



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 December 14, 2023

SUBJECT: Initial Study No. 8286; Classified Conditional Use
Permit Application No. 3751

Allow a high intensity park with related improvement for weddings, receptions, birthdays, anniversaries, and similar special outdoor events appropriate and incidental to parks on an approximately 3.3-acre portion of a 17.65-acre parcel in the RR (Rural Residential) Zone District.

LOCATION: The subject parcel is located on the north side of Shields Avenue, approximately 642 feet east of N. Bryan Avenue, and 1,322 feet west of the City of Fresno (APN: 512-160-20) (6338 W. Shields Avenue) (Sup. Dist. 1).

**OWNER/
APPLICANT:** CV Alliance, LLC

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

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared based on Initial Study (IS) No. 8286; and
- Approve Classified Conditional Use Permit No. 3751 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans/Floor Plan/Elevations
6. Applicant's Operational Statement
7. Summary of Initial Study Application No. 8286
8. Proposed Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Rural Residential	No change
Zoning	RR (Rural Residential; two-acre minimum parcel size)	No change
Parcel Size	17.65 acres	No change
Project Site	• 1,500 square-foot single-family residence • 1,116 square-foot barn • 22,82 Square-foot lawn with a 256 square-foot pergola • Basketball court • Two access drives off Shield Avenue	• A high intensity park with related improvement for weddings, receptions, birthdays, anniversaries, and similar special outdoor events appropriate and incidental to parks on an approximately 3.3-acre portion of a 16.75-acre parcel. • Limited proposed improvements include a 400 square-foot restroom and 127 parking spaces.
Related Structural Improvements	• 1,500 square-foot single-family residence • 1,116 square-foot barn • 256 square-foot pergola • Basketball court	• 400 square-foot restroom.

Criteria	Existing	Proposed
Nearest Residence	40 feet west of the west property line of the project site.	No change
Surrounding Development	• Single-family residences • Farmland	No change
Operational Features	N/A	Per the applicant's Operational Statement (Exhibit 6), the subject proposal will allow: • A maximum of 60 planned events from May through September each year; 2 events on weekends and 2 events on weekdays. • A maximum of 200 guest per event. • All existing and proposed improvements (noted in "Project Site" above) to be used in conjunction with events. • The existing barn to be used for storage, lawn and pergola for outdoor events; basketball court for recreation, and the residence as a living quarter for the ground keeper of the event center.
Employees	N/A	• One (1) full-time • Two (2) staff members per event (provided by applicant) • Five (5) to 20 staff member per event (provided by catering company)
Visitors	None	200 guest (max.) per event
Traffic Trips	N/A	Daily Trip Volume: • Employee: 24 in and 24 out • Delivery: 3 in and 3 out • Catering Trucks: 3 in and 3 out • Event Guests: 134 in and 134 out

Criteria	Existing	Proposed
		Peak Hour Trip Volume (Before Event): • 150 in and 1 out Peak Hour Trip Volume (After Event): • Zero in and 149 out
Lighting	Residential lighting	Outdoor lighting during evening hours of the events
Hours of Operation	N/A	• 10 a.m. to 10 p.m.

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

ENVIRONMENTAL ANALYSIS:

Initial Study No. 8286 was prepared for the project by County Staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 7.

A Notice of Intent to adopt a Mitigated Negative Declaration was published on November 3, 2023.

PUBLIC NOTICE:

Notices were sent to 58 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit may be approved only if five Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission. The decision of the Planning Commission on Conditional Use Permit No. 3751 Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

According to the County permit records, the existing improvements on the property were built prior to 1975. Addition/alteration to them occurred in later years until 2003 when a re-roof permit was issued for the residence. A Grant Deed in the name of current property owner CV Alliance LLC was recorded on July 6, 2020.

The Applicant is proposing to allow a high-intensity park for weddings and other venues appropriate and incidental to parks on a 3.3-acre portion of a 16.75-acre project site. The existing improvements on the project site include a 1,500 square-foot single-family residence, 1,116 square-foot barn, 22,862 square feet lawn with a 256 square feet gazebo, basketball court, and access driveways off Shields Avenue. These improvements will be used in conjunction with events activities, specifically, the barn will be used for storage purposes and

the residence will be used as a living quarter for the ground keeper of the event center.

The proposed improvements on the project site include a 400 square-foot restroom facility and a 127-space parking lot to provide for event parking located adjacent to and north of the existing lawn area. The parking area will be created by removing a small portion of cultivated land.

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

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	• Front (Shields Ave; south property line): 85 feet. • Side (east property line): 60 feet • Side (west property line): 80 feet • Rear (North property line): 1,172 feet	Yes
Parking	Section 855-I-2. b. There shall be at least one (1) parking space for every five (5) permanent seats or one (1) for every forty (40) square feet of area within the main auditorium or meeting hall, whichever provides the greater number of spaces. <i>In cases of use without a building, there shall be one (1) parking space for each five (5) persons normally attending or using the facilities, plus one (1) parking space for every two (2) permanent employees.</i>	127 parking spaces including five ADA spaces (<i>Note: 40 parking spaces required for a maximum of 200 guests and one (1) parking space for one full-time employee</i>)	Yes
Lot Coverage	No Requirement	N/A	N/A
Separation Between Buildings	Minimum of six (6) feet between the main building and accessory building	N/A	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Wall Requirements	• Six feet (maximum) on rear and side property lines • Three feet (maximum) in any required front yard	A six-foot-tall cyclone fence with privacy slats along the west property line of the project site.	Yes
Septic Replacement Area	100 percent	100 percent. The proposed restroom will connect to a new sewage disposal system	Yes
Water Well Separation	Septic tank: 50 feet Disposal field: 100 feet Seepage pit: 150 feet	Will utilize the existing onsite well.	N/A

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 RR Zone District. A Site Plan Review should be required to ensure compliance with property development standards of the zone district.

No other comments specific to the adequacy of the site were expressed by reviewing agencies or departments.

Finding 1 Analysis:

Staff review of the Site Plan demonstrates that all existing and the proposed improvement (restroom) meets the minimum setback requirements of the RR Zone District. All improvements will be set back approximately 85 feet from south property line (35 feet required), 60 feet from the east property line (20 feet required), 80 feet from west property line (20 feet required), and 1,172 feet from north property line (20 feet required).

The 16.75-acre project site is adequate in size to accommodate the existing improvements (single-family residence, barn, lawn with pergola, basketball court, and access drives) and the proposed improvements (restroom and event parking). Regarding sufficiency of onsite parking, the Zoning Ordinance requires one (1) parking space for each five (5) persons attending/using the facility during events, plus one (1) parking space for every two (2) permanent employees. According to the Site Plan Review Unit of the Fresno County Department of Public Works and Planning, the project requires 41 parking spaces, including two handicapped-accessible spaces. The applicant-submitted project Site Plan (Exhibit 5) depicts 127 parking spaces, including five (5) handicapped-accessible spaces, which meets the requirement.

Recommended Conditions of Approval:

None.

Finding 1 Conclusion:

Based on the above information and with adherence to Site Plan Review as a recommended

Condition of Approval, staff believes the site is adequate in size and shape to accommodate the proposal.

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

		Existing Conditions	Proposed Operation
Public Road Frontage	Yes	Shields Avenue; fair condition	No change
Direct Access to Public Road	Yes	Shields Avenue; fair condition	No change
ADT (Average daily Traffic)		1800 vehicles per day	No change
Road Classification		Arterial Road	No change
Road Width		60-foot existing (30 feet north and 30 feet south of section line) 106-foot required (53 feet north and 53 feet south of section line)	An additional 23 feet right-of-way north of section line is required.
Road Surface		Asphalt concrete with dirt shoulder. Pavement width: 24.4 feet	No change
Traffic Trips		N/A	Daily Trip Volume: • Employee: 24 in and 24 out • Delivery: 3 in and 3 out • Catering Trucks: 3 in and 3 out • Event Guests: 134 in and 134 out Peak Hour Trip Volume (Before Event): • 150 in and 1 out Peak Hour Trip Volume (After Event): • Zero in and 149 out
Traffic Impact Study (TIS) Prepared	Yes	N/A	The project will pay the City of Fresno Traffic Signal Mitigation Impact (TSMI) fee to satisfy its

		Existing Conditions	Proposed Operation
			fair share requirement for traffic signals as identified in the project TIS.
Road Improvements Required		Shields Avenue; fair condition	No improvements required

Reviewing Agency/Department Comments:

City of Fresno Traffic Operations and Planning Division: The project shall pay Traffic Signal Mitigation Impact (TSMI) Fee per the City's Master Fee Schedule at the time of building permit.

Fresno County Transportation Planning Unit: The project shall pay City of Fresno Traffic Signal Mitigation Impact (TSMI) Fee in the amount of \$4,437.72 to satisfy the fair share requirement for traffic signals as identified in the Traffic Impact Study prepared for the project. This requirement has been included as a mitigation measure.

Fresno County Road Maintenance and Operations (RMO) Division: Shields Avenue is classified as an Arterial Road in the County General Plan requiring 106 feet of ultimate road right-of-way (53 feet north and 53 feet south of section line). Shields Avenue existing right-of-way width is 60 feet (30 feet north and 30 feet south of section line). An additional 23-foot right-of-way is required to meet the ultimate right-of-way for Shields Avenue. A Traffic Management Plan (TMP) shall be prepared and approved by RMO Division before the first event of operation. The TMP shall include details on the usage of flaggers; temporary warning signs and warning beacons; installation of street lighting and signage, and limit right-in and right-out traffic movements during events. These requirements have been included as Conditions of Approval.

An encroachment permit shall be obtained for any work performed in the County Road right-of-way. This requirement has been included as a Project Note.

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

Finding 2 Analysis:

The project site fronts on Shields Avenue which is an asphalt concrete paved road with pavement width of 24.4 feet and carries an Average Daily Traffic (ADT) of 1800 vehicle per day.

Shields Avenue is designated as an Arterial Road in the County General Plan and has an existing right-of-way width of 30 feet north of the section line. The ultimate road width for Shields Avenue north of section line is 53 feet. As such, this proposal requires an additional 23 feet of right-of-way along the parcel frontage.

The project will pay Traffic Signal Mitigation Impact (TSMI) Fee to the City of Fresno per the Master Fee Schedule at the time of the issuance of building permits in lieu of the fair share contributions to the county for all-way stop control required by the year 2044. The future improvements are within the City of Fresno SOI and are estimated to be built out in 2035 which

should negate the cumulative 2044 with project impacts listed in the Traffic Impact Study prepared for the project.

The project will also require a Traffic Management Plan (TMP) to be submitted to and approved by the Road Maintenance Division of Fresno County Public Works and Planning. Both the TSMI fee and TMP requirements must be addressed through Site Plan Review prior to the issuance of building permits and occupancy granted to the use.

Recommended Conditions of Approval:

Traffic signal mitigation impact fee, road right-of-way, traffic management plan.

Finding 2 Conclusion:

Based on the above information, staff believes Shields Avenue can accommodate the traffic generated by this proposal.

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

Surrounding Parcels

	Size:	Use:	Zoning:	Nearest Residence:
North	8.0 acres	Farmland	RR	None
South	2.04 acres 17.1 acres	Single-family residence	RR	100 feet
East	20 acres	Single-family residence	RR	40 feet
West	2.3 acres 2.97 acres	Single-family residence	RR	45 feet

Reviewing Agency/Department Comments:

Fresno County Department of Public Health, Environmental Health Division (Health Department): The project shall meet Fresno County Noise Ordinance standards with the noise control plan implementations identified in the Acoustical Analysis Survey Report prepared by WJV Acoustics Consultants, Inc., dated April 12, 2022. If noise complaints are received from adjacent noise sensitive receivers, the project operators shall provide additional mitigation measures to meet the requirements of the Fresno County Noise Ordinance. This requirement has been included as a Mitigation Measure.

The existing septic system capacity shall be verified. New sewage disposal system shall be installed under permit and inspection by Fresno County Department of Public Works and Planning Building and Safety Section. Leach fields shall not be paved over to allow for treatment of effluent. Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.

Handling of any hazardous materials and/or hazardous waste shall require submittal of a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. To protect groundwater, all abandoned water wells and septic systems on the property shall be destroyed by a licensed contractor. Any underground storage tank(s) found during construction, shall be removed by securing an Underground Storage Tank Removal Permit from the Health Department. Caterer shall complete the operational statement for a catering operation. Prior to any alcohol sales, license to sell alcoholic beverages shall be obtained from the California Alcoholic Beverage Control Department. The above-noted requirements have been included as Project Notes.

Fresno County Site Plan Review Section: The Fresno County Development Engineering and Road Maintenance and Operations Division staff shall be consulted to ensure that gravel/aggregate is an acceptable surface for access aisles, circulation, and parking areas. A dust palliative shall be required on all unpaved parking and circulation areas. These requirements have been included as Conditions of Approval.

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 submit Landscape and Irrigation plans per the Governor's Drought Executive Order of 2015. This requirement has been included as a Project Note.

Fresno County Development Engineering Section: A 10-foot by 10-foot corner cut-off shall be improved for sight distance purposes at any existing or proposed driveway accessing Shields Avenue. This requirement has been included as a Condition of Approval.

If not already present, 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. Any additional storm water runoff generated by the proposed development shall be retained on-site, per County Standards unless FMFCD specifies otherwise. 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 if disturbing one-acre or more of area.

Fresno Metropolitan Control District (FMFCD): Provide temporary on-site storm water storage facility until permanent FMFCD facilities become available and drainage can be directed to the street. Obtain drainage and grading plan approval by the FMFCD prior to approval by the County. Pay drainage fees at the time of development based on the fee rates in effect at that time.

North Central Fire Protection District (NCFPD): The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 and shall submit construction plans to the County prior to receiving NCFPD conditions of approval for the project.

The above-noted requirements have been included as Project Notes.

Fresno Irrigation District (FID): The project should balance anticipated groundwater use with sufficient recharge of imported surface water to preclude increasing the area's existing groundwater overdraft problem in order to be in compliance with the requirements of Sustainable Groundwater Management Act Sustainable Groundwater Management Act

(SGMA). *(Note: As noted by the Fresno County Water and Natural Resources Section, the project is not in a low water area of Fresno County and will not have a significant impact on the existing water levels in the area. The project will use 250 gallons of water per event or 15,000 gallons per calendar year for a total of 60 events).*

State water Resources Control Board, Division of Drinking Water; Santa Rosa Rancheria Tachi-Yokut Tribe; U.S. Fish and Wildlife Service; California Department of Fish and Wildlife; Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: Expressed no concerns with the proposal.

Finding 3 Analysis:

The project site is in a predominantly rural residential area developed with single-family homes and related improvements. Single-family homes are located approximately 45 feet from east property line, 40 feet from west property line and 100 feet from south property line of the site. Parcels to the north are fellow or active farmland.

The existing improvements on the project site that will be used in conjunction with the proposal include a single-family residence, barn, lawn with pergola, basketball court, and access driveways off Shields Avenue. The proposed improvements to be used in conjunction with the proposed event center include a restroom (400 square feet) and event parking (127 spaces). To screen views of the proposed parking lot from the adjacent single-family residences to the west and to prevent vehicle headlights shining on those properties during events, a cyclone fence with privacy slats or any other appropriate fencing type will be required as a Condition of Approval to be erected along the entire west property line of the project site. The privacy fencing will minimize any adverse visual impact and/or lighting impact on neighboring parcels.

The Initial Study prepared for this project identified potential impacts to aesthetics, cultural resources, noise, and transportation. To mitigate aesthetics impact, all outdoor lighting will be hooded and directed downward to avoid glare on adjoining properties. To mitigate cultural resources impact, if artifacts are uncovered during construction, all work will be stopped, and a qualified archeologist will be contacted to evaluate the finds. To mitigate noise impact, the project will implement the noise control plans outlined in the Acoustical Analysis prepared for the project by WJV Acoustics, dated April 12, 2022. To mitigate transportation impact, the project will pay its fair share of TSMI fee to City of Fresno and will implement Traffic Management Plan (TMP) for the events. These requirements have been included as Mitigation Measures (Exhibit 1).

The project will require inspection of the existing sewage disposal system for capacity and permit and inspection for any new system; adhere to state and local requirement to handle hazardous materials; require Grading and drainage plan; retain storm water runoff onsite per county standards; and comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 - Public Safety. These requirements included as mandatory Project Notes will be addressed through Site Plan Review recommended as a Condition of Approval. The Site Plan Review will address design of parking and circulation areas, fencing, site access, grading and drainage, road right-of-way dedication, fire protection, landscaping, signage, and lighting.

The project site is not in an area determined to be highly or moderately sensitive to 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, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria 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.

Recommended Conditions of Approval:

Hooded outdoor lighting, evaluation of archeological finds during ground disturbance, compliance with acoustical analysis, paying TSML fee to City of Fresno, prepare traffic management plan.

Finding 3 Conclusion:

Based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval, and mandatory Project Notes, staff believes that the proposal will have no adverse effect upon surrounding properties.

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

Relevant Policies:	Consistency/Considerations:
Policy HS-G.1: <i>The County shall require that all proposed development incorporate design elements necessary to minimize adverse noise impacts on surrounding land uses.</i> Policy HS-G.5: <i>Where noise mitigation measures are required to achieve acceptable levels according to land use compatibility or the Noise Control Ordinance, the County shall place emphasis of such measures upon site planning and project design.</i>	The project will adhere to noise monitoring requirements contained in the Acoustical Analysis prepared for the project to minimize impact on surrounding land uses. Refer to Exhibit 7, Noise Section for details. The project is consistent with this Policy.
General Plan Policy PF-C.17: <i>County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</i>	The project is not located in a water-short area of Fresno County and will utilize an estimated 250 gallons of water per event (15,000 gallons per calendar year for 60 events). Water consumption will mainly be in the restroom. Minimal or no potable water use is expected during events, as water and beverages will be provided by catering service. Besides the existing landscaping, there will be no additional water usage for landscaping. Any new landscaping, if proposed, will be subject to MWEL (Model Water Efficient Landscape Ordinance) standards to conserve water. The State Water Resources Control Board, Division of Drinking Water or the Water and Fresno County water and Natural Resources Division expressed no concerns related to

Relevant Policies:	Consistency/Considerations:
	water quantity, quality, or sustainability for the project. The project is consistent with this policy.
Policy PF-D.6: <i>The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils and other characteristics that permit installation of such systems without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.</i>	An individual sewage disposal system will be installed for the proposed restroom, or be connected to the existing system for the residence. The Fresno County Department of Public Health, Environmental Health Division expressed no concerns regarding installation or use of the system. The project is consistent with this policy.
General Plan Policy TR-A.7: <i>The County shall assess fees on new development sufficient to cover the fair share portion of the development's impacts on the local and regional transportation system.</i>	Per the Traffic Impact Study prepared for the project and approved County Transportation Unit and the City of Fresno, the project will pay its fair share of the development's impacts on the local transportation system in accordance with Traffic Signal Mitigation Impact (TSMI) Fee required by the City of Fresno. The project is consistent with this Policy.

Reviewing Agency Comments:

Fresno County Policy Planning Section: The subject property is designated Rural Residential in the County General Plan. Policy HS-G.1 and HS-G. 5 requires incorporation of design elements through mitigation measures necessary to minimize adverse noise impacts on surrounding land uses. Policy PF-C.17 requires evaluation of adequacy and sustainability of the water supply for the project. Policy PF-D.6 requires individual onsite sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality. Policy TR-A.7 requires new development pay a fair-share portion of the development's impacts on the local and regional transportation system.

Finding 4 Analysis:

As discussed above, the project meets General Plan Policies HS-G.1, HS-G.5, PF-C.17, PF-D.6 and TR-A.7.

Regarding consistency with Policy HS-G.1, HS-G.5, the project will adhere to noise monitoring requirements contained in the Acoustical Analysis prepared for the project in order to minimize noise impact on surrounding land uses.

Regarding consistency with Policy PF-C.17 and Policy PF-D.6, the project will use limited groundwater (250 gallons of water per event) and will connect to an onsite existing sewage disposal system if capacity permits or install a new system.

Regarding consistency with Policy TR-A.7, the project will pay Traffic Signal Mitigation Impact (TSMI) fee to the City of Fresno for future traffic improvement as identified in Traffic Impact Study for the project.

Recommended Conditions of Approval:

Acoustical Analysis, traffic signal mitigation impact fee

Finding 4 Conclusion:

Based on the above information, staff believes that this is consistent with the General Plan policies.

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

Reviewing Agency/Department Comments:

Refer to Reviewing Agency/Department Comments in Finding 3 of this report.

Finding 5 Analysis:

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

Finding 5 Conclusion:

Based on the above information, staff believes that the public health, safety and general welfare can be protected through the conditions of approval recommended for this project. Finding 5 can be made.

PUBLIC COMMENT:

None.

SUMMARY CONCLUSION:

Staff believes that the proposal to allow a high intensity park for outdoor events appropriate and incidental to a park in the RR Zone District is consistent with the Fresno County General Plan and will have less than significant impacts on the surrounding properties. Based on the factors cited in the analysis, all the required Findings for granting the Classified Conditional Use Permit can be made.

SUMMARY RECOMMENDATION:

Staff recommends adoption of the proposed Mitigated Negative Declaration prepared for the project based on Initial Study No. 8286, and approval of Classified Conditional Use Permit No. 3751, subject to the recommended Mitigation Measures and Conditions of Approval.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8286; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3751, 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 Classified Conditional Use Permit No. 3751; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

Mitigation measures and conditions of approval pertains to traffic signal mitigation impact fee, road right-of-way, traffic management plan, hooded outdoor lighting, evaluation of archeological finds during ground disturbance, acoustical analysis.

EA:jp

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3700-3799\3751\Staff Report\CUP 3751 SR.docx

EXHIBIT 1

Mitigation Monitoring and Reporting Program
Initial Study No. 8286/Unclassified Conditional Use Permit Application No. 3751
(Including Mitigation Measures, Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	During the project life
2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	During ground disturbing activities
3.	Noise	A Noise Control Plan (Noise Monitoring Requirements) contained in the Acoustical Analysis prepared by WJV Acoustics and dated April 12, 2022, must be implemented to ensure compliance with the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards. Additionally, no amplified speech or music shall occur during the nighttime hours (10:00 p.m. to 7:00 a.m.) and all amplified speech and music shall conclude by 10:00 p.m.	Applicant	Applicant/Fresno County Dept. of Public Health, Environmental Health Division (FCDPH)	As noted
4.	Noise	The project operator(s) shall verify noise levels from amplified outdoor activities at both the east and the west property lines as noted in the Acoustical Analysis. If maximum noise levels are measured to be higher than 62 dB (decibels) at west property line	Applicant	FCDPH	As noted

		and 64 decibels at east property line, noise levels must be reduced until compliance is met.			
5.	Noise	The project operator(s) shall provide additional mitigation measures than those noted above (Item 3 and 4) to the Fresno County Department of Public Health, Environmental Health Division to meet the requirements of the Fresno County Noise Ordinance.	Applicant	FCDPH	As noted
6.	Transportation	Prior to the issuance of building permits, the project shall pay City of Fresno Traffic Signal Mitigation Impact (TSMI) Fee in the amount of \$4,437.72 to satisfy the fair share requirement for traffic signals as identified in the Traffic Impact Study prepared for the project, dated August 16, 2023, and provide a proof of payment to the County.	Applicant	Applicant/PW&P	As noted
Conditions of Approval					
1.	Development of the property shall be in substantial compliance with the Site Plan(s) and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permits, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include design of parking and circulation areas, access, onsite grading and drainage, fire protection, landscaping, signage, and lighting.				
3.	Prior to occupancy granted for the use, to prevent vehicular headlight shining on the neighboring properties during events, a cyclone fence with privacy slats or any other appropriate fencing type as approved by Fresno County Department of Public Works and Planning shall be erected and maintained along the entire west property line of the project site.				
4.	Shields Avenue fronting the project site has a total existing right-of-way of 30 feet north of section line. Shields Avenue is classified as an Arterial Road requiring an ultimate road right of way of 53 feet north of the section line. Prior to occupancy granted for the use, the owner of the property shall record a document irrevocably offering the 23 feet as future right-of-way from south side of the subject parcel abutting Shields Avenue. Note: A Preliminary Title Report or Lot Book Guarantee is required before the irrevocable offer of dedication can be processed. The owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial re-conveyance, or any other document required to clear title to the property, shall be borne by the owner or developer.				
5.	Prior to the issuance of building permits and prior to the first event of operation, a Traffic Management Plan (TMP) shall be prepared and approved for the project by the Fresno County Road Maintenance and Operations Division. The TMP shall include details on the usage of flaggers, temporary warning signs and warning beacons, installation of street lighting and signage, and shall limit traffic to right-in and right-out movements during events.				

6.	As part of Site Plan Review process, the Fresno County Development Engineering and Road Maintenance and Operations Division shall be consulted to ensure that gravel/aggregate is an acceptable surface for access aisles, circulation, and parking areas for the project.
7.	As part of Site Plan Review process, a dust palliative must be applied on all unpaved parking and circulation areas prior to events during dry weathers.
8.	A 10-foot by 10-foot corner cut-off shall be improved for sight distance purposes at any existing or proposed driveway accessing Shields Avenue.

*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 will 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.	Plans, permits and inspections are required for all onsite proposed improvements. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	To address site development impacts resulting from the project, the Fresno County Site Plan Review Unit requires the following: • All parking spaces shall be constructed in compliance with the county and the state standards. • Internal access roads shall comply with required widths by the Fire District for emergency apparatus. • All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. • A four (4) feet path of travel for disabled persons shall be constructed and stripped in accordance with state standards throughout event area.
4.	To address site development impacts resulting from the project, the Fresno County Road Maintenance and Operations (RMO) Division requires the following: • An encroachment permit shall be obtained for any work performed within the county road right-of-way. • Shields Avenue is classified as an Arterial Road. As such, the subject parcel is only allowed one (1) drive approach, at a maximum width of 28 feet per the Fresno County Improvement Standard D-2. • Any proposed event signage shall be installed outside of the ultimate County Road right-of-way. • Lighting shall be in such a way as to not provide a nuisance for vehicles traveling on Shields Avenue.

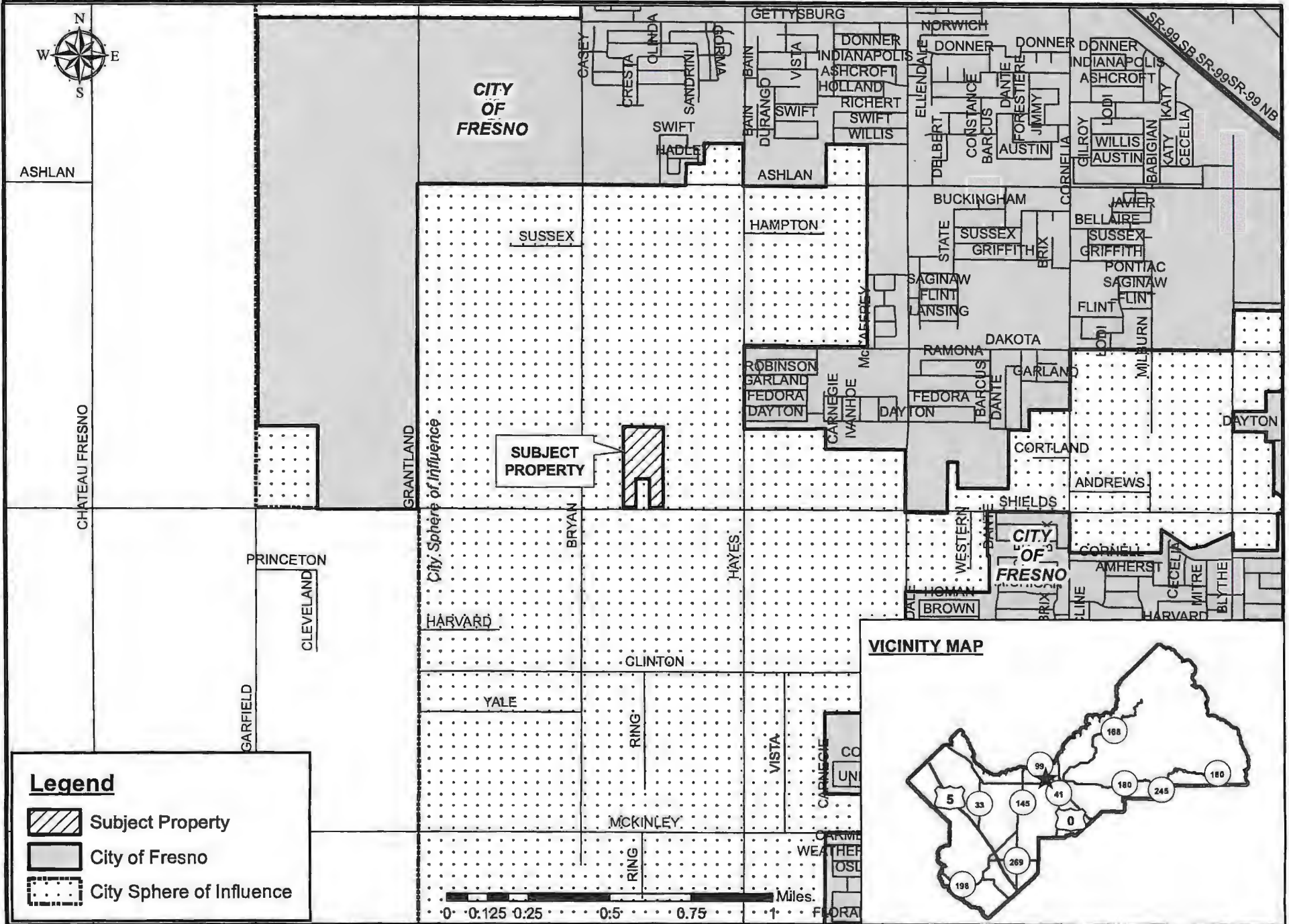
Notes	
	- Any access gates shall be set back a minimum of 20 feet from the ultimate road right-of-way, or the length of the longest vehicle entering the site, to prevent vehicles from idling in the road when stopped to open the gate. - Gates shall be set back far enough to minimize the queue length of vehicles on Shields Avenue waiting to enter the site during events. - Any permanent drainage improvements shall be in accordance with Fresno Metropolitan Flood Control District (FMFCD) master plan. Road drainage improvements such as curb and gutter are required but may be deferred until FMFCD facilities are available. - Setbacks for new construction shall be based on the ultimate road right-of-way for Shields Avenue. - Drive approaches shall be paved for the first 100 feet to prevent tracking of dust onto County maintained roads.
5.	To address site development impacts resulting from the project, the Fresno Metropolitan Flood Control District (FMFCD) requires the following: - Provide temporary on-site storm water storage facility until permanent FMFCD facilities become available and drainage can be directed to the street; - Obtain drainage and grading plan approval by the FMFCD prior to approval by the County. - Pay drainage fees at the time of development based on the fee rates in effect at that time.
6.	To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following: - 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. - Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines or into the county road right-of-way, and must be retained on-site, per County Standards unless FMFCD specifies otherwise. - A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) are required to 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 the Development Engineering. - If not already present, a 10-foot by 10-foot corner cut-off should be improved for sight distance purposes at any existing or proposed driveway accessing Shields Avenue.
7.	To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following: - The existing septic system capacity shall be verified. - New sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. - Leach fields shall not be paved over to allow for treatment of effluent.

Notes	
	• Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5; • Handling of any hazardous materials and/or hazardous waste shall require submittal of a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. • To protect groundwater, all abandoned water wells and septic systems on the property shall be destroyed by a licensed contractor. • Any underground storage tank(s) found during construction, shall be removed by securing an Underground Storage Tank Removal Permit from the Health Department. Caterer shall complete the operational statement for a catering operation. • Prior to any alcohol sales, license to sell alcoholic beverages shall be obtained from the California Alcoholic Beverage Control Department.
8.	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.
9.	The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 and shall submit construction plans to the County prior to receiving NCFPD conditions of approval for the project. It is the Applicant's responsibility to deliver two sets of plans to NCFPD.

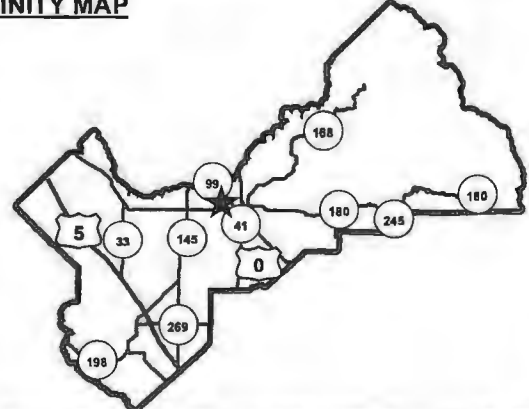
EA:jp

G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3600-3699\3664\SR\CUP 3664 MMRP (Ex 1).docx

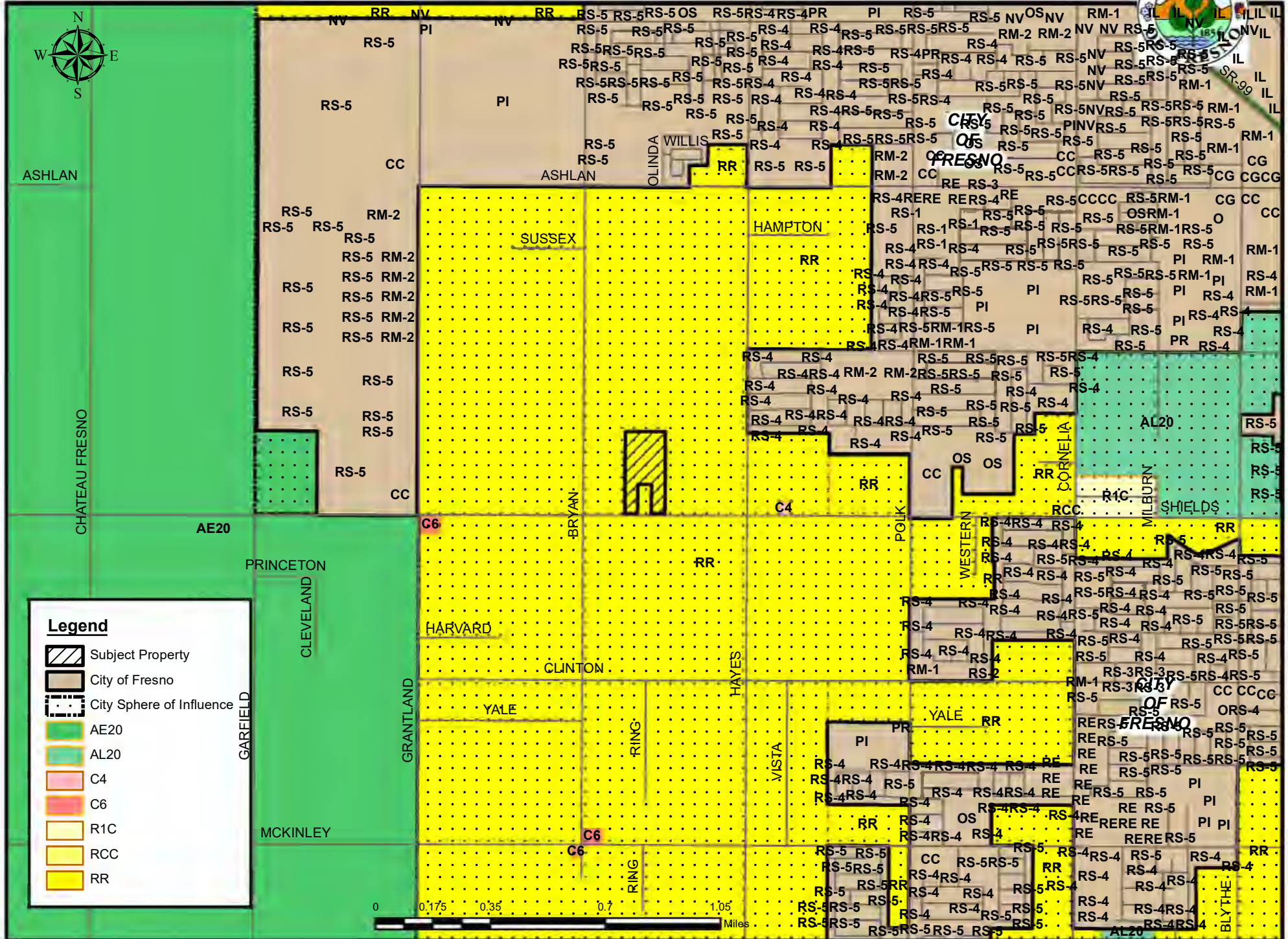
EXHIBIT 2 LOCATION MAP



VICINITY MAP



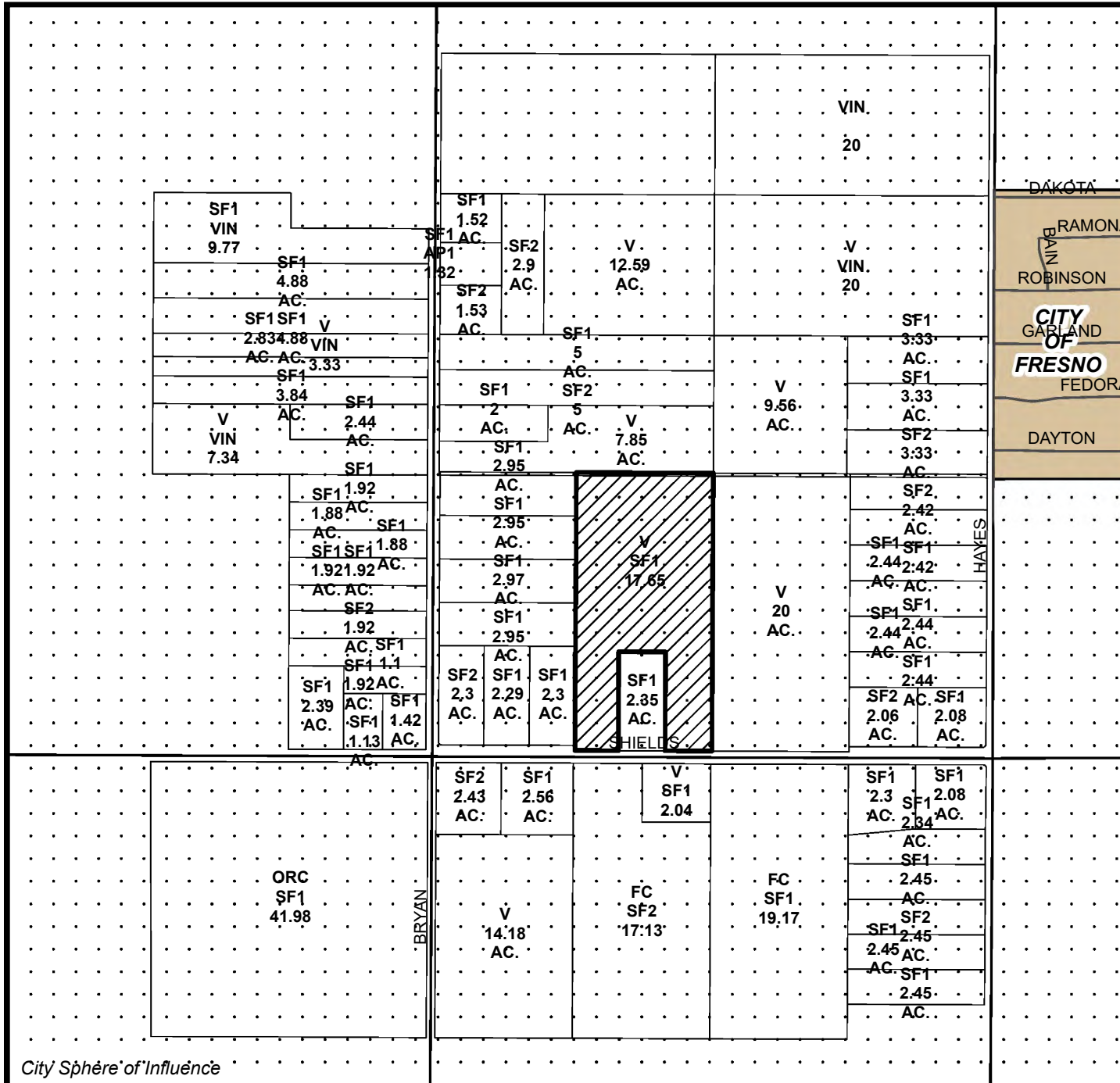
EXISTING ZONING MAP



CUP 3751

EXHIBIT 4

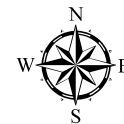
EXISTING LAND USE MAP



LEGEND	
AP1 -	APARTMENT
FC -	FIELD CROP
ORC -	ORCHARD
SF# -	SINGLE FAMILY RESIDENCE
V -	VACANT
VIN -	VINEYARD

LEGEND:

- Subject Property
- City of Fresno
- City Sphere of Influence

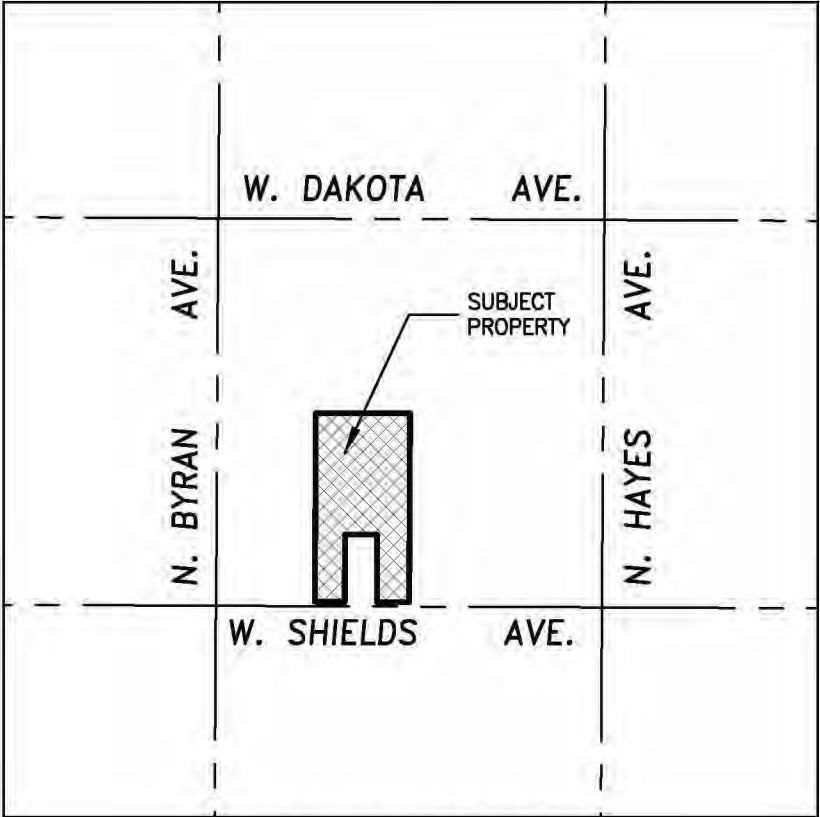


0 180 360 720 1,080 1,440 Feet

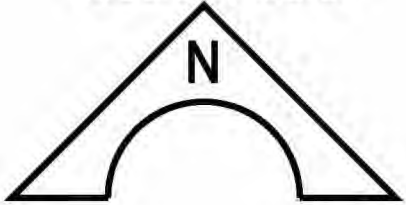
Department of Public Works and Planning
Development Services Division

**SITE PLAN
CUP No. 3751**

BEING A PORTION OF THE SOUTHEAST 1/4 OF
SECTION 21, T. 13 S., R. 19 E., M.D.B.M.
IN THE COUNTY OF FRESNO,
STATE OF CALIFORNIA



VICINITY MAP



LEGEND:

- SECTION LINE.
- RIGHT OF WAY.
- (E) PROPERTY LINE.
- EXISTING
- (P) PROPOSED
- (E) STRUCTURES
- (E) CONCRETE SURFACE
- (E) ASPHALT SURFACE
- (E) SYNTHETIC SURFACE
- (E) GRAVEL SURFACE
- (E) LAWN/TURF SURFACE
- (E) DOMESTIC WELL
- (E) AGRICULTURAL WELL
- (E) SEPTIC

ASSESSOR'S PARCEL No:

512-160-20

PROJECT SITE ADDRESS

6338 W. SHIELDS AVE.
FRESNO, CA 93723-9217

PROPERTY OWNER CONTACT INFO:

MIKE SAMRA, PH: 559-917-0209, EMAIL: Msamra00@yahoo.com

EXISTING PLANNED USE DESIGNATION:

RURAL RESIDENTIAL

EXISTING AND PROPOSED ZONE DIST:

RR RURAL RESIDENTIAL

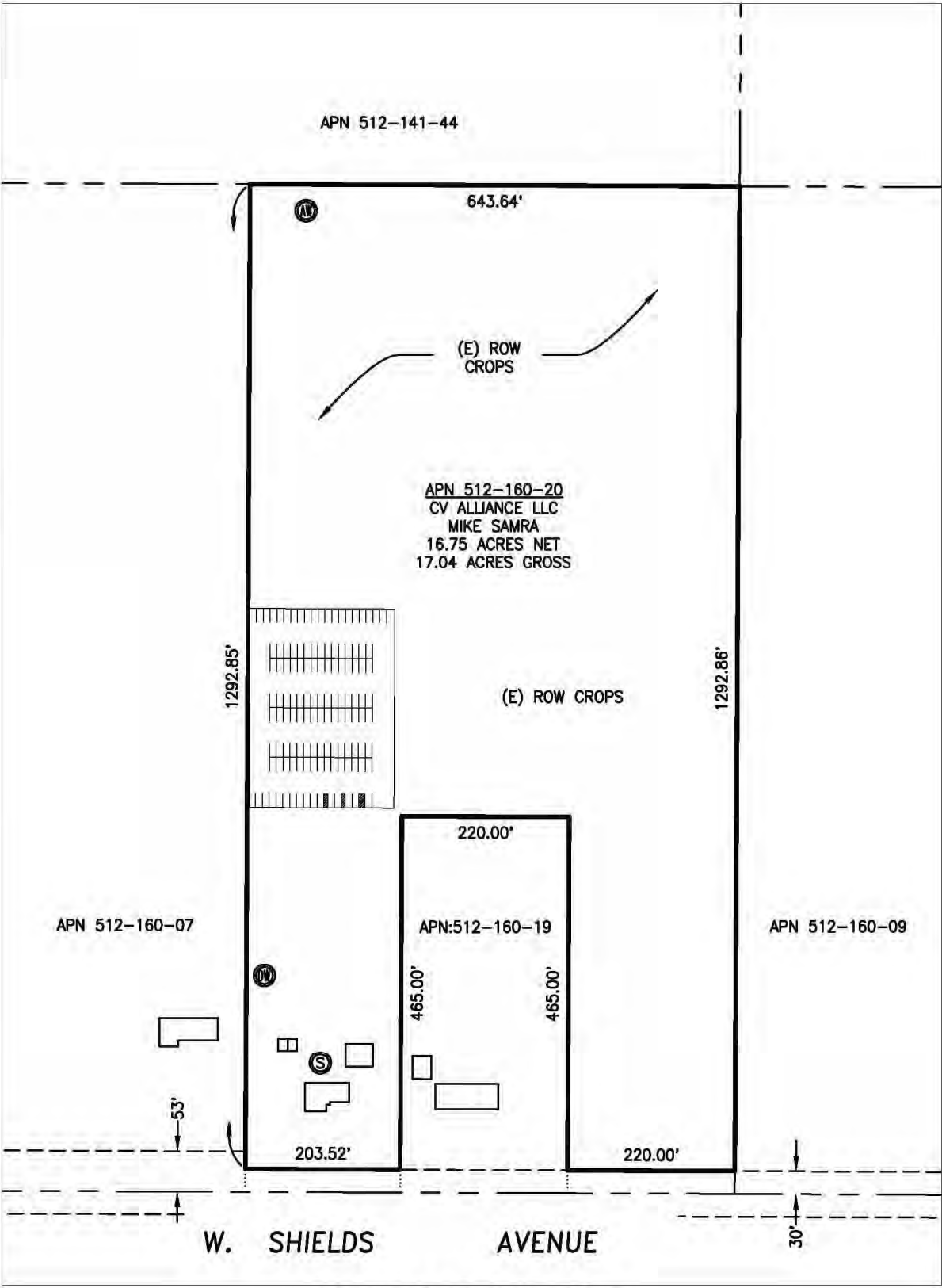
PROJECT INFORMATION

NAME: SAMRA SITE PLAN-FRESNO CLIENT: MIKE SAMRA
TWP, RNG, SEC: 13, 19, 21, MDB&M COUNTY OF: FRESNO STATE OF: CALIFORNIA

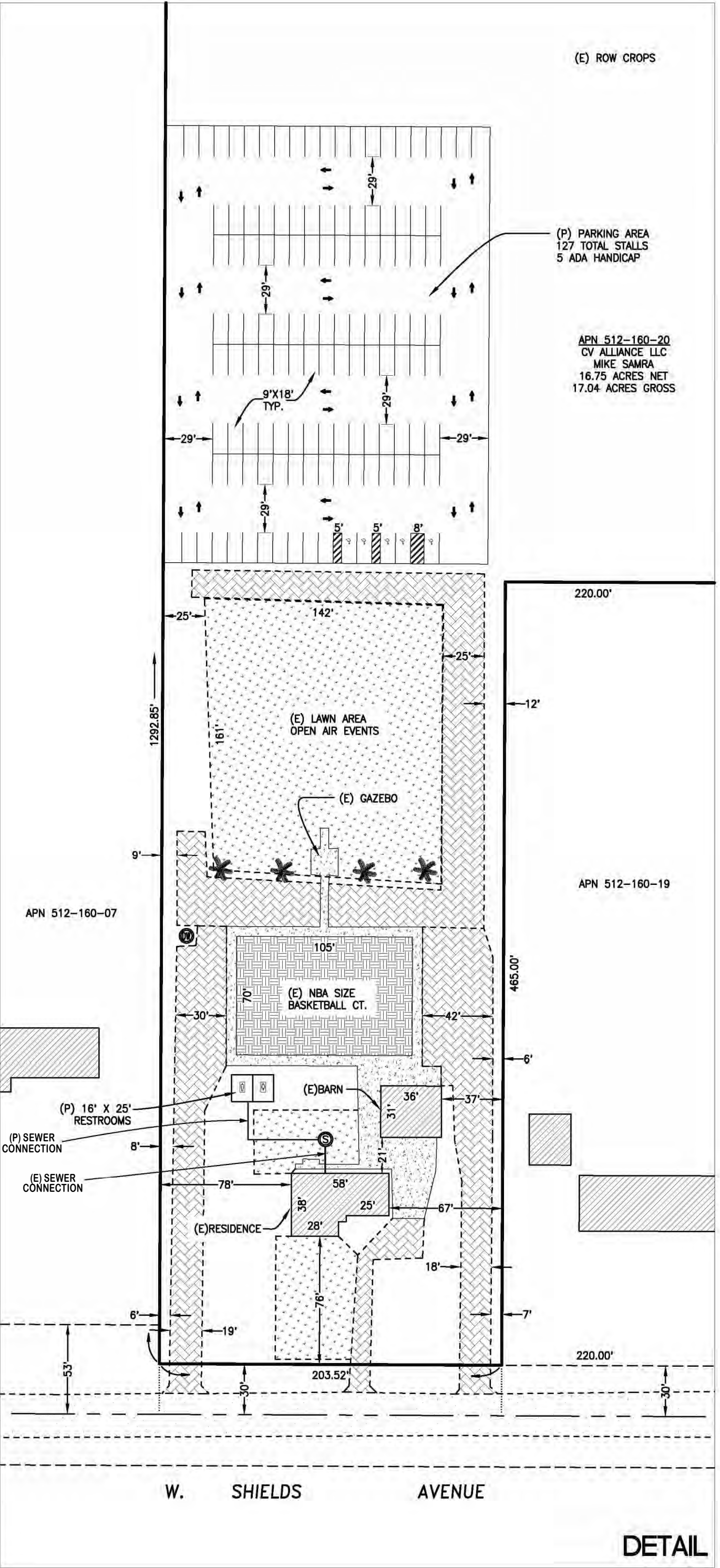
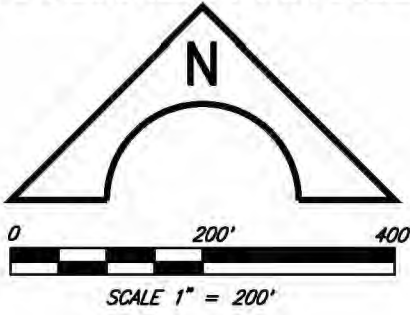


ESP SURVEYING
2598 N. MIAMI AVE.
FRESNO, CA
Tel 559.442.0883
Fax 559.442.0884
www.espla.com

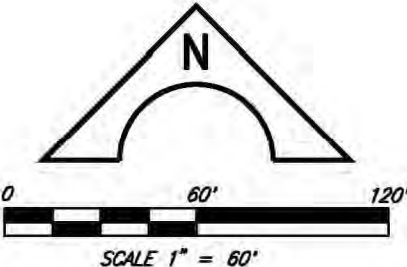
DATE OF SURVEY	5/19/2022
ESP JOB No.	22039
DRAWN BY	6335
DRAWN DATE	7/04/2022
REV 1	10/3/2022
REV 2	10/26/2022

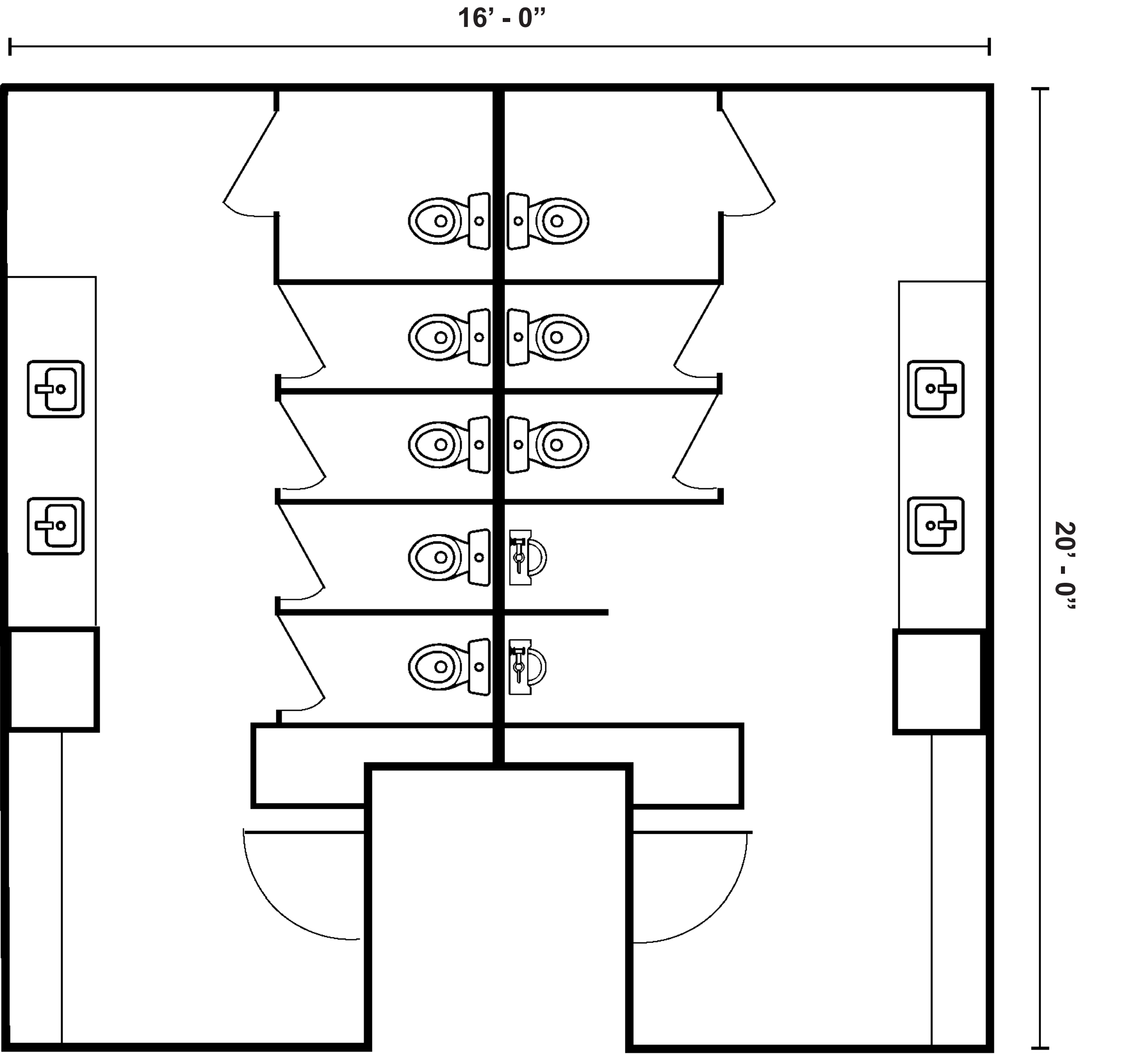


OVERALL PARCEL



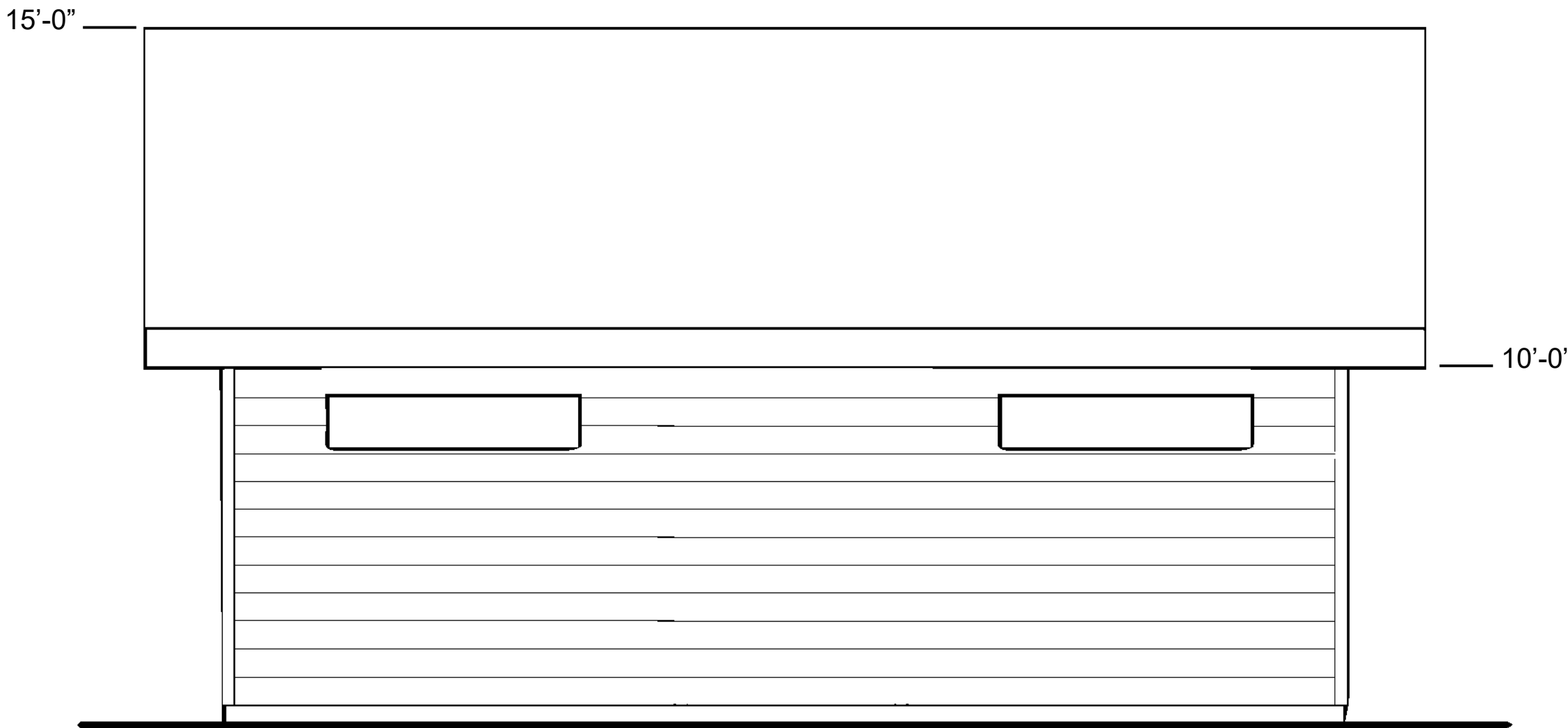
DETAIL



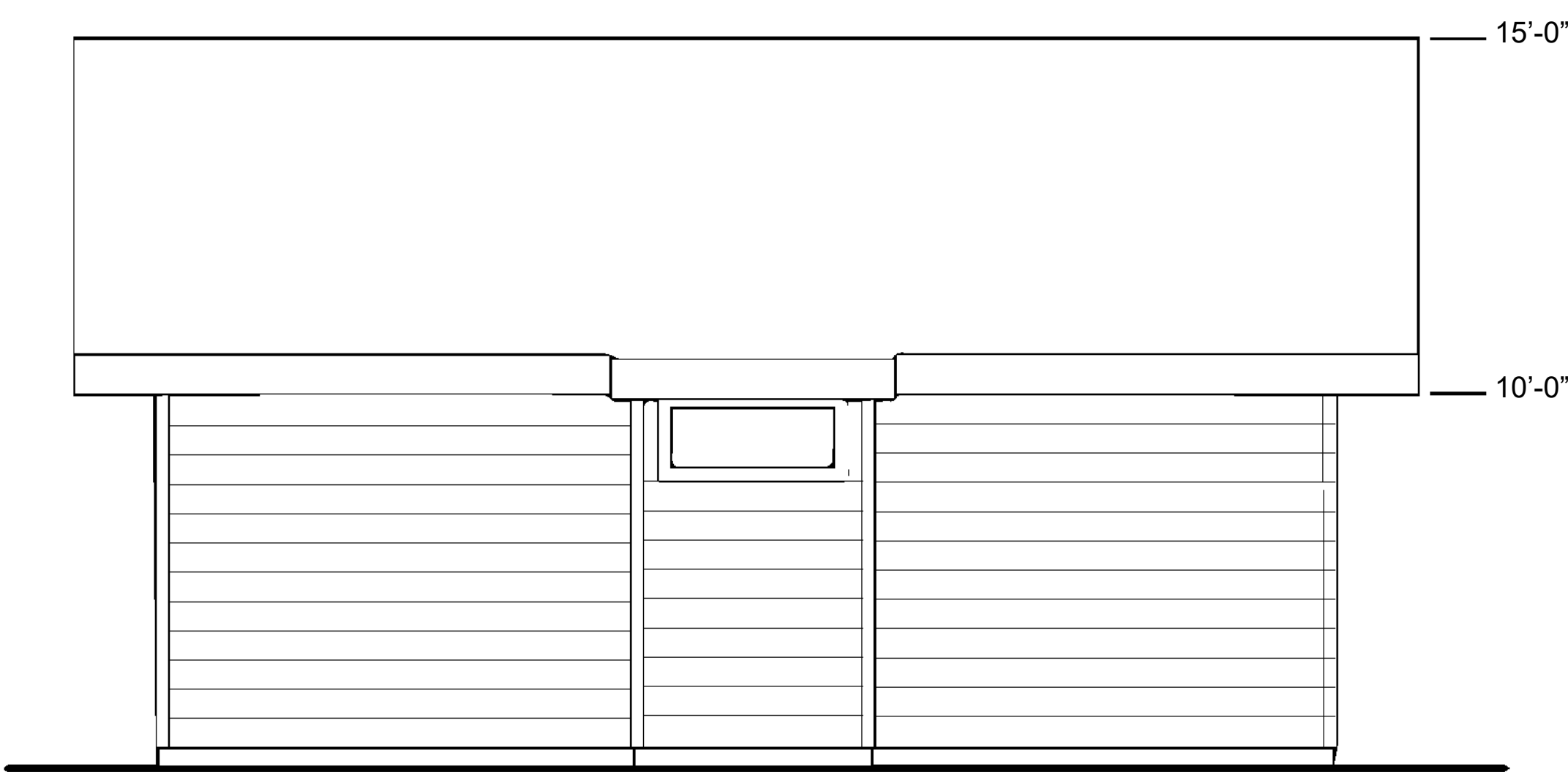


PROPOSED RESTROOM FACILITY FLOOR PLAN

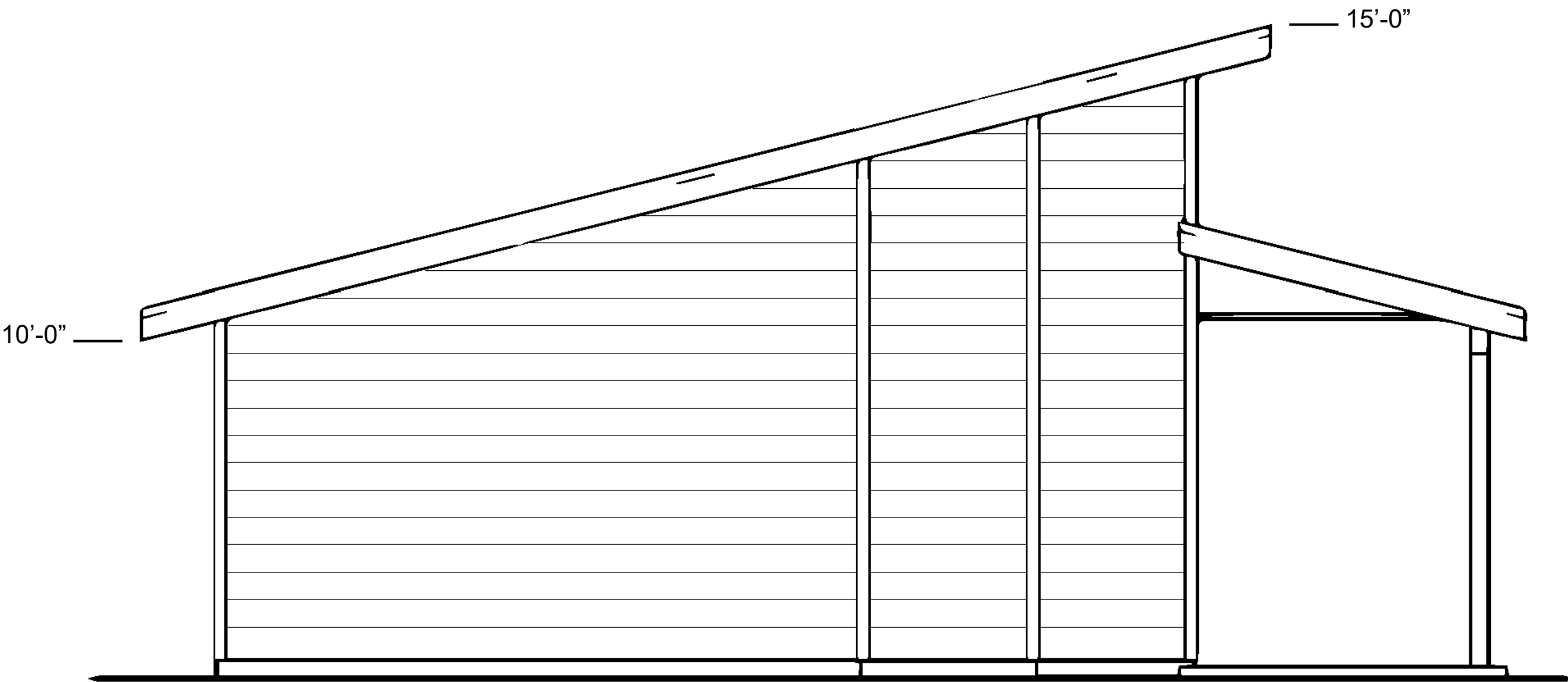
320 +/- sq. ft.



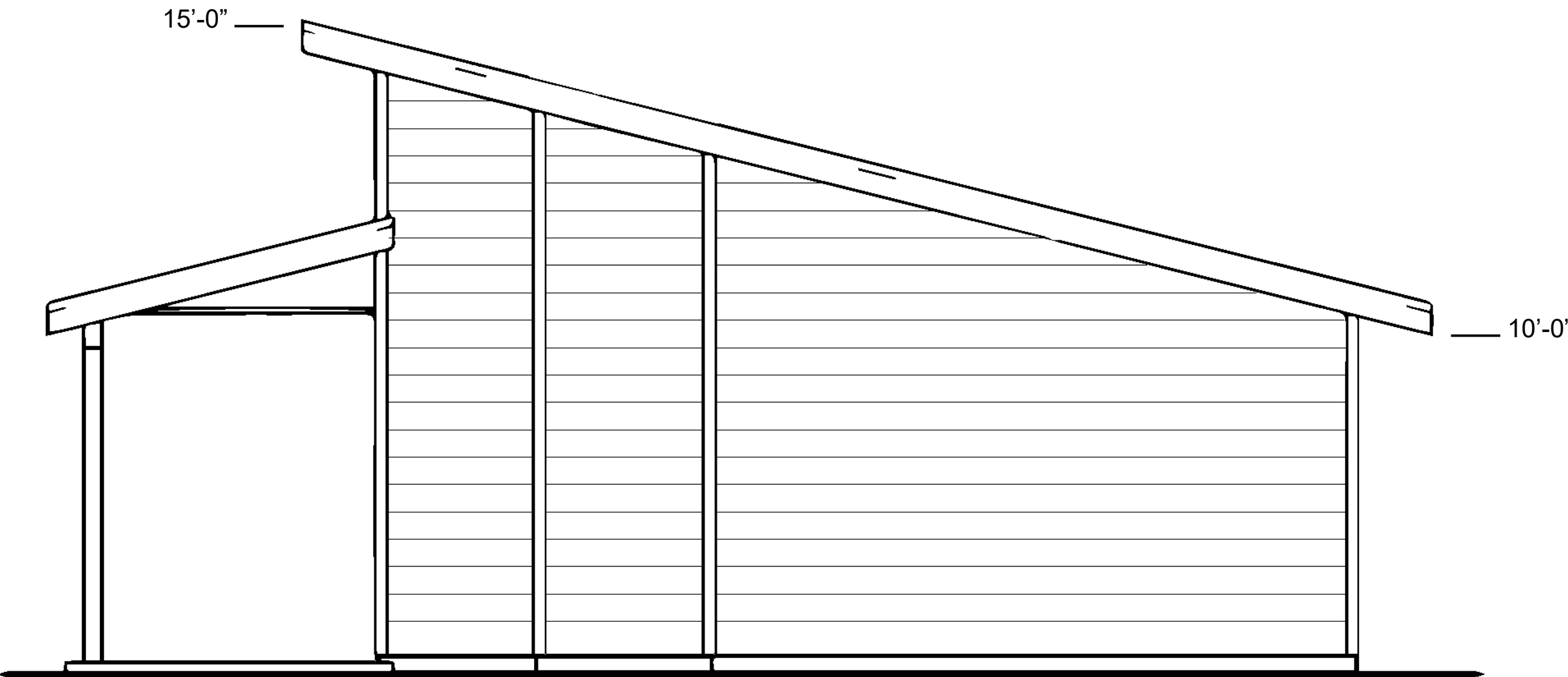
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

NOTE:
THIS DRAWING IS FOR ILLUSTRATION PURPOSES ONLY
AND IS NOT TO BE USED AS A BUILDING PLAN OR
FOR ANY OTHER PURPOSE. DIMENSIONS ARE DERIVED
FROM RECORD DATA BASE. ACCURACY IS ASSUMED TO
BE CORRECT BUT IS NEITHER EXPRESSED NOR IMPLIED.
THIS DRAWING SHALL REMAIN THE PROPERTY OF DIRK
POESCHEL LAND DEVELOPMENT SERVICES, INC. AND SHALL
NOT BE USED OR DUPLICATED FOR ANY REASON WITHOUT
WRITTEN PERMISSION.

DIRK POESCHEL
Land Development Services, Inc.

PROPOSED RESTROOM FACILITY FLOOR PLAN & ELEVATIONS
CUP No. 3751
CV ALLIANCE - EVENT CENTER
6338 W. SHIELDS AVE.
FRESNO, CA 93723

DRAWN BY: M. Spera
PROJECT NO: 21-14
DRAWN: 11/28/2023
REVISED:
REVISED:
SHEET NO.: 1
OF 1 SHEETS

**Event Center
Unclassified Conditional Use Permit
Operational Statement**

~~October 11, 2022~~
~~Revised: August 30, 2023~~
Revised: November 17, 2023

Property Owner:

CV Alliance, LLC
6338 W. Shields Ave.
Fresno, CA 93723

Applicant:

CV Alliance, LLC
c/o Mr. Mike Samra
6338 W. Shields Ave.
Fresno, CA 93723

Representative:

Dirk Poeschel Land Development Services, Inc.
c/o Ms. Maria Spera
923 Van Ness Ave., Suite 200
Fresno, CA 93721

Project Site:

6338 W. Shields Ave.
Fresno, CA 93723

APN: 512-160-20

Zoning: R-R (Rural Residential)

Land Use Designation: Rural Residential

Area: 16.75 +/- acres

REQUEST:

To allow for the operation of an event center on property located at 6338 W. Shields Ave.
in the County of Fresno.

1. NATURE OF THE OPERATION/BACKGROUND

The subject property is 16.75 +/- acres and is designated Rural Residential in the Fresno County General Plan and is zoned R-R (Rural Residential). The subject property is located just outside of the Fresno city limits. The subject property is developed with a 1,500 +/- sq. ft. single-family residence and a 1,116 +/- sq. ft. barn.

The event center will be rented out for weddings, receptions, birthdays, anniversaries, company parties, etc. Most of the events will be catered by private companies. The event center will be available for use year-round. The peak season for use of the event center will be from May through September, during the spring and summer, and thus the facility will not be used as often during the fall and winter months. All events will be held outdoors.

2. TIME LIMITS

The event center will be available for use from 10:00AM to 10:00PM. There will be no more than one event per day.

3. NUMBER OF CUSTOMERS OR VISITORS

Events will be limited to no more than 200 guests per event. The primary use of the event center will be on weekends, May through September. A maximum of 60 events, 2 on weekends and 2 on weekdays, will be held at the event center each year.

4. NUMBER OF EMPLOYEES

There will be one (1) full-time employee, respectively titled Event Manager, who will be present at each event, beginning to end. Additional event staff will be provided by the applicant. The applicant will provide a minimum of two (2) staff members per event.

Caterers will supply food and beverages during events. The catering companies will provide staff as needed to serve guests. The catering company's number of employees will range from 5-20. The number of employees will be proportional to the size of the event.

Security guard(s) will be retained as required by County standards.

5. SERVICE DELIVERY VEHICLES

Delivery vehicles will visit the site the day before and on the day of the event. It is estimated 3 delivery vehicles per event will frequently visit the site. The vehicles will deliver food, beverages, flowers, and other supplies necessary to cater the events. There will be no goods or products sold on-site.

6. ACCESS TO THE SITE

There are two existing driveway approaches from W. Shields Ave. which is designated as an *Arterial* street in the Circulation Element of the Fresno County General Plan. Access to the site will be from the existing driveway located to the east of the existing residence and illustrated on the project site plan. A second access is also shown on the site plan which is located on the west side of the property. This access will be used for overflow. The highest trip generation periods for the proposed project will be on the weekends.

7. NUMBER OF PARKING SPACES

As illustrated on the site plan, there will be a designated area for visitor parking. The parking area will be located to the north of the outdoor lawn area. The parking area will be 1.00 +/- acres in size and will provide a total of 127 parking stalls, including ADA parking. Parking calculations are provided per Fresno County standards.

8. GOODS OR SERVICES SOLD ON SITE

No goods or services will be sold on site. There may be raffles/auctions when groups rent the facility and desire to fund raise during events.

9. EQUIPMENT

Typical yard maintenance equipment will be used. All other site maintenance will be performed by contractors called to the site.

10. SUPPLIES AND MATERIALS

No special supplies or materials are required for the project. Any specialty supplies or materials will be brought to the site by contractors/suppliers or caterers.

11. DOES THE USE CAUSE AN UNSIGHTLY APPEARANCE?

No. The front entrance is gated, and landscaping exists throughout the property. The driveways are surfaced with decomposed granite. The site is and will continue to be well kept and will be an improvement to the surrounding area. For reference purposes, please see attached images 1 & 2 which illustrate a representation of the unsightly larger properties that are neglected within the area.

Noise

An outdoor sound amplification system will be provided as necessary for events. The area surrounding the project site is predominately agricultural and rural residential land uses. The closest off-site residential land uses are approximately 200 feet to the west and east and approximately 350 feet to the south, as depicted by the Acoustical Analysis prepared by WJV Acoustics Consultants, Inc.

The sound amplification system will be directed away from surrounding residences which are located to the east and west of the subject site. Various noise mitigation measures have been developed by acoustical consultants, WJV Acoustics Consultants, Inc. A noise control plan will be established to mitigate any noise disturbance and to keep the proposed use compliant with Fresno County noise standards. The noise plan will consist of the following:

1. Instrumentation: Monitoring of instrumentation that will be conducted by event center staff. Monitoring will be done by using a sound level meter, provided by the applicant, that meets the American National Standards Institute to confirm compliance with the Fresno County noise ordinance.
2. Training: Event center staff will be trained to conduct noise monitoring during the events using the noise monitoring equipment.
3. Reference Noise Monitoring Sites: The applicant will use the reference noise monitoring sites indicated in *Figure 1* of the Acoustical Analysis prepared for the project to conduct appropriate noise monitoring during events. The applicant will maintain a record of noise monitoring for compliance purposes.
4. Noise Monitoring Schedule: The applicant will monitor amplified outdoor activity immediately after amplification system is put into operation and periodically thereafter. If it is determined that noise levels exceed the appropriate noise levels, then modifications to the amplification system will be made until noise levels are compliant to Fresno County noise standards.
5. Sound Amplification System: Event center staff will have control over the use and volume of the sound amplification system provided by the event center during an event. Staff will have the ability to adjust amplification settings at any time prior to and during activities utilizing amplified speech and music to assure compliance with the Fresno County noise ordinance.

The applicant will instruct event center staff to incorporate the Noise Control Plan included in the Acoustical Analysis prepared for this project by WJV Acoustics Consultants, Inc. to ensure compliance with the applicable Fresno County daytime, 7:00AM to 10:00PM noise level standards. Additionally, no amplified speech or music will occur during the nighttime hours, 10:00PM to 7:00AM. All amplified speech and music will conclude by 10:00PM. All events will be subject to monitoring by the staff of the facility to ensure that noise levels are not exceeded.

Glare

Parking lot and event lighting utilize hooded light fixtures. All lighting will be directed to not annoy nearby property owners. On-site lighting is installed in zones so only those areas in use will be lighted.

Dust

There will be no dust or odors associated with the event center. The event area is landscaped. The site roadways are paved in decomposed granite.

12. LIQUID OR SOLID WASTES TO BE PRODUCED

Waste Disposal

The applicant is proposing a 400 +/- sq. ft. restroom facility to accommodate event center attendees. The proposed restroom will be located approximate to the southwest corner of the existing basketball courts. Please see site plan for more details.

There is one existing 1,000-gallon septic tank and leach field serving the existing residence. The proposed restroom facility will be provided consistent with Fresno County standards.

Solid Waste Disposal

The facility is currently, and will continue to be, served by a private waste hauler. Solid waste containers will be located on the property for pick up by the waste hauler. Recyclable materials will be separated for pick up.

The quantity of solid waste generated by the facility will be determined by the number and size of events that occur in a week. However, it is anticipated that the maximum quantity will not exceed 5 cubic yards a week.

13. ESTIMATED VOLUME OF WATER TO BE USED

There is a 50-gallon per minute water well with 1 storage tank of 2,500 gallons located on the west side of the property as shown on the attached site plan. The well provides water for domestic use, as well as for landscaping.

The event center proposes on-site restroom facilities, totaling 340 sq. ft., and will provide 9 toilets, 1 urinal, and 4 sinks. Assuming each guest uses the restroom facility once per event, approximately a total of 250 gallons of water will be used per event, with sink usage. Therefore, approximately 15,000 gallons of water will be used per calendar year for the event center.

All water and beverages will be provided by a catering service. The well is adequate to meet the needs of the proposed use.

14. PROPOSED ADVERTISING

One sign at the entrance of the park is proposed. The sign will be approximately 4' X 6'. The applicant will place traffic control signage on W. Shields Avenue at the time

of the event. Proposed signage will be per Fresno County sign standards.

15. WILL EXISTING BUILDINGS BE USED?

The existing 1,116 +/- sq. ft. barn will be used for storage purposes only. The existing 1,500 sq.ft. single-family residence will be used as living quarters for the ground's keeper of the proposed events center.

Proposed Building

The applicant will construct a 400 +/- sq. ft. restroom facility to accommodate the event center.

16. WHICH BUILDINGS OR WHAT PORTION OF BUILDINGS WILL BE USED?

There is an existing 16' x 16' pergola located on the lawn area which will be used for events. There is an existing NBA sized basketball court located to the south of the lawn area which will be used for recreation during the events. There is an existing 1,116 +/- sq. ft. barn which will be used for storage only. Additionally, the existing 1,500 sq. ft. single-family residence will be used as living quarters for the ground's keeper of the proposed events center.

17. OUTDOOR LIGHTING PROPOSED

Due to the site's size, location and topography, the use will not have any significant impacts on the surrounding properties. There will be a limited number of outdoor lighting fixtures as required to hold events during the evening hours. Lighting is hooded to direct lighting on-site and away from adjacent properties. The site lighting is a combination of low voltage and standard voltage lighting. All lighting will be directed to not annoy nearby property owners. On-site lighting will be set up in zones so only those areas in use will be lighted as needed.

18. LANDSCAPING OR FENCING

All existing landscaping will remain. The property is chain link fenced on all property lines.

19. ANY OTHER INFORMATION THAT WILL PROVIDE A CLEAR UNDERSTANDING OF THE PROJECT

Consistency with County Policies

ED-B.9 Cultural and Recreational Amenities

"The County shall support the efforts to enhance the cultural and recreational amenities available in the county in order to maintain the desired livability/quality of

life for its residents as well as to attract business entrepreneurs from other metropolitan areas in California and throughout the nation and the world.”

20. IDENTIFY PROJECT OWNERS

Mr. Gurmit Samra & Mr. Paul Brar
6338 W. Shields Ave.
Fresno, CA 93723

M:\CURRENT CLIENTS\CV Alliance 21-14\Pre-Application submittal\Operational statement CV Alliance LLC.docx





IMAGE 2





County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: CV Alliance, LLC

APPLICATION NOS.: Initial Study No. 8286; Unclassified Conditional Use Permit Application No. 3751

DESCRIPTION: Allow a high intensity park with related improvement for weddings, receptions, birthdays, anniversaries, and similar special outdoor events appropriate and incidental to parks on an approximately 3.3-acre portion of a 16.75-acre parcel in the RR (Rural Residential) Zone District.

LOCATION: The subject parcel is located on the north side of Shields Avenue, approximately 642 feet east of N. Bryan Avenue, and 1,322 feet west of the City of Fresno (APN: 512-160-20) (6338 W. Shields Avenue, Fresno) (SUP. DIST. 1).

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: NO IMPACT:

The project site is in a rural residential area which is mostly developed with single-family homes and related improvements. The site fronts on Shields Avenue which is not identified as scenic drive in the Open Space and Conservation Element of Fresno County General Plan. There are no scenic vistas or scenic resources, rock outcroppings, or historic buildings on or near the site that could potentially be impacted by the project. No impact on scenic resources would occur.

- 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 the project site include a 1,500 square-foot single-family residence, 1,116 square-foot barn, 256 square-foot pergola, a basketball court, and two access drives off Shields Avenue. These improvements will be used for the activities related to the proposed event center. The barn will be used for storage purposes and the residence will be used as a living quarter for the ground keeper of the event center.

The proposed improvements on the project include a 400 square-foot restroom facility and a parking lot to provide for event parking. This parking lot will be located adjacent to the existing lawn area and be developed by replacing a small portion of land currently in farming operation.

The project area is predominantly rural residential. Adjacent parcels to the south, and west are developed with single-family homes and the parcels to the north and east are either fellow or active farmland, including the northerly half of the project site.

To screen the proposed parking area from the adjacent properties to the west developed with single-family homes and to prevent headlight shining on the properties during events, a Condition of Approval would require that a cyclone fence with privacy slats or any other appropriate fencing type as approved by Fresno County of Fresno shall be erected along the entire west property line of the project site.

In summary, when completed, the proposed improvements (restroom, parking, and fencing) when completed will not significantly change the visual character or quality of public views of the site and its surroundings. The impact would be less than significant.

- 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:

The project will utilize a limited number of outdoor lighting fixtures. Use of outdoor lighting has the potential of generating new sources of light and glare in the area. The potential for headlight glare related to parking area is discussed in subsection C above. To minimize any potential impacts resulting from new sources of lighting, the project shall adhere to the following Mitigation Measure.

* **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: LESS THAN SIGNIFICANT IMPACT:

The project is not in conflict with current zoning and is an allowed use on land designated for rural residential with discretionary approval and adherence to the applicable General Plan Policies.

The project site is not Prime Farmland. It is designated as Farmland of Local Importance on Fresno County 2016 Important Farmland Map and is not enrolled in a Williamson Act Program.

- 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 site is not in an area designated for timberland or zoned for timberland production. No forests occur in the vicinity; therefore, the project will have no impacts to forests, conversion of forestland, or timberland zoning would occur because of the subject proposal.

The project site is zoned RR (Rural Residential, two-acre minimum parcel size) in the zoning ordinance for residential development. The project would not result in conversion of farmland to non-agricultural use.

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:

An Air Quality and Greenhouse Gas Assessment was prepared for the project by JK Consulting Group, LLC, dated July 14, 2023, and routed to the San Joaquin Valley Air Pollution Control District (SJVAPCD) which provided no comments on the project.

Construction and operation of the project would contribute the following criteria pollutant emissions: reactive organic gases (ROG), nitrogen oxides (NO_x) carbon monoxide (CO), nitrogen dioxide (NO_x), sulfur dioxide (SO_x), and particulate matter (PM₁₀ and PM_{2.5}).

As discussed in II. B below, emissions of ROG, NO_x, CO, NO_x, SO_x, PM₁₀, and PM_{2.5} associated with the construction and operation of the project would not exceed the District's significance thresholds, result in an increase in the frequency or severity of any air quality standards violation, or cause a new air quality standard violation. Additionally, the project will adhere to SJVAPCD regulatory requirements.

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 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 ROG, NO_x, CO, 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 are 10 tons per year ROG, 10 tons per year NO_x 100 tons per year CO, 27 tons per year SO_x, 15 tons per year PM₁₀, 15 tons per year PM_{2.5}.

Per the Air Quality and Greenhouse Gas Assessment, the construction emissions (ton per year) associated with the project would be 0.0967 for ROG, 0.6312 for NO_x, 0.7361 for CO, 0.00139 for SO_x, 0.0582 for PM₁₀, and 0.0385 for PM_{2.5} which are less than the threshold of significance. Likewise, the operational emission over the life of the project, primarily from mobile sources, would be 0.1384 for ROG, 0.2163 for NO_x, 1.2061 for CO, 0.0029 for SO_x, 0.2955 for PM₁₀, and 0.0807 for PM_{2.5} which are also less than the threshold of significance.

In summary, short-term (construction) and long term (operational) emissions generated from the project will be less than the applicable SJVAPCD emission thresholds for criteria pollutants. As a result, the project will not 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. The impacts would be less than significant.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as hospitals, residences, convalescent facilities, and schools. The closest sensitive receptor, single-family homes are located approximately 40 feet west of the west property line and 48 feet east of the east property line of the project site. Also, the project site is developed with a single-family residence.

Per the Air Quality and Greenhouse Gas Assessment, short-term construction phase of the project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include ozone precursor pollutants (i.e., ROG and NO_x) and PM₁₀ and PM_{2.5}. Construction-generated emissions are temporary in nature, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SJVAPCD's thresholds of significance. According to the predicted project construction emissions as summarized in II. B. above, all criteria pollutant emissions would remain below their respective thresholds during project construction. The impact would be less than significant.

Operational air pollutant emissions were based on estimated traffic trip generation for the Project. According to the predicted project operational emissions as summarized in II. B. above, all criteria pollutant emissions would remain below their respective thresholds during Project operations. The impact would be less than significant.

Regarding health risk from Toxic Air Contaminants (TACs), the California Air Resources Board (CARB's) Air Quality and Land Use Handbook (2005) provides recommendations for siting new sensitive land uses within proximity to facilities known to generate TACs, namely freeways and high traffic roads, distribution centers, rail yards, ports, refineries, chrome platters, dry cleaners and gasoline dispensing facilities. The characteristics of the proposed project are not consistent with the TAC source categories as noted above. As a result, the project would not expose adjacent sensitive receptors (single-family homes) to toxic air emissions or generate TAC's that would have a significant impact on the environment.

In conclusion, localized impacts from criteria pollutant emissions would not exceed SJVAPCD screening thresholds and that the project does not include substantial amounts of diesel equipment and truck trips that would result in a significant increase in cancer risk, chronic risk, and acute risk due to TAC emissions.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Air quality and Greenhouse Gas Assessment, nuisance odors may be assessed qualitatively taking into consideration of project design elements and proximity to off-site receptors that potentially would be exposed to objectionable odors. Various facilities that have been reported to cause odors in the San Joaquin Valley Air Basin (SJVAB) have been identified by the SJVAPCD, and includes landfills, transfer stations, composting facilities, petroleum refinery, asphalt batch plant, chemical or fiberglass manufacturing, painting/coating operations, food processing facility, feed lots/dairy and rendering plant.

The proposed project entails establishment of an event venue whose operation is not expected to generate any offensive odors. The project's operational impact would be less than significant.

During construction, various diesel-powered vehicles and equipment used on-site may create localized odors which would be temporary and not likely to be noticed for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would therefore be less than significant. Also, no major odor-generating sources were identified within the screening distances of the site.

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

FINDING: NO IMPACT:

The project site is within an area predominantly developed with single family homes and related improvements. There are pockets of cultivated land within the immediate surrounding area. A portion of the site is also in farming operation same as the land to the east of the project site. Most other properties in the area are improved with residential dwellings. The project site and the land in the area is pre-disturbed with

farming and residential development and as such do not provide habitat for state or federally listed species. Additionally, the site contains no riparian features, or wetlands or waters under the jurisdiction of the United States.

This project was routed to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service for comments. Neither agency offered any comments on the project. Therefore, no impacts were identified in regard to; 1) Any candidate, sensitive, or special-status species; 2) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; and 3) Federally protected wetlands as defined by Section 404 of the Clean Water Act.

- 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: NO IMPACT:

The project area cannot be characterized as an area for migratory wildlife species or suitable for migratory wildlife corridors. As stated earlier, the project site is in a rural residential area developed with single-family homes outside of the City of Fresno urban development.

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

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources.

- 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 within the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP) area which applies to the activities related to PG&E's operations. The project is not in conflict with HCP

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 not within or near an area sensitive to historical, archeological, or paleontological resources. However, in the unlikely event that cultural resources are uncovered during ground disturbance, the project will adhere to the following mitigation measure to ensure that impacts to cultural resources remain less than significant.

* **Mitigation Measure:**

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

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: NO IMPACT:

The project involves limited construction activities. Construction of a restroom facility and a parking lot would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources (gas, electricity, gasoline, and diesel) during construction. 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.

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report, the project site is in an area which has 10 percent probability of seismic hazard in 50 years with peak horizontal ground acceleration of zero to 20 percent. The project development would be subject to building standards, which include specific regulations to protect improvements against damage caused by earthquake and/or ground acceleration.

4. Landslides

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in an area of landslide hazards. The site is flat with no topographical variations, which precludes the possibility of landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is not in an area of erosion hazards. Grading activities resulting from this proposal may result in loss of some topsoil due to compaction and overcovering of soil to prepare for the foundation for the proposed restroom and parking area. However, the impact would be less than significant with the project requiring approval of an Engineered Grading and Drainage Plan and Grading Permit prior to the site grading.

- 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:

As noted above, the project site is flat with no topographical variations. The site bears no potential for on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse due to the project-related improvements.

- 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: LESS THAN SIGNIFICANT IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. However, the project construction will implement all applicable requirements of the most recent California Building Standards Code and will consider 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 project would construct a 400 square-foot restroom with septic tank and leach field consistent with Fresno County standards. As noted by Fresno County Health Department, Environmental Health Division, Project Notes would require that the existing septic system capacity shall be verified prior to project approval; new sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section; and leach fields shall not be paved over to allow for treatment of effluent.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

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:

An Air Quality and Greenhouse Gas Assessment (GHG Analysis) completed by JK Consulting Group, LLC, dated July 14, 2023, estimated the project GHG emissions for

construction and operation using the California Emissions Estimator Model (CalEEMod) version 2020.4.0 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

The estimated total GHG emissions during the construction phase of the Project is 117.80 Metric Tons (MT) CO₂e. Construction emissions amortized over a 30-year project lifetime (estimated) yield approximately 3.93 MT CO₂e per year. Total operational emissions (274.82 MT CO₂e) combined with amortized construction emissions (3.93 MT CO₂e) shows that the project will generate 278.75 MT CO₂e per year.

The 2022 Scoping Plan updated December 15, 2022 allows lead agencies to analyze GHG impacts of a project by utilizing thresholds of significance recommended by the San Joaquin Valley Air Pollution Control District (SJVAPCD) or other lead agencies. The SJVAPCD has not established specific thresholds of significance for GHG emissions.

While existing GHG emission thresholds developed by other lead agencies were based on consistency with meeting AB 32 goals, they provide some perspective on the GHG emissions generated by the Project. The California Air Resources Board, California Air Pollution Control Officers Association, Bay Area Air Quality Management District, Sacramento Metropolitan Air Quality Management District, and South Coast Air Quality Management District established GHG thresholds for their respective regions. The yearly GHG emissions generated by the project as determined by the CalEEMod model reflect between three (3) percent and thirty-one (31) percent of the various thresholds identified by other lead agencies. As a result, the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

- 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:

The project is consistent with the policies outlined in Senate Bill (SB) 375, Executive Order B-30-15, Assembly Bill (AB) 1279 and 2022 Scoping Plan (updated December 15, 2022) to reduce the emission of greenhouse gas.

The 2022 Scoping Plan lays forth a plan for achieving carbon neutrality goals and reducing anthropogenic GHG emissions by 85% below 1990 levels by 2045 as required by AB 1279. By implementing clean technologies and fuels, the plan's actions and results will result in significant decreases in the combustion of fossil fuels, further decreases in short-lived climate pollutants, support for sustainable development, increased action on working and natural lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

The project is consistent with the following applicable strategies outlined in the 2022 Scoping Plan; 1) achieve 100 percent Zero-Emission Vehicle (ZEV) sales of light-duty

vehicles by 2035 and medium-heavy-duty vehicles by 2040; 2) accelerate the reduction and replacement of fossil fuel production and consumption in California; and 3) to analyze GHG impacts of a project by utilizing thresholds of significance recommended by the SJVAPCD or other lead agency. The SJVAPCD has not established specific thresholds of significance for GHG emissions.

The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As such, the project impact on greenhouse gas emission would be less than significant.

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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires the following as Project Notes: 1) Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5; and 2) Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

- 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:

The nearest public school, Glacier Point Middle School, is located approximately 4,130 feet northwest of the project site which is more than one-quarter mile (1,320 feet). Considering the distance and above-noted requirements related to handling of hazardous materials, the project will have no impact on the school facilities.

- 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 search results of the U.S. EPA's NEPAAssist Tool, the project site is not listed as a hazardous materials site. The project will not create hazards to the public or the environment.

- 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 9.1 miles east of the project site. Given the distance, the airport will not be a safety hazard or source of excessive noise for people at 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 does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility Area for wildland fire protection. The project will not be exposed to wildland fire hazards.

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 concerning waste discharge requirements.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), the project shall adhere to the following requirements included as Project Notes: 1) To protect groundwater, all abandoned water wells and septic systems on the property shall be destroyed by a licensed contractor; and 2) Any underground storage tank(s) found during construction, shall be removed by securing an Underground Storage Tank Removal Permit from the Health Department.

The Regional Water Quality Control Board, Central Valley Region also reviewed the proposal and did not provide any comments.

- 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 will use an existing onsite well to provide water to the project. According to the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, the project site is not in an area of the county defined as being a water short area. Water consumption by the project will have a less than significant impact on the existing water levels in the area.

According to the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW), the project does not meet the definition of a new public water system (PWS) and is not required to secure a permit from the Division of Drinking Water.

- 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?
 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
 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:

No natural drainage channels, stream or a river run through the project site. The Fresno Irrigation District does not own, operate, or maintain any facilities within the project site.

The project development 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. As noted in Section VII. B. GEOLOGY AND SOILS above, the project would require approval of an Engineered Grading and Drainage Plan and a grading permit prior to any onsite grading work.

Furthermore, the project will be subject to the following requirements from Fresno Metropolitan Control District and are included hereto as Project Notes. The project shall: 1) Provide temporary on-site storm water storage facility until permanent FMFCD facilities become available and drainage can be directed to the street; 2) Obtain drainage and grading plan approval by the FMFCD prior to approval by the County; and 3) Pay drainage fees at the time of development based on the fee rates in effect at that time.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report, and FEMA FIRM Panel 2140 H, 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 project is within North Kings Groundwater Sustainability Area (NKGSA). On behalf of NKGSA, the Fresno Irrigation District recommended that the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water to preclude increasing the area's existing groundwater overdraft problem.

However, the Fresno County Water and Natural Resources Division has determined that the project site is not within an area of the county defined as being a water short area. As such, the project will have a less than significant impact on the existing groundwater levels in the area.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is within the City of Fresno Sphere of Influence but outside of its boundaries.

- 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 is designated Rural Residential in the County General Plan and zoned RR (Rural Residential, two-acre minimum parcel size) in the County Zoning Ordinance. The proposed project (an event center) is an allowed use in the RR zone district subject to the approval of a discretionary land use application and is consistent with the following General Plan policies:

Regarding consistency with General Plan Policy HS-G.1, HS-G.5, and HS-G.8, the project will adhere to the mitigation measures included in the Acoustical Analysis prepared for the project and discussed in Section XIII NOISE below.

Regarding consistency with General Plan Policy PF-C.17, the project site is not located within an area of the county defined as being a water short area. Given the limited water usage (approximately 250 gallons of water per event), the project will have a less than significant impact on the existing groundwater levels in the area.

Regarding consistency with General Plan Policy PF-D.6, the project site can accommodate a new sewage disposal system for the proposed restroom facility to accommodate attendees of the events under permit and inspection from Fresno County Department of Public Works and Planning.

Regarding consistency with General Plan Policy TR-A.7, the project shall pay its fair share portion of the development's impacts on the local transportation system in accordance with Traffic Signal Mitigation Impact (TSMI) Fee required by the City of Fresno.

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 (Health Department), the proposed project could potentially expose nearby residents to elevated noise levels;

An *Acoustical Analysis* (Analysis) was prepared for the project by *WJV Acoustics and dated April 12, 2022*. Per the Analysis, the project will meet Fresno County Noise Ordinance standards with the implementations of Noise Control Plan along with the conclusions and recommendations therein.

The Fresno County Department of Public Health, Environmental Health Division concurred with the finding and conclusion of the Analysis and stated that if complaints are received from adjacent noise sensitive receptors (single-family homes) and confirmed by Health Department, the project operators shall provide additional mitigation measures than those noted below to the Health Department to meet the requirements of the Fresno County Noise Ordinance. The project will adhere to the following mitigation measure:

* **Mitigation Measures:**

1. *A Noise Control Plan (Noise Monitoring Requirements) contained in the Acoustical Analysis prepared by WJV Acoustics and dated April 12, 2022, must be implemented to ensure compliance with the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards. Additionally, no amplified speech or music shall occur during the nighttime hours (10:00 p.m. to 7:00 a.m.) and all amplified speech and music shall conclude by 10:00 p.m.*
2. *The project operator(s) shall verify noise levels from amplified outdoor activities at both the east and the west property lines as noted in the*

Acoustical Analysis. If maximum noise levels are measured to be higher than 62 dB (decibels) at west property line and 64 db (decibels) at east property line, noise levels must be reduced until compliance is met.

3. *The project operator(s) shall provide additional mitigation measures than those noted above (Item 1 and 2) to the Fresno County Department of Public Health, Environmental Health Division to meet the requirements of the Fresno County Noise Ordinance.*

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

FINDING: NO IMPACT:

The project is not located within two miles of a public airport or public use airport. See discussion in Section XV. A. 1. PUBLIC SERVICES above. People residing or working in the project area will not be subject to excessive noise levels?

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 involves no new housing that would induce population growth in the area.

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:

Per the North Central Fire Protection District (NCFPD), the project shall comply with California Code of Regulations Title 24 - Fire Code and California Code of Regulations Title 19 -Public Safety and shall submit construction plans to the County prior to receiving NCFPD conditions of approval for the project. These requirements will be included as Project Notes.

2. Police protection?

FINDING: NO IMPACT:

The project was routed to the Fresno County Sheriff's office who did not provide any comments on the project. No impact would occur.

3. Schools?

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.

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 involves no residential development which may increase demand for neighborhood and regional parks or other 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 residential and is not planned for any transit, bikeways, or pedestrian facilities as per the Transportation and Circulation Element of the Fresno County General Plan.

The Fresno County Transportation Planning Unit required that a Traffic Impact Study shall be prepared for the project to assess potential traffic impacts to County and City of Fresno roadways. The project site is within the City of Fresno Sphere of Influence.

According to a Traffic Impact Study (TIS) prepared by Peters Engineering Group and dated August 16, 2023, the study intersections are currently operating at acceptable LOS (Level of Service) during the study time periods. Traffic signal warrants are not warranted at the study intersections in the existing condition. With implementation of the project, the study intersections will operate at acceptable LOS A and B during the study time periods. Traffic signals are not expected to be warranted at the study intersections. By the year 2044 the intersection of Bryan and Shields Avenues is expected to operate at LOS E during the weekday p.m. peak hour and the intersection of Polk and Shields Avenues is expected to operate at LOS E or F during all the study time periods. For the intersection of Bryan and Shields Avenues to operate at acceptable LOS during the weekday p.m. peak hour, all-way stop control is required by the year 2044. For the intersection of Polk and Shields Avenues to operate at acceptable LOS during the study peak hours, traffic signals are required by the year 2044. The project may be required to a fair share of the cost of the future construction to account for its share of the cumulative traffic issues.

The TIS was reviewed by the Fresno County Transportation Planning Unit and the City of Fresno Traffic Operations and Planning Division (TOPD).

According to the City of Fresno TOPD, the project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule, at the time of the issuance of building permits by the County. The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT (Average Daily Traffic). The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee.

Upon reviewing the City of Fresno TOPD comments, the Fresno County Transportation Planning Unit determined that the project shall pay City's TSMI fees in lieu of the fair share contributions to the county for all-way stop required by the year 2044. The future improvements are within the City of Fresno SOI and are estimated to be built out in 2035 which should negate the cumulative 2044 with project impacts listed in TIS. To comply with City's comments, the project shall adhere to the following Mitigation

Measures when implemented will reduce traffic impact to City/County roadways to less than significant.

* **Mitigation Measure:**

1. *Prior to the issuance of building permits, the project shall pay City of Fresno Traffic Signal Mitigation Impact (TSMI) Fee in the amount of \$4,437.72 to satisfy the fair share requirement for traffic signals as identified in the Traffic Impact Study prepared for the project, dated August 16, 2023, and provide a proof of payment to the County.*

The California Department of Transportation and Fresno County Road Maintenance and Operations (RMO) Division offered no comments on TIS. The RMO Division requires the following as Conditions of Approval for the project: 1) provide an additional 23 feet of road right-of-way for Shield Avenue and prepare a Traffic Management Plan (TMP) for approval by RMO Division before the first event of operation. The TMP shall include details on the usage of flaggers, temporary warning signs and warning beacons; include installation of street lighting and signage as appropriate; and limit traffic to right-in right-out movements during events.

- 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 on Evaluating Transportation Impacts in CEQA* dated December 2018 (OPR Technical Advisory) suggest that projects that generate or attract fewer than 110 trips per day may be presumed to cause a less-than-significant transportation impact.

Per the Traffic Impact Study (TIS), the project will have a maximum of 60 events per year. If all 60 events were the maximum event with 200 visitors, the daily 328 traffic trips would occur 60 times per year resulting in 19,680 trips per year ($328 \times 60 = 19,680$). The annual average trips per day would be approximately 54 ($19,680 \text{ trips per year} \div 365 \text{ days per year} = 54 \text{ trips per day}$). This value is less than the significance threshold of 110 trips per day established in the OPR Technical Advisory. As such, the impact on transportation related to VMT (Vehicle Miles Traveled) 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:

The project site gain access via two existing access drives off shields Avenue. The project will use the existing access points. No additional access point is proposed.

The project will not create traffic hazards due to the current roadway configuration and would not change roadway designs within the project area, which were designed in accordance with Fresno County roadway standards to avoid roadway hazards and other traffic-related hazardous features. As noted above, a Traffic Management Plan (TMP) will be prepared for the project and with its implementation, any potential traffic hazard at the project site will be reduced to less than significant.

D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing access points to the site will be used during events and emergencies. As noted by the Fresno County Road Maintenance and Operations Division, to accommodate traffic generated by the project, the existing drives would need to be improved to meet Fresno County Improvement Standard D-2.

The North Central Fire Protection District (NCFPD) expressed no concerns related to the site emergency access.

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 not in an area determined to be highly or moderately sensitive to archeological resources. Pursuant to Assembly Bill (AB) 52, project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria and Santa Rosa Rancheria Tachi Yokut Tribe 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. The Mitigation Measure included in the CULTURAL ANALYSIS section of this report will reduce any potential impact to tribal cultural resources to 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: NO IMPACT:

The project development will not generate solid waste more than the capacity of local landfill sites.

The solid wastes produced by the proposed event center will be collected for the local landfill through regular trash collection service in accordance with local and state standards for disposal of solid wastes.

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located within or near a State Responsibility Area for wildfire. See discussion in Section XV. A. 1. PUBLIC SERVICES above.

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:

The project will have no impact on biological resources. Impacts on cultural resources have been reduced to a less than significant level with the incorporation of a Mitigation Measure discussed in Section V. CULTURAL RESOURCES above.

- 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 proposed 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, Cultural Resources, Noise and Transportation will be mitigated by compliance with the Mitigation Measures listed in Sections I., Section V., Section XIII, and Section 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 Initial Study No. 8284 prepared for Classified Conditional Use Permit Application No. 3750, 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 biological resources, energy, mineral resources, population and housing, recreation, or wildfire.

Potential impacts related to agriculture and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant.

Potential impacts to Aesthetics, Cultural Resources, Noise, and Transportation have been determined to be less than significant with the identified Mitigation Measures.

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

EA:JP

G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3700-3799\3751\IS-CEQA\CUP 3751 IS wu.docx

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: Initial Study (IS) No. 8286	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): CV Alliance, LLC	Project Title: Unclassified Conditional Use Permit Application No. 3751		
Project Description: Allow a high intensity park with related improvement for weddings, receptions, birthdays, anniversaries, and similar special outdoor events appropriate and incidental to parks on an approximately 3.3-acre portion of a 16.75-acre parcel in the RR (Rural Residential) Zone District. The subject parcel is located on the north side of Shields Avenue, approximately 642 feet east of N. Bryan Avenue, and 1,322 feet west of the City of Fresno (APN: 512-160-20) (6338 W. Shields Avenue, Fresno) (SUP. DIST. 1).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 8286) prepared for Unclassified Conditional Use Permit Application No. 3751, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related biological resources, energy, mineral resources, population and housing, recreation, or wildfire. Potential impacts related to, agriculture and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant. Potential impacts related to Aesthetics, 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 – November 3, 2023		Review Date Deadline: Planning Commission – December 14, 2023	
Date: Nov. 1, 2023	Type or Print Name: David Randall, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No. _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**



RECEIVED
 DEC 22 2023
 CLERK. BOARD OF SUPERVISORS

For Office Use Only

Date received: _____
 Copied to: _____
 Date copy sent: _____
 Hearing set for: _____

NOTICE OF APPEAL OF PLANNING COMMISSION DECISIONDate: 12/22/23

Appeal Fee: \$508 – Due when filing appeal

APPELLANT FILL IN BELOW THIS LINE, THIS SIDE ONLY – PLEASE PRINT OR TYPE

Project Site Address

6338 W. Shields Ave. Fresno, CA. 93723 512-160-20
 Number Street City Zip Assessor's Parcel Number

Appellant's Information

Name: _____

Mailing Address: _____

Telephone: _____

Applicant's Information ☒ check if same as Appellant)Name: CV Alliance, LLC.Mailing Address: 6338 W. Shields Ave.
Fresno, CA. 93723Telephone 559-445-0374**Subject of Appeal**I wish to appeal the Planning Commission's decision to ☐ Approve ☒ Deny

Variance Application No.* _____
 Conditional Use Permit No. 3751
 Director Review and Approval Application No. _____
 Tentative Tract Application No. _____
 Amendment Application No. _____
 Amendment to Text Application No. _____
 Other: _____

Date of Planning Commission Action 12/14/23

Reason(s) for Appeal (Attach additional sheets if necessary)

SEE ATTACHED

Dirk Poeschel
 Appellant's Signature

* Fresno County Zoning Ordinance § 877(c) requires that any appellant, other than the applicant, County Department Director, or Board of Supervisors member, must be a property owner within a certain distance from the Variance Application property. The Department of Public Works and Planning will verify that the ordinance requirements are met. If the requirements are not met, the appeal fee will be returned and no date for appeal hearing before the Board of Supervisors will be set.

Please return completed form to Clerk of the Board, 2281 Tulare Street, Room 301, Fresno, CA 93721.

DIRK POESCHEL

Land Development Services, Inc.

923 Van Ness Avenue, Suite 200 • Fresno, California 93721

559/445-0374 • Fax: 559/445-0551 • email: dirk@dplds.com

December 21, 2023

Clerk to the Board of Supervisors
Fresno County
2281 Tulare St., Room 301
Fresno, CA 93721

SUBJECT: Appeal of the Decision to Deny Conditional Use Permit No. 3751 &
Initial Study No. 8286 (6338 W. Shields Ave., APN: 512-160-20)

Dear Madame Clerk:

On behalf of my client, I respectfully appeal the decision of the Fresno County Planning Commission to deny the subject entitlements. The nature of the project was incorrectly described by project opponents. Additional conditions and modifications to the project will be presented to further protect the community and allow the required findings to be made to grant the subject entitlements.

If you have any questions, please feel free to contact me.

Sincerely,



Dirk Poeschel, AICP

cc: Mr. Mike Samra
Mr. Paul Brar

m:\current clients\cv alliance 21-14\appeal letter.doc

ATTACHMENT D

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: Initial Study (IS) No. 8286	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): CV Alliance, LLC		Project Title: Unclassified Conditional Use Permit Application No. 3751	
Project Description: Allow a high intensity park with related improvement for weddings, receptions, birthdays, anniversaries, and similar special outdoor events appropriate and incidental to parks on an approximately 3.3-acre portion of a 16.75-acre parcel in the RR (Rural Residential) Zone District. The subject parcel is located on the north side of Shields Avenue, approximately 642 feet east of N. Bryan Avenue, and 1,322 feet west of the City of Fresno (APN: 512-160-20) (6338 W. Shields Avenue, Fresno) (SUP. DIST. 1).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 8286) prepared for Unclassified Conditional Use Permit Application No. 3751, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related biological resources, energy, mineral resources, population and housing, recreation, or wildfire. Potential impacts related to, agriculture and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, tribal cultural resources, and utilities and service systems have been determined to be less than significant. Potential impacts related to Aesthetics, 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 – November 3, 2023		Review Date Deadline: Board of Supervisors – June 18, 2024	
Date:	Type or Print Name: David Randall, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No. _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION

ATTACHMENT E

**Mitigation Monitoring and Reporting Program
Initial Study No. 8286/Unclassified Conditional Use Permit Application No. 3751
(Including Mitigation Measures, Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	During the project life
2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	During ground disturbing activities
3.	Noise	A Noise Control Plan (Noise Monitoring Requirements) contained in the Acoustical Analysis prepared by WJV Acoustics and dated April 12, 2022, must be implemented to ensure compliance with the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards. Additionally, no amplified speech or music shall occur during the nighttime hours (10:00 p.m. to 7:00 a.m.) and all amplified speech and music shall conclude by 10:00 p.m.	Applicant	Applicant/Fresno County Dept. of Public Health, Environmental Health Division (FCDPH)	As noted
4.	Noise	The project operator(s) shall verify noise levels from amplified outdoor activities at both the east and the west property lines as noted in the Acoustical Analysis. If maximum noise levels are measured to be higher than 62 dB (decibels) at west property line	Applicant	FCDPH	As noted

		and 64 decibels at east property line, noise levels must be reduced until compliance is met.			
5.	Noise	The project operator(s) shall provide additional mitigation measures than those noted above (Item 3 and 4) to the Fresno County Department of Public Health, Environmental Health Division to meet the requirements of the Fresno County Noise Ordinance.	Applicant	FCDPH	As noted
6.	Transportation	Prior to the issuance of building permits, the project shall pay City of Fresno Traffic Signal Mitigation Impact (TSMI) Fee in the amount of \$4,437.72 to satisfy the fair share requirement for traffic signals as identified in the Traffic Impact Study prepared for the project, dated August 16, 2023, and provide a proof of payment to the County.	Applicant	Applicant/PW&P	As noted
Conditions of Approval					
1.	Development of the property shall be in substantial compliance with the Site Plan(s) and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permits, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include design of parking and circulation areas, access, onsite grading and drainage, fire protection, landscaping, signage, and lighting.				
3.	Prior to occupancy granted for the use, to prevent vehicular headlight shining on the neighboring properties during events, a cyclone fence with privacy slats or any other appropriate fencing type as approved by Fresno County Department of Public Works and Planning shall be erected and maintained along the entire west property line of the project site.				
4.	Shields Avenue fronting the project site has a total existing right-of-way of 30 feet north of section line. Shields Avenue is classified as an Arterial Road requiring an ultimate road right of way of 53 feet north of the section line. Prior to occupancy granted for the use, the owner of the property shall record a document irrevocably offering the 23 feet as future right-of-way from south side of the subject parcel abutting Shields Avenue. Note: A Preliminary Title Report or Lot Book Guarantee is required before the irrevocable offer of dedication can be processed. The owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial re-conveyance, or any other document required to clear title to the property, shall be borne by the owner or developer.				
5.	Prior to the issuance of building permits and prior to the first event of operation, a Traffic Management Plan (TMP) shall be prepared and approved for the project by the Fresno County Road Maintenance and Operations Division. The TMP shall include details on the usage of flaggers, temporary warning signs and warning beacons, installation of street lighting and signage, and shall limit traffic to right-in and right-out movements during events.				

6.	As part of Site Plan Review process, the Fresno County Development Engineering and Road Maintenance and Operations Division shall be consulted to ensure that gravel/aggregate is an acceptable surface for access aisles, circulation, and parking areas for the project.
7.	As part of Site Plan Review process, a dust palliative must be applied on all unpaved parking and circulation areas prior to events during dry weathers.
8.	A 10-foot by 10-foot corner cut-off shall be improved for sight distance purposes at any existing or proposed driveway accessing Shields Avenue.

*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 will 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.	Plans, permits and inspections are required for all onsite proposed improvements. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	To address site development impacts resulting from the project, the Fresno County Site Plan Review Unit requires the following: • All parking spaces shall be constructed in compliance with the county and the state standards. • Internal access roads shall comply with required widths by the Fire District for emergency apparatus. • All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. • A four (4) feet path of travel for disabled persons shall be constructed and stripped in accordance with state standards throughout event area.
4.	To address site development impacts resulting from the project, the Fresno County Road Maintenance and Operations (RMO) Division requires the following: • An encroachment permit shall be obtained for any work performed within the county road right-of-way. • Shields Avenue is classified as an Arterial Road. As such, the subject parcel is only allowed one (1) drive approach, at a maximum width of 28 feet per the Fresno County Improvement Standard D-2. • Any proposed event signage shall be installed outside of the ultimate County Road right-of-way. • Lighting shall be in such a way as to not provide a nuisance for vehicles traveling on Shields Avenue.

Notes	
	- Any access gates shall be set back a minimum of 20 feet from the ultimate road right-of-way, or the length of the longest vehicle entering the site, to prevent vehicles from idling in the road when stopped to open the gate. - Gates shall be set back far enough to minimize the queue length of vehicles on Shields Avenue waiting to enter the site during events. - Any permanent drainage improvements shall be in accordance with Fresno Metropolitan Flood Control District (FMFCD) master plan. Road drainage improvements such as curb and gutter are required but may be deferred until FMFCD facilities are available. - Setbacks for new construction shall be based on the ultimate road right-of-way for Shields Avenue. - Drive approaches shall be paved for the first 100 feet to prevent tracking of dust onto County maintained roads.
5.	To address site development impacts resulting from the project, the Fresno Metropolitan Flood Control District (FMFCD) requires the following: - Provide temporary on-site storm water storage facility until permanent FMFCD facilities become available and drainage can be directed to the street; - Obtain drainage and grading plan approval by the FMFCD prior to approval by the County. - Pay drainage fees at the time of development based on the fee rates in effect at that time.
6.	To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following: - 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. - Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines or into the county road right-of-way, and must be retained on-site, per County Standards unless FMFCD specifies otherwise. - A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) are required to 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 the Development Engineering. - If not already present, a 10-foot by 10-foot corner cut-off should be improved for sight distance purposes at any existing or proposed driveway accessing Shields Avenue.
7.	To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following: - The existing septic system capacity shall be verified. - New sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. - Leach fields shall not be paved over to allow for treatment of effluent.

Notes	
	• Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5; • Handling of any hazardous materials and/or hazardous waste shall require submittal of a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. • To protect groundwater, all abandoned water wells and septic systems on the property shall be destroyed by a licensed contractor. • Any underground storage tank(s) found during construction, shall be removed by securing an Underground Storage Tank Removal Permit from the Health Department. Caterer shall complete the operational statement for a catering operation. • Prior to any alcohol sales, license to sell alcoholic beverages shall be obtained from the California Alcoholic Beverage Control Department.
8.	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.
9.	The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 and shall submit construction plans to the County prior to receiving NCFPD conditions of approval for the project. It is the Applicant's responsibility to deliver two sets of plans to NCFPD.

EA:jp

G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3600-3699\3664\SR\CUP 3664 MMRP (Ex 1).docx