



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 2 November 19, 2015

SUBJECT: Initial Study Application No. 6929, General Plan Amendment Application No. 544, and Unclassified Conditional Use Permit Application No. 3486

Amend the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add "Cemetery" as an allowable use on a 14.06-acre parcel (APN 308-210-47T) and allow modification to an existing cemetery on a 5.12-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District, and expansion on a 14.06-acre parcel in C-6(c) (General Commercial) Zone District.

LOCATION: The subject property is located on the north side of E. Shaw Avenue approximately 1,762 feet east of N. Indianola Avenue and 2.8 miles east of the City of Clovis (Sup. Dist. 5) (APN 308-210-36T; 308-210-47T).

OWNER: Clovis Cemetery District
APPLICANT: Anna M. Herrera
REPRESENTATIVE: Natalie Tieche

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

Eric VonBerg, Senior Planner
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RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6929; and
- Determine that the proposed amendment to the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add "Cemetery" as an allowable use on a 14.06-acre parcel (APN 308-210-47T) is consistent with the County General Plan; and
- Approve Unclassified Conditional Use Permit Application No. 3486 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution to forward General Plan Amendment Application No. 544 and Unclassified Conditional Use Permit Application No. 3486 to the Board of Supervisors with a recommendation for approval, subject to the Conditions of Approval listed in the Staff Report.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval, and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Floor Plans/Elevations
7. Applicant’s Operational Statement
8. Summary of Initial Study No. 6929
9. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	5.12-acre parcel: Northeast Rural Residential 14.06-acre parcel: Special Commercial	No change Amendment to the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add “Cemetery” as an allowable use on the subject parcel
Zoning	5.12-acre parcel: RR (Rural Residential, two-acre minimum parcel size) 14.06-acre parcel: (C-6 (c) (General Commercial, Conditional)	No change No change
Parcel Size	5.12 acres 14.06 acres	No change No change
Project Site	Cemetery on a 5.12-acre parcel consisting of burial sites, 1,485 square-foot storage building and restroom facility, water well, interior road, 15-foot-wide access off of Shaw Avenue 14.06-acre parcel: Vacant	Modification to an existing cemetery on a 5.12-acre parcel and expansion on a 14.06-acre parcel. The subject proposal: <ul style="list-style-type: none"> • Include interment site for 600 babies, 750 children, 11,500 adults; 6,000 in-ground

Criteria	Existing	Proposed
		<p>cremations, 1,800 above ground cremation niches</p> <ul style="list-style-type: none"> • Phase I consists of six-foot-high columbarium walls, burial plots, 5,000 square-foot storage building, 3,750 square-foot maintenance building, outdoor storage area, paved pedestrian walkways, 30-foot-wide paved interior roads, and expansion of an existing 15-foot-wide road to 30 feet. • Phase II consist of burial plots, paved pedestrian walkways, and interior roads.
Structural Improvements	<p>5.15-acre parcel: 1,485 square-foot storage and restroom facility; cyclone fence</p> <p>14.06-acre parcel: Vacant</p>	<p>5.12-acre parcel: six-foot-high columbarium walls</p> <p>14.06-acre parcel: six-foot-high columbarium walls, 5,000 square-foot storage building, 3,750 square-foot maintenance building</p>
Nearest Residence	Approximately 136 feet to the south	No change
Surrounding Development	Single-family homes to the south, Fresno Irrigation District (FID) Enterprise Canal No. 109 and Redbank Creek No. 153 to the north, a high-intensity park (Woolf Lakes) to the southwest, and a recreational water park (Wild Water Adventure Park) to the southwest of the subject proposal.	No change
Operational Features	Approximately 16 interments per year	Potential of 35 interments per year
Employees	Clovis Cemetery District currently has 11 full-time employees	Four additional full-time employees

Criteria	Existing	Proposed
Visitors	Approximately twelve (12) or less per day	Visitors will increase from 12 to 25 per day over the next 30 years as interments increase.
Traffic Trips	48 one-way trips (24 round trips) daily	<ul style="list-style-type: none"> • 134 one-way trips (67 round trips) daily • Two one-way trips (one round trip) every two months for delivery of outer burial containers, markers and headstones
Lighting	Building exteriors	Building exteriors
Hours of Operation	Interment services will be 12 months a year, Monday through Friday from 9:00 a.m. until 3:30 p.m., and Saturday from 9:00 a.m. until 12:00 p.m. No interment service on Sunday and holidays	No change

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

ENVIRONMENTAL DETERMINATION:

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 has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: October 16, 2015

PUBLIC NOTICE:

Notices were sent to 39 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 General Plan Amendment Application. Information for that hearing will be provided under separate notice.

PROCEDURAL CONSIDERATIONS:

A General Plan Amendment is a legislative act requiring action by the Board of Supervisors. A decision by the Planning Commission in support of a General Plan Amendment request is an advisory action and requires 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's decision to deny a General Plan Amendment request, however, is final unless appealed to the Board of Supervisors within 15-days of the Commission's action.

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

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

BACKGROUND INFORMATION:

This proposal entails modification to an existing cemetery on a 5.12-acre parcel in the RR Zone District and expansion onto an adjacent 14.06-acre parcel in the C-6(c) Zone District. The expansion of the existing cemetery will serve as the main cemetery for the Clovis Cemetery District, involving chapel/graveside services, interment of human remains and human cremated remains, and installation of markers/headstones. The number of potential interment sites on the 14.06-acre parcel includes 600 baby, 750 child, 11,500 adult; 6,000 in-ground cremations, and 1,800 above ground cremation niches (combined) on two parcels. The number of interments per year is anticipated to increase from 16 to 35.

Visitors at the cemetery will be limited, approximately twelve (12) or less, and in proportion to the existing interments. The number of visitors will increase as interments increase. The number of visitors could exceed twenty five (25) per day over the next 30 years. The hours of operation for interment services will be 12 months a year, Monday through Friday from 9:00 a.m. until 3:30 p.m., and Saturday from 9:00 a.m. until 12:00 p.m. There will be no interment services conducted on Sundays and holidays.

Existing improvements on a 5.12-acre parcel include burial plots, a 1,485 square-foot storage building and restroom facility, a water well, an interior road, and a 15-foot-wide driveway access off of Shaw Avenue. The project will be developed in two phases. Phase I includes six-foot-high columbarium walls, burial plots, a 5,000 square-foot storage building, a 3,750 square-foot maintenance building, an outdoor storage area, paved pedestrian walkways, 30-foot-wide interior roads, and expansion of an existing 15-foot-wide interior road to 30 feet. Phase II includes burial plots, paved pedestrian walkways, and interior roads on the 14.06-acre parcel. As part of Phase I, a new 24-foot-wide driveway approach to the east of the existing entrance will provide additional access to the property off of Shaw Avenue. Unmarked paved parking for visitors will be provided along one side of the interior roads.

ANALYSIS/DISCUSSION:

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

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	RR Zone District Front: 35 feet Side: 20 feet	Front (southern property line): 69 feet Side (eastern property line): 63 feet	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	Rear: 20 feet C-6 Zone District: No requirement	Side (western property line): 127 feet Rear (northern property line): more than 20 feet N/A	N/A
Parking	<ul style="list-style-type: none"> One parking space for every 20 square feet of floor area of assembly room One parking space for each employee One parking space for each vehicle owned by the facility 	25 standard parking spaces along one side of the interior roads, including one ADA-compliant space	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Six feet (minimum) in RR Zone District None required in C-6 Zone District	N/A 60 feet	N/A Yes
Wall Requirements	RR Zone District <ul style="list-style-type: none"> No greater than six feet in height on all rear and side property lines and three feet in height in any required front yard C-6 Zone District <ul style="list-style-type: none"> Six-foot solid masonry wall on side property line 	A six-foot-high columbarium wall across side property lines of the subject parcels	Yes
Septic Replacement Area	100 percent	100 percent	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	On-site sewage disposal system for new restroom facility provided within maintenance office	Yes

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: Existing and proposed improvements satisfy the setback requirements of the RR (Rural Residential, two-acre minimum parcel size) and C-6(c) (General Commercial, Conditional) Zone Districts.

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

Analysis:

Staff review of the Site Plan demonstrates that the proposed improvements meet the building setback requirements of the RR and C-6 Zone Districts. As shown on the Site Plan (Exhibit 5), adequate area is available on the subject 5.12-acre and 14.06-acre parcels to accommodate improvements to the existing cemetery and the proposed expansion, which include a 5,000 square-foot storage building, 3,750 square-foot maintenance building, burial plots, columbarium walls, outdoor storage area, paved pedestrian walkways, interior roads, and ingress/egress off of Shaw Avenue.

In regard to parking, the Zoning Ordinance requires one parking space for every 20 square feet of floor area for the assembly room, plus one parking space for each employee, plus one parking space for each vehicle owned by the facility. The subject proposal includes a 156 square-foot assembly/office room. Additionally, a total of 15 employees will staff the proposed cemetery, and the Clovis Cemetery District owns two vehicles. As such, 25 standard parking spaces, including one ADA-compliant parking space, are required for the project and will be provided on the subject properties.

Based on the above information, and with adherence to a Site Plan Review required as a Condition of Approval, staff believes the project site is adequate to accommodate the proposed use, vehicle circulation and ingress/egress.

Recommended Conditions of Approval:

See Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Shaw Avenue: Good condition	No change
Direct Access to Public Road	Yes	Shaw Avenue	A 24 to 35-foot-wide two-way driveway approach off of Shaw Avenue

		Existing Conditions	Proposed Operation
Road ADT (Average Daily Traffic)		4,400	No change
Road Classification		Arterial	No change
Road Width		Split right-of-way: 30 feet north of section line in front of 14.06-acre parcel; 42 feet north of section line in front of 5.12-acre parcel	Additional right-of-way varying from 12 feet to 29 feet north of the section line to account for the ultimate right-of-way of 110 feet for Shaw Avenue is required, and to be irrevocably offered to the County of Fresno.
Road Surface		Asphalt paved: pavement width 50 feet	No change
Traffic Trips		48 one-way trips (24 round trips) daily	<ul style="list-style-type: none"> • 134 one-way trips (67 round trips) daily • Two one-way trips (one round trip) every two months for delivery of outer burial containers, markers and headstones
Traffic Impact Study (TIS) Prepared	No	N/A	No TIS required by the Design Division of the Fresno County Department of Public Works and Planning.
Road Improvements Required		Shaw Avenue: Good condition	No change

Reviewing Agency/Department Comments:

Site Plan Review Section of the Fresno County Department of Public Works and Planning: Two-way driveway approaches shall be 24 to 35 feet in width and two-way driveways shall be a minimum width of 24 feet. The first 100 feet of the driveway shall be asphalt concrete paved. These requirements will be addressed through Site Plan Review and have been included as a Condition of Approval.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Shaw Avenue is classified as an Arterial in the General Plan. County right-of-way drawings show an ultimate right-of-way of 110 feet that varies in distance north and south of the section line along Shaw Avenue. The Applicant shall dedicate an additional right-of-way varying from 12 feet to 29 feet north of the section line to account for the ultimate right-of-way of 110 feet for Shaw Avenue. This requirement has been included as a Condition of Approval.

An encroachment permit shall be required for construction of a new driveway approach in the County road right-of-way, and any gates on the driveway off of Shaw Avenue shall be set back a minimum of 20 feet from the ultimate right-of-way line to preclude vehicles from having to stop within the County road right-of-way.

Development Engineering Section of the Fresno County Department of Public Works and Planning: A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Shaw Avenue.

The aforementioned requirements have been included as Project Notes.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

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

Analysis:

The subject properties have road frontage on Shaw Avenue with one existing and one new driveway proposed to access Shaw Avenue from the properties. Shaw Avenue, at the project site, is classified as an Arterial with 110 feet of ultimate right-of-way. The Applicant will be required to dedicate an additional right-of-way varying from 12 feet to 29 feet north of the section line to account for the ultimate right-of-way of 110 feet for Shaw Avenue. Review of this proposal by the Design Division of the Fresno County Department of Public Works and Planning resulted in no concerns with the traffic and no need for a Traffic Impact Study for the project.

Based on the above information, and with adherence to the Condition of Approval, Site Plan Review required as a Condition of Approval, and mandatory Project Notes as described above, staff believes that the section of Shaw Avenue in front of the project site will remain adequate to accommodate the proposal.

Recommended Conditions of Approval:

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

Conclusion:

Finding 2 can be made.

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

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	30.8 acres 1.47 acres	Vacant	AL-20	None
South	Two to four acres	Single-Family Residences	RR	136 feet

Surrounding Parcels				
East	40 acres	Vacant	RR	None
West	24.2 acres	Vacant	O	None

Reviewing Agency/Department Comments:

California Department of Fish and Wildlife (CDFW): The project shall comply with all mitigation measures listed in the Biological Evaluation prepared for the project by Live Oak Associates, Inc., dated March 11, 2013, including the requirement that all buffering required for pre-construction surveys and construction activity during nesting season shall be acceptable by CDFW. Mitigation Measures are included in Exhibit 1 of this report.

Water/Geology/Natural Resources (WGNR) Section of the Fresno County Department of Public Works and Planning: The Applicant shall provide a Will-Serve letter from the Fresno Irrigation District. In lieu of a Will-serve letter, a Mitigation Measure has been accepted by WGNR and included in Exhibit 1 of this report.

California Historical Resources Information System (CHRIS): An archeological survey was previously conducted on the subject 14.06-acre parcel 30 years ago. A new archeological survey shall be conducted on the property by a qualified, professional archeologist prior to ground-disturbance activities to determine if cultural resources are present. In lieu of the survey, a Mitigation Measure has been included in Exhibit 1 of this report.

Fresno Irrigation District (FID): The subject parcel is adjacent to the FID Enterprise Canal No. 109 and the landowner/developer could apply to divert surface water provided the following requirements are satisfied: a) the developer shall meet with FID staff to discuss the water service; b) the developer shall construct a turnout gate valve and structure to divert surface water from the canal to the subject parcel; c) a water meter shall be required for any turnout gate diverting water from the canal to the subject parcel; and d) water delivery to the subject parcel from the canal shall be during FID’s irrigation season which ranges from three (3) to eight (8) months per year depending on snowfall and precipitation received. A Mitigation Measure has been included in Exhibit 1 requiring that the primary source of irrigation water for the cemetery shall be from FID’s Enterprise Canal.

Additionally, FID requires its review and approval of all improvement plans that may affect its property/easements and canal/pipeline facilities. The developer shall submit a Grading and Drainage Plan for FID review and approval which shows that the proposed development will not endanger the structural integrity of FID facilities or result in drainage patterns that could adversely affect FID facilities. FID typically requires developers of projects adjacent to a canal to improve the canal with either a concrete lining, encasing the canal in a box culvert, or other means approved by FID to protect the integrity of the canal.

State Water Resource Control Board (SWRCB), Office of Drinking Water: This proposal constitutes a public water system classified as a Transient Non-Community Water System which requires permitting by SWRCB. The Applicant shall submit a domestic water supply permit application, technical report, and application fee prior to operation of the water system, and submit the plans for the well construction and water distribution for review prior to construction; complete and submit an assessment of the technical, managerial, and financial capacity of the proposed water system with the permit application; and conduct water quality

testing of the well proposed to provide drinking for bacteria, nitrate and nitrite in accordance with the requirements for a transient non-community water system.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan demonstrating how additional storm water run-off generated by the project will be handled without adversely impacting adjacent properties shall be provided for review and approval. A grading permit or voucher shall be obtained for any grading proposed with this application. On-site turnarounds shall be required for vehicles leaving the site to enter the Arterial (Shaw Avenue) in a forward motion.

Fresno County Department of Public Health, Environmental Health Division: Prior to the issuance of building permits for the proposed septic system and maintenance shop, the owners/operators shall submit an engineered sewage disposal system design to the Environmental Health Division for review and approval. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. Future tenants proposing to 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. Any business that handles hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507. All water wells and septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately-licensed contractor. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil, and if found, it shall be removed from the well prior to placement of fill material for destruction. Clovis Cemetery District shall reserve the right to request participants at graveside services to reduce and/or stop activities which create noise levels in excess of the Fresno County Noise Ordinance Code.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: A Site Plan Review Application shall be submitted for review and approved by the Director of Public Works and Planning, in accordance with Section 874 of the Fresno County Zoning Ordinance. Parking areas should be concrete or asphalt concrete paved and the required parking stalls, including ADA parking stall(s), shall be shown on the site plan submitted for Site Plan Review. A dust palliative should be required for all parking and circulation areas that are not asphalt concrete or concrete to prevent the creation of dust by vehicles.

Fresno County Fire Protection District (Fire District): The project 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.

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

The aforementioned requirements have been included as Project Notes.

U.S. Fish and Wildlife Service; Fresno County Sheriff; Cemetery and Funeral Bureau; Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Analysis:

The project site is located in an area of mixed agricultural, residential, and recreational land uses. Adjoining parcels to the north, east, and west of this proposal are vacant and the parcels to the south are developed with single-family homes. A 40-acre approved cemetery for Clovis Cemetery District adjoins the eastern boundary and Fresno Irrigation District (FID) Enterprise Canal No. 109 runs along the northern boundary of the 14.06-acre parcel. Redbank Creek No. 153 is located approximately 1,135 feet to the north, a high-intensity park (Woolf Lakes) is located one third of a mile to the southwest, and a recreational water park (Wild Water Adventure Park) is located one quarter of a mile to the southwest of the subject proposal.

The 14.06-acre site for the cemetery expansion is currently vacant. The proposed equipment storage and maintenance buildings included in this project are single-story, low-height (maximum 18 feet) buildings, which match in height, design, and material with other improvements in the vicinity, and are unlikely to be significantly visible from the surrounding area. As such, no visibility concerns are anticipated from this proposal.

A Biological Evaluation was prepared for the project by Live Oak Associates, Inc., dated March 11, 2013, to assess possible impacts from the proposed project to sensitive biotic resources and to recommend mitigation measures where appropriate. According to the Biological Evaluation, the subject parcel provides potential breeding and foraging habitat for Burrowing Owl, white-tailed kite, and loggerhead shrike, and downstream water quality may be significantly affected by this proposal due to soils eroding into nearby waters. However, the inclusion of Mitigation Measures in this report requiring avoidance, pre-construction surveys, and passive relocation will reduce potential negative impacts to these species to a less than significant level. Similarly, erosion control measures will reduce potentially significant impacts to downstream water quality to a less than significant level.

According to comments provided by the Fresno Irrigation District (FID), FID typically requires developers of projects adjacent to a canal to improve the canal with either concrete lining, encasing the canal in a box culvert, or other means approved by FID to protect the integrity of the canal. However, staff does not believe there will be any significant impact to the nearby FID Enterprise Canal No. 109 as a result of this proposal with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

An Initial Study prepared for the project has identified aesthetics, biological resources, cultural resources, and hydrology and water quality as potential impacts. Regarding aesthetics, all new lighting on the property will be hooded and directed downward to avoid glare on the adjoining properties. Regarding biological resources, the project will comply with all mitigation measures listed in the Biological Evaluation prepared for the project and included in Exhibit 1 of this report. Regarding cultural resources, in the event previously unidentified cultural materials are unearthed during ground-disturbance activity, all work will be halted in that area until a qualified archeologist can assess the significance of the find. Regarding hydrology and water quality, the primary source of irrigation water for the cemetery will be from the Fresno Irrigation District Enterprise Canal or reclaimed water from the City of Clovis. These requirements have been included as Mitigation Measures (Exhibit 1).

Potential impacts related to air quality, geology and soils, hazards and hazardous materials, noise, and public services are considered to be less than significant. The Applicant will be required to consult with Air District Rules to identify District rules or regulations that may apply to this project; submit a Grading and Drainage Plan to ensure that the proposed development will

not result in drainage patterns that could adversely affect surrounding properties including nearby Fresno Irrigation District facilities (Enterprise Canal No. 109); handle all hazardous wastes in accordance with requirements set forth in the California Code of Regulations and submit a Hazardous Materials Business Plan for handling of hazardous materials/wastes; comply with Fresno County Noise Ordinance Code; submit Fresno County Fire Protection District's approved Site Plan prior to issuance of building permits by the County, and have the site inspected by the District prior to occupancy. These requirements have been included as Project Notes (Exhibit 1).

Based on the above information, and with adherence to the Mitigation Measures, a Condition of Approval requiring Site Plan Review for the implementation of on-site and off-site improvements, and mandatory Project Notes, staff believes that the proposal will not have adverse effects upon surrounding properties.

Recommended Conditions of Approval:

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

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-E.14: Although located within a predominately Rural Residential area, the 14.06 acre parcel located at the northwest corner of East Shaw Avenue and the North Bethel Avenue Alignment (APN 308-210-35) is designated Special Commercial limited to a meeting hall, wedding chapel and gift shop.</p>	<p>Policy LU-E.14 limits the allowed uses on the parcel to a meeting hall, wedding chapel and gift shop. General Plan Amendment Application No. 544 was filed to amend the text of Policy LU-E.14 to add a cemetery as an allowed use.</p>
<p>General Plan Policy LU-A.3: County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to certain Criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources.</p>	<p>According to the Non-Agricultural Rural Development section of the General Plan's Agriculture and Land Use Element, Policies found in Section LU-A of the Plan can be applicable to development proposals located in areas designated for Rural Residential land use. With regard to Criteria "a", this proposal will allow modification to an existing cemetery on a 5.12-acre parcel and expansion on a 14.06-acre parcel. Since there is no room for expansion at the existing Clovis, Auberry, Academy, or Tollhouse cemeteries, the project will serve the surrounding communities by allowing interment services for human remains and cremated human remains of District residents. With regard to Criteria "b", the subject parcels are not</p>

Relevant Policies:	Consistency/Considerations:
<p>Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available.</p>	<p>farmlands and are classified as Urban and Built-Up Land and Grazing Land on the Fresno County Important Farmland Map (2010). With regard to Criteria “c”, the subject proposal is adjacent to the southern boundary of a designated water-short area and will utilize surface water from the Enterprise Canal as the primary source water for landscaping irrigation to reduce groundwater usage. With regard to Criteria “d”, this proposal is located approximately 2.8 miles east of the City of Clovis, which has the ability to provide an adequate workforce. The project is consistent with this policy.</p>
<p>General Plan Policy PF-C.17 states that the County shall, prior to consideration of any discretionary project 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. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</p>	<p>The subject parcels are adjacent to a designated water-short area. Fresno Irrigation District (FID) and Water/Geology/ Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and requires that the project shall balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area’s existing groundwater overdraft; or require the use of reclaimed water from the City of Clovis. To minimize the impact on groundwater resources, a Mitigation Measure has been included which requires the Applicant to utilize surface water from the Enterprise Canal No. 109 as the primary source of irrigation water. The project is consistent with this policy.</p>
<p>General Plan Policy PF-D.6: The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.</p>	<p>This proposal was reviewed by the Fresno County Department of Public Health, Environmental Health Division and will require an engineered sewage disposal system for the proposed restroom facility on the property. The project is consistent with this policy.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcels are designated Northeast Rural Residential and Special Commercial in the Fresno County General Plan. An amendment to the text of Policy LU-E.14 is required to add “Cemetery” as an allowed use on a 14.06-acre parcel (APN 308-210-47T). Policy LU-A.3,

allows certain non-agricultural uses such as the proposed cemetery in agricultural and rural residential areas by means of a discretionary use permit. Policy PF-C.17 requires undertaking a water supply evaluation to determine water sustainability for the use proposed. Policy PF-D.6 requires individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality. The project site is not subject to a Williamson Act Contract.

Analysis:

This proposal entails an amendment to the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add “Cemetery” as an allowable use for a 14.06-acre parcel (APN 308-210-47T). The concurrent CUP Application No. 3486 is to allow modification to an existing cemetery on a 5.12-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District, and expansion onto the 14.06-acre parcel zoned C-6(c) (General Commercial, Conditional).

The subject 14-acre parcel is designated Special Commercial and zoned C-6(c) (General Commercial, Conditional). The C-6 Zone District allows a cemetery subject to approval of a Conditional Use Permit Application. As noted above, General Plan Policy LU-E.14, limits the use of the parcel to a meeting hall, wedding chapel and gift shop. Therefore, in conjunction with CUP Application No. 3486, the Applicant has filed General Plan Amendment (GPA) Application No. 544 to amend Policy LU-E.14 of the Agriculture and Land Use Element of the Fresno County General Plan to add “Cemetery” as an allowed use on the subject parcel known as Assessor’s Parcel Number 308-210-47T.

With the approval of the proposed General Plan Amendment Application No. 544, staff believes that the proposed use is consistent with Fresno County General Plan Policies. Staff also believes the proposal is consistent with Policy LU-A.3. a.b.c.d. as discussed above, and Policy PF-C.17 and Policy PF-D.6 in that it will not significantly deplete ground water supplies due to additional water usage or impact water quality due to installation of an on-site sewage disposal system. The project will use surface water from the Enterprise Canal for landscaping irrigation to minimize groundwater usage and install an engineered sewage disposal system verses a conventional sewage disposal system.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

Public Correspondence:

One letter was received in opposition to the application from the owner of an approved residential tract (Tract Map No. 5415) indicating that people will not purchase homes if located next to a cemetery.

CONCLUSION:

Staff believes that amending Policy LU-E.14 of the Agriculture and Land Use Element of the Fresno County General Plan to add “Cemetery” as an allowable use on a 14.06-acre parcel is

consistent with the County General Plan. Staff also believes the required Findings for granting the Unclassified Conditional Use Permit Application can be made based on the factors cited in the analysis, the recommended Conditions of Approval and Project Notes regarding mandatory requirements. Staff therefore recommends approval of the Mitigated Negative Declaration prepared for the project (General Plan Amendment Application No. 544 and Unclassified Conditional Use Permit Application No. 3486) subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study No. 6929; and
- Move to determine that the proposed amendment to the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add “Cemetery” as an allowable use on a 14.06-acre parcel (APN: 308-210-47T) is consistent with the County General Plan; and
- Adopt Findings noted in the staff report and approve Unclassified Conditional Use Permit Application No. 3486 subject to conditions listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution to forward General Plan Amendment (GPA) Application No. 544 and Unclassified Conditional Use Permit Application No. 3486 to the Board of Supervisors with a recommendation for approval, subject to the Conditions of approval listed in the Staff Report.

Alternative Motion (Denial Action)

- Move to determine that the proposed amendment to the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add “Cemetery” as an allowable use on a 14.06-acre parcel (APN: 308-210-47T) is not consistent with the County General Plan; and
- Move to determine that the required Findings cannot be made (state basis for not making Findings) and move to deny Unclassified Conditional Use Permit Application No. 3486; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

EA:
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3400-3499\3486 - See GPA 544\SR\CUP3486 SR.docx

Mitigation Monitoring and Reporting Program
Initial Study Application No. 6929, General Plan Amendment Application No. 544,
Unclassified Conditional Use Permit Application No. 3486

EXHIBIT 1

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 downward as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
*2.	Biological Resources	A pre-construction survey for shall be conducted by a qualified biologist for Burrowing Owls within 30 days of the onset of construction. This survey will consist of assessing suitable habitat areas across the site and if such habitat is found, four days of walking transects across all suitable habitats within the project site including a 250-foot buffer area. Transects will be spaced in order to gain full visual coverage of the surface of the site. Transect spacing shall not exceed 100 feet. All suitably-sized burrows or subterranean cavities will be inspected for owl signs (<i>i.e.</i> , white wash, pellets, cough pellets, feathers). The location of Burrowing Owls or their signs will be mapped, preferably with a GPS unit.	Applicant	Applicant/California Department of Fish and Wildlife (CDFW)	As noted
*3.	Biological Resources	If pre-construction surveys are undertaken during the breeding season (February 1 – August 31) and active nest burrows are located within or near construction zones, a construction-free buffer of 250 feet shall be established around all active nests. The buffer areas shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place until a qualified biologist has determined that the young has fledged or until after the breeding season is ended (August 31).	Applicant	Applicant/CDFW	As noted
*4.	Biological Resources	During the non-breeding season (September 1 – January 31), resident owls occupying burrows in areas proposed for development may be relocated to alternative habitat. The	Applicant	Applicant/CDFW	As noted

		relocation of resident owls (passive relocation) must be conducted according to a relocation plan prepared by a qualified biologist. Passive relocation will be the preferred method of relocation.			
*5.	Biological Resources	Should it be determined that Burrowing Owls occupy the site, habitat must be replaced or acquired through the purchase of credit from an approved mitigation bank, the preservation and possible enhancement of on-site habitats, or the acquisition and preservation of off-site habitats. Habitat suitable for the Burrowing Owl will be preserved at a ratio of one acre of habitat preserved for each acre of habitat permanently disturbed by project grading and construction. The preservation land shall be protected by a conservation easement.	Applicant	Applicant/CDFW	As noted
*6.	Biological Resources	All construction activity shall be conducted outside of the bird nesting season (February through August) or maintain a buffer acceptable to the California Department of Fish and Wildlife around all trees during the nesting season in order to avoid possible impacts to Loggerhead Shrikes and other bird species.	Applicant	Applicant/CDFW	As noted
*7.	Biological Resources	During the bird nesting season, a pre-construction survey shall be conducted by a qualified biologist for nesting white-tailed kites, Loggerhead Shrikes and other nesting birds within 30 days of the onset of construction. All suitable habitats of the site shall be covered during this survey. Surveys shall include the inspection of all trees within and adjacent to the footprint of construction between February 1st and August 31st of any given year.	Applicant	Applicant/CDFW	As noted
*8.	Biological Resources	If pre-construction surveys are undertaken during the bird nesting season (February through August) and active nests are located within or near construction zones, these nests, and an appropriate buffer acceptable to the California Department of Fish and Wildlife around the nests (as determined by a qualified biologist), shall remain off-limits to construction until the breeding season is over.	Applicant	Applicant/CDFW	As noted
*9.	Biological Resources	Prior to the onset of construction, an Erosion Control Plan shall be prepared by a qualified engineer. Specified erosion control measures must be implemented prior to the onset of the rainy season. The site shall be monitored periodically	Applicant	Applicant/CDFW	As noted

	<p>throughout the rainy season to ensure that the erosion control measures are successfully preventing on-site erosion and the concomitant deposition of sediment in on-site and off-site drainages. Elements of the Erosion Control Plan shall address both the potential for soil erosion and non-point source pollution. At a minimum, elements of the Erosion Control Plan shall include the following:</p> <p>a) Protection of exposed graded slopes from sheet, rill and gully erosion. Such protection may be in the form of erosion control fabric, hydro mulch containing the seed of native soil-binding plants, straw mechanically imbedded in exposed soils, or some combination of the three.</p> <p>b) Protection of natural drainage channels from sedimentation. Straw bale check dams or waddles shall be installed below graded areas so that any sediment carried by surface runoff is intercepted and retained behind the check dams before it can enter a drainage channel.</p> <p>c) Use of Best Management Practices (BMPs) to control soil erosion and non-point source pollution. BMPs may include measures in "a" and "b" above, but may include any number of additional measures appropriate for this particular site and this particular project, including grease traps in parking lots, landscape management practices to reduce the use of pesticides and herbicides, the discharge of storm water runoff from "hardscapes" into grassy swales or detention basins, and regular site inspections for pollutants that could be carried by runoff into natural drainages.</p>	Applicant	As noted
*10.	<p>Cultural Resources</p>	<p>Applicant/ PW&P/ Fresno County Coroner</p>	As noted
*11.	<p>Hydrology and Water Quality</p>	Applicant	As noted

		use of groundwater for irrigation shall only be used when surface water is not available.		
Conditions of Approval				
1.		Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plans, Elevation Drawings and Operational Statement.		
2.		Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.		
3.		The owner of the subject property shall record a document irrevocably offering right-of-way varying from 12 feet to about 29 feet north of the section line to account for the ultimate right-of-way of 110 feet for Shaw Avenue. The ultimate right-of-way line shall establish the building setback line for future development. Note: A Preliminary Title Report or Lot Book Guarantee may be required before the Irrevocable Offer of Dedication can be processed. The owner is advised that where Deeds of Trust or any other type of monetary liens exist on the property, the cost of obtaining a Partial Reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer. The County will prepare the Irrevocable Offer of Dedication free of charge.		
4.		As required by the State Water Resources Control Board, Office of Drinking Water, item No. 9 of the Project Notes shall be complied with prior to issuance of building permits.		
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.				
Notes				
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.				
1.		Contact the Building and Safety Section of the Department of Public Works and Planning at (559) 600-4540 regarding permits for siting, construction and electrical work.		
2.		An Engineered Grading and Drainage Plan demonstrating how additional storm water runoff generated by the project will be handled without adversely impacting adjacent properties shall be provided to the Department of Development Engineering for review and approval.		
3.		A grading permit or voucher shall be obtained for any grading proposed with this application.		
4.		An encroachment permit shall be required for construction of a new driveway approach in the County road right-of-way.		
5.		Any gates on the driveway off Shaw Avenue shall be set back a minimum of 20 feet from the ultimate right-of-way line to		

Notes

	preclude vehicles from having to stop within the County road right-of-way.
6.	Onsite turnarounds shall be required for vehicles leaving the site to enter the arterial road (Shaw Avenue) in a forward motion.
7.	<p>According to the Fresno County Department of Public Health, Environmental Health Division:</p> <ul style="list-style-type: none"> • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, and future tenants proposing to 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. • Any business that handles hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507. • All water wells and septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately-licensed contractor. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column should be checked for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. • Engineered sewage disposal systems shall be required in the project area. Prior to the issuance of building permits for the proposed septic system and Maintenance Shop, the owners/operators shall submit an engineered sewage disposal system design to the Environmental Health Division for review and approval. Engineered sewage disposal systems must be designed and installation certified by a California Registered Geologist, Professional Engineer, or Registered Environmental Health Specialist. The Applicant's Registered Geologist, Professional Engineer, or Registered Environmental Health Specialist shall contact the Environmental Health Division prior to initiating any work to discuss the scope of work that will be required, including, but not limited to, the requirement for all test pits to be dug using a backhoe. • The Clovis Cemetery District shall reserve the right to request participants at graveside services to reduce and/or stop activities which create noise levels in excess of the Fresno County Noise Ordinance Code.
8.	<p>According to the Site Plan Review Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • Parking areas shall be concrete or asphalt concrete paved. • The required parking stalls, including ADA parking stall(s), shall be shown on the site plan submitted for Site Plan Review. • Two-way driveway approaches should be 24-35 feet in width and two-way driveways should be a minimum width of 24 feet. • The first 100 feet of the driveway shall be asphalt concrete paved. A dust palliative should be required for all parking and circulation areas that are not asphalt concrete or concrete to prevent the creation of dust by vehicles.
9.	<p>According to the State Water Resource Control Board (SWRCB), Office of Drinking Water, the Applicant shall:</p> <ul style="list-style-type: none"> • Submit a domestic water supply permit application, technical report, and application fee prior to operation of the water system, and submit the plans for the well construction and water distribution for review prior to construction; • Complete and submit an assessment of the technical, managerial, and financial capacity of the proposed water system with

Notes

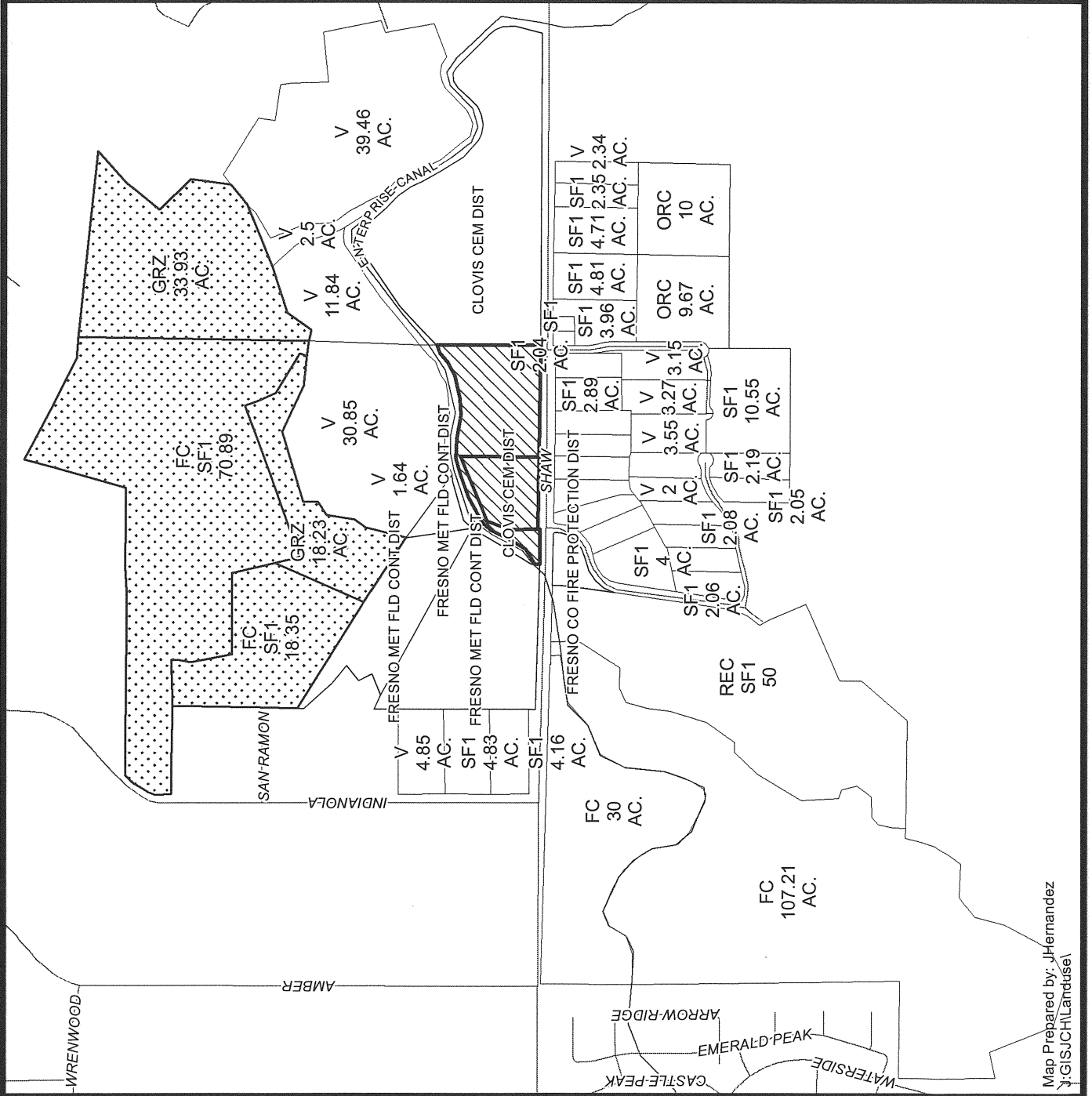
	<p>the permit application; and</p> <ul style="list-style-type: none"> Conduct water quality testing of the well proposed to provide drinking for bacteria, nitrate and nitrite in accordance with the requirements for a transient non-community water system.
10.	<p>The subject parcel is adjacent to the Fresno Irrigation District (FID) Enterprise Canal No. 109. To obtain surface water from the Canal:</p> <ul style="list-style-type: none"> The developer shall meet with FID staff to discuss the water service. The developer shall construct a turnout gate valve and structure to divert surface water from the canal to the subject parcel. A water meter shall be required for any turnout gate diverting water from the canal to the subject parcel. Water delivery to the subject parcel from the canal shall be during FID's irrigation season which ranges from three (3) to eight (8) months per year depending on snowfall and precipitation received.
11.	<p>A privately-owned pipeline known as Nelson No. 109 that diverts water off of the Enterprise Canal traverses the eastern edge of the 14.06-acre property. Prior to any improvements in the vicinity of the pipeline, the owner of the pipeline shall be consulted to discuss any right-of-way issues that may affect said pipeline.</p>
12.	<p>Fresno Irrigation District (FID) requires review and approval of all improvement plans which affect FID's property/easements and canal/pipeline facilities. The developer shall submit a Grading and Drainage Plan for FID review and approval which shows that the proposed development will not endanger the structural integrity of FID facilities, or result in drainage patterns that could adversely affect FID facilities.</p>
13.	<p>If construction associated with this proposal disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the developer shall submit to the Central Valley Regional Water Quality Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees.</p>
14.	<p>The proposal shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Protection District for review and approval. The Applicant shall submit evidence that their Plans were approved by the Fresno County Fire Protection District, and all fire protection improvements shall be installed prior to occupancy being granted for the use.</p>
15.	<p>The Applicant shall contact the San Joaquin Valley Air Pollution Control District District's Small Business Assistance Office to identify District rules or regulations that may apply to this project or obtain information about District permit requirements.</p>



EXISTING LAND USE MAP

EXHIBIT 4

CUP 3486



LEGEND

- FC - FIELD CROP
- GRZ - GRAZING
- ORC - ORCHARD
- REC - RECREATION
- SF# - SINGLE FAMILY RESIDENCE
- V - VACANT

LEGEND:

- Subject Property
- Ag Contract Land



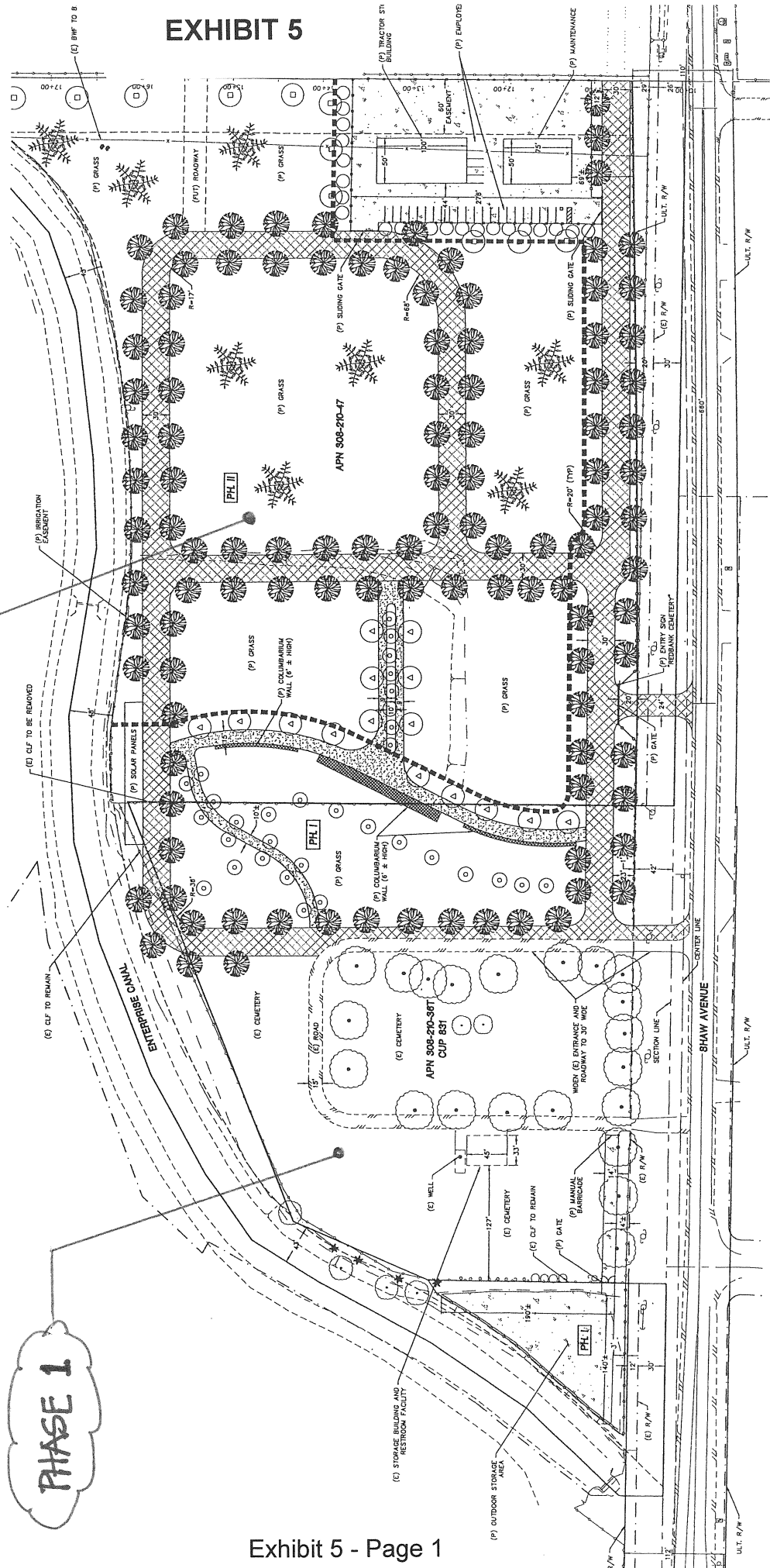
Department of Public Works and Planning
Development Services Division

Map Prepared by: JHernandez
GISJCH(Landuse)

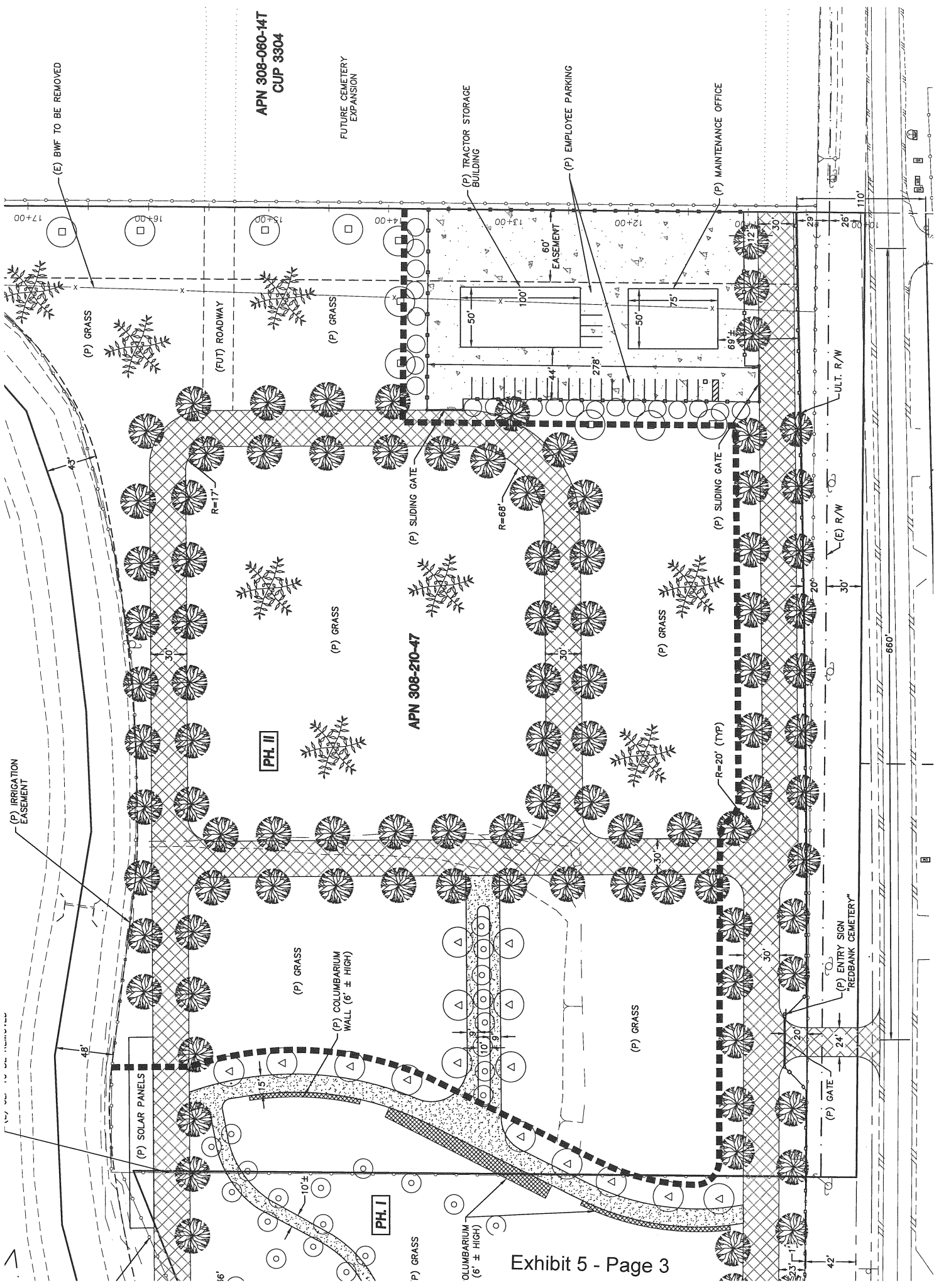
EXHIBIT 5

PHASE II

PHASE I



SITE PLAN



APN 308-080-14T
CUP 3304

FUTURE CEMETERY
EXPANSION

APN 308-210-47

PH II

PH I

(E) BWF TO BE REMOVED

(P) GRASS

(FUT) ROADWAY

(P) GRASS

(P) TRACTOR STORAGE
BUILDING

(P) EMPLOYEE PARKING

(P) MAINTENANCE OFFICE

(P) SLIDING GATE

(P) SLIDING GATE

(P) GRASS

(P) GRASS

(P) IRRIGATION
EASEMENT

(P) SOLAR PANELS

(P) GRASS

(P) COLUMBARIUM
WALL (6' ± HIGH)

(P) GRASS

(P) ENTRY SIGN
"REDBANK CEMETERY"

(P) GATE

660'

(E) R/W

ULT. R/W

110'

42'

23'

20'

30'

30'

20'

30'

12+00

13+00

14+00

15+00

16+00

17+00

50'

100'

44'

278'

60' EASEMENT

44'

69'

50'

75'

68'

44'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

R=68'

R=17'

R=20' (TYP)

48'

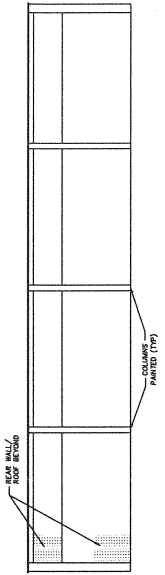
15'

10' ±

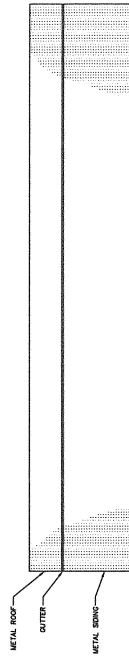
16'

16'

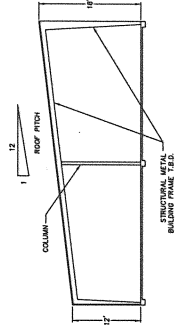
EXHIBIT 6



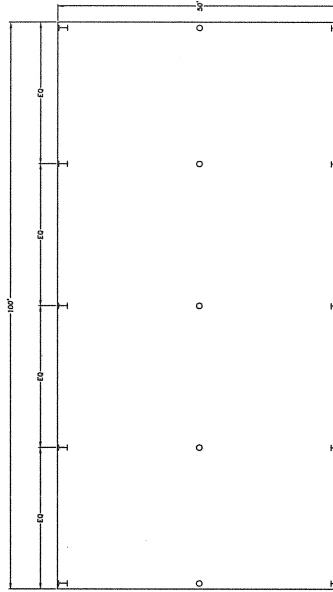
CONCEPT FRONT ELEVATION



CONCEPT REAR ELEVATION



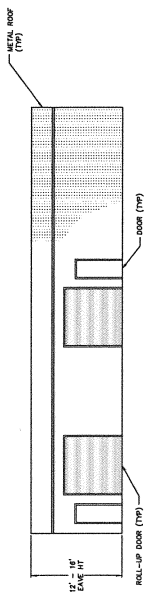
CONCEPT SIDE ELEVATION



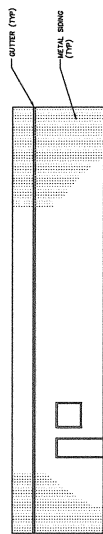
CONCEPT FLOOR PLAN

COVERED TRACTOR BUILDING

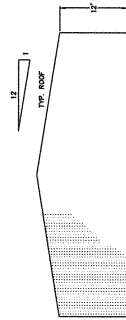
SCALE: 1" = 10'



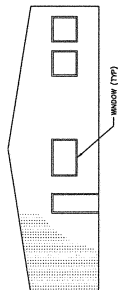
CONCEPT FRONT ELEVATION



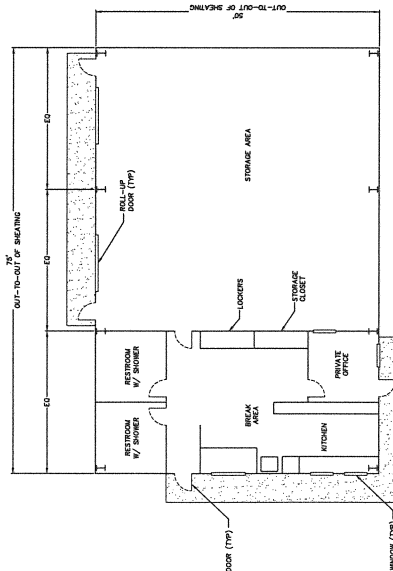
CONCEPT REAR ELEVATION



CONCEPT NORTH SIDE ELEVATION



CONCEPT SOUTH SIDE ELEVATION



CONCEPT FLOOR PLAN

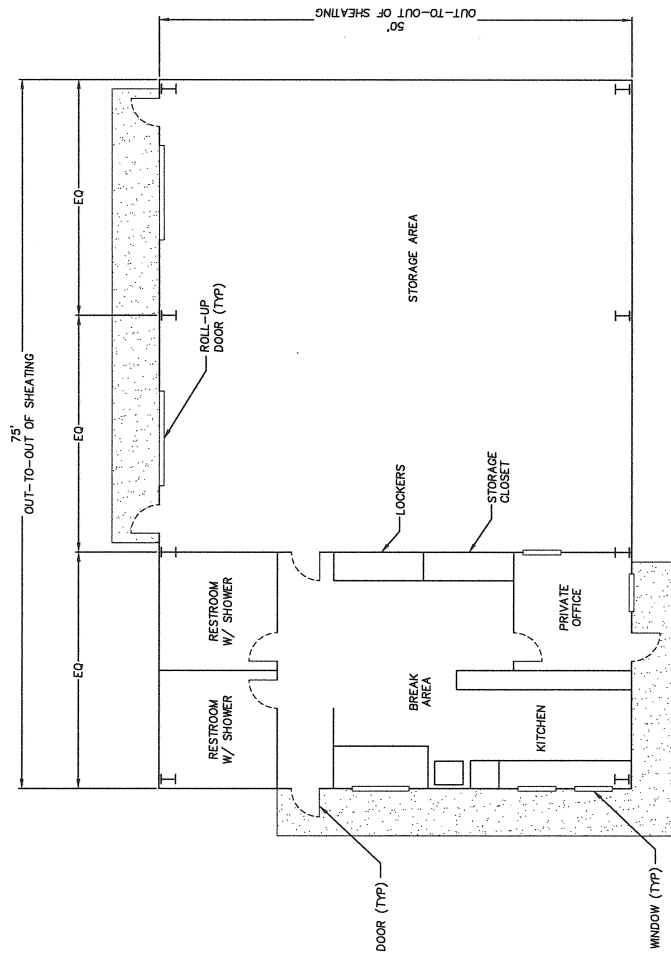
MAINTENANCE BUILDING

SCALE: 1" = 10'

<p>YAMABE & HORN ENGINEERING, INC. 1001 N. 3RD. AVENUE SUITE 101 FRESNO, CA 93701 TEL (559) 344-3133 FAX (559) 344-3330</p>	<p>Ref. & Proj.</p> <p>COUNTY OF FRESNO PROJECT NO. 2007-2007-001 RED BANKS CEMETERY CLOVIS, CA BUILDING CONCEPT DRAWINGS</p>	<p>Dr. By: HT Ch. By: DH Date: 2/28/2011 Scale: AS SHOWN</p>	<p>PI Job No. 1186L Sheet No. 2 Of 2 Sheets</p>
	<p>Project: 2007-2007-001 Title: BUILDING CONCEPT DRAWINGS</p>		

CONCEPT NORTH SIDE ELEVATION

CONCEPT SOUTH SIDE ELEVATION

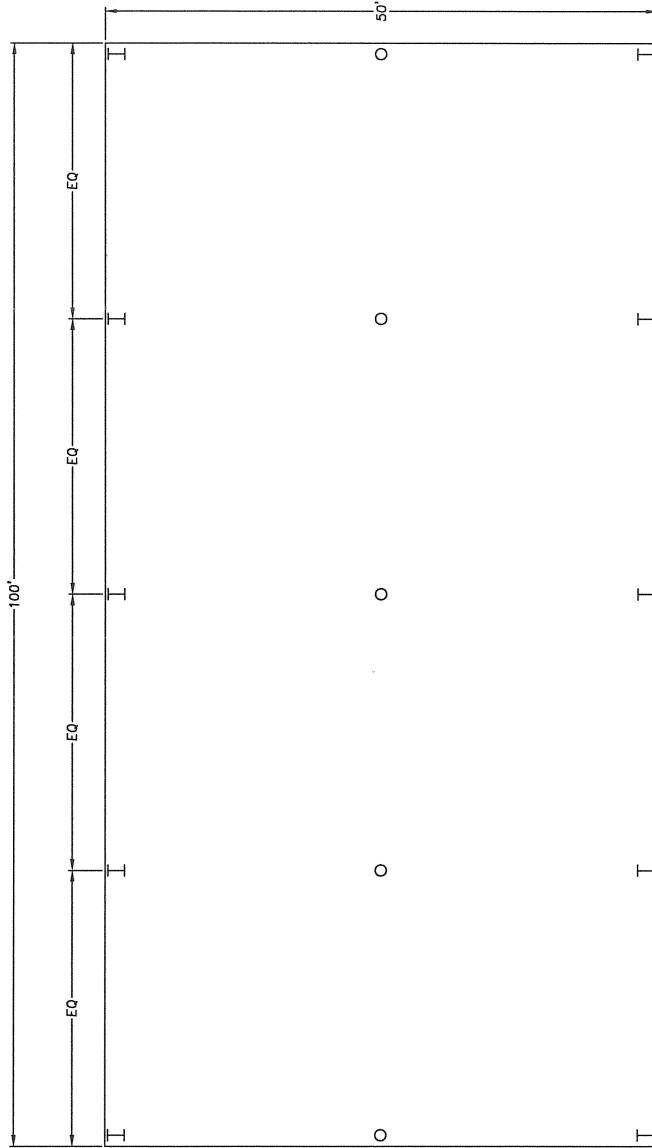


CONCEPT FLOOR PLAN

MAINTENANCE BUILDING

SCALE: 1" = 10'

CONCEPT SIDE ELEVATION



CONCEPT FLOOR PLAN

COVERED TRACTOR BUILDING

SCALE: 1" = 10'

EXHIBIT 7

OPERATIONAL STATEMENT CHECKLIST
CLOVIS CEMETERY DISTRICT
305 NORTH VILLA AVENUE
CLOVIS, CA 93612
559-299-6057
FOR THE
14 ACRE REDBANK EXPANSION

CUP 3486
RECEIVED
COUNTY OF FRESNO
OCT 26 2015
DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION
(REVISED)

1. The nature of the operation is a cemetery. The expansion at the existing Redbank Cemetery will eventually serve as the main cemetery of the Clovis Cemetery District. Chapel/Graveside services, interment of human remains and human cremated remains, installation of markers/headstones.
2. The hours of operation for interment services will be M-F, 9:00 – 3:30 and Saturday, 9:00 – 12:00. No interment services on Sunday and holidays. Visitation at the cemetery will be daily from sunup to sundown. Currently there are approximately 16 interments per year at the existing Redbanks Cemetery. We anticipate a potential 35 interments per year at this expansion when the first phase of the expansion is developed and opened. The first Phase will consist of the baby, children, adult, in-ground cremation interment spaces; cremation niches; ingress and egress; interior roads, lighting, hookup to Fresno Irrigation District's Enterprise Canal; water storage tank/basin, pumps, electrical, irrigation, sod, plantings. public parking, staff parking, storage yard, above ground gasoline/diesel tank, restrooms, and shop. Phase 2 will include adult interment spaces; in-ground cremation and cremation niches; lighting, irrigation, sod, plantings, and interior roads.
3. It is unknown how many visitors will be at the cemetery daily. At first, visitors will be limited and in proportion to the existing interments, probably close to twelve (12) or less. This will increase as interments increase slowly with time, eventually exceeding twenty five (25) per day in another thirty (30) years.
4. Currently the District has 11 full-time employees. There will possibly be a need to add an additional 4 employees once interments at the expanded cemetery increase. All staff works from 8:00 – 4:30 pm, M-F. Staff does work on Saturday when services are requested. Additionally, during the summer hours, some staff may work from 6:00 am – 7:30 pm. Some Saturday work is incurred as well on an as needed basis. There are no plans to have an on-site caretaker at this time.
5. Large delivery vehicles currently do not deliver at the Redbanks Cemetery. It is anticipated there will be one large delivery vehicle once every two months at the 14 acre expansion. Deliveries are generally on the grounds early in the morning, before noon, M-F only. There are no deliveries during the day of flowers and markers/headstones at the existing Redbanks Cemetery. It is anticipated this will not change at this time because there will be no office staff to receive them. Deliver of gasoline and diesel will be on an as needed basis once an above ground 500/500 gas/diesel tank is installed.
6. Access to the cemetery will be off of Shaw Avenue. The interior roads of the cemetery will be rock dust at first but eventually paved.

7. The number of parking spaces for employees and customers has not been determined at this time but will be rock dust at first but eventually a paved surface. Off-street parking is provided on one side of the proposed interior roads. No parking stripes will be provided due to the need to allow parking on either side of the interior road depending on the location of the service. Due to the length of the interior roads planned, there is physically enough space to park 150 vehicles within the interior roads.
8. There are no goods sold on-site at the Redbanks Cemetery. All sales and interment orders are completed at the office located on the grounds of the Clovis Cemetery, 305 North Villa Avenue, Clovis. The only goods sold on-site at this time are outer-burial containers and vase inserts. Generally, these are chosen in the office and are never seen by the family.
9. Equipment used at our cemetery operations are: backhoes, tractors, fork-lift, cement mixer, shovels, double-depth shield, welding equipment (in shop), sprayer, outer-burial container carrier, mowers, lowering devices, dirt trailers, electric family carts, carry-all carts, Gator and/or Polaris carts.
10. Supplies include: gas/diesel in above ground tank, outer burial containers, marker foundations, cement, sand, gravel, and landscape chemicals. Outer burial containers, marker-foundations, cement, sand, and gravel will be kept in a fenced area on the grounds. Landscape chemicals are stored in a locked, OSHA approved storage container within the fenced area. The District anticipates completing a hazardous plan with the Department of Environmental Health, County of Fresno.
11. Adult, child, and baby outer burial containers are industry standard and made of reinforced cement from vendors such as Christy Vault Co. and Cordeiro Vault Co.
12. Cremation outer burial containers are industry standard and made of reinforced cement and polypropylene from vendors such as Christy Vault Co., Cordeiro Vault Co, ASCO Pacific, Hepburn Industries, etc.
13. We anticipate the number of potential interment sites in the 14 acres to include 600 baby; 750 children; 11,500 adult; and 6,000 in-ground cremation. We have a potential to have 1,800 above ground cremation niches.
14. It is anticipated the cemetery will improve the aesthetics of the area. It will be landscaped and will contain specimen trees. There will be some noise associated with the general operation of the cemetery as well as from graveside services such as a 21 gun salute and music.
15. The District will either use a septic tank or hook-up to existing sewer. Mechanical and green waste will be disposed of as required by California and/or local ordinance.
16. The volume of water will increase as the cemetery develops. The entire 14 acres cannot be developed at one time and will be developed from west to east. The District has water rights to the Enterprise Canal and anticipates working with Fresno Irrigation District to obtain water from the canal. The District would like to use re-claimed water from the City of Clovis to irrigate the grounds. Bottled water will be used in the office and shop. As a last resort, a well.
17. The District does not advertise. There will be a sign indicating the name of the cemetery. Office hours and contact information will be available on the exterior

of the office on the grounds. Interior signs are to direct mourners to service location.

18. There is an existing shop on the original Redbanks Cemetery and a second shop on the eastern portion of the 14 acres is requested for proper equipment storage. A small operations office will be necessary as well.
19. Installation of an above ground gas tank with a capacity of 1000 gallons is requested. 500 gallon diesel and 500 gallon gasoline.
20. Both proposed buildings will be used in the operation of the cemetery.
21. Outdoor lighting will be minimal and solar/battery. There will be low lights at the office and shop. Sound amplification systems are used at graveside services for the immediate surrounding area and are battery operated.
22. Landscaping will consist of turf (in all likelihood, warm season turf) and a wide variety of specimen trees, annual and perennial flowers, bushes, and shrubs. It is possible if sufficient irrigation water is not available, artificial turf will be used.
23. In order to continue to serve the families of the District in the future, the cemetery needs to expand. There is no room at the existing Clovis, Auberry, Academy, or Tollhouse Cemeteries for expansion. The proposed development of the 14 acres at the Redbanks Cemetery is a natural expansion and will continue to serve the urban areas of the District. If it is not developed, families will not have a cemetery in Clovis. It cannot be developed all at once. It will need to be developed in phases and as funds become available.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

APPLICANT: Anna M. Herrera

APPLICATION NOS.: Initial Study Application No. 6929, General Plan Amendment Application No. 544, and Unclassified Conditional Use Permit Application No. 3486

DESCRIPTION: Amend the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add "Cemetery" as an allowable use on a 14.06-acre parcel (APN: 308-210-47T) and allow modification to an existing cemetery on a 5.12-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District, and expansion on a 14.06-acre parcel in C-6 (c) (General Commercial) Zone District.

LOCATION: The subject property is located on the north side of E. Shaw Avenue approximately 1,762 feet east of N. Indianola Avenue and 2.8 miles east of the City of Clovis (Sup. Dist.: 5) (APN: 308-210-36T; 308-210-47T).

I. AESTHETICS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails modification to an existing cemetery on a 5.12-acre parcel in the RR Zone District and expansion on a 14.06-acre parcel in the C-6 (c) Zone District. The activities at the location consist of chapel/graveside services, interment of human remains and human cremated remains, and installation of markers/headstones.

Existing improvements on a 5.12-acre parcel include burial plots, a 1,485 square-foot storage building and restroom facility, and a 15-foot-wide road for ingress and egress off of Shaw Avenue. The project will be developed in two phases. Phase I includes new six-foot-high columbarium walls, a 5,000 square-foot storage building,

a 3,750 square-foot maintenance building, outdoor storage area, paved pedestrian walkways, interior roads, and widening of an existing interior road from 15 feet to 30 feet on the 5.12-acre parcel. Phase II includes burial plots, paved pedestrian walkways, and interior roads on the 14.06-acre parcel. A new 24-foot-wide driveway approach to the east of the existing entrance will provide additional access to the property off of Shaw Avenue.

The project site is located in an area of mixed agricultural, residential, and recreational land uses. Adjoining parcels to the north, east, and west of this proposal are vacant and the parcels to the south are developed with single-family homes. A 40-acre approved cemetery for Clovis Cemetery District adjoins the eastern boundary and Fresno Irrigation District (FID) Enterprise Canal No. 109 runs along the northern boundary of the 14.06-acre parcel. Redbank Creek No. 153 is located approximately 1,135 feet to the north, a high intensity park (Woolf Lakes) is located one third of a mile to the southwest, and a recreational water park (Wild Water Adventure) is located one quarter of a mile to the southwest of the subject proposal.

The 14.06-acre cemetery site (expansion) is currently vacant. The proposed 18-foot-high single-story, equipment storage and maintenance buildings on the property match in height, design, and material with other improvements in the vicinity and are unlikely to be significantly visible from the surrounding area. Additionally, the site is not located along a designated scenic highway and no scenic vistas or scenic resources were identified on or near the site. As such, the project will have a less than significant impact on the visual character or quality of the site and its surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

This proposal will utilize outdoor lighting on the exteriors of the proposed buildings which have the potential of generating new sources of light and glare in the area. However, such impacts will be less than significant with adherence to a Mitigation Measure that will require all outdoor lighting to be hooded and directed as to not shine toward adjacent properties and public streets.

* **Mitigation Measure:**

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

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: NO IMPACT:

This proposal is not in conflict with agricultural zoning and is an allowed use on land designated Agriculture with discretionary approval and adherence to applicable General Plan Policies. Also, it is not located on a forest land or a timberland nor will it convert farmland to non-agriculture uses. The existing 5.12-acre cemetery site is classified as Urban and Built-Up Land and the 14.06-acre cemetery expansion site is classified as Grazing Land in the 2010 Fresno County Important Farmland Map and is not restricted by Williamson Act Land Conservation Contracts.

III. AIR QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the San Joaquin Valley Air Pollution Control District (Air District) which commented that the applicant shall contact the Air District's Small Business Assistance Office to identify District rules or regulations that may apply to this project or obtain information about District permit requirements. This requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

The project will not produce any objectionable odors. No concerns related to odor were expressed 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)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

A Biological Evaluation was prepared for the project by Live Oak Associates, Inc., dated March 11, 2013, to assess possible impacts from the proposed project to sensitive biotic resources and to recommend mitigation measures where appropriate. According to the Biological Evaluation, the 14.06-acre parcel contains two biotic habitats: non-active grassland and ruderal grassland. The grassland has formed a thick thatch of dried grass across the surface of the site which severely limited plant diversity on the site whereas ruderal land occurred as a narrow strip of weedy land between the existing 5.12-acre Redbanks Cemetery and the Enterprise Canal No. 109. Further, the project will have no impact on special-status plant species due to lack of aquatic habitat and suitable soils, overgrowth of non-native grasses, and past agricultural use of the site. Similarly, the project will have no impact on species of special-status animals (vernal pool fairy shrimp, Valley longhorn elderberry beetle, California Tiger salamander, Swainson's hawk, Western yellow-billed cuckoo, Fresno kangaroo rat, San Joaquin kit fox, western spade-foot toad, western pond turtle and American badger) due to the absence of suitable habitat from the site and surrounding lands.

According to the Biological Evaluation, the subject parcel provides potential breeding and foraging habitat for Burrowing Owl, white-tailed kite, and loggerhead shrike. However, the inclusion of Mitigation Measures requiring avoidance, preconstruction surveys, and passive relocation will reduce potential negative impacts to these species to a less than significant level. Similarly, downstream water quality may be significantly affected by this proposal due to soils eroding into nearby waters. However, the inclusion of Mitigation Measures requiring erosion control measures will reduce potentially significant impacts to downstream water quality to a less than significant level.

The subject proposal was referred to USFWS and the CDFW for review and comments along with a copy of the Biological Evaluation. USFWS offered no comments on the proposal. However, the comments provided by CDFW on April 2, 2015 concurred with all Mitigations Measures recommended in the Biological Evaluation with minor edits.

Edits require that all buffering required for pre-construction surveys and construction activity during nesting season shall be acceptable by CDFW. The mitigation measures are as follows:

* **Mitigation Measures:**

1. *A pre-construction survey shall be conducted by a qualified biologist for Burrowing Owls within 30 days of the onset of construction. This survey will consist of assessing suitable habitat areas across the site and if such habitat is found, four days of walking transects across all suitable habitats within the project site including a 250-foot buffer area. Transects will be spaced in order to gain full visual coverage of the surface of the site. Transect spacing shall not exceed 100 feet. All suitably-sized burrows or subterranean cavities will be inspected for owl signs (i.e., white wash, pellets, cough pellets, feathers). The location of burrowing owls or their signs will be mapped, preferably with a GPS unit.*
2. *If pre-construction surveys are undertaken during the breeding season (February 1 – August 31) and active nest burrows are located within or near construction zones, a construction-free buffer of 250 feet shall be established around all active nests. The buffer areas shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place until a qualified biologist has determined that the young has fledged or until after the breeding season is ended (August 31).*
3. *During the non-breeding season (September 1 – January 31), resident owls occupying burrows in areas proposed for development may be relocated to alternative habitat. The relocation of resident owls (passive relocation) must be conducted according to a relocation plan prepared by a qualified biologist. Passive relocation will be the preferred method of relocation.*
4. *Should it be determined that burrowing owls occupy the site, habitat must be replaced or acquired through the purchase of credit from an approved mitigation bank, the preservation and possible enhancement of onsite habitats, or the acquisition and preservation of offsite habitats. Habitat suitable for the burrowing owl will be preserved at a ratio of one acre of habitat preserved for each acre of habitat permanently disturbed by project grading and construction. The preservation land shall be protected by a conservation easement.*
5. *All construction activity shall be conducted outside of the bird nesting season (February through August) or maintain a buffer acceptable to the California Department of Fish and Wildlife around all trees during the nesting season in order to avoid possible impacts to Loggerhead Shrikes and other bird species.*
6. *During the bird nesting season, a pre-construction survey shall be conducted by a qualified biologist for nesting white-tailed kites, Loggerhead Shrikes and other nesting birds within 30 days of the onset of construction. All suitable habitats of the site shall be covered during this survey. Surveys shall include the inspection*

of all trees within and adjacent to the footprint of construction between February 1st and August 31st of any given year.

- 7. If pre-construction surveys are undertaken during the bird nesting season (February through August) and active nests are located within or near construction zones, these nests, and an appropriate buffer acceptable to the California Department of Fish and Wildlife around the nests (as determined by a qualified biologist), shall remain off-limits to construction until the breeding season is over.*
 - 8. Prior to the onset of construction, an Erosion Control Plan shall be prepared by a qualified engineer. Specified erosion control measures must be implemented prior to the onset of the rainy season. The site shall be monitored periodically throughout the rainy season to ensure that the erosion control measures are successfully preventing on-site erosion and the concomitant deposition of sediment in on-site and off-site drainages. Elements of the Erosion Control Plan shall address both the potential for soil erosion and non-point source pollution. At a minimum, elements of the Erosion Control Plan shall include the following:*
 - a) Protection of exposed graded slopes from sheet, rill and gully erosion. Such protection may be in the form of erosion control fabric, hydro mulch containing the seed of native soil-binding plants, straw mechanically imbedded in exposed soils, or some combination of the three.*
 - b) Protection of natural drainage channels from sedimentation. Straw bale check dams or waddles shall be installed below graded areas so that any sediment carried by surface runoff is intercepted and retained behind the check dams before it can enter a drainage channel.*
 - c) Use of Best Management Practices (BMPs) to control soil erosion and non-point source pollution. BMPs may include measures in "a" and "b" above, but may include any number of additional measures appropriate for this particular site and this particular project, including grease traps in parking lots, landscape management practices to reduce the use of pesticides and herbicides, the discharge of storm water runoff from "hardscapes" into grassy swales or detention basins, and regular site inspections for pollutants that could be carried by runoff into natural drainages.*
- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Jurisdictional waters include rivers, creeks, and drainages with a defined bed and bank that may carry at most ephemeral flows, lakes, ponds, reservoirs, and wetlands subject to the regulatory authority of the U.S. Army Corps of Engineers, The California Department of Fish and Wildlife and the California Regional Water Quality Control

Board. According to the Biological Evaluation prepared for the project, the project area contains no hydrologic features. As such, the project impact to Jurisdictional waters is absent.

- 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:

Wildlife movement corridors are areas where regional wildlife populations regularly and predictably move during dispersal or migration. According to the Biological Evaluation prepared for this proposal, although Redbanks Slough that runs along the northern boundary of the subject properties may serve as a movement corridor for some wildlife species, no fish or wildlife movement corridors were identified in the project area. Therefore, the project's impact to movement corridors is less than significant.

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

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources related to tree preservation policies. The project site is devoid of any landscaping.

- 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:

No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan is in effect for the area of the proposed project. The subject proposal will have no effect on such plans.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or

- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The California Historical Resources Information System (CHRIS) reviewed the project and stated that an archeological survey was previously conducted on the subject 14.06-acre parcel 30 years ago and requires that a new archeological survey shall be conducted on the property by a qualified, professional archeologist prior to ground-disturbance activities to determine if cultural resources are present. The project site is not located within or near an area designated to be highly or moderately sensitive for archeological resources. Therefore, a survey is determined to be unnecessary for the project. In lieu of the survey, a Mitigation Measure would require that in the event previously unidentified cultural materials are unearthed during ground disturbance activity, all work shall be halted in that area until a qualified archeologist can assess the significance of the find.

* **Mitigation Measure:**

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

- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: NO IMPACT:

In response to Senate Bill 18 (SB 18), the subject proposal was routed on July 15, 2015 to six California Native American tribes that were identified by the Native American Heritage Commission (NAHC). Under the provisions of SB 18 each tribe has 90 days to review the application (GPA 544) and provide any comments relative to tribal cultural resources. No concerns with the proposal were expressed by the tribes during 90-day review period. As such, the project will have no impact on the tribal cultural resources.

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: LESS THAN SIGNIFICANT IMPACT:

The area is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. Construction of the project will be subject to the Seismic Design Category C Standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Changes in topography and erosion could result from grading activities associated with this proposal. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning: 1) an Engineered Grading and Drainage Plan demonstrating how additional storm water run-off generated by the project will be handled without adversely impacting adjacent properties shall be provided for review and approval; and 2) a grading permit or voucher shall be obtained for any grading proposed with this application. These requirements will be included as Project Notes.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project site is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, collapse, or within an area of known expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed 3,750 square-foot maintenance building will include permanent restroom facilities provided with an on-site sewage disposal system.

According to the Fresno County Department of Public Health, Environmental Health Division review of the proposal, engineered sewage disposal systems are required in

the project area. Prior to the issuance of building permits for the proposed septic system and Maintenance Shop, the owners/operators shall submit an engineered sewage disposal system design to the Environmental Health Division for review and approval. Engineered sewage disposal systems must be designed and installation certified by a California Registered Geologist, Professional Engineer, or Registered Environmental Health Specialist. These requirements will be included as Project Notes.

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:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and expressed no concerns relating to greenhouse gas emissions resulting from the project.

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: LESS THAN SIGNIFICANT IMPACT:

The project will install aboveground diesel and gasoline storage tanks for maintenance vehicles and equipment used by the cemetery employees. Landscape chemicals will also be stored on the property.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires that all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, and future tenants proposing to 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. Any business that handles hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507.

Additionally: 1) all water wells and septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately-licensed contractor; and 2) prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil and if found, it shall be removed from the well prior to placement of fill material for destruction. These requirements will be included as Project Notes.

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

FINDING: NO IMPACT:

The project site is not a hazardous materials site.

- D. 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

- E. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport. The nearest airport, Kindsvater Ranch Airport, is approximately 4.3 miles northeast of the subject proposal.

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

The project site is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

According to the State Water Resource Control Board (SWRCB), Department of Drinking Water, this proposal constitutes a public water system classified as a Transient Non-Community Water System which requires permitting by said agency. The SWRCB requires that the Applicant shall: 1) submit a domestic water supply permit application, technical report, and application fee prior to operation of the water system, and submit the plans for the well construction and water distribution for review prior to construction; 2) complete and submit an assessment of the technical, managerial, and financial capacity of the proposed water system with the permit application; and 3) conduct water quality testing of the well proposed to provide drinking for bacteria, nitrate and nitrite in accordance with the requirements for a transient non-community water system. These requirements will be included as Project Notes and shall be complied with prior to issuance of building permits.

The project was also referred to the Regional Water Quality Control Board (Water Board) for review and comments. Although no specific concerns relating to degradation of groundwater quality resulting from this proposal were expressed by the Water Board, the project will be subject to the following mandatory requirements: 1) if construction activities disturb more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required; 2) prior to construction, the applicant shall submit to the Water Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees; and 3) the SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and Best Management Practices (BMPs) implemented to prevent pollutants from discharging with storm water into waters of the United States. These requirements will be included as Project Notes.

- 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 WITH MITIGATION
INCORPORATED:**

According to the Fresno Irrigation District (FID), the subject proposal may negatively impact local groundwater resources and requires that the project shall balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft; or require the use of reclaimed water from the City of Clovis.

According to the Water/Geology/Natural Resources (WGNR) Section of the Fresno County Department of Public Works and Planning, the project is not located within a water-short area, but adjacent to the southern boundary of a designated water-short area. As such, inclusion of a Mitigation Measure requiring the applicant to utilize surface water from the Fresno Irrigation District Enterprise Canal No. 109 (runs along

northern boundaries of the properties) as the primary source of irrigation water for the proposal will reduce potential negative groundwater impacts to a less than significant level.

* **Mitigation Measure:**

1. *The primary source of irrigation water for the cemetery shall be the applicant's Fresno Irrigation District Enterprise Canal entitlement or re-claimed water from the City of Clovis. The use of groundwater for irrigation shall only be used when surface water is not available.*

According to the applicant, negotiation between Fresno Irrigation District and the Clovis Cemetery District for the acquisition of surface water from Enterprise Canal No. 109 is currently underway. The water will be used for landscaping irrigation. Future use of reclaimed water from the City of Clovis is subject to increase with the increase in interments over time.

Potable water to the existing 5.16-acre cemetery is currently provided by an on-site well. This well will continue to provide potable water for human consumption as well as for the proposed restroom facility within the maintenance building on the 14.06-acre property.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No significant impact to Fresno Irrigation District (FID) Enterprise Canal No. 109 is expected from this proposal. Adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code will ensure that any earth-moving activities, either above-ground or below-ground, do not jeopardize the canal's integrity.

According to FID, a privately-owned pipeline known as Nelson No. 109 that diverts water off of the Enterprise Canal traverses the eastern edge of the 14.06-acre property. A Project Note would require that prior to any improvements in the vicinity of the pipeline, the owner of the pipeline shall be consulted.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in IX. A.

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: NO IMPACT:

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the project site is not subject to flooding from the 100-year storm per FEMA FIRM Panel 1615H.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project site borders with Fresno Irrigation District Enterprise Canal No. 109. Adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code will ensure that the project does not impact the canal to cause any flooding on the project site.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project is not located within an established community. The nearest city, the City of Clovis, is approximately 2.8 miles west of the proposal.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject 5.12-acre and 14.06-acre parcels are designated Rural Residential in the County General Plan and are zoned RR (Rural Residential, two-acre minimum parcel size) and C-6(c) (General Commercial) respectively in the County Zoning Ordinance. This proposal will amend the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add "Cemetery" as an allowable use on the 14.06-acre parcel and is subject to the following General Plan Policies:

Policy LU-A.3 of the General Plan provides that cemeteries may be allowed by discretionary permit subject to a number of specific criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available.

With regard to Criteria "a", this proposal will allow modification to an existing cemetery on a 5.12-acre parcel and expansion on a 14.06-acre parcel. Since there is no room for expansion at the existing Clovis, Auberry, Academy, or Tollhouse cemeteries, the project will serve the surrounding communities by allowing interment services for human remains and cremated human remains of District residents. With regard to Criteria "b", the subject parcels are not farmlands and are classified as Urban and Built-Up Land and Grazing Land on the Fresno County Important Farmland Map (2010). With regard to Criteria "c", the subject proposal is adjacent to the southern boundary of a designated water-short area and will utilize surface water from the Enterprise Canal as the primary source water for landscaping irrigation to reduce groundwater usage. With regard to Criteria "d", this proposal is located approximately 2.8 miles east of the City of Clovis, which has the ability to provide an adequate workforce.

Policy PF-C.17 requires that a water supply evaluation shall be conducted for the project. As noted above, the subject parcels are adjacent to a designated water-short area. A Mitigation Measure requiring the applicant to utilize surface water from the Enterprise Canal as the primary source of irrigation water for the proposal will minimize the impact on groundwater resources.

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

FINDING: NO IMPACT:

This proposal will not conflict with any Land Use Plan or habitat or Natural Community Conservation Plan. No such Plans were identified in the project analysis.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or

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

FINDING: NO IMPACT:

No mineral resource impacts were identified in the project analysis. The site is not located in a mineral resource area identified in the 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: LESS THAN SIGNIFICANT IMPACT:

According to the applicant's Operational Statement, the proposed facility will use a sound amplification system at graveside services which will be audible to the immediate surrounding area. The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and stated that the Clovis Cemetery District shall reserve the right to request participants at graveside services to reduce and/or stop activities which create noise levels in excess of the Fresno County Noise Ordinance Code should the noise levels become disruptive to other services and/or neighboring properties. This will be included as a Project Note.

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

FINDING: NO IMPACT:

The project site is not located in the immediate vicinity of an airport and is not impacted by airport noise.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or

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

FINDING: NO IMPACT:

This proposal will not result in an increase in 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: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Fire Protection District, the project shall comply with the latest California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fire District prior to issuance of building permits by the County. This requirement will be included as a Project Note.

2. Police protection?

FINDING: NO IMPACT:

The Fresno County Sheriff's Office reviewed the proposal and expressed no concerns related to police protection.

3. Schools; or

4. Parks?

FINDING: NO IMPACT:

No impacts on the provision of schools or parks were identified in the project analysis.

5. Other public facilities?

FINDING: NO IMPACT:

The California Highway Patrol reviewed the proposal and expressed no concerns related to traffic control.

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 demand measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the information provided by the applicant, visitors at the cemetery will be limited and in proportion to the existing interments. This will increase as interments increase. The hours of operation for interment services will be 12 months a year, Monday through Friday from 9:00 a.m. until 3:30 p.m., and Saturday, from 9:00 a.m. until 12:00 p.m. There will be no interment services conducted on Sundays and holidays.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns related to traffic and no need for a Traffic Impact Study.

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

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns.

- D. Would the project substantially increase traffic hazards due to design features?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Ingress and egress to the property will be via a proposed driveway and an existing driveway off of Shaw Avenue.

According to the Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning, Shaw Avenue is classified as an Arterial road in the General Plan with an ultimate right-of-way of 110 feet that varies in

distance north and south of the section line along Shaw Avenue. An additional dedication varying from 12 feet to about 29 feet on the north side of the road shall be required for this proposal as a Condition of Approval. Further, an encroachment permit shall be required for construction of a new driveway approach in the County road right-of-way, and any gates on the driveway off Shaw Avenue shall be setback a minimum of 20 feet from the ultimate right of way line to preclude vehicles from having to stop within the County road right-of-way. These requirements will be included as Project Notes.

No concerns regarding traffic hazards due to design features were expressed by the Development Engineering Section of the Fresno County Department of Public Works and Planning.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

The Fresno County Fire Protection District's review of the project did not identify any concerns regarding inadequate emergency access. Emergency access requirements for the project will be further analyzed by the Fire District prior to issuance of building permits by the County.

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

A. Would the project exceed wastewater treatment requirements?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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 VI.B Geology and Soils.

- 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 WITH MITIGATION INCORPORATED:

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: LESS THAN SIGNIFICANT 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: LESS THAN SIGNIFICANT IMPACT:

Development of this proposal may impact sensitive biological and cultural resources. Included Mitigation Measures in Section IV.A.B., and Section V.A.B.C.D. of this analysis will minimize such impacts to less than significant.

- 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. The only cumulatively considerable impacts identified in the analysis were those involving aesthetics, biological resources, cultural resources, hydrology and water quality, and utilities and service systems which will be addressed with the Mitigation Measures discussed in Section I.D., Section IV.A.B., Section V.A.B.C.D., and Section IX.B.

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

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for General Plan Amendment Application No. 544 and Unclassified Conditional Use Permit Application No. 3486, 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 agriculture and forestry resources, greenhouse gas emissions, mineral resources, population and housing, or recreation.

Potential impacts related to air quality, geology and soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, and public services have been determined to be less than significant.

Potential impacts relating to aesthetics, biological resources, cultural resources, hydrology and water quality, and utilities and service systems 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.

EA:ksn

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EXHIBIT 9

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. <div style="text-align: center; font-size: small;">CLK-2046.00 E04-73 R00-00</div>		
Agency File No: IS 6929	LOCAL AGENCY PROPOSED MITIGATED MITIGATED NEGATIVE DECLARATION	County Clerk File No: E-		
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721	
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A	
Applicant (Name): Anna M. Herrera	Project Title: General Plan Amendment Application No. 544; Unclassified Conditional Use Permit Application No. 3486			
Project Description: Amend the Agriculture and Land Use Element of the Fresno County General Plan (Policy LU-E.14) to add "Cemetery" as an allowable use on a 14.06-acre parcel (APN 308-210-47T) and allow modification to an existing cemetery on a 5.12-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District, and expansion on a 14.06-acre parcel in the C-6(c) (General Commercial) Zone District. The subject property is located on the north side of E. Shaw Avenue approximately 1,762 feet east of N. Indianola Avenue and 2.8 miles east of the City of Clovis (Sup. Dist. 5) (APN 308-210-36T, 308-210-47T)				
Justification for Negative Declaration: Based upon the Initial Study prepared for General Plan Amendment Application No. 544 and Unclassified Conditional Use Permit Application No. 3486, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to agriculture and forestry resources, greenhouse gas emissions, mineral resources, population and housing, or recreation. Potential impacts related to air quality, geology and soils, hazards and hazardous materials, land use and planning, noise, transportation and traffic, and public services have been determined to be less than significant. Potential impacts related to aesthetics, biological resources, cultural resources, hydrology and water quality, and utilities and service systems have been determined to be less than significant with the identified mitigation measure. The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.				
FINDING: The proposed project will not have a significant impact on the environment.				
Newspaper and Date of Publication: Fresno Business Journal – October 16, 2015		Review Date Deadline: Planning Commission – November 19, 2015		
Date:	Type or Print Signature: Eric VonBerg Senior Planner	Submitted by (Signature): Planner		

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION