



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 5 January 12, 2017

SUBJECT: Initial Study Application No. 7183 and Unclassified Conditional Use Permit Application No. 3540

Allow a high-intensity park to be used as a wedding and special events venue on a 17.61-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District

LOCATION: The project site is located on the west side of Highland Avenue between Central and American Avenues, approximately 1.8 miles northwest of the unincorporated community of Del Rey (Address: 4219 S. Highland Avenue) (Sup. Dist. 4) (APN 331-061-72)

**OWNER/
APPLICANT:** Susan Hardin

STAFF CONTACT: Daniel Brannick, Planner
(559) 600-4297

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7183; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3540 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Floor Plan and Elevations
7. Applicant's Operational Statement
8. Applicant's Traffic Management Plan
9. Summary of Initial Study Application No. 7183
10. Draft Mitigated Negative Declaration
11. Correspondence

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 | 17.61 acres | No change |
| Project Site | <ul style="list-style-type: none">• 3,000 square-foot barn• 14-foot-high gazebo• Single-family residence• Storage shed• Five (5) pole lights | Convert existing barn to use as a special event venue for weddings and other special events. Events will utilize space inside of the barn and in the outdoor vicinity of the barn. Parking will be provided on a 1.0-acre portion of the property adjacent to the barn. |
| Structural Improvements | See "Project Site" above | See "Project Site" above |
| Nearest Residence | 50 feet north of nearest property line | No change |
| Surrounding Development | Agriculture and agriculture-related commercial uses plus limited residential development | No change |

| Criteria | Existing | Proposed |
|----------------------|---|--|
| Operational Features | See "Project Site" above | See "Project Site" above |
| Employees | N/A | No permanent employees involved with the operation. A limited number of vendors may be temporarily on site as part of events |
| Customers | N/A | 100-200 guests per event |
| Traffic Trips | Limited trips consistent with single-family residential usage | 80 additional round-trip traffic trips per event, according to estimate provided in Applicant's Traffic Management Plan |
| Lighting | Five outdoor pole lights, plus lighting inside barn | No change |
| Hours of Operation | N/A | Events held between hours of 4:00pm and 11:00pm, with most events on Saturdays and occasional events on Fridays or Sundays (five or fewer); not to exceed 30 total events per year |

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

On June 30, 2016, a violation was issued at the property for operation of a high-intensity park without a Conditional Use Permit and also change of occupancy on a pole barn built for personal storage to a special events center without plans, permits, or inspections. The subject Unclassified Conditional Use Permit Application was submitted by the Applicant on July 25, 2016 in order to correct the violation.

ENVIRONMENTAL ANALYSIS:

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

Notice of Intent of Mitigated Negative Declaration publication date: November 21, 2016.

PUBLIC NOTICE:

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

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (CUP) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an Unclassified Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

This proposal would allow operation of a high-intensity park for weddings and similar special events on a 17.61-acre parcel. The 17.61-acre parcel is currently developed with a 3,000 square-foot, 28-foot-high pole barn; a 14-foot-high gazebo; a single-family residence; a storage shed; and facilities for horses. The subject proposal entails using the barn structure and the neighboring outdoor area as a venue for hosting weddings and other special events.

The project site is located approximately 1.8 miles west of the unincorporated community of Del Rey in an area developed primarily with agricultural land uses including vineyards, orchards, and some agricultural packing facilities located to the north of the project site. There are a limited number of single-family residences in the area, with the nearest residence approximately 50 feet north of the nearest property line of the subject parcel.

According to the Applicant’s Operational Statement, events will involve use of the barn and the outdoor area immediately outside of the barn, plus an approximately one-acre area for parking. Events will be held one day a week with hours of operation between 4:00pm and 11:00pm. Amplified sound and/or music is not to be used beyond 10:00pm and must be contained inside the barn. The total number of events will be limited to thirty events per year. The majority of events will be on Saturday with occasional events (five or fewer) on Fridays or Sundays. The number of guests per event is expected to be between 100 and 200 attendees, plus a limited number of vendors who provide services for events held at the venue. The venue itself will not have any permanent employees.

As discussed above, the subject application has been filed to correct an existing violation for unpermitted use and operation of a high-intensity park. County records indicate that the existing barn was permitted in May 2013, but it was permitted only for storage use and not for hosting weddings and other special events. Subsequent to receiving notice of the violation, the property has ceased being used as a venue for special events.

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: 35 feet Side: 20 feet Rear: 20 feet | Yes |
| Parking | 75 spaces plus two additional handicapped spaces | 80 parking spaces, plus two handicapped spaces | Yes |

| | Current Standard: | Proposed Operation: | Is Standard Met (y/n) |
|-------------------------|---|----------------------------|------------------------------|
| Lot Coverage | No requirement | N/A | N/A |
| Space Between Buildings | No requirement | N/A | N/A |
| Wall Requirements | No requirement | N/A | N/A |
| Septic Replacement Area | 100 percent for existing system | No change | Yes |
| Water Well Separation | Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet | No change | Yes |

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: Site Plan Review is recommended as a Condition of Approval for this proposal.

Fresno County Department of Public Health, Environmental Health Division: No more than 200 guests per day shall be permitted at the facility until such time as a revision to the on-site wastewater treatment system is completed, approved and installed in accordance with current regulations, codes and/or local ordinances. The on-site wastewater treatment system (septic system) shall be designed and installed in accordance with California Well Standards, California Plumbing Code and the OST System Designs, Inc. revised report dated November 2, 2016 or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division. As per California Well Standards, the horizontal separation distance between any “watertight septic tank or subsurface leaching field” and water wells is 100-feet. Any changes in the proposed project may require additional review to ensure adequacy of the on-site wastewater treatment systems’ adequacy to serve the proposed changes.

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 existing and proposed improvements meet minimum building setback requirements of the AE-20 Zone District. Additionally, the project provides for adequate on-site parking for guests, event support staff, and facility employees. The subject 17.61-acre property is adequate in size and shape to accommodate the parking and circulation area, ingress and egress, and buildings/structures for the proposed use.

Regarding comments provided by the Environmental Health Division, the parcel is sufficiently large to accommodate the sewage disposal systems and expansion areas to meet the mandatory setback requirements as established in the California Plumbing Code and California Well Standards Ordinance. The proposal will be required to adhere to the conditions pertaining to septic disposal which are listed in Exhibit 1, including a restriction limiting the number of guests to 200 per day.

Additionally, as a Condition of Approval, the project will be subject to Site Plan Review in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.

Based on the above, and with adherence to the aforementioned Mitigation Measures and Conditions of Approval, staff finds that the project site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

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 | Yes | 800-foot driveway from Highland Avenue | No change |
| Public Road Frontage | Yes | Highland Avenue | No change |
| Direct Access to Public Road | Yes | Highland Avenue | No change |
| Road ADT | | 100 | See "Traffic Trips" below |
| Road Classification | | Local | No change |
| Road Width | | 30-foot right-of-way | No change |
| Road Surface | | Private Road: Decomposed granite on top of 3-inch asphalt Highland Avenue: 0.28 feet RMS | Private Road: Pave first 30 feet of driveway from Highland Avenue Highland Avenue: No change |
| Traffic Trips | | Limited trips consistent with single-family residential usage | 80 additional round-trip traffic trips per event, according to estimate provided in Applicant's Traffic Management Plan |
| Traffic Impact Study (TIS) Prepared | No | N/A | The project was reviewed by the Design Division and the |

| | | Existing Conditions | Proposed Operation |
|----------------------------|--|---------------------|---|
| | | | Road Maintenance and Operations Division, which requested preparation of a Traffic Management Plan. Upon review of the Traffic Management Plan by those divisions, it was determined that no TIS would be required for the project. |
| Road Improvements Required | | N/A | Pave first 30 feet of private driveway from Highland Avenue |

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

Design Division of the Fresno County Department of Public Works and Planning: The Applicant is required to provide the County a traffic management plan that will address how the special event traffic will be managed and accommodated. With our Road Maintenance and Operations Division finding the traffic management plan acceptable, there are no further comments.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Highland Avenue is classified as a Local with an ADT of 100, pavement width of 23.6 feet, structural section of 0.28 feet RMS, and is in excellent condition. Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Highland Avenue has 50 feet of road right-of-way, 30 feet east of the section line and 20 feet west of the section line. The Applicant should irrevocably offer an additional 10 feet of road right-of-way to bring the road up to minimum County standards. The Traffic Management Plan requested by the Design Division should provide for traffic to be directed to Central Avenue. The first 30 feet of driveway should be reconstructed to better define the driveway, minimize track-out and mitigate impacts to the existing road structural section at the edge of pavement. If the remainder of the driveway has some type of stabilized surfacing, then it should be acceptable.

California Department of Transportation (Caltrans): No comments.

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

Analysis:

As part of this proposal, the Applicant was required to submit a Traffic Management Plan (TMP) for review and approval. The TMP indicates that access to the project site will be provided by the existing 800-foot driveway leading from Highland Avenue, with secondary access available via a dirt road along the southern portion of the subject parcel. The TMP also indicates there will be a 6-foot pole sign to direct traffic from Highland Avenue to the project site, and that

parking attendants will be present at events to direct traffic. Adherence to the submitted Traffic Management Plan has been included as a Mitigation Measure for the project.

The proposal and the Traffic Management Plan were reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which did not express any concerns regarding the carrying capacities of the adjacent roadways nor require a Traffic Impact Study for the project.

The Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning also reviewed the proposal and accompanying Traffic Management Plan. In its comments, Road Maintenance and Operations indicated the first 30 feet of driveway should be reconstructed to better define the driveway, minimize track-out and mitigate impacts to the existing road structural section at the edge of pavement. The comments also stated that the Applicant should irrevocably offer an additional 10 feet of road right-of-way to bring the road up to minimum County standards. These items have been included as recommended Conditions of Approval in Exhibit 1 of the Staff Report.

Based on the above information, and with adherence to the traffic Mitigation Measures, Conditions of Approval, and Project Notes included in Exhibit 1, staff finds the streets and highways serving the project area are adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

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

| Surrounding Parcels | | | | |
|----------------------------|-------------|--|---------|--------------------|
| | Size: | Use: | Zoning: | Nearest Residence: |
| North | 17.72 acres | Agriculture w/single-family residences (2) | AE-20 | 50 feet |
| South | 78.18 acres | Agriculture w/single-family residence | AE-20 | 1,230 feet |
| | 2.05 acres | Vacant | AE-20 | N/A |
| East | 34.15 acres | Agriculture | AE-20 | N/A |
| West | 17.61 acres | Agriculture (fallow) w/single-family residence | AE-20 | 500 feet |

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: A change of occupancy permit will be required for the barn structure. The structure was permitted as a pole

barn for storage of personal and farm-related items. Any structural, plumbing, mechanical, and electrical modifications to the barn will also need to be reviewed and will require permits.

Fresno County Department of Public Health, Environmental Health Division: Proposed operations of the facility include the use of a caterer to provide food and beverages (no food shall be prepared on site); the food and beverages shall be provided by a caterer permitted by the Fresno County Department of Public Health, Environmental Health Division. Contact the Consumer Food Protection Program at (559) 600-3357 for more information. The Applicant shall contact the California Alcoholic Beverage Control Department at (559) 225-6334 for information concerning service of alcohol at events.

Fresno County Fire Protection District: The project/development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

Fresno County Department of Agriculture: The project is in the near vicinity of agricultural activities. The Fresno County "Right to Farm" Ordinance shall be presented to the Applicant so that any necessary mitigation measures can be considered by the facility to minimize any potential discomfort or risk to employees or patrons. Also, this project, as part of the conditional use designation, should acknowledge the need to control weeds and rodents within the project area to prevent this project from becoming a nuisance to neighboring properties.

San Joaquin Valley Air Pollution Control District: Based on information provided to the District, project-specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project-specific criteria pollutant emissions would have no significant adverse impact on air quality. Based on information provided to the District, the proposed project does not meet the definition of a development project. Therefore, the District concludes that the proposed project is not subject to District Rule 9510 (Indirect Source Review).

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections will be required for change of occupancy for a pole barn built for personal storage to a special events center.

Fresno County Sheriff's Department: No comments.

Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning: No water quantity issues with this project.

State Water Resources Control Board, Drinking Water Division: The proposed event center will not meet the definition of a public water system since it will not exceed usage for over 60 days per year.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

The proposal entails the establishment of a high-intensity park with related improvements for weddings and similar special events on an approximately three-acre portion of a 17.61-acre project site. The proposal utilizes facilities that already exist on the property, and the design and styling of the facilities is consistent with the predominantly agricultural aesthetic of the

surrounding area. The subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were specifically identified in the area that would be impacted by the proposal. No concerns regarding noise impacts from the proposal on the surrounding area were identified during review of the project.

As described in the discussion under Finding 4, the subject proposal is not expected to have an adverse effect on surrounding agricultural uses. High-intensity parks have been contemplated as a conditionally permissible use in Agriculture-designated areas, and the limited number of event days and patrons associated with this project pose a lesser likelihood for conflict with agricultural uses. The Fresno County Department of Agriculture commented that that the Applicant should be presented with the Fresno County “Right to Farm” Ordinance so that any necessary measures can be considered by the facility to minimize any potential discomfort or risk to employees or patrons. This has been included as a recommended Condition of Approval. The Department of Agriculture also noted that the Applicant should acknowledge County standards for controlling weeds and rodents to prevent the project from becoming a nuisance to neighboring properties. This has been included as a Project Note.

The project was reviewed by the Environmental Health Division (Health Department) who requested that a sewage feasibility analysis be conducted for the site. Based upon this study, the Health Department requested inclusion of a Mitigation Measure requiring installation of a wastewater treatment system in accordance with the study. Review by the Health Department did not identify any concerns regarding noise impacts from the proposal on the surrounding area.

The Initial Study prepared for this project identified potential impacts related to aesthetics, geology and soils, and transportation/traffic. Regarding aesthetics, to minimize light impacts, a Mitigation Measure has been included to require that all outdoor lighting shall be hooded and directed downward so as not to shine upon adjacent roads and properties. Regarding geology and soils, a Mitigation Measure has been included requiring adherence to the Sewage Feasibility Study submitted by the Applicant to the Fresno County Department of Public Health. Regarding transportation/traffic, as discussed above a Mitigation Measure requiring adherence to the submitted Traffic Management Plan (TMP) has been included.

Based on the above information, and with the adherence to the Mitigation Measures, recommended Conditions of Approval, and Project Notes listed in Exhibit 1, the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

| Relevant Policies: | Consistency/Considerations: |
|---|---|
| General Plan Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, special | The subject application meets applicable criteria “a”, “b”, “c” and “d” of Policy LU-A.3. With regard to Criteria “a”, the project will provide |

| Relevant Policies: | Consistency/Considerations: |
|---|---|
| <p>agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses.</p> <p>Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:</p> <ol style="list-style-type: none"> The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics; The use should not be sited on productive agricultural lands if less productive land is available in the vicinity; The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one quarter (1/4)-mile radius; A probable workforce should be located nearby or be readily available. | <p>opportunities for weddings and similar special events to the families from the surrounding communities of Sanger, Fowler, Selma, and Kingsburg. Also, the acreage of the subject parcel allows for noise and other impacts of an indoor/outdoor event venue to remain contained on the project site more effectively than in urbanized areas where large parcels are much less common. With regard to Criteria “b”, the project site is designated as Farmland of Local Importance on the 2014 California Important Farmland Map, whereas much of the land in the vicinity is designated as Prime Farmland or Unique Farmland which are more productive farmland classifications, and the site has not been in productive agricultural use for at least ten years. With regard to Criteria “c”, the Water/Geology/Natural Resources Division has reviewed the proposal and indicates that the required General Plan water determinations can be made regarding water quantity, sustainability and impact on other water users. Regarding Criteria “d”, the Operational Statement provided by the Applicant states that the proposed special event venue will not have any permanent employees, and a number of cities, including Sanger, Fowler, Selma, and Kingsburg, are capable of providing vendors or other adequate workforce for events held at the project site.</p> |
| <p>General Plan Policy LU-A.12: In adopting land use policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> | <p>General Plan Implementation Program LU-A.C indicates that buffers generally shall consist of a physical separation between agricultural and non-agricultural uses, with the appropriate width being determined on a site-by-site basis taking into account the type of existing agricultural uses, the nature of the proposed development, the natural features of the site, and any other factors that affect the specific situation. In this instance, a substantial portion of the parcel is open land that surrounds the area of the property proposed for use as a special event venue. There is also landscaping present around the event site and the main driveway that functions to buffer the site of the venue. Given this design plus the limited frequency of events, the proposal is consistent with LU-A.12 and LU-A.13.</p> <p>Additionally, the Applicant will be required to sign a covenant to acknowledge the Fresno County Right-to-Farm Ordinance regarding the</p> |

| Relevant Policies: | Consistency/Considerations: |
|--|--|
| | inconveniencies and discomfort associated with normal farm activities in the project area. |
| General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. | As discussed above, no direct or indirect conversion of productive agricultural land is expected to occur as part of the proposal. |
| 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. | As noted above, the Water/Geology/Natural Resources section of the Fresno County Department of Public Works and Planning reviewed the proposal and determined that sufficient groundwater supply exists to meet the needs of the project. |
| General Plan Policy PF-D.6: The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided. | The proposal was reviewed by the Environmental Health Division of the Fresno County Department of Public Health, whose comments indicated the proposed use can be accommodated with the number of guests not to exceed 200 people and the sewage disposal system designed in accordance with the report prepared by OST System Designs, Inc., dated November 8, 2016, or as otherwise deemed acceptable by the Fresno County Department of Public Health, Environmental Health Division. |

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: See *policies identified above*.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

The subject parcel is designated Agriculture in the Fresno County General Plan, and the property is not subject to an Agricultural Land Conservation (Williamson Act) contract. As described in the table above, the proposal is consistent with the General Plan Policies identified as being applicable to the proposal.

Based on these factors, the subject proposal is consistent with the General Plan.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

Three letters in support of the proposal were submitted via email and have been attached as Exhibit 11.

CONCLUSION:

Based on the factors discussed in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3540, subject to the recommended Mitigation Measures, Conditions of Approval, and Project Notes.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7183; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3540, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3540; 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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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7183 and Unclassified Conditional Use Permit Application No. 3540
(Including Conditions of Approval and Project Notes)

| Mitigation Measures | | | | | |
|-------------------------|---|--|-------------------------------|---|----------------------------------|
| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
| *1. | Aesthetics, Lighting | All existing and future outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets or roadways. | Applicant | Applicant/Fresno County Department of Public Works and Planning (PW&P) | Ongoing; for duration of project |
| *2. | Geology and Soils | The project shall adhere to the Sewage Feasibility Study ("Study") prepared by OST Systems, Inc. dated November 2, 2016. Adherence to the Study includes either replacement of the existing septic tank with a minimum 3,000-gallon tank or, alternatively, installation of a minimum 2,000-gallon tank in addition to the existing 1,500-gallon tank as part of a two-tank configuration. Tank installation shall occur prior to the issuance of occupancy permits. | Applicant | Applicant/PW&P/ Fresno County Department of Public Health, Environmental Health Division | As noted |
| *3. | Transportation/Traffic | The project shall adhere to the Grace Barn Traffic Management Plan as submitted by the Applicant and dated September 6, 2016. | Applicant | Applicant/PW&P | Ongoing; for duration of project |
| Conditions of Approval | | | | | |
| 1. | Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plan, Elevation Drawings, and Operational Statement approved by the Planning Commission. | | | | |
| 2. | Prior to issuance of building permits, a Site Plan Review shall be submitted for approval by the Director of 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, but are not limited to, design of parking and circulation, access, grading and drainage, fire protection, signage, and control of lighting. | | | | |
| 3. | A Covenant Running with the Land Regarding Right to Farm Notice shall be executed by the Owner/Operator and recorded with the Fresno County Recorder's Office prior to Site Plan Review approval. | | | | |
| 4. | The owner of the subject parcel shall record a document irrevocably offering 10 feet of the subject parcel to the County of Fresno as future right-of-way for Highland Avenue (20 feet existing). The western line of said offer shall establish the building setback line for future development. Note: A preliminary title report or lot book guarantee may be required before the irrevocable offer of dedication can be processed. The owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial | | | | |

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|----|--|
| | reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer. The County will prepare the irrevocable offer of dedication free of charge. |
| 5. | The first 30 feet of driveway shall be reconstructed to better define the driveway, minimize track-out, and mitigate impacts to the existing road structural section at the edge of pavement. |
| 6. | The use of amplified sound and/or music for events held at the project site shall cease by 10:00pm. |

*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.

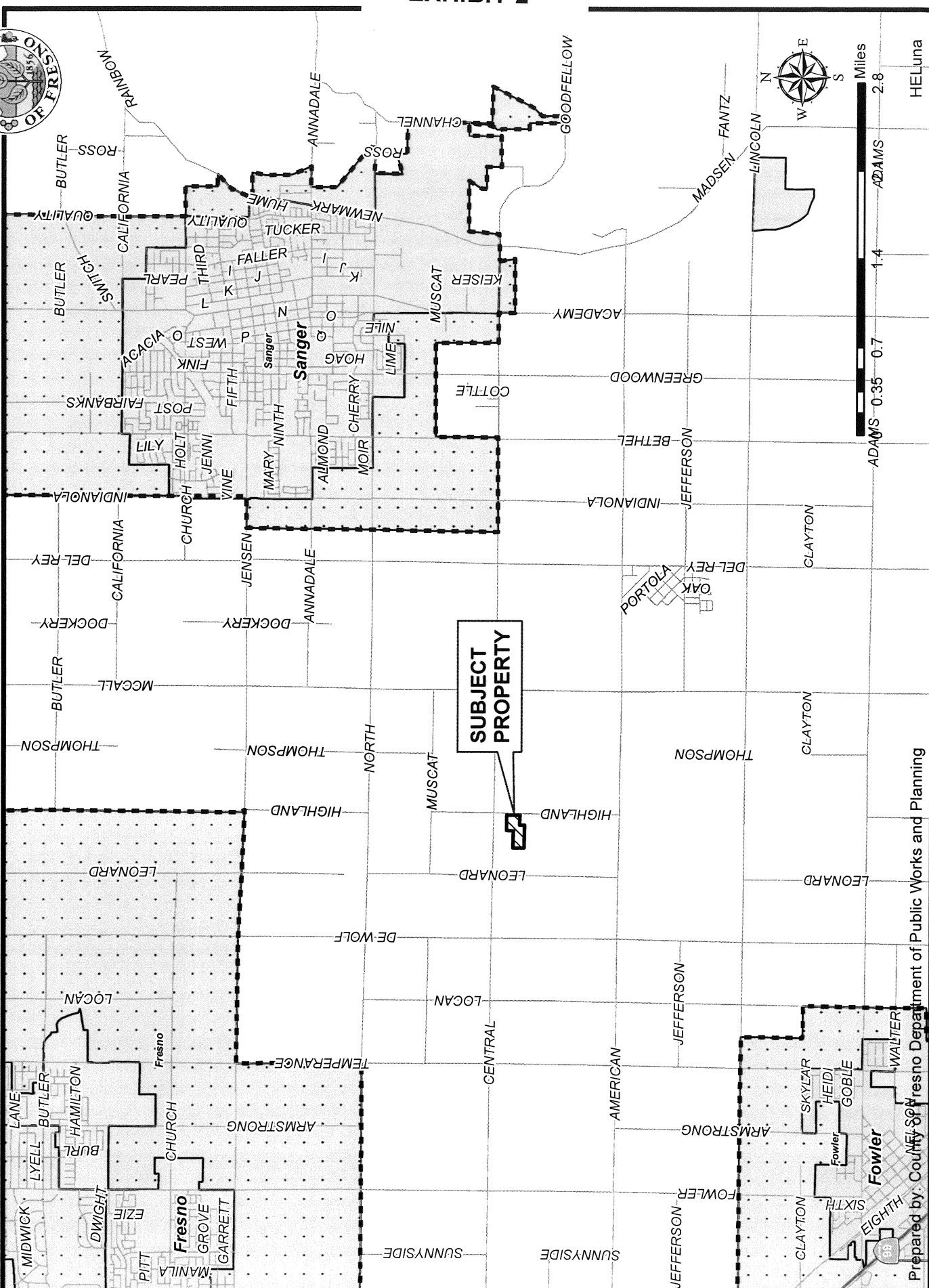
| Notes | |
|--|---|
| The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant. | |
| 1. | This Conditional Use Permit will become void unless there has been substantial development within two years of the effective date of this approval. |
| 2. | A change of occupancy permit will be required for the barn structure. Any structural, plumbing, mechanical, and electrical modifications to the barn will also need to be reviewed and will require permits. |
| 3. | Food and beverages served at the event venue will need to be provided by a caterer permitted by the Fresno County Department of Public Health, Environmental Health Division. Contact the Consumer Food Protection Program at (559) 600-3357 for more information. The Applicant should contact the California Alcoholic Beverage Control Department at (559) 225-6334 for information concerning service of alcohol at events. |
| 4. | The Applicant should acknowledge the need to control weeds and rodents within the project area to prevent this project from becoming a nuisance to neighboring properties. |
| 5. | The project/development will be subject to requirements of the current Fire Code and Building code when a building permit or certificate of occupancy is sought. The project developer should also contact the Fresno County Fire Protection District regarding Community Facilities District No. 2010-01. |
| 6. | Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. |
| 7. | Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. |
| 8. | A grading permit or voucher may be required for this application. |

EXHIBIT 2



LOCATION MAP

CUP 3540, IS 7183



Prepared by: County of Fresno Department of Public Works and Planning

EXISTING ZONING MAP



EXHIBIT 3

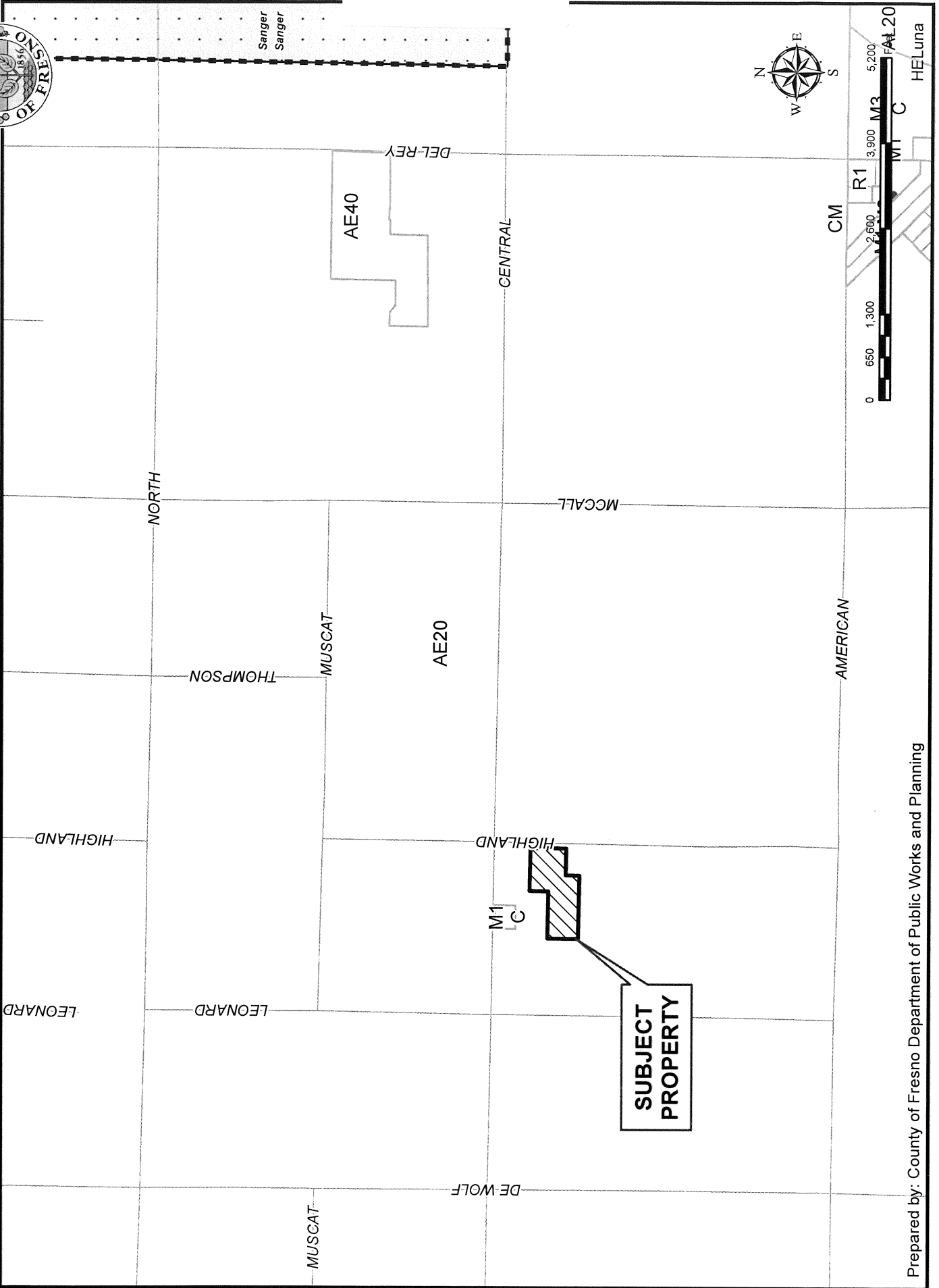


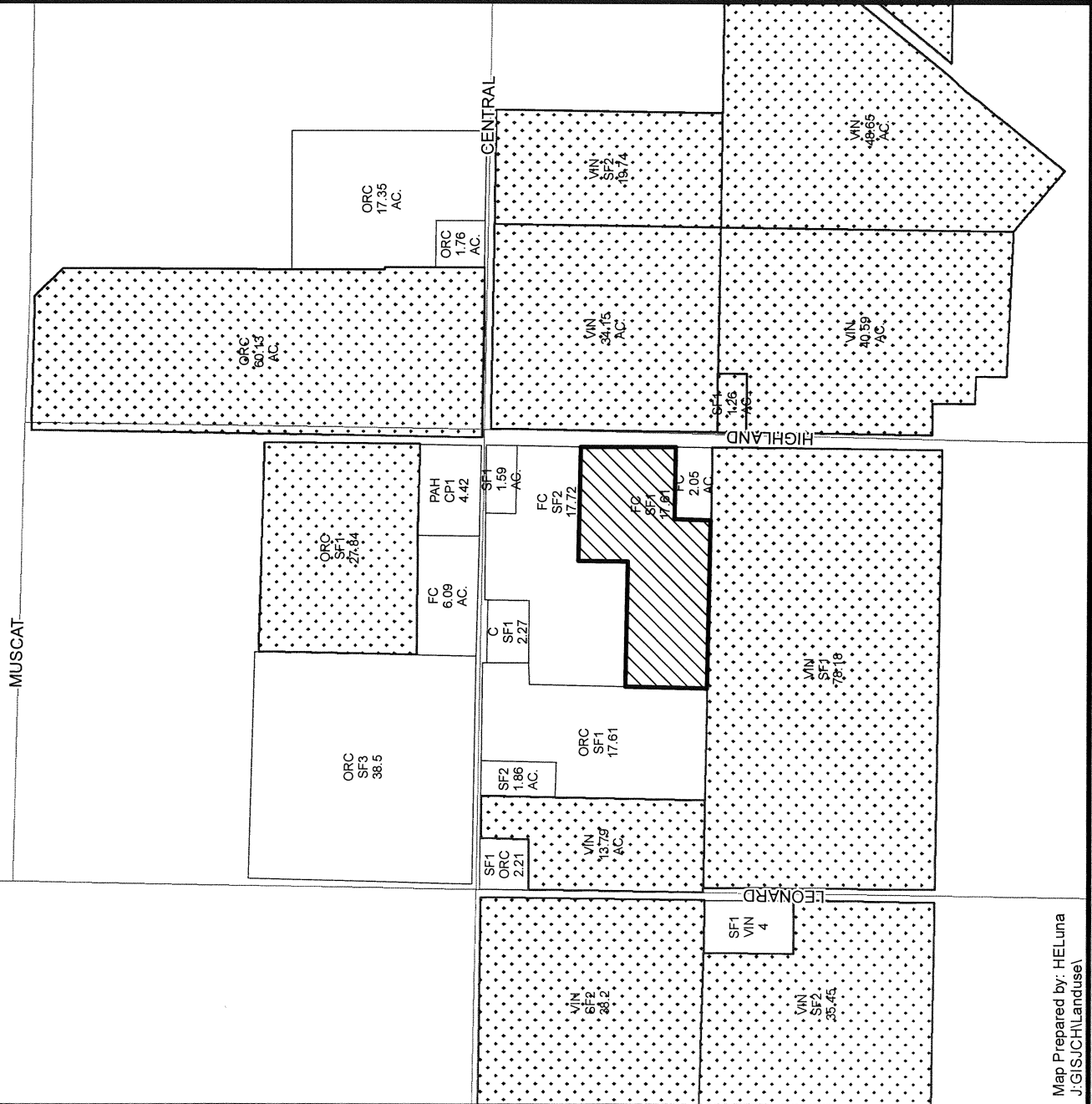


EXHIBIT 4

EXISTING LAND USE MAP

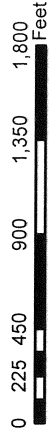
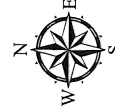
CUP 3540, IS 7183

MUSCAT



- LEGEND**
- C - COMMERCIAL
 - FC - FIELD CROP
 - ORC - ORCHARD
 - PAH - PACKING HOUSE
 - SF# - SINGLE FAMILY RESIDENCE
 - VIN - VINEYARD
 - CP# - OFFICE COMM./PROF
 - V - VACANT

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



Department of Public Works and Planning
Development Services Division

Map Prepared by: HELuna
J:GIS\CH\Landuse\

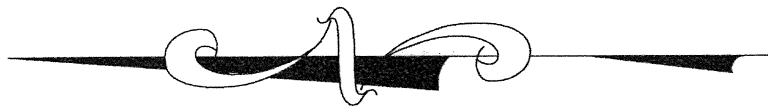
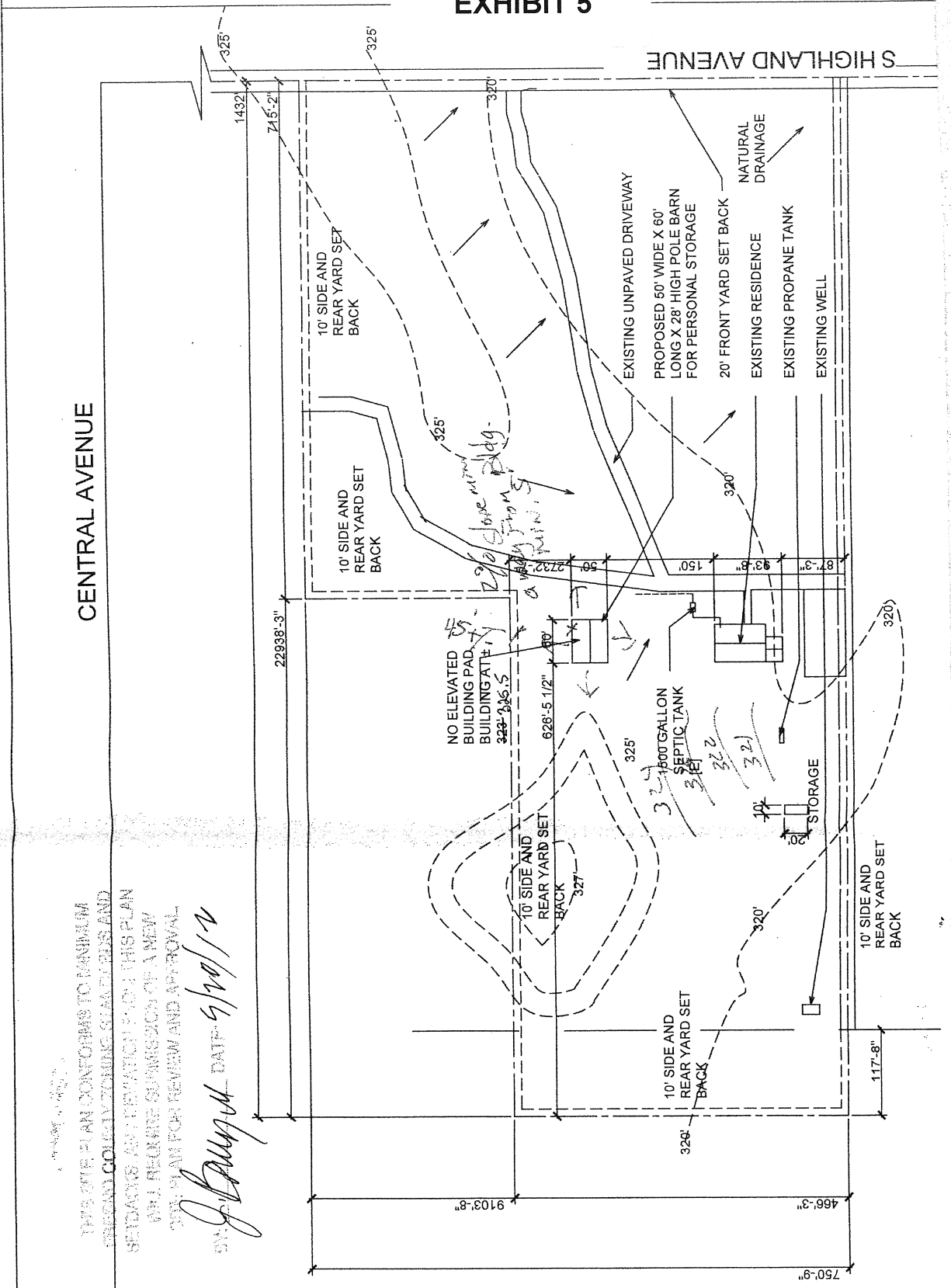
EXHIBIT 5

CENTRAL AVENUE

S HIGHLAND AVENUE

THIS SITE PLAN CONFORMS TO MINIMUM SPECIAL COMMERCIAL ZONING ORDINANCES AND SETBACKS AND ELEVATION NOTES. THIS PLAN SHALL REQUIRE SUBMISSION OF A NEW SITE PLAN FOR REVIEW AND APPROVAL.

DATE: 5/20/12



SITE DEVELOPMENT

SECTION 4.01 - 2103 GREYS BUILDINGS STADIUMSIDE CODE

1. USE GENERAL PRESERVATION AND USE OF AVAILABLE NATURAL RESOURCES SHALL BE ACCOURTED. MINIMAL PRESERVATION OF SOILS, MANAGEMENT OF STORM WATER DRAINAGE AND EROSION CONTROL SHALL COMPLY WITH THIS SECTION.

2. LANDSCAPE ARCHITECTURE SHALL PROVIDE A PLAN FOR THE PROPOSED PLANTING. PLANTS SHALL BE SELECTED TO PROVIDE A YEAR-ROUND INTEREST AND TO PROVIDE A VARIETY OF TEXTURE, COLOR AND FORM. PLANTS SHALL BE SELECTED TO PROVIDE A YEAR-ROUND INTEREST AND TO PROVIDE A VARIETY OF TEXTURE, COLOR AND FORM. PLANTS SHALL BE SELECTED TO PROVIDE A YEAR-ROUND INTEREST AND TO PROVIDE A VARIETY OF TEXTURE, COLOR AND FORM.

3. THE SELECTION OF PLANTS SHALL BE BASED ON THE LOCAL CLIMATE AND SOILS. PLANTS SHALL BE SELECTED TO PROVIDE A YEAR-ROUND INTEREST AND TO PROVIDE A VARIETY OF TEXTURE, COLOR AND FORM. PLANTS SHALL BE SELECTED TO PROVIDE A YEAR-ROUND INTEREST AND TO PROVIDE A VARIETY OF TEXTURE, COLOR AND FORM.

4. THE SELECTION OF PLANTS SHALL BE BASED ON THE LOCAL CLIMATE AND SOILS. PLANTS SHALL BE SELECTED TO PROVIDE A YEAR-ROUND INTEREST AND TO PROVIDE A VARIETY OF TEXTURE, COLOR AND FORM. PLANTS SHALL BE SELECTED TO PROVIDE A YEAR-ROUND INTEREST AND TO PROVIDE A VARIETY OF TEXTURE, COLOR AND FORM.

FOUNDATION

1. ALL PROPERTY CORNERS AND STRING PROPERTY LINES PRIOR TO THE FOUNDATION.

2. FOUNDATION TYPE: CONCRETE PILES

3. SOIL BEARING CAPACITY: 100 TPF (3.45 U)

4. PILE CAP: 45 TPF

5. PROVIDE A 1/2" MIN. LANDING AT ALL EXTERIOR EXITS AND BOTTOM OF ALL EXTERIOR STAIR CASES

6. ALL LANDING AT DOORS, LANDING SHALL HAVE A MIN. 1/2" MIN. CLEARANCE FROM THE TOP OF THE EXTERIOR DOOR TO THE TOP OF THE LANDING. THE CLEARANCE SHALL BE MEASURED TO THE TOP OF THE DOOR THRESHOLD. THE CLEARANCE SHALL BE MEASURED TO THE TOP OF THE DOOR THRESHOLD. THE CLEARANCE SHALL BE MEASURED TO THE TOP OF THE DOOR THRESHOLD.

7. ALL CONTINUOUS CONCRETE FOOTINGS TO BE REINFORCED WITH #4 REBAR CONTINUOUS @ TOP & BOTTOM OF FOOTING WITH 3" MIN. DISTANCE FROM EDGE OF CONCRETE OR AS PER DETAILS AND FOUNDATION PLAN.

8. ANCHOR BOLTS TO BE 1/2" DIA. EMBEDMENT @ 4" DIA. MIN. IN 2" x 2" x 2" SQUARE WASHER.

MAIN FLOOR PLAN

1. METALLICAL WOOD BRIDGES ATTACHED TO THE MAIN FLOOR SHALL BE REINFORCED TO RESIST 5000 PSF (240 K) LOAD AND 1/4" MIN. DEFLECTION.

2. PROVIDE A 1/2" MIN. LANDING AT ALL EXTERIOR EXITS AND BOTTOM OF ALL EXTERIOR STAIR CASES

3. ALL CONTINUOUS CONCRETE FOOTINGS TO BE REINFORCED WITH #4 REBAR CONTINUOUS @ TOP & BOTTOM OF FOOTING WITH 3" MIN. DISTANCE FROM EDGE OF CONCRETE OR AS PER DETAILS AND FOUNDATION PLAN.

UPPER FLOOR

1. METALLICAL WOOD BRIDGES ATTACHED TO THE UPPER FLOOR SHALL BE REINFORCED TO RESIST 5000 PSF (240 K) LOAD AND 1/4" MIN. DEFLECTION.

2. PROVIDE A 1/2" MIN. LANDING AT ALL EXTERIOR EXITS AND BOTTOM OF ALL EXTERIOR STAIR CASES

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4. PILE CAP: 45 TPF

FLOOR AND FRAMING PLANS

1. METALLICAL WOOD BRIDGES ATTACHED TO THE FLOOR AND FRAMING SHALL BE REINFORCED TO RESIST 5000 PSF (240 K) LOAD AND 1/4" MIN. DEFLECTION.

2. PROVIDE A 1/2" MIN. LANDING AT ALL EXTERIOR EXITS AND BOTTOM OF ALL EXTERIOR STAIR CASES

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INTEGRATED DESIGN ENGINEERING
 1598 ALTA AVENUE, FREEMONT, CA 94529
 TEL: (925) 703-8200
 FAX: (925) 703-8201
 www.idesigner.com

PLANS, ELEVATIONS, SECTION

HARDIN POLE BARN
 DEL REY, CA

| PROJECT INFORMATION | |
|---------------------|----------|
| PROJECT NO. | 2013-001 |
| DATE | 10/20/13 |
| CAD | ASB/ML |
| DRAWN BY | ASB/ML |
| CHECKED BY | AG |
| DATE PLOT | 11/11/13 |
| SHEET NO. 3 OF 12 | |

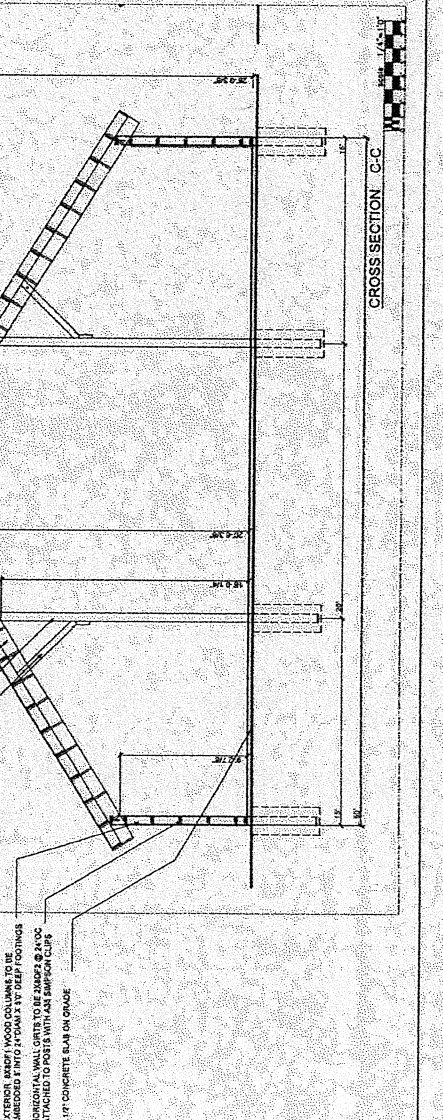
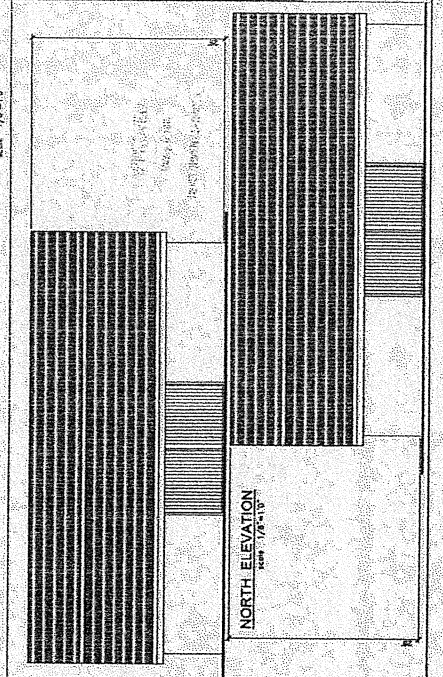
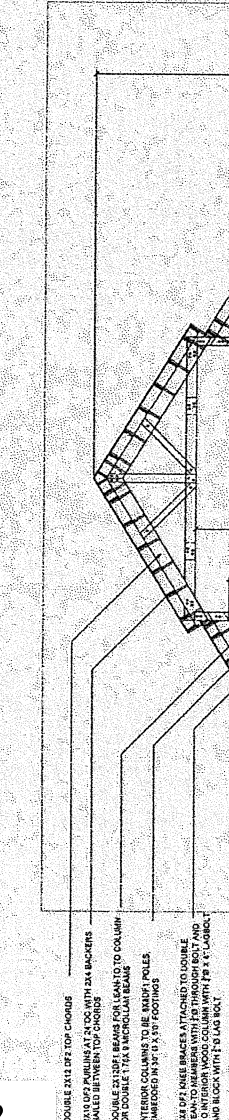
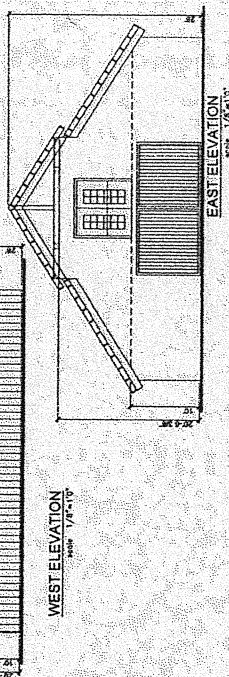
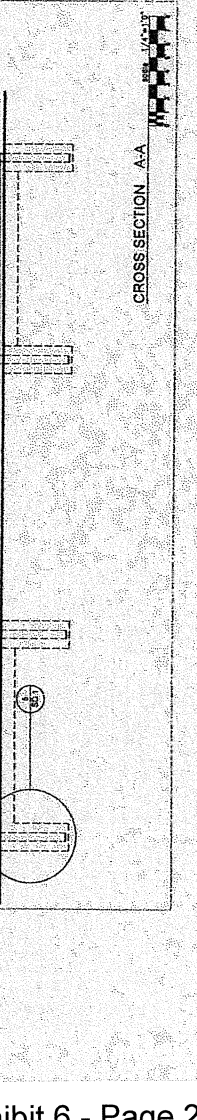
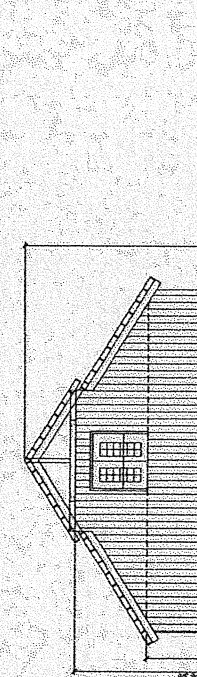
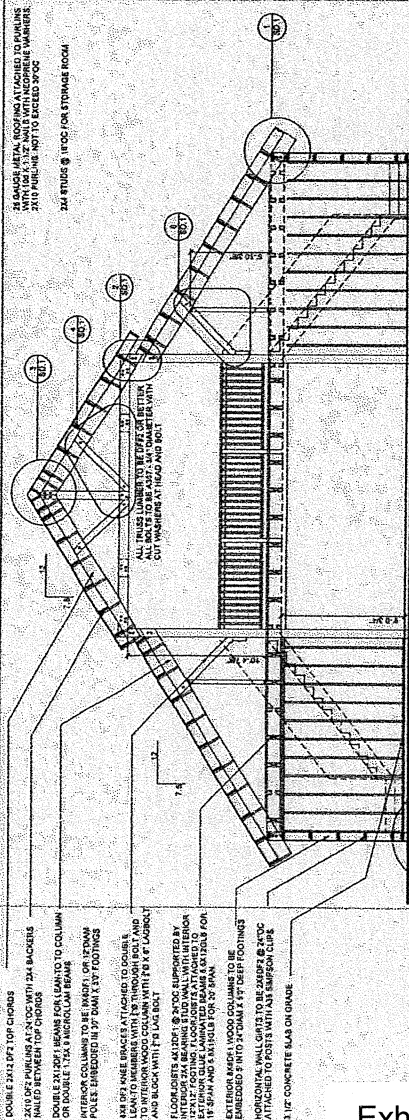
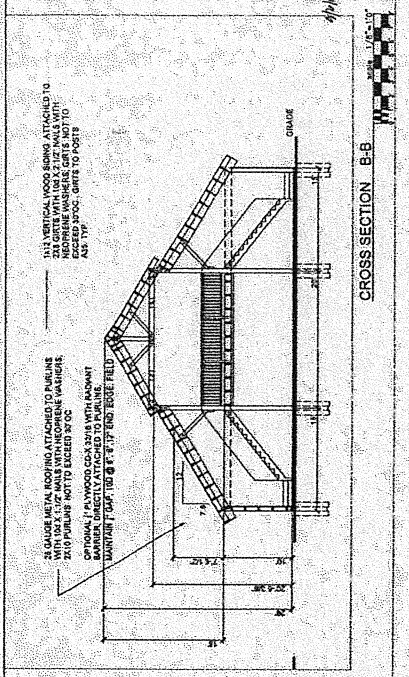


Exhibit 6 - Page 2

THIS DRAWING IS 24" X 36" AT FULL SCALE, 18" X 24" AT HALF SCALE.

EXHIBIT 7

CUP 3540 – Operational Statement

The Conditional Use Permit is being submitted by Tom and Susan Hardin and pertains to the 17.5 acres located at 4219 S. Highland Ave. Del Rey CA 93616. APN: 331-061-56 and is zoned AE-20. The name of the venue is Grace Barn.

The planned use is for the existing pole barn and a portion, approximately 1.5 acres of the surrounding land and landscape to be used as an Event Venue. On the existing site there is currently a 3000 sq. ft. pole barn with a break room, two restrooms and storage rooms. The landscape consists of shrubs, trees, flowers, lawn and concrete walkways around the barn on approximately 1.5 acres. There is a fourteen ft. gazebo, a pergola covered walkway and a fourteen ft. shed. There are five pole lights surrounding the barn. There is an existing wood fence to the North and West of the barn, a pipe fence to the East side of the barn and concrete walkways located inside the fenced in area. The fences are lined with poplar trees and bushes. There are lawns and flower beds. No new landscape is proposed, just the use of the existing.

Our plan is to hold an event one day a week, approximately thirty events total per year. The majority of events (estimated 80 percent) will be on Saturday with an occasional event on Friday or Sunday. The hours for an event are usually from 4:00pm-11:00pm on Saturday. The number of guests is usually between 100-200 guests. The occupancy inside the barn is 98 persons. The outdoor space can accommodate the remainder of the guests.

This is a sole proprietorship. We live on site. We do not have any employees.

No goods are sold at the venue.

No equipment is used.

Deliveries usually consist of a small van or delivery truck on Friday AM and pick up on Monday AM of tables and chairs used at the event. Delivery times can be changed or scheduled as needed. All other vendors (florists, bakeries, caterers) deliver on Saturday 1-4 hours before the event. They are contracted by the renters.

Grace Barn is a private facility by invitation only. Private parties are not required to obtain an ABC license, Section 23399.1 of the California Business and Professional Code. This was confirmed by Lori Koman, ABC Agent. Private events, usually weddings, are held at Grace Barn with an occasional birthday party or other private function. At most events beer and wine is served with an occasional renter serving hard liquor or no liquor at all. The hosts either have guests serve themselves or they hire a licensed bartender to serve the alcohol for their guests. The guests are not charged for the alcohol. In the future, Grace Barn will limit the alcohol to champagne, beer and wine only. Grace Barn does not keep, serve, consume or dispose of alcohol.

Cleaning supplies, mops, brooms and buckets are stored in a locked closet under the loft.

Any trash or food is disposed of in a three yard trash bin and removed weekly by an agency.

There are no hazardous wastes brought on or disposed of on the premises.

Water use: Beverages are usually provided by the caterers but there can be some usage of approximately 0-10 gallons per event. Restroom water and hand washing use is estimated between 160-230 gallons per event. All water provided by well.

There is a 4'X6' wooden sign located at the Highland main driveway entrance.

There is a dirt area West of the fenced area for parking but no designated stalls.

Mic and/or music is off by 10:00pm and can be contained inside the barn.

We have discussed the use of the event venue with our neighbors. The immediate neighbors north and east are our children and immediately to the west is a good friend. The vineyards adjacent to the South and East have no homes.

The main driveway into the facility is covered with decomposed granite and has minimal dust. The secondary driveway shared with the farmer to the south, has not been an issue with dust in the past thirteen years that we have lived here. The farmer uses the driveway occasionally for equipment, tractors or vehicles. Dust control has not been an issue but if it becomes an issue we have a water truck for dust control treatment as needed.

The venue is a beautiful western red cedar post and beam barn. Aesthetically it complements out 17.5 acre horse ranch it is located on.

Grace Barn is located in the small community of Del Rey. The barn is surrounded by the small cities of Sanger, Fowler, Selma and Kingsburg. The barn will help promote economic vitality in these smaller communities as well as Del Rey by using vendors and services in these communities.

Grace Barn

TRAFFIC MANAGEMENT PLAN

4219 S Highland Avenue, Del Ray, California

CUP #3540

SEPTEMBER 6, 2016

Prepared by M. Scott Tyler, RCE (64462)

INTRODUCTION & GENERAL INFORMATION

The applicant proposes to obtain a Conditional Use Permit for the operation of private events as allowed in Section 853 of the Fresno County Zoning Ordinance Code for use at Grace Barn located at 4219 South Highland Avenue between Central Avenue and American Avenue. Highland Avenue is an unstriped 2 lane north-south road that is 1 mile west of McCall Avenue and 1 mile east of De Wolf Avenue. Highland is a local road and ends north of Central Avenue at Muscat Avenue and ends to the south at American Avenue. Highland Avenue mainly serves the residents and farms along this segment of Highland Avenue. Central Avenue is striped county 2 lane collector road and American Avenue is a striped county 2 lane arterial road.

Fresno County Council of Governments Regional Traffic Monitoring Report Dated April 15, 2013 lists the daily traffic volumes, 2011, for Central Avenue west of Bethel at 890 vehicle per day (VPD) eastbound and 840 VPD westbound. The same report list the traffic volumes, 2009, on American Avenue west of Bethel Avenue at 1,060 VPD eastbound and 1,060 VPD westbound.

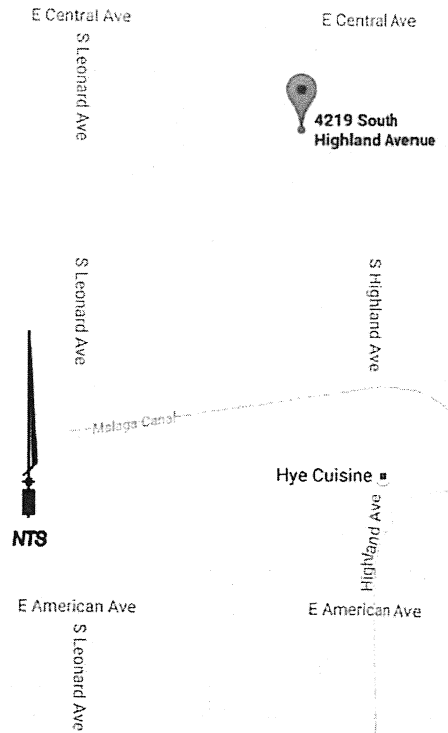
The proposed facility will be open for a limited period during special events by invitation only for weddings. The events would occur one time per week on Saturdays. The anticipated number of guests range from between 100 to 200 people. The hours for the events will typically be held between 5:00 PM to 11:00 PM. There will be ancillary trips by vendors (table & chair rentals, caterers, florists, etc.) the day before the event plus trips to pick up equipment a day or two after the event. These trips are assumed to be less than 10 trips per day and would most likely occur at random times during the day with no impacts or added delays to existing peak hour traffic in the area.

The property (APN 331-061-56) is designated for agricultural AE-20 use in the Fresno County's General Plan. The land uses at the site include a ranch with horses and arena. The property is owned and operated by Susan Hardin and Tom Hardin. The surrounding property uses include vineyards, orchards and private residents.

TRAFFIC & ACCESS

The following process will be utilized for all special events held at the proposed facility. Vehicles will enter the site from Highland Ave only approximately 0.16 miles south of Central Avenue and approximately 0.83 miles from American Avenue. A 6 foot pole sign will direct traffic from Highland to the on-site parking along with parking attendants. Traffic for the events will be during non-peak periods, with guests arriving sporadically an hour or two before the typical start time of 6 PM on Saturday and will start leaving the event sporadically after 10 PM Saturday.

Vicinity Map



Given the low traffic volumes listed above for American Avenue and Central Avenue, any additional trips to and from Grace Barn will have little to no impact or delays to surrounding county roads and intersections.

PARKING

Parking attendants will be directing guests to the parking area shown on site map (see below) approximately one hour before the start of the event. Six foot pole signs will also direct traffic from Highland Avenue, and at each turn, to the designated parking area. The designated parking area is over 1 acre in size (approximately 210 feet by 265 feet) and will accommodate more than 125 vehicles. The anticipated ratio of passengers per vehicle will be 2 to 4 attendees per vehicle. With 200 attendees, the event parking the ratio would be around 1.6 persons per vehicle using 125 parking stalls however a vehicle occupancy factor of 2.5 persons per vehicle represents a common assumption per the Federal Highway Administration's "Managing Travel for Planned Special Events" so the site has excess parking capacity based on the maximum event size and would only need 80 parking stalls for 200 attendees at the 2.5 persons per vehicle.

SITE MAP

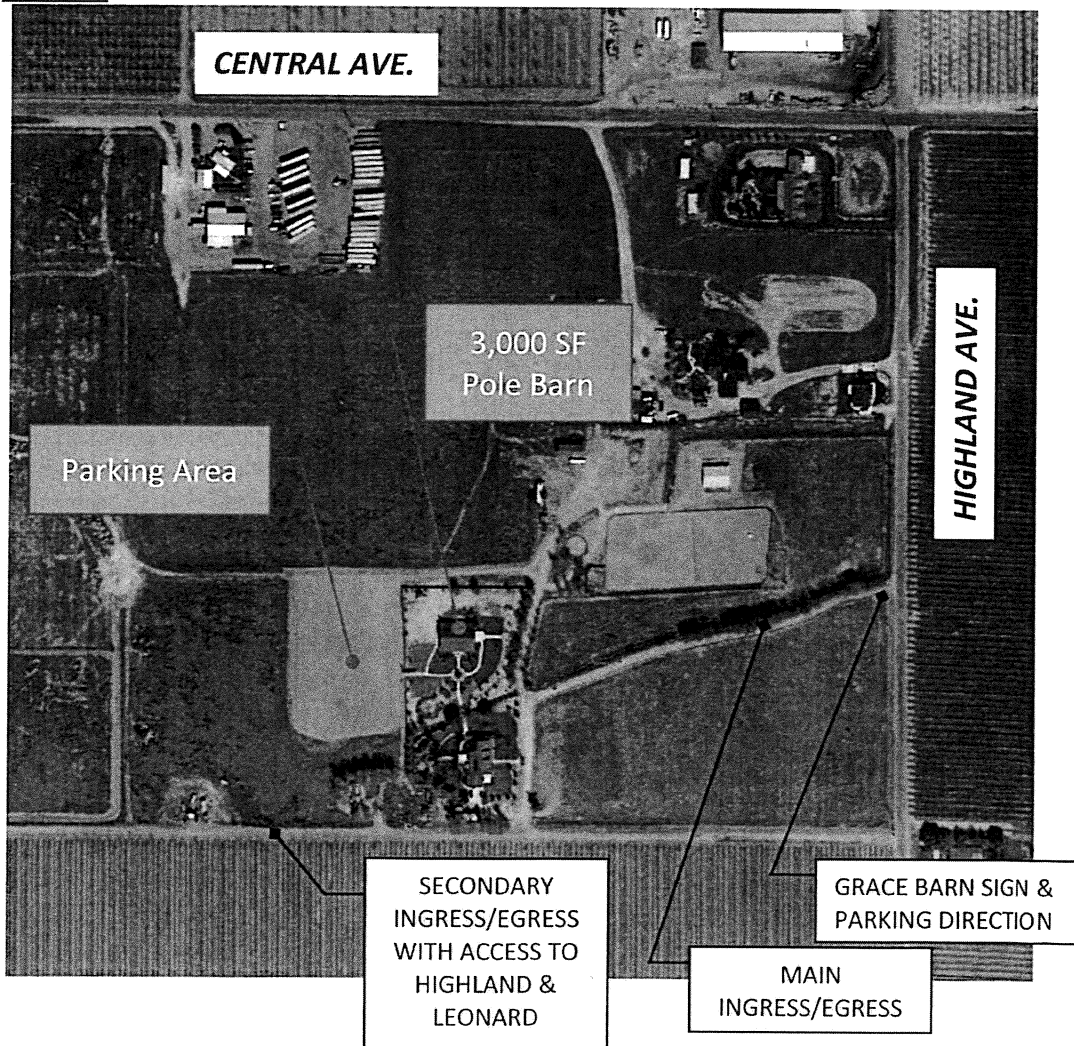


EXHIBIT 9



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Susan Hardin

APPLICATION NOS.: Initial Study Application No. 7183 and Unclassified
Conditional Use Permit Application No. 3540

DESCRIPTION: Allow a high-intensity park to be used as a wedding and special events venue on a 17.61-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District

LOCATION: The project site is located on the west side of Highland Avenue between Central and American Avenues, approximately 1.8 miles northwest of the unincorporated community of Del Rey (Address: 4219 S. Highland Avenue) (Sup. Dist. 4) (APN 331-061-72)

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:

The project site is located approximately 1.8 miles northwest of the unincorporated community of Del Rey in an area developed with agricultural land uses and a limited number of single-family residences. The 17.61-acre parcel is currently developed with a single-family residence, facilities for horses, and a 28-foot-high pole barn measuring 3,000 square feet. The subject proposal entails using the pole barn and the neighboring outdoor area as a venue for hosting special events such as weddings, plus an approximately one-acre area for parking. No significant aesthetic impacts are expected as the proposal calls for using structures that already exist on the subject property. Additionally, the barn structure's styling is consistent with the predominantly agricultural aesthetic of the surrounding area. Further, no scenic vistas or scenic resources were specifically identified in the area that would be impacted by the proposal.

- 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 Applicant's Operational Statement indicates there will be five outdoor pole lights located at the project site. To minimize any light and glare impacts resulting from this proposal, a Mitigation Measure has been included to require that all lighting shall be hooded and directed as to not shine towards adjacent property and public streets.

* **Mitigation Measure(s)**

1. *All existing and future outdoor lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets or roadways.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use?

FINDING: NO IMPACT:

The project site is classified on the California Department of Conservation's 2014 Important Farmland Map as Farmland of Local Importance, with no portion of the project site containing Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?

FINDING: NO IMPACT:

The subject parcel is located in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. This proposal would allow a high intensity park, which is a conditionally permitted use in the AE-20 Zone District. The subject parcel is not under Williamson Act Contract.

- 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:

The project site is not located on forest land.

- 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 Fresno County Department of Agriculture reviewed the proposal and commented that that the Applicants should be presented with the Fresno County "Right to Farm" ordinance so that any necessary measures can be considered by the facility to minimize any potential discomfort or risk to employees or patrons. A Condition of Approval has been included prior to obtaining building permits for the project. The Department of Agriculture's comments also noted that the Applicants should acknowledge County standards for controlling weeds and rodents to prevent the project from becoming a nuisance to neighboring properties, which has been included as a Project Note.

This proposal is not in conflict with agricultural zoning and is an allowed use on land designated Agriculture with discretionary approval and adherence to applicable General Plan Policies. The project area is adjacent to parcels containing land classified as Prime Farmland and Farmland of Statewide Importance. However, given that high intensity parks have been contemplated as a conditionally permissible use in Agriculture-designated areas, the proposal will not conflict with existing agricultural uses in the area.

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:

According to comments provided by the Air District, project specific emissions of criteria pollutants are not expected to exceed the Air District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10 and thus would have no significant adverse impact on air quality. Additionally, the Air District commented that the proposed project does not meet the definition of a development project and therefore is not subject to District Rule 9510 (Indirect Source Review).

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: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in an agricultural area and has been previously disturbed as the property has been historically utilized for agricultural cultivation. Additionally, neighboring properties have also been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed. This proposal was referred to the U.S. Fish and Wildlife Service (USFWS), which did not identify any concerns related to the project. This proposal was also referred to the California Department of Fish and Wildlife (CDFW), which also did not identify any concerns. Additionally, no species listed in the California Natural Diversity Database (CNDDB) were identified in the vicinity of the project site. 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 CDFW or USFWS; 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 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 project site is not located in an area of known archeological sensitivity and has previously been disturbed from agricultural activities. Further, the subject proposal utilizes existing structures and facilities at the project site, so no new ground-disturbing activity is entailed with this proposal.

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?

FINDING: NO IMPACT:

The project site is not located along a known fault line and is not at risk of damage from an earthquake rupture.

- 2. Strong seismic ground shaking?

FINDING: NO IMPACT:

The project site is located in an area that has a peak horizontal ground acceleration of 0-20 percent per Figure 9-5 in the Fresno County General Plan Background Report (FCGPBR), with a 10 percent chance of exceeding that percentage in 50 years. No agencies expressed concerns specific to seismic hazards, and the area is not in an identified seismic hazard area.

- 3. Seismic-related ground failure, including liquefaction; or

- 4. Landslides?

FINDING: NO IMPACT:

The project site is not located in an area at risk of Seismic Hazards or Landslide Hazards per Figures 9-5 and 9-6 (FCGPBR) or per the California Geological Survey performed by the California Department of Conservation.

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

FINDING: NO IMPACT:

The project is not located in an area at risk of substantial erosion, per Figure 7-3 (FCGPBR), nor does the project provide additional risk of erosion. Changes in topography of the site could result from grading activities. As noted by the Development Engineering Section of the Fresno County Department of Public Works and Planning: 1) any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards; and 2) a Grading Permit or Voucher shall be required for any grading proposed with this application.

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 in an area of expansive soils, per Figure 7-1 (FCGPBR).

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 project will require construction of an on-site sewage disposal system under permits and inspections from the Building and Safety Section of the Department of Public Works and Planning.

A Sewage Feasibility Study ("Study") dated November 2, 2016, was prepared for the project by OST Systems Designs, Inc. The Environmental Health Division of Fresno County Department of Public Health reviewed the Study and commented that the proposed special event venue would be acceptable with adherence to the designs and recommendations set forth in the Study and with attendance limited to 200 guests per day as indicated in the project's Operational Statement.

Comments from the Environmental Health Division further stated that: 1) prior to issuance of building permits, the applicant/owner will be required to submit complete

restroom and utility room facility plans and specifications to the Health Department for review and approval; and 2) prior to operations, the applicant/owner will be required to apply for obtain a permit to operate a food facility. These requirements will be included as Project Notes.

* **Mitigation Measure(s)**

1. *The project shall adhere to the Sewage Feasibility Study (“Study”) as submitted by the Applicant and dated November 2, 2016. Adherence to the Study includes either replacement of the existing septic tank with a minimum 3,000-gallon tank or, alternatively, installation of a minimum 2,000-gallon tank in addition to the existing 1,500-gallon tank as part of a two-tank configuration. Tank installation shall occur prior to the issuance of occupancy permits.*

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 project and expressed no concerns with greenhouse gas emissions. As discussed in Section III (Air Quality) of this analysis, the project’s specific emissions of criteria pollutants are not expected to exceed the Air District significance thresholds, and project does not meet the definition of a development project and thus is not subject to District Rule 9510 (Indirect Source Review).

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?

FINDING: NO IMPACT:

The project does not involve transport, use, or disposal of hazardous materials.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: NO IMPACT:

There are no schools located within one quarter-mile of the project site.

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

FINDING: NO IMPACT:

The project is not located on a hazardous material site and does not involve transport, use or disposal of hazardous wastes. No schools are located within one quarter-mile of the project site. The Fresno County Department of Public Health, Environmental Health Division, has reviewed this proposal and expressed no concerns related to hazardous materials.

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 located within an Airport Land Use Plan or within two miles 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:

The proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan.

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 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?

- 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:

The proposal was reviewed by the Water/Geology/Natural Resources Section of the Department of Public Works and Planning, whose comments indicated that the project site is not in a low water area and did not identify any concerns related to groundwater supplies or recharge.

According to the Drinking Water Division of the California Department of Public Health, this proposal does not constitute a public water system classified as a Transient Noncommunity Water System since it will not exceed usage for over 60 days per year, thus not requiring permitting from the Drinking Water Division. Additionally, as discussed in Section VI.E, this proposal was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which expressed no concerns with the project regarding soils or wastewater disposal given adherence to the project's Septic Feasibility Study.

- 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: LESS THAN SIGNIFICANT IMPACT:

The project will not alter any existing drainage patterns and no streams or rivers are located near the subject parcel.

- 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:

As noted above in Section VI.B Geology and Soils, any changes to the existing drainage pattern resulting from this proposal would require a Grading Permit or Voucher from the Development Engineering Section of the Fresno County Department of Public Works and Planning.

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

FINDING: NO IMPACT:

As discussed above, comments provided by the Drinking Water Division indicated the proposed event venue will not meet the definition of a public water system since it will not exceed usage for over 60 days per year, and comments from the Environmental Health Division indicated no concerns regarding soils or wastewater disposal given adherence to the project's Septic Feasibility Study. No other comments were provided concerning water quality impacts that may result from the proposal.

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

FINDING: NO IMPACT:

No housing is proposed as part of the project.

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

According to the FEMA FIRM Panel 2145H, the subject property is not subject to flooding from the 100-year storm.

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

FINDING: NO IMPACT:

The project is not located in a site identified in Figure 9-8 of the Fresno County General Plan as being at risk of dam failure.

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

FINDING: NO IMPACT:

The project site is not prone to seiche, tsunami, or mudflow.

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 unincorporated community of Del Rey, the nearest community to the subject parcel, is located approximately 1.8 miles to the southeast.

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

FINDING: NO IMPACT:

The subject property is designated Agriculture in the Fresno County General Plan, which allows certain non-agricultural uses by discretionary approval where the use meets criteria identified in General Plan Policy LU-A.3 as well as other policies discussed below.

Policy LU-A.3(a) states that non-agricultural uses in areas designated Agriculture shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas. Policy LU-A.3(b) states that such uses shall not be sited on productive agricultural land if less productive land is available in the vicinity. Policy LU-A.3(c) states that the operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius. Policy LU-A.3(d) states that a probable workforce should be located nearby or readily available.

In this instance, the proposed high-intensity park for special events fits to the subject property based on its location outside of an urban area and yet in close proximity to the incorporated cities of Sanger, Fresno, and Clovis plus other nearby towns and communities to serve them. The agricultural-themed aesthetic setting that the project seeks to convey would be less effectively realized within a more urbanized area, and the physical form of the facility (i.e. a barn) is consistent with areas designated Agriculture. The subject parcel is not actively productive farmland, and the parcel's designation on the 2014 Important Farmland Map indicates that it is less suitable for farming purposes than most other parcels of land in the general vicinity. As discussed under Section IX Hydrology and Water Quality, no detrimental impacts on water resources are expected to result from the project. Additionally, no detrimental impacts Further, the cities of Fresno, Clovis, and Sanger are capable of providing a readily available workforce.

Policy LU-A.12 states that the County, in adopting land uses policies, regulations and programs, shall seek to protect agricultural activities from encroachment of incompatible land uses. Policy LU-A.13 states that the County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations. Policy LU-A.14 states the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

As discussed under Section II Agricultural and Forestry Resources, the subject parcel is not designated as Prime Farmland or Farmland of Statewide Importance and it is not currently in use for farming purposes, so no conversion of productive agricultural land will take place as a result of the proposal. The project's site plan shows that a buffer of space will exist between the venue facilities and neighboring agricultural uses which should sufficiently minimize conflicts between the respective uses of land.

Policy PF-C.17 requires a water supply evaluation to determine adequacy of water supply to meet the highest demand that could be permitted on the land in question. Comments from the Water/Geology/Natural Resources Unit of the Development Services Division indicate that the project is not in a water short area and due to limited

water usage would not impact groundwater resources. Additionally, as discussed under Section IX.A Hydrology and Water Quality, comments from the Drinking Water Division of the California Department of Public Health indicated the proposal does not constitute a public water system classified as a Transient Noncommunity Water System, thus not requiring permitting from the Drinking Water Division.

Policy PF-D.6 states that the County shall permit individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided. As discussed under Section VI.E Geology and Soils, Section VIII Hazards and Hazardous Wastes, and Section IX. Hydrology and Water Quality, the proposal will not threaten surface or groundwater quality or pose any other health hazards.

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

FINDING: NO IMPACT:

This project will not conflict with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan. No such plans were identified in the analysis.

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 project site is not located in an area identified by Figure 7-7 or 7-8 as a Mineral Resource Location or a Mineral Producing Location.

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:

According to the Applicant's Operational Statement, events held at the venue will utilize amplified sound and music inside of the barn, with no amplified sound or music past 10:00pm. The Department of Public Health, Environmental Health Division, reviewed the proposal and determined that a noise study would not be required for the proposal due to the distance between the project site and surrounding development in the area. Further, since the proposal will utilize an existing structure, no significant construction-related noise impacts are anticipated. Based upon this information, impacts pertaining to noise will be less than significant.

- 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:

There are no private or public airports within at least two miles of the project 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:

This proposal will not result in an increase of housing, nor will it otherwise induce population growth or displace substantial numbers of people.

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: NO IMPACT:

The proposal was reviewed by the Fresno County Fire Protection District, which expressed no concerns involving impacts associated with fire protection services.

- 2. Police protection?

FINDING: NO IMPACT:

The proposal was reviewed by the Fresno County Sheriff's Department, which expressed no concerns with the proposal.

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

FINDING: NO IMPACT:

No such impacts were identified in the analysis.

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 project analysis.

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 WITH MITIGATION INCORPORATED:

The project site is fronted by Highland Avenue, which is classified as a local road with a 30-foot right-of-way west of center line. The project site is approximately 550 feet south of Central Avenue, which is designated as a collector road in the Transportation and Circulation Element of the Fresno County General Plan.

According to the Applicant's Operational Statement and Traffic Management Plan (TMP), the anticipated number of visitors to the project site will be 100-200 guests per event. There will also be ancillary trips made by vendors that will occur a day or two before or after each event (fewer than ten trips per day per event). The proposed special event venue will have no permanent employees aside from the two owners who also reside on the property.

The County's Design Division and Road Maintenance and Operations Division reviewed the project and both requested that the Applicant submit a Traffic Management Plan addressing how special event traffic will be managed and accommodated.

A Traffic Management Plan (TMP) prepared by M. Scott Tyler and dated September 6, 2016, was submitted to the County for review. The TMP shows primary and secondary ingress and egress points from Highland Avenue to accommodate vehicles, and it also indicates there will be signage directing traffic from Highland Avenue to the on-site parking along with parking attendants. Both the Design Division and Road Maintenance and Operations Division reviewed the TMP and expressed that it was acceptable for the subject proposal. Adherence to the applicant-submitted TMP has been included as a Mitigation Measure.

* **Mitigation Measure(s)**

1. The project shall adhere to the Grace Barn Traffic Management Plan as submitted by the Applicant and dated September 6, 2016.

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

FINDING: NO IMPACT:

The project will not change air traffic patterns.

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

E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project will not alter existing roadway designs within the project area. Neither the Design Division nor the Road Maintenance and Operations Division expressed concerns related to traffic hazard resulting from this proposal except for requiring a Traffic Management Plan describing the means and methods to accommodate the special event traffic and also requiring that the first 30 feet of the primary driveway be reconstructed to better define the driveway. Implementation of the applicant-provided Traffic Management Plan has been included as a Mitigation Measure (see Section XVI.A.B above), and the requirement to reconstruct the first 30 feet of the driveway has been included as a Condition of Approval for the project.

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 under 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 under Sections IX.A and IX.B 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 under Sections IX.A and 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 under 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 project analysis. The project will generate small amounts of commercial waste which will be collected and disposed of 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: LESS THAN SIGNIFICANT IMPACT:

As indicated in Section IV and Section V above, any impacts on biological resources or cultural resources from the proposal are expected to be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No cumulatively considerable impacts were identified in the analysis other than Aesthetics, Geology and Soils, and Transportation/Traffic, which will be addressed with the Mitigation Measures discussed in Section I.D, Section VI.E, and Section XVI.B, respectively.

- 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.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3540, 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 Cultural Resources, Hazards and Hazardous Materials, Mineral Resources, Population and Housing, Public Services, and Recreation.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Biological Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Geology and Soils, and Transportation/Traffic have determined to be less than significant with adherence to the Mitigation Measures listed in Section I.D, Section VI.E, and Section XVI.B.

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.

DB

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EXHIBIT 10

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|--|--|--|---|---------------------------|
| File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721 | | Space Below For County Clerk Only. <div style="text-align: center; font-size: small;">CLK-2046.00 E04-73 R00-00</div> | | |
| Agency File No: IS 7183 | 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): Daniel Brannick, Planner | | Area Code: 559 | Telephone Number: 600-4297 | Extension: N/A |
| Applicant (Name): Susan Hardin | | Project Title: Unclassified Conditional Use Permit Application No. 3540 | | |
| Project Description: Allow a high-intensity park to be used as a wedding and special events venue on a 17.61-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District | | | | |
| Justification for Negative Declaration: <p>Based upon the Initial Study prepared for Unclassified Conditional Use Permit (CUP) Application No. 3540, 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 Cultural Resources, Hazards and Hazardous Materials, Mineral Resources, Population and Housing, Public Services, and Recreation.</p> <p>Potential impacts related to Agricultural and Forestry Resources, Air Quality, Biological Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, and Utilities and Service Systems have been determined to be less than significant.</p> <p>Potential impacts relating to Aesthetics, Geology and Soils, and Transportation/Traffic have determined to be less than significant with compliance with the Mitigation Measures listed in Section I.D, Section VI.E, and Section XVI.B.</p> | | | | |
| FINDING: The proposed project will not have a significant impact on the environment. | | | | |
| Newspaper and Date of Publication: Fresno Business Journal – November 21, 2016 | | | Review Date Deadline: Planning Commission – December 30, 2016 | |
| Date: November 17, 2016 | Type or Print Signature: Chris Motta Principal Planner | | Submitted by (Signature): Daniel Brannick Planner | |

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION

EXHIBIT 11

January 4, 2017

To whom it may concern,

This letter is in reference to Grace Barn located at 4219 South Highland in Del Rey, CA. 93616. The owners, Tom & Sue Hardin are very giving people to the community. It has been their goal to make their facilities available for certain non-profit organizations several times a year.

The barn has been available for the Life Cathedral Church ladies program several times free of charge. They also made it available free of charge for teen events.

I know they have discussed the facilities being available for other churches as well however, I do not know the details of those other events. The facilities are immaculate and the grounds are well maintained. It is a rustic setting in the sense that it is a western style barn but at the same time it is a beautiful building, with walkways and grassy areas with bushes.

If I may be of further service to you please let me know.

Respectfully,

William J. Helmstetter, Pastor
Life Cathedral Church of God.

Brannick, Daniel

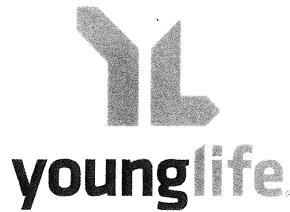
From: Shanda Fulbright <shandafulbright@icloud.com>
Sent: Friday, December 23, 2016 7:19 AM
To: Brannick, Daniel
Subject: CUP3540

Hello! I am writing on behalf of Grace Barn. My youth group has had several functions at this barn (Christmas parties, ceremonies, Jamborees) and Tom and Sue Hardin donate their services free of charge. They help invest their time and resources for the good of our middle and high schoolers, as well as our elementary school aged students. We have many students who would not have been able to come to these events if there were a fee. Tom and Sue graciously offer the barn, tables and chairs, and access to their premises for these students. They give back to our community out of the kindness of their hearts. Sue Hardin has expressed several times that she has always wanted to be able to offer Grace Barn at no cost to us because she wants to help at risk youth.

I wanted to share this information with you so that you can get a better understanding of the kind of people Tom and Sue are. Their barn is not just another wedding venue. It is a place where many of my students have been able to come and enjoy being a part of something they rarely will have the opportunity to be a part of anywhere else.

Sincerely,

Shanda Fulbright
Youth Pastor
Life Cathedral COG



January 5, 2016

COUNTY OF FRESNO
DEPARTMENT OF PUBLIC WORKS AND PLANNING
Development Services Division
2220 Tulare Street, Suite A
Fresno, California 93721
Attention: Daniel Brannick

Re: CUP 3540

Subject: Letter of Reference for the Grace Barn (Susan & Tom Hardin)

Mr. Brannick,

I am writing this letter as a reference for Susan & Tom Hardin. It is my understanding that they are applying for a Conditional Use Permit for their banquet facility, the Grace Barn.

Our organization hosted our annual fundraising dinner at the Grace Barn on September 11th, 2016. Mr. & Mrs. Hardin generously donated its use only charging for a small cleaning fee. We were given full use of the barn as well as the yard and parking areas.

Mrs. Hardin was very helpful. She clearly explained the limits of our use of the facility and her expectations. She also offered referrals to local vendors and advice to help our event be successful at their site.

I would characterize Mrs. Hardin as both kind and professional. It was clear that she has a passion to care for her patrons. We look forward to hosting future events at Grace Barn knowing that they will take good care of us. I would highly recommend Susan & Tom Hardin for anyone in need of a special event site. They are an asset to their neighborhood and to Fresno County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Harrell'.

Joe Harrell
Committee Chair
Young Life of South Fresno County

South Fresno County

6179 S. Armstrong Ave
Fowler, CA 93625

tel. 559 285 1095

travisfeaver@gmail.com
younglife.org