



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 January 12, 2023

SUBJECT: Unclassified Conditional Use Permit Application No. 3713 and Initial Study No. 8081

To allow a high intensity park with related improvements for weddings, fundraisers, corporate retreat, private parties, and also including a veterinary office and a fruit stand/wine tasting room, on an approximately 10.31-acre portion of a 52.91-acre parcel in the AE-40 (Exclusive Agricultural; 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of Tollhouse Road (State Route 168), 0.25 miles southwest of Madsen Ave. and approximately 4.7 miles northeast of the City of Clovis (APNs: 150-141-24, 150-141-19) (13305 Tollhouse Road) (Sup. Dist. 5).

**Owner/
Applicant:** Jerry Cook

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

David Randall, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) No. 8081; and
- Approve Unclassified Conditional Use Permit (CUP) Application No. 3713, subject to the recommended Mitigation Monitoring and Reporting Program, Conditions of Approval, and Project Notes contained in Exhibit 1.
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval, and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans, Floor Plans and Elevations
6. Applicant's Submitted Operational Statement
7. Initial Study Application No. 8081 – Evaluation of Environmental Impacts
8. Proposed Mitigated Negative Declaration
9. Public Comment Letters

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

| Criteria | Existing | Proposed |
|--------------------------|--|---|
| General Plan Designation | Agriculture | No change |
| Zoning | AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) | No change |
| Parcel Size | 43.94 acres 1.62 acres | No change |
| Project Site | See above | A high intensity park with related improvements for weddings, fundraisers, corporate retreat, and private parties, including a veterinary office and a fruit stand/winetasting room, on a 10.31-acre portion of a 43.94-acre parcel and a 1.62-acre parcel. |
| Structural Improvements | <ul style="list-style-type: none">• 3,000 square-foot single-family residence• 600 square-foot garage• 700 square-foot shed• 1,560 square-foot barn• 500 square-foot stable• 100 square-foot tank | <ul style="list-style-type: none">• 1,500 square-foot barn converted into an event center• 200 square-foot guard house• 600 square-foot restroom building• 3,000 square-foot bunk house• 1,200 square-foot fruit stand/tasting room |

| Criteria | Existing | Proposed |
|-------------------------|--|---|
| | | <ul style="list-style-type: none"> • 1,500 square-foot veterinary office |
| Nearest Residence | On adject parcel approximately 50 feet east of project parcel | No change |
| Surrounding Development | Grazing, Rural Homesites as depicted on Exhibit 4; additional uses including a church, equestrian operations, and a cemetery have been identified through review of aerials. | No change |
| Operational Features | Rural Homesite & Grazing | <p>According to the applicant's Operational Statement,</p> <ul style="list-style-type: none"> • Events (e.g., weddings, fundraisers, corporate retreat, and private parties) will be held year-round (limited to 40 per year), both indoors and outdoors (weather permitting). • Veterinary office and fruit stand/tasting room will operate independently from the event center. • The guard house will be constructed and manned during events to monitor and guide visitors to the venue • Exterior amplified sound will end at 10:00 PM and comply with the Fresno County Noise Ordinance. • 150 gallons of water per event and 400-1,000 gallons of water per month will be used. |
| Employees | N/A | <ul style="list-style-type: none"> • Up to six (6) full-time employees • Up to 28 temporary event staff |
| Customers/Visitors | N/A | <ul style="list-style-type: none"> • 500 guests maximum per event |
| Traffic Trips | N/A | Per the Traffic Impact Study prepared for the project: |

| Criteria | Existing | Proposed |
|--------------------|----------|--|
| | | <p>Peak-Hour Project Trip Generation – Average Event (includes employee, delivery, catering trucks and event guest):</p> <ul style="list-style-type: none"> • 125 P.M. Peak hour trip (before events) • 123 P.M. Peak hour trip (after events) • 124 P.M. Average Peak hour trips <p>Daily Project Trip Generation – Average Event (includes employee, delivery, catering trucks, and event guest):</p> <ul style="list-style-type: none"> • 252 total trips <p>Peak-Hour Project Trip Generation – Maximum Event (includes employee, delivery, catering trucks, and event guest):</p> <ul style="list-style-type: none"> • 388 P.M. Peak hour total trip (before events) • 384 P.M. Peak hour total trip (after events) • 386 P.M. Average Peak hour trips <p>Daily Project Trip Generation – Maximum Event (includes employee, delivery, catering trucks, and event guest):</p> <ul style="list-style-type: none"> • 778 total trips |
| Lighting | N/A | Exterior lighting to provide safety and egress for visitors and to accent landscape and structures. |
| Hours of Operation | N/A | <ul style="list-style-type: none"> • Events: From 10 am to 11 pm and amplified music ending by 10:00 pm • Veterinary Office: Five (5) days a week, from 7 am-5 pm • Fruit stand/wine tasting room: Seven (7) days a week, from 10 am-6 pm |

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

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. The Initial Study is included as Exhibit 7.

A Notice of Intent to Adopt a Mitigated Negative Declaration was published on September 30, 2022.

PUBLIC NOTICE:

Notices were sent to 22 property owners within a 1,320 feet radius of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A conditional use permit (CUP) application may only be approved if five Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission on a CUP application is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.

Veterinarian offices and animal hospitals, as proposed by the subject application (CUP No. 3713), are permitted as a Director Review and Approval in the AE (Exclusive Agricultural) District per Zoning Ordinance Section 816.2. K. Value-added uses including fruit stands are permitted in the AE District subject to either a Site Plan Review or discretionary permit depending on location and scope of activity, and high intensity parks are permitted with an Unclassified Use permit per Section 853.B.12 of the Zoning Ordinance. As the proposed site development will occur as a single development on the subject property, the project is being processed under one Unclassified Conditional Use Permit that encompasses all of the proposed uses.

BACKGROUND INFORMATION:

According to County zoning records, the subject parcels were zoned AE-20 (Exclusive Agricultural; 20-acre minimum parcel size) Zone District on September 25, 1962 (Amendment Application (AA) No. 1048). The zoning changed from the AE-20 Zone District to the current AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District on April 21, 1980 (AA 3140).

According to the County permit records, building permits were issued for the existing barn/shop buildings, single-family residence, additions to the residence, and various associated improvements on the property from June 1982, through January 2019. In addition, on December 15, 2021, Parcel Line Adjustment No. 21-14 was approved allowing the creation of the subject 52.91-acre parcel. The associated Certificate of Compliance was then recorded on February 7, 2022.

The subject Unclassified Conditional Use Permit (CUP) Application No. 3713 proposes to allow a High Intensity Park (event facility) and a Veterinary Office on a 10.31-acre portion of an adjusted 52.91-acre parcel and an adjacent 1.62 acres parcel.

Additionally, a Partial Cancellation of Agricultural Land Conservation Contract (ALCC) No. 6179 has been filed to remove the approximate 10.31-acre area devoted to the High Intensity Park (event facility) and the Veterinary Office from contact restrictions. This request will be considered by the County's Agricultural Land Conservation Committee who will make a recommendation to the Board of Supervisors for approval or denial of the partial cancellation request. If the CUP is approved by the Planning Commission, the Board of Supervisors would shortly thereafter consider the issue of the proposed partial cancellation of the ALCC Contract. Without the Board's approval of the cancellation the project will not be able to move forward.

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 | Front: 35 feet (200 Scenic Roadway General Plan Policy) Side: 20 feet Rear: 20 feet | <ul style="list-style-type: none"> • Front (Tollhouse Road): 35 feet • Side (east property line): 20 feet • Side (west property line): 20 feet • Rear (north property line): 20 feet | Yes Yes Yes Yes |
| Parking | One parking space for every residence | <ul style="list-style-type: none"> • Fruit Stand/Winetasting 12 spaces required 13 shown • Veterinary Office 7 spaces required 8 shown • High Intensity Park 107 spaces required 168 shown | Yes |
| Lot Coverage | No requirement | No requirement | N/A |
| Separation Between Buildings | No animal or fowl pen, coop, stable, barn or corral shall be located within forty (40) feet of any dwelling or other building used for human habitation | N/A | N/A |
| Wall Requirements | No requirement | Minimal fencing may be provided at various areas | Yes |

| | Current Standard: | Proposed Operation: | Is Standard Met (y/n) |
|-------------------------|--|---|------------------------------|
| | | to screen equipment from public view | |
| Septic Replacement Area | 100 percent for existing system | Individual sewage disposal systems | Yes |
| Water Well Separation | Building sewer/ septic tank: 50 feet; Disposal field: 100 feet; Seepage pit/cesspool: 150 feet | Building sewer/septic tank: minimum 100 feet to the existing well | Yes |

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning:

The proposed improvements meet the building setback requirements of the AE Zone District. A Site Plan Review is recommended for the project. No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Finding 1 Analysis:

Staff’s review of the Site Plan demonstrates that the 52.91-acre project site is adequate in size and shape to accommodate the proposed improvements which include the existing barn converted into an event center, guard house, restroom building, bunk house, fruit stand/tasting room, and veterinary office in addition to the existing improvements which include a single-family residence, a garage, a shed, a barn, a stable, and a tank house.

The proposed improvements exceed the minimum setback requirements of the AE Zone District which is 35 feet front, 20 feet from sides and 20 feet from rear of the subject parcels.

The project site is adequate in size and shape to accommodate the required number of parking for event, fruit stand/wine tasting and veterinary office. The project requires 107 parking spaces for the high-density park/special events use, 168 spaces are shown on the site plan; 12 standard parking spaces are required for the fruit stand/wine tasting, 13 are shown; and 7 parking spaces are required for the veterinary office, 8 are shown. The actual number of spaces will be confirmed and finalized during the Site Plan Review application process.

Recommended Conditions of Approval:

None.

Finding 1 Conclusion:

Finding 1 can be made based on the submitted site plan and subject to adherence to a Site Plan Review recommended as a Condition of Approval, the project site is adequate to accommodate the proposed uses and features.

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 |
|----------------------------------|-----|-----------------------------------|---|
| Public Road Frontage | Yes | Tollhouse Road (State Route 168) | No change |
| Direct Access to Public Road | Yes | Tollhouse Road (State Route 168) | No change |
| Road ADT (Average Daily Traffic) | | Unknown- SR168 is a state highway | No change |
| Road Classification | | Unknown | No change |
| Road Width | | 60 feet | No change |
| Road Surface | | N/A | No change |
| Traffic Trips | | Residential trips | <p>Per the Traffic Impact Study prepared for the project:</p> <p>Peak-Hour Project Trip Generation – <u>23% increase</u> from existing traffic during <u>Average Events</u> (includes employee, delivery, catering trucks and event guest):</p> <ul style="list-style-type: none"> • 124 addition trips 1-hour before & 1-hour after events. (578 trips existing traffic count) <p>Daily Project Trip Generation during Average Event days (includes employee, delivery, catering trucks and event guest):</p> <ul style="list-style-type: none"> • 252 total trips per day <p>Peak-Hour Project Trip Generation -<u>72% increase</u> from existing traffic during <u>Maximum Event</u> (includes employee, delivery, catering trucks and event guest):</p> <ul style="list-style-type: none"> • 386 addition trips 1-hour before & 1-hour after events. (578 trips existing |

| | | Existing Conditions | Proposed Operation |
|-------------------------------------|-----|---------------------|---|
| | | | traffic count) Daily Project Trip Generation during Maximum Event days (includes employee, delivery, catering trucks and event guest): <ul style="list-style-type: none"> • 778 total trips per day |
| Traffic Impact Study (TIS) Prepared | Yes | N/A | Per Caltrans' review of the TIS, the proposed guard shack shall be setback a minimum of 200 feet from the Tollhouse Road (State Route 168). Checking of vehicles shall only be allowed beyond 200 feet of driveway so as to not cause queues to back up into the highway during large events. This requirement has been included as a Mitigation Measure. |
| Road Improvements Required | | Good | Not required |

Reviewing Agency/Department Comments:

California Department of Transportation (Caltrans):

The guard shack for vehicle checking and collecting fees shall be at least beyond 200-foot-long driveway so that vehicles do not queue onto the highway and if queuing is observed, vehicles should be allowed to move into parking lot to keep traffic moving. This requirement has been included as a Mitigation Measure.

The existing single driveway access through Tollhouse Road (State Route 168) shall meet or exceed the current Caltrans standards; and no additional driveway are allowed off State Route 168. (Note: These requirements have been included as Project Notes in Exhibit 1)

No dedication of road right-of-way for State Route 168 (Tollhouse Road) was required because Caltrans indicated that segment widening is not in the foreseeable future.

Design Division Department of Public Works and Planning:

No concerns with the proposal. Daily traffic generated by the project is expected to be minimal and does not warrant the need for a Traffic Impact Study (TIS). (Note: Caltrans requested TIS)

Road Maintenance and Operations Division Department of Public Works and Planning:

The project will have minimal impact to nearby County maintained roads (Mendocino, Madsen, Newmark, and Academy) and requires no traffic management plan.

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

Finding 2 Analysis:

The project site gains access from State Route 168 (Tollhouse Road). As noted by California Department of Transportation (Caltrans), the project shall utilize the existing single driveway access through SR 168 and the access design shall meet the current Caltrans standards. Also, no additional driveway off SR 168 is permitted and no improvements to SR 168 are required by Caltrans at this time.

Per Caltrans, the existing ROW for SR 168 is 30 from the centerline. This segment of SR 168 is a 4-lane expressway with an ultimate ROW width of 246 feet. This segment widening is not in the foreseeable future and therefore no additional ROW for SR 168 is required.

As noted in the table above, which is based on the traffic study for the project, most of the increased traffic would occur during the hour before and the hour after the event. An average event would increase the existing traffic on the road by 23% (578 existing + 124 new trips). During a maximum sized event the traffic could increase by an estimated 72% during the two one-hour periods before and after the event (578 existing + 386 new trips). The provision required by Caltrans for a 200-foot queuing length to the guard shack for vehicle check-ins and for the check in point to be extended to a further internal point if traffic fills the 200-foot queue, provides mitigation to prevent the potential of traffic blocking SR 168.

Per the Road Maintenance and Operations Division, the project will have minimal impact to nearby County maintained roads (Mendocino, Madsen, Newmark, and Academy) and requires no Transportation Management Plan

Recommended Conditions of Approval:

See Mitigation Measures and Recommended Conditions of Approval Attached as Exhibit 1.

Finding 2 Conclusion:

Finding 2 can be made, State Route 168 and adjacent County roads will be adequate in width and pavement to accommodate the traffic generated by this proposal.

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 | 1.6 acres 3.85 acres 4.44 acres 20.5 acres | Single-family residence Vacant land Single-family residence Vacant land | AL-40 AL-40 AL-40 AL-40 | 113 feet None 180 feet None |
| South | 40.51 acres | Vacant land | AE-40 | None |
| East | 25.51 acres 20.28 acres | Single-family residence Single-family residence | AL-40 AL-40 | 728 feet 690 feet |
| West | 13.88 acres | Vacant land | AE-40 | None |

Reviewing Agency/Department Comments:

California Department of Fish and Wildlife (CDFW):

There are several special-status resources that may utilize the project site and may need to be evaluated and addressed prior to any ground-disturbing activities. This includes special-status species including the State threatened Swainson's hawk, the Federally and State threatened California tiger salamander, and the State species of special concern western pond turtle, American badger, burrowing owl, and western spadefoot toad. A number of mitigation measures specifically related to these resources have been included in Exhibit 1. Specific mitigation includes protocol surveys for tiger salamander and/or establishment of non-disturbance buffers. Surveys for Swainson's hawk, pre activity surveys for nesting birds, habitat assessment for burrowing owl and/ or establishment of buffers, and mitigation for surveys of American badger and western pond turtle have been included (*Note: A Biological Resources Evaluation (BRE) dated April 2022 was prepared for the project by LSA Associates, Inc., and provided to CDFW. Mitigation measures were recommended and are included in Exhibit 1 of this report*)

Southern San Joaquin Valley Information Center (SSJVIC):

Given the known archaeological sensitivity of the region, prehistoric or historic cultural resources may be present within the project site. As such, an archaeological survey of the property shall be completed. (*Note: A Phase I Archeological Survey Study dated March 28, 2022, was prepared by LSA Associates, Inc and provided to SSJVIC. Mitigation measures were recommended and have been included in Exhibit 1 of this report*).

San Joaquin Valley Air Pollution Control District (SJVAPCD):

A Health Risk Screening/Assessment and Ambient Air Quality Analysis shall be completed for the project. The project may be subject to District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review), ATC (Authority to construct) and PTO (Permit to Operate Permit). An Air Impact Assessment (AIA) application shall be filed to demonstrate project's compliance with District Rule 9510, prior to the issuance of building permits. (*Note: An Air Quality and Greenhouse Gas Analysis Memorandum dated March 28, 2022 was prepared by LSA Associates, Inc. Upon reviewing the document SJVAPCD, concluded that the Project will not have a significant impact on public health.*)

Fresno county Department of Public Health, Environmental Health Division (Health Department):

The proposed improvements shall require an onsite engineered sewage disposal system designed (based on test hole results) and installation certified by a Professional Engineer or Registered Environmental Health Specialist.

The system shall be installed under permits and inspections from the Department of Public Works and Planning, Building and Safety Section. To protect groundwater, all abandoned onsite water wells shall be properly destroyed by a licensed contractor, and any underground storage tank(s) found during the project construction shall be removed upon securing an Underground Storage Tank Removal Permit (see Project Notes).

A Hazardous Materials Business Plan shall be submitted for the project pursuant to the HSC, Division 20, Chapter 6.95. Additionally, remodeling of any existing structure on the property shall require the following: 1) Should the structure(s) have an active rodent or insect infestation, the infestation shall be abated prior to remodel of the structure(s) in order to prevent the spread of vectors to adjacent properties; 2) If asbestos containing construction materials and materials

coated with lead-based paints are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted; and 3) If the structure(s) were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9, or State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted. Prior to issuance of building permits, complete food facility plans to include barn, fruit stand/wine tasting specifications shall be submitted to the Health Department for review and approval. Prior to operations, permits to operate a food facility (Fruit Stand/Wine Tasting) shall be obtained from the Health Department. Prior to alcohol sales, license to sell alcoholic beverages shall be obtained from the California Alcoholic Beverage Control Department. An acoustical analysis shall be prepared for the project by a qualified acoustical consultant for approval by the Health Department. *(Note: An Acoustical Analysis dated Jan. 25, 2022, was prepared by WJV Acoustics. The Health Department reviewed the Analysis, concurred with its conclusions and recommendations, and stated that the project shall meet the Fresno County Noise Ordinance. A Mitigation measure is included in Exhibit 1 of this report).*

Fresno County Water and Natural Resource Division (WNRD):

A hydro-study shall be prepared for the project and provided to this office. *(Note: A hydrogeologic Study Report, dated February 15, 2022, was prepared by Stantec. The WNRD concurred with the Report's findings and concluded that the project has an adequate and sustainable supply of groundwater to meet the needs of the project).*

North King Groundwater Sustainability Area (NKGSA):

The project area is known to be short on groundwater supply. There are two existing wells that will be used to meet the demands of 150 gallon per minute. Given the high intensity park will likely result in additional water demand for the project site, additional information on the future water demands/usage compared to the existing demands should be provided. *(Note: A hydrogeologic Study Report, dated Feb. 17, 2022, prepared for the project was provided to WNRD. No further response was received from NKGSA).*

Development Engineering Section of the Fresno County Department of Public Works and Planning (Development Engineering):

An Engineered Grading and Drainage Plan shall be prepared to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be filed with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area. Copies of completed NOI and SWPPP shall be provided to Development Engineering prior to any grading work (See Project Notes).

Fresno County Fire Protection District (FCFPD):

The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 14 Natural Resources. Prior to receiving FCFPD conditions of approval for your project, construction plans shall be submitted to the Fresno County Department of Public Works and Planning and FCFPD for review. The project shall annex into the Community Facilities District No. 2010-01 of the FCFPD (See Project Notes).

Site Plan Review (SPR) Unit of the Fresno County Department of Public Works and Planning:

All parking spaces for the physically disabled shall be paved, striped, and placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. A four-foot-wide path of travel for disabled persons shall be constructed and striped in accordance with state standards. The proposed fruit stand/tasting is on a separate 1.62-acre parcel and appears to be proposing shared access and drainage with the adjacent southerly parcel. An over-and-across agreement shall be required for joint drainage/access facilities unless a Voluntary Merger (VM) application is submitted to and Approved by the County Zoning Department.

Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELo) and require submittal of Landscape and Irrigation plans per Governors Drought Executive Order of 2015. The Landscape and irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review (SPR) Unit for review and approval. If only the driveway is to be paved, the first 100 feet off the edge of the ultimate right-of-way shall be concrete or asphalt. A dust palliative shall be required on all unpaved parking and circulation areas. All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance (See Project Notes).

Finding 3 Analysis:

The project entails establishment of a high intensity park with related improvements for weddings, fundraisers, corporate retreat, and private parties, including a veterinary office and a fruit stand/wine tasting room, on approximately 10.31-acre portion of a 43.94-acre parcel and a 1.62-acre parcel totaling 45.56 acres (52.91-acres after LLA).

The existing improvements on the property include a single-family residence, garage, shed, barn, stable, and a tank. The subject proposal will utilize a combination of existing improvements and new improvements which include the barn being converted into an event center, 200 square-foot guard house, 600 square-foot restroom building, 3,000 square-foot bunk house, 1,200 square-foot fruit stand/tasting room, a 1,500 square-foot veterinary office, parking, and related improvements.

The project site is developed with sixties historic period (50 years of age or older) structures. To determine whether the proposed project would cause substantial adverse changes to any historical resources that may exist in the project area, a *Historic Resources Assessment, dated April 2022* was prepared for the project by LSA Associates. Per the study, no historic resources were encountered within or adjacent to the project area.

The surrounding land uses are residential with minimal farming in the immediate vicinity. Parcels to the north and east of the proposal are developed with single-family homes and parcels to the south and west are undeveloped. The proposed improvements will be set back at an adequate distance from Tollhouse Road (State Route 168) and the residential improvements to the east of the proposal. Given these setbacks, the project will have minimal visual impact for travelers on SR 168, or people residing on adjacent parcels.

The Initial Study prepared for this project identified potential impacts related to aesthetics, biological resources, cultural resources, noise, and transportation. To mitigate lighting

impact, all outdoor lighting will be hooded and be directed downward to avoid glare on adjoining properties. To mitigate impact to biological resources, sensitive habitats will be evaluated prior to any ground-disturbance activities per CDFW comments on the project and a *Biological Resources Evaluation* prepared for the project. To mitigate impacts to cultural resources; an archeologist will monitor ground disturbances and will stop work if cultural resources are discovered. To mitigate noise impact, the project will adhere to County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards contained in the Fresno County Ordinance Code. To mitigate transportation impact, the project will be provided with a 200 to 300-foot-long driveway so that vehicles do not queue onto the highway.

Potential impacts to air quality, geology and soils, hazards, and hazardous materials; hydrology and water quality; and noise have been determined to be less than significant. The project will adhere to SJVAPCD rules and regulation to minimize impact on air quality; will install engineered sewage disposal system under permits and inspection by the Department of Public Works and Planning Building and Safety Section.

These requirements have been included as Mitigation Measures, Condition of Approval and Project Notes (Exhibit 1) and will be addressed in detail through Site Plan Review. The Site Plan Review will also address design of parking and circulation areas, wall/fencing, site access, grading and drainage, road right-of-way dedication, fire protection, landscaping, signage, and lighting.

Water and Natural Resources Division (WNRD) reviewed the hydrogeologic Study, dated February 15, 2022, prepared by Stantec Consulting Services. A 72-hour pump test was conducted with one nearby monitoring well resulted a final discharge rate of 40 gallons per minute. Staff concurred, with the hydro report, that the project has an adequate and sustainable supply of groundwater to meet the needs of the project and that future groundwater utilization on the property would not result in significant pumping-related impacts to surrounding properties.

The project site is in an area designated as medium sensitive for archeological resources. Pursuant to Assembly Bill (AB) 52, the project was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, and Dumna Wo Wah Tribal Government offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation. Mitigation Measures included in the CULTURAL ANALYSIS section of the Initial Study (Exhibit 7) will minimize the impact to tribal cultural resources.

Recommended Conditions of Approval:

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

Finding 3 Conclusion:

Finding 3 can be made based on the above information, with adherence to the Mitigation Measures, Conditions of Approval, and mandatory Project Notes, the proposal will have no adverse effect upon surrounding properties.

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

| Relevant Policies: | Consistency/Considerations: |
|--|---|
| <p>Section 402-01 :1.00. b: <i>Eastside Rangeland shall mean land designated for grazing and other agricultural operations, wildlife habitat, various non-intensive recreational activities, and other appropriate open space functions.</i></p> | <p>Eastside Rangeland designated areas typically accommodate grazing and limited non-intensive development. Although the proposed 1,500 square foot veterinary office and 1,200 square foot fruit stand/wine tasting room would include structural improvements, the combined square footage of both these uses would encompass less than 3,000 square feet of developed area within a 52-acre parcel.</p> <p>These proposed uses may be considered complimentary to the surrounding agricultural area by providing veterinary services and support to agricultural tourism activities.</p> <p>Much of the proposed high intensity park involves existing structures and improved areas located towards the center of the property. As proposed, the scope of the high intensity park activities could be considered compatible with Eastside Rangeland uses based both on the limited number of proposed attendees and the frequency of events. These activities would not occur into extended late nighttime hours.</p> |
| <p>Policy OS-L.3: <i>The County shall manage the use of land adjacent to scenic drives and scenic highways based on the following principles: ...</i></p> <p>d. <i>Intensive land development proposals including, but not limited to, subdivisions of more than four lots, commercial developments, and mobile home parks shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain. The design of said development proposals shall also provide for maintenance of a natural open space area two hundred (200) feet in depth parallel to the right-of-way. Modification of the setback requirement may be appropriate.</i></p> | <p>The project meets the objective and intent of the policy in that with the bulk of parking and high intensity park occurring considerably farther back the parcels be away from the substantial undeveloped frontage along Tollhouse Road. The project as proposed in the submitted site plan maintains roughly 4.51 acres of the frontage undeveloped in its native state. The drive approach, building, and parking for fruit stand/wine tasting and veterinary encroach are less than one-quarter acres (0.19-acre) of the approximately 4.7 acres of the 200-foot-wide open space area. This encroachment is not significant enough to degrade the quality of scenic corridor.</p> |

| Relevant Policies: | Consistency/Considerations: |
|---|---|
| <p>Policy LU-A. 13: <i>The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</i></p> <p>Policy LU-A.14: <i>The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</i></p> | <p>The project site is grazing land developed with a single-family residence and related improvements. The surrounding land are also grazing land and are developed with single-family dwellings. No buffer is required between the project site and the surrounding non-agriculture land.</p> |
| <p>General Plan Policy PF-C.17 (portion): <i>The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:</i></p> <p>a. <i>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.</i></p> | <p>The project is in a water-short area of Fresno County. A Hydrologic Study Report dated Feb. 15, 2022, was prepared for the project by Stantec. Per the report review by Water and Natural Resources Division of the Fresno County Department of Public Works and Planning the project has an adequate and sustainable groundwater supply to meet project needs and that future groundwater utilization on the property would not result in significant pumping-related impacts to surrounding properties. The proposal is consistent with this policy.</p> |
| <p>Goal ED-B: <i>To diversify the economic base of Fresno County through the expansion of non-agricultural industry clusters and through the development and expansion of recreation and visitor-serving attractions and accommodations.</i></p> | <p>This policy encourages the establishment and expansion of recreation and visitor-serving attractions and accommodations on non-agricultural land in Fresno County. To serve both local and non-local population, such attractions on non-agricultural land are desired and are intended to boost local economy by creating demand for business travel and development of more and better accommodations, and amenities. Located within foothill area, the subject proposal can have a very beneficial impact on local economy in Fresno County regarded as a gateway to Yosemite and the other Sierra recreational and resort attractions.</p> |

Reviewing Agency/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: Sierra-North Regional Plan, Section 402-01 :1.00. b: requires that the project site shall remain suitable for grazing and other agricultural operations, wildlife habitat, various non-intensive recreational activities. Policy OS-L.3 requires that natural open space area two hundred (200) feet in depth parallel to the right-of-way shall be maintained outside of allowed exception. Policy LU-A.13 and Policy LU-A.14 requires that there should be buffer separating agricultural operations from conflicts with non-agricultural uses and shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. Policy PF-C.17 requires sustainable water supply for the project.

Finding 4 Analysis:

The subject parcel is designated Eastside Rangeland and is located in the Sierra-North Regional Plan. The Goals of the Sierra-North Regional Plan seek to encourage a harmonious land use pattern that recognizes the needs of the area's residents, economy, and land and water resource limitations. Further, the Plan seeks to facilitate the growth of the area by the provisions of reasonable public services, promote the development of new towns in appropriate locations, establish an efficient circulation and transportation system, and discourage land divisions that encourages the creation of small parcels.

The Economic Development Element of the General Plan seeks, in part, to diversify its economy by focusing on the creation of tourism attractions that create demand for business travel and development of more and better accommodations, amenities, and services. Similarly, the county's location as a gateway to Yosemite and the other Sierra attractions creates the opportunity for recreational and resort development in the foothills that can have a very beneficial impact on the local economy.

The Eastside Rangeland designation provides for grazing and other agricultural operations, wildlife habitat, various non-intensive recreational activities, and other appropriate open space functions.

In regards to Section 402-01: 1.00.b of the Sierra-North Regional Plan, although there are improvements proposed with the proposed high intensity park, veterinary office and fruit stand/wine tasting room, those improvements are not as intensive or dense as other more urbanized high intensity parks, and the veterinary office use will be a limited-intensive use and will help support agricultural community in the area. Siting of event facilities with an outdoor component often benefit from surrounding scenic resources and large-sized parcels with adds separation from surrounding uses and increases privacy for guests. Further, and in consideration of the General Plan's Economic Development goals and policies relating to tourism, the project's overall purpose and limited impacts on the area can be deemed to align with the intent of the Sierra-North Regional Plan.

Tollhouse Road (State Route 168) is designated as a scenic drive as per the Fresno County General Plan Open Space and Conservation Element. Scenic Drives are defined as rural road traversing land with outstanding natural scenic qualities and connecting with scenic highways. General Plan Policy OS-L.3 requires that the County manage the use of land adjacent to scenic drives and scenic highways based on a number of principals. The most relevant of these is the requirement that Intensive land development proposals including, but not limited to, subdivisions

of more than four lots, commercial developments, and mobile home parks shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain and provide for the maintenance of a 200-foot-wide open space area adjacent to the right-of-way. This requirement also allows for modification of the setback under certain conditions, such as when topographic or vegetative characteristics preclude such a setback or where topographic or vegetative characteristics provide screening of buildings and parking areas from the right-of-way. The project meets the objective and intent of the policy, with the bulk of parking and high intensity park occurring considerably farther back on the parcels away from the substantial undeveloped frontage along Tollhouse Road. The project as proposed in the submitted site plan maintains 4.51 acres of the frontage undeveloped in its native state. While the buildings for the veterinary and fruit stand/wine tasting would encroach 64 to 150 feet into the 200-foot-wide open space area, the structures only cover 0.19-acres of the 4.7 acres open space area. It is not appreciable enough to degrade from the intent to maintain a scenic corridor.

The project is also consistent with General Plan Policies Policy OS-L.3, Policy LU-A. 13; Policy LU-A. 14, and Policy PF-C.17, as discussed in the table above, as noted above.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Finding 4 Conclusion:

Finding 4 can be made, the proposed project is consistent with the County General Plan goals and policies, the project's overall purpose and limited impacts on the area can be deemed to align with the intent of the Sierra-North Regional Plan.

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

Finding 5 Analysis:

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

Recommended Conditions of Approval:

None.

Finding 5 Conclusion:

Finding 5 can be made, the recommended conditions of approval have been created for and are necessary to protect the public health, safety, and general welfare.

PUBLIC COMMENT:

Both a letter of support for the project and a letter of opposition to the project have been received and are attached as Exhibit 9. Any additional comments received prior to the beginning of the public hearing will be provided to the Commission immediately prior to the hearing.

SUMMARY CONCLUSION:

Based on the factors cited in the analysis all the required Findings for granting the Unclassified Conditional Use Permit can be made. The proposed project aligns with the intent of the goals and policies of the Sierra-North Regional Plan and the General Plan policy for the expansion of expansion of recreation and visitor-serving attractions and accommodations.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8081; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3713, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3713; and
- Direct the Secretary to prepare a resolution documenting the Commission's action

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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EXHIBIT 1

**Mitigation Monitoring and Reporting Program
Initial Study No. 8081
Unclassified Conditional Use Permit Application No. 3713**

| 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 (PWP) | On-going; for the duration of the project |
| *2. | Biological Resources | A qualified biologist shall conduct protocol-level surveys in accordance with the U.S. Fish and Wildlife Service (USFWS) "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander October 2003" at the appropriate time of year to determine the existence and extent of California Tiger Salamander (CTS) breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with the California Department of Fish and Wildlife (CDFW) and the USFWS is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. The protocol-level survey shall include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS. | Applicant | Applicant/PWP/ California Department of Fish & Wildlife (CAFW); US Fish & Wildlife Service (USFWS) | As noted |
| *3. | Biological Resources | If California Tiger Salamander (CTS) protocol-level surveys are not conducted, a minimum 50-foot no-disturbance buffer shall be delineated around all small mammal burrows in suitable upland refugia habitat | Applicant | Applicant/PWP/ CDFW | As noted |

| Mitigation Measures | | | | | |
|---------------------|----------------------|--|-----------|--------------------|----------|
| | | within and/or adjacent to the Project site. Furthermore, potential or known breeding habitat within and/or adjacent to the project site shall be delineated with a minimum 250-foot no-disturbance buffer. These surveys are repeated any time the disturbance area of the Project expands or there is the potential to eliminate small mammal burrows. Alternatively, the applicant can assume presence of CTS within the project site and obtain from CDFW an Incidental Take Permit (ITP) in accordance with Fish and Game Code section 2081 subdivision (b). | | | |
| *4. | Biological Resources | If through surveys it is determined that CTS are occupying or have the potential to occupy the project site, consultation with CDFW is warranted to determine if the project can avoid Take. If 'Take' cannot be avoided, Take authorization would be warranted prior to initiating ground-disturbing activities to comply with California Endangered Species Act. Take authorization would occur through the acquisition of an Incidental Take Permit (ITP) from CDFW, pursuant to Fish and Game Code section 2081 subdivision (b). In the absence of protocol surveys, the applicant can assume presence of CTS within the project site and obtain an ITP from CDFW. | Applicant | Applicant/PWP/CDFW | As noted |
| *5. | Biological Resources | A qualified wildlife biologist shall conduct surveys for nesting Swainson's hawk (SWHA) following the survey methods developed by the Swainson's hawk Technical Advisory Committee (SWHA TAC, 2000) prior to project implementation. The survey protocol includes early season surveys to assist the project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities. | Applicant | Applicant/PWP/CDFW | As noted |
| *6. | Biological Resources | If expansion of any project activities will take place during the normal bird breeding season (March 1 | Applicant | Applicant/PWP/CDFW | As noted |

| Mitigation Measures | | | | | |
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| | | through September 15), additional pre-activity surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of the project implementation. A minimum no-disturbance buffer of one-half mile shall be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. | | | |
| *7. | Biological Resources | In the event an active SWHA nest is detected during surveys and the one-half mile no-disturbance buffer around the nest cannot feasibly be implemented, consultation with CDFW is warranted to discuss how to implement the project and avoid Take. If Take cannot be avoided, Take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is warranted to comply with California Endangered Species Act. | Applicant | Applicant/PWP/CDFW | As noted |
| *8. | Biological Resources | A qualified biologist shall conduct a habitat assessment in advance of project implementation, to determine if the project area or its vicinity contains suitable habitat for Burrowing Owl (BUOW). | Applicant | Applicant/PWP/CDFW | As noted |
| *9. | Biological Resources | A qualified biologist shall conduct surveys following the California Burrowing Owl Consortium's "Burrowing Owl Survey Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's Staff Report on Burrowing Owl Mitigation" (CDFG 2012). Three or more surveillance surveys shall be conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (April 15 to July 15), when BUOW are most detectable. | Applicant | Applicant/PWP/CDFW | As noted |
| *10. | Biological Resources | A no-disturbance buffers, as outlined in the "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), | Applicant | Applicant/PWP/CDFW | As noted |

| Mitigation Measures | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------|----------------------|---|-----------|--------------------|----------------------|--|--|-----|-----|------|---------------|------------------|--------|-------|-------|---------------|-----------------|-------|-------|-------|---------------|-----------------|------|-------|-------|--|--|--|
| | | <p>shall be implemented prior to and during any ground-disturbing activities. Impacts to occupied burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.</p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th rowspan="2">Time of Year</th> <th colspan="3">Level of Disturbance</th> </tr> <tr> <th>Low</th> <th>Med</th> <th>High</th> </tr> </thead> <tbody> <tr> <td>Nesting Sites</td> <td>April 1 – Aug 15</td> <td>200 m*</td> <td>500 m</td> <td>500 m</td> </tr> <tr> <td>Nesting Sites</td> <td>Aug 16 – Oct 15</td> <td>200 m</td> <td>200 m</td> <td>500 m</td> </tr> <tr> <td>Nesting Sites</td> <td>Oct 16 – Mar 31</td> <td>50 m</td> <td>100 m</td> <td>500 m</td> </tr> </tbody> </table> | Location | Time of Year | Level of Disturbance | | | Low | Med | High | Nesting Sites | April 1 – Aug 15 | 200 m* | 500 m | 500 m | Nesting Sites | Aug 16 – Oct 15 | 200 m | 200 m | 500 m | Nesting Sites | Oct 16 – Mar 31 | 50 m | 100 m | 500 m | | | |
| Location | Time of Year | Level of Disturbance | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Low | Med | High | | | | | | | | | | | | | | | | | | | | | | | | |
| Nesting Sites | April 1 – Aug 15 | 200 m* | 500 m | 500 m | | | | | | | | | | | | | | | | | | | | | | | | |
| Nesting Sites | Aug 16 – Oct 15 | 200 m | 200 m | 500 m | | | | | | | | | | | | | | | | | | | | | | | | |
| Nesting Sites | Oct 16 – Mar 31 | 50 m | 100 m | 500 m | | | | | | | | | | | | | | | | | | | | | | | | |
| *11. | Biological Resources | A qualified biologist shall conduct focused surveys for western spadefoot and their requisite habitat features to evaluate potential impacts resulting from ground-and-vegetation-disturbance. | Applicant | Applicant/PWP/CDFW | As noted | | | | | | | | | | | | | | | | | | | | | | | |
| *12. | Biological Resources | Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around burrows. If western spadefoot are observed on the project site, project activities in their immediate vicinity shall be ceased and individuals be allowed to leave the project site on their own accord. Alternatively, a qualified biologist with appropriate 'Take' authorization can move them out of harm's way and to a suitable location. | Applicant | Applicant/PWP/CDFW | As noted | | | | | | | | | | | | | | | | | | | | | | | |
| *13. | Biological Resources | A qualified biologist shall conduct a habitat assessment, well in advance of the project implementation, to determine if the project area or its immediate vicinity contain suitable habitat for the American badger. | Applicant | Applicant/PWP/CDFW | As noted | | | | | | | | | | | | | | | | | | | | | | | |
| *14. | Biological Resources | If suitable habitat is present, a qualified biologist shall conduct focused surveys for American badgers and their requisite habitat features (dens) to evaluate | Applicant | Applicant/PWP/CDFW | As noted | | | | | | | | | | | | | | | | | | | | | | | |

| Mitigation Measures | | | | | |
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| | | potential impacts resulting from ground-and vegetation-disturbance. | | | |
| *15. | Biological Resources | Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around dens until it is determined through non-invasive means that individuals occupying the den have dispersed. | Applicant | Applicant/PWP/CDFW | As noted |
| *16. | Biological Resources | A qualified biologist shall conduct focused surveys for Western Pond Turtle (WPT) ten days prior to the expansion of any Project activities beyond its current footprint. In addition, focused surveys for nests occur during the egg-laying season (March through August) shall be conducted and that any nests discovered remain undisturbed until the eggs have hatched. If any WPT are discovered at the site immediately prior to, or during project activities, they will be allowed to move out of the area on their own. | Applicant | Applicant/PWP/CDFW | As noted |
| *17. | Biological Resources | To evaluate project impact on nesting birds, a qualified wildlife biologist shall conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. Surveys shall cover a sufficient area (any area potentially affected by the project) around the project site to identify nests and determine their status. | Applicant | Applicant/PWP/CDFW | As noted |
| *18. | Biological Resources | Prior to initiation of project activities, a qualified biologist shall conduct a survey to establish a behavioral baseline of all identified nests. Once project activities begin, a qualified biologist shall continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur the work causing that change shall be halted and the California Department of Fish and Wildlife shall be consulted for additional avoidance and minimization measures. | Applicant | Applicant/PWP/CDFW | As noted |

| Mitigation Measures | | | | | |
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| *19. | Biological Resources | If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors shall be established. These buffers shall remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the project site would be concealed from a nest site by topography. A qualified wildlife biologist shall advise and support any variance from these buffers and notify California Department of Fish & Wildlife (CDFW) in advance of implementing a variance. | Applicant | Applicant/PWP/CDFW | As noted |
| *20. | Cultural Resources | A qualified professional archaeologist shall be contracted to supervise an archaeological monitor in observing ground-disturbing work for any archaeological deposits and/or human remains. | Applicant | Applicant/PWP | As noted |
| *21. | Cultural Resources | In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance are to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. | Applicant | Applicant/PWP | Prior to construction of the project |

| Mitigation Measures | | | | | |
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| *22. | Noise | The project-related noise levels shall not exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards contained in the Fresno County Ordinance Code. If, during events, the sound produced by onsite speaker systems exceeds the noise level standards, the noise shall be controlled to cease, or move indoors before 10 p.m. to comply with the standards. | Applicant | Applicant/PWP/ Fresno County Dept. of Public Health, Environmental Heath Division | On-going; for the duration of the project |
| *23. | Transportation | The proposed guard shack shall be setback a minimum of 200 feet from the Tollhouse Road (State Route 168). Mandating of stoppage of vehicles for collection of fees or checking for identification at the guard shack shall only be allowed beyond 200 feet of driveway so as to not cause queues to back up into the highway during large events. If the guard observes queuing, vehicles shall be required to move into parking lot to keep traffic moving. | Applicant | Applicant/PWP/ California Dept. of Transportation (Caltrans) | On-going; for the duration of the project |

| Conditions of Approval | |
|------------------------|--|
| 1. | Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plan, Elevation Drawings and Operational Statement, except as modified by the Conditions of Approval. |
| 2. | Prior to the issuance of building permits, a Site Plan Review application 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 not limited to the design of parking and circulation areas, wall/fencing, access, on-site grading and drainage, right-of-way dedication, fire protection, landscaping, signage, and lighting. |
| 3. | Additional access from State Route 168 (Tollhouse Road) shall be prohibited, and the existing single driveway access from State Route 168 shall be evaluated and if necessary modified to meet or exceed current Caltrans standards. |
| 4. | All parking and circulation areas that are not concrete or asphalt concrete paved shall be treated with a dust palliative to prevent the creation of dust. |

Conditions of Approval

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| 5. | Events shall be limited to a total maximum of 40 days of events per calendar year, with no more than 3 days of events per week. Events shall occur within the hours of 10am to 11pm, with all amplified sound and loud noise ending at 10pm. |
| 6. | Prior to issuance of any development permits the applicant shall make application and pursue to completion application to the County of Fresno Board of Supervisor’s cancelation of the portion of the projects site that contains the High Intensity Park and Veterinary Offices. Failure to secure the partial cancellation shall inhibit any development of commencement of the uses. |

*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. | This Use Permit shall become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period more than two years. |
| 2. | Construction plans, building permits and inspections are required for all proposed improvements on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for plans, permits and inspections. |
| 3. | <p>To address site development modifications resulting from the project that could affect drainage, the project developer and property owner shall be aware of the following:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan shall be prepared to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. • A grading permit or voucher shall be obtained for any grading proposed with the project and all additional storm water runoff generated by the proposed development shall be retained onsite. • Site development shall be in accordance with the applicable State Responsibility Area (SRA) Fire Safe Regulations, as they apply to driveway construction and access. • A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be filed with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area. |

Notes

- Copies of completed NOI and SWPPP shall be provided to Development Engineering prior to any grading work.

For additional information, please contact the Development Engineering Section, Development Services Division of the Department of Public Works & Planning at (559) 600-4022 or developmentengineering@fresnocountyca.gov.

4. Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) the following will be applicable:
- The proposed improvements shall require an onsite engineered sewage disposal system designed (based on test hole results) and installation certified by a Professional Engineer or Registered Environmental Health Specialist.
 - The system shall be installed under permits and inspections from the Department of Public Works and Planning, Building and Safety Section.
 - To protect groundwater, all abandoned water wells on the parcel shall be properly destroyed by a licensed contractor and any underground storage tank(s) found during the project construction shall be removed upon securing an Underground Storage Tank Removal Permit.
 - A Hazardous Materials Business Plan shall be submitted for the project pursuant to the HSC, Division 20, Chapter 6.95. Additionally, remodeling of any existing structure on the property shall require the following: 1) Should the structure(s) have an active rodent or insect infestation, the infestation shall be abated prior to remodel of the structure(s) in order to prevent the spread of vectors to adjacent properties; 2) If asbestos containing construction materials and materials coated with lead-based paints are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted; and 3) If the structure(s) were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9, or State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted.
 - Prior to issuance of building permits, complete food facility plans to include barn, fruit stand/wine tasting specifications shall be submitted to the Health Department for review and approval.
 - Prior to operations, permits to operate a food facility (fruit stand/wine tasting) shall be obtained from the Health Department.
 - Prior to alcohol sales, license to sell alcoholic beverages shall be obtained from the California Alcoholic Beverage Control Department. The applicant shall submit an acoustical analysis, prepared by a qualified acoustical consultant, for review and approval by the Health Department.

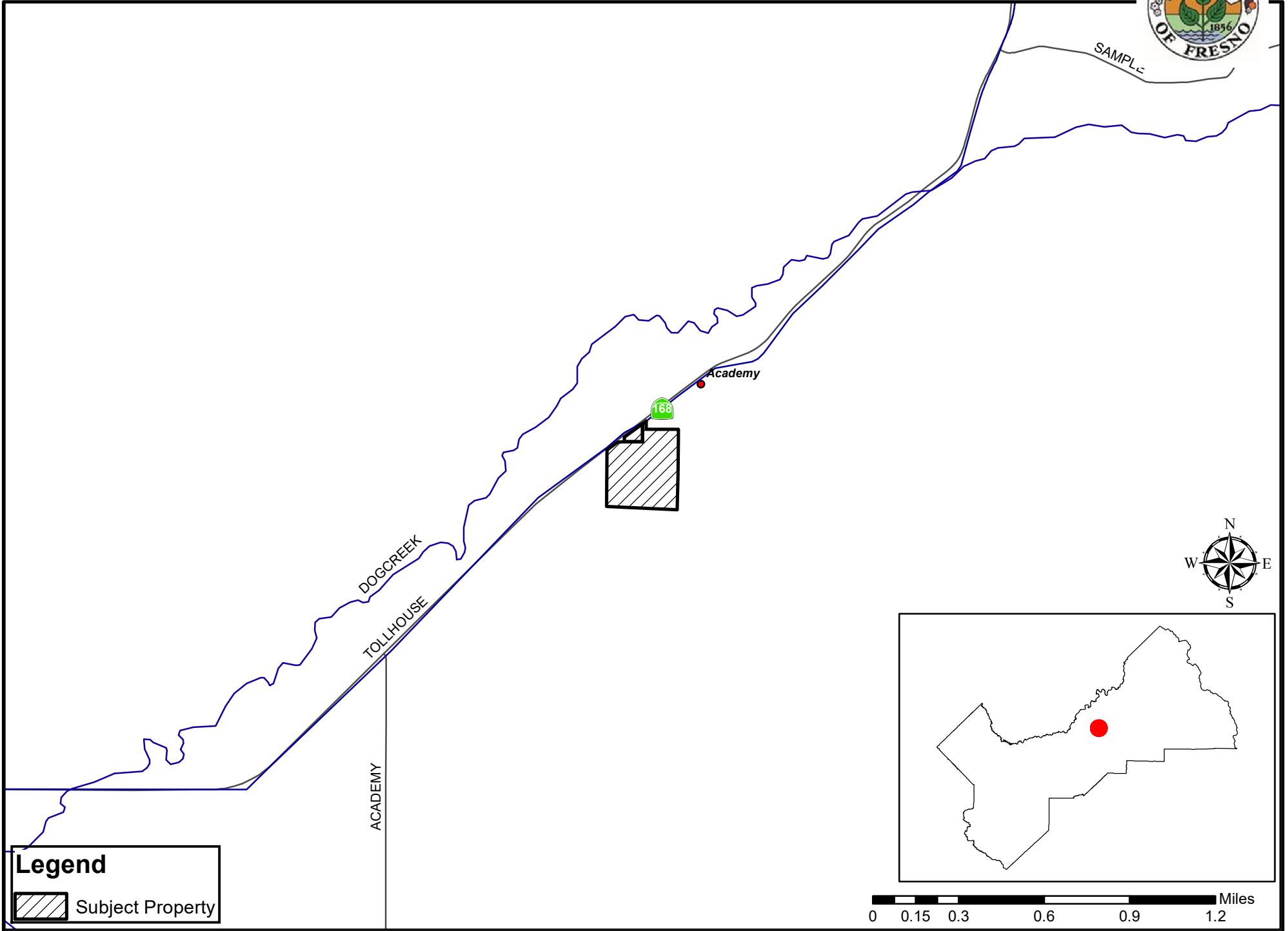
| Notes | |
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| | For additional information, please contact the Environmental Health Division at (559) 600-3357 or EnvironmentalHealth@fresnocountyca.gov |
| 5. | The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 14 Natural Resources. Prior to receiving FCFPD conditions of approval for your project, construction plans shall be submitted to the Fresno County Department of Public Works and Planning and FCFPD for review. The applicant shall deliver a minimum of two (2) sets of plans to the FCFPD and the project shall annex into the Community Facilities District No. 2010-01 of the FCFPD. |
| 6. | <p>In conjunction with Conditions of Approval Number 2 the following, additional requirements are noted, Site Plan Review (SPR) Unit of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • All parking spaces for the physically disabled shall be paved, striped, and placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. • A four-foot-wide path of travel for disabled persons shall be constructed and striped in accordance with state standards. • The proposed fruit stand/tasting is on a separate 1.62-acre parcel and appears to be proposing shared access and drainage with the southerly parcel. An over-and-across agreement shall be required for joint drainage/access facilities unless a Voluntary Merger (VM) application is submitted and completed. • Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of Landscape and Irrigation plans per Governors Drought Executive Order of 2015. • The Landscape and irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review (SPR) Unit for review and approval. • If only the driveway is to be paved, the first 100 feet off the edge of the ultimate right-of-way shall be concrete or asphalt. A dust palliative shall be required on all parking and circulation areas. • All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. • Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of Landscape and Irrigation plans per the Governor’s Drought Executive Order of 2015. The Landscape and Irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review Unit for review and approval prior to the issuance of building permits. |

Notes


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| | Note: these requirements and more will be addressed through Site Plan Review included as Conditions of Approval for the project. |
| 7. | Events will be held year-round for 300-500 people and be limited to 40 per year, including weekdays and weekends. If the proposed event center has less than 60 events per year, it will not meet the definition of a public water system. If the proposed event center holds 60 or more events per year, it will meet the definition of a public water system and will require a permit from the State Water Resources Control Board, Division of Drinking Water. |

EA:jp
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3700-3799\3713\IS-CEQA\CUP3713 MMRP docx

LOCATION MAP



Legend

 Subject Property

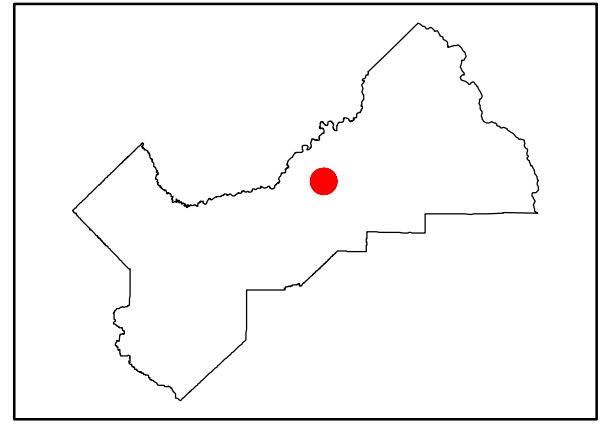


EXHIBIT 2

EXISTING ZONING MAP

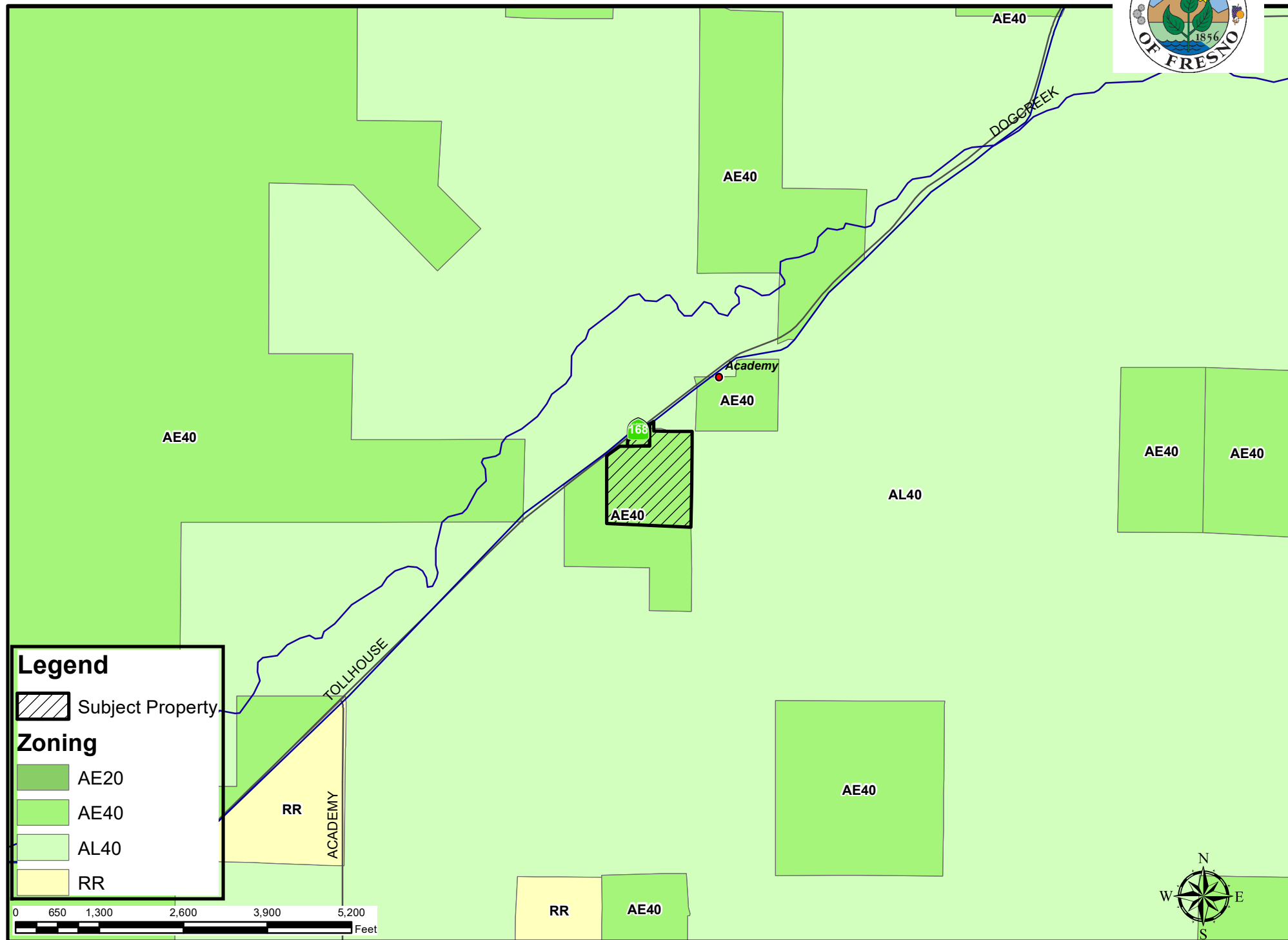


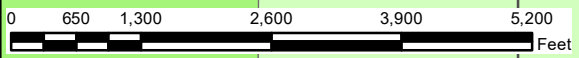
EXHIBIT 3

Legend

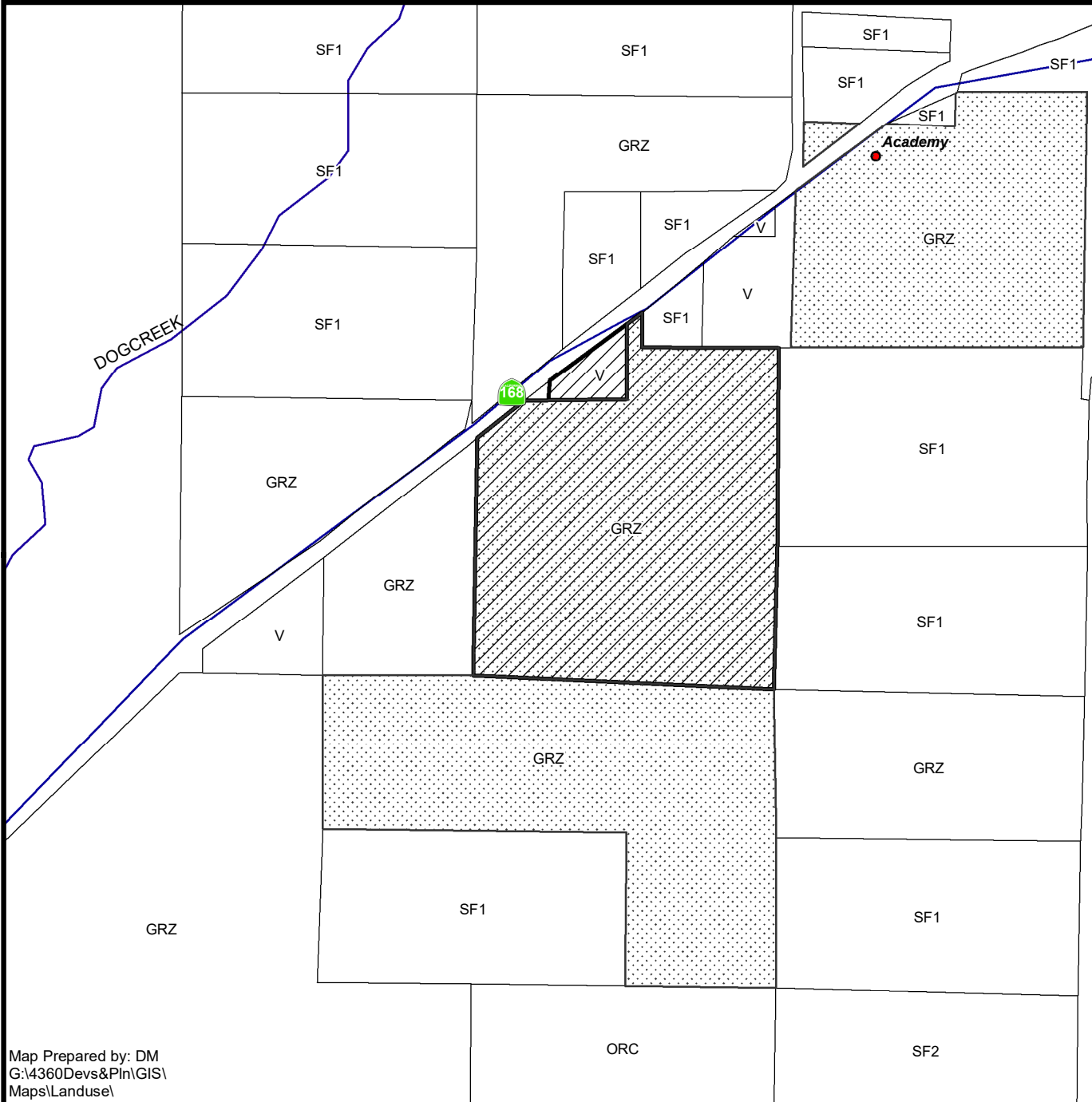
Subject Property

Zoning



- AE20
- AE40
- AL40
- RR



EXISTING LAND USE & AG CONTRACT LAND MAP



LEGEND
 DRY - DRY FARMING
 GRZ - GRAZING
 ORC - ORCHARD
 SF#- SINGLE FAMILY RESIDENCE
 V - VACANT

LEGEND:
 Subject Property
 Ag Contract Land



0 170 340 680 1,020 1,360 Feet

Department of Public Works and Planning
 Development Services Division

CODE ANALYSIS

Per FCMC (Fresno County Municipal Code) and CBC (California Building Code).

BUILDING SEPARATION [FCMC 816.5.F]
40 feet min separation between animal and non-animal buildings required.

84 feet provided between Bunk House and (E) stables, OK.

PARKING REQUIREMENTS [FCMC 855-1.2.B-H]

For Barn/Event Center
1 parking space for every 40 sf of meeting hall/auditorium, or 1 space per 5 attendees, whichever is greater; plus one space for every 2 permanent employees.

4,500 sf indoor event space (300 occupants) = 113 parking spaces required
-or- (non-simultaneous use)
500 occupants at outdoor event space = 100 parking spaces required

6 permanent employees = 3 parking spaces required, 3 provided

28 temporary vendors during events only = no parking spaces required, 28 stalls provided for convenience.

Total:
116 parking spaces required
168 parking spaces provided, OK.

For Fruit Stand/Tasting Room
1 parking space for every 100 sf of food and beverage buildings (Fruit Stand and Tasting Room)

1,300 sf tasting room + fruit stand = 13 stalls required, 14 provided, OK.

For Vet Office
2 sf of parking per 1 sf of retail sales area [FCMC 816.5.1.1]

1,500 sf veterinary office = 3,000 sf (10 stalls) required, 10 provided, OK.

ACCESSIBLE PARKING

For 101-150 parking spaces, 5 accessible parking spaces shall be provided [CBC 11B-208.2]
1 of every 6 accessible parking spaces shall be van-accessible [CBC 11B-208.2.4]

5 accessible parking spaces required
10 accessible parking spaces provided, 4 of which are van-accessible. See site plan for locations, OK

ROAD SIGNAGE [FCMC 816.5.K]

Two directional signs allowed on roadways. Limited to 32 sq ft per sign, and 8' maximum height. 2 colors max, non-lighted and 8' min. setback from property lines.
One lighted sign allowed, 40 sq ft maximum size.

One lighted sign provided, complying with requirements as outlined above, see site plan, OK.

One non-lighted sign provided, complying with requirements as outlined above, see site plan, OK.

LOADING ZONE [FCMC 855.L.5]

12' min width, 40' min length, 14' clear height
Loading not allowed on roadways

Loading zones not required for this zone, but anticipated to be used, so 3 are provided to comply with requirements above. See site plan for locations, OK.

PLUMBING FIXTURE CALCULATIONS [CPC, California Plumbing Code 422.1]
Required facilities shall be within 500' travel distance [CPC 422.4]

For proposed event center (A-2 occupancy):

300 occupants = 150 men, 150 women
Men: 3 water closets, 2 urinals, 3 lavatories
Women: 6 water closets, 4 lavs

6 water closets and 4 lavatories provided for each gender, OK. See floor plan for location. 72' max travel distance from event center to restrooms, OK.

For outdoor event space (A-5 occupancy):

500 occupants = 250 men, 250 women
Men: 3 water closets, 3 urinals, 2 lavatories
Women: 6 water closets, 4 lavatories

6 water closets and 4 lavatories provided for each gender within proposed event center, OK. See floor plan for location. 241' max travel distance from outdoor event space to restrooms in proposed event center, OK.

Additional restrooms added in restroom building for convenience only, 3 water closets, 2 lavatories provided in excess of code minimum, OK.

ALLOWABLE AREA/HEIGHT/STORIES [CBC 504 and 506]

For A-2 occupancy (P) Barn:
24,000 sf allowed for single story
6,000 sf provided, OK.

60 feet maximum height
29 feet provided, OK.
(Note: County Municipal Code maximum height of 35' is more stringent)

2 stories allowed
1 story provided, OK.

For B occupancy (P) Vet, (P) Fruit Stand/Tasting Room:

36,000 sf allowed for single story
580 sf max provided, OK.

60 feet maximum height
15'-6" max provided, OK.
(Note: County Municipal Code maximum height of 35' is more stringent)

3 stories allowed
1 story provided, OK.

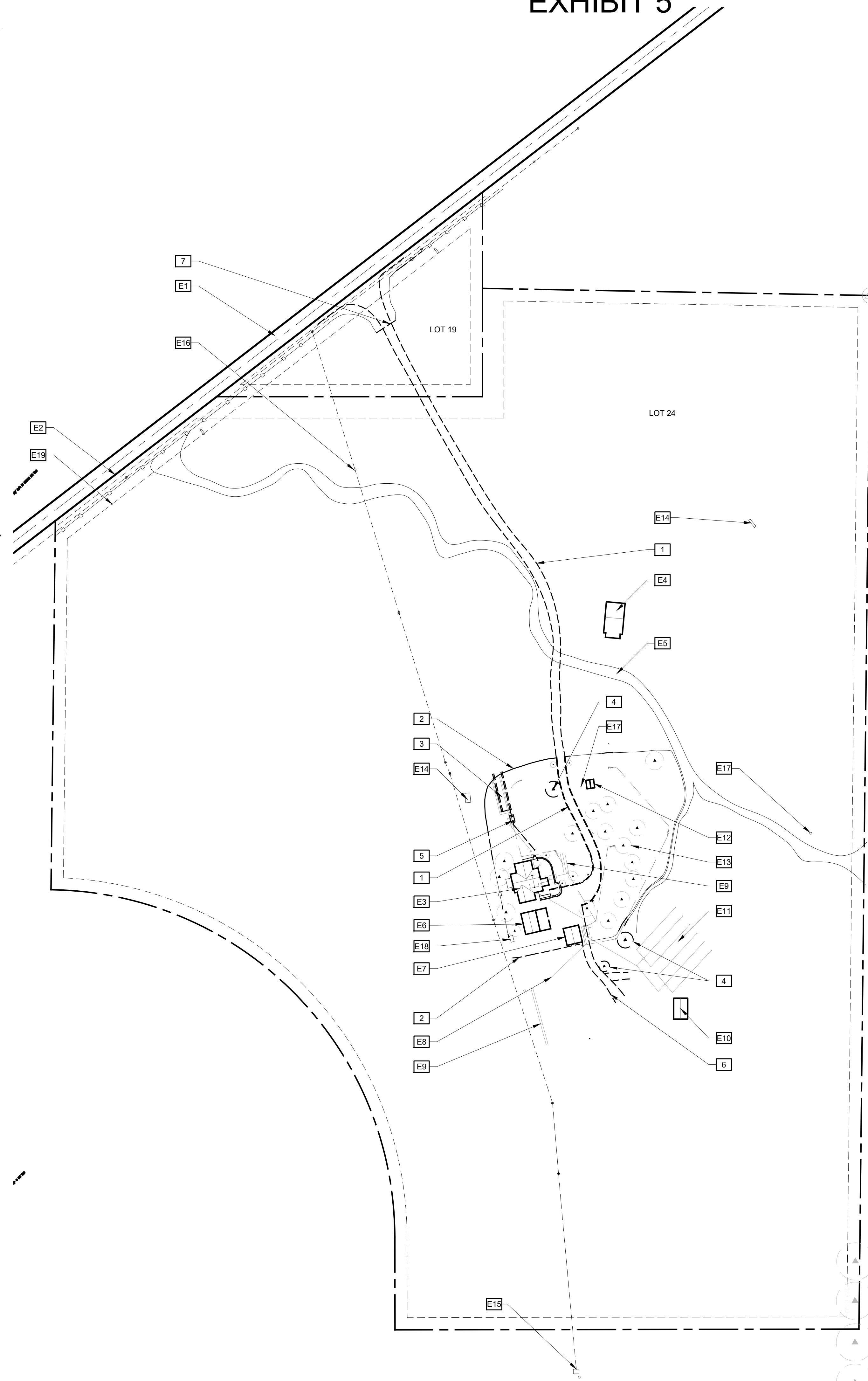
For R-1 occupancy (P) Bunk House, (E) Guest House:

21,000 sf allowed per story
2,100 max provided per story, OK.

60 feet maximum height
22 feet provided, OK.
(Note: County Municipal Code maximum height of 35' is more stringent)

3 stories allowed
2 stories provided, OK.

EXHIBIT 5



SITE INFORMATION

Address: 13305 Tollhouse Road, Clovis, CA, 93619
 APN: 140-141-24, 150-141-19
 Parcel Size: 40.36 acres (Lot 24) 1.62 acres (Lot 19)
 Zone: AE-40
 Max Height: 35 feet
 Setbacks: 35 feet (front), 20 feet (side and rear)

PROJECT INFORMATION

Scope of work includes obtaining a CUP (conditional use permit) for the expansion of a property with a single family home and accessory structures to include a new barn event center for weddings, fundraisers, etc.

Other permitted uses include a veterinary office and fruit stand/wine tasting room, which are permitted either by-right or under DRA review.

See attached operational statement for more information.

GENERAL NOTES

- 1) All elements shown, but not noted are to be considered (E) to remain, u.n.o.
- 2) See enlarged plans for more information.
- 3) All drive aisles and parking areas will have shielded pole lights for safety.
- 4) All pedestrian circulation paths will have shielded bollards and/or step lights as needed for safety.
- 5) All drive aisles shall be 28' wide, u.n.o.
- 6) All parking stalls shall be 10' x 20', u.n.o.
- 7) All pedestrian walkways shall be 6' wide, u.n.o.

KEYNOTES

Items listed below are existing, u.n.o.:

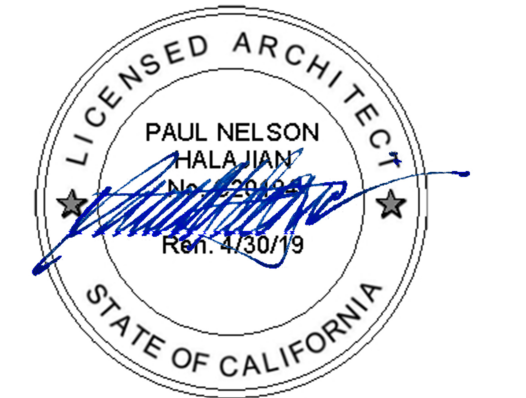
- E1 (E) Tollhouse Road to remain
- E2 (E) property line to remain, typ.
- E3 (E) 3,000 sf house to remain; to be used as an amenity for guests
- E4 (E) 1,650 sf barn to remain; to be used as storage
- E5 (E) dry swale to remain
- E6 (E) 600 sf garage to remain; to be used as storage and bar prep/service area
- E7 (E) 700 sf shed to remain; to be used as storage and bar prep/service area
- E8 (E) RV dump to remain
- E9 (E) leach field to be abandoned
- E10 (E) 700 sf stables to remain; to be used as horse carriage prep area
- E11 (E) leach field to remain
- E12 (E) 200 sf tank house to remain; to be used as valet staging area
- E13 (E) tree to remain
- E14 (E) water trough to remain
- E15 (E) termination of electrical service and well to remain
- E16 (E) overhead power poles/lines to remain
- E17 (E) well to remain
- E18 (E) underground propane tank to remain
- E19 (E) setback line

Items listed below are proposed, u.n.o.:

- P1 Prepare (E) driveway for resurfacing and widening per proposed plans.
- P2 Remove (E) ranch style fence as needed for new construction, typ.
- P3 (E) leach field to be relocated, see proposed plans for new location.
- P4 Remove (E) tree, typ.
- P5 (E) septic tank to be relocated, see proposed plans for new location.
- P6 Remove (E) unpaved driveway as needed for new construction
- P7 Remove (E) gate at drive entry as needed for new construction

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PROJECT:
Jerry Cook
Academy Homestead Ranch
 13305 Tollhouse Road, Clovis, CA, 93619

SHEET: OVERALL SITE PLAN - EXISTING + DEMOLITION
EXHIBIT 5

DRAWING SET INFORMATION:

05.13.21 CUP Submittal Package

REVISIONS:

| NO. | DESCRIPTION |
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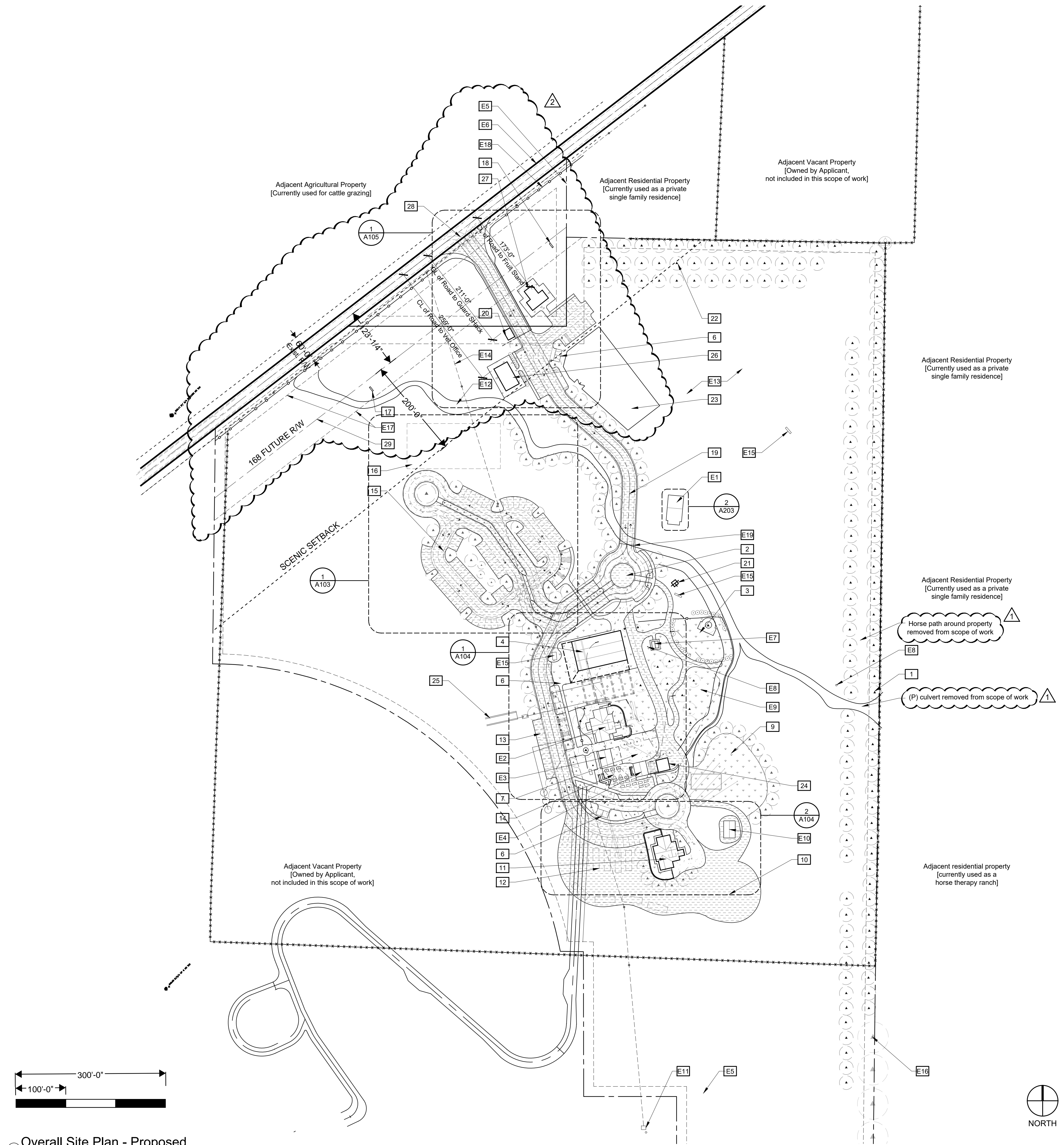
PROJECT NUMBER:

2020-49

SHEET NUMBER:

A100





1 Overall Site Plan - Proposed
Scale: 1" = 100'-0"

GENERAL NOTES

- 1) All elements shown, but not noted are to be considered (E) to remain, u.n.o.
- 2) See enlarged plans for more information.
- 3) All drive aisles and parking areas will have shielded pole lights for safety.
- 4) All pedestrian circulation paths will have shielded bollards and/or step lights as needed for safety.
- 5) All drive aisles shall be 28' wide, u.n.o.
- 6) All parking stalls shall be 10' x 20', u.n.o.
- 7) All pedestrian walkways shall be 6' wide, u.n.o.

KEYNOTES

- Items listed below are existing, u.n.o.:
- E1 (E) 1,650 sf barn to remain; to be used as storage
 - E2 (E) 3,000 sf house to remain; to be used as a guest house for clients
 - E3 (E) 600 sf garage to remain; to be used as storage and bar prep/service area
 - E4 (E) 700 sf shed to remain; to be used as storage and food prep/service area
 - E5 (E) property line to remain
 - E6 (E) Tollhouse Road to remain
 - E7 (E) 100 sf renovated tank house to remain; to be used as a valet staging area
 - E8 (E) well to remain
 - E9 (E) grassy area to remain
 - E10 (E) 500 sf of stables to remain; to be used as a horse prep area for horse-drawn carriages
 - E11 (E) termination of electrical service and well to remain
 - E12 (E) dry swale to remain; no additional runoff will enter this stream it will be handled separately.
 - E13 (E) out hay farm land to remain
 - E14 (E) overhead power to remain
 - E15 (E) water trough to remain
 - E16 (E) tree to remain, typ.
 - E17 Setback line
 - E18 (E) 4' composite ranch style fence on property line to remain
 - E19 (E) culvert over dry creek to remain

- Items listed below are proposed, u.n.o.:
- 1 (P) double row of evergreen trees for noise mitigation
 - 2 (P) traffic circle; sized for fire and trash turnaround
 - 3 (E) grass area for wedding ceremonies; with shielded pole lighting (20' height)
 - 4 (P) 6,000 sf barn; to be used as an event center for 300 guests.
 - 5 (P) steel truss with retractable shades over grass area for outdoor events/dining (16' height)
 - 6 (P) CMU block trash enclosure per County Standards
 - 7 (E) concrete driveway/plaza to be used for outdoor receptions and dining with shielded lights on adjacent buildings
 - 8 NOT USED
 - 9 (P) grass area over (E) leach field to remain; un-lit
 - 10 (P) horse carriage staging with shielded pole lights (20' height)
 - 11 (P) 3,000 sf bunk house to be used as an amenity for guests
 - 12 (P) RV parking with decomposed granite finish to be used as an amenity for guests (9 stalls); un-lit
 - 13 (P) employee + guest parking (28 stalls)
 - 14 (E) outdoor dining area with raised garden beds and low-voltage string lights above
 - 15 (P) decomposed granite parking area (74 stalls) with shielded pole lighting (20' height)
 - 16 (P) permeable overflow parking with mowed grass finish (42 stalls); un-lit
 - 17 (P) lighted directional sign, 40 sf max, 8' min setback from property lines per Code Analysis on A100
 - 18 (P) non-lighted directional sign, 32 sf max, 8' max height, and 8' min setback from property lines per Code Analysis on A100.
 - 19 Re-surface (E) driveway with decomposed granite (compacted and graded), expand to 22' min width for fire and trash access, and provide pole lights for safety (20' height).
 - 20 (P) 200 sf guard house, set back from street to allow for car queuing.
 - 21 (P) restored historic windmill to mark entry to property (30' height).
 - 22 (P) orchard/row crops
 - 23 (P) pasture for vet office, un-lit
 - 24 (P) 600 sf restroom building; to be used as an amenity for guests.
 - 25 (P) Relocation of (E) septic tank and leach field prior to barn construction.
 - 26 (P) 1,500 sf veterinary office; to be used by visitors, separate from event center
 - 27 (P) 1,200 sf fruit stand and wine tasting room; to be used by visitors, separate from event center
 - 28 Off-site improvements (TBD) to Tollhouse entry drive as required by AHJ (authorities having jurisdiction)
 - 29 Future CaTrans right-of-way (123' from centerline)

LEGEND

- Concrete, typ.
- Decomposed granite, typ.
- Grass, typ.

PH

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PROJECT: Jerry Cook
Academy Homestead Ranch
13305 Tollhouse Road, Clovis, CA, 93619
SHEET: OVERALL SITE PLAN - PROPOSED

DRAWING SET INFORMATION:

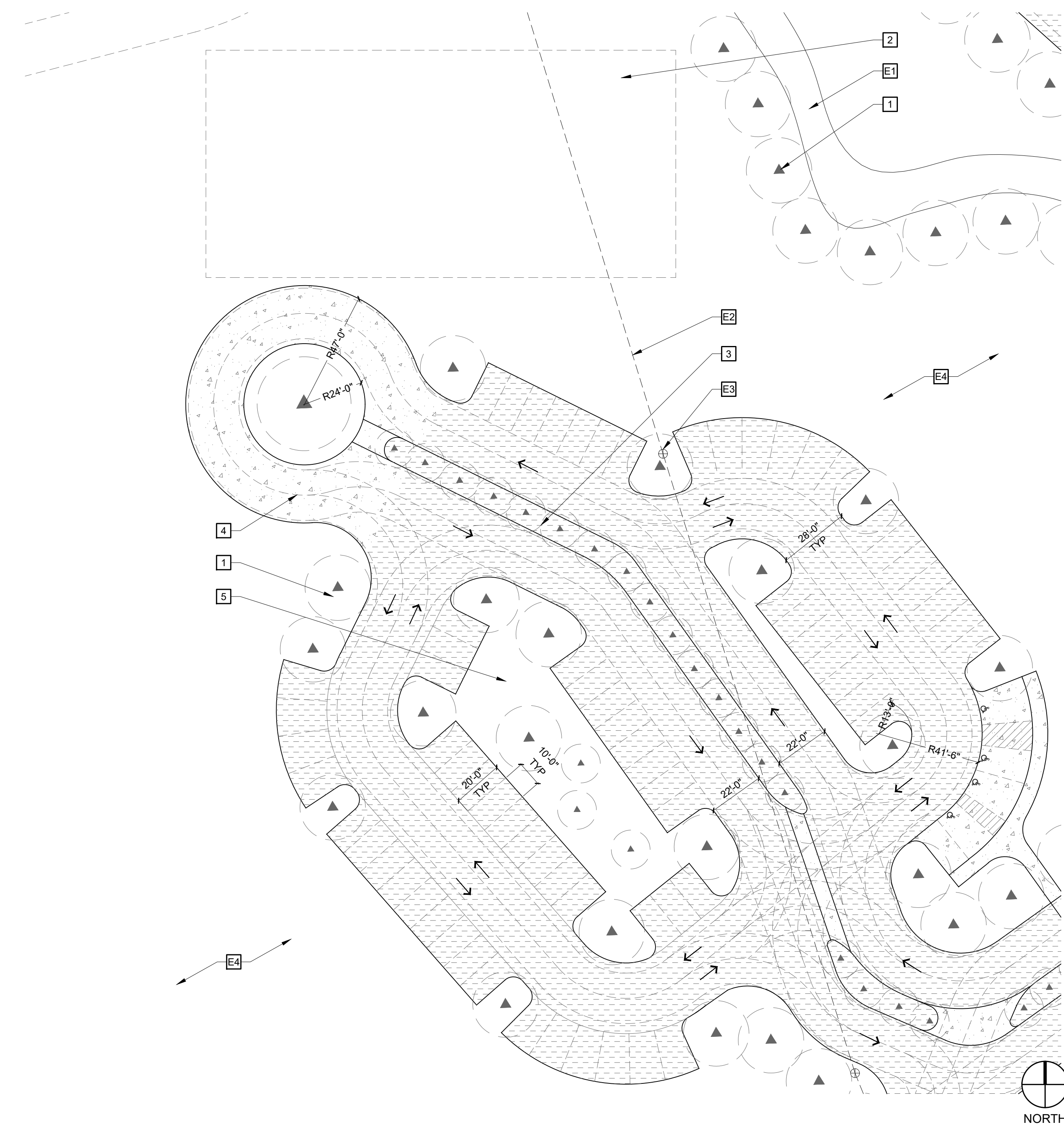
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| 05.13.21 | CUP Submittal Package |
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REVISIONS:

| | | |
|---|------------|--------------------------------|
| △ | 06.06.2022 | Biological Study Modifications |
| △ | 05.20.2022 | CaTrans Modifications |

PROJECT NUMBER: 2020-49

SHEET NUMBER: A101



1 Enlarged Site Plan - Parking Area
Scale: 1" = 30'-0"

GENERAL NOTES

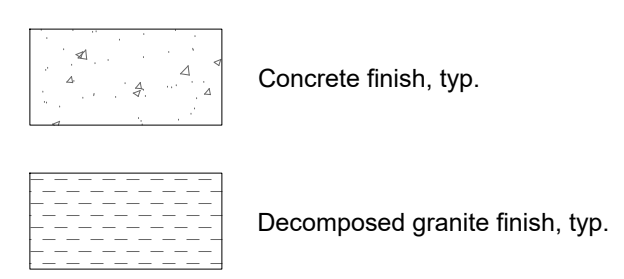
- 1) All elements shown, but not noted are to be considered (E) to remain, u.n.o.
- 2) See enlarged plans for more information.
- 3) All drive aisles and parking areas will have shielded pole lights for safety.
- 4) All pedestrian circulation paths will have shielded bollards and/or step lights as needed for safety.
- 5) All drive aisles shall be 28' wide, u.n.o.
- 6) All parking stalls shall be 10' x 20', u.n.o.
- 7) All pedestrian walkways shall be 6' wide, u.n.o.

KEYNOTES

- Items listed below are existing, u.n.o.:
- E1 (E) dry swale to remain
 - E2 (E) overhead power lines to remain, typ.
 - E3 (E) power pole to remain, typ.
 - E4 (E) natural vegetation to remain, typ.

- Items listed below are proposed, u.n.o.:
- 1 Tree, typ.
 - 2 Mowed grass overflow parking area
 - 3 Center median with concrete curb and raised decomposed granite walkpath
 - 4 Concrete finish on traffic circle with 47' radius for fire and trash access, typ.
 - 5 Planted vegetation - drought tolerant, native species

LEGEND



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PROJECT:
Jerry Cook
Academy Homestead Ranch
13305 Tollhouse Road, Clovis, CA, 93619

SHEET: ENLARGED SITE PLAN - PARKING AREA

DRAWING SET INFORMATION:

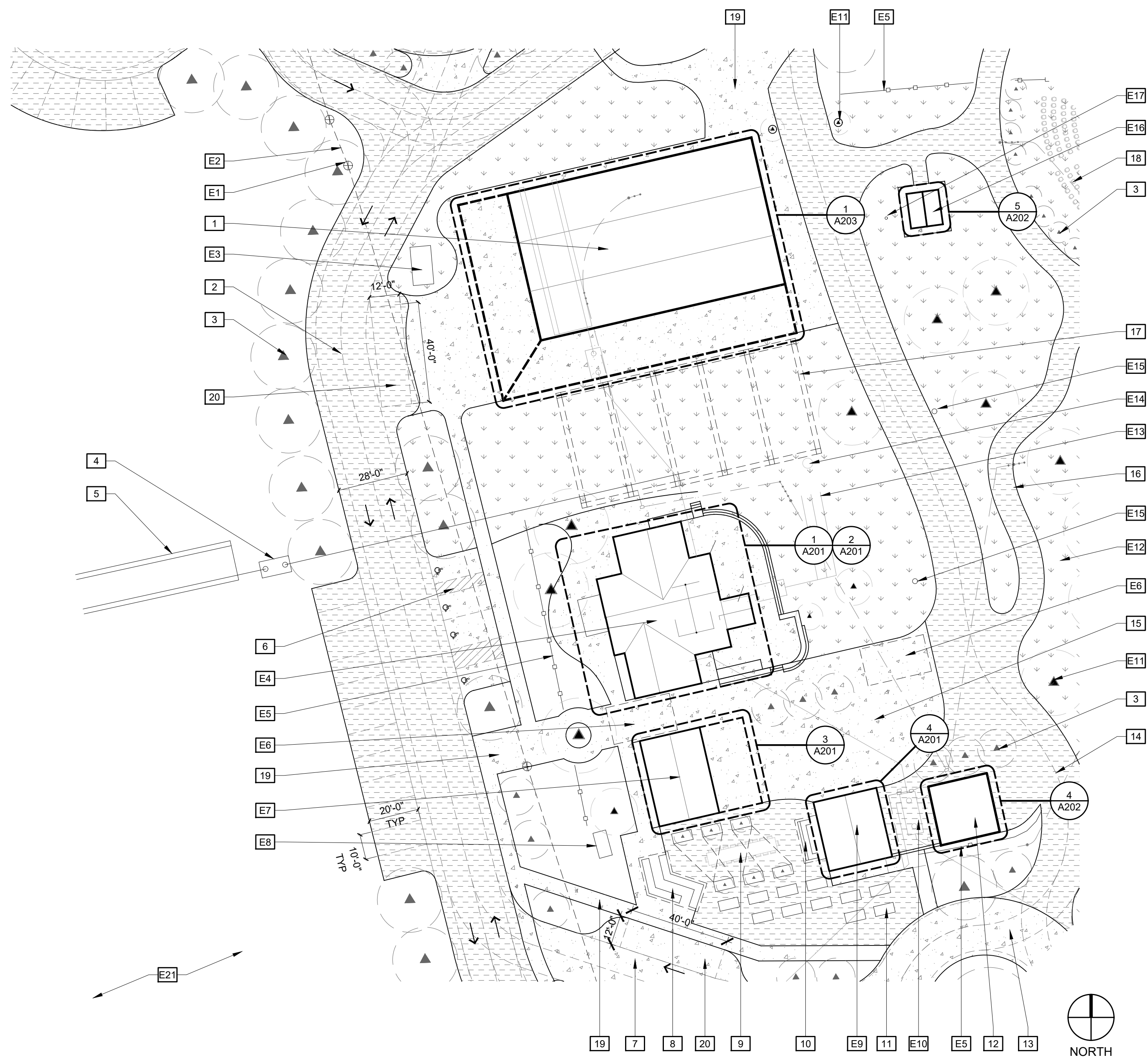
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| 05.13.21 | CUP Submittal Package |
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REVISIONS:

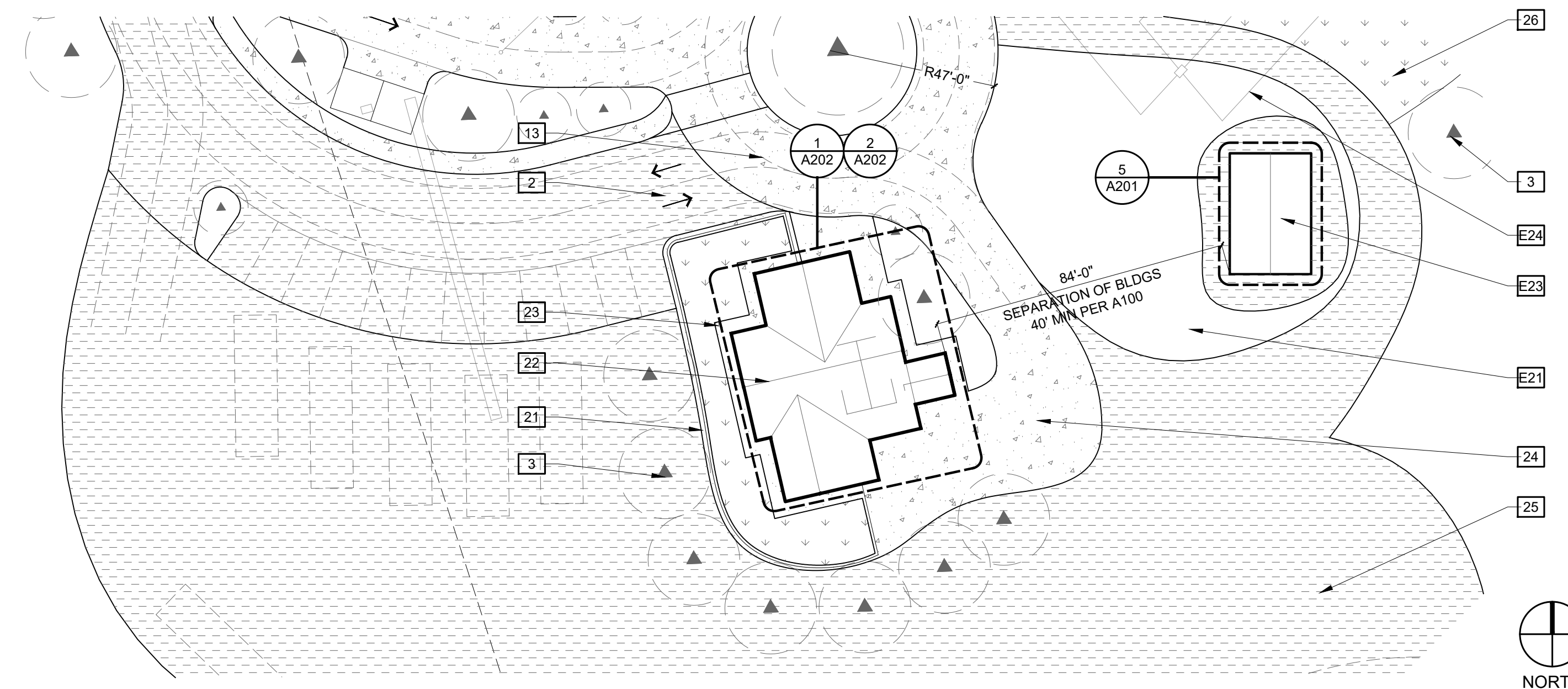
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PROJECT NUMBER:
2020-49

SHEET NUMBER:
A103



1 Enlarged Site Plan - House, Garage, Shed and Barn
Scale: 1" = 30'-0"



2 Enlarged Site Plan - Bunk House + Stables
Scale: 1" = 30'-0"

GENERAL NOTES

- 1) All elements shown, but not noted are to be considered (E) to remain, u.n.o.
- 2) See enlarged plans for more information.
- 3) All drive aisles and parking areas will have shielded pole lights for safety.
- 4) All pedestrian circulation paths will have shielded bollards and/or step lights as needed for safety.
- 5) All drive aisles shall be 28' wide, u.n.o.
- 6) All parking stalls shall be 10' x 20', u.n.o.
- 7) All pedestrian walkways shall be 6' wide, u.n.o.

KEYNOTES

Items listed below are existing, u.n.o.:

- E1 (E) power pole to remain, typ.
- E2 (E) power lines overhead to remain, typ.
- E3 (E) water trough to remain
- E4 (E) 3,000 sf house to remain; to be used as an amenity for guests
- E5 (E) 4' composite ranch style fence to remain, typ.
- E6 (E) wood trellis to remain
- E7 (E) 600 sf garage to remain; to be used as storage/bar prep area
- E8 (E) underground propane tank to remain
- E9 (E) 700 sf shed to remain; to be used as storage/food prep area
- E10 (E) underground septic tank to remain
- E11 (E) tree to remain, typ.
- E12 (E) grass area to remain, typ.
- E13 (E) abandoned leach field to remain, typ.
- E14 (E) tree carving sculpture to remain, typ.
- E15 (E) decorative pole light to remain, typ.
- E16 (E) 100 sf tank house to remain; to be used as a valet staging area
- E17 (E) well to remain
- E18 NOT USED
- E19 NOT USED
- E20 NOT USED
- E21 (E) natural vegetation/seasonal oat hay to remain
- E22 NOT USED
- E23 (E) 500 sf stables to remain; to be used as horse carriage prep area
- E24 (E) leach field to remain

Items listed below are proposed, u.n.o.:

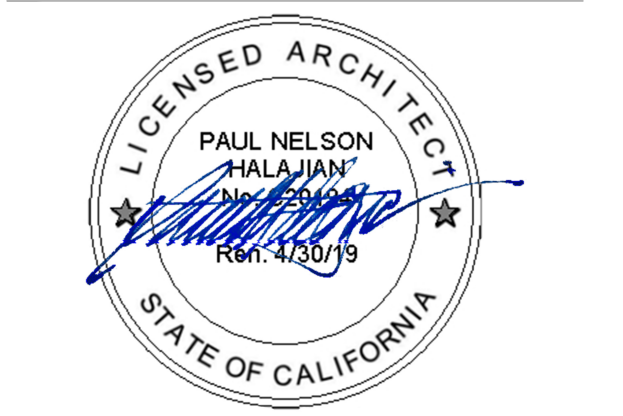
- 1 (P) 6,000 sf barn; to be used for events
- 2 (P) decomposed granite finish on all roads, typ. u.n.o.
- 3 (P) tree, typ.
- 4 Relocated septic tank, see demo plan for old location
- 5 Relocated leach field, see demo plan for old location
- 6 (P) concrete finish on ADA parking, typ.
- 7 (P) concrete finish on trash/vendor parking, typ.
- 8 (P) built in BBQ/outdoor kitchen with trellis overhead
- 9 (P) alfresco dining area with decomposed granite finish and string lights above
- 10 (P) built in bar with trellis overhead
- 11 (P) raised garden bed, typ.
- 12 (P) 600 sf restroom building; to be used as convenience for outdoor events
- 13 (P) concrete finish on traffic circle with 46' radius for fire and trash access, typ.
- 14 (P) decomposed granite finish on driveway, typ.
- 15 (P) concrete driveway/plaza for outdoor events
- 16 (P) decomposed granite finish on pedestrian path, compacted and graded to meet ADA requirements.
- 17 (P) steel trellis with retractable shade covering, over (E) grassy area
- 18 (P) wedding ceremony area on (E) lawn, with moveable furniture
- 19 (P) concrete sidewalk
- 20 (P) loading area, per Municode requirements, see A100
- 21 (P) concrete mowstrip and 6' wooden fence
- 22 (P) 3,000 sf bunk house; to be used as an amenity for guests
- 23 (P) grass area in bunk house backyard
- 24 (P) concrete driveway to bunk house
- 25 (P) decomposed granite finish for horse carriage loading area
- 26 (P) grass area for outdoor events over (E) leach field

LEGEND

- Concrete, typ.
- Decomposed granite, typ.
- Grass, typ.

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PROJECT: Jerry Cook
Academy Homestead Ranch
13305 Tollhouse Road, Clovis, CA, 93619
SHEET: ENLARGED SITE PLANS - BARN + BUNK HOUSE

DRAWING SET INFORMATION:

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| 05.13.21 | CUP Submittal Package |
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REVISIONS:

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PROJECT NUMBER: 2020-49
SHEET NUMBER: A104



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GENERAL NOTES

- 1) All elements shown, but not noted are to be considered (E) to remain, u.n.o.
- 2) See enlarged plans for more information.
- 3) All drive aisles and parking areas will have shielded pole lights for safety.
- 4) All pedestrian circulation paths will have shielded bollards and/or step lights as needed for safety.
- 5) All drive aisles shall be 28' wide, u.n.o.
- 6) All parking stalls shall be 10' x 20', u.n.o.
- 7) All pedestrian walkways shall be 6' wide, u.n.o.

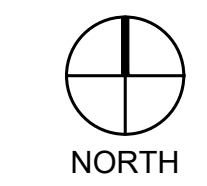
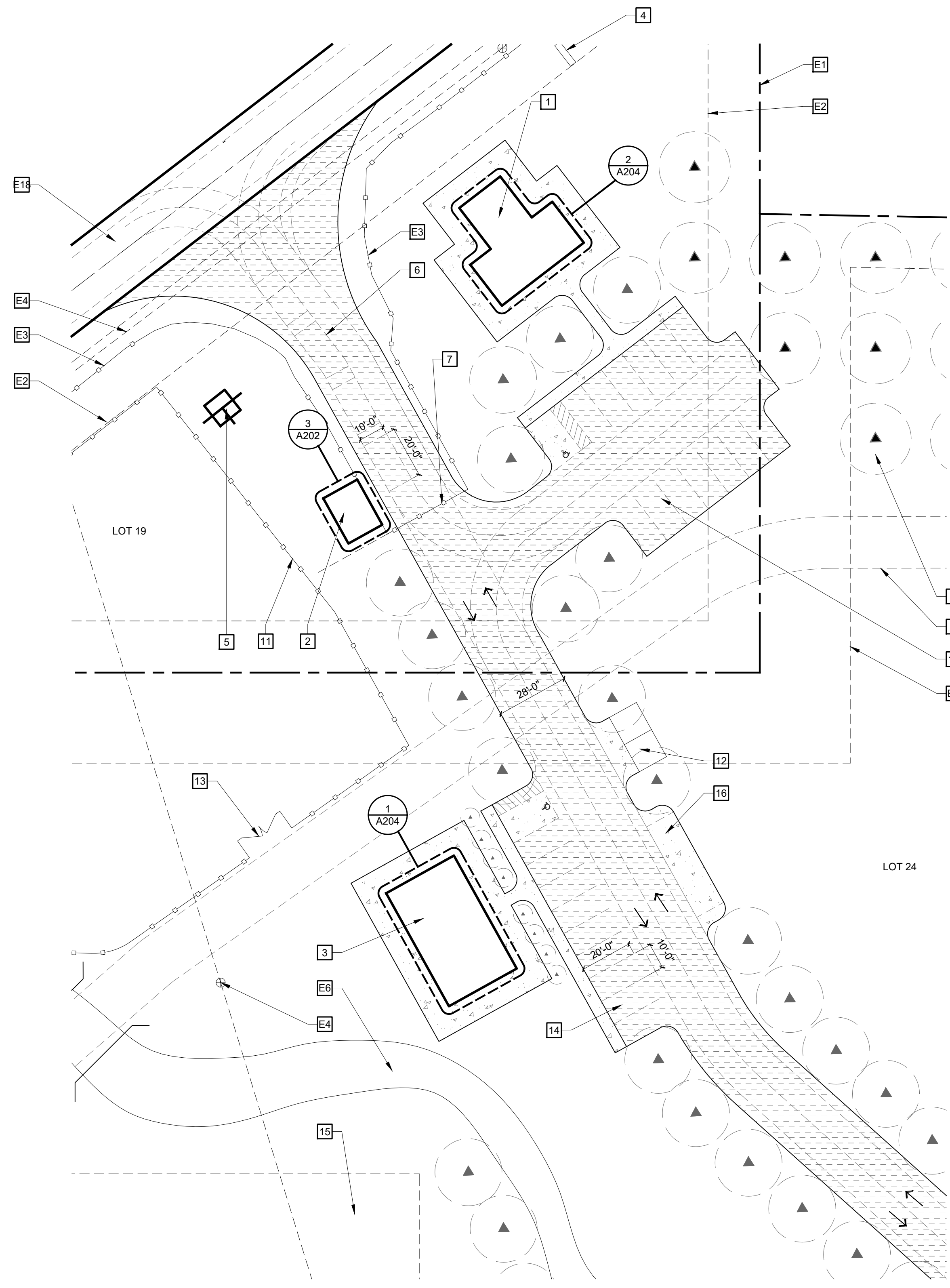
KEYNOTES

Items listed below are existing, u.n.o.:

- E1 (E) property line to remain, typ.
- E2 Setback line, typ.
- E3 (E) 4' composite ranch style fence to remain
- E4 (E) power pole and lines overhead to remain.
- E5 NOT USED
- E6 (E) dry swale to remain
- E7 (E) Tollhouse Road to remain

Items listed below are proposed, u.n.o.:

- 1 (P) 1,200 sf fruit stand and wine tasting building; to be used by visitors; separate from event center
- 2 (P) 200 sf guard house; to be used as security booth for large events. To be set back from road to allow for queuing for (4) vehicles minimum.
- 3 (P) 1,500 sf veterinary office; to be used by visitors; separate from event center
- 4 (P) non-lighted directional sign, to comply with Municode requirements as outlined on sheet A100.
- 5 (P) restored historic windmill to mark entry to property (30' height).
- 6 Queuing space for (4) vehicles in front of guard house and gate
- 7 Relocate gate to allow for vehicular queuing and extend 4' composite ranch style fence for security
- 8 Orchard/row crops
- 9 Path for horse-drawn carriage, mowed hay finish
- 10 Parking for fruit stand/wine tasting room, decomposed granite finish, see A100 for Code Analysis
- 11 Fenced area for animal holding, with 4' composite ranch style fence
- 12 CMU block trash enclosure
- 13 8' wide x 4' tall ranch gate into animal holding area
- 14 Parking area for vet office, with decomposed granite finish
- 15 Overflow parking area, with mowed grass finish; only to be used for large events
- 16 Loading area for large animal drop off



1 Enlarged Site Plan - Entry
Scale: 1" = 30'-0"

PROJECT:
Jerry Cook
Academy Homestead Ranch
13305 Tollhouse Road, Clovis, CA, 93619
SHEET: ENLARGED SITE PLANS - ENTRY

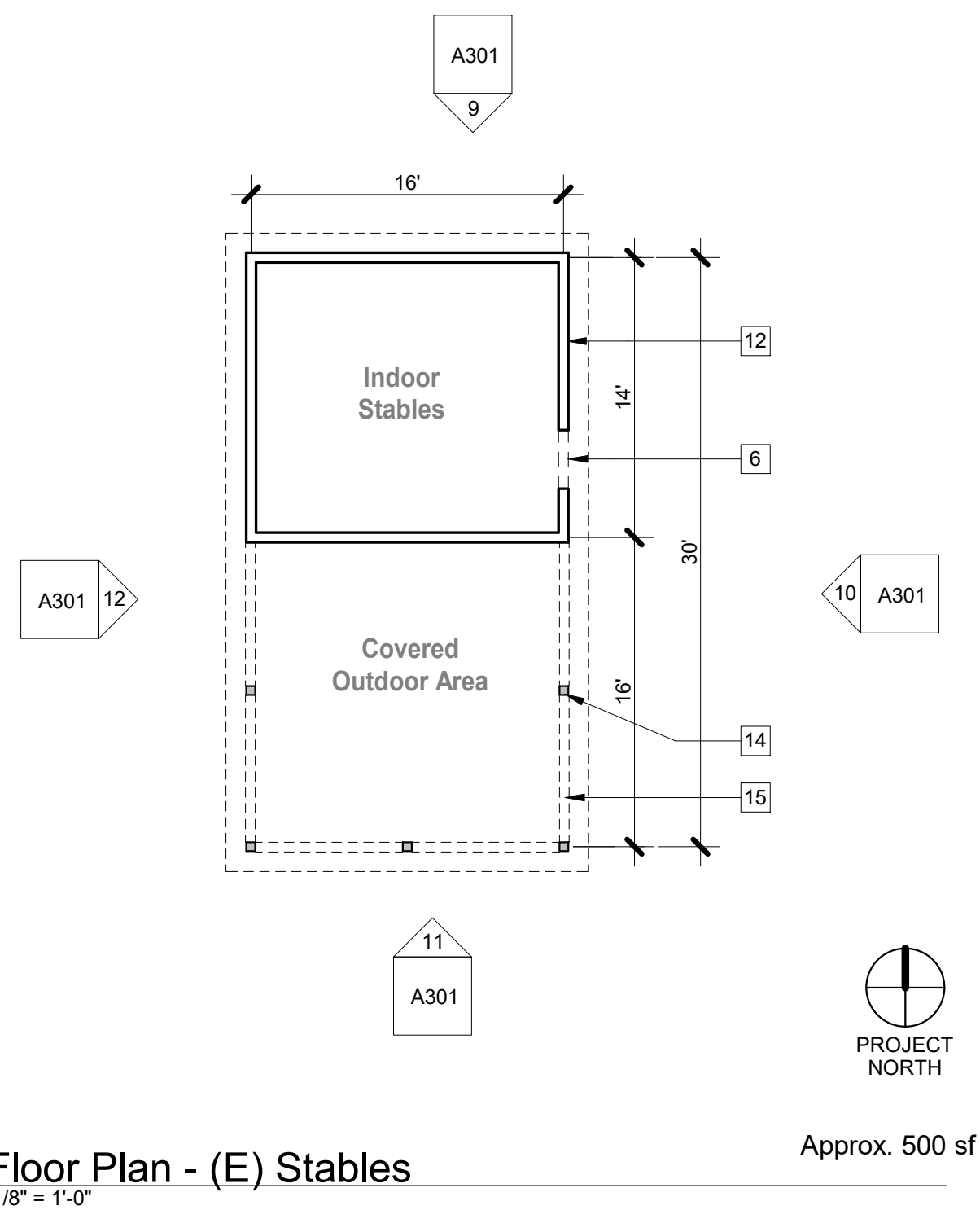
DRAWING SET INFORMATION:
05.13.21 CUP Submittal Package

REVISIONS:

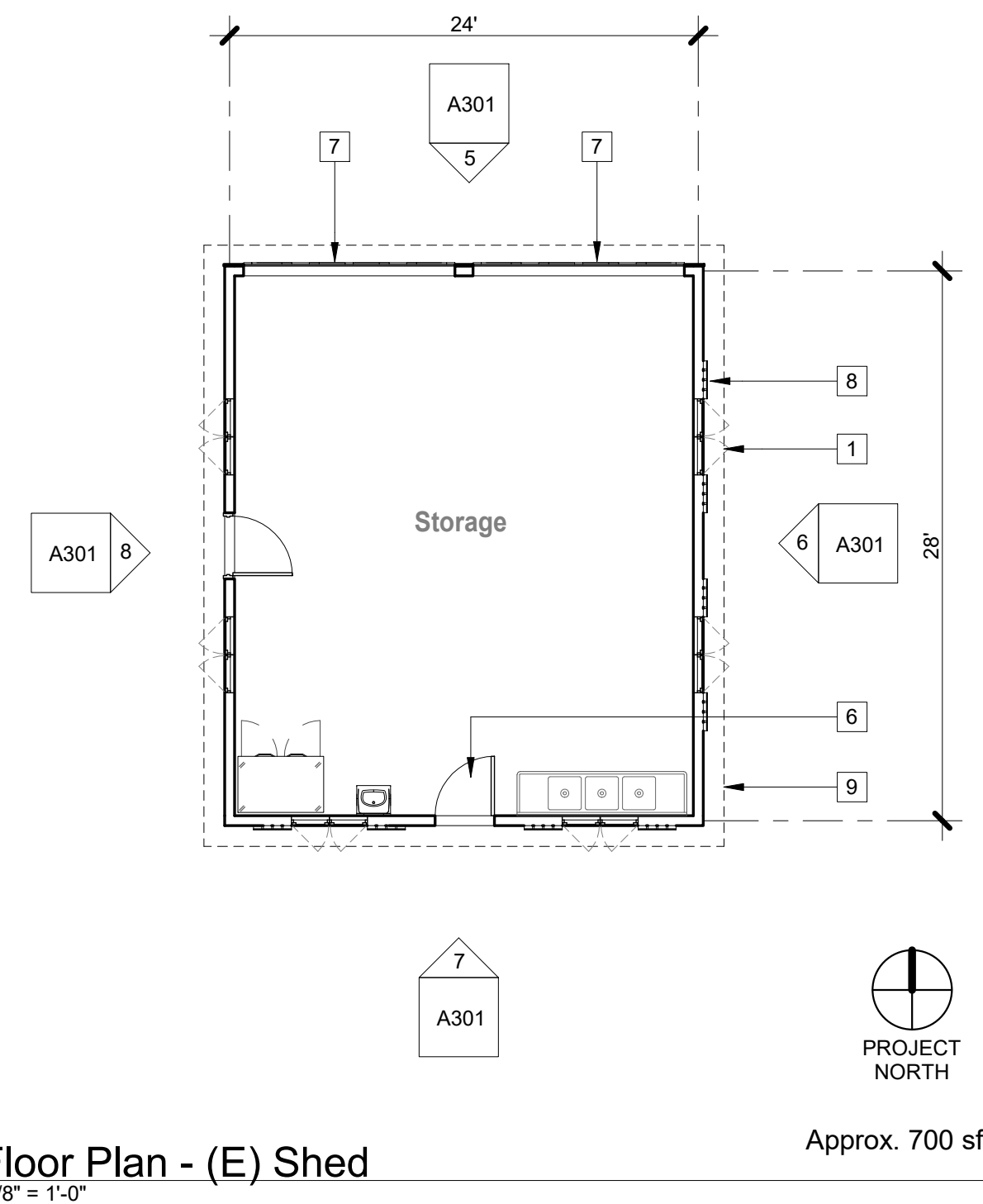
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PROJECT NUMBER:
2020-49

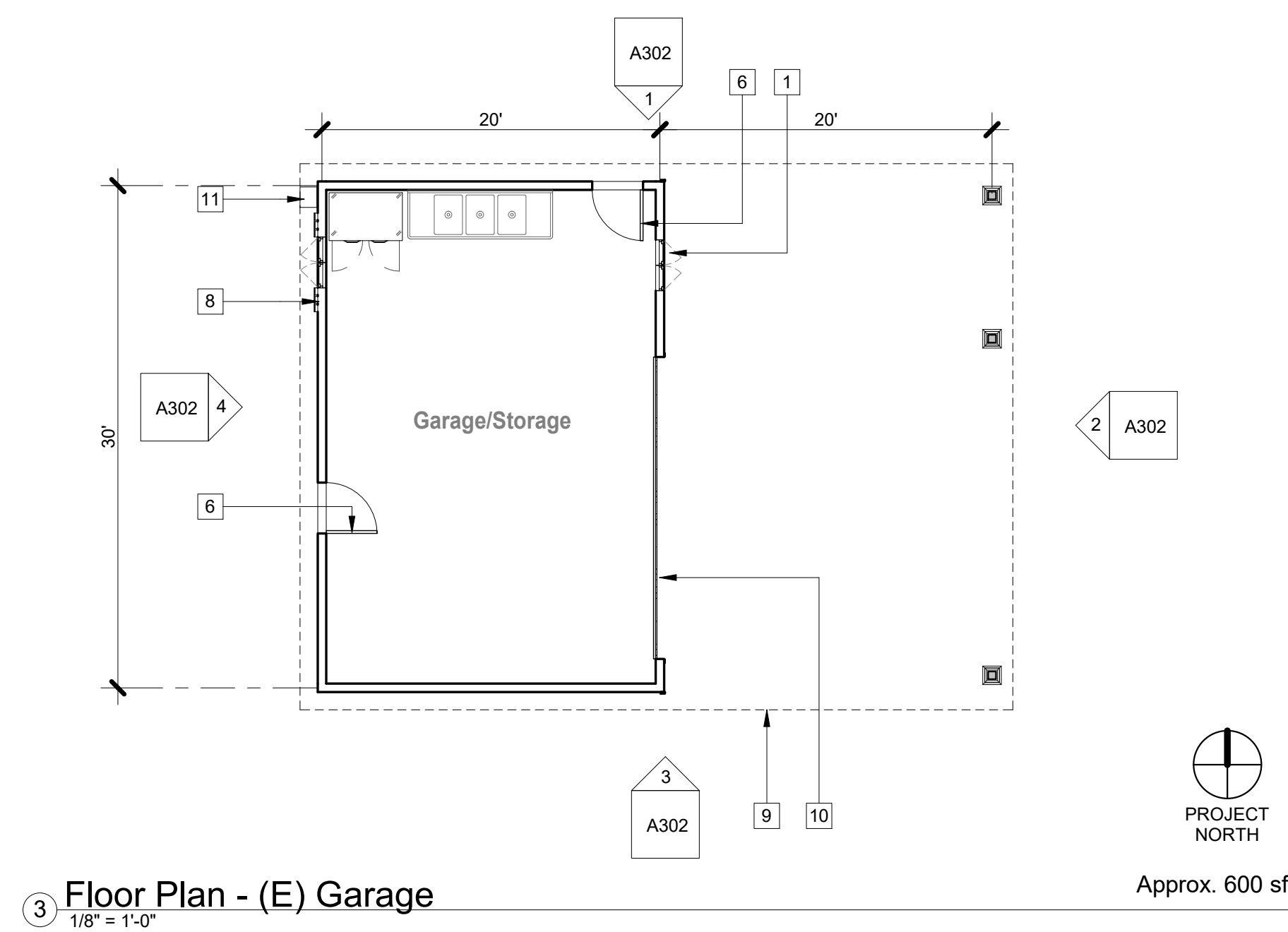
SHEET NUMBER:
A105



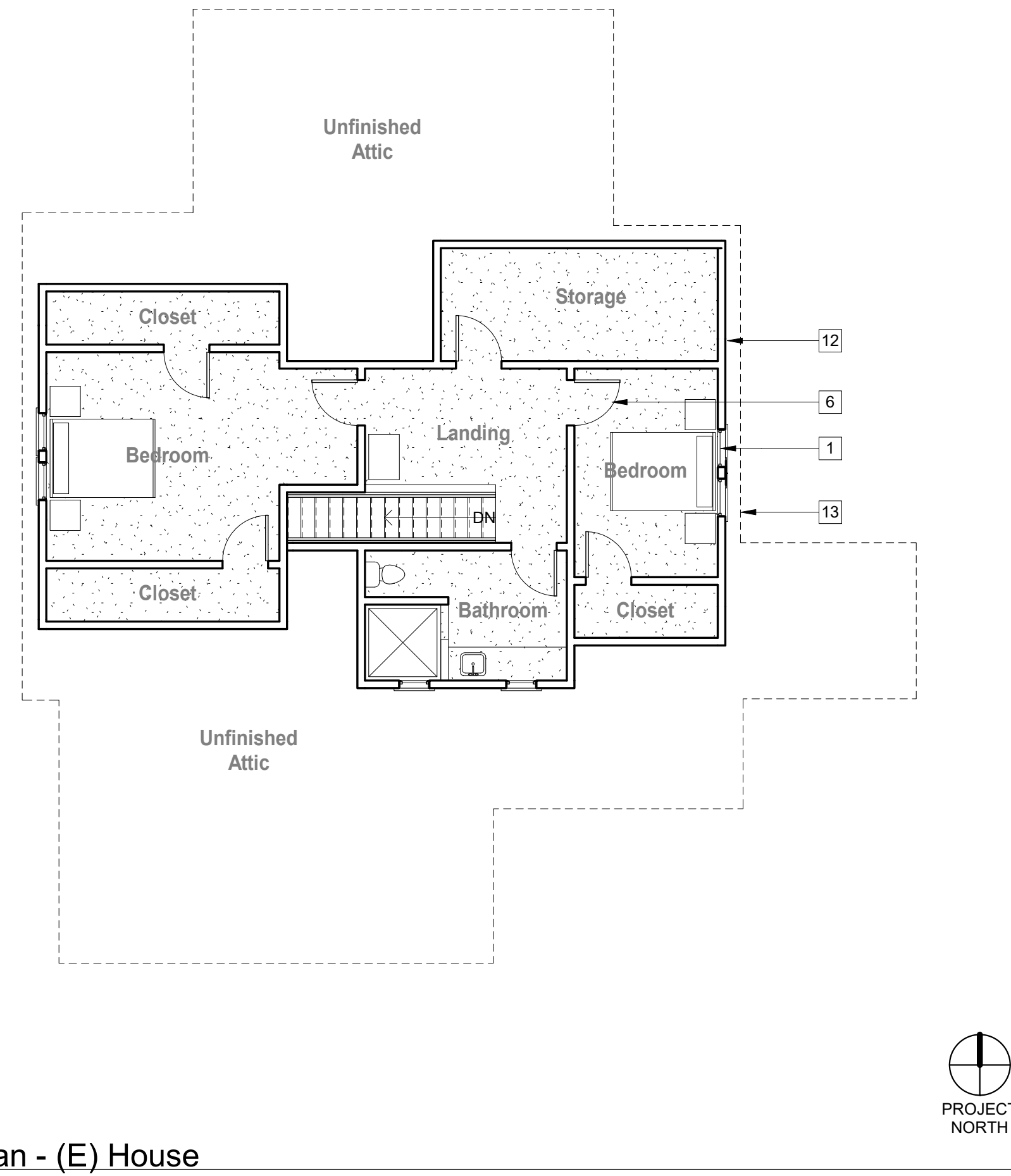
5 Floor Plan - (E) Stables
1/8" = 1'-0" Approx. 500 sf



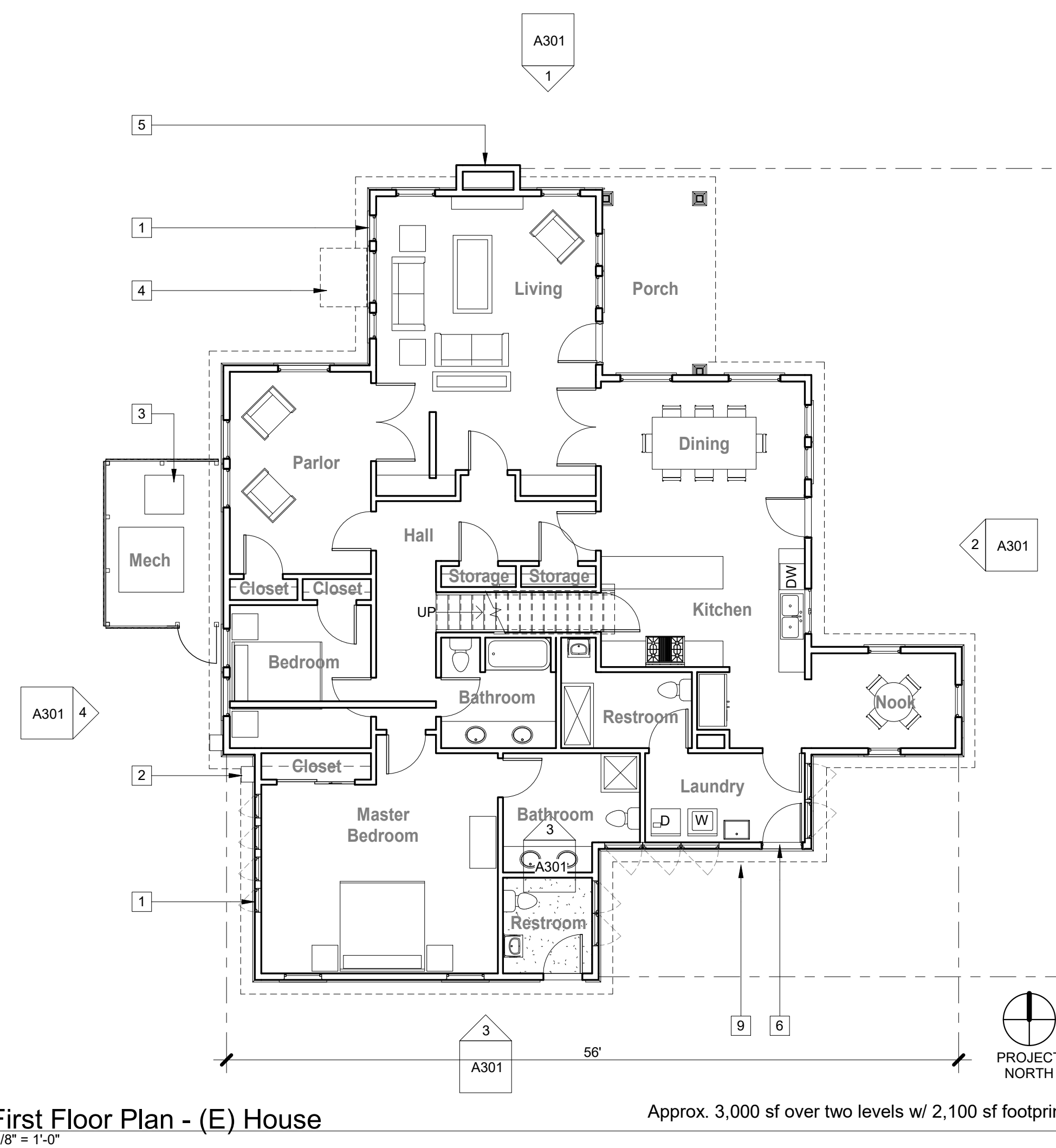
4 Floor Plan - (E) Shed
1/8" = 1'-0" Approx. 700 sf



3 Floor Plan - (E) Garage
1/8" = 1'-0" Approx. 600 sf



2 Second Floor Plan - (E) House
1/8" = 1'-0"



1 First Floor Plan - (E) House
1/8" = 1'-0" Approx. 3,000 sf over two levels w/ 2,100 sf footprint

General Notes

- 1) Floor plans are shown for reference only; not to be used for construction.
- 2) Separate permits will be obtained for future modifications/new construction as required by the AHJ.
- 3) Keynotes apply to this sheet only.

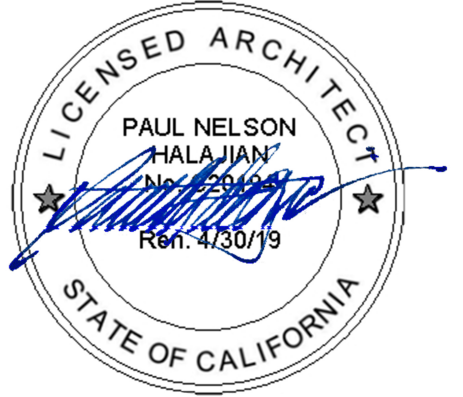
Keynotes

- 1 (E) window to remain, typ.
- 2 (E) electrical panel, tankless water heater, propane gas POC and shut off valves to remain
- 3 (E) mechanical equipment in fenced yard to remain
- 4 (E) crawlspace access to remain
- 5 (E) chimney to remain
- 6 (E) door to remain, typ.
- 7 (E) sliding barn door to remain, typ.
- 8 (E) decorative shutter to remain, typ.
- 9 Dashed line indicates roofline above to remain
- 10 (E) garage door to remain, typ.
- 11 (E) electrical panel to remain
- 12 (E) wall to remain, typ.
- 13 Dashed line indicates roofline below to remain
- 14 (E) column to remain, typ.
- 15 (E) wall above to remain, typ.



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PROJECT:
Jerry Cook
Academy Homestead Ranch
 13305 Tollhouse Road, Clovis, CA, 93619
SHEET: Floor Plans

DRAWING SET INFORMATION:

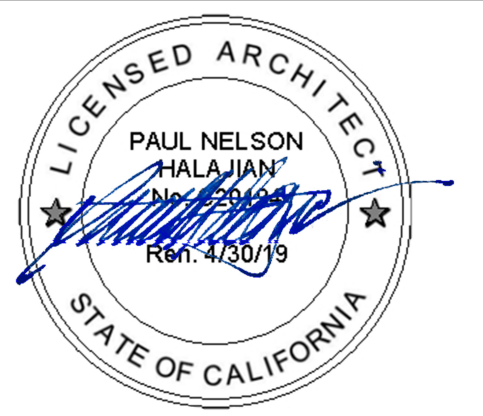
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| 05.13.21 | CUP Submittal Package |
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REVISIONS:

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PROJECT NUMBER:
2020-49

SHEET NUMBER:
A201



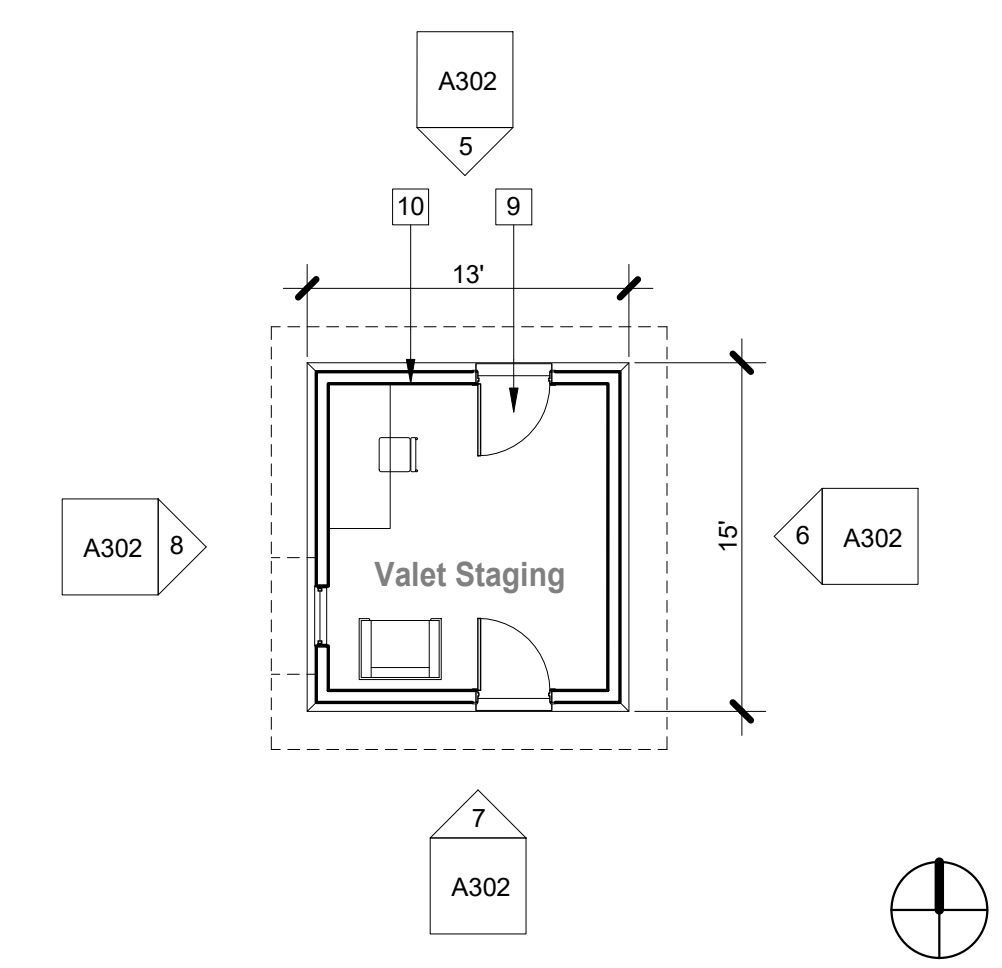
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General Notes

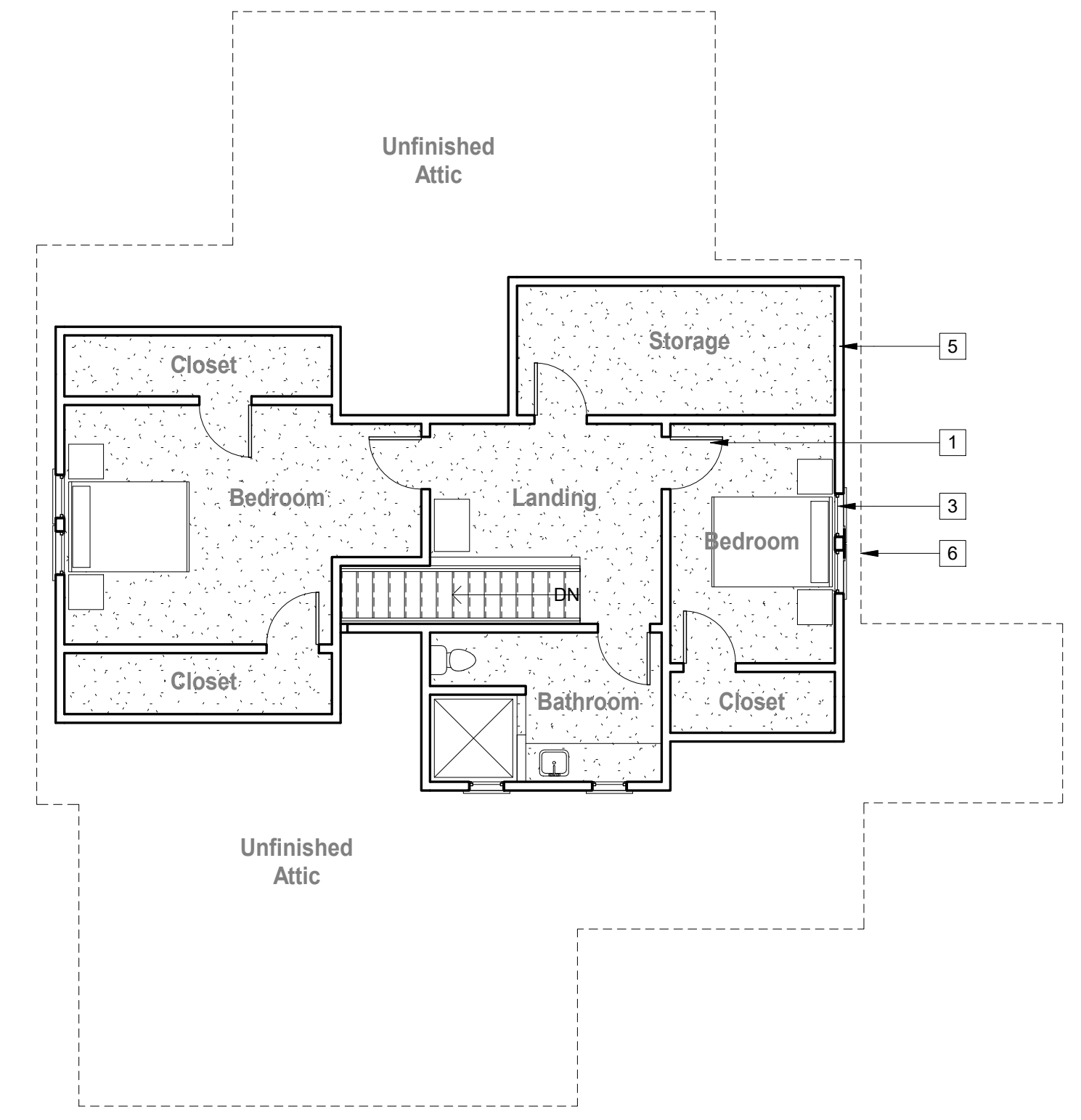
- 1) Floor plans are shown for reference only; not to be used for construction.
- 2) Separate permits will be obtained for future modifications/new construction as required by the AHJ.
- 3) Keynotes apply to this sheet only.

Keynotes

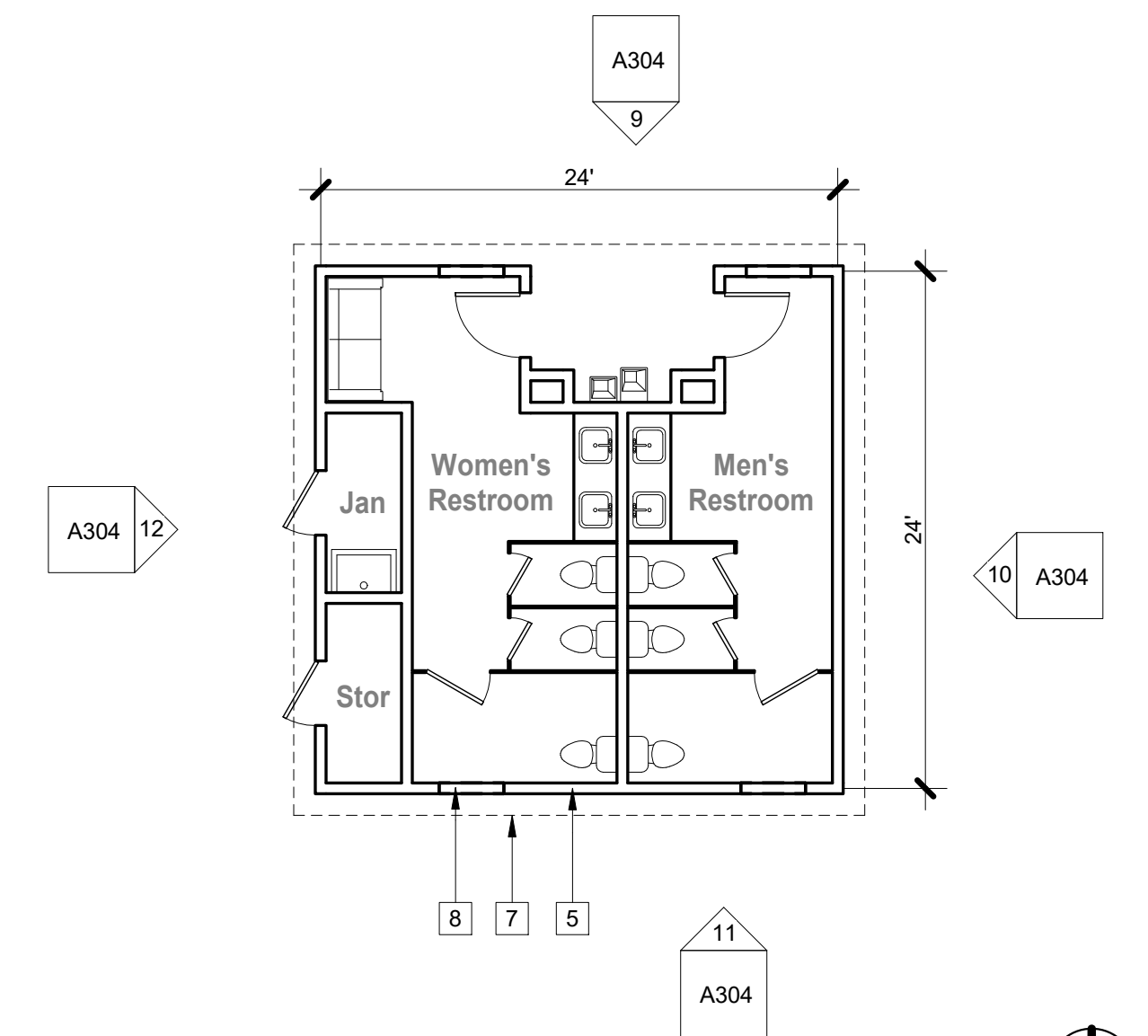
- 1 New door, typ.
- 2 Dashed line indicates roofline above, typ.
- 3 New window, typ.
- 4 New chimney
- 5 New wall, typ.
- 6 Dashed line indicates roofline below, typ.
- 7 Dashed line indicates roofline above to remain
- 8 Window above, see elevation
- 9 (E) door to remain, typ.
- 10 (E) wall to remain, typ.



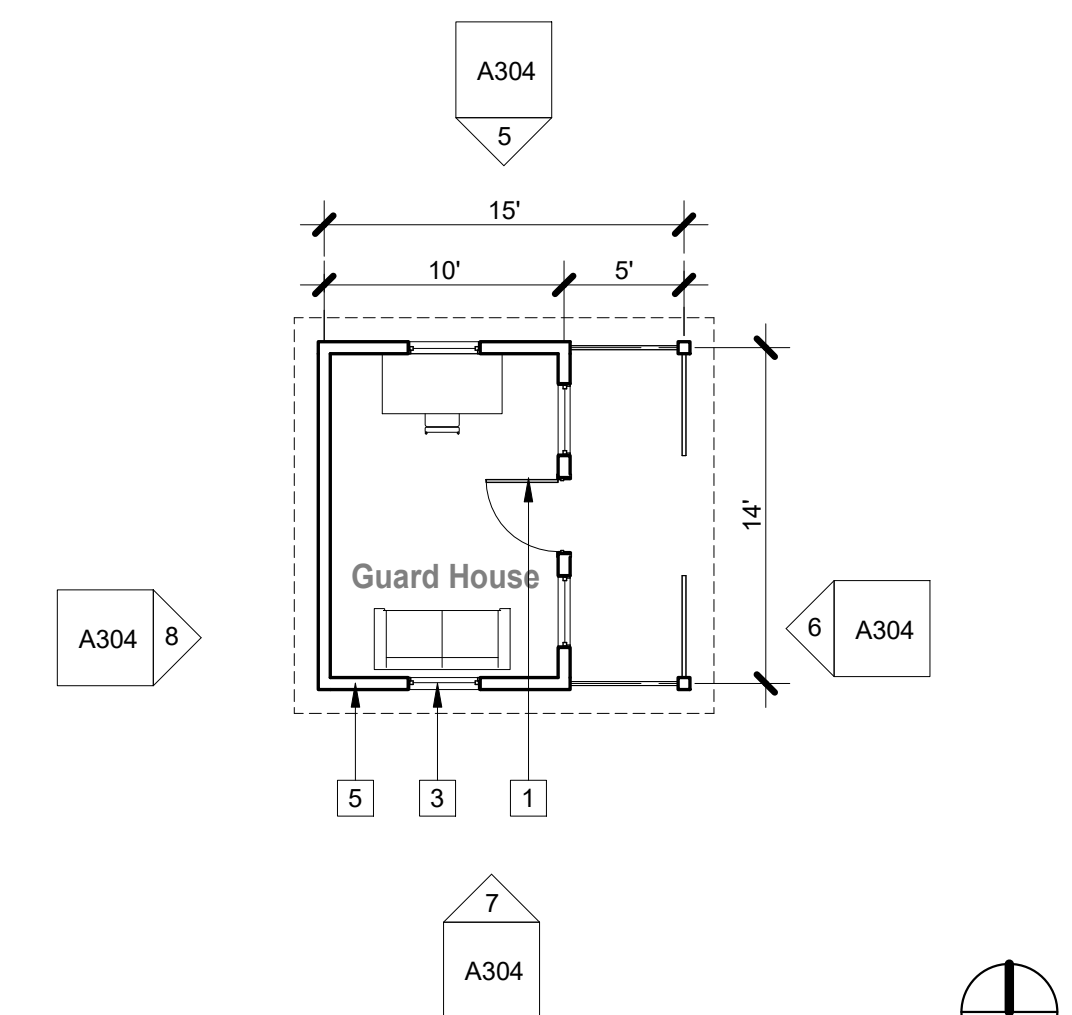
5 Floor Plan - (E) Tank House Approx. 200 sf
 1/8" = 1'-0"



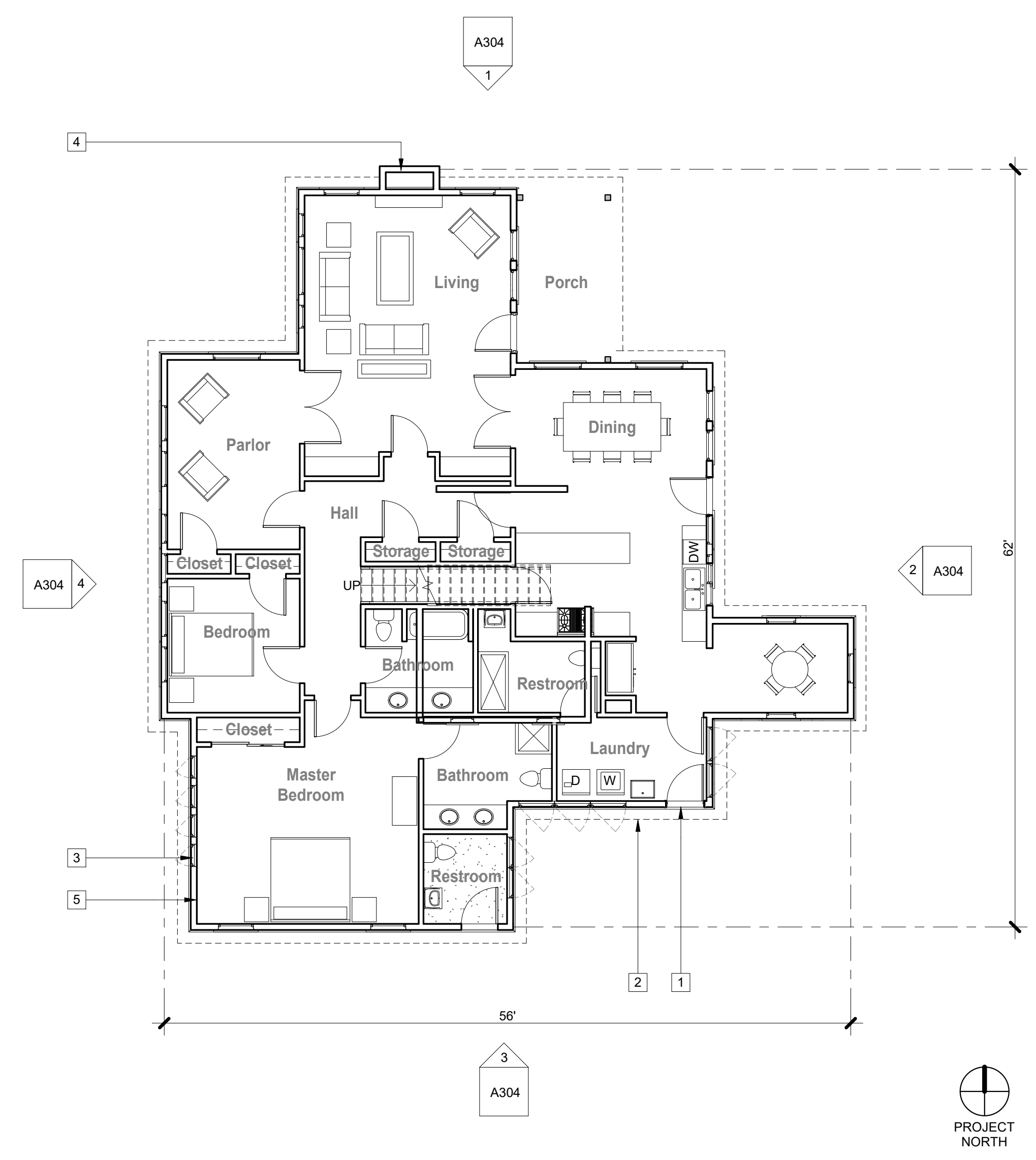
2 Second Floor Plan - (P) Bunk House
 1/8" = 1'-0"



4 Floor Plan - (P) Restroom Building Approx. 600 sf
 1/8" = 1'-0"



3 Floor Plan - (P) Guard House Approx. 200 sf
 1/8" = 1'-0"



1 First Floor Plan - (P) Bunk House Approx. 3,000 sf over two levels w/ 2,100 sf footprint
 1/8" = 1'-0"

PROJECT:

Jerry Cook

Academy Homestead Ranch

13305 Tollhouse Road, Clovis, CA, 93619

SHEET: Floor Plans

DRAWING SET INFORMATION:

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|----------|-----------------------|
| 05.13.21 | CUP Submittal Package |
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REVISIONS:

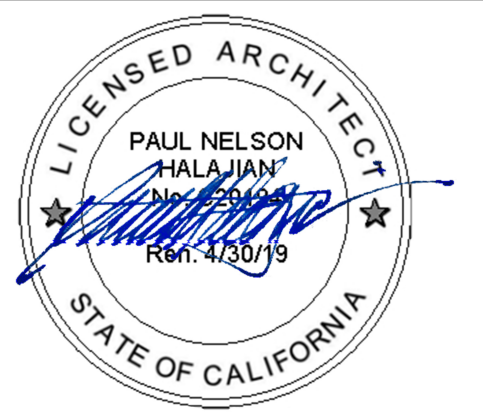
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PROJECT NUMBER:
 2020-49

SHEET NUMBER:
 A202



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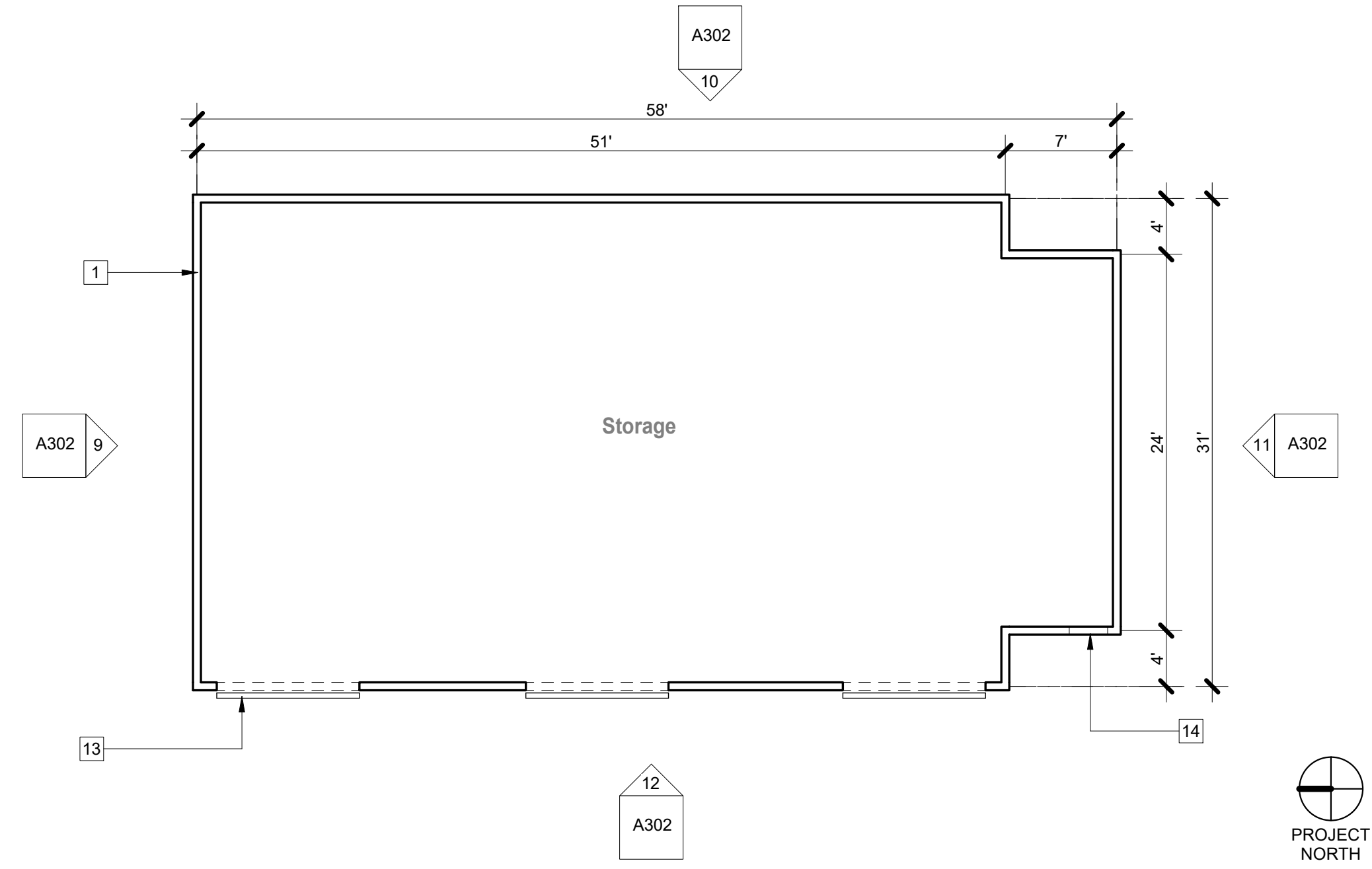
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General Notes

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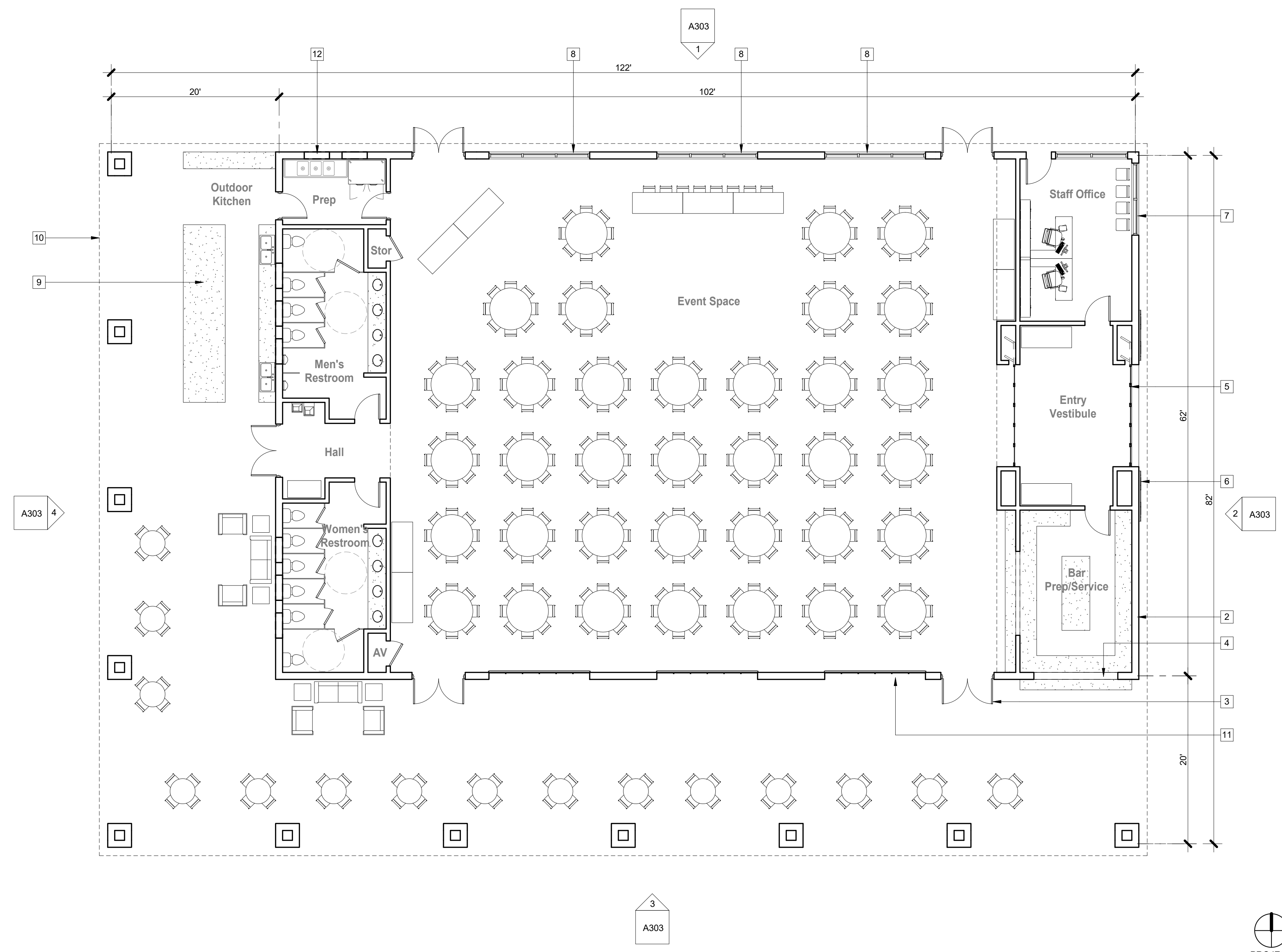
Keynotes

- 1 (E) wall to remain, typ.
- 2 New wall, typ.
- 3 New door, typ.
- 4 New ceiling countertop door for bar service, typ.
- 5 New sliding glass wall, typ.
- 6 New sliding barn door, typ.
- 7 New storefront glazing, typ.
- 8 New storefront glazing above, typ.
- 9 Built in countertop area with storage underneath
- 10 Dashed line indicates roofline above to remain
- 11 New rollup door, typ.
- 12 Window above, see elevation
- 13 (E) sliding barn door to remain, typ.
- 14 (E) window above to remain



2 Floor Plan - (E) Barn
 1/8" = 1'-0"

Approx 1,650 sf



1 Floor Plan - (P) Barn
 1/8" = 1'-0"

Approx 6,000 sf

PROJECT:

Jerry Cook

Academy Homestead Ranch

13305 Tollhouse Road, Clovis, CA, 93619

SHEET: Floor Plans

DRAWING SET INFORMATION:

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| 05.13.21 | CUP Submittal Package |
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REVISIONS:

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PROJECT NUMBER:
 2020-49

SHEET NUMBER:
 A203

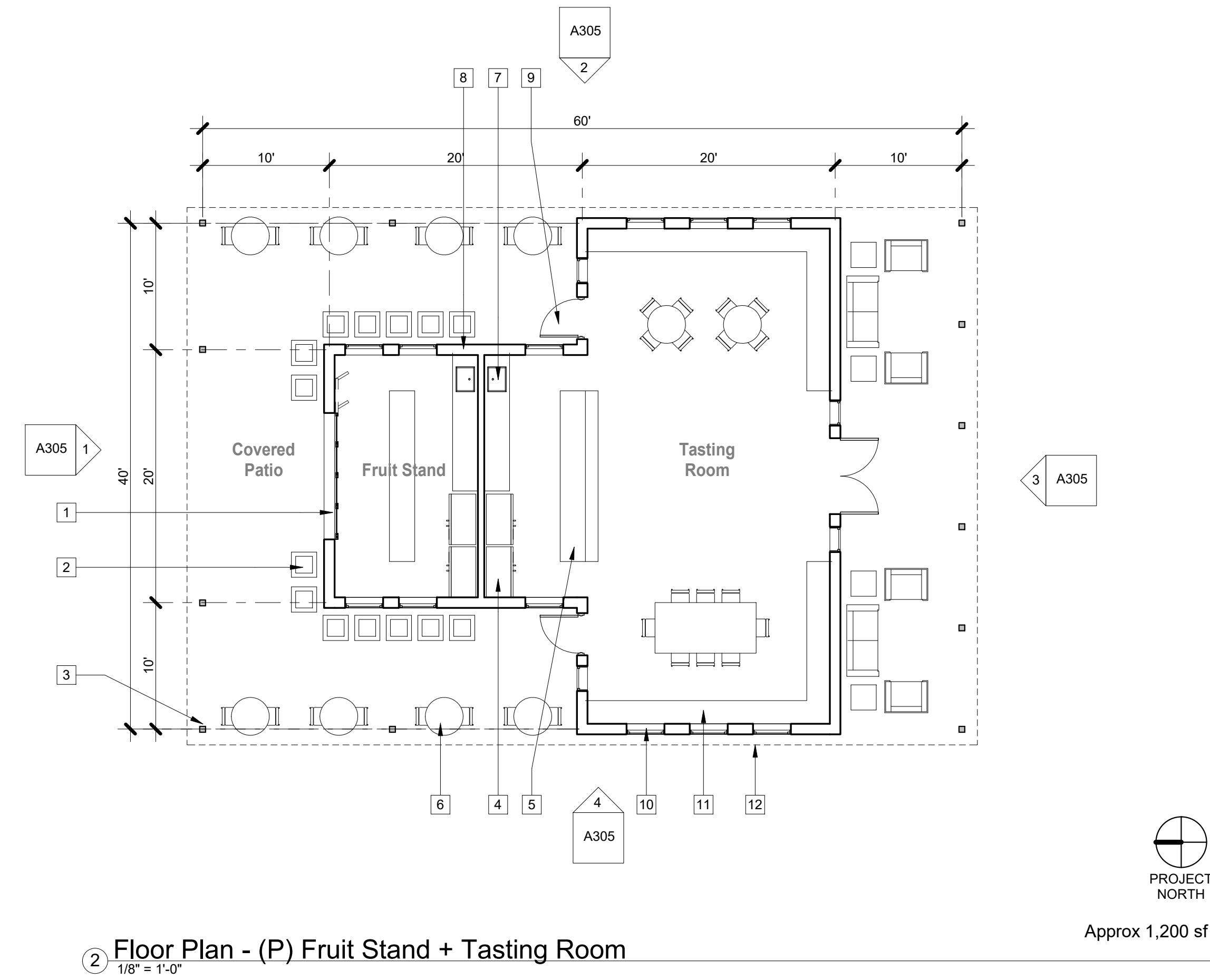
EXHIBIT 5 Page 8

General Notes

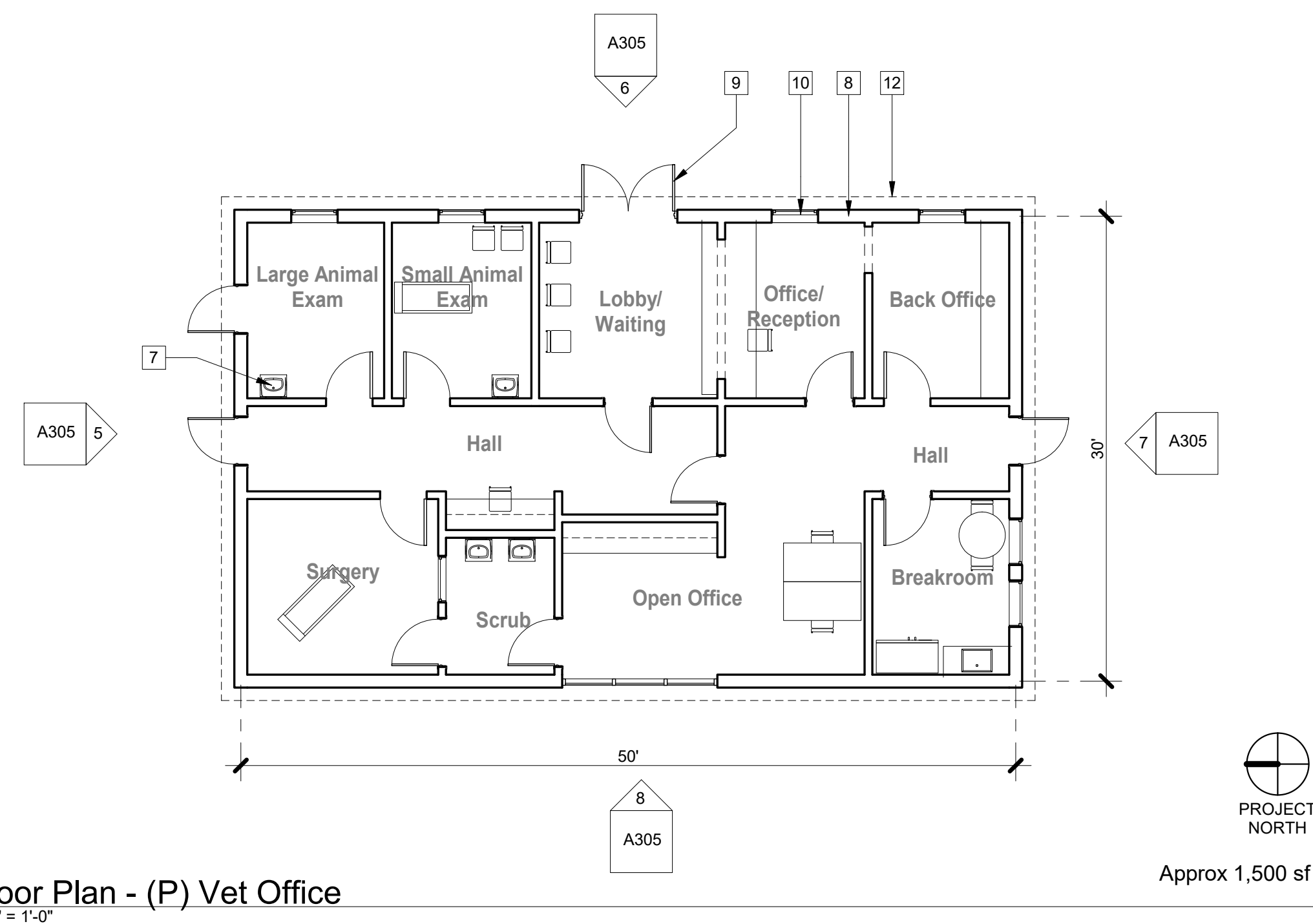
- 1) Floor plans are shown for reference only; not to be used for construction.
- 2) Separate permits will be obtained for future modifications/new construction as required by the AHJ.
- 3) Keynotes apply to this sheet only.

Keynotes

- 1 New sliding glass wall, typ.
- 2 Fruit box/display, by Owner, typ.
- 3 New column, typ.
- 4 New refrigerator, typ.
- 5 New wine bar
- 6 Furniture by Owner, typ.
- 7 New sink, typ.
- 8 New wall, typ.
- 9 New door, typ.
- 10 New window, typ.
- 11 Built in shelving, typ.
- 12 Dashed line indicates roofline above, typ.



2 Floor Plan - (P) Fruit Stand + Tasting Room
1/8" = 1'-0"

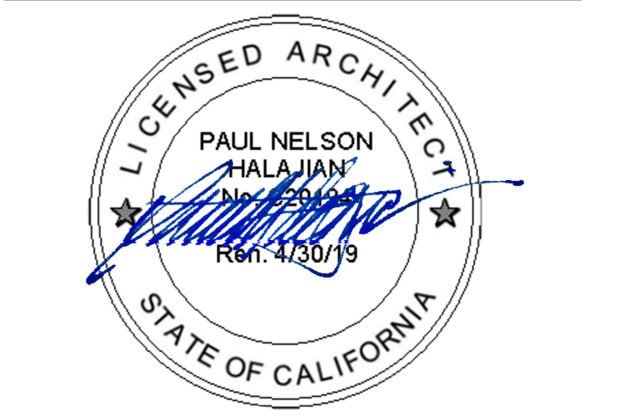


1 Floor Plan - (P) Vet Office
1/8" = 1'-0"

PH

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PROJECT:
Jerry Cook
Academy Homestead Ranch
 13305 Tollhouse Road, Clovis, CA, 93619
SHEET: Floor Plans

DRAWING SET INFORMATION:

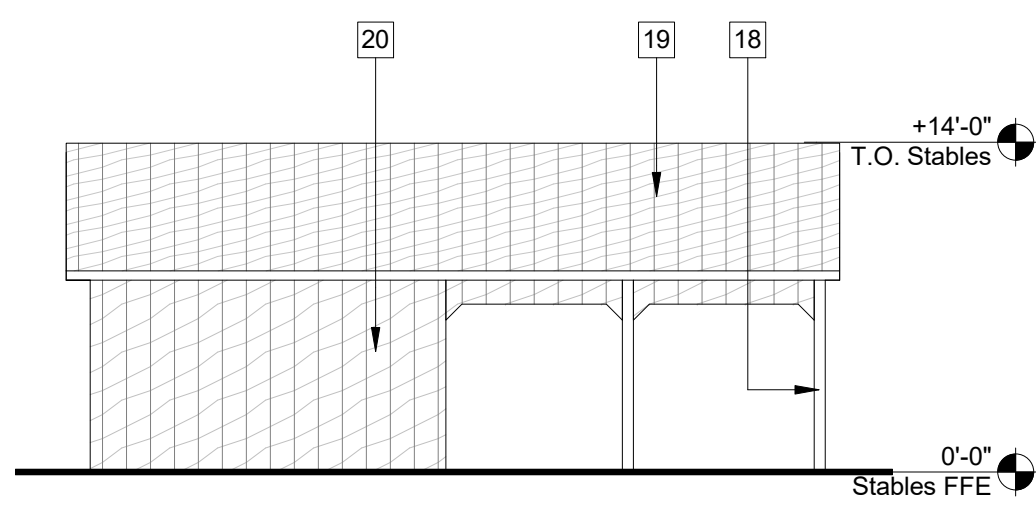
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| 05.13.21 | CUP Submittal Package |
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REVISIONS:

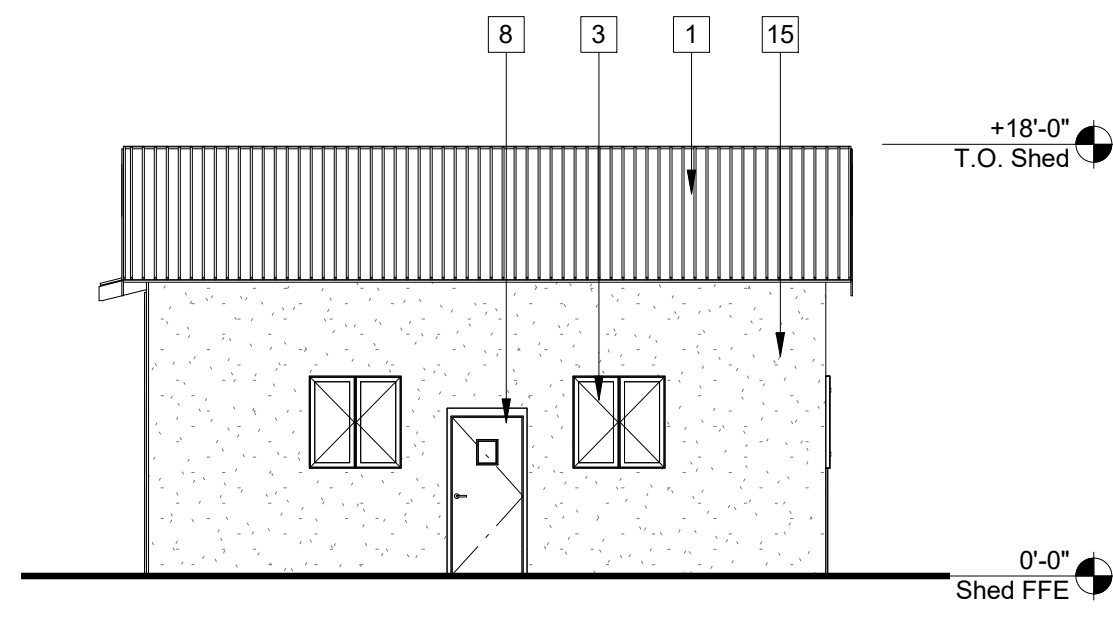
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PROJECT NUMBER:
2020-49

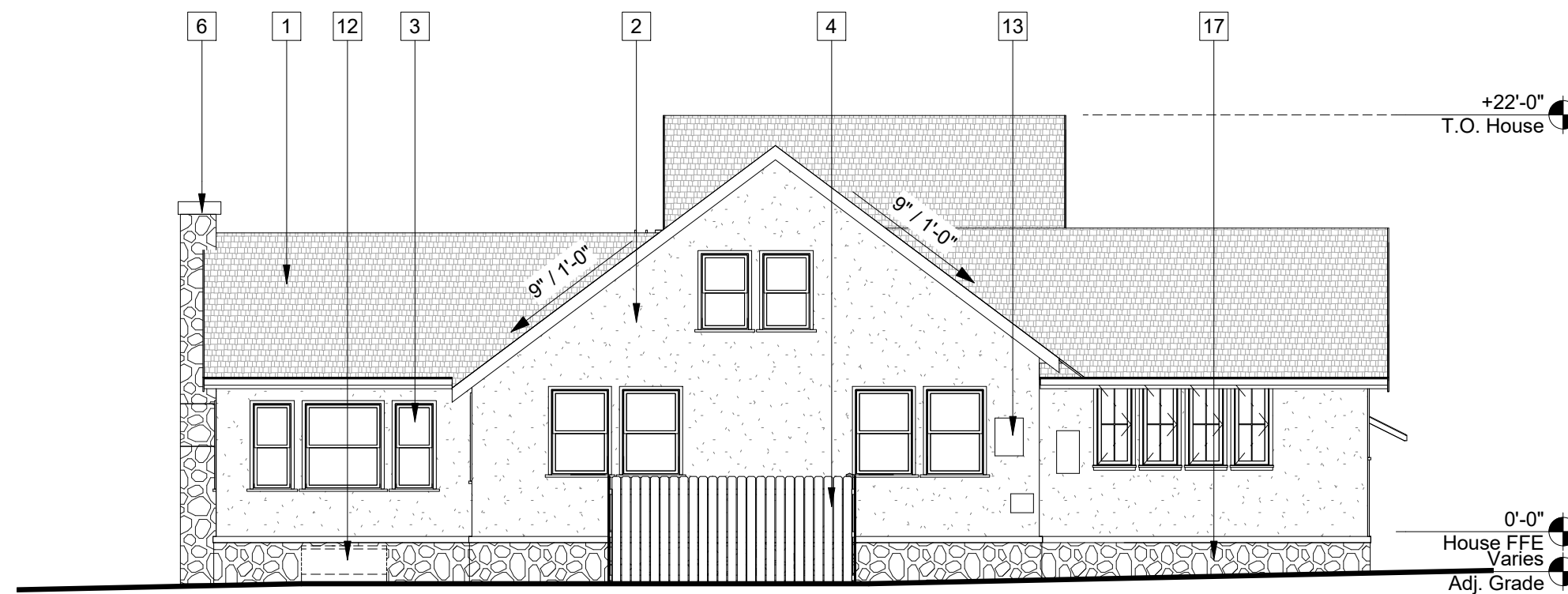
SHEET NUMBER:
A204



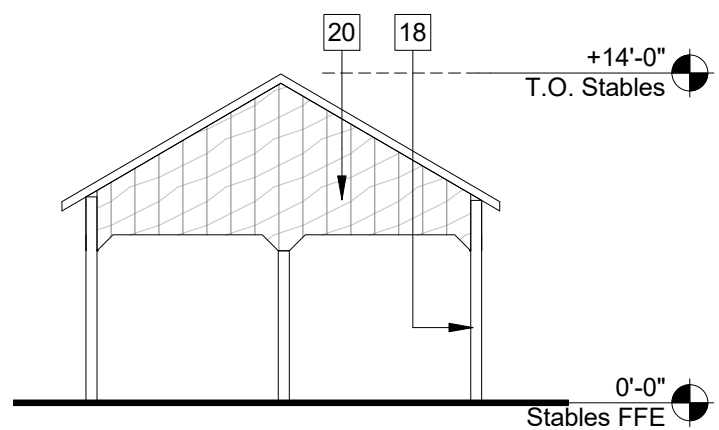
12 (E) Stables - West
1/8" = 1'-0"



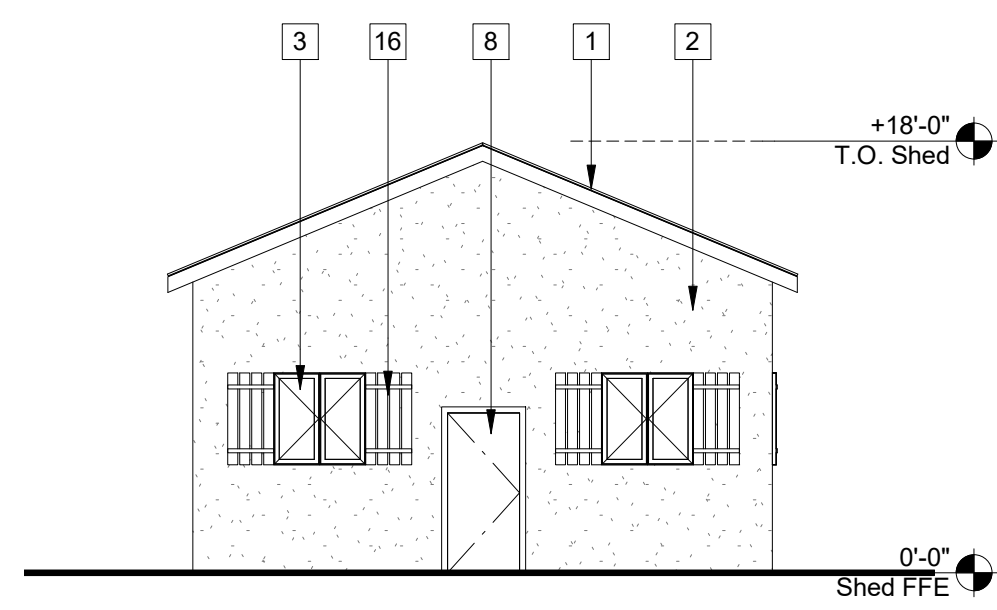
8 (E) Shed - West
1/8" = 1'-0"



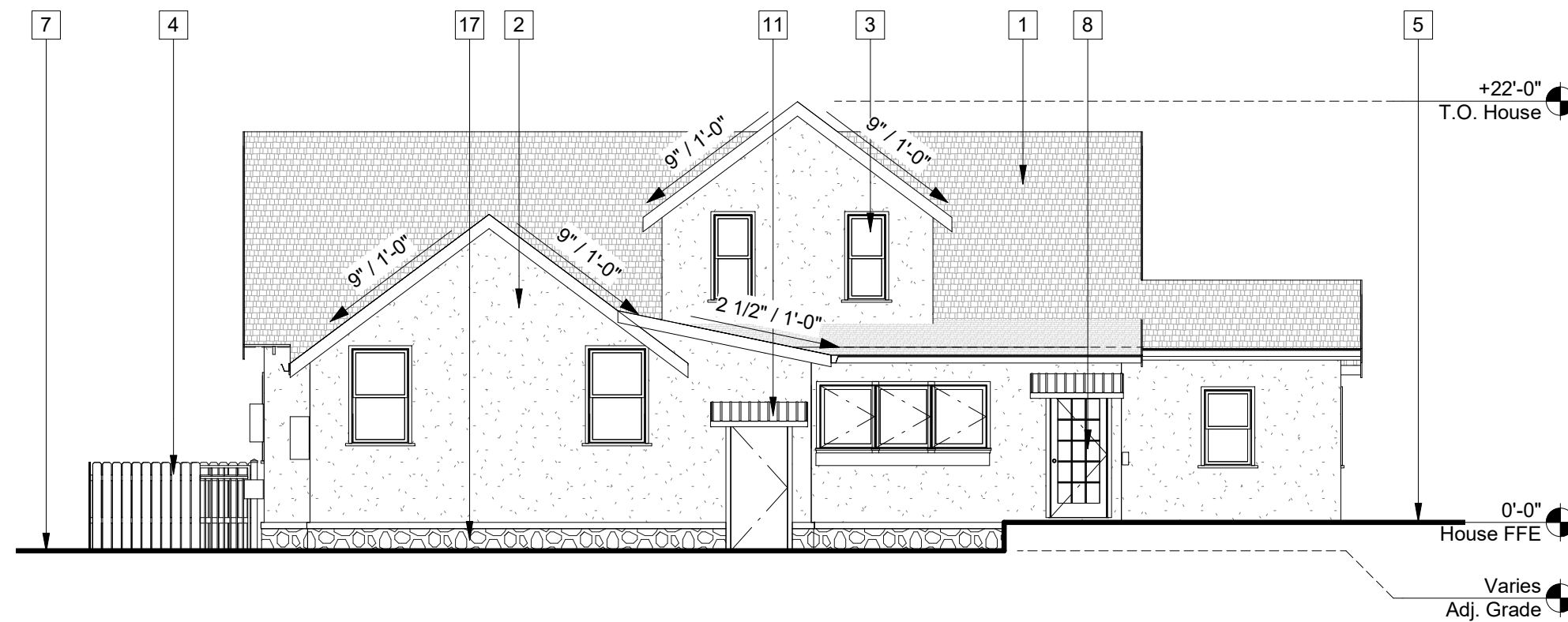
4 (E) House - West
1/8" = 1'-0"



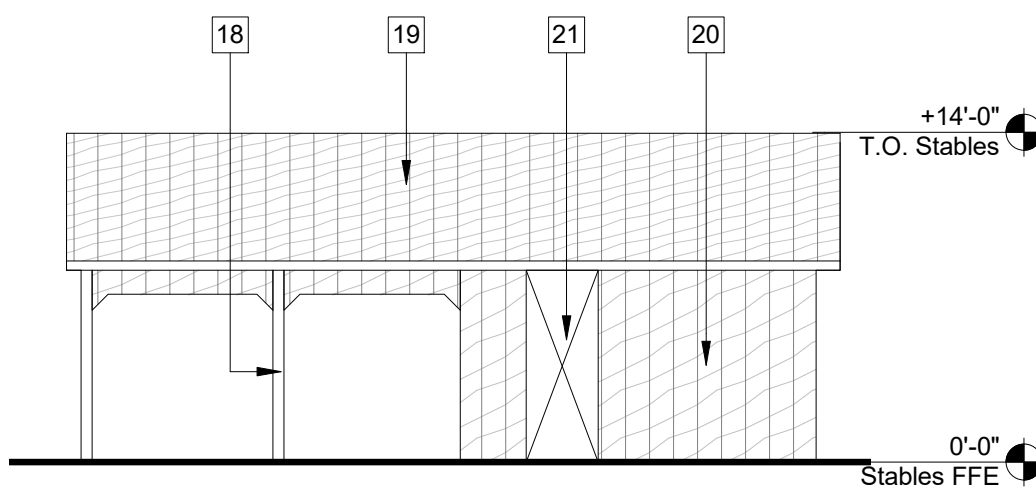
11 (E) Stables - South
1/8" = 1'-0"



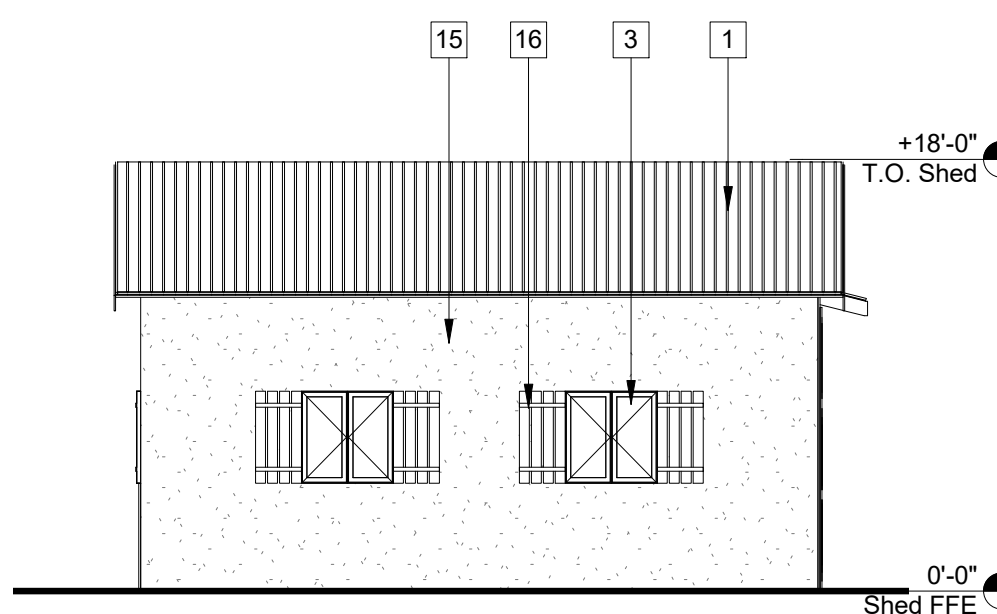
7 (E) Shed - South
1/8" = 1'-0"



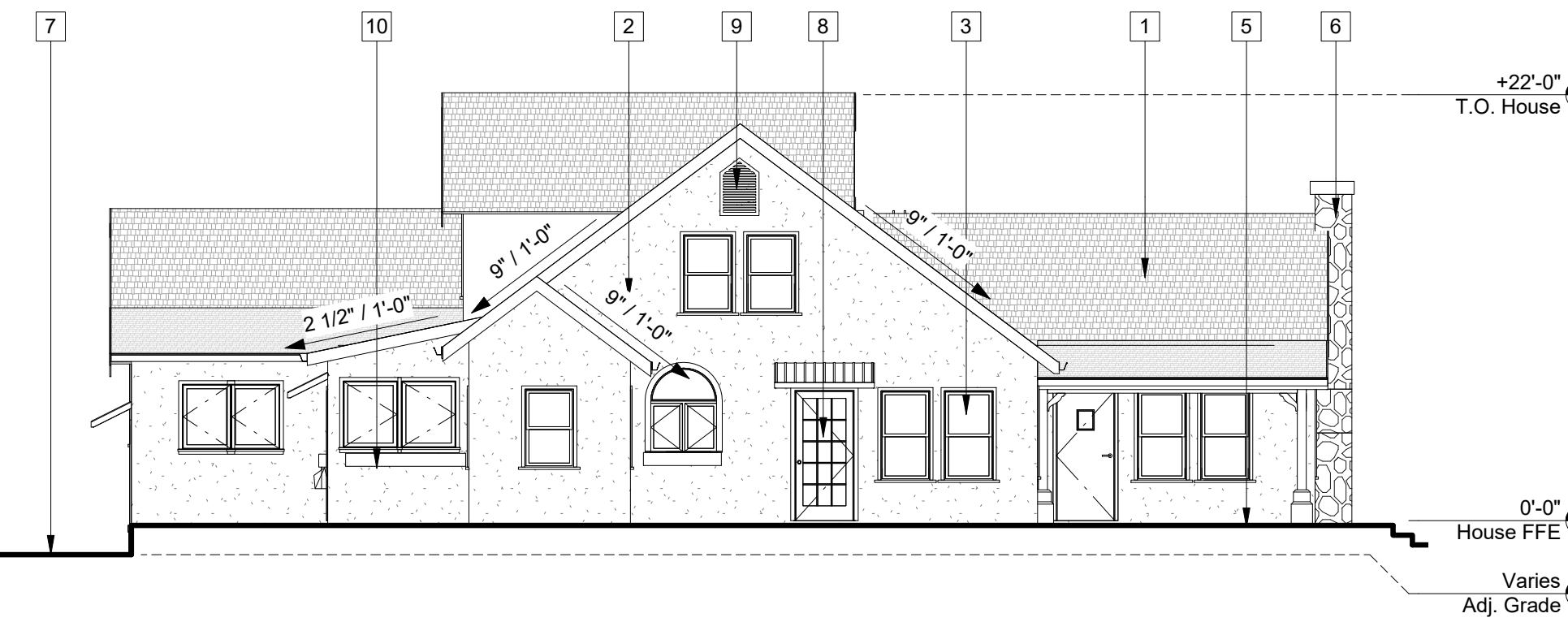
3 (E) House - South
1/8" = 1'-0"



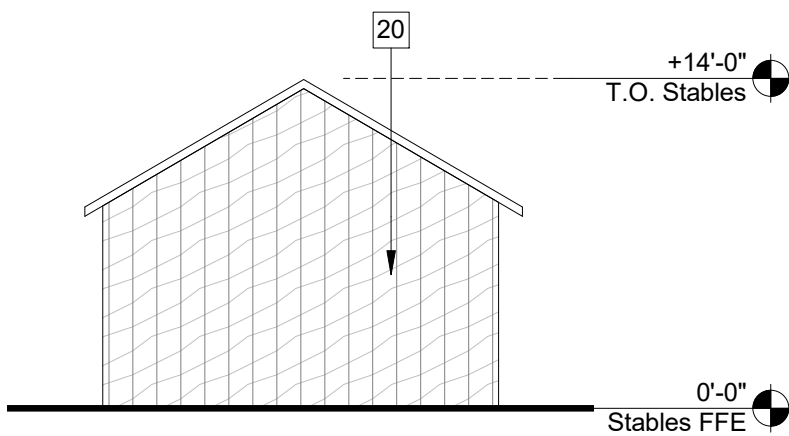
10 (E) Stables - East
1/8" = 1'-0"



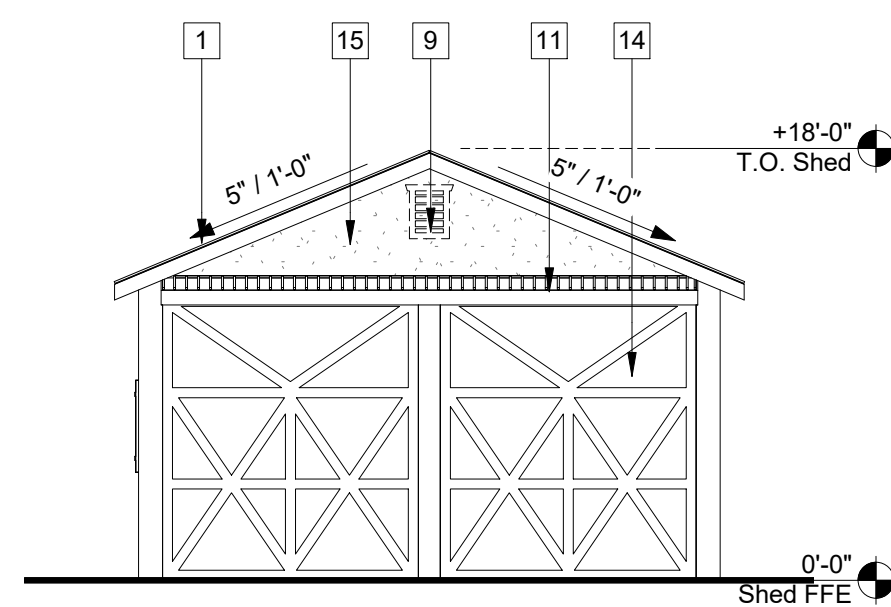
6 (E) Shed - East
1/8" = 1'-0"



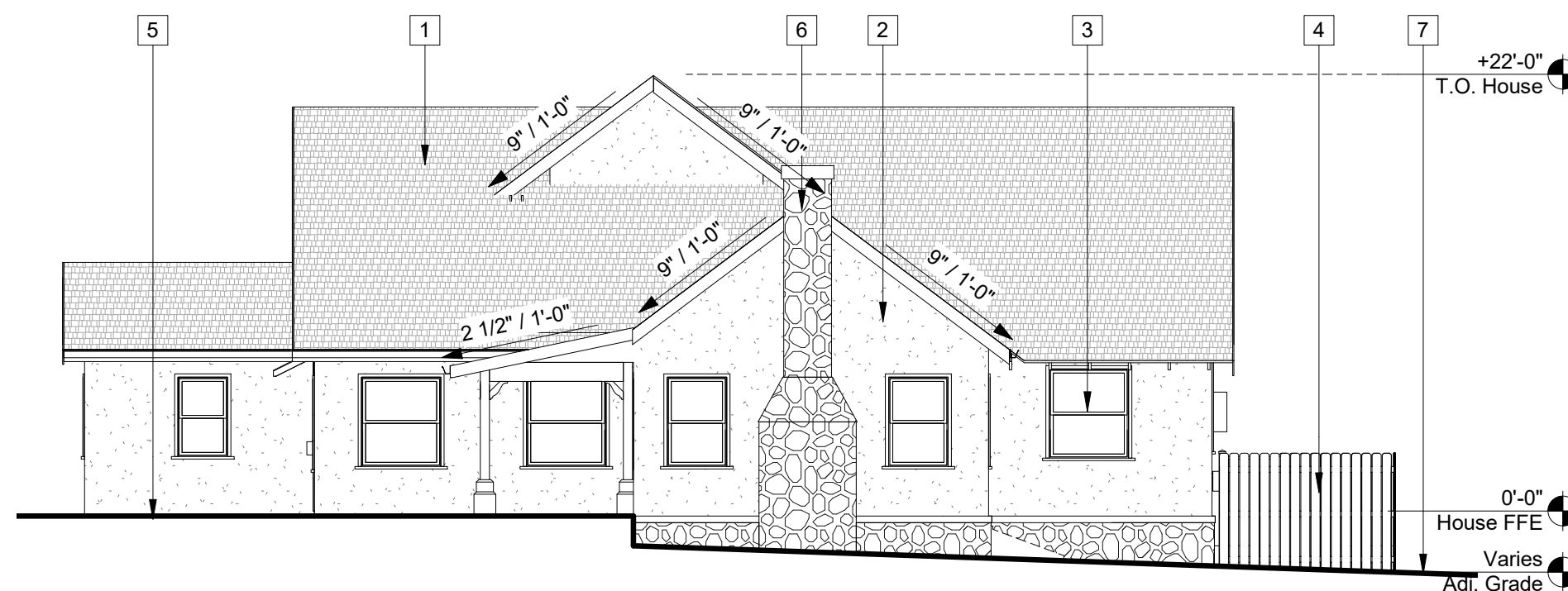
2 (E) House - East
1/8" = 1'-0"



9 (E) Stables - North
1/8" = 1'-0"



5 (E) Shed - North
1/8" = 1'-0"



1 (E) House - North
1/8" = 1'-0"

General Notes

1) Keynotes apply to this sheet only.

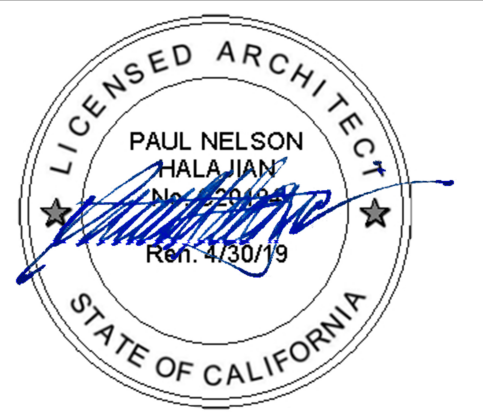
Keynotes

- 1 (E) composition roof to remain
- 2 (E) painted stucco finish to remain, typ.
- 3 (E) window to remain, typ.
- 4 (E) mechanical equipment in fenced yard to remain
- 5 (E) raised porch to remain
- 6 (E) chimney to remain
- 7 (E) grade to remain
- 8 (E) door to remain, typ.
- 9 (E) attic vent to remain, typ.
- 10 (E) wood window planter box to remain, typ.
- 11 (E) overhang to remain, typ.
- 12 (E) crawlspace access to remain
- 13 (E) electrical panel, tankless water heater, propane gas POC and shut off valves to remain
- 14 (E) sliding barn door to remain, typ.
- 15 (E) wall to remain, typ.
- 16 (E) decorative shutter to remain, typ.
- 17 (E) cobblestone finish to remain, typ.
- 18 (E) column to remain, typ.
- 19 (E) wood roof to remain
- 20 (E) barn wood vertical siding to remain, typ.
- 21 New door, typ.



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PROJECT:
Jerry Cook
Academy Homestead Ranch
 13305 Tollhouse Road, Clovis, CA, 93619
 SHEET: Elevations

DRAWING SET INFORMATION:

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| 05.13.21 | CUP Submittal Package |
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REVISIONS:

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PROJECT NUMBER:
2020-49

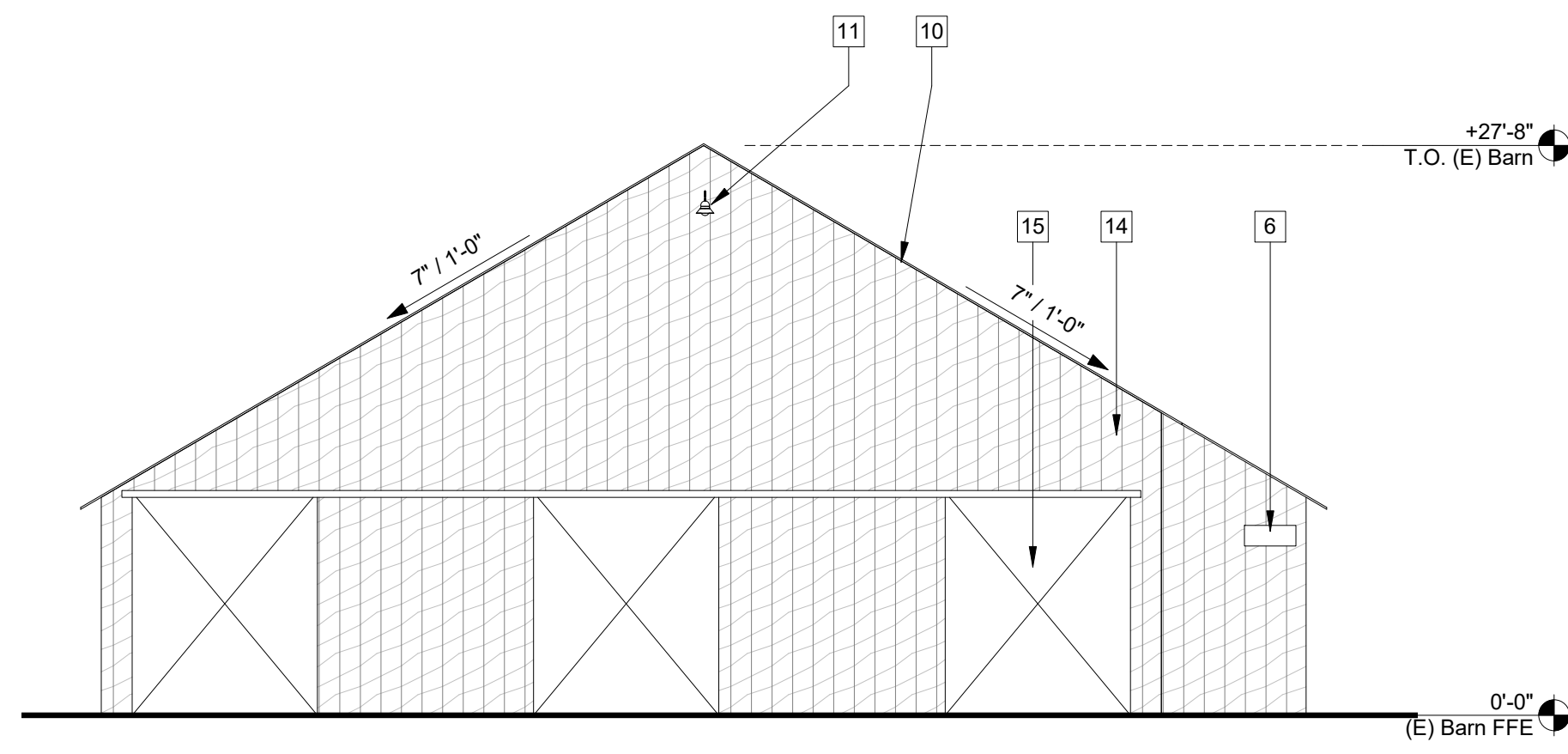
SHEET NUMBER:
A301

General Notes

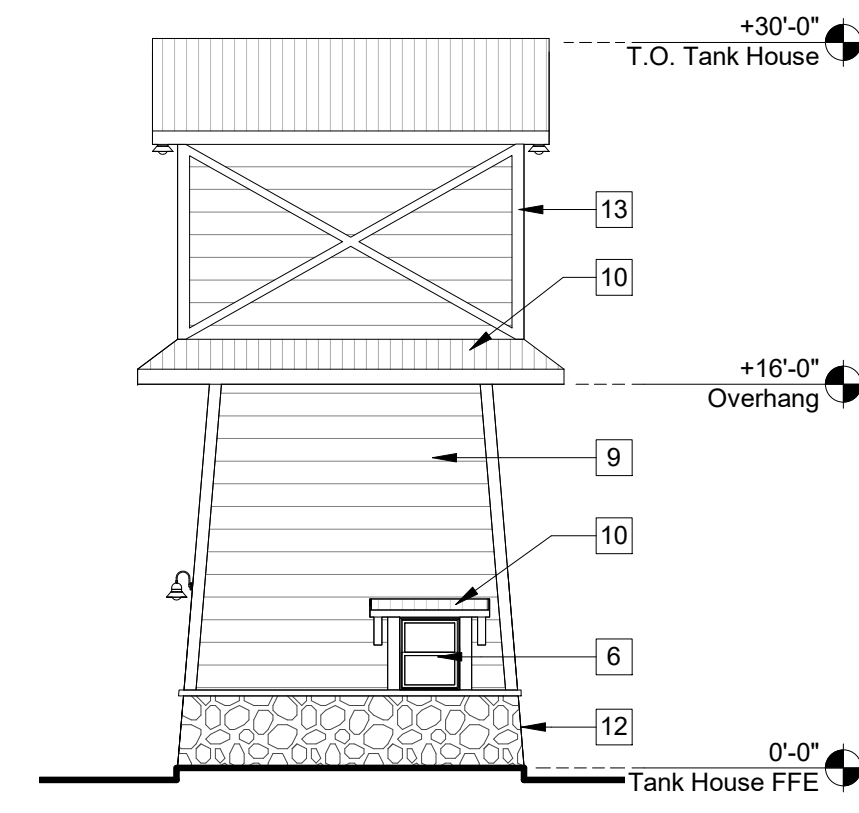
1) Keynotes apply to this sheet only.

Keynotes

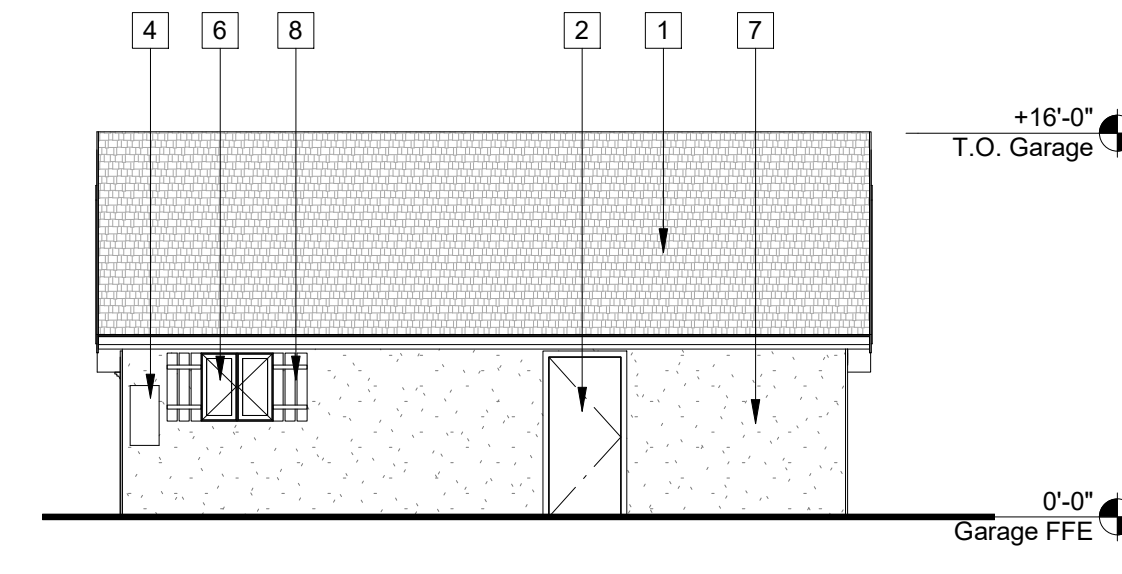
- 1 (E) composition roof to remain
- 2 (E) door to remain, typ.
- 3 (E) column to remain, typ.
- 4 (E) electrical panel to remain
- 5 (E) garage door to remain, typ.
- 6 (E) window to remain, typ.
- 7 Stucco finish, typ.
- 8 (E) decorative shutter to remain, typ.
- 9 (E) painted lap siding finish to remain, typ.
- 10 (E) metal roof to remain, typ.
- 11 (E) light fixture to remain, typ.
- 12 (E) cobblestone finish to remain, typ.
- 13 (E) painted siding trim to remain, typ.
- 14 (E) barn wood vertical siding to remain, typ.
- 15 (E) barn door to remain, typ.



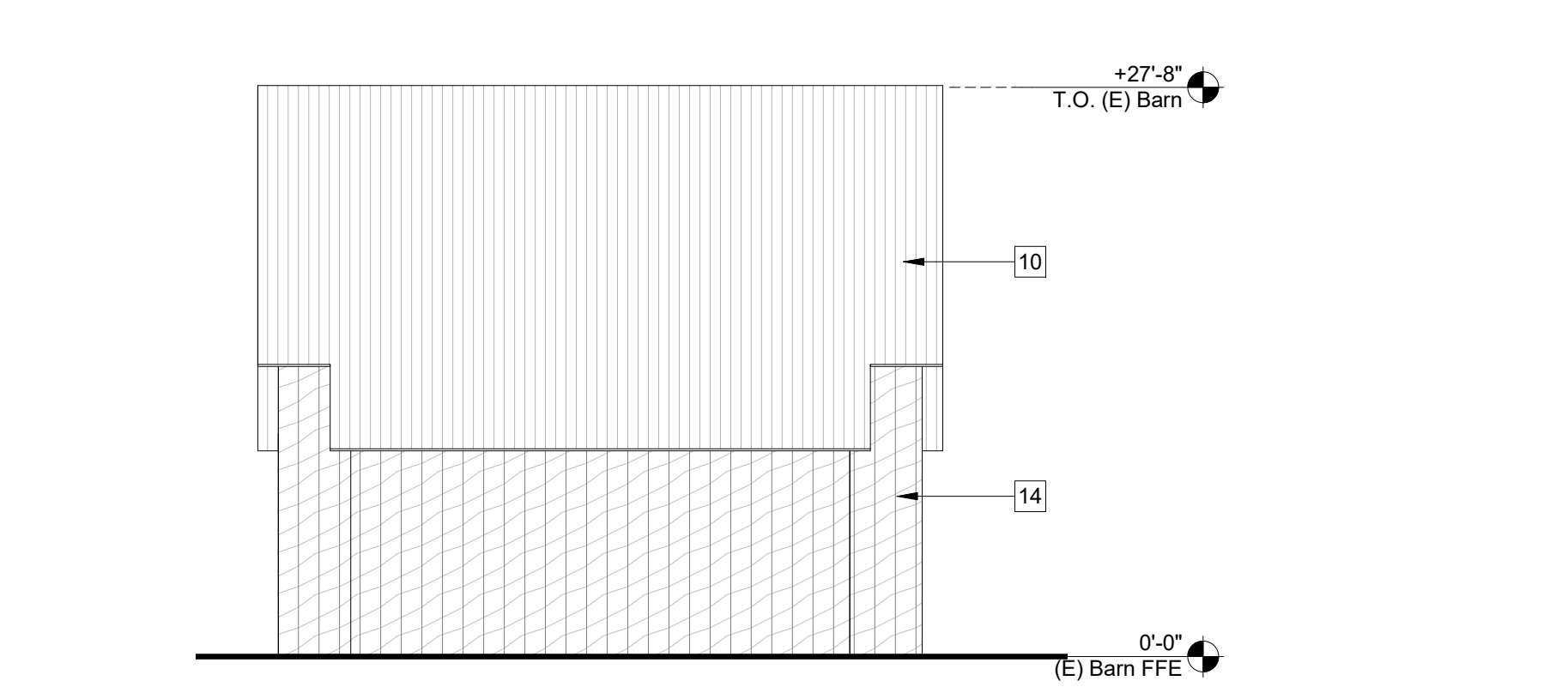
12 (E) Barn - West
1/8" = 1'-0"



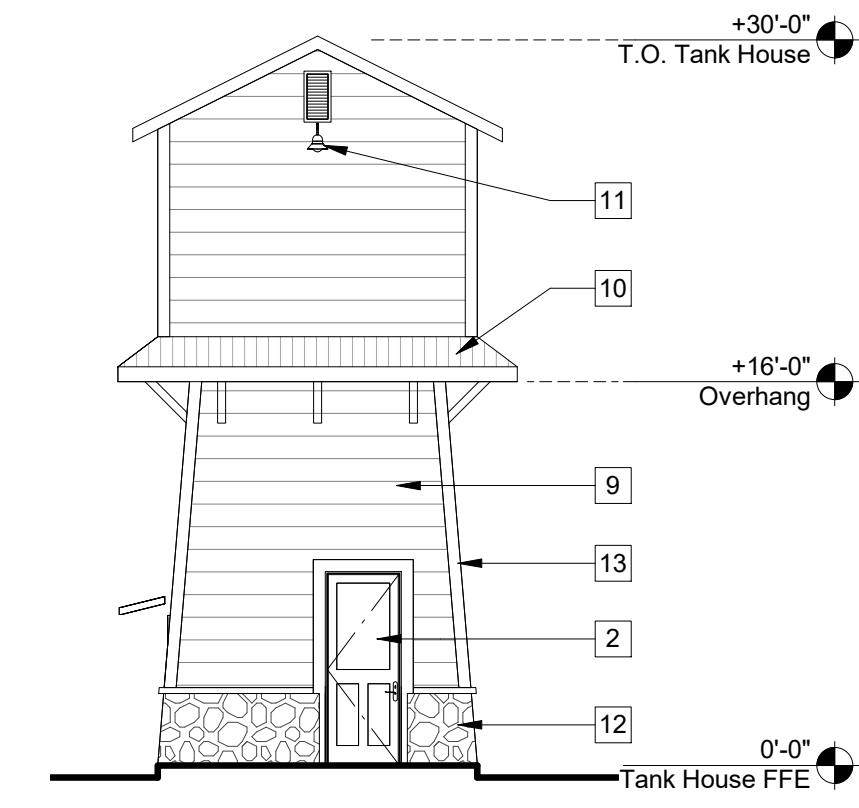
8 (E) Tank House - West
1/8" = 1'-0"



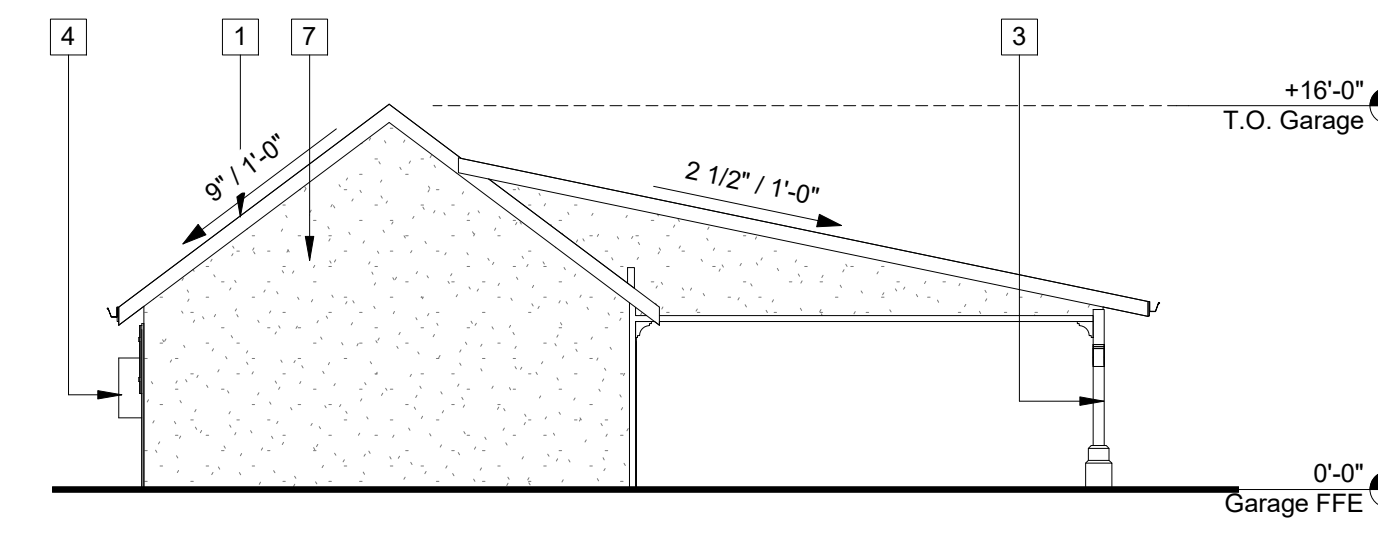
4 (E) Garage - West
1/8" = 1'-0"



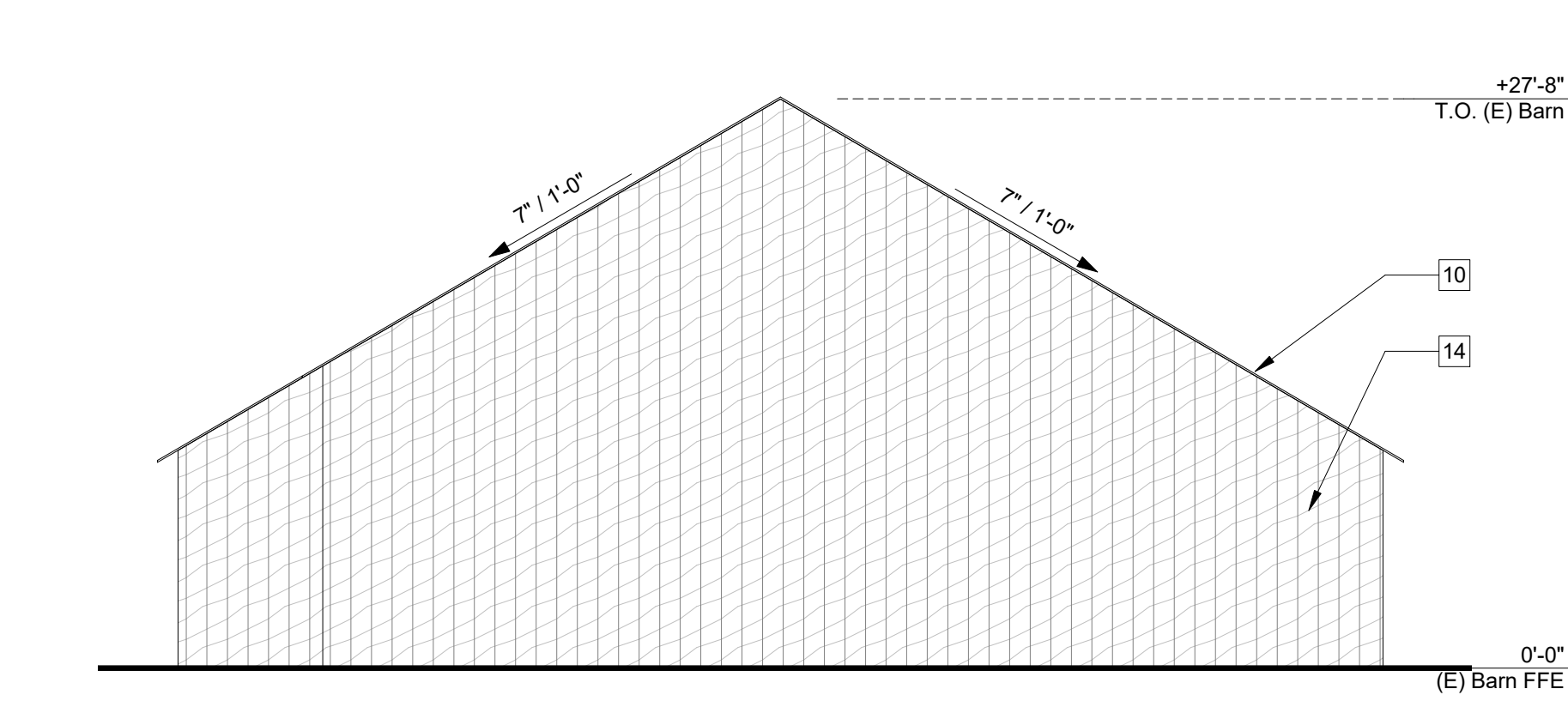
11 (E) Barn - South
1/8" = 1'-0"



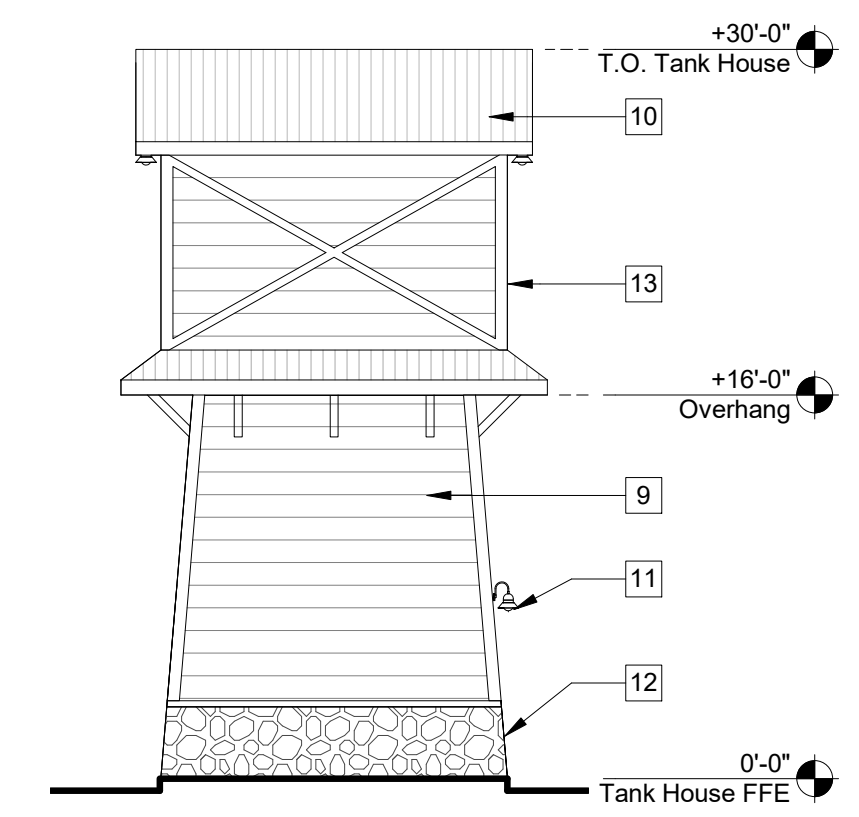
7 (E) Tank House - South
1/8" = 1'-0"



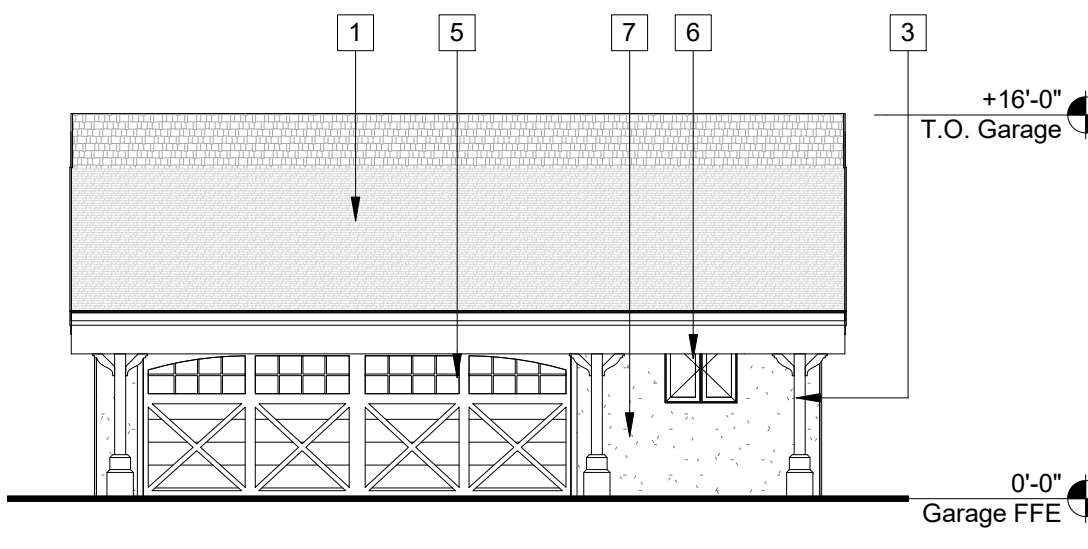
3 (E) Garage - South
1/8" = 1'-0"



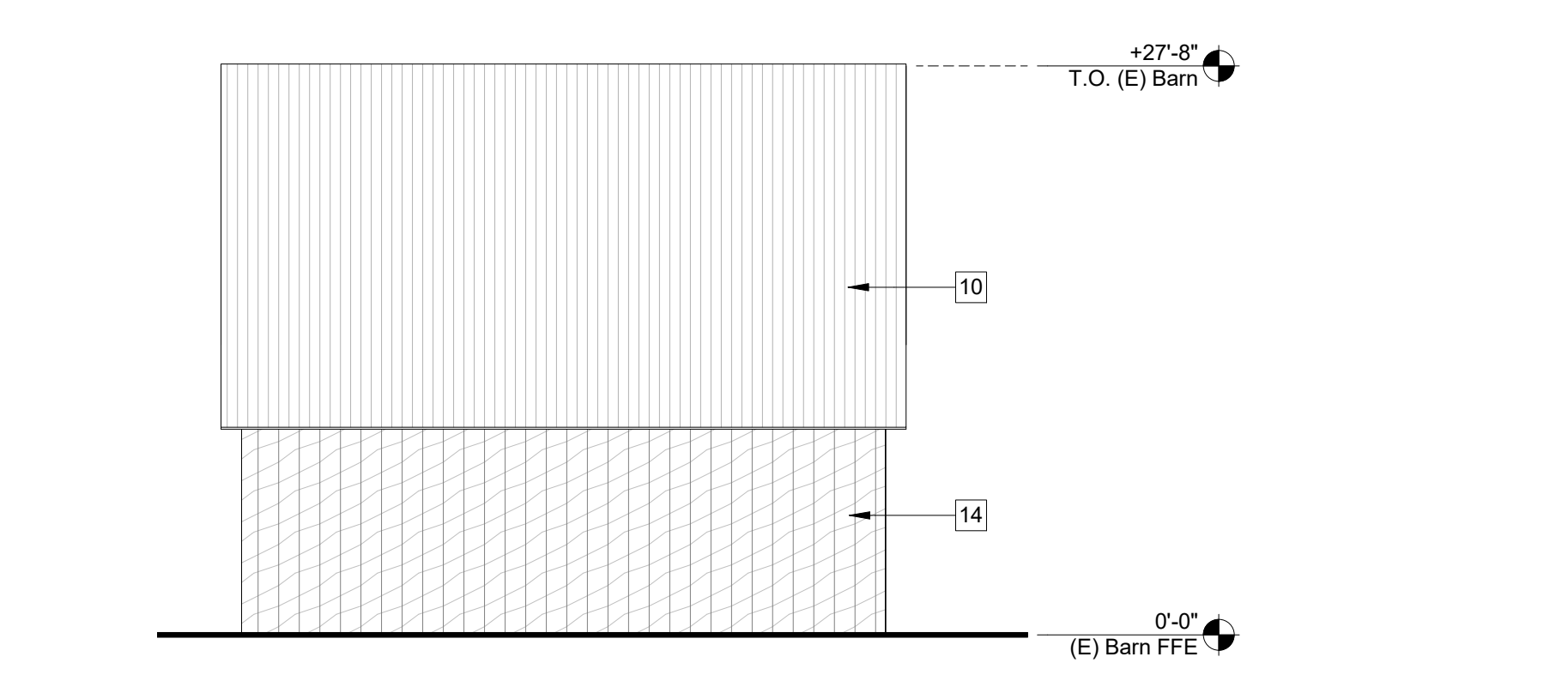
10 (E) Barn - East
1/8" = 1'-0"



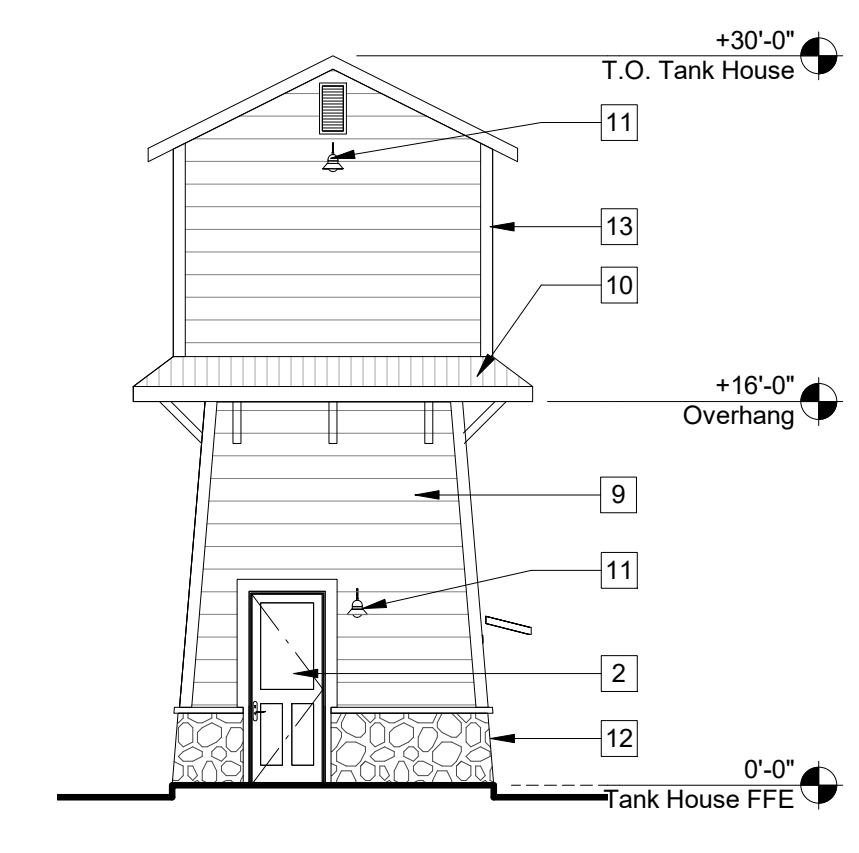
6 (E) Tank House - East
1/8" = 1'-0"



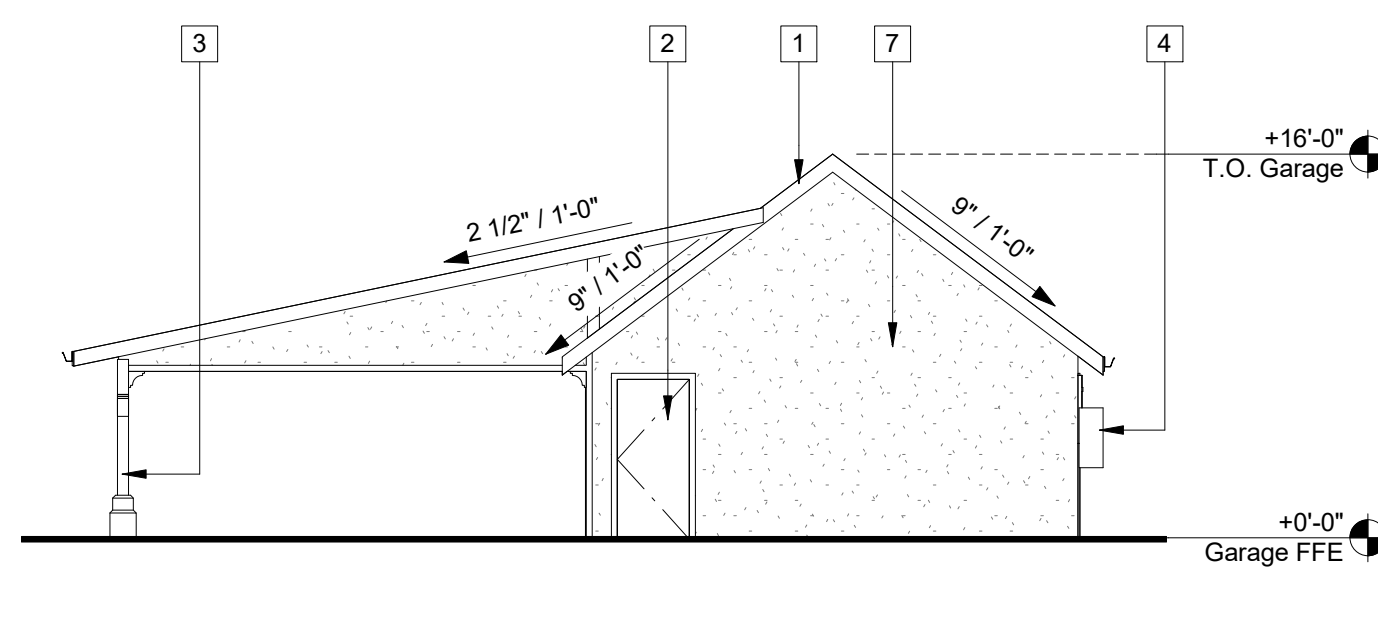
2 (E) Garage - East
1/8" = 1'-0"



9 (E) Barn - North
1/8" = 1'-0"



5 (E) Tank House - North
1/8" = 1'-0"

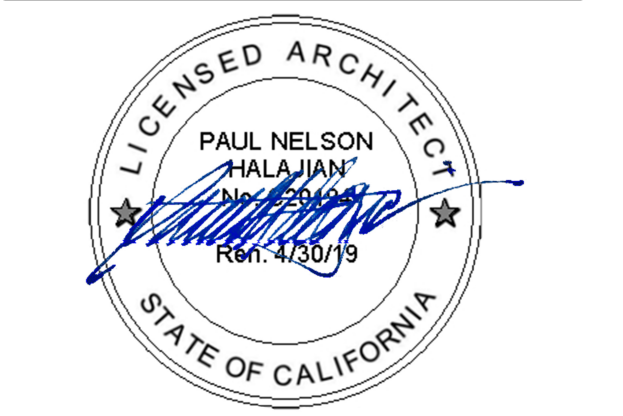


1 (E) Garage - North
1/8" = 1'-0"

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PROJECT:
Jerry Cook
Academy Homestead Ranch
13305 Tollhouse Road, Clovis, CA, 93619

SHEET: Elevations

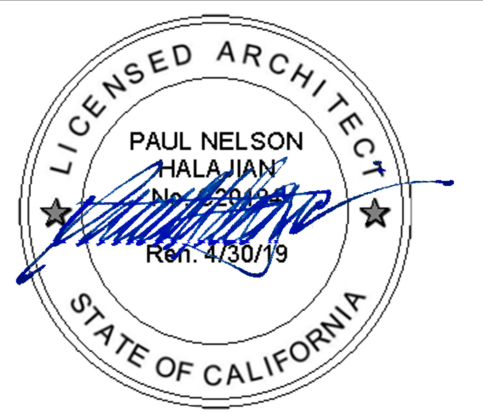
DRAWING SET INFORMATION:

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| 05.13.21 | CUP Submittal Package |
| REVISIONS: | |
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PROJECT NUMBER:
2020-49

SHEET NUMBER:
A302

EXHIBIT 5 Page 11



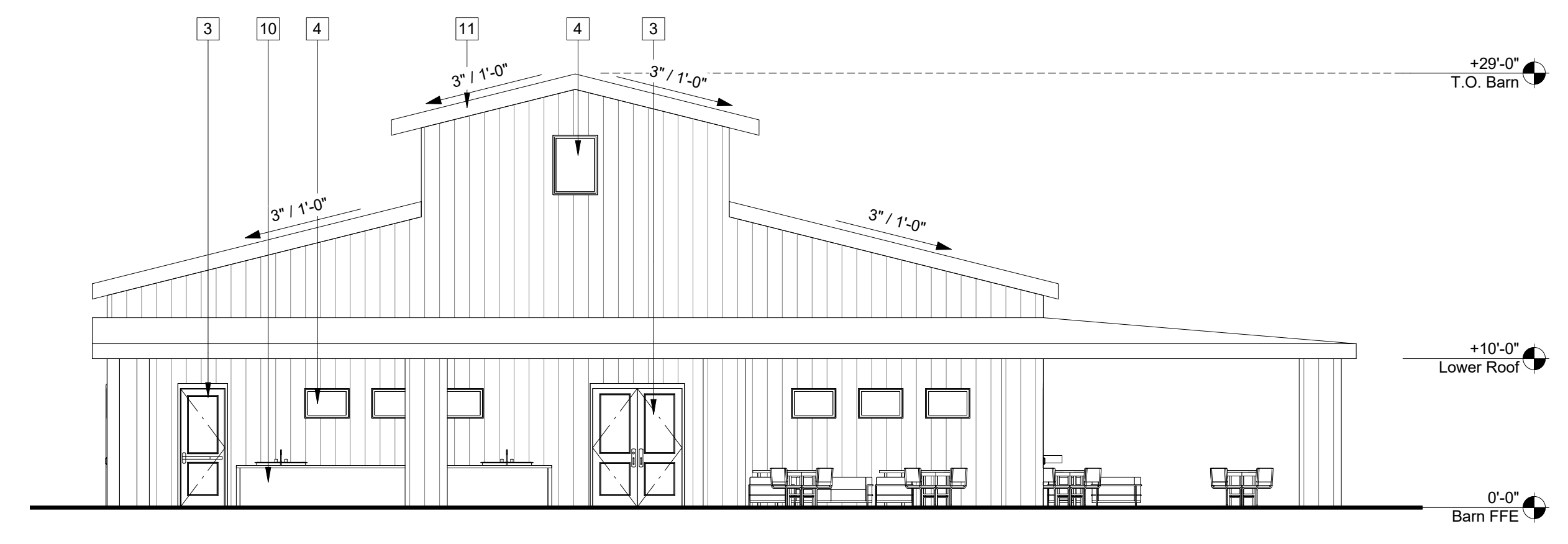
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General Notes

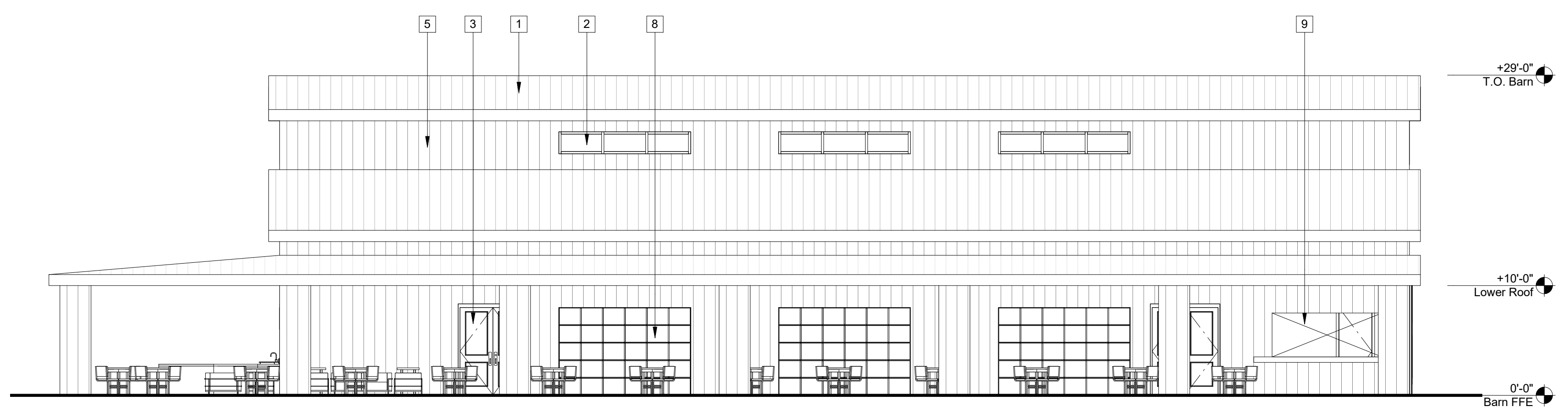
1) Keynotes apply to this sheet only.

Keynotes

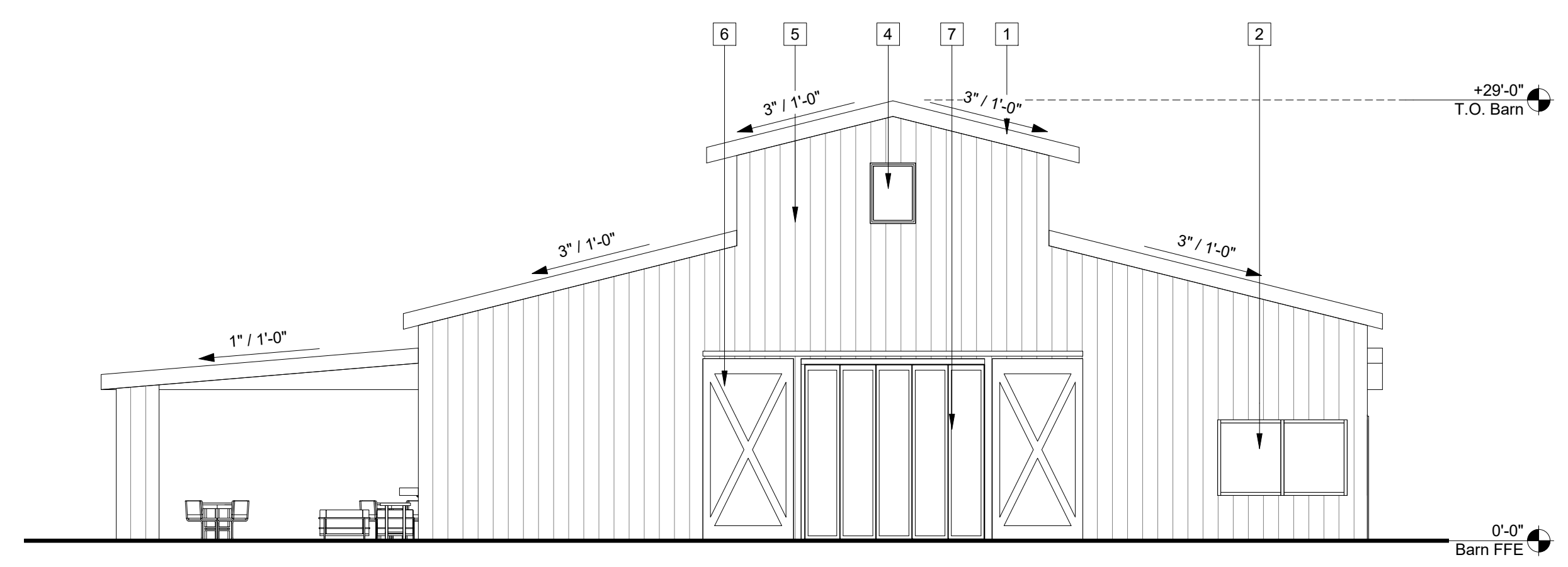
- 1 New composition shingle roof
- 2 New storefront glazing, typ.
- 3 New door, typ.
- 4 New window, typ.
- 5 Vertical wood siding, typ.
- 6 New sliding barn door, typ.
- 7 New sliding glass wall, typ.
- 8 New rollup door, typ.
- 9 New coiling countertop door for bar service, typ.
- 10 Built in countertop area with storage underneath
- 11 Standing seam metal roof, typ.



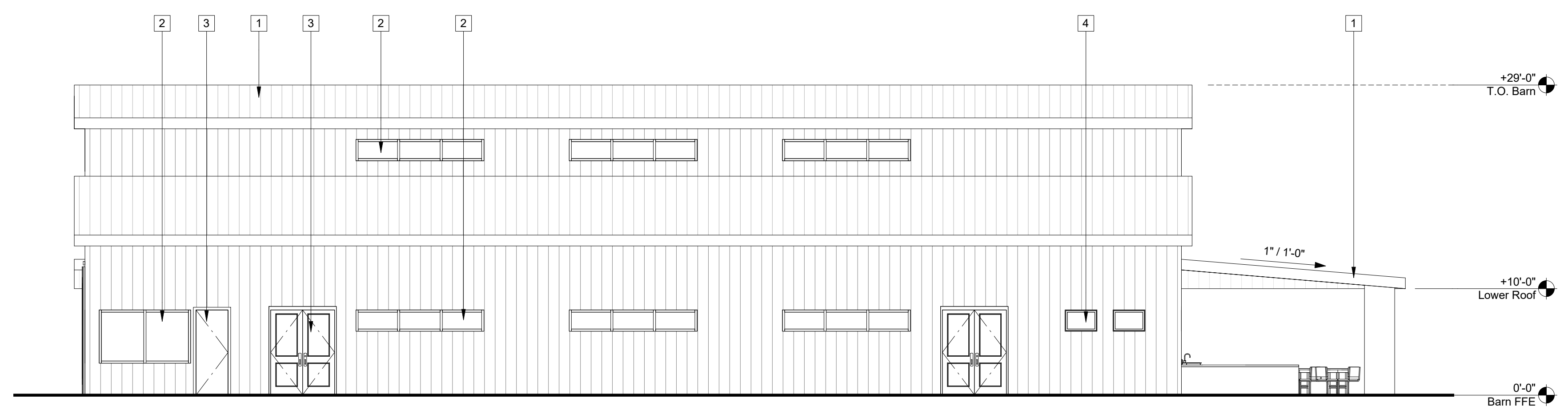
④ (P) Barn - West
1/8" = 1'-0"



③ (P) Barn - South
1/8" = 1'-0"



② (P) Barn - East
1/8" = 1'-0"



① (P) Barn - North
1/8" = 1'-0"

PROJECT:

Jerry Cook

Academy Homestead Ranch

13305 Tollhouse Road, Clovis, CA, 93619

SHEET: Elevations

DRAWING SET INFORMATION:

05.13.21 CUP Submittal Package

REVISIONS:

| NO. | DESCRIPTION |
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| | |

PROJECT NUMBER:

2020-49

SHEET NUMBER:

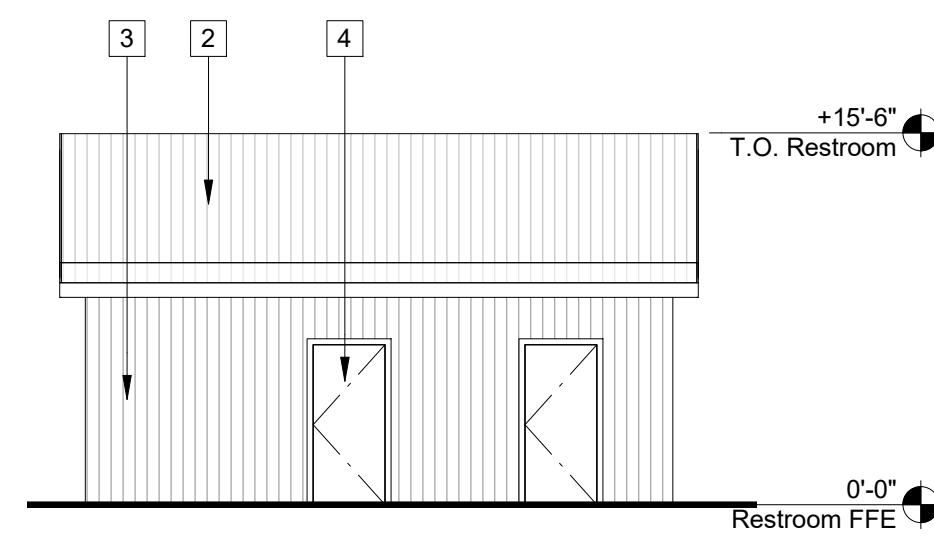
A303

General Notes

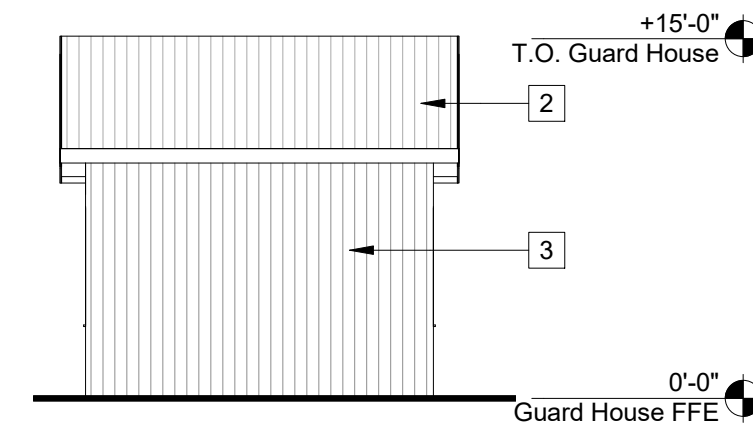
1) Keynotes apply to this sheet only.

Keynotes

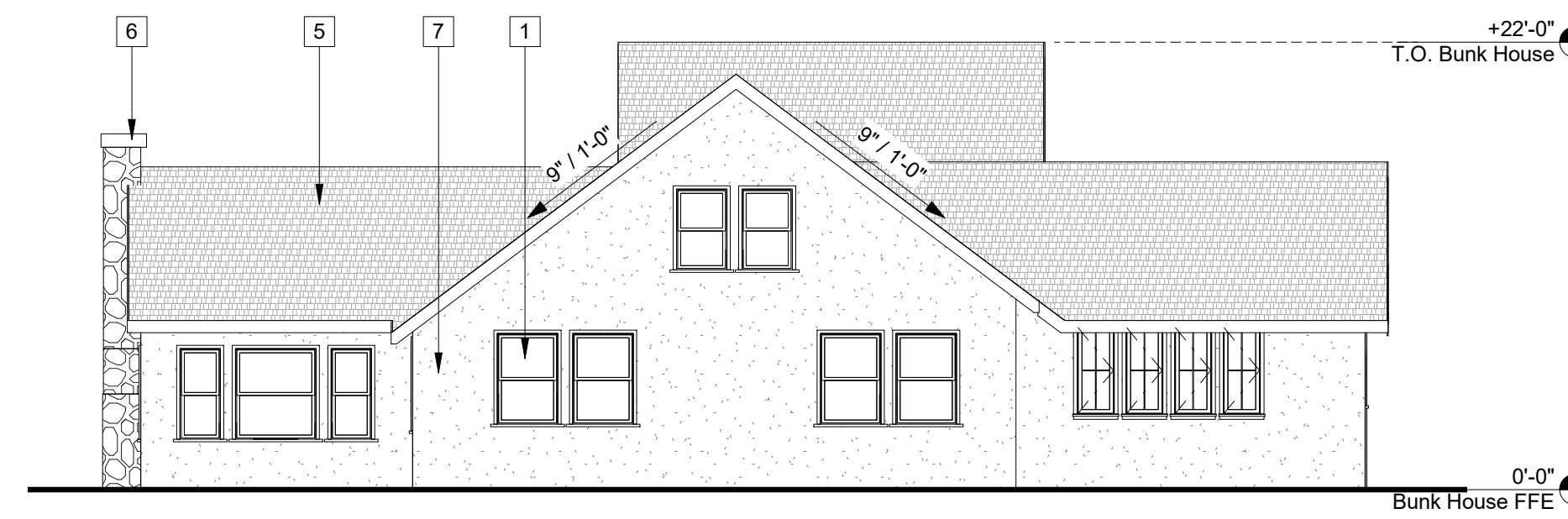
- 1 New window, typ.
- 2 Standing seam metal roof, typ.
- 3 Vertical wood siding, typ.
- 4 New door, typ.
- 5 New composition shingle roof
- 6 New chimney
- 7 Stucco finish, typ.
- 8 Railing, typ.
- 9 Column, typ.
- 10 Horizontal wood siding, typ.



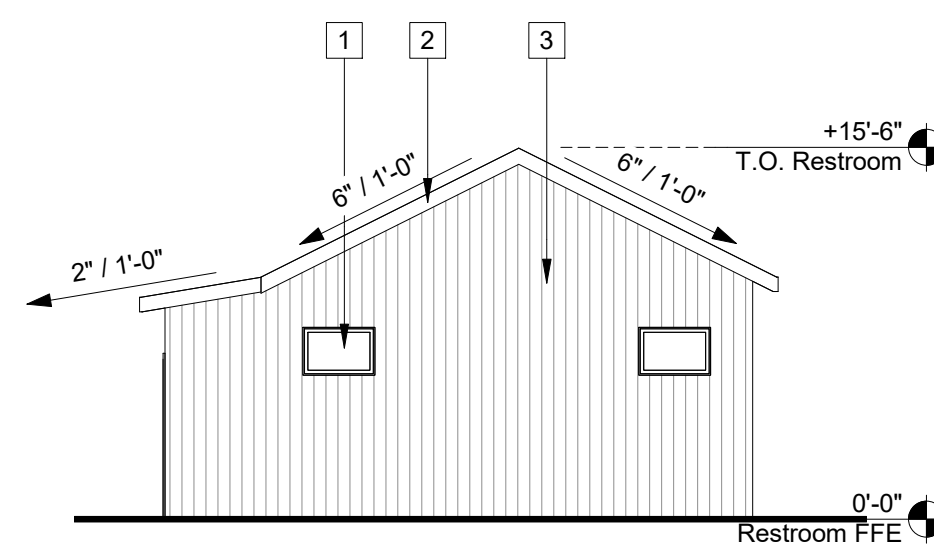
12 (P) Restroom Building - West
1/8" = 1'-0"



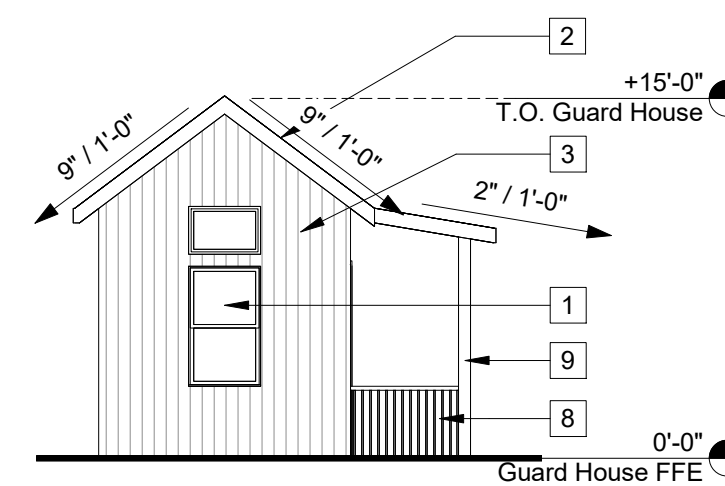
8 (P) Guard House - West
1/8" = 1'-0"



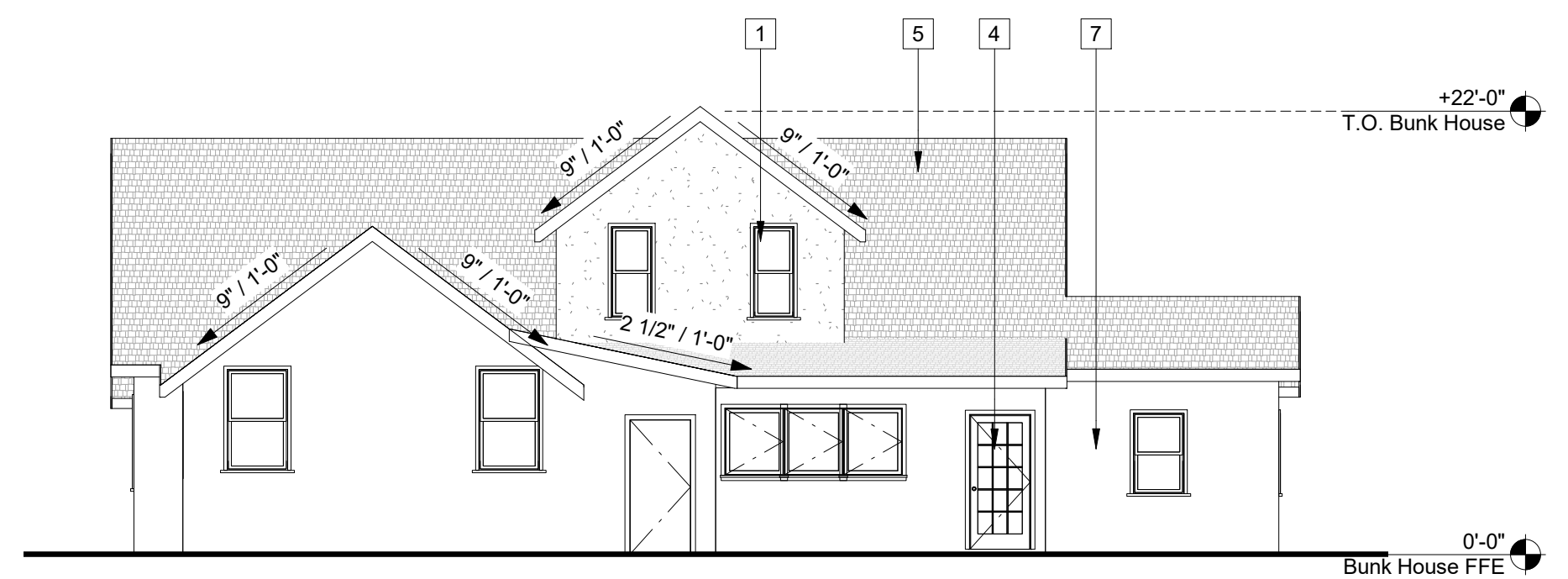
4 (P) Bunk House - West
1/8" = 1'-0"



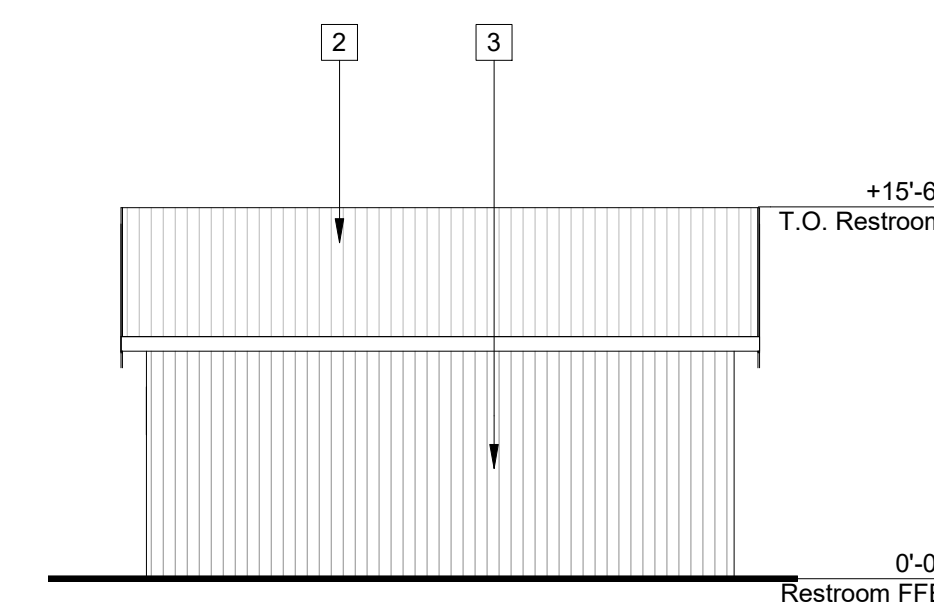
11 (P) Restroom Building - South
1/8" = 1'-0"



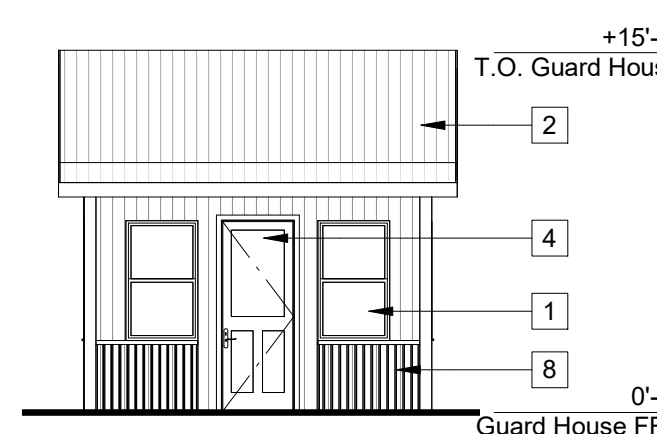
7 (P) Guard House - South
1/8" = 1'-0"



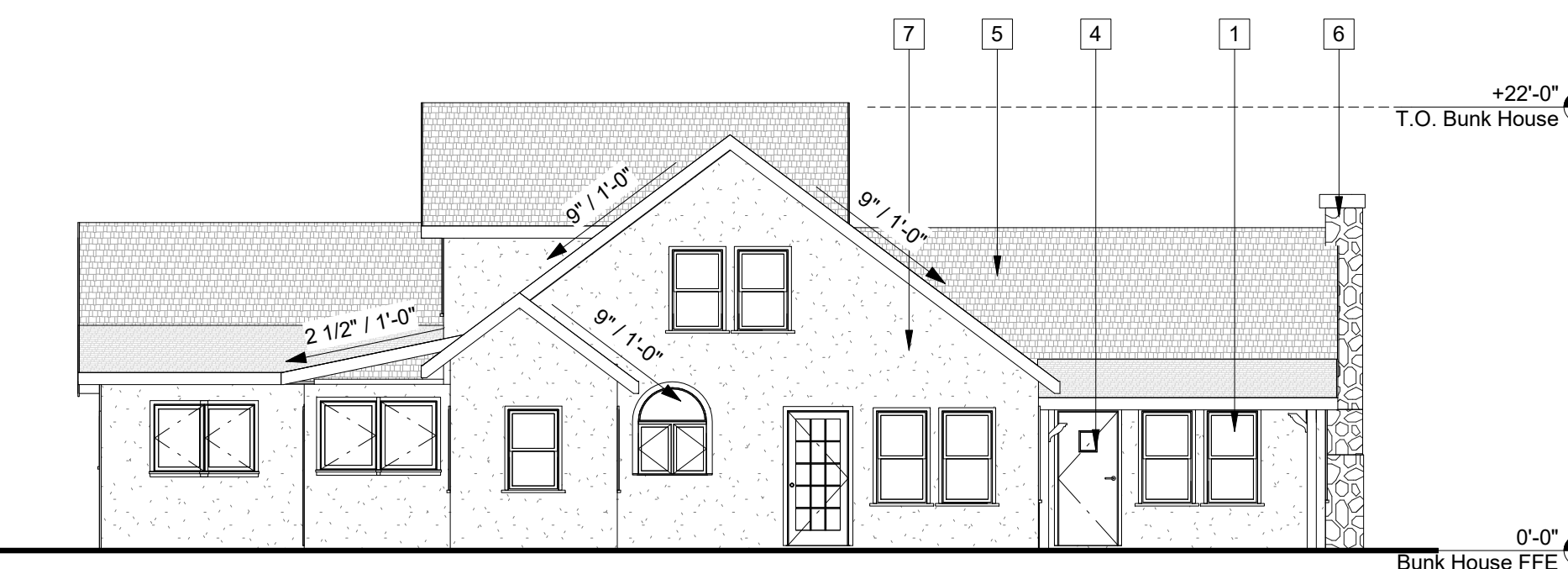
3 (P) Bunk House - South
1/8" = 1'-0"



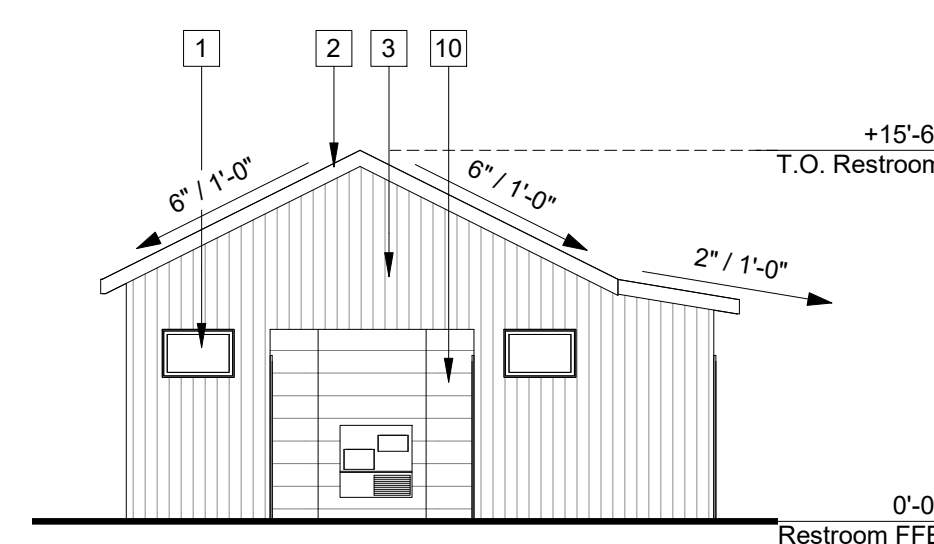
10 (P) Restroom Building - East
1/8" = 1'-0"



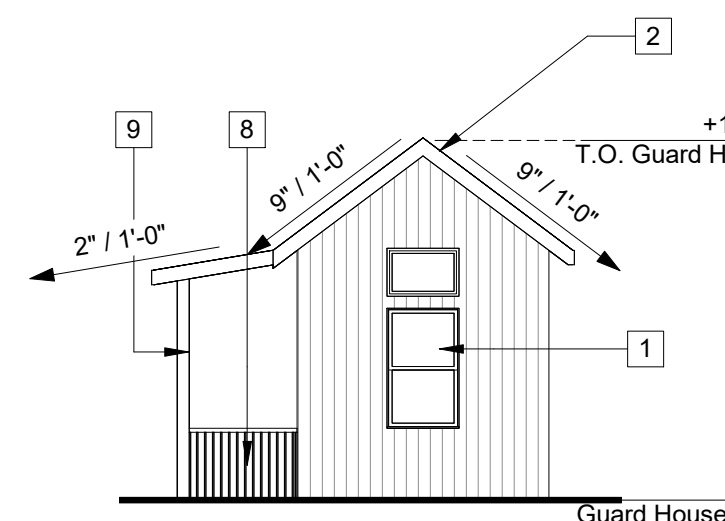
6 (P) Guard House - East
1/8" = 1'-0"



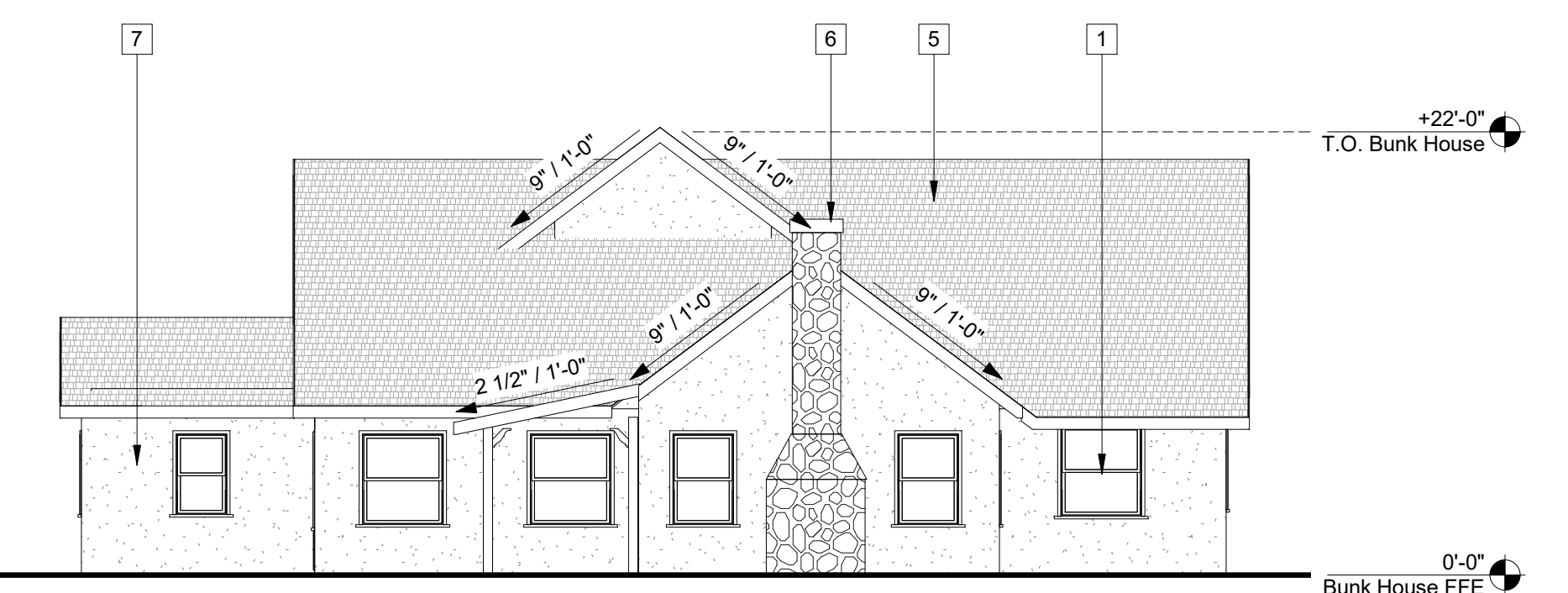
2 (P) Bunk House - East
1/8" = 1'-0"



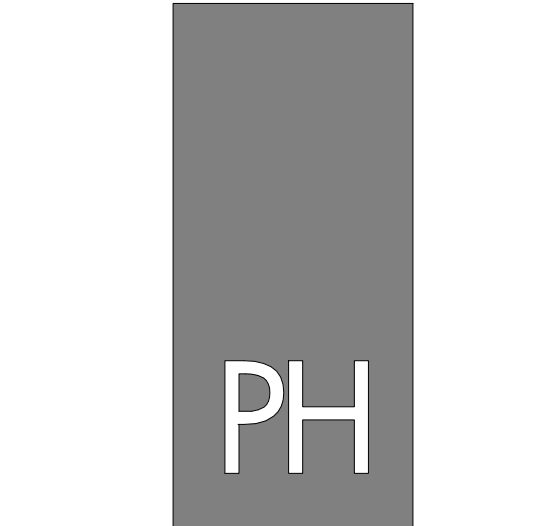
9 (P) Restroom Building - North
1/8" = 1'-0"



5 (P) Guard House - North
1/8" = 1'-0"



1 (P) Bunk House - North
1/8" = 1'-0"



PAUL HALAJIAN ARCHITECTS

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PROJECT:
Jerry Cook
Academy Homestead Ranch
13305 Tollhouse Road, Clovis, CA, 93619
SHEET: Elevations

DRAWING SET INFORMATION:

05.13.21 CUP Submittal Package

REVISIONS:

| NO. | DESCRIPTION |
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PROJECT NUMBER:

2020-49

SHEET NUMBER:

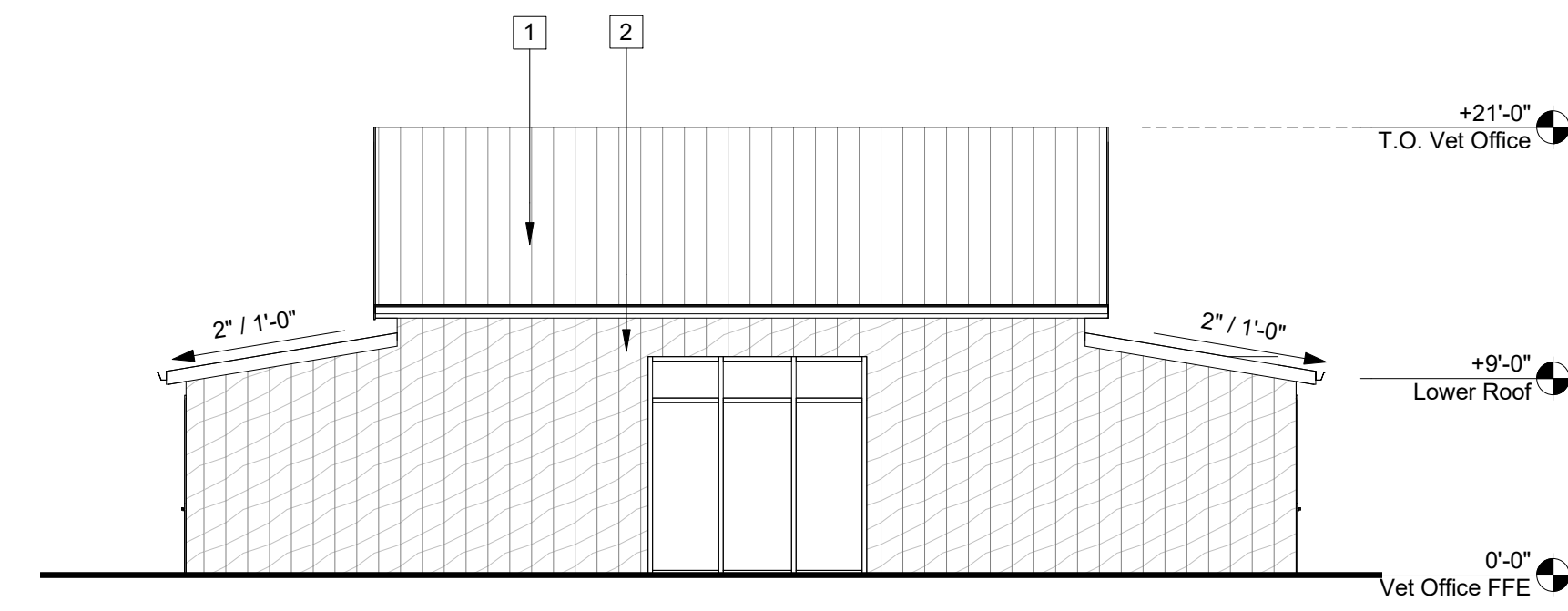
A304

General Notes

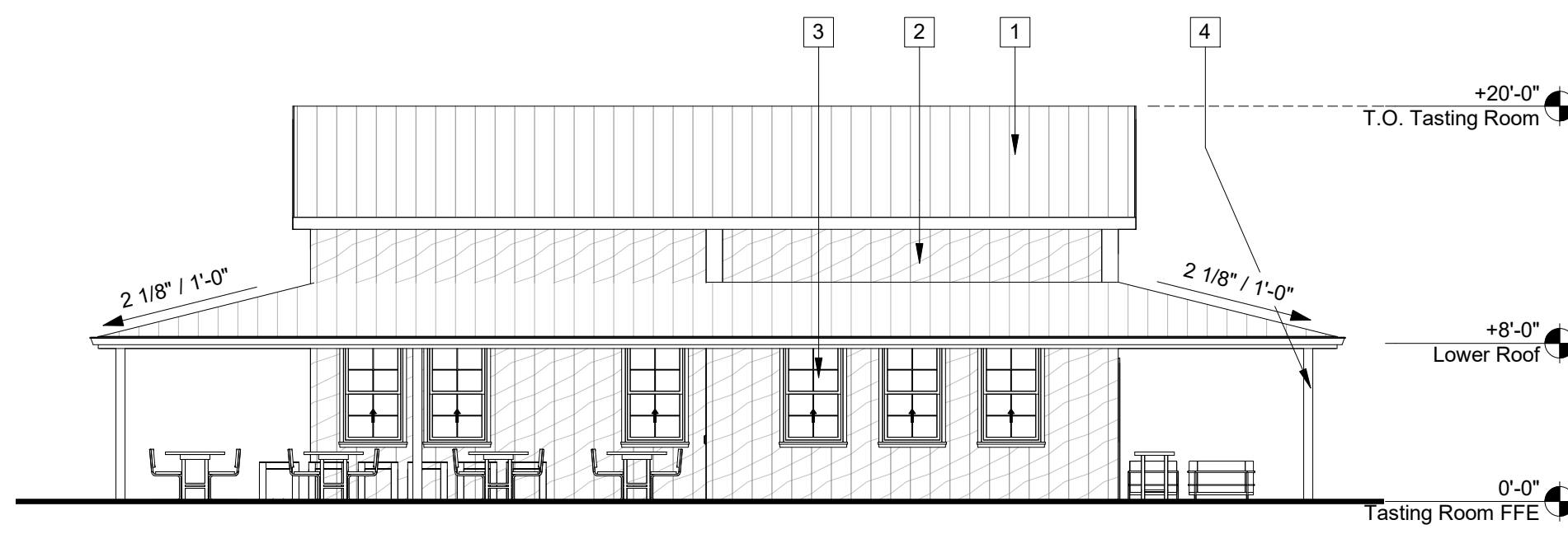
1) Keynotes apply to this sheet only.

Keynotes

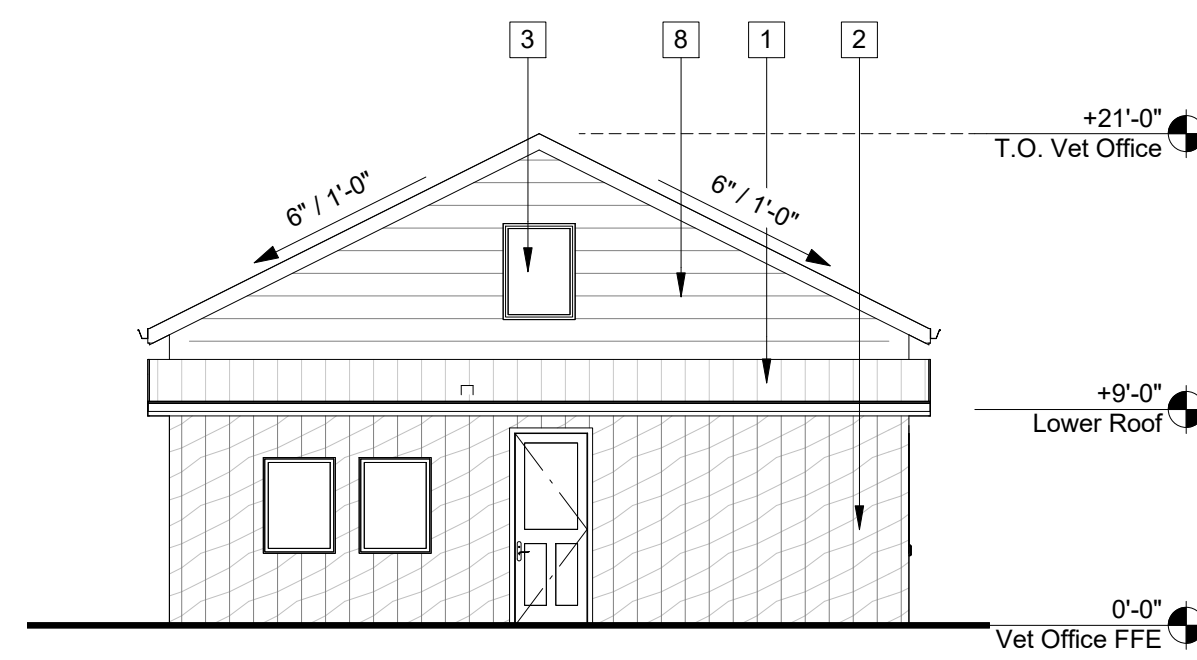
- 1 Standing seam metal roof, typ.
- 2 Vertical wood siding, typ.
- 3 New window, typ.
- 4 New column, typ.
- 5 New door, typ.
- 6 Furniture by Owner, typ.
- 7 New sliding glass wall, typ.
- 8 Horizontal wood siding, typ.



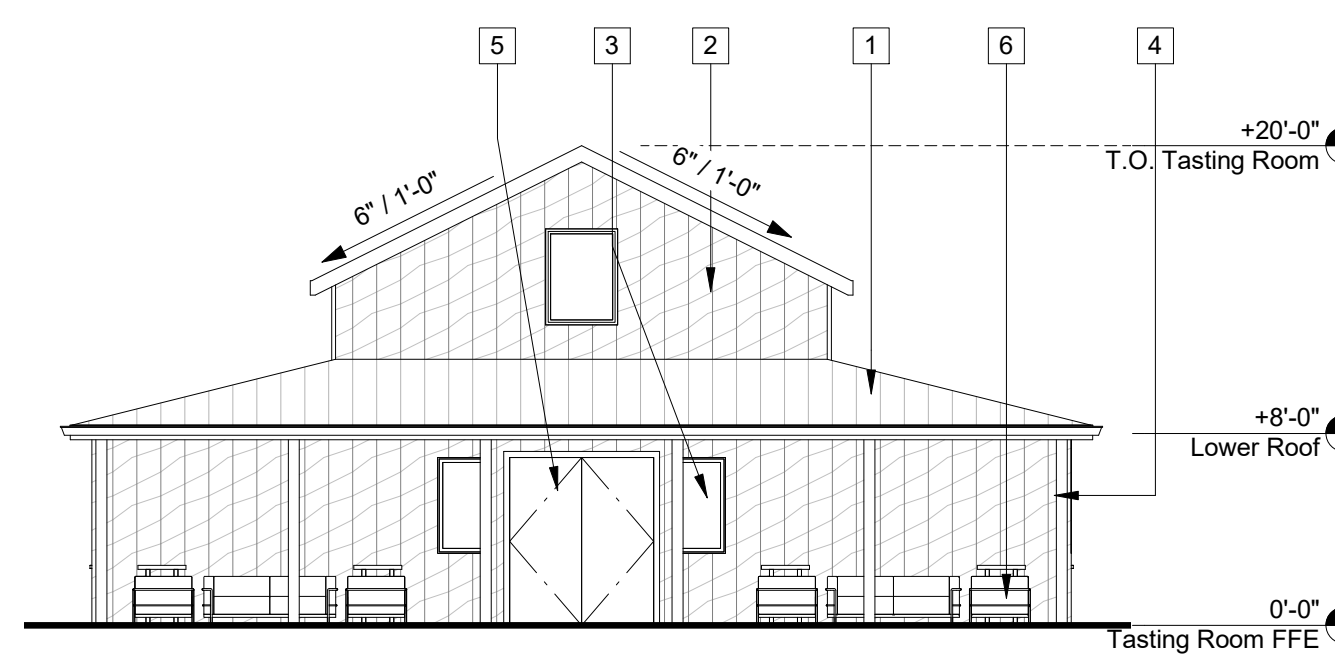
8 (P) Vet Office - West
1/8" = 1'-0"



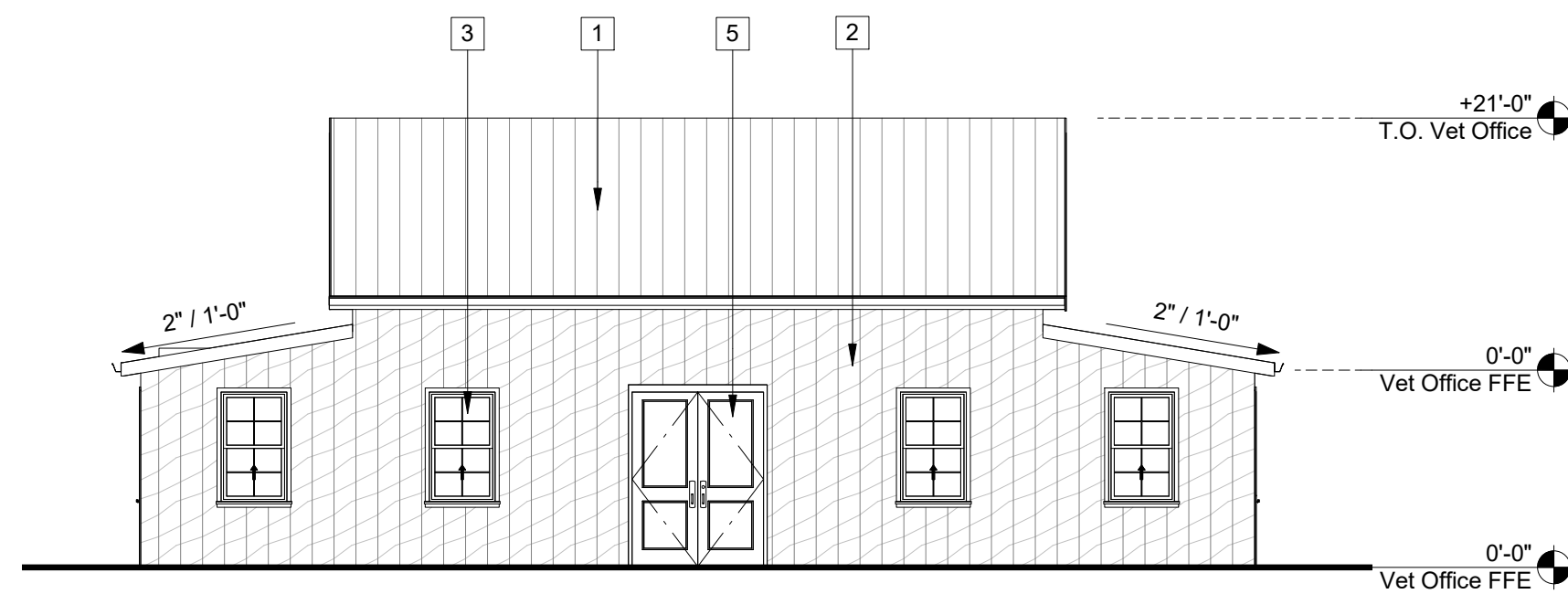
4 (P) Fruit Stand + Tasting Room - West
1/8" = 1'-0"



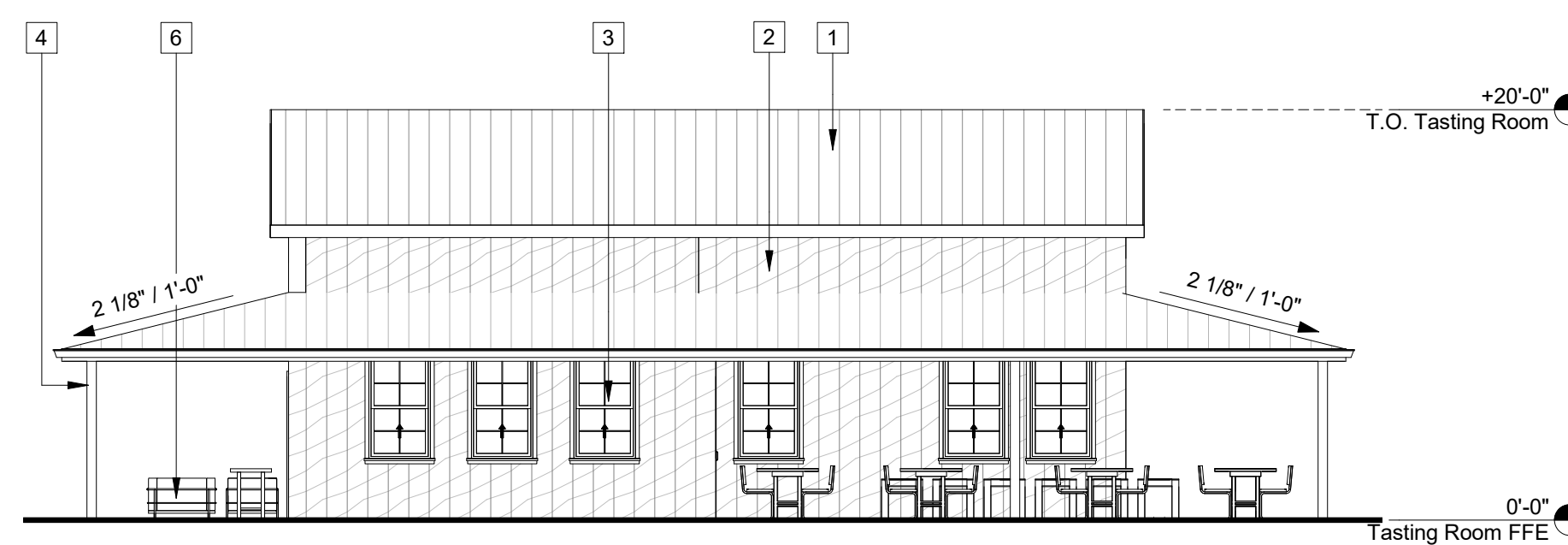
7 (P) Vet Office - South
1/8" = 1'-0"



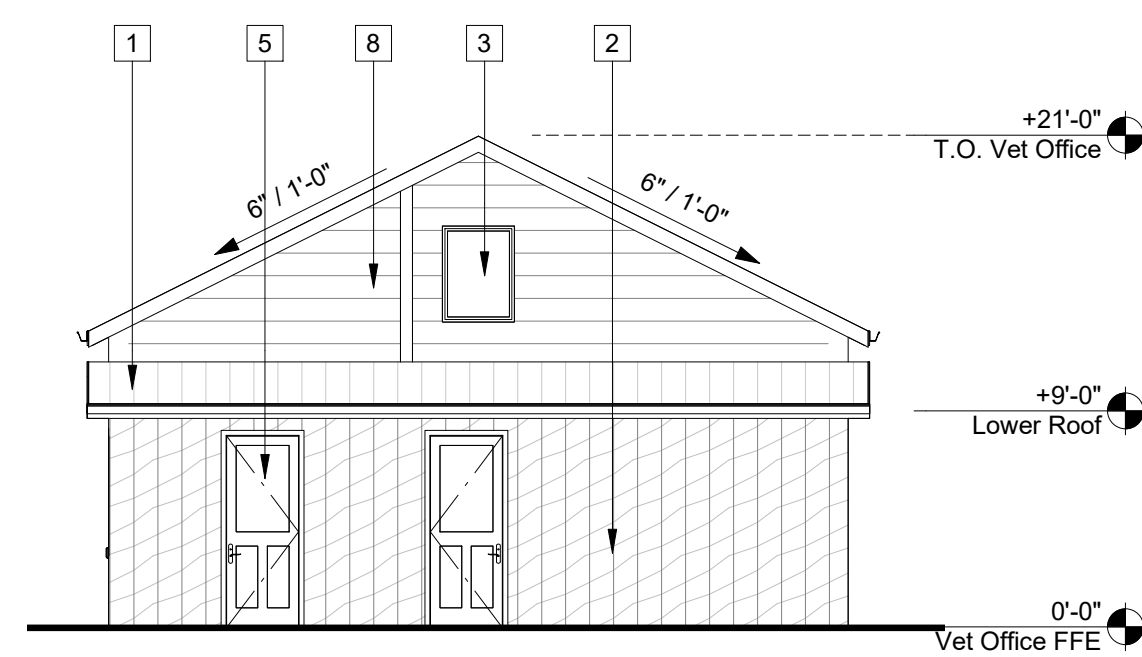
3 (P) Fruit Stand + Tasting Room - South
1/8" = 1'-0"



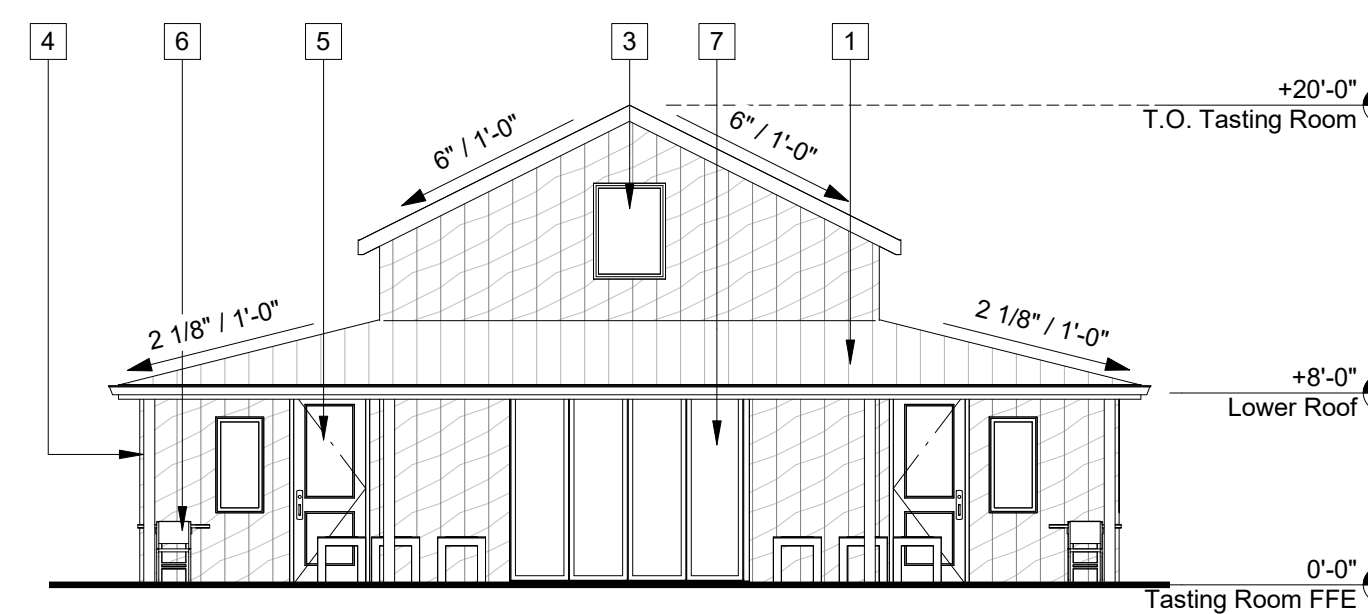
6 (P) Vet Office - East
1/8" = 1'-0"



2 (P) Fruit Stand + Tasting Room - East
1/8" = 1'-0"



5 (P) Vet Office - North
1/8" = 1'-0"

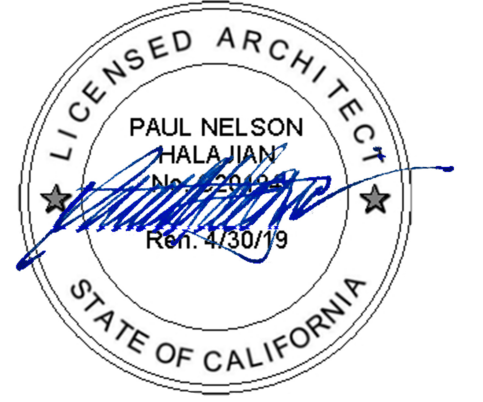


1 (P) Fruit Stand + Tasting Room - North
1/8" = 1'-0"

PH

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PROJECT:
Jerry Cook
Academy Homestead Ranch
 13305 Tollhouse Road, Clovis, CA, 93619
SHEET: Elevations

DRAWING SET INFORMATION:

| | |
|----------|-----------------------|
| 05.13.21 | CUP Submittal Package |
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REVISIONS:

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PROJECT NUMBER:
2020-49

SHEET NUMBER:
A305

EXHIBIT 6

Operational Statement

Academy Homestead Ranch
13305 Tollhouse Road
Clovis, CA 93619

Last Updated: 12-22-2022

Nature of the Operation:

Stephanie Say, of Paul Halajian Architects, on behalf of Jerry Cook, is requesting approval of a Conditional Use Permit (CUP) for the development and operation of a 10 acre "High Intensity Park" on 40.36 + 1.62 acre parcels called Academy Homestead Ranch (AHR) in Academy, California. The applicant also owns a total of 105 contiguous parcels in the immediate area, but they are not included in this scope of work. Full buildout includes an event center that will be used for weddings, fundraisers, corporate retreats and private parties, as well as a veterinary office and fruit stand/wine tasting room, which are ancillary uses to the proposed event center and are allowed by-right as outlined below. The latter uses will act as an eco-tourism destination, representing Fresno County's abundant agriculture for locals and tourists alike.

Operations:

Project includes new construction of an event venue that will be used for weddings, fundraisers, and the like. Events will be held year-round, with a maximum of 500 guests per event. The quantity of events shall be limited to 40 events annually and 3 events per week. Hours of operation for events will be 10am to 10pm for amplified operations and 11pm for guests to depart the facility. The hours of operation will be included within any contracts between the parties and the facility.

On non-event days, very little visitor traffic is anticipated. 168 total parking stalls with permeable surfacing will be provided for employees, clients and their guests, which complies with the County Municipal Code requirements for the proposed use.

Existing buildings to be used include: the existing house for the wedding party getting ready and smaller retreats; garage for vehicle and tool storage; shed for food service area/catering touch-down space; existing barn for owner's storage, not accessible to guests; and tank house to be used for valet office during events.

Proposed buildings include: new barn event center, with assembly area for guests, restrooms, outdoor catering kitchen, bar and storage areas as needed, and an office for a venue manager; guard house which will be manned only during events to monitor entry and guide visitors to event locations; restroom building will provide facilities and janitor/storage for outdoor events; bunk house will provide an additional space for wedding party getting ready and smaller retreats.

In addition to the entrance guard, on-site security will be provided per requirements of contracted Alcohol Beverage Control (ABC) license holders during events. Security guards may also be contracted during events to assure a safe and enjoyable experience for all guests and employees.

Proposed as a separate, incidental use is a small veterinary office and fruit stand/tasting room, which act as by-right agricultural eco-tourism functions clearly secondary and incidental to the primary agricultural operations on site (oat hay farming and cattle ranching). They will be operated independently from each other and the event center. The veterinary office will be open 5 days a week from 7am-5pm, and the fruit stand will be open 7 days a week, from 10am-6pm.

The facility will operated per noise and lighting standards as well other operational standards per the County General Plan, Zoning Ordinance, and CEQA Mitigation Measures. Sound levels will be voluntarily monitored to assure that peak noise remains within the County's standards.

Operational Statement

Academy Homestead Ranch
13305 Tollhouse Road
Clovis, CA 93619

Last Updated: 12-22-2022

Number of employees

For full buildout, up to (6) full time permanent employees of AHR will be necessary. Temporary event staff will be added as needed for catering, serving, photography, florals, etc. not to exceed (28) people. [Catering/serving (8), Photography (3), DJ (2), Florals (2), Coordinator (2), Videography (2), Bartending (5), Misc. (4)]

No live-in property caretaker is anticipated at any phase of the project.

Service and delivery vehicles?

Service vehicles will be limited to gator type riding vehicles. All AHR employees will provide their own transportation to and from the venue. During events, there will be catering trucks/trailers, food trucks, delivery vehicles for furniture and décor rentals, tables and chairs, luxury toilets, etc. They will be limited to (6) per event on-site at any given time.

Access to the site is provided currently via a single private unpaved driveway. The applicant is proposing to re-surface the existing drive with compacted and graded decomposed granite. Automatic security gates will be added to prevent uninvited visitors and a guard house will be staffed for large events.

On-site roads leading to the trash disposal area are sized to accommodate trash vehicle access and turnaround. Fire access, including width and turnaround will also be provided on site to existing and new buildings as required by the CalFire.

Number of parking spaces for employees, customers and service/delivery vehicles:

(28) employee parking stalls provided near the existing house. These will consist of permeable drive aisles and parking stalls to reduce stormwater runoff.

(74) guest stalls provided at parking area with permeable surfacing.

(42) overflow stalls provided at parking area with permeable surfacing.

(10) stalls provided at veterinary office with permeable surfacing.

(14) stalls provided at the fruit stand/tasting room with permeable surfacing.

(9) decomposed granite or mowed hay RV parking stalls provided near proposed bunk house.

Total = (168) stalls provided for (534) employees/guests.

County Municode requires (1) stall per (40) sf of assembly area, plus (1) stall for every (2) permanent employees. [FCMC 855-1.2.B] See the attached plans for further breakdown.

Loading zones are not required for the current zoning, but are anticipated to be used, so (3) are provided near the proposed bar, existing house, and veterinary office. A portion of the stalls listed above will be designated as ADA, clean-air vehicle and EV charging as required by code.

As a rural site, no visitor bicycle traffic is anticipated, but bicycle parking facilities will be provided for guests to use. Bicycle rental may be provided as a future amenity for guests.

Operational Statement

Academy Homestead Ranch
13305 Tollhouse Road
Clovis, CA 93619

Last Updated: 12-22-2022

Are any goods to be sold on-site?

As a part of the primary event center function, no goods are planned to be sold on-site. Services will be provided like facility rental, event planning, technical assistance, security and valet parking. All food, drinks, and products will be provided by outside vendors. Catering and outdoor kitchens are provided for vendors' use.

For the fruit stand/tasting room, products will be grown both on and off site. They will consist of fresh fruits, vegetables, dry goods and wine, with an emphasis on locally grown and manufactured agricultural products.

What equipment is used?

No additional equipment is required to service the proposed uses outside of standard property and yard maintenance tools.

What supplies or materials are used, how are they stored?

Since there are very few goods being produced on site, the supplies/materials are minimal. Fruit grown on site will be hand harvested due to the small quantity.

Does the use cause an unsightly appearance?

All proposed structures are planned to be compatible with the existing architecture and character already on the site. They will be agrarian in nature, resembling barns or out-buildings to enhance the character of the site while providing modern amenities like energy efficiency.

As an event center, some gathering noise is expected to be generated. For this reason, several voluntary measures have been implemented such as a double row of evergreen trees along the east property line, orienting the barn to reflect sound into the site rather than towards adjacent properties and concentrating event areas in the center of the parcel, which is surrounded by a total of 105 acres owned by the Applicant. In addition, AHR staff will be present during all events to voluntarily monitor noise with digital technology to enforce rules for guests as outlined in client rental agreements.

All exterior lighting will be shielded type, so that light pollution is kept to a minimum and safety is still achieved for guests and visitors. Exterior lighting will be zoned and monitored to minimize energy use and light pollution to neighboring properties. Daylight will be used wherever possible to light interior spaces, but will be supplemented with code-compliant lighting.

Dust will be mitigated with decomposed granite drives and parking areas, which can be re-wetted when necessary to control dust generated by vehicular travel. Landscaping is mainly to be left as natural vegetation. In minimal areas like planter beds and parking islands, it may include drought-tolerant and low-maintenance, native species.

No odors are anticipated to be generated within the proposed uses.

List any solid or liquid wastes to be produced.

Trash and recycling facilities are provided near the existing garage, within a CMU block enclosure.

All solid waste will be serviced by Granite Solid Waste. It will be collected after each event and at regular intervals as needed. It is estimated that the maximum quantity will be 2 cubic yards per week (8 cubic yards per month), of which at least half are expected to be recyclable. The proposed uses will not cause odor or hazardous waste.

Operational Statement

Academy Homestead Ranch
13305 Tollhouse Road
Clovis, CA 93619

Last Updated: 12-22-2022

All (5) existing restrooms are served by (2) septic tanks and leach fields on-site. As new restrooms are constructed, new engineered septic systems will also be included. All septic systems will be located 100 feet minimum from current or planned wells, and will conform to other regulatory requirements.

Estimated volume of water to be used – gallons per day?

There are two existing wells on the property. One 6" with variable frequency drive pump near the (E) tank house, and one 8" with standard pump near the east property line. Additional wells will be drilled as needed to provide water for the proposed uses. It is estimated that 150 gallons per event will be used maximum, and between 400 to 1,000 gallons per month. Test wells will be drilled prior to installation to confirm adequate water supply and well location.

Describe any proposed advertising including size, appearance and placement.

The only signage visible from off-site will be two directional signs at either side of the existing driveway. They will provide wayfinding for guests, along with a 30' restored historic windmill to mark the entry point along Tollhouse Road. Primary signage to the south (for guests arriving from Fresno and surrounding areas) will be lighted directional signage to guide visitors to the entry road. Signage to the north will be non-lighted secondary directional signage. All signage will comply with size and location requirements as set out in the County Municipal Code.

Will existing buildings be used, or will new be constructed?

Existing buildings on the site include a 3,000 sf house, 600 sf garage, 700 sf shed, 1,650 sf barn, 500 sf stable, and 100 sf tank house. All structures appear to have been built between 1930 and 1950. Some have been tastefully renovated to update while preserving character.

Proposed structures include: (1) 6,000 sf Barn to be used as an event center, (1) 200 sf guard house, (1) 600 sf restroom building, (1) 3,000 sf bunk house, (1) 1,200 sf fruit stand/tasting room, and (1) 1,500 sf veterinary office.

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

For existing structures: The existing house will be used as an amenity for guests to get ready, stay overnight or host small gatherings/retreats. It is incidental use to the primary event center. The garage will be used for vehicle and tool storage as well as a bar service area during events. The shed will be used for vehicle and tool storage as well as a food service area during events. The existing barn will be used for storage and not accessible to guests. The stable will be used for horse-drawn carriage unloading. The tank house is already remodeled and will serve as a valet office during events.

The proposed barn event center will include an assembly area for guests, restrooms, an outdoor catering kitchen, bar and storage areas as needed. It will also include a small office for the full time site manager, and will function as a place for potential clients to come and view the site, plan events with the coordinator, and sign documents.

The guard house will be constructed in a similar character to the existing remodeled tank house and will be manned only during events to monitor and guide visitors to the venue. The restroom building will be above and beyond the code minimum restroom facilities, but will be provided as a convenience for outdoor gatherings. It will include a small janitor closet and storage for maintenance and tools. The bunk house will be of similar size and character to the existing guest house and will serve a similar purpose.

The veterinary office and fruit stand/tasting room will also be constructed in a farmhouse, agrarian style to match other existing and proposed structures. They will both be independently operated from the event center. The

Operational Statement

Academy Homestead Ranch
13305 Tollhouse Road
Clovis, CA 93619

Last Updated: 12-22-2022

veterinary office will be open 5 days a week, from 7am-5pm. This use is permitted with Director Review and Approval for the existing AE zone designation. [FCMC 816.2, Item K].

The fruit stand/tasting room will be open 7 days a week, from 10am-6pm. These uses (agricultural eco-tourism and minor winery) are permitted by right for the existing AE zone designation. [FCMC 816.1, Item Z]. All of the proposed uses are "clearly secondary and incidental" to the working agricultural operation of oat hay farming. These uses will comply with all requirements as listed in the Municipal Code, including but not limited to: 100 trips per day, access from a county road within ¼ mile, adequate parking, 10,000 gallons maximum annual production, 25% min of the grapes used to be grown on site, and 75 max public tasting days per year. See FCMC 855-N-2 and 855-N-38-C for more information.

Will any outdoor lighting or outdoor sound amplification be used?

Outdoor lighting will be used as needed to provide safety and egress for visitors and to accent landscape and structures. All fixtures will be shielded type and directed downward to prevent light pollution towards neighboring properties.

Sound amplification may be used during outdoor wedding ceremonies, receptions and events. It will be controlled to end before 10pm to comply with Municode requirements.

In addition, the barn event center and immediate adjacent outdoor grass area has been oriented to reflect sound back into the site rather than towards other neighbors. This use has been concentrated to the middle of the site, at least 500 feet away from the closest property line.

Landscaping or fencing proposed?

The existing site has a variety of natural features that will be retained and preserved to the maximum extent feasible. Development will be concentrated and those immediate areas will be landscaped with drought tolerant, native species. Minimal fencing will be provided at various areas to screen equipment from public view. This property is a part of the Williamson Act, and will comply with any requirements to maintain that status, including the preservation of existing oat hay farming where possible.

Any other information that will provide a clear understanding of the project or operation?

Academy Homestead Ranch (AHR) will be differentiated from other event centers because of the pursuit of a Conditional Use Permit (CUP) prior to starting the event center. Visitors will be encouraged to stay in the area and will be provided with hotels, restaurants and activities to contribute to local economic development.

Academy Homestead Ranch (AHR) is dedicated to giving back to the community. Three events annually will be hosted pro-bono to local non-profit organizations to facilitate fundraising for their charities. The design team will also include a local team of architects, engineers and contractors, and priority will be given to employ Veterans in the private sector. This will provide opportunities for Veterans to enter the service industry with potential for full time employment.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Jerry Cook

APPLICATION NOS.: Initial Study No. 8081 and Unclassified Conditional Use Permit
Application No. 3713

DESCRIPTION: Allow a high intensity park with related improvements for weddings, fundraisers, corporate retreat, and private parties, including a veterinary office and a fruit stand/wine tasting room, on approximately 10-acre portion of a 43.94-acre parcel and a 1.62-acre parcel totaling 45.56 acres in the AE- 40 (Exclusive Agricultural; 40-acre minimum parcel size) Zone District.

At the time this application was made and processed the subject parcel was a 43.94-acres in size which was prior to the approval of Parcel Line Adjustment (PLA) No. 21-14 on December 15, 2021, and recordation of the associated Certificate of Compliance on February 7, 2022. The parcel is now legally a 52.91-acre parcel. While staff acknowledges the parcel size has legally changed, the entire existing and proposed improvements lie within the footprint of the original 43.94-acre configuration, and for purposes of consistency and not wanting to confuse the public and reviewers the project site is being referred to by its original application size of 43.94 acres.

LOCATION: The project site is located on the east side of Tollhouse Road (State Route 168), approximately 4.7 miles northeast of the City of Clovis (APNs: 150-141-24, 150-141-19) (13305 Tollhouse Road) (Sup. Dist. 5).

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The 45.56 acres project site is developed with a single-family residence and related improvements and is surrounded by open field with sparse single-family residences. There is no active farmland in the vicinity of the project. A *Historic Resources Assessment (Study)* was conducted by LSA Associates, Inc., and dated April 2022 on a 43.94-acre parcel developed with six historic-period (50 years of age or older) buildings (residence, garage, barn, shed, stable, and tank house) to determine whether the proposed project would cause substantial adverse changes to

any historical resources that may exist in the project area. Per the study, throughout the various avenues of research, no historic resources were encountered within or adjacent to the project area. The project will have no impact regarding historic period-built environment resources. Also, there are no scenic vistas or qualitative scenic resources including trees, rock outcroppings in the area that could be impacted by the subject proposal.

The project site borders with Tollhouse Road (State Highway 168) which is identified as Scenic Highway in the Open Space and Conservation Element of Fresno County General Plan. General Plan Policy OS-L.3 requires commercial developments adjacent to scenic drives provide for maintenance of a natural open space area 200 feet in depth parallel to the road right-of-way. The applicant has requested relief from the strict application of this policy as provided for under the provisions for exceptions. Considering the very limited percentages of structures that would encroach into the setback the project is deemed compliant with the policy and would not have an appreciable impact on the aesthetics of the area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing improvements on a 43.94-acre parcel include a 3,000 square-foot single-family residence, 600 square-foot garage, 700 square-foot shed, 1,560 square-foot barn, 500 square-foot stable, and a 100 square-foot tank. These improvements will be used in conjunction with the proposed improvements which include the barn converted into an event center, 200 square-foot guard house, 600 square-foot restroom building, 3,000 square-foot bunk house, 1,200 square-foot fruit stand/tasting room, a 1,500 square-foot veterinary office, parking and related improvements.

The surrounding land uses are residential with no farming in the immediate vicinity. Parcels to the north and east of the proposal are developed with single-family homes and parcels to the south and west are undeveloped. The proposed improvements will be set back at an adequate distance from Tollhouse Road (State Route 168) and the residential improvements to the east of the proposal. Given these setbacks, the project will have a less than significant visual impact for travelers on SR 168, or people residing on adjacent parcels.

- D. 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:

Any outdoor lighting if installed for the project has the potential of generating glare in the area. To minimize such impacts, a mitigation measure would require that all lighting

shall be hooded and directed downward 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

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

The project is not in conflict with agricultural zoning and is an allowed use on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. The project site is classified as Grazing Land and Rural Residential Land on the 2016 Fresno County Important Farmland Map suitable for residential development and grazing of livestock. The subject 43.94-acre parcel is restricted by a Williamson Act Land Conservation Contract (No. 6179) with soils classified as Non-Prime per the California Department of Conservation (DOC) Fresno County Important Farmland Map. Approximately 33.94-acre balance of the subject 43.94-acre parcel not subject to cancellation is not eligible to remain enrolled in the Williamson Act Program and shall be removed from the Program through the Nonrenewal process.

The applicant has filed Nonrenewal application with the Policy Planning Section of the Department of Public Works and Planning. The application is currently in-process for consideration by the Agricultural Land Conservation Committee.

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

- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

The project is not in conflict with the existing AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) zoning on the subject parcels and is not located in an area designated for timberland or zoned for timberland production. No forests occur in the vicinity; therefore, no impacts to forests, conversion of forestland, or timberland zoning would occur.

The Fresno County Agricultural Commissioner's Office reviewed the proposal and offered 'No Comments' on the project.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project specific annual emissions from construction and operation emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NO_x), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SO_x), 15 tons per year of particulate matter of 10 microns or less in size (PM₁₀), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM_{2.5}).

Additionally, as noted by SJVAPCD a Health Risk Screening/Assessment and Ambient Air Quality Analysis shall be completed as the project may be subject to District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review), ATC (Authority to construct) and PTO (Permit to Operate Permit). An Air Impact Assessment (AIA) application shall be filed to demonstrate project's compliance with District Rule 9510, prior to the issuance of building permits.

An *Air Quality and Greenhouse Gas Analysis Memorandum* (Analysis) was prepared for the project by LSA Associates, Inc., dated March 28, 2022, and provided to SJVAPCD for comments on May 24, 2022. No response was received from SJVAPCD.

Per the *Air Quality and Greenhouse Gas Analysis Memorandum*, an air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a nonattainment area. The main purpose of the air quality plan is to bring

the area into compliance with the requirements of the Federal and State air quality standards.

The California Environmental Quality Act (CEQA) requires that certain proposed projects be analyzed for consistency with the applicable air quality plan. For a project to be consistent with SJVAPCD air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. In addition, emission reductions achieved through implementation of offset requirements are a major component of the SJVAPCD air quality plans. As discussed in III. B. below, construction of the proposed project would not result in the generation of criteria air pollutants that would exceed the SJVAPCD thresholds of significance. Implementation of Regulatory Control Measure also noted in III. B. below would further reduce construction dust impacts. Likewise, the operational emissions associated with the project would not exceed SJVAPCD established significance thresholds. Therefore, the proposed project would not conflict with or obstruct implementation of SJVAPCD air quality plans.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project area is within the San Joaquin Valley Air Basin (SJVAB) which consist of eight counties that comprise the San Joaquin Valley Air Pollution Control District.

The primary pollutants of concern during project construction and operation are ROG, NO_x, CO, PM₁₀, and PM_{2.5}. The San Joaquin Valley Air Pollution Control District (SJVAPCD) *Guidance for Assessing and Monitoring Air Quality Impacts (GAMAQI)* adopted in 2015 contains threshold for CO, NO_x, ROG, SO_x PM₁₀ and PM_{2.5}. The SJVAPCD's annual emission significance thresholds used for the project define the substantial contribution for both operational and construction emissions per year are 10 tons for ROG, 10 tons for NO_x, 100 tons for CO, 27 tons for SO_x, 15 tons for PM₁₀ and 15 tons for PM_{2.5}.

Per the *Air Quality and Greenhouse Gas Analysis Memorandum*, the construction emissions (tons per year) associated with the project are 0.6 for ROG, 4.6 for NO_x, 5.5 for CO, 0.1 for SO_x, 1.3 for PM₁₀ and 0.5 for PM_{2.5} which are less than the threshold of significance. Likewise, the operational emission (tons per year) over the life of the project, primarily from mobile sources, are 0.35 for ROG, 0.66 for NO_x, 2.00 for CO, 0.26 for PM₁₀ and 0.07 for PM_{2.5} which are less than the threshold of significance. In addition to the construction-period thresholds of significance, the SJVAPCD has implemented Regulation VIII measures for dust control during construction which are intended to reduce the amount of PM₁₀ emissions during the construction period. Implementation of the following requirements would ensure that the project complies with Regulation VIII and ensures the short-term construction-period air quality impacts remain less than significant.

Consistent with San Joaquin Valley Air Pollution Control District Regulation VIII (Fugitive PM₁₀ Prohibitions), the following measures shall be implemented for dust control during construction:

1. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
2. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
3. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
4. When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
5. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
6. *Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emission utilizing sufficient water or chemical stabilizer/suppressant.*

Based on the construction emissions analysis above, the project would not exceed the significance criteria for annual ROG, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} emissions. Therefore, construction of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable Federal or State Ambient Air Quality Standards.

The long-term operational emissions are associated with mobile source emissions employee, delivery, catering trucks and guest trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment) associated with the proposed project.

Per the *Air Quality and Greenhouse Gas Analysis Memorandum*, operational emissions (tons per year) associated with the project are: 0.2 for ROG, 0.1 for NO_x, 0.3 for CO, 0.1 for SO_x, and 0.1 for PM₁₀ and PM_{2.5} which are less than the threshold of significance. Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State Ambient Air Quality Standards.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units. The closest sensitive receptors to the project site include single-family residences located adjacent to the north and east borders of the project site.

Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel fueled vehicles and equipment). However, construction contractors would be required to implement dust control measure described in Section III. B. above. Project construction pollutant emissions would be below the SJVAPCD significance thresholds, and with implementation of dust control measure, emissions would be further reduced. Once the project is constructed, it would not be a source of substantial pollutant emissions. Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction and operation.

D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has not established a rule or standard regarding odor emissions; rather, SJVAPCD nuisance Rule 4102 (Nuisance) requires that any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

Per the *Air Quality and Greenhouse Gas Analysis Memorandum*, during project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed project would not include any activities or operations that would generate objectionable odors and, once operational, the project would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES

Would the project:

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

- B. 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 or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project was routed to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for comments. The USFWS did not provide any comments. However, the comments provided by CDFW on June 7, 2021, indicated that there are several special-status resources that may utilize the project site and may need to be evaluated and addressed prior to any ground-disturbing activities. This includes special-status species the State threatened Swainson's hawk, the Federally and State threatened California tiger salamander, and the State species of special concern western pond turtle, American badger, burrowing owl, and western spadefoot. To reduce impact to special-status species, CDFW require the implementation of several Mitigation Measures as noted below.

A *Biological Resources Evaluation* (BRE) was prepared for the project by LSA Associates, Inc., and dated April 2022. Based on field observations and habitat suitability analysis, BRE determined that the project could potentially impact four regionally occurring special-status wildlife species (California tiger salamander, spadefoot toad, burrowing owl and pallid bat). The BRE also determined that the project has a low potential to impact San Joaquin kit fox and Swainson's hawk and is not anticipated to impact any special-status plant species, migratory corridors, natural communities of concern, or other habitats of concern. The BRE was circulated to CDFW and USFWS, but no response received by either agency.

Given the presence of potential habitat (i.e., grasslands interspersed with burrows and vernal pools/ponds) within and adjacent to the project site, ground-disturbing activities have the potential to significantly impact local populations of California tiger salamander (CTS). To evaluate potential impacts to CTS, the project shall adhere to the following mitigation measures:

* **Mitigation Measures:**

1. A qualified biologist shall conduct protocol-level surveys in accordance with the U.S. Fish and Wildlife Service (USFWS) "*Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander October 2003*" at the appropriate time of year to determine the existence and extent of California Tiger Salamander (CTS) breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with the California Department of Fish and Wildlife (CDFW) and the USFWS is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. The protocol-level survey shall include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS.

2. If California Tiger Salamander (CTS) protocol-level surveys are not conducted, a minimum 50-foot no-disturbance buffer shall be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the Project site. Furthermore, potential or known breeding habitat within and/or adjacent to the project site shall be delineated with a minimum 250-foot no-disturbance buffer. These surveys are repeated any time the disturbance area of the Project expands or there is the potential to eliminate small mammal burrows. Alternatively, the applicant can assume presence of CTS within the project site and obtain from CDFW an Incidental Take Permit (ITP) in accordance with Fish and Game Code section 2081 subdivision (b).
3. If through surveys it is determined that CTS are occupying or have the potential to occupy the project site, consultation with CDFW is warranted to determine if the project can avoid Take. If 'Take' cannot be avoided, Take authorization would be warranted prior to initiating ground-disturbing activities to comply with California Endangered Species Act. Take authorization would occur through the acquisition of an Incidental Take Permit (ITP) from CDFW, pursuant to Fish and Game Code section 2081 subdivision (b). In the absence of protocol surveys, the applicant can assume presence of CTS within the project site and obtain an ITP from CDFW.

Because suitable habitat for Swainson's hawk (SWHA) is present within and near the project site, the project shall adhere to the following mitigation measures:

* **Mitigation Measures:**

1. A qualified wildlife biologist shall conduct surveys for nesting Swainson's hawk (SWHA) following the survey methods developed by the *Swainson's hawk Technical Advisory Committee (SWHA TAC, 2000)* prior to project implementation. The survey protocol includes early season surveys to assist the project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities.
2. If expansion of any project activities will take place during the normal bird breeding season (March 1 through September 15), additional pre-activity surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of the project implementation. A minimum no-disturbance buffer of one-half mile shall be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
3. In the event an active SWHA nest is detected during surveys and the one-half mile no-disturbance buffer around the nest cannot feasibly be implemented, consultation with CDFW is warranted to discuss how to implement the project and avoid Take. If Take cannot be avoided, Take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code

section 2081 subdivision (b) is warranted to comply with California Endangered Species Act.

The project site is bordered mainly by annual grassland. Subsequent ground-disturbing activities associated with the project have the potential to significantly impact local Burrowing Owl (BUOW) populations. To evaluate potential impacts to BUOW, the project will adhere to the following mitigation measures:

* **Mitigation Measure:**

1. A qualified biologist shall conduct a habitat assessment in advance of project implementation, to determine if the project area or its vicinity contains suitable habitat for BUOW.
2. A qualified biologist shall conduct surveys following the *California Burrowing Owl Consortium's "Burrowing Owl Survey Protocol and Mitigation Guidelines" (CBOC 1993)* and CDFW's Staff Report on *Burrowing Owl Mitigation" (CDFG 2012)*. Three or more surveillance surveys shall be conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (April 15 to July 15), when BUOW are most detectable.
3. A no-disturbance buffers, as outlined in the *"Staff Report on Burrowing Owl Mitigation" (CDFG 2012)*, shall be implemented prior to and during any ground-disturbing activities. Impacts to occupied burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

| Location | Time of Year | Level of Disturbance | | |
|---------------|----------------|----------------------|-------|-------|
| | | Low | Med | High |
| Nesting sites | April 1-Aug 15 | 200 m* | 500 m | 500 m |
| Nesting sites | Aug 16-Oct 15 | 200 m | 200 m | 500 m |
| Nesting sites | Oct 16-Mar 31 | 50 m | 100 m | 500 m |

The Project area is within the range of western spadefoot, contains suitable upland habitat (i.e., grasslands interspersed with burrows) and breeding habitat (i.e., vernal pools/ponds) nearby. As a result, ground-disturbing activities associated with the project have the potential to significantly impact local populations of western spadefoot, the project shall adhere to the following mitigation measures:

* **Mitigation Measures:**

1. A qualified biologist shall conduct focused surveys for western spadefoot and their requisite habitat features to evaluate potential impacts resulting from ground and vegetation-disturbance.

2. Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around burrows. If western spadefoot are observed on the project site, project activities in their immediate vicinity shall be ceased and individuals be allowed to leave the project site on their own accord. Alternatively, a qualified biologist with appropriate 'Take' authorization can move them out of harm's way and to a suitable location.

The project-related ground-disturbing activities have the potential to impact local populations of American badger. To evaluate potential impacts to any American badgers associated with the project, the project shall adhere to the following Mitigation Measures.

* **Mitigation Measures:**

1. A qualified biologist shall conduct a habitat assessment, well in advance of the project implementation, to determine if the project area or its immediate vicinity contain suitable habitat for the American badger.
2. If suitable habitat is present, a qualified biologist shall conduct focused surveys for American badgers and their requisite habitat features (dens) to evaluate potential impacts resulting from ground and vegetation disturbance.
3. Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around dens until it is determined through non-invasive means that individuals occupying the den have dispersed.

The project site is across Highway 168 to the east from Dog Creek (approximately 0.3-mile away) and Sales Creek (approximately 0.5-mile away). These features could provide potential Western Pond Turtle (WPT) habitat. To evaluate potential impacts to WPT, the project shall adhere to the following mitigation measure.

* **Mitigation Measure:**

1. A qualified biologist shall conduct focused surveys for Western Pond Turtle (WPT) ten days prior to the expansion of any Project activities beyond its current footprint. In addition, focused surveys for nests occur during the egg-laying season (March through August) shall be conducted and that any nests discovered remain undisturbed until the eggs have hatched. If any WPT are discovered at the site immediately prior to, or during project activities, they be allowed to move out of the area on their own.

The project contains and is adjacent to habitat that provides nesting habitat for birds. The project implementation shall occur during the bird non-nesting season. However, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the project shall adhere to the following mitigation measures:

* **Mitigation Measures:**

1. To evaluate project impact on nesting birds, a qualified wildlife biologist shall conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. Surveys shall cover a sufficient area (any area potentially affected by the project) around the project site to identify nests and determine their status.
2. Prior to initiation of project activities, a qualified biologist shall conduct a survey to establish a behavioral baseline of all identified nests. Once project activities begin, a qualified biologist shall continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, halt the work causing that change shall be halted and the California Department of Fish and Wildlife shall be consulted for additional avoidance and minimization measures.
3. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors shall be established. These buffers shall remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the project site would be concealed from a nest site by topography. A qualified wildlife biologist shall advise and support any variance from these buffers and notify California Department of Fish & Wildlife (CDFW) in advance of implementing a variance.

According to the *Biological Resources Evaluation* (BRE), all bats (including Pallid bats) are protected as non-game mammals under the Fish and Game Code, and maternity roosting sites are considered protected wildlife nursery habitats. A variety of native bat species could forage over or within the study area. However, bats are generally not vulnerable to construction-related mortality while foraging. Pallid bat may roost in hollow ornamental trees or in structures of the study area. Maternity roosts may occur within the ornamental trees or buildings, although suitable maternity roosting habitat is relatively limited. The BRE did not require any mitigation measure for Pallid bats.

- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the *Biological Resources Evaluation* (BRE), the project does not propose direct placement of fill material or modifications to existing on-site drainage features. Any project feature that would modify mapped drainage features (including culvert extensions or replacements) shall require permits from the United States Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and/or the Regional Water Quality Control Board (RWQCB). Prior to any modifications to identified

drainage features, the USACE, CDFW, and RWQCB shall be consulted for verification of the extent of waters of the State, waters of the United States and California Fish and Game Code Section 1602 jurisdiction on the project site.

- D. 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:

According to the *Biological Resources Evaluation* (BRE), the wildlife species that occur in the vicinity of the project site are adapted to the urban-wildland interface, and the proposed project would not introduce new effects to the area. The noise, vibration, light, dust, or human disturbance within construction areas would only temporarily deter wildlife from using areas in the immediate vicinity of construction activities. These indirect effects could temporarily alter migration behaviors, territories, or foraging habitats in select areas. However, because these are temporary effects, it is likely that wildlife already living and moving in proximity of agricultural and rural residential/ developed areas would alter their normal functions for the duration of the construction of the proposed project, and then re-establish these functions once all temporary construction effects have been removed. The project would not place any permanent barriers within any known wildlife movement corridors or interfere with habitat connectivity. As such, the project will have a less than significant impacts to migratory fish or wildlife species.

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

FINDING: NO IMPACT:

The project site contains a few trees within the area of the existing improvements which will likely remain undisturbed by the proposed development. The project is not in conflict with the Fresno County Oak Management Guidelines – Policy OS-F.11.

- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project site is located within the Pacific Gas and Electric (PG&E) Habitat Conservation Plan, which specifically applies to PG&E facilities and not the subject proposal.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project site is within an area moderately sensitive to historical, archeological, or paleontological resources. A record search conducted by the Southern San Joaquin Valley Information Center (SSJVIC) revealed that the project area was last surveyed in 1994 and cultural resources were not found. However, based upon the known archaeological sensitivity of the region, prehistoric or historic cultural resources may be present within the project site. The SSJVIC recommends that an archaeological survey of the property shall be completed.

A *Phase I Archeological Survey Study* (Study) was prepared by LSA Associates, Inc and dated March 28, 2022. The Study, consisting of background research and a field survey, did not identify archaeological deposits or human remains on the project site. According to the Study, while the project site has been previously surveyed for archaeological resources, no subsurface studies have been conducted, and a creek runs through the project site. Additionally, the proximity of the historic-period Academy Post Office site and the Native American habitation site to the project site and the presence of historic-period buildings within the project site suggest a moderate potential for subsurface archaeological resources within the project site. For these reasons, the Study suggested that a professional archaeologist should be contracted to supervise an archaeological monitor in observing ground-disturbing work for any archaeological deposits and/or human remains. If any such resources are discovered, the monitoring archaeologist shall stop work in the immediate area of the find and contact an archaeologist to assess the nature of the find. Upon completion of monitoring activities, the archaeologist should prepare a report to document the methods and results of monitoring activities and submit to the SSJVIC. If human remains are encountered during project work, the regulatory process outlined in Health and Safety Code Section 7050.5 shall be followed, which involves coordination with the Native American Heritage Commission and a Native American Most Likely Descendant.

Per the discussion above and in Section XVIII TRIBAL CULTURAL RESOURCES below, in the unlikely event that cultural resources are unearthed during ground disturbance, the project shall adhere to the following mitigation measures to ensure that impacts to such cultural resources remain less than significant.

* **Mitigation Measures:**

1. *A qualified professional archaeologist shall be contracted to supervise an archaeological monitor in observing ground-disturbing work for any archaeological deposits and/or human remains.*

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

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development would result in less than significant consumption of energy (gas, electricity, gasoline, and diesel) during construction or operation of the facility. Construction activities and corresponding fuel energy consumption would be temporary and localized. There are no unusual project characteristics that would cause the use of construction equipment to be less energy efficient compared with other similar construction sites in the County. Therefore, construction-related fuel consumption by the project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the area.

- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project development would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

All construction activities would comply with the 2019 Building Energy Efficiency Standards. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the County would review the design components of the project's energy conservation measures when the project's building plans are submitted. These measures could include insulation; use of energy-efficient heating, ventilation and air conditioning equipment (HVAC); solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; and other measures.

VII. GEOLOGY AND SOILS

Would the project:

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

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?
4. Landslides?

FINDING: NO IMPACT

According to the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is not located on an identified earthquake fault zone. The EQ Zapp shows that the nearest earthquake fault is approximately 56 miles northeast of the project site. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Construction of the proposed project will be subject to seismic design standards.

Figure 9-5 of Fresno County General Plan Background Report (FCGPBR) describes the Peak Ground Accelerations (PGA) values that have a 10 percent probability of being exceeded in 50 years. The project is in an area with 0-20 percent of PGA, which is the lowest impact range available on the map.

Figure 9-6 of FCGPBR shows that the project site is outside of those areas of moderate or high landslide hazard and those areas of shallow or deep subsidence.

- B. Result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The site grading resulting from the proposed development may result in some soil erosion or loss of topsoil. However, the loss would be less than significant in that a Project Note would require approval of an Engineered Grading and Drainage Plan and a grading permit/voucher for any grading proposed with site improvements.

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

FINDING: NO IMPACT

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief which precludes the possibility of land sliding on-site.

Per Figure 9-6 of the Fresno County General Plan Background Report, the subject parcel is not in an area at risk of landslides. Also, the project development involves no underground materials movement and therefore poses no risks related to subsidence.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils. The project development will implement all applicable requirements of the most recent California Building Standards Code and will consider any potential hazards associated with shrinking and swelling of expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

The proposed development includes a new residence (Bunk House), restroom building, and an existing barn converted into an event center which may require an onsite engineered sewage disposal system designed (based on test hole results) and installation certified by a Professional Engineer or Registered Environmental Health Specialist. A Project Note would require that such system shall be installed under permits and inspections from the Department of Public Works and Planning, Building and Safety Section.

- F. Directly or indirectly destroy a unique paleontological resource on site or unique geologic feature?

FINDING: NO IMPACT:

No paleontological resources or geologic features were identified on the project site.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Human activities, including fossil fuel combustion and land-use changes, release carbon dioxide (CO₂) and other compounds cumulatively termed greenhouse gases (GHGs). GHGs are effective at trapping radiation that would otherwise escape the atmosphere.

Construction and operational activities associated with the proposed project would generate greenhouse gas (GHG) emissions. In the *Air Quality and Greenhouse Gas Analysis Memorandum*, completed by LSA Associates, Inc., and dated March 28, 2022, GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0 [California Air Pollution Control Officers Association (CAPCOA) 2017].

Per the *Air Quality and Greenhouse Gas Analysis Memorandum*, the San Joaquin Valley Air Pollution Control District (SJVAPCD) does not have an adopted threshold of significance for construction related GHG emissions. Construction of the proposed project using CalEEMod would generate approximately 2,123.1 metric tons of CO_{2e}.

Implementation of the measures included in the AIR QUALITY Section III. B. of this report would reduce GHG emissions by ensuring that the project complies with Regulation VIII to reduce the short-term construction period air quality impacts.

Regarding operation related GHG Emissions, long-term GHG emissions are typically generated from mobile sources (vehicle trips), area sources (maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, and waste sources (land filling and waste disposal). The SJVAPCD has not established a numeric threshold for GHG emissions. Neither Fresno County nor the SJVAPCD has developed or adopted numeric GHG significance thresholds. However, based on the minimal emissions for all sources (mobile, area, energy, water) the proposed project would generate 103.2 metric tons of CO_{2e} per year emissions which is not a substantial GHG emissions.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Analysis Memorandum*, the following discussion evaluates the proposed project according to the goals of AB (Assembly Bill) 32 (2006), the AB 32 Scoping Plan, EO (Executive Order) B-30-15 (2015), SB (Senate Bill) 32, and AB 197.

AB 32 is aimed at reducing GHG emissions to 1990 levels by 2020. The AB 32 Scoping Plan has a range of GHG reduction actions, which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation fee to fund the program.

EO B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. The CARB released a second update to the Scoping Plan, the 2017 Scoping Plan to reflect the 2030 target set by EO B-30-15 and codified by SB 32. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. SB 32 builds on AB 32 and keeps the State on the path

toward achieving its 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32, AB 197, provides additional direction to the CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air pollutant emissions data that are collected by the CARB was posted in December 2016.

As identified above, the AB 32 Scoping Plan contains GHG reduction measures that work toward reducing GHG emissions, consistent with the targets set by AB 32, EO B-30-15, and codified by SB 32 and AB 197. The measures applicable to the proposed project include energy efficiency measures, water conservation and efficiency measures, and transportation and motor vehicle measures, as discussed below.

Energy efficient measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. The project would comply with the CALGreen Code and Title 24 regarding energy conservation and green building standards.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. The project would install low flow fixtures and include drought tolerant, native species landscaping with drip irrigation and would not conflict with any of the water conservation and efficiency measures.

Specific regional emission targets for transportation emissions would not directly apply to the project. However, vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program. Therefore, the project would not conflict with the identified transportation and motor vehicle measures.

Per the *Air Quality and Greenhouse Gas Analysis Memorandum*, the project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in AB 32 and would be consistent with applicable plans and programs designed to reduce GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Department of Public Health, Environmental Health Division (Health Department) a Hazardous Materials Business Plan shall be submitted for the project pursuant to the HSC, Division 20, Chapter 6.95. Additionally, remodeling of any existing structure on the property shall require the following: 1) Should the structure(s) have an active rodent or insect infestation, the infestation shall be abated prior to remodel of the structure(s) in order to prevent the spread of vectors to adjacent properties; 2) If asbestos containing construction materials and materials coated with lead-based paints are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted; and 3) If the structure(s) were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9, or State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted. These requirements will be included as Project Notes.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: NO IMPACT:

There is no school within one-quarter mile of the project site. The nearest school, Bud Rank Elementary School, is approximately 5.5 miles west of the project site.

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

According to the California Department of Toxic Substances Control Site (Envirostor), the project site is not listed as a hazardous materials site. No hazard to public or the environment would occur.

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

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility Plan Update* adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno-Yosemite International Airport is approximately 11.6 miles southwest of the site. Given the distance, the airport will not be a safety hazard, or a cause of excessive noise for people residing/working on the project site.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT:

The project site is in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project design does not include permanent road closures or other features that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. No impact would occur.

- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is within the State Responsibility Area (SRA) boundary. The proposed development will adhere to the applicable SRA Fire Safe Regulations, as they apply to driveway construction and access. With the implementation of SRA requirements any impact of wildland fire on structures and/or people would be less than significant.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII., E. Geology and Soils regarding waste discharge requirements.

According to the Fresno County Department of Public Health, Environmental Health Division (Health Department), a Project Note shall require that in an effort to protect groundwater, all abandoned water wells on the parcel shall be properly destroyed by a licensed contractor, and any underground storage tank(s) found during the project construction shall be removed upon securing an Underground Storage Tank Removal Permit from the Health Department.

The project will not violate any water quality standards. According to the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW), as the proposed event center will have less than 60 events per year (proposed 40 events per year), it will not meet the definition of a public water system and will not require a permit from SWRCB-DDW.

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in the North King Groundwater Sustainability Area (NKGSA) who reviewed the project and offered no comments.

The project site is in a water-short area. The two existing onsite water well will supply water to the project and an additional well will be drilled if needed. The Water and Natural Resources Division (WNRD) of the Fresno County Department of Public Works and Planning required that a hydro-study shall be prepared to determine adequate and sustainable groundwater supply for the project.

A *Hydrogeologic Study Report* (Report) was prepared by Stantec Consulting Services, Inc. and dated February 15, 2022. According to the Report the project on average, will use approximately 1,230 gallons of water per event and there will be approximately 48 events each year with a total annual potable water use of approximately 0.059 million gallons.

According to the report, a 72-hour pump test was conducted with one nearby monitoring well resulting in a final discharge rate of 40 gallons per minute. The WNRD concurred with the Report and determined that the project has an adequate and sustainable supply of groundwater to meet its needs and that future groundwater utilization on the property would not result in significant pumping-related impacts to surrounding properties.

The property is within North Kings Groundwater Sustainability Area (NKGSA). The *Hydrogeologic Study Report* prepared for the project was provided to NKGSA for review and comments. No response was received from that agency. The agency provided no response on the Report.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
1. Result in substantial erosion or siltation on or off site; or
 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
 3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
 4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Development of the project will not cause significant changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off with adherence to the

mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

The project site with a rural stream is located within the Fresno Metropolitan Flood Control District (FMFCD) Boundary. The FMFCD stated that while a tributary to Dog Creek runs through this property, it is upstream of Big Dry Creek Reservoir (An Army Corps of Engineers Facility) and will not trigger any requirements for improvement or easement. Additionally, the project Site Plan account for this tributary and show that it is to remain.

The Development Engineering Section of the County Department of Public Works and Planning, requires that the project: 1) shall provide an Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; 2) shall require a grading permit or voucher for any grading proposed with this application; and 3) shall retain all additional storm water runoff onsite generated by the proposed development.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

According to the Federal Emergency Management Agency (FEMA) FIRM Panel 1070H, the project site is not subject to flooding from the 100-year storm.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County has no water quality control plan. As such, the project would not conflict with any water quality control plan. The project site is within the North Kings Groundwater Sustainability Area (NKGSA). The NKGSA did not provide comments on *Hydrogeologic Study Report* prepared for the project and provided to that agency. The Report determined that groundwater supply for the project is sustainable and will not have an impact on the other groundwater users in the area.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The proposed development will be confined within the boundaries of a 45.56-acre parcel. The project site will not physically divide the established community of the City of Clovis and is located approximately 4.7 miles northeast of the City of Clovis.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site, comprised of a 43.94-acre and a 1.62-acre parcel, is designated as Eastside Rangeland in the County-adopted Sierra-North Regional Plan and is zoned AE-40 (Exclusive Agricultural; 40-acre minimum parcel size) Zone District. The site is outside of the Sphere of Influence of any city and the project does not conflict with any land use plan, policy, or regulation of an agency other than County of Fresno. The project is an allowed use on AE-40 zoned parcels subject to the approval of a discretionary land use application. The project is consistent with the following General Plan policies.

Regarding consistency with Policy LU-A.3., criteria a. b. c. d., the proposed development (high-intensity park for special events) fits to the subject property based on its location outside the City of Clovis urban areas. Regarding Criteria "b", the project site is not productive farmland and is designated as Grazing Land and Rural Residential Land on 2016 Fresno County Important Farmland Map. Regarding Criteria "c", the *Hydrogeologic Study Report* prepared for the project finds that groundwater supply is adequate and sustainable to meet the project demand. Regarding Criteria "d", the project site is approximately 4.7 miles northeast of the City of Clovis which can provide adequate workforce for the project.

Regarding consistency with General Plan Policy LU-A.13 and Policy LU-A.14, the project site is nonagricultural land developed with a single-family residence and related improvements. The surrounding land are also nonagricultural and are developed with single-family dwellings. No buffer is required between the project site and the surrounding non-agriculture land.

Regarding consistency with General Plan Policy PF-C.17, a *Hydrogeologic Study Report* prepared for the project finds that groundwater supply to be provided by onsite wells is adequate to meet the project demand, is sustainable, and will have no impact on groundwater users in the area.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is outside of a mineral-producing area of the County.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the Fresno County Department of Public Health, Environmental Health Division, the project could potentially expose nearby residents to elevated noise levels; shall comply with the provisions of the Fresno County Ordinance Code (Chapter 8.40 - Noise Control); and shall prepare an acoustical analysis to evaluate and address the potential noise impact to nearby noise sensitive receivers.

The *Acoustical Analysis (Analysis)* was prepared by WJV Acoustics, and dated January 25, 2022. The Analysis determined that the project-related noise levels are not expected to exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards. However, if the noise levels produced by onsite speaker systems are set to excessively high volumes, noise rates at nearby sensitive receivers could be higher than those described in the Analysis. In such case, the sound shall be controlled to end or move indoors before 10 p.m. to comply with the County noise level standards.

The Fresno County Environmental Health concurred with the Analysis that the project shall meet the Fresno County Noise Ordinance. The project will adhere to the following Mitigation Measure.

* **Mitigation Measure:**

1. *The project-related noise levels shall not exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards contained in the Fresno County Ordinance Code. If, during events, the sound produced by onsite speaker systems exceeds the noise level standards, the noise shall be controlled to end, or move indoors before 10 p.m. to comply with the standards.*

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people be residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project is not located within two miles of a public airport or public use airport. The nearest airport, Fresno-Yosemite International Airport is approximately 11.3 miles southwest of the project site. Given the distance, attendees of the events will not be exposed to excessive noise of flight operations.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project will not induce population growth in the area, nor will it displace housing or people. Except for a new 3,000 square feet bunk house, no new residential development is proposed on the property.

XV. PUBLIC SERVICES

Would the project:

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

1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Fire Protection District, (FCFPD), the project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 14 Natural Resources, shall submit construction plans to the County prior to receiving FCFPD conditions of approval for the project, and shall annex into the Community Facilities District No. 2010-01 of the FCFPD. These requirements will be included as Project Notes.

2. Police protection?

FINDING: NO IMPACT:

The project did not receive any comments from the Fresno County Sheriff's office. As such, no impact to the police protection would occur.

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

FINDING: NO IMPACT:

The project will not impact the existing public services or result in the need for additional public services related to schools or parks or both.

XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project will not induce population growth which may require new or expanded recreational facilities in the area.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project will not conflict with any policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The project area is rural in nature and is not planned for any transit, bikeways, or pedestrian facilities per the Transportation and Circulation Element of the Fresno County General Plan. The Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning reviewed the scope of the Traffic Impact

Study (TIS) presented by Peter's Engineering and determined that a TIS is not required for the project. The California Department of Transportation (Caltrans), however, required that a TIS shall be prepared for the project to fully assess the project's impacts and to recommend mitigation for all project-related impacts to the State Highway System.

A Traffic Impact Study (TIS) was prepared by Peters Engineering Group, and dated March 25, 2022. The TIS analyzed the estimated amount of traffic the project is expected to generate, the existing traffic conditions, and the traffic conditions projected to occur in the future and concluded that given the proposed events on the property, visitors may experience on-site delays and queues when exiting the site. Delays and congestion on Tollhouse Road (State Route 168) are not expected to be substantial. Therefore, special traffic management measures are not required for the project.

Regarding traffic entering the site during large events, the applicant's traffic consultant stated that the existing driveway into the property shall be maintained to allow vehicles to freely move away from the highway without no stopping along the driveway. A guard shack could be placed immediately adjacent to the highway right of way if vehicles are not required to stop at the shack and queue up during entry to large events. The vehicular access between the highway and the parking lot should be maintained without vehicles being required to stop. In that regard, a 200 to 300-foot-long driveway would suffice if vehicles were not required to stop and pay a fee or show identification to get into the parking lot.

The California Department of Transportation (Caltrans) concurred with the traffic consultant analysis regarding the location of the guard shack on the property and the 200 to 300-foot-long driveway provided that vehicles do not queue onto the highway. Additionally, if the guard observes queuing, vehicles should be allowed to move vehicles into the parking lot to keep traffic moving.

Based on the above discussion and to eliminate traffic back up into the highway (SR 168) prior to a large event, the project shall adhere to the following mitigation measure:

* **Mitigation Measure:**

- 1. The proposed guard shack shall be setback a minimum of 200 feet from the Tollhouse Road (State Route 168). Mandating of stoppage of vehicles for collection of fees or checking for identification at the guard shack shall only be allowed beyond 200 feet of driveway so as to not cause queues to back up into the highway during large events. If the guard observe queuing, vehicles shall be required to move into parking lot to keep traffic moving.*

According to Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, the County does not require a Traffic Management Plan since the project site fronts on and gain access from State Route 168. Likewise, no specific Traffic Management Plan was required by the California Department of Transportation.

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The State of California Governor's Office of Planning and Research document entitled *Technical Advisory (TA) on Evaluating Transportation Impacts in CEQA* dated December 2018 (OPR Technical Advisory) indicates that projects that generate or attract fewer than 110 trips per day generally may be presumed to cause a less-than-significant transportation impact.

Per the project Operational Statement, events will be limited to 300 guests when indoors, and 500 guests when outdoors. Average will likely be around 150 guests for weddings and 10-20 for corporate retreats, catered dinners, and the like. Weddings will primarily be on weekends (Friday, Saturday, Sunday) during the afternoon/evening hours. Weekday functions (Monday through Thursday) will be limited to smaller retreats and gatherings with a maximum of 50 guests. Furthermore, events will be limited to 40 per year, including weekdays and weekends. No more than 4 events per week shall occur.

Per the Traffic Impact Study (TIS), if all 40 events were the maximum event with 500 visitors, the annual average trips per day would be approximately 86. If 40 events per year with 150 guests were to occur, the annual average trips per day would be approximately 28. These values are substantially less than the significance threshold of 110 trips per day established in the TA. Since the Project will generate fewer than 110 trips per day, the impact on transportation as it relates to VMT would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project site gains access off Tollhouse Road (State Route 168) via an existing gravel-based access road. This access road leads to the existing onsite improvements and will lead to the proposed improvements as well. Due to no changes to the existing access road, no increase in traffic hazards would occur due to project design.

The California Department of Transportation (Caltrans) approved the existing single driveway access through Tollhouse Road (State Route 168) provided that: 1) it meets or exceed the current Caltrans standards; and 2) no additional driveway are allowed off State Route 168. These requirements will be included as Conditions of Approval.

The Road Maintenance and Operations Division stated that the project will have less than significant impact to nearby County maintained roads (Mendocino, Madsen, Newmark, and Academy). No additional comments were offered.

D. Result in inadequate emergency access?

The project will utilize the existing access road off State Route 168 for routine access and emergency access to the site.

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District (District) expressed no concerns regarding inadequate emergency access to the site. Further review of the emergency access will be occurring at the time project goes through Site Plan Review process and prior to the issuance of building permits.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in an area designated as medium sensitive for archeological resources. Pursuant to Assembly Bill (AB) 52, the project was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, and Dumna Wo Wah Tribal Government offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. Because the property is moderately sensitive to archaeological resources, Mitigation Measures has been included in the CULTURAL ANALYSIS section of this report. With adherence to these mitigation measures, impact to tribal cultural resources will be less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above. The project will not result in the relocation or construction of new electric power, natural gas, or telecommunications facilities.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the proposed development will produce approximately two (2) cubic yards of solid waste per week (8 cubic yards per month), of which at least half is expected to be recyclable.

All solid waste will go to local landfill and be collected through regular trash collection service, while others will be recycled. All solid waste disposal will adhere to local and state standards and will have a less than significant impact on the holding capacity of local landfills.

XX. WILDFIRE

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

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

The project will not modify current access to the project site off State Route 168, or the existing street system in the area. As such, there will be no interference with any adopted emergency response plan or emergency evacuation plan.

- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

FINDING: NO IMPACT:

The southwest corner of the site is gently sloped whereas rest of the site is flat and developed with a single-family residence, garage, shed, barn, stable, and a tank house. The proposed improvements include a barn/event center, guard house, restroom building, bunk house, fruit stand/tasting room, and a veterinary office. These improvements will be subject to State Responsibility Area (SRA) Fire Safety Regulation pertaining to building setback, driveway, addressing, waste, and roofing to optimize fire safety for improvements in SRA area.

- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing access road off SR 168 will be re-surfaced with decomposed granite. As noted in XX. B. above, the proposed improvements will comply with SRA requirements for fire safety.

- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is annually disked within the area of the proposed development and is currently held in residential use. The area of the property for the existing and proposed development is relatively flat although the property's southwest portion, not included in the scope of work, is hilly with gentle slopes. The project will not change the natural

course of the drainage. As such, the impact of downstream flooding onto people or proposed improvements will be less than significant.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially 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, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction and operation of the project may impact sensitive biological and cultural resources. Included Mitigation Measures in Section IV. BIOLOGICAL RESOURCES and Section V. CULTURAL RESOURCES of this report will minimize such impacts to less than significant.

- B. Have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant

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 at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural and Forestry Resources, Air quality or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Biological Resources, Cultural Resources, Noise and Transportation will be mitigated by compliance with the Mitigation Measures listed in Sections I., IV., V., XII and XVII of this report.

- C. Have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?

FINDING: NO IMPACT:

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

CONCLUSION/SUMMARY

Based upon the Initial Study No. 8081 prepared for Unclassified Conditional Use Permit Application No. 3713, 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 Mineral Resources, Population and Housing, and Recreation.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Public Services, Tribal Cultural Resources, Utilities and Service Systems and Wildfire have been determined to be less than significant.

Potential impacts related to Aesthetics, Biological Resources, Cultural Resources, Noise and Transportation, have determined to be less than significant with the implementation of recommended 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 southwest corner of Tulare and "M" Street, Fresno, California.

EA;JP

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EXHIBIT 8

| | | | |
|--|--|---|--------------------|
| File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721 | | Space Below for County Clerk Only. CLK-2046.00 E04-73 R00-00 | |
| Agency File No: IS 8081 | LOCAL AGENCY PROPOSED 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): Jerry Cook | Project Title: Unclassified Conditional Use Permit Application No. 3713 | | |
| Project Description: Allow a high intensity park with related improvements for weddings, fundraisers, corporate retreat, and private parties, including a veterinary office and a fruit stand/wine tasting room, on approximately 10-acre portion of a 43.94-acre parcel and a 1.62-acre parcel totaling 45.56 acres in the AE-40 (Exclusive Agricultural; 40-acre minimum parcel size) Zone District. The project site is located on the east side of Tollhouse Road (State Route 168), approximately 4.7 miles northeast of the City of Clovis (APNs: 150-141-24; 150-141-19) (13305 Tollhouse Road) (Sup. Dist. 5). | | | |
| Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 8081) prepared for Unclassified Conditional Use Permit Application No. 3713, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to Mineral Resources, Population and Housing or Recreation. Potential impacts related to Agricultural and Forestry Resources, Air Quality, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Public Services, Tribal Cultural Resources, Utilities and Service Systems and Wildfire have been determined to be less than significant. Potential impacts related to Aesthetics, Biological Resources, Cultural Resources, Noise and Transportation have been determined to be less than significant with the included Mitigation Measures. The Initial Study and Mitigated Negative Declaration (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 – September 30, 2022 | | Review Date Deadline: Planning Commission – November 17, 2022 | |
| Date: Sept. 27, 2022 | Type or Print Name: David Randall, Senior Planner | Submitted by (Signature): | |

State 15083, 15085

County Clerk File No. _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

EXHIBIT 9

From: [Khorsand, Mohammad](#)
To: [Ahmad, Ejaz](#)
Subject: FW: Ag Land Conservation Committee - No. 6179 (RLCC No. 1041)
Date: Wednesday, January 4, 2023 11:32:29 AM

Ejaz,

I am forwarding the email that I received from Ben Torchia.

Mohammad Khorsand
Department of Public Works and Planning
Policy Planning Unit
PH (559) 600- 4277

-----Original Message-----

From: Ben Torchia <torchia_san@sbcglobal.net>
Sent: Wednesday, January 04, 2023 8:34 AM
To: Khorsand, Mohammad <mkhorsand@fresnocountyca.gov>
Subject: Re: Ag Land Conservation Committee - No. 6179 (RLCC No. 1041)

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Resending, so this is at the top of your Inbox.

> On Jan 3, 2023, at 3:47 PM, Ben Torchia <torchia_san@sbcglobal.net> wrote:

>

> Mr. Mohammad Khorsand,

>

> I am following up on the voicemail I left you earlier today. It relates to a proposed project by Jerry Cook (Cook Land Company). The subject property is located on the south side of State Route 168 between Mendocino Avenue and Madsen Avenue.

>

> I live in the adjacent community, Academy Oaks, to the proposed project. I moved out to the country to get away from high intensity projects, such as the proposed. Several neighbors are in opposition to the project as well. I never received notice of the proposed project, and am seeking information on how this project meets the requirements to cancel the Williamson Act contract, as well as proposed Zoning changes.

>

> We have a very limited time to put forth our concerns, so your prompt attention is greatly appreciated. The Ag Land Conservation Committee meets on this matter next Wednesday, January 11 at 1:00pm. The Planning Commission meets on this matter Thursday, January 12 at 8:45am.

>

> Thank you,

> Ben Torchia

> (559) 708-1174

January 4, 2023

Fresno County Planning Commission

Fresno, Ca.

To Whom It May Concern:

My name is Gregory Coleman. I am writing in support of the Conditional Use Permit Application submitted by Mr. Jerry Cook to allow the subject property to be used for a variety of events. I currently reside in the City of Clovis after serving for 40 years as a member of the Fresno Police Department and have lived within Fresno County for over 70 years.

I have closely followed the progress on Mr. Cook's property over the past year in anticipation of the potential for this event center to open. On a personal level, this site will be ideal for my future family reunions, anniversary celebrations and family member weddings.

Additionally, as an active member of the Fresno Police Officers Association, I can report that several of our members have been waiting for this property to become available for events supporting First Responders throughout Fresno County.

I strongly support this project and urge the Planning Commission to approve Mr. Cook's application.

Sincerely,



Gregory A. Coleman

2726 Omaha Ave. Clovis, CA

559-355-2190