



# County of Fresno

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

## Planning Commission Staff Report Consent Agenda Item No. 1 March 16, 2017

**SUBJECT:** Initial Study No. 6786, Unclassified Conditional Use Permit (CUP)  
Application No. 3436, and Variance Application No. 3962

Grant a one-year time extension to exercise Unclassified Conditional Use Permit No. 3436 which authorizes a two-phase expansion of an existing detention facility – jail (300-bed medium and maximum security jail and related facilities for Phase 1 - two additional jail housing floors for an additional 300 beds with construction of a second laundry floor and new electrical cogeneration facility fueled by natural gas for Phase 2) on a 1.1-acre portion of a 2.9-acre parcel under ownership of Fresno County and adjacent to the existing North Annex Jail located in the City of Fresno's DTG (Downtown General) Zone District. The application also includes Variance Application No. 3962 to waive the on-site parking requirements of general parking, as construction will remove most of the remaining on-site parking facilities. Off-street parking is provided on adjacent and surrounding lots and metered parking located on the streets surrounding the facility and the temporary closure of L Street during construction is also being considered.

**LOCATION:** The project is located on the southeast corner of Merced and L Streets on County-owned property bounded by Fresno, Merced, L and M Streets within the city limits of the City of Fresno (1265 M Street) (SUP. DIST. 3) (APN No. 466-116-13T).

**OWNER:** County of Fresno

**APPLICANT:** Fresno County Sheriff's Department

**STAFF CONTACT:** Christina Monfette, Planner  
(559) 600-4245

Chris Motta, Principal Planner  
(559) 600-4227

### RECOMMENDATION:

- Approve the first one-year Time Extension for Unclassified Conditional Use Permit Application No. 3436 and Variance No. 3962 and;
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution and Staff Report dated December 11, 2014
5. Applicant's letter requesting the first one-year time extension

**ENVIRONMENTAL ANALYSIS:**

A Mitigated Negative Declaration (MND) prepared for Initial Study No. 6786 was adopted by the Planning Commission in accordance with the California Environmental Quality Act (CEQA) with approval of Unclassified Conditional Use Permit No. 3436 and Variance Application No. 3962 on December 11, 2014.

According to Section 15162(a) of the CEQA Guidelines, when an MND is adopted for a project, no subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following: 1) substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously-identified significant effects; 2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously-identified significant effects; and 3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows either of the following: (A) the project will have one or more significant effects not discussed in the previous MND; or (B) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

This project was routed to all those agencies who reviewed the original project and no agency provided comments or information that the circumstances noted in the above Conditions are present. No changes are proposed to the approved project, nor is there evidence of the circumstances noted in Conditions 2 or 3 above. Therefore, a subsequent/supplemental environmental document is not required.

**PUBLIC NOTICE:**

Notices were sent to 126 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

The Fresno County Zoning Ordinance requires that a Conditional Use Permit (CUP) shall become void when substantial development has not occurred within two years after approval of

the permit. The Zoning Ordinance authorizes the Planning Commission to grant a maximum of four one-year time extensions when it can be demonstrated that circumstances beyond the control of the Applicant have caused delays which do not permit compliance with the original time limitation. The request for extension must be filed prior to the expiration of the permit. In this case, the project's Conditional Use Permit would expire on December 11, 2016; the extension request was accepted on December 9, 2016. While a Variance Application typically has a lifetime of one year, in this case, the life of the Variance runs concurrently with the life of the Conditional Use Permit.

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

### **BACKGROUND INFORMATION:**

At the time of approval of the CUP and Variance applications, the subject property was zoned CC (Civic Center) under the City of Fresno's Ordinance Code and was designated as Public Facility/Civic Center in the City of Fresno's 2025 General Plan. The subject property was rezoned to DTG (Downtown General) under the City of Fresno's Citywide Development Code, which was adopted in December 2015. The revised General Plan, adopted by the City of Fresno on December 18, 2014, designates this area as Central Business District, which is consistent with the DTG Zoning.

As the property is located within the city limits of the City of Fresno, but is under ownership of the County, land use permit processing has occurred per Section 865 of the Fresno County Zoning Ordinance (Compliance), which in part states "The provision of this Division shall apply to all buildings, improvements, lots and premises owned, leased, operated or controlled by the County or any department thereof, or by any other government agency excepting the Federal or State Governments." Therefore, this project was processed through the Unclassified Conditional Use Permit Application. Concurrently with that CUP application, a Variance application was processed to allow the removal of additional parking on site (96 stalls). The abovementioned applications were approved by the Planning Commission on December 11, 2014.

The proposed development is a necessary and planned extension of the existing detention/jail facilities and must be adjacent to the existing detention/jail facilities due to shared programs and infrastructure. An essential component of the shared facilities is the proposed extension of the existing underground tunnel system that serves three existing detention structures and connects to the Main Courthouse. The proposed structure will allow for integrated use of all existing facilities. This project will provide the County with the opportunity to increase its ability to provide much needed programming and specialty spaces aimed toward reducing the recidivism rates that have a measureable impact on the community's safety. In addition, this project will also allow the County to retire an aging jail facility (South Annex Jail).

The Fresno County Main Detention Facility, located at the northwest corner of Fresno and "M" Streets, was approved through the certification of an Environmental Impact Report (EIR) by the Planning Commission and confirmation of the Directors approval of Site Plan Review (SPR) No. 5615 in November of 1985. The North Annex Jail was subsequently approved through SPR No. 6170 in February of 1989 following certification of an EIR for the project. SPR No. 7071 allowed the addition of three floors to the North Annex Jail in September of 2000. The last revisions to the site to add a combined heat and power facility were approved in March of 2005 through SPR No. 7425.

An Unclassified Conditional Use Permit (No. 2788) was utilized in 1997 to allow for the continued use and expansion of the Fresno County Satellite Jail Facility located on the east side of "M" Street between E. Heaton and E. Butler Avenues. This facility was closed in 2008 due to operational cost constraints. Given its poor condition and lack of functionality, it will not be reopened as a jail facility.

The South Annex Jail, originally built in 1941, is the oldest facility in the system, made up of linear housing units. This design does not allow for direct line-of-sight supervision by correctional officers. The decommissioning of this facility has been recommended because it has been identified as one of the most dangerous jails in the County by a 2013 Needs Assessment Update, and most of the mechanical systems would need to be replaced in order to bring the facility up to capacity.

### **ANALYSIS/DISCUSSION:**

Unclassified Conditional Use Permit No. 3436 and Variance No. 3962 were originally approved on December 11, 2014. A copy of the Planning Commission's Resolution and the Staff Report prepared for that hearing are attached as Exhibit 4. The Applicant's letter requesting a time extension is attached as Exhibit 5.

It should be noted that the Planning Commission's jurisdiction in evaluating this request is limited to determining whether the Applicant should be granted an additional year to exercise the CUP as originally approved. In the letter submitted on December 8, 2016 (Exhibit 5), the Applicant states that circumstances beyond the Applicant's control have prevented the County from beginning construction until May 2017. The expiration date for this CUP would be December 11, 2016 if this time extension request were not granted. If approved, the new expiration date for this project would be December 11, 2017.

This Time Extension was routed to the same agencies that reviewed the project prior to the December 2014 hearing. None of those agencies identified any change in circumstances or the need for additional conditions, and did not express any concerns with the proposed extension of time to begin construction.

### **PUBLIC COMMENT:**

*None*

### **CONCLUSION:**

Based on the factors cited in the analysis, staff believes the first one-year Time Extension for CUP No. 3436 and Variance No. 3962 should be approved. The approval will extend the expiration dates to December 11, 2017.

### **PLANNING COMMISSION MOTIONS:**

#### **Recommended Motion** (Approval Action)

- Move to approve the first one-year Time Extension for Unclassified Conditional Use Permit 3436 and Variance No. 3962; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Alternative Motion** (Denial Action)

- Move to deny the first one-year Time Extension request for Unclassified Conditional Use Permit No. 3636 and Variance No. 3962 (state reasons for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

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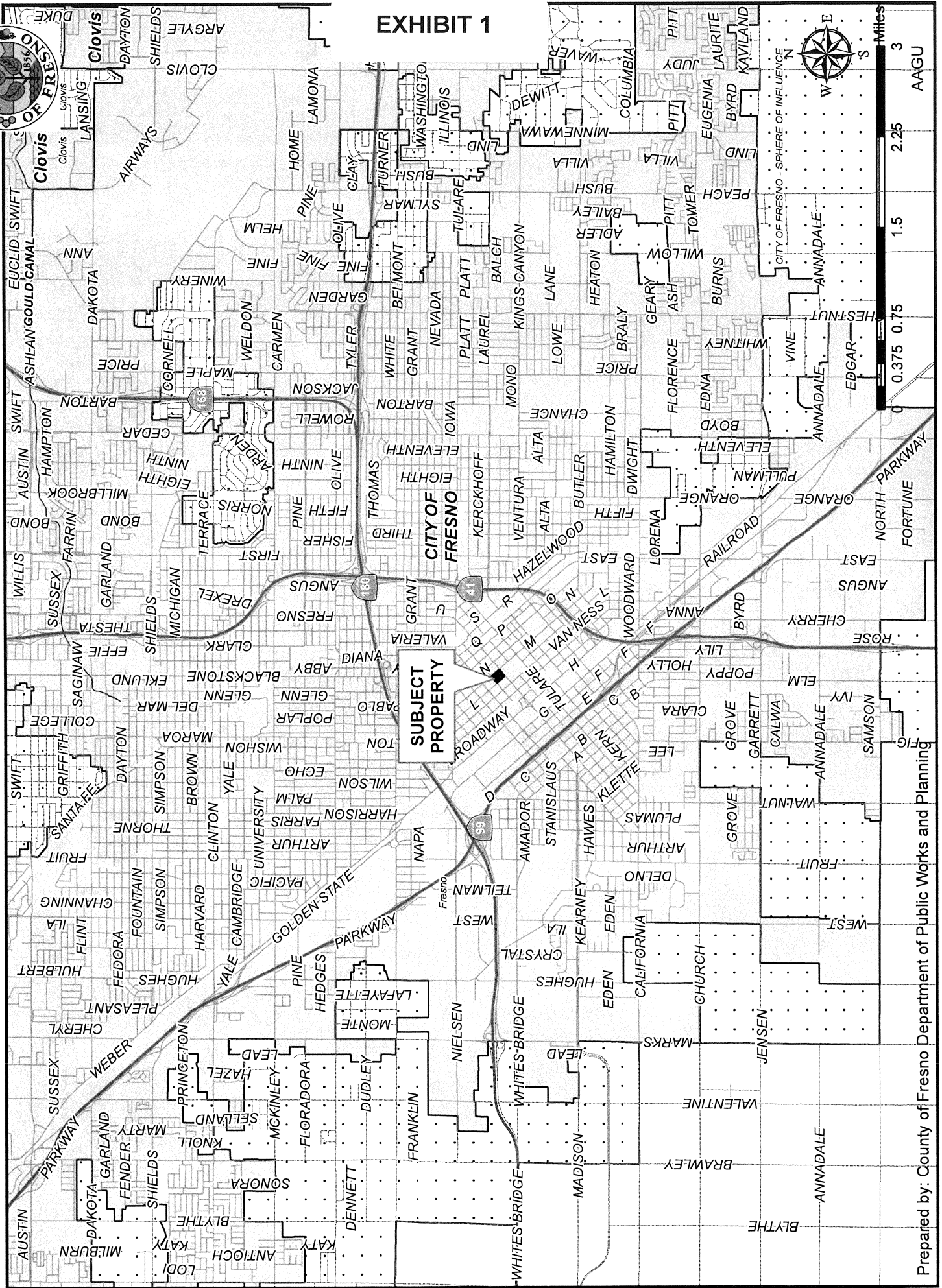
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# LOCATION MAP

CUP 3436 EXT-1



## EXHIBIT 1



**SUBJECT PROPERTY**

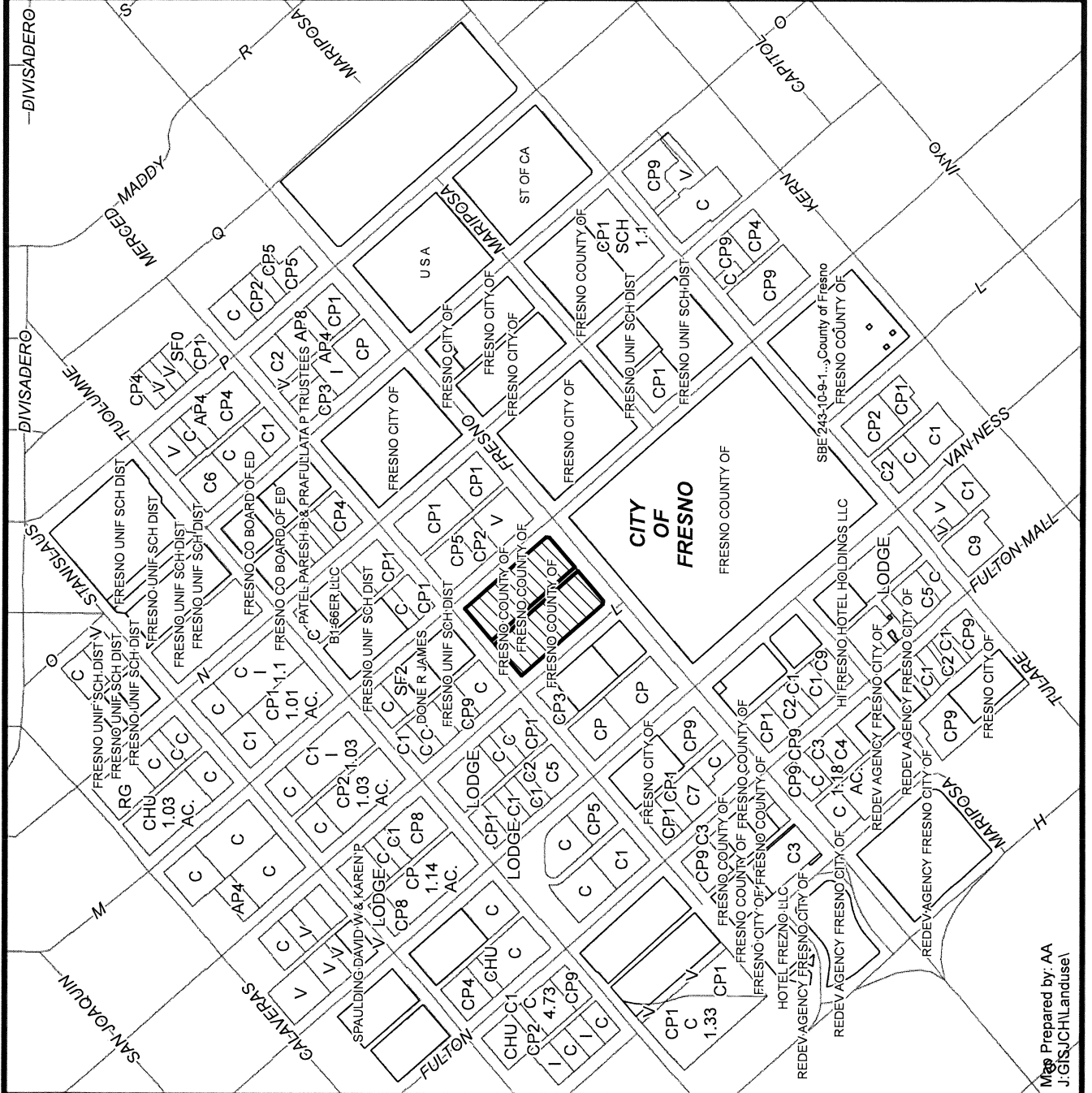




# EXHIBIT 3

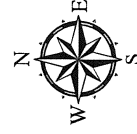
## EXISTING LAND USE MAP

CUP 3436 EXT-1



LEGEND	
CN# - CONDOMINIUM	
AP1 - APARTMENT	
C - COMMERCIAL	
CP# - COMMERCIAL	
CHU - CHURCH	
CP - OFFICE COMM./PROF.	
CP# - OFFICE COMM./PROF.	
I - INDUSTRIAL	
REC - RECREATION	
RG - RESIDENTIAL GROUP FACIL	
SF# - SINGLE FAMILY RESIDENCE	

**LEGEND:**  
 Subject Property



Department of Public Works and Planning  
 Development Services Division

Map Prepared by: AA  
 J.GIS\JCH\Landuse\



## EXHIBIT 4



# Inter Office Memo

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DATE: December 11, 2014

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12479 - INITIAL STUDY APPLICATION NO. 6786, UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3436 and VARIANCE APPLICATION NO. 3962

APPLICANT: Fresno County Sheriff's Department

OWNER: Fresno County

REQUEST: Allow a two-phase expansion (West Annex Jail) adjacent to the existing Main Jail and North Annex Jail, to replace the South Annex Jail. Phase 1 includes a three-floor, 300-bed medium and maximum security facility, new receiving dock, storage warehouse and laundry facility located in the basement, along with new subgrade tunnels connecting the new jail facility to the existing North Annex Jail. Phase 2 will include 300 medium and maximum security beds on two additional jail housing floors and a new electrical cogeneration facility fueled by natural gas on a 1.1-acre portion of a 2.9-acre parcel under ownership of Fresno County located in the City of Fresno's CC (Civic Center) Zone District. The application also includes a variance to waive the on-site parking requirements of general parking, as construction will remove most of the remaining on-site parking facilities. Off-street parking is provided on adjacent and surrounding lots and metered parking located on the streets surrounding the facility; the temporary closure of L Street during construction is also being considered.

LOCATION: The project is located on the southeast corner of Merced and L Streets on County-owned property bounded by Fresno, Merced, L and M Streets within the city limits of the City of Fresno (1265 M Street) (SUP. DIST.: 3) (APN: 466-116-13T).

PLANNING COMMISSION ACTION:

At its hearing of December 11, 2014, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Rocca and seconded by Commissioner Borba to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of Fact in the Staff Report, and approve Unclassified Conditional Use Permit Application No. 3436 and Variance Application No. 3962, subject to the Conditions listed in Exhibit "B".

This motion passed on the following vote:

VOTING:      Yes:            Commissioners Rocca, Borba, Ferguson, Mendes, Wolf, Yates  
                  No:            Commissioner Lawson  
                  Absent:       Commissioners Batth, Zadourian  
                  Abstain:      None

ALAN WEAVER, DIRECTOR  
Department of Public Works and Planning  
Secretary-Fresno County Planning Commission

By:   
\_\_\_\_\_  
William M. Kettler, Manager  
Development Services Division

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NOTE:            The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Note that the life of a Variance Application will run concurrently with the Unclassified Conditional Use Permit. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit and Variance Application.

Attachments

EXHIBIT "A"

Initial Study Application No. 6786,  
Unclassified Conditional Use Permit Application No. 3436,  
and Variance Application No. 3962

- Staff: The Fresno County Planning Commission considered the Staff Report dated December 11, 2014, and heard a summary presentation by staff.
- Applicant: County Staff provided clarification regarding loss of off-site parking and project phasing.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: Two letters were presented in Exhibit 9 of the Staff Report to the Planning Commission in opposition to the Variance Application to waive off-street parking, and one email was received noting the project will have an impact on parking.

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**Initial Study No. 6786 / Unclassified Conditional Use Permit Application No. 3436 and Variance Application No. 3962  
Conditions of Approval & Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Elevations, and Operational Statement approved by the Planning Commission, except as modified by the Commission or Site Plan Review.
2.	A Site Plan Review (SPR) Application 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 prior to the issuance of Building Permits. Items to be addressed under the SPR may include review of setbacks, design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting.
3.	All lighting shall be low-level lighting that shall be hooded and/or directed as to not shine toward adjacent properties and public streets. Exceptions shall be made when necessary for emergency, safety or temporary construction lighting as determined necessary by the County.
4.	At the time of SPR, revised plans shall be submitted that illustrate that the receiving area located on "L" Street has been designed to avoid or minimize large vehicles extending into the sidewalk or right-of-way during loading periods. Proposed redesign shall be discussed with City and County staff and addressed prior to the submittal of plans for SPR.
5.	Proposed structures shall be designed to tie-in to and complement the existing buildings as much as feasible, including the extension of treatments giving the appearance of brick veneers for the ground floors of new construction along "L" and Merced streets.
Project Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	The City of Fresno has requested the identification of all street furniture such as tree wells, parking meters, utility boxes, street signs, fire hydrants, etc. within the public right-of-way. Also, identify the required four-foot minimum path of travel along the public sidewalk directly abutting the property, as required by the California Administration Code (Title 24). A pedestrian easement may be required if Title 24 requirements cannot be met.
2.	The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno. Encroachment permits must be approved prior to the issuance of building permits.
3.	The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a "Street Work Permit" prior to commencement of any work. Contact the City of Fresno Public Works Department. All required street improvements must be completed and accepted by the City prior to occupancy, where applicable.
4.	The County should review the proposed approach on "L" street for the facility with the City of Fresno, as it exceeds Public Works Standards. Consideration should be given to construct two (2) one-way 24'-wide driveway approaches with six-foot minimum separation per City of Fresno Public Works Standards P-2 and P-6.

5.	For Merced Street access, the County should review the City of Fresno's request to remove abandoned driveway approaches not identified for utilization as noted on site plan, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing P-5 to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-209.
6.	Per City standards, the County should consider installation of street trees that are located every 24 feet, with strong consideration given to maintaining on-site mature trees.
7.	Per a request by the City of Fresno, all efforts should be made to keep the sidewalks at 14 feet in width, which is consistent with the proposed Downtown Plans and Development Codes.
8.	The City has requested that planter boxes and or street furniture be strategically placed near the entrance of the new building and that pedestrian-oriented lighting be placed along building street frontages.
9.	As services are located within the City, it will be necessary for the City of Fresno Department of Public Utilities to review utility plans (Sewer and Water) for the proposed expansion.
10.	Traffic control measures during construction must be coordinated with the City Public Works - Traffic Division. Staging areas during construction should be coordinated with City staff to minimize vehicular and pedestrian conflicts, with consideration given to interim parking areas for those workers that are displaced and construction worker parking areas.
11.	The City of Fresno has indicated that the Fresno and "L" Street intersection currently meets warrants for a traffic signal. The City has requested that Public Works staff from both the County and City meet to discuss this signal at a future phase of development of the detention facility.
12.	The project site will need to be graded to prevent major storm flows and two-year storm flows from entering the proposed below-grade basement, and outdoor storage areas are to be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

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# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
ALAN WEAVER, DIRECTOR

## Planning Commission Staff Report Agenda Item No. 5 December 11, 2014

**SUBJECT:** Initial Study Application No. 6786,  
Unclassified Conditional Use Permit Application No. 3436 and  
Variance Application No. 3962

Allow a two-phase expansion (West Annex Jail) adjacent to the existing Main Jail and North Annex Jail, to replace the South Annex Jail. Phase 1 includes a three-floor, 300-bed medium and maximum security facility, new receiving dock, storage warehouse and laundry facility located in the basement, along with new subgrade tunnels connecting the new jail facility to the existing North Annex Jail. Phase 2 will include 300 medium and maximum security beds on two additional jail housing floors and a new electrical cogeneration facility fueled by natural gas on a 1.1-acre portion of a 2.9-acre parcel under ownership of Fresno County located in the City of Fresno's CC (Civic Center) Zone District. The application also includes a variance to waive the on-site parking requirements of general parking, as construction will remove most of the remaining on-site parking facilities. Off-street parking is provided on adjacent and surrounding lots and metered parking located on the streets surrounding the facility; the temporary closure of L Street during construction is also being considered.

**LOCATION:** The project is located on the southeast corner of Merced and L Streets on County-owned property bounded by Fresno, Merced, L and M Streets within the city limits of the City of Fresno (1265 M Street) (SUP. DIST.: 3) (APN: 466-116-13T).

**Applicant/Owner:** County of Fresno

**STAFF CONTACT:** Eric VonBerg, Senior Planner  
(559) 600-4569

Chris Motta, Principal Planner  
(559) 600-4227

**RECOMMENDATION:**

- Adopt the Negative Declaration prepared for Initial Study No. 6786; and
- Approve Unclassified Conditional Use Permit Application No. 3436 with recommended Findings and Conditions; and
- Approve Variance Application No. 3962; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

**IMPACTS ON JOB CREATION:**

The Commission’s action may provide short-term employment opportunities during construction, and up to an additional 12 full-time jobs once the facility is constructed.

**EXHIBITS:**

1. Conditions of Approval and Project Notes
2. Existing Zoning Map
3. Existing Land Use Map
4. Project Operational Statement
5. Site Aerial Photo
6. Site Plan and Perspective Drawings
7. Floor Plans and Elevations
8. Summary of Initial Study Application No. 6786
9. Public Correspondence

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation (City of Fresno)	Public Facilities/Civic Center	No change
Zoning (City of Fresno)	CC – Civic Center	No change
Parcel Size	2.9 acres	1.1-acre portion
Project Site	Adjacent to North Annex Jail	West Annex Jail (Phase 1 - 300 bed jail and related facilities; Phase 2 – 300-bed jail and related facilities on two additional floors)

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Structural Improvements	Surface parking lot	Phase 1: Three-floor, 63 feet 8 inch-high Jail Annex Building with basement laundry facility; total structural square footage of approximately 108,625 square feet (each pod has a mezzanine level)  Phase 2: Two additional jail housing floors for a total height of 114 feet 6 inches; cogeneration facility  Total combined structural area (Phase 1 and 2) is approximately 172,500 square feet.
Nearest Residence	N/A	1,100 feet west (Madsen Towers)
Surrounding Development	Commercial Offices, Civic Center, and Government Facilities (existing and North Annex Jail)	Existing South Annex Jail adjacent to the County Courthouse to be decommissioned
Operational Features:	N/A	Jail beds for 600 inmates, subgrade tunnels, laundry and cogeneration facilities
Employees	N/A	50 full-time employees (Phase 1 - 17 staff on site at any one time; Phase 2 - 10 additional staff on site)
Customers/Visitors	N/A	Approximately 100 daily visitors
Traffic Trips	N/A	Approximately 217 weekly trips
Lighting	N/A	Low-level outdoor lighting on proposed buildings
Hours of Operation	24 Hours	No change

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

**ENVIRONMENTAL ANALYSIS:**

The subject project was routed to reviewing agencies on July 1, 2014. Comments received at the completion of the routing cycle did not reveal any significant project-related impacts. A revised routing was sent out on November 12, 2014 reflecting minor changes to the project. No



comments were received indicating any substantial information that the project, as revised, may have any significant effect on the environment. Based on staff's review of comments received, a Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 8.

Notice of Intent to Adopt a Negative Declaration publication date: September 5, 2014.

**PUBLIC NOTICE:**

Notices were sent to 38 property owners within 600 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

An Unclassified Conditional Use Permit (UCUP) Application may be approved only if four Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission on a UCUP Application is final unless appealed to the Board of Supervisors within 15 days of the Commission's action. Because there is a concurrent Variance request (VA 3962) to waive the on-site parking requirements of general parking, both applications are being brought to the Commission for consideration, as they represent an interrelated request for a single project.

A Variance Application (VA) may be approved only if four Findings specified in Zoning Ordinance Section 877 are made by the Planning Commission.

Specifically related to a VA, in order to make Findings 1 and 2, a determination must be made that the property is subject to an exceptional or extraordinary physical circumstance that does not apply to other properties in the same Zone District, and a substantial property right held by other property owners of like-zoned parcels in the area must be identified. The decision of the Planning Commission on a variance application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

The property is zoned CC (Civic Center) under the City of Fresno's Ordinance Code. Further, the property is designated as Public Facility/Civic Center in the City of Fresno's 2025 General Plan, which is consistent with the property's zoning.

As the property is located within the city limits of the City of Fresno, but under ownership of the County, land use permit processing has occurred per Section 865 of the Fresno County Zoning Ordinance (Compliance) which in part states: "The provisions of this Division shall apply to all buildings, improvements, lots and premises owned, leased, operated or controlled by the County or any department thereof, or by any other government agency excepting the Federal or State Governments." Therefore, the County has processed this project through an Unclassified Conditional Use Permit Application. The Fresno County Zoning Ordinance (Section 853.B.7, 14) provides for Government Buildings through an Unclassified Conditional Use Permit process, while Section 853.B.14 of the Ordinance permits public utilities, public services, structures, uses and buildings through an Unclassified Conditional Use Permit. Further, the City of Fresno requires a Conditional Use Permit for structures over two stories in the CC District.

The Fresno County Zoning Ordinance has specific provisions and general standards found in

Section 855.I.1 and 2 for parking. The detention facility use is a unique use in Fresno County for which the Ordinance does not provide specific parking standards. Nevertheless, with the removal of additional parking on site (96 stalls), a parking Variance is being sought by the County to both analyze and evaluate the loss of additional on-site parking in light of the fact the detention facility is located in an area with an abundance of public and private parking lots and access to public transportation.

The proposed development is a necessary and planned extension of the existing detention/jail facilities and must be adjacent to the existing detention/jail facilities due to shared programs and infrastructure. An essential component of the shared facilities is the proposed extension of the existing underground tunnel system that serves three existing detention structures and connects to the Main Courthouse. The proposed structure will allow for integrated use of all existing facilities. This project will provide the County with the opportunity to increase its ability to provide much needed programming and specialty spaces aimed toward reducing the recidivism rates that have a measureable impact on the community's safety. In addition, this project will also allow the County to retire an aging jail facility.

In November of this year, discussions with the Superior Courts necessitated a project redesign that would reduce the overall footprint of the County project by placing the laundry facilities in the basement area below Phase I. This modification was provided to key reviewing agencies that had commented on the original project design, including the City of Fresno. Reviewing agencies did not express concern with this redesign, and staff's evaluation of the modification determined that the design represented less of a physical impact as compared to the original proposal. Thus, it was determined that no modifications or recirculation of the project's environmental document were warranted. As now proposed, some of the existing on-site parking will remain until a subsequent (yet to be proposed) court project is developed.

The Fresno County Main Detention Facility, located at the northwest corner of Fresno and "M" Streets, was approved through the certification of an Environmental Impact Report (EIR) by the Planning Commission and confirmation of the Directors approval of Site Plan Review (SPR) No. 5615 in November of 1985. The North Annex Jail was subsequently approved through SPR 6170 in February of 1989 following certification of an EIR for the project. SPR No. 7071 allowed the addition of three floors to the North Annex Jail in September of 2000. The last revisions to the site to add a combined heat and power facility were approved in March of 2005 through SPR No. 7425.

An Unclassified Conditional Use Permit (No. 2788) was utilized in 1997 to allow for the continued use and expansion of the Fresno County Satellite Jail Facility located on the east side of "M" Street between E. Heaton and E. Butler Avenues. This facility was closed in 2008 due to operational cost constraints. Given its poor condition and lack of functionality, it will not be reopened as a jail facility.

The South Annex Jail, originally built in 1941, is the oldest facility in the system, made up of linear housing units. This design does not allow for direct line-of-sight supervision by correctional officers. The recent Needs Assessment (summarized in Exhibit 4) described it as one of the most dangerous jails in the country for both staff and inmates. In addition, replacement of most mechanical systems would be required to bring the South Annex Jail back up to capacity; combined with the scrutiny the facility faces under a Class Action suit, the decommissioning of this facility has been recommended.

**ANALYSIS/DISCUSSION:**

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

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 0 feet Side: 0 feet Rear: 0 feet	Front: 10 feet Side: 10 feet Rear: N/A	Yes
Parking	96 Existing stalls	On-street and County-owned/leased lot parking	No (Variance to waive on-site parking requirement)
Lot Coverage	100%	88% (of NW quad)	Yes
Separation Between Buildings	0 feet	15 feet to the east 37 feet to the south	Yes
Wall Requirements	N/A	N/A	N/A
Septic Replacement Area	N/A	N/A	Will utilize City sewer
Water Well Separation	N/A	N/A	Will utilize City water

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

City of Fresno Development and Resource Management Department: Proposed improvements satisfy the setback requirements of the City’s CC (Civic Center) Zone District. The City also recommended that the truck receiving bay be designed so that trucks unloading do not extend into the sidewalk on “L” Street. This will be made a Condition of Approval.

Fresno Metropolitan Flood Control District (FMFCD): Construction of the proposed annex with ground level entries that have direct access to Merced and "L" Streets may be at risk of flooding during major storm events and will need to be elevated and protected from flood events. In addition, the site will need to be graded to prevent major storm flows and two-year storm flows from entering the proposed below-grade basement, and outdoor storage areas are to be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system. This will be made a Project Note.

The construction of the West Annex Jail will displace a County-owned 96-stall surface parking lot currently on the site.

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

**Analysis:**

Staff review of the Site Plan demonstrates that the proposed improvements meet minimum building setback requirements of the City's CC Zone District. Final design of the building and accessory structures will be able to meet the flood design requirements requested by FMFCD and to accommodate the City's request to redesign the receiving bays.

The City of Fresno's Civic Center (CC) District, in which the subject site is located, states that the development of vacant land with an allowable "by-right" use shall be required to provide at least one square foot of off-street parking for each four square foot of gross floor space or fraction thereof or provide verification by the Director that existing parking facilities, within a 1,320 foot radius, either public or private, can accommodate the required number of vehicles. It should be noted that although detention facilities are not defined as either an allowable or prohibited use in the City's CC District, there are both public and private parking facilities within a quarter-mile of the project site.

Existing parking provides a total of 96 stalls (including three disabled-access stalls) most of which will be displaced. The displaced stalls may be relocated to the following existing County and County-leased parking lots:

- Lot 2 – at the southeast corner of Stanislaus and “L” Streets with 130 stalls, approximately two blocks north of the project site;
- Lot 3 – bounded by Calaveras, Stanislaus, “L” and “M” Streets, a “Red-Hunt” (employee) lot with 302 stalls, approximately two and one-half to three blocks north of the project site;
- Lots 14 and 15 – on the south side of Tuolumne Street between “N” and “O” Streets, “Red-Hunt” (employee) lots with a total of 106 stalls, approximately three to three and one-half blocks northeast of the project site; and
- South Annex Jail lot – at the southeast corner of Fresno and “M” Streets, containing a total of 36 stalls (including three disabled-access stalls), across Fresno Street from the project site.

Between the available parking in County, City, and private lots, there are ample available spaces within a quarter-mile radius of the site to absorb the parking that will be displaced. Additional discussion of parking can be found in the Variance Application No. 3962 analysis in this report.

Based on the above information, staff believes the site is adequate 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: The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.*

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	No	N/A	N/A
Public Road Frontage	Yes	“L” Street (within City of Fresno) Merced Street (within City of Fresno)	No change
Direct Access to Public Road	Yes	“L” Street (within City of Fresno) Merced Street (within City of Fresno)	No change
Road Classification		“L” Street (within City of Fresno) - Local Road Merced Street (within City of Fresno) - Local Road	No change
Traffic Trips		N/A	Approximately 100 daily trips
Traffic Impact Study TIS Prepared	No	N/A	None required
Road Improvements Required		N/A	None

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

City of Fresno: The City primarily expressed concern with the closure of “L” Street. The County has agreed to only temporarily close “L” Street during construction. All efforts should be made to keep the sidewalks at 14 feet in width, which is consistent with the proposed Downtown Plans and Development Codes. The City also suggested that there be a coordinated effort to study the pedestrian walkway on Fresno Street at “L” Street due to the potential of additional pedestrians using this crossing as a result of the project. Potential options suggested by the City include a bulb-out onto Fresno Street to shorten the distance across Fresno Street, overhead signage for drivers notifying them of the pedestrian crossing, or lighting. Traffic control measures during construction will need to be coordinated with the City’s Public Works Department - Traffic Division. Staging areas during construction should also be coordinated with City staff to

minimize vehicular and pedestrian conflicts. Consideration should also be given to interim parking areas for workers that are displaced and construction worker parking. These comments have been included as Project Notes.

In addition, the Fresno and “L” Street intersection currently meets warrants for a traffic signal. It is recommended that Public Works staff from both the County and City meet to discuss this signal at a future phase of the detention facility development.

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

**Analysis:**

Based on the information described above, staff believes that streets and highways are adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

*Finding 3: 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	0.43, 0.52 acres	Office	C-4 (City)	1,900 feet
South	14.55 acres	Fresno County Courthouse	CC (City)	1,900 feet
East	0.86 acres	Office/Commercial	CC (City)	1,450 feet
West	1.12 acres	Office	C-4 (City)	1,100 feet (Madsen Towers)

**Reviewing Agency/Department Comments:**

City of Fresno: All fire requirements are handled by the State Fire Marshall’s Office for Detention Facilities, but the City of Fresno Fire Department can offer consulting for on-site specifics upon request.

The City highly encourages the reuse of the old facility (South Annex Jail) as an appropriate office or downtown-related facility, if feasible. The City would also welcome the opportunity to participate in any discussions regarding the potential reuse of the South Annex building. The City is also requesting that planter boxes and or street furniture be strategically placed near the entrance of the new building and that pedestrian-oriented lighting be placed along building street frontages.

No other concerns were raised.

**Analysis:**

The project will be set back ten feet from Merced and “L” Streets to match the existing setback of the North Annex Jail that also fronts onto Merced Street. The proposed use is an expansion of the existing use on the block, jail/detention facility, and is surrounded by commercial and government uses, some of which cater or are accessory to the proposed use (County Courthouse, existing jail and annex, bail bond services).

The first phase of the detention facility will be constructed to a height of 63 feet eight inches as indicated on the project elevations, with an approximate square footage of 108,625 square feet (each detention floor includes a mezzanine level). Phase 1 includes a laundry facility to be placed in the basement area.

Low-level outdoor lighting will be used to illuminate walkways, service bays, and driveways, with new perimeter landscaping within the ten-foot setback areas, with street trees replaced as necessary. Lighting restrictions will be made a Condition of Approval, along with landscaping and street trees (being referenced as a Project Note), as already referenced in the County’s Application material. Normal building identification signage will be used.

**Recommended Conditions of Approval:**

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

**Conclusion:**

Finding 3 can be made.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
Goal PF-G: To protect life and property by deterring crime and ensuring the prompt and efficient provision of law enforcement service and facility needs to meet the growing demand for police services associated with an increasing population.	The new facility will strive to expand alternatives to incarceration programs and progressive programming for inmates, and accommodate the inevitable increase in jail bookings and jail-bed demand that will occur due to county population growth.
Policy PF-G.1: The County shall ensure the provision of effective law enforcement services to unincorporated areas in the county.	The new facility will be more able to efficiently and effectively house inmates than the South Annex it will replace.
PF-H.5: The County shall require that new development be designed to maximize safety and minimize fire hazard risks to life and property.	The new facility is designed to provide more safety to staff and inmates and meet all current fire safety design requirements.

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
PF-B.2: The County shall seek broad-based funding sources for public facilities and services that benefit current and future residents of the County.	Fresno County utilizes SB-1022 (Correctional Facilities) funding to expand jail facilities based on the <i>Jail Facilities Needs Assessment 2013 Update</i> .

**Reviewing Agency/Department Comments:**

Policy Planning Section of the Development Services Division: No concerns with the proposal.

No additional comments regarding General Plan consistency were received.

**Analysis:**

The proposed development will occur on a site that has been previously designated for government facilities by the City of Fresno as a Public Facility/Civic Center Designation in the City's General Plan. The proposed development is located in an existing urbanized area adjacent to and within proximity to government and institutional land uses. This project is not anticipated to have any additional impacts to land use and planning in the vicinity of the subject site. The proposal meets County General Plan Goal PF-G relating to the protection of life and property by deterring crime and supporting the prompt and efficient provision of law enforcement service, Policy PF-G.1 which states that the County shall ensure the provision of effective law enforcement services, PF-H.S which states that the County shall require new development be designed to maximize safety and minimize fire hazard risks to public property, and PF-B.2 which states that the County shall seek broad-based funding sources for public facilities and services that benefit current and future residents of the County.

Based upon the above considerations, staff believes this proposal is consistent with the General Plan.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 can be made.

**THE FOLLOWING ANALYSIS ADDRESSES VARIANCE APPLICATION NO. 3962:**

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

*Finding 1: There are exceptional or Extraordinary Circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.*

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



See the table for Finding 1, **CONDITIONAL USE PERMIT APPLICATION NO. 3436** of this staff report.

**Reviewing Agency/Department Comments:**

No comments specific to waiving on-site parking requirements were expressed by reviewing Agencies or Departments.

**Analysis:**

In order to make Findings 1 and 2 of the “Findings Necessary for the Granting of a Variance” a determination must be made that the property is subject to an exceptional or extraordinary circumstance that does not apply to other properties in the same zoning district, and that a substantial property right shared by other property owners is demonstrated.

In support of Finding 1, the Applicant states that the proposed development is a necessary and planned extension of the existing detention facilities and must be adjacent due to shared programs and infrastructure. An essential component of the shared facilities is the proposed extension of the existing underground tunnel system that serves three existing detention structures and connects to the Main Courthouse. The proposed structure will allow for integrated use of existing facilities.

In support of Finding 2, the Applicant states that the property has long been designated and used for correctional facilities. The granting of the Variance will enhance the public safety in that it will securely house individuals that need to be separated from the public. This project will provide the County with the opportunity to increase its ability to provide much needed programming and specialty spaces aimed toward reducing the recidivism rates that have a measureable impact on the community’s safety. In addition, this project will also allow the County to retire an aging jail facility – the South Annex Jail, built in the 1940's. Although the facility is structurally sound, the building is no longer efficient for housing inmates in its current configuration because of its antiquated non-podular housing design. This results in inefficient staff-to-inmate ratios and more difficult supervision of inmates. Further, inmates have to be escorted to the roof recreation yards for exercise. The proposal will also replace the Satellite Jail, comprised of five triple-wide portable trailers, and constructed to be utilized as a temporary facility in 1986. Four trailers were used for inmate housing, and the fifth housed administrative functions. All trailers have exceeded their life span. Due to its distance from the Jail Campus, the Project Team recommended in the 2008 Jail Facilities Needs Assessment and Master Plan (2008 Plan) that the County explore alternative uses for the site. Shortly thereafter, the County closed this facility due to operational cost constraints, poor condition and lack of functionality.

A consideration in addressing Findings 1 and 2 is whether there are alternatives that would avoid the need for the Variance. The West Annex Jail is proposed on the site of the existing surface parking lot and adjacent to the existing jail facilities to utilize shared facilities and services. There is no other alternative location for the facility that provides for the use of the shared facilities. Both the proposed use for the structure and its location are unique in that it represents the only main detention facility for adults for Fresno County in a centralized location whereby the expansion at the proposed site will allow for shared use of space at the proposed facility and joint use of existing improvements, including the tunnel connecting all jail facilities with the courthouse. Locating the new facility at the proposed site would allow outside medical, psychiatric, and program staff much easier access to residential and day-reporting inmates and

jail medical staff for purposes of treatment, training, and coordination of care. It would also allow for easier, safer, and more meaningful contacts between inmates and their families and other significant support (e.g., religious outreach, community-based organizations), and provide for a residential and day-reporting/visitation environment that has more respect for the humanity of the inmates and their families, and is more conducive to the health (including mental health), safety, and well-being of the inmates who live there and the staff who work there. The new facility will also allow the program to offer transitional services to in-custody inmates as they get close to their release date. Locating the facility on an alternative site would lessen or not allow for the benefits listed above.

As an institutional use, daily traffic is limited to employees, visitors and service staff. The need to locate a detention facility in close proximity to necessary supportive uses (i.e., court facilities, law offices, County and City Offices) and the limited availability of undeveloped or underdeveloped land in close proximity to the site creates a unique set of physical circumstances that must be balanced with the loss of on-site parking.

Further, existing parking exists and is available within one-quarter mile of the site to absorb the parking stalls being lost. Based on this discussion, staff believes Findings 1 and 2 can be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Findings 1 and 2 can be made.

*Finding 3:* *The proposal will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity in which the property is located.*

See the table for Finding 3, **CONDITIONAL USE PERMIT APPLICATION NO. 3436** of this staff report.

**Analysis:**

The purpose of requiring off-street parking is to ensure adequate provision for parking for a given use and to not overburden available on-street parking. The existing parking lot where the expansion will occur contains a total of 96 stalls (including three disabled-access stalls) that will be displaced. The displaced stalls may be relocated to existing County and County-leased parking lots as listed previously (CUP Finding 1 Analysis). Further, as previously indicated, a majority of the staff currently at the South Annex Jail, which is proposed to be decommissioned, will be relocated to the West Annex Jail Facility.

Staff has received public comments expressing concern regarding the loss of on-site parking. Correspondence on this matter received to date has been attached in Exhibit 9. Staff should note that with the current design of the facility, some of the on-site parking will remain until other projects are developed in the future. Also, existing on-site parking has been limited to County permit parking for employees related to the facility, and there is parking available for employees on surrounding lots. Therefore, a direct loss of public parking would not occur with project development.

Between the available parking in County, City, and private lots, there are ample available spaces within a quarter-mile radius of the site to absorb the parking that will be displaced. Based on this discussion, staff believes Finding 3 can be made.

**Recommended Conditions of Approval:**

*None*

**Conclusion:**

Finding 3 can be made.

*Finding 4: Granting of this variance will not be contrary to the objectives of the General Plan.*

See the table for Finding 4, **CONDITIONAL USE PERMIT APPLICATION NO. 3436** of this staff report.

**Analysis:**

The proposed development will occur on a site that has been previously designated for government facilities by the City of Fresno as a Public Facility/Civic Center Designation in the City's General Plan. The project also supports the County's General Plan as discussed in Finding 4, **CONDITIONAL USE PERMIT APPLICATION NO. 3436** of this staff report. Based on this discussion, staff believes Finding 4 can be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 can be made.

**PUBLIC COMMENT:**

Correspondence consisting of one letter and two e-mails received by the Department has been attached as Exhibit 9. The subject matter of these comments have centered on loss of parking.

**CONCLUSION:**

Staff believes the required findings for granting the Conditional Use Permit Application and Variance can be made based on the factors cited in the analysis, the recommended Conditions of Approval, and notes regarding mandatory requirements. Staff therefore recommends adoption of the Negative Declaration prepared for the project and approval of Unclassified Conditional Use Permit Application No. 3436 and Variance Application No. 3962, subject to the recommended conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (approval action)

- Move to adopt the Negative Declaration prepared for Initial Study (IS) Application No. 6786; and
- Determine that the required Findings can be made and approve Unclassified Conditional Use Permit No. 3436, subject to the Conditions of Approval and Project Notes attached as Exhibit 1; and
- Determine that the required Findings to waive on-site parking can be made and approve Variance Application No. 3962; 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 Application No. 3436; and
- Determine that the required Findings cannot be made and move to deny Variance Application No. 3962; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Recommended Project Notes:**

See attached Exhibit 1.

EVB:cwm

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**Initial Study No. 6786 / Unclassified Conditional Use Permit Application No. 3436 and Variance Application No. 3962  
Conditions of Approval & Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Elevations, and Operational Statement approved by the Planning Commission, except as modified by the Commission or Site Plan Review.
2.	A Site Plan Review (SPR) Application 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 prior to the issuance of Building Permits. Items to be addressed under the SPR may include review of setbacks, design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting.
3.	All lighting shall be low-level lighting that shall be hooded and/or directed as to not shine toward adjacent properties and public streets. Exceptions shall be made when necessary for emergency, safety or temporary construction lighting as determined necessary by the County.
4.	At the time of SPR, revised plans shall be submitted that illustrate that the receiving area located on "L" Street has been designed to avoid or minimize large vehicles extending into the sidewalk or right-of-way during loading periods. Proposed redesign shall be discussed with City and County staff and addressed prior to the submittal of plans for SPR.
5.	Proposed structures shall be designed to tie-in to and complement the existing buildings as much as feasible, including the extension of treatments giving the appearance of brick veneers for the ground floors of new construction along "L" and Merced streets.

**Project Notes**

**The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.**

1.	The City of Fresno has requested the identification of all street furniture such as tree wells, parking meters, utility boxes, street signs, fire hydrants, etc. within the public right-of-way. Also, identify the required four-foot minimum path of travel along the public sidewalk directly abutting the property, as required by the California Administration Code (Title 24). A pedestrian easement may be required if Title 24 requirements cannot be met.
2.	The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno. Encroachment permits must be approved prior to the issuance of building permits.
3.	The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a "Street Work Permit" prior to commencement of any work. Contact the City of Fresno Public Works Department. All required street improvements must be completed and accepted by the City prior to occupancy, where applicable.
4.	The County should review the proposed approach on "L" street for the facility with the City of Fresno, as it exceeds Public Works Standards. Consideration should be given to construct two (2) one-way 24'-wide driveway approaches with six-foot minimum separation per City of Fresno Public Works Standards P-2 and P-6.

5.	For Merced Street access, the County should review the City of Fresno's request to remove abandoned driveway approaches not identified for utilization as noted on site plan, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing P-5 to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-209.
6.	Per City standards, the County should consider installation of street trees that are located every 24 feet, with strong consideration given to maintaining on-site mature trees.
7.	Per a request by the City of Fresno, all efforts should be made to keep the sidewalks at 14 feet in width, which is consistent with the proposed Downtown Plans and Development Codes.
8.	The City has requested that planter boxes and or street furniture be strategically placed near the entrance of the new building and that pedestrian-oriented lighting be placed along building street frontages.
9.	As services are located within the City, it will be necessary for the City of Fresno Department of Public Utilities to review utility plans (Sewer and Water) for the proposed expansion.
10.	Traffic control measures during construction must be coordinated with the City Public Works - Traffic Division. Staging areas during construction should be coordinated with City staff to minimize vehicular and pedestrian conflicts, with consideration given to interim parking areas for those workers that are displaced and construction worker parking areas.
11.	The City of Fresno has indicated that the Fresno and "L" Street intersection currently meets warrants for a traffic signal. The City has requested that Public Works staff from both the County and City meet to discuss this signal at a future phase of development of the detention facility.
12.	The project site will need to be graded to prevent major storm flows and two-year storm flows from entering the proposed below-grade basement, and outdoor storage areas are to be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

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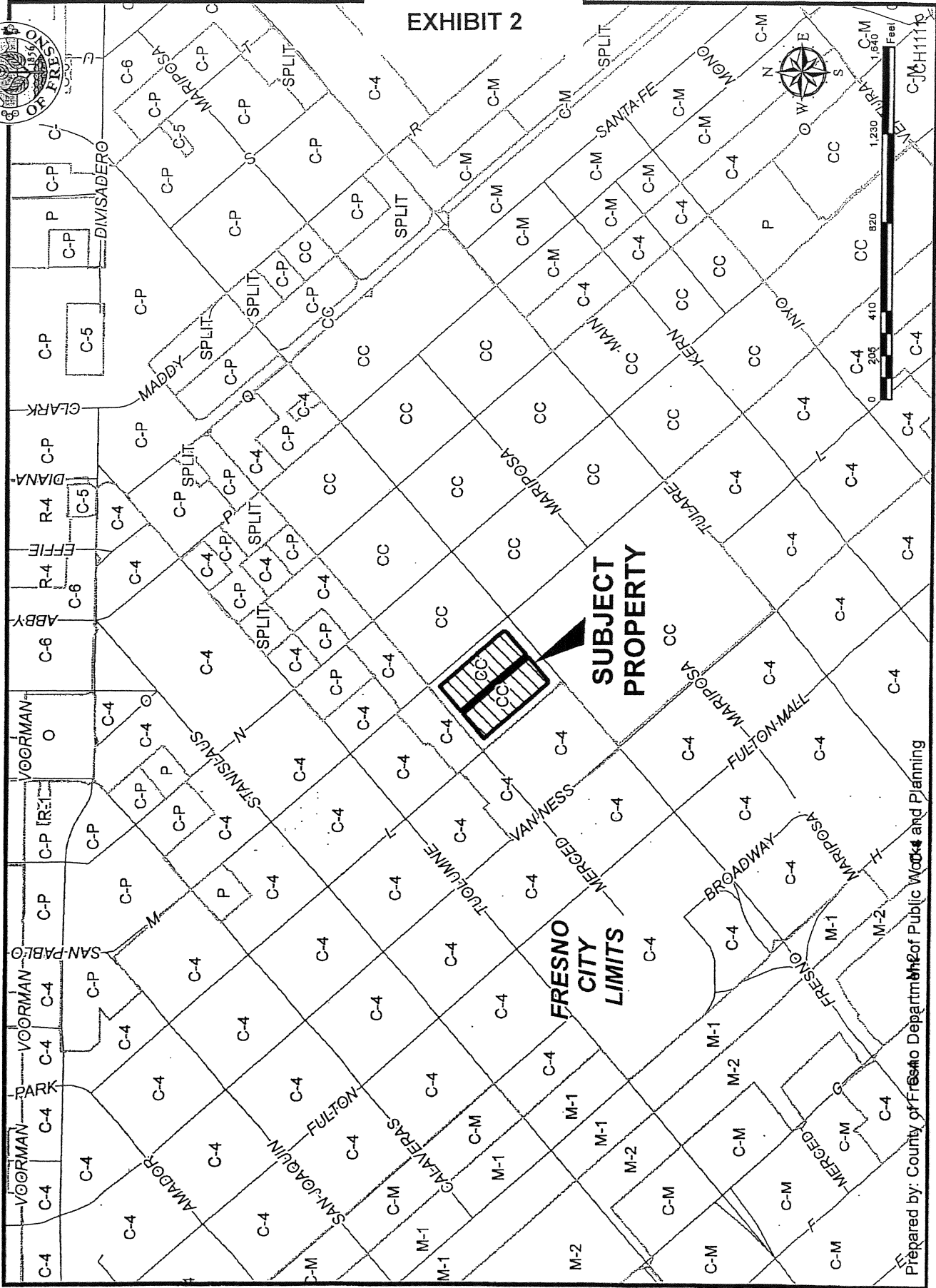
CUP 3436

STR 3&4 - 14/20

# EXISTING ZONING MAP



## EXHIBIT 2



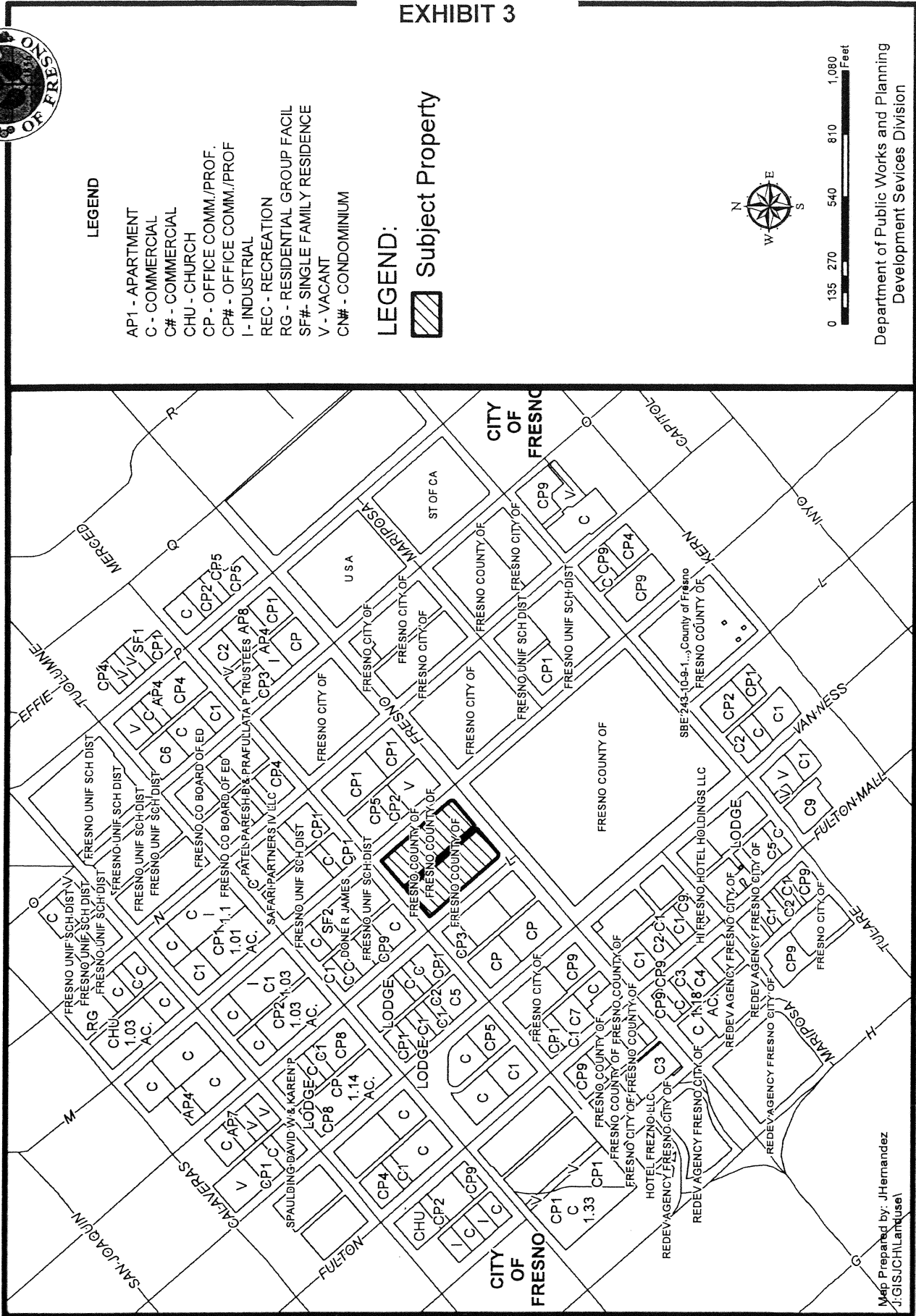
Prepared by: County of Fresno Department of Public Works and Planning



# EXHIBIT 3

## EXISTING LAND USE MAP

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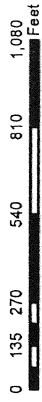
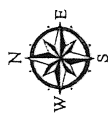
### LEGEND

- AP1 - APARTMENT
- C - COMMERCIAL
- C# - COMMERCIAL
- CHU - CHURCH
- CP - OFFICE COMM./PROF.
- CP# - OFFICE COMM./PROF
- I - INDUSTRIAL
- REC - RECREATION
- RG - RESIDENTIAL GROUP FACIL
- SF# - SINGLE FAMILY RESIDENCE
- V - VACANT
- CN# - CONDOMINIUM

### LEGEND:



Subject Property



Department of Public Works and Planning  
Development Services Division

Map Prepared by: JHernandez  
J.GIS:CHL(Use)





## EXHIBIT 4

# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
ALAN WEAVER, DIRECTOR

### ***Operational Statement Checklist***

#### **1. Nature of the Operation – What do you propose to do?**

Construction of new a new jail and support facilities on the existing site of the Main Jail, North Annex Jail and Central Plant. The site is bounded by Merced Street, Fresno Street, L Street, and M Street. (See attached drawings)

Proposed improvements will be in two phases;

##### **Phase 1 improvements will include:**

- Construction of a new 3 floor, 300 bed medium and maximum security facility west of the existing North Annex Jail. The construction will allow for future expansion of two housing floors.
- Construction of a new receiving and dock and storage warehouse, (located in the basement of the facility).
- Construction of a new Laundry Facility located in the basement that will replace the existing laundry in the South Annex Jail.
- Construction of new subgrade tunnels connecting the new jail facility to the existing North Annex Jail and connecting to a proposed future Courts Facility.
  - See attached Fresno County SB-1022 Application 2013, Section 5: Narrative, Part 2. **SCOPE OF WORK** (pg. 19-24).

##### **Phase 2 improvements will include:**

(Implementation of the following items may occur at different times depending on needs and funding availability)

- Construction of a two additional jail housing floors, each with mezzanine levels, with an increase of 300 medium and maximum security beds.
- Construction of a new electrical cogeneration facility that will be fueled by natural gas.
  - See attached plans and elevations.
  -

Note that the construction of the new jail facilities will allow for the decommissioning of the existing South Annex Jail, which currently has 686 beds,

(of which 187 are non-operational), and 85 staff. Of these staff members, 61 will be redeployed to the new West Annex Jail facility, 4 staff will remain in the South Annex Jail Court Holding facility and the remaining 20 will be redeployed to other facilities.

**2. Operational time limits:**

The Fresno County Jail Facilities, including the proposed West Annex Jail are and will be a full time operation, (i.e.; 24 hours a day, 7 days a week, and 365 days a year).

**3. Number of customers or visitors:**

The proposed West Annex Jail will receive approximately 100 visitors per day during regular business hours (8:00 a.m. to 9:00 p.m.). The visitors are intermittent throughout the day and will include family members and attorneys.

**4. Number of employees:**

For Phase 1 improvements, the proposed facilities will require approximately 17 staff employees, maximum at any given time. The staff will include corrections officers, medical personnel, office personnel, and maintenance staff. For the Phase 2 improvements, this number will increase by approximately 10 staff that would be present any given time. Note that at least 90 per cent of these staff will be relocated from the decommissioned South Annex Jail.

**5. Service and delivery vehicles:**

Currently, there are approximately 4 service deliveries in large semi-trucks per week for dry goods, and approximately 210 deliveries in small service vans per week for food that is prepared in the Central Kitchen. Also, there are currently 3 refuse services per week. Due to the decommissioning of the South Annex Jail, is anticipated that the new facility will not generate any additional service deliveries or refuse services.

**6. Access to the site :**

Access to the existing and proposed facility is by public streets. The jail block is bounded by Merced Street, Fresno Street, L Street, and M Street.

**7. Number of spaces for employees, customers, and service/delivery vehicles:**

Employees will be required to park off-site at various available public and private parking lots. There will be two service bays for delivery trucks that will accommodate semi-trucks, and one service space for refuse service pick-up.

**8. Are any goods to sold on site?**

There will be no goods sold on site.

**9. What equipment is used?**

The existing and proposed facilities will continue the use of the Central Plant, (which is on-site), for heating, cooling, and electrical services. Other on-site equipment includes laundry facilities with commercial washers and dryers, an existing cogeneration plant, an existing trash compactor, and an existing sewage grinder pump. Interior equipment will include security systems, and “video visitation” electronic equipment.

One element of the proposed Phase 2 improvements is an electrical cogeneration unit that will use natural gas as a fuel source.

**10. What supplies or materials are used and how are they stored?**

Food service supplies are stored in refrigerators, freezers, and dry storage facilities. Maintenance supplies are stored in the basements of the existing and proposed jail buildings, and will also be stored in the basement of the proposed laundry building.

**11. Does the use cause an unsightly appearance?**

The appearance of the improved facilities will remain essentially as it is. No unsightly appearance is anticipated.

**12. List any solid or liquid wastes to be produced.**

The solid wastes will include the trash that is produced by the existing and proposed facilities, which is compacted on site and removed three times a week by an independent recycling vendor. Due to the decommissioning of the South Annex Jail, the quantities of waste produced and the frequency of the refuse services will remain unchanged.

The liquid wastes are only the sewage produced by the facilities.

**13. Estimated volume of water to used (gallons per day). Source of water?**

For Phase 1 Improvements, peak usage during the summer months will require approximately 36,330 gallons per day for all new building usages, including domestic water supplies, heating and cooling, and landscape irrigation. Phase 2 improvements will require an additional 36,250 gallons per day, for a total of 72,580 gallons per day.

Note that the decommissioning of the South Annex Jail will result in a reduction of approximately 58,290 gallons per day.

The source of water is the City of Fresno's water service.

**14. Describe any proposed advertising including size, appearance, and placement.**

There will be no advertising, other than normal building identification signage at ground level.

**15. Will existing buildings be used or will new buildings be constructed?**

All existing buildings will continue be used as they currently are and new buildings will be constructed in conjunction with them. (See attached exhibits).

**16. Explain which buildings or what portion of buildings will be used in the operation.**

All portions of all buildings will be used in the operation.

**17. Will outdoor lighting or an outdoor sound amplification system be used?**

Low level outdoor lighting will be used to illuminate walkways, service bays, and driveways. No outdoor sound amplification system is proposed.

**18. Landscaping or fencing proposed?**

There will be new perimeter landscaping (replacing existing) between the new facilities and the perimeter street sidewalk. Street trees will be replaced as required. New fencing will be installed at the perimeter of the perimeter of the proposed receiving dock, laundry and trash facilities.

**19. Any other information that will provide a clear understanding of the project or operation.**

Please refer to the attached "Fresno County SB-1022 Application 2013, Section 5: Narrative" for complete information.

If further clarifications or information is needed, please contact Richard Wood, Capital Projects Division, at 559-600-4478, [rwood@co.fresno.ca.us](mailto:rwood@co.fresno.ca.us).

**20. Identify all Owners, Officers, and/or Board Members for each application submitted.**

This facility will be owned and operated by The County of Fresno under a State financed lease/lease-back SB-1022 funded program.

# Fresno County SB-1022 Application 2013

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## Section 5: Narrative

### 1. Project Need

#### **B: 1.01**

As stated in the Jail Facilities Needs Assessment 2013 Update (“2013 Needs Assessment Update”), based on an evaluation of existing jail facilities and recent historical jail inmate population trends, it is evident that the County of Fresno has faced, and continues to face a number of ongoing adult detention system related issues, including:

- a.) Insufficient jail bed capacity (be it funded operational, or physical capacity;
- b.) A disparity between the types of inmate housing units needed versus the profile of the inmates being held;
- c.) The continued aging of the South Annex Jail and the eventual need to replace its 686 jail-beds, of which 187 are non-operational;
- d.) Striving to expand alternative to incarceration programs and progressive programming for inmates;
- and, e.) The inevitable increase in jail bookings and jail-bed demand that will occur due to county population growth.

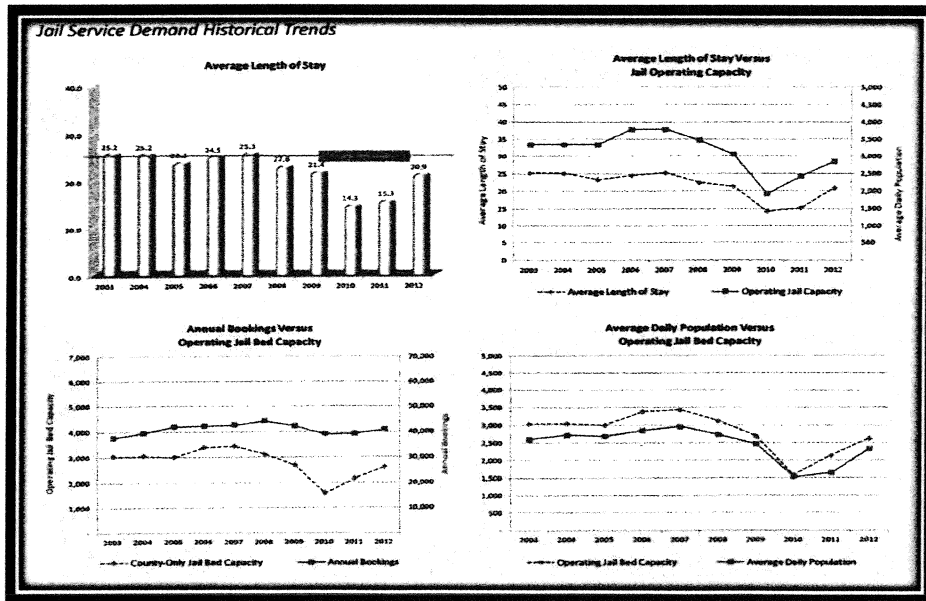
The County of Fresno is faced with existing and long term jail operating and physical capacity deficiencies. These issues combined with the Federal Consent Decree’s cap on the Jail’s inmate population and the implementation of AB 109 has continued to result in: a.) early inmate releases for sentenced inmates; b.) releases of pre-trial inmates that otherwise would have been detained; and c.) suppressed booking rates. There is a direct correlation between jail capacity, the average length of stay, bookings, and the average daily population. It is evident that since before 2008, the jail’s population has been

# Fresno County SB-1022 Application 2013

## Section 5: Narrative

significantly (and in a sense artificially) suppressed due primarily to financial constraints, when compared to long-term historical trends prior to 2008 and the recession.

For reference, in year 2012, Order of the Court Releases (related to the Federal Consent Decree) for the sentenced population resulted in 37,919 jail days not being served than otherwise the system would have incurred, which translates into supplanted need of 104 jail beds. Also, recognize that the sentenced population represents only 37.9% of the total population. Unfortunately, as part of the 2013 Needs Assessment Update, it was not feasible to determine the amount of jail days not incurred by the pre-trial population. Hence, the County of Fresno must make a conscious decision relative to the detention levels it is willing to fund versus offenders being released with shorter length of stays in the jail, be they sentenced or pre-trial inmates.



2013 Needs Assessment Update

# Fresno County SB-1022 Application 2013

## Section 5: Narrative

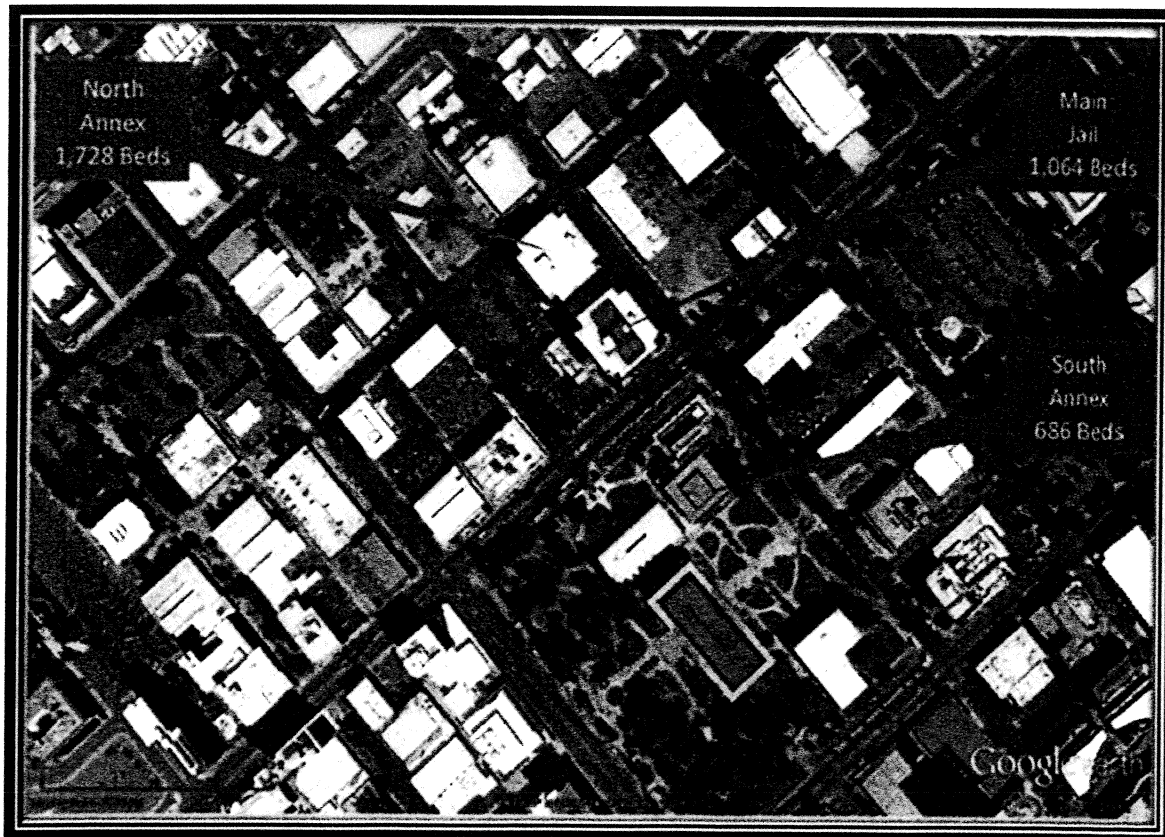
### B: 1.02

The existing jail facilities are comprised of five primary buildings, commonly known as:

The Main Jail, North Annex, South Annex, Satellite Jail (now closed), and the Kitchen.

	Address	Sq. Ft.	Built	Age	Rated Capacity	Primary Use
Main Jail	1225 "M" Street	220,167	1989	24	1064	Inmate Housing, Admin Offices, Infirmary, Intake/Release
North Annex	1265 "M" Street	195,661	1993	20/10	1152	Inmate Housing, Superior Courts
South Annex	2280 Fresno Street	91,962	1941	72	528	Inmate Housing, Medical, Laundry
Satellite Jail	110 "M" Street	10,800	1986	27	0	Closed

2013 Needs Assessment Update



*Jail Facilities – Downtown Campus*

# Fresno County SB-1022 Application 2013

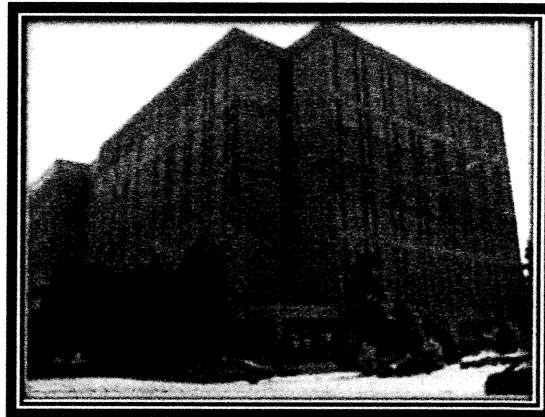
## Section 5: Narrative

**Main Jail;** The Main Jail is a six-story structure which was constructed in 1989. In 2002, the County carried out a minor expansion of the facility to increase the capacity of the clothing area. Even though this building is nearly 24 years



old, and a number of inmate support areas have operated, and currently *operate* significantly above the originally intended design capacity, the facility remains in relatively good condition. Consequently, the Project Team recommended in the 2013 Needs Assessment Update that the County retain this facility for detention purposes over the 25-year planning horizon of this study and beyond.

**North Jail;** The North Jail is a five-story structure constructed in 1993. Originally a three-story structure, three housing floors were added in 2002. Four of the floors are used almost exclusively for housing and all housing units were



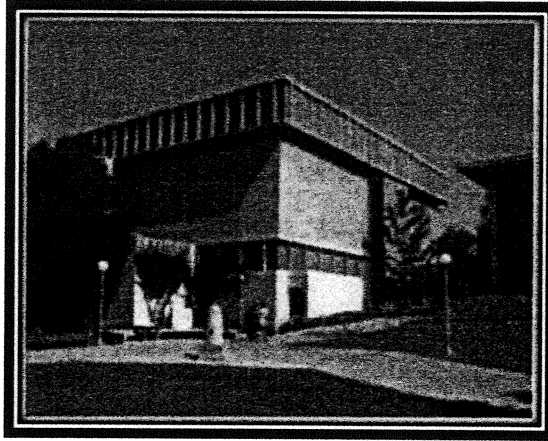
originally designed as dormitories to hold 64 beds each, on a double bunk basis. However, due to overcrowded conditions, the County obtained an Alternative Means of Compliance in 1995 from the Board of State and Community Corrections to triple bunk the entire facility, despite such bunking being in conflict with Title 24 regulations.



# Fresno County SB-1022 Application 2013

## Section 5: Narrative

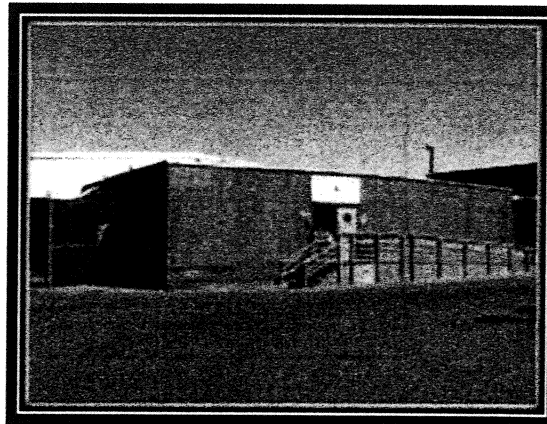
**South Annex;** This four-story facility was built in the 1940's. Although the facility is structurally sound, the building is no longer efficient for housing inmates in its current configuration because of its antiquated non-podular housing design.



This results in inefficient staff to inmate ratios and more difficult supervision of inmates.

Further, inmates have to be escorted to the roof recreation yards for exercise.

**Satellite Jail;** The Satellite Jail was constructed as a temporary facility in 1986. The facility is comprised of five, triple-wide portable trailers. Four trailers were used for inmate housing, and the fifth housed administrative functions. All



trailers have exceeded their life span. Due to its distance from the Jail Campus, the Project Team recommended in the 2008 Jail Facilities Needs Assessment and Master Plan (2008 Plan), that the County explore alternative uses for the site. Shortly thereafter, the County closed this facility due to operational cost constraints and given its poor condition and lack of functionality it will not be reopened. The site however, could be redeveloped for detention, or other County uses.

# Fresno County SB-1022 Application 2013

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## Section 5: Narrative

### **B: 1.03**

The oldest facility in the system is the South Annex Jail. Built in 1941 it has undergone multiple remodels, and expansions. It is made up of linear housing units on the north facing Fresno Street, dorms on the 1<sup>st</sup> floor, and metal cells inside a main structure of concrete and concrete masonry units in the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> floors of the main structure. The facility structural grid and design does not allow for direct line of sight supervision by Correctional Officers. Correctional staff must supervise inmates in an indirect manner through solid metal walls or bars. This facility was described in the 2013 Needs Assessment Update as one of the most dangerous jails in the country for both staff and inmates.

Due to obsolete equipment the entire 1<sup>st</sup> floor of the South Annex Jail houses no inmates. However, 2 entry points to this facility must be manned by sworn officers. The high staffing requirements, along with the limited number of inmates housed makes the South Annex Jail inefficient and less safe to continue to operate as stated in the Needs Assessment.

The South Annex Jail does not have adequate space to provide programs, training, or treatment to special needs inmates.

Also, mechanical systems such as HVAC, electrical, and plumbing are in disrepair and would need to be replaced if the South Annex Jail were to remain operational.

Furthermore, it should be noted that South Annex Jail has recently come under scrutiny though a Class Action suit filed by the "Prison Law Office and Disability Rights California"

# Fresno County SB-1022 Application 2013

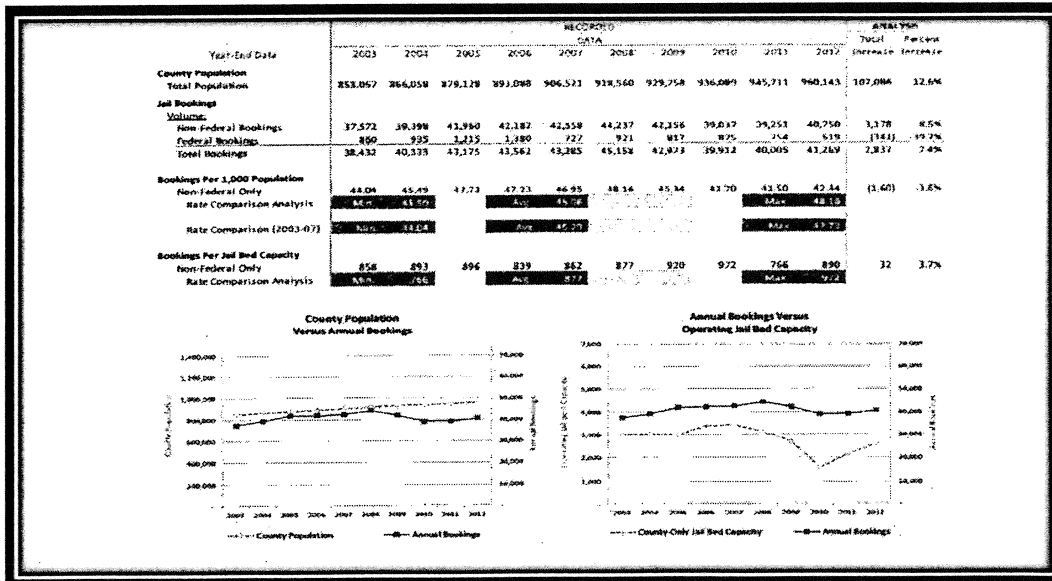
## Section 5: Narrative

against the County of Fresno. In this suit plaintiffs allege inadequate supervision at the 1940's era jail, and the dangers it poses to inmates. The plaintiffs also allege lack of constitutionally-adequate medical and mental health care for inmates housed at the Fresno facilities including the South Annex Jail.

### **B: 1.04**

Bookings increased from 37,572 in 2003 to 40,750 in 2012 which equals a net increase of 3,178 year over year, or 8.5%. The increase in bookings was lower than the total county population increase of 12.5%. In 2012 funding from AB 109 was introduced and the number of available jail beds increased. Early releases slowed and arresting agencies again began to arrest suspects and book them into the county jail rather than release them in the field.

All data provided by the County of Fresno Sheriff's Department Jail Records Division.



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## Section 5: Narrative

In January 2013 the jail opened the last remaining closed housing floor of the North Annex. This resulted in the total bed inventory of 3,291. These beds were quickly occupied by the end of January as shown in the snapshot of that month's ADP of 3,249 or 99% of the systems rated bed capacity. This rapid filling of the newly reopened beds has been attributed to the continued implementation of AB 109 by the State.

Year-End Data	RECORDED DATA										ANALYSIS	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>County Population</b>												
Total Population	853,057	866,058	879,128	893,088	906,521	918,560	929,758	936,089	945,711	960,143	107,086	12.6%
<b>Jail Capacity</b>												
Total Jail Bed Physical Capacity	3,346	3,346	3,346	3,778	3,778	3,478	3,478	3,478	3,478	3,478	132	3.9%
Closed Housing Unit Beds						300	410	1,555	1,051	619		
Total Jail Bed Operating Capacity	3,346	3,346	3,346	3,778	3,778	3,478	3,068	1,923	2,427	2,859	(487)	-14.6%
Federal Contract Beds	316	303	354	396	351	367	383	349	284	242	(74)	-23.4%
County-Only Jail Bed Capacity	3,030	3,043	2,992	3,382	3,427	3,116	2,685	1,574	2,143	2,617	(413)	-13.6%
<b>Jail Bookings</b>												
<b>Volume:</b>												
Non-Federal Bookings	37,572	39,398	41,960	42,182	42,558	44,237	42,156	39,037	39,251	40,750	3,178	8.5%
Federal Bookings	860	935	1,215	1,380	727	921	817	875	754	519	(341)	-39.7%
Total Bookings	38,432	40,333	43,175	43,562	43,285	45,158	42,973	39,912	40,005	41,269	2,837	7.4%
<b>Combined Average Daily Population</b>												
Non-Federal Inmates	2,599	2,717	2,682	2,836	2,953	2,733	2,469	1,530	1,642	2,328	(271)	-10.4%
Federal Inmates	316	303	354	396	351	369	376	344	281	201	(115)	-36.4%
Total ADP	2,915	3,020	3,036	3,232	3,304	3,102	2,845	1,874	1,923	2,529	(386)	-13.2%
ADP Percent of Jail Capacity	96.2%	99.2%	101.5%	95.6%	96.4%	99.6%	106.0%	119.1%	89.7%	96.6%	0.00433	0.0045
<b>Average Daily Population By Court Status (Non-Federal Prisoners Only)</b>												
Pre-Sentenced	2,097	2,058	2,089	2,170	2,115	1,828	1,678	1,257	1,348	1,573	(524)	-25.0%
Sentenced	502	659	593	673	838	905	791	273	294	755	253	50.4%
All Inmates Combined	2,599	2,717	2,682	2,843	2,953	2,733	2,469	1,530	1,642	2,328	(271)	-10.4%
<b>Average Length of Stay</b>												
All Non-Federal Inmates	26.25	25.17	23.33	24.54	25.33	22.55	21.38	14.31	15.27	20.85	(4)	-17.4%
<b>TRENDS ANALYSIS</b>												
Year-End Data	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>Bookings Per 1,000 Population</b>												
Non-Federal Only	44.04	45.49	47.73	47.23	46.95	48.16	45.34	41.70	41.50	42.44	(1.60)	-3.6%
Rate Comparison Analysis	Min	41.50		Avg	45.06				Max	48.16		
Rate Comparison (2003-07)	Min	44.04		Avg	46.29				Max	47.73		
<b>Bookings Per Jail Bed Capacity</b>												
Non-Federal Only	858	893	896	839	862	877	920	972	766	890	32	3.7%
Rate Comparison Analysis	Min	766		Avg	877				Max	972		
<b>Jail ADP Per 1,000 County Population</b>												
ADP Per 1,000 Pop	3.05	3.19	3.14	3.33	3.46	3.20	2.89	1.79	1.92	2.73	(0.32)	-10.4%
Rate Comparison Analysis	Min	1.79		Avg	2.87				Max	3.46		
Rate Comparison (2003-07)	Min	3.05		Avg	3.23				Max	3.46		
<b>Average Length of Stay</b>												
ADP Per 1,000 Pop	25.25	25.17	23.33	24.54	25.33	22.55	21.38	14.31	15.27	20.85	(4.40)	-17.4%
Rate Comparison (2003-12)	Min	14.31		Avg	21.60				Max	25.33		
Rate Comparison (2003-07)	Min	23.33		Avg	24.72				Max	25.33		
<b>Distribution of ADP by Court Status</b>												
Pre-Sentenced	81%	76%	78%	76%	72%	67%	68%	82%	82%	68%		
Sentenced	19%	24%	22%	24%	28%	33%	32%	18%	18%	32%		

2013 Needs Assessment Update, Daniel C. Smith and Associates, Inc.

# Fresno County SB-1022 Application 2013

## Section 5: Narrative

Year-End Data	TRENDS										ANALYSIS	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>Average Daily Population By Gender</b>												
Male						2,708	2,490	1,684	1,707	2,207	(501)	-18.5%
Female						395	356	190	216	322	(73)	-18.5%
<b>Total ADP</b>						<b>3,103</b>	<b>2,846</b>	<b>1,874</b>	<b>1,923</b>	<b>2,529</b>	<b>(574)</b>	<b>-18.5%</b>
<b>Distribution of Daily Population By Gender</b>												
Male						87.3%	87.5%	89.9%	88.8%	87.3%	0.0%	0.0%
Female						12.7%	12.5%	10.1%	11.2%	12.7%	0.0%	0.0%
<b>Average Daily Population by Primary Charge</b>												
Felony						2,902	2,661	1,799	1,857	2,459	(443)	-15.3%
Misdemeanor						201	185	75	66	71	(130)	-64.7%
<b>Total ADP</b>						<b>3,103</b>	<b>2,846</b>	<b>1,874</b>	<b>1,923</b>	<b>2,530</b>	<b>(573)</b>	<b>-18.5%</b>
<b>Distribution of ADP By Charge</b>												
Felony						93.5%	93.5%	96.0%	96.6%	97.2%	3.7%	3.9%
Misdemeanor						6.5%	6.5%	4.0%	3.4%	2.8%	-3.7%	-56.7%

Lastly, based on the detailed data provided above, and by reviewing data from the 2008 plan, the jail population has, and continues to be comprised mostly of felons, which comprised on average over 97% of the total inmate population in 2012.

**Average Daily Population By Offense 2012**

Offense Type	Percentage
Felony	97.2%
Misdemeanor	2.8%

2013 Needs Assessment Update, Daniel C. Smith and Associates, Inc.

Under the Federal Consent Decree the Sheriff continues to release both sentenced and Pre-Trial inmates. Since January 1, 2013, 7,385 inmates have been released early or prior to adjudication of their case. On average 1,133 pre-trial (92%) and 98 sentenced (8%) inmates are released per month.

**B: 1.05, 1.06**

The Sheriff's Jail Division, and the County of Fresno Probation Department, provide a variety of programming that focuses on reducing recidivism rates and the jail population. Although the County has strived to expand these programs within financial

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

constraints, it must place even more emphasis on doing so, especially relative to creating new, and/or expanding existing programs that aid jail inmates in transitioning back into the community and/or provide alternatives to incarceration, in light of AB 109.

The following inmate programs are currently being provided to jail inmates:

- Transition from Jail to Community (TJC initiative in conjunction with National Institution of Corrections)
- Religious Programing
- Alcohol Anonymous (AA)/Narcotics Anonymous (NA)
- Celebrate Recovery
- General Education Development
- English as a Second Language
- Parenting Education
- Pre-Trial Release Program
- Work Furlough
- Inmate Work Crew Programs

Below is a summary of inmate program participation levels for programs where records were maintained, as of mid-year 2012. As shown, the participation levels are very low for all programs, and when combined only slightly over 10% of the entire jail was able to participate.

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## Section 5: Narrative

<u>Program</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>
Alcohol/Narcotics Anonymous	19	71	90
General Education Development	19	25	44
Relationship Building	28	23	51
<u>Parenting Education</u>	<u>24</u>	<u>25</u>	<u>49</u>
Total	90	144	234

Alternatives to Incarceration include the following Probation operated programs: Adult Offender Work Program, Work Furlough Electronic Monitoring, Deferred Entry of Judgment Adult Drug Court, Post-Conviction Drug Court, Proposition 36, and Adult Day Reporting Center.

<u>Program Description</u>	<u>FY-2010-11</u>	<u>FY-2011-12</u>
Adult Offender Work Program	3,087	2,217
Work Furlough Electronic Monitoring	78	46
Deferred Entry of Judgment Adult Drug Court	1,404	1,488
Post-Conviction Drug Court	158	168
Proposition 36	1,782	1,851
<u>Adult Day Reporting Center</u>	<u>N/A</u>	<u>N/A</u>
Total Participation	6,509	5,770

### **B: 1.07**

There are currently no plans to implement new alternative to incarceration programs. The lack of facilities, and the inability to safely segregate various classifications of inmates, keeps the Sheriff and Probation staff from implementing programs.

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

### **Program Space Construction**

#### **PS: 1.01**

In the last year the County of Fresno has had several consultants evaluate the current medical and behavioral health services provided to inmates. The majority of behavioral health services are provided in the South Annex Jail. This facility was built in the 1940's. The design of the building allows for indirect supervision only for correctional officers. This leads to the disruption of communication between staff and inmates and limits the amount of critical information available to the officers. Mentally ill inmates can be victimized by predatory inmates and by groups that achieve dominance in their housing areas due to this type of supervision.

Due to an aging infrastructure, stable temperatures in the housing areas cannot be maintained. In the summer, temperatures in the facility can be as high as 90 degrees, and in the winter, the temperatures can get as low as 60 degrees in the facility. High indoor temperatures may increase the risk of inmates on antipsychotic meds to have a decrease in tolerability to the medications, which can lead to life threatening complications. High indoor temperatures may also lead to inmates having hyperthermia (high body temperature), which can progress to neurological damage or death. Unusually hot or cold indoor temperatures can cause stress to the inmates, which can lead to violent behavior within the facility. The current facility is not conducive to behavioral health or other Offender Program services. It is difficult for staff to provide direct services to inmates and to conduct group counseling sessions.



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## **Section 5: Narrative**

### **PS: 1.02**

The County of Fresno offers case management services for all offenders in custody who are interested in mental health services, require and/or need our mental health services. The County offers weekly and daily contacts to monitor an offender's mental health to prevent decompensating. The County offers shift checks on at risk individuals. Medication and crisis intervention services are offered to all in custody offenders. However, there is no centralized place for services. The current facility is not designed for providing behavioral health services. There are currently no services provided to out of custody offenders.

### **PS: 1.03**

The Jail Psychiatric Services Program approach to treatment includes individual counseling, psycho-education groups, medical examination, and medication administration as the primary means of medical intervention.

Patients in crisis or on watch for suicide are isolated and observed on a frequent and periodic basis. Physical restraints are used as a last resort, such as when the inmates' safety or the safety of others is at risk.

### **PS: 1.04**

Currently the existing facility is not designed to conduct programs for non-custody offenders. The new proposed facility will allow Jail Psychiatric Services and Inmate Programs Services providers to provide individual and group counseling sessions to offenders involved in Day Reporting programming. The new facility will also allow

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

program providers to offer transitional programs to in custody offenders that are close to their release date. The current facility has minimal space for staff to offer group counseling sessions to offenders in custody. The Jail Psychiatric Services Program is currently assigned 2,300 Square Feet for staff. The lack of independent/localized temperature controls in the facility lead to an inadequate environment for conducting behavioral health and other programs. The current facility is not designed for efficient direct services. There are many areas in the current facility that make it difficult to observe offenders while not in the program element.

### **PS: 1.05**

Evaluations from outside consultants have consistently indicated that the current facility is not conducive to providing optimal programming services to in-custody offenders due to the layout of the jail and the lack of temperature controls in the facility. Also, due to a lack of suitable space, Jail Psychiatric Services is unable to provide services to offenders involved in Day Reporting programs. Adequate space is essential to expanding services to in-custody and out of custody offenders. Current reports show that the County of Fresno has a high level of recidivism compared to statewide rates. Expanding behavioral health and other services to offenders both in and out of custody will lead to reduced recidivism rates.

### **PS: 1.06**

The County has continued to maintain and expand existing Alternative Incarceration Programs, as well as to establish new programs where financially feasible. As will be

# Fresno County SB-1022 Application 2013

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## Section 5: Narrative

evidenced, the programs below and offender participation rates have had a significant impact on reducing the jail's full-time inmate population and the proposed increase to these programs should further assist in reducing inmate populations.

**Adult Offender Work Program:** The Adult Offender Work Program places defendants who are sentenced to 90 days in jail or less on work assignments with participating community and governmental agencies in lieu of jail confinement.

**Work Furlough Electronic Monitoring:** The Work Furlough/Electronic Monitoring Program is an alternative to serving time in the County Jail for those persons who are sentenced to more than 30 days in custody, and have been referred to the program by the local courts.

**Deferred Entry of Judgment Adult Drug Court Program:** This program places appropriate candidates, on a minimum 18 months supervision.

**Post Conviction Drug Court (PCDC) Program:** This endeavor is a grant-funded program designed to provide supervision and treatment for a maximum of 150 participants convicted of felony drug charges. The Court places these offenders on formal felony probation to include standard conditions of probation in the PCDC program. Supervision, drug testing, treatment, and regular Court reviews encompass this 18-month drug court program.

**Adult Day Reporting Center (ADRC) Programs:** These programs are onsite cognitive restructuring modules designed as Evidence Based Practices and construed to: change an offender's adverse thinking patterns, provide education, and job training to enable long-term employment, and hold offenders accountable during the day. The goals of the

# Fresno County SB-1022 Application 2013

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## Section 5: Narrative

Adult Day Reporting Center are to reduce offender re-arrests and recidivism, assist offenders in successful community reentry by providing needed services, and increase public safety by holding offenders accountable. These goals will be achieved by providing skill-based learning opportunities, educational and vocational training, and intensive community supervision.

### **Alternative to Incarceration (ATI) Programs Participation Levels:**

The exhibit below aggregates the participation levels and/or numbers of offenders completing programs for the fiscal year ending June 30, 2011 and fiscal year ending June 30, 2012. Unfortunately, data demonstrating the actual reduction of jail days produced by these programs could not be produced. However, the Needs Assessment Project Team believes it is substantial. To provide some perspective, if one applied the average length of stay per inmate in year 2012 (which was 20.85 days) to the level of ATI program inmate participants for that year, there would have been a total reduction of 120,304 jail days, which equates to reduction of 330 jail beds. Regardless, the County strives to continue and expand these programs, despite budget constraints. The data also shows that the numbers of persons participating in these programs has declined slightly since 2011, and indeed, this has been the case relative to these programs for the previous five years. With the proposed expansion of available space and program offerings the County believes participation will no longer decrease and result in a reduction of recidivism.

# Fresno County SB-1022 Application 2013

## Section 5: Narrative

<i>Alternative to Incarceration Participation/Program Completion Levels</i>		
Program Description	FY-2010-11 Participants	FY-2011-12 Participants
<b>Adult Offender Work Program</b>		
Offenders Completing Program	3,087	2,217
<b>Work Furlough Electronic Monitoring</b>		
Offenders Completing Program	78	46
<b>Deferred Entry of Judgment Adult Drug Court Program</b>		
Placed on DEI 345	345	439
<b>DEJ Bench Warrant Cases 1059</b>	1,059	1,049
Total on DEI	1,404	1,488
<b>Post Conviction Drug Court (PCDC) Program</b>		
PCDC Felony Probationers	95	104
PCDC Probationers on Warrant Status	63	64
Total under Supervision	158	168
<b>Proposition 36</b>		
Total under Supervision	1,782	1,851
<b>Adult Day Reporting Center (ADRC) Programs</b>		
No Data Available	-	-
<b>Total Annual Offenders Participating and/or Completing Programs</b>	<b>6,509</b>	<b>5,770</b>

2013 Needs Assessment Update

### **PS: 1.07**

The new facility would allow outside medical, psychiatric, and program staff much easier access to residential and day-reporting inmates and jail medical staff for purposes of treatment, training, and coordination of care. It would also allow for easier, safer, and more meaningful contacts between inmates and their families and other significant supports (e.g. Religious communities, community-based organizations), and provide for a residential and day-reporting/ visitation environment that has more respect for the humanity of the inmates and their families, and is more conducive to the health (including mental health), safety, and well-being of the inmates who live there and the staff who work there. The new facility will also allow the program to offer transitional services to in custody inmates as they get close to their release date.

### **PS: 1.08**

The Jail Services Programs expect that the new facility will result in the following:

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

1. Prevention of the manifestation of medical and/or mental illness in some inmates who might otherwise develop illness in the current environment.
2. Earlier identification and treatment of mild to moderate illness, resulting in the prevention of more severe, manifestations of illness in offender in custody and out of custody.
3. Earlier identification and more competent care for the most severely ill offenders who may be in need of a higher level of care. This will allow the most severely ill offenders to be sent out to more appropriate level of care, which is in the best interest of the health of the most severely ill offenders and offenders who live alongside the offender.
4. Easier and safer transition back to the jail and improved monitoring of offenders who are returning from higher levels of care and are recovering from severe illness.
5. Improved ability to connect inmates to various services upon release from jail and improved ability to support day-reporting and other alternatives to traditional residential incarceration.
6. A reduction in violence in the jail and the community related to improvements in mental health services to out of custody and in custody offenders.
7. A reduction in hospitalization costs, disabilities, and recidivism.
8. Improvement in staff morale, productivity, and job satisfaction which leads to positive environment around the offenders in the new facility.

# Fresno County SB-1022 Application 2013

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## Section 5: Narrative

### 2. SCOPE OF WORK

#### All Projects

##### New 300 Bed Facility

##### Close South Annex Jail Upon Opening New West Annex Jail

Total Beds (current 499)	300 (proposed)
Total Project Cost	\$87,993,000
Increase/ (Decrease) Yearly Operating Cost	(\$3,900,000)

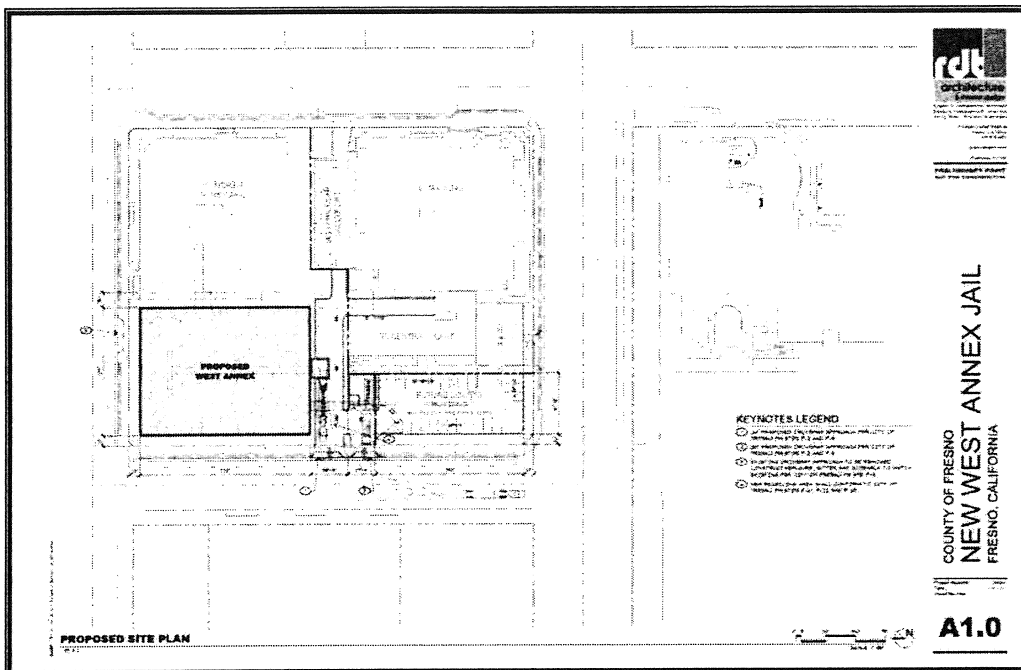
#### A: 2.01

- Construct new 3 floor, (5 story) 300 bed medium and maximum security facility west of the North Annex Jail.
- Close the existing 1940 era linear design South Annex Jail (528 Board Rated beds). Currently only 499 of these beds are usable due to equipment deterioration and malfunctions making the actual net loss of beds 199.
- The County of Fresno Jail System will realize a net reduction of 228 Board Rated beds (even though the South Annex Jail is rated to hold 528 inmates due to inoperable/un-repairable HVAC, mechanical, and antiquated security equipment and systems only 379 are usable). This makes the true net loss of 79 Board Rated beds.
- Will replace inefficient, high labor intensive linear cells with new generation pods and allow for greater observation and supervision of inmates.
- Construct new centralized video visitation.

# Fresno County SB-1022 Application 2013

## Section 5: Narrative

- Construct new receiving and warehouse.
- Construct tunnel extension from North Annex through New West Annex ending in the receiving warehouse.
- Provide necessary housing, treatment and program space for special needs pre-trial and sentenced inmates with behavioral health and health issues



## Bed Construction

### B: 2.01

In 2008, the County of Fresno contracted with Daniel C. Smith and Associates, Inc. to perform a needs assessment for the County of Fresno Jail Facilities. This needs assessment was updated March 2013 by the same company. An audit was done of past California Board of State and Community Corrections (BSCC) Inspections, as well as



# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

Grand Jury Reports and the Federal Court Order in Cruz vs. the County of Fresno. All note the issues our facilities face with overcrowding, outdated obsolete facilities, lack of program and treatment space for special needs inmates.

As discussed above, the County of Fresno has a pending class action law suit filed by the Prison Law Office and Disability Rights California. The plaintiffs allege unsafe housing conditions (SAJ), and inadequate medical and mental treatment for inmates housed in the County of Fresno Jail.

### **B: 2.02**

Construction of the new three floor 300 bed facility will replace the outdated linear style South Annex Jail, and allow for its closure. The proposed program based housing units will address the lack of appropriate housing for special needs inmates. It will provide for efficient safe observation and supervision of inmates. The video visitation will allow for reassignment of correctional officers to be appropriately assigned to supervise inmates rather than perform clerical functions. Construction of mental health staff offices, treatment, and program space adjacent to the newly constructed behavioral health housing units, will address issues with providing adequate mental health treatment.



# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

### **B: 2.03**

The design of the proposed pod style housing areas will allow for in-pod services such as medical and mental health as well as program space for re-entry services. It will also incorporate in-pod video visitation. This design decreases the amount of inmate movement while increasing visual supervision. The new bed construction will allow for better management of our classification system and allows for increased monitoring of the inmate population.

### **B: 2.04**

Our plan is to close the South Annex Jail, once the new facility is constructed and operational, and reassign existing personnel to new West Annex Jail in order to operate the proposed 300 bed facility.

## **Program Space Construction**

### **PS 2.01**

The County of Fresno Sheriff's Office in conjunction with the County of Fresno Public Health and Behavioral Health Departments have worked together to design much needed program spaces that will meet current and future inmate needs. The new construction provides for programming space in the pod design. The construction of mental health programming space will allow for enhanced programming opportunities for special needs inmates. Day Reporting will also occur in the newly constructed administration and program space located on the 1<sup>st</sup> floor of the new West Annex Jail.

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

### **PS 2.02**

Critically needed program space will be provided in the new construction. It will provide functionality, security and safety enhancements. The new space provides for more effective management of inmates needs while in custody and in preparing them for release.

### **PS 2.03**

The new program spaces will meet all current BSCC and ADA requirements. It will be cost effective and staff efficient allowing us to provide a wider variety of programming to inmates who will be serving longer sentences in our local jail facility.

### **PS 2.04**

The Probation Department will be funding programs through funding received from the State of California. This will include the services of an in custody re-entry program provided. Additional programs are funded through Child Support Services, the County of Fresno Jail Ministry, Volunteer Programs such as NA/ AA and Celebrate Recovery. The AB 109 Community Corrections Partnership (CCP) has allotted funding for Correctional and Civilian Staff in order to support program implementation and oversight.

### **PS 2.05**

Providing the program space necessary to allow inmates the opportunity to complete programs, court ordered classes, ministry services, substance abuse counseling, and job readiness training in order to effectively transition the inmate for release in to the community.

# Fresno County SB-1022 Application 2013

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## Section 5: Narrative

### 3. OFFENDER MANAGEMENT AND PROGRAMMING

#### Bed Construction

##### B: 3.01

The proposed construction of the West Facility will aid the county in removing the inadequate housing areas currently being used to house the jail's mentally ill population. While the number of beds will decrease, this will result in more effective programming and treatment for those afflicted with mental illnesses.

##### B: 3.02

Proposed construction allows for numerous small program spaces, allowing Evidence Based Programming (EBP) to be provided to smaller groups of participants. Use of the Static Risk and Offender Needs Guide (STRONG) assessment tool to determine the criminogenic need of the inmates in custody will allow staff to target specific Evidence Based Practices (EBP) to the population as directed by the Community Corrections Partnership. Further integration with the County of Fresno Probation and other county partnerships, will continue to further a push towards an increase in Transition from Jail to Community (TJC) programming.

##### B: 3.03

Currently using the STRONG assessment tool with our Transition from Jail to Community population. Also, Turning Point is using the ASI (Addiction Severity Index) to assess the AB109 population that they serve. Future plans are to implement the use of an

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

Evidence Based pre-trial assessment tool to assess the pre-trial population for alternative placements and pre-trial release.

### **B: 3.04**

The county's current planned construction addresses the need for future beds by increasing the amount of in-custody and out of custody services offered to the offender population in an effort to reduce recidivism thus having an impact on the proposed increase of jail beds needed due to the population growth of the county. This project will also allow the county to replace an outdated, high labor intensive facility with a modern, current design facility that can meet the inmates medical and mental health care and treatment needs in a cost-effective manner.

### **Program Space Construction**

#### **PS: 3.01**

The proposed construction significantly increases the available classroom/multi-purpose room space and adds a Day Reporting Center to facilitate increased supervision of those on post release supervision. With the increase of programming space, Behavioral Health and Medical Health programs will be expanded allowing for the implementation of EBP's that are targeted to the criminogenic needs of the offender as determined by the various assessment tools being and to be used.

#### **PS: 3.02**

Provides for additional beds for the housing and programming of Mentally and Medically ill offender, as well as space to provide programming to this special needs

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

population. Also provides programming areas to afford inmates with an alternative to in-custody status through the development of a Day Reporting Center with adequate program space to deliver Cognitive Behavioral Restructuring, Substance Use Treatment and other programs to address the identified criminogenic needs of the population. The overall addition of these spaces and the resulting increased cooperation with Probation and other elements of the CCP will further the county's overall plan to reduce recidivism and increase public safety.

### **PS: 3.03**

Programs to be provided to inmates housed in the new construction and through the proposed Day Reporting Center:

- Cognitive Behavioral Restructuring
- SUD (Substance Use Disorders)
- Parenting/Relationship Building
- Anger Management
- Life Skills
- Employment Readiness
- GED (General Education Development)
- AA/NA meetings and Celebrate Recovery
- Mental Health counseling
- Religious Programming
- Pre-Trial Release Program

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

### **PS: 3.04**

Individuals housed in the new facility will be assessed and programming will be targeted to the identified criminogenic needs and barriers to re-entry as identified in the STRONG assessment. Those individuals enrolled in the Day Reporting Center program will also receive the STRONG assessment and have their identified needs addressed via a case plan.

### **PS: 3.05**

The County of Fresno Department of Behavioral Health, Contracted Medical Services provider, SERI (Sierra Education and Research Institute), Turning Point of Central California, the County of Fresno Probation Department, the Fresno County Office of Education, AA/NA Hospitals and Institutions Committees, the County of Fresno Department of Social Services, various Community Based Organizations will be involved in a global plan to more effectively transition inmates from incarceration to out of custody services. By aiding in the facilitation of these programs through targeted EBP's we intend to increase the overall approach to reducing recidivism.

### **PS: 3.06**

Community Corrections Partnership, Inmate Welfare Fund, the County of Fresno Department of Behavioral Health and the County of Fresno Health Department.



# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

### **PS: 3.07**

The County of Fresno Probation Department currently uses the STRONG assessment to determine the criminogenic needs of the Offender, which allows programming to be targeted to the needs of the individual.

### **PS: 3.08**

Offenders will be evaluated and assessed using a validated risk assessment tool to determine their risk to the community as well as their likelihood to appear for court hearings. Evaluation of assessment tools will occur on a yearly basis to ensure integrity and continuity. Individuals released will be tracked for a one year period of time to determine if they committed new offenses or failed to appear for court hearings once released. All programming provided to the population in custody or enrolled in the Day Reporting Center is required to be Evidence Based. Assessments, Motivational Interviewing, Cognitive Behavioral Restructuring and educational programs all follow evidence based models. All program providers will be required to provide an evaluation to the Sheriff's and Probation Departments that shows successful completion of the program and the recidivism of its participants.

### **PS: 3.09**

Staff assigned to provide any curriculum must be trained and certified. This includes but is not limited to Cognitive behavioral restructuring, Substance Abuse Treatment/Counseling, use and application of assessment tools as presented for use.

# Fresno County SB-1022 Application 2013

## Section 5: Narrative

### PS: 3.10

Target population will be offenders committed to the facility who present Behavioral Health or Medical Health issues. The Day Reporting population will consist of offenders who have been released from custody and enrolled in the Day Reporting program.

The exhibit below provides a summary of inmate program participation levels for programs where records were maintained, as of mid-year 2012. As shown, the participation levels are very low for all programs, and when combined only a little over 10% of the entire jail population participated in them. Part of the reason for these low rates is that inmates *do not receive any credit for any of these programs* if they were taken prior to their sentence. Because the inmates are aware of this, many have little motivation to participate. Given that 68% of the entire inmate population is pre-sentenced, jail management (and the Needs Assessment Project Team) believes that participation rates would be much higher if the Courts would change their policies. With the increased housing of the AB109 population and the incentives proposed in AB624 there should be a significant increase in the amount of inmate participation.

Males Females Total

Program	Males	Females	Total
Alcohol/Narcotics Anonymous	19	71	90
General Education Development (GED)	19	25	44
Relationship Building	28	23	51
Parenting Education	24	25	49
<b>Total Participation Levels</b>	<b>90</b>	<b>144</b>	<b>234</b>
Total ADP June 2012			2,281
Participation Percentage of Total ADP			10.3%
<b>GED Exam Performance Levels</b>			
Number of persons taking exam	39		
Number of persons passing exam	11		
Success Rate	28%		

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

### **4. ADMINISTRATIVE WORK PLAN**

The following individuals will be involved in Project Administration;

- The Chairman of the County of Fresno Board of Supervisors (BOS) will be the County official authorized to sign the Applicant's Agreement and his/her designee will submit the proposal for funding. The Chairperson and the County Administrative Officer will also be preauthorized to execute all necessary agreements to include but not limited to, Project Delivery and Construction Agreement, Right of Entry, Ground Lease, Facility Sub-Lease, and BSCC Construction Agreement.
- The County of Fresno Director of Public Works will act in the capacity of project manager and overall construction administrator.
- The County of Fresno Auditor- Controller/Treasurer-Tax Collector will be the project's financial officer.
- The Sheriff will assign an executive staff person as the department's contact from design through occupancy of the new facilities.

The County of Fresno's Administrative Officer shall coordinate with all participants to ensure the project's progress is reported to the BOS.

#### **4.01**

The County of Fresno has made significant investment of time and money into this project. The Board of Supervisors has appropriated the required 10% contribution toward the project. The commitment of local resources demonstrates the County's

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

willingness to step up to the challenges presented to them due to the need to address specific bed and programming needs and the implementation of AB 109.

The County of Fresno Public Works has done an evaluation of the infrastructure at the Down Town Campus and is in the process of up-dating the EIR, space planning and Conceptual design have commenced and should be completed soon.

### **4.02**

The County has assembled a team of County level managers experienced in jail needs, design and construction of the new facility, and additional renovations to be done by the County in conjunction with the SB 1022 project.

### **4.03**

The County has assembled a team of County level managers experienced in jail needs, design and construction of the new facility.

### **4.04**

Upon receiving a conditional award from the SB 1022 grant and upon BSCC's establishment of the project, the County of Fresno will immediately proceed to the Design Development. If not yet completed CEQA will be completed by County Public Works and Planning. When granted a conditional award the County of Fresno will immediately retain the services of an architect and will move forward with the facility design.

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

### **5. BUDGET REVIEW AND REASONABLENESS**

#### **5.01**

The County of Fresno is requesting \$79,194,000 in state funding and is committed to augmenting the maximum award to large counties with \$8,799,000 in matching funds. The 1940's era South Annex Jail is an old linear style jail that is dysfunctional for the type of inmate incarcerated and must be replaced or significantly upgraded. The County of Fresno considers providing appropriate inmate housing, treatment, programs, and safety as critical and has placed a high priority on this project for commitment of staff and financial resources. The County of Fresno faces a severe need for facilities and inmate services across our entire system. This project and the requested State funding addresses a significant portion of the immediate need created by the implementation of AB 109.

#### **5.02**

The County of Fresno continues to build on the Detention Facilities Master Plan adopted in the mid-80's and regularly updated. The benefits of the reuse of an already vetted design and the slight modifications to the original design to further enhance operational efficiencies to meet the current needs including those recently identified by pending litigation, makes the design process significantly more streamlined and cost effective. The fiscal benefits of the design allow for reduced staffing costs, and using an existing design highlights those particular building systems, methods of construction and finishes that can benefit from value engineering to further achieve reduced costs in the

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

construction of the facility. Closing the 70 year old South Annex Jail and replacing it with a modern efficient jail will significantly reduce annual maintenance and utility costs. The new West Annex Jail will take advantage of the existing central plant and co-generation facility. This creates an economy of scale and will greatly reduce costs for all facilities.

### **5.03**

By developing and following a facility master plan and continually up-dating its needs assessment, the County of Fresno has been able to minimize the cost of expanding and up-grading its detention facilities. Since the County of Fresno began remodeling its jails in the mid 1980's it always anticipated the next phase of construction based on the Master Plan. Keeping this always in mind, land, infrastructure, utilities, and connections have all been put in place as part of the current project, in order to minimize disruption to facility operations when new structures added in the future. This not only minimizes the need to provide these elements to the new project but minimizes excessive constructions costs associated with disruption of ongoing jail operations.

### **5.04**

The County of Fresno will investigate any funding that may be available from all sources to include Federal, State, and local. At this time no other sources have been identified.

### **5.05**

The project will streamline facility operations by closing the South Annex Jail. Currently, several fixed posts in the South Annex Jail are needed solely due to design. Several uniformed officers are needed to protect entrances and exits and have no inmate

# **Fresno County SB-1022 Application 2013**

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## **Section 5: Narrative**

supervision responsibilities. The new facility will eliminate this issue and will provide staff and inmates a safer working and living environment. The design will allow the implementation of programs throughout the facility with additional programming space available to increase programming opportunities.

EXHIBIT 5



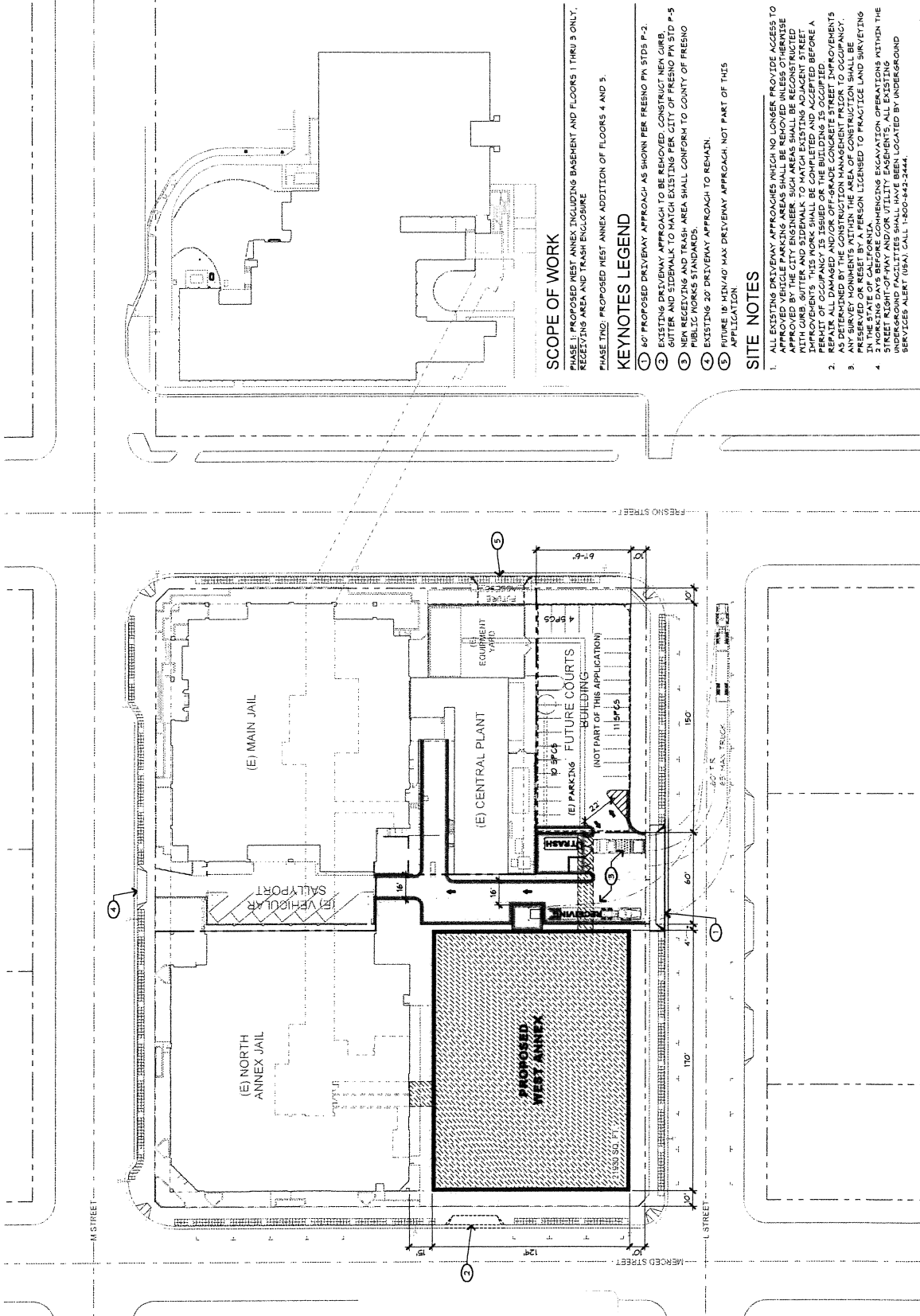


**EXHIBIT 6  
 9 LIBIHX**

**COUNTY OF FRESNO  
 NEW WEST ANNEX JAIL  
 FRESNO, CALIFORNIA**

Project Number: 09002  
 Sheet Number: 11.02.2014

**A1.0**



**SCOPE OF WORK**

PHASE 1: PROPOSED WEST ANNEX INCLUDING BASEMENT AND FLOORS 1 THRU 3 ONLY, RECEIVING AREA AND TRASH ENCLASURE.

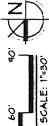
PHASE 2: PROPOSED WEST ANNEX ADDITION OF FLOORS 4 AND 5.

**KEYNOTES LEGEND**

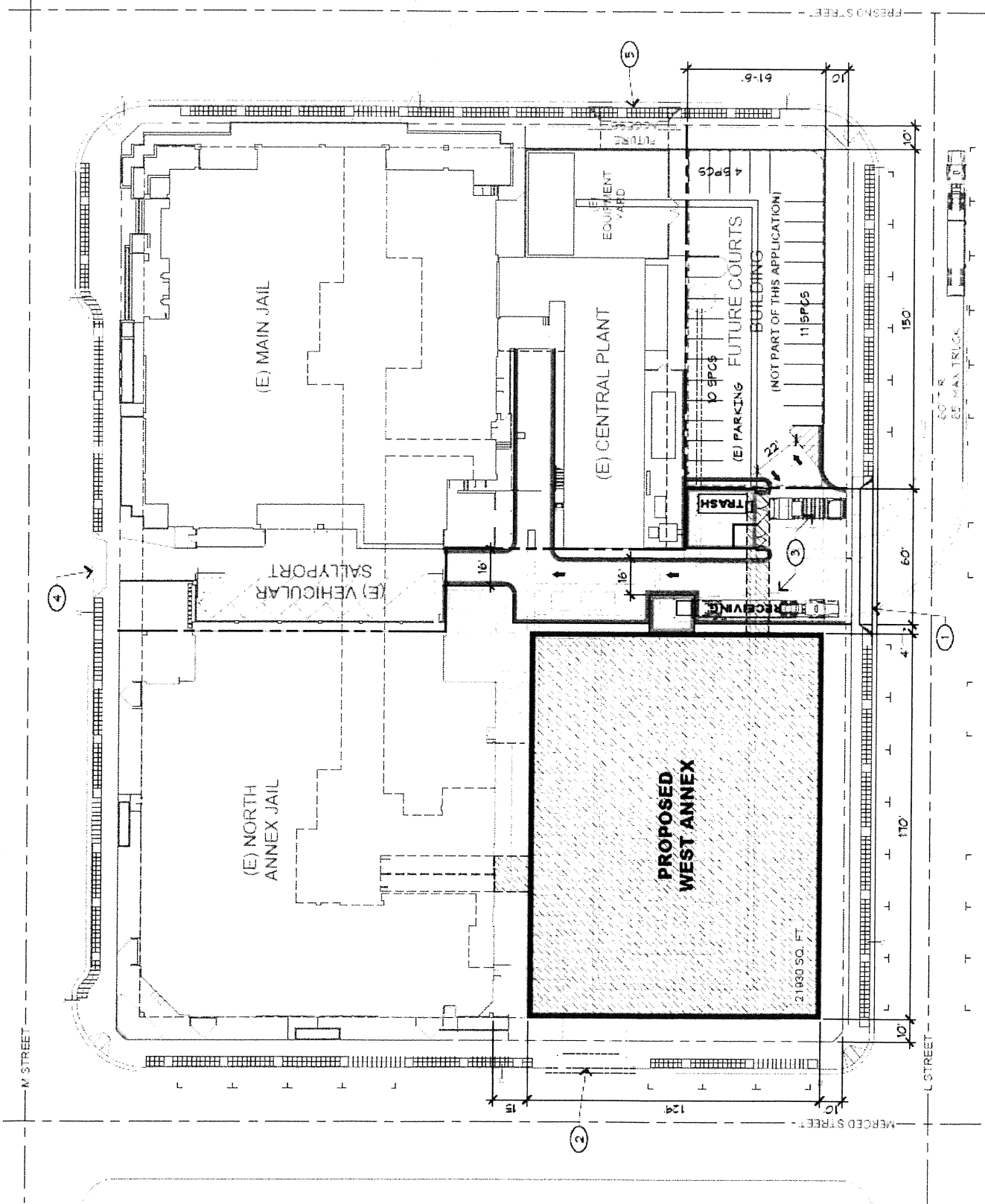
- ① 80' PROPOSED DRIVEWAY APPROACH AS SHOWN PER FRESNO FM STD P-2.
- ② EXISTING DRIVEWAY APPROACH TO BE REMOVED, CONSTRUCT NEW CURB, GUTTER AND SIDEWALK TO MATCH EXISTING PER CITY OF FRESNO FM STD P-5.
- ③ NEW RECEIVING AND TRASH AREA SHALL CONFORM TO COUNTY OF FRESNO PUBLIC WORKS STANDARDS.
- ④ EXISTING 20' DRIVEWAY APPROACH TO REMAIN.
- ⑤ FUTURE 18' MIN/40' MAX DRIVEWAY APPROACH, NOT PART OF THIS APPLICATION.

**SITE NOTES**

1. ALL EXISTING DRIVEWAY APPROACHES WHICH NO LONGER PROVIDE ACCESS TO APPROVED VEHICLE PARKING AREAS SHALL BE REMOVED UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER. SUCH AREAS SHALL BE RECONSTRUCTED AND IMPROVED WITHIN THE CITY ENGINEER'S DESIGN. ALL SUCH RECONSTRUCTION IMPROVEMENTS SHALL BE COMPLETED AND ACCEPTED BEFORE A PERMIT OF OCCUPANCY IS ISSUED OR THE BUILDING IS OCCUPIED.
2. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS WITHIN THE AREA OF CONSTRUCTION TO MATCH EXISTING CONDITIONS.
3. ANY SURVEY MONUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A PERSON LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF CALIFORNIA.
4. EXISTING UNDERGROUND UTILITIES INCLUDING EXCAVATION OPERATIONS WITHIN THE STREET RIGHT-OF-WAY AND/OR UTILITY EASEMENTS, ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES ALERT (USA), CALL 1-800-442-3444.

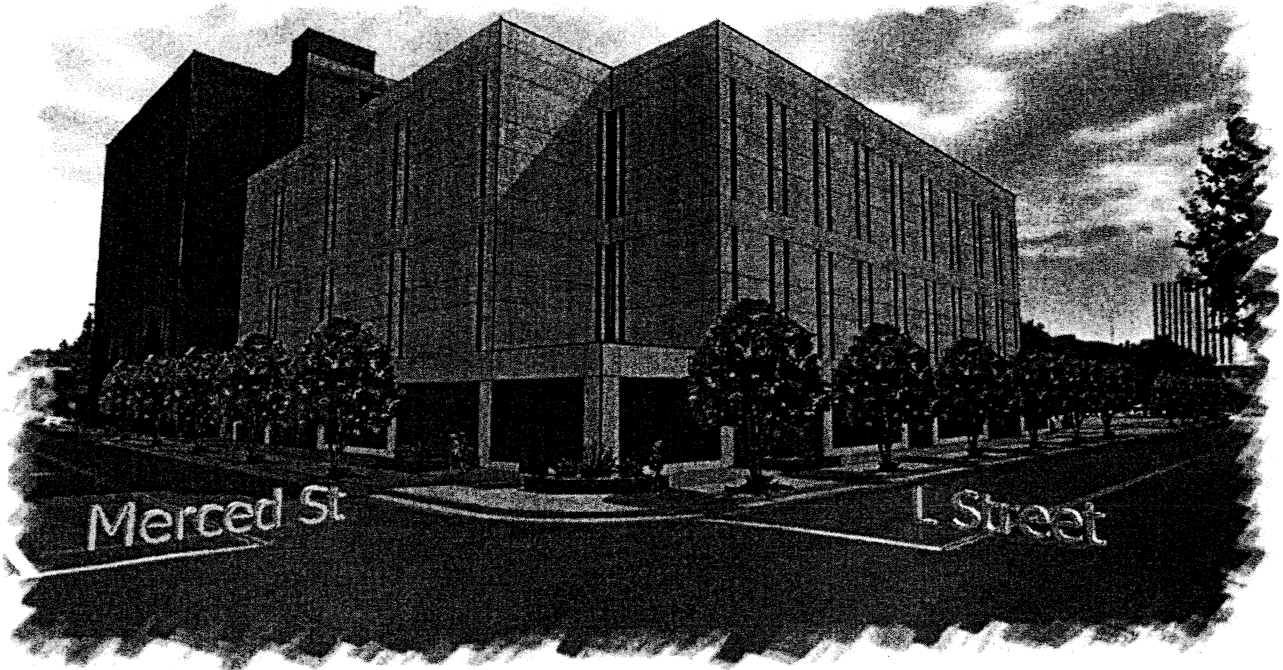


**PROPOSED SITE PLAN  
 A1.0**



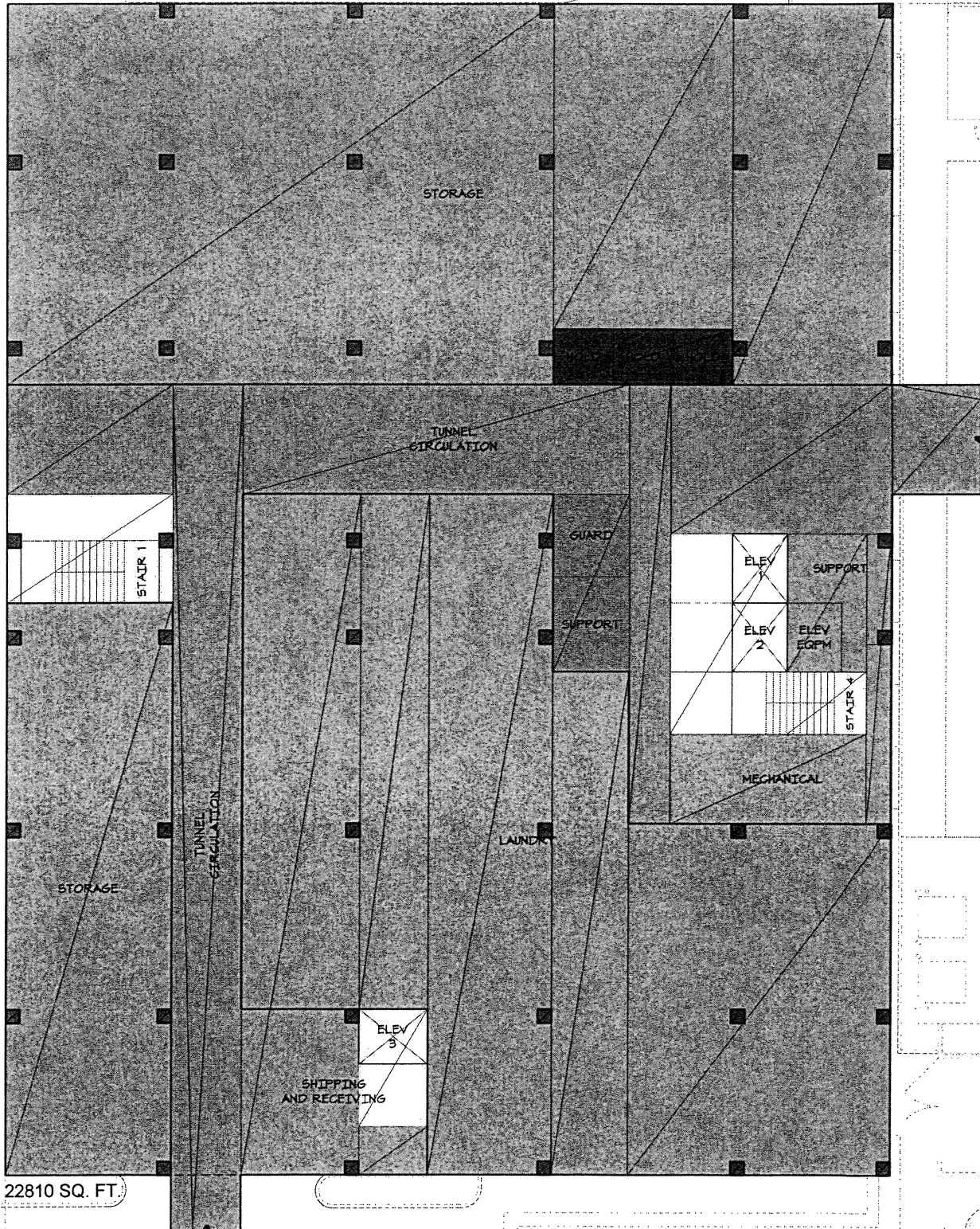


AERIAL - PHASE I ONLY



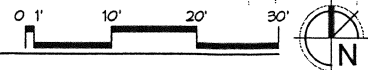
STREET VIEW - PHASE I ONLY

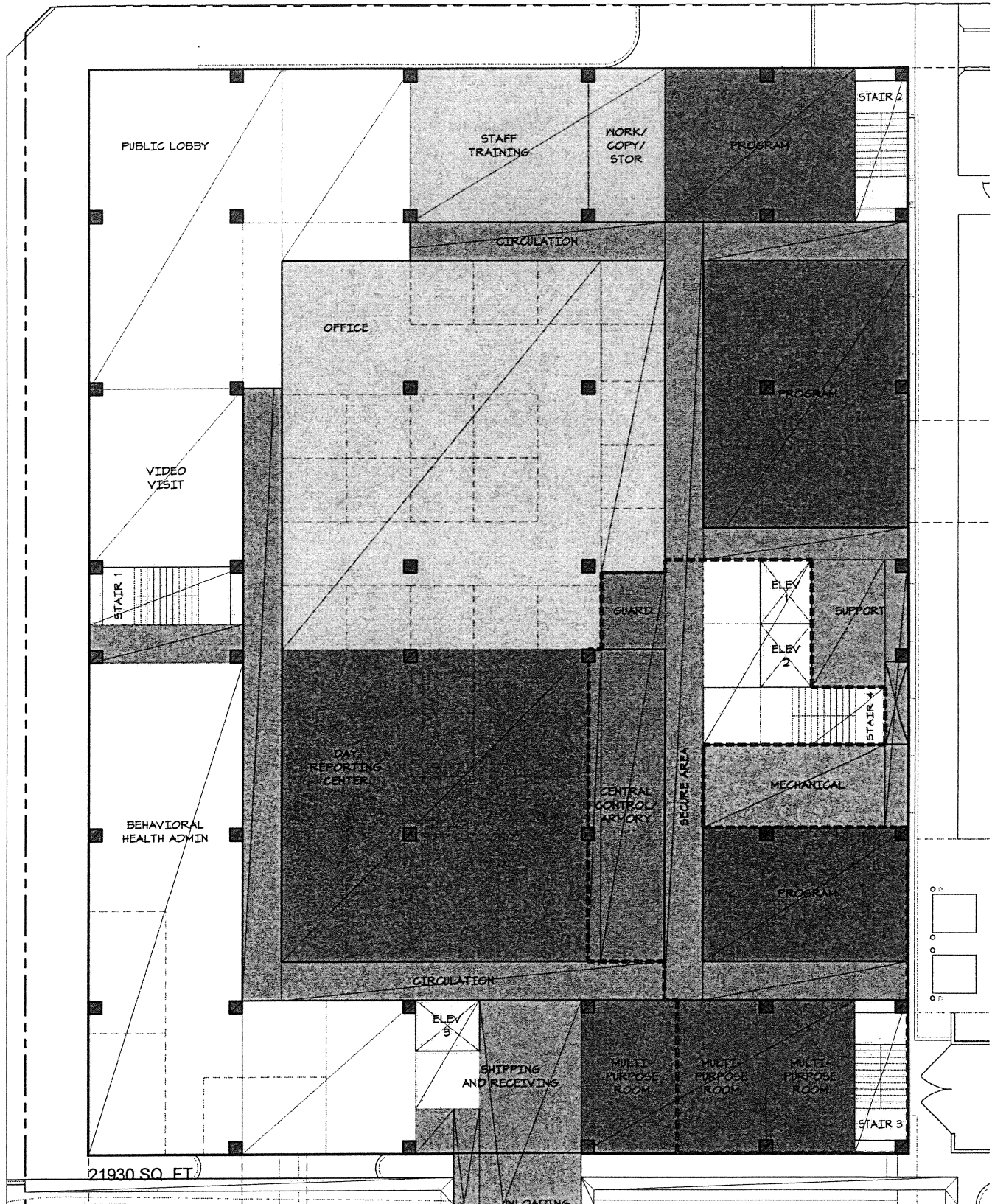
# EXHIBIT 7



**BASEMENT FLOOR PLAN**

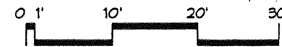
A2.0 |

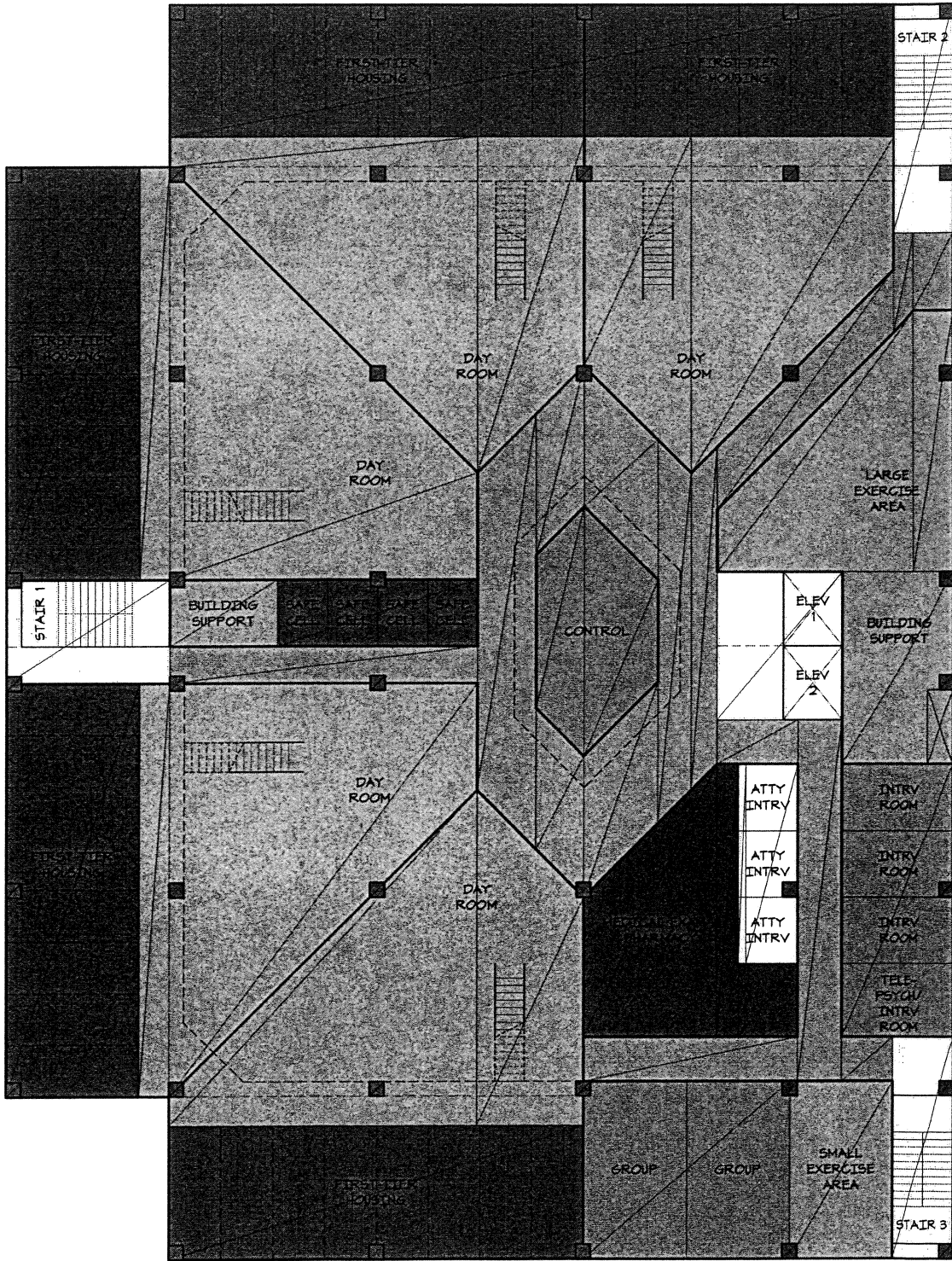




**FIRST FLOOR PLAN**

A2.1 |

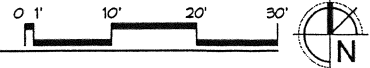


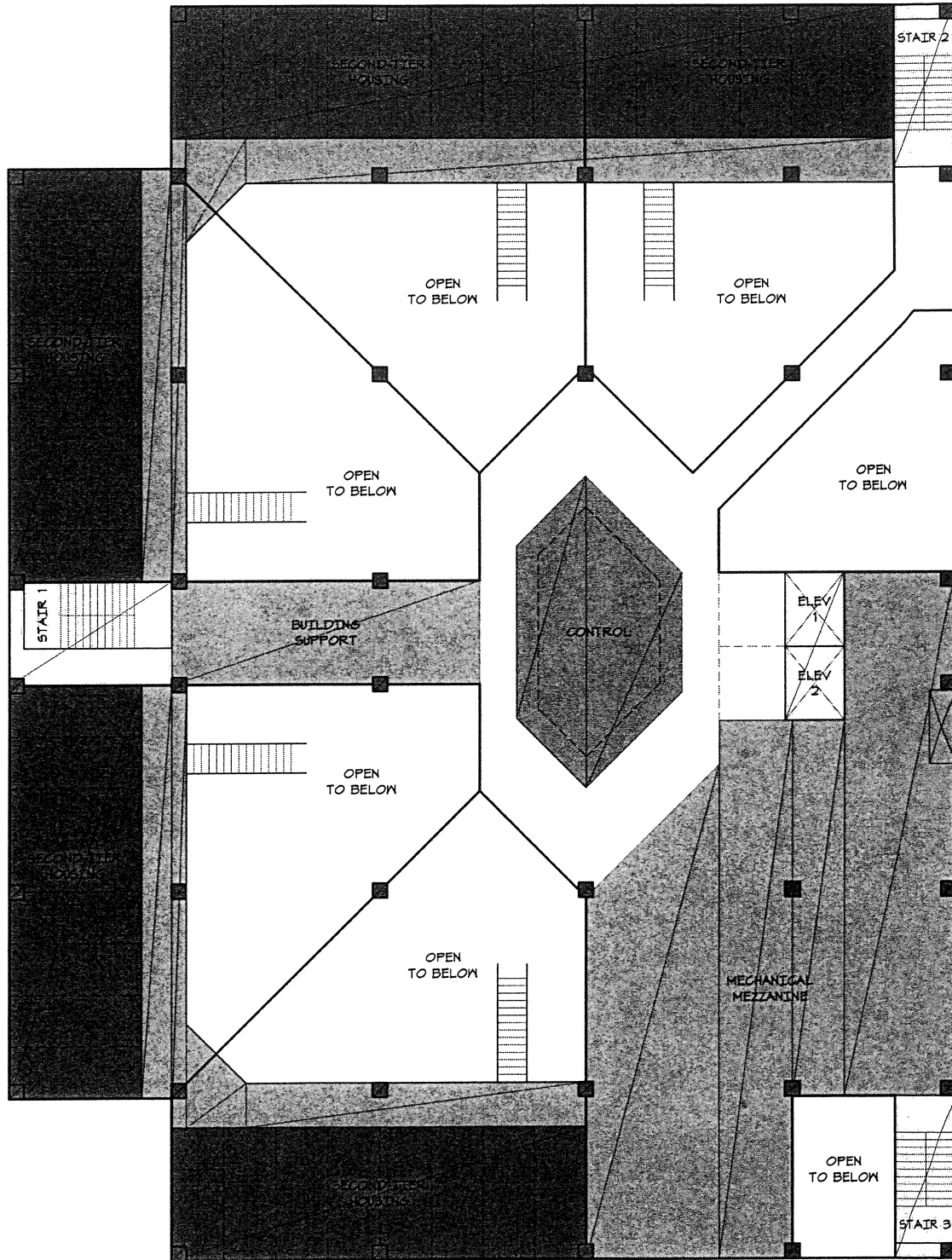


20962 SQ. FT.

**SECOND FLOOR PLAN (THIRD FLOOR SIMILAR)**

A2.2 | FUTURE 4TH AND 5TH FLOORS SIMILAR

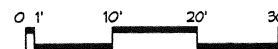




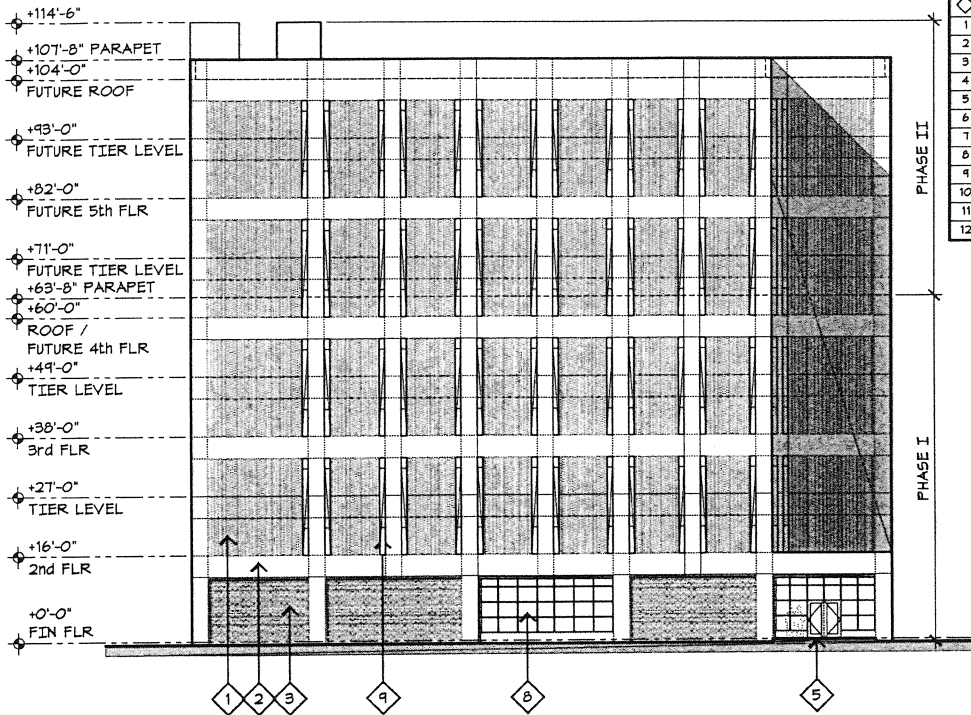
10981 SQ. FT.

**SECOND FLOOR  
MEZZANINE PLAN (THIRD FLOOR MEZZANINE SIMILAR)**

A2.3 | FUTURE 4TH AND 5TH FLOORS SIMILAR

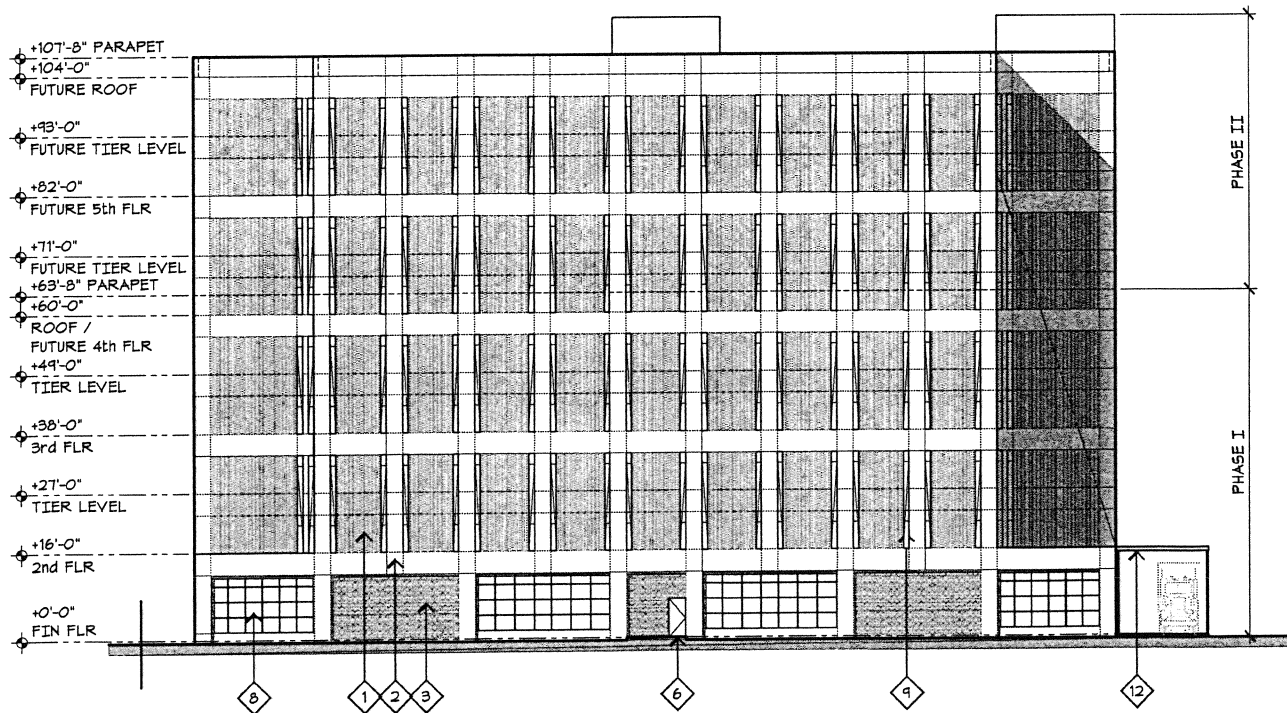


EXTERIOR FINISH SCHEDULE		
◇ MATERIAL	DESCRIPTION	
1	CONCRETE 1	RIBBED, CAST-IN-PLACE CONC
2	CONCRETE 2	SMOOTH, CAST-IN-PLACE CONC
3	BRICK 1	VENEER BRICK
4	BRICK 2	STRUCTURAL BRICK
5	DOOR 1	ALUMINUM STOREFRONT ENTRANCE
6	DOOR 2	HM DOOR & FRAME
7	DOOR 3	OVERHEAD COILING DOOR
8	WINDOW 1	ALUMINUM STOREFRONT SYSTEM
9	WINDOW 2	SECURITY GLAZING
10	LOUVER 1	MECHANICAL LOUVER
11	LOUVER 2	FRESH AIR LOUVER
12	DOCK CANOPY	



**NORTH ELEVATION**

A3.0 | WEST ANNEX



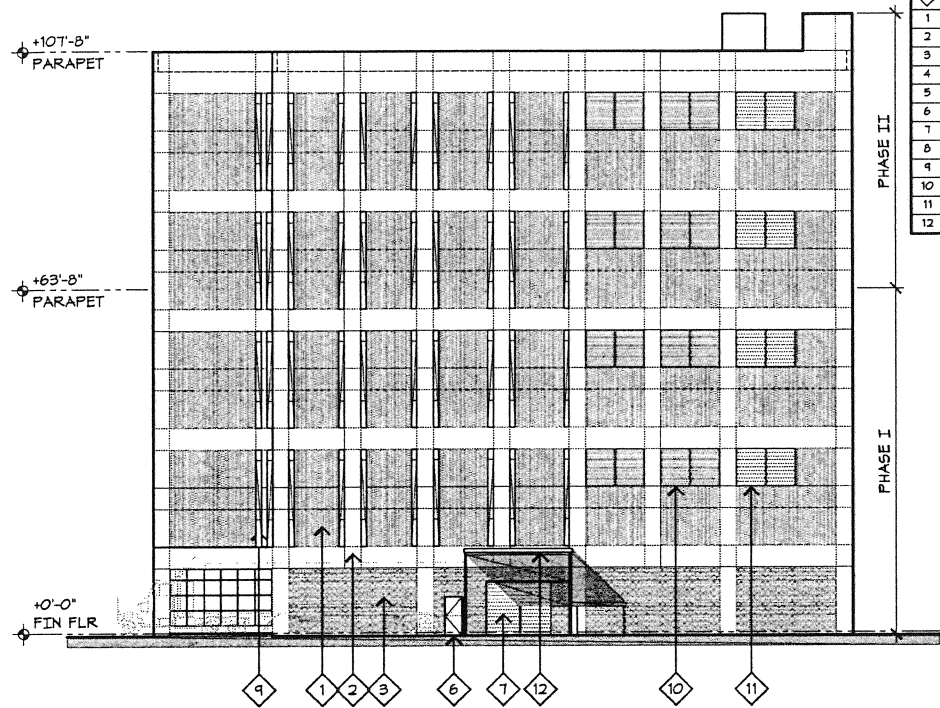
**WEST ELEVATION**

A3.0 | WEST ANNEX

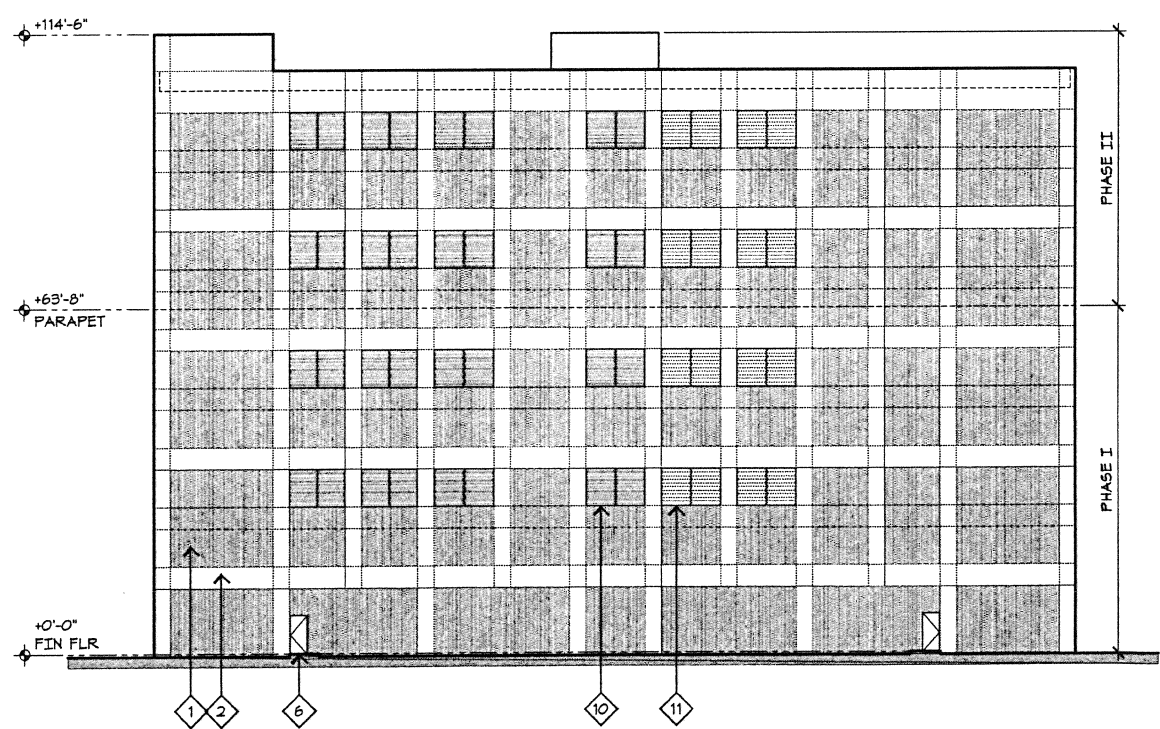




EXTERIOR FINISH SCHEDULE		
◇ MATERIAL	DESCRIPTION	
1	CONCRETE 1	RIBBED, CAST-IN-PLACE CONC
2	CONCRETE 2	SMOOTH, CAST-IN-PLACE CONC
3	BRICK 1	VENEER BRICK
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5	DOOR 1	ALUMINUM STOREFRONT ENTRANCE
6	DOOR 2	HM DOOR & FRAME
7	DOOR 3	OVERHEAD COILING DOOR
8	WINDOW 1	ALUMINUM STOREFRONT SYSTEM
9	WINDOW 2	SECURITY GLAZING
10	LOUVER 1	MECHANICAL LOUVER
11	LOUVER 2	FRESH AIR LOUVER
12	DOCK CANOPY	



**SOUTH ELEVATION**  
A3.1 | WEST ANNEX



**EAST ELEVATION**  
A3.1 | WEST ANNEX



DEPARTMENT OF PUBLIC WORKS AND PLANNING  
ALAN WEAVER  
DIRECTOR

### EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: County of Fresno

APPLICATION NOS.: Initial Study Application No. 6786; Unclassified Conditional Use Permit Application No. 3436; and Variance Application No. 3962

DESCRIPTION: Allow a government facility in two phases (300 bed medium and maximum security jail and related facilities for Phase 1 with Phase 2 consisting of two additional jail housing floors for an additional 300 beds ~~with construction of a second laundry floor and~~ new electrical cogeneration facility fueled by natural gas) on a 1.1-acre portion of a 2.9-acre parcel under ownership of Fresno County and adjacent to the existing North Annex Jail located in the City of Fresno's CC (Civic Center) Zone District. The application also includes a variance to waive the on-site parking requirements of general parking **and has been revised to place the laundry facility in the basement area below Phases 1 and 2.**

LOCATION: The project is located on the southeast corner of Merced and L streets within the city limits of the City of Fresno (1265 M ST) (SUP. DIST.: 3) (APN No.: 466-116-13T).

#### 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 site is developed with the Main Jail's Central Plant and paved parking area. The site and surrounding area are located in an urbanized area of downtown Fresno within the City of Fresno's city limits. The Main Detention Facility was approved by Site Plan Review No. 5615, completed with an Environmental Impact Report, on November 12, 1985. The 1985 project included a ten-story, 138-foot high detention facility consisting of 424 inmate beds and 35-bed infirmary. The proposed facility, when completed in both phases, will match the design and style of the existing facility.*

#### DEVELOPMENT SERVICES DIVISION

*The City of Fresno has reviewed the requested expansion project and stated that the proposed elevations tie in with the existing building materials. The City has requested that the ground floor of the new facility extend the proposed brick veneer along the L and Merced Street frontages. The City has also requested street trees to be located every 24 feet along the new frontages with attempts made to preserve existing mature trees on site. Finally, the City requested that planter boxes and/or street furniture be strategically placed near the entrance of the new building and that pedestrian-orientated lighting be placed along the building frontages.*

*The County intends to provide a brick veneer on the ground floor of the new facility to match existing conditions. This was illustrated on the renderings provided and on the exterior elevations provided with the project submittal package (Sheets 'A3.0' and 'A3.1'). There are existing street trees (adjacent to the sidewalk curb) at approximately 24 feet on center at the perimeter of the site. Although the County will make every reasonable attempt to preserve these trees, many of them (particularly along Merced and L Streets) will have to be removed and replaced due to construction activities. Because of this, the County will replace and/or provide new street trees as required by the City. It is unlikely that existing on-site trees within the building site area will survive during construction. To address this, new trees will be provided on site as part of the final landscape design. The County has provided a ten feet landscape setback along all building frontages for this purpose.*

*The County will provide elevated brick planter boxes near the new building entrances that will match or complement existing conditions. Pedestrian-orientated lighting will also be provided along building frontages. Ultimately, the County's intent is to provide a new facility that seamlessly blends into the surrounding environment yet adequately provides for its expansion needs.*

- 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

*Lighting is proposed throughout the site; therefore, creating a new source of light and glare in the area, but considering the presence of existing sources of light emissions from surrounding buildings, that the area is located in a developed segment of downtown Fresno, and that the proposed structures will be designed to match the existing detention facilities architectural theme, lighting impacts are anticipated to be less than significant. Further, lighting requirements will be addressed during the Site Plan Review and building plan check processes requiring that all lighting to be hooded and directed away from adjacent properties and public streets, thus reducing impacts to less than significance.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use; or

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT

*The site is designated as Urban and Built-Up Land on the Fresno County Important Farmland Map 2010 and is not subject to a Williamson Act Contract. The site is developed with the Main Jail's Central Plant and paved parking area. The site and surrounding area are located in an urbanized area of downtown Fresno within the City of Fresno's city limits. As the site is an urbanized area that has been historically developed with structures the proposal will not impact timberland or land zoned for timber production, and development will not convert or result in a loss of forest land or agricultural land.*

### III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate 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?
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT

*The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and indicated in a July 28, 2014 response that they had no comments on the proposal. The project represents an expansion to an existing facility within the urbanized core of the City of Fresno. As a government detention facility, all construction activities must meet local and state requirements.*

*The following District Rules, typically recommended to reduce the project's overall level of emissions to reduce emissions throughout the San Joaquin Valley, may be applicable to this*

*project: District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials, Rule 4601 (Architectural coatings), and Rule 4641 (Cutback, Slow, Cure, and emulsified Asphalt, Paving and Maintenance Operations). Also, Rule 4002 (National Emission Standards for Hazardous Air Pollutants) would apply in case an existing structure on the property is renovated. These requirements will be included as project notes.*

*Based on the comments received from the Air District, and in light of the fact that the project is proposed in an urbanized location that is paved and has access to water for dust control, impacts associated with Phases 1 and 2 of the proposed West Jail Annex expansion are expected to be less than significant.*

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

FINDING:            NO IMPACT

*The site and surrounding area are located in an urbanized area of downtown Fresno that has been historically developed with structures and the site is zoned by the City of Fresno for Civic Center uses including governmental facilities. The California Department of Fish and Wildlife reviewed the project and expressed no concern.*

*Given the site's location and existing improvements on site, no impacts were identified in regards to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the Fish and Wildlife (CAF&W) or U.S. Fish and Wild Life (F&WL); 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 impede the use of native wildlife nursery sites. This project will not have any additional impacts to biological resources.

## V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT

*The project is not located in an area sensitive to historical, archeological or paleontological resources and will not impact these resources. The site is not designated as a High or Moderate Archeological Sensitive Area. The area on and around the project site has been historically disturbed and has included grading and paving activity. A review of County records indicated that the project site is not located within an archeologically sensitive area. Although ground disturbance and some excavation is anticipated with the proposal, impacts to cultural resources have been determined to be less than significant.*

## 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?
    - (a.) Strong seismic ground shaking?
    - (b.) Seismic-related ground failure, including liquefaction?
    - (c.) Landslides?

FINDING: NO IMPACT

*The project site is not located within a fault zone or an area of known landslides. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or*

*landslides. The project area is designated as Seismic Design Category C in the 2013 California Building Codes. The proposed development will be subject to the Seismic Design Category C Standards.*

- B. Would the project result in substantial erosion or loss of topsoil?
- 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?
- 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: NO IMPACT

*The site is not located within a fault zone or area of known landslides. Development of the site with the intended use will not create a risk or expose people or structures to earthquake rupture, strong seismic ground shaking, seismic related ground failure, liquefaction or landslides. All proposed construction is subject to Building Code requirements for local seismic activity and soils.*

## 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 applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT

*The proposed expansion project would primarily generate Greenhouse Gas (GHG) Emissions through construction activities. A secondary source of emissions associated with the proposal is the on-site natural gas powered co-generation facility proposed with Phase 2 and associated with the on-site laundry facility. A review of the project with the proposed Phase 2 improvements did not result in any concerns or required mitigation associated with GHG Emissions. Construction activities must meet local and state requirements. As a project proposed in a centralized core of downtown Fresno, access to electrical resources for construction and localized circulation adjacent to regional freeway facilities will assist in reducing construction vehicle trips that might otherwise be required to travel some distance should the facility have been placed in a more remote location. Once completed, the facility will increase the consolidation of inmate services while meeting a detention need for the County and its incorporated cities, further reducing the need for additional facilities placed some distance from the downtown core. Public transit is also available to the facility which reduces the need for private vehicles.*

*The proposed Phase 2 cogeneration facility will supplement the existing on-site cogeneration unit currently in operation by providing additional electrical power and waste heat to the facility. The existing cogeneration unit (a reciprocating engine, comparable to a locomotive engine) provides electricity and waste heat. The electricity is used to power electrical devices and the waste heat is used to provide cooling through heat exchangers.*

*Although it is uncertain at this time if this cogeneration unit will be installed in Phase 2, should that occur in the future the County will likely install a micro-turbine engine that would generate electricity and waste heat. The waste heat would be used to provide additional cooling capacity, hot water and heat required for the washers and dryers in the laundry facility. By recycling on-site energy in this manner, the facility will continue to actively and efficiently utilize waste heat to reduce overall onsite energy demand thus providing potential GHG emission reductions.*

#### 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: LESS THAN SIGNIFICANT IMPACT

*According to the Fresno County Department of Public Health, Environmental Health Division, the County, prior to occupancy the County shall have an inspection of the facility completed by the County of Fresno, Department of Public Health, to ensure compliance with the Minimum Standards for Local Detention Facilities, Title 15 Crime Prevention and Corrections, Division 1, Chapter 1, Subchapter 4. Also, in accordance with California Health and Safety Code §101045, annual inspections of the detention facility shall be conducted by the County of Fresno, Department of Public Health. These requirements will be made Project Notes. With adherence to these requirements, this proposal will have a less than significant impact in regard to the handling and accidental release of hazardous materials. Additionally, there are no schools within one-quarter mile of the project site.*

- C. Would the project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school; or
- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT

*The subject site is not located within one-quarter mile of a school. The subject site has not been identified as a hazardous materials site. The closest public educational facility within the vicinity of the proposal is the Fresno Adult School Cesar Chavez Campus located slightly more than one-quarter mile north-east of the subject site at 2500 E. Stanislaus Street, in the downtown Fresno area.*



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

FINDING: NO IMPACT

*The project site is not within an airport land use plan or in the immediate vicinity of a public or private airport or airstrip.*

- G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?
- H. 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 will not impair the implementation of or physically interfere with an adopted emergency response plan.*

*The project was reviewed by the City of Fresno, which indicated that the City's Fire Department can offer consulting regarding site specifics as the detention facility will be reviewed specifically by the State Fire Marshal's Office for Detention Facilities. Further, plan check and building inspections fall within the jurisdiction of the Division of the State Architect (DSA). The County will contact DSA directly for plan check submittal requirements as well as, Inspector of Record (IOR) requirements. With adherence to the any requirements set forth by these agencies, the proposed project is not anticipated to have a significant impact on susceptibility to loss of life or property due to fires.*

#### IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality; or
- 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 will be served by existing water and sewer services provided by the City of Fresno. The City has indicated that their Department of Public Utilities will need to review all*

utility plans (sewer and water) for the proposed expansion. The estimated volume of water used for the facility for Phase 1 is 36,330 gallons per day. Phase 2 is estimated to be at 36,250 gallons per day. Total daily water usage estimates for both phases combined are 72,580 gallons per day. For wastewater, Phase 1 is estimated to produce 18,165 gallons per day of liquid waste. Phase 2 is estimated to produce an additional 18,125 gallons of liquid waste per day. Total combined daily liquid waste is estimated to be 36,290 gallons per day. Additional water use associated with this facility will be offset by the decommissioning of the South Annex Jail.

The Fresno County Water/Geology/Natural Resources Unit of the Department of Public Works and Planning, Development Services Division has reviewed the proposal, and has indicated that there are no concerns with water quantity. The project will be served by a municipal water and sewer system that serves the entire City of Fresno. As indicated above, the City has reviewed the proposal and has not indicated any concerns. The City has indicated the need to review all utility plans, and this will be made a Project Note for the proposal.

- 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 site is located in an urbanized and built-up area. No streams or rivers are located within the vicinity of the subject site. The County will adhere to any grading and drainage requirements of the Fresno County Ordinance, City of Fresno and the Fresno Metropolitan Flood Control District and any such requirements which will be addressed during the Site Plan Review process.

- 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 indicated by the Fresno Metropolitan Flood Control District, construction of the proposed facility with ground entries that have direct access to Merced and L streets that could convey major storm flows could be at risk to flooding during major storm events and will need to be elevated and protected. Protection and elevation of finish floors should be considered when determining building setbacks and the need for ADA ramps or other improvements. Street crown checks will need to be checked when site engineering occurs to confirm that elevations are not a factor in creating the controlling flood safety overflow point, which would require that the finish floor be elevated above the back of walk. In addition, the Flood Control District has stated that the site shall be graded to prevent major storm flows and two-year storm flows from

*entering the proposed below grade basement. The District will need to review and approve the proposed method of removing nuisance waters from below grade structures.*

*As the facility is located in an urbanized area with available, curb gutter and flood control resources, coordination with the City of Fresno Public Works Department and the Fresno Metropolitan Flood Control District will be necessary as part of site development. This coordination will be reinforced through Project Notes and will be addressed during site development and Site Plan Review which will also address the other factors cited above.*

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT

*See discussion above in IX. A and B.*

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

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

FINDING: NO IMPACT

*According to FEMA FIRM Panel 06019C 2110 H effective February 18, 2009, the project site is not subject to flooding from the 100-year storm.*

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

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

FINDING: NO IMPACT

*The subject site is not prone to a seiche, tsunami or mudflow, nor is the project exposed to potential levee or dam failure.*

#### X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT

*The site will not physically divide an established community. The proposed development is located in an existing urbanized area adjacent to and within proximity of government and institutional land uses.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT

*The proposed development will occur on a site that has been previously designated for government facilities by the City of Fresno as a Public Facility/Civic Center Designation in the City's General Plan. The proposed development is located in an existing urbanized area adjacent to and within proximity to government and institutional land uses. This project is not anticipated to have any additional impacts to land use and planning in the vicinity of the subject site. The proposal meets County General Plan Goal PF-G relating to the protection of life and property by deterring crime and supporting the prompt and efficient provision of law enforcement service; Policy PF-G.1 which states that the County shall ensure the provision of effective law enforcement services; PF-H.S which states that the County shall require new development be designed to maximize safety and minimize fire hazard risks to public property; and PF-B.2 which states that the County shall seek broad-based funding sources for public facilities and services that benefit current and future residents of the County.*

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

FINDING: NO IMPACT

*The project will not conflict with any habitat conservation plan or natural community conservation plan. The project site is located in a historically developed area which has undergone ground disturbance. Furthermore, the California Department of Fish & Wildlife and the United States Fish and Wildlife Department expressed no concerns with the project.*

## XI. MINERAL RESOURCES

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

FINDING: NO IMPACT

*No mineral resource impacts were identified in the analysis, as the subject site is not located in a MRZ-2 zone. The project does not propose mineral extraction and would not result in the loss of a locally-important mineral resource recovery site.*

## 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 level; 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; or
- 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: LESS THAN SIGNIFICANT IMPACT

*The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and did not identify any potential noise-related impacts resulting from the proposal. Noise associated with the proposal will primarily occur during limited construction periods and will be temporary in nature. The proposed development will occur on a site that has been previously designated for development in the City of Fresno. The County estimates the first phase construction activity will be approximately 36 months. Phase 2 would not start immediately after the completion of Phase 1 unless the unlikely event occurs that additional state funding is made available. It is anticipated that construction activities would occur between 7:00 a.m. and 5:00 p.m. which is within the boundaries of the Fresno County Noise Ordinance.*

### XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT

*The project will not construct or displace housing and will not otherwise induce population growth.*

### XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT

*The project was reviewed by the City of Fresno, who indicated that all fire requirements for the facility would be handled by the State Fire Marshal's Office for Detention Facilities. The City indicated that their Fire Department could offer consulting on site specifics upon request. Specific Fire Code requirements will be addressed during the Site Plan Review and building plan check processes prior to issuance of and building permits and outreach to the State Fire Marshal's Office will occur as plans are submitted for review.*

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

FINDING: NO IMPACT

*The nature of the proposed use will not impact police, schools, parks or other public facilities. The proposed expansion project is adjacent to the County's existing detention facility and is located in a centralized location in downtown Fresno within the vicinity of law enforcement and court offices. Construction would not require law enforcement to travel a greater distance for inmate transport and would not require greater travel distances to courts or regional legal services. With the proposed closure of the South Annex Detention Facility located on the south side of Fresno Street, inmates would be transferred and consolidated at the West Jail Annex along with the existing facility at the block of Fresno and M streets. The modern facility will have adequate staffing to address the risk of escape or disruption.*

#### 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

*Development of the project will not impact existing neighborhood or regional parks, nor require the expansion of recreational facilities. The proposed expansion and existing detention facilities are located in proximity to the County's Courthouse Park. There is no indication that construction of the detention expansion will further impact park facilities.*

#### 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

*The project will not conflict with County-adopted Transportation and Circulation Policies related to traffic circulation, transit corridors, and street and highways.*

*Access to the existing and proposed facility is by public streets, namely Merced, Fresno, L and M streets. The facility will receive approximately 100 visitors per day during regular business hours (8:00 a.m. to 9:00 p.m.), with visitors intermittent throughout the day consisting primarily of family members and attorneys. For Phase 1 improvements, proposed facilities will require approximately 17 staff employees including corrections officers, medical personnel, office personnel and maintenance staff. For Phase 2 improvements, this number will increase by approximately 10 staff. Approximately 90% of this listed staff will be relocated from the decommissioned South Annex Jail located across Fresno Street to the south.*

*Currently, approximately four service deliveries in large semi-trucks occur weekly for dry goods, and approximately 210 deliveries in small service vehicles (vans) occur weekly for food that is prepared in the Central Kitchen. There are three refuse services per week. Due to the decommissioning of the South Annex Jail, it is anticipated that the new facility will not generate any additional service deliveries or refuse services. Employees will be required to park off-site at various public and private parking lots. There will be two service bays for delivery trucks that will accommodate semi-trucks and one service space for refuse pick-up. Variance Application No. 3962 is being processed currently with this land use application to address the loss of on-site parking. As there is ample off-site and street-side parking to accommodate the proposed use, and as the majority of the staff will come from the decommissioned South Annex Jail, impacts to parking are considered to be less than significant with this proposal.*

*During construction activities the temporary closure of L Street will be necessary. The City of Fresno has reviewed the proposal and indicated that it does not object to the temporary closure of L Street during construction but construction activities and traffic control measures will need to be coordinated with the Traffic Division of the City's Public Works Department. Staging areas during construction should also be given to interim parking areas for those workers that are displaced and construction worker parking areas. As requested by the City, the County shall dedicate the necessary right-of-way per the City of Fresno standards for the roadway classification. Building setbacks shall also be calculated based on the City of Fresno standards from the future roadway alignment. All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. These requirements will be listed as Project Notes.*

*All street furniture and required four-foot minimum path of travel along the public sidewalk directly in front of property shall be identified on construction plans, as required by the California Administration Code (Title 24). A pedestrian easement may be required if Title 24 requirements cannot be met. As stated by the City, the construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno. Encroachment permits must be*

approved prior to issuance of building permits. The performance of any work within the public street rights-of-way requires a street work permit prior to commencement of work with all required street improvements being completed and accepted by the City prior to occupancy, where applicable and with repair to all damaged and/or off grade off-site concrete improvements as determined by the City of Fresno Public Works Department. These requirements will also be listed as Project Notes.

The City has stated that the current County site plan illustrates the L Street receiving area with truck loading encroaching into the public sidewalk. The City has requested a redesign so that trucks fit within detention center property. Further, the City has stated that the proposed approach exceeds Public Works Standards and as such, the County should construct two one way twenty-four foot wide driveway approaches with six foot minimum separation per Public Works Standards P-2 and P-6. The City has requested that the County remove the abandoned existing driveway approaches on M Street not identified for utilization or reduce excessive width driveway approaches as noted on the site plan, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing P-5 to match existing or proposed street improvement line and grade the area per Fresno Municipal Code (FMC) 13-209. Revised plans will be submitted through Site Plan Review. These will be made conditions of approval.

Finally, regarding off-street parking facilities and geometrics, the receiving area shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) P-21, P-22, P-23 and provide a minimum of twenty feet from the proposed gate to the back of walk or identify automatic gates. Efforts should be made to keep sidewalks 14 feet in width, as consistent with proposed Downtown Plans and Development Codes. These will be listed as Project Notes.

The City suggested that a coordinated effort occur to study the pedestrian walkway on Fresno Street at L Street as many pedestrians use this walkway to access the Courthouse Park and the bus depot. With the addition of another structure, it is envisioned that additional pedestrian activity would result given that visitors/guests to the new jail would primarily use the L Street crosswalk rather than going east to use the controlled crosswalk at M Street. Potential options suggested by the City include a bulb out to shorten the walking distance for pedestrians, overhead signage notifying drivers to expect pedestrians or lighting. In addition, the Fresno and L Street intersection does currently meet warrants for a traffic signal, but it is recommended that the County and City meet to discuss the signal at a future phase of development of the detention facility. As much of this is tied to broader traffic issues in the vicinity of the Annex Jail Facility and downtown Fresno, this information will be noted as Project Notes for subsequent discussion between the County and the City.

The County Design Division of the Department of Public Works and Planning reviewed the project and expressed no concerns with the proposal and did not require a Traffic Impact Study. Likewise, no concerns with the proposal were expressed by the California Department of Transportation. Based on the analysis and information provided above, and in consideration of the recommended conditions of approval for redesign of the truck loading area and addressing driveways on M Street, and the informational items and requirements listed as



*Project Notes, Impacts from Phases 1 and 2 of this project are expected to be less than significant.*

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

FINDING: NO IMPACT

*The proposed project will not impact or change any 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 project will not create on-site, or cause on or off-site traffic hazards or result in inadequate emergency access.

*See discussion above in XVI. A and B above.*

- 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: LESS THAN SIGNIFICANT IMPACT

*No impacts were identified relating to alternative transportation. The facility will be located next to the existing County detention structure which is located in a centralized, urban area with access to various modes of public transit.*

## 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 a new water or wastewater treatment facilities?
- C. Would the project require or result in the construction or expansion of new stormwater drainage facilities?
- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or
- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?
- 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: LESS THAN SIGNIFICANT IMPACT

*As discussed above in Section IX A, B, E and H the project will be served by existing water and sewer services provided by the City of Fresno. The estimated daily volume of water used for the facility for both phases is 72,580 gallons per day. For wastewater, total combined daily liquid waste is estimated to be 36,290 gallons per day for both phases.*

*As indicated by the Fresno Metropolitan Flood Control District, construction of the proposed facility with ground entries that have direct access to Merced and L streets that could convey major storm flows could be at risk to flooding during major storm events and will need to be elevated and protected. Protection and elevation of finish floors should be considered when determining building setbacks and the need for ADA ramps or other improvements. Street crown checks will need to be checked when site engineering occurs to confirm that elevations are not a factor in creating the controlling flood safety overflow point, which would require that the finish floor be elevated above the back of walk. In addition, the Flood Control District has stated that the site shall be grade to prevent major storm flows and two-year storm flows from entering the proposed below grade basement. The District will need to review and approve the proposed method of removing nuisance waters from below grade structures.*

*As the facility is located in an urbanized area with available curb, gutter and flood control resources, coordination with the City of Fresno Public Works Department and the Fresno Metropolitan Flood Control District will be necessary as part of site development. This coordination will be reinforced through Project Notes and will be addressed during site development and Site Plan Review.*

*The Fresno County Water/Geology/Natural Resources Unit of the Department of Public Works and Planning, development Services Division has reviewed the proposal, and has indicated that there are no concerns with water quantity. The project will be served by a municipal water and sewer system that serves the entire City of Fresno. As indicated above, the City has reviewed the proposal and has not indicated any concerns. The City has indicated the need to review all utility plans, and this will be made a Project Note for the proposal.*

*According to FEMA FIRM Panel 06019C 2110 H effective February 18, 2009, the project site is not subject to flooding from the 100-year storm.*

#### 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:

*The project will not impact biological resources. However, impacts to cultural resources as identified in Section V. A., B., C. and D. will be mitigated to less than significant level.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*No cumulatively considerable impacts of any significance were identified in the analysis.*

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. 3436 and Variance Application No. 3962, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there will be no impacts to agricultural and forestry resources, biological resources, geology and soils, mineral resources, population and housing, and recreation.*

*Potential impacts related to aesthetics, air quality, cultural resources, greenhouse gases, hazards and hazardous materials, hydrology and water quality, land use planning, noise, public services, transportation and traffic, utilities and service systems, and mandatory findings of significance have been determined to be less than significant.*

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

CM:cwm  
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## EXHIBIT 9

**Motta, Chris**

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**From:** Gattie, Tom <Tom.Gattie@fresnosheriff.org>  
**Sent:** Thursday, December 04, 2014 5:47 PM  
**To:** Motta, Chris  
**Cc:** Figueroa, Jeannie; Wilkins, Steve  
**Subject:** FW: Staff Report for West Annex Jail Unconditional Use Permit

Chris Motta

At the direction of the Sheriff, the Sheriff's Office would revise my previous comments about the West Annex Jail development and its impact regarding parking to the following:

The Sheriff's Office does not object to the West Annex Jail Development, but does note that it will have an impact on parking for a number of county departments including the Sheriff's Office, employees and the public.

### **Tom Gattie**

Assistant Sheriff  
Fresno Sheriff's Office  
2200 Fresno Street  
Fresno, California 93721  
HQ Office Ph. 559.600.8136  
Cell Ph. 559.696.2079  
Email: [tom.gattie@fresnosheriff.org](mailto:tom.gattie@fresnosheriff.org)

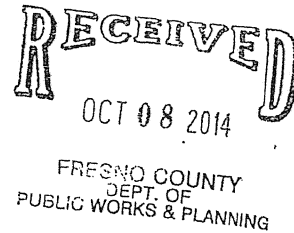
## Motta, Chris

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**From:** Craig Davis <ashbrookedevelopment@yahoo.com>  
**Sent:** Friday, October 10, 2014 4:21 PM  
**To:** Motta, Chris  
**Subject:** parking waiver at new jail addition

Hi Chris, thank you for taking the time to speak with me regarding the jail addition. My only concern is in regard to the parking. I own 2140 Merced across the street from the jail parking lot and 2314 Mariposa which is currently being remodeled. I can tell you that I have experienced great difficulty finding parking for my tenants near the jail. It was especially difficult prior to the recession when vacancy rates were lower. With the downtown area on the rebound, I expect to have more difficulty finding parking. Most lots have a waiting list unless you want to walk blocks and blocks which makes it difficult to find and keep tenants. I feel that the elimination of the 96 stalls at the current location will adversely affect the surrounding owners and increase vacancy rates. I did visit the lots listed as alternative sites in the application. Most of the lots were already full or near capacity. The only lot that appears to have stalls was the farthest from the jail. Please reconsider the removal of the stalls at this location which will help the citizens who are trying to revitalize downtown rather than adversely affecting surrounding land owners. It is also important to note that the cost of monthly stalls has doubled over the last 5-7 years due to principles of supply and demand. This also makes it harder to find and keep tenants who feel gouged. Respectfully submitted... Craig Davis 949.330.3966

R. James Done  
517 – 9<sup>th</sup> Street  
Pacific Grove, CA 93950



October 6, 2014

County of Fresno  
Dept. of Public Works and Planning  
Attn: Chris Motta  
2220 Tulare Street  
Fresno, CA 93721

**Re: Variance Application No. 3962 (jail expansion)**

Dear Members of the Planning Commission:

I object to the granting of a variance to waive the on-site parking requirements for the jail expansion without mitigating requirements to provide for off-site parking for jail employees. The reason for my objection is that I own a 12 unit apartment complex one-half block from the jail at 1325/1341 "M" St. My apartments, built in 1940, have only 9 enclosed garages which requires some of my tenants to park on "M" Street in front of the apartments. In front of my apartments and the residence next door there are no parking meters because we are a residential use. That exclusion from metered parking I appreciate, but unfortunately jail employees also appreciate it and frequently take up all or most of the spaces my tenants would use if available. With the proposed jail expansion the problem becomes even worse.

I'm asking that you consider as a mitigation one of the following options.

1. Require the jail to provide adequate off-site parking for all of their employees.
- or
2. Remove metered parking on "M" St. between Fresno St. and Tuolumne Street (there is very little demand in this area for parking except for the jail employees).
  3. Or, at the least, change the hours of enforcement of the parking meters to 9 a.m. to 4:30 p.m. This would allow jail personnel and, most importantly, a place to park for my tenants after they come home from work and before they leave for work.

Please help me with this. For many years I have tried to maintain a very attractive, reasonably priced apartment complex in the downtown area. This parking problem has cost me many good tenants over the years. With your help, you can help me enormously with my problem and further the objective of protecting and enhancing the desirability of living and working downtown.

Sincerely,

A handwritten signature in black ink that reads "R. James Done". The signature is written in a cursive style with a large, sweeping flourish at the end.

R. James Done

RJD:fsp

EXHIBIT 5



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E WHITE, DIRECTOR

November 7, 2016

Mr. Chris Motta, Principal Planner  
Development Services Division  
Fresno County Department of Public Works and Planning  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721

RECEIVED  
COUNTY OF FRESNO

DEC 08 2016

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**Subject: Fresno County West Annex Jail:  
Extension of Unclassified Conditional Use Permit No. 3436  
and Variance Permit No. 3962**

Dear Mr. Motta:

Due to circumstances beyond our control, we are unable to commence actual construction of the proposed West Annex Jail project until at least May of 2017, which is beyond the two year expiration date of our permits that were approved by the Planning Commission on December 11, 2014.

We are therefore requesting a one year extension of these permits in order to allow for the time required to secure the necessary approvals, bid and award the project and begin construction.

The point of contact in the Capital Projects Division of the Department of Public Works and Planning is Richard Wood, Architect and Project Manager. His telephone number is (559) 600-4478 and email address is [rwood@co.fresno.ca.us](mailto:rwood@co.fresno.ca.us).

If you have any questions, please feel free to call me at (559) 600-4324.

Sincerely,

Stuart G. Seiden  
Capital Projects Division Manager

SGS:rww