



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 5 December 12, 2024

**SUBJECT:** Initial Study No. 8461; Classified Conditional Use Permit  
Application No. 3773

Allow the addition of a 3,854 square-foot workshop building for religious activities to an existing religious facility (Buddhist Temple) on a 2.5-acre parcel in the R-R (Neighborhood Beautification) (Rural Residential; two-acre minimum parcel size) Zone District.

**LOCATION:** The subject parcel is located on the northeast corner of McKinley and Blythe Avenues, approximately 40 feet east of the nearest city limits of the City of Fresno (4354 W. McKinley Avenue) (APN: 312-082-14) (Sup.Dist.:1).

**OWNER:** Le Sy Nguyen

**APPLICANT:** Tommy Tran

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

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8461; and
- Approve Classified Conditional Use Permit No. 3773 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan and Elevation
6. Applicant's Operational Statement
7. Summary of Initial Study Application No. 8461
8. Proposed Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

Criteria	Existing	Proposed
General Plan Designation	Rural Residential in the County-adopted Fresno High-Roeding Community Plan	No change
Zoning	R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay)	No change
Parcel Size	2.5 acres	No change
Project Site	<ul style="list-style-type: none"><li>• 2,613 square-foot religious facility with a 1,326 square-foot porch area.</li><li>• Two 13-foot-wide paved driveways accessing McKinley Avenue; one 18-foot-wide paved driveway accessing Blythe Avenue</li><li>• Paved parking lot with 32 parking spaces</li><li>• Septic system and water well</li></ul>	A 3,854 square-foot workshop building to provide for additional space for religious activities.
Related Structural Improvements	2,613 square-foot temple with a 1,326 square-foot porch area	See above
Nearest Residence	Approximately 10 feet north of the subject parcel	No change

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Surrounding Development	Residential subdivisions; elementary school (Central Unified McKinley Elementary School) westerly adjacent; high school (Central Unified High School East Campus) approximately one and a half miles to the northwest; State Route (SR) 99 approximately two miles to the east	No change
Operational Features	An indoor religious facility utilized by approximately 12 followers on Saturday and Sunday mornings, year-round and 40 guests during three annual special events.	Workshop building will be used as an extra space for members of temple to study religion, participate in group activities, and children to engage in creative activities and learn new skills.
Employees	None	None
Customers or Visitors	12 followers on Saturday and Sunday mornings, year-round.  40 guests during three annual special events	No change from CUP No. 3478
Traffic Trips	24 one-way visitor trips (12 round trips) for religious services on Saturdays and Sundays, year round  80 one-way visitor trips (40 round trips) per each of the three annual special events	No change in traffic trips from CUP No. 3478
Lighting	On building exterior	No additional lighting
Hours of Operation	<u>Religious Services:</u> Saturday and Sunday mornings, year-round  <u>Annual Special Events:</u> Buddha's Birthday (one Sunday in May) from 9am – 2pm; Annual Parents Gratitude Day (one Sunday usually in August) from 9am – 2pm; Chinese/Vietnamese Lunar New Year (one day usually in	10 am to 3 pm; three to four days a week

Criteria	Existing	Proposed
	February) from early morning to late afternoon	

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

**ENVIRONMENTAL ANALYSIS:**

Initial Study No. 8461 was prepared for the project by County Staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 7.

Notice of Intent to adopt a Mitigated Negative Declaration was published on October 9, 2024

**PUBLIC NOTICE:**

Notices were sent to 26 property owners within 2,640 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PUBLIC COMMENT:**

No comments were received either for or against this application at the time of this report.

**PROCEDURAL CONSIDERATIONS:**

A Classified Conditional Use Permit may be approved only if four findings that are specified in the Fresno County Zoning Ordinance are made by the Planning Commission. The decision of the Planning Commission on a Classified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

The project site is developed with a religious facility (Buddhist temple) with related improvements and was authorized by CUP No. 3478 on March 24, 2016. The existing facility includes a 2,613 square-foot building with a 1,326 square-foot porch area (total 3,939 square feet) on a 2.50-acre parcel in the R-R(nb) Zone District. The facility hosts indoor services for approximately 12 followers on Saturday and Sunday mornings, year-round. Additionally, approximately 40 people visit the site during the following annual special events:

- Buddha's Birthday, one Sunday in May from 9am – 2pm
- Annual Parents Gratitude Day, one Sunday usually in August from 9am – 2pm
- Chinese/Vietnamese Lunar New Year, one day usually in February from early morning to late afternoon

The subject proposal (CUP No. 3773) would allow a 3,854 square-foot workshop building to be used by members of the temple to study religion and participate in group activities, and children do creative activities and learn new skills.

**CONDITIONAL USE PERMIT APPLICATION NO. 3787**

**ANALYSIS/DISCUSSION:**

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

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	<ul style="list-style-type: none"><li>• Front (Blythe Ave; west property line): 104 feet.</li><li>• Side (North property line): 21.10 feet</li><li>• Street Side (McKinley Ave., South property line): 216 feet</li><li>• Rear (East property line): 203 feet.</li></ul>	Yes
Parking	<ul style="list-style-type: none"><li>▪ 1 for each 5 fixed seats</li><li>▪ 1 for every 40 square feet seating area where there are no fixed seats.</li><li>▪ 1 for each 400 square feet of floor area outside the main assembly area</li></ul>	No change to the existing onsite parking (Note: The existing 29 parking spaces provided by CUP No. 3478 satisfies the parking requirement for the project).	Yes.
Lot Coverage	No Requirement	N/A	N/A
Separation Between Buildings	Minimum of six (6) feet between structures on the same parcel	N/A	N/A
Wall Requirements	See Section 822.3.050.G (Fences, Walls, and Hedges – Residential Standards)	None required. The property is secured by an existing wrought-iron fence	N/A
Septic Replacement Area	100 percent	N/A The workshop design does not include a restroom facility.	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A The workshop design does not include a facility that would use water	N/A

**Reviewing Agency/Department Comments:**

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed workshop meet the setback requirements of the RR Zone District. No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

### **Finding 1 Analysis:**

Staff review of the Site Plan demonstrates that the subject 2.5-acre project site is adequate in size to accommodate the proposed 3,854 square feet workshop building. The building will be used as an extra space for religious activities and will exceed the minimum setback requirements of the RR Zone District. The building will be setback approximately 21.10 feet from north property line (20 feet required), 216 feet from the south property line (35 feet required), 203 feet from the east property line (20 feet required), and 104 feet from the west property line (35 feet required).

The project site is developed with 29 parking spaces approved by CUP No. 3478 and SPR No. 8046. The current amount of parking spaces satisfies the parking requirement for the proposed project.

### **Recommended Conditions of Approval:**

Development shall be in accord with submitted Site Plan and Operational Statement and shall require a separate Site Plan Review application.

### **Finding 1 Conclusion:**

Based on the above information and with adherence to a Site Plan Review, recommended as a Condition of Approval, staff believes the site is adequate in size to accommodate the proposal.

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

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	No	N/A	No change
Public Road Frontage	Yes	McKinley Avenue: Poor condition Blythe Avenue: Good condition	No change
Direct Access to Public Road	Yes	McKinley Avenue: Three paved driveways Blythe Avenue: one paved driveway	No change No change
Road ADT		McKinley Avenue: Unknown Blythe Avenue: Unknown	No change
Road Classification		McKinley Avenue: Arterial	No change

		Existing Conditions	Proposed Operation
		Blythe Avenue: Arterial	
Road Width		<p>McKinley Avenue: 40-30-foot existing right-of-way north of section line (Per the Official Plan Line for West McKinley Avenue, the ultimate total road right-of-way for McKinley Avenue is 114-110 feet)</p> <p>Blythe Avenue: 20-30-foot existing right-of-way east of section line (Per the Official Plan Line for North Blythe Avenue, the total ultimate right-of-way for Blythe Avenue is 106 feet).</p>	Approval of CUP No. 3478 determined that the current church activities generate insignificant amount of traffic, therefore, no irrevocable offers of additional right-of-way (ROW) dedication for McKinley and/or Blythe Avenues is required. As the subject proposal will not add to the current traffic volume, no additional ROW is required for the project.
Road Surface		<p>McKinley Avenue: Paved (pavement width: 32.7 feet)</p> <p>Blythe Avenue: Paved (pavement width: 39.5 feet)</p>	No change
Traffic Trips		<p>24 one-way visitor trips (12 round trips) for religious services on Saturdays and Sundays, year round</p> <p>80 one-way visitor trips (40 round trips) per each of the three annual special events</p>	No change in traffic trips
Traffic Impact Study (TIS) Prepared	No	N/A	No TIS required by Fresno County Transportation Planning Unit
Road Improvements Required		N/A	None required

**Reviewing Agency/Department Comments:**

Fresno County Road Maintenance and Operations Division: Road right-of-way previously irrevocably offered for McKinley Avenue and Blythe Avenue per CUP 3748 shall be dedicated to the County of Fresno. Any improvements within this right-of-way shall be relocated behind the property line.

*(Note: No irrevocable offers of additional right-of-way dedication was required by CUP No. 3478 approved by Planning Commission on March 24, 2016, and none is required for the subject proposal due to no increase in traffic volume to the project site).*

Fresno County Development Engineering Section: If not already present, a 10-foot by 10-foot corner cut-off should be improved for sight distance purposes at any existing or proposed driveway accessing McKinley Avenue and Blythe Avenue. Any work done within the County road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Fresno County Road Maintenance and Operations Division. These requirements have been included as Project Notes.

Fresno County Transportation Planning Unit: The project will have a less than significant impact on county facilities. As such no TIS is required.

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

### **Finding 2 Analysis:**

The subject parcel currently has three paved driveway access (ingress and egress) off McKinley Avenue and one paved driveway access (egress) off Blythe Avenue. The proposed workshop will utilize these ingress and egress to utilize the existing 29 onsite parking spaces.

According to the Fresno County Road Maintenance and Operations Division, McKinley Avenue is a County-maintained road with an existing 40-30-foot right-of-way north of the section line which fronts the subject parcel. McKinley Avenue is an Arterial with an ultimate right-of-way of 114-110 feet per the Official Plan line for West McKinley Avenue. An irrevocable offer of 17-15 feet of additional right-of-way dedication is needed from the southern side of the subject parcel which abuts McKinley Avenue.

Also, according to the Fresno County Road Maintenance and Operations Division, Blythe Avenue is jointly maintained by the County and City of Fresno, and the portion of Blythe Avenue that fronts the subject parcel has a variable existing right-of-way which ranges from 20-30 feet east of the center line. Blythe Avenue is an Arterial with an ultimate right-of-way of 106 feet per official Plane Line for North Blythe Avenue. An irrevocable offer of dedication for 33-23 feet of additional right-of-way is needed from the western side of the subject parcel which abuts Blythe Avenue.

CUP No. 3478 was approved for the existing religious facility by the Planning Commission on March 24, 2016, with the determination that as irrevocable offer of dedication is not required for the project. The amount of traffic to be generated by the proposed use (approximately 24 one-way visitor trips for religious services on Saturdays and Sundays, and approximately 80 one-way visitor trips for three annual special events) was determined to be less than significant with no impact on area roadways. As the subject proposal will not add to the current traffic volume, staff has determined that the irrevocable offer called out in the paragraph above is not going to be required. The proposed workshop will provide additional space for the current church activities to be practiced by existing congregation and will not generate additional traffic to the site. The Fresno County Transportation Planning Unit did not express any traffic-related concerns and required no Traffic Impact Study.

### **Recommended Conditions of Approval:**

None



**Finding 2 Conclusion:**

Based on the above information, staff believes McKinley and Blythe Avenues will remain adequate in width and pavement to accommodate the traffic generated by the project. Finding 2 can be made.

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

**Surrounding Parcels**

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	4.08 acres	Single-family residence	R-R(nb)	Approximately 10 feet to the north
South	16,400 square feet	Single-family residence	R-R(nb)	Approximately 107 feet to the south
	18,400 square feet	Single-family residence	R-R(nb)	Approximately 104 feet to the south
	1.81 acres	Single-family residence	R-R(nb)	Approximately 85 feet to the south
	2.39 acres	Single-family residence	R-R(nb)	Approximately 113 feet to the southeast
East	2.08 acres	Two single-family residences	R-R(nb)	Approximately 55 feet to the east
West	4.44 acres	Elementary school (Central Unified McKinley Elementary School)	City of Fresno	None

**Reviewing Agency/Department Comments:**

Fresno County Permit and Operations Division: Plans, permit and inspection shall be required. The applicant shall complete ADA compliance plan and provide fire protection (fire sprinkler system) inside the building.

Fresno County Department of Public Health (Health Department): All water wells and septic systems that exist or have been abandoned within the project area, shall be properly destroyed by a licensed contractor. All construction related noise shall adhere to the Fresno County Noise Ordinance. The existing septic tanks shall be pumped, and the tanks and leach lines be evaluated by a licensed contractor possible repair, additions, or require the proper destruction of the system if it has not been serviced and/or maintained within the last five years. New sewage disposal system shall be installed under permit and inspection by the Fresno County Department of Public Works and Planning. At such time the applicant or property owner(s) decides to construct a water well, the water well contractor shall apply for and obtain a Permit to Construct a Water Well from Health Department. Facilities that use and/or store

hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. The project shall submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All water wells and/or septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor. If any underground storage tank(s) are found during construction, an Underground Storage Tank Removal Permit shall be secured from the Fresno County Health Department.

Fresno Metropolitan Flood Control District (FMFCD): Any additional runoff generated by the proposed development shall be directed to the existing on-site storm water retention facility on the property until permanent FMFCD facilities become available. The development shall pay drainage fees at the time of development based on the fee rates in effect at that time (currently estimated \$10,142). Drainage and grading Plan shall be reviewed and approved by FMFCD prior to approval by the County.

Fresno Irrigation District (FID): A privately owned canal known as Tracy - S. Br. No. 44 runs through the project site. It is an active canal and shall be treated as such.

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

Fresno County Development Services Division: An engineered grading and drainage plan shall be required to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. Any existing or proposed entrance gate shall be set back a minimum of 20-foot from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward. A grading permit/voucher is required for any grading proposed with the project.

City of Fresno, Department of Public Utilities: The nearest water main to serve the proposed project is a 14-inch main located in North Blythe Avenue. City water facilities extend along the entire frontage of the project area. The existing property is currently served with 1 (one) 1.0-inch water service (inactive; no meter). The existing well on the property shall provide fire flow as well as meet the domestic needs of the new development.

The nearest sanitary sewer mains to serve the project are an 8-inch sewer main located in North Blythe Avenue, and a 15-inch sewer main located in West McKinley Avenue. City sanitary sewer facilities extend along the entire frontage, and the southern border of the project area. These sewer mains are currently inactive. Pursuant to FMC Section 6-303(c) the property shall connect to the regional sewer system within three years after the regional sewer system becomes available.

Fresno Metropolitan Flood Control District, San Joaquin Valley Air Pollution Control District; North Kings Groundwater Sustainability Agency (GSA); San Joaquin Valley Air Pollution Control District; U.S. Fish and Wildlife Service; California Department of Fish and Wildlife; State Water Resource Control Board, Division of Drinking Water, Fresno County Water and Natural Resources Division: No concerns with the proposal.

### **Finding 3 Analysis:**

The project site is developed with a 3,939 square-foot religious facility along with parking and related improvements. The site is in a predominately urbanized area marked by residential subdivisions. The McKinley Elementary School is located to the west of the site across from Blythe Avenue.

The proposed improvement on the property includes a 3,478 square-foot 19.7-foot-tall workshop building to be used as an extra space for religious activities. The building design, height, and construction would match the existing buildings on the property and would bring no significant visual change in the area. Additionally, the existing heavy vegetation along westerly and northerly boundaries of the project site would obscure majority of the building from the street (Blythe Ave) and the parcel to the north.

An Initial Study prepared for this project has identified potential impacts to cultural resources. To mitigate cultural resources impact, if artifacts are uncovered during the construction, all work will be stopped, and a qualified archeologist will be contacted to evaluate the finds. This requirement has been included as a Mitigation Measure (Exhibit 1).

Potential impacts related to hazards and hazardous materials, hydrology and water quality, noise, and public services are less than significant. The project will: handle any hazardous material according to local and state code of regulations; hold additional groundwater runoff onsite; adhere to Fresno County Noise Ordinance and comply with the California Code of Regulations Title 24 – Fire Code, for construction of the project. These requirements have been included as Project Notes (Exhibit 1) and will be addressed through the Site Plan Review process. The Site Plan Review will also address design of parking and circulation areas, fencing, site access, grading and drainage, fire protection, landscaping, signage, and lighting.

Pursuant to Assembly Bill (AB) 52, the project was routed to four tribes 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 for the project except Table Mountain Rancheria (TMR) who requested to be informed in the unlikely event that cultural resources are identified on the site. The Mitigation Measure included in the CULTURAL ANALYSIS section of Exhibit 7, will minimize any impact to cultural resources to less than significant.

### **Recommended Conditions of Approval:**

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

### **Finding 3 Conclusion:**

Finding 3 can be made based on the above information above and with adherence to the Mitigation Measure, Conditions of Approval, and Project Notes (Exhibit 1), staff believes that the proposal will not adversely affect the surrounding properties.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<b><i>General Plan Policy PF-C. 16: The County shall, prior to consideration of any discretionary project related to land use,</i></b>	The project is not located in a water-short area of Fresno County. The proposed worship building design does not include restroom or other facility that would require

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<i>require a water supply evaluation be conducted.</i>	use of water. As such, there will be no impact on groundwater resources. A condition of approval from the City of Fresno Department of Public Utilities, would require that the existing well on the property shall provide for fire flow as well as meet the domestic needs of the temple. The project meets this policy.
<b>General Plan Policy PF-D. 6:</b> <i>The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.</i>	The proposed workshop building design does not include a restroom facility which would require onsite sewage disposal system. A condition of approval from the City of Fresno, Department of Public Utilities would require that the subject property shall connect to the city's sewer system within three years after it becomes available to it. The project meets this policy.

#### **Reviewing Agency Comments:**

Policy Planning Section of the Department of Public Works and Planning: The subject property is designated Rural Residential within the Fresno High-Roeding Community Plan. The General Plan Policies for the project are outlined in the Table above,

Policy PF-C.17 requires sustainable water supply for the project and Policy PF-D.6 requires individual on-site sewage disposal systems with no adverse effects on groundwater quality.

#### **Finding 4 Analysis:**

The project meets General Plan Policies as discussed in Relevant Policies and Consistency/Consideration Table above.

Regarding consistency with Policy PF-C.17 The proposed workshop building design does not include any facility which would require use of water. As such, there will be no impact on groundwater resources. Likewise, regarding consistency with Policy PF-D.6, the proposed workshop design does not include a restroom or a kitchen that would require a wastewater disposal system. The project will utilize the existing restroom within the temple on the property.

#### **Recommended Conditions of Approval:**

None

#### **Finding 4 Conclusion:**

Finding 4 can be made based on the above information, the project is consistent with the General Plan policies.

#### **PUBLIC COMMENT:**

None.

**SUMMARY CONCLUSION:**

Staff believes that the proposal to allow the addition of a 3,854 square-foot workshop in the RR Zone District is consistent with the Fresno County General Plan and will have less than significant impacts on the surrounding properties.

**SUMMARY RECOMMENDATION:**

Based on the factors cited in the analysis, all the required Findings for granting the Classified Conditional Use Permit can be made. Staff therefore recommends adoption of the proposed Mitigated Negative Declaration prepared for the project based on Initial Study No. 8461, and approval of Classified Conditional Use Permit Application No. 3773 subject to a Mitigation Measure and Conditions of Approval.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8461; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3773, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**Alternative Motion** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit No. 3773; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**Mitigation Measures, Recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

EA:

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## EXHIBIT 1

**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 8461**  
**Classified Conditional Use Permit Application No. 3773**

## EXHIBIT 1

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1..	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PWP)	As noted
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Elevations, and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permits, a Site Plan Review application shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include but not limited to the design of parking and circulation areas, wall/fencing, access, on-site grading and drainage, right-of-way dedication, fire protection, landscaping, signage, and lighting.				
3.	Per the City of Fresno Department of Public Utilities, the nearest water main to serve the proposed project is a 14-inch main located in North Blythe Avenue. City water facilities extend along the entire frontage of the project area. The existing property is currently served with 1 (one) 1.0-inch water service (inactive; no meter). The existing well on the property shall provide for fire flow as well as meet the domestic needs of the proposed development.				
4.	Per the City of Fresno Department of Public Utilities, the nearest sanitary sewer mains to serve the project are an 8-inch sewer main located in North Blythe Avenue, and a 15-inch sewer main located in West McKinley Avenue. City sanitary sewer facilities extend along the entire frontage, and the southern border of the project area. However, these sewer mains are not currently active. Per the Fresno Municipal Code (FMC), Section 6-303(c) the subject property shall connect to the city's sewer system within three years after it becomes available.				

5.	Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of Landscape and Irrigation plans per the Governor's Drought Executive Order of 2015. The Landscape and Irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review Unit for review and approval prior to the issuance of building permits.
6.	All parking and circulation areas that are not concrete or asphalt concrete paved shall be treated with a dust palliative to prevent the creation of dust.

\*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

### Notes

**The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.**

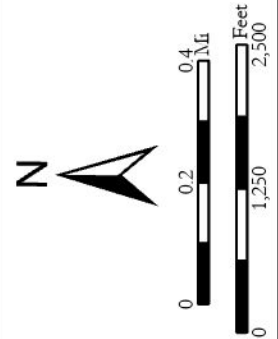
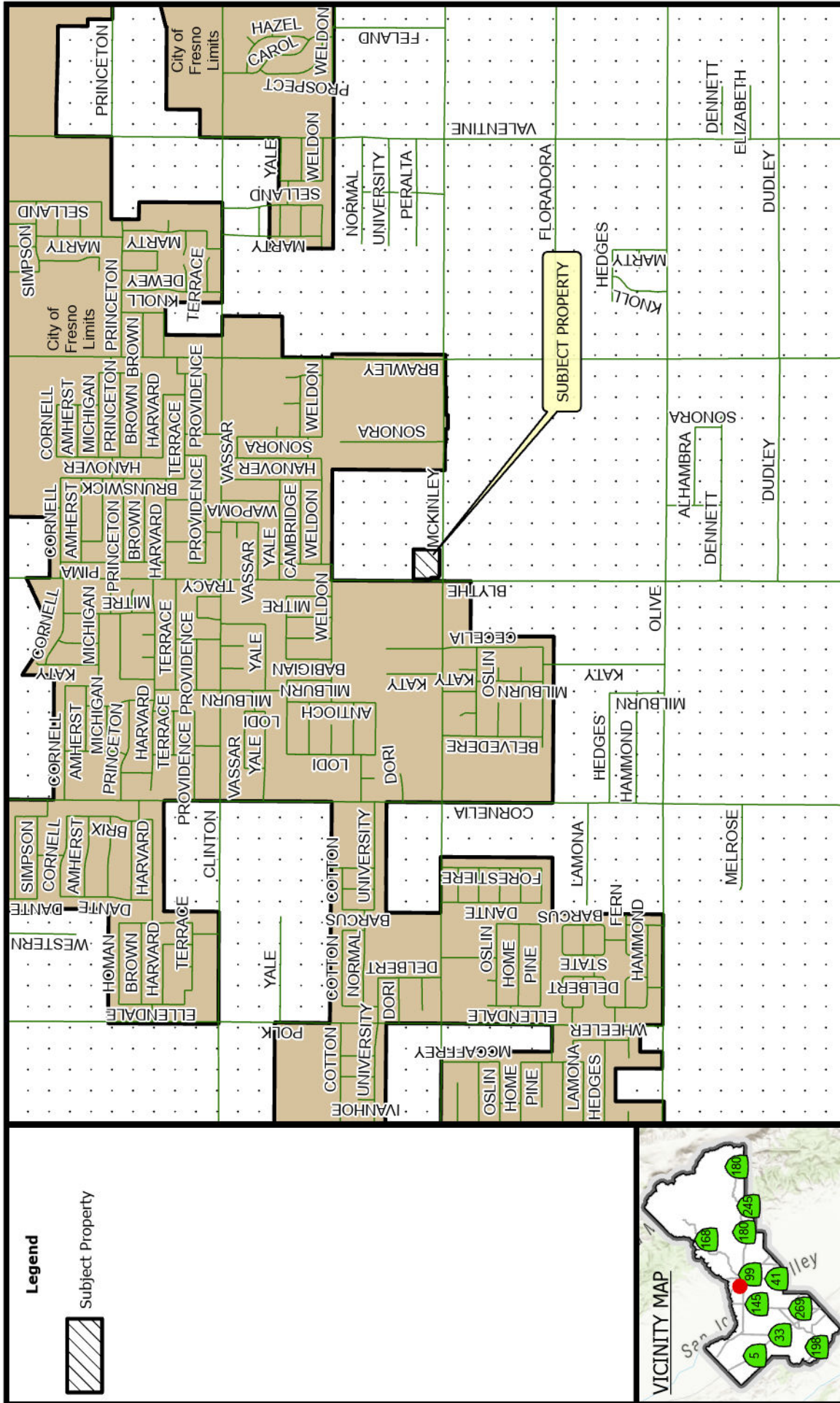
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period in excess of two years.
2.	Construction plans, building permits and inspections are required for all proposed improvements on the property, including all structures where permits have expired. The applicant shall apply for a change of occupancy permit, complete ADA compliance plan, and provide fire protection (fire sprinkler system) in the proposed workshop building. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for plans, permits and inspections.
3.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> <li>• An engineered grading and drainage plan should be required to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.</li> <li>• Any existing or proposed entrance gate should be set back a minimum of 20' from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.</li> <li>• Any additional storm water runoff generated by the development of this site cannot be drained across property lines or into the County road right-of-way, and must be retained on-site, per County Standards unless FMFCD specifies otherwise.</li> <li>• A grading permit/voucher is required for any grading proposed with this application.</li> <li>• If not already present, a 10-foot by 10-foot corner cut-off should be improved for sight distance purposes at any existing or proposed driveway accessing McKinley Avenue and Blythe Avenue.</li> <li>• Any work done within the County road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Fresno County Road Maintenance and Operations Division.</li> </ul>
4.	<p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:</p> <ul style="list-style-type: none"> <li>• All water wells and septic systems that exist or have been abandoned within the project area, shall be properly destroyed by a licensed contractor.</li> </ul>



Notes	
	<ul style="list-style-type: none"> <li>• All construction related noise shall adhere to the Fresno County Noise Ordinance.</li> <li>• The existing septic tanks shall be pumped, and the tanks and leach lines shall be evaluated by an appropriately licensed contractor for possible repairs, additions, or require the proper destruction of the system if it has not been serviced and/or maintained within the last five years.</li> <li>• New sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section.</li> <li>• 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.</li> <li>• Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. The project shall submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.</li> <li>• All water wells and/or septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor.</li> <li>• 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.</li> </ul>
5.	<p>To address public health impacts resulting from the project, Fresno Metropolitan Flood Control District (FMFCD) requires the following:</p> <ul style="list-style-type: none"> <li>• Any additional runoff generated by the proposed development can be directed to the existing on-site storm water retention facility on the property. however, once permanent FMFCD facilities become available, drainage can be directed to the street.</li> <li>• The development shall pay drainage fees at the time of development based on the fee rates in effect at that time (currently estimated to be \$10,142).</li> <li>• Drainage and grading plan shall be reviewed and approved by FMFCD prior to approval by the County.</li> </ul>
6.	The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 and shall submit construction plans to the County for prior to receiving North Central Fire Protection (NCFPD) conditions of approval for the project. It is the Applicant's responsibility to deliver a minimum of one set of plans to NCFPD.
7.	Per the Fresno Irrigation District, a privately owned canal known as the Tracy - S. Br. No. 44 runs through the property. It is an active canal and shall be treated as such.

EA:  
G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3700-3799\3773\SR\CUP 3773 MMRP (Ex 1).docx

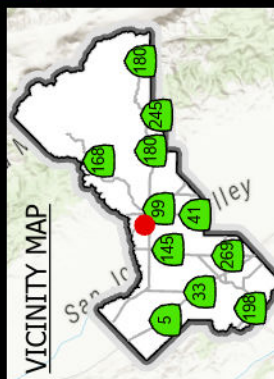




# LOCATION MAP

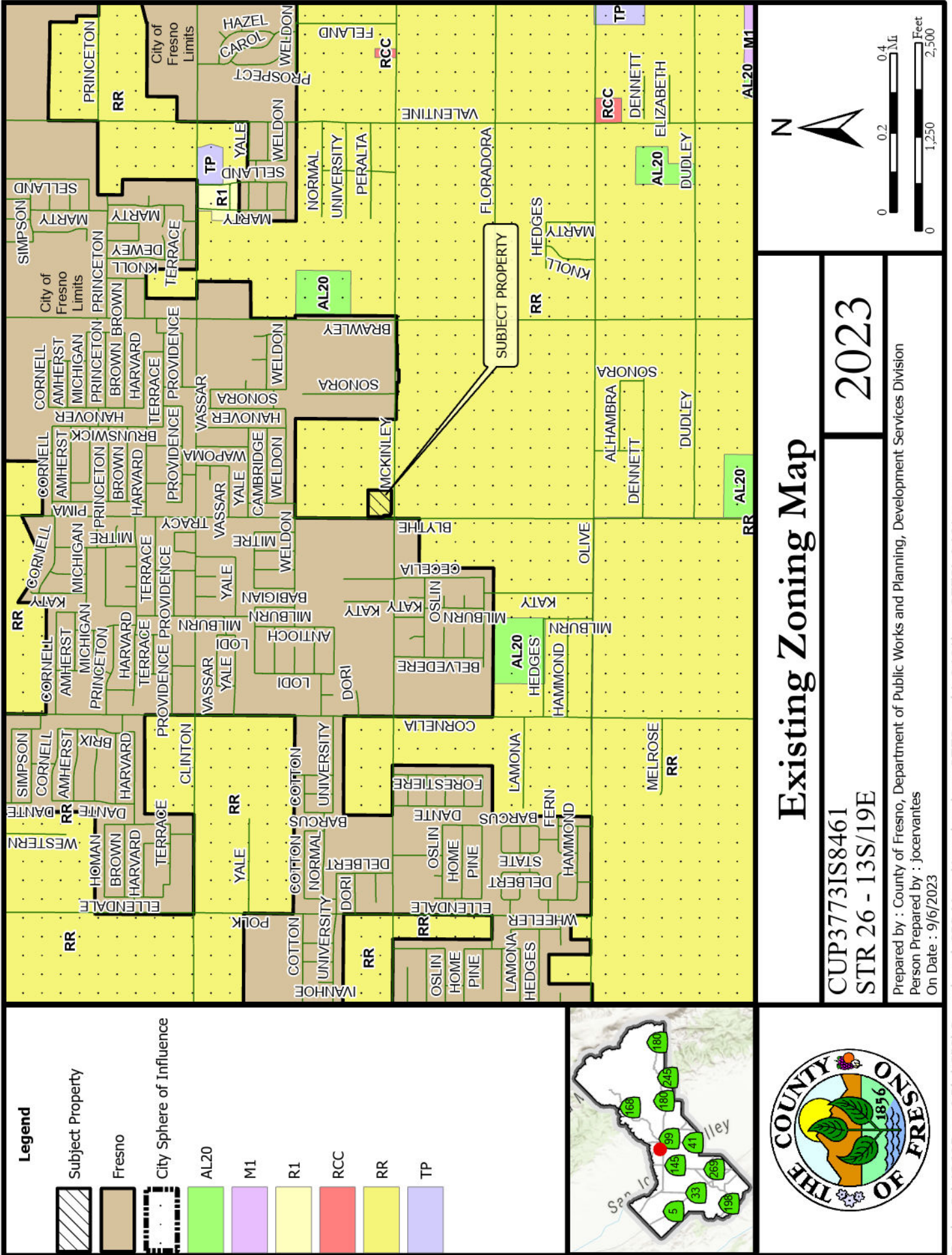
CUP3773IS8461 | 2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : Jocerant  
 On Date : 9/6/2023









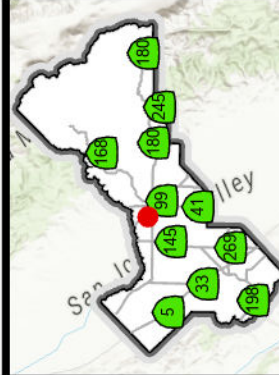


**LEGEND:**



Subject Property

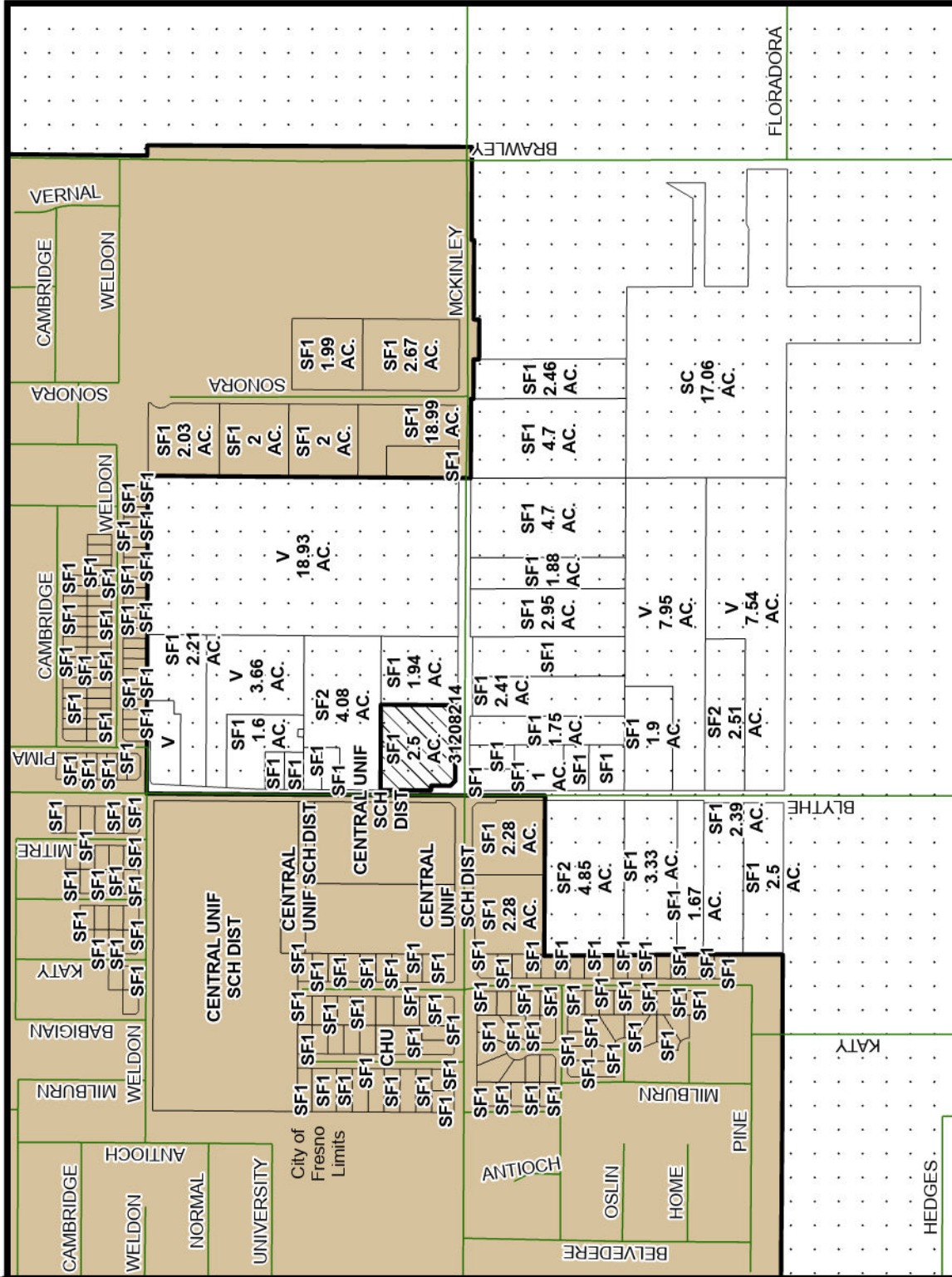
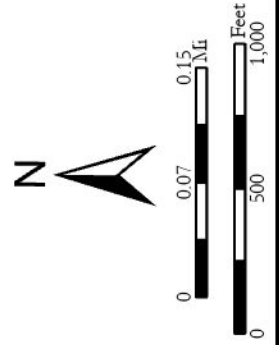
LEGEND
CHU - CHURCH
SC - SEASONAL CROP
SF#- SINGLE FAMILY RESIDENCE
V - VACANT



# Existing Land Use Map

## CUP3773IS8461 2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
Person Prepared by : Jocerantres  
On Date : 9/6/2023

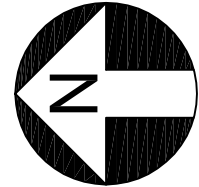
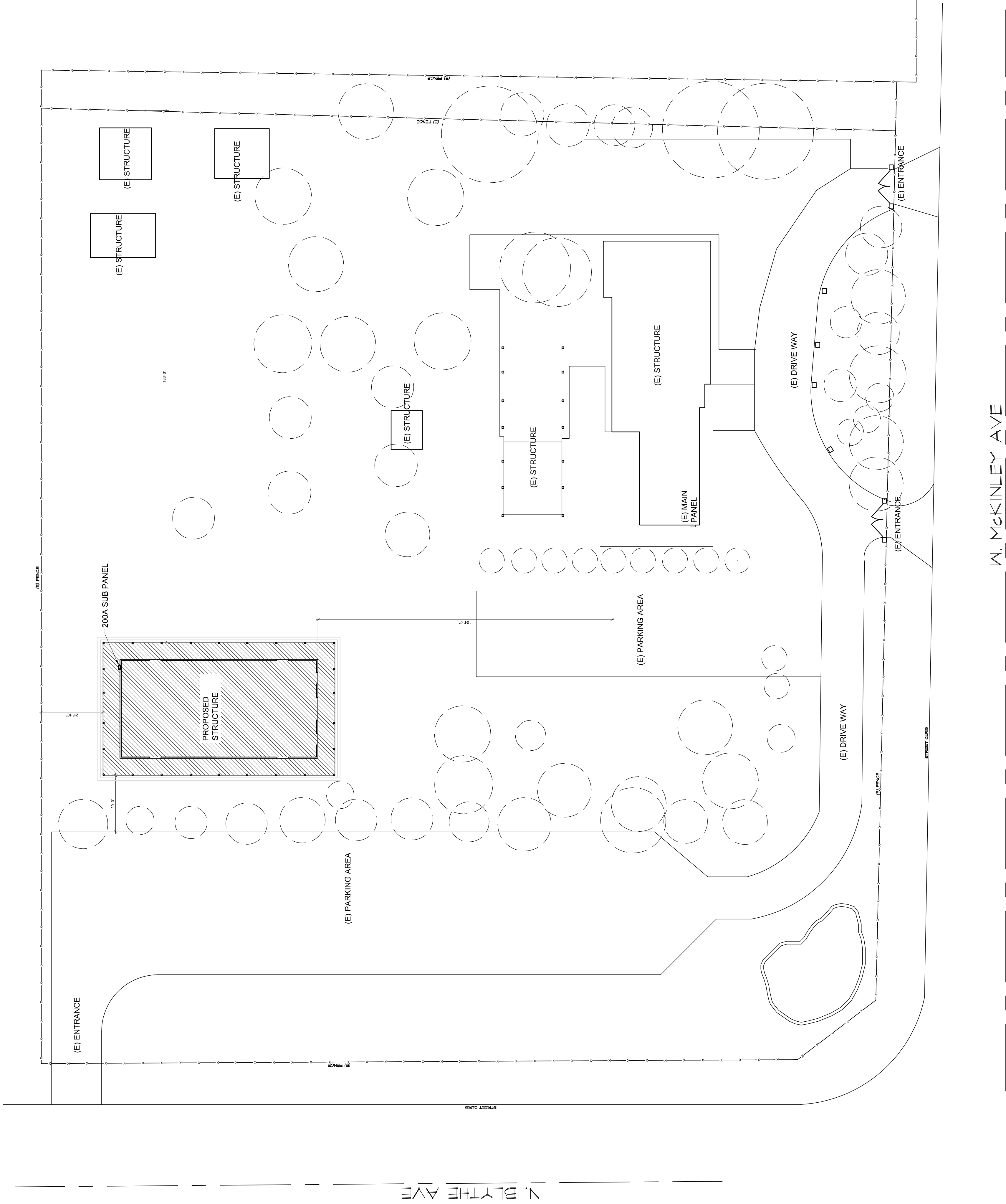






WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. Contractors and home owner builders shall verify and be responsible for dimensions and conditions of the project. Finline Drafting services must be notified of any variation from the dimensions, conditions and specification appearing on this plan.

SEE page A1.2 &  
AG1 for Building  
Code requirements



SITE PLAN

SCALE 1"=20'

OWNER / CONTRACTOR NOTE:  
ALL OF THE VERIFYING PLUS /  
MINUS DIMENSIONS ON THE  
PLANS ARE TO BE DISCUSSED  
WITH THE DESIGNER OR  
ENGINEER BEFORE THE  
CONSTRUCTION BY THE  
CONTRACTOR AND OWNER.

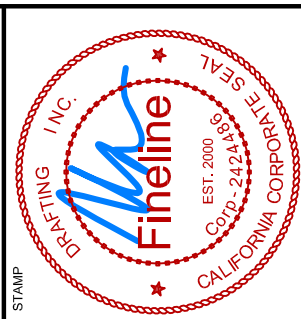
PROJECT	22-138
DATE	05/24/2023
DESIGNER	DV
Sheet	

A2

CONTRACTOR	TOMMY TRAN
LIC.	

PROJECT NAME	4354 W. MCKINLEY AVE FRESNO, CA 93722
--------------	--

SHEET TITLE	SITE PLAN
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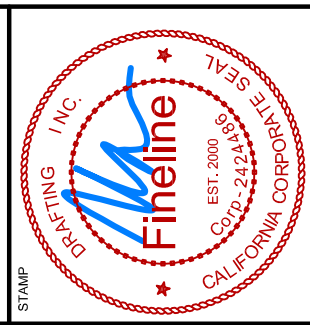
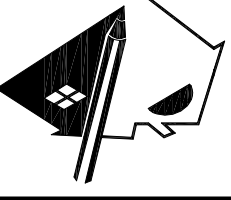


Fine line DRAFTING INC. fline300@comcast.net www.flineinc.com 5330 Primrose Drive suite 119, Sacramento, CA 95841	
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SEE page A1.2 &  
AG1 for Building  
Code requirements

PH (916) 332 2282  
Fline  
DRAFTING INC.  
fline300@Comcast.net  
www.flineDinc.com  
5330 Primrose Drive suite 119, Sacramento, CA 95841



FLOOR PLAN  
SHEET TITLE

4354 W. MCKINLEY AVE  
FRESNO, CA 93722

PROJECT NAME

CONTRACTOR  
TOMMY TRAN  
LIC.

PROJECT  
22-138

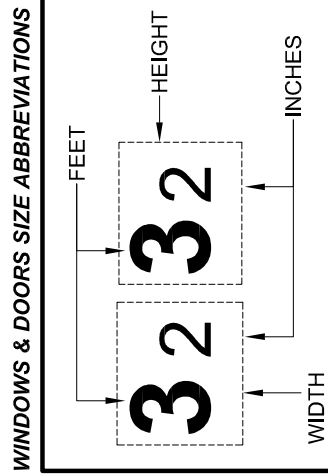
DATE  
05/24/2023

DESIGNER  
DV  
Sheet

A3

OWNER / CONTRACTOR NOTE:  
ALL OF THE VERIFYING PLUS / MINUS DIMENSIONS ON THE PLANS ARE TO BE DISCUSSED WITH THE DESIGNER OR ENGINEER BEFORE THE CONSTRUCTION BY THE CONTRACTOR AND OWNER.

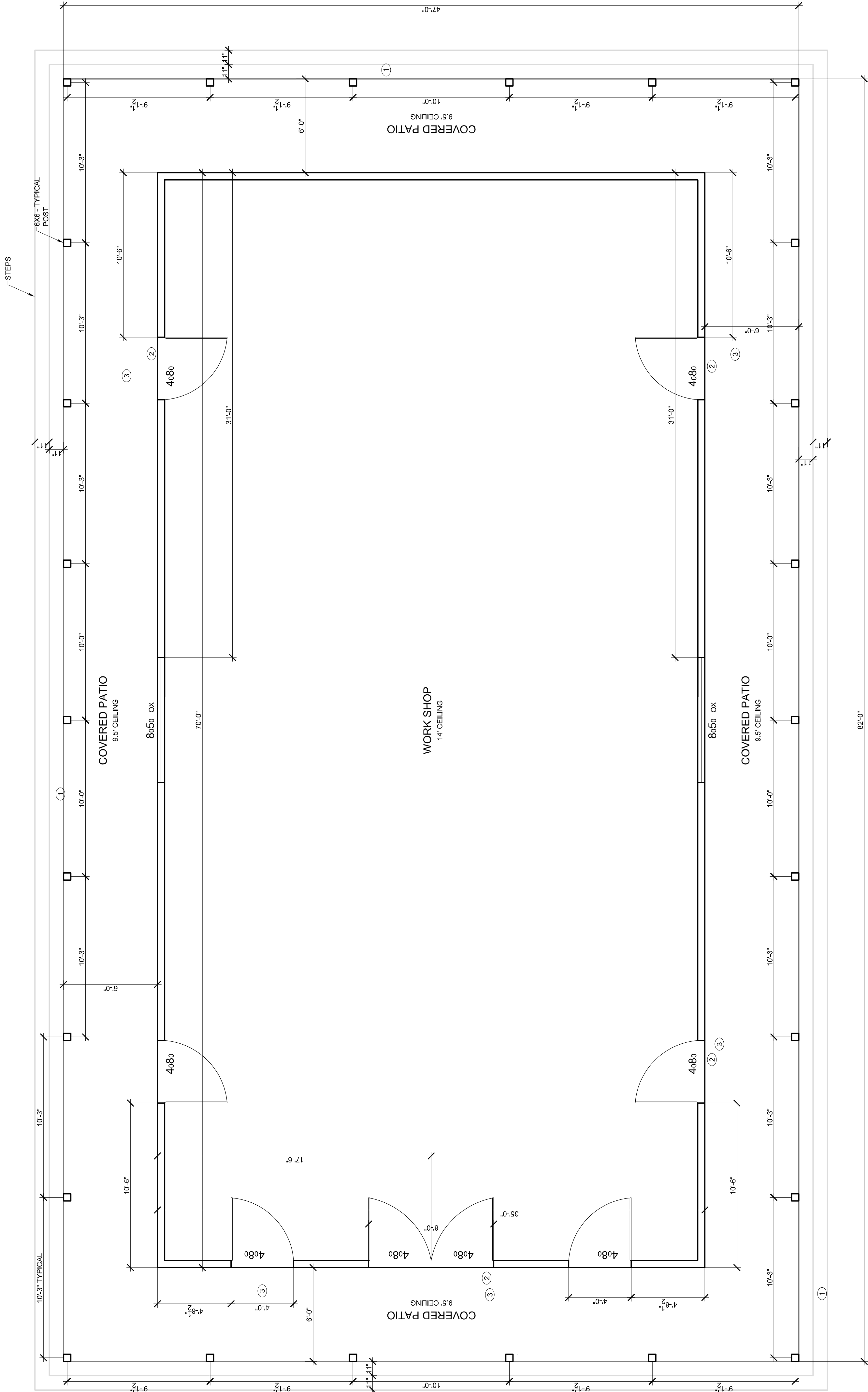
Window Abbreviations  
OX - Hoz. Slide Window  
TS - Above Transom  
FX - Fik Window  
SH - Single Hung Type  
CS - Casement Type  
AW- Awning Type



- KEY NOTES
- 1 Rise and run of stairway are 4 inch min./7.75 inch max. of rise, and 11 inch (min. concrete) of run. Provide a nosing of 1" for the stairway treads less than 11 inches in depth.
  - 2 Minimum 36" deep landing outside the main exterior egress door, the landing shall not be more than 7.75' lower than the threshold for the main entrance in-swing door, (1-1/2" for out swinging)
  - 3 Landing/Patio pad shall have MAX. 2% slope away from foundation - typ.

# FLOOR PLAN

SCALE 1/4" = 1'-0"





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SEE page A1.2 &  
AG1 for Building  
Code requirements

ATTIC ROOF VENTILATION CALCULATIONS

(PER 2019 R806.2 EXCEPTION 2)

GROSS VENTILATION REQUIRED

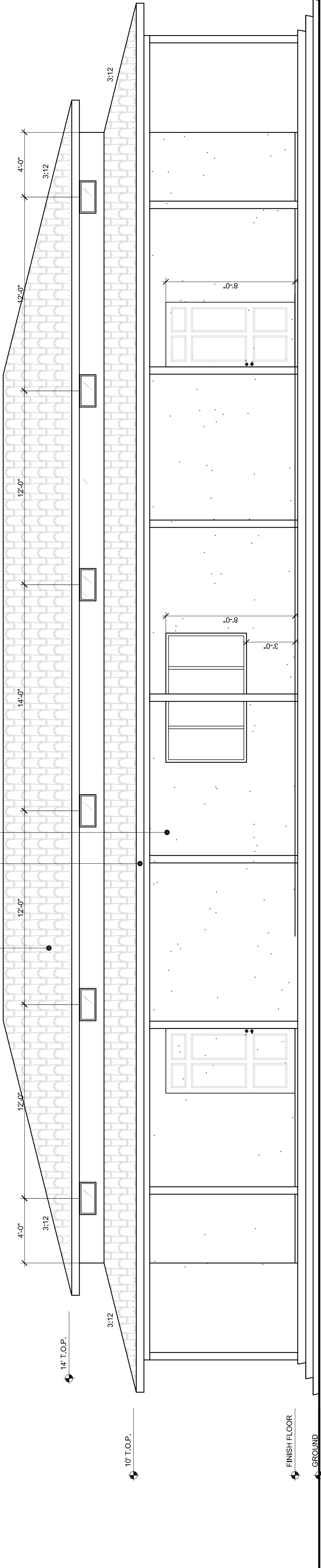
AREA VENTILATED	VENTILATION RATE	TH	300	1800	SQ. IN.
3854					

GROSS VENTILATION REQUIRED

VENTILATOR TYPE	SIZE	QUANTITY	AREA/ UNIT (ratio 1/150)	DESIGNED AREA
S MODEL - roof	20"x20"	9	98 SQ. IN.	882 SQ. IN.
Eave Vent	22.5" x 3.5"	18	55 SQ. IN.	990 SQ. IN.
TOTAL				1872 SQ. IN.

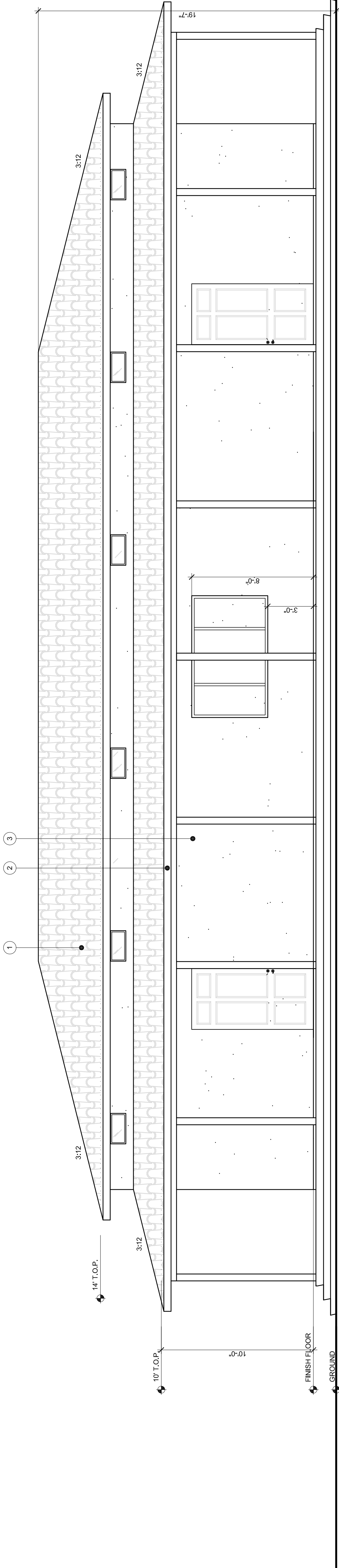
NOTE

Vent calculation is based from the Construction Metal Inc. product @ gable ends. OR OHANGINS INC. on roof finishing. The replacement vents shall have the same value or better.



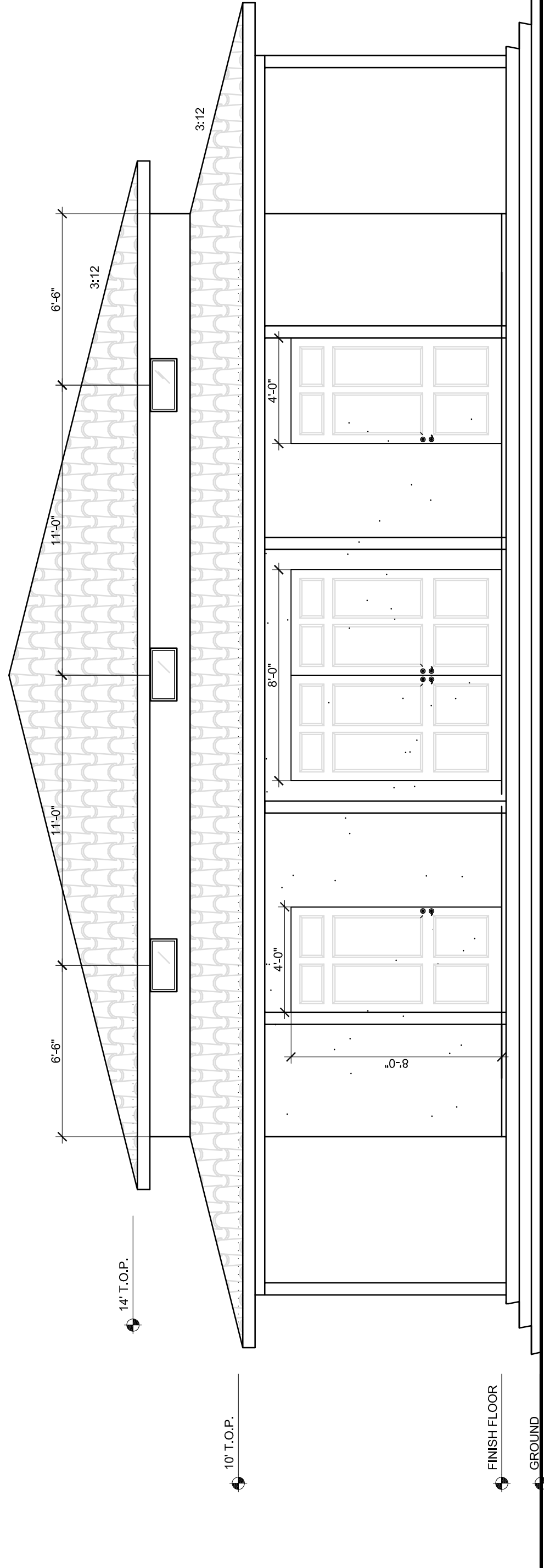
LEFT ELEVATION

SCALE 1/4" = 1'-0"



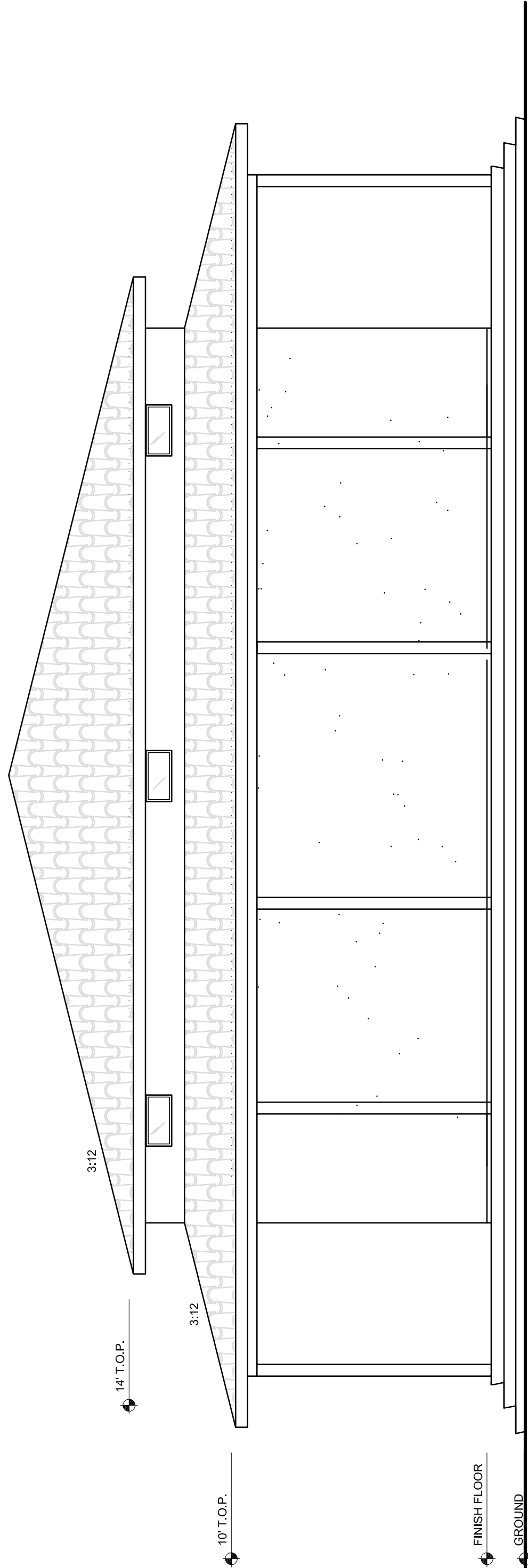
RIGHT ELEVATION

SCALE 1/4" = 1'-0"



FRONT ELEVATION

SCALE 1/4" = 1'-0"



REAR ELEVATION

SCALE 1/4" = 1'-0"

LEGEND

1. Class A concrete tile roof over 3/8" felt layer. Color and style per owner selection.

2. 7" metal gutter attached directly to trusses' s overhanging ends.

3. 1 COAT STUCCO SYSTEM

- 15# Moisture layer overlay,
- then 1" foam layer, wire mesh,
- 1 coat base stucco 3/8" to 1/2" thick 4) finish coat stucco. Apply primer layer before the finish layer is optional.
- has 25-ounce polyurethane sealer spread at foundation plate line at least 4-inches above grade or 2-inches above concrete or paving.



## EXHIBIT 6

### **Thien An Buddhist Temple and Cultural Center of Fresno - Proposed Workshop**

#### *Board of Directors*

*Mr. Sy Nguyen Le, President*

*Mr. Vuong Tran, Vice President*

*Mr. Truc Van Nguyen, Secretary*

*Ms. Kimyen T. Pham, Treasurer*

### **Operational Statement**

#### Nature of Operation of Existing Temple

Thien An Buddhist Temple and Cultural Center of Fresno is a non-profit religious organization. This facility is used for worship services and religious activities such as prayer and meditation. There is a resident monk who is there daily and serves as the caretaker of the facility. There are also 12 regular followers who operate out of the facility on Saturday and Sunday mornings to practice Buddha's teachings. There may also be guests on site to participate in weekly prayer and on special annual ceremonies.

#### Nature of Operation of New Proposed Workshop

The proposed facility will serve as a workshop where members of the temple can study religion, participate in group activities, and children can learn new skills. The workshop will be an extra space for activities to practice Buddha's teachings, as well as creative activities that members of the temple can enjoy. The operation hours of this workshop are estimated to be 10 AM to 3 PM three to four days a week. Approximately 10 to 20 people will be attending these activities.

#### Logistics of the Proposed Workshop

There are no employees, just members of the temple. There is existing parking on the lot, which consists of about 30 concrete parking stalls. Items will not be sold on site. No equipment is to be used on site. No supplies or material are used or stored. The use does not create any unsightly appearance such as noise, dust, or odor. No liquid or solid waste will be produced in this new facility. There will not be water usage in this new workshop, but the current temple uses approximately 30-40 gallons of water. There will be no proposed advertising. The existing temple will remain in use as described above. The proposed building will be used as an extra space for temple related activities. No outdoor lighting or amplification system will be added. All fencing is existing, will remain in use, and no more fencing or landscaping will be added.





# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Tommy Tran

APPLICATION NOS.: Initial Study No. 8461; Classified Conditional Use Permit  
Application No. 3773

DESCRIPTION: Allow the addition of a 3,854 square-foot workshop building for religious activities to an existing religious facility (Buddhist Temple) located on a 2.5-acre parcel in the R-R (Rural Residential; two-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the northeast corner of McKinley Avenue and Blythe Avenue, approximately 40 feet east of the nearest city limits of the City of Fresno (4354 W. McKinley Avenue) (Sup. Dist.: 1) (APN: 312-082-14).

### 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 area is comprised of residential land uses. Neither the project site nor any surrounding land use contains features typically associated with scenic vistas (e.g., ridgelines, peaks, overlooks) that could be impacted by the project. The site is developed with a religious facility (temple) and contains no rock outcropping, or historic buildings. Blythe and McKinley Avenues that provide access to the site are not designated as scenic drives in the County General Plan. The project will not affect 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:**

As noted above, the project is in a predominately urbanized area marked by residential subdivisions. The McKinley Elementary School is located to the west of the project site across from Blythe Avenue.

The existing improvements on the property include a 3,939 square-foot religious facility with parking and related improvements. The proposed improvement on the property includes a 3,478 square-foot 19.7-foot-tall workshop building to be used for church related activities. The building design, height, and construction would match the existing buildings on the property and therefore would not bring any significant visual change in the area. Additionally, the existing heavy vegetation along westerly and northerly boundaries of the project site would obscure majority of the building view from street (Blythe Ave) and the parcel to the north.

The project impact on visual character or quality of the site and its surroundings would be less than significant.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

Any outdoor lighting that might have the potential of generating glare in the area is limited by Zoning Ordinance section 820.3.020 which requires it to be "directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel, thereby minimizing off-site glare" and that "light sources shall be shielded to direct light rays onto the subject parcel only. The light source, whether bulb or tube, shall not be directly visible from an abutting property or public street rights-of-way.

**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: NO IMPACT:

The project will not convert Prime Farmland to non-agricultural use. The project site is designated as Rural Residential Land on 2016 Fresno County Important Farmland Map.

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

FINDING: NO IMPACT:

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

- C. Conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

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

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

### III. AIR QUALITY

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Applicant provided an *Air Quality and Greenhouse Gas (AQ/GHG) Study* completed for the project by Yok Engineering, LLC dated *September 10, 2024*, and was provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for comments. The District expressed no concerns with AQ/GHG Study.

The construction and operation of the proposed project (workshop) would contribute the following criteria pollutant emissions: NO<sub>x</sub> (nitrogen dioxide), VOC (volatile organic compound), PM<sub>10</sub>, (particulate matters) PM<sub>2.5</sub> (particulate matters), SO<sub>x</sub> (sulfur dioxide), and CO (carbon mono-oxide).

The proposed facility would be consistent with the strategies recommended by the SJVAPCD's Air Quality Guidelines for General Plans. It is an ancillary use that would support existing temple activities and not generate additional vehicle trips and their associated emissions.

As discussed in Section III, B. below, emissions of NO<sub>x</sub>, VOC, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>x</sub>, and CO associated with the construction and operation of workshop would not exceed the District's significance thresholds. Additionally, the building would comply with the latest Title 24 energy efficiency requirements and result in less energy consumption and resulting air pollutant emissions associated with electricity generation.

Given the above discussion, the project would result in less than significant impacts related to conflicting with or obstructing the implementation of the SJVAPCD's Air Quality Plans.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The primary pollutants of concern during project construction and operation are NO<sub>x</sub> (nitrogen dioxide), VOC (volatile organic compound), PM<sub>10</sub>, (particulate matters) PM<sub>2.5</sub> (particulate matters), SO<sub>x</sub> (sulfur dioxide), and CO (carbon mono-oxide). The SJVAPCD's annual emission significance thresholds used for the project are: 10 tons per year NO<sub>x</sub>, 10 tons per year VOC, 15 tons per year PM<sub>10</sub>, 15 tons per year PM<sub>2.5</sub>, 27 tons per year SO<sub>x</sub>, and 100 tons per year CO.

Per the AQ/GHG Study, the annual construction air pollutant emissions (ton per year) associated with the project would be less than 1 for ROG, 1 for NO<sub>x</sub>, 1 for CO, and less than 1 for SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> which are less than the threshold of significance.

Regarding the project operation, the term "project operations" refers to the full range of activities that can or may generate criteria pollutant and GHG emissions when the project is functioning in its intended use. For projects, such as office parks, shopping centers, apartment buildings, residential subdivisions, and other indirect sources, motor vehicles traveling to and from the project represent the primary source of air pollutant emissions. Because the proposed workshop is an ancillary use and would supplement existing temple uses, no additional vehicle trips are anticipated related to the workshop.

The annual operational air pollutant emission (ton per year) associated with the project would be less than 1 for ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> which are less than the threshold of significance.

Based on the above discussion, the project impact on regional air quality would be less than significant.

C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located near residential uses and McKinley Elementary, School which are considered sensitive receptors.

*Per Air Quality/Greenhouse Gas (AQGHG) Study*, construction activities are subject to SJVAPCD regulations to control air pollution for architectural coatings and solvents as well dust emissions from soil disturbance (SJVAPCD Regulation VIII, Fugitive PM10 Prohibitions). In addition, the Project is subject to CARB (California Air Resources Board) engine exhaust regulations for both on road and offroad vehicles. Due to the relatively small scale of the proposed 3,854 square-foot workshop building, the Project would not involve a large amount of construction equipment. Due to the lack of substantial sources of construction related emissions and compliance with existing air pollutant regulations, construction activities associated with the proposed Project would not result in significant impacts related to the exposure of sensitive receptors to substantial pollutant concentrations.

During the operational phase, the proposed project is not expected to substantially contribute to pollutant concentrations or expose nearby residences and school due to the small scale of wood-working activities within the proposed workshop. Any use of solvents or architectural coatings related to the proposed use is regulated under SJVAPCD by limits for VOC content for architectural coatings and solvents. The proposed workshop would not involve additional vehicle trips nor other substantial sources of pollutants. As such, the Project would not result in significant impacts related to the exposure of sensitive receptors to substantial pollutant concentrations during the operations phase.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, and schools. The project site is near a school and single-family homes.

*Per Air Quality/Greenhouse Gas (AQGHG) Study*, odors during construction could include diesel engine exhaust, asphalt paving, and architectural coating (painting). These odors would be temporary and would dissipate over distance and as construction equipment moves around the site. Further, construction related odors would permanently cease upon completion of work. During the operations phase of the Project, the proposed workshop may use paints and solvents that have an olfactory presence, but it would be typical of small-scale use that would not pose a public

nuisance. In addition, the SJVAPCD addresses nuisances under Rule 4102 - Nuisance. This rule prohibits the discharge of air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to any considerable number of people or the public, or that endanger the comfort, repose, health, or safety of any such persons or the public. The project will comply with Rule 4102 and would not result in other emissions that would significantly affect a substantial number of people.

#### IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or
- 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 site is in a predominately urbanized area marked by residential subdivisions and is developed with a temple. Additionally, neighboring properties have also been developed with single-family residences and a public school. As such, neighboring properties have also been previously disturbed. This proposal was referred to the U.S. Fish and Wildlife Service (USFWS), which did not express any concerns related to the project. This proposal was also referred to the California Department of Fish and Wildlife (CDFW), which also did not identify any concerns related to the project. Therefore, no impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS; 3) Federally protected wetlands as defined by Section 404 of the Clean Water Act; and 4) the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

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

- 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:

This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

## V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The subject parcel is not located within proximity of any area designated to be highly or moderately sensitive for archeological resources. However, if cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be utilized to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement and incorporated into the project will reduce potential impacts to cultural resources to 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 shall be followed by photos, reports, video, and etc. If such*

*remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

## VI. ENERGY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

All project related 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 are submitted. These measures could include insulation; use of energy-efficient heating, ventilation, and air conditioning equipment (HVAC); solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; and other measures.

## VII. GEOLOGY AND SOILS

Would the project:

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

2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report relating to probabilistic seismic hazards, the project site is within an area of peak horizontal ground acceleration of 0 to 20 percent. Any impact resulting from seismic activity would be less than significant.

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 in an area of erosion hazards. Grading activities resulting from this proposal may result in loss of some topsoil due to compaction and overcovering of soil to prepare for the foundation for restroom and parking. However, the impact would be less than significant with the project requiring approval of an Engineered Grading and Drainage Plan and obtaining Grading Permit prior to the site grading.

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

FINDING: NO IMPACT:

The project site is flat with no topographical variations. The site bears no potential for on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse due to the project-related improvements. A soil compaction report may be required prior to the issuance of building permits to ensure the weight-bearing capacity of the soils for the building.

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

FINDING: NO IMPACT:

Per Figure 7-1 of the Fresno County General Plan Background Report, the project site is not in an area of expansive soils. However, the project construction will implement all applicable requirements of the most recent California Building Standards Code and will consider hazards associated with shrinking and swelling of expansive soils.

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

FINDING: NO IMPACT:

The proposed worship building design includes no restroom that would require a wastewater disposal system. The project will utilize the existing restroom within the temple on the property.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Project construction and operational activities would generate greenhouse gas (GHG) emissions. In the *Air Quality and Greenhouse Gas (AQ/GHG) Study* prepared for the project by Yok Engineering, LLC and dated *September 10, 2024*, GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2022.1.1.26.

Per the AQ/GHG Study, the principal source of construction GHG emissions would be internal combustion engines of construction equipment, on-road construction vehicles, and workers' commuting vehicles. The estimated construction GHG emissions for the Project would be 239 MTCO<sub>2e</sub>. Because impacts from construction activities occur over a relatively short period of time, they contribute a relatively small portion of the overall lifetime project GHG emissions. Construction emissions were amortized over a 30-year project lifetime and results in amortized construction emissions of 8 MTCO<sub>2e</sub>.

Operational GHG emissions are produced from vehicle trips, electricity usage, water consumption, natural gas for space and water heating, and gasoline powered landscaping and maintenance equipment and would be 24MT/year.



The project is an ancillary use to the existing religious facility (temple) and would not generate additional vehicle trips. The proposed project is estimated to result in GHG emissions of approximately 23 MT/year CO<sub>2</sub>e. This total, divided by the estimated the service population (800 persons per year) from the existing temple congregation would equate to an estimated 0.03 MT/year/SP CO<sub>2</sub>e. This is consistent with the 2030 General Plan per capita target of 4.0 MT/year/SP CO<sub>2</sub>e to meet the long-term goal of carbon neutrality by 2045. Impacts would be less than significant for the proposed project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project construction and operational emissions are not anticipated to conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Per the AQ/GHG Study, the project would be designed and operated in accordance with the applicable Title 24 regulations and the latest energy code standards, which impose energy and water conservation measures. Much of the energy usage in the project would consist of lighting and climate controls. Adherence to the energy requirements will ensure conformance with the State's and County of Fresno's goal of promoting energy and lighting efficiency. As such, the project would be consistent with the County's sustainability policies and regulations adopted for the purpose of reducing the emissions of GHGs. Therefore, the Project would be considered consistent with the County's plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gases and would result in a less than significant impact from GHG emissions.

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

According to the Fresno County Health Department, Environmental Health Division, the project shall be subject to the following requirements included as Project Notes: 1) Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health

and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5, and 2) the project shall submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

The project site is located to the east of McKinley Elementary School across from Blythe Avenue.

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

FINDING: NO IMPACT:

According to the search results of the Hazardous Waste and Substances Site List (CORTESE) from Department of Toxic Substances Control (DTSC) EnviroStor database, the project site is not listed as hazardous materials site. The project will not create hazards to the public or the environment.

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

FINDING: NO IMPACT:

The project site is not within an airport land use plan, within two miles of a public use airport, or in the vicinity of a private airstrip.

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

FINDING: NO IMPACT:

The project sites are in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project development does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. No impacts would occur.

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

FINDING: NO IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is outside of the State Responsibility area for wildland fire protection. The project will not expose people or structures to wildland fire hazards.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

According to the Fresno County Department of Public Health, Environmental Health Division, as a measure to protect groundwater, a Project Note would require that all water wells and septic systems that exist or have been abandoned within the project area, shall be properly destroyed by a licensed contractor.

According to the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW), offered no comments on the project by stating that it does not meet the definition of a public water system.

The Regional Water Quality Control Board, Central Valley Region did not comment on the project.

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

FINDING: NO IMPACT:

The proposed worship building does not include any facility which would require use of water. As such, there will be no impact on groundwater resources.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1. Result in substantial erosion or siltation on or off site?
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The project development will not substantially alter the existing drainage pattern of the site or will cause erosion or siltation on or off site, or runoff to flood on or off site.

Any changes in the absorption rates, drainage patterns, or the rate and amount of surface run-off resultant of site development for the proposed workshop building will be reduced with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code. In that regard, an engineered grading and drainage plan and a Grading Permit or voucher would be required prior to site development.

According to the Fresno Metropolitan Flood Control District, any additional runoff generated by the proposed development can be directed to the existing on-site storm water retention facility on the property.

According to Fresno Irrigation District (FID), no FID owned facility runs through the property except a privately owned canal known as the Tracy - S. Br. No. 44. It is an active canal and shall be treated as such.

- 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 located in a 100 Year Flood Inundation Area.

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

**FINDING: NO IMPACT:**

Reviewing agencies and departments did not express any concern with the project. the project will not conflict with or obstruct implementation of a water quality control plan or sustainable management plan.

**XI. LAND USE AND PLANNING**

Would the project:

- A. Physically divide an established community?

**FINDING: NO IMPACT:**

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

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

**FINDING     LESS THAN SIGNIFICANT IMPACT:**

The project site is within the City of Fresno Sphere of Influence (SOI). The City expressed no concerns with the proposal. The project will not conflict with any land use plan, policy, or regulation of the City of Fresno.

The project site is designated Rural Residential in the County General Plan and is zoned RR (Rural Residential, two-acre minimum parcel size) in the County Zoning Ordinance. The addition of the proposed workshop building to the existing religious facility (temple) is considered a compatible use on a RR zoned property subject to the approval of a discretionary land use application. The subject proposal is consistent with the General Plan.

**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:**

No impact to mineral resource would occur. The site is not in a mineral resource area identified in Policy OS-C.2 of the General Plan.

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

**FINDING:     LESS THAN SIGNIFICANT IMPACT:**

The nearest noise receptor a single-family residence located approximately 103 feet to the northwest and an elementary school located 200 feet to the west of the proposed worship building site could be affected by construction noise. As such, as required by the Fresno County Department of Public Health, Environmental Health Division, a Project Note would require that all construction related noise shall adhere to the Fresno County Noise Ordinance.

#### XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project will not result in an increase of housing, nor will it otherwise induce population growth.

#### XV. PUBLIC SERVICES

Would the project:

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

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the North Central Fire Protection District (NCFPD), the project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 and shall submit construction plans to the County for prior to receiving NCFPD conditions of approval for the project. This requirement will be included as a Project Note.

- 2. Police protection; or

- 3. Schools; or

- 4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not result in the need for additional public facilities, nor will it affect the existing public services.

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

FINDING: NO IMPACT:

The project will not conflict with any policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The project area is rural is not planned for any transit, bikeways, or pedestrian facilities per the Transportation and Circulation Element of the Fresno County General Plan.

Approximately 10 to 20 people will be attending the workshop where members of the temple can study religion, participate in group activities, and children can learn new skills.

The Transportation Planning Unit of the Fresno County Department of Public Works and Planning and the California Department of Transportation expressed no traffic-related concerns and required no Traffic Impact Study or Vehicle Miles Traveled (VMT) analysis for the project.

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

FINDING: NO IMPACT:

The proposed workshop site is situated within the boundary of an existing 2.5-acre temple site located at the northeast corner of N. Blythe and W. McKinley Avenues. The project site, as it currently exists with existing improvements does not create traffic hazards due to the roadway's configuration.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

No new access is proposed to the project site. The existing accesses to the site off N. Blythe and W. McKinley Avenues will remain intact and unchanged and will continue to provide for regular and emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project sites are not 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, Table



Mountain Rancheria (TMR) requested that 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. Also, 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:

The project does not require construction of any wastewater disposal system.

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

FINDING: NO IMPACT:

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

All solid wastes resulting from workshop activities will be collected for the local landfill through regular trash collection service and adhere to local and state standards for disposal of solid wastes.

## XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not in or near state responsibility area or land classified as very high fire hazard severity zones. No impact would occur.

## 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. Impact on cultural resources have been reduced to a less than significant level with the incorporation of a Mitigation Measure discussed in Section V. CULTURAL RESOURCES above.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

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

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

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

**FINDING: NO IMPACT:**

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

## **CONCLUSION/SUMMARY**

Based upon Initial Study No. 8461 prepared for Classified Conditional Use Permit Application No. 3773, 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 agriculture and forestry resources, biological resources, land use and planning, mineral resources, population and housing, recreation, transportation, utilities and service systems, or wildfire.

Potential impacts related to aesthetic, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services, tribal cultural resources and have been determined to be less than significant.

Potential impacts to Cultural Resources 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 southwest corner of Tulare and "M" Streets, Fresno, California.

EA:

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## EXHIBIT 8

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: IS 8461	<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
Applicant (Name): Tommy Tran	Project Title: Classified Conditional Use Permit Application No. 3773		
Project Description: Allow the addition of a 3,854 square-foot workshop building for religious activities to an existing religious facility (Buddhist Temple) located on a 2.5-acre parcel in the R-R (Rural Residential; two-acre minimum parcel size) Zone District. The subject parcel is located on the northeast corner of McKinley Avenue and Blythe Avenue, approximately 40 feet east of the nearest city limits of the City of Fresno (4354 W. McKinley Avenue) (APN: 312-082-14) (Sup.Dist.:1).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 8461) prepared for Classified Conditional Use Permit Application No. 3773, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to agriculture and forestry resources, biological resources, land use and planning, mineral resources, population and housing, recreation, transportation, utilities and service systems, or wildfire.  Potential impacts related to aesthetic, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services, and tribal cultural resources have been determined to be less than significant.  Potential impacts related to cultural resources have been determined to be less than significant with the included Mitigation Measure.  The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – October 9, 2024		Review Date Deadline: Planning Commission – November 14, 2024	
Date: October 4, 2024	Type or Print Name: David Randall, Senior Planner	Submitted by (Signature):	

State 15083, 15085

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

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**

EA:

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