



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 2 September 10, 2015

SUBJECT: Initial Study Application No. 6980 and Amendment Application No. 3805

Allow the rezone of two contiguous parcels totaling 38.32 acres from an AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to an AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to allow Personal/Recreational Vehicle Storage in the AL-20 Zone District.

LOCATION: The project site is located on the southeast corner of E. Shaw and N. McCall Avenues approximately 4,593 feet east of the nearest city limits of the City of Clovis (Sup. Dist. 5) (APN 571-010-88 & 89). The County intends to adopt a Negative Declaration for the project.

OWNER: Wesclo, LP (Land Development Company affiliated with Derrel's Mini Storage)

APPLICANT: Wesclo, LP

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4204

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Negative Declaration prepared for Initial Study (IS) Application No. 6980; and
- Approve Amendment Application No. 3805 with recommended Findings and Notes; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

The Commission's action will not have a substantial effect on job creation.

EXHIBITS:

1. Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Uses Allowed Under the Current AE-20 (Exclusive Agriculture) Zoning
6. Uses Allowed Under the Proposed AL-20 (Limited Agriculture) Zoning
7. Summary of Initial Study Application No. 6980

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	N/A
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	AL-20 (Limited Agricultural, 20-acre minimum parcel size)
Parcel Size	38.32 acres	No change
Project Site	Vacant	Rezone two contiguous parcels totaling 38.32 acres from an AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to an AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to allow Personal/Recreational Vehicle Storage in the AL-20 Zone District.
Structural Improvements	Vacant	None. Future site development would include Personal/Recreational Vehicle Storage facility.
Nearest Residence	578 feet west of the proposal	No change
Surrounding Development	Farmlands with single-family residences; planned residential development	No change
Operational Features	Project site is vacant and unfarmed	See "Project Site" above

Criteria	Existing	Proposed
Employees	N/A	Depends on future uses established on the property
Customers/Supplier	N/A	Same as above
Traffic Trips	None	None. A Traffic Impact Study may be required for future personal/recreational vehicle storage in the AL-20 Zone District through a discretionary land use application.
Lighting	None	Depends on future uses established on the property
Hours of Operation	N/A	Same as above

Setback, Separation and Parking

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	For the existing AE-20 Zone District: Front: 35 feet Side: 20 feet Rear: 20 feet	For the proposed AL-20 Zone District: Front: 35 feet Side: 20 feet Rear: 20 feet	N/A. No development proposed by this application
Parking	No requirement in the AE-20 Zone District	No requirement in the AL-20 Zone District	Same as above
Lot Coverage	Same as above	Same as above	Same as above
Separation Between Buildings	40 feet separation between animal shelter and building for human occupancy in the AE-20 Zone District	Same as above	Same as above
Wall Requirements	Per Section 855-H.2 of the County Ordinance Code in the AE-20 Zone District	Per Section 855-H.2 of the County Ordinance Code in the AL-20 Zone District	Same as above
Septic Replacement Area	100 percent for the existing system	100 percent for the existing system	Same as above
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	Same as above

Circulation and Traffic

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Shaw Avenue; Poor condition McCall Avenue; Poor condition	No change No change
Direct Access to Public Road	Yes	Shaw Avenue; Poor condition McCall Avenue; Poor condition	No change No change
Road ADT		5600 (Shaw Avenue) 3600 (McCall Avenue)	No change No change
Road Classification		Arterial Road (Shaw Avenue) Arterial Road (McCall Avenue)	No change No change
Road Width		50 feet (Shaw Avenue) 24.7 feet (McCall Avenue)	N/A. No development proposed by this application
Road Surface		Asphalt concrete paved	No change
Traffic Trips		None	None. A Traffic Impact Study may be required for future personal/recreational vehicle storage in the AL-20 Zone District through a discretionary land use application
Traffic Impact Study (TIS) Prepared	No	N/A	Same as above
Road Improvements Required		Poor	Future personal/recreational vehicle storage in the AL-20 Zone District may require road improvements through a discretionary land use application.

Surrounding Properties

	Size:	Use:	Zoning:	Nearest Residence:
North	44.5 acres	Single-family residence	RR	730 feet
South	22.9 acres	Vacant	AE-20	780 feet
East	20.27 acres	Vacant	AE-20	690 feet
West	25 acres	Single-family residence	AE-20	578 feet

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: None

ENVIRONMENTAL ANALYSIS:

Initial Study No. 6980 was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 7.

Notice of Intent of Negative Declaration publication date: July 24, 2015.

PUBLIC NOTICE:

Notices were sent to 87 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.

Should the Planning Commission recommend approval, a subsequent hearing date before the Board of Supervisors will be scheduled as close to the Commission’s action as practical to make the final decision on the Amendment Application. Information for that hearing will be provided under separate notice.

PROCEDURAL CONSIDERATIONS:

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

BACKGROUND INFORMATION:

The subject property is currently zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size). The zoning was enacted on September 21, 1965 by the County Board of Supervisors (Ord. No. 490-A-552).

Under the subject application, the Applicant is proposing to rezone the property from an AE-20 Zone District to an AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to allow Personal/Recreational Vehicle Storage in the AL-20 Zone District. In relation to this

proposal, the Fresno County Board of Supervisors approved Amendment to Text (AT) Application No. 370 on September 30, 2014, amending Sections 803.13 and 817.3 of the Fresno County Zoning Ordinance by adding Personal/Recreational Vehicle Storage in the AL (Limited Agriculture) Zone District, and permitted the use by Conditional Use Permit for those unincorporated areas of Fresno County located in an area within one half-mile of the Sphere of Influence (SOI) of the City of Clovis. The subject proposal is within one half-mile of the City of Clovis SOI and is subject to this requirement.

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.12: In adopting land use policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: The county shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> <p>General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits include an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</p>	<p>The project site is currently unfarmed with no improvements. There is an orchard with a single-family residence to the north, a single-family residence to the west, and vacant parcels to the east and south of the proposal.</p> <p>The subject application entails rezone of a 38.32-acre property from an AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to an AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to allow Personal/Recreational Vehicle Storage in the AL-20 Zone District. The use is allowed on land designated Agriculture in the AL-20 Zone District through discretionary land use approval. Any buffering (e.g., landscaping, walls, etc.) that may be required to separate the use from adjoining farmland will be addressed through a discretionary land use application. The proposal is consistent with Policies LU-A.12, 13 and 14.</p>
<p>General Plan Policy PF-C.17: County shall, prior to consideration of any discretionary projects related to land use, undertake a water supply evaluation. The evaluation shall include a determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question and if groundwater is proposed, a hydrological investigation may be required to confirm the availability of water in amounts necessary to meet project demand.</p>	<p>The project site is not located in a water-short area. With no improvements proposed, this project will have no impact on groundwater resources. Water evaluation for future Personal/Recreational Vehicle Storage will be conducted by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning through a discretionary land use application. The proposal is consistent with Policy PF-C.17.</p>

Reviewing Agency/Department Comments:

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for future developments, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. Any work done within the right-of-way to construct a new driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. Direct access to an arterial road shall be limited to one common point. Any additional access points shall require prior approval.

Fresno Irrigation District (FID): A privately-owned canal (Redbanks A No. 388) traverses the southern part of the subject property. This is an active canal and shall not be impacted by the proposed development. FID's Redbanks A No. 388 runs southwesterly and crosses Shaw Avenue approximately 1,000 feet east of the subject property and McCall Avenue approximately 2,000 feet south of the subject property. Any street and/or utility improvements along Shaw and McCall Avenues or in the vicinity of the canal shall require FID's review and approval of the proposal.

San Joaquin Valley Air Pollution Control District (Air District): The Applicant shall contact the District's Small Business Assistance Office to identify District rules or regulations, or to obtain information about District permit requirements for the project.

The aforementioned requirements have been included as Project Notes.

Fresno County Department of Public Health, Environmental Health Division; Design and Road Maintenance and Operations Divisions, and Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning; Fresno County Department of Agriculture; Fresno County Fire Protection District, Local Agency Formation Commission (LAFCo), City of Clovis: No concerns with the project.

Analysis:

The subject property is currently designated Agriculture in the County General Plan and is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) in the County Zoning Ordinance. The area to the north and east of the property is designated Northeast Rural Residential and Planned Rural Community in the County General Plan and is zoned RR (Rural Residential, two-acre minimum parcel size) in the County Zoning Ordinance. Likewise, the area to the south and west of the property is designated Agriculture in the County General Plan and is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) in the County Zoning Ordinance. The subject proposal would rezone two contiguous parcels totaling 38.32 acres from an AE-20 Zone District to an AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to allow, in the future, personal/recreational vehicle storage in the AL-20 Zone District through a discretionary land use application. The proposal is located approximately 4,593 feet east of City of Clovis in an area consisting of small unincorporated residential settlements surrounded by agricultural lands and other open space uses. Farming activities in the area are sporadic and less intensive in nature.

One fundamental issue regarding any rezone request is whether the proposed zone change is consistent with the General Plan. According to the Zoning Compatibility Matrix for the General Plan, the proposed AL-20 Zone District is conditionally compatible with land designated Agriculture.

The proposed 'AL' District is a limited agricultural district. It is intended to protect the general welfare of the agricultural community by limiting intensive uses in agricultural areas where such

uses may be incompatible with, or injurious to, other less intensive agricultural operations. By-right uses allowed in the AL District include the breeding and raising of animals, trees, apiaries, honey extraction plants, vines, fields, forage, storage and repair of farm equipment, harvesting and processing of agricultural products, single-family dwellings and home occupations. These uses are allowed in the current AE District that allows additional uses that are necessary and an integral part of an agricultural operation. Given that less uses are allowed in an 'AL' District than an 'AE' District, rezoning of the property from the AE Zone District to the AL Zone District is expected to have less impact on the surrounding land uses based on allowed by-right uses. Uses that require discretionary land use applications in the AL-20 Zone District, including personal/recreational vehicle storage, will be assessed as to their impacts based on the project being proposed. An Initial Study (IS) prepared for this proposal has identified potential impacts related to aesthetics, agriculture and forestry resources, air quality, biological resources, geology and soils, hydrology and water quality, land use and planning, transportation/traffic, and utilities and service systems as less than significant. As such, no mitigation measures or conditions of approval are required for this proposal. Identified mandatory project requirements (Project Notes) as discussed in this staff report would more appropriately apply to the future personal/recreational vehicle storage discretionary land use application (Exhibit 6), and related Site Plan Review as specified in Section 874 of the County Zoning Ordinance.

The subject proposal is adjacent to the City of Clovis Sphere of Influence (SOI). Both the City of Clovis and the Local Agency Formation Commission (LAFCo) reviewed the proposal and expressed no concerns with the rezone of the property from an AE Zone District to an AL Zone District.

In Summary, the proposal would meet General Plan Policies discussed above by being compatible in intensity to the uses allowed in the current zoning and by having no negative impacts on current farming operations or groundwater resources in the area.

Recommended Conditions of Approval:

None

Conclusion:

Staff believes that the proposed rezone from the AE-20 (Exclusive Agricultural) Zone District to the AL-20 (Limited Agricultural) Zone District is consistent with the Fresno County General Plan and recommends approval of Amendment Application No. 3805, subject to the Notes in the Staff Report.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Recommend adoption of the Negative Declaration prepared for Initial Study Application No. 6980; and
- Determine that the proposed AL-20 (Limited Agricultural) Zone District is consistent with the General Plan; and
- Direct the Secretary to prepare a Resolution to forward Amendment Application No. 3805 to the Board of Supervisors with a recommendation for approval, subject to the Project Notes listed in the Staff Report.

Alternative Motion (Denial Action)

- Determine that the proposed AL-20 (Limited Agricultural) Zone District is not consistent with the General Plan; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Project Notes:

See attached Exhibit 1.

EA:ksn

G:\4360Devs&Pin\PROJSEC\PROJDOCS\AA\3800-3899\3805\SR\AA3805 SR.docx

**Amendment Application (AA) No. 3805
Project Notes**

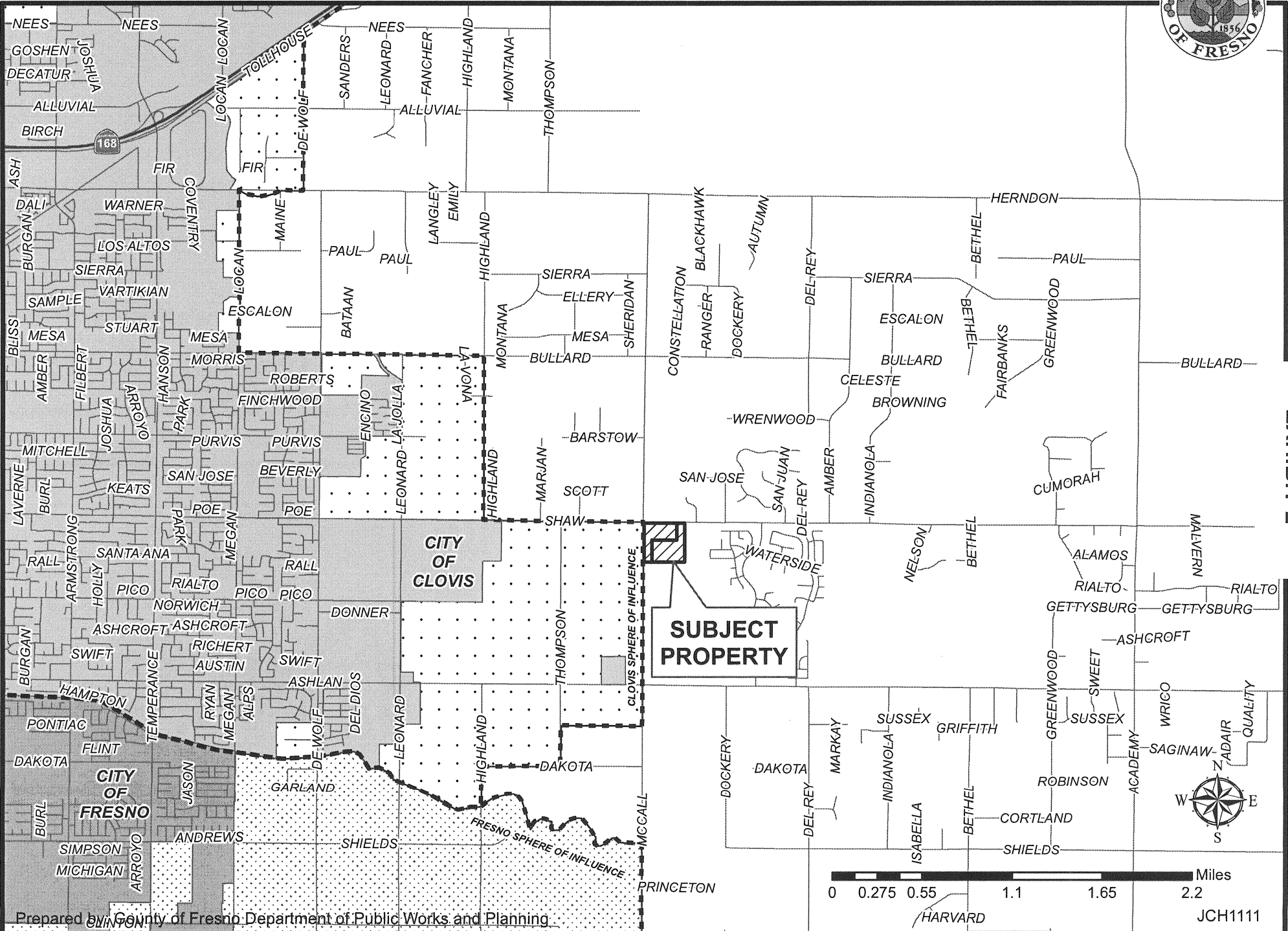
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Plans, permits and inspections shall be required from the Building and Safety Section of the Fresno County Department of Public Works and Planning for future developments, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.
2.	<p>According to the Development Engineering Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • An engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. • Any work done within the right of way to construct a new driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. • Direct access to an arterial road shall be limited to one common point. Any additional access points shall require prior approval.
3.	<p>According to the Fresno Irrigation District (FID):</p> <ul style="list-style-type: none"> • A privately-owned canal (Redbanks A No. 388) traverses the southern part of the subject property. This is an active canal and shall not be impacted by the proposed development. • FID's Redbanks A No. 388 runs southwesterly and crosses Shaw Avenue approximately 1,000 feet east of the subject property and McCall Avenue approximately 2,000 feet south of the subject property. Any street and/or utility improvements along Shaw and McCall Avenues or in the vicinity of the canal shall require FID's review and approval of the proposal.
4.	The Applicant shall contact the District's Small Business Assistance Office of the San Joaquin Valley Air Pollution Control District to identify District rules or regulations or to obtain information about District permit requirements for the project.

EXHIBIT 1

LOCATION MAP



EXHIBIT 2



EXISTING ZONING MAP

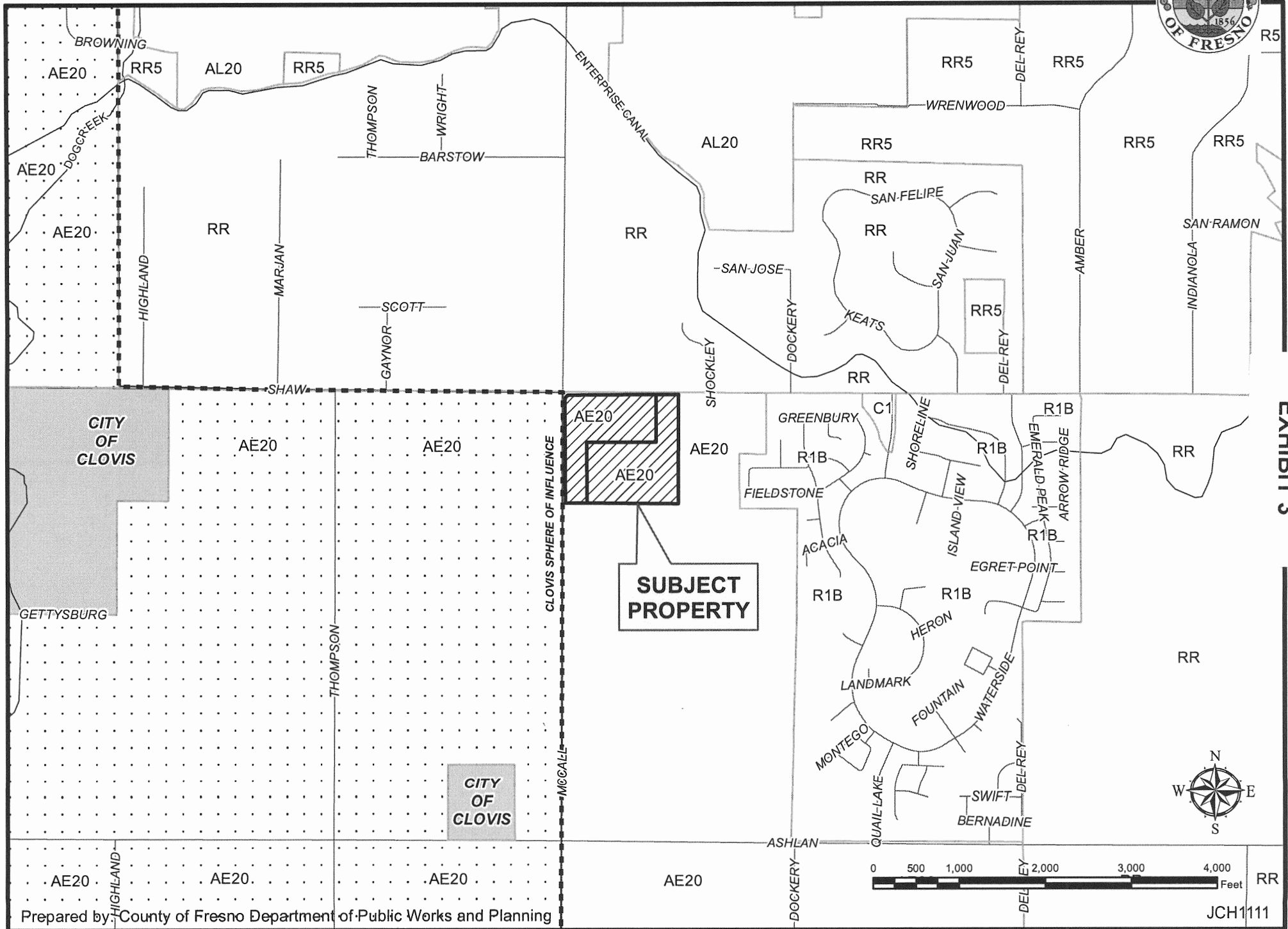
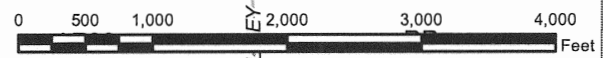
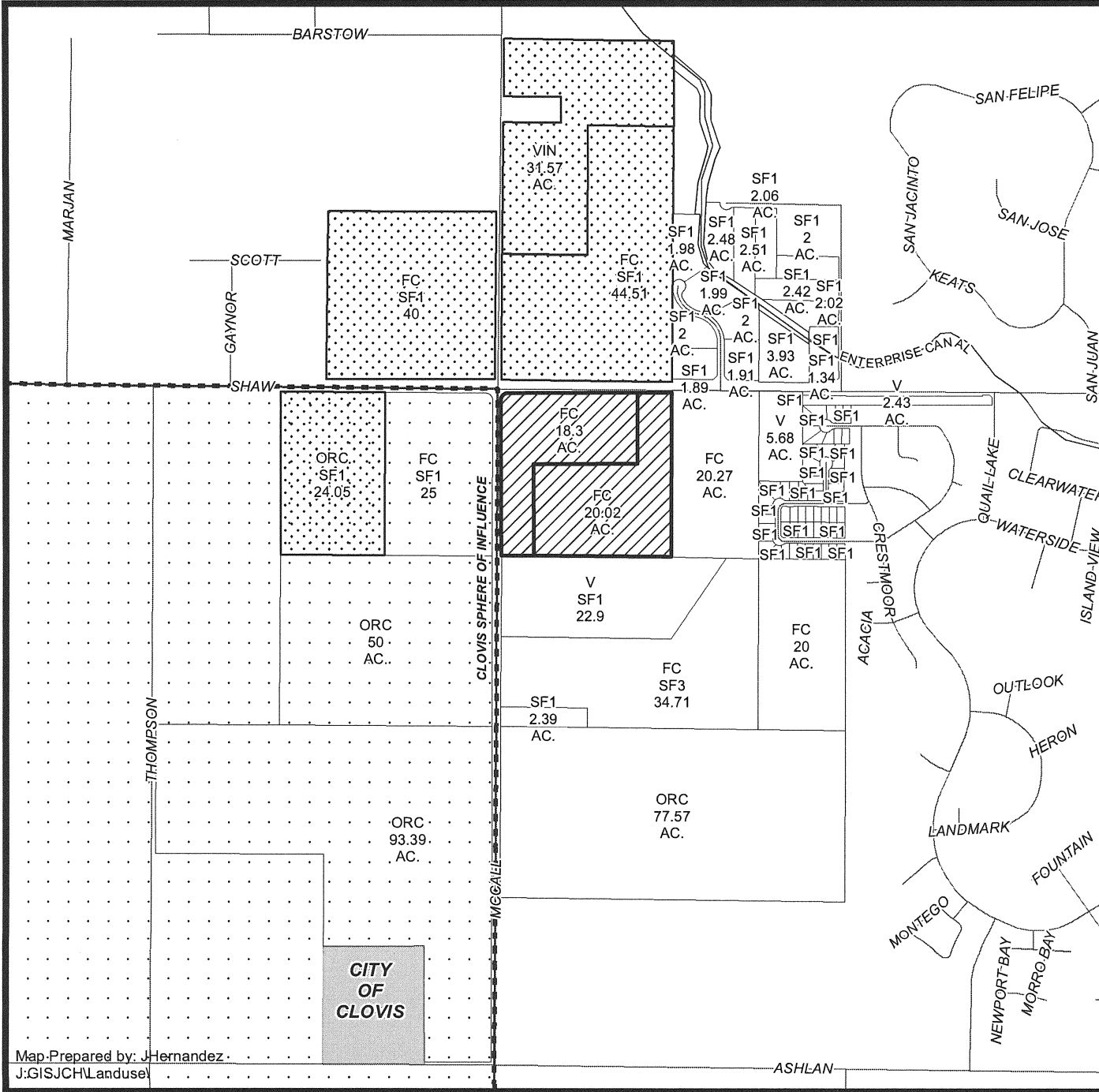


EXHIBIT 3



EXISTING LAND USE MAP

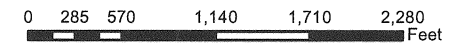
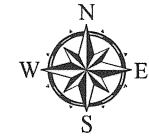


LEGEND

- FC - FIELD CROP
- ORC - ORCHARD
- SF#- SINGLE FAMILY RESIDENCE
- V - VACANT
- VIN - VINEYARD

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division

EXHIBIT 5

SECTION 816

"AE" EXCLUSIVE AGRICULTURAL DISTRICT

The "AE" District is intended to be an exclusive district for agriculture and for those uses which are necessary and an integral part of the agricultural operation. This district is intended to protect the general welfare of the agricultural community from encroachments of non-related agricultural uses which by their nature would be injurious to the physical and economic well-being of the agricultural district.

The "AE" District shall be accompanied by an acreage designation which establishes the minimum size lot that may be created within the District. Acreage designations of 640, 320, 160, 80, 40, 20, 5 are provided for this purpose. Parcel size regulation is deemed necessary to carry out the intent of this District.

(Amended by Ord. 490.38 adopted 11-21-67)

SECTION 816.1 - USES PERMITTED

The following uses shall be permitted in the "AE" Districts, except as otherwise provided in Subsection K of Section 816.2 for Interstate Interchange Impact Areas. All uses shall be subject to the Property Development Standards in Section 816.5

(Amended by Ord. 490.95 adopted 11-27-73; Ord. 490.174 re-adopted 5-8-79)

- A. The maintaining, breeding, and raising of livestock of all kinds, except as provided in Sections 816.2 and 816.3.
(Amended by Ord. 490.117 adopted 10-5-76; Ord. T-038-306 adopted 5-22-90)
- B. The maintaining, breeding, and raising of poultry of all kinds, subject to the provisions of Section 868.
(Added by Ord. T-038-306 adopted 5-22-90)
- C. The raising of tree, vine, field, forage, and other plant life crops of all kinds.
(Amended by Ord. T-077-352, adopted 3-2-04)
- D. One family dwellings and accessory buildings and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.
- E. Home Occupations, Class I, subject to the provisions of Section 855-N.
(Amended by Ord. T-288 adopted 2-25-86)
- F. The harvesting, curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, subject to the provisions of 855-N.32
(Amended by Ord. T-077-352, adopted 3-2-04).
- G. When carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten (10) percent of the total land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises, any of the following uses:

1. The manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds.
 2. The manufacture, storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides.
 3. The transportation of agricultural products, supplies or equipment together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor.
 4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries.
(Added by Ord. 490.65 adopted 8-4-70)
- H. The maintenance of temporary and permanent farm labor camps when carried on as a secondary function in conjunction with a bona fide agricultural operation. The density standards of Section 816.5-C shall not apply.
(Amended by Ord. 490.31 adopted 10-11-66)
- I. The use, storage, repair and maintenance of tractors, scrapers, and land leveling and development equipment when operated in conjunction with, or as part of, a bona fide agricultural operation;
(Amended by Ord. 490.117 adopted 10-5-76)
- J. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- K. Signs, subject to the provisions of Section 816.5-K.
- L. Temporary or permanent telephone booths.
- M. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- N. Trailer house occupancy consisting of one or more trailers, subject to the provisions of Section 856 and 816.1-C.
(Amended by Ord. 490.18 adopted 12-29-64; Ord. 490.81 adopted 10-24-72)
- O. Breeding and personal kennels.
(Added by Ord. 490.36 adopted 7-25-67)
- P. Historic and monument sites.
(Added by Ord. 490.117 adopted 10-5-76)
- Q. Water-well drilling or pump installation service.
(Added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.157 adopted 9-19-78)
- R. Welding and blacksmith shops and farm equipment and machinery sales, rental storage, and maintenance facilities when in conjunction with welding and blacksmith shops.
(Added by Ord. 490.117 adopted 10-5-76)
- S. Value-added agricultural uses and facilities subject to the provisions of Section 855-N.32 and Section 874.
(Added by Ord. T-077-352, adopted 3-2-04)

SECTION 816.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Churches, parsonages and other religious institutions.
- B. Commercial stables and riding academies.
- C. Communications equipment buildings and microwave relay structures.
- D. Electrical transmission substations and electric distribution substations.
- E. Commercial specialty animal raising, including fish, fur-bearing animals, wild or undomesticated animals, amphibians, insects and birds for products, numerical increase, or, value increase.
(Amended by Ord. 490.117 adopted 10-5-76)
- F. Wineries and distilleries – Small, subject to the provisions of 855-N
(Added by Ord. T-075 adopted 3-25-03)
- G. Philanthropic and eleemosynary institutions where agriculture is carried on to a substantial degree.
- H. Public schools, private or parochial schools of an elementary or secondary level, colleges, and day nursery large.
(Amended by Ord. 490.188 adopted 10-29-79)
- I. Public buildings and yards, fire stations.
- J. Sale of food products produced off the premises provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises when not authorized under Section 816.1-S.
(Added by Ord. 490.2 adopted 7-25-61, Amended by Ord. T-077-352, adopted 3-2-04)
- K. Veterinarian offices and animal hospitals.
(Amended by Ord. 490.195 adopted 2-26-80)
- L. All uses listed in Section 816.1, except as provided in Subsection B thereof, located within an Interstate Interchange Impact Area identified in Section 816.7.
(Added by Ord. 490.95 adopted 11-27-73)
- M. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- N. Off-site directional signs for major recreational uses, hospitals and colleges subject to the criteria set forth in Section 855-K.
(Added by Ord. 490.105 adopted 4-22-75)
- O. Farm labor contractor services.
(Added by Ord. 490.117 adopted 10-5-76)
- P. Antique sales.
(Added by Ord. 490.117 adopted 10-5-76)

- Q. The maintenance and storage of agricultural equipment designed to be used solely for the harvesting of crops, which equipment must be located by the owner thereof upon his own premises when not operated as a secondary occupation in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- R. Commercial land leveling and development establishments when they are not operated in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- S. Commercial crop planting, cultivating, and soil preparation service establishments when they are not operated in conjunction with, or as part of, a bona fide agricultural operation.
(Added by Ord. 490.117 adopted 10-5-76)
- T. The maintenance and storage of trucks and trailers, when such vehicles are devoted exclusively to the transportation of agricultural products, supplies, and equipment.
(Added by Ord. 490.117 adopted 10-5-76)
- U. Temporary mobilehome occupancy subject to the provisions of Section 856 A.1.b.
(Added by Ord. 490.145 adopted 2-14-78; amended by Ord. 490.194 adopted 1-28-80)
- V. Dog grooming in conjunction with a single-family residence limited to a maximum of eight dogs per day.
(Added by Ord. 490.146 adopted 2-28-78)
- W. Second dwelling units, subject to the provisions of section 855-N.
(Added by Ord. T-269 adopted 5-24-83; amended by Ord. T-280 adopted 12-18-84)
- X. The maintaining, breeding, and raising of poultry of all kinds, when not permitted by 816.1-B.
(Added by Ord. T-038-306 adopted 5-22-90)
- Y. Existing facilities intended for the commercial storage of agricultural products, equipment, and supplies where such activity is not conducted as a secondary occupation in conjunction with, or part off, a bona side agricultural operation provided that such facilities were legally established with building permits prior to the adoption of this ordinance section.
(Added by Ord. T-057-326 adopted 6-4-96)

SECTION 816.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to a Conditional Use Permit as provided for in Section 873.

- A. Value-added agricultural uses and facilities that are not authorized under Section 816.1-S. This section may also include ancillary uses and facilities that are operated in association with a value-added agricultural processing facility.
(Amended by Ord. 490.155 adopted 9-5-78; Ord. 490.161 adopted 10-2-78; Ord. 490.179 re-adopted 6-26-79, Amended by Ord. T-077-352, adopted 3-2-04)
- B. Commercial grain elevators when not operated as a secondary occupation in conjunction with, or as part of, a bona fide agricultural operation.
- C. Commercial stock feeding yards and feed lots when not operated as a secondary occupation in connection with, or as part of, a bona fide agricultural operation.

- D. Commercial meat processing plants. Such plants may include all phases of meat processing including slaughtering, meatpacking, canning, stuffing, smoking, rendering and hide curing. (Added by Ord. 490.103 adopted 2-18-75; amended by Ord. 490.137 adopted 9-6-77)
- E. Community auction and sale yards for sale of farm animals, products, implements, supplies, or equipment.
- F. Guest ranches.
- G. Mushroom growing.
- H. Temporary and permanent farm labor camps that are not carried on as a secondary function in conjunction with a bonafide agricultural operation. (Amended by Ord. 490.31 adopted 10-11-66)
- I. Permanent roadside stands for the sale of agricultural products and the sale of wine to be consumed off the premises in conjunction with and secondary to such roadside stands for the sale of agricultural products. (Amended by Ord. 490.107 adopted 6-5-75)
- J. The sale of beer to be consumed off the premises in conjunction with and secondary to a permanent roadside stand for the sale of agricultural products; that the percentage of beer sales to total roadside stand sales shall be determined as a condition to the Conditional Use Permit. (Added by Ord. 490.142 adopted 12-6-77)
- K. Private use airports, heliports and crop dusting strips. (Amended by Ord. 490.161 adopted 10-2-78)
- L. Sewage disposal and treatment plants.
- M. The commercial slaughtering of poultry or rabbits not raised upon the premises.
- N. Wineries and distilleries except as provided for in 816.2 (Amended by Ord. T-075-349 adopted 3-25-03)
- O. Commercial establishments for the processing, storage, sale, and off-site application of agricultural chemicals, including but not limited to fertilizers, insecticides (flammable and inflammable types) and pesticides. (Added by Ord. 490.35 adopted 5-16-67)
- P. Boarding and training kennels (Added by Ord. 490.36 adopted 7-25-67)
- Q. Horticultural and landscaping services in conjunction with horticultural nurseries, when carried on as a primary use of the property. (Added by Ord. 490.65 adopted 8-4-70)
- R. Off-road vehicle areas consisting of recreational facilities for the driving, testing and racing of motorcycles, trail bikes, 4-wheel drive vehicles, or similar vehicles which are principally designed or commonly used for off-highway recreation purposes. features of such sites may include hill climb areas, race courses, or motor-cross/auto-cross. Such sites shall not be located on land which is productive or potentially productive agricultural land as defined in the General Plan.

(Added by Ord. 490.107 adopted 9-8-75; amended by Ord. 490.125 adopted 12-7-76; and Ord. T-275 adopted 4-24-84)

- S. Swine, sheep, or goat feed lots or yards.
- T. Commercial dehydration operations.
- U. Liquefied petroleum gas distribution and storage, retail.
(Amended by Ord. 490.179 adopted 6-26-79)
- V. Feed and farm supply sales.
- W. Farm equipment and machinery sales, rental, storage, and maintenance.
- X. Irrigation systems administrative offices.
- Y. Building materials sales.
- Z. Racetracks for non-motorized and motorized vehicles including bicycles, motorcycles, automobiles, and similar vehicles when conducted on land which is not productive or potentially productive agricultural land as defined in the General Plan. Off-road vehicle areas are excluded.
(Added by Ord. No. 490.125 adopted 12-7-76; amended by Ord. No. T-275 adopted 4-24-84)
- AA. Swim schools operated in conjunction with a single-family residence with a maximum of fifteen (15) students at one time.
(Added by Ord. 490.143 adopted 1-24-78)
- BB. Off-site rock, sand, and gravel trucking operations which may include a newly created parcel size of not less than five acres (See Section 816.5-A.4) on sites located outside the Sphere of Influence of any City or community and not located on productive agricultural land as defined in Section 204-02:3.02a of the General Plan.
(Amended by Ord. No. T-240 adopted 8-17-81; amended by Ord. No. T-033-299 adopted 6-7-88)
- CC. Agricultural Commercial center development subject to the provisions of Section 867.
(Added by Ord. T-034-297 adopted 9-20-88)
- DD. Assembly of equipment for the post-harvest processing of agricultural products provided such equipment is sold directly to the farmer or processor.
(Added by Ord. T-044-312 adopted 6-30-92)

EXHIBIT 6

SECTION 817

"AL" - LIMITED AGRICULTURAL DISTRICT

The "AL" District is a limited agricultural district. It is intended to protect the general welfare of the agricultural community by limiting intensive uses in agricultural areas where such uses may be incompatible with, or injurious to, other less intensive agricultural operations. The District is also intended to reserve and hold certain lands for future urban use by permitting limited agriculture and by regulating those more intensive agricultural uses which, by their nature, may be injurious to non-agricultural uses in the vicinity or inconsistent with the express purpose of reservation for future urban use.

The "AL" District shall be accompanied by an acreage designation which establishes the minimum size lot that may be created within the District. Acreage designation of 640, 320, 160, 80, 40, and 20 are provided for this purpose. Parcel size regulation is deemed necessary to carry out the intent of this District.

(Section 817 added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.188 adopted 10-29-79)

SECTION 817.1 - USES PERMITTED

The following uses shall be permitted in the "AL" Districts. All uses shall be subject to the Property Development Standards in Section 817.5.

(Amended by Ord. 490.174 re-adopted 5-8-79; Ord. 490.188 adopted 10-29-79)

- A. The maintaining, breeding and raising of bovine and equine animals except dairies, feed lots and uses specified in Sections 817.2 and 817.3.

(Amended by Ord. 490.174 re-adopted 5-8-79)

- B. The keeping of rabbits and other similar small fur-bearing animals for domestic use.

(Amended by Ord. T-038-306 adopted 5-22-90)

- C. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H, and similar organizations.

(Added by Ord. T-038-306 adopted 5-22-90).

- D. The raising of tree, vine, field, forage, and other plant life of all kinds, except mushroom growing.

(Added by Ordinance 490.174 re-adopted 5-8-79)

- E. One family dwellings, accessory buildings, and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant, or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.

- F. Home Occupations, Class I, subject to the provisions of Section 855-N.
(Amended by Ord. T-288 adopted 2-25-86)
- G. The use, storage, repair, and maintenance of tractors, scrapers, and land leveling and development equipment devoted primarily to agricultural uses when operated in conjunction with, or as part of, a bona fide agricultural operation.
- H. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- I. Signs, subject to the provisions of Section 817.5-K.
- J. Temporary or permanent telephone booths.
- K. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- L. Mobile home occupancy consisting of one or more mobile homes, subject to the provisions of Section 856 and Section 817.1-D.
- M. Historic and monument sites.
- N. The harvesting curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, or where such activity is carried on in conjunction with, or as a part of, a bona fide agricultural operation.

(Added by Ord. T-052-286 adopted 3-8-94)

SECTION 817.2 - USES PERMITTED SUBJECT TO DIRECTOR REVIEW AND APPROVAL

The following uses shall be permitted subject to review and approval as provided for in Section 872.

- A. Churches, parsonages, and other religious institutions.
- B. Commercial stables or riding academies.
- C. Communications equipment buildings, microwave relay structures.
- D. Electrical transmission substations and electric distribution substation.
- E. Temporary and permanent farm labor camps when carried on as a secondary function in conjunction with a bona fide agricultural operation. The density standards of Section 817.5-C shall not apply.
- F. Philanthropic and eleemosynary institutions where agriculture is carried on to a substantial degree.
- G. Public schools, private or parochial schools of an elementary or secondary level and colleges.

(Amended by Ord. 490.188 adopted 10-29-79; Ord. T-052-286 adopted 3-8-94)

- H. Day Nursery - large.
(Added by Ord. T-052-286 adopted 3-8-94)
- I. Public buildings and yards, fire stations.
- J. Sale of food products produced off the premises provided that the sale of such products is incidental and secondary to the sale of agricultural products produced upon the premises.
- K. Veterinarian offices and animal hospitals.
(Amended by Ord. 490.195 adopted 2-26-80)
- L. Home Occupations, Class II, subject to the provisions of Section 855-N.
(Added by Ord. T-288 adopted 2-25-86)
- M. Off-site directional signs for major recreational uses, hospitals, and colleges subject to the criteria set forth in Section 855-K.
- N. Temporary Mobile home occupancy subject to the provisions of Section 856-A.1.b.
(Added by Ord. 490.163 adopted 11-14-78; amended by Ord. 490.194 adopted 1-28-80)
- O. Temporary stands for the sale of agricultural produce subject to obtaining an occupancy permit, as provided for in Section 863-B.
(Added by Ord. T-256 adopted 7-20-81)
- P. Breeding and personal kennels.
- Q. Second dwelling units, subject to the provisions of Section 855-N.
(Added by Ord. T-269 adopted 5-24-83; amended by Ord. T-280 adopted 12-18-84)
- R. Racetrack for non-motorized vehicles, where there are no permanent facilities.
(Added by Ord. T-052-286 adopted 3-8-94)
- S. Commercial fish farms.
(Added by Ord. T-052-286 adopted 3-8-94)

SECTION 817.3 - USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

The following uses shall be permitted subject to Conditional Use Permit as provided for in Section 873.

- A. The maintenance and storage of agricultural equipment designed to be used solely for the harvesting of crops, which equipment must be located by the owner thereof upon his own premises when not operated as a secondary occupation in conjunction with, or as part of, a bona fide agricultural operation.

- B. Guest ranches.
- C. Mushroom growing.
- D. Private airports, heliports, and crop dusting strips.
- E. Sewage disposal and treatment plants.
- F. Boarding and training kennels.
- G. Horticultural and landscaping services in conjunction with horticultural nurseries, when carried on as a primary use of the property.
- H. Liquefied petroleum gas distribution and storage, retail.

(Amended by Ord. 490.179 adopted 6-26-79)

- I. When carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten (10) percent of the total land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises, any of the following uses:
 1. The manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds.
 2. The manufacture, storage, or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides.
 3. The transportation of agricultural products, supplies, or equipment, together with the maintenance, storage, repair, and servicing of the necessary trucks and equipment therefore.
 4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries.

- J. Racetracks for remote control electric cars except within the boundaries of the Kings River Regional Plan.

(Added by Ord T-045-315 adopted 10-27-92)

- K. Racetrack for non-motorized vehicles, where there are permanent facilities.

(Added by Ord. T-052-286 adopted 3-8-94)

- L. **Personal/RV Storage, subject to the following provisions: a) property must be within one-half mile of the adopted Sphere of Influence of the City of Clovis; b) property must abut a major street; c) setback requirements shall be the same as Storage Yards as defined in the M-1 Zone District (Section 843.5.E); d) setback shall include a twenty-foot minimum landscaped front yard; e) recreational vehicle parking shall be allowed on two-inch minimum thick gravel surface; and f) open or enclosed carports shall be permitted.**

**EVALUATION OF ENVIRONMENTAL IMPACTS**

- APPLICANT:** Wesclo, LP
- APPLICATION NOS.:** Initial Study Application No. 6980 and Amendment Application No. 3805
- DESCRIPTION:** Rezone two contiguous parcels totaling 38.32 acres from AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to allow Personal/Recreational Vehicle Storage in the AL-20 Zone District.
- LOCATION:** The project site is located on the southeast corner of E. Shaw and N. McCall Avenues approximately 4,593 feet east of the nearest city limits of the City of Clovis (Sup. Dist.: 5) (APN: 571-010-88 & 89).

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?

FINDING: NO IMPACT:

The subject parcels are located along Shaw and McCall Avenues, which are not State Scenic Highways. No scenic vistas or scenic resources, including trees, rock outcroppings, and historic buildings were identified on or near the property. The project will have no impact on scenic resources.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal involves rezoning two contiguous parcels totaling 38.32 acres from the AE-20 Zone District to the AL-20 Zone District. This is to allow, in the future, personal/recreational vehicle storage in the AL-20 Zone District through a discretionary land use permit.

Located in an area of limited farming with single-family homes, the subject parcels are currently unfarmed with no improvements. The adjacent northerly parcel contains an orchard with a single-family residence, the westerly parcel contains a single-family residence, and the southerly and easterly parcels contain no improvements. A residential subdivision lies approximately 660 feet east of the proposal.

The "AL" District is a limited agricultural district. It is intended to protect the general welfare of the agricultural community by limiting intensive uses in agricultural areas where such uses may be incompatible with, or injurious to, other less intensive agricultural operations. The subject proposal is located in an area less intensive to agricultural operations.

By-right uses allowed in the AL District include breeding and raising of animals, trees, apiaries, honey extraction plants, vines, fields, forage, storage and repair of farm equipment, harvesting and processing of agricultural products, single-family dwellings and home occupations. These uses are allowed in the current AE District that allows additional uses that are necessary and an integral part of an agricultural operation. Given that less uses are allowed in the AL District than the AE District, it is expected that the rezone of the subject properties from an AE Zone District to an AL Zone District will have less impact on the surrounding land uses based on allowed by-right uses. Any subsequent discretionary land use application will be assessed as to its visual impacts based on the project being proposed.

Based on this information, the subject rezone proposal will have a less than significant impact on the surrounding area.

- 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:

The subject application involves no development and therefore no lighting impacts will result from this proposal. The use anticipated by a future application (personal/recreational vehicle storage) requires a discretionary land use approval. The lighting requirements will be addressed through that process or Site Plan Review appropriate to the use allowed by this future application.

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not forest land or timberland. The site is classified as Farmland of Local Importance in the 2010 Fresno County Important Farmland Map and is not restricted by a Williamson Act Land Conservation Contract.

Per the County Ordinance, the project site is currently zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and designated Agriculture in the County General Plan. The proposed rezone from an AE-20 Zone District to an AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District is conditionally compatible with the Agriculture designation. The proposal will allow the subject parcels to remain in agricultural zoning (AL-20) but also allow for personal/recreational vehicle storage subject to the approval of a discretionary land use application. This use was added to the AL-20 Zone District by the Applicant through Amendment to Text (AT) No. 370, approved by the County Board of Supervisors on September 30, 2014.

The proposal was routed to the City of Clovis, the Local Agency Formation Commission (LAFCO) and the Fresno County Department of Agriculture (Ag Commissioner's Office) for review and comments. No concerns were expressed any of these agencies.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and requires the Applicant to contact the District's Small Business Assistance Office to identify District rules or regulations or to obtain information about District permit requirements for the project. This requirement will be included as a Project Note.

- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or

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

FINDING: NO IMPACT:

No such impacts were identified by the San Joaquin Valley Air Pollution Control District.

IV. BIOLOGICAL RESOURCES

A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or

B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or

C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or

D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcels are located in an area of limited farming with single-family homes. They are currently unfarmed with no improvements.

The proposal was routed to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for review and comments. No concerns were expressed by either agency. Therefore, no impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; 3) federally-protected wetlands as defined by Section 404 of the Clean Water Act; or 4) the movement of any native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, or native wildlife nursery sites.

E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: NO IMPACT:

The subject proposal involves no development. As such, it will not conflict with any local policies or ordinances protecting biological resources, or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

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

FINDING: NO IMPACT:

The project is not located within any area designated to be highly or moderately sensitive for archeological resources. No impact on historical, archeological, or paleontological resources would result from this proposal.

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:
 - 1. Rupture of a known earthquake?
 - 2. Strong seismic ground shaking?
 - 3. Seismic-related ground failure, including liquefaction?
 - 4. Landslides?

FINDING: NO IMPACT:

The project is not located within a fault zone or an area of known landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal will not result in substantial erosion or loss of topsoil. Any site grading and drainage associated with future development of the property will adhere to the Grading and Drainage Sections of the County Ordinance Code.

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

FINDING: NO IMPACT:

No impacts related to off-site landslides, lateral spreading, subsidence, liquefaction, or collapses were identified in the project analysis.

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

FINDING: NO IMPACT:

No soils-related impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

The subject proposal involves no development. As such, no concerns related to wastewater disposal were expressed by the Fresno County Department of Public Health, Environmental Health Division.

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: NO IMPACT:

No greenhouse gas impacts were identified in the project analysis. Subsequent anticipated development of the proposed use as a personal/recreational vehicle storage facility will require a discretionary use permit and review of the project by the Air District for any issues related to greenhouse gas emission.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or

- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: NO IMPACT:

The project does not involve transport, use, disposal, release, or handling of hazardous materials. No concerns related to this matter were expressed by the Fresno County Department of Public Health, Environmental Health Division.

The project is not located within one quarter-mile of a school. The nearest, Quail Lake Environmental Charter School (CUSD), is approximately three quarters of a mile southeast of the proposal.

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

FINDING: NO IMPACT:

The project site is not a hazardous materials site.

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

FINDING: NO IMPACT:

The project site is not located within an airport land use plan area, within two miles of a public use airport, or in the vicinity of a private airstrip.

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

FINDING: NO IMPACT:

The project will not impair implementation or physically interfere with an adopted emergency response plan.

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

FINDING: NO IMPACT:

The project site is not within a wildland area. The Fresno County Fire Protection District reviewed the proposal and expressed no concerns with the project.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: NO IMPACT:

The subject proposal involves no improvements and therefore will not be subject to waste discharge requirements and related impact on groundwater quality. As such, no concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division or any other agency.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal is not located in a water-short area. The Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no water-related concerns with the project. Water needs of anticipated personal/recreational vehicle storage on the property will be evaluated through a future discretionary land use approval required by the AL-20 Zone District.

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

FINDING: NO IMPACT:

According to the United States Geological Survey Quad Maps, there are no existing natural drainage channels adjacent to or running through the parcels. The proposal will not impact water channels.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Future development of personal/recreational vehicle storage on the property will not cause significant changes in absorption rates, drainage patterns or the rate and amount of surface run-off with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code. Site drainage requirements appropriate to the use will be addressed through subsequent discretionary land use approval.

F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

See discussion in IX. A. above.

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

FINDING: NO IMPACT:

No housing is proposed with this application.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA FIRM Panel 1615H, a portion of the project site is within Flood Zone X which refers to areas of 0.2 percent annual chance of flood. According to the Development Services Division of the Fresno County Department of Public Works and Planning, future site development shall adhere to the requirements of Fresno County Ordinance Code Title 15. This will be included as a Project Note.

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

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

FINDING: NO IMPACT:

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

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide a community. The subject project site is outside the boundaries of the City of Clovis.

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

FINDING: LESS THAN SIGNIFICANT NO IMPACT:

The subject application involves the rezone of two contiguous parcels totaling 38.32 acres from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District, subsequently to be developed with Personal/Recreational Vehicle Storage through a discretionary land use permit. The proposal will adhere to the following General Plan Policies:

Policy LU-A.12 of the General Plan requires that agricultural activities be protected from encroachment of incompatible uses; Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations; and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

The project site is currently unfarmed with no improvements. The surrounding area has a mix of active and non-active farmland, individual single-family homes, and residential subdivisions. There is an orchard with a single-family residence to the north, a single-family residence to the west, and vacant parcels to the east and south of the proposal. It is expected that any buffering (landscaping, walls, etc.) necessary for a subsequent use (personal/recreational vehicle storage) will be addressed through a discretionary land use approval.

Policy PF-C.17: The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability. The subject property is not located in a water-short area. The Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no water-related concerns with the project.

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

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation or Natural Community Conservation Plans.

XI. MINERAL RESOURCES

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

FINDING: NO IMPACT:

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

XII. NOISE

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

FINDING: NO IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no noise-related concerns with the project.

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

FINDING: NO IMPACT:

See discussion in Section VIII. E. F.

XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

The project will not result in an increase of housing, nor will it otherwise induce population growth.

XIV. PUBLIC SERVICES

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

1. Fire protection?

FINDING: NO IMPACT:

The Fresno County Fire Protection District (Cal Fire) reviewed the proposal and expressed no concerns with the project. Fire protection requirements related to the use proposed by this application will be addressed through discretionary land use approval and/or Site Plan Review.

2. Police protection; or

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact police protection, schools, parks or other public facilities.

XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or

B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: NO IMPACT:

The subject proposal involves no development. The Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no traffic-related concerns with the project nor required a Traffic Impact Study.

As the use anticipated by a future application (personal/recreational vehicle storage) requires a discretionary land use approval, any traffic requirements will be addressed through that process or Site Plan Review appropriate to the use allowed by this application.

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

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns.

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

E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site borders with Shaw and McCall Avenues which are public roads and maintained by the County.

Given there is no development proposed by this application, the Road Maintenance and Operations Division of Fresno County Department of Public Works and Planning expressed no concerns related to traffic hazards due to design features. However, according to the Development Engineering Section of Fresno County Department of Public Works and Planning: 1) any work done within the right-of-way to construct a new driveway shall require an encroachment permit from the road Maintenance and Operations Division; 2) a turn-around shall be required for vehicles leaving the site to enter an Arterial road (Shaw and McCall Avenue) in a forward motion; and 3) acquisition of additional road right-of-way may be necessary for McCall Avenue. These requirements will be included as Project Notes and be addressed through a subsequent discretionary use permit for personal/recreational vehicle storage in the in the AL-20 Zone District.

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

FINDING: NO IMPACT:

The project will not conflict with any adopted transportation plans

XVII. UTILITIES AND SERVICE SYSTEMS

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

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. E. Hydrology and Water Quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

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

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or

animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: NO IMPACT:

The project will have no impact on sensitive biological or cultural resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis.

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

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon Initial Study (IS) 6980 prepared for Amendment Application No. 3805, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to cultural resources, greenhouse gas emissions, hazards and hazardous materials, mineral resources, noise, population and housing, public services, or recreation.

Potential impacts related to aesthetics, agriculture and forestry resources, air quality, biological resources, geology and soils, hydrology and water quality, land use and planning, transportation/traffic, and utilities and service systems have been determined to be less than significant.

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

EJ:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\AA\3800-3899\3805\IS-CEQA\AA 3805 IS wu