



Inter Office Memo

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

DATE: October 24, 2024

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: Resolution No. 13064 – Amendment Application No. 3869

APPLICANT/OWNER: Kanwarjits Bath

REQUEST: Rezone to change the zoning of a 38.93-acre parcel and a 15.09-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the RR-5 (Rural Residential five-acre minimum parcel size) Zone District.

LOCATION: The subject parcels are located on the south side of Reno Ave., 0.57-miles west of the intersection with Auberry Rd., approximately 0.56-miles north from the city limits of the City of Fresno (APNs: 580-010-53s & 580-010-54s) (12523 Auberry Rd. and 3007 Reno Rd.) (Sup. Dist. 5).

PLANNING COMMISSION ACTION:

At its hearing of October 24, 2024, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Chatha and seconded by Commissioner Whelan to find that the proposed rezone is consistent with the County of Fresno General Plan, and recommended approval of Amendment Application No. 3869 to the Board of Supervisors.

RESOLUTION NO. 13064

The motion passed on the following vote:

VOTING: Yes: Commissioners Chatha, Whelan, Abrahamian, Arabian, Borchardt, Carver, Hill, and Zante

No: Commissioner Quist

Absent: None

Abstain: None

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

By:

y: Dr. N. Mohan

T.M. Chris W. Motta, Manager
Development Services and Capital Projects Division

CWM:aa:jp

G:\4360Devs&Pln\PROJSEC\PROJDOCSAA\3800-3899\3869\Resolution\Reso 13064 AA 3869 PCH 10.24 2024.doc

Attachments

EXHIBIT A

Amendment Application No. 3869

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 24, 2024, and heard a summary presentation by staff.
- Applicant: The Owner’s representatives concurred with the Staff Report and offered the following information:
- There are many five-acre lots in the immediate vicinity.
 - This application aligns with the recently adopted General Plan.
 - The owner intends to subdivide the current parcel in order to establish new parcels that comply with the minimum size requirements set forth by the proposed Rural Residential Zone District, thereby allowing for the future transfer of ownership to family members and other interested parties.
- Others: No 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.

CWM:aa:jp
G:\4360Devs&Pln\PROJSEC\PROJDOCS\AA\3800-3899\3869\Resolution\Reso 13064 AA 3869 PCH 10.24 2024.doc

EXHIBIT "B"
ATTACHMENT
TO
AGENDA ITEM
Amendment Application No. 3869

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

Amendment Application	\$ 4,696.00 ¹
Total Fees Collected	<u>\$ 4,696.00</u>

AA:
G:\4360Devs&Pln\PROJ\SEC\PROJ\DOCS\AA\3800-3899\3869\Board\Attachments\Attachment A Ex C.docx

¹ Includes project routing, coordination with reviewing agencies, project applicant and consultant, and review and research, engaging with reviewing departments and staff's analysis. Staff Report and Board Agenda Item preparation, public hearings before County Planning Commission and County Board of Supervisors.



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 October 24, 2024

SUBJECT: Amendment Application No. 3869 and Environmental Review No. 8595

Rezone to change the zoning of a 38.93-acre parcel and a 15.09-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the RR-5 (Rural Residential, five-acre minimum parcel size) Zone District.

LOCATION: The subject parcels are located on the south side of Reno Ave., 0.57-miles west of the intersection with Auberry Rd., approximately 0.56-miles north from the city limits of the City of Fresno (APNs: 580-010-53s & 580-010-54s) (12523 Auberry Rd. and 3007 Reno Rd.) (Sup. Dist. 5).

**OWNER/
APPLICANT:** Kanwarjits Batth

STAFF CONTACT: Alyce Alvarez, Planner
(559) 600-9669

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Recommend that the Board of Supervisors determine that the proposed rezone from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the RR-5 (Rural Residential, five-acre minimum parcel size) Zone District is consistent with the County General Plan and approve Amendment Application No. 3869; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action and forwarding the above recommendation to the Board of Supervisors.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Proximity Map
6. Tentative Parcel Map
7. List of allowed by-right uses in the AL-20 (Limited Agriculture) Zone District.
8. List of uses proposed to be allowed in the RR-5 (Rural Residential. five-acre minimum parcel size) Zone District
9. Operational Statement
10. Site Photos

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Rural Residential	Rural Residential
Zoning	AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District	RR-5 (Rural Residential. five-acre minimum parcel size) Zone District
Parcels Size	38.93-acre parcel 15.09-acre parcel	Rezone to allow a minimum parcel size zone of five-acres
Project Site	Single Family home	Change the zoning of said parcels from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the RR-5 (Rural Residential. five-acre minimum parcel size) Zone District
Structural Improvements	None	None
Nearest Residence	N/A	No change
Surrounding Development	North: Single Family Residential South: Multi Family Residential East: Single Family Residential West: Vacant	No change
Traffic Trips	N/A	A Traffic Impact Study was not required as the

Criteria	Existing	Proposed
		anticipated proposal is for rezone only.

SETBACK, SEPERATION, AND PARKING:

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	For the existing AL-20 Zone District: Front: 35 feet Side: 20 feet Street Side: 35 feet Rear: 20 feet	For the proposed RR-5 Zone District: Front: 35 feet Side: 20 feet Street Side: 35 feet Rear: 20 feet	Yes
Parking	No requirement	No requirement	N/A
Lot Coverage	No requirement	No requirements	N/A
Separation between Buildings	40-foot separation between an animal shelter and a building for human occupancy	No change	N/A
Wall Requirements	Per Section 855-H.2 of the County Ordinance Code in the AL-20 Zone District	No change	N/A
Septic Replacement Area	100 percent for the existing system	No change	N/A
Water Well Separation	Septic tank: 50 feet Disposal field: 100 feet Seepage pit: 150 feet	No change	N/A

CIRCULATION AND TRAFFIC:

		Existing Conditions	Proposed Operation
Public Road Frontage	No	Reno Road	N/A
Direct Access to Public Road	Yes	N/A	No change
Road ADT (Average daily Traffic)		N/A	No change
Road Classification		N/A	No change

		Existing Conditions	Proposed Operation
Road Width		N/A	No change
Road Surface		N/A	No change
Traffic Trips		N/A	N/A
Traffic Impact Study (TIS) Prepared	No	N/A	N/A
Road Improvements Required		N/A	No improvements required as roads are not county-maintained.

SURROUNDING PROPERTIES

	Size (acres):	Use:	Zoning:	Nearest Residence:
North	4.61 5.33 4.95 4.83 7.60	Single- Family Residence (et. al.)	AL-20	225-feet
East	4.85 10.00	Single- Family Residence (et. al.)		850-feet 1,200-feet
South	+/- 0.58 (x 15)	Single- Family Residence (et. al.)	R1B (c)	200-feet
West	3.13 5.09 27.60 5.06	Single- Family Residence (et. al.)		1,500-feet

EXISTING VIOLATION: NO

ENVIRONMENTAL ANALYSIS:

The existing Fresno County General Plan Update and related EIR will be utilized for the current proposal pursuant to Section 15162 of the CEQA. Section 15162 of CEQA states that no Subsequent Environmental Impact Report or Mitigated Negative Declaration shall be prepared unless the lead agency determines substantial evidence considering the whole record.

PUBLIC NOTICE:

Notices were sent to property 72 owners within 600 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

No public comment was received as of the date of preparation of this report.

Should the Planning Commission recommend approval, a subsequent hearing date before the Board of Supervisors will be scheduled as close to the Commission's action as practical to make the final decision on the rezoning request. Information for that hearing will be provided under separate notice.

PROCEDURAL CONSIDERATIONS:

Rezoning is a legislative act requiring final action by the Board of Supervisors. A decision by the Planning Commission in support of the 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 currently developed with a single-family residence including a septic system and water well. The remainder of the property is vacant and undeveloped. Surrounding land uses consist of single-family residences.

County records indicate that prior to 1965 the subject parcel and other parcels in the area were zoned A-1 (Agricultural District; 100,000 square feet minimum parcel size required). The parcels were rezoned from the A-1 District to AE-20 (Exclusive Agricultural, 20-acre minimum parcel size). Subsequently, on February 20, 2024 the Board of Supervisors adopted an update to the Fresno County General Plan (GPA 526 and AA 3862) that included the addition of Policy LU-E.24 that changed the Land Use Designation of parcels identified in Figure LU-2 to Rural Residential (5-acre minimum parcel size) and rezoned the parcels to AL-20 (Limited Agricultural, 20-acre minimum parcel size). As the subject parcels were included in this change, no General Plan Amendment (GPA) was needed for this application.

REVIEWING AGENCY/DEPARTMENT COMMENTS:

There were no relevant comments from reviewing agencies or county departments regarding the project other than advisory statements about required regulations included as Project Notes in Exhibit 1 of the staff report.

AMENDMENT APPLICATION NO. 3869:

If the proposed Amendment Application is approved, rezoning of the subject parcels would be consistent with the General Plan Policy LU-E.24 Policy TR-A.2, Policy TR-A.6, Policy PF-C.11, Policy PF-C.16, and Policy PF-C.17 as discussed in General Plan Consistency/Considerations table below.

The proposal would meet General Plan Policies as discussed above in that the public, health safety and welfare issues will be met with the implementation of mandatory Project Notes as noted in Exhibit 1 of this report.

Relevant Policies:	Consistency/Considerations:
Policy LU-E.24: <i>The Rural Residential designation comprising an approximate 481-acre area generally bounded by Friant Road/</i>	Consistent: The proposal will re-zone the subject parcels to Rural Residential which aligns with the Board adopted General Plan.

Relevant Policies:	Consistency/Considerations:
<p><i>Willow Avenue to the west, Garonne Avenue to the south, those parcels immediately east and adjacent to Auberry Road to the east and generally the Birkhead Road alignment to the north and encompassing those parcels immediately to the west, northeast, and east of the full length of Willow Bluff Avenue. This is an area committed to rural-sized parcels. The Limited Agricultural zoning reflects potential water resource constraints in the general vicinity. Future rezoning of this area to the implementing Rural Residential zoning district shall maintain a minimum five-acre parcel size and shall be subject to a determination of adequate water supply per Agriculture and Land Use Policy LU-E.8, and adequate road access and road maintenance as determined by the Director of the Department of Public Works and Planning.</i></p>	<p>This proposal was reviewed by the Water and Natural Resources Section, Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, and the Environmental Health Division of the Fresno County Department of Public Health, of which all three did not express any concerns regarding the proposed rezone. As this proposal is for rezoning of the subject parcels only and not division of the land, impacts to water resource will be addressed during any future development or proposed division of land. The current proposal is consistent with this Policy.</p>
<p>Policy TR-A.2: <i>The County shall require evaluation of County General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and thresholds of significance criteria established by the County.</i></p>	<p>Consistent: The proposal will re-zone the subject parcels to Rural Residential. As there is no development or division of land currently proposed it has been determined that there are no impacts to traffic. Any future division of the land will address any increased traffic impacts at that time. The current proposal is consistent with this Policy.</p>
<p>Policy TR-A.6: <i>The County shall require dedication of right-of-way or dedication and construction of planned road facilities as a condition of land development and require an analysis of impacts of traffic from all land development projects including impacts from truck traffic. Each such project shall construct or fund improvements necessary to mitigate the effects of traffic from the project. The County may allow a project to fund a fair share of improvements that provide significant benefit to others through traffic impact fees.</i></p>	<p>Consistent: The proposal will re-zone the subject parcels to Rural Residential. As there is no development or division of the land currently proposed, it has been determined that there are no road impacts to the area. Any future division of the land will address any increased road impacts to the area at that time. The current proposal is consistent with this Policy.</p>
<p>Policy PF-C.11: <i>The County shall approve new development only if an adequate sustainable water supply to serve such development is demonstrated.</i></p>	<p>Consistent: The proposal will re-zone the subject parcels to Rural Residential. As the subject parcels have been identified within a low water area a Hydrogeological Investigation will be required to address</p>

Relevant Policies:	Consistency/Considerations:
	sustainable water supply prior to any further division of the land or development. With adherence to this policy requirement, the proposal is consistent with this Policy.
<p>Policy PF-C.16: <i>The County shall, prior to consideration of any discretionary project related to land use, require a water supply evaluation be conducted. The evaluation shall include the following:</i></p> <p><i>a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made "firm" by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</i></p> <p><i>b. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</i></p> <p><i>c. A determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</i></p>	<p>Consistent: Due to the subject parcels being located within a water short area, a Hydrogeological Investigation will be required to address the water supply prior to any further division of the land or development. No other water-related concerns were identified in the analysis of the proposal. With adherence to the identified policy requirement, the proposal will be consistent with this Policy.</p>

REVIEWING AGENCY COMMENTS:

Policy Planning Section of the Fresno County Department of Public Works and Planning
Regarding the proposed rezone Amendment Application 3869, Per General Plan Policy LU-E.24 mentioned above, the AL- 20 zoning of the 481-acre area reflects potential water resource constraints within the 481 acres and in the general vicinity of the 481-acre area. As stated in this policy, future division of land or change of zoning of any of the parcels within

the 481-acre area to Rural Residential Zone District shall maintain a minimum five-acre parcel size and shall be subject to a determination of adequate water supply per Agriculture and Land Use Policy LU-E.8, and adequate road access and road maintenance as determined by the Director of the Department of Public Works and Planning.

No other comments specific to general plan policies were expressed by reviewing Agencies or Departments.

SUMMARY CONCLUSION:

Staff believes the proposed rezone from the AL-20 (Limited Agricultural) Zone District to RR-5 (Rural Residential. five-acre minimum parcel size) Zone District is consistent with the Fresno County General Plan and will not have significant impacts on the surrounding properties. If the Planning Commission recommends approval of Amendment Application No. 3869.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Recommend the Board of Supervisors determine that the proposed rezone from the AL-20 Zone District to the RR-5 Zone District is consistent with the County General Plan and approve Amendment Application No. 3869, subject to the Mitigation Measures; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action and forwarding the above recommendation to the Board of Supervisors.

Alternative Motion (Denial Action)

- Determine the rezone of two parcels totaling 54.02-acres from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the RR-5 (Rural Residential. five-acre minimum parcel size) Zone District as listed in Exhibit 8 is inconsistent with the General Plan and deny AA No. 3869 (state basis for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

AA:jp

G:\4360Devs&PIn\PROJSEC\PROJDOCS\AA\3800-3899\3869\Staff Report\AA 3869- Staff Report.docx

EXHIBIT 1
Amendment Application No. 3869 & Environmental Review No. 8595
Conditions of Approval and Project Notes

Conditions of Approval
None

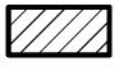
Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Any future development or division of land will be required to meet County Standards in place at that time.
2.	Any new sewage disposal system proposals shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section.
3.	At such time the applicant or property owner(s) decides to construct a water well, the water well contractor selected by the applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Community Health, Environmental Health Division. Please be advised that only those persons with a valid C-57 contractor's license may construct wells.
4.	If any underground storage tank(s) are found during construction, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.
5.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
6.	<p>Any future development or division of land, the County shall undertake a water supply evaluation. Additionally, a work plan shall be submitted and approved before any work begins on the hydrogeologic investigation. The evaluation shall include the following:</p> <p>a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made "firm" by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</p> <p>b. A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</p>

Notes	
	<p>c. A determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</p>

AA:jp

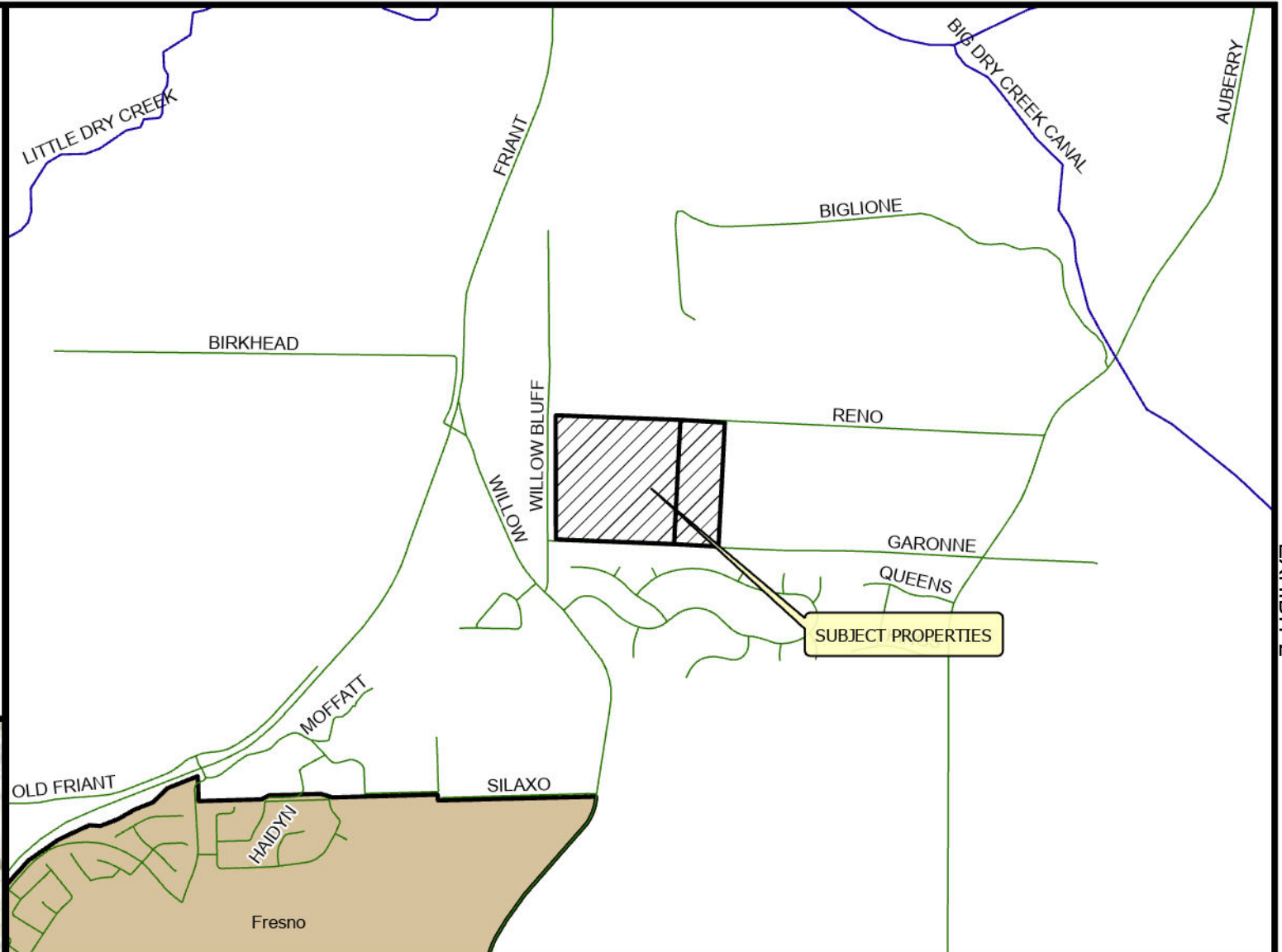
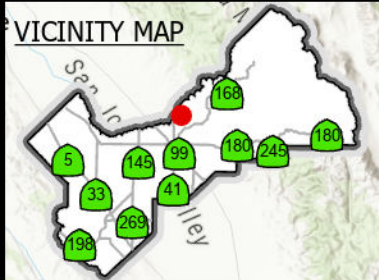
G:\4360Devs&PIn\PROJSEC\PROJDOCS\AA\3800-3899\3869\Staff Report\EX 1 AA 3869 Conditions.docx

Legend

Subject Properties



Fresno

VICINITY MAP**LOCATION MAP****AA 3869****2024**

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division

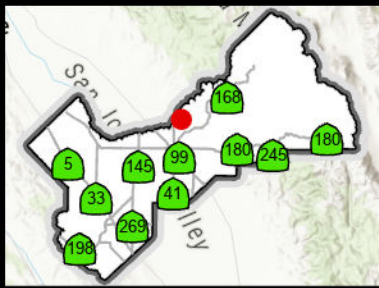
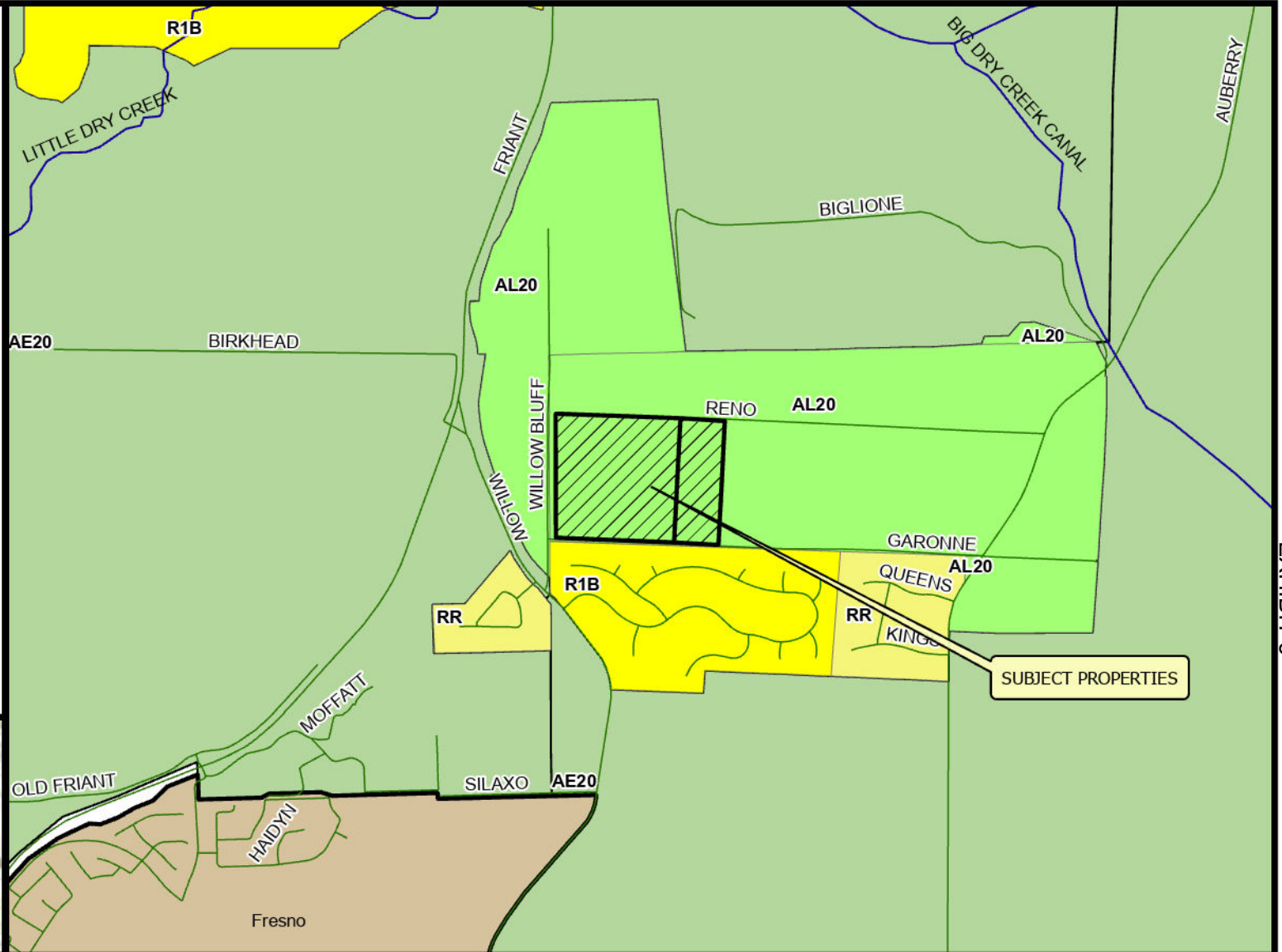
Person Prepared by : chuang

On Date : 7/10/2024



0 0.2 0.4 Mi

0 1,250 2,500 Feet

Legend

Existing Zoning Map

AA 3869

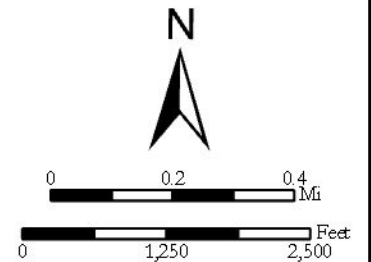
STR 6 - 12S / 21E

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division

Person Prepared by : chuang

On Date : 7/10/2024



LEGEND:
 Subject Properties
LEGEND

AP1 - APARTMENT

FC - FIELD CROP

SF#- SINGLE FAMILY RESIDENCE

V - VACANT

VIN - VINEYARD

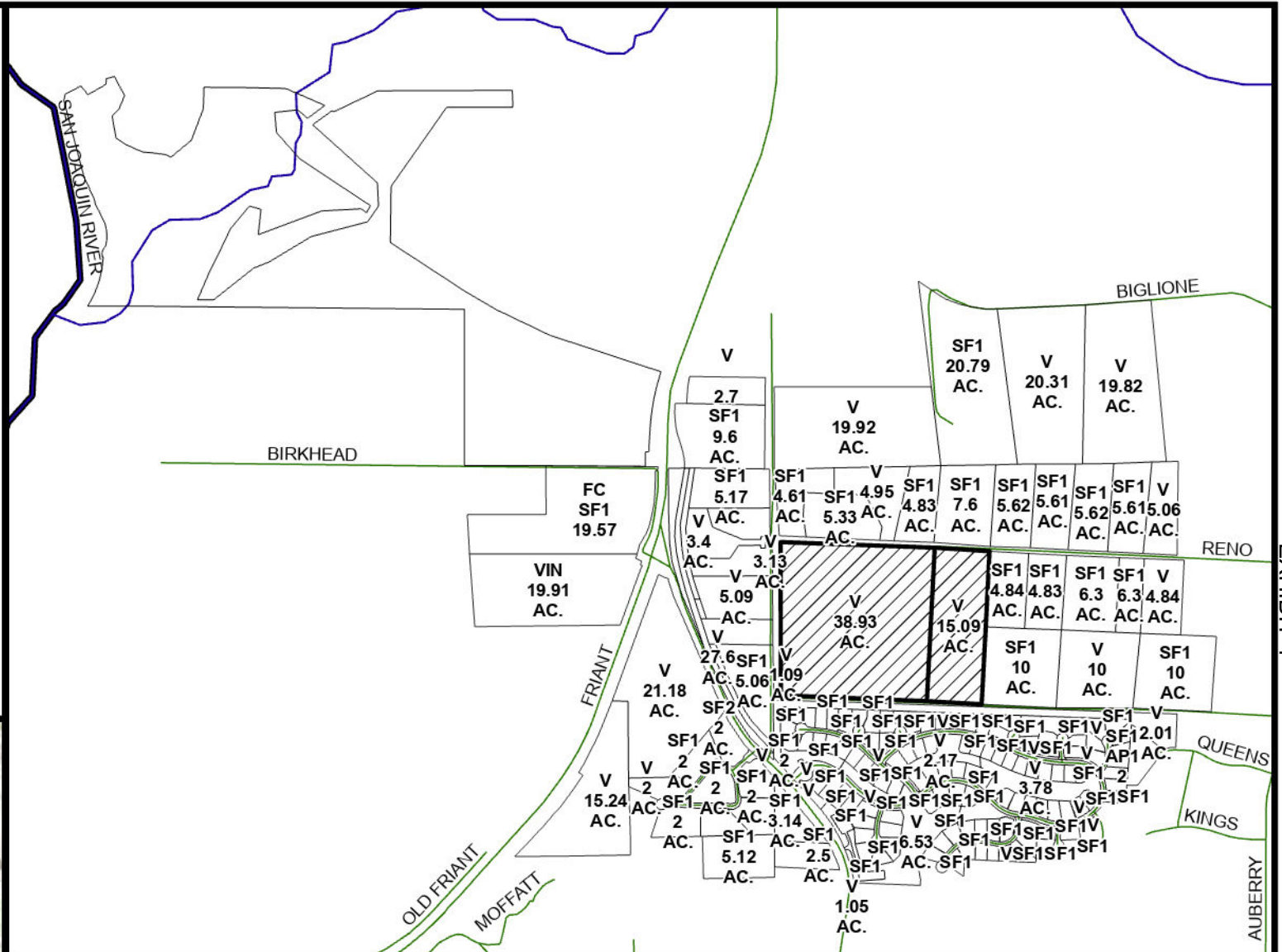
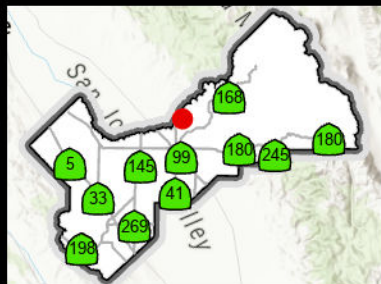


EXHIBIT 4

**Existing Land Use Map****AA 3869****2024**

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division

Person Prepared by : chuang

On Date : 7/10/2024

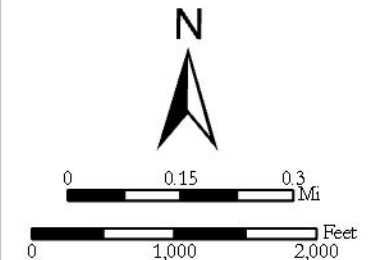


EXHIBIT 5

-NOTE-

This map is for Assessment purposes only.
It is not to be construed as portraying legal
ownership or divisions of land for purposes
of zoning or subdivision law.

1"=400'

EXHIBIT 5



Parcel Map No.2390 - Bk.15, Pg.50
Parcel Map No.2391 - Bk.15, Pg.64
Parcel Map No.2567 - Bk.17, Pg.65
Parcel Map No.3354 - Bk.22, Pg.70
Parcel Map No.3601 - Bk.27, Pg.1
Parcel Map No.3615 - Bk.27, Pg.7
Parcel Map No.7644 - Bk.58, Pg.34
Parcel Map No.8027 - Bk.71, Pg.31

Parcel Map No. 8110 - Bk. 72, Pgs. 99-100
Parcel Map No. 8152 - Bk. 74, Pgs. 88-90
Parcel Map No. 8160 - Bk. 76, Pgs. 1-2
Parcel Map No. 8114 - Bk. 76, Pgs. 29-31
Record of Survey - Bk. 26, Pg. 82
Redwood Park - R.S. Bk.5, Pg.4

Assessor's Map Bk.580 - Pg.01
County of Fresno, Calif.

Note - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

EXHIBIT 6
FRESNO COUNTY ORDINANCE CODE - DIVISION 6, ZONING ORDINANCE

Chapter 806.2

Zones Established, Zone Map Adopted

**TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES**

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1 ³	A-2 ³	See Section
Agricultural Uses					
Agricultural Accessory Storage, Structures, and Uses	P	P	P	P	
Agricultural Commercial Center	C		C		834.4.040
Agricultural Processing, Area Products, including Cooperatives	C		C		
Agricultural harvesting, curing, processing, packaging, packing, sales, shipping for products produced on-site (i.e., not subject to Section 834.4.390).	P	P			
Agricultural processing, packaging, sales, shipping, etc. (products may be from on- or off-site holdings when owned by the same entity as the facility).	P	P			834.4.390
Animal Raising, Specialty Commercial	D		D	D	834.4.050
Animal Uses (includes fish and fur bearing in the A-2)	P	P	P	P	834.4.050
Aquaculture (includes Fish Farms, Commercial)	D	D	D	D	
Cattle Dairies and Feedlot Facilities (Does NOT exceed a capacity of 500 cattle)	D		D		834.4.110
Cattle Dairies and Feedlot Facilities (Does exceed a capacity of 500 cattle)	C		C		834.4.110
Crop Production	P	P	P	P	
Grain Elevators, Commercial	C		C		

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
Blank	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).
- 3 See Section 806.2.030.C for Obsolete and Deleted Zones.

TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1 ³	A-2 ³	See Section
Agricultural Uses (Continued)					
Hog/Swine Personal Use (4 max.)	P				834.4.050
Hog/Swine, Sheep, or Goat Feed Lots	C		C		
Hog/Swine Ranches	C		C		834.4.050
Horticulture/Greenhouses	P	D	P	D	
Meat Processing, Commercial	C		C		834.4.230
Mushroom Growing	C	C	C		
Mushroom Growing, Incidental	C	C	C		
Poultry Raising, Large	D		D	D	834.4.290
Poultry Raising, Small	P		P	P	834.4.290
Poultry/Rabbit Processing	C		C		
Stock Yards/Feed Lots	C		C	C	
Value-added agricultural uses in addition to agricultural harvesting, curing, processing, packaging, packing, sales, and shipping for products produced on-site.	P				834.4.390
Commercial establishments for the processing of agricultural products and value-added uses not authorized under the by-right value-added uses above.	C				834.4.390
Wineries/Distilleries, Large	C		C	C	
Wineries/Distilleries, Small	D		D	D	834.4.410
Wholesale Limited Winery Distillery and Brewery	P	P			834.4.415
Micro Winery, Distillery and Brewery	P	P			834.4.415
Minor Winery, Distillery and Brewery	P	P			834.4.415
Agricultural Sales and Service Uses					
Agricultural Chemicals, Sales and Service	C		C		
Agricultural Auction /Sales Yards	C		C	C	
Building Materials Sales	C		C		
Commercial Dehydration Operations	C		C		
Contactors Storage Yard, Agricultural Services	D		D		
Dog Grooming (in conjunction with single-family residence)	D	D	D	D	

Farm Equipment and Machinery Sales, Rental, Storage and Maintenance	C		C		
Farm Labor Contractor Services	D		D		

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).
- 3 See Section 806.2.030.C for Obsolete and Deleted Zones.

TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1 ³	A-2 ³	See Section
Agricultural Sales and Service Uses (Continued)					
Feed and Farm Supplies Sales	C		C		
Horticultural Services	D	C	C	C	
Horticultural Services, Accessory	P	D	P		
Liquefied Petroleum Gas Distribution Sales, and Storage	C	C	C		
Plant Nurseries	D				834.4.180
Plant Nurseries, Private	P				834.4.180
Roadside Agricultural Stands, Permanent	D	D	D	D	834.4.370
Roadside Agricultural Stands, Temporary	P	P	P	P	834.4.370
Stables, Commercial	D	D	D	D	834.4.050
Stables, Private	P	P	P	P	834.4.050
Veterinary Clinics and Animal Hospitals	D	D	D	D	
Water Well Drilling/Pump Installation	P	P	P	P	
Welding and Blacksmith (as part of farm equipment sales and service).	P		P		
Residential Uses					
Accessory Structures	P	P	P	P	834.4.020
Additional On-Site Dwellings					
Accessory Dwelling Units	P	P	P	P	834.4.030.B
Second Dwelling Units	D	D	D	D	834.4.030.C
Child Day Care Home, (up to 14 children)	P	P	P	P	834.4.100
Employee Housing (six or fewer residents)	P	P	P	P	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
Blank	Use not allowed	

Notes:

1 See Article 7 for definitions of the land uses listed.

- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).
3. See Section 806.2.030.C for Obsolete and Deleted Zones.

TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1	A-2	See Section
Residential Uses (Continued)					
Farmworker Housing, Complexes	P	P	P	P	834.4.160
Farmworker Housing, Temporary	P	P	P	P	834.4.150
Home Occupations, Class I	P	P	P	P	834.4.190
Home Occupations, Class II	D	D	D	D	834.4.190
Household Pets	P	P	P	P	
Kennels, Private	P	D	P	D	
Manufactured/Factory Built Housing	P	P	P	P	
Mobile Home, Temporary (If 2 nd Residence)	D	D	D	D	
Low Barrier Navigation Center					
Single-Family Dwelling	P	P	P	P	
<u>Supportive Housing (GC 65650)</u>	P	P	P	P	
Swimming Lessons	C		C		834.4.360
Temporary Uses	TUP	TUP			858.5
Transitional Housing	P	P	P	P	
Nonresidential Uses					
Observatories	C	C	C	C	
Public Facilities	D	D	D	D	
Public Utility Facilities	C	C	C	C	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

TABLE 2-2
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR AGRICULTURAL ZONES (Continued)

Land Use ¹	Permit Requirement by Zone ²				
	AE	AL	A-1	A-2	See Section
Communication Facilities					
Microwave Relay Structures	D	D	D	D	834.4.420
Satellite Dish Antenna	P	P	P	P	834.4.420
Education, Public Assembly, and Recreation Uses					
Agritourism	P	P			
Assembly/Meeting Facilities	D	D	D	D	
Golf Courses	C	C			
Guest Ranches	C	C			
Historic and Monument Sites	P	P	P	P	
Off Road Vehicles	C	C			
Philanthropic/Charitable, Agricultural Institutions	D	D	D		
Racetracks	C	C			
Schools, Private	D	D	D	D	
Schools, Public	D	D	D	D	
Stables, Commercial	D	D	D	D	
Stables, Private	P	P	P	P	
Other					
Airports, Small/Private	C	C	C	C	
Antique Sales	D	D	D		
Interstate Interchange Commercial Centers	C		C		
Interstate Interchange Impact Areas	D		D		
Kennels, Boarding and Training	C				
Kennels, Breeding and Personal, on sites with up to five acres.	C				
Kennels, Breeding and Personal, on sites with five or more acres.	D				
Kennels, Commercial	C	C	C	C	
Personal/RV Storage		C			834.4.270
Solar Energy System, Private	P	P	P	P	
Surface Mining Operations	C	C	C	C	
Temporary Mill/Chipping Facilities	P				834.4.380

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
Blank	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.

2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review).

**TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES**

Land Use ¹	Permit Requirement by Zone ²					
	R-A	R-R	R-2 R-2-A	R-3 R-3-A	T-P	See Section
Residential						
Accessory Structures	P	P	P	P	P	834.4.020
Accessory Vending Machines, expanded			D	D	D	834.4.400
Accessory Vending Machines, regular			P	P	P	834.4.400
Additional On-Site Dwellings						
Accessory Dwelling Units	P	P	P	P		834.4.030. B
Second Dwelling Units	D	D				834.4.030. C
Child Day Care Center	C	C	C	C	C	834.4.100
Child Day Care, (up to 14 children)	P	P	P	P	P	834.4.100
Density Bonus			P	P		824.3.010
Employee Housing (six or fewer residents)	P	P	P	P		
Farmworker Housing Complexes	P	P				834.4.160
Fraternities/Sororities				D		
Home Occupations, Class I	P	P	P	P	P	834.4.190
Home Occupations, Class II	D	D	D	D	D	834.4.190
Household Pets	P	P	P	P	P	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review). For the R-2, R-2-A, R-3, R-3-A, ~~R-4~~ and T-P a Site Plan Review shall be required. A single-family residence in the R-2 and R-2-A is excepted from this requirement.

TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)

Land Use ¹	Permit Requirement by Zone ²					
	R-A ³	R-R	R-2 R-2-A	R-3 R-3-A	T-P	See Section
Residential (Continued)						
Manufactured/Factory Built Housing	P	P	P	P	P	834.4.330
Mobile Home Parks					P	
Mobile Home Park Services					D	834.4.240
Mobile Home Planned Residential Developments					C	
Mobile Home, Temporary	D	D				834.4.330
Multi-Family Dwellings			P	P		834.4.430
Planned Residential Developments		C	C	C		834.4.280
Low Barrier Navigation Center			P	P		
Residential Care Homes				D		
Single-Family Dwelling	P	P	P	P		
Single Room Occupancy, Small			P	P		834.4.340
Single Room Occupancy, Large			C	C		834.4.340
Supportive Housing (GC 65650)	P	P	P	P		
Temporary Uses						
Transitional Housing	P	P	P	P		
16B Nonresidential						
Broadcasting Studios	C	C				
Contractors Storage Yard, Agricultural Services	D	D				
Hospitals/Sanitariums			C	C		
Kennel, Commercial	C	C				
Kennel, Private	D	D				
Observatories, up to 3,000 sq. ft.		D				
Observatories, 3,001 sq. ft. or greater		C				
Observatories, any size	C		C	C	C	

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in

compliance with Chapter 854.5 (Site Plan Review). For the R-2, R-2-A, R-3, R-3-A, R-4 and T-P a Site Plan Review shall be required. A single-family residence in the R-2 and R-2-A is excepted from this requirement.

- 3 See Section 806.2.030.C for Obsolete and Deleted Zones.

**TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)**

Land Use ¹	Permit Requirement by Zone ²						
	R-A ³	R-R	R-2 R-2-A	R-3 R-3-A	R-4	T-P	See Section
Nonresidential (continued)							
Public Utility Facilities, Large	D	D	D	D	D	D	See Article 7
Public Utility Facilities, Small	P	P	P	P	P	P	See Article 7
Rural Commercial Center		C					834.4.040
Swimming Schools, Large	C	C					834.4.360
Swimming Schools, Small	D	D					834.4.360
Agricultural and Open Space Resources							
Agricultural accessory storage, structures, and uses.	P	P					
Agricultural product sales, produced on-site	P	P					
Animal uses, 20,000 sq. ft. or greater		P					834.4.050
Animal Uses, 36,000 sq. ft. or greater	P	P					834.4.050
Beekeeping	P	D					834.4.070
Commercial Crop Production	P	P					
Horticulture/ Greenhouses	C	C					834.4.180
Horticulture/ Greenhouses, Private	P	P					834.4.180

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review). For the R-2, R-2-A, R-3, R-3-A, R-4 and T-P a Site Plan Review shall be required. A single-family residence in the R-2 and R-2-A is excepted from this requirement.
- 3 See Section 806.2.030.C for Obsolete and Deleted Zones.

TABLE 2-4
ALLOWABLE USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONES (Continued)

Land Use ¹	Permit Requirement by Zone ²						
	R-A ³	R-R	R-2 R-2-A	R-3 R-3-A	R-4	T-P	See Section
Agricultural and Open Space Resources (Continued)							
Hog/Swine Ranches	C	C					
Plant Nurseries	C	C					
Plant Nurseries, Private	P	P					
Poultry Raising, Large	C	C					834.4.290
Poultry Raising, Small	D	D					834.4.290
Stables, Commercial		C					
Stables, Private	P	P					
Wholesale Limited Winery Distillery and Brewery		P					834.4.415
Micro Winery, Distillery and Brewery		D					834.4.415
Minor Winery, Distillery and Brewery		C					834.4.415
Landscaping/limited agriculture - Millerton Specific Plan Area (tertiary treated irrigation water)			C				834.4.440
Education, Public Assembly, and Recreation							
Clubs and Lodges			C	C	C		
Country Clubs and Golf Courses	C	C	C	C	C		
Libraries, Public			D	D	D		
Places of Worship	C	C	C	C	C		
Schools, Private	D	D	D	D	D		
Schools, Public	D	D	D	D	D		
Schools, Motorcycle Safety and Training		D					834.4.320
Recreational Vehicle Park						C	
Communication Facilities							
Microwave Relay Structures	D	D	D	D	D	D	834.4.420
Satellite Dish Antenna	P	P	P	P	P	P	834.4.420

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use	
C	Conditional Use Permit required	842.5
D	Director's Review and Approval required	846.5
TUP	Temporary Use Permit required	858.5
<i>Blank</i>	Use not allowed	

Notes:

- 1 See Article 7 for definitions of the land uses listed.
- 2 For any land use listed as permitted (P), a Director approved Site Plan Review Permit may be required for all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) in compliance with Chapter 854.5 (Site Plan Review). For the R-2, R-2-A, R-3, R-3-A, R-4 and T-P a Site Plan Review shall be required. A single-family residence in the R-2 and R-2-A is excepted from this requirement.
- 3 See Section 806.2.030.C for Obsolete and Deleted Zones.

Operational Statement Checklist

(19109) 23-012520

12523 Auberry Rd

Clovis, CA 93619

Gagandip Singh Batth

The Gagandip Singh Batth Trust

1. This project is to rezone a Limited Agriculture zone to be used for Rural Residential use.
2. Operational time limits: none
3. Number of Customers or Visitors: none (residential home use)
4. Number of employees: none
5. Service and delivery vehicles: none
6. Access to the site: existing public road (Reno Ave.) propose 40' wide road access easement.
7. Number of parking spaces for employees, customers, and service/delivery vehicles: none
8. Are any goods to be sold on site? None.
9. What equipment is used? None. No heavy machinery.
10. What supplies or materials are used and how will they be stored? N/A
11. Does the use cause an unsightly appearance? No.
12. List any solid or liquid waste to be produced: typical domestic/single-family household waste.
13. Estimated volume of water to be used (gallons per day): approximately 300 gallons.
14. Describe any proposed advertising including size, appearance and placement. – none
15. Will existing buildings be used or will new buildings be constructed? Owner residence under construction on APN 580-010-14s and APN 580-010-15 is vacant land.
16. Explain which buildings or what portion of buildings will be used in the operation. – there are currently no structures on the property
17. Will any outdoor lighting or an outdoor sound amplification system be used? No.
18. Landscaping or fencing proposed? None at this time.
19. Any other information that will provide a clear understanding of the project or operation? None.
20. Identify all owners: Gagandip Singh Batth, The Gagandip Singh Batth Family Trust

Signature: 

Date: 6/28/24

EXHIBIT 9

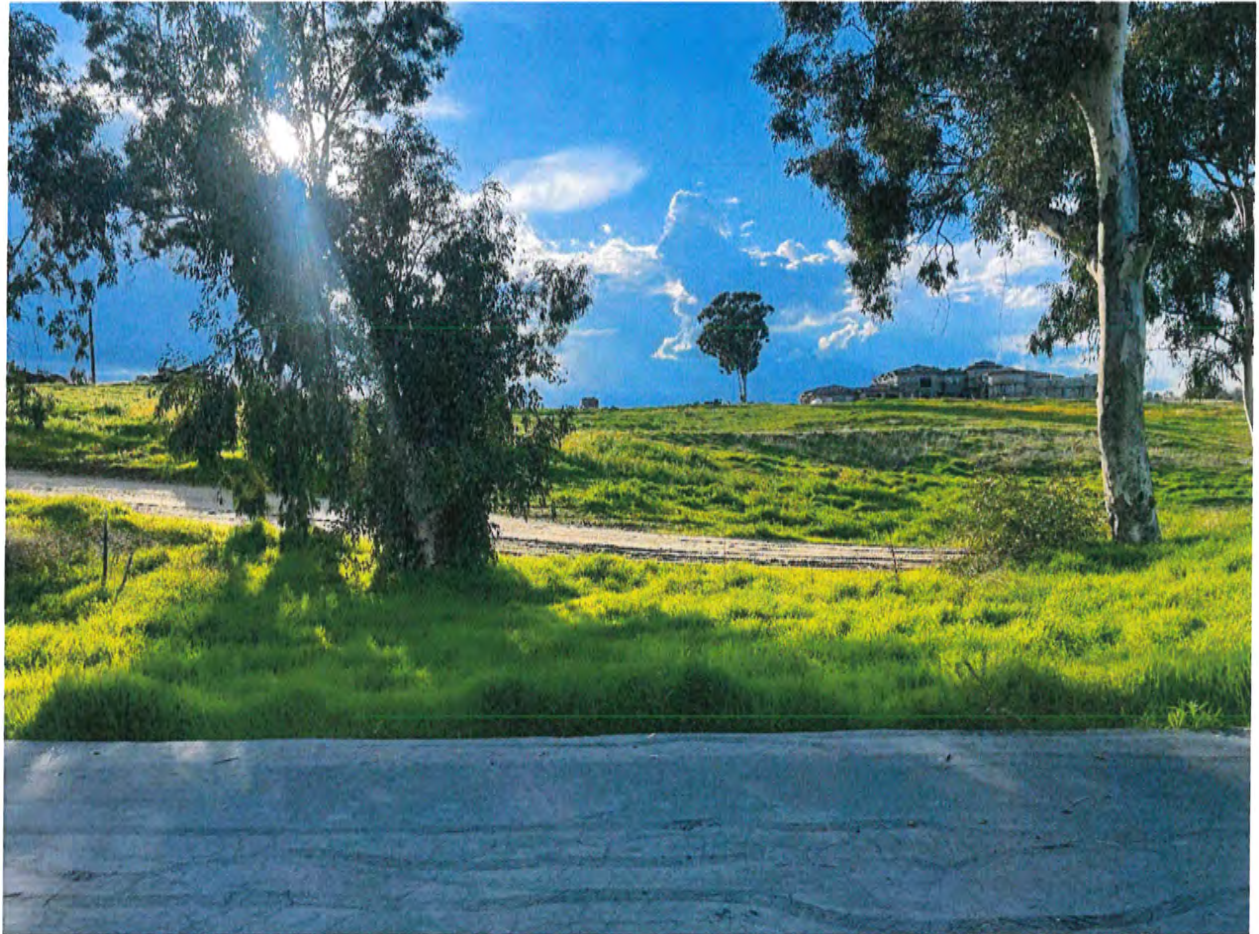
From the west side facing east.



From the north side facing south



From the east side facing west



From the south side facing north.

