



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 5 July 21, 2016

SUBJECT: Initial Study Application No. 7062 and Unclassified Conditional Use Permit Application No. 3521

Allow a moderate-intensity park on four parcels with a total area of 58 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) and O (Open Space) Zone Districts.

LOCATION: The project site is located on the west side of the Kings River between Channel Road and Goodfellow Avenue, approximately 70 feet southeast of the nearest city limits of the City of Sanger (Sup. Dist. 4) (APNs 332-071-33, 32; 332-210-02T, 03).

**OWNER/
APPLICANT:** City of Sanger

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

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7062; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3521 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval, and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Assessor’s Parcel Maps
6. Site Plan and Elevations
7. Applicant’s Operational Statement
8. Public Correspondence
9. Summary of Initial Study Application No. 7062
10. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Public Facilities (Kings River Regional Plan)	No change
Zoning	AL-20 (Limited Agricultural, 20-acre minimum parcel size), O (Open Space)	No change
Parcel Size	APN 332-071-32: 13.25 acres APN 332-071-33: 40.8 acres APN 332-210-02T: 0.2 acres APN 332-210-03: 3.78 acres Total area: 58 acres	No change to size of total area; if approved, parcels may be subject to merger
Project Site	Vacant land	Moderate-intensity park with the following improvements: <ul style="list-style-type: none"> • 10-foot-wide concrete boat launch ramp • 170 square-foot concrete vault toilet • Parking area with space for 35 vehicles • Fencing and steel pipe access gate at Channel Road

Criteria	Existing	Proposed
		<ul style="list-style-type: none"> • 2,200-foot access road from Channel Road • Tables and Kiosk
Structural Improvements	None	See "Project Site" above
Nearest Residence	160 feet west of nearest property line	No change
Surrounding Development	Agriculture	No change
Operational Features	N/A	See "Project Site" above
Employees	None	No change
Visitors	N/A	50-100 per day during summer (May-August) with possible increases on weekends; limited visitors during remainder of year
Traffic Trips	Limited agricultural traffic	Additional 25 round trips per day, per Operational Statement
Lighting	None	No change
Hours of Operation	N/A	Open year-round; 7am-10pm daily from May through August

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

ENVIRONMENTAL ANALYSIS:

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

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: June 22, 2016.

PUBLIC NOTICE:

Notices were sent to 17 property owners within one quarter-mile of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

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

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

BACKGROUND INFORMATION:

The subject proposal calls for development and operation of a moderate-intensity park on a project site comprised of four parcels totaling 58 acres that abuts the Kings River. The northernmost portion of the project site (a proposed access road) is located approximately 70 feet from the nearest city limits of the City of Sanger.

Per the Applicant’s Operational Statement, the project is a collaboration between the City of Sanger and the Kings River Conservancy. The property is owned by the City of Sanger, and the Conservancy will assist in the operations and maintenance of the proposed park. According to the Operational Statement, the project area is already utilized by fishermen and recreationalists. The design and construction of the project is funded by a grant from the California Department of Parks and Recreation.

The structures and development features of the proposal include a concrete boat launch ramp, a parking lot with space for 35 vehicles (including two ADA spaces), a 170-square-foot concrete vault restroom facility, three picnic tables, and an informational kiosk. The proposal also includes an access road of compacted aggregate that would run approximately 2,200 feet from Channel Road to the proposed parking lot. An 18-foot-wide steel-pipe gate and fencing would be included at the entrance at Channel Road.

The park’s proposed hours of operation are 7:00AM to 10:00PM daily from May through August, with more limited hours during the rest of the year. According to the project’s Operational Statement, the expected number of visitors is 50-100 people per day during the peak season (May-August) and more limited visitors during the rest of the year. There will be no permanent employees at the proposed park.

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

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	<u>AL-20 Zone District:</u> Front: 35 feet Side: 20 feet Rear: 20 feet <u>O Zone District:</u> Front: 35 feet Side: 20 feet Rear: 20 feet	North: 268 feet South: 500+ feet East: 67 feet West: 500+ feet	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Parking	<u>AL-20 Zone District:</u> No requirements <u>O Zone District:</u> One space for each five (5) persons which the facility is intended to serve	Parking area with space for 35 vehicles, including two ADA spaces	Yes
Lot Coverage	<u>AL-20 Zone District:</u> No requirements <u>O Zone District:</u> 10 percent maximum	Total coverage of developed project area, including parking lot, is 1.5 acres out of 58 acres (2.5 percent)	Yes
Space Between Buildings	No requirements	N/A	N/A
Wall Requirements	No requirements	N/A	N/A
Septic Replacement Area	100 percent	N/A	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: A Determination of Merger will subsequently be required if APNs 332-071-32, 33 and 332-210-03 are legal separate parcels. A separate mapping procedure may be required depending on the status of the parcels and development across property lines. All proposed structures will require permits.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Elevation Certification, pre- and post-construction, is required for each structure when building within a flood zone. All structures and/or equipment installed within the flood zone must be elevated per the County Ordinance or flood-proofed (certification and calculations would be required). The floodway must be kept free of encroachment so that the one-percent annual chance flood can be carried out without substantial increases in flood heights, per FEMA FIRM legend. Any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance. Any work in or near the river requires written permission from the channel owner. Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.

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 both the AE-20 Zone District and the O Zone District. In regard to off-street parking, the O Zone District requires one parking space for every five persons intended to be served by the project site. The project would have a total of 35 parking spaces, including two parking spaces for disabled persons, which meets this requirement. As noted in comments from the Zoning Section, a separate mapping procedure may be required depending on the status of the parcels and development across property lines; however, no indication was made that such a procedure would affect compliance with zoning requirements.

Regarding the comments provided by the Development Engineering Section, the proposed development is located outside of the floodway, except for the boat launch area which is partially located in the water of the Kings River as a function of its design. The only structure included in the proposal is the vault toilet, which would not significantly impede or redirect flood flows.

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

Staff finds that the project site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	Yes	None	18-foot-wide access road from Channel Road to park site
Public Road Frontage	Yes	Channel Road	No change
Direct Access to Public Road	Yes	Channel Road	No change
Road ADT		200	See Traffic Trips below

		Existing Conditions	Proposed Operation
Road Classification		Local	No change
Road Width		Channel Road: 25-foot right-of-way	Access road: 18 feet No changes to Channel Road
Road Surface		Channel Road: Road mix surfacing	Access road: compacted aggregate No changes to Channel Road
Traffic Trips		Limited agricultural traffic	25 round trips per day, per Operational Statement
Traffic Impact Study (TIS) Prepared	No	N/A	None required
Road Improvements Required		N/A	None required

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

Design Division of the Fresno County Department of Public Works and Planning: No comments.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No comments.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. 30-foot by 30-foot corner cutoffs should be improved for sight distance at the proposed driveway onto Channel Road.

California Department of Transportation (Caltrans): No comments.

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

Analysis:

Access to the parking area and boat launch ramp will be provided by a to-be-constructed access road leading from Channel Road. The access road will be gated to restrict access to the proposed park when the park facilities are not open for operation.

This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which did not express any concerns regarding the carrying capacities of the adjacent roadways nor require a Traffic Impact Study for the project. The Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning also reviewed the proposal and did not indicate any concerns regarding the adequacy of streets and highways serving the project site.

Based on the above information, staff finds the streets and highways serving the project area are adequate to accommodate the proposed use.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 2 can be made.

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

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	107.47 acres	Agriculture w/ pasture and mobile home	AL-20, O	500+ feet
South	8.94 acres	Vacant	AL-20, O	N/A
East	164.2 acres	Agriculture w/single-family residence (note: designated for surface mining)	AL-20, O	370 feet
West	2.30 acres	Single-family residence	AL-20	350 feet
	2.30 acres	Single-family residence	AL-20	340 feet
	4.49 acres	Single-family residence	AL-20	160 feet
	2.30 acres	Single-family residence	AL-20	220 feet
	6.94 acres	Agriculture	AL-20	N/A
	16.97 acres	Single-family residence	RC-40	300 feet

Reviewing Agency/Department Comments:

Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning: No comments.

Building and Safety Section of the Fresno County Department of Public Works and Planning: If approved, plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

Fresno County Department of Public Health, Environmental Health Division: The applicant/operator shall follow the recommended start-up procedures for the vault toilet as documented by the manufacturer. A high-water-level alarm shall be installed as part of the installation of the vault toilet. The level shall be checked monthly through the months of May through September and bi-monthly for the balance of the year. Liquid hand sanitizer dispensers shall be installed on the interior wall of each toilet stall. The liquid sanitizer shall be checked monthly through the months of May through September and bi-monthly for the balance of the year. The vault toilets shall be properly maintained and cleaned on a regular basis. These requirements are included as Conditions of Approval.

Fresno County Department of Agriculture: No comments.

Fresno County Fire Protection District: No concerns regarding the subject proposal. The proposal will be required to comply with California Code of Regulations Title 24 – Fire Code.

San Joaquin Valley Air Pollution Control District: The proposed project is subject to District Rule 9510 (Indirect Source Review). Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval. An AIA was submitted for the subject project on March 17, 2016, and upon review it was determined that the mitigated baseline emissions will be less than two tons NO_x per year and two tons PM₁₀ per year. Thus, the project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules), and the project complies with the requirements of District rule 9510.

California Regional Water Quality Control Board: No comments.

United States Fish and Wildlife Service: No comments.

California Department of Fish and Wildlife: No comments.

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

Analysis:

This proposal entails the establishment of a moderate-intensity park on a 58-acre project site to be utilized for recreational activities consistent with the moderate-intensity park designation, such as launching canoes and other non-motorized watercraft, picnicking, fishing, and photography. The subject parcel is located in a vacant area that abuts the Kings River which had previously been designated for use as a wastewater treatment facility by the City of Sanger; however, the project area was never developed as such. The existing environment in the vicinity of the project site consists of a limited number of agricultural and residential land uses.

The subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis. A limited number of physical improvements are proposed and the design and configuration of the improvements are not anticipated to impact

the aesthetic character of the area. Considering the location of the subject parcel in a predominately undeveloped area, and the distances between the project site and neighboring developments, this proposal will not damage any scenic resource or degrade the visual character of the site or its surroundings. Additionally, the portion of the proposed park nearest to the limited number of existing residences is the proposed access road; the parking lot and boat launch facilities are located near the river further away from these residences. Per the Applicant's Operational Statement, the access road will be gated and fenced and the park's hours of operation will be restricted.

Staff notes that the Applicant's Operational Statement does not specify proposed hours of operation outside of the months from May through August. Subsequently, a Condition of Approval has been included to require that during the months of September through April the hours of operation shall be limited from 7:00am to sunset.

To evaluate potential impacts to biological resources, the project was routed for comment to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW). Neither agency identified any concerns with the project.

Based on the above information, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
Kings River Regional Plan Policy 9.02: The County shall consider the acquisition and development of additional points of access to the [Kings River] between Highway 180 and Manning Avenue, as a method of making the river available to the public, provided that the rights of property owners in the vicinity are being adequately protected.	The proposal facilitates development of a public access point to the Kings River within the area described in Policy 9.02, and surrounding property owners will be adequately protected based on the analysis of the project. The proposal is therefore consistent with this policy.
Kings River Regional Plan Policy 9.04: recreational use of publicly owned wildlife habitat areas should be encouraged, limited to passive activities such as picnicking, fishing and photography, with visitors limited to reduce impact upon wildlife.	The proposal calls for development of a moderate-intensity park, and the types of activities permitted for moderate-intensity parks are of an intensity that is consistent with this policy.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: See

policies identified above.

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

Analysis:

The Public Facilities designation in the Kings River Regional Plan provides for land uses and facilities that are necessary to the welfare of the community, such as waste disposal facilities, ponding basins, parks, schools, civic centers, hospitals and cemeteries. As the proposed use is a public park, no General Plan consistency issues were identified. Specifically, the proposed park is consistent with Kings River Regional Plan Policy 9.02 which calls for the development of public access points to the Kings River. As discussed above, the types of recreational uses that would occur at the proposed park are consistent with the type indicated in Kings River Regional Plan Policy 9.04. The proposal is also consistent with General Plan Goal OS-H and related policies, which call for the development of public and private recreational facilities to serve the needs of residents and visitors.

Based on the analysis above, the proposal is consistent with the General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

A letter in opposition to the project was submitted by neighboring property owners residing to the north of the project site near the proposed access road, which indicated a series of concerns with the proposal, including misuse by the public, potential fire hazards, and increased graffiti and trash. The letter has been included with the Staff Report as Exhibit 8.

County staff also received a phone call from an additional neighboring property owner who expressed concerns about the Kings River Conservancy's capacity to adequately maintain the property.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3521, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7062; and

- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3521, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3521; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7062 and Unclassified Conditional Use Permit Application No. 3521
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/Public Works and Planning	Ongoing during construction

EXHIBIT 1

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Elevations, Operational Statement, and other application materials approved by the Commission.
2.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.
3.	At the time of submittal for Site Plan Review, the Applicant shall submit to the Zoning Section of the Department of Public Works and Planning a Determination of Merger for APNs 332-071-32, 33 and 332-210-03.
4.	The Applicant/operator shall follow the recommended start-up procedures for the vault toilet as documented by the manufacturer. A high-water-level alarm shall be installed as part of the installation of the vault toilet. The level shall be checked monthly through the months of May through September and bi-monthly for the balance of the year.
5.	Liquid hand sanitizer dispensers shall be installed on the interior wall of each toilet stall. The liquid sanitizer shall be checked monthly through the months of May through September and bi-monthly for the balance of the year.
6.	The hours of operation shall be limited from 7:00am to sunset during the months of September through April.

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

Notes

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

1.	A separate mapping procedure may be required depending on the status of the parcels.
2.	An Elevation Certification, pre- and post-construction, is required for each structure when building within a flood zone. All structures and/or equipment installed within the flood zone must be elevated per the County Ordinance or flood-proofed (certification and calculations would be required).
3.	The floodway must be kept free of encroachment so that the one-percent annual chance flood can be carried out without substantial increases in flood heights, per FEMA FIRM legend. Any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance.
4.	Any work in or near the river requires written permission from the channel owner.
5.	Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.
6.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
7.	30-foot by 30-foot corner cutoffs are required to be improved for sight distance at the proposed driveway onto Channel Road.
8.	The proposal will be required to comply with California Code of Regulations Title 24 – Fire Code.
9.	If approved, plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

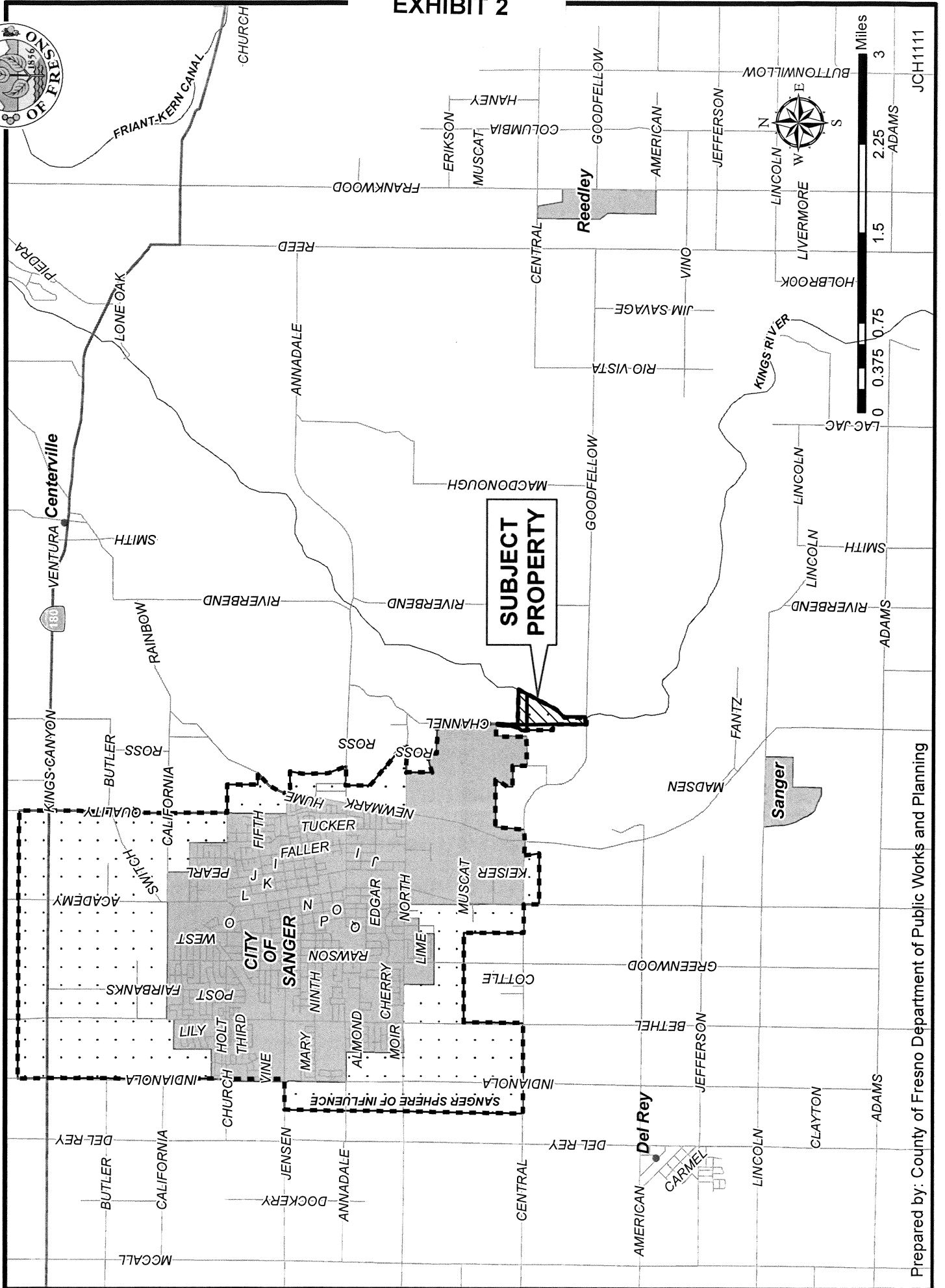
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LOCATION MAP

EXHIBIT 2



CUP 3521, IS 7062



EXISTING ZONING MAP



EXHIBIT 3

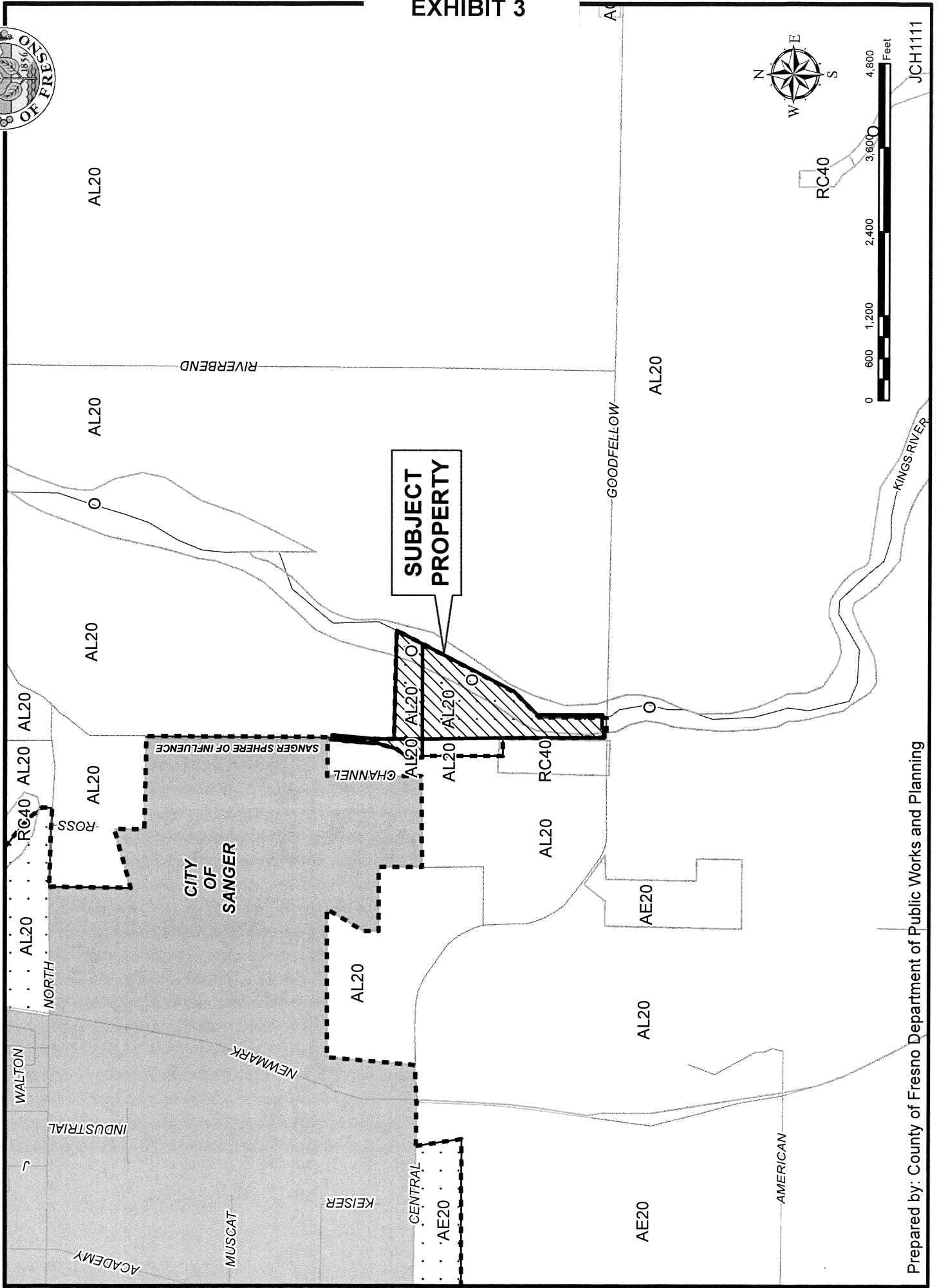
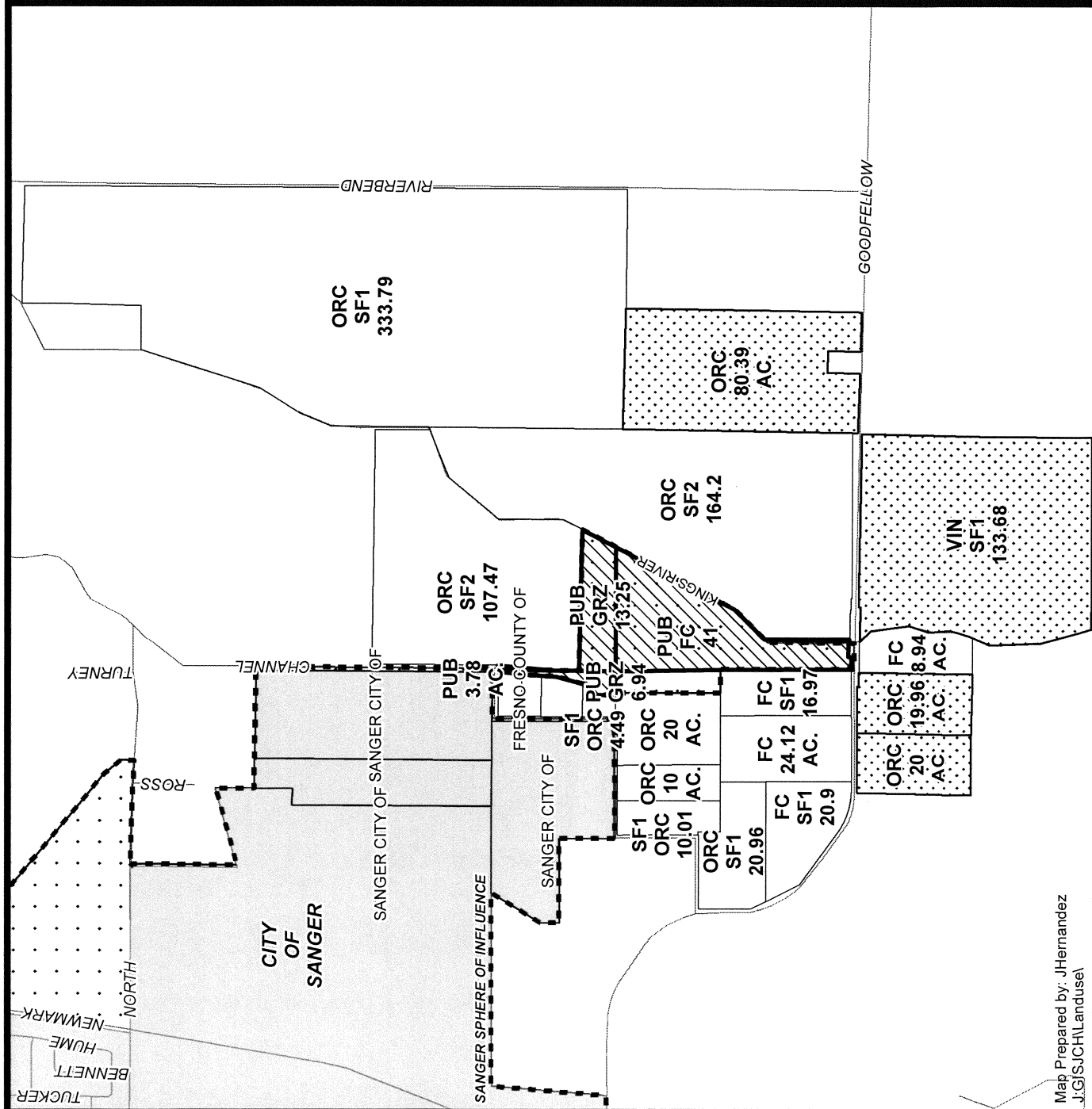




EXHIBIT 4

EXISTING LAND USE MAP

CUP 3521, IS 7062

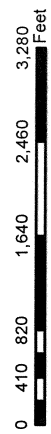


LEGEND

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

LEGEND:

Subject Property
 Ag Contract Land



Department of Public Works and Planning
 Development Services Division

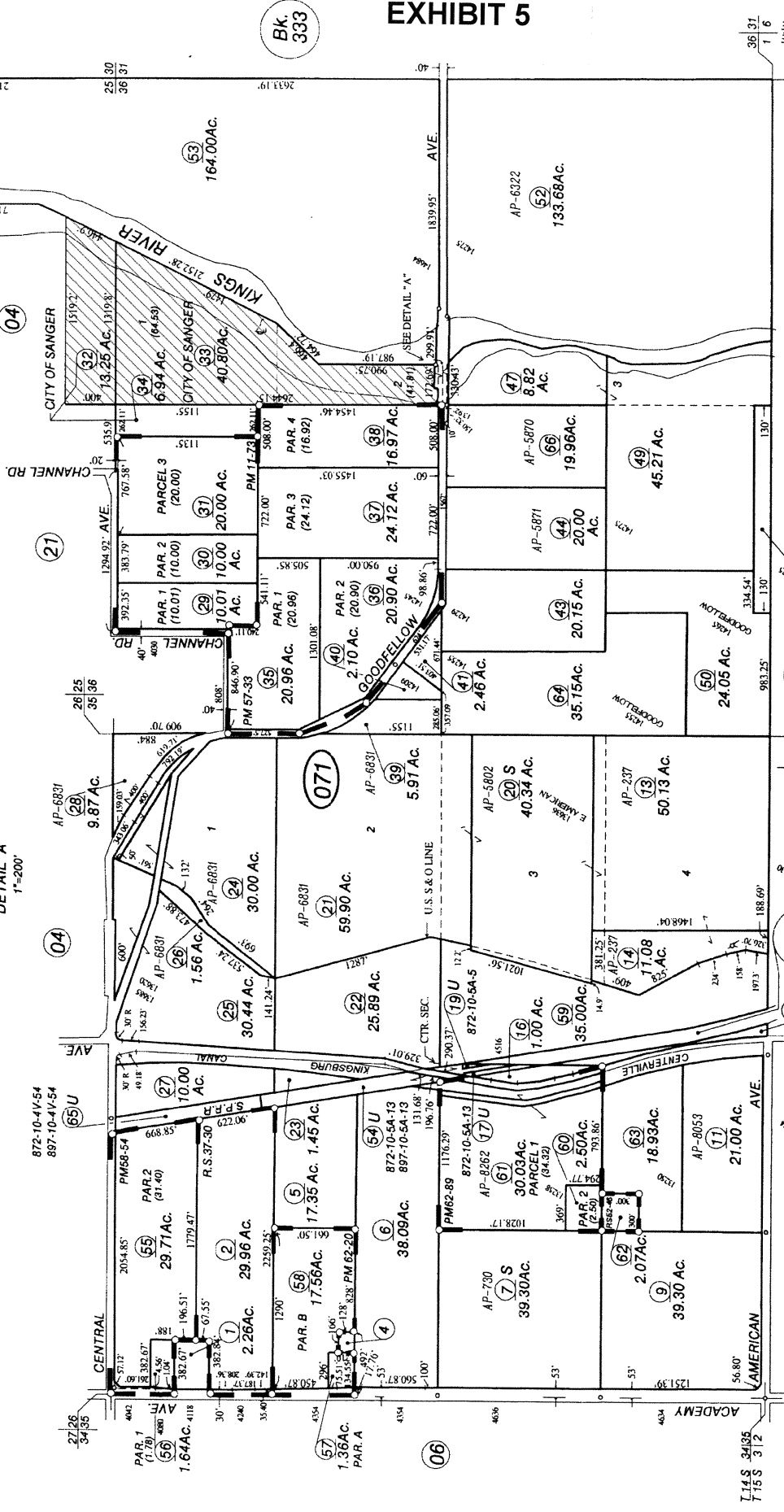
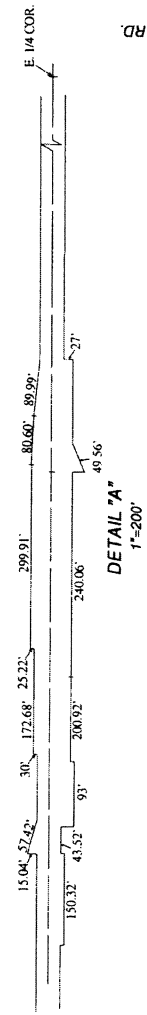
Map Prepared by: JHernandez
 J.G./S./CH/LandUse/

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

POR. SEC. 25 & SEC'S. 35 & 36 T.14S., R.22E., M.D.B.&M.

Tax Rate Area
 71-000
 156-002
 169-001

332-07



Bk. 333

EXHIBIT 5

36 97
 1 6
 23
 1 6

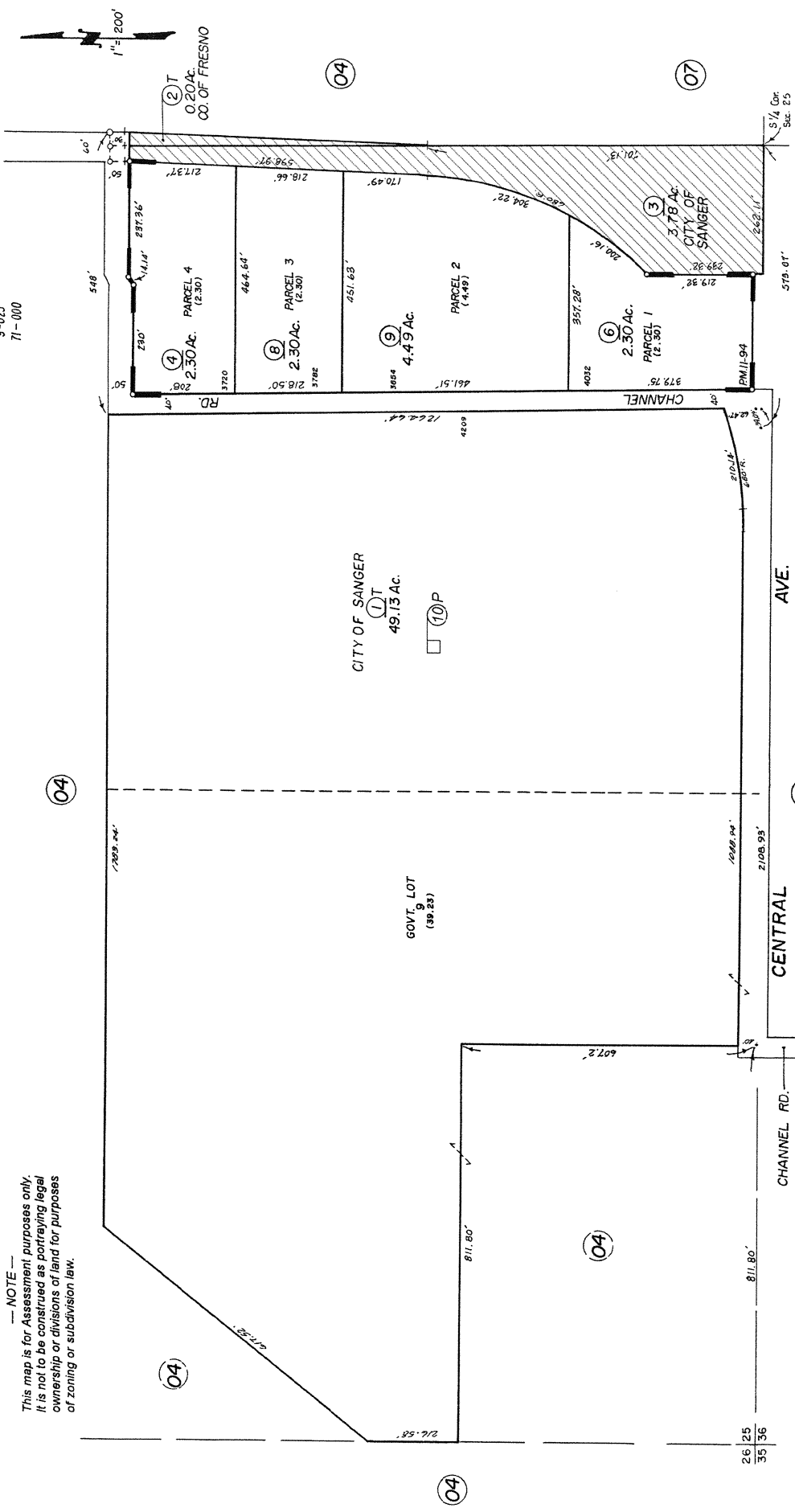
Assessor's Map Bk. 332 - Pg. 07
County of Fresno, Calif.
Assessor's Map Bk. 330
Parcel Map No. 7863-Bk. 62, Pgs. 89-90
Record of Survey - Bk. 37, Pg. 30
Record of Survey - Bk. 52, Pg. 46
Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

332-21

Tax Rate Area
9-025
71-000

SUBDIVIDED LAND & POR. SEC. 25, T. 14S., R. 22.E., M.D.B & M.

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

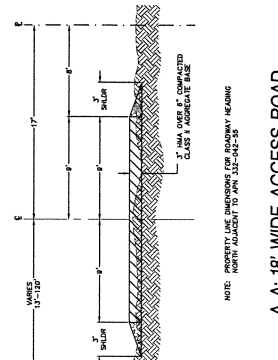
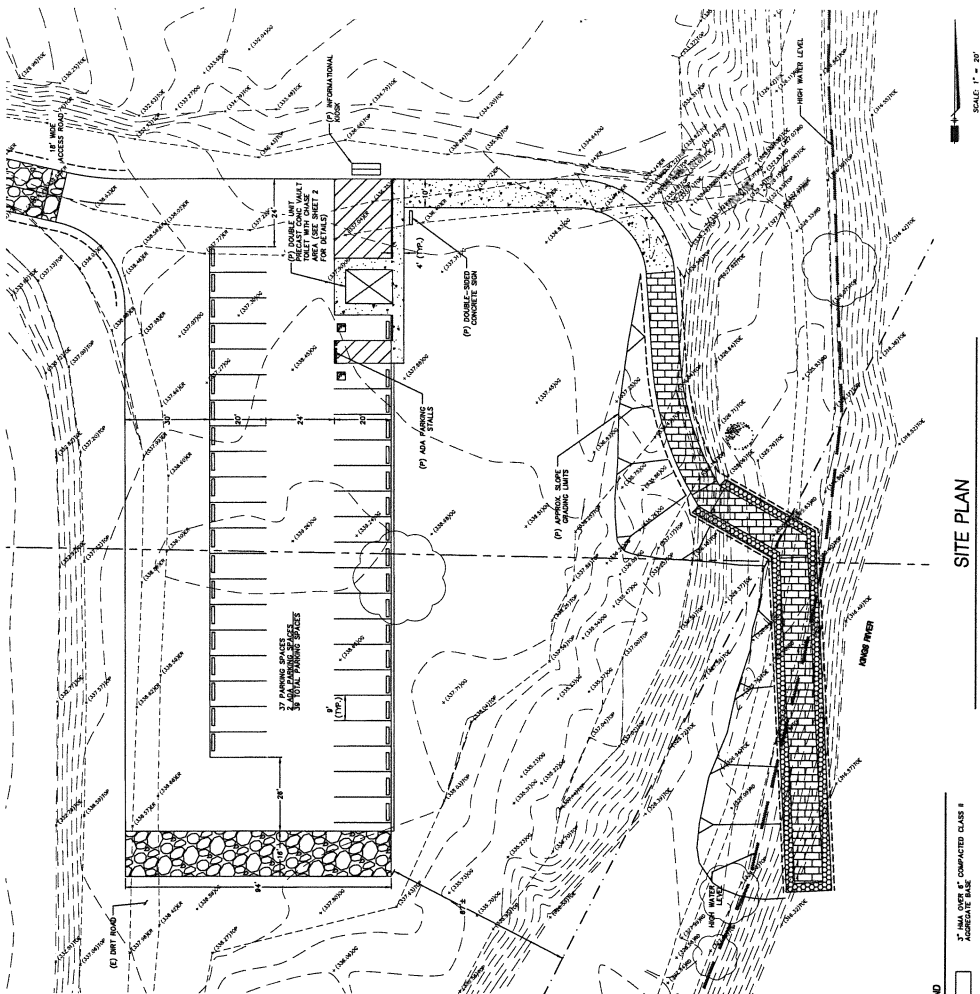
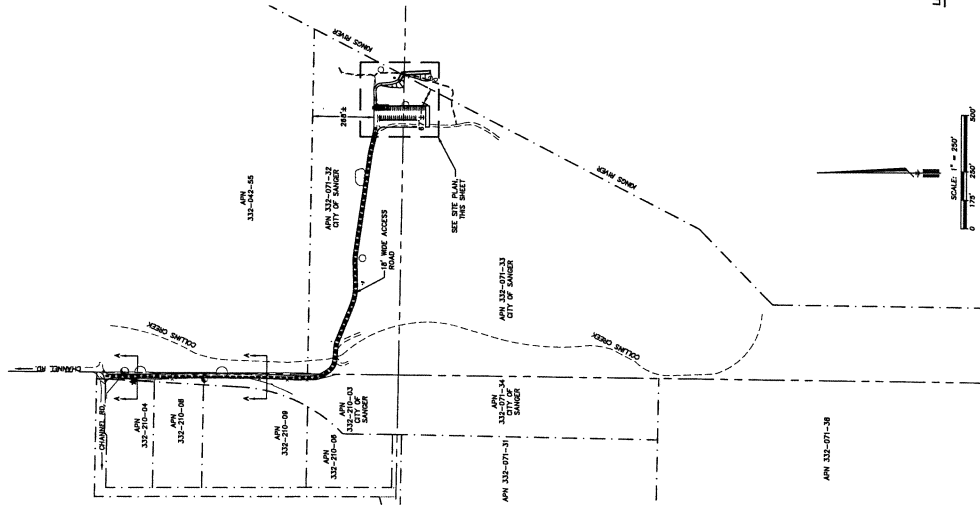
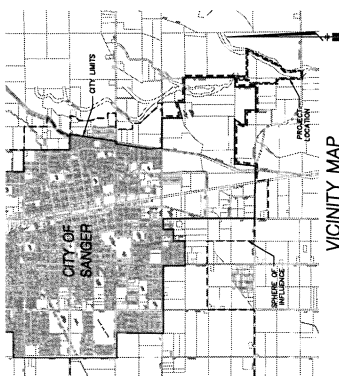


Assessor's Map Bk. 332 - Pg. 21
County of Fresno, Calif.

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

H 11-06-2014 DK 15R

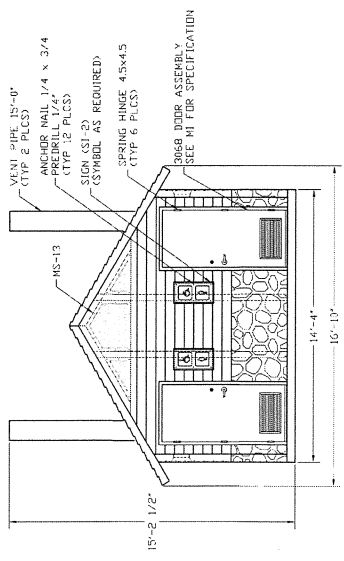
KINGS RIVER SANGER ACCESS NON-MOTORIZED BOAT LAUNCHING FACILITY



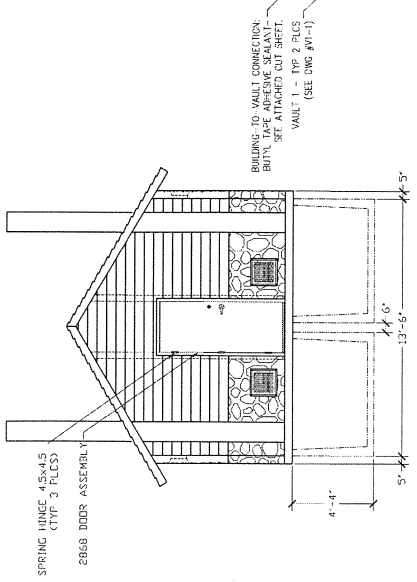
LEGEND

[Symbol]	1" MIN. OVER 8" COMPACTED CLASS 8 AGG. OVER 8" BASE
[Symbol]	CONCRETE
[Symbol]	8" COMPACTED AGGREGATE BASE
[Symbol]	CLOSE CELL CONCRETE MAT
[Symbol]	RIP RAP ROCK

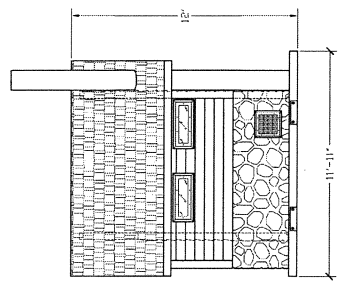
YAMABE & HORN ENGINEERING, INC. 1000 W. MAIN AVENUE FRESNO, CA 93721 TEL: (509) 344-2322 FAX: (509) 344-2328		CITY OF SANGER PROJECT NO. SANGER ACCESS BOAT LAUNCHING FACILITY SHEET NO. 1 DRAWN BY: J. HORN CHECKED BY: J. HORN DATE: 10/20/08 DRAWN AT NUMBER: 2
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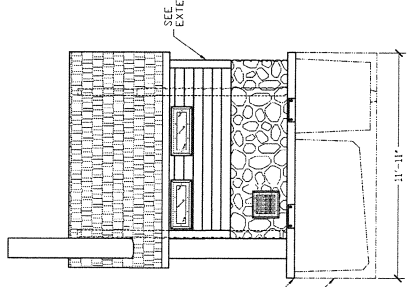
FRONT ELEVATION



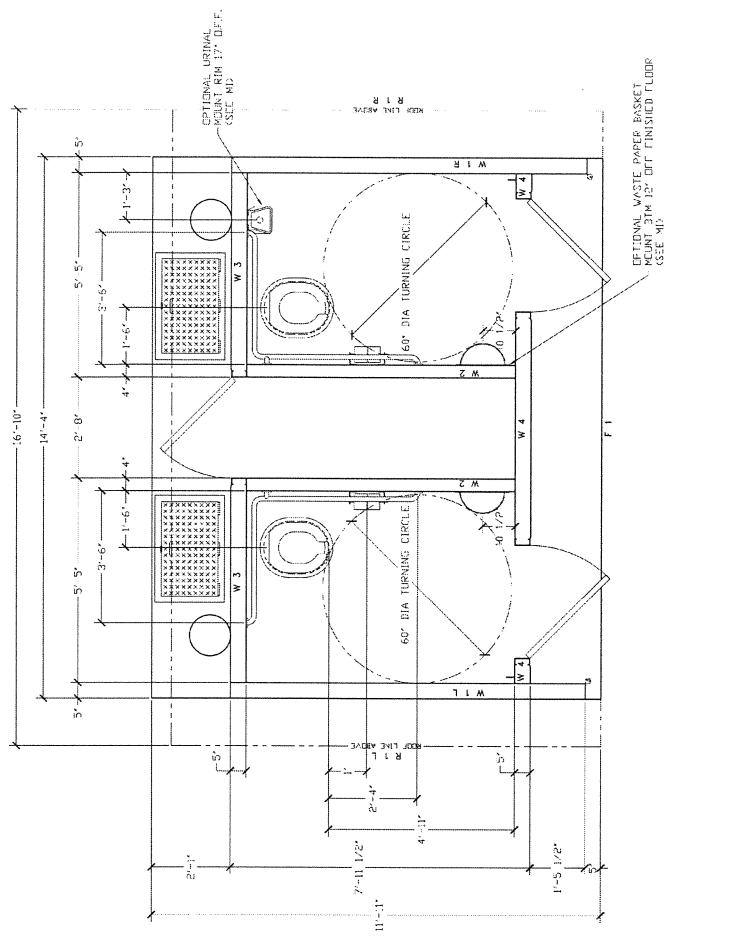
REAR ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



FLOOR PLAN

NO SCALE

<p>YAMABE & HORN ENGINEERING INC. 1000 S. MAIN AVENUE PLEASANTON, CA 94566 TEL: (925) 344-3333 FAX: (925) 344-3330</p>	<p>City of Sanger PROJECT NO.</p>	<p>DR. BY: AL DATE: 7/20/2016 SCALE: AS SHOWN</p>	<p>PROJECT NO. 17 PLAN NO. 2 SHEET NO. 2</p>
	<p>KINGS RIVER SANGER ACCESS BOAT LAUNCHING FACILITY SAMPLE BUILDING PLANS</p>	<p>DATE: 7/20/2016</p>	<p>PROJECT NO. 17 PLAN NO. 2 SHEET NO. 2</p>

EXHIBIT 7

Operational Statement
City of Sanger – Kings River Access Park
A Cooperative Project Between the City of Sanger & the Kings River Conservancy

1. Project Proposal

The Project will be located on a 58 acre site owned by the City of Sanger. It is a site ½ mile north of the Goodfellow Bridge just west of the Kings River. The need for this Project is immense. The Kings River is currently underutilized for recreation and unmanaged, yet is one of the most beautiful rivers in Central California. Fresno County's current population of nearly 1 million people is expected to increase by 88% by 2040 and is predominantly a minority county. What recreation takes place now is utilizing primarily private property illegally, with no facilities or sanitation.

This project is a collaboration between the City of Sanger and the Kings River Conservancy. The property is owned by the City and the Conservancy will assist Sanger in future operations & maintenance. All of the design and construction of the Project is grant funded through the State Department of Parks & Recreation. The grant is for \$425,000.

In 2004, the Kings River Conservancy was formed as a 501 (c) 3 non-profit corporation to gain additional public access for the river in an environmentally compatible manner. Its other purpose is educational outreach. Completed in September 2005, the Conservancy's 26 page "The Kings Ribbon of Gems, a Vision for the Lower Kings River" provides a definitive plan for a Kings River Parkway System and is part of the County's General Plan. The Project is described as one of the components of the Parkway.

The Park is located at a high visibility access point for literally thousands of future users. All of the grant funded facilities are for public access. The proposed Park is located in an area that is already receiving heavy use by recreationalists and fishermen. This Project will build visitor serving amenities that are badly needed and will enhance the environment of the project area. The 58 acre property, which is currently under developed and owned by the City, is in an ideal location for recreation. The City is slated to build the following facilities as project components.

- A 35 car parking lot including two ADA spaces
- A two unit pre-cast vault restroom
- Three ADA compliant picnic tables
- One wooden interpretive kiosk with a display area of 4' x 8'
- A 10 foot wide concrete non-motorized boat launch trail/ramp
- Fencing at Channel Road composed of 50LF of 6" tall chain link fence with 18' steel pipe gate
- Compacted aggregate base for access road from Channel Rd to Project site
- Concrete sign acknowledging Project participants
- The Project encompasses about 2 acres of the 58 acre site

The recreational goal of this Project is to meet the demand of thousands of annual visitors that use the Kings River year round. There is no formal launch site, restroom facility, parking and ancillary facilities in this reach of the river. River access is currently haphazard and unmanaged.

The 58 acre property was acquired by the City of Sanger originally to serve as percolation ponds for treated wastewater. The 2 acre Project site is not located in a former percolation pond site.

The City of Sanger in partnership with Kings River Conservancy is the Project applicant. The City owns the 58 acre site. The Conservancy will perform operations & maintenance with its own funds as its contribution to the Project.

2. The facility will be open year round but will experience the vast majority of use during the summer months from May-August during a typical river flow year. Summer hours of operation will be from 7:00 a.m. to 10:00 p.m. Hours during the rest of the year to be determined based on usage.
3. During the summer months the number of visitors is anticipated to be 50-100 people per day. During summer weekends, this could increase significantly. During the off-season, usage will be minimal.
4. There will be no full time employees. City and Conservancy staff will perform routine maintenance when needed.
5. Estimated service during the summer months is 1 trip per week. Estimated septic pump truck for vault toilet is 2-3 times per year.
6. Access to the park will be Channel Road northwest of the Project site. The access road already exists and will be augmented by compacted aggregate base as part of the Project.
7. As part of the park project, a parking lot with two ADA compliant stalls and 33 additional stalls will be built. The parking lot will be composed of ADA compliant asphalt pavement and concrete curbing.
8. No goods will be sold on-site.
9. No equipment will be used.
10. No supplies or materials will be used.

11. Any noise generated will be from vehicles coming and going. No light will be generated. No dust is anticipated because of the use of compacted aggregate base material. No odor will be generated. Trash cans and the restroom will be routinely serviced.
12. Solid waste will be routine trash generated by visitors. Three 35 gallon trash containers will be located in the park. The restroom will be pumped by a licensed septic service when needed, approximately every six months.
13. No water will be used on a regular basis. Water for cleaning out restrooms will be brought from offsite with a service vehicle.
14. No advertising will be done except via the City and Conservancy's newsletters.
15. A new CXT concrete double vault restroom will be placed adjacent to the parking area.
16. No existing buildings exist at the site.
17. No outdoor lighting or amplification system will be used.
18. Fencing will be at the entrance at Channel Road composed of 50LF of 6' tall chain link fence with an 18' steel pipe gate.
19. The City of Sanger – Kings River Access Park is a grant funded facility that the City and Conservancy and will be proud of!
20. The owner is the City of Sanger.

EXHIBIT 8

Steven and Diane Findley
3800 S. Channel Road
Sanger, CA 93657

July 13, 2016

RE: Proposed Park – Unclassified Conditional Use Permit Application No. 3521

To Whom It May Concern:

We are unable to be at this first hearing in person due to a scheduled trip out of the area prior to the notice. Let it be on record that Steven and Diane Findley object to the park entering on Channel, and have included other areas of great concern should this be allowed to continue.

We Mr. and Mrs. Findley are responding to the proposed park located along the Kings river adjacent to the whole south side of our property, and the proposed entrance on Channel Road runs through our property. We are requesting that the park remain in current use for organized school outings and that the gate remain locked during closed hours. We would require appropriate mitigation measures of the Proposed Park Project so that our Residence and drive retain its intended quiet country home along the Kings River in Sanger.

We strongly protest and demand that should this park proceed, that the gate remains locked when the park is not open. Locking the gate when it is not a designated use time, will ensure our neighborhood safety. We want some supervision of the park to assure proper use of this park that the it be open only during daylight hours. We view this park a public nuisance, that will create all manner of abuses that will affect our home and property, located very close to the proposed location.

The County of Fresno has a park already in existence on Rainbow near Centerville. There is a large and detailed sign stating the hours are 7:00 am to Dusk. There were security and public access issues related to this park. In fact, due to misuse, the whole street is closed by a gate at dusk to ensure the integrity and safety of this quiet neighborhood.

Problems we currently have with trespassing, garbage and animal dumping, loitering, graffiti and racing of cars at night. All these are ongoing and daily problems associated with Channel Road between Annadale Road and GoodFellow Road. We know this will only increase with the added area proposed for the park being open to the public.

- A. The land proposed for the park is an old water ponding basin. There are many large empty basin areas covered in dry grass, uncared for trees and wildlife. Persons visiting this proposed park and entering from the proposed location would enter immediately between our property gates. Essentially, the County's small roadway which opens into the bigger ponding basin area, runs down the middle of our property and is directly impacting three – four other homes. The full drive to the designated parking area is about a one-third of a mile. This will allow traffic will have full access to a wonderful garbage dumping area, cars would be parking and possibly driving on dry grass, perfect place for illegal activities as it all well hidden from the main road and public view. You can see from the photographs taken by the County and included in proposal. The Fire danger is a very real concern. The city or county must be required to keep a clean area between the County property and the

residences around the proposed park area. Please note the photos provided by the county. They show a truck parked in the grass. (photo of Location 5) This has huge fire potential, in the summer months especially. This park is anticipating heavier use in the summer months. It would only take one errant cigarette or someone lighting a warming fire and the whole sanctuary would be burned. I know you will put up signs but this is a very isolated area and it would be very easy to sneak this activity, even at night.

- B. The drive from the proposed entrance, to the 1.5 - 2-acre use area, is currently fenced with poor residential/farm type fencing and electric fence. There are too many other access points to this proposed area other than the Channel Road access. This will cause trespassing and more potential for vandalism and theft. It is a struggle now to keep people from climbing fences, stealing what isn't nailed down.
- C. We would like to point out and be sure it is on record that access to launch floating devices and park is already available on the South side of Good Fellow Avenue Bridge where the Kings River crosses. We would like to point out that this was to be a free park and launch location as well. But the parties who allow this access decided that too much trash and abuse was happening and they now charge a \$5.00 fee per car to park and keep an attendant on duty. There is no gate or operating hours. This location was used to party and shoot off fireworks on the 4th of July 2016. The garbage and firework debris was everywhere on the morning of July 5th 2016. This could have caused a fire at any time with all the dry grass so close by. We would like to point out, this location is easily observable by traffic traveling on Good Fellow Avenue and Law Enforcement would have easy view and access. Yet it was still used for illegal and dangerous activities. We believe that in a secluded area proposed to have an open and unsupervised, Free park, you will find the same poor activities being completed. It would diminish residences safety and security. It will most definitely interfere with our security and safety as the public will have too easily assessable access to our property and others.
- D. Channel Road has been known in the area for generations as the party and dumping area. With vigilance, Fresno County has been able to reduce these incidences. Our community on Channel Road is quiet and not very eventful during the day. But access to a park, as proposed will create a new awareness of this unincorporated area. The City of Sanger routinely picks up piles of household garbage, refrigerators, washers, dryers, freezers and every child's plastic toy and bike imaginable. We get all numbers of dogs dumped out on Channel Road between Good Fellow and Annadale. Almost nightly, racing and loitering along the roads on-foot and in cars. Stolen cars are abandoned on this stretch of roadway. It should be known that by keeping an open and unattended gate at the corner of our driveway to enter into this proposed park will only encourage the same activities to continue beyond the gates.
- E. This location was closed due to the pollution and water that could seep into the Kings River. With the dumping that will happen in this area, the wind will blow trash into the river and affect areas of what you feel should have been notified for this park. One good breeze will

blow plastic and any other trash that will be dumped into the river and it will pollute the fish and other wild life who may eat or be injured by the materials being refused. The litter blown around will impact any one along the river or where the wind can blow the trash. Already rafters toss trash in the River and let their empty beer and soda bottles just float along with them, fill with water and sink. We see this all the time, as well as find all the trash along the river. The litter created from people dumping their household garbage along roads and in this park will create a health problem with Rats and other animals that currently do not have that available to them in this ponding basin, proposed park area. Who will be responsible for the added need for rodent controls and cockroaches. I am not exaggerating. I have picked up garbage that has been dumped. It is smelly, torn apart by animals and not my responsibility. We have often had to fill our dumpster with trash along the roads. We as residence in this rural community along Channel Road, do not need to be responsible for any more people's garbage.

- F. We would suggest if at all possible that the County and the Conservancy make the park and launch at the current location on Good Fellow. The city could do all the same measures for bathrooms, gravel parking lots and launch at that location more easily than having to disturb our quiet neighborhood in the day time. We do not need any additional nuisances to contribute to our already illegally active nights. The city has fought hard and is starting to win the battle for law and order on Channel Road. They routinely come not only for trash but to cover the graffiti and change out signs as necessary. Our gate, mailbox and dumpster will be in such close proximity to the entrance that we run risk of heightened graffiti and vandalism activity. As well as our neighbors who already struggle with cleaning up and removing graffiti.
- a. It would also be suggested, that if this park must continue that all measures to have an entrance from Good Fellow be sought. We do not know the boundaries but on either side it will impact a quite home. That a locked at Dusk gate be in place at any entrance. That there should be supervision of the park to ensure that it remains the wildlife sanctuary it currently is.
 - b. The City/County should impose a fee or pre-registration to park and use the river. Access to the park from Channel Road should be limited and not be allowed to be open unattended for the hours proposed. Just thinking about having that open to the public is disturbing our sense of safety and security. Private homes in the area are vigilant to watch for trespassers and people looking to dump trash. We all help to keep the loitering to a minimum. We would expect the City/County/Conservancy to wish to do the same.
 - c. The County needs to do a study on the added cost of man-power it will take to keep this proposed park clean of debris. The Sheriff department will have to deal with driving into a dark and unsafe area, where they can be ambushed. This is a very dark area at night. I am not being an alarmist. But I wouldn't go into that area in the dark with the gate locked. I will never go into that area with a wide-open gate at night. Having a park that states it closes at 10:00 pm or Dusk and does not have a locked gate, is unwise and stupid. The public does not currently always follow the

no trespassing signs, they do not follow the rules of no dumping, they continue drag-race at night. Breaking down county and residence fencing, telephone poles and signs. Often times creating power outages and abandoning the wrecked car. This is all true behavior we have witnessed.

- G. We are concerned that with the lack of supervision, the isolated nature of the area people may try to camp or homeless will make themselves at home here. What is the plan for that? Many people do not know this area exists, but if you open it up with no supervision it will be easy prey for vagrants and homeless. Adding again to the lack of security of our homes and farms. This is also part of the fire danger. There must be supervision and locked gates to help the public see that someone is paying attention and there will be no leniency in breaking these rules. The park should remain a sanctuary location for birds and animals. It is so perfect for those school children. But it won't be when it's covered in trash and/or burned to the ground. The problems I am discussing already exist in this proposed park area and they will only get worse if it legally opened to the public. There has to be controls in place and mitigation measure to provide security and keep the community alive along Channel Road. Many of us purchased here to have this isolation and security. We had a reasonable expectation this would not be opened to the public. We had asked and were advised the County planned to do nothing with it. As we said before, it is already a park and it working nicely. There is already public river access at Good-fellow, Manning Ave (previously Kelly's Beach) and Reedley.
- H. The roads are not meant to have the traffic that will be using Channel Road. If the public is allowed, we will have truckloads of people coming from campgrounds up the river as far as at least Kingsburg. Unloading large volumes of people. Illegally transporting adult people in the back of moving vans etc. to get on the river with their floats. Who is going to keep the roads up?
- I. Noise will be generated by the Stereos in cars and boom boxes. We already hear the events at Hobbs Grove and this will be located very close to our home. This is an issue as it disrupts our expectation of living in the country and having a quite atmosphere. Free of the close homes in town and have paid money to live in our exact situation. With the reasonable expectation of peace, quiet and security.
- J. We expect that the no advertising being suggested will not stop the word of mouth. This may start out as a wonderful and nice idea for people to use. But we know it will be like all other remote parks without supervision and permits. It will become an unsafe location for people who are not breaking the law. Families will be uncomfortable coming here very soon. I am not sure if anyone reading this has visited an unattended, unlocked area around here? It is full of graffiti, trash flying around and used drug paraphilia, signs of sexual activity. I think you should let the monitored parks like Reedley beach, The Wake House Beach in Reedley off Manning and the Good Fellow float launch remain with no additional launches needed. If a person needs to launch a non-motorized boat they have access in Reedley. For the few months there is even enough water in the River for boating and

floating the river it is not reasonable to unsettle our homes and security the rest of the year providing access to this remote unattended area. It will give those that wish, very easy access to ours and others property, that they do not currently have. Already this floating season we have had a kayak and two inner tubes stolen due to access from the River frontage side. The Sheriff's department can do very little to stop this theft and trespassing as they are not able to access this far up the river much of the year. The problem is worse once the river is low and people can walk up the river to find fishing. It allows access we have very little control of. With the proposed park opening, we will have no security year round on that River portion of the property. It will be unsafe and hazardous. Who is going to keep us safe? At least on the front portion we can have a fence and gate. The fence often cut and trespassed through. The police/Sheriff can drive by, but they cannot see into the proposed park from the road. There could be warming fire, all manner of illegal activities and they cannot see it from the road or the entrance. To have authorities drive back there blindly puts our law enforcement at a very high risk. As whomever is in the park, can hide and ambush law enforcement.

We would like to know how far the notices were sent advising residences of Channel Road that this park was being requested. For all the reasons mentions above, it **does** impact all the homes that access their property and farms from Channel Road. Our property and residence will detrimentally be harmed by this Park Project. The value of our property and home will likely drastically decrease. We know that we will not be the only home directly impacted. As such, we request the County require that the most stringent and best possible mitigation measures to reduce the impacts to our residence and Channel Road. We would prefer the current park and its access stay as it is. It must have supervision if opened and it must have a gate that can be locked during non-open hours. It is not reasonable or prudent to open the residence of Channel Road to the traffic and public access.

Sincerely,

Steven and Diane Findley



EXHIBIT 9

County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: City of Sanger
- APPLICATION NOS.: Initial Study Application No. 7062 and Unclassified Conditional Use Permit Application No. 3521
- DESCRIPTION: Allow a moderate intensity park on four parcels with a total area of 58 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) and O (Open Space) Zone Districts.
- LOCATION: The project site is located on the west side of the Kings River between Channel Road and Goodfellow Avenue, approximately 70 feet southeast of the nearest city limits of the City of Sanger (APNs 332-07-33, 32; 332-210-02T, 03)

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway; or
- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails the establishment of a moderate intensity park to be used as a public recreational facility that would facilitate access to and use of the Kings River. The proposal involves four parcels totaling 58 acres, with the developed portion totaling approximately 1.5 acres. The proposed park would consist of a parking lot with 39 parking spaces, a pre-cast vault restroom facility, a 10-foot-wide concrete boat launch ramp, three picnic tables, and a four-foot-by-eight-foot interpretive kiosk. The pre-cast vault restroom measures approximately 15 feet high. The project would also include an approximately 2,200-foot access road leading from Channel Road to the project site, as well as 50 feet of six-foot high chain link fencing and an 18-foot-wide steel pipe gate to be located at the beginning of the proposed access road. According to the Applicant's Operational Statement, no outdoor lighting will be utilized as part of the project.

The project site is located approximately 550 feet east of the nearest city limits of the City of Sanger and is in an area comprised of agricultural operations, residential home sites, vacant land, and natural woodland and vegetation. Historically, the project area was designated to be used by the City of Sanger as settling ponds for wastewater treatment, but no such development ever took place. The project site is currently vacant.

The project site is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis. A limited number of physical improvements are proposed and the design and configuration of the improvements are not anticipated to impact the aesthetic character of the area. No historic buildings will be destroyed or obstructed from view by the project. Considering the location of the subject parcel in a predominately undeveloped area, and the distances between the project site and neighboring developments, this proposal will not damage any scenic resource or degrade the visual character of the site or its surroundings.

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

FINDING: NO IMPACT:

No outdoor lighting is included in the proposal.

II. AGRICULTURAL AND FORESTRY RESOURCES

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

FINDING: NO IMPACT:

According to the California Department of Conservation's Important Farmland Map, the project area includes land classified as Farmland of Local Importance, Urban and Built-Up Land, and Nonagricultural or Natural Vegetation. No land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance was identified within the project area.

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

FINDING: NO IMPACT:

The subject proposal would allow a moderate intensity park, which is a conditionally permitted use in the AL-20 Zone District. None of the land in the project area is under Williamson Act Contract.

- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or

- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not located on forest land.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal is not in conflict with agricultural zoning and is an allowed use on land designated Agriculture with discretionary approval and adherence to applicable General Plan Policies. The project area is adjacent to parcels containing land classified as Prime Farmland and Farmland of Statewide Importance. However, given that moderate intensity parks have been contemplated as a permitted use in Agriculture-designated areas, and given that the amount of structural development entailed in the project's design, the proposed park is not likely to conflict with existing agricultural uses.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District's (Air District) initial comments on the project, the proposed facility meets the applicability threshold within District Rule 9510 of 20,000 square feet of recreational space, which requires submittal of an Air Impact Assessment (AIA) Application no later than applying for final discretionary approval.

An Air Impact Assessment (AIA) Application was prepared and submitted by the Applicant to the Air District on March 21, 2016. The AIA was approved by the Air District on April 27, 2016. In its approval of the AIA, the Air District has required that

this project shall adhere to the measures listed below, which will be included as Project Notes:

- 1. For each project phase, within 30 days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 20 days of the end of each construction phase.*
- 2. For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.*
- 3. For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.*

Compliance with Air District Rules will reduce air quality impacts of this proposal to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was routed for comment to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW), and neither agency identified any concerns related to the project. Therefore, no impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; 3) federally-protected wetlands as defined by Section 404 of the Clean Water Act; and 4) the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or use of native wildlife nursery sites. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries; or
- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located within proximity of any area designated to be highly or moderately sensitive for archeological resources. The proposal was reviewed by the Southern San Joaquin Valley Information Center at California State University – Bakersfield, which commented that although the subject parcel is located in an area of low archeological sensitivity and has been previously disturbed there is a high likeliness that cultural resources are present due to the close proximity of the project area to the Kings River. Therefore, a mitigation measure has been included to require that in the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be contacted to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The

Mitigation Measure will reduce potential impacts to cultural resources to a less than significant level.

* **Mitigation Measure**

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

VI. GEOLOGY AND SOILS

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

1. Rupture of a known earthquake?

FINDING: NO IMPACT:

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

2. Strong seismic ground shaking?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in an area that has a peak horizontal ground acceleration of 0-20 percent per Figure 9-5 in the Fresno County General Plan Background Report (FCGPBR), with a 10 percent chance of exceeding that percentage in 50 years. No agencies expressed concerns specific to seismic hazards.

3. Seismic-related ground failure, including liquefaction?

4. Landslides?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

FINDING: NO IMPACT:

The project is not located in an area of steep slopes per Figure 7-2 (FCGPBR), nor at risk of seismic hazards, per discussion above. The project was reviewed by the Water/Geology/Natural Resources Division which did not express any concerns with the application.

- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located in an area of expansive soils, per Figure 7-1 (FCGPBR).

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

FINDING: NO IMPACT:

Due to the location of the subject site in an area subject to flooding, no septic systems are proposed. The restroom facility will utilize a pumped vault system approved by the Fresno County Department of Public Health, Environmental Health Division.

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the Applicant's proposal as well as the Air Impact Assessment (AIA) prepared by the Applicant's engineer and expressed no concerns relating to greenhouse gas emissions resulting from the project. The project will comply with the Air District Rules as discussed in Section III of this analysis.

VIII. HAZARDS AND HAZARDOUS MATERIALS

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan, and the project site is four miles from the nearest public or private use airport.

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

The project site is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: NO IMPACT:

The project will not discharge any wastewater. As mentioned in Section VI.E, the restroom facility will utilize a pumped vault system approved by the Fresno County Department of Community Health, Environmental Health Division.

- 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: NO IMPACT:

This project will not utilize groundwater.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or

- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site; or

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject site is adjacent to the Kings River. Changes in topography and erosion could result from grading activities associated with this proposal. Drainage requirements will be addressed during the mandatory site plan review. Additional discussion is included in Section XVII.C. No construction of structures is proposed near the river, and no existing natural drainage patterns are expected to be modified to an extent that will have a significant impact on the capacity of drainage systems or run-off.

F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

The proposal was reviewed by the Department of Public Works and Planning's Water/Geology/Natural Resources Section as well as the California Regional Water Quality Control Board, and neither agency offered comments expressing concerns about impacts on water quality from the proposal.

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

FINDING: NO IMPACT:

No housing is proposed as part of the project.

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

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in an area at risk of dam failure flood inundation as defined by Figure 9-8 (FCGPBR). The project site is not prone to seiche, tsunami, or mudflow. According to comments from the Development Engineering Section, the parcel is subject to flooding from the 1% chance storm and is located within four flood zones: X, A, AE and AE Floodway. Per comments from Development Engineering, an Elevation Certification, pre- and post-construction, is required for each structure when building within a flood zone. All structures and/or equipment installed within the flood zone must be elevated per the County Ordinance or flood proofed (certification and calculations would be required). The floodway must be kept free of encroachment so that the 1% annual chance flood can be carried out without substantial increases in flood heights, per FEMA FIRM legend. Any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance.

With the subject proposal, the proposed development is located outside of the floodway, except for the boat launch area which is partially located in the water of the Kings River as a function of its design. The only structure involved is the vault toilet, which would not significantly impede or redirect flood flows.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project is not located within an established community.

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

FINDING: NO IMPACT:

The project site is located on 58 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) and O (Open Space) Zone Districts. Moderate intensity parks are permitted by-right in the O Zone District and by Conditional Use Permit in the AL-20 Zone District. Comments from the Department of Public Works and Planning's Zoning Section noted that a Determination of Merger and/or a separate mapping procedure may subsequently be required for the proposal.

According to the Policy Planning Unit of the Department of Public Works and Planning, the subject parcels are designated as Public Facilities within the County-adopted Kings River Regional Plan. Policy 9.02 in the Kings River Regional Plan states the County shall consider the acquisition and development of additional points of access to the river between Highway 180 and Manning Avenue, as a method of making the river available to the public, provided that the rights of property owners in the vicinity are being adequately protected. Policy 9.04 in the Kings River Regional Plan states that recreational use of publicly owned wildlife habitat areas should be encouraged, limited to passive activities such as picnicking, fishing and photography, with visitors limited to reduce impact upon wildlife. This proposal will facilitate public access to the Kings River in the area noted in Policy 9.03, and in analyzing the proposal no concerns regarding impacts on the rights of property owners in the vicinity were identified. Additionally, the proposed park facility is designed for activities consistent with the type indicated in the language of Policy 9.04.

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

FINDING: NO IMPACT:

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

XI. MINERAL RESOURCES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject site is located in Mineral Resource Zone 2 identified in Figure 7-9 (FCGPBR). No mineral resource impacts were identified in the analysis. The project does not propose mineral extraction and would not result in the loss of a locally-important mineral resource recovery site due to the minimal development proposed. To the east across the Kings River, a 619-acre gravel extraction project (Riverbend Sand & Gravel) was approved in February of 2015. As buffer uses were required for that proposal, no impacts are anticipated.

XII. NOISE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the noise expected to be generated by the project includes vehicle traffic noise and noise consistent with recreational park activities. Additional short-term noise may be generated during construction of the proposed park. No sound amplification equipment will be utilized or incorporated as part of the project. The proposal was reviewed by the Environmental Health Division of the Fresno County Department of Public Health, which did not identify any specific concerns regarding noise.

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

FINDING: NO IMPACT:

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

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or

- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

The proposal will not result in an increase in housing, nor will it otherwise induce population growth. No housing will be displaced as part of the proposal.

XIV. PUBLIC SERVICES

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

- 1. Fire protection?

FINDING: NO IMPACT:

The proposal was reviewed by the Fresno County Fire Protection District, which expressed no concerns with the project.

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

FINDING: NO IMPACT:

No such impacts were identified in the analysis.

XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks?

FINDING: NO IMPACT:

No impacts on existing neighborhood and regional parks were identified in the analysis.

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

FINDING: NO IMPACT:

The subject proposal calls for development of a new moderate intensity park facility to be used as a public recreational facility that would facilitate access to and use of the

Kings River. Establishment of this park would provide additional recreational opportunities in the area.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Access to the proposed park will be provided by an 18-foot-wide gated access road running approximately 2,200 feet from Channel Road. The proposal includes a parking lot with 39 parking spaces, including two ADA spaces. This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which did not express any concerns regarding the carrying capacities of the adjacent roadways nor require a Traffic Impact Study for the project. As a note, any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operation Division.

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

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan, and the project site is four miles from the nearest public or private use airport.

- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

This proposal was reviewed by the both the Design Division and the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, neither of which expressed concerns with the project.

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

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

FINDING: NO IMPACT:

This project will not utilize or require the construction of any water or wastewater treatment facilities. As discussed in Section VI.E above, the project will utilize a pumped vault toilet.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Changes in topography and erosion could result from grading activities associated with this proposal. According to the Development Engineering Section, any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. This requirement will be included as a Project Note and shall be reviewed for approval during the Site Plan Review (SPR) process which will be included as a Condition of Approval. Conditions of the SPR may include, but are not limited to: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.

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

FINDING: NO IMPACT:

This project will not utilize groundwater or any other water entitlements. The Department of Public Works and Planning's Water/Geology/Natural Resources Section reviewed this proposal and expressed no concerns.

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

FINDING: NO IMPACT:

See Section XVII.B above.

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

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 WITH MITIGATION INCORPORATED:

Although the analysis determined the project may pose a risk of impact to cultural resources, the included Mitigation Measure in Section V (Cultural Resources) will minimize such impacts to less than significant level.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the project 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. 3521, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Hazards and Hazardous Materials, Land Use and Planning, Population and Housing, Public Services, or Recreation.

Potential impacts related to Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Mineral Resources, Noise, Transportation/Traffic, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Cultural Resources have determined to be less than significant with compliance with the Mitigation Measures listed in Section V.E.

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

DB

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EXHIBIT 10

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. <div style="text-align: center; font-size: small;">CLK-2046.00 E04-73 R00-00</div>			
Agency File No:	IS 7062	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION			County Clerk File No:
		E-			
Responsible Agency (Name):	Address (Street and P.O. Box):	City:	Zip Code:		
Fresno County	2220 Tulare St. Sixth Floor	Fresno	93721		
Agency Contact Person (Name and Title):		Area Code:	Telephone Number:	Extension:	
Daniel Brannick, Planner		559	600-4297	N/A	
Applicant (Name): City of Sanger		Project Title: Unclassified Conditional Use Permit Application No. 3521			
Project Description:					
<p>Allow a moderate intensity park on four parcels with a total area of 58 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) and O (Open Space) Zone Districts.</p>					
Justification for Negative Declaration:					
<p>Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3521, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Hazards and Hazardous Materials, Land Use and Planning, Population and Housing, Public Services, or Recreation.</p> <p>Potential impacts related to Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Mineral Resources, Noise, Transportation/Traffic, and Utilities and Service Systems have been determined to be less than significant.</p> <p>Potential impacts relating to Cultural Resources have determined to be less than significant with compliance with the Mitigation Measures listed in Section V.E.</p>					
FINDING:					
The proposed project will not have a significant impact on the environment.					
Newspaper and Date of Publication:			Review Date Deadline:		
Fresno Business Journal – June 22, 2016			Planning Commission – July 21, 2016		
Date:	Type or Print Signature:		Submitted by (Signature):		
June 20, 2016	Chris Motta Principal Planner		Daniel Brannick Planner		

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION