



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 October 13, 2022

**SUBJECT:** Conditional Use Permit No. 3716 and Initial Study No. 8101 proposing to amend Conditional Use Permit No. 3348 to allow the expansion of an existing (E) automobile service station located within the C-1 (Neighborhood Shopping Center) Zone District.

**LOCATION:** The project site is located on the northeast corner of Belmont and Temperance Avenues, approximately forty-eight feet northeast of the city limits of the City of Fresno (APN: 310-143-46) (7064 E. Belmont Ave.) (Sup. Dist. 5).

**OWNER:** Sarabjit Kaur

**REPRESENTATIVE:** Elias Saliba

**STAFF CONTACT:** Elliot Racusin, Planner  
(559) 600-4245

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Move to adopt the Mitigated Negative Declaration based on Initial Study No. 8101 and
- Approve Classified Conditional Use Permit (CUP) Application No. 3716 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Measures, Conditions of Approval, and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans and Detail Drawings
6. Elevations
7. Applicant’s Operational Statement
8. Resolution No. 12518 pertaining to CUP No. 3348
9. Summary of Initial Study Application No. 8101

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Residential	No change
Zoning	C-1 (Neighborhood Shopping Center)	No change
Parcel Size	2.32-acres	No change
Project Site	A neighborhood shopping center on a portion of a 2.32-acre parcel in the C-1 Zone District Improvements include:	No change
Structural Improvements	6,000 square foot building includes: <ul style="list-style-type: none"> <li>• 3,488 square-foot convenience store</li> <li>• Subway shop</li> <li>• Office Suite</li> <li>• 33 parking spaces</li> <li>• 760 square-foot fuel canopy with four fueling positions for automobiles</li> </ul>	Addition of two gas pumps (four fueling positions), a 760 square-foot canopy, and two (2) 10,000-gallon above-ground storage tanks
Nearest Residence	85 feet north of the parcel.	No change
Surrounding Development	The project site is surrounded by single-family residences.	No change

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Operational Features	Year-round, 7 days/week 5:00 am–10:00 pm weekdays 5:00 am–11:00 pm weekends	No change
Employees	Two staff per shift; total of four staff per day/ two shifts per day	No change
Customers/Supplier*	<ul style="list-style-type: none"> <li>• 400 customers per day</li> <li>• 500 customers per day during holidays</li> <li>• 5 service and delivery vehicles per week</li> </ul>	<p>Possible increase of 50 customers per day expected</p> <p>Up to 7 service and delivery vehicles per week</p>
Traffic Trips	<ul style="list-style-type: none"> <li>• 3,927 daily trips (all uses)</li> <li>• 218 total trips (A.M. Peak Hour)</li> <li>• 237 total trips (P.M. Peak Hour)</li> </ul>	<p>Per the Design Division, no significant increase in traffic from the previous TIS.</p> <p>Total net new trips:</p> <ul style="list-style-type: none"> <li>• 44 total trips (A.M. Peak Hour)</li> <li>• 52 total trips (P.M. Peak Hour)</li> </ul>
Lighting	Lighting fixtures mounted on building walls, parking light poles, and lighting beneath fueling canopy; all hooded	No change

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

**ENVIRONMENTAL ANALYSIS:**

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff had determined that a Mitigated Negative Declaration was appropriate. A summary of the Initial Study is included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: September 9, 2022

**PUBLIC NOTICE:**

Notices were sent to 77 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

A Conditional Use Permit is required for Automobile Service Stations in the C-1 Zone district. The use was previously approved by CUP 3348, this CUP amends the USE permit to allow the addition of two additional fueling stations.

A Conditional Use Permit (CUP) Application may be approved only if five Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission on a CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

**BACKGROUND INFORMATION:**

Sunnyside Market was built as a by-right development on the subject parcel in 1966. In 2005, the Market expanded to include a Subway restaurant. The proposed barber shop is also a by-right improvement. Two gas pumps were added during that time. At its hearing of August 13, 2015, the Commission considered and approved the applicant’s request for an additional two gas pumps (four fueling positions in total), a 760 square-foot canopy, two 10,000-gallon above-ground storage tanks, and convert 800 square-feet of the existing convenience store to a barber shop (CUP 3348 and IS 6481).

The current CUP application proposes to add a 760 square foot fuel island canopy over two existing Multiple Pump Dispenser (MPD) with an additional two MDP’s gas pumps (totaling six gas pumps in total).

The improvements proposed would increase the capacity to fulfill the need of the surrounding community to purchase gas and utilize the facilities as needed.

***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.***

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 20 feet Side: 20 feet Rear: 10 feet	Front (south property line): 40 feet Side (east property line): 130+ feet Side (west property line): 150+ feet Rear (north property line): 20 feet	Y
Parking	33 spaces (including two handicap compliant)	No change	Y
Lot Coverage	The maximum coverage of the lot by buildings or structures shall not exceed thirty-three (33)	No Change	Y

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
	percent of the total lot area, including easements.		
Space Between Buildings	No requirements	No requirements	Y
Wall Requirements	Maximum 6-feet in height	No change	Y
Septic Replacement Area	100 percent	No change	Y
Water Well Separation	An application for connection to the municipal water system has been submitted to Fresno LAFCo. In the event Fresno LAFCo denies the Applicant's request for services, the Applicant will then be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.	No change	Y

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

None.

**Finding 1 Analysis:**

Staff's review of the Site Plan demonstrates that the lot area and dimensions are adequate to provide for the proposed development that includes the existing mini-mart, Subway restaurant, proposed fueling stations, barber shop, parking and circulation areas, landscaping, and access to the site. Parking, wall and fence requirements, and ingress/egress will be addressed when the Applicant applies for Site Plan Review.

Based on the above information, and with adherence to a mandatory Site Plan Review, staff believes the site is adequate in size and shape to accommodate the proposal.

**Recommended Conditions of Approval:**

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

**Finding 1 Conclusion:**

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

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

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Belmont Avenue	No change
Direct Access to Public Road	Yes	Belmont Avenue	No change
Road ADT		According to the Trip Generation Analysis Update (TGAU), the proposed project is estimated to increase existing traffic by an average of 809 daily trips; 10 during the A.M. peak hour and 31 during the P.M. peak hour.	No significant increase
Road Classification		Belmont Avenue: Arterial  Temperance Avenue: Expressway	No change
Road Width		Belmont Ave is classified as an Arterial in the General Plan, with a recommended right-of-way width of 106 feet. Records for existing right-of-way show a right-of-way width for Belmont Ave which varies from 50 to 62 feet north of section line.  Temperance Avenue: Right-of-way width of 106 feet. Records for existing right-of-way show a right-of-way width for Temperance Ave which varies from 98 to 105 feet east of section line.	No change
Road Surface		Belmont Avenue: Paved  Temperance Avenue: Paved	No change

		Existing Conditions	Proposed Operation
Traffic Trips		JLB Traffic Engineering, Inc. has completed a Trip Generation Analysis (Dated March 19 <sup>th</sup> , 2015)  218 AM Peak Trips (10 trips increase) 223 PM Peak Trips (31 trips increase)	Based on similar traffic rates from the original two gas pumps addition in 2015, an expected Increase of 10 AM and 31 PM Peak Trips is expected
Traffic Impact Study (TIS) Prepared	No	Pursuant to review of the TIS by the Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning, and Caltrans, mitigation measures are required whereby the project shall pay its fair share toward the cost of traffic-related off-site improvements (see Exhibit 1).	No change previous conditions and mitigation measures apply
Road Improvements Required		Belmont Avenue: Fair  Temperance Avenue: Good	N/A

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

The City of Fresno Public Works Department is not opposed to the expansion of the existing store and gas station as shown in the attached plans. The site plan that was submitted with the project does show curb, gutter, sidewalks, and streetlights. The requirement to have these public improvements installed with the project is very important to the Public Works Department. We would not support the expansion of the store and gas station without the street improvements being completed.

**Fresno County Road Maintenance & Operations:**

- The subject property borders on N. Temperance Ave and E. Belmont Ave., which are county-maintained roads.
- Temperance Ave. is classified as an Expressway in the General Plan, with a recommended right-of-way width of 106 feet. Records for existing right-of-way show a right-of-way width for Temperance Ave which varies from 98 to 105 feet east of section line.

- Belmont Ave is classified as an Arterial in the General Plan, with a recommended right-of-way width of 106 feet. Records for existing right-of-way show a right-of-way width for Belmont Ave which varies from 50 to 62 feet north of section line.
- An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way of County of Fresno.

**Finding 2 Analysis:**

The project site is located just northeast to a corner of the city limits of Fresno. The addition of two gas pumps (four fueling stations) and the redesign of the convenience store space to accommodate a barber shop were determined not to qualify as “new urban development,” and therefore, the project was not referred to the City for annexation; however, the parcel is within the City’s Sphere of Influence. Future right-of-way dedications have been marked on the site plan and there are no structures proposed to be built within them. The limited nature of the proposed expansion does not warrant the extensive improvements requested by the City of Fresno. A nexus to require these improvements as part of this discretionary land use permit does not exist as the cost of the requirement would not be proportionate to the value of the entitlement being granted.

**Recommended Conditions of Approval:**

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

**Finding 2 Conclusion:**

Finding 2 can be made as the proposed project will not significantly increase traffic in the area, Belmont Avenue and Temperance Avenue will remain adequate to accommodate the proposed use.

***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 (from nearest property line):
North	3.24- acres	Single-Family Residence	RR	85 feet
East	1.66- acres	Single-Family Residence	RR	120 feet
South	0.46- acre	Single-Family Residence	RR	175 feet
	2.12-acres	Single-Family Residence Greenhouses		
West	2.32-acres	Single-Family Residence	AE-20	175 feet

**Reviewing Agency/Department Comments:**

No comments were expressed by reviewing agencies or departments



**Analysis Finding 3:**

The subject 2.32-acre property is currently improved with the existing Sunnyside Market and Subway sandwich shop. Located at the intersection of North Temperance Avenue and East Belmont Avenue, the property is zoned for Neighborhood Shopping Center and is located directly northeast of the City of Fresno. The surrounding lands are zoned for Rural Residential, and Agriculture and the surrounding properties are improved with single-family residences.

**Recommended Conditions of Approval:**

*None.*

**Conclusion Finding 3:**

Finding 3 can be made. The addition of a fuel island canopy and two additional fuel dispensing pumps will not have a detrimental effect to the surrounding neighborhood, but rather will enhance the services to the surrounding area.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p><b>Policy LU-G.1:</b>  <i>The County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.</i></p>	<p><b>Consistent:</b>            The project was referred to the City of Fresno Public Works Department for comments.</p>

**Reviewing Agency Comments:**

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

The property is designated Southeast Rural Residential in the County General Plan. General Plan Policy LU-G.1 (text above) concerning sphere of influences.

The project site is not under an Agricultural Land Conservation (Williamson Act) Contract.

**Finding 4 Analysis:**

There were no adverse features of the project that conflict with the County's General Plan identified.

**Recommended Conditions of Approval:**

*This project shall pay its Fresno Major Street Impact (FMSI) and regional Transportation Fees.*

**Finding 4 Conclusion:**

Finding 4 can be made given the above discussion. Staff believes the project to be consistent with the objectives of the Fresno County General Plan.

**Finding 5:** *That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.*

**Finding 5 Analysis:**

The proposed mitigation measures and conditions of approval were developed based on studies and consultation with specifically qualified staff, consultants, and outside agencies. They were developed to address the specific impacts of the proposed project and were designed to address the public health, safety, and welfare. Additional comments and project notes have been included to assist in identifying existing non-discretionary regulations that also apply to the project. The Applicant has signed an acknowledgement agreeing to the proposed mitigation measures and has not advised staff of any specific objection to the proposed conditions of approval.

**Finding 5 Conclusion:**

Finding 5 can be made based on staff's analysis. The conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

**SUMMARY/CONCLUSION:**

Staff believes the required Findings for granting the CUP Application can be made based on the factors cited in the analysis, in conjunction with the recommended Mitigation Measures, Conditions of Approval, and Project Notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Classified Conditional Use Permit Application No. 3348, subject to the recommended Conditions.

**PUBLIC COMMENT:**

No public comments were received prior to the writing of this report.

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Conditional Use Permit can be made. Staff therefore recommends approval of Classified Conditional Use Permit No. 3716, subject to the recommended Conditions

## **PLANNING COMMISSION MOTIONS:**

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

- Move to adopt the Mitigated Negative Declaration based on Initial Study No. 8101 and
- Move to determine the required Findings can be made and move to approve Conditional Use Permit No. 3716, 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 Conditional Use Permit No. 3716; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### **Recommended Conditions of Approval and Project Notes:**

See attached Exhibits

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EXHIBIT 1

**Mitigation Monitoring and Reporting Program  
Initial Study No. 8101 & Classified Conditional Use Permit Application No. 3716  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed to not shine towards adjacent properties and public streets.	Applicant	Applicant/PW&P	Continuous
2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities

\*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.

Conditions of Approval	
1.	Development of the property shall be in substantial compliance with the Site Plans, Floor Plans, Elevations, and Operational Statement approved by the Planning Commission.
2.	A Site Plan Review shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to, design of parking and circulation, grading and drainage, fire protection, and control of lighting.

3.	The proposed project will receive water from the City of Fresno; however, in the event Fresno LAFCo denies the Applicant's request for services, the Applicant will be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.
4.	This project shall pay its Fresno Major Street Impact (FMSI) Fee which will be determined at the time of building permit.
5.	The project shall pay the Regional Transportation Mitigation Fee (RTMF) and provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	All application types stated above SHALL comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving your FCFPD conditions of approval for your project, you must submit construction plans to the County of Fresno Public Works and Planning and FCFPD for review. It is the Applicants Responsibility to deliver a minimum of two (2) sets of plans to the FCFPD.
2.	An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way of County of Fresno.
3.	Your Project/Development may be required to annex into the into Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. Project/Developments included: Single Family Residential (SFR), SFR Properties subdivided into three (3) or more housing units, Multi-Family Residential (MFR) Property, Commercial Property, Industrial Property, and/or Office Property.
4.	Project/Developments will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
5.	Before plans are submitted to the Fresno County Fire Protection District, please visit our website at <a href="http://www.fresnocountyfire.org">www.fresnocountyfire.org</a> and complete the Fire Permit Application to submit with your plans.
6.	According to FEMA FIRM Panels 1595H, the majority of the area of the subject property is found to be under Flood Zone AO (Depth 1'), subject to flooding from the 100-year storm. Typically, any work within the designated flood zone shall conform to provisions established in Chapter 15.48 of Flood Hazard Areas of Fresno County Ordinance.
7.	Prior to the issuance of building permits, the applicant shall submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the local Hazmat Compliance Program at (559) 600-3271.

8.	Prior to operations, the fuel facility applicant shall apply for and secure a Permit to Operate an Underground Storage Tank System from the Fresno County Department of Public Health, Environmental Health Division. Contact the local Hazmat Compliance Program at (559) 600-3271.
9.	Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 ( <a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a> ). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
10.	New sewage disposal systems shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. Contact Department of Public Works and Planning at (559) 600-4540 for more information. Leach fields shall not be paved over to allow for treatment of effluent.
11.	The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the County's Noise Ordinance.
12.	The water well contractor selected by the applicant or future property owner will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Public Health, Environmental Health Division. The proposed water well shall meet minimum setbacks as defined by the California Plumbing Code. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 600-3357.
13.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
14.	If any underground storage tank(s) are found during construction, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
15.	The City of Fresno Public Works Department is not opposed to the expansion of the existing store and gas station as shown in the attached plans. The site plan that was submitted with the project does show curb, gutter, sidewalks, and streetlights. The requirement to have these public improvements installed with the project is very important to the Public Works Department. Support would not be given towards the expansion of the store and gas station without the street improvements being completed.
16.	If Temperance Avenue and/or Belmont Avenue is widened or improved as part of the project or future project, FID will require the canal be pipelined with a 30-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards, that FID is granted an exclusive 15-foot wide easement for and along its

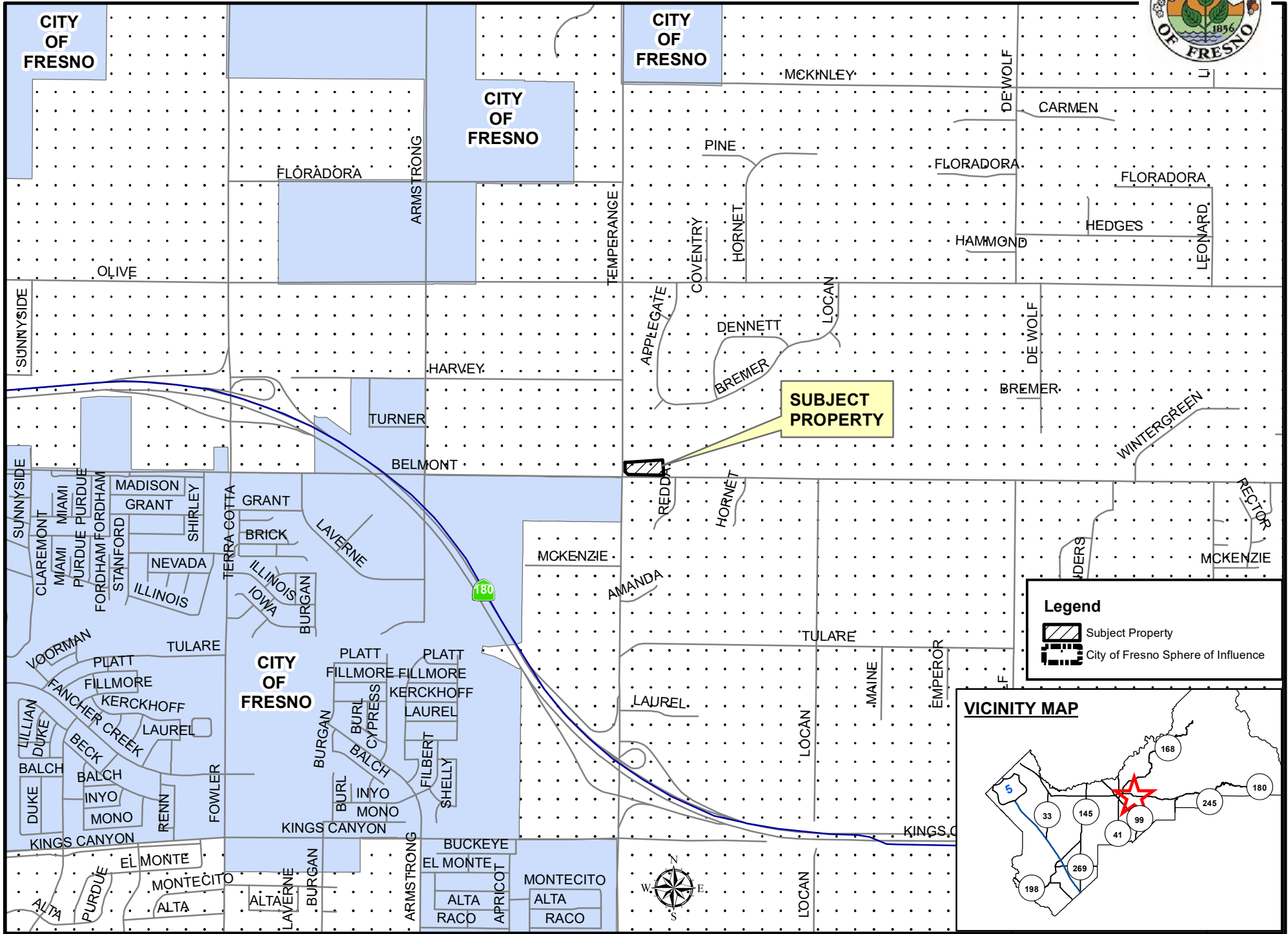
	pipeline, and that the applicant enter into an agreement with FID for that purpose.
17.	FID's review and written approval will be required for all improvement plans (including, but not limited to, sewer, water, Fresno Metropolitan Flood Control District, street, and landscaping).
18.	For informational purposes, FID's Fancher Creek Canal No. 6 runs southwesterly and crosses Belmont Avenue approximately 700 feet east of the subject property, and FID's Briggs Canal No. 7 runs southwesterly and crosses Belmont Avenue approximately 900 feet east of the subject property. Should this project expand to include any street improvements along Belmont Avenue and in the vicinity of the canal crossing, FID requires it review and approve all plans.
19.	Plans, permits and inspections shall be required for all structures based upon the current adopted edition of the California Codes at the time of plan check submittal.
20.	The Applicant shall seal and abandon existing on-site well(s) in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by the California Department of Water Resources and City of Fresno standards. Installation of a public fire hydrant is required in accordance with City Standards.

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# EXHIBIT 2 LOCATION MAP



**Legend**

- Subject Property
- City of Fresno Sphere of Influence

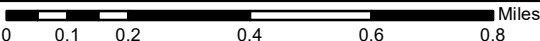
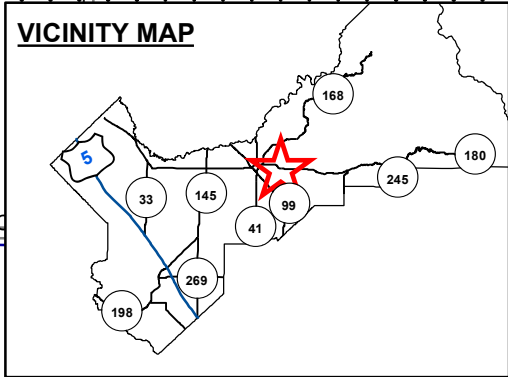


EXHIBIT 2



EXHIBIT 3  
**EXISTING ZONING MAP**

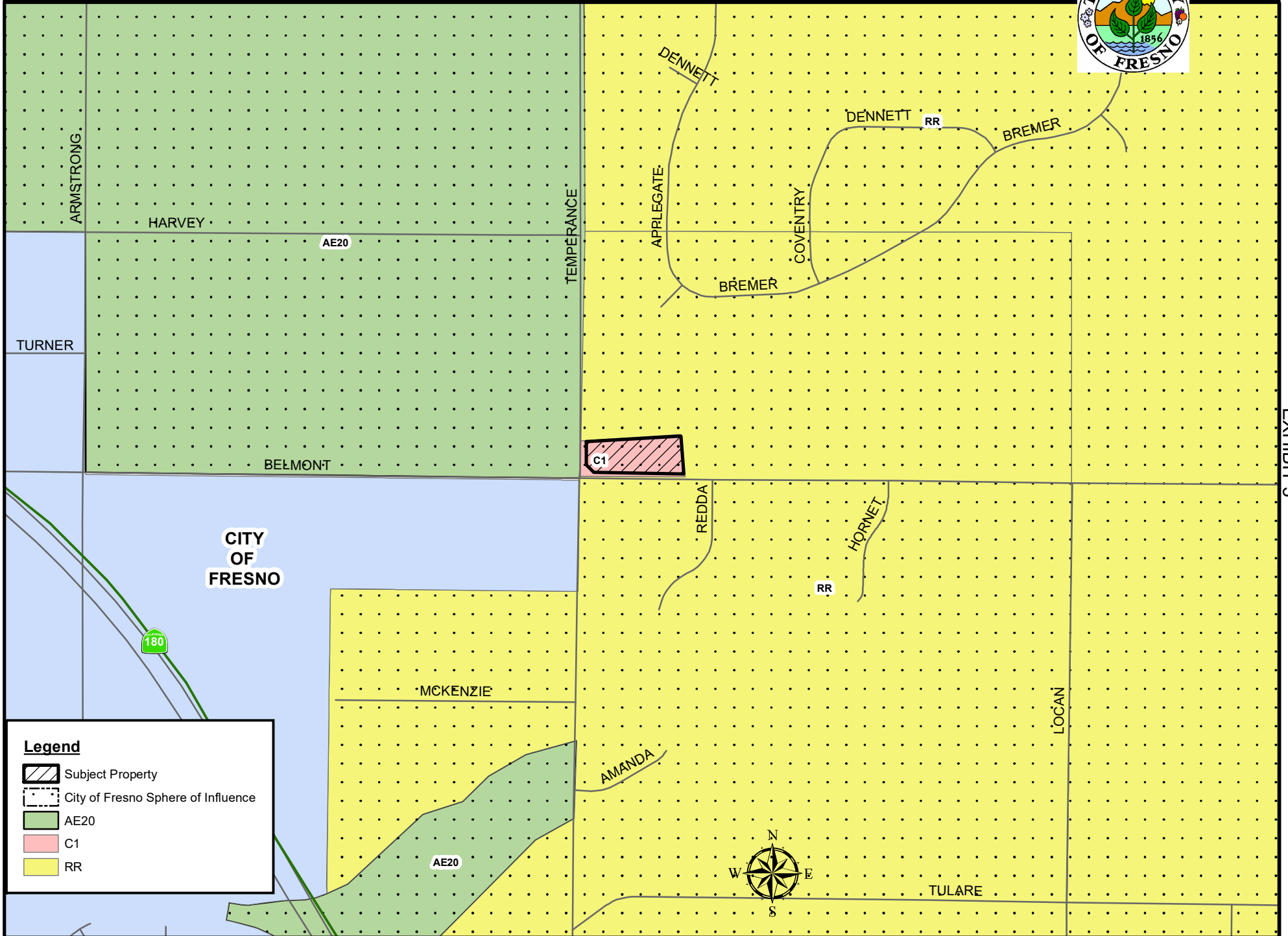


EXHIBIT 3

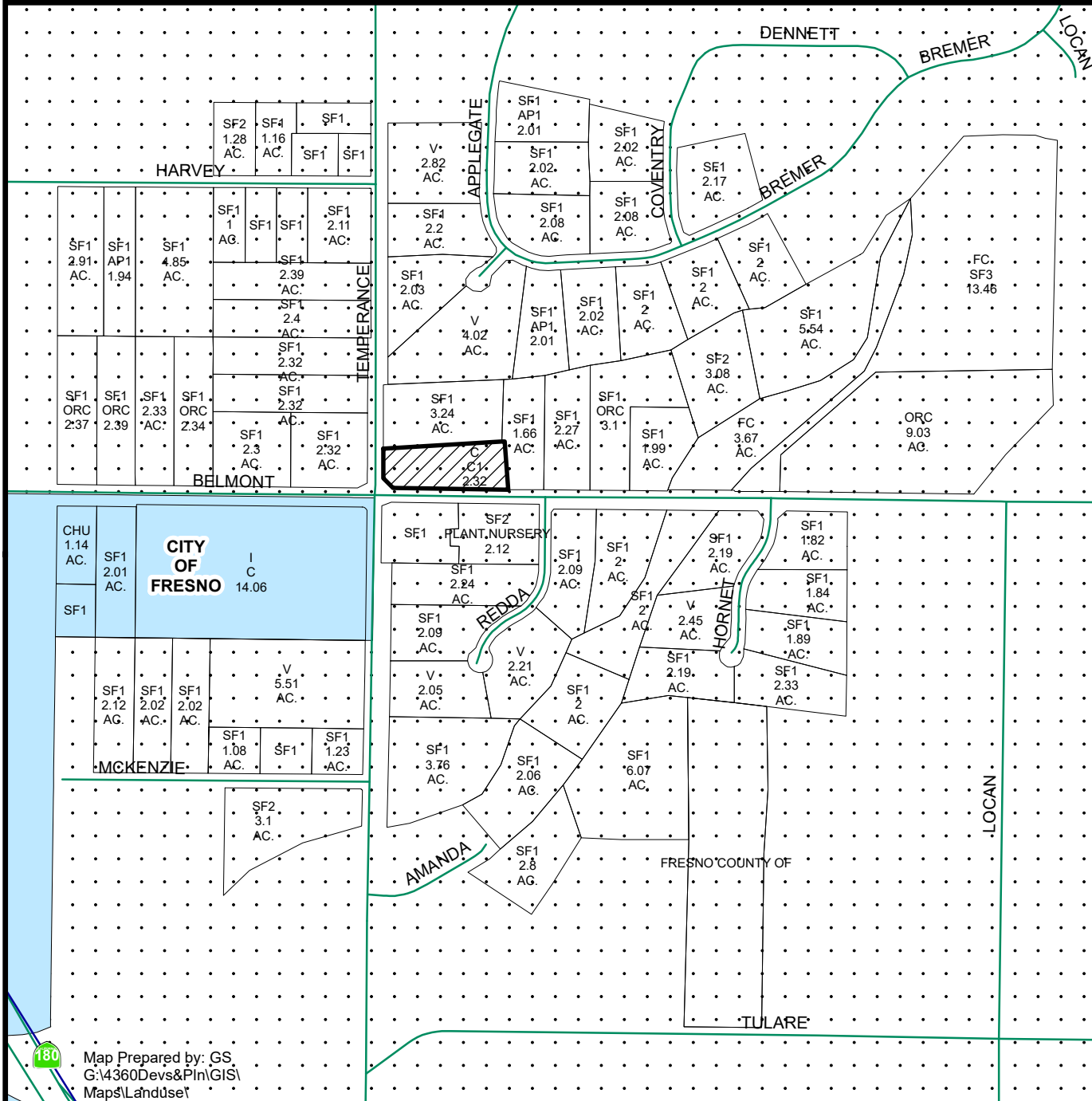
**Legend**

- Subject Property
- City of Fresno Sphere of Influence
- AE20
- C1
- RR







# EXISTING LAND USE MAP



LEGEND	
AP1	- APARTMENT
C	- COMMERCIAL
CHU	- CHURCH
FC	- FIELD CROP
I	- INDUSTRIAL
ORC	- ORCHARD
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

## Legend

-  Subject Property
-  City of Fresno Sphere of Influence



0 162.5 325 650 975 1,300 Feet

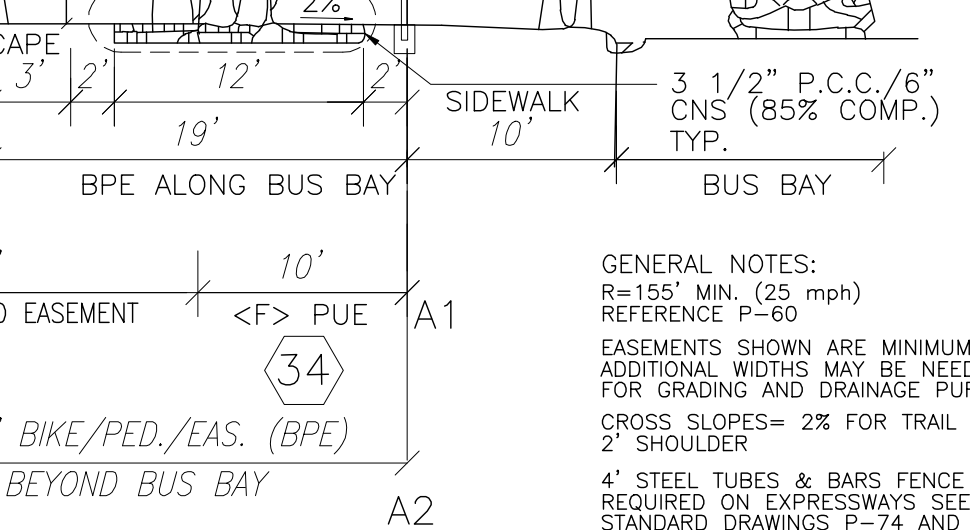
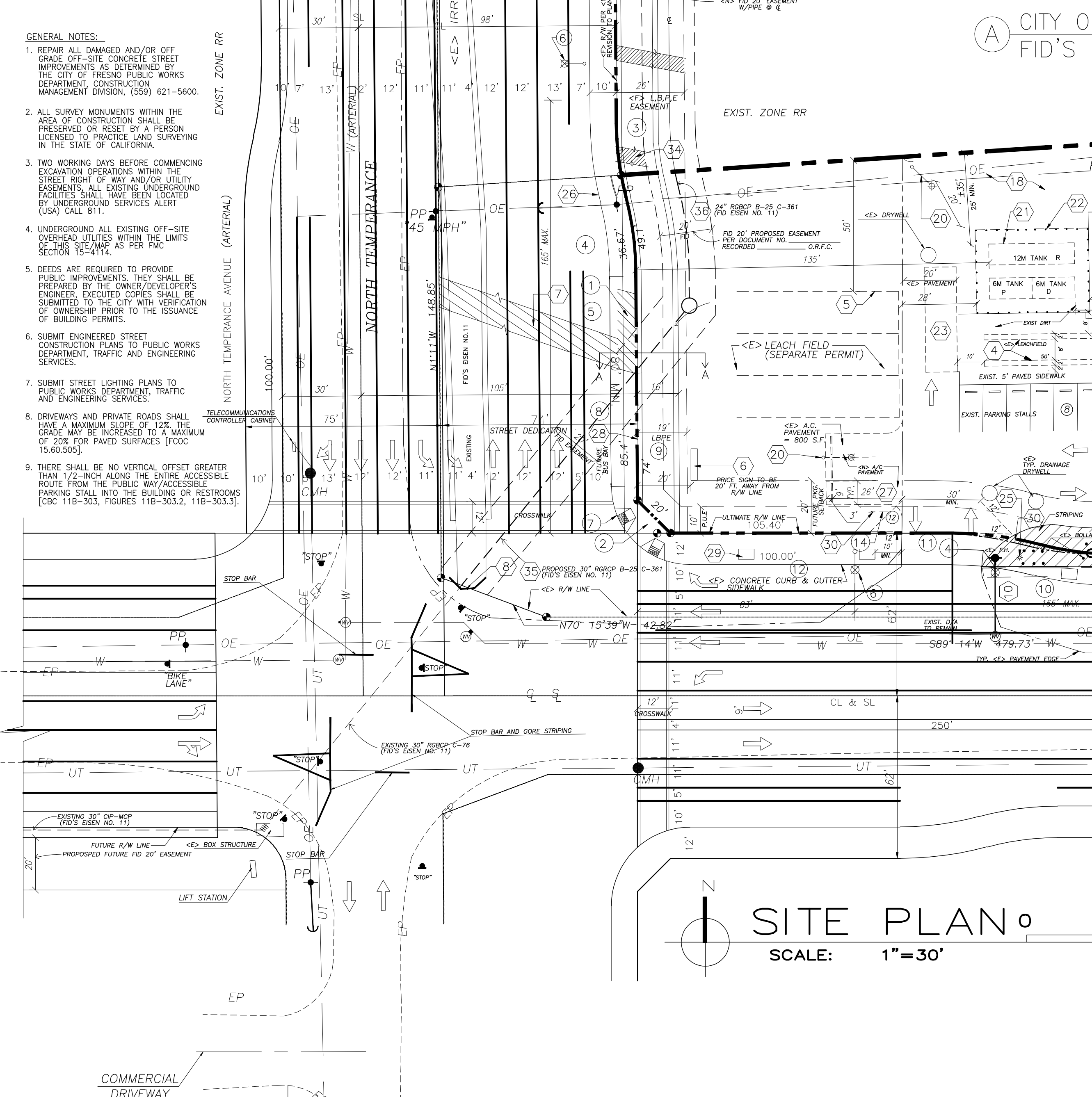
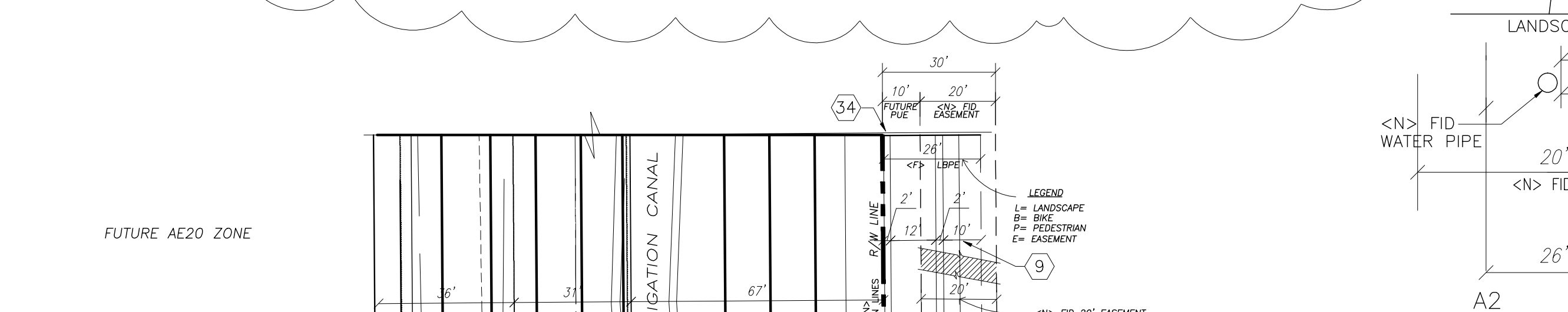
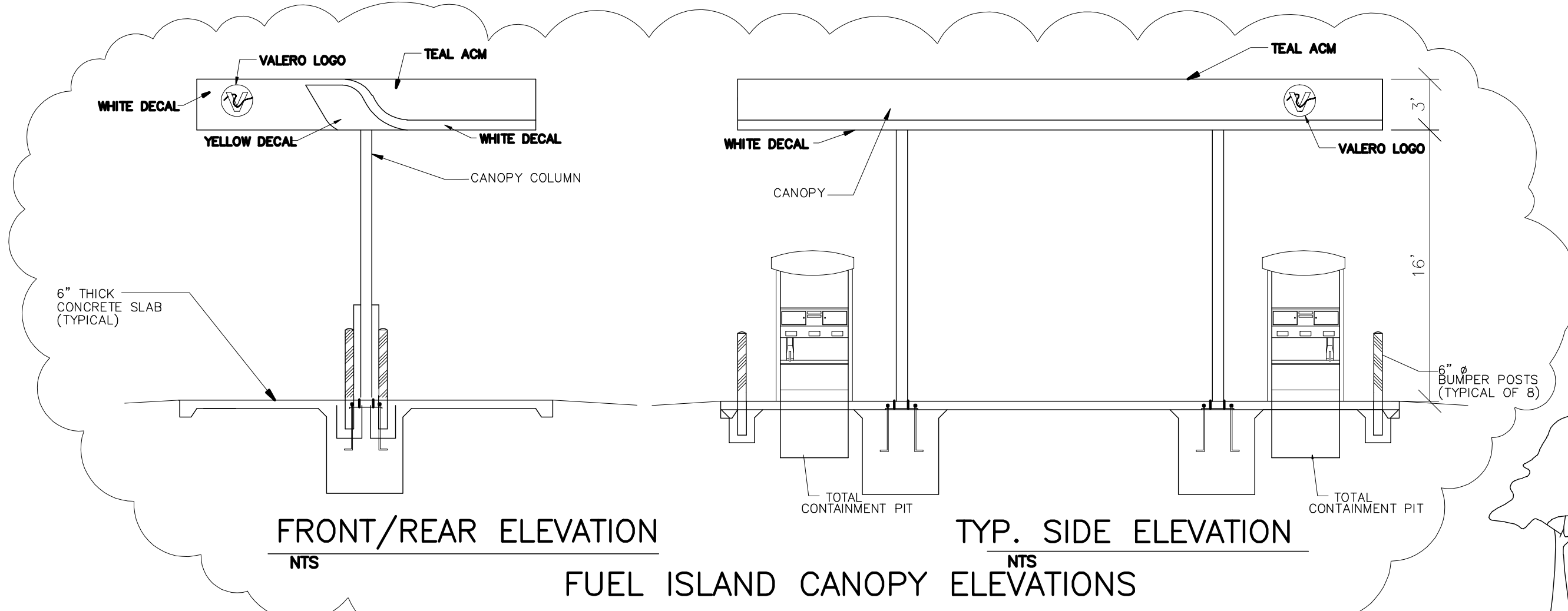
Department of Public Works and Planning  
Development Services Division

Map Prepared by: GS  
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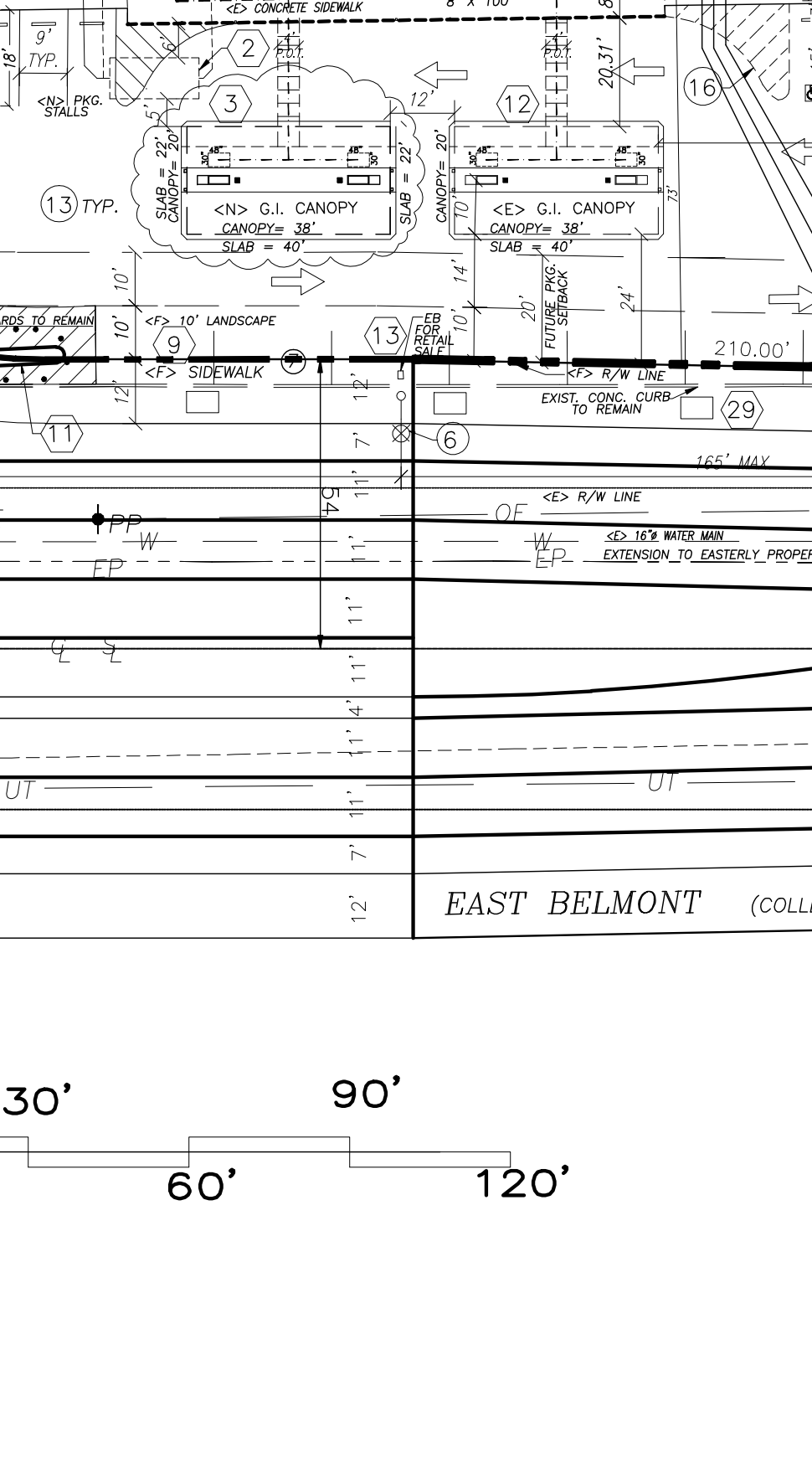
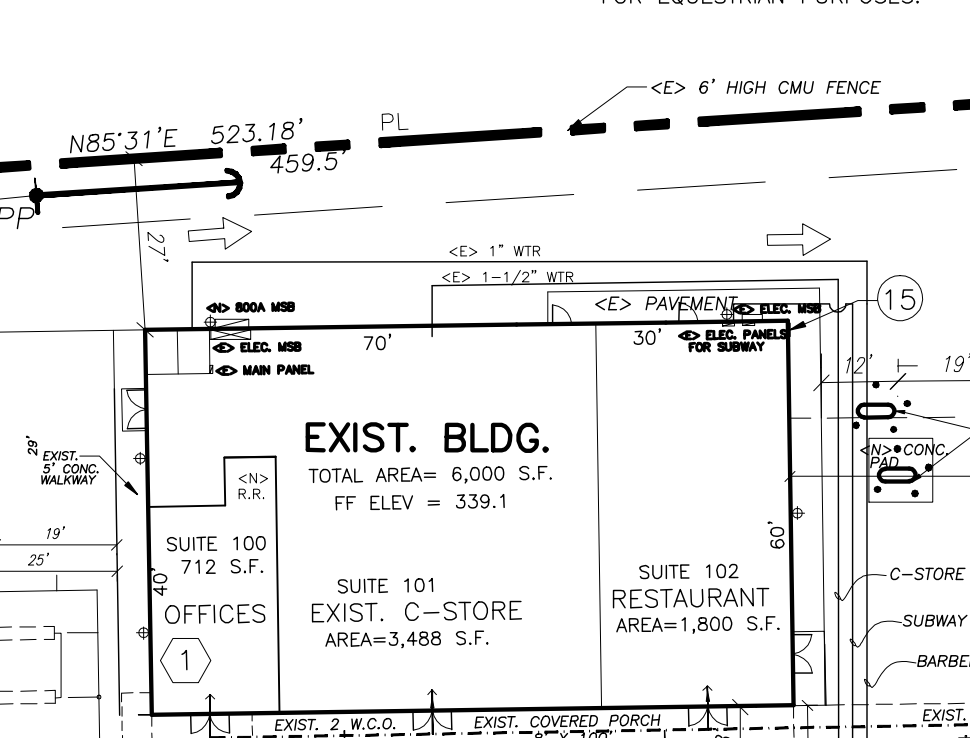


# EXHIBITS 5 & 6

## PROPOSED (2) MPD'S W/ CANOPY ADDITION TO <E> (2) MPD'S

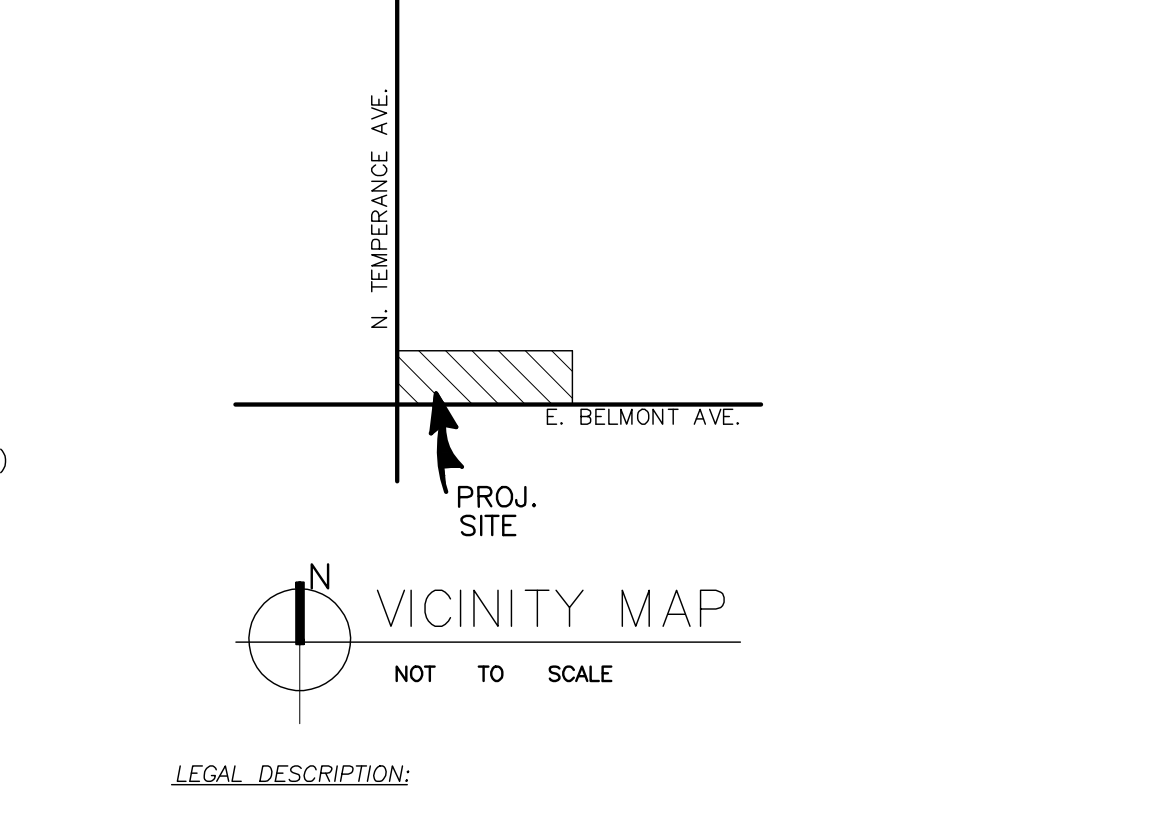


**CITY OF FRESNO TRAIL FID'S EISEN NO. 11**



- F= FUTURE
- KEYNOTES PER CITY OF FRESNO TRAFFIC COMMENTS
- 1 DEDICATE 83' TO 100' OF PROPERTY, FROM SECTION LINE (E-1 TO E-7 FOR TEMPERANCE AND PER PUBLIC WORKS STANDARD P-51, (TEMPERANCE), FOR PUBLIC STREET PURPOSES, WITHIN THE LIMITS OF THIS APPLICATION, PER PUBLIC WORKS STANDARD P-51, (TEMPERANCE)
- 2 DEDICATE A CORNER CUT FOR PUBLIC STREET PURPOSES.
- 3 DEDICATE A 19' TO 26' (MINIMUM) EASEMENT FOR LANDSCAPE, BIKE AND PEDESTRIAN PURPOSES ONLY. (LBPE)
- 4 CONSTRUCT 20' OF PERMANENT PAVING PER PUBLIC WORKS STANDARD P-30, BASED ON A 30' RADIUS.
- 5 CONSTRUCT CONCRETE CURB AND GUTTER TO PUBLIC WORKS STANDARD P-5 (10' COMMERCIAL PATTERN).
- 6 INSTALL STREET LIGHTS PER PUBLIC WORKS STANDARDS E-1 AND E-7 FOR TEMPERANCE AND PER PUBLIC WORKS STANDARDS E-1 AND E-8 FOR BELMONT.
- 7 CONSTRUCT STANDARD CURB RAMP PER PUBLIC WORKS STANDARD P-30, BASED ON A 30' RADIUS.
- 8 CONSTRUCT A BUS BAY CURB AND GUTTER PER PUBLIC WORKS STANDARD P-73, COMPLETE WITH A 10' MONOLITHIC SIDEWALK.
- 9 CONSTRUCT A 12' WIDE BIKE AND PEDESTRIAN CLASS 1 TRAIL, PER THE 2035 FRESNO GENERAL PLAN, THE PUBLIC WORKS STANDARDS P-58, P-59, P-60, AND THE CALTRANS HIGHWAY DESIGN MANUAL.
- 10 DEDICATE 19' TO 32' OF PROPERTY, FROM SECTION LINE, FOR PUBLIC STREET PURPOSES, WITHIN THE LIMITS OF THIS APPLICATION, PER FW STD P-34, (BELMONT)
- 11 CONSTRUCT TWO 30' MIN. TO 35' MAX DRIVEWAY APPROACH TO PUBLIC WORKS STANDARDS P-2 & P-6. PROVIDE 10' OF RED CURBING (3 COATS) ON BOTH SIDES OF THE PROPOSED DRIVEWAY APPROACHES.
- 12 CONSTRUCT CONCRETE CURB, GUTTER AND SIDEWALK TO PUBLIC WORKS STANDARD P-5 (10' COMMERCIAL PATTERN).
- 13 WHERE MISSING, INSTALL PAVING PER PUBLIC WORKS STANDARDS P-21, P-22, P-23.
- 14 INSTALL 30" STATE STANDARD "STOP" SIGNS AT LOCATIONS SHOWN. (ARTERIALS) A "RIGHT TURN ONLY" SIGN IS ALSO REQUIRED AT THE SAME LOCATION. INSTALL A 30" X 36" STATE STANDARD SIGN IMMEDIATELY BELOW THE STOP SIGN ON THE SAME POST. SIGNS SHALL BE MOUNTED ON A 2" GALVANIZED POST WITH THE BOTTOM OF THE LOWEST SIGN 7' ABOVE GROUND, LOCATED BEHIND CURB AND IMMEDIATELY BEHIND A MAJOR STREET SIDEWALK.
- 15 <E> "DO NOT ENTER" SIGN
- 16 <E> STRIPING PER CITY OF FRESNO PARKING MANUAL (TYP.)
- 17 <E> 6" HIGH WHEEL STOP

- KEYNOTES
- 1 <E> OFFICE SUITE = 712 S.F. (SEPARATE PERMIT)
- 2 <E> JZ4000 SEPTIC TANK (SEPARATE PERMIT)
- 3 <N> CANOPY W/ 2 MPD'S AREA = 760 S.F.
- 4 <E> 2' WIDE, 10' O.C., 50' LONG LEACH LINE 7'-8" DEEP WITH 3" GRAVEL UNDER LINES
- 5 <E> LEACH FIELD W/100% EXPANSION
- 6 <E> SITE & PRICE SIGN PER COUNTY STDS (SEPARATE PERMIT)
- 7 STRIP OF LAND ALREADY OFFERED FOR DEDICATION FOR FUTURE STREET WIDENING TO CITY OF FRESNO (468' STRIP)
- 8 CULVERT HEADWALL FOR FID'S EISEN NO. 11
- 9 FUTURE 8'-10' LANDSCAPE & IRRIGATION SETBACK LINE AFTER ANNEXATION
- 10 <E> FIRE HYDRANT 6 INCH WATER LINE
- 11 <E> PROPANE TANK FOR RETAIL SALES TO BE RELOCATED IN FUTURE.
- 12 <E> CANOPY W/ 2 MPD'S AREA = 760 S.F.
- 13 EXIST. (7) 10'X22' PARKING STALLS TO REMAIN
- 14 <E> PROPANE TANK & BOLLARDS TO REMAIN.
- 15 <E> PROPANE TANK FOR C-STORE USE
- 16
- 17
- 18 EXIST. A.C. PAVEMENT
- 19 <E> (2) 8'X19' EMPLOYEE PKG.
- 20 <E> L.P. (HOODED)
- 21 <E> ABOVE GROUND FUEL TANKS
- 22 TYP. BOLLARDS 6" @ 4' O.C. MAX.
- 23 <E> 12'X40' LOADING ZONE
- 24 STRIP OF LAND ALREADY OFFERED FOR DEDICATION FOR BELMONT STREET WIDENING TO CITY OF FRESNO ± 19'-32' FT. OF STRIP
- 25 <E> LIGHT POLE (HOODED)
- 26 10' FUTURE SIDEWALK
- 27 <E> PARKING TO BE RELOCATED IN FUTURE
- 28 FUTURE 4' HIGH STEEL FENCE PER PUBLIC WORKS STANDARD DWGS P-74 AND P-75.
- 29 FUTURE 4'X6' TREE WELLS PER PUBLIC WORKS STANDARD P-8 AND MIN. SPACING GUIDELINES PER SECTION 26-2.1(C) AND CITY OF FRESNO MUNICIPAL CODE CH. 15 PART IV, ARTICLE 41, SECTION 15-4108.
- 30 <E> ADA TOW AWAY SIGN PER FIG. 21.
- 31 <E> 5' MIN. OF SEALED DECOMPOSED GRANITE
- 32 <E> DIRECTIONAL PATH OF TRAVEL ADA SIGN PER CBC 216.3 & 703.5.
- 33 <E> ISA PKG. SIGN PER FIG. 22
- 34 FUTURE 10' P.U.E.
- 35 <E> 132' FEET OF 30" RGRCP B-25 C-361 = PER SEPARATE PLAN.
- 36 <E> 51' FEET OF 24" RGRCP B-25 C-361 = PER SEPARATE PLAN.



**LEGAL DESCRIPTION:**

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS NORTH 11'1" WEST 191.9 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION AND BEING THE INTERSECTION OF THE WEST LINE OF SAID SECTION WITH THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF THE LAND GRANTED TO JAMES E. PALMER, ET AL., BY DEED RECORDED OCTOBER 2, 1961, IN BOOK 4617, PAGE 117 OF OFFICIAL RECORDS; THENCE NORTH 85°31' EAST ALONG SAID WESTERLY EXTENSION AND ALONG SAID SOUTHERLY LINE AND ALONG THE EASTERLY EXTENSION OF SAID SOUTHERLY LINE OF SAID PALMER'S LAND, A DISTANCE OF 553.21 FEET; THENCE SOUTH 07°26' EAST 227.80 FEET TO THE SOUTH LINE OF SAID SECTION; THENCE SOUTH 89°14' WEST ALONG SAID SOUTH LINE 549.27 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE WEST 30 FEET AND THE SOUTH 30 FEET THEREOF; AND ALSO EXCEPTING THEREFROM THE LAND GRANTED TO THE COUNTY OF FRESNO BY DEED RECORDED FEBRUARY 13, 1958, IN BOOK 4028, PAGE 564 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 70 FEET EAST OF THE WEST BOUNDARY AND 30 FEET NORTH OF THE SOUTH BOUNDARY OF SAID SECTION; THENCE WESTERLY PARALLEL WITH SAID SOUTH BOUNDARY 40 FEET; THENCE NORTHERLY 30 FEET FROM AND PARALLEL WITH SAID WEST BOUNDARY 15 FEET; THENCE IN A SOUTHWESTERLY DIRECTION AND A DISTANCE OF 42.72 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**PROJECT DATA**

AGENCY OF JURISDICTION: COUNTY OF FRESNO  
 PROJ. LOCATION: 7064 E. BELMONT AVE, FRESNO, CA 93727  
 APN: PORTION OF 310-143-46  
 GROSS SITE AREA: 93,880.7 S.F. = 2.16 ACRES  
 OFFERED FOR DEDICATION AREA: 18,183 S.F. = 0.417 ACRES  
 NET AREA = 75,697.7 S.F. = 1.743 ACRES

C-1 NEIGHBORHOOD COMMERCIAL CENTER

PROPOSED USE: BARBERSHOP, FUEL STATION.  
 EXISTING USE: FOOD STORE, SUBWAY

BLDG. AREAS:

OFFICE (SUITE #100):	= 712 S.F.
FOOD STORE (SUITE #101):	= 3,488 S.F.
EXISTING SUBWAY (SUITE #102):	= 1,800 S.F.
PREVIOUSLY APPROVED FUEL CANOPY W/ (2) MPD'S:	= 760 S.F.
<N> FUEL CANOPY W/ (2) MPD'S:	= 760 S.F.
TOTAL <E> BLDG. AREA =	7,520 S.F.

OCCUPANCY: OFFICE= B , FOOD STORE= M , G.I. CANOPY= M

TYPE OF CONSTRUCTION: VB IIB

PARKING REQUIRED = 2 S.F./1 BLDG. S.F.  
 6,000 S.F. X 2 = 12,000/370 = 33 P.S.

EXISTING: 19 P.S. + 4 UNDER FUEL CANOPY = 33 P.S.

APRIL 19, 2021	REVISIONS
AUG. 19, 2019	
FEB. 1, 2018	
SEPT. 18, 2017	
JUNE 15, 2016	

PROJECT/LOCATION  
**SUNNYSIDE MARKET**  
 TEMPERANCE & BELMONT  
 N/E CORNER

OWNER/APPLICANT/BUILDER:  
 SARABJIT KAUR  
 ATTN: PAUL  
 7064 E. BELMONT AVE.  
 FRESNO, CA 93727

DESIGNER  
**AESTHETICS**  
 DRAFTING DESIGNS  
 PLANNING CONSULTANTS/SITE PLANS  
 RESIDENTIAL, COMMERCIAL

ELIAS SALIBA, A.J.A.  
 CAL. CDP# ARCHITECT

4668 W. PINE AVE.  
 FRESNO, CA 93722  
 (559) 276-0478  
 ELIAS@AESTHETICS-COMCAST.NET

LEGEND:	EXISTING
<E>	PROPOSED/ NEW
<F>	FUTURE (TO BE DONE AFTER STREET WIDENING ANNEXATION)
<R>	RELOCATED
---	PROPERTY LINE/R.O.W. LINE
---	PATH OF TRAVEL

SHEET CONTENTS  
**SITE PLAN**  
 SHEET NO.  
**SP**







## EXHIBIT 7

### OPERATIONAL STATEMENT FOR PROPOSED GAS CANOPY OVER 2 MPD'S APN: 310-143-46 , AT 7064 E. BELMONT AVE, FRESNO

Proposed 760 sf fuel island canopy over 2MPD's (multi pump dispenser) in the parking lot of in addition to the existing 2 MPD's. Existing 3,488 sf food store that shares in a building of 6,000 a subway shop and office suite.

1. Nature of the operation: customers drive or walk to store, buy gas ,pay at the pump or inside store, groceries, beer, wine,liquor, soda, milk, cigarettes, lotto, Subway sandwich or get a hair cut.
2. Operation Time Limits: open your round. 7 days/week, 2 shifts per day. Currently 5 am to 10pm on weekdays, weekends close at 11 pm. No special activities.
3. Number of Customers: Currently 400 customers /day as average. 500 maximum during busy days(holidays). Future 50/day more customers expected, may drop in anytime, mostly during the day.
4. Number of Employees: currently 2 persons per shift, total 4/day for 2shifts/day.
5. Service & Delivery Vehicles: currently 5deliveries /week. Future 7/day.
6. Access to Site: <E> 2 driveways off Belmont Ave. No access off Temperance Ave.
7. Parking: <E> paved site striped w/29 Parking stalls plus 4 under gas island canopy, under total of 33. Type of surfacing proposed asphalt concrete.
8. Goods Sales: Groceries, gas, beverages, beer, wine,liquor, dairy products, meals...
9. Equipments used: WIF/WIC, cash register, soda machine, and coffee maker, sandwich shop and serving equipments...
10. Supplies: Canned & frozen food, oil cans, groceries...stored on Gondolas accessible from aisles. Dairy products stored in WIC, frozen food in WIF. Dry storage on racks.
11. Unightly appearance of use: no noise or odors anticipated. No glare or dust to be produced.
12. Solid Wastes: 150 LB/day of domestic garbage, 140 pounds of paper/card box, will be stored in a container and hauled by solid waste management twice/week.
13. Liquid waste: anticipated 1,200 gal/day of domestic liquid waste, to existing onsite septic and seepage pits.  
Water use: estimated consumption 1,800 gal/day. Source City of Fresno.
14. Advertising: site sign with price sign at street intersection corner. Building sign displaying business name.
15. Existing building: still be used as is with minor interior remodeling.
16. Building operation: proposed canopy and pumps for fuel sales only.
17. Outdoor lighting: <E> lighting fixtures mounted on building walls, canopy ceiling, and parking light poles, all hooded. No sound amplification systems to be used.
18. Landscaping: Non existing or proposed.
19. Fences: <E> CMU wall 6ft high along North property line on proposed and <E> chain link fence 6 ft high along East property line.

Sunnyside market OS# 5

4/21/2021

Owner: Sarabjit Kaur  
(559) 326-4039

*Sarabjit Kaur*





## Inter Office Memo

---

DATE: August 13, 2015

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12518 - INITIAL STUDY APPLICATION NO. 6481  
and CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO.  
3348

APPLICANT/OWNER: Sarabjit Kaur

REQUEST: Add two gas pumps (four fueling positions), a 760 square-foot canopy, two 10,000-gallon above-ground storage tanks, and convert 800 square-feet of the existing convenience store to a barber shop on a 2.32-acre parcel in the C-1 (Neighborhood Shopping Center) Zone District. Adopt the Negative Declaration prepared for Initial Study Application No. 6481 and approve Classified Conditional Use Permit Application No. 3348 with recommended Findings and Conditions.

LOCATION: The project site is located on the northeast corner of Belmont and Temperance Avenues, approximately forty-eight feet northeast of the nearest city limits of the City of Fresno (Sup. Dist. 5) (APN 310-143-46).

### PLANNING COMMISSION ACTION:

At its hearing of August 13, 2015, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Rocca and seconded by Commissioner Egan to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of Fact in the Staff Report, and approve Classified Conditional Use Permit Application No. 3348, subject to the Modified Conditions listed in Exhibit B, eliminating Condition No. 8 which stated: "The proposed project shall make necessary

RESOLUTION # 12518

improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.”

This motion passed on the following vote:

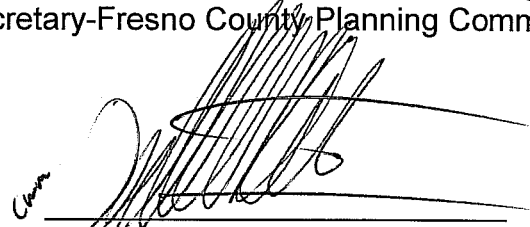
VOTING: Yes: Commissioners Abrahamian, Borba, Egan, Lawson, Mendes, Rocca, Woolf, Zadourian

No: None

Absent: Commissioner Batth

Abstain: None

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

By:   
William M. Kettler, Manager  
Development Services Division

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

Attachments

EXHIBIT A

Initial Study Application No. 6481  
Classified Conditional Use Permit Application No. 3348

**Staff:** The Fresno County Planning Commission considered the Staff Report dated August 13, 2015, and heard a summary presentation by staff.

**Applicant:** The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- The applicant is adding the gas pumps in order to improve business.
- The applicant decided to connect to city water due to the site being in a low-water area and being in proximity to City of Fresno services.
- The applicant is objecting to the Condition No. 8, requiring that the proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.

**Others:** No other individuals presented information in support of or in opposition to the application.

**Correspondence:** No letters were presented to the Planning Commission in support of or in opposition to the application.

CMM:ksn  
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**Mitigation Monitoring and Reporting Program**  
**Initial Study No. 6481/Unclassified Conditional Use Permit Application No. 3348**  
**(Including Conditions of Approval and Project Notes)**

<b>Mitigation Measure</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing: Review at SPR
*2.	Transportation/Traffic	Based on the City of Fresno's Master Fee Schedule, a Traffic Signal Mitigation Impact Fee of \$38,120.08 shall be paid by the Applicant based on the Trip Generation Analysis Update estimating an increase in existing traffic by an average of 809 daily trips.	Applicant	Applicant/PW&P/ City of Fresno	Prior to issuance of building permits
*3.	Transportation/Traffic	Right-of-way dedications per City of Fresno standards shall be made by the Applicant to the County of Fresno for future road improvements. The Applicant shall irrevocably offer an additional 20 feet of right-of-way dedication along the north side of Belmont Avenue, and an additional 46 feet of right-of-way along the east side of Temperance Avenue.	Applicant	Applicant/PW&P	Prior to issuance of building permits

**Conditions of Approval**

1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission.
2.	A Site Plan Review shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to, design of parking and circulation, grading and drainage, fire protection, and control of lighting.
3.	Plans, permits and inspections shall be required for all structures based upon the current adopted edition of the California Codes at the time of plan check submittal.
4.	The Applicant shall seal and abandon existing on-site well(s) in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by the California Department of Water Resources and City of Fresno standards. Installation of a public fire hydrant is required in accordance with City Standards.

**Conditions of Approval**

5.	The proposed project shall receive water from the City of Fresno.
6.	This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at the time of building permit.
7.	The project shall pay the Regional Transportation Mitigation Fee (RTMF) and provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
8.	If the proposed development does not increase the net impervious surface on site, the existing drainage pattern is not changed and storm water runoff on site drains to the street, with FMFCD approval, there will be no engineered grading and drainage plan required. But, if this application proposes to increase parking area beyond the existing paved area, then an engineered grading and drainage plan is required to show how the runoff generated by the proposed paved parking and addition is handled without adversely impacting adjacent properties.

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

**Notes**

<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the Applicant.</b>	
1.	The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.
2.	If Temperance Avenue and/or Belmont Avenue is widened or improved as part of the project or future project, FID will require the canal pipe to be lined with a 30-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards, that FID is granted an exclusive 15-foot wide easement for and along its pipeline, and that the applicant enter into an agreement with FID for that purpose.
3.	FID's review and written approval will be required for all improvement plans (including, but not limited to, sewer, water, Fresno Metropolitan Flood Control District, street, and landscaping).
4.	For informational purposes, FID's Fancher Creek Canal No. 6 runs southwesterly and crosses Belmont Avenue approximately 700 feet east of the subject property, and FID's Briggs Canal No. 7 runs southwesterly and crosses Belmont Avenue approximately 900 feet east of the subject property. Should this project expand to include any street improvements along Belmont Avenue and in the vicinity of the canal crossing, FID requires it review and approve all plans.
5.	Any proposed parking area should comply with the Fresno County Off-Street Parking Design Standards.
6.	Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site, and shall not swing outward.

7.	If not already present, a 10-foot by 10-foot corner cut-off should be improved for sight distance purposes at any existing driveway accessing Belmont Avenue and a 30-foot by 30-foot corner cutoff should be required at the intersection of Belmont Avenue and Temperance Avenue.
8.	No new access points from Belmont Avenue are allowed without prior approval, and any existing driveway shall be utilized.
9.	The City of Fresno should be consulted regarding their requirements for any off-site improvements and driveway placement relative to the property line.
10.	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.
11.	Any work within the designated flood zone shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance Title 15, Ordinance 11-005.
12.	Prior to the proposed change in use, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division.
13.	A spill prevention control and countermeasure plan (SPCC) is required for above-ground petroleum storage tanks with greater than or equal to 1,320 gallons of storage capacity.
14.	All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. This Chapter discusses proper labeling, storage and handling of hazardous wastes.
15.	The proposed development shall comply with the California Code of Regulations Title 24. Subsequent to County approval, copies of the approved Site Plan shall be submitted to the Fire District for review and approval.





# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
ALAN WEAVER, DIRECTOR

August 31, 2015

Sarabjit Kaur  
7064 E. Belmont Avenue  
Fresno CA 93727

Dear Applicant:

Subject: Resolution No. 12518 - Initial Study Application No. 6481 and Classified  
Conditional Use Permit Application No. 3348

On August 13, 2015, the Fresno County Planning Commission approved your application with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

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

If you have any questions regarding the information in this letter please contact me at [cmonfette@co.fresno.ca.us](mailto:cmonfette@co.fresno.ca.us) or 559-600-4245.

Sincerely,

Christina Monfette, Planner  
Development Services Division

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Enclosure





# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

**APPLICANT:** Sarabjit Kaur

**APPLICATION NOS.:** Initial Study Application No. 8101 and Classified Conditional Use Permit No. 3716

**DESCRIPTION:** Amend Classified Conditional Use Permit No. 3348 to allow expansion of an existing automobile service station which will include the addition of two gas pumps (four fueling positions), a 760 square-foot canopy, two 10,000-gallon above-ground storage tanks on a 2.32-acre parcel in the C-1 (Neighborhood Shopping Center) Zone District.

**LOCATION:** The project site is located on the northeast corner of Belmont and Temperance Avenues, approximately forty-eight feet northeast of the nearest city limits of the City of Fresno (7064 E. Belmont Ave) (APN: 310-143-46) (Sup. Dist. 5).

### 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. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or**

**FINDING:** NO IMPACT

*The site of the proposed project is in a rural residential area within the Sphere of Influence of the City of Fresno. No scenic vistas that may be impacted by the proposed project were identified on or near the site. Per Figure OS-2 of the Fresno County General Plan, the site is not located along or near a state scenic highway. The proposed use is characteristic of the existing use and structures, and therefore, will not degrade the existing visual character or quality of site and surroundings.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

*The proposal includes lighting fixtures mounted in the canopy ceiling that will be hooded and directed downward so as not to shine toward adjacent properties and public streets. With the inclusion of a mitigation measure requiring that outdoor lighting be hooded and directed downward, the additional lighted area will not adversely affect day or nighttime views in the area.*

\* **Mitigation Measure:**

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

**II. AGRICULTURAL AND FORESTRY RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

**A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or**

FINDING: NO IMPACT:

Per the 2016 Fresno County Important Farmland Map, the subject property is designated Grazing Land. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

**B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract; or**

FINDING: NO IMPACT:

The subject parcel is zoned O(c) (Open Conservation, Conditional) and C-6(c) (General Commercial, Conditional) Zone District. The subject parcel is not subject to a Williamson

Act Contract. The project will not conflict with the existing zoning for agricultural use and would not conflict with the Williamson Act Contract.

**C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or**

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

FINDING: NO IMPACT:

The subject parcel is not zoned for forest land or timberland, and therefore will not result in the loss of forest land or the conversion of forest land or farmland to incompatible uses.

**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 use or conversion of forest land to non-forest use?**

FINDING: NO IMPACT

*The parcel on which the proposed project will be located is not located on or near farmland, forest land, timberland, or land zoned Timberland Production. It is zoned C-1 (Neighborhood Shopping Center) and is designated Rural Residential in the Fresno County General Plan. The proposed project is a use that is allowed on land zoned C-1 with approval of a Conditional Use Permit.*

*Per the 2016 Fresno County Important Farmland Map, the parcel is not under a Williamson Act Contract. The proposed project will not result in conversion of Farmland to non-agricultural use or forest land to non-forest land. The project does not conflict with the existing zoning for agricultural use and is not subject to a Williamson Act Contract.*

### **III. AIR QUALITY**

**A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or**

**B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; or**

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Air Quality and Greenhouse Gas Impact Analysis dated February 1, 2022 by Vang Inc. Consulting Engineers, the proposed project's construction and operations would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and

particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Project operations would generate air pollutant emissions from mobile sources (automobile activity from employees) and area sources (incidental activities related to facility maintenance). Criteria and Greenhouse Gas (GHG) emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

Per the Air Quality and Greenhouse Gas Impact Analysis, the short-term construction emissions associated with the project would be below SJVAPCD thresholds for ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub> emissions. In addition to the construction period thresholds of significance, SJVAPCD has implemented Regulation VIII measures for dust control during construction. These control measures are intended to reduce the amount of PM<sub>10</sub> emissions during the construction period. Implementation of Mitigation Measures as noted below would ensure that the proposed project complies with Regulation VIII and further reduces the short-term construction period air quality impacts.

- C. Would the project expose sensitive receptors to substantial pollutant concentrations; or**
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

FINDING: LESS THAN SIGNIFICANT IMPACT

*See Air Quality Analysis Section B.*

#### **IV. BIOLOGICAL RESOURCES**

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service; or**

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project is not located within an area with identifiable species. There does not appear to be any substantial negative environmental impacts on habitats.

- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; or**
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or**

FINDING: NO IMPACT:

According to the National Wetlands Inventory mapper web application, the location is not located within a wetland area.

- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or**
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or**
- F. Would the project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?**

FINDING: NO IMPACT

*The proposed project was referred to the US Fish and Wildlife Service and the California Department of Fish and Wildlife for review and comments. No concerns were expressed by either agency. According to the California Natural Diversity Database, the project site is not located in any reported occurrence areas of a special status species. Therefore, this analysis identified no impacts regarding: 1.) any candidate, sensitive, or special-status species; 2.) any riparian habitat or other sensitive natural community; 3.) any federally protected wetlands; nor 4.) any native resident or migratory fish or wildlife species, migratory wildlife corridors, or wildlife nursery sites.*

*The proposed project will neither conflict with any local policies or ordinances protecting biological resources nor will it conflict with the provisions of any conservation plan.*

## **V. CULTURAL RESOURCES**

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5; or**
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5; or**
- C. Would the project disturb any human remains, including those interred outside of formal cemeteries?**

FINDING: NO IMPACT

*The parcel on which the proposed project will be sited is not located within proximity of any area designated to be moderately or highly sensitive for archeological resources. No historical or paleontological resources, unique geological features, or evidence of possible human remains were identified in this analysis. As such, no impact on*

*historical, archeological, or paleontological resources would result from this proposal. A mitigation measure will be implemented to address cultural resources in the unlikely event that they are unearthed during ground-disturbing activities related to the project.*

**Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the fine. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

**VI. ENERGY**

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**FINDING: LESS THAN SIGNIFICANT IMPACT**

*The project proposes to add two gasoline fuel pumps (four fueling positions) with a 760 square-foot canopy and two 10,000-gallon above-ground storage tanks to an existing convenience store. The applicant is also proposing to convert 800 square-feet of the existing convenience store to a barber shop. The building will then consist of a 3,400 square-foot convenience store, a 1,800 square-foot restaurant, an 800 square-foot barber shop, and a 760 square-foot canopy (or however large it will be after project completion). Therefore, adding two gasoline fuel pumps from an existing building would not be a wasteful and unnecessary consumption of energy resources, as adding capacity to an energy source is less invasive than constructing an entirely new establishment, therefore the project is deemed to have a less than significant impact on the environment.*

**VII. GEOLOGY AND SOILS**

- A. **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**



- 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or**

FINDING: NO IMPACT:

Per the California Department of Conservation's Earthquake Hazard Zone Web Application, the project is not located within or near an Earthquake Fault Zone or known earthquake fault.

- 2. Strong seismic ground shaking; or**

FINDING: NO IMPACT:

According to Figure 9-5 of the Fresno County General Plan Background Report, the project site is located on land that has a 0-20% chance of reaching peak horizontal ground acceleration assuming a probabilistic seismic hazard with 10% probability in 50 years. In consideration of Figure 9-5, the project site has a low chance of reaching peak horizontal ground acceleration and would have a low chance of being subject to strong seismic ground shaking.

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

- 4. Landslides?**

FINDING: NO IMPACT

*According to Figure 8-3 of the Fresno County General Plan Background Report (FCGPBR) and the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is not located on or near identified earthquake hazard zone areas. The area of the proposed project is not identified as an area which by nature is subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Construction of the proposed project will be subject to seismic design standards.*

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

FINDING: NO IMPACT

*No geologic unit or unstable soil was identified on the project site. The site of the proposed gas pumps and awning is a 38' x 20' paved area which lies within a paved parking lot. Therefore, the project will not result in substantial soil erosion or loss of topsoil.*

- C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

FINDING: NO IMPACT

*Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief (slopes of no more than three percent), which precludes the possibility of land sliding on-site.*

*The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil. The project site is not in an area identified by Fresno County as being susceptible to liquefaction. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on-site.*

*The San Joaquin Valley in which Fresno County is located is known to experience subsidence. However, the Water, Geology, and Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the project and expressed no concerns, stating that the proposal to add a fuel island would generate the need for a negligible amount of additional water.*

**C. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

FINDING: NO IMPACT

*Per Figure 7-1 of the FCGPBR, Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils.*

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

**E. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

FINDING: NO IMPACT

*The project will utilize an on-site sewage disposal system. No concerns related to soil capabilities and the septic systems were expressed by the Fresno County Department of Public Health, Environmental Health Division.*

**VIII. 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 an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

FINDING: LESS THAN SIGNIFICANT IMPACT

*See Air Quality Analysis Section B.*

## **IX. HAZARDS AND HAZARDOUS MATERIALS**

- A. Would the project create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials; or**
- B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

FINDING: LESS THAN SIGNIFICANT IMPACT

*The Fresno County Department of Public Health, Environmental Health Division review of the proposal requires that prior to the issuance of building permits, the applicant shall comply with the following: 1) Complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division. 2) A spill prevention control and countermeasure plan (SPCC) is required for aboveground petroleum storage tanks with greater than or equal to 1320 gallons of storage capacity. 3) The applicant shall contact their local Fire Authority concerning construction and installation requirements for aboveground storage tanks. 4) All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. With adherence to these requirements the project will have a less than significant impact to the public and/or environment.*

- C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or**
- D. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

FINDING: NO IMPACT

*The subject parcel is not located within one-quarter mile of a school. The proposed project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no listed sites located within a half-mile radius of the proposed project site.*

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area; or**

FINDING: LESS THAN SIGNIFICANT IMPACT

*A small portion of the site of the proposed project is located within the 60 CNEL contour of Fresno Yosemite International, but not located within a safety zone. The portion that is included in the 60 CNEL contour is vacant land, not used for the project. The project would not create a safety hazard for people residing or working in the project area.*

**F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

FINDING: NO IMPACT

*The Fresno County Department of Public Health, Environmental Health Division which administers the Office of Emergency Services to coordinate planning and preparedness, response and recovery efforts for disasters did not express any concerns regarding emergency response or evacuation plans.*

**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 located approximately nine miles from the nearest point of a wildland fire area, precluding the site from impacts caused by wildland fires.*

**X. HYDROLOGY AND WATER QUALITY**

**A. Would the project violate any water quality standards or waste discharge requirements; or**

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

FINDING: NO IMPACT

*The project proposes to add two gasoline fuel pumps (four fueling positions) with a 760 square-foot canopy, and two 10,000-gallon above-ground storage tanks to an existing convenience store. The building will then consist of a 3,488 square-foot convenience store.*

*Wastewater will be managed through an on-site septic system. The project proposal was routed to the Fresno County Department of Public Health, Environmental Health Division which expressed no concerns with the septic system. No waste discharge requirements have been issued nor are they required for this project.*

*The project site is situated approximately 48 feet from the City of Fresno. An application for connection to the municipal water system has been submitted to Fresno LAFCo. As a condition of approval, the proposed project will receive water from the City of Fresno. In the event Fresno LAFCo denies the Applicant's request for services, the Applicant will be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.*

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
  - 2. Result in substantial erosion or siltation on- or off-site;
  - 3. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
  - 4. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
  - 5. Impede or redirect flood flows?
- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT

*As verified through the National Wetlands Inventory Mapper, no streams or rivers exist on or near the property. The proposed project is not expected to interfere with the existing drainage pattern, as the building currently exists and the fueling area is already paved. The proposal includes the paving of some pervious surface on the east side of the project site to add additional parking. Additionally, a pervious area to the west of the existing building that is currently graveled will be covered with a concrete spillway containment area for the above-ground storage tanks. However, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-way.*

F.

FINDING: NO IMPACT

*The Water and Natural Resources Division has reviewed the attached project and expressed no concern with the project as it relates to wastewater. Additionally, the previous Initial Study (IS 6481) conducted for this project was routed to the Regional*

*Water Quality Control Board which expressed no concern regarding water quality. Therefore, no impacts to water quality were identified in this analysis.*

**FINDING: NO IMPACT**

*The subject property is in FEMA Flood Zone X (Depth less than 1 foot), subject to flooding from the 100-year storm. However, no housing is proposed with this project.*

**FINDING: LESS THAN SIGNIFICANT IMPACT**

*The subject property is in FEMA Flood Zone X (Depth less than 1 foot). The above-ground storage tanks will not redirect flood flows due to the proximity of the tanks to the existing building. The fuel pumps and canopy pillars are not large enough to create substantial redirection of flood waters. As such, the proposed project would not impede or redirect flood flows.*

**FINDING: NO IMPACT**

*The subject property is in FEMA Flood Zone X (Depth less than 1 foot). A 1986 Friant Dam uncontrolled release resulted in the release of 3,000 cfs, with no major flooding in the area. It is expected that future failures would not expose the project to significant loss, injury, or death. The project site is not located near an inland body of water, precluding it from possibility of seiche inundation. The project site is located more than 100 miles from the Pacific Ocean, precluding it from tsunami inundation. The project is not located within an area of steep slopes, precluding it from mudflow inundation.*

## **XI. LAND USE AND PLANNING**

### **A. Would the project physically divide an established community?**

**FINDING: NO IMPACT**

*The project is located on the site of an existing convenience store near an existing intersection in the C-1 Zone District. The project will not physically divide an established community.*

### **B. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?**

**FINDING: NO IMPACT**

*The subject parcel is designated Rural Residential in the Fresno County General Plan and is located in the C-1 (Neighborhood Shopping Center) Zone District. Policy LU-E.1 of the Fresno County General Plan was adopted to minimize environmental and service impacts. The policy allows for rural commercial centers that meet the following criteria:*

- a) *Commercial uses should be clustered in centers.*
  - *The project proposes to add additional services to an existing center.*
- b) *The use shall provide a needed service to the surrounding rural residential community which cannot be provided more efficiently within urban center.*
  - *The proposed project will provide gasoline and personal services for nearby rural residential where such services are currently deficient.*
- c) *Commercial centers should be located a minimum of two (2) miles from any existing or approved commercial use.*
  - *No other commercial centers under the jurisdiction of the County of Fresno are located within two miles of the proposed project. There is one gas station/convenience store located one mile west of the proposed project within the City of Fresno. Given that this is an expansion of an existing commercial use, and not a new commercial use, the proposal will not result in the proliferation of commercial centers and overlapping of trade areas.*
- d) *New commercial uses should be located within or adjacent to existing centers.*
  - *The proposed project is an expansion of an existing commercial use located within the existing footprint.*
- e) *Commercial centers should not encompass more than one quarter mile (1/4) mile of road frontage, or one eighth (1/8) mile if both sides of the road are involved and should not provide potential for development exceeding ten (10) separate business activities, exclusive of caretakers' residences.*
  - *The parcel has approximately 711 feet of street frontage along Belmont Avenue and will not exceed one-quarter (1/4) mile (1,320 feet).*
- f) *The center should be a minimum of two (2) miles from any agricultural commercial center, or designated rural settlement area, or the nearest existing or designated commercial area of any city or community, or newly established rural residential commercial centers.*
  - *This is an expansion of an existing commercial use, and not a new commercial use. No agricultural commercial center or rural settlement area is located within two miles of the proposed project.*
- g) *The center should be located at the corner of an intersection where at least one of the roads is classified as an arterial road.*
  - *The project is located at the intersection of a General Plan designated expressway (Temperance Avenue) and a General Plan designated arterial (Belmont Avenue).*
- h) *Distance from other existing commercial zoning and uses should be considered when siting commercial centers.*
  - *There is no other property zoned for commercial use by County of Fresno within two miles of the proposed project.*

FINDING: NO IMPACT

*The proposed project will not conflict with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.*

## **XII. MINERAL RESOURCES**

- A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State; or**
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

FINDING: NO IMPACT

*No mineral resource impacts were identified in the analysis. The site is not located in a mineral resource area identified in Policy OS-C.2 of the General Plan.*

## **XIII. NOISE**

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or**
- B. Generation of excessive ground-borne vibration or ground-borne noise levels; or**
- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or**

FINDING: NO IMPACT

*The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concern related to noise.*

FINDING: LESS THAN SIGNIFICANT IMPACT

*A small portion of the site of the proposed project is located within the 60 CNEL contour of Fresno Yosemite International. The portion that is included in the 60 CNEL contour is vacant land, not used for the project. The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concern related to noise.*



*FINDING: LESS THAN SIGNIFICANT Impact:*

*Noise from increased vehicular traffic on and around the project site during construction is deemed less than significant. Construction-related noises are expected to be short term and exempt from compliance with the Fresno County Noise Ordinance, provided construction activities occur between the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.*

#### **XIV. POPULATION AND HOUSING**

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?; or**
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

FINDING: NO IMPACT

*The project proposes to add two gasoline fuel pumps (four fueling positions) with a 760 square-foot canopy, and two 10,000-gallon above-ground storage tanks to an existing convenience store. The building will then consist of a 3,488 square-foot convenience store.*

*The proposed project will not induce population growth, nor will it displace housing or people.*

#### **XV. PUBLIC SERVICES**

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

- 1. Fire protection?**

FINDING: NO IMPACT

*Fresno County Fire Protection District reviewed the proposed project and expressed no concerns.*

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

FINDING: NO IMPACT

*The project will not result in the need for additional public services related to police, schools, parks, or other facilities.*

## **XVI. RECREATION**

- A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or**
- B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

FINDING: NO IMPACT

*No impacts on recreational resources were identified in the analysis.*

## **XVII. TRANSPORTATION/TRAFFIC**

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or**
- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?; or**

FINDING: LESS THAN SIGNIFICANT IMPACT

*A Greenhouse gas study was conducted in February, 2022. It was determined The project incorporates a number of features that would minimize GHG emissions. These features are consistent with project-level strategies identified by the ARB's Scoping Plan and the Fresno Counties' Specific Plan. As demonstrated in the impact analysis above, the project would achieve an approximately 39.0 percent reduction from the BAU inventory and, therefore, would not significantly hinder or delay the State's ability to meet the reduction targets contained in AB 32 or conflict with implementation of the Scoping Plan. The project promotes the goals of the Scoping Plan through implementation of design measures that reduce energy consumption, water consumption, and reduction in vehicle miles traveled. Therefore, the project does not conflict with any plans to reduce GHG emissions. The impact is less than significant.*

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; or**

FINDING: NO IMPACT

*The project will have no impact on air traffic patterns.*

**D. Would the project result in inadequate emergency access?**

FINDING: NO IMPACT

*The Design Division and the Roads Maintenance and Operations Section of Department of Public Works and Planning reviewed the project and did not identify any concerns with respect to increased traffic hazards or emergency access.*

*The proposed project will not impact any plans, policies, or programs supporting alternative transportation.*

**XVIII. TRIBAL CULTURAL RESOURCES**

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

*The subject site has been previously developed with a gas station and located within a neighborhood shopping area suggesting minimal chance of a cultural resources occurring on the project site. Under the provisions of Assembly Bill 52 (AB 52), participating California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County on addressing potential tribal cultural resources. No concerns were expressed by notified California Native American Tribes and no consultation request was received. Therefore, mitigation will be implemented to address tribal cultural resources in the unlikely event they are unearthed during ground-disturbing activities related to the project.*

\* **Mitigation Measure(s)**

1. See Section V. Cultural Resources A., B., and C. Mitigation Measure #1

## **XIX. UTILITIES AND SERVICE SYSTEMS**

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or

FINDING: NO IMPACT

*Wastewater will be managed through an on-site septic system. The project proposal was routed to the Fresno County Department of Public Health, Environmental Health Division which expressed no concerns with the septic system. An application for connection to the municipal water system has been submitted to Fresno County LAFCo. As a condition of approval, the proposed project will receive water from the City of Fresno. In the event Fresno County LAFCo denies the Applicant's request for services, the Applicant will be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.*

*Neither permanent on-site water nor wastewater facilities are required for the proposed project. Therefore, no wastewater treatment requirements will be exceeded, nor will new treatment facilities or expansions thereof be required.*

FINDING: NO IMPACT

*The project proposes to pave some pervious surface on the east side of the project site to add additional parking. Additionally, a pervious area to the west of the existing building that is currently graveled will be covered with a concrete spillway containment area for the above-ground storage tanks. However, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-way.*

FINDING: NO IMPACT

*The Water and Natural Resources Division has reviewed the attached project and expressed no concern with the project as it relates to wastewater.*

- C. **Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

FINDING: NO IMPACT

*Wastewater will be managed through an on-site septic system. Additionally, the project proposal was routed to the Fresno County Department of Public Health, Environmental Health Division; and the California Regional Water Quality Control Board. Neither of these agencies expressed concerns with the project as it relates to wastewater.*

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT

*Approximately 150 pounds per day of domestic garbage, and 140 pounds per day of paper/boxes will be stored in a container and picked up twice per week by a waste management contractor, and will comply with federal, state and local management statutes and regulations related to solid waste.*

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT

Per Fresno County Amanda System, the subject site is not within a state responsibility area nor land classified as very high fire hazard severity zone. The parcel will not substantially impair an adopted emergency response plan or emergency evacuation plan nor expose people or structures to significant risks relating to wildfire.

## XXI. 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 history or prehistory?**

FINDING: NO IMPACT

The subject site is already improved with structures that are proposed to be utilized with the subject operation. There are no additional structures proposed with this project. The project will not substantially degrade the quality of the environment or substantially reduce the habitat of a fish or wildlife species.

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

FINDING: NO IMPACT

*No cumulatively considerable impacts were identified as a result of this analysis.*

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

FINDING: NO IMPACT

*Responsible agencies and departments concurred with the findings and conclusions of the prepared technical studies and determined that no substantial adverse impacts on human beings would occur.*

## CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit No. 3716, 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 agricultural and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, population and housing, public services, recreation, or utilities and service systems.

Potential impacts related to air quality, greenhouse gas emissions, and hazards and hazardous materials, hydrology and water quality, noise, aesthetics and transportation/traffic have been determined to be less than significant. Cultural resources have been determined to be less than significant with the identified Mitigation Measures.

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

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