



## Inter Office Memo

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

DATE: October 8, 2020

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12847 - INITIAL STUDY APPLICATION NO. 7014 and  
AMENDMENT APPLICATION NO. 3812

APPLICANT: CFX Trucking (Gary Toor)

OWNER: CFX Trucking (Gary Toor)

REQUEST: Rezone a 6.58-acre parcel from the AL-20 (Limited  
Agricultural, 20-acre minimum parcel size) Zone District to  
an M-1(c) (Light Manufacturing, Conditional) Zone District  
to allow a limited number of light industrial uses as  
requested by the Applicant pertaining to driver training  
schools; cold storage plants; aircraft, automotive and boat  
repair and maintenance; trucking yard terminals;  
manufacturing, compounding, processing, packing and  
wholesale and warehousing; and processing and  
fabrication of various materials.

LOCATION: The subject parcel is located on the north side of E. North  
Avenue approximately 415 feet east of its intersection with  
S. Willow Avenue and 3,246 feet southeast of the nearest  
city limits of the City of Fresno (Sup. Dist. 4) (APN 316-  
071-48).

### **PLANNING COMMISSION ACTION:**

At its hearing of October 8, 2020, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Hill and seconded by Commissioner Eubanks to recommend adoption of the Mitigated Negative Declaration prepared for the project; find that the proposed rezone is consistent with the County General Plan and Roosevelt Community Plan;

RESOLUTION # 12847

and recommend approval of Amendment Application No. 3812, subject to the Mitigation Measures, Conditions of Approval, and Project Notes listed in Exhibit B.

This motion passed on the following vote:

VOTING:      Yes:              Commissioners Hill, Eubanks, Abrahamian, Carver, Woolf  
                 No:              None  
                 Absent:          Commissioners Burgess, Chatha, Ede, Lawson  
                 Abstain:        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

WMK:im:cwm  
G:\4360Devs&Pin\ADMIN\BOARD\Board Items\2020-2029\2021\1-26-21\AA 3812 (CFX Trucking)\AA 3812 (BOS Items)\Attachment A\AA 3812 Planning Commission Resolution.doc

Attachments

EXHIBIT A

Initial Study Application No. 7014  
Amendment Application No. 3812

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 8, 2020 and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- The proposal only includes a limited number of uses, including aircraft modification/storage/repair from the uses allowed in the proposed zone district; however, the site will not be improved with all the proposed uses.
  - The applicant owns a trucking company; the site will be used as a logistic facility with incidental trailer parking and repair.
  - The site's western portion will be paved to accommodate an office, parking, and fleet vehicle repair bay.
  - The City of Fresno will provide sewer service and the Malaga County Water District will provide water service to the site.
  - The City of Fresno has elected not to annex the property due to it being located too far south of the City limits.
  - We will inform the neighboring residential property of the project by making an in-person contact.
  - All neighboring property owners will be notified a second time before the project is considered by the County Board of Supervisors.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7014; Amendment Application No. 3812**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting associated with the development of industrial uses on the property shall be hooded and directed downward so as to not shine toward adjacent property and public streets.	Applicant	Applicant/Fresno County Dept. of Public Works and Planning	At time of Installation
2.	Air Quality	On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles: a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and b. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.	Applicant	Applicant/San Joaquin Valley Air Pollution Control District (SJVAPCD)	As noted
3.	Air Quality	Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation.	Applicant	Applicant/SJVAPCD	As noted
4.	Air Quality	Signs shall be posted at the project site construction entrance to remind drivers and operators of the state's 5-minute idling limit.	Applicant	Applicant/SJVAPCD	During construction
5.	Air Quality	To the extent available, replace fossil-fueled equipment with alternatively fueled (e.g., natural gas) or electrically-driven equivalents.	Applicant	Applicant/SJVAPCD	During construction

6.	Air Quality	Construction truck trips shall be scheduled, to the extent feasible, to occur during non-peak hours, and truck haul routes shall be selected to minimize impacts to nearby residential dwellings.	Applicant	Applicant/SJVAPCD	During construction
7.	Air Quality	The burning of vegetative material shall be prohibited.	Applicant	Applicant/SJVAPCD	During construction
8.	Air Quality	<p>The proposed project shall comply with SJVAPCD Regulation VIII for the control of fugitive dust emissions. Regulation VIII can be obtained on the SJVAPCD's website <a href="https://www.valleyair.org/rules/1ruleslist.htm">https://www.valleyair.org/rules/1ruleslist.htm</a>. At a minimum, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.</li> <li>b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.</li> <li>c. All land clearing, grubbing, scraping, excavation, leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.</li> <li>d. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.</li> <li>e. When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.</li> <li>f. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each work day. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)</li> </ul>	Applicant	Applicant/SJVAPCD	During construction

		<p>g. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</p> <p>h. On-road vehicle speeds on unpaved surfaces of the project site shall be limited to 15 mph.</p> <p>i. Sandbags or other erosion control measures shall be installed sufficient to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>j. Excavation and grading activities shall be suspended when winds exceed 20 mph (regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent-opacity limitation).</p> <p>The above measures for the control of construction-generated emissions shall be included on site grading and construction plans.</p>			
9.	Cultural Resources	<p>In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.</p>	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As noted
10.	Transportation	<p>Prior to the issuance of building permits for the uses allowed on M-1(c) zoned property, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvements defined in items a, b, c and d below. The traffic improvements and the project's maximum pro-rata share costs are as follows:</p> <p>a. North Avenue and Willow Avenue intersection shall be</p>	Applicant	Applicant/Fresno County Department of Public Works and Planning	As noted

			<p>widened, and the eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 3.65 % construction cost or \$ 39,785.00, 15% preliminary engineering or \$ 5,968, 15% construction engineering or \$5,968, totaling \$51,721.00.</p> <p>b. The project's percent fair share for right -of-way acquisition at North and Willow Avenues intersection is 3.65 % or \$ 5,366.00.</p> <p>c. North Avenue and Chestnut Avenue intersection shall be widened, and the eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 1.13 % construction cost or \$ 59,305.00, 15% preliminary engineering or \$ 8,896, 15% construction engineering or \$8,896, totaling \$77,096.00.</p> <p>d. The project's percent fair share for right -of-way acquisition at North and Chestnut Avenues intersection is 1.13 % or \$1,661.00.</p> <p>The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.</p>		
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### Conditions of Approval

1.	The uses allowed on the property shall be limited to those uses specified in Exhibit 9 of the Planning Commission Staff Report.
2.	At the time of development, the site shall be connected to and utilize water service from the Malaga County Water District or City of Fresno if service is available adjacent to the parcel at the time of development. At the time service is available to the parcel, the City may choose to extend the time the property is required to connect by a reasonable period.
3.	Landscaping consisting of trees and shrubs of reasonable size and density for a depth of 15 feet shall be provided along the easterly property line of the subject property.
4.	The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development.
5.	At the time of the development of the property, the Applicant shall pay into Fresno County Regional Transportation Traffic Mitigation Fee (RTMF).

### Project Notes

1.	A Site Plan Review shall be required prior to any development of the property per Section 843.6 of the Fresno County Zoning Ordinance.
	The construction of any structures on the property shall meet all the Building Code requirements in effect at the time they are constructed.
2.	Development of the property shall include installation of a service lateral to connect and utilize sewer service from the City of Fresno via the existing sewer line in North Avenue and pay all City connection fees.
3.	<p>Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• Future tenants may be required to comply with hazardous materials business plan reporting requirements.</li> <li>• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<a href="http://www.fresnocupa.com/">http://www.fresnocupa.com/</a> or <a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>).</li> <li>• In an effort to protect groundwater, all abandoned water wells and septic systems on the parcel shall be properly destroyed by an appropriately licensed contractor.</li> <li>• Prior to destruction of agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil.</li> <li>• Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction.</li> <li>• The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.</li> </ul>



4.	If onsite water wells and/or sewage disposal systems are permitted, only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community water and sewer facilities or adequate information is submitted to the Fresno County Department of Public Health and Department of Public Works & Planning to demonstrate that the property can accommodate higher volumes of liquid wastes.
5.	<p>Per the Development Engineering Section of the Fresno County Department of Public Works and Planning, development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.</li> <li>• A grading permit or voucher for any grading proposed with this application.</li> <li>• An encroachment permit from the Road Maintenance and Operations Division prior to any work done within the county road right-of-way.</li> <li>• On-site turnarounds for vehicles leaving the site to enter North Avenue in a forward motion.</li> </ul>
6.	At the time of the development of the property, any plans for street and/or utility improvements along Willow Avenue, North Avenue or North and/or Chestnut Avenue and near the canal crossing (Fresno Irrigation District Wilder Canal No. 289, Washington Colony Canal No. 15, Central Canal No. 23) shall require District's review and approval.

\*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.

DR:EA.cwm  
G:\4360Devs&Pin\ADMIN\BOARD\Board Items\2020-2029\2021\11-26-21\AA 3812 (CFX Trucking)\AA 3812 (BOS Items)\Attachment A\AA 3812 MMRP (Exhibit B of Attachment A).docx

EXHIBIT "C"

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study Application No. 7014  
Amendment Application No. 3812

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

Initial Study Application	\$ 3,901.00 <sup>1</sup>
Amendment Application	\$ 6,214.00 <sup>2</sup>
Public Health Department Review	\$ 721.00 <sup>3</sup>
<b>Total Fees Collected</b>	<b><u>\$ 10,836.00</u></b>

<sup>1</sup> Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.

<sup>2</sup> 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.

<sup>3</sup> Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division.



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 6 October 8, 2020

**SUBJECT:** Initial Study Application No. 7014 and Amendment Application No. 3812

Rezone a 6.58-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of light industrial uses as requested by the Applicant pertaining to driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials.

**LOCATION:** The subject parcel is located on the north side of E. North Avenue approximately 415 feet east of its intersection with S. Willow Avenue and 3,246 feet southeast of the nearest city limits of the City of Fresno (Sup. Dist. 4) (APN 316-071-48).

**OWNER /  
APPLICANT:** CFX Trucking (Gary Toor)

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

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7014; and
- Recommend that the Board of Supervisors approve Amendment Application No. 3812 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval, and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Aerial Photo
6. Summary of Initial Study Application No. 7014
7. Draft Mitigated Negative Declaration
8. List of Allowed By-right Uses in the AL-20 (Limited Agriculture) Zone District
9. List of Allowed By-right Uses in the M-1 Zone District (Section 843.1)

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan	Limited Industrial (Reserve) in Roosevelt Community Plan	No change
Zoning	AL-20 (Exclusive Agricultural, 20-acre minimum parcel size)	M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of light industrial uses as requested by the Applicant (Exhibit 8) pertaining to driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials
Parcel Size	6.58 acres	No change
Project Site	Vacant	No specific development proposed by this application
Structural Improvements	None	No specific development proposed by this application
Nearest Residence	35 feet east of the proposal site	No change

Criteria	Existing	Proposed
Surrounding Development	North: Farmlands, South: Industrial & Vacant, East: Single-Family Residences, West: Electrical Substation	No change
Operational Features	Project site is vacant and undeveloped	N/A No specific development proposed by this application
Employees	N/A	N/A
Customers/Supplier	N/A	N/A
Traffic Trips	None	A Traffic Impact Study prepared for the Project determined it would not cause a significant impact or cause service level to fall below target LOS (Levels of Service). The project is responsible for an equitable share of the Mitigation Measures in the area. (See MMRP)
Lighting	None	Future lighting to be shielded to prevent glare offsite.
Hours of Operation	N/A	N/A

### Setback, Separation and Parking

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	For AL-20 Zone District:  Front: 35 feet Side: 20 feet Rear: 20 feet	For M-1(c) Zone District:  Front: None Side: None Rear: None	N/A No development is proposed by this application
Parking	No requirement in the AL-20 Zone District	For M-1(c) Zone District: One (1) parking stall per 2 Employees 1 Parking stall per company-owned truck	N/A
Lot Coverage	No requirement in the AL-20 Zone District	No requirement in the M-1(c) Zone District	N/A

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Separation Between Buildings	40-foot separation between animal shelter and building for human occupancy in the AL-20 Zone District	No requirement in the M-1(c) Zone District	N/A
Wall Requirements	Per Section 855-H.2 of the County Ordinance Code in the AE-20 Zone District	None	N/A
Septic Replacement Area	100 percent for the existing system	N/A Sewer Service is available via City of Fresno	N/A
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	N/A. Water service is available via Malaga County Water District or City of Fresno	N/A

### **Circulation and Traffic**

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	No	N/A	N/A
Public Road Frontage	Yes	North Avenue; Fair condition	No change
Direct Access to Public Road	Yes	North Avenue	No change
Road ADT		3300 (North)	No change initially; no development is proposed by this application
Road Classification		Arterial (Copper Avenue)	No change
Road Width		84 feet (North Avenue)	N/A No development is proposed by this application
Road Surface		Asphalt concrete (North Avenue); pavement width: 36.5 feet	No change
Traffic Trips		None	N/A

		Existing Conditions	Proposed Operation
			No development is proposed by this application
Traffic Impact Study (TIS) Prepared	Yes	N/A	A Traffic Impact Study prepared for the Project determined it would not cause a significant impact or cause service level to fall below target LOS (Levels of Service) with proposed mitigations. The Project would be responsible for an equitable share of the Mitigation Measures in the area. (See Exhibit 1; MMRP)
Road Improvements Required		Fair	N/A; no development proposed by this application. Road improvements may be required as part of any subsequent discretionary land use application.

### Surrounding Properties

	Size:	Use:	Zoning:	Nearest Residence:
North	9.62 acres	Farmland	AL-20	585 feet Northwest
South	22.5 acres	Industrial	M-3	None
East	4.9 acres	Single-Family Home	AL-20	35 feet East
West	2.69 acres	Electrical Substation, Vacant, Large Lot Single-Family Home	AL-20 & M-3	1,400 feet West

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

### ENVIRONMENTAL ANALYSIS:

Initial Study Application No. 7014 was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 6.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: August 10, 2020.

## **PUBLIC NOTICE:**

Notices were sent to 17 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

Should the Planning Commission recommend approval, a subsequent hearing date before the Board of Supervisors for final action will be scheduled as close to the Commission's action as practical with separate noticing provided for that hearing.

## **PROCEDURAL CONSIDERATIONS:**

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

## **BACKGROUND INFORMATION:**

The subject property is located on the fringe of the City of Fresno, 0.62 mile from its current boundary and within its sphere of influence. The surrounding area is generally industrial to the south and west, with farmland and sporadic homes to the north and easterly. The project was referred to the City for consideration of annexation. The City stated it "desires to annex properties within its sphere when possible, but it does not appear practical at this time."

The parcel is designated Agriculture in the General Plan and is currently zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size). The parcel is within the Roosevelt Community Plan which designates the land use as Industrial (Reserve) Limited which is consistent with the proposed rezone to an M-1(c) (Light Manufacturing, Conditional) Zone District.

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
General Plan Policy LU-A.12: In adopting land use policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.	The subject property is unfarmed with no improvements. There are adjacent parcels to the East and North. The proposed uses would not conflict with, but would be in support of, agricultural activities and compatible with nearby uses. The parcel is designated for Limited Industrial in the Roosevelt Community Plan. The proposal is consistent with Policy LU-A.12.
General Plan Policy LU-A.13: The county shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.	There are no anticipated operations that would conflict with agricultural uses. The proposal is consistent with Policy LU-A.13.
General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits include an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.	The proposed site is not currently a productive agricultural site and, due to its size, is not readily used as such. The proposed use is an excellent transitional use that supports agriculture. The proposal is consistent with



<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
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.	Policy LU-A.14.  City of Fresno acknowledges the project is within their service area. Sewer services are currently available in North Avenue and water can be extended to the site from nearby lines. The proposal is consistent with Policy LU-F.30.
General Plan Policy PF-C.17: County shall, prior to consideration of any discretionary projects related to land use, undertake a water supply evaluation. The evaluation shall include a determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question and if groundwater is proposed, a hydrological investigation may be required to confirm the availability of water in amounts necessary to meet project demand.	The subject property is not located in a water-short area. The project was submitted to the County Water Resources Division and there were no concerns noted. At time of future development, water can be provided to the project by the Malaga County Water District/City of Fresno. The Proposed use is consistent with Policy PF-C.17.
Roosevelt Community Plan, Section 6.02.g: The tier of Limited Industrial-designated properties located along the south side of Jensen Avenue is intended to provide a transition from the existing and planned residential uses along the north side of Jensen Avenue.	The subject rezoning from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District is consistent with this policy.

#### **Reviewing Agency/Department Comments:**

The project was routed to all relevant Agencies and County Departments for review and comments. Below is a summary of responses of substantive comments. The Applicant provided an Air Quality and Greenhouse Gas Impact Analysis completed by Ambient Air Quality & Noise Consulting, dated December 2019. The Analysis was provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) along with the project information for comments. No concerns were expressed by that agency.

- The Air Quality and Greenhouse Gas Impact Analysis found that the impacts would be less than significant.
- The Initial Study did determine that localized uncontrolled concentrations of construction-generated PM could be considered to have a potentially significant impact. To reduce potential exposure of nearby sensitive receptors to localized pollutant concentrations associated with project construction to less than significant, mitigation related to construction and operations are included in the Mitigation Measures.
- The San Joaquin Valley Air Pollution Control District indicated that the project would not exceed the Districts' NOX, ROG, and PM 10 significance thresholds, and concluded the "project specific criteria pollutant emissions would have no significant adverse impact on air quality." Based on the size of the project, the District also concluded that the project

was not subject to the District's indirect source Rule 9510.

- The California Department of Transportation (Caltrans) participated in the scoping and review of the Traffic Impact Study (TIS) prepared for the project, but had no specific requests for conditions or mitigation other than what was included as part of the TIS which makes the project responsible for their fair share of local transportation improvements.
- The City of Fresno declined to annex the property at this time. They did indicate that sewer service is available to site, and water service will become available as water mains are extended to the area; they currently are a mile from the parcel. While these issues do not pertain to the proposal at this time, as there is no construction currently proposed, they will be a factor at the time improvements are made to the property and are addressed as either Project Notes or Conditions of Approval.
- The Environmental Health Division of the Fresno County Department of Public Health reviewed the project and had no requests for conditions of approval or mitigations, only comments on regulatory issues the Applicant should be aware of and they are included as Notes/Regulatory Comments in Exhibit 1.
- Pursuant to Assembly Bill (AB) 52, the project was routed to the Native American Tribes in the area. No tribe requested consultation, resulting in no further action on the part of the County. However, as requested by Table Mountain Rancheria, in the unlikely event that cultural resources are identified on the property, the Tribe should be informed. The Mitigation Measure included in the Cultural Analysis section of the Initial Study will reduce impact to tribal cultural resources to less than significant.

### **Analysis:**

The proposed M-1(c) (Light Manufacturing, Conditional) zoning is compatible with the General Plan Designation under the Roosevelt Community Plan which designates the area as Industrial (Reserve) Limited. The proposal is consistent with all General Plan Development Policies as listed in the previous table.

The subject property is in the fringe of the City of Fresno, with industry and transportation corridors on the City's urban edge and agricultural uses to the east leading into the more rural portions of the County. The proposal for trucking and other limited uses (Exhibit 8) has the potential to serve surrounding agricultural interests while providing a buffering of uses that do not generate substantial impacts to agriculture or create sensitive receptors, such as housing, schools, etc., which could inhibit agricultural activities.

The project is a conditioned rezoning application and does not provide a defined project with specific improvements to be built. It limits future uses on the site to those listed in Exhibit 8 pertaining to driver training schools; cold storage plants; aircraft, automotive, and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials. This allows evaluation of a limited number of potential uses for appropriate Conditions of Approval to address impacts in the transition between Agricultural and Industrial uses. These uses are the only uses that will be allowed by right in the proposed conditional M-1 Zoning on this parcel. A separate Site Plan Review approval is required at the time of any specific proposal for development. Eventually, as this area is annexed by the City and developed more fully for urban/industrial uses, the range of allowable uses may increase under the City's zoning.

The Initial Study (IS) prepared for this proposal included a Traffic Impact Study (TIS) and VMT evaluation, as well as a Greenhouse Gas Impact Analysis. These studies and other analysis in the IS have identified potential impacts that have been determined to be less than significant with identified Mitigation Measures in the areas of:

- Aesthetics (outdoor lighting),
- Air Quality (standard construction and operations practices),
- Cultural Resources (in unlikely event of a finding), and
- Transportation (fair share of local improvements).

These Mitigation Measures are typical for any new development. The specific mitigations are articulated in the Mitigation Monitoring Report Program (MMRP) along with project Conditions and Regulatory comments (See Exhibit 1).

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body.

### **Conclusion:**

Staff has determined that the proposed rezone from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of light industrial uses as requested by the Applicant pertaining to driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials is consistent with the Fresno County General Plan, and recommends approval of Amendment Application No. 3812, subject to the Conditions of Approval recommended in the Staff Report (Exhibit 1).

### **PLANNING COMMISSION MOTIONS:**

#### **Recommended Motion** (Approval Action)

- Recommend adoption of the Mitigated Negative Declaration prepared for Initial Study Application No. 7014; and
- Recommend that the Board of Supervisors determine that the proposed rezone to the M-1(c) (Light Manufacturing, Conditional) Zone District is consistent with the General Plan and the County-adopted Roosevelt Community Plan and approve Amendment Application No. 3812, subject to the recommended Mitigation Measures, Conditions of Approval and Project Notes; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

#### **Alternative Motion** (Denial Action)

- Determine that the M-1(c) (Light Manufacturing, Conditional) zoning is not appropriate for the property, is not consistent with the General Plan and County-adopted Roosevelt Community Plan, and deny Amendment Application No. 3812 (state basis for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action

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**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7014; Amendment Application No. 3812**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting associated with the development of industrial uses on the property shall be hooded and directed downward so as to not shine toward adjacent property and public streets.	Applicant	Applicant/Fresno County Dept. of Public Works and Planning	At time of Installation
2.	Air Quality	On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles: a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and b. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.	Applicant	Applicant/San Joaquin Valley Air Pollution Control District (SJVAPCD)	As noted
3.	Air Quality	Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation.	Applicant	Applicant/SJVAPCD	As noted
4.	Air Quality	Signs shall be posted at the project site construction entrance to remind drivers and operators of the state's 5-minute idling limit.	Applicant	Applicant/SJVAPCD	During construction

5.	Air Quality	To the extent available, replace fossil-fueled equipment with alternatively-fueled (e.g., natural gas) or electrically-driven equivalents.	Applicant	Applicant/SJVAPCD	During construction
6.	Air Quality	Construction truck trips shall be scheduled, to the extent feasible, to occur during non-peak hours, and truck haul routes shall be selected to minimize impacts to nearby residential dwellings.	Applicant	Applicant/SJVAPCD	During construction
7.	Air Quality	The burning of vegetative material shall be prohibited.	Applicant	Applicant/SJVAPCD	During construction
8.	Air Quality	<p>The proposed project shall comply with SJVAPCD Regulation VIII for the control of fugitive dust emissions. Regulation VIII can be obtained on the SJVAPCD's website <a href="https://www.valleyair.org/rules/1ruleslist.htm">https://www.valleyair.org/rules/1ruleslist.htm</a>. At a minimum, the following measures shall be implemented:</p> <p>a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.</p> <p>b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.</p> <p>c. All land clearing, grubbing, scraping, excavation, leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.</p> <p>d. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.</p> <p>e. When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.</p>	Applicant	Applicant/SJVAPCD	During construction

		<p>f. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each work day. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)</p> <p>g. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</p> <p>h. On-road vehicle speeds on unpaved surfaces of the project site shall be limited to 15 mph.</p> <p>i. Sandbags or other erosion control measures shall be installed sufficient to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>j. Excavation and grading activities shall be suspended when winds exceed 20 mph (regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent-opacity limitation).</p> <p>The above measures for the control of construction-generated emissions shall be included on site grading and construction plans.</p>			
9.	Cultural Resources	<p>In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.</p>	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As noted

10.	Transportation	<p>Prior to the issuance of building permits for the uses allowed on M-1(c) zoned property, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvements defined in items a, b, c and d below. The traffic improvements and the project's maximum pro-rata share costs are as follows:</p> <p>a. North Avenue and Willow Avenue intersection shall be widened, and the eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 3.65 % construction cost or \$ 39,785.00, 15% preliminary engineering or \$ 5,968, 15% construction engineering or \$5,968, totaling \$51,721.00.</p> <p>b. The project's percent fair share for right -of-way acquisition at North and Willow Avenues intersection is 3.65 % or \$ 5,366.00.</p> <p>c. North Avenue and Chestnut Avenue intersection shall be widened, and the eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 1.13 % construction cost or \$ 59,305.00, 15% preliminary engineering or \$ 8,896, 15% construction engineering or \$8,896, totaling \$77,096.00.</p> <p>d. The project's percent fair share for right -of-way acquisition at North and Chestnut Avenues intersection is 1.13 % or \$1,661.00.</p> <p>The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on</p>	Applicant	Applicant/Fresno County Department of Public Works and Planning	As noted
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		the Engineering New Record (ENR) 20 Cities Construction Cost Index.			
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Conditions of Approval	
1.	The uses allowed on the property shall be limited to those uses specified in Exhibit 9 of the Planning Commission Staff Report.
2.	At the time of development, the site shall be connected to and utilize water service from the Malaga County Water District or City of Fresno if service is available adjacent to the parcel at the time of development. At the time service is available to the parcel, the City may choose to extend the time the property is required to connect by a reasonable period.
3.	Landscaping consisting of trees and shrubs of reasonable size and density for a depth of 15 feet shall be provided along the easterly property line of the subject property.
4.	The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development.
5.	At the time of the development of the property, the Applicant shall pay into Fresno County Regional Transportation Traffic Mitigation Fee (RTMF).
Project Notes	
1.	A Site Plan Review shall be required prior to any development of the property per Section 843.6 of the Fresno County Zoning Ordinance.
	The construction of any structures on the property shall meet all the Building Code requirements in effect at the time they are constructed.
2.	Development of the property shall include installation of a service lateral to connect and utilize sewer service from the City of Fresno via the existing sewer line in North Avenue and pay all City connection fees.
3.	<p>Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• Future tenants may be required to comply with hazardous materials business plan reporting requirements.</li> <li>• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<a href="http://www.fresnocupa.com/">http://www.fresnocupa.com/</a> or <a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>).</li> <li>• In an effort to protect groundwater, all abandoned water wells and septic systems on the parcel shall be properly destroyed by an appropriately licensed contractor.</li> <li>• Prior to destruction of agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil.</li> <li>• Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction.</li> <li>• The “oily water” removed from the well must be handled in accordance with federal, state and local government requirements.</li> </ul>

4.	If onsite water wells and/or sewage disposal systems are permitted, only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community water and sewer facilities or adequate information is submitted to the Fresno County Department of Public Health and Department of Public Works & Planning to demonstrate that the property can accommodate higher volumes of liquid wastes.
5.	<p>Per the Development Engineering Section of the Fresno County Department of Public Works and Planning, development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.</li> <li>• A grading permit or voucher for any grading proposed with this application.</li> <li>• An encroachment permit from the Road Maintenance and Operations Division prior to any work done within the county road right-of-way.</li> <li>• On-site turnarounds for vehicles leaving the site to enter North Avenue in a forward motion.</li> </ul>
6.	At the time of the development of the property, any plans for street and/or utility improvements along Willow Avenue, North Avenue or North and/or Chestnut Avenue and near the canal crossing (Fresno Irrigation District Wilder Canal No. 289, Washington Colony Canal No. 15, Central Canal No. 23) shall require District's review and approval.

\*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.

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# LOCATION MAP

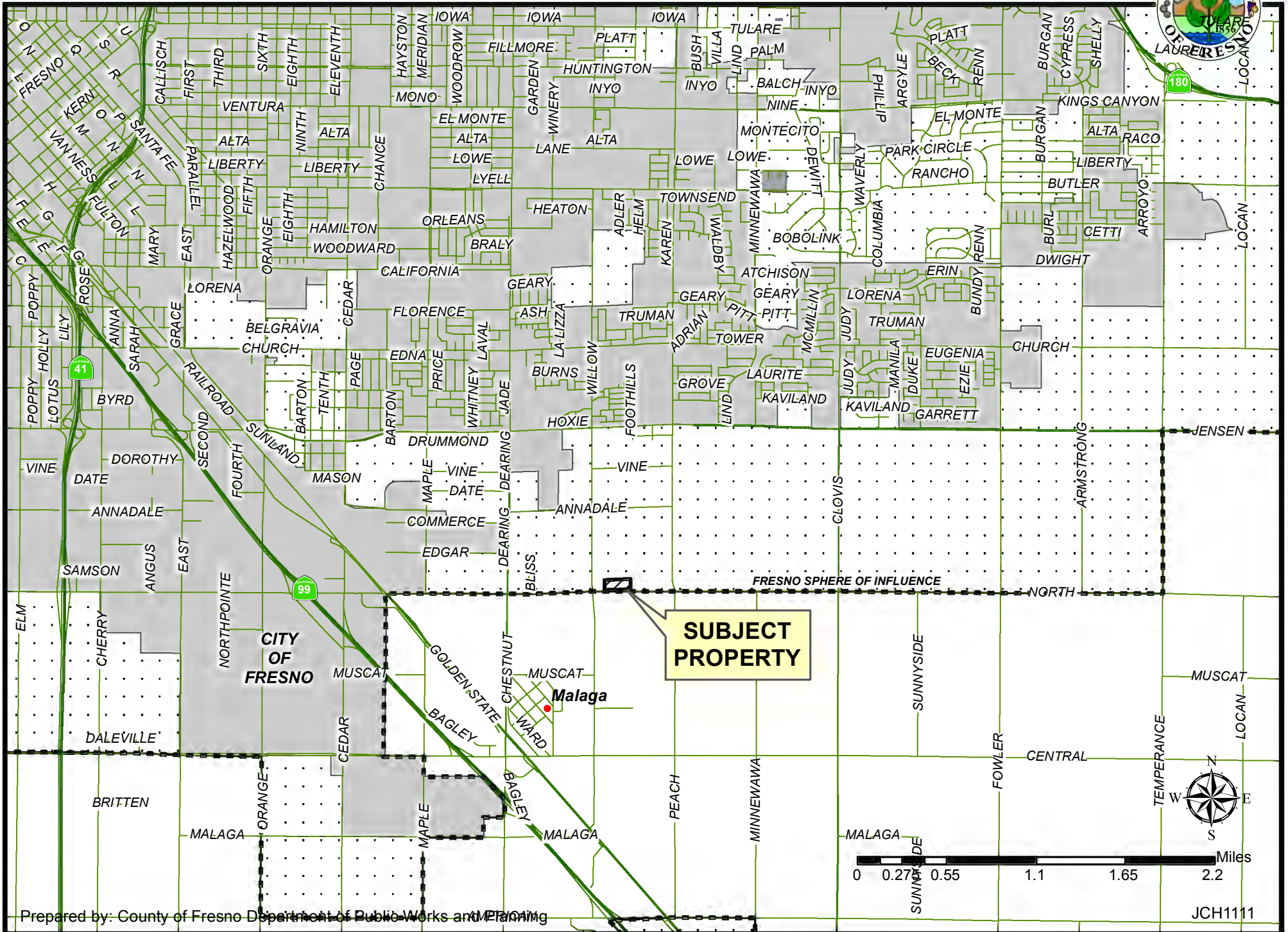
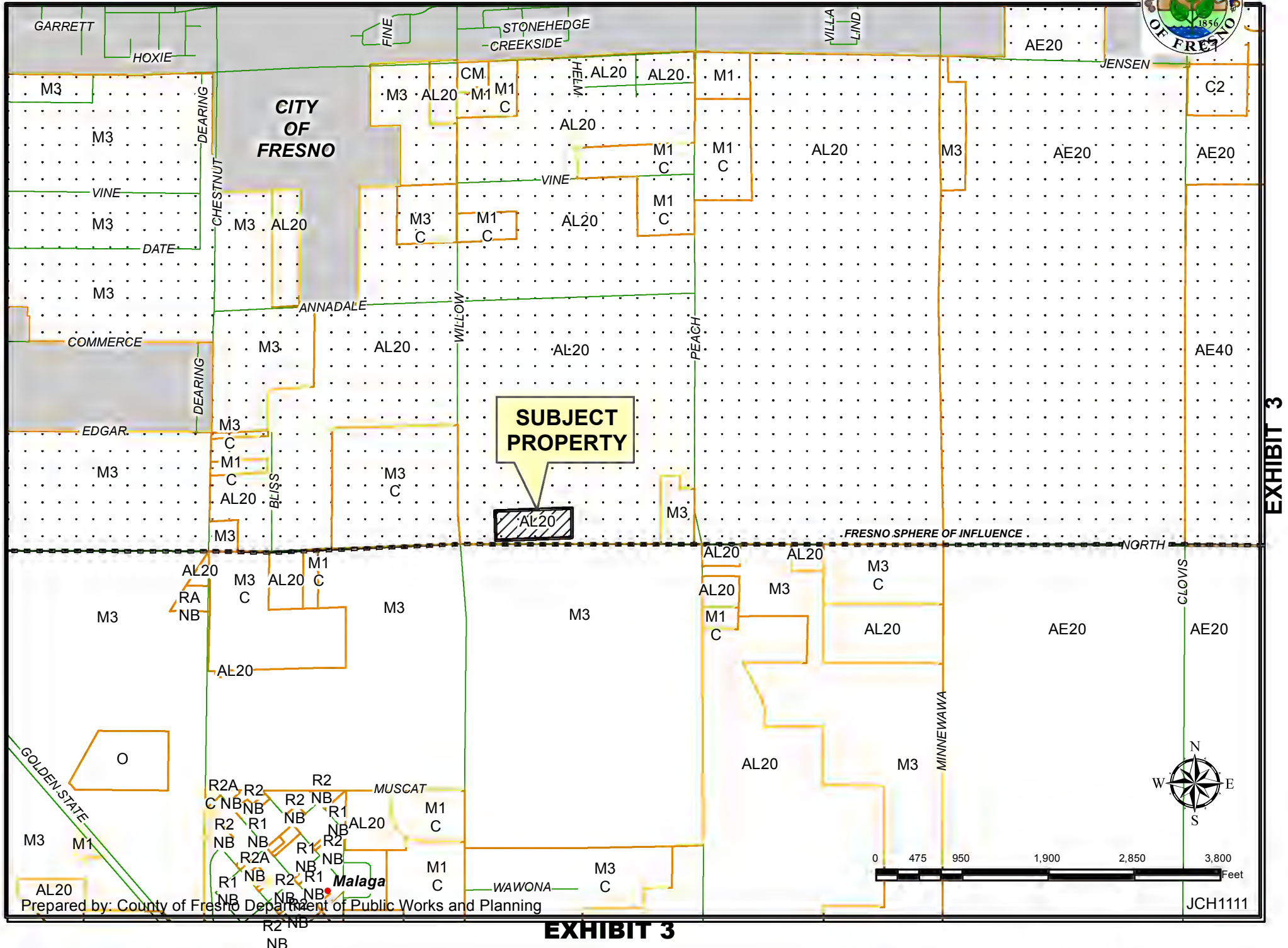


EXHIBIT 2

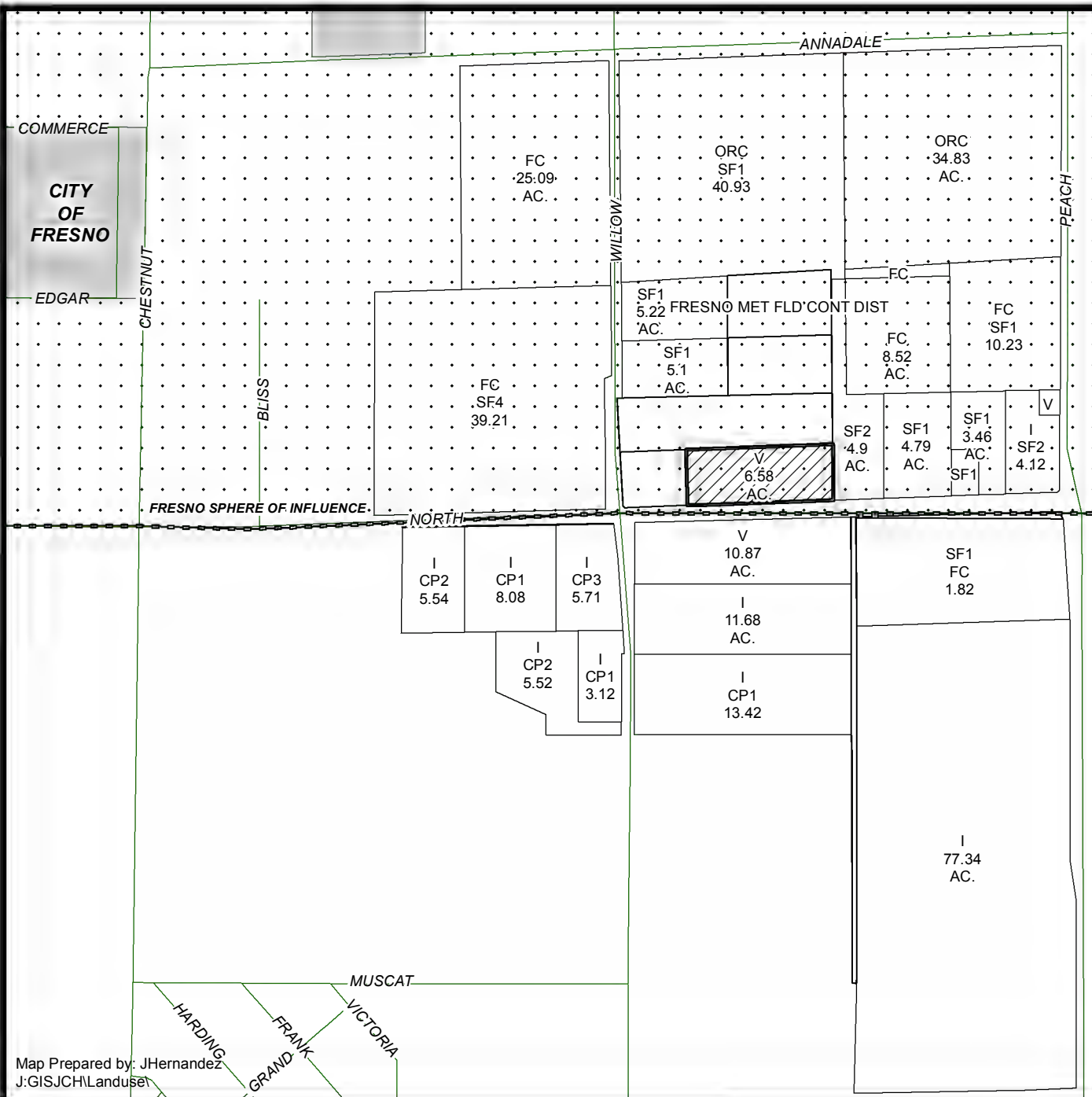
EXHIBIT 2

## EXISTING ZONING MAP





# EXISTING LAND USE MAP

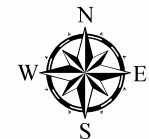


## LEGEND

CP# - OFFICE COMM./PROF  
 FC - FIELD CROP  
 I - INDUSTRIAL  
 ORC - ORCHARD  
 SF# - SINGLE FAMILY RESIDENCE  
 V - VACANT

## LEGEND:

Subject Property



0 215 430 860 1,290 1,720 Feet

Department of Public Works and Planning  
 Development Services Division







# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: CFX Trucking (Gary Toor)

APPLICATION NOS.: Initial Study Application No. 7014 and Amendment  
Application No. 3812

DESCRIPTION: Rezone a 6.58-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of light industrial uses as requested by the Applicant pertaining to driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials.

LOCATION: The subject parcel is located on the north side of E. North Avenue approximately 415 feet east of its intersection with S. Willow Avenue and 3,246 feet southeast of the nearest city limits of the City of Fresno (Sup. Dist. 4) (APN 316-071-48).

### I. AESTHETICS

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

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

FINDING: NO IMPACT:

The project site is located along North Avenue, which is not designated as a State Scenic Highway in the County General Plan. There are no scenic vistas or scenic resources, including trees, rock outcroppings, or historic buildings on or near the site that will be impacted by the subject proposal. The project will have no impact on scenic resources.

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

area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The project entails rezoning of a 6.58-acre parcel from the AL-20 Zone District to an M-1(c) Zone District to allow a limited number of by-right industrial uses.

The project area has mixed industrial and agricultural uses. Parcels to the immediate north and east are farmland with single-family residences and a fertilizer production facility. Parcels to the south across North Avenue contain warehousing/offices, storage buildings, machinery and equipment manufacturing facilities, and parcels to the west contain a PG&E substation, field crops and single-family residences.

The subject parcel is designated Reserve (Limited Industrial) in the County-adopted Roosevelt Community Plan. The General Plan designates this area for Reserve (Limited Industrial), Reserve (General Industrial) and General Industrial, and could have light and heavy industrial uses with the zone change. The proposed zone change from the AL Zone District to an M-1(c) Zone District to allow for a limited number of light industrial uses (driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials) is not inconsistent with the General Plan designation for the area, and matches with the existing industrial zoning in the area. In fact, the allowed uses in the proposed M-1(c) zoning are of lesser intensity than those allowed in the existing M-3-zoned parcels to the south and west of the subject parcel.

Staff notes that a residence is located approximately 45 feet east of the eastern property line of the subject parcel. To minimize any visual/aesthetical impact resulting from industrial uses on the property, a Condition of Approval would require that landscaping, consisting of trees and shrubs of reasonable size and density, for a depth of 15 feet be provided along the easterly property line of the subject parcel.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:**

The proposed uses may result in the creation of new sources of light and glare in the area. Section 855-I.3. d. of the Zoning Ordinance requires that lighting provided to illuminate outdoor areas shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. In compliance with this requirement, the project will adhere to the following Mitigation Measure:



\* **Mitigation Measure:**

1. *All outdoor lighting associated with the development of industrial uses on the property shall be hooded and directed downward so as to not shine toward adjacent property and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The 6.58-acre project site is designed as Prime Farmland and Farmland of Statewide Importance in the Department of Conservation's Important Farmland Map (2016). The site is part of the City of Fresno urban boundary, which the County has identified on its Roosevelt Community Plan as existing urban and is located more than one half-mile southeast of the City of Fresno. The County General Plan Policy LU-G.18. b. allows zone change on "holding zones" subject to the provisions of Policy LU-G.18. c. and d. which allows rezoning on planned non-industrial properties where the proposed use is consistent with the County community plan and may be provided with community sewer and water service.

The project site is currently in a holding zone (AL-20; Limited Agriculture) and is designated as Reserve (Limited Industrial) in the County-adopted Roosevelt Community Plan for industrial development. The site is reserved for future industrial uses in the County General Plan and the proposed future conversion of the land from agricultural to industrial was accounted for in the Roosevelt Community Plan adopted in 1979. As such, the loss of a 6.58-acre portion of agricultural land resulting from the proposed conditional rezone, either individually or cumulatively, is considered to be less than significant.

- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

The subject parcel is currently zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size). The AL-20 Zone District is intended to reserve certain land for future uses by allowing only limited agricultural development to ensure that the land can be ultimately developed for the use contemplated by the General Plan. The Fresno County Zoning Ordinance allows property owners to propose such amendments pursuant to Section 878 (Zoning Division Amendment), and this proposal is not in conflict with the current General Plan Designation Reserve (Limited Industrial) for the subject parcel. Therefore, the project does not conflict with the existing agricultural zoning on the property. Additionally, the parcel is not enrolled in the Williamson Act Program.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not forest land, timberland or land zoned for Timberland Production. The project site is a non-active farm land that is reserved for future industrial uses in the County-adopted Roosevelt Community Plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Land in the project vicinity is designated as Reserve (General Industrial), Reserve (Limited Industrial) and General Industrial in the County-adopted Roosevelt Community Plan. The proposed M-1(c) zoning is conditionally compatible with the Reserve (Limited Industrial) in the Roosevelt Community Plan. It is the intent of the Roosevelt Community Plan that parcels designated as Reserve (Industrial) eventually be industrial in nature. As such, the conversion of the subject parcel to that goal will not result in the conversion of farmland to non-agricultural uses or conversion of forest land to non-forest use.

According to the Fresno County Agricultural Commissioners' Office review of the proposal, a Condition of Approval would require that the applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities in the surrounding of the proposed development.

### III. AIR QUALITY

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

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The applicant provided an Air Quality and Greenhouse Gas Impact Analysis, completed by AMBIENT Air Quality & Noise Consulting, dated December 2019. The Analysis was provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) along with the project information for comments. No concerns were expressed by that agency.

Per the Air Quality and Greenhouse Gas Impact Analysis, the proposed project's construction and operations would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Project operations would generate air pollutant emissions from mobile sources (automobile activity from employees) and area sources (incidental activities related to facility maintenance). Criteria and Greenhouse Gas (GHG) emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

Per the Air Quality and Greenhouse Gas Impact Analysis, projects that result in significant air quality impacts at the project level are also considered to have a significant cumulative air quality impact. As discussed below in III. B., short-term construction and long-term operational emissions related to the proposed project would not exceed applicable thresholds. In addition, the proposed project's contribution to localized concentrations of emissions, including emissions of Carbon Monoxide (CO), Toxic Air Contaminants (TACs), and odors, are considered less than significant. However, as discussed below in III. C, the proposed project could result in a significant contribution to localized PM concentrations for which the San Joaquin Valley Air Basin is currently designated non-attainment. Mitigation Measures included in III. C. would reduce potential exposure of nearby sensitive receptors to localized pollutant concentration associated with project construction. The impact would be considered less than significant.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The project area is located within the San Joaquin Valley Air Basin (SJVAB), which is included among the eight counties that comprise the San Joaquin Valley Air Pollution Control District. In 2008, the U.S. Environmental Protection Agency re-designated the San Joaquin Valley to attainment for the particulate matter (PM<sub>10</sub>) national Ambient Air Quality Standards (NAAQS) and approved the PM<sub>10</sub> Maintenance Plan (SJVAPCD 2019). Potential air quality impacts associated with the proposed project could potentially occur during project construction or operational phases. Short-term construction and long-term air quality impacts associated with the project are discussed below.

Per the Air Quality and Greenhouse Gas Impact Analysis, the short-term construction emissions would occur during the construction process. The construction of the allowed uses would result in the temporary generation of emissions associated with site preparation, grading, facility building, paving, architectural coating, motor vehicle exhaust associated with construction equipment, and worker trips; as well as the movement of construction equipment on unpaved surfaces. Short-term construction emissions would result in increased emissions of ozone-precursor pollutants (*i.e.*, ROG and NO<sub>x</sub>) and emissions of PM. Emissions of ozone-precursors would result from the operation of on-road and off-road motorized vehicles and equipment. The proposed project would generate maximum uncontrolled annual emissions of approximately 0.27 ton/year of ROG, 2.52 tons/year of NO<sub>x</sub>, 2.07 tons/year of CO, 0.00 ton/year of SO<sub>2</sub>, 0.30 ton/year of PM<sub>10</sub>, and 0.22 ton/year of PM<sub>2.5</sub>. Estimated construction-generated emissions would not exceed the SJVAPCD's significance thresholds of 10 tons/year of ROG, 10 tons/year of NO<sub>x</sub>, 100 tons/year of CO, 27 tons/year of SO<sub>x</sub>, 15 tons/year of PM<sub>10</sub>, or 15 tons/year of PM<sub>2.5</sub>.

Regarding, estimated average daily on-site construction emissions, the highest average daily on-site emissions generated during project construction would total approximately 2.2 lbs/day of ROG, 20.7 lbs/day of NO<sub>x</sub>, 17.0 lbs/day of CO, 2.5 lbs/day of PM<sub>10</sub>, and 1.8 lbs/day of PM<sub>2.5</sub>. Emissions of SO<sub>2</sub> would be negligible. Average daily on-site construction emissions would not exceed the SJVAPCD's recommended localized ambient air quality significance thresholds of 100 lbs/day for each of the criteria air pollutants evaluated.

Short-term construction of the proposed project would not result in a significant impact to regional or local air quality conditions. Furthermore, the project construction, including grading activities, would be required to comply with SJVPACD Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions). Mandatory compliance with SJVAPCD Regulation VIII would further reduce emissions of fugitive dust from the project site and minimize the project's potential to adversely affect nearby sensitive receptors. With compliance with SJVAPCD Regulation VIII, emissions of PM would be further reduced by approximately 50 percent or more. Given that project-generated emissions would not exceed applicable SJVAPCD significance thresholds, this impact would be considered less than significant.

Regarding the estimated long-term annual operational emissions, the project would result in total operational emissions of approximately 0.02 ton/year of ROG, 0.19 ton/year of NO<sub>x</sub>, 0.15 ton/year of CO, 0.00 ton/year of SO<sub>2</sub>, 0.04 ton/year of PM<sub>10</sub>, and 0.01 ton/year of PM<sub>2.5</sub> during the initial year of operation. Operational emissions would be projected to decline in future years, with improvements in fuel-consumption emissions standards. Operational emissions would not exceed SJVAPCD's mass-emissions significance thresholds.

Regarding estimated average daily on-site operational emissions, average daily on-site emissions would total approximately 0.1 lb/day of ROG. Average daily on-site emissions of other pollutants would be negligible (*i.e.*, less than 0.1 lb/day). Average daily on-site emissions would not exceed the SJVAPCD's recommended localized ambient air quality significance thresholds of 100 lbs/day for each of the criteria air pollutants evaluated.

Given the above analysis, the short-term construction or long-term operation of the project would result in a less than significant impact to regional or local air quality conditions.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

Sensitive land uses located in the vicinity of the proposed project site consist of residential land uses. The nearest residential receptor is located approximately 45 feet east from the project site boundary. The nearest worksite receptor is located approximately 525 feet south from the project site boundary.

Per the Air Quality and Greenhouse Gas Impact Analysis, localized CO (carbon monoxide) concentrations associated with the proposed project in terms of long-term operation would be considered less-than-significant impact if: (1) traffic generated by the proposed project would not result in deterioration of a signalized intersection to a LOS (Level of Service) of E or F; or (2) the project would not contribute additional traffic to a signalized intersection that already operates at a LOS of E or F.

The project area includes the signalized intersection of Chestnut and North Avenues. This intersection is projected to operate at LOS F for future cumulative conditions, with and without project implementation (PEG 2018). In comparison to the CO screening criteria, implementation of the proposed project would result in or contribute to unacceptable Levels of Service (*i.e.*, LOS E or F) at the signalized intersection. The highest one-hour and eight-hour CO predicted concentrations at the intersection of Chestnut and North Avenues would be 2.5 and 2.1 parts per million (ppm), respectively. CO concentrations at these intersections would not exceed the one-hour and eight-hour CAAQS (California Ambient Air Quality Standards) of 20 and 9 ppm, respectively. As a result, the proposed project would not contribute substantially to localized CO concentrations that would exceed applicable standards. The impact would be less than significant.

Emissions of toxic air contaminants would be primarily associated with the on-site operation of diesel-fueled Heavy-Duty Trucks (HDTs). These HDTs are expected to emit Diesel Particulate Matter (DPM) associated with idling and on-site travel. On-site vehicle travel was calculated assuming an average on-site round-trip travel distance of approximately 0.25 mile/truck, based on the distance from the site entrance to the center of the project site. Distances to the nearest residence was likewise calculated based on distances from the center of the project site.

A screening assessment of potential health risks to nearby receptors was conducted using the SJVAPCD's prioritization calculator based on the California Air Pollution Control Officers Association's Facility Prioritization Guidelines (CAPCOA 2016). Scores of 10 or greater indicate that a refined Health Risk Assessment (HRA) should be prepared because there is the potential for a significant health risk. Scores of at least 1 and less than 10 indicate that the project's TAC emissions are not of high risk. Scores less than 1 are low risk and are not likely to have an adverse health risk.

Per the predicted prioritization scores for the proposed project, the maximum prioritization score total at the nearest worksite and residence receptor is 0.33. The project's risk prioritization score is well below the district's recommended high-risk screening threshold of 10 for conducting a refined Health Risk Assessment. As a result, on-site HDT operations would not be anticipated to result in a significant adverse health risk to nearby off-site receptors. In addition, the proposed project would not result in the installation of any major stationary sources of Toxic Air Contaminant (TAC). As a result, exposure to TAC would be less than significant.

Per the Air Quality and Greenhouse Gas Impact Analysis, short-term construction would be subject to analysis of naturally-occurring asbestos, diesel-exhaust emissions and localized PM concentration.

Regarding naturally-occurring asbestos, the project site is not located near any areas that are likely to contain ultramafic rock. As a result, risk of exposure to asbestos during the construction process would be less than significant.

Regarding diesel-exhaust emissions, implementation of the proposed project would result in the generation of DPM emissions during construction associated with the use of off-road diesel equipment for site preparation, grading, paving and other construction activities. Health-related risks associated with diesel-exhaust emissions are primarily associated with long-term exposure and associated risk of contracting cancer. For residential land uses, the calculation of cancer risk associated with exposure to TACs are typically calculated based on a 30-year period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic, and would occur over a relatively large area. Assuming that construction activities involving the use of diesel-fueled equipment would occur over an approximately 13-month period; project-related construction activities would constitute less than four percent of the typical exposure period. As a result, exposure to construction-generated DPM would not be anticipated to exceed applicable thresholds (*i.e.*, incremental increase in cancer risk of 20 in one million). For these reasons, this impact would be less than significant.

Regarding localized PM concentration, fugitive dust emissions would be primarily associated with site preparation and grading, and vehicle travel on unpaved and paved surfaces. On-site off-road equipment and trucks would also result in short-term emissions of diesel exhaust PM, which could contribute to elevated localized concentration at nearby receptors. Uncontrolled emissions of fugitive dust may also contribute to increased occurrences of Valley Fever and potential increases in nuisance impacts to nearby receptors. For these reasons, localized uncontrolled concentrations of construction-generated PM would be considered to have a potentially-significant impact. To reduce potential exposure of nearby sensitive receptors to localized pollutant concentrations associated with project construction to less than significant, the project will adhere to the following mitigation measures:

\* **Mitigation Measures**

1. *On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than*

*10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:*

- a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and*
  - b. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.*
- 2. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation.*
- 3. Signs shall be posted at the project site construction entrance to remind drivers and operators of the state's 5-minute idling limit.*
- 4. To the extent available, replace fossil-fueled equipment with alternatively-fueled (e.g., natural gas) or electrically-driven equivalents.*
- 5. Construction truck trips shall be scheduled, to the extent feasible, to occur during non-peak hours, and truck haul routes shall be selected to minimize impacts to nearby residential dwellings.*
- 6. The burning of vegetative material shall be prohibited.*
- 7. The proposed project shall comply with SJVAPCD Regulation VIII for the control of fugitive dust emissions. Regulation VIII can be obtained on the SJVAPCD website at website URL: <https://www.valleyair.org/rules/1ruleslist.htm>. At a minimum, the following measures shall be implemented:*
  - a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.*
  - b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.*
  - c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.*
  - d. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.*

- e. *When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.*
  - f. *All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)*
  - g. *Following the addition of materials to or the removal of materials from the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.*
  - h. *On-road vehicle speeds on unpaved surfaces of the project site shall be limited to 15 mph.*
  - i. *Sandbags or other erosion control measures shall be installed sufficient to prevent silt runoff to public roadways from sites with a slope greater than one percent.*
  - j. *Excavation and grading activities shall be suspended when winds exceed 20 mph. (Regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent opacity limitation.)*
8. *The above measures for the control of construction-generated emissions shall be included on site grading and construction plans.*
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Air Quality and Greenhouse Gas Impact Analysis, construction of the proposed uses proposed would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel exhaust, pavement coatings and architectural coatings used during project construction which emit temporary odors may be considered objectionable by some people. However, construction-generated emissions would occur intermittently throughout the work day and would dissipate rapidly within increasing distance from the source. As a result, short-term construction activities would not expose a substantial number of people to frequent odorous emissions. In addition, no major sources of odors have been identified in the project area. The impact would be less than significant.

#### IV. BIOLOGICAL RESOURCES

Would the project:



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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The California National Diversity Database (CNDDDB) does not list any candidate, sensitive, or special-status species at the project site. The project site is currently fallow and contains no river or stream to hold riparian features that could potentially be impacted by the proposal. The area of the property is comprised of industrial, agricultural residential uses, and its proximity to the City of Fresno reduces the probability that there is habitat to support special-status species.

The project was routed to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife for review and comments. Neither agency offered any comments or expressed concerns that the proposed project would have any impact on biological resources.

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

FINDING: NO IMPACT:

No historic drainages were identified within the project area. A query of the National Wetlands Inventory (NWI) Map shows no drainage pattern, aquatic feature, wetlands, waters of the United States or waters of the State of California present on or near the project site.

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

FINDING: NO IMPACT:

The project area near the City of Fresno is not designated as a migratory wildlife corridor. Likewise, the project site contains no water feature to provide for the migration of resident or migratory fish.

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

FINDING: NO IMPACT:

The project site contains no trees which may require removal as a result of future development proposals on the property. The project does not conflict with the County's oak tree preservation policies.

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

FINDING: NO IMPACT:

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

## V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

Located near the City of Fresno, the project area is not designated to be highly or moderately sensitive for archeological resources. However, in the unlikely event that cultural resources are unearthed during ground disturbance due to future construction activities, the following Mitigation Measure, when implemented, would reduce the impact on cultural resources to a less than significant.

\* **Mitigation Measure**

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

A cultural resources records search conducted at the Native American Heritage Commission turned out to be negative.

## VI. ENERGY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

The project will also be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen), effective January 1, 2020, to meet the goals of Assembly Bill (AB) 32 which established a comprehensive program of cost-effective reductions of greenhouse gases to 1990 levels by 2020.

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

FINDING: NO IMPACT:

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

All construction activities would comply with the 2019 Building Energy Efficiency Standards effective January 1, 2020. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the County would review the design components of the project's energy conservation measures when the project's building plans for building/structures are submitted .

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or
  2. Strong seismic ground shaking; or
  3. Seismic-related ground failure, including liquefaction?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

Per Figure 9-5 of the Fresno County General Plan Background Report, the project area has 10 percent probability of seismic hazard in 50 years. Development of allowed uses on the property would be subject to building standards at the time of development, which include specific regulations to protect against damage caused by earthquake and/or ground acceleration.

**4. Landslides?**

**FINDING: NO IMPACT:**

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

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

Per Figure 7-3 of the Fresno County General Plan Background Report, the project site is not located in an erosion hazard area. Grading activities resulting from future development proposals may result in loss of some topsoil due to compaction and over covering of soil for construction of buildings and structures for the project. However, the impact would be less than significant with a Project Note requiring that Engineered Grading Plans shall be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties, and a Grading Permit shall be obtained prior to any on-site grading activities.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

As noted above, the project site is flat with no topographical variations. As a standard requirement, a soil compaction report may be required to ensure the weight-bearing capacity of the soils for any proposed structure/building. The project site bears no potential for lateral spreading, subsidence, liquefaction, or collapse due to the site development.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. However, development of allowed uses on the property will implement all applicable requirements of the most recent California

Building Standards Code and will consider any potential hazards associated with shrinking and swelling of expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is within the City of Fresno Sphere of Influence (SOI). Per the City of Fresno, Department of Public Utilities, sanitary sewer facilities located in North Avenue are available to service the project site, provided that sewer connection requirements are met, and the applicable fees are paid. A Condition of Approval would require that the property shall connect to the City of Fresno sanitary sewer facilities.

The Fresno County Department of Public Health, Environmental Health Division (Health Department), also requires that the project should be provided with community sewer. However, if on-site sewage disposal systems are permitted, only low-water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community sewer facility. Alternatively, adequate information shall be submitted to the Health Department to demonstrate that the property can accommodate higher volumes of liquid wastes. This requirement will be included as a Project Note.

Per the Local Agency Formation Commission (LAFCo), the City of Fresno or Malaga County Water District (MCWD) should be providing municipal service to the property which is in an area authorized for service by MCWD per the 2016 Memorandum of Understanding among LAFCo, City of Fresno, and MCWD.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is not in an area highly or moderately sensitive to archeological resources. However, in the unlikely event of paleontological or archaeological materials being exposed during ground disturbance due to construction activities. The implementation of the Mitigation Measure identified in the CULTURAL RESOURCES section of this report would reduce impacts on such resources to less than significant.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Human activities, including fossil fuel combustion and land use changes, release carbon dioxide (CO<sub>2</sub>) and other compounds cumulatively termed greenhouse gases (GHGs). GHGs are effective at trapping radiation that would otherwise escape the atmosphere. Implementation of the proposed project would contribute to increases in GHG emissions that are associated with global climate change.

Regarding short-term annual GHG emissions, the Air Quality and Greenhouse Gas Impact Analysis states that the maximum annual emissions of GHGs associated with the construction of the proposed project would total approximately 296.86 MTCO<sub>2</sub>e. Assuming an average project life of 30 years, amortized construction-generated GHG emissions would total approximately 11.40 MTCO<sub>2</sub>e/year and would not exceed the GHG significance threshold of 1,100 MTCO<sub>2</sub>e/yr. As a result, short-term construction GHG emissions would not have a significant impact on the environment nor be anticipated to conflict with GHG reduction efforts. As a result, this impact is considered less than significant.

Regarding long-term annual GHG emissions, the Air Quality and Greenhouse Gas Impact Analysis states that operational GHG emissions would total approximately 78.51 MTCO<sub>2</sub>e/year in 2021 and 65.89 MTCO<sub>2</sub>e/year in 2030. With the inclusion of amortized construction emissions, operational GHG emissions would total approximately 89.91 MTCO<sub>2</sub>e/year in 2021 and 77.29 MTCO<sub>2</sub>e/year in 2030. Total project-generated GHG emissions would not exceed the GHG significance threshold of 1,100 MTCO<sub>2</sub>e/year. As a result, operational GHG emissions would not have a significant impact on the environment nor be anticipated to conflict with GHG reduction efforts. As a result, this impact is considered less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above in VIII. A., the proposed project would not result in increased GHG emissions that would exceed applicable significance thresholds or be anticipated to conflict with GHG reduction efforts. The proposed project would be designed to meet current building energy efficiency standards, which include measures to reduce overall energy use, water use, and waste generation. These improvements would help to further reduce the project's GHG emissions. For these reasons, this impact would be considered less than significant.

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

FINDING: LESS THAN SIGNIFICANT IMPACT

The project will allow, by right, some uses that may require the routine transport, use, or disposal of hazardous materials. Per the Fresno County Health Department, Environmental Health Division's review of the proposal, future tenants may be required to comply with hazardous materials business plan reporting requirements. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, and Chapter 6.95. These requirements will be included as Project Notes.

- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Air Quality and Greenhouse Gas Impact Analysis prepared for the project, future development proposals may contribute to fugitive dust emissions associated with site preparation and grading, and vehicle travel on unpaved surfaces. Although uncontrolled emissions of resulting fugitive dust may contribute to increased occurrences of Valley Fever, these impacts would be less than significant with the implementation of the Mitigation Measures included in SECTION III. C. AIR QUALITY above.

Regarding naturally-occurring asbestos, the project site is not located near any areas that are likely to contain ultramafic rock. No impact would occur.

The nearest school, Southeast Elementary School, is approximately 1.2 miles north of the project site.

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

FINDING: NO IMPACT:

Per the U.S. Environmental Protection Agency's NEPAAssist, the project site is not listed as a hazardous materials site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Fresno County *Airport Land Use Compatibility* Plan Update adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno Yosemite International Airport, is approximately 5.1 miles north of the site.

A small private airstrip, Turner Field, is located 1.3 miles south of the project site. Given the size and distance of this air strip, the safety and noise impacts resulting from flying operations on people residing or working in the project area would be less than significant.

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

FINDING: NO IMPACT:

The project will not impair the implementation of, or physically interfere with, the implementation of an adopted Emergency Response Plan or Emergency Evacuation Plan.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire. No impact from wildland fire hazards would occur.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS regarding wastewater disposal.

Per the Fresno County Department of Public Health, Environmental Health Division's review of the subject proposal, the following shall be included as Project Notes: 1) in an effort to protect groundwater, all abandoned water wells on the parcel shall be properly destroyed by an appropriately-licensed contractor; 2) prior to destruction of agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil; 3) should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction; and 4) the "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.



No concerns were expressed by the Regional Water Quality Control Board, Central Valley Region regarding the project impact on groundwater quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in the City of Fresno Sphere of Influence (SOI) within an area authorized for service by the Malaga County Water District (MCWD) per the 2016 Memorandum of Understanding among Local Area Formation Agency (LAFCo), City of Fresno and MCWD. Per the Malaga County Water District (MCWD) for future development proposals on the property, the applicant would be required to make a request for water supply to the District; the District will respond to specific requests.

Per the City of Fresno Public Utilities Department, water service is available to serve the project site provided that approximately one mile of 16-inch water main from the existing 14-inch water main shall be constructed from the nearest water main at S. Chestnut and E. North Avenue.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning expressed no concerns regarding availability or sustainability of water for the proposed uses on the property.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Fresno Irrigation District (FID), the FID's Wilder Canal No. 289 runs westerly and crosses Willow Avenue approximately 1,000 feet north, FID's Washington Colony Canal No. 15 runs southerly and crosses North Avenue approximately 1,800 feet east of the subject property, and FID Central Canal No. 23 runs southerly along the west side of Chestnut Avenue and crosses North Avenue approximately 3,200 feet west of the subject property. FID requires that any plans for street and/or utility improvements

along Willow Avenue, North Avenue or North and/or Chestnut Avenue and near the canal crossing shall require FID's review and approval.

The project site lies within the Fresno Metropolitan Flood Control District (FMFCD) drainage area "CU". FMFCD requires the following to be included as Project Notes: 1) the project shall pay drainage fees at the time of development based on the fee rates in effect at that time; 2) storm drainage patterns for the development shall conform to the District Master Plan; 3) all improvement plans for any proposed construction of curb and gutter or storm drainage facilities shall be reviewed and approved by FMFCD for conformance to the District Master Plan within the project area; and 4) construction activity shall secure a storm water discharge permit.

Development of the allowed industrial uses on the property will cause no significant changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

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

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report, the project site is not in a 100-Year Flood Inundation Area and not subject to flooding from the one percent-chance storm per the Federal Emergency Management Agency (FEMA) FIRM Panel 2130 H.

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

FINDING: NO IMPACT:

There is no Water Quality Control Plan for Fresno County. As such, the subject proposal would not conflict with any water quality control plan. The project is located within the North Kings Groundwater Sustainability Area (GSA). No concerns related to groundwater sustainability were expressed by that agency.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project is limited to the property lines of the subject parcel and will not physically divide an established community. Furthermore, it is located approximately 3,242 feet northeast of the community of Malaga.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal entails rezoning a 6.58-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of light industrial uses.

The subject parcel is designated Reserve (Limited Industrial) in the County-adopted Roosevelt Community Plan. Per the County-adopted Roosevelt Community Plan, Section 6.02. g. the tier of Limited Industrial-designated properties located along the south side of Jensen Avenue is intended to provide a transition from the existing and planned residential uses along the north side of Jensen Avenue. The subject parcel is located on the south side of Jensen Avenue within the City of Fresno's Sphere of Influence. The subject rezone from the AL-20 Zone District to an M-1(c) Zone District conforms to this policy and with General Plan policies of the City of Fresno. The City of Fresno General Plan and Roosevelt Community Plan designate Light Industrial uses for the subject property for which the proposed M-1(c) Zoning is appropriate.

In accordance with General Plan Policy LU-G.14 and the Memorandum of Understanding (MOU) between the City of Fresno and the County, the project was referred to the City for possible annexation. However, the City did not find annexation practical at this time and allowed the County to process the subject application.

The subject proposal complies with the following General Plan policies.

Regarding General Plan Policy LU-F.29. Criteria a, b, c & d, the proposed industrial uses on the property will require adherence to the San Joaquin Valley Air Pollution Control District rules and regulations, provisions of Fresno County Noise Ordinance, and the M-1(c) Zone District development standards.

Regarding General Plan Policy LU-F. 30, the subject property will connect to the City of Fresno community sewer system and the Malaga County Water District (MCWD) community water system, or, if onsite water wells and/or sewage disposal systems are permitted, the property will be allowed with only low-water uses and the uses that generate small amounts of liquid waste until such time that community water and sewer systems serve the property.

## XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or

- B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is not within a mineral-producing area of the County.

### XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

The project could result in an increase in noise level due to future construction activities on the property. Noise impacts associated with construction are expected to be temporary and will be subject to the County Noise Ordinance.

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

FINDING: NO IMPACT:

See discussion above in Section IX. E. The project will not be impacted by airport-related noise.

### XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project will allow for specific industrial uses on the property. As these uses involve no housing, no increase in population would occur from this proposal.

#### XV. PUBLIC SERVICES

Would the project:

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

1. Fire protection?

FINDING: NO IMPACT:

Fresno County Fire Protection District reviewed the subject proposal and expressed no concerns with the project.

2. Police protection; or

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact existing public services, nor will it result in the need for additional public services related to schools, parks or police protection by the Fresno County Sheriff's Office.

#### XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

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

## XVII. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The Design Division of the Fresno County Department of Public Works and Planning reviewed the project and required a Traffic Impact Study (TIS) to assess the project's potential impacts to County roadways and intersections.

Peters Engineering Group prepared a Traffic Impact Study (TIS), dated September 26, 2018. The TIS was reviewed by the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, including the California Department of Transportation (Caltrans).

Per the TIS, the study intersections are currently operating at acceptable levels of service with acceptable queuing conditions and are expected to continue to operate at acceptable conditions with development of the Project site in accordance with the proposed zoning in both the existing-plus-Project conditions and the near-term with-Project conditions. The Project does not cause a Project-specific significant impact. The study intersections are expected to operate below the target LOS (Level of Service) by the year 2040, and the Project will contribute to the cumulative significant impacts. The intersections will require widening and eight-phase traffic signal operation as described herein. The Project is responsible for an equitable share of the Mitigation Measures. A left-turn lane at the site access driveway on North Avenue is not warranted in the near-term condition but would be warranted based on the cumulative year 2040 traffic volumes.

The County Design Division has identified the following Mitigation Measures, pro-rata share percentages, and estimated costs to ensure that potential traffic impacts are mitigated to less than significant levels:

\* **Mitigation Measure:**

1. *Prior to the issuance of building permits for the uses allowed on M-1(c) zoned property, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvements defined in items a, b, c and d below. The traffic improvements and the project's maximum pro-rata share costs are as follows:*

- a. *North Avenue and Willow Avenue intersection shall be widened, and the*

*eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 3.65 % construction cost or \$ 39,785.00, 15% preliminary engineering or \$ 5,968, 15% construction engineering or \$5,968, totaling \$51,721.00*

- b. The project's percent fair share for right -of-way acquisition at North and Willow Avenues intersection is 3.65 % or \$ 5,366.00.*
- c. North Avenue and Chestnut Avenue intersection shall be widened, and the eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 1.13 % construction cost or \$ 59,305.00, 15% preliminary engineering or \$ 8,896, 15% construction engineering or \$8,896, totaling \$77,096.00*
- d. The project's percent fair share for right -of-way acquisition at North and Chestnut Avenues intersection is 1.13 % or \$1,661.00.*

The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.

California Department of Transportation (Caltrans) stated that State Route 99 and North-Cedar Avenue split interchange is in the Fresno County Regional Transportation Traffic Mitigation Fee (RTMF) and requires the project to pay into RTMF. This requirement will be included as a Condition of Approval.

The Road Maintenance and Operations Division concurred with the TIS and offered no comments related to traffic.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located near an industrially developed area in the City of Fresno. The County General Plan designates the site and the surrounding area for future light industrial and general industrial uses. The City of Fresno General Plan also designates the project site for future industrial uses currently connected to major roadways. State Route 99 and a railroad spur serving businesses within the Golden State Industrial Corridor is located 1.3 miles west of the project site.

The CEQA Guidelines Section 15064.3, subdivision (b) describes specific considerations for evaluating a project's transportation impact through Vehicle Miles Traveled (VMT). In that regard, a lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT.

County of Fresno has not adopted significance criteria for VMT analyses yet, but the Fresno Council of Government (COG) in developing local guidance and recommended significance criteria for VMT that may be adopted by local agencies.

The subject proposal would rely on the State of California Governor's Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018 (OPR Guidelines). Per OPR Guidelines, projects that generate or attract fewer than 110 trips per day generally may be presumed to cause a less-than-significant transportation impact. Also, per the Guideline, Vehicle Miles traveled or VMT refers to the amount and distance of automobile travel attributable to a project and the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. Therefore, truck trips typical of those that would be generated by industrial and manufacturing projects are generally excluded from the requirements of CEQA as they pertain to transportation impacts and VMT.

The subject rezone in and of itself will not generate trips and results in zero VMT. However, upon approval of the subject parcel rezone from AL-20 to M-1(c), the site will be developed with light industrial uses pertaining to manufacturing, processing, fabrication, or local-serving retail uses designed to capture customers from traffic passing near the site. The immediate use of the property as desired by the Applicant is a truck yard terminal. This use involves long-haul trucking operation and, as noted by the Applicant, is estimated to generate no more than 20 average daily trips (ADT) by trucks, employees and customers/visitors. As the VMT focuses on the trips generated by passenger vehicles and not by trucks, the trips generated by employees/visitors for the truck yard terminal will be below the threshold established by OPR guideline. Traffic trips generated by other industrial uses allowed by the subject rezone will also base on high truck traffic than passenger vehicles traffic. As such, it is reasonable to expect that passenger vehicle trips for those uses will also meet the threshold established by OPR Guidelines.

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

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

North Avenue is a public road maintained by Fresno County and borders with the project site.

The mandatory Site Plan Review required prior to the development of the proposed uses will ensure that design of each use excludes features that may create hazards and is provided adequate emergency access acceptable to the local fire agency.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:



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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located in an area designated as highly or moderately sensitive for archeological resources. Pursuant to Assembly Bill (AB) 52, the project was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. However, as requested by Table Mountain Rancheria (TMR), in the unlikely event that cultural resources are identified on the property, the Tribe should be informed. The Mitigation Measure included in the CULTURAL ANALYSIS section of this report will reduce impact to tribal cultural resources to less than significant.

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Development of allowed uses in the M-1(c) Zone District would not generate solid waste in excess of capacity of local landfill sites. All solid waste will comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

## XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not in or near state responsibility areas or land classified as very high fire hazard severity zones. The Fresno County Fire Protection District expressed no concerns with the project related to fire hazard.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed rezone of a 6.58-acre parcel to allow limited light industrial uses to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time industrial development occurs on the property. No cumulatively considerable impacts related to Agricultural and Forestry Resources or Air quality were identified in the project analysis. Impacts identified for Aesthetics, Cultural Resources and Transportation will be mitigated by compliance with the Mitigation Measures listed in Sections I., VI. and XVIII. of this report.

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

FINDING: NO IMPACT:

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

## **CONCLUSION/SUMMARY**

Based upon Initial Study (IS) No. 7014 prepared for Amendment Application No. 3812, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to mineral resources, population and housing, public service, recreation, or wildfire.

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

Potential impacts to aesthetics, air quality, cultural resources, and transportation have been determined to be less than significant with the identified Mitigation Measure.

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" Streets, Fresno, California.

EA:

G:\4360Devs&PIn\PROJSEC\PROJDOCS\AA\3800-3899\3812\IS-CEQA\AA 3812 IS wu (Use this IS for all changes)

File original and one copy with: <b>Fresno County Clerk</b> <b>2221 Kern Street</b> <b>Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: Initial Study (IS) No 7014	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Project Applicant/Sponsor (Name): CFX Trucking (Gary Toor)	Project Title: Amendment Application (AA) No. 3812		
Project Description: Rezone a 6.58-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of light industrial uses as requested by the Applicant pertaining to driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials. The subject parcel is located on the north side of E. North Avenue approximately 415 feet east of its intersection with S. Willow Avenue and 3,246 feet southeast of the nearest city limits of the City of Fresno (Sup. Dist. 4) (APN 316-071-48).			
Justification for Negative Declaration: Based upon the Initial Study (IS 7014) prepared for Amendment Application No. 3812, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to mineral resources, population and housing, public service, recreation, or wildfire.  Potential impacts related to agriculture and forestry resources, biological resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, tribal cultural resources and utilities and service systems have been determined to be less than significant.  Potential impact related to aesthetics, air quality, cultural resources and transportation have been determined to be less than significant with the identified mitigation measure.  The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – August 10, 2020		Review Date Deadline: Planning Commission – October 8, 2020	
Date: Sept. 9, 2020	Type or Print Signature: David Randall, Senior Planner	Submitted by (Signature): Ejaz Ahmad, Planner	

State 15083, 15085

County Clerk File No.: \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**

EA:  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\AA\3800-3899\3812\IS-CEQA\AA 3812 MND (Draft)

**EXHIBIT 7**

## SECTION 817

### "AL" - LIMITED AGRICULTURAL DISTRICT

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

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

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

#### SECTION 817.1 - USES PERMITTED

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

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

- A. The maintaining, breeding and raising of bovine and equine animals except dairies, feed lots and uses specified in Sections 817.2 and 817.3.  
(Amended by Ord. 490.174 re-adopted 5-8-79)
- B. The keeping of rabbits and other similar small fur-bearing animals for domestic use.  
(Amended by Ord. T-038-306 adopted 5-22-90)
- C. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H, and similar organizations.  
(Added by Ord. T-038-306 adopted 5-22-90).
- D. The raising of tree, vine, field, forage, and other plant life of all kinds, except mushroom growing.  
(Added by Ordinance 490.174 re-adopted 5-8-79)
- E. One family dwellings, accessory buildings, and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant, or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.
- F. Home Occupations, Class I, subject to the provisions of Section 855-N.  
(Amended by Ord. T-288 adopted 2-25-86)
- G. The use, storage, repair, and maintenance of tractors, scrapers, and land leveling and development equipment devoted primarily to agricultural uses when operated in conjunction with, or as part of, a bona fide agricultural operation.

- H. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- I. Signs, subject to the provisions of Section 817.5-K.
- J. Temporary or permanent telephone booths.
- K. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- L. Mobile home occupancy consisting of one or more mobile homes, subject to the provisions of Section 856 and Section 817.1-D.
- M. Historic and monument sites.
- N. The harvesting curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, or where such activity is carried on in conjunction with, or as a part of, a bona fide agricultural operation.  
(Added by Ord. T-052-286 adopted 3-8-94)
- O. Agricultural tourism uses and facilities subject to the provisions of Section 855-N.  
(Added by Ord. T-078-353, adopted 12-7-04)
- P. Farmworker Dwelling Units subject to the provisions of 855-O.  
(Added by Ord. T-803-371 adopted 12-8-15)
- Q. Farmworker Housing Complexes subject to the provisions of 855-O.  
(Added by Ord. T-803-371 adopted 12-8-15)
- R. Temporary Farmworker Housing subject to the provisions of 855-O.  
(Added by Ord. T-803-371 adopted 12-8-15)
- S. Wholesale Limited Winery subject to the provisions of Section 855-N. (Added by Ord. T-093-377 adopted 6-12-18)
- T. Micro Winery subject to the provisions of Section 855-N. (Added by Ord. T-093-377 adopted 6-12-18)
- U. Minor Winery subject to the provisions of Section 855-N. (Added by Ord. T-093-377 adopted 6-12-18)

## **“M-1” – LIGHT MANUFACTURING DISTRICT**

(Uses allowed by-right – Strikethrough not allowed by proposed conditional zoning)

The uses allowed on the property shall be limited to the following by-right uses (in **bold**) listed in Section 843.1 and shall be subject the property development standards in Section 843.5.

### A. RELATED USES

1. **Advertising structures.**
2. ~~Animal hospitals and shelters.~~
3. **Automobile repairs (conducted within a completely enclosed building).**
4. **Automobile re-upholstery.**
5. ~~Automobile service stations.~~
6. ~~Banks.~~
7. **Caretaker's residence, which may include an office for the permitted industrial use. (Amended by Ord. 490.152 adopted 7-10-78)**
8. ~~Commercial uses that are incidental to and directly related to and serving the permitted industrial uses.~~
9. ~~Delicatessens.~~
10. **Electrical supply.**
11. **Equipment rental or sale**
12. **Farm equipment sales and service.**
13. ~~Frozen food lockers.~~
14. ~~Grocery stores.~~
15. **Boarding and training, breeding and personal kennels. (Amended by Ord. 490.36 adopted 7-25-67)**
16. **Ice and cold storage plants**
17. ~~Mechanical car, truck, motor and equipment wash, including self-service. (Added by Ord. 490.23 adopted 12-28-65)~~
18. ~~Newspaper publishing~~
19. ~~Offices:~~
  - a. ~~Administrative.~~
  - b. ~~Business.~~
  - c. ~~General.~~
  - d. ~~Medical~~
  - e. ~~Professional~~
20. ~~New and used recreational vehicle sales and service. (Added by Ord. 490.129 adopted 1-11-77)~~
21. ~~Restaurants.~~
22. **Signs, subject to the provisions of Section 843.5-K.**
23. ~~Truck service stations.~~
24. **Truck driver's training schools. (Amended by Ord. T-070-341 adopted 4-23-02)**

B. ~~ADULT BUSINESSES~~ that are licensed under Chapter 6.33 of Ordinance Code, including uses such as:

1. ~~Bars.~~
2. ~~Restaurants.~~
3. ~~Theaters.~~



- 4. ~~Video stores.~~
- 5. ~~Book stores.~~
- 6. ~~Novelty sales. (Added by Ord. T-074-346 adopted 7-30-02)~~

C. MANUFACTURING

- 1. Aircraft, modification, storage, repair and maintenance
- 2. Automotive:
  - a. Painting.
  - b. Automotive reconditioning.
  - c. Truck repairing and overhauling.
  - d. Upholstering.
  - e. Battery assembly (including repair and rebuilding) limited to the use of previously manufactured components. (Added by Ord. 490.33 adopted 1-17-67)
- 3. Boat building and repairs.
- 4. Book binding.
- 5. Bottling plants.
- 6. Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas.
- 7. Commercial grain elevators.
- 8. Garment manufacturing.
- 9. Machinery and shop (no punch presses over twenty (20) tons or drop hammers):
  - a. Blacksmith shops.
  - b. Cabinet or carpenter shops.
  - c. Electric motor rebuilding.
  - d. Machine shops.
  - e. Sheet metal shops.
  - f. Welding shops.
  - g. Manufacturing, compounding, assembly or treatment of articles or merchandise from previously prepared metals.
- 10. Manufacturing, compounding, processing, packing or treatment of such products as:
  - a. Bakery goods.
  - b. Candy.
  - c. Cosmetics.
  - d. Dairy products.
  - e. Drugs.
  - f. Food products (excluding fish and meat products, sauerkraut, wine, vinegar, yeast and the rendering of fats and oils) if connected with an adequate sewer system.
  - g. Fruit and vegetables (packing only).
  - h. Honey extraction plant.
  - i. Perfume.
  - j. Toiletries.
- 11. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:
  - a. Canvas.
  - b. Cellophane.
  - c. Cloth.

- d. Cork.
- e. Felt.
- f. Fibre.
- g. Fur.
- h. Glass.
- i. Leather.
- j. Paper, no milling.
- k. Precious or semi-precious stones or metals.
- l. Plaster.
- m. Plastic.
- n. Shells.
- o. Textiles.
- p. Tobacco.
- q. Wood.
- r. Yarns.
- 12. Manufacturing and maintenance of electric or neon signs
- ~~13. Novelties.~~
- 14. Planing mills.
- 15. Printing shops, lithographing, publishing.
- ~~16. Retail lumber yard.~~
- ~~17. Rubber and metal stamps.~~
- 18. Shoes.
- 19. Stone monument works.
- 20. Storage yards:
  - a. Contractors storage yard.
  - b. Draying and freight yard.
  - c. Feed and fuel yard.
  - d. Machinery rental.
  - e. Motion picture studio storage yard.
  - f. Transit storage.
  - g. Trucking yard terminal, except freight classifications.
- 21. Textiles.
- 22. Wholesaling and warehousing.
- ~~23. Wholesale meat cutting and packing, provided there shall be no slaughtering, fat rendering or smoke curing. (Added by Ord. 490.21 adopted 9-14-65)~~

D. PROCESSING

- 1. Creameries.
- 2. Laboratories.
- 3. Blueprinting and photocopying.
- 4. Laundries.
- 5. Carpet and rug cleaning plants.
- 6. Cleaning and dyeing plants.
- 7. Tire retreading, recapping, rebuilding.
- 8. Lumber drying kilns; gas, electric or oil fired only.  
(Added by Ord. 490.77 adopted 8-17-72)
- 9. Feather cleaning and storage of cleaned feathers within an enclosed structure. (Added by Ord. 490.82 adopted 11-21-72)

E. FABRICATION

1. Rubber, fabrication of products made from finished rubber.
2. Assembly of small electric and electronic equipment.
3. Assembly of plastic items made from finished plastic.

F. OTHER USES

1. Agricultural uses.
2. Communication equipment buildings.
3. Electric transmission substations.
4. Off-street parking.
5. ~~Medical Marijuana Cultivation Facility licensed under Chapter 6.6 of Title of County Ordinance Code. (Added by Ord. T-086-364 adopted 8-9-11)~~
6. Public utility service yards with incidental buildings.
7. Electric distribution substations.
8. Temporary or permanent telephone booths.
9. Water pump stations.

**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 7014; Amendment Application No. 3812**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting associated with the development of industrial uses on the property shall be hooded and directed downward so as to not shine toward adjacent property and public streets.	Applicant	Applicant/Fresno County Dept. of Public Works and Planning	At time of Installation
2.	Air Quality	<p>On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:</p> <p>a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and</p> <p>b. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.</p>	Applicant	Applicant/San Joaquin Valley Air Pollution Control District (SJVAPCD)	As noted
3.	Air Quality	Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation.	Applicant	Applicant/SJVAPCD	As noted
4.	Air Quality	Signs shall be posted at the project site construction entrance to remind drivers and operators of the state's 5-minute idling limit.	Applicant	Applicant/SJVAPCD	During construction
5.	Air Quality	To the extent available, replace fossil-fueled equipment with alternatively-fueled (e.g., natural gas) or electrically-driven equivalents.	Applicant	Applicant/SJVAPCD	During construction

6.	Air Quality	Construction truck trips shall be scheduled, to the extent feasible, to occur during non-peak hours, and truck haul routes shall be selected to minimize impacts to nearby residential dwellings.	Applicant	Applicant/SJVAPCD	During construction
7.	Air Quality	The burning of vegetative material shall be prohibited.	Applicant	Applicant/SJVAPCD	During construction
8.	Air Quality	<p>The proposed project shall comply with SJVAPCD Regulation VIII for the control of fugitive dust emissions. Regulation VIII can be obtained on the SJVAPCD's website <a href="https://www.valleyair.org/rules/1ruleslist.htm">https://www.valleyair.org/rules/1ruleslist.htm</a>. At a minimum, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.</li> <li>b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.</li> <li>c. All land clearing, grubbing, scraping, excavation, leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.</li> <li>d. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.</li> <li>e. When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.</li> <li>f. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each work day. (The use of dry rotary brushes is expressly prohibited except where preceded</li> </ul>	Applicant	Applicant/SJVAPCD	During construction

		<p>or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)</p> <p>g. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</p> <p>h. On-road vehicle speeds on unpaved surfaces of the project site shall be limited to 15 mph.</p> <p>i. Sandbags or other erosion control measures shall be installed sufficient to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>j. Excavation and grading activities shall be suspended when winds exceed 20 mph (regardless of wind speed, an owner/operator must comply with Regulation VIII's 20 percent-opacity limitation).</p> <p>The above measures for the control of construction-generated emissions shall be included on site grading and construction plans.</p>			
9.	Cultural Resources	<p>In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.</p>	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As noted
10.	Transportation	<p>Prior to the issuance of building permits for the uses allowed on M-1(c) zoned property, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage</p>	Applicant	Applicant/Fresno County Department of Public Works and Planning	As noted

				<p>developed in the funding of future off-site traffic improvements defined in items a, b, c and d below. The traffic improvements and the project's maximum pro-rata share costs are as follows:</p> <p>a. North Avenue and Willow Avenue intersection shall be widened, and the eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 3.65 % construction cost or \$ 39,785.00, 15% preliminary engineering or \$ 5,968, 15% construction engineering or \$5,968, totaling \$51,721.00.</p> <p>b. The project's percent fair share for right -of-way acquisition at North and Willow Avenues intersection is 3.65 % or \$ 5,366.00.</p> <p>c. North Avenue and Chestnut Avenue intersection shall be widened, and the eight-phase traffic signal operations shall be implemented. The project's percent fair share for the 2040 P.M. peak hour traffic scenario is 1.13 % construction cost or \$ 59,305.00, 15% preliminary engineering or \$ 8,896, 15% construction engineering or \$8,896, totaling \$77,096.00.</p> <p>d. The project's percent fair share for right -of-way acquisition at North and Chestnut Avenues intersection is 1.13 % or \$1,661.00.</p> <p>The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.</p>		
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<b>Conditions of Approval</b>	
1.	The uses allowed on the property shall be limited to those uses specified in Exhibit 9 of the Planning Commission Staff Report.
2.	At the time of development, the site shall be connected to and utilize water service from the Malaga County Water District or City of Fresno if service is available adjacent to the parcel at the time of development. At the time service is available to the parcel, the City may choose to extend the time the property is required to connect by a reasonable period.
3.	Landscaping consisting of trees and shrubs of reasonable size and density for a depth of 15 feet shall be provided along the easterly property line of the subject property.
4.	The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development.
5.	At the time of the development of the property, the Applicant shall pay into Fresno County Regional Transportation Traffic Mitigation Fee (RTMF).
<b>Project Notes</b>	
1.	A Site Plan Review shall be required prior to any development of the property per Section 843.6 of the Fresno County Zoning Ordinance.
	The construction of any structures on the property shall meet all the Building Code requirements in effect at the time they are constructed.
2.	Development of the property shall include installation of a service lateral to connect and utilize sewer service from the City of Fresno via the existing sewer line in North Avenue and pay all City connection fees.
3.	<p>Per the Fresno County Department of Public Health, Environmental Health Division (Health Department), development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• Future tenants may be required to comply with hazardous materials business plan reporting requirements.</li> <li>• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<a href="http://www.fresnocupa.com/">http://www.fresnocupa.com/</a> or <a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>).</li> <li>• In an effort to protect groundwater, all abandoned water wells and septic systems on the parcel shall be properly destroyed by an appropriately licensed contractor.</li> <li>• Prior to destruction of agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil.</li> <li>• Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction.</li> <li>• The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.</li> </ul>



4.	If onsite water wells and/or sewage disposal systems are permitted, only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community water and sewer facilities or adequate information is submitted to the Fresno County Department of Public Health and Department of Public Works & Planning to demonstrate that the property can accommodate higher volumes of liquid wastes.
5.	<p>Per the Development Engineering Section of the Fresno County Department of Public Works and Planning, development of the property shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.</li> <li>• A grading permit or voucher for any grading proposed with this application.</li> <li>• An encroachment permit from the Road Maintenance and Operations Division prior to any work done within the county road right-of-way.</li> <li>• On-site turnarounds for vehicles leaving the site to enter North Avenue in a forward motion.</li> </ul>
6.	At the time of the development of the property, any plans for street and/or utility improvements along Willow Avenue, North Avenue or North and/or Chestnut Avenue and near the canal crossing (Fresno Irrigation District Wilder Canal No. 289, Washington Colony Canal No. 15, Central Canal No. 23) shall require District's review and approval.

\*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.

DR:EA, cwm  
G:\4360Devs&Pin\ADMIN\BOARD\Board Items\2020-2029\2021\1-26-21\AA 3812 (CFX Trucking)\AA 3812 (BOS Items)\Attachment C\AA 3812 MMRP (Attachment C).docx

## ATTACHMENT D

File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: Initial Study (IS) No 7014	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Project Applicant/Sponsor (Name): CFX Trucking (Gary Toor)	Project Title: Amendment Application (AA) No. 3812		
Project Description:  Rezone a 6.58-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow a limited number of light industrial uses as requested by the Applicant pertaining to driver training schools; cold storage plants; aircraft, automotive and boat repair and maintenance; trucking yard terminals; manufacturing, compounding, processing, packing and wholesale and warehousing; and processing and fabrication of various materials. The subject parcel is located on the north side of E. North Avenue approximately 415 feet east of its intersection with S. Willow Avenue and 3,246 feet southeast of the nearest city limits of the City of Fresno (Sup. Dist. 4) (APN 316-071-48).			
Justification for Negative Declaration:  Based upon the Initial Study (IS 7014) prepared for Amendment Application No. 3812, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to mineral resources, population and housing, public service, recreation, or wildfire.  Potential impacts related to agriculture and forestry resources, biological resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, tribal cultural resources and utilities and service systems have been determined to be less than significant.  Potential impact related to aesthetics, air quality, cultural resources and transportation have been determined to be less than significant with the identified mitigation measure.  The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING:  The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – August 10, 2020		Review Date Deadline: Board of Supervisors – January 26, 2021	
Date:	Type or Print Signature: David Randall, Senior Planner	Submitted by (Signature): Ejaz Ahmad, Planner	

State 15083, 15085

County Clerk File No.: \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**