 331-080-59:</u> 1,576 square-foot single-family residence; 1,736 square-foot shop building; eight 160 square-foot storage units; 1,400 square-foot pole barn</p>	No change (no development proposed)
Nearest Residence	55 feet west of the subject 16.95-acre parcel (APN 331-080-58)	No change
Surrounding Development	Single-family residences; truck and trailer storage [including Transportation Refrigeration Units (TRUs)]; warehouses	No change
Operational Features	N/A	N/A
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	N/A	N/A
Lighting	N/A	N/A
Hours of Operation	N/A	N/A

Setback, Separation and Parking

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	None required (subject property is not adjacent to residentially-zoned land)	No change	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Parking	To be addressed during Site Plan Review (dependent upon use proposed)	No change	N/A (no development proposed)
Lot Coverage	No requirements	No change	N/A
Space Between Buildings	No requirements	No change	N/A
Wall Requirements	None required (subject property is not adjacent to residentially-zoned land)	No change	N/A
Septic Replacement Area	100 percent	No change	N/A (no development proposed)
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	N/A (no development proposed)

Circulation and Traffic

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	<u>APN 331-080-58:</u> North Avenue; Minnewawa Avenue <u>APN 331-080-59:</u> North Avenue; Minnewawa Avenue	No change
Direct Access to Public Road	Yes	<u>APN 331-080-58:</u> Paved driveway access from North Avenue <u>APN 331-080-59:</u> Paved driveway access from Minnewawa Avenue	No change (no development proposed)
Road ADT		North Avenue: 2,900 Minnewawa Avenue: 200	No change (no development proposed)
Road Classification		North Avenue: Arterial	No change

		Existing Conditions	Proposed Operation
		Minnewawa Avenue: Local	
Road Width		North Avenue: 60-foot total existing right-of-way Minnewawa Avenue: 50-foot total existing right-of-way	No change
Road Surface		North Avenue: Paved (pavement width: 24.2 feet) Minnewawa Avenue: Paved (pavement width: 18.9 feet)	No change
Traffic Trips		N/A	N/A
Traffic Impact Study (TIS) Prepared	No	N/A	The rezone itself will not impact traffic [Site Plan Review (SPR) required for any land use proposed in the M-3(c) Zone District]
Road Improvements Required		N/A	None required

Surrounding Properties

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	19.55 acres	Single-family residence Field crops	AL-20	765 feet
	19.55 acres	Single-family residence Orchard	AL-20	120 feet
South	19.70 acres	Single-family residence Vineyard	AL-20	270 feet
East	18.58 acres	Vineyard	AE-20	None
West	1.10 acres	Single-family residence	AL-20	55 feet
	26.93 acres	Truck and trailer storage [including Transportation Refrigeration Units (TRUs)]	M-3; AL-20	None

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 below and included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: December 26, 2016

PUBLIC NOTICE:

Notices were sent to 32 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 rezoning is a legislative act requiring action by the Board of Supervisors. A decision by the Planning Commission in support of a rezoning request is an advisory action and requires an affirmative vote of the majority of its total membership. A recommendation for approval is then forwarded to the Board of Supervisors for final action. A Planning Commission decision to deny a rezoning, however, is final, unless appealed to the Board of Supervisors.

BACKGROUND INFORMATION:

According to County records, the subject 16.95-acre parcel (APN 331-080-58) and subject 2.06-acre parcel (APN 331-080-59) were zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) until October 27, 2009 when the Fresno County Board of Supervisors approved Amendment No. 3782 rezoning the parcels to M-3(c) [Heavy Industrial, conditionally limited to self-storage, truck storage (excluding Transportation Refrigeration Units), and recreational vehicle storage]. With regard to storage of Transportation Refrigeration Unit (TRU) trucks and trailers, the Board of Supervisors excluded said uses from the rezone based upon noise concerns identified by opponents during public testimony.

It is noted by Staff that the subject parcels are designated General Industrial in the County-adopted Roosevelt Community Plan, which provides for a full range of manufacturing, processing and storage facility uses.

This proposal entails amending the current zoning on the subject parcels in order to add Transportation Refrigeration Unit (TRU) truck and trailer storage and incidental uses exclusive to the on-site occupant including administrative offices, truck and trailer service facilities, fuel dispensing facilities, and driver dispatch facilities. It is noted that a Site Plan Review (SPR) must be approved for any by-right land use allowed under the M-3(c) Zone District prior to implementation of that use.

ANALYSIS/DISCUSSION/GENERAL PLAN CONSISTENCY:

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-F.29: County may approve rezoning requests for new industrial development, subject to the following criteria:</p> <ul style="list-style-type: none"> a) Operational measures to protect public health, safety, and welfare b) Adequate off-street parking c) Maintenance of non-objectionable use areas adjacent to abutting properties d) Limitations on the industry's size, time of operation, or length of permit 	<p>With adherence to the Conditions of Approval, Mitigation Measures and Project Notes identified in the Initial Study (IS) prepared for this rezone and discussed in this Staff Report, staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties.</p> <p>Parking requirements are dependent upon the proposed use, and adequacy of parking will be addressed during the mandatory Site Plan Review (SPR) process, which is required for any by-right land use allowed under the M-3(c) Zone District.</p> <p>Previously-approved Amendment (rezone) No. 3782 included a Condition of Approval requiring landscaping to be provided along the northern property line of the subject 16.95-acre parcel (APN 331-080-58) in order to provide visual screening of said property from North Avenue and a northerly-neighboring residence.</p> <p>The proposal is consistent with this policy.</p>
<p>General Plan Policy LU-F.30: County shall generally require community sewer and water services for industrial development.</p>	<p>The subject property will continue to utilize private well and on-site sewage disposal system with mitigation included, allowing only low-water uses and uses that generate small amounts of liquid waste until the property is served by community sewer and water facilities or until adequate information is provided demonstrating the property can accommodate higher volumes of liquid waste. The proposal is consistent with this policy.</p>
<p>General Plan Policy LU-F.31: County shall require all industrial uses located adjacent to planned non-industrial areas or roads carrying significant non-industrial traffic be designed with landscaping and setbacks comparable to the non-industrial areas.</p>	<p>North Avenue serves agricultural properties located west of Minnewawa Avenue and carries significant non-industrial traffic through the area. As such, previously-approved Amendment (rezone) No. 3782 included a Condition of Approval requiring landscaping to be provided along the northern property line of the subject 16.95-acre parcel (APN 331-080-58) in order to provide visual screening of said property from North Avenue and a northerly-neighboring residence. The proposal is consistent with this policy.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other</p>	<p>This proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the</p>

Relevant Policies:	Consistency/Considerations:
water users in the County, and water sustainability.	proposal, as the project site is not located in a designated water-short area. The proposal is consistent with this policy.
General Plan Policy TR-A.5: County shall require dedication of right-of-way and road improvements as a condition of land development, and require analysis of traffic impacts from land development projects.	Previously-approved Amendment (rezone) No. 3782 included a Condition of Approval requiring additional right-of-way dedication for North Avenue in order to meet the Arterial road standard. The proposal is consistent with this policy.
<p>General Plan Policy HS-G.4: So that noise mitigation may be considered in the design of new projects, the County shall require an acoustical analysis as part of the environmental review process where:</p> <p>a. Noise-sensitive land uses are proposed in areas exposed to existing or projected noise levels that are “generally unacceptable” or higher according to the Chart HS-1: “Land Use Compatibility for Community Noise Environments;”</p> <p>b. Proposed projects are likely to produce noise levels exceeding the levels shown in the County’s Noise Ordinance at existing or planned noise-sensitive uses.</p>	The proposal does not entail developing additional noise-sensitive land uses but does involve permitting possibly noise-generating activities that could impact surrounding properties. A noise assessment prepared by Bollard Acoustical Consultants, Inc. indicated future development allowed as a result of the requested rezoning would comply with the Fresno County Noise Ordinance with incorporated Mitigation Measures including construction of a noise barrier along identified property line segments and strategic parking location of TRU’s towards the center of the property with non-TRU parking on the outer edges to further buffer noise. With mitigation incorporated, the proposal is consistent with this policy.

Reviewing Agency/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The proposed rezone is not in conflict with the policies of the Fresno County General Plan or County-adopted Roosevelt Community Plan. The subject parcels are not subject to an Agricultural Land Conservation Contract (Williamson Act Contract).

Zoning Section of the Fresno County Department of Public Works and Planning: No concerns with the proposed rezone.

Building and Safety Section of the Fresno County Department of Public Works and Planning: No concerns with the proposed rezone.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No concerns with the proposed rezone.

Design Division of the Fresno County Department of Public Works and Planning: With the addition of the proposed uses, the characteristic of the subject parcels will be changed and as a

result, a Traffic Impact Study (TIS) should be required. However, should the Applicant choose to add only the uses that were excluded in Amendment No. 3782, a TIS will not be necessary.

Fresno County Department of Public Health, Environmental Health Division: The Environmental Noise Assessment prepared for this proposal by Bollard Acoustical Consultants, Inc. indicates that the possible future development allowed as a result of the requested rezoning will comply with the Fresno County Noise Ordinance if Mitigation Measures are included to require future development to: 1) Construct a six-foot-tall wall (noise barrier) along a portion of the western property line of the subject 16.95-acre parcel identified as APN 331-080-58 (as described in the Environmental Noise Assessment prepared for this proposal by Bollard Acoustical Consultants, Inc.); and 2) Transportation refrigeration unit (TRU) trucks and trailers operating on site shall be parked toward the middle of parking areas with non-refrigerated trucks and trailers parked in outer parking areas to aid in buffering noise from transportation refrigeration units. These Mitigation Measures have been included as requirements for future development.

Possible future development allowed as a result of the requested rezoning may be subject to the following mandatory requirements: 1) Operations proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5; 2) Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 [State reporting thresholds that apply are: greater than 55 gallons (liquids), greater than 500 pounds (solids), greater than 200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances]; and 3) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes. These mandatory requirements have been included as Project Notes for future development.

Fresno County Sheriff's Department: No concerns with the proposed rezone.

Fresno Irrigation District (FID): FID does not own, operate or maintain any facilities within the boundaries of the subject parcels.

Fresno County Fire Protection District (Fire District): Possible future development allowed as a result of the requested rezoning must comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project must be approved by the Fire District prior to issuance of Building Permits by the County. Possible future development allowed as a result of the requested rezoning will require the subject property to annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. These mandatory requirements have been included as Project Notes for future development.

California Department of Transportation (Caltrans): No concerns with the proposed rezone.

No other comments specific to the subject rezoning were expressed by reviewing Agencies or Departments.

Analysis:

This proposal entails amending the current zoning on a 16.95-acre parcel and a 2.06-acre parcel from M-3(c) (Heavy Industrial, Conditional) to M-3(c) (Heavy Industrial, Conditional) in order to add Transportation Refrigeration Unit (TRU) truck and trailer storage and incidental

uses exclusive to the on-site occupant including administrative offices, truck and trailer service facilities, fuel dispensing facilities, and driver dispatch facilities. The current zoning is limited to self-storage, recreational vehicle storage, and truck storage as permitted uses, excluding the storage of TRU trucks and trailers.

The subject parcels are located within an area designated General Industrial in the County-adopted Roosevelt Community Plan, which provides for a full range of manufacturing, processing and storage facility uses. Further, a Site Plan Review (SPR) must be approved for any by-right land use allowed under the M-3(c) (Heavy Industrial, Conditional) Zone District prior to implementation of the by-right land use.

One fundamental issue regarding rezone requests is whether the proposed zone change is consistent with the General Plan. In this case, the subject parcels are designated General Industrial in the County-adopted Roosevelt Community Plan. The Zoning Compatibility Matrix for the Roosevelt Community Plan indicates that the proposed conditional M-3 Zone District is compatible with the General Industrial designation of the Roosevelt Community Plan.

Properties located north of the subject parcels are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size), have been improved with single-family residences, and are being utilized for agricultural cultivation.

Properties located west of the subject parcels are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and M-3 (Heavy Industrial). The westerly neighboring properties zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) have been improved with single-family residences, and the westerly neighboring property zoned M-3 (Heavy Industrial) has an existing truck and trailer storage operation authorized by Site Plan Review (SPR) No. 7765, which was administratively approved on July 31, 2013, and which does not exclude TRU truck and trailer storage.

Properties located south of the subject parcels are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and M-3 (Heavy Industrial). The southerly neighboring property zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) has been improved with a single-family residence and is being utilized for agricultural cultivation; and the M-3 (Heavy Industrial) zoned properties located further to the south are being utilized for agricultural cultivation and warehousing.

Properties located east of the subject parcels are zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size), have been improved with single-family residences, and are being utilized for agricultural cultivation.

Based on the above information, and with adherence to the Mitigation Measures, recommended Conditions of Approval and mandatory Project Notes identified in the Initial Study (IS) prepared for this proposal and discussed in this Staff Report, staff finds that the proposed rezone will not have an adverse effect upon surrounding properties and is consistent with the General Plan and the County-adopted Roosevelt Community Plan.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Staff believes that the proposed rezone is consistent with the Fresno County General Plan and County-adopted Roosevelt Community Plan, and recommends approval of Amendment No. 3819, subject to the Mitigation Measures, recommended Conditions of Approval and Project Notes identified in this Staff Report.

PUBLIC COMMENT:

Six letters of support for the proposed rezone (Exhibit 9).

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Recommend adoption of the Mitigated Negative Declaration prepared for Initial Study Application No. 7163; and
- Determine that the proposed M-3(c) (Heavy Industrial, Conditional) Zone District is consistent with the General Plan and County-adopted Roosevelt Community Plan; and
- Direct the Secretary to prepare a Resolution to forward Amendment Application No. 3819 to the Board of Supervisors with a recommendation for approval, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in the Staff Report.

Alternative Motion (Denial Action)

- Determine that the proposed M-3(c) (Heavy Industrial, Conditional) Zone District is not consistent with the General Plan and County-adopted Roosevelt Community Plan (state reasons); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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EXHIBIT 1

**Mitigation Monitoring and Reporting Program
Initial Study (IS) Application No. 7163 / Amendment Application No. 3819
(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 as to not shine toward adjacent properties and roads.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
*2.	Geology and Soils	Only low-water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by community sewer and water facilities or adequate information is submitted to the Fresno County Department of Public Health, Environmental Health Division, and the County Water/Geology/Natural Resources Section to demonstrate that the property can accommodate higher volumes of liquid wastes. The type and number of uses allowed shall be determined by the Environmental Health Division and the County Water/Geology/Natural Resources Section.	Applicant	Applicant/PW&P/Fresno County Department of Public Health	Ongoing
*3.	Hydrology and Water Quality	All future outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into the storm drain system.	Applicant	Applicant/Fresno Metropolitan Flood Control District (FMFCD)	Ongoing
*4.	Hydrology and Water Quality	Future runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off site or into a storm drain. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed through a sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to the Fresno Metropolitan Flood Control District storm drainage system shall not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements.	Applicant	Applicant/FMFCD	Ongoing

*5.	Noise	Future development shall require construction of a six-foot-tall wall (noise barrier) along a portion of the western property line of the subject 16.95-acre parcel identified as APN 331-080-58, as described in the Environmental Noise Assessment prepared by Bollard Acoustical Consultants, Inc. (dated November 7, 2016).	Applicant	Applicant/ Fresno County Department of Public Health	Ongoing
*6.	Noise	Transportation refrigeration unit (TRU) trucks and trailers operating on site shall be parked toward the middle of parking areas with non-refrigerated trucks and trailers parked in outer parking areas to aid in buffering noise from transportation refrigeration units.	Applicant	Applicant/ Fresno County Department of Public Health	Ongoing
Condition of Approval					
1.		The subject parcels shall be limited to the following uses: Recreational Vehicle Storage; Truck and Trailer Storage; Self-Storage; Transportation Refrigeration Unit (TRU) Truck and Trailer Storage; Ancillary uses exclusive to the on-site Occupant to include Administrative Offices, Truck and Trailer Service Facilities, Fuel Dispensing Facilities, and Driver Dispatch Facilities.			
*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.		Operations proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.			
2.		Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95 [State reporting thresholds that apply are: greater than 55 gallons (liquids), greater than 500 pounds (solids), greater than 200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances].			
3.		All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes.			
4.		Future development must comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project must be approved by the Fresno County Fire Protection District prior to issuance of Building Permits by the County.			
5.		Future development will require the subject property to annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.			
6.		Future development may be subject to the following San Joaquin Valley Unified Air Pollution Control District Rules and Regulations: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow			

Notes

	Cure, and Emulsified Asphalt Paving and Maintenance Operations).
7.	Future development shall be subject to the Seismic Design Category C Standards.
8.	Future development shall require a Grading Permit or Grading Voucher for any grading activities.
9.	Future development that disturbs more than one acre shall require compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS00002 for Discharges of Storm Water Associated with Construction Activity. Before construction begins, the Developer shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.
10.	Due to the subject parcels being located within a designated Fresno Metropolitan Flood Control District (FMFCD) Drainage Area, future development may require payment of an FMFCD Drainage Fee, the amount of which will be determined at the time the new development is proposed.

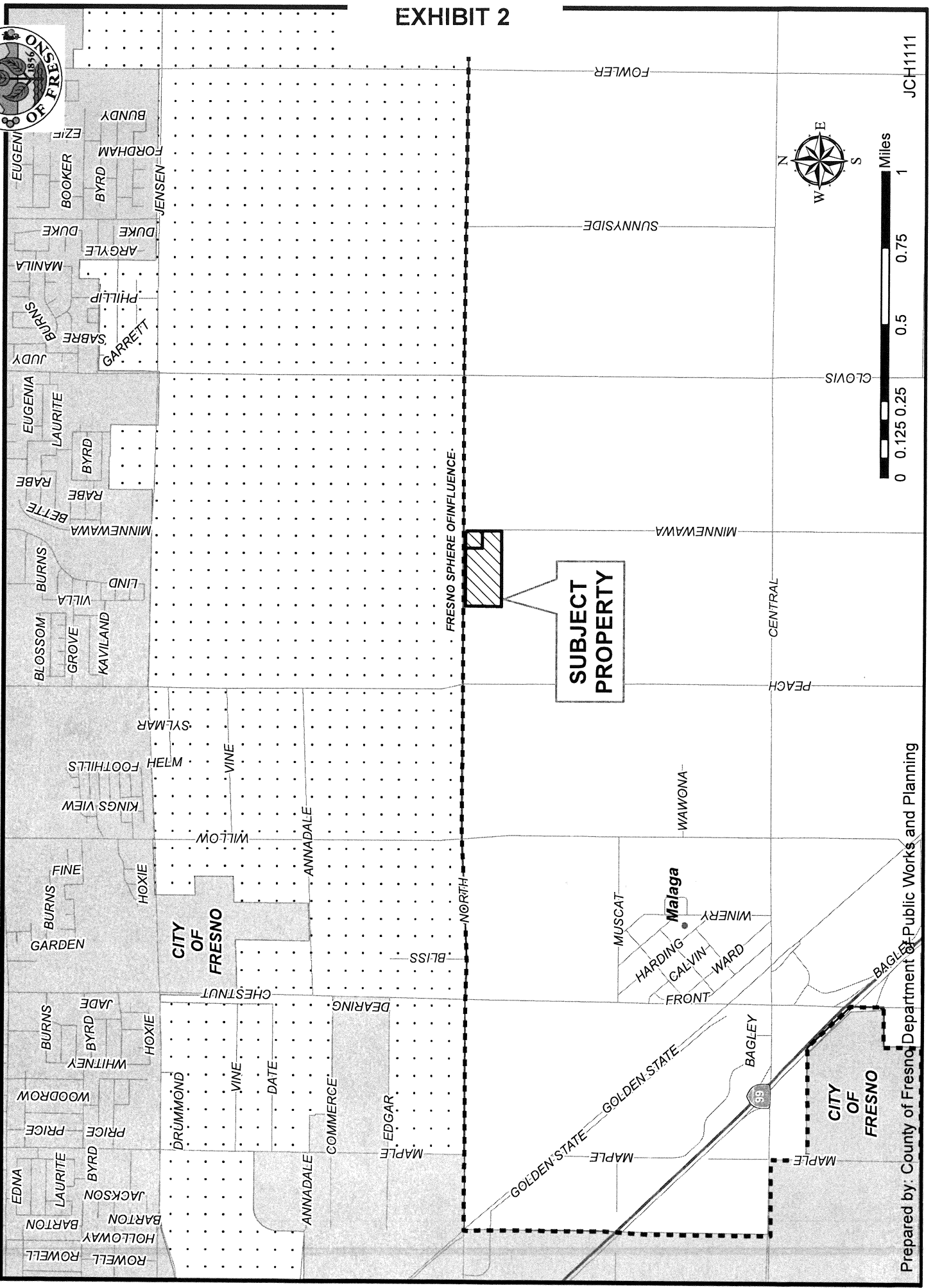
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LOCATION MAP

AA 3819

EXHIBIT 2



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EXISTING ZONING MAP



EXHIBIT 3

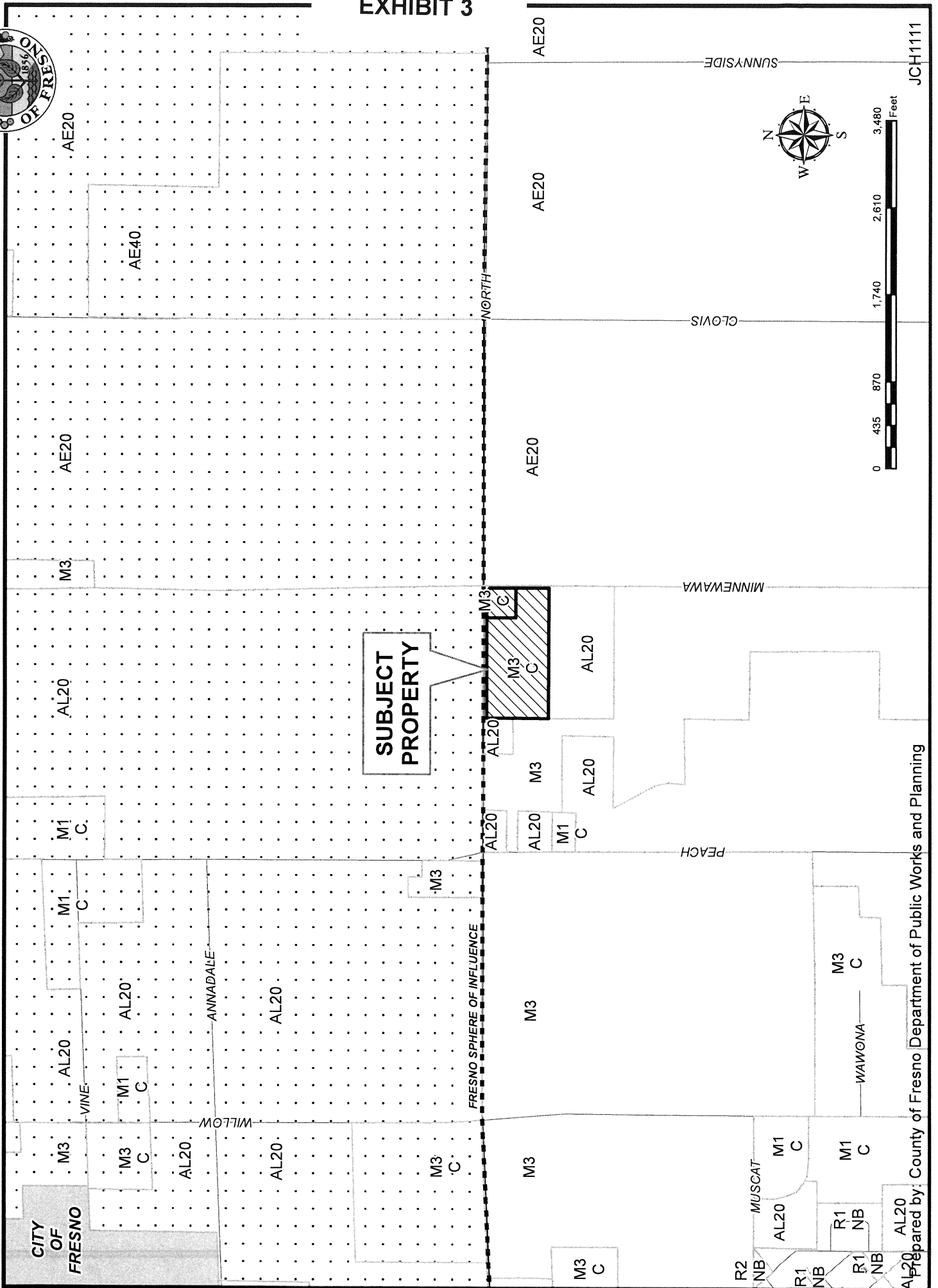






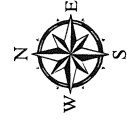
EXHIBIT 4

EXISTING LAND USE MAP

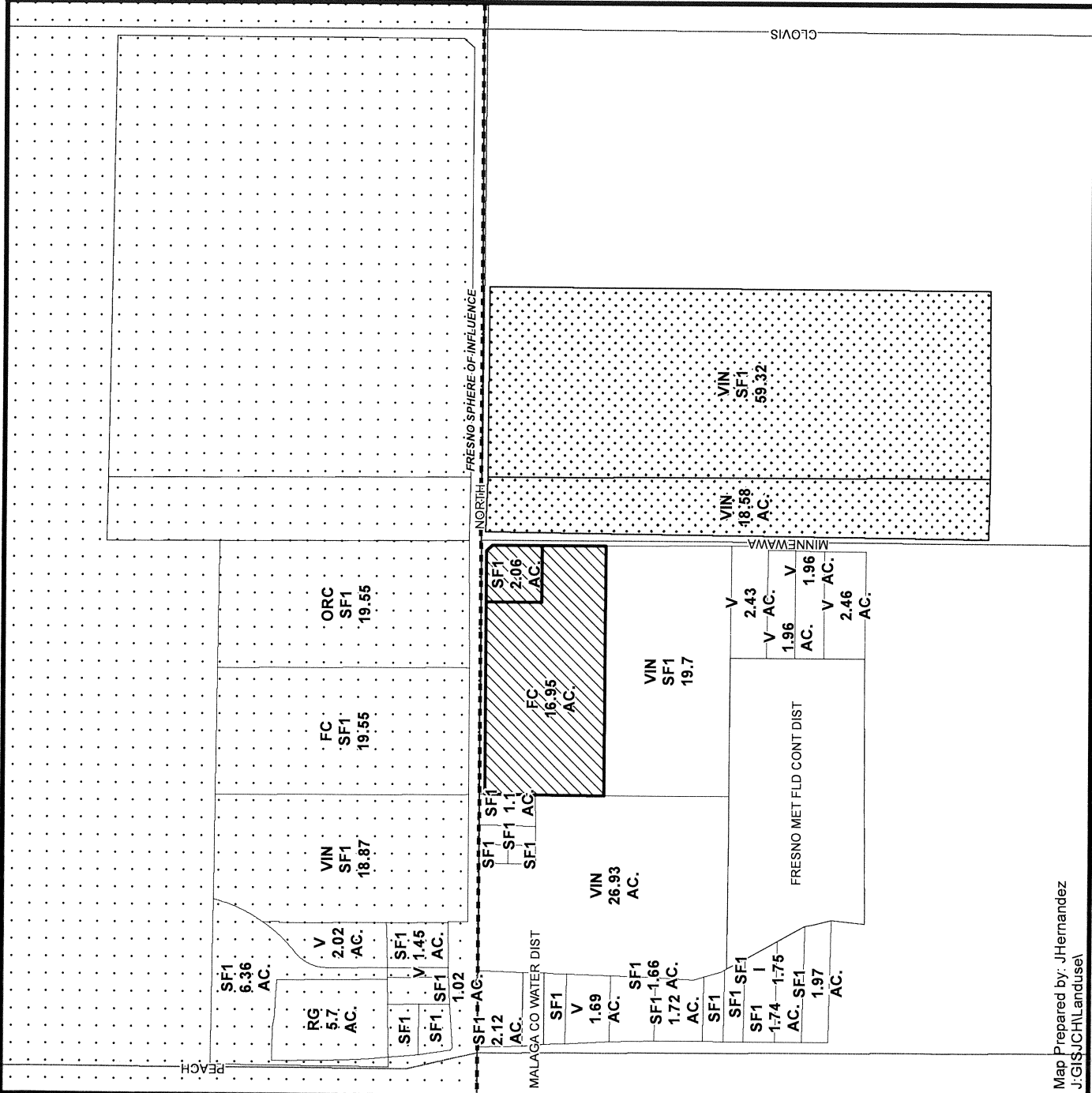
AA 3819

- LEGEND**
- I - INDUSTRIAL
 - FC - FIELD CROP
 - ORC - ORCHARD
 - RG - RESIDENTIAL GROUP FACIL
 - SF# - SINGLE FAMILY RESIDENCE
 - V - VACANT
 - VIN - VINEYARD

- LEGEND:**
-  Subject Property
 -  Ag Contract Land



Department of Public Works and Planning
Development Services Division



SUBDIVIDED LAND & POR. SEC. 29, T.14 S., R.21E., M.D.B. & M.

Tax Rate Area

95-012
95-015
95-018
95-022

337-08

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

Bk.
316

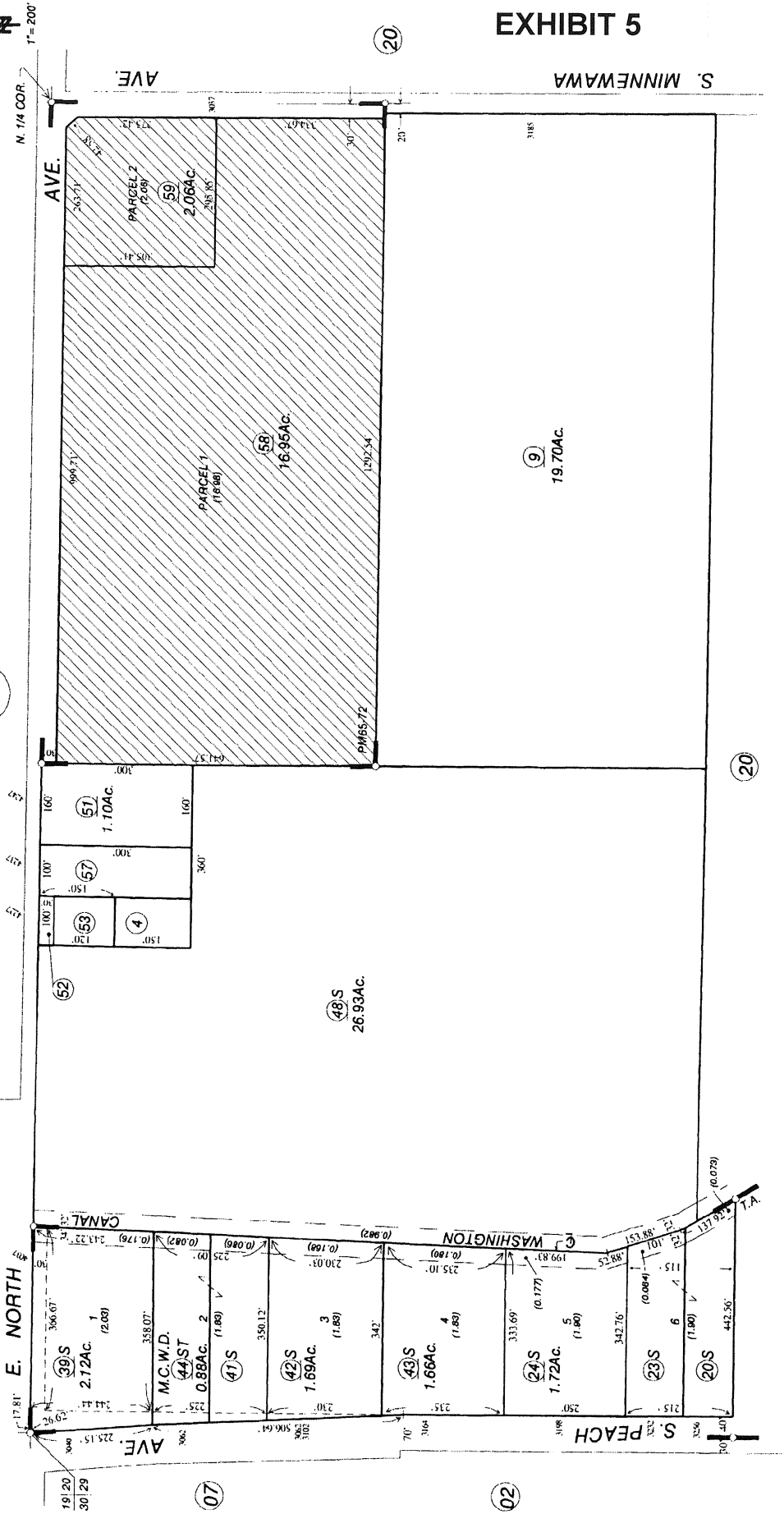


EXHIBIT 5

Thrifty Acres, Tr. No. 1228 - Plat Bk. 15, Pg. 71
Parcel Map No. 7958 - Bk. 65, Pg. 72

Assessor's Map Bk. 331 - Pg. 08
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

EXHIBIT 6

USES ALLOWED IN THE "M-3(C)" (HEAVY INDUSTRIAL, CONDITIONAL) DISTRICT

- A. Recreational Vehicle Storage
- B. Truck and Trailer Storage [excluding Transportation Refrigeration Unit (TRU) storage]
- C. Self-Storage

EXHIBIT 7

PROPOSED USES TO BE ALLOWED IN THE "M-3(C)" (HEAVY INDUSTRIAL, CONDITIONAL) DISTRICT

- A. Recreational Vehicle Storage
- B. Truck and Trailer Storage
- C. Self-Storage
- D. Transportation Refrigeration Unit (TRU) Truck and Trailer Storage
- E. Ancillary uses exclusive to the on-site Occupant to include Administrative Offices, Truck and Trailer Service Facilities, Fuel Dispensing Facilities, and Driver Dispatch Facilities



EXHIBIT 8

County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Jerry Najarian
- APPLICATION NOS.:** Initial Study Application No. 7163 and Amendment Application No. 3819
- DESCRIPTION:** To amend the current zoning on a 16.95-acre parcel and a 2.06-acre parcel from M-3(c) (Heavy Industrial, Conditional) to M-3(c) (Heavy Industrial, Conditional) in order to add Transportation Refrigeration Unit (TRU) truck and trailer storage and incidental uses exclusive to the on-site occupant including administrative offices, truck and trailer service facilities, fuel dispensing facilities, and driver dispatch facilities. The current zoning is limited to self-storage, truck storage, and recreational vehicle storage as permitted uses.
- LOCATION:** The subject property is located on the southwest corner of North Avenue and Minnewawa Avenue, approximately one mile south of the nearest city limits of the City of Fresno (3037 S. Minnewawa Avenue) (Sup. Dist. 4) (APNs 331-080-58, 331-080-59).

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; or
- 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 amending the current zoning on a 16.95-acre parcel and a 2.06-acre parcel from M-3(c) (Heavy Industrial, Conditional) to M-3(c) (Heavy Industrial, Conditional) in order to add Transportation Refrigeration Unit (TRU) truck and trailer storage and incidental uses exclusive to the on-site occupant including administrative offices, truck and trailer service facilities, fuel dispensing facilities, and driver dispatch facilities. The current zoning is limited to self-storage, truck storage, and recreational vehicle storage as permitted uses. It is noted that a Site Plan Review (SPR) must be

approved for any by-right land use allowed under the M-3(c) Zone District prior to implementation of that use.

The subject 2.06-acre parcel identified as Assessor's Parcel Number (APN) 331-080-59 has existing improvements, which include a 1,576 square-foot single-family residence with septic system and water well; 1,736 square-foot shop building; eight 160 square-foot storage units; 1,400 square-foot pole barn; and paved driveway access from Minnewawa Avenue.

The subject 16.95-acre parcel identified as APN 331-080-58 has existing improvements, which include a 950 square-foot pole barn; 3,300 square-foot barn; water well; and paved driveway access from North Avenue.

The subject property is located in an area of transition from agricultural to industrial land uses. Parcels located north of the subject property are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size), have been improved with single-family residences, and are being utilized for agricultural cultivation.

Parcels located west of the subject property are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and M-3 (Heavy Industrial). The westerly neighboring properties zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) have been improved with single-family residences, and the westerly neighboring property zoned M-3 (Heavy Industrial) has an existing truck and trailer storage operation authorized by Site Plan Review (SPR) No. 7765, which was administratively approved on July 31, 2013.

Parcels located south of the subject property are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and M-3 (Heavy Industrial). The southerly neighboring property zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) has been improved with a single-family residence and is being utilized for agricultural cultivation; and the M-3 (Heavy Industrial) zoned properties located further to the south are being utilized for agricultural cultivation and warehousing.

Parcels located east of the subject property are zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size), have been improved with single-family residences, and are being utilized for agricultural cultivation.

Considering that the subject property is not located along a designated Scenic Highway, that no scenic vistas or scenic resources were identified near the proposal, and the existing industrial land uses in the area of the subject property, this proposal will not damage any scenic resource or degrade the visual character of the site or its surroundings.

- 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:

This proposal may result in additional outdoor lighting which has the potential of generating new sources of light and glare in the area. As such, all future outdoor lighting shall be required to be hooded and directed as to not shine towards adjacent properties and roads. This requirement will be included in the following Mitigation Measure:

* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and roads.*

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; or
- 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; or
- 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 not located on forest land; it is classified as Prime Farmland on the Fresno County Important Farmland Map (2014), but is not enrolled under an Agricultural Land Conservation Contract (Williamson Act Contract).

With regard to the Prime Farmland classification of the subject property, said lands have already been zoned M-3(c) (Heavy Industrial, Conditional) by means of Amendment Application No. 3782, which was approved by the Fresno County Board of Supervisors on October 27, 2009. Further, the subject property is located in an area of transition from agricultural to industrial land uses, as is evidenced by existing industrial land uses and existing industrial zoning within proximity of the subject property. The property has historically been designated for industrial uses in the County-adopted Roosevelt Community Plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was routed to and reviewed by the San Joaquin Valley Unified Air Pollution Control District (Air District), which did not identify any concerns related to the requested Zoning Amendment. However, it is noted by Staff that possible future development allowed as a result of the requested Zoning Amendment may be subject to the following Air District Rules and Regulations: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Compliance with Air District Rules and Regulations will reduce air quality impacts from possible future development to a less than significant level.

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; or
- 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 subject property is located in an area of transition from agricultural to industrial land uses, as is evidenced by existing industrial land uses and existing industrial zoning within proximity of the subject property. Additionally, the subject 2.06-acre parcel identified as APN 331-080-59 has been previously disturbed as said property has been previously improved with a single-family residence and accessory structures. Further, the subject 16.95-acre parcel identified as APN 331-080-58 has been previously disturbed as said property has been historically utilized for agricultural cultivation.

This proposal was routed to and reviewed by the U.S. Fish and Wildlife Service (USFWS), which did not identify any concerns related to the requested Zoning Amendment. This proposal was also referred to the California Department of Fish and Wildlife (CDFW), which also did not identify 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 CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; or 4.) 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. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state 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; or
- 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: NO IMPACT:

The subject property is not located in an area designated to be highly or moderately sensitive for archeological resources. Additionally, the subject 2.06-acre parcel identified as APN 331-080-59 has been previously disturbed as said property has been

previously improved with a single-family residence and accessory structures. Further, the subject 16.95-acre parcel identified as APN 331-080-58 has been previously disturbed as said property has been historically utilized for agricultural cultivation. The site is within an area designated for General Industrial uses in the Roosevelt Community Plan. As such, no impacts to cultural resources were identified in the analysis of the requested Zoning Amendment.

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

FINDING: NO IMPACT:

The area where the subject property is located is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns related to ground shaking, ground failure, liquefaction or landslides. Further, possible future development allowed by the requested rezoning shall be subject to the Seismic Design Category C Standards. This mandatory requirement will be included as a Project Note for future development.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property has predominately flat topography and while changes in topography and erosion may result from grading activities associated with possible future development allowed by the requested rezoning, it is not likely. Further, possible future development allowed by the requested rezoning shall require a Grading Permit or Grading Voucher for any grading activities. This mandatory requirement will be included as a Project Note for future development.

- 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 subject property is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, collapse, or within an area of known expansive soils.

- 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:

Currently, the subject 2.06-acre parcel identified as Assessor's Parcel Number (APN) 331-080-59 has been improved with a 1,576 square-foot single-family residence which is served by an on-site septic system, and the subject 16.95-acre parcel identified as APN 331-080-58 has not been improved with any on-site septic systems. With regard to possible future development allowed by the requested Zoning amendment, a Site Plan Review (SPR) must be approved for any by-right land use allowed under the M-3(c) (Heavy Industrial, Conditional) Zone District prior to implementation of the by-right land use.

As with the prior rezoning to industrial uses for the property, only low water uses that generate small volumes of liquid waste will be permitted until the property is served by a community sewer and water system.

This requirement is included as a mitigation measure.

***Mitigation Measure:**

1. *Only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by community sewer and water facilities or adequate information is submitted to the Fresno County Department of Public Health, Environmental Health Division, and the County Water/Geology/Natural Resources Unit to demonstrate that the property can accommodate higher volumes of liquid wastes. The type and number of uses allowed shall be determined by the Environmental Health Division and the County Water/Geology/Natural Resources Unit.*

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:

This proposal was routed to and reviewed by the San Joaquin Valley Unified Air Pollution Control District (Air District), which did not identify any concerns related to greenhouse gas emissions. Further, compliance with Air District Rules and Regulations discussed in Section III (Air Quality) of this analysis will reduce air quality impacts from possible future development allowed by the requested rezoning to a less than significant level.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Department of Public Health, Environmental Health Division, possible future development allowed as a result of the requested rezoning may be subject to the following mandatory requirements: 1) Operations proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5; 2) Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 [State reporting thresholds that apply are: greater than 55 gallons (liquids), greater than 500 pounds (solids), greater than 200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances]; 3) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes. These mandatory requirements will be included as Project Notes for future development.

There are no schools located within one quarter mile of the subject property.

- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

No hazardous materials sites are located within the boundaries of the subject property.

- 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 subject property is not located within an Airport Land Use Plan or in the immediate vicinity of a public or private use airport.

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

FINDING: NO IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan. No such Plans were identified in the analysis of the requested rezoning.

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 subject property is not located within a wildland area.

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:

This proposal was routed to and reviewed by the California Regional Water Quality Control Board (Water Board), which did not identify any concerns related to the requested rezoning. However, if future development allowed as a result of the requested Zoning Amendment disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the Developer shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These mandatory requirements will be included as Project Notes for future development.

- 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:

This proposal was routed to and reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the requested Zoning Amendment. Further, the subject property is not located in a designated water-short area.

- 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?

FINDING: NO IMPACT:

No streams or rivers are located within the boundaries of the subject property.

- 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 WITH MITIGATION INCORPORATED:

Possible future development allowed by the requested rezoning will not cause significant changes in absorption rates, drainage patterns or the rate and amount of surface run-off, with adherence to the Grading and Drainage Sections of the Fresno County Ordinance Code.

According to the Fresno Metropolitan Flood Control District (FMFCD), due to the subject property being located within a designated FMFCD Drainage Area, possible future development allowed by the requested Zoning amendment shall require payment of a FMFCD Drainage Fee, the amount of which will be determined at the time the new development is proposed. This mandatory requirement will be included as a Project Note for future development. Additionally, FMFCD also commented that future outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into any storm drain system. Further, future runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed through a sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to the FMFCD storm drainage system shall not be permitted. Loading

docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. These requirements will be included as Mitigation Measures for future development to reduce potential impacts to water quality to less than significant.

* **Mitigation Measures**

1. All future outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into the storm drain system.
2. Future runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed through a sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to the Fresno Metropolitan Flood Control District storm drainage system shall not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements.

F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

No additional water quality impacts were identified in the analysis of the requested Zoning Amendment.

G. Would the project place housing within a 100-year floodplain?

FINDING: NO IMPACT:

No housing is proposed with the requested Zoning Amendment.

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

FINDING: NO IMPACT:

The subject property is not exposed to flooding from the 1% chance storm (100-year storm).

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

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

FINDING: NO IMPACT:

The subject property is not prone to seiche, tsunami or mudflow, nor is the subject property exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

This proposal will not physically divide a community. The subject property is located approximately one mile south of the nearest city limits of the City of Fresno.

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

FINDING: NO IMPACT:

This proposal entails the rezoning of a 16.95-acre parcel and a 2.06-acre parcel from M-3(c) (Heavy Industrial, Conditional) to M-3(c) (Heavy Industrial, Conditional) in order to allow for additional by-right land uses comprised of transportation refrigeration unit (TRU) truck and trailer storage and ancillary uses exclusive to the on-site Occupant to include administrative offices, truck and trailer service facilities, fuel dispensing facilities, and driver dispatch facilities.

The subject property is located within an area designated General Industrial in the County-adopted Roosevelt Community Plan, which provides for a full range of manufacturing, processing and storage facilities. Further, a Site Plan Review (SPR) must be approved for any by-right land use allowed under the M-3(c) (Heavy Industrial, Conditional) Zone District prior to implementation of the by-right land use.

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

FINDING: NO IMPACT:

This proposal will not conflict with any Land Use Plan or Habitat or Natural Community Conservation Plan. No such Plans were identified in the analysis of the requested Zoning Amendment.

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:

No mineral resource impacts were identified in the analysis of the requested Zoning Amendment. The subject property is not located in an identified mineral resource area 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:

This proposal entails the rezoning of a 16.95-acre parcel and a 2.06-acre parcel from M-3(c) (Heavy Industrial, Conditional) to M-3(c) (Heavy Industrial, Conditional) in order to allow for additional by-right land uses comprised of transportation refrigeration unit (TRU) truck and trailer storage and ancillary uses exclusive to the on-site Occupant to include administrative offices, truck and trailer service facilities, fuel dispensing facilities, and driver dispatch facilities. Additionally, the Applicant submitted an Environmental Noise Assessment for this proposal which was prepared by Bollard Acoustical Consultants, Inc. (dated November 7, 2016).

According to the Environmental Health Division of the Fresno County Department of Public Health, the Environmental Noise Assessment prepared for this proposal by Bollard Acoustical Consultants, Inc. indicates that the possible future development allowed as a result of the requested rezoning will comply with the Fresno County Noise Ordinance if Mitigation Measures are included to require future development to: 1) Construct a six-foot-tall wall (noise barrier) along a portion of the western property line of the subject 16.95-acre parcel identified as APN 331-080-58 (as described in the Environmental Noise Assessment prepared for this proposal by Bollard Acoustical Consultants, Inc.); 2) Transportation refrigeration unit (TRU) trucks and trailers operating on site shall be parked toward the middle of parking areas with non-refrigerated trucks and trailers parked in outer parking areas to aid in buffering noise from transportation refrigeration units.

* **Mitigation Measures**

1. *Future development shall require construction of a six-foot-tall wall (noise barrier) along a portion of the western property line of the subject 16.95-acre parcel identified as APN 331-080-58, as described in the Environmental Noise Assessment prepared by Bollard Acoustical Consultants, Inc. (dated November 7, 2016).*

2. *Transportation refrigeration unit (TRU) trucks and trailers operating on-site shall be parked toward the middle of parking areas with non-refrigerated trucks and trailers parked in outer parking areas to aid in buffering noise from transportation refrigeration units.*

- 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 subject property is not located in the vicinity of a public airport or private airstrip, and is not impacted by airport noise.

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:

This proposal will not construct or displace housing and will not 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:

According to the Fresno County Fire Protection District (Fire District), possible future development allowed as a result of the requested rezoning must comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project must be approved by the Fire District prior to issuance of Building Permits by the County. Additionally, possible future development allowed as a result of the requested Zoning Amendment will require the subject property to annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire

Protection District. These mandatory requirements will be included as Project Notes for future development.

2. Police protection?

FINDING: NO IMPACT:

This proposal was reviewed by the Fresno County Sheriff's Department, which did not identify any concerns related to the requested Zoning Amendment.

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the analysis of the requested Zoning Amendment.

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:

No such impacts were identified in the analysis of the requested Zoning Amendment.

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:

This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, and the California Department of Transportation (Caltrans), neither of which agency identified any concerns with the requested Zoning Amendment, nor did said agencies require preparation of a Traffic Impact Study (TIS).

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

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns. No such impacts were identified in the analysis of the requested Zoning Amendment.

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

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

No such impacts were identified in the analysis of the requested Zoning Amendment.

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:

This proposal will not conflict with any adopted alternative transportation plans. No such impacts were identified in the analysis of the requested Zoning Amendment.

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 WITH MITIGATION INCORPORATED:

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:

No such impacts were identified in the analysis of the requested Zoning Amendment.

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:

Pursuant to discussion in Section IV (Biological Resources), no such impacts on biological resources were identified in the analysis of the requested Zoning Amendment. Pursuant to discussion in Section V (Cultural Resources), no such impacts on cultural resources were identified in the analysis of the requested Zoning Amendment.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the analysis of the requested Zoning Amendment.

- 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 adverse impacts on human beings were identified in the analysis of the requested Zoning Amendment.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Amendment Application No. 3819, staff has concluded that the proposed Zoning Amendment will not have a significant effect on the environment. It has been determined that there would be no impacts to biological resources, cultural resources, land use and planning, mineral resources, population and housing, or recreation.

Potential impacts related to agricultural and forestry resources, air quality, greenhouse gas emissions, hazards and hazardous materials, public services, and transportation and traffic have been determined to be less than significant. Potential impacts relating to aesthetics, geology and soils, hydrology and water quality, noise, and utilities and service systems have been determined to be less than significant with the identified Mitigation Measures.

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

DC:CM:cwm

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EXHIBIT 9

Mr. Bernard Jimenez, Assistant Director
Public Works and Planning
Fresno County
2200 Tulare Street, 8th Floor
Fresno, CA 93721

SUBJECT: PROPOSED REZONE APPLICATION – APN 331-080-58 and 59

Dear Mr. Jimenez:

I am the owner of the property located at 4237 E. North Avenue (APN 331-080-57) which is near the property identified in the above rezoning request.

I support Mr. Najarian's request to modify his conditions of approval to include the parking of trucks and trailers with refrigeration units, as well as appropriate improvements to support such an operation.

Please feel free to contact me if you have any questions.



Hector and Gloria Perez
4237 E. North Avenue
Fresno, CA 93725

AA 3819
RECEIVED
COUNTY OF FRESNO

AUG 29 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Public Works and Planning
Fresno County
2200 Tulare Street, 8th Floor
Fresno, CA 93721

SUBJECT: PROPOSED REZONE APPLICATION – APN 331-080-58 & 59

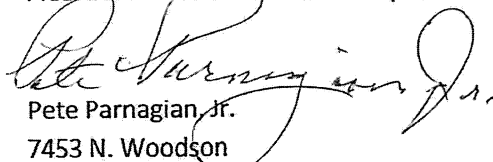
Dear Mr. Jimenez:

I am the owner of the property located at 3185 S. Minnewawa (APN 331-080-09) which is immediately south of, and adjacent to, the property identified in the above rezoning request.

I support Mr. Najarian's request to modify his conditions of approval to include the parking of trucks and trailers with refrigeration units, as well as appropriate improvements to support such an operation.

My property currently abuts another property with a similar use and there are no issues.

Please feel free to contact me if you have any questions.


Pete Parnagian, Jr.
7453 N. Woodson
Fresno, CA 93711

AA 3819
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COUNTY OF FRESNO

AUG 29 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Public Works and Planning
Fresno County
2200 Tulare Street, 8th Floor
Fresno, CA 93721

SUBJECT: PROPOSED REZONE APPLICATION – APN 331-080-58 & 59

Dear Mr. Jimenez:

I am the owner of the property located at 4131 E. North Avenue (APN 331-080-48) which is immediately west of, and abutting, the property identified in the above rezoning request.

I support Mr. Najarian's request to modify his conditions of approval to include the parking of trucks and trailers with refrigeration units, as well as appropriate improvements to support such an operation.

✓
GURDIP S. NAHAL

Gurdip Singh Nahal
4131 E. North Avenue
Fresno, CA 93725

AA3819
RECEIVED
COUNTY OF FRESNO

AUG 29 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Public Works and Planning
Fresno County
2200 Tulare Street, 8th Floor
Fresno, CA 93721

SUBJECT: PROPOSED REZONE APPLICATION – APN 331-080-58

Dear Mr. Jimenez:

I am the owner of the property located at 4248 E. North Avenue (APN 331-180-17) which is across the street and west of , the property identified in the above rezoning request.

I support Mr. Najarian's request to modify his conditions of approval to include the parking of trucks and trailers with refrigeration units, as well as appropriate improvements to support such an operation.



Gurdip Singh Nahal
4131 E. North Avenue
Fresno, CA 93725

AA 3819
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COUNTY OF FRESNO

AUG 29 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Public Works and Planning
Fresno County
2200 Tulare Street, 8th Floor
Fresno, CA 93721

SUBJECT: PROPOSED REZONE APPLICATION – APN 331-080-58 and 59

Dear Mr. Jimenez:

I represent the owners of the property immediately east (across S. Minnewawa) of the property identified in the above rezoning request (AP 331-200-07).

I support Mr. Najarian's request to modify his conditions of approval to include the parking of trucks and trailers with refrigeration units, as well as appropriate improvements to support such an operation.

Please feel free to contact me if you have any questions.



Paul Khasigian
7305 S. Peach
Fowler, CA 93625

AA 3819
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COUNTY OF FRESNO

AUG 29 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Public Works and Planning
Fresno County
2200 Tulare Street, 8th Floor
Fresno, CA 93721

SUBJECT: PROPOSED REZONE APPLICATION – APN 331-080-58 and 59

Dear Mr. Jimenez:

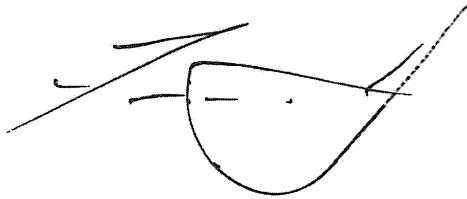
I am the owner of the property located at 4247 E. North Avenue (APN 331-080-51) which is immediately west of, and abutting, the property identified in the above rezoning request.

I support Mr. Najarian's request to modify his conditions of approval to include the parking of trucks and trailers with refrigeration units, as well as appropriate improvements to support such an operation.

Please feel free to contact me if you have any questions.



Maria Fernandez
4247 E. North Avenue
Fresno, CA 93725



AA 3819
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COUNTY OF FRESNO

AUG 29 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION