



Inter Office Memo

ATTENTION: FOR FINAL ACTION OR MODIFICATION TO OR ADDITION OF CONDITIONS, SEE FINAL BOARD OF SUPERVISOR'S ACTION SUMMARY MINUTES.

DATE: March 15, 2018

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12704 - INITIAL STUDY APPLICATION NO. 7298,
GENERAL PLAN AMENDMENT APPLICATION NO. 551 AND AMENDMENT
APPLICATION NO. 3823

APPLICANT: Larry and Shelly Rompal

REQUEST: Amend the Fresno County General Plan and County-
adopted Fresno High-Roeding Community Plan by re-
designating a 3.57-acre parcel from Rural Density
Residential to Limited Industrial, and rezone the subject
3.57-acre parcel from R-R(nb) (Rural Residential, two-acre
minimum parcel size, Neighborhood Beautification
Overlay) to M-1(c) (Light Manufacturing, Conditionally
limited to Contractors Storage Yard).

LOCATION: The subject parcel is located on the south side of W.
Dudley Avenue, between N. Valentine Avenue and N.
Marks Avenue, westerly adjacent to the city limits of the
City of Fresno (Sup. Dist. 1) (APN 449-110-23).

PLANNING COMMISSION ACTION:

At its hearing of March 15, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Vallis and seconded by Commissioner Eubanks to recommend adoption of the Mitigated Negative Declaration prepared for Initial Study Application No. 7298; recommend to the Board of Supervisors approval of General Plan Amendment Application No. 551 and Amendment Application No. 3823; and direct the Secretary to prepare a resolution recommending that the proposed changes to the County General Plan and approval of the proposed rezone are consistent with the Fresno County General Plan, subject to the Conditions as listed in Exhibit "B", with inclusion of an additional Condition to require a Cross-Access Agreement between the subject parcel and a southerly-adjacent parcel owned by the Applicants.

RESOLUTION NO. 12704

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Vallis, Eubanks, Burgess, Ede, Lawson and Abrahamian
	No:	Commissioners Delahay and Woolf
	Absent:	None
	Abstain:	None
	Recused:	None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 

William M. Kettler, Manager
Development Services and Capital Projects Division

DC:

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Attachments

EXHIBIT A

Initial Study Application No. 7298
General Plan Amendment Application No. 551
Amendment Application No. 3823

Staff: The Fresno County Planning Commission considered the Staff Report dated March 15, 2018, and heard a summary presentation by staff.

Applicant: A representative of the Applicant disagreed with the Staff Report recommendation for denial. He described the proposal and offered the following information:

- Multiple letters of support have been provided for the proposed General Plan Amendment and rezoning (letters provided directly to Planning Commission at the March 15, 2018 Planning Commission Hearing).
- The area of the proposal has inconsistent General Plan designations for industrial and residential land uses.
- County staff referred the subject parcel to the City of Fresno for annexation; however, the City declined annexation while acknowledging the proposed General Plan Amendment and rezoning request proposed industrial zoning.
- The Applicants are willing to offer an additional Condition of Approval to require slatted chain-link fencing along the westernmost property line of the subject parcel.
- The owners of the subject parcel are also the owners and operators of a southerly-adjacent irrigation contractor's operation (Agri-Valley Irrigation) which plans to utilize the subject parcel as additional storage space for the existing irrigation contractor's operation.
- Different General Plan designations should be separated by roads, which is not the case with the subject parcel.
- Vehicular access to Dudley Avenue will be for emergencies only, and the Applicants are willing to offer an additional Condition of Approval to require a Cross-Access Agreement between the subject parcel and the southerly-adjacent parcel, which is the location of the Applicants' existing irrigation contractors operation.
- The land use to be allowed by this proposal is limited in scope to a Contractors Storage Yard.

Others: The Applicant provided additional testimony in support of the application stating:

RESOLUTION NO. 12704

- The existing irrigation contractors operation (Agri-Valley Irrigation) located on the property southerly-adjacent to the subject parcel has been growing and additional storage space is necessary.
- It is the intention of Agri-Valley Irrigation to remain in the Fresno area and this proposal will allow the business to grow without re-locating.
- Some materials from Agri-Valley Irrigation were stored on a neighboring property, with said property owner's permission, as a temporary emergency measure.

Others: Three individuals representing property owners in the vicinity spoke in opposition to the proposal, offering the following testimony:

- The neighborhood is a rural farming area being encroached upon by industrial uses.
- The Applicants are currently utilizing the subject parcel for storage activities.
- The existing industrial uses in the area are aesthetically displeasing.

Correspondence: No letters were presented to the Planning Commission in opposition to the applications. Seven letters in support of the proposal were presented to the Planning Commission by the Applicants' representative.

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EXHIBIT B

Mitigation Monitoring and Reporting Program Initial Study (IS) Application No. 7298 / General Plan Amendment Application No. 551 / Amendment Application No. 3823 (Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded, directed and permanently maintained as to not shine toward adjacent properties and roads.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
*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 shall be followed by photographs, 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	During ground-disturbing activities
*3.	Geology and Soils	Only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the subject parcel is served by community sewer and community water systems, or adequate information is submitted to the Environmental Health Division of the Fresno County Department of Public Health and the Fresno County Department of Public Works and Planning to demonstrate that the subject parcel can accommodate higher volumes of liquid wastes.	Applicant	Applicant/Fresno County Department of Public Health/PW&P	Ongoing
*4.	Transportation/Traffic	Storage of trucks shall be prohibited on the subject parcel.	Applicant	Applicant/PW&P	Ongoing

Conditions of Approval	
1.	The subject parcel shall be limited to the following use: Contractors Storage Yard
2.	The project developer shall construct all street frontage improvements along the subject parcel's Dudley Avenue frontage per City of Fresno development standards. This requirement shall include any right-of-way dedication necessary for the street frontage improvements.
3.	Only low water uses shall be permitted until such time that public water service from the City of Fresno public water system is available to the subject parcel. Availability of public water service shall be defined as the presence of a potable water main constructed and operational within 100 feet of the subject parcel. At such time when public water service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public water system within 60 calendar days; (b) destroy any on-site water well in accordance with State and County well destruction standards within 60 days; and (c) pay all City of Fresno water meter, service connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City of Fresno public water system within 60 calendar days of public water service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the water well destruction cost, water meter cost, service connection cost, and capacity fee cost.
4.	Only uses that generate small amounts of liquid waste shall be permitted until such time that public sewer service from the City of Fresno public sewer system is available to the subject parcel. Availability of public sewer service shall be defined as the presence of a public sewer main constructed and operational within 100 feet of the subject parcel. At such time when public sewer service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public sewer system within 60 calendar days; (b) destroy any on-site wastewater disposal system in accordance with State and County wastewater disposal system destruction standards within 60 days; and (c) pay all City of Fresno sewer lateral, connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City of Fresno public sewer system within 60 calendar days of public sewer service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the wastewater disposal system destruction cost, sewer lateral cost, service connection cost, and capacity fee cost.
5.	<p>The owner of the subject parcel shall record a document irrevocably offering 10 feet of the subject parcel to the County of Fresno as future right-of-way for Dudley Avenue (20 feet existing). The southern edge of said offer shall establish the building setback line for future development.</p> <p>Note: A preliminary title report or lot book guarantee may be required before the irrevocable offer of dedication can be processed. The property owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer. The County will prepare the irrevocable offer of dedication free of charge.</p>
6.	The owner(s) of the subject parcel shall execute a Cross-Access Agreement to ensure vehicular access to the subject parcel from the southerly-adjacent parcel identified as Assessor's Parcel Number (APN) 449-110-12. The Cross-Access Agreement shall be reviewed for approval by the Fresno County Department of Public Works and Planning.

*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.	Prior to issuance of Building Permits, a Site Plan Review (SPR) 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, on-site grading and drainage, fire protection, landscaping, signage, and lighting.
2.	Future development shall satisfy 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. Future development which handles hazardous materials or hazardous waste above the following State reporting thresholds shall be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances.
3.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes.
4.	Future development shall comply with the California Code of Regulations Title 24 – Fire Code.
5.	Future development may be subject to the following San Joaquin Valley Unified Air Pollution Control District Rules and Regulations: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations).
6.	Future development shall be subject to the Seismic Design Category D Standards, including the requirement to provide a Geotechnical Investigation to the Development Services and Capital Projects Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits.
7.	Future development shall require a Grading Permit or Grading Voucher for any grading activities.
8.	Future development that disturbs more than one acre shall require compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the developer must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.
9.	Due to the subject parcel being located within Fresno Metropolitan Flood Control District (FMFCD) Drainage Area UU, future development shall require payment of an FMFCD Drainage Fee, the amount of which will be determined at the time the new development is proposed.
10.	Future development shall comply with the Fresno County Noise Ordinance related to construction noise, limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.
11.	A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Dudley Avenue.

Notes	
12.	Any work performed within the County right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.
13.	Any unpaved or gravel-surfaced driveway must be graded and asphalt concrete paved or treated with a dust palliative for the first 100 feet from the edge of the Dudley Avenue right-of-way.
14.	Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards.

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EXHIBIT "C"

ATTACHMENT
TO
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study Application No. 7298
General Plan Amendment Application No. 551
Amendment Application No. 3823

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Initial Study Application	\$ 5,151.00 ¹
General Plan Amendment Application	\$ 7,000.00 ²
Amendment Application	\$ 6,214.00 ²
Public Health Department Review	\$ <u>1,180.00³</u>
Total Fees Collected	<u>\$ 19,545.00</u>

¹ Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.
² Review and research, engaging with reviewing departments and multiple agencies, staff's analysis, Staff Report and Board Agenda Item preparation, public hearings before County Planning Commission and County Board of Supervisors.
³ Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division.



Planning Commission Staff Report Agenda Item No. 8 March 15, 2018

SUBJECT: Initial Study Application No. 7298, General Plan Amendment Application No. 551 and Amendment Application No. 3823

Amend the Fresno County General Plan and County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial, and rezone the subject 3.57-acre parcel from R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) to M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard).

LOCATION: The subject parcel is located on the south side of Dudley Avenue, between Valentine Avenue and Marks Avenue, westerly adjacent to the city limits of the City of Fresno (Sup. Dist. 1) (APN 449-110-23).

**OWNER/
APPLICANT:** Larry and Shelly Rompal

STAFF CONTACT: Derek Chambers, Planner
Initial Study/Amendment Application Information
(559) 600-4205

Anthony Lee, Planner
General Plan Amendment Application Information
(559) 600-9613

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Deny General Plan Amendment Application No. 551 and concurrent Amendment Application No. 3823; 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. Uses Allowed Under Current Zoning
6. Uses Allowed Under Proposed Zoning
7. Site Plans
8. Project Description and Operational Statement
9. Summary of Initial Study No. 7298
10. Draft Mitigated Negative Declaration Prepared for Initial Study No. 7298

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan	Amend the County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial
Zoning	R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay)	Rezone a 3.57-acre parcel from the R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) Zone District to the M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District
Parcel Size	3.57 acres	No change
Project Site	Vacant	12,000 square-foot storage building with 4,000 square-foot future expansion area; perimeter fencing; 30-foot-wide gravel-surfaced driveway providing emergency access from Dudley Avenue (primary access to the

Criteria	Existing	Proposed
		proposed Contractors Storage Yard will be through a southerly-adjacent parcel with frontage on Belmont Avenue)
Structural Improvements	None	12,000 square-foot storage building with 4,000 square-foot future expansion area
Nearest Residence	Approximately 30 feet to the east	No change
Surrounding Development	Various industrial and residential land uses throughout area; irrigation contractor's operation with Contractors Storage Yard southerly adjacent; Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin easterly adjacent; Fresno Irrigation District (FID) Victoria Colony No. 43 pipeline approximately 650 feet to the west; State Route (SR) 99 approximately one mile to the east; Southern Pacific Railway approximately one half-mile to the south; municipal airport identified as "Fresno Chandler Executive Airport" approximately one and three quarter-miles to the southeast	No change
Operational Features	N/A	See discussion below under the Background Information section
Lighting	None	Outdoor security lighting
Hours of Operation	N/A	Up to 10 hours per day, six days per week, year-round

Setback, Separation and Parking

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	<p>R-R Zone District:</p> <p>Front: 35 feet Side: 20 feet Rear: 20 feet</p>	<p>M-1 Zone District:</p> <p>Front: 15 feet (if adjoining residential Zone District) Side: 15 feet (if adjoining residential Zone District) Rear: 15 feet (if adjoining residential Zone District)</p>	<p>Yes:</p> <p>Front (northern property lines): 65 feet Side (eastern property lines): 111 feet Side (western property lines): 134 feet Rear (south property line): 40 feet</p>
Parking	<p>R-R Zone District:</p> <p><u>By-Right Use:</u> At least one parking space per dwelling unit</p> <p><u>Discretionary Use:</u> Dependent on use</p> <p><u>California Building Code:</u> At least one parking space for the physically handicapped per every 25 parking spaces at a facility</p>	<p>M-1 Zone District:</p> <p><u>By-Right Use:</u> At least one parking space per two permanent employees, at least one parking space per each truck operated by the concern, at least one parking space per each sales person permanently employed</p> <p><u>Discretionary Use:</u> Dependent on use</p> <p><u>California Building Code:</u> At least one parking space for the physically handicapped per every 25 parking spaces at a facility</p>	<p>Parking requirements will be reviewed for approval during the mandatory Site Plan Review</p>
Lot Coverage	<p>R-R Zone District:</p> <p>No requirement</p>	<p>M-1 Zone District:</p> <p>No requirement</p>	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Separation between Buildings	R-R Zone District: Six feet minimum (75 feet minimum between human habitations and structures utilized to house animals)	M-1 Zone District: No requirement	N/A
Wall Requirements	R-R Zone District: No requirement	M-1 Zone District: Six-foot-tall solid masonry wall required along property lines adjoining residential Zone Districts (three-foot-tall maximum wall height allowed within front yard setback)	Six-foot-tall solid masonry wall along property lines which adjoin parcels zoned R-R (Rural Residential, two-acre minimum parcel size), with a three-foot-tall solid masonry wall within the front-yard setback
Septic Replacement Area	R-R Zone District: 100 percent	M-1 Zone District: 100 percent	N/A (no septic systems existing or proposed on site)
Water Well Separation	R-R Zone District: Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	M-1 Zone District: Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A (no water wells existing or proposed on site)

Circulation and Traffic

		Existing Conditions	Proposed Operation
Private Road	No	N/A	No change
Public Road Frontage	Yes	Dudley Avenue	No change
Direct Access to Public Road	Yes	Dudley Avenue	Proposed 30-foot-wide gravel-surfaced driveway to provide emergency access from Dudley Avenue (primary access through southerly-adjacent parcel with frontage on Belmont Avenue)

		Existing Conditions	Proposed Operation
Road ADT		Dudley Avenue: 200	Less than significant increase
Road Classification		Dudley Avenue: Local	No change
Road Width		Dudley Avenue: 40-foot total existing right-of-way	Irrevocable offer of 10 feet of additional right-of-way dedication shall be required from the northern side of the subject parcel which abuts Dudley Avenue
Road Surface		Dudley Avenue: Paved (pavement width: 19.1 feet)	No change
Traffic Impact Study (TIS) Prepared	No	N/A	None required, as the proposal will have a less than significant impact on traffic
Road Improvements Required		N/A	None required

Surrounding Properties

	Size:	Use:	Zoning:	Nearest Residence:
North	3.76 acres	Single-family residence	R-R(nb)	Approximately 100 feet
Northeast	1.00 acre	Single-family residence	R-R(nb)	Approximately 30 feet
Northwest	0.43 acre	Single-family residence	R-R(nb)	Approximately 45 feet
South	4.75 acres	Irrigation contractor's operation with Contractors Storage Yard	M-1	None
East	4.75 acres	Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin	Open Space in the City of Fresno	None
West	2.34 acres	Single-family residence	R-R(nb)	Approximately 50 feet

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

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the proposal by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 9.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: February 2, 2018

PUBLIC NOTICE:

Notices were sent to 79 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A General Plan Amendment and rezoning (Amendment Application) are legislative acts requiring action by the Board of Supervisors. A decision by the Planning Commission in support of a General Plan Amendment and rezoning request is an advisory action and requires an affirmative vote of the majority of its total membership. A recommendation for approval is then forwarded to the Board of Supervisors for final action. However, a Planning Commission decision to deny a General Plan Amendment and rezoning is final unless appealed to the Board of Supervisors.

BACKGROUND INFORMATION:

This proposal entails amending the County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial in order to allow rezoning of the 3.57-acre parcel from the R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) Zone District to the M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District in order to allow a Contractors Storage Yard. It is noted by Staff that a Site Plan Review (SPR) must be approved for any by-right land use allowed under the M-1(c) Zone District prior to implementation of that use.

The proposed Contractors Storage Yard will be utilized in conjunction with an existing irrigation contractor's operation located on a southerly-adjacent parcel in the M-1 (Light Manufacturing) Zone District. This southerly-adjacent irrigation contractor's operation includes a Contractors Storage Yard, and was authorized by Site Plan Review (SPR) No. 7361, which was administratively approved on September 17, 2004.

The subject 3.57-acre parcel is devoid of improvements. New improvements to be utilized with the proposed Contractors Storage Yard include a 12,000 square-foot storage building with 4,000 square-foot future expansion area, perimeter fencing, and a 30-foot-wide gravel-surfaced driveway providing emergency access from Dudley Avenue. Primary access to the proposed Contractors Storage Yard will be through the southerly-adjacent irrigation contractor's operation, which has frontage on Belmont Avenue.

The subject parcel is located within the Sphere-of-Influence (SOI) of the City of Fresno, is westerly adjacent to the city limits of the City of Fresno, and is located in an area of mixed industrial and residential land uses. Additionally, a Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin is easterly adjacent to the subject parcel, and the Fresno Irrigation District (FID) Victoria Colony No. 43 pipeline is located approximately 650 feet to the west. Further, State Route (SR) 99 is located approximately one mile east of the subject parcel, and the Southern Pacific Railway is located approximately one half-mile to the south. The subject parcel is also located approximately one and three quarter-miles northwest of a municipal airport identified as "Fresno Chandler Executive Airport"; however, the subject parcel is not located within any Safety Zone of the airport.

Parcels located north of the subject parcel are zoned R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay), are designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan, and have been improved with single-family residences.

Parcels located south of the subject parcel, including the site of the aforementioned irrigation contractor's operation, are zoned M-1 (Light Manufacturing), are designated Limited Industrial in the County-adopted Fresno High-Roeding Community Plan, and are being utilized for industrial activities including warehousing and truck and trailer storage.

Parcels located east of the subject parcel, excepting the easterly-adjacent Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin, are zoned M-1 (Light Manufacturing), are designated Limited Industrial in the County-adopted Fresno High-Roeding Community Plan, are being utilized for industrial activities including automotive repair and warehousing, and are also being utilized for residential land uses including single-family residences.

Parcels located west of the subject parcel are zoned R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay), are designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan, and have been improved with single-family residences.

The subject parcel was created as Lot No. 100 of the West Fresno Tract, which was recorded on May 2, 1905. At that time, the property was 4.75 acres in size and was zoned A-2 (General Agriculture). On April 7, 1980, the subject parcel and surrounding area was rezoned from A-2 (General Agriculture) to R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) by means of Amendment Application No. 3138, which was initiated by the County.

ANALYSIS/DISCUSSION/GENERAL PLAN CONSISTENCY:

Relevant Policies:	Consistency / Considerations:
<p>General Plan Policy LU-F.29: County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors:</p> <p>a. Operational measures or specialized equipment to protect public health, safety, and welfare, and</p>	<p>See discussion below under the Analysis section</p>

Relevant Policies:	Consistency / Considerations:
<p>to reduce adverse impacts of noise, odor, vibration smoke, noxious gases, heat and glare, dust and dirt, combustibles, and other pollutants on abutting properties.</p> <ul style="list-style-type: none"> b. Provisions for adequate off-street parking to handle maximum number of company vehicles, salespersons, and customers/visitors. c. Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties. d. Limitations on the industry's size, time of operation, or length of permit. 	
<p>General Plan Policy LU-F.30: County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.</p>	<p>See discussion below under the Analysis section</p>
<p>General Plan Policy LU-F.31: To the extent feasible, the County shall require that all industrial uses located adjacent to planned non-industrial areas or roads carrying significant non-industrial traffic be designed with landscaping and setbacks comparable to the non-industrial area.</p>	<p>See discussion below under the Analysis section</p>
<p>General Plan Policy LU-F.32: Since access to industrial areas by way of local roads not designed for industrial traffic is generally inappropriate, the County may require facility design, traffic control devices, and appropriate road closures to eliminate this problem.</p>	<p>New improvements to be utilized with the proposed Contractors Storage Yard include a 30-foot-wide gravel-surfaced driveway providing emergency access from Dudley Avenue, which is classified as a Local road. Primary access to the proposed Contractors Storage Yard will be through a southerly-adjacent irrigation contractor's operation, which has frontage on Belmont Avenue.</p>
<p>General Plan Policy LU-F.33: County shall require that permanent parking facilities permitted within designated industrial areas be designed to be compatible with the surrounding land use patterns.</p>	<p>Parking requirements will be reviewed for approval during the mandatory Site Plan Review.</p>
<p>General Plan Policy LU-G.7: Within the spheres of influence and two miles beyond, the County shall promote consultation between the cities and the County at the staff level in the early stages of preparing General Plan</p>	<p>See discussion below under the Analysis section</p>

Relevant Policies:	Consistency / Considerations:
Amendments and other policy changes that may impact growth or the provision of urban services. Staff consultations, particularly concerning Community Plans, shall provide for meaningful participation in the policy formulation process and shall seek resolution of issues prior to presentation to the decision-making bodies.	
<p>General Plan Policy PF-C.17: County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:</p> <ul style="list-style-type: none"> a. determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question; b. determination of the impact that use of the proposed water supply will have on other water users in Fresno County; c. determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. 	<p>This proposal was reviewed by the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, which did not identify any concerns with the proposed rezone, as the subject parcel is not located in a designated Water-Short area.</p> <p>Staff believes the proposal is consistent with this Policy.</p>

Reviewing Agency/Department Comments:

Building and Safety Section of the Fresno County Department of Public Works and Planning:
No concerns with the proposal.

City of Fresno: The subject parcel is designated Medium-Low-Density Residential in the City's General Plan, which would not allow the proposed Contractors Storage Yard. As such, the proposed General Plan Amendment and rezoning are not consistent with the City of Fresno General Plan and, therefore, the City of Fresno opposes the proposed General Plan Amendment and rezoning. However, should the County of Fresno be of the viewpoint that the proposed General Plan Amendment and rezoning can be supported, the City of Fresno requests that the following Conditions of Approval be included:

1. The project developer shall construct all street frontage improvements along the subject parcel's Dudley Avenue frontage per City of Fresno development standards. This requirement shall include any right-of-way dedication necessary for the street frontage improvements.
2. Only low water uses shall be permitted until such time that public water service from the City of Fresno public water system is available to the subject parcel. Availability of public water service shall be defined as the presence of a potable water main constructed and operational within 100 feet of the subject parcel. At such time when public water service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public water system within 60 calendar days; (b) destroy any on-site water well in accordance with State and County well destruction standards within 60 days; and (c) pay all City of Fresno water meter, service connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City

of Fresno public water system within 60 calendar days of public water service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the water well destruction cost, water meter cost, service connection cost, and capacity fee cost.

3. Only uses that generate small amounts of liquid waste shall be permitted until such time that public sewer service from the City of Fresno public sewer system is available to the subject parcel. Availability of public sewer service shall be defined as the presence of a public sewer main constructed and operational within 100 feet of the subject parcel. At such time when public sewer service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public sewer system within 60 calendar days; (b) destroy any on-site wastewater disposal system in accordance with State and County wastewater disposal system destruction standards within 60 days; and (c) pay all City of Fresno sewer lateral, connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City of Fresno public sewer system within 60 calendar days of public sewer service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the wastewater disposal system destruction cost, sewer lateral cost, service connection cost, and capacity fee cost.

Design Division of the Fresno County Department of Public Works and Planning: Storage of trucks shall be prohibited on the subject parcel. This prohibition of truck storage has been included as a Mitigation Measure to reduce transportation and traffic impacts from possible future development to a less than significant level.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Dudley Avenue is a County-maintained road classified as a Local road. The minimum total width for a Local road right-of-way is 60 feet. Dudley Avenue has a total existing right-of-way of 40 feet at the subject parcel, with 20 feet north and 20 feet south of the center line. A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Dudley Avenue. Any work performed within the County right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning. Any unpaved or gravel-surfaced driveway must be graded and asphalt concrete paved or treated with a dust palliative for the first 100 feet from the edge of the Dudley Avenue right-of-way. According to FEMA FIRM Panel 1565H, the parcel is not subject to flooding from the one percent (1%)-chance storm. Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards. A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal. These mandatory requirements have been included as Project Notes for future development.

Fresno County Department of Public Health, Environmental Health Division: Only low water uses that generate small volumes of liquid waste shall be permitted until the subject parcel is served by community sewer and community water systems. This requirement has been included as a Mitigation Measure to reduce potential wastewater disposal impacts from possible future development to a less than significant level.

Possible future development shall satisfy 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. Further, possible future development which handles hazardous materials or hazardous waste above the following State reporting thresholds shall be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances. All hazardous waste shall be handled in accordance with requirements set forth in the CCR, Title 22, Division 4.5, which addresses proper labeling, storage and handling of hazardous wastes. These mandatory requirements have been included as Project Notes for future development.

Fresno County Sheriff's Department: No concerns with the proposal.

Fresno Irrigation District (FID): FID does not own, operate or maintain any facilities located within the boundaries of the subject parcel.

Fresno Metropolitan Flood Control District (FMFCD): Due to the subject parcel being located within FMFCD Drainage Area UU, possible future development allowed by the proposed rezoning shall require payment of a FMFCD Drainage Fee, the amount of which will be determined at the time the new development is proposed. If future development allowed as a result of the proposed rezoning disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity will be required. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the developer must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These mandatory requirements will be included as Project Notes for future development.

Native American Heritage Commission (NAHC): Due to State Law requiring tribal consultation for General Plan Amendments, this proposal shall be referred to the following Native American Tribal Governments for review: Big Sandy Rancheria of Western Mono Indians, Cold Springs Rancheria, Dumna Wo Wah, Dunlap Band of Mono Indians, Kings River Choinumni Farm Tribe, North Fork Mono Tribe, Picayune Rancheria of Chukchansi Indians, Santa Rosa Rancheria, Table Mountain Rancheria, Traditional Choinumni Tribe, and Wuksache/Eshom Valley Band.

Policy Planning Section of the Fresno County Department of Public Works and Planning: According to General Plan Policy LU-F.29, the County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors:

- a. Operational measures or specialized equipment to protect public health, safety, and welfare, and to reduce adverse impacts of noise, odor, vibration smoke, noxious gases, heat and glare, dust and dirt, combustibles, and other pollutants on abutting properties.
- b. Provisions for adequate off-street parking to handle then maximum number of company vehicles, salespersons, and customers/visitors.
- c. Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties.

- d. Limitations on the industry's size, time of operation, or length of permit.

According to General Plan Policy LU-F.30, the County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.

According to General Plan Policy LU-F.31, to the extent feasible, the County shall require that all industrial uses located adjacent to planned non-industrial areas or roads carrying significant non-industrial traffic be designed with landscaping and setbacks comparable to the non-industrial area.

According to General Plan Policy LU-F.32, since access to industrial areas by way of local roads not designed for industrial traffic is generally inappropriate; the County may require facility design, traffic control devices, and appropriate road closures to eliminate this problem.

According to General Plan Policy LU-F.33, the County shall require that permanent parking facilities permitted within designated industrial areas be designed to be compatible with the surrounding land use patterns.

According to General Plan Policy LU-G.7, within the spheres of influence and two miles beyond, the County shall promote consultation between the cities and the County at the staff level in the early stages of preparing General Plan amendments and other policy changes that may impact growth or the provision of urban services. Staff consultations, particularly concerning Community Plans, shall provide for meaningful participation in the policy formulation process and shall seek resolution of issues prior to presentation to the decision-making bodies.

According to General Plan Policy PF-C.17, the County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:

- a. determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question;
- b. determination of the impact that use of the proposed water supply will have on other water users in Fresno County;
- c. determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability.

San Joaquin Valley Unified Air Pollution Control District (Air District): No concerns with the proposal.

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal, as the subject parcel is not located in a designated Water-Short area.

Zoning Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Analysis:

This proposal entails amending the County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial in order to allow rezoning of the 3.57-acre parcel from the R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) Zone District to the M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District in order to allow a Contractors Storage Yard.

The proposed M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District is a non-compatible Zone District for lands designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan. Therefore, a General Plan Amendment (GPA) is required to re-designate the subject parcel from Rural Density Residential to a land use designation that is compatible with the proposed M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District. As such, GPA Application No. 551 was filed in order to re-designate the subject parcel from Rural Density Residential to Limited Industrial in the County-adopted Fresno High-Roeding Community Plan.

Lands under the Limited Industrial designation are intended for restricted, non-intensive manufacturing and storage activities. The M-1 Zone District is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in already-processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound vibration, soot or lighting to any degree which might be obnoxious or offensive.

Regarding General Plan Policies LU-F.29 and LU-F.31, the proposed General Plan Amendment and rezoning will allow expansion of an existing irrigation contractor's operation located on a southerly-adjacent parcel. The existing irrigation contractor's operation proposes to utilize the subject parcel as a storage area for equipment and supplies. Parcels located north of the subject parcel are designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan, and have been improved with single-family residences. Parcels located south of the subject parcel, including the site of the aforementioned irrigation contractor's operation, are designated Limited Industrial in the County-adopted Fresno High-Roeding Community Plan, and are being utilized for industrial activities including warehousing and truck and trailer storage. Parcels located east of the subject parcel, excepting the easterly-adjacent Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin, are designated Limited Industrial in the County-adopted Fresno High-Roeding Community Plan, are being utilized for industrial activities including automotive repair and warehousing, and are also being utilized for residential land uses including single-family residences. Parcels located west of the subject parcel are designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan, and have been improved with single-family residences.

The proposed Limited Industrial General Plan designation may create compatibility issues with adjacent lands to the north and west that are designated for Rural Density Residential land uses. However, considering that the expansion area will be utilized for the storage of equipment and supplies in conjunction with a southerly-adjacent parcel designated for industrial use, and with adherence to the recommended Conditions of Approval, Mitigation Measures and Project Notes identified in this Staff Report, including the Conditions of Approval requested by the City of Fresno, Staff believes the General Plan incompatibility issues associated with the proposed General Plan Amendment and rezoning will be less than significant.

Regarding General Plan Policy LU-F.30, issues pertain to the availability of community water service and community sewer service at the subject parcel, as the City of Fresno has indicated in their recommended conditions. The City of Fresno has indicated that only low water uses shall be permitted until such time that community water and community sewer services are provided to the subject parcel. Further, according to the Environmental Health Division of the Fresno County Department of Public Health, only low water uses that generate small volumes of liquid waste shall be permitted until the subject parcel is served by community sewer and community water systems.

Regarding General Plan Policy LU-G.1, the subject parcel is located within the Sphere-of-Influence (SOI) of the City of Fresno, and is westerly adjacent to the city limits of the City of Fresno. According to the City of Fresno, the subject parcel is designated Medium-Low-Density Residential in the City's General Plan, which would not allow the proposed Contractors Storage Yard. As such, the proposed General Plan Amendment and rezoning are not consistent with the City of Fresno General Plan and, therefore, the City of Fresno opposes the proposed General Plan Amendment and rezoning.

Staff acknowledges the existing industrial land use patterns south and east of the subject parcel, which are supported by the County's Limited Industrial General Plan Designation and the City's Light Industrial General Plan designation, excepting the easterly-adjacent Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin. However, Staff does not support expanding industrial land use north of these existing industrial land use patterns as such use would be contrary to the City's Medium-Low-Density Residential General Plan designation for those lands.

Noteworthy Recommended Conditions of Approval:

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

PUBLIC COMMENT:

None.

CONCLUSION:

If the Planning Commission recommends approval of General Plan Amendment Application No. 551, staff believes the proposed M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) zoning will be consistent with the Limited Industrial General Plan designation and recommends approval of Amendment Application No. 3823, subject to the Mitigation Measures, Conditions of Approval and Project Notes identified in the Staff Report.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Determine that the proposed General Plan Amendment to re-designate a 3.57-acre parcel from Rural Density Residential to Limited Industrial is inconsistent with the General Plan's Vision Statement, Goals, and Policies, and deny General Plan Amendment Application No. 551 and concurrent Amendment Application No. 3823; and

- Direct the Secretary to prepare a Resolution documenting the Commissions' action.

Alternative Motion (Approval Action)

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) No. 7298; and
- Determine that the proposed General Plan Amendment to re-designate a 3.57-acre parcel from Rural Density Residential to Limited Industrial is consistent with the General Plan's Vision Statement, Goals, and Policies, and recommend that the Board of Supervisors approve General Plan Amendment Application No. 551 and concurrent Amendment Application No. 3823; and
- Direct the Secretary to prepare a Resolution documenting the Commissions' action and forward the above recommendation to the Board of Supervisors.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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Mitigation Monitoring and Reporting Program
Initial Study (IS) Application No. 7298 / General Plan Amendment Application No. 551 / Amendment Application No. 3823
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded, directed and permanently maintained as to not shine toward adjacent properties and roads.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
*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 should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photographs, 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	During ground-disturbing activities
*3.	Geology and Soils	Only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the subject parcel is served by community sewer and community water systems, or adequate information is submitted to the Environmental Health Division of the Fresno County Department of Public Health and the Fresno County Department of Public Works and Planning to demonstrate that the subject parcel can accommodate higher volumes of liquid wastes.	Applicant	Applicant/Fresno County Department of Public Health/PW&P	Ongoing
*4.	Transportation/Traffic	Storage of trucks shall be prohibited on the subject parcel.	Applicant	Applicant/PW&P	Ongoing

Conditions of Approval	
1.	The subject parcel shall be limited to the following use: Contractors Storage Yard
2.	The project developer shall construct all street frontage improvements along the subject parcel's Dudley Avenue frontage per City of Fresno development standards. This requirement shall include any right-of-way dedication necessary for the street frontage improvements.
3.	Only low water uses shall be permitted until such time that public water service from the City of Fresno public water system is available to the subject parcel. Availability of public water service shall be defined as the presence of a potable water main constructed and operational within 100 feet of the subject parcel. At such time when public water service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public water system within 60 calendar days; (b) destroy any on-site water well in accordance with State and County well destruction standards within 60 days; and (c) pay all City of Fresno water meter, service connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City of Fresno public water system within 60 calendar days of public water service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the water well destruction cost, water meter cost, service connection cost, and capacity fee cost.
4.	Only uses that generate small amounts of liquid waste shall be permitted until such time that public sewer service from the City of Fresno public sewer system is available to the subject parcel. Availability of public sewer service shall be defined as the presence of a public sewer main constructed and operational within 100 feet of the subject parcel. At such time when public sewer service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public sewer system within 60 calendar days; (b) destroy any on-site wastewater disposal system in accordance with State and County wastewater disposal system destruction standards within 60 days; and (c) pay all City of Fresno sewer lateral, connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City of Fresno public sewer system within 60 calendar days of public sewer service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the wastewater disposal system destruction cost, sewer lateral cost, service connection cost, and capacity fee cost.
5.	<p>The owner of the subject parcel shall record a document irrevocably offering 10 feet of the subject parcel to the County of Fresno as future right-of-way for Dudley Avenue (20 feet existing). The southern edge of said offer shall establish the building setback line for future development.</p> <p>Note: A preliminary title report or lot book guarantee may be required before the irrevocable offer of dedication can be processed. The property owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer. The County will prepare the irrevocable offer of dedication free of charge.</p>

*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.

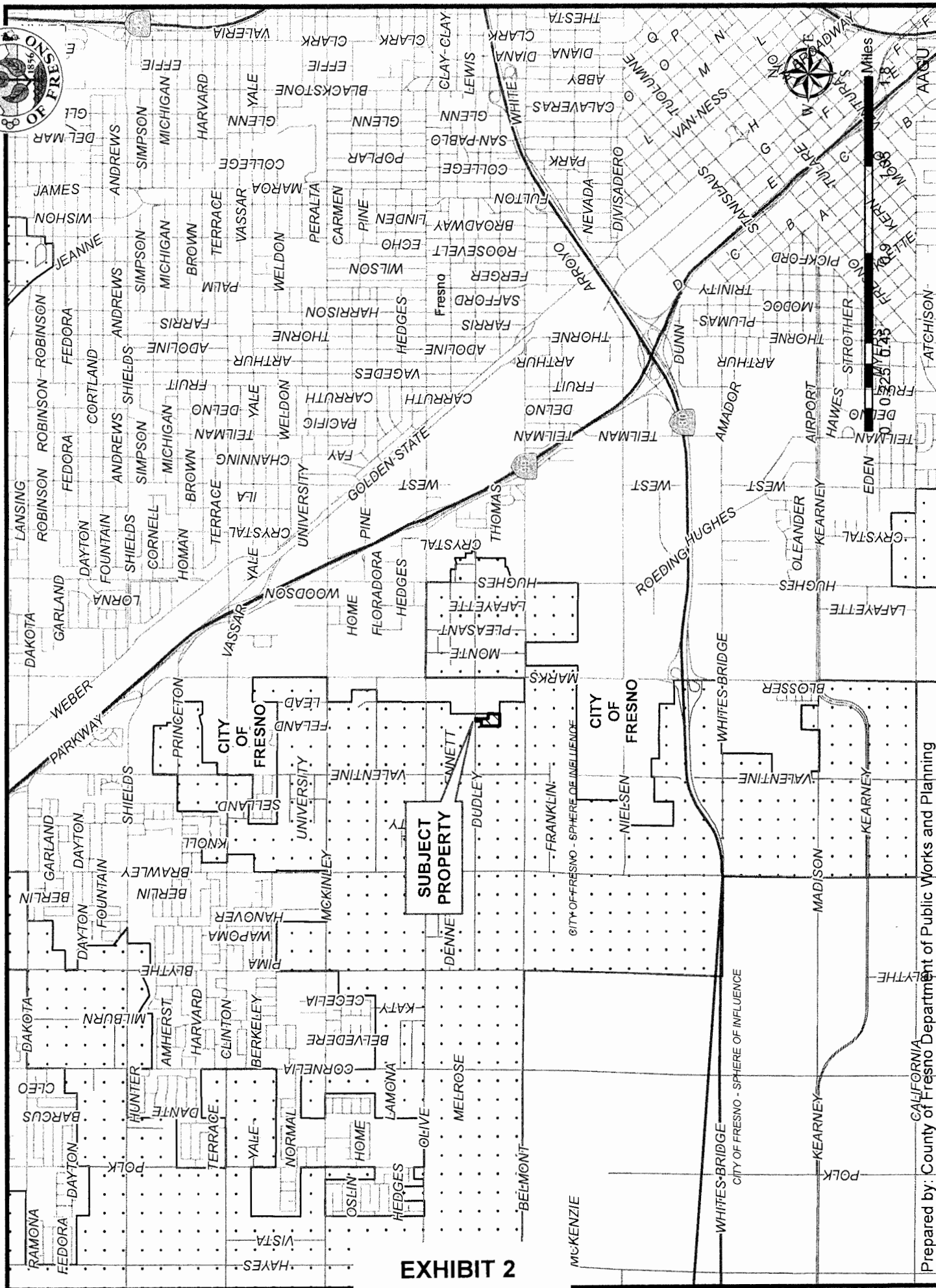
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Prior to issuance of Building Permits, a Site Plan Review (SPR) shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include:

Notes	
	design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, and lighting.
2.	Future development shall satisfy 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. Future development which handles hazardous materials or hazardous waste above the following State reporting thresholds shall be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances.
3.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes.
4.	Future development shall comply with the California Code of Regulations Title 24 – Fire Code.
5.	Future development may be subject to the following San Joaquin Valley Unified Air Pollution Control District Rules and Regulations: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations).
6.	Future development shall be subject to the Seismic Design Category D Standards, including the requirement to provide a Geotechnical Investigation to the Development Services and Capital Projects Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits.
7.	Future development shall require a Grading Permit or Grading Voucher for any grading activities.
8.	Future development that disturbs more than one acre shall require compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the developer must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.
9.	Due to the subject parcel being located within Fresno Metropolitan Flood Control District (FMFCD) Drainage Area UU, future development shall require payment of a FMFCD Drainage Fee, the amount of which will be determined at the time the new development is proposed.
10.	Future development shall comply with the Fresno County Noise Ordinance related to construction noise, limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.
11.	A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Dudley Avenue.
12.	Any work performed within the County right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.
13.	Any unpaved or gravel-surfaced driveway must be graded and asphalt concrete paved or treated with a dust palliative for the first 100 feet from the edge of the Dudley Avenue right-of-way.

Notes	
14.	Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards.

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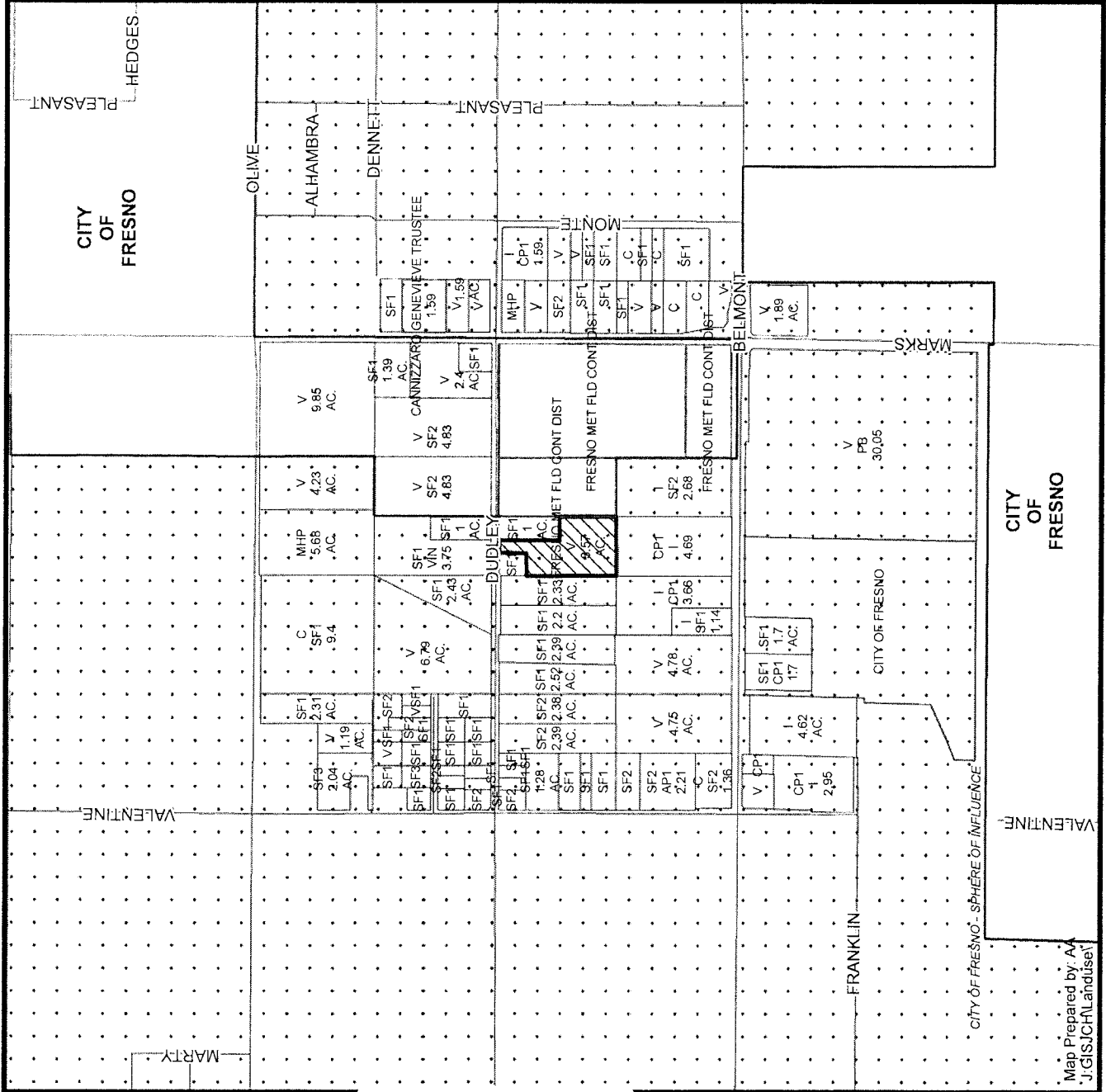






EXISTING LAND USE MAP

AA 3823 GPA 551



LEGEND	
C - COMMERCIAL	
CP# - OFFICE COMM./PROF	
I - INDUSTRIAL	
MHP - MOBILE HOME PARK	
SF# - SINGLE FAMILY RESIDENCE	
V - VACANT	
PONDING BASIN	
VIN - VINEYARD	

LEGEND:
 Subject Property



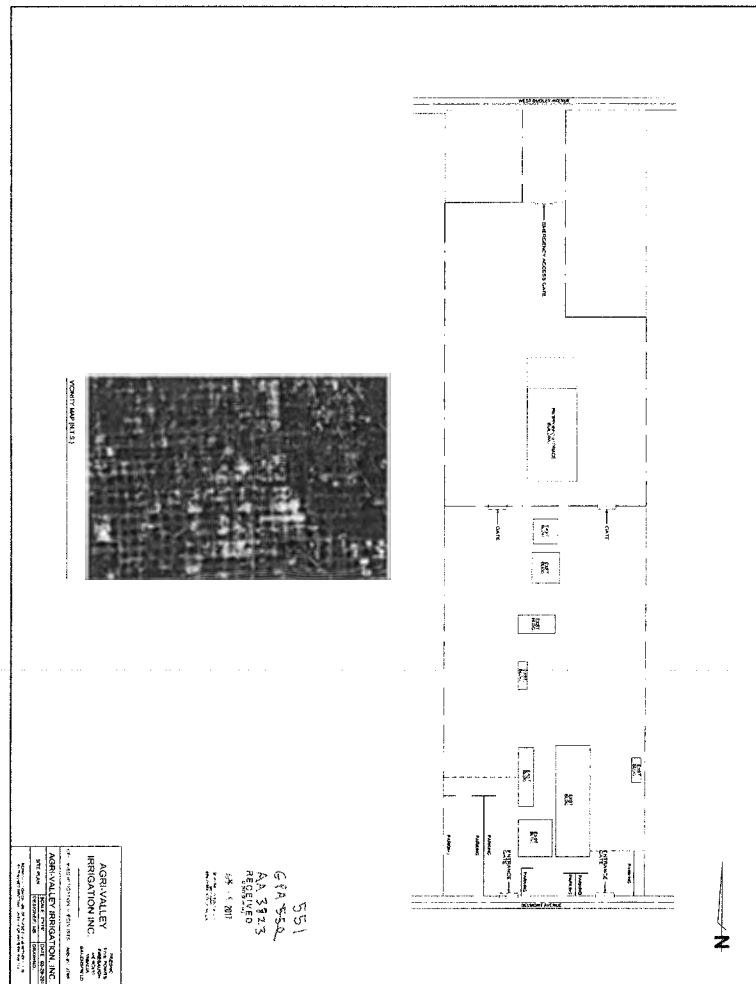
Department of Public Works and Planning
Development Services Division

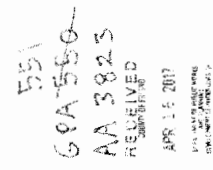
USES ALLOWED IN THE "R-R(nb)" (RURAL RESIDENTIAL, TWO-ACRE MINIMUM PARCEL SIZE, NEIGHBORHOOD BEAUTIFICATION OVERLAY) ZONE DISTRICT

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings including servant's quarters, accessory living quarters, garages and farm buildings.
- C. Agricultural crops, greenhouses, fruit trees, nut trees and vines.
- D. Bovine animals, horses, sheep, and goats where the lot area is thirty-six thousand (36,000) square feet or more and provided that the number thereof shall not exceed a number per each thirty-six thousand (36,000) square feet equal to four (4) adult animals in any combination of the foregoing animals and their immature offspring with not more than three (3) adult animals of a bovine or equine kind or combination thereof and their immature offspring or not more than six (6) immature bovine or equine animals or combination thereof where no adult animals are kept per each thirty-six thousand (36,000) square feet. Where the lot is less than thirty-six (36,000) square feet in area, but twenty thousand (20,000) square feet or greater in area, horses may be maintained for personal use in a number not to exceed two (2) animals with their offspring less than one (1) year of age.
- E. Dogs and cats as domestic pets only (limited to three (3) or fewer animals four (4) months of age or older).
- F. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.
- G. Mobilehome occupancy, not more than one (1) mobilehome per lot, subject to the provisions of Section 856.
- H. Signs subject to the provisions of Section 820.5-K.
- I. Storage of petroleum products for use by the occupants of the premises, but not for resale or distribution.
- J. Storage or parking of boats, trailers, recreational vehicles, or commercial vehicles, limited to the private non-commercial use by the occupants of the premises.
- K. The keeping of rabbits and other similar small furbearing animals for domestic use on a lot containing not less than thirty-six thousand (36,000) square feet.
- L. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H and similar organizations. In no case shall the poultry facility be kept or maintained on a lot containing less than thirty-six thousand (36,000) square feet.
- M. The sale of agricultural products produced upon the subject property.
- N. Day nursery - small.
- O. Plant nurseries limited to the sale of agricultural products produced on the property.

**USES ALLOWED IN THE "M-1(c)" (LIGHT MANUFACTURING, CONDITIONALLY LIMITED
TO CONTRACTORS STORAGE YARD) ZONE DISTRICT**

A. Contractors Storage Yard





FRESNO
FIVE POINTS
PUEBLO
MPCED
VIGILIA
BAGGERSFIELD

AGRI-VALLEY
IRRIGATION INC.

2828th MID-EMPIRE AVENUE SUITE 100
FRESNO, CA 93720

FRESNO
EXPANSION

AGRI-VALLEY IRRIGATION

SCALE 1"=50'
DESIGNER MGB
DATE 01-26-2011
DRAWING

REPRODUCTION OR USE OF THESE PLANS, AND/OR THE
EXPANSION, WITHOUT CONSULTATION OF AGR-VALLEY INC.

PROJECT DESCRIPTION

Agri-Valley Irrigation is a locally owned full service irrigation company that provides design, installation, maintenance, service, and rental of irrigation equipment for the areas farming needs. With the on-going concern for utilizing irrigation water in the most efficient way possible an efficient and effective irrigation system is a must.

Agri-Valley Irrigation currently operates on a 4.75 acre parcel located at 3168 W. Belmont Avenue. The site lies within an unincorporated area and is currently zoned M-1 (Light Manufacturing District). The company has outgrown the existing site and it now requires additional area for storage. The property owner to the north has expressed interest in selling an adjoining 3.57 acre parcel for that purpose. The property to the north, generally described as Assessor's Parcel Number 449-110-23 is currently zoned RR-NB (Rural Residential).

Agri-Valley Irrigation would like to propose rezoning the property to the north to M-1(c) with the following conditions:

1. Use of the property shall be limited to a Contractors Storage Yard.
2. Maximum building height of 35 feet.
3. Access to Dudley Avenue shall be prohibited.

An emergency crash gate or other access acceptable for any required emergency access form Dudley Avenue can be provided. All access to the site will be through the existing yard and Belmont Avenue. The required masonry wall between industrial and residential properties will also reduce any impacts to neighboring properties.

Agri-Valley Irrigation has been a good neighbor and is aware of no complaints from the surrounding properties. A larger site is needed and the company would like to remain in Fresno County. This proposal will allow us to remain in Fresno County and keep the jobs here.

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APR 18 2017

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

OPERATIONAL STATEMENT CHECKLIST

AGRI-VALLEY IRRIGATION INC.

JANUARY 27, 2015

#1 – WE PROPOSE TO USE THE PROPERTY AS A STORAGE AREA FOR EQUIPMENT AND SUPPLIES RELATED TO THE AG IRRIGATION INDUSTRY.

#2 – OPERATION IN THIS AREA WILL BE 6 DAYS PER WEEK, 12 MONTHS PER YEAR AND BE USED 9 – 10 HOURS PER DAY.

#3 – AVERAGE NUMBER OF CUSTOMERS OR VISITORS PER DAY WILL BE MINIMAL DUE TO THE PROPOSED STORAGE USE OF THIS PROPERTY.

#4 – CURRENT NUMBER OF EMPLOYEES AT OUR EXISTING LOCATION IS 38. WE DO NOT EXPECT TO INCREASE THE NUMBER OF EMPLOYEES. THE CURRENT STAFF OF EMPLOYEES WORK FROM 6:00 AM TO 3:00 PM 6 DAYS PER WEEK. NO ON SITE CARETAKERS.

#5 – SERVICE AND DELIVERY VEHICLES WILL BE LIMITED TO THE CURRENT ACTIVITY OF 6 – 8 DELIVERY VEHICLES AND SOME FORKLIFT ACTIVITY. THIS WILL OCCUR ON A DAILY BASIS.

#6 – ACCESS TO THE SITE WILL BE OFF BELMONT AVENUE, TRAVELING WITHIN OUR CURRENT FACILITY ON ASPHALT PAVEMENT AND GRAVEL DRIVES.

#7 – THE EXISTING ASPHALT PARKING AREA AT OUR CURRENT LOCATION WILL BE THE AREA FOR ANY NECESSARY PARKING.

#8 – NO GOODS WILL BE SOLD ON THIS SITE.

#9 – EQUIPMENT USED ON THIS SITE WILL BE LIMITED TO FORKLIFTS, DELIVERY TRUCKS AND STANDARD VEHICLES.

#10 – SUPPLIES AND MATERIALS STORED ON THIS SITE WILL PRIMARILY BE PVC IRRIGATION PIPE AND IRRIGATION HOSE. THESE MATERIALS WILL BE STORED IN STACKS OR BUNDLES.

#11 – THE PROPOSED USE OF THIS PROPERTY WILL NOT CAUSE ANY UNSIGHTLY APPEARANCES.

#12 – NO SOLID OR LIQUID WASTE WILL BE PRODUCED OR STORED.

#13 – THIS PROPERTY WILL NOT HAVE A WATER REQUIREMENT.

#14 – NO ADVERTISING WILL BE DONE ON THIS PROPERTY.

#15 – THE PROPERTY HAS NO EXISTING BUILDINGS OR STRUCTURES. NO NEW BUILDINGS ARE BEING CONSIDERED AT THIS TIME.

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#16 – NOT APPLICABLE.

#17 – SOME OUTDOOR SECURITY LIGHTING WILL BE REQUIRED. IT WOULD BE DIRECTED INTO THE CENTER AREAS OF THE PROPERTY.

#18 – NO LANDSCAPING OR ADDITIONAL FENCE WORK IS BEING CONSIDERED AT THIS TIME.

#19 – SPACE LIMITATIONS AT OUR CURRENT LOCATION HAS PROMPTED US TO LOOK AT OPTIONS ON THE PURCHASE OF ADDITION STORAGE SPACE. THE PROPOSED PROPERTY WOULD BE IDEAL FOR OUR OPERATION SINCE IT CONNECTS TO OUR CURRENT PROPERTY.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Larry and Shelly Rompal

APPLICATION NOS.: Initial Study Application No. 7298, General Plan Amendment Application No. 551 and Amendment Application No. 3823

DESCRIPTION: Amend the Fresno County General Plan and County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial, and rezone the subject 3.57-acre parcel from R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) to M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard).

LOCATION: The subject parcel is located on the south side of Dudley Avenue, between Valentine Avenue and Marks Avenue, westerly adjacent to the city limits of the City of Fresno (Sup. Dist. 1) (APN 449-110-23).

I. AESTHETICS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails amending the County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial in order to allow rezoning of the 3.57-acre parcel from the R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) Zone District to the M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District in order to allow a Contractors Storage Yard. It is noted by Staff that a Site Plan Review (SPR) must be approved for any by-right land use allowed under the M-1(c) Zone District prior to implementation of that use.

DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200
The County of Fresno is an Equal Employment Opportunity Employer

The proposed Contractors Storage Yard will be utilized in conjunction with an existing irrigation contractor's operation located on a southerly-adjacent parcel in the M-1 (Light Manufacturing) Zone District. This southerly-adjacent irrigation contractor's operation includes a Contractors Storage Yard, and was authorized by Site Plan Review (SPR) No. 7361, which was administratively approved on September 17, 2004.

The subject 3.57-acre parcel is devoid of improvements. New improvements to be utilized with the proposed Contractors Storage Yard include a 12,000 square-foot storage building with 4,000 square-foot future expansion area, perimeter fencing, and a 30-foot-wide gravel-surfaced driveway providing emergency access from Dudley Avenue. Primary access to the proposed Contractors Storage Yard will be through the southerly-adjacent irrigation contractor's operation, which has frontage on Belmont Avenue.

The subject parcel is located within the Sphere-of-Influence (SOI) of the City of Fresno, is westerly adjacent to the city limits of the City of Fresno, and is located in an area of mixed industrial and residential land uses. Additionally, a Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin is easterly adjacent to the subject parcel, and the Fresno Irrigation District (FID) Victoria Colony No. 43 pipeline is located approximately 650 feet to the west. Further, State Route (SR) 99 is located approximately one mile east of the subject parcel, and the Southern Pacific Railway is located approximately one half-mile to the south. The subject parcel is also located approximately one and three quarter-miles northwest of a municipal airport identified as "Fresno Chandler Executive Airport"; however, the subject parcel is not located within any Safety Zone of the airport.

Parcels located north of the subject parcel are zoned R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay), are designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan, and have been improved with single-family residences.

Parcels located south of the subject parcel, including the site of the aforementioned irrigation contractor's operation, are zoned M-1 (Light Manufacturing), are designated Limited Industrial in the County-adopted Fresno High-Roeding Community Plan, and are being utilized for industrial activities including warehousing and truck and trailer storage.

Parcels located east of the subject parcel, excepting the easterly-adjacent Fresno Metropolitan Flood Control District (FMFCD) storm drainage retention basin, are zoned M-1 (Light Manufacturing), are designated Limited Industrial in the County-adopted Fresno High-Roeding Community Plan, are being utilized for industrial activities including automotive repair and warehousing, and are also being utilized for residential land uses including single-family residences.

Parcels located west of the subject parcel are zoned R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay), are designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan, and have been improved with single-family residences.

Considering that the subject parcel is not located along a designated Scenic Highway, that no scenic vistas or scenic resources were identified near the proposal, and the existing industrial land uses in the area of the subject parcel, the proposed General Plan Amendment and rezoning will not damage any scenic resource or degrade the visual character of the site or its surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Possible future development to be allowed by the proposed General Plan Amendment and rezoning may result in additional outdoor lighting that has the potential of generating new sources of light and glare in the area. As such, all future outdoor lighting shall be required to be hooded and directed as to not shine towards adjacent properties and roads. This requirement will be included in the following Mitigation Measure:

* **Mitigation Measure**

1. *All outdoor lighting shall be hooded, directed and permanently maintained as to not shine towards adjacent properties and roads.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The subject parcel is not located on forest land, is not enrolled under an Agricultural Land Conservation Contract (Williamson Act Contract), and is classified as Urban and Built-Up Land on the Fresno County Important Farmland Map (2014). Further, the subject parcel and surrounding properties are not agriculturally zoned, and neighboring

properties have been historically developed with industrial and residential land uses. As such, the proposed General Plan Amendment and rezoning has no potential to convert farmland to a non-agricultural land use.

III. AIR QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed General Plan Amendment and rezoning were provided to the San Joaquin Valley Unified Air Pollution Control District (Air District) for review, which did not identify any concerns related to the proposed General Plan Amendment and rezoning. However, it is noted by Staff that possible future development to be allowed by the proposed General Plan Amendment and rezoning may be subject to the following Air District Rules and Regulations: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Compliance with Air District Rules and Regulations will reduce air quality impacts from possible future development to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or

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

FINDING: NO IMPACT:

The subject parcel is devoid of improvements; however, said property is located in an area of mixed industrial and residential land uses. Further, properties surrounding the subject parcel have been previously disturbed as said properties have been historically utilized for industrial and residential development.

The proposed General Plan Amendment and rezoning were provided to the U.S. Fish and Wildlife Service (USFWS) for review, which did not identify any concerns related to the proposal. The proposed General Plan Amendment and rezoning were also provided to the California Department of Fish and Wildlife (CDFW) for review, which also did not identify any concerns related to the proposal. As such, 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 the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; or 4.) The movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Further, the proposed General Plan Amendment and rezoning will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is not located in an area designated to be highly or moderately sensitive for archeological resources. Further, Soar Environmental Consulting conducted an Archaeological Survey of the subject parcel which identified no archaeological or cultural resources. However, in the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be contacted to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photographs, reports and video. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. This requirement will be included as a Mitigation Measure to reduce adverse cultural resource impacts from possible future development to a less than significant level.

In accordance with Public Resources Code Section 21080.3.1, the proposed General Plan Amendment and rezoning were provided to the following Native American Tribal Governments for review: Dumna Wo Wah; Picayune Rancheria of the Chukchansi Indians; Santa Rosa Rancheria Tachi Yokut; and Table Mountain Rancheria.

* **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 shall be followed by photographs, reports and video. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. GEOLOGY AND SOILS

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

4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The area where the subject parcel is located is designated as Seismic Design Category D in the California Geological Survey. As such, possible future development allowed by the proposed General Plan Amendment and rezoning shall be subject to the Seismic Design Category D Standards, including the requirement to provide a Geotechnical Investigation to the Development Services and Capital Projects Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits. This mandatory requirement will be included as a Project Note for future development.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel has predominately flat topography and while changes in topography and erosion may result from grading activities associated with possible future development allowed by the proposed General Plan Amendment and rezoning, it is not likely. Further, possible future development allowed by the proposed General Plan Amendment and rezoning shall require a Grading Permit or Grading Voucher for any grading activities. This mandatory requirement will be included as a Project Note for future development.

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

There are no existing septic systems located on the subject parcel, and no septic systems are being requested with the proposed General Plan Amendment and rezoning. However, according to the Environmental Health Division of the Fresno County Department of Public Health, only low water uses that generate small volumes of liquid waste shall be permitted until the subject parcel is served by community sewer

and community water systems. This requirement will be included as Mitigation Measures to reduce adverse wastewater disposal impacts from possible future development to a less than significant level.

* **Mitigation Measure**

1. *Only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the subject parcel is served by community sewer and community water systems, or adequate information is submitted to the Environmental Health Division of the Fresno County Department of Public Health and the Fresno County Department of Public Works and Planning to demonstrate that the subject parcel can accommodate higher volumes of liquid wastes.*

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed General Plan Amendment and rezoning were provided to the San Joaquin Valley Unified Air Pollution Control District (Air District) for review, which did not identify any concerns related to greenhouse gas emissions. However, it is noted by Staff that possible future development to be allowed by the proposed General Plan Amendment and rezoning may be subject to the following Air District Rules and Regulations: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Compliance with Air District Rules and Regulations will reduce air quality impacts from possible future development to a less than significant level.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Environmental Health Division of the Fresno County Department of Public Health, possible future development allowed as a result of the proposed General Plan Amendment and rezoning shall satisfy 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. Further, possible future development allowed as a result of the proposed General Plan Amendment and rezoning which handles hazardous materials or hazardous waste above the following State reporting thresholds shall be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances. All hazardous waste shall be handled in accordance with requirements set forth in the CCR, Title 22, Division 4.5, which addresses proper labeling, storage and handling of hazardous wastes. These mandatory requirements will be included as Project Notes for future development.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: NO IMPACT:

There are no schools located within one quarter-mile of the subject parcel.

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

FINDING: NO IMPACT:

No hazardous materials sites are located within the boundaries of the subject parcel.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located approximately one and three quarter-miles northwest of a municipal airport identified as "Fresno Chandler Executive Airport"; however, the subject parcel is not located within any Safety Zone of the airport. Further, the land use proposed with this rezone request is not anticipated to conflict with the functions of the Fresno Chandler Executive Airport.

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

FINDING: NO IMPACT:

The proposed General Plan Amendment and rezoning will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan. No such Plans were identified in the analysis of the proposed General Plan Amendment and rezoning.

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

FINDING: NO IMPACT:

The subject parcel is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed General Plan Amendment and rezoning were provided to the California Regional Water Quality Control Board (Water Board) for review, which did not identify any concerns related to the proposed General Plan Amendment and rezoning. However, if future development allowed as a result of the proposed General Plan Amendment and rezoning disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity will be required. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the developer must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These mandatory requirements will be included as Project Notes for future development.

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

FINDING: NO IMPACT:

The proposed General Plan Amendment and rezoning was reviewed by the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, which expressed no concerns with the proposed General Plan Amendment and rezoning. Further, the subject parcel is not located in a designated water-short area.

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

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

FINDING: NO IMPACT:

No streams or rivers are located within the boundaries of the subject parcel.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Possible future development allowed by the proposed General Plan Amendment and rezoning will not cause significant changes in absorption rates, drainage patterns or the rate and amount of surface run-off, with adherence to the Grading and Drainage Sections of the Fresno County Ordinance Code.

According to the Fresno Metropolitan Flood Control District (FMFCD), due to the subject parcel being located within a designated FMFCD Drainage Area, possible future development allowed by the proposed General Plan Amendment and rezoning shall require payment of a FMFCD Drainage Fee, the amount of which will be determined at the time the new development is proposed. This mandatory requirement will be included as a Project Note for future development.

- F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

No additional water quality impacts were identified in the analysis of the proposed General Plan Amendment and rezoning.

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

FINDING: NO IMPACT:

No housing is being requested with the proposed General Plan Amendment and rezoning.

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

FINDING: NO IMPACT:

The subject parcel is not exposed to flooding from the 1% chance storm (100-year storm).

- I. Would the project expose persons or structures to levee or dam failure; or
- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

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

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The proposed General Plan Amendment and rezoning will not physically divide a community. The subject parcel is located within the Sphere-of-Influence (SOI) of the City of Fresno, and is westerly adjacent to the city limits of the City of Fresno.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District is a non-compatible Zone District for lands designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan. Therefore, a General Plan Amendment (GPA) is required to re-designate the subject parcel from Rural Density Residential to a land use designation that is compatible with the proposed M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) Zone District. As such, GPA Application No. 551 was filed in order to re-designate the subject parcel from Rural Density Residential to Limited Industrial in the County-adopted Fresno High-Roeding Community Plan.

The Policy Planning Section of the Fresno County Department of Public Works and Planning has determined the following General Plan Policies to be pertinent to the subject proposal: LU-F.29; LU-F.30; LU-F.31; LU-F.32; LU-F.33; and LU-G.7.

According to General Plan Policy LU-F.29, the County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors:

- a. *Operational measures or specialized equipment to protect public health, safety, and welfare, and to reduce adverse impacts of noise, odor, vibration smoke, noxious gases, heat and glare, dust and dirt, combustibles, and other pollutants on abutting properties.*
- b. *Provisions for adequate off-street parking to handle maximum number of company vehicles, salespersons, and customers/visitors.*

- c. *Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties.*
- d. *Limitations on the industry's size, time of operation, or length of permit.*

According to General Plan Policy LU-F.30, the County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.

According to General Plan Policy LU-F.31, to the extent feasible, the County shall require that all industrial uses located adjacent to planned non-industrial areas or roads carrying significant non-industrial traffic be designed with landscaping and setbacks comparable to the non-industrial area.

According to General Plan Policy LU-F.32, since access to industrial areas by way of local roads not designed for industrial traffic is generally inappropriate; the County may require facility design, traffic control devices, and appropriate road closures to eliminate this problem.

According to General Plan Policy LU-F.33, the County shall require that permanent parking facilities permitted within designated industrial areas be designed to be compatible with the surrounding land use patterns.

According to General Plan Policy LU-G.7, within the spheres of influence and two miles beyond, the County shall promote consultation between the cities and the County at the staff level in the early stages of preparing General Plan amendments and other policy changes that may impact growth or the provision of urban services. Staff consultations, particularly concerning Community Plans, shall provide for meaningful participation in the policy formulation process and shall seek resolution of issues prior to presentation to the decision-making bodies.

According to the Policy Planning Section of the Fresno County Department of Public Works and Planning, the proposed General Plan Amendment and rezoning may potentially create compatibility issues with northerly-adjacent parcels and westerly-adjacent parcels that are designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan. However, considering the relatively limited scope of the proposed use being storage of equipment and supplies, in conjunction with the industrially-designated and industrially-zoned properties in proximity to the subject parcel, Staff believes any General Plan incompatibility issues associated with the proposed General Plan Amendment and rezoning will be less than significant.

According to the City of Fresno, the subject parcel is designated Medium-Low Density Residential in the City's General Plan, which would not allow the proposed Contractors Storage Yard. As such, the proposed General Plan Amendment and rezoning are not consistent with the City of Fresno General Plan and, therefore, the City of Fresno opposes the proposed General Plan Amendment and rezoning. However, should the County of Fresno be of the viewpoint that the proposed General Plan Amendment and

rezoning can be supported, the City of Fresno requests that the following Conditions of Approval be included:

- 1. The project developer shall construct all street frontage improvements along the subject parcel's Dudley Avenue frontage, per City of Fresno development standards. This requirement shall include any right-of-way dedication necessary for the street frontage improvements.*
- 2. Only low-water uses shall be permitted until such time that public water service from the City of Fresno public water system is available to the subject parcel. Availability of public water service shall be defined as the presence of a potable water main constructed and operational within 100 feet of the subject parcel. At such time when public water service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public water system within 60 calendar days; (b) destroy any onsite water well in accordance with State and County well destruction standards within 60 days; and (c) pay all City of Fresno water meter, service connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City of Fresno public water system within 60 calendar days of public water service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the water well destruction cost, water meter cost, service connection cost, and capacity fee cost.*
- 3. Only uses that generate small amounts of liquid waste shall be permitted until such time that public sewer service from the City of Fresno public sewer system is available to the subject parcel. Availability of public sewer service shall be defined as the presence of a public sewer main constructed and operational within 100 feet of the subject parcel. At such time when public sewer service is available to the subject parcel, the property shall be required to: (a) connect to the City of Fresno public sewer system within 60 calendar days; (b) destroy any onsite wastewater disposal system in accordance with State and County wastewater disposal system destruction standards within 60 days; and (c) pay all City of Fresno sewer lateral, connection, and capacity fees as specified in the City's Master Fee Schedule. If the subject parcel fails to connect to the City of Fresno public sewer system within 60 calendar days of public sewer service being available to the property, the property owner consents to the City of Fresno placing a lien on the subject parcel equal to the value of the wastewater disposal system destruction cost, sewer lateral cost, service connection cost, and capacity fee cost.*

With adherence to the recommended Conditions of Approval, Mitigation Measures and Project Notes identified in this Initial Study, Staff believes any General Plan incompatibility issues associated with the proposed General Plan Amendment and rezoning will be less than significant.

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

FINDING: NO IMPACT:

The proposed General Plan Amendment and rezoning will not conflict with any Habitat Conservation Plan or Natural Community Conservation Plan. No such Plans were identified in the analysis of the proposed General Plan Amendment and rezoning

XI. MINERAL RESOURCES

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

FINDING: NO IMPACT:

No mineral resource impacts were identified in the analysis of the proposed General Plan Amendment and rezoning. The subject parcel is not located in a mineral resource area identified in Policy OS-C.2 of the General Plan.

XII. NOISE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Environmental Health Division of the Fresno County Department of Public Health reviewed this proposal and did not identify any potential noise-related impacts. However, possible future development to be allowed by the proposed General Plan Amendment and rezoning must comply with the Fresno County Noise Ordinance related to construction noise, limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday, thereby minimizing noise impacts to less than significant. This mandatory requirement will be included as a Project Note for future development.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located approximately one and three quarter-miles northwest of a municipal airport identified as "Fresno Chandler Executive Airport"; however, the subject parcel is not located within any Safety Zone of the airport.

XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

The proposed General Plan Amendment and rezoning will not construct or displace housing, and will not otherwise induce population growth.

XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed General Plan Amendment and rezoning were provided to the North Central Fire Protection District for review, which did not identify any concerns related to the proposed General Plan Amendment and rezoning. However, possible future development to be allowed by the proposed General Plan Amendment and rezoning must comply with the California Code of Regulations Title 24 – Fire Code. This mandatory requirement will be included as a Project Note for future development.

- 2. Police protection?

FINDING: NO IMPACT:

The proposed General Plan Amendment and rezoning was reviewed by the Fresno County Sheriff's Department, which did not identify any concerns related to the proposed General Plan Amendment and rezoning.

- 3. Schools; or
 - 4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the analysis of the proposed General Plan Amendment and rezoning.

XV. RECREATION

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

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

FINDING: NO IMPACT:

No such impacts were identified in the analysis of the proposed General Plan Amendment and rezoning.

XVI. TRANSPORTATION/TRAFFIC

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel has frontage on Dudley Avenue, which is a County-maintained road classified as a local road. The minimum total right-of-way standard for a local road is 60 feet; however, the total existing right-of-way for the portion of Dudley Avenue that fronts the subject parcel is 40 feet, with 20 feet north and 20 feet south of the center line. As such, 10 feet of additional right-of-way dedication is needed from the north side of the subject parcel that abuts Dudley Avenue. This requirement will be included as a Condition of Approval to satisfy the minimum right-of-way standard for the local road classification.

The proposed Contractors Storage Yard to be allowed by the proposed General Plan Amendment and rezoning will have access to Dudley Avenue via a proposed 30-foot-wide gravel-surfaced driveway.

The proposed General Plan Amendment and rezoning were provided to the California Department of Transportation (Caltrans) for review, which did not identify any concerns related to the proposal. The proposed General Plan Amendment and rezoning were also provided to the City of Fresno for review, which did not identify any concerns related to transportation or traffic.

The proposed General Plan Amendment and rezoning were reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which did not express any concerns regarding the carrying capacities of the adjacent roadways and did not require a Traffic Impact Study (TIS). However, the Design Division requested that truck storage be prohibited on the subject parcel. This prohibition of truck storage will be included as a Mitigation Measure to reduce adverse transportation and traffic impacts from possible future development to a less than significant level.

* **Mitigation Measure**

1. *Storage of trucks shall be prohibited on the subject parcel.*

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

FINDING: NO IMPACT:

The subject parcel is located approximately one and three quarter-miles northwest of a municipal airport identified as "Fresno Chandler Executive Airport"; however, the subject parcel is not located within any Safety Zone of the airport.

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

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

No such impacts were identified in the analysis of the proposed General Plan Amendment and rezoning.

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

FINDING: NO IMPACT:

The proposed General Plan Amendment and rezoning will not conflict with any adopted alternative transportation plans. No such impacts were identified in the analysis of the proposed General Plan Amendment and rezoning.

XVII. UTILITIES AND SERVICE SYSTEMS

A. Would the project exceed wastewater treatment requirements; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

See discussion in Section VI.E Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

See discussion in Section VI.E Geology and Soils.

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

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

FINDING: NO IMPACT:

No such impacts were identified in the analysis of the proposed General Plan Amendment and rezoning.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Pursuant to discussion in Section IV (Biological Resources), no such impacts on biological resources were identified in the analysis of the proposed General Plan Amendment and rezoning.

Pursuant to discussion in Section V (Cultural Resources), possible future development to be allowed by the proposed General Plan Amendment and rezoning may have impacts on cultural resources; however, the Mitigation Measure included in Section V (Cultural Resources) will reduce such impacts to a less than significant level.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the analysis of the proposed General Plan Amendment and rezoning.

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

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the analysis of the proposed General Plan Amendment and rezoning.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for General Plan Amendment Application No. 551 and Amendment Application No. 3823, staff has concluded that the proposal will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural and forestry resources, biological resources, mineral resources, population and housing, or recreation.

Potential impacts related to air quality, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, and public services have been determined to be less than significant.

Potential impacts relating to aesthetics, cultural resources, geology and soils, hydrology and water quality, transportation and traffic, and utilities and service systems have been determined to be less than significant with the identified Mitigation Measures.

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

DC:

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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7298	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): Derek Chambers, Planner	Area Code: 559	Telephone Number: 600-4205	Extension: N/A
Applicant (Name): Larry and Shelly Rompal	Project Title: General Plan Amendment Application No. 551 and Amendment Application No. 3823		
<p>Project Description:</p> <p>Amend the Fresno County General Plan and County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial, and rezone the subject 3.57-acre parcel from R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) to M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard). The subject parcel is located on the south side of Dudley Avenue, between Valentine Avenue and Marks Avenue, westerly adjacent to the city limits of the City of Fresno (Sup. Dist. 1) (APN 449-110-23).</p> <p>Justification for Negative Declaration:</p> <p>Based upon the Initial Study prepared for General Plan Amendment Application No. 551 and Amendment Application No. 3823, staff has concluded that the project will not have a significant effect on the environment.</p> <p>No impacts were identified related to agricultural and forestry resources, biological resources, mineral resources, population and housing, or recreation.</p> <p>Potential impacts related to air quality, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, and public services have been determined to be less than significant.</p> <p>Potential impacts relating to aesthetics, cultural resources, geology and soils, hydrology and water quality, transportation and traffic, and utilities and service systems have been determined to be less than significant with the identified Mitigation Measures.</p> <p>The Initial Study and MND are available for review at 2220 Tulare Street, Suite A, Fresno, CA 93721.</p>			
<p>FINDING:</p> <p>The proposed project will not have a significant impact on the environment.</p>			
Newspaper and Date of Publication: Fresno Business Journal – February 2, 2018		Review Date Deadline: March 5, 2018	
Date: January 31, 2018	Type or Print Signature: Marianne Mollring Senior Planner	Submitted by (Signature): Derek Chambers Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

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EXHIBIT 10

ATTACHMENT C



2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8003 FAX (559) 498-1012
www.fresno.gov

Development and Resource Management Department

Jennifer K. Clark
Director

May 31, 2017

Derek Chambers
Public Works and Development Services Division
2220 Tulare Street, Suite A, First Floor
Fresno, California 93721

RECEIVED
JUN 02 2017

FRESNO COUNTY
DEPT. OF
PUBLIC WORKS & PLANNING

Dear Mr. Chambers:

SUBJECT: FRESNO COUNTY GENERAL PLAN APPLICATION NO 550, AMENDMENT APPLICATION NO 3823, AND INITIAL STUDY APPLICATION NO. 7298 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF WEST DUDLEY AVENUE BETWEEN NORTH MARKS AND VALENTINE AVENUES (APN: 4449-110-23)

The aforementioned applications relate to an approximately 3.57-acre property located on the south side of West Dudley Avenue between North Marks and Valentine Avenues in Fresno County. The applications include a plan amendment to the County General Plan from rural density residential to Limited Light Industrial, a rezone application from R-R (nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) to M-1 (Light Manufacturing, conditionally limited to Contract Storage Yard). The applicant is proposing an expansion on of their irrigation business. In addition, the City of Fresno General Plan designates the subject site for medium low density residential land use. The corresponding city residential zoning would not permit the proposed use.

Furthermore, Article IV, Section 4.1 of the MOU states "...County may process applications for development permits for that new urban development, consistent with the most recently adopted city general plan and applicable community plan, and consistent with county's general plan policies...". The proposed zoning change to limited industrial, M-1 and the future use of a contractor's storage yard is not consistent with the City of Fresno's General Plan designation for low density residential development. It is not the intent of the City of Fresno to pursue annexation of the subject property at this time.

The City would also like to express its strong opposition to the proposed plan amendment application to Limited Light Industrial and rezone application from R-R (nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) to M-1 (Light Manufacturing, conditionally limited to Contract Storage Yard). The introduction of a spot light industrial development within a residential designated area does not constitute sound planning policy. The planned residential development is viewed as a transition from the industrial uses south of the subject property. Approval of such a request may lead to precedence for other industrial or even commercial requests. As you can appreciate, significant land use amendment requests such as these are better served and analyzed under a much broader scope such as a General Plan or Community Plan Update process.

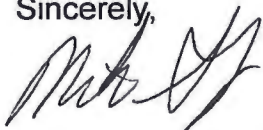
Should the County of Fresno be of the viewpoint that the project can be supported, It is strongly recommended that the following conditions be placed on the subject site as conditions of approval

for any subsequent site plan review, Director's Determination or conditional use permit that may result from the approval of these entitlements.

- The project applicant shall construct all street frontage improvements along project frontage of Dudley Avenue, per City of Fresno standards. This shall also include any dedications of required right-of-way for these improvements.
- To address on-site water uses, only low-water uses shall be permitted, until such time that public water service from the City of Fresno's public water system is available to the property. Availability of public water service shall be defined as the presence of a potable water main constructed and operational within 100 feet of the property. At such time when public water service is available to the property, the property shall be required to (a) connect to the City's public water system within 60 calendar days, (b) destroy any onsite well that serves the property in accordance with State and County well destruction standard within 60 days, and (c) pay all appropriate water meter, service connection and capacity fees as specified in the City's Master Fee Schedule. If the property fails to connect to the City of Fresno's public water system within 60 calendar days of public water service being available to the property, the property owner consents to the County (or City?) placing a lien on the property equal to the value of the well destruction costs, and all water meter, service connection and capacity fee costs.
- To address on-site wastewater, uses that only generate small amounts of liquid waste shall be permitted on-site until such time that public sewer service from the City of Fresno's public sewer system is available to the property. Availability of public water shall be defined as the presence of a public sewer main constructed and operational within 100 feet of the property. At such time when public sewer service is available to the property, the property shall be required to (a) connect to the City's public sewer system within 60 calendar days, (b) destroy any onsite wastewater system that serves the property in accordance with State and County onsite wastewater system destruction standards within 60 days, and (c) pay all appropriate sewer lateral, connection and capacity fees as specified in the City's Master Fee Schedule. If the property fails to connect to the City of Fresno's public sewer system within 60 calendar days of public water service being available to the property, the property owner consents to the County (or City?) placing a lien on the property equal to the value of well onsite wastewater system destruction costs, and all sewer lateral, service connection and capacity fee costs.
- The project applicant agrees not to oppose inclusion in any future annexation by the City of Fresno regarding the subject property.

Please contact this office at (559) 621-8040, if you have any further questions regarding this document.

Sincerely,



Mike Sanchez, AICP, MCRP
Assistant Director

c: Bernard Jimenez



BRUCE RUDD
City Manager

RECEIVED
JAN 22 2015

FRESNO COUNTY
DEPT. OF
PUBLIC WORKS & PLANNING

January 15, 2015

John Navarrette
County Administrative Officer
Hall of Records, Room 300
2281 Tulare Street
Fresno, California 93721

SUBJECT: FRESNO COUNTY REFERRAL NO. 952 RELATED TO PROPERTY LOCATED ON WEST DUDLEY AVENUE BETWEEN NORTH MARKS AND NORTH VALENTINE AVENUES (APN: 449-110-23)

Dear Mr. Navarrette:

County Referral No. 952 relates to an approximately 3.57-acre property located on the south side of West Dudley Avenue between North Marks and North Valentine Avenues (APN 449-110-23). The subject parcel is located within the City of Fresno's Sphere of Influence and immediately adjacent to the City's incorporated boundary along a portion of the site's easterly property line (see enclosures). The project applicant has submitted a request to the County of Fresno to expand its irrigation supply business which currently fronts on West Belmont Avenue.

Normally the City desires to annex properties within its sphere when possible, but it does not appear practical at this time. In this case, the City supports the release of this project to the County for processing with the following conditions:

- 1) The release of this proposal is contingent upon execution of a property owner agreement that future annexation to the City of Fresno will not be contested and any further development of the property shall comply with City of Fresno public improvement requirements and public facilities and services impact fees as applicable.
- 2) County shall require a six foot masonry wall which shall be built to protect the three homes at the northern and western boundary of the subject property AND require an irrevocable offer of dedication to the City of Fresno for any road right-of-way for Dudley Avenue.

John Navarrette
January 15, 2015
Page 2

If you have any additional questions regarding this matter, please contact Mike Sanchez, Assistant Director, at (559) 621-8040.

Sincerely,



Bruce Rudd
City Manager

Enclosures: Aerial Photo
I-view map
Referral Request

cc: Bernard Jimenez, County Planning
Derek Chambers, County Planning ✓

Anne Speak, Engineering Consultant
3757 Chessa Lane
Clovis, CA 93719

Richard and Shirley Ghimenti (property owner)
3150 W. Dudley Avenue
Fresno, CA 93722

City of Fresno

- User Drawn Redlines
- Parcels
- Parcels
- Aerials
- City Limits
- Fresno County



SCALE 1 : 5,897



City of Fresno

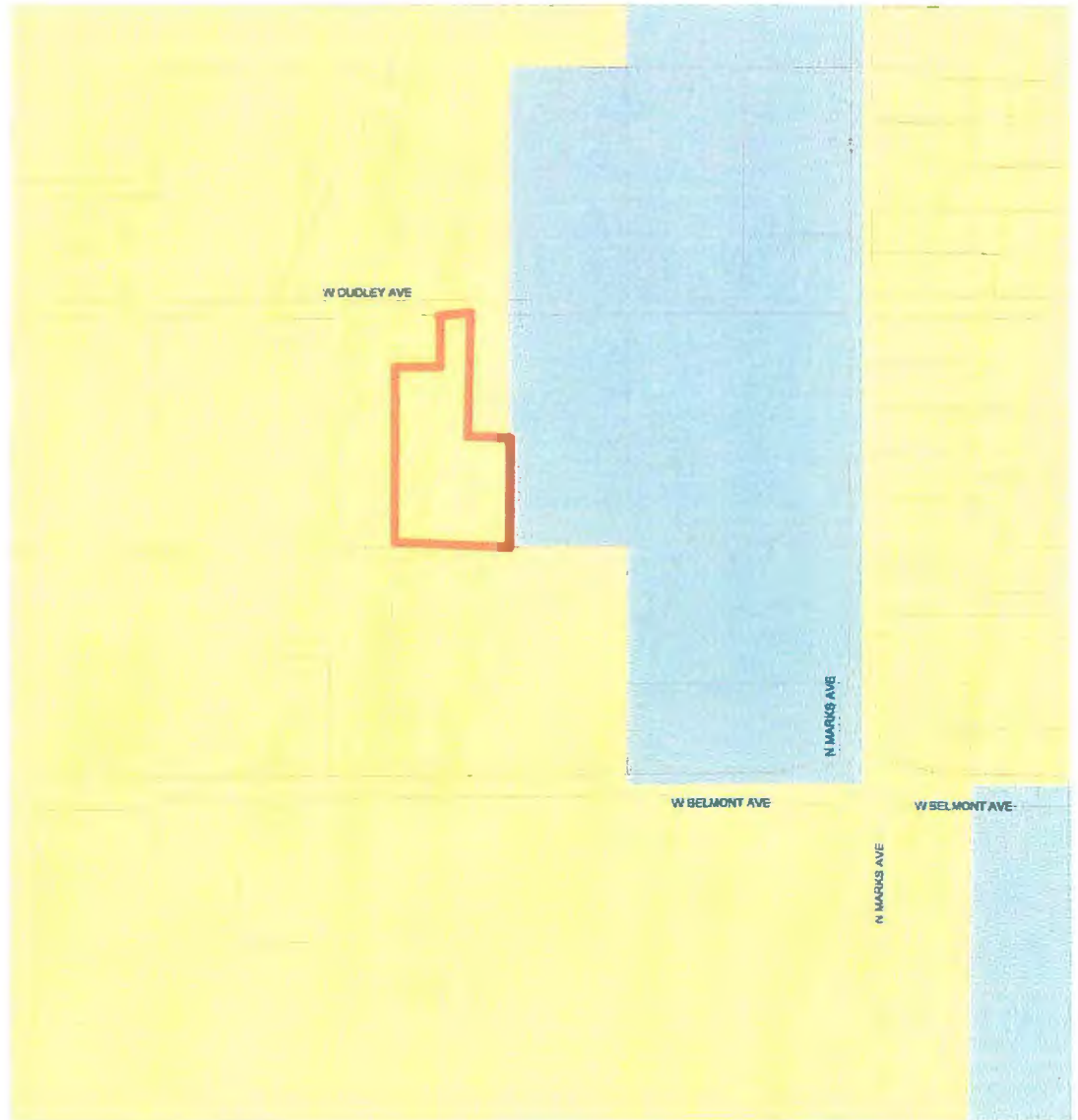
 User Drawn Redlines

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Parcels

 City Limits

 Fresno County



SCALE 1 : 5,897

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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

TO: CITY OF FRESNO
Bruce Rudd, City Manager
Mike Sanchez, Planning Manager

FROM : COUNTY OF FRESNO

SUBJECT: REFERRAL OF PROPOSED DEVELOPMENT

DATE: November 7, 2014

REFERRAL NO.: 952

This department has been contacted regarding a proposal to develop property within the City's Sphere of Influence.

The property is located in an area that, based on the County's General Plan, requires the County to refer the applicant to the City for annexation. If the City is unable, or does not choose to annex the property at this time, the County may process the required applications. In that event, the City is required to release the applicant to file with the County the appropriate land use applications. The appropriate procedure for releasing the project is identified below:

☐ **The property is designated on the County General Plan as "Reserve".** City Council action is required to release the project for processing by the County. Failure by the City to initiate annexation does not permit the County to process the application.

- **City of Fresno only:** The City of Fresno shall, in releasing the project, indicate that the project is consistent with the City General Plan, or that it is requiring the applicant to process a General Plan Amendment with the City prior to County action on the project. If this requirement is not specified in the release, it shall be understood that the City is exempting the project from this requirement.

☒ **The property is designated on the County General Plan for "Infill".** The authorized representative of the City may release the project for processing by the County by signing the "City Release" statement and mailing it to the owner/representative with a copy to Bernard Jimenez, Manager, Development Services, M/S 214, Fresno County Department of Public Works and Planning. City Council action is not required to release this project.

The City recognizes that it has 60 days (105 days if CEQA review is required) in which to initiate annexation or refer the applicant back to the County. Failure by the City to take appropriate action within the prescribed time releases the applicant to file with the County the appropriate applications for development.

- **City of Fresno only:** The City of Fresno shall, in releasing the project, indicate that the project is consistent with the City General Plan, or that it is requiring the applicant to process a General Plan Amendment with the City prior to County action on the project. If this requirement is not specified in the release, it shall be understood that the City is exempting the project from this requirement.

PROJECT INFORMATION

Property Location (APN, Site Address): 449-110-23

County Zone District: R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay)

County General Plan Designation: Rural Density Residential in the Fresno High-Roeding Community Plan

County Application Requirements: General Plan Amendment, Rezone, Initial Study

Applicant/Owner: Anne Smoke

Address/Contact: 3757 Chessa Lane, Clovis, CA 93619

County Staff Person Making Referral: Derek Chambers, Planner
E-mail address: dchambers@co.fresno.ca.us

Phone: (559) 600-4205

ATTACHMENT D

Mr. Bernard Jimenez, Assistant Director
Fresno County
Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

SUBJECT: PROPOSED GENERAL PLAN AMENDMENT (GPA) 551 AND REZONING APPLICATION (AA) 3832 –
LARRY ROMPAL PROPERTY – WEST DUDLEY AVENUE

Dear Mr. Jimenez:

I own the properties located at 3150 and 3188 W. Dudley which are very near the above property.

I support Mr. Rompal's request to designate and rezone the property for a light industrial use as a storage yard for his business.

Please feel free to contact me if you have any questions.

Sincerely,


Richard Ghimenti

GPA 551

AA 3823

RECEIVED
COUNTY OF FRESNO

MAR 15 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Fresno County
Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

SUBJECT: PROPOSED GENERAL PLAN AMENDMENT (GPA) 551 AND REZONING APPLICATION (AA) 3832 –
LARRY ROMPAL PROPERTY – WEST DUDLEY AVENUE

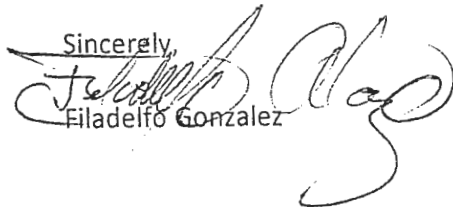
Dear. Mr. Jimenez:

I own the property located at 3213 W. Dudley which is near the above property.

I support Mr. Rompal's request to designate and rezone the property for a light industrial use as a storage yard for his business.

Please feel free to contact me if you have any questions.

Sincerely,


Filadelfo Gonzalez

GPA 551

AA 3823

RECEIVED
COUNTY OF FRESNO

MAR 15 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Fresno County
Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

SUBJECT: PROPOSED GENERAL PLAN AMENDMENT (GPA) 551 AND REZONING APPLICATION (AA) 3832 –
LARRY ROMPAL PROPERTY – WEST DUDLEY AVENUE

Dear. Mr. Jimenez:

I own the properties located at 3157 W. Dudley which is next to the above property.

I support Mr. Rompal's request to designate and rezone the property for a light industrial use as a storage yard for his business.

Please feel free to contact me if you have any questions.

Sincerely,

Song Vue



GPA 551
AA 3823
RECEIVED
COUNTY OF FRESNO

MAR 15 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Fresno County
Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

SUBJECT: PROPOSED GENERAL PLAN AMENDMENT (GPA) 551 AND REZONING APPLICATION (AA) 3832 –
LARRY ROMPAL PROPERTY – WEST DUDLEY AVENUE

Dear. Mr. Jimenez:

I own the property located at 3220 W. Belmont which is immediately adjacent to the above property.

I support Mr. Rompal's request to designate and rezone the property for a light industrial use as a storage yard for his business.

Please feel free to contact me if you have any questions.

Sincerely,

Clarence Miranda

Debora L. Cooper
Debora L. Cooper, President

GPA 551
AA 3823
RECEIVED
COUNTY OF FRESNO

MAR 15 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Mr. Bernard Jimenez, Assistant Director
Fresno County
Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

SUBJECT: PROPOSED GENERAL PLAN AMENDMENT (GPA) 551 AND REZONING APPLICATION (AA) 3832 –
LARRY ROMPAL PROPERTY – WEST DUDLEY AVENUE

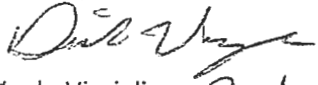
Dear. Mr. Jimenez:

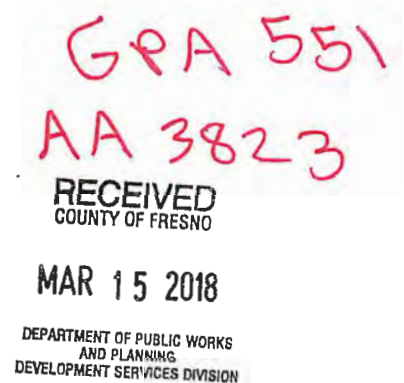
I own the properties located at 963 N. Marks which is near the above property.

I support Mr. Rompal's request to designate and rezone the property for a light industrial use as a storage yard for his business.

Please feel free to contact me if you have any questions.

Sincerely,


~~Nicole Visciglio~~ Nick Visciglio V.P.
Nick's Trucking



Mr. Bernard Jimenez, Assistant Director
Fresno County
Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

SUBJECT: PROPOSED GENERAL PLAN AMENDMENT (GPA) 551 AND REZONING APPLICATION (AA) 3832 –
LARRY ROMPAL PROPERTY – WEST DUDLEY AVENUE

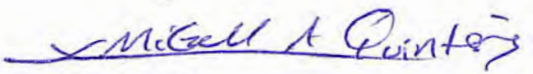
Dear. Mr. Jimenez:

I own the property located at 3189 W. Dudley which is next to the above property.

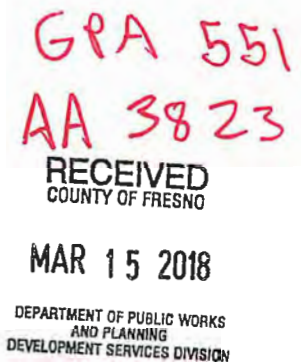
I support Mr. Rompal's request to designate and rezone the property for a light industrial use as a storage yard for his business.

Please feel free to contact me if you have any questions.

Sincerely,



Miguel Quinteros



Jim 341.8214

Mr. Bernard Jimenez, Assistant Director
Fresno County
Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

SUBJECT: PROPOSED GENERAL PLAN AMENDMENT (GPA) 551 AND REZONING APPLICATION (AA) 3832 –
LARRY ROMPAL PROPERTY – WEST DUDLEY AVENUE


Dear. Mr. Jimenez:

I own the properties located at 3138 W. Dudley which is near the above property.

I support Mr. Rompal's request to designate and rezone the property for a light industrial use as a storage yard for his business.

Please feel free to contact me if you have any questions.

Sincerely,


Jerry Berlin

GPA 551
AA 3823
RECEIVED
COUNTY OF FRESNO

MAR 15 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

ATTACHMENT E

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7298	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): Derek Chambers, Planner	Area Code: 559	Telephone Number: 600-4205	Extension: N/A
Applicant (Name): Larry and Shelly Rompal	Project Title: General Plan Amendment Application No. 551 and Amendment Application No. 3823		
<p>Project Description:</p> <p>Amend the Fresno County General Plan and County-adopted Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Density Residential to Limited Industrial, and rezone the subject 3.57-acre parcel from R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) to M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard). The subject parcel is located on the south side of Dudley Avenue, between Valentine Avenue and Marks Avenue, westerly adjacent to the city limits of the City of Fresno (Sup. Dist. 1) (APN 449-110-23).</p>			
<p>Justification for Negative Declaration:</p> <p>Based upon the Initial Study prepared for General Plan Amendment Application No. 551 and Amendment Application No. 3823, staff has concluded that the project will not have a significant effect on the environment.</p> <p>No impacts were identified related to agricultural and forestry resources, biological resources, mineral resources, population and housing, or recreation.</p> <p>Potential impacts related to air quality, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, and public services have been determined to be less than significant.</p> <p>Potential impacts relating to aesthetics, cultural resources, geology and soils, hydrology and water quality, transportation and traffic, and utilities and service systems have been determined to be less than significant with the identified Mitigation Measures.</p> <p>The Initial Study and MND are available for review at 2220 Tulare Street, Suite A, Fresno, CA 93721.</p>			
<p>FINDING:</p> <p>The proposed project will not have a significant impact on the environment.</p>			
Newspaper and Date of Publication: Fresno Business Journal – February 2, 2018		Review Date Deadline: March 5, 2018	
Date: January 31, 2018	Type or Print Signature: Marianne Mollring Senior Planner	Submitted by (Signature): Derek Chambers Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**