



County of Fresno

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

DATE: February 29, 2024

TO: Department of Public Works and Planning, Attn: Steven E. White, Director
Department of Public Works and Planning, Attn: Bernard Jimenez,
Planning and Resource Management Officer
Development Services and Capital Projects, Attn: William M. Kettler,
Deputy Director of Planning
Development Services and Capital Projects, Attn: Chris Motta,
Division Manager
Development Services and Capital Projects, Attn: Tawanda Mtunga
Principal Planner
Development Services and Capital Projects, Current Planning, Attn: David Randall,
Senior Planner
Development Services and Capital Projects, Policy Planning, ALCC, Attn:
Mohammad Khorsand, Senior Planner
Development Services and Capital Projects, Zoning & Permit Review, Attn:
Daniel Gutierrez, Senior Planner
Development Services and Capital Projects, Site Plan Review, Attn:
James Anders, Senior Planner
Development Services and Capital Projects, Building & Safety/Plan Check, Attn:
Arnold Valdivia, Supervising Building Inspector
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
Road Maintenance and Operations, Attn: Wendy Nakagawa/Nadia Lopez
Design Division, Transportation Planning Unit, Attn: Hector Luna
Water and Natural Resources Division, Attn: Augustine Ramirez/Roy Jimenez
Department of Public Health, Environmental Health Division, Attn:
Deep Sidhu/Kevin Tsuda
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Patricia Cole,
Division Supervisor
CA Regional Water Quality Control Board, Attn:
centralvalleyfresno@waterboards.ca.gov
CA Department of Fish and Wildlife, Attn: R4CEQA@wildlife.ca.gov
State Water Resources Control Board, Division of Drinking Water, Fresno District,
Attn: Cinthia Reyes
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric
Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst
Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey/Cultural
Resources Director
Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman/
Hector Franco, Director/Shana Powers, Cultural Specialist II
Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director/Kim
Taylor, Cultural Resources Department/Sara Barnett, Cultural Resources
Department
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division),
Attn: PIC Supervisor

Fresno County Fire Protection District, Attn: fku.prevention-planning@fire.ca.gov

FROM: Ejaz Ahmad, Planner 
Development Services and Capital Projects Division

SUBJECT: Environmental Assessment No. 8547, Director Review and Approval Application No. 4760

APPLICANT: Mr. Charlie and Mrs. Tammy Maxwell

DUE DATE: March 14, 2024

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to amend DRA No. 4465 which allowed a commercial hoarse arena to allow boarding of 15 horses within an existing covered boarding stall on a 40-acre parcel in AL-40 (Exclusive Agricultural; 40-acre min. parcel size) Zone District. The subject parcel is located on the west side of Rusty Spur Lane (a private road), approximately 710 feet south of its intersection with Millerton Road, approximately three miles east of the unincorporated community of Friant (10925 Rusty Spur Lane) (APN 138-061-49).

The Department is also reviewing for environmental effects, as mandated by the California Environmental Quality Act (CEQA) and for conformity with plans and policies of the County.

Based upon this review, a determination will be made regarding conditions to be imposed on the project, including necessary on-site and off-site improvements.

We must have your comments by **March 14, 2024**. Any comments received after this date may not be used.

NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Ejaz Ahmad, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4204, or email eahmad@fresnocountyca.gov

EA
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Activity Code (Internal Review):2432

Enclosures



Fresno County Department of Public Works and Planning

Date Received: 02/15/24

DRA 4760

(Application No.)

MAILING ADDRESS:

Department of Public Works and Planning
Development Services Division
2220 Tulare St., 6th Floor
Fresno, Ca. 93721

LOCATION:

Southwest corner of Tulare & "M" Streets, Suite A
Street Level
Fresno Phone: (559) 600-4497
Toll Free: 1-800-742-1011 Ext. 0-4497

APPLICATION FOR:

- Pre-Application (Type) _____
- Amendment Application Director Review and Approval
- Amendment to Text for 2nd Residence
- Conditional Use Permit Determination of Merger
- Variance (Class)/Minor Variance Agreements
- Site Plan Review/Occupancy Permit ALCC/RLCC
- No Shoot/Dog Leash Law Boundary Other _____
- General Plan Amendment/Specific Plan/SP Amendment)
- Time Extension for _____

DESCRIPTION OF PROPOSED USE OR REQUEST:

Amend Directors Review & Approval (DRA) No. 4465 which allows operational commercial horse arena on a 40.05 +/- acre parcel in the AL-40 Zone District to allow equestrian boarding.

CEQA DOCUMENTATION: Initial Study PER N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. **Attach Copy of Deed, including Legal Description.**

LOCATION OF PROPERTY: West _____ side of Rusty Spur Lane
between south side of Millerton Rd. _____ and _____
Street address: 10925 Rusty Spur Ln. Clovis, CA 93619

APN: 138-061-49 Parcel size: 40.05 +/- Ac. Section(s)-Twp/Rg: S _____ - T _____ S/R _____ E

ADDITIONAL APN(s): _____

I, Maxine Sp... (for D.P.) (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

Mr. Charlie & Mrs. Tammy Maxwell	10925 Rusty Spur Ln.	Clovis	93619	559-299-0502
Owner (Print or Type)	Address	City	Zip	Phone
Rusty Spur Arena, Inc.	10925 Rusty Spur Ln.	Clovis	93619	559-299-0502
Applicant (Print or Type)	Address	City	Zip	Phone
Dirk Poeschel Land Development Services Inc.	923 Van Ness Ave., St. 200	Fresno	93721	559-445-0374
Representative (Print or Type)	Address	City	Zip	Phone

CONTACT EMAIL: maria@dplds.com

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: DRA 4760 Fee: \$ 1,330.⁰⁰

Application Type / No.: (Amend't to DRA 4465) Fee: \$

Application Type / No.: Fee: \$

Application Type / No.: Fee: \$

PER/Initial Study No.: Fee: \$

Ag Department Review: ER 8547 Fee: \$ 259.⁰⁰

Health Department Review: Fee: \$ 406.⁰⁰

Received By: EJ. Invoice No.: TOTAL: \$ 1,995.⁰⁰

UTILITIES AVAILABLE:

WATER: Yes / No

Agency: Private water well

SEWER: Yes / No

Agency: Private septic

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Sect-Twp/Rg: _____ - T _____ S/R _____ E

Related Application(s): _____

APN # _____ - _____ - _____

Zone District: _____

APN # _____ - _____ - _____

Parcel Size: _____

APN # _____ - _____ - _____

APN # _____ - _____ - _____



County of Fresno

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

PRE-APPLICATION REVIEW DISCLOSURE/DISCLAIMER

DRA 4760

Completion of a Pre-Application Review is no longer a mandatory step necessary in order to submit a land use or mapping application to the Fresno County, Department of Public Works and Planning, Development Services Division for processing. The purpose of the Pre-Application Review is to allow the customer and staff to exchange information and confirm the necessary application process, required fees, and submittal material prior to the customer paying the actual application fees. Specifically, during the Pre-Application Review process, staff researches and provides the following information:

- If the proposed use is allowed based on the zoning of the subject parcel; the type(s) of application(s) required to permit the proposal to be processed.
- If the subject site is a legal parcel (Note: If the parcel is not legally created, no land use/mapping application can be processed until the legality issue is resolved).
- The anticipated level of environmental review.
- If the project site is under the Williamson Act Contract and if the proposed use is permitted under the Contract.
- If the site is located within a special district and if special considerations may be applicable to the project.
- Required application forms, filing fees, and filing requirements/materials.

While the Pre-Application Review is an option for any prospective application, in those cases where an applicant opts not to file for completion of a Pre-Application Review; the information research noted above that typically results from the Pre-Application Review process may not be realized until after the application fees have been accepted and the project has been routed for comment. This being the case, unexpected issues may arise that could impact the processing timeline and cost of the application and/or impact the determination as to whether the application can even continue to be processed as originally submitted. *Please note that if the application cannot be processed as submitted, the processing fees expended thus far will not be refunded.*

By opting out of the Pre-Application Review process, I hereby acknowledge the potential for additional application processing delays and costs.

Dirk Poeschel Land Development Services, Inc.

PRINT NAME

PRINT NAME

SIGNATURE

SIGNATURE

DATE

DATE

C:\Users\rjimenez\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\7X83HHEA\F227 Pre-App Review Waiver 2016.docx



County of Fresno

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

DRA 4760

AGENT AUTHORIZATION

AUTHORIZATION OF AGENT TO ACT ON BEHALF OF PROPERTY OWNER

The Agent Authorization form is required whenever a property owner grants authority to an individual to submit and/or pursue a land use entitlement application on their behalf. This form must be completed by the property owner and submitted with the land use entitlement application to confirm that the property owner has granted authority to a representative to sign application forms on their behalf and represent them in matters related to a land use entitlement application.

The below named person is hereby authorized to act on my behalf as agent in matters related to land use entitlement applications associated with the property listed below.

Dirk Poeschel

Agent Name (Print or Type)

923 Van Ness Ave.

Mailing Address

559-445-0374

Phone Number

138-061-49

Project APN

Land Development Services, Inc

Company Name (Print or Type)

Fresno, CA 93721

City / State / Zip Code

dirk@dplds.com

Email Address

10925 Rusty Spur Ln. Covis, CA 93619

Project Street Address

A list consisting of ____ additional properties is attached (include the APN for each property).

Project Description (Print or Type):

Amend Directors Review & Approval (DRA) No. 4465 and Initial Study No. 6062 which allows operational commercial

horse arena on a 40.05 +/- acre parcel in the AL-40 Zone District to allow equestrian boarding.

The undersigned declares under penalty of perjury that they own, possess, control or manage the property referenced in this authorization and that they have the authority to designate an agent to act on behalf of all the owners of said property. The undersigned acknowledges delegation of authority to the designated agent and retains full responsibility for any and all actions this agent makes on behalf of the owner.

Charlie Maxwell

Owner Signature

11/26/24

Date

Charlie Maxwell

Owner Name (Print or Type)

559-299-0502

Phone Number

charliemaxwell@ymail.com

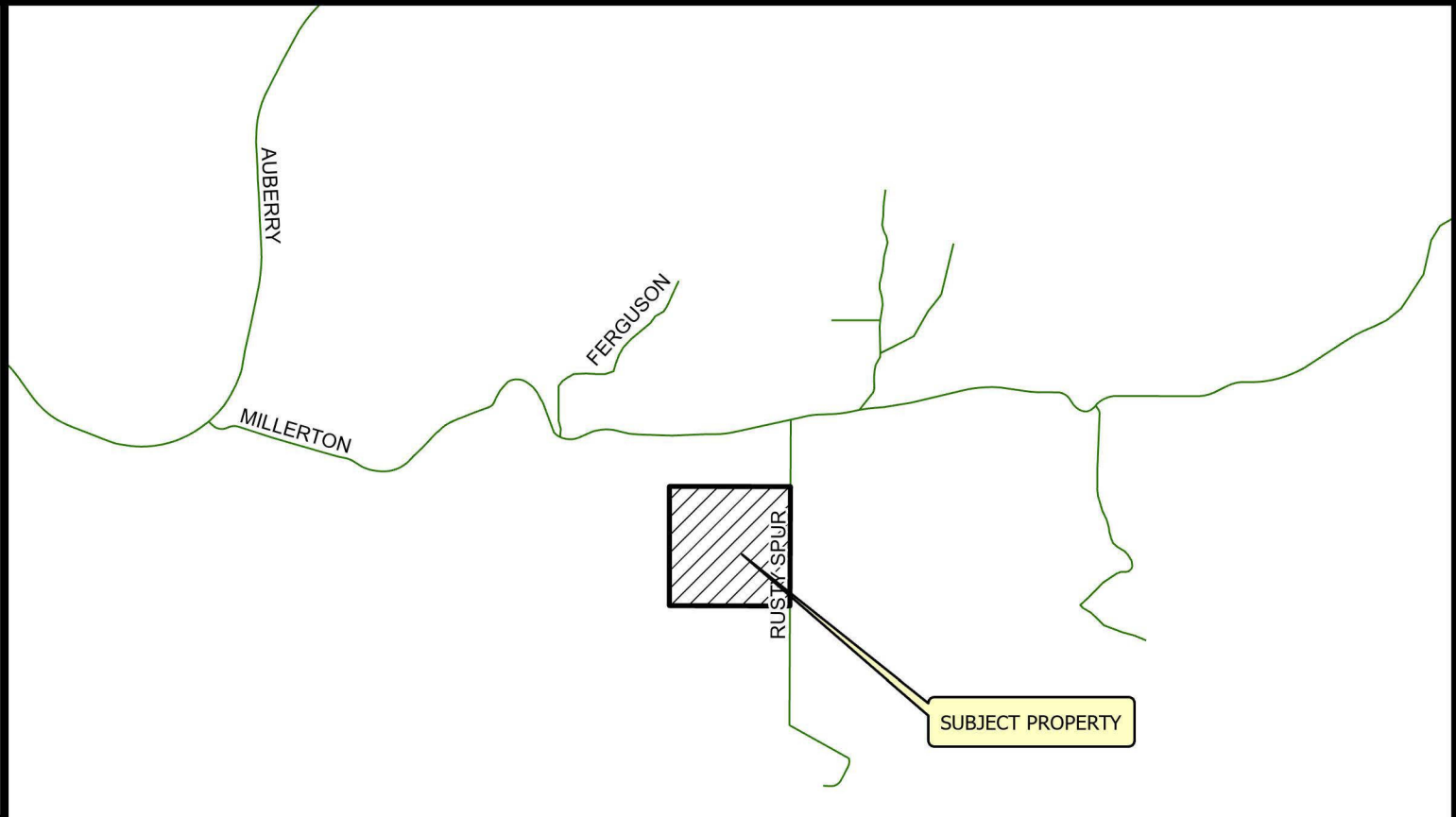
Email Address

** If the legal owner of the property is a corporation, company, partnership or LLC, provide a copy of a legal document with this authorization form showing that the individual signing this authorization form is a duly authorized partner, officer or owner of said corporation, company, partnership or LLC.*

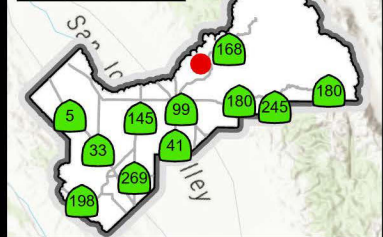
G:\4360Devs&PIn\FORMS\F410 Agent Authorization 8-14-19.doc

Legend

 Subject Property



VICINITY MAP

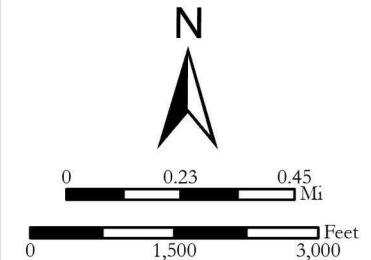


LOCATION MAP

DRA4760

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
Person Prepared by : jocervantes
On Date : 2/13/2024



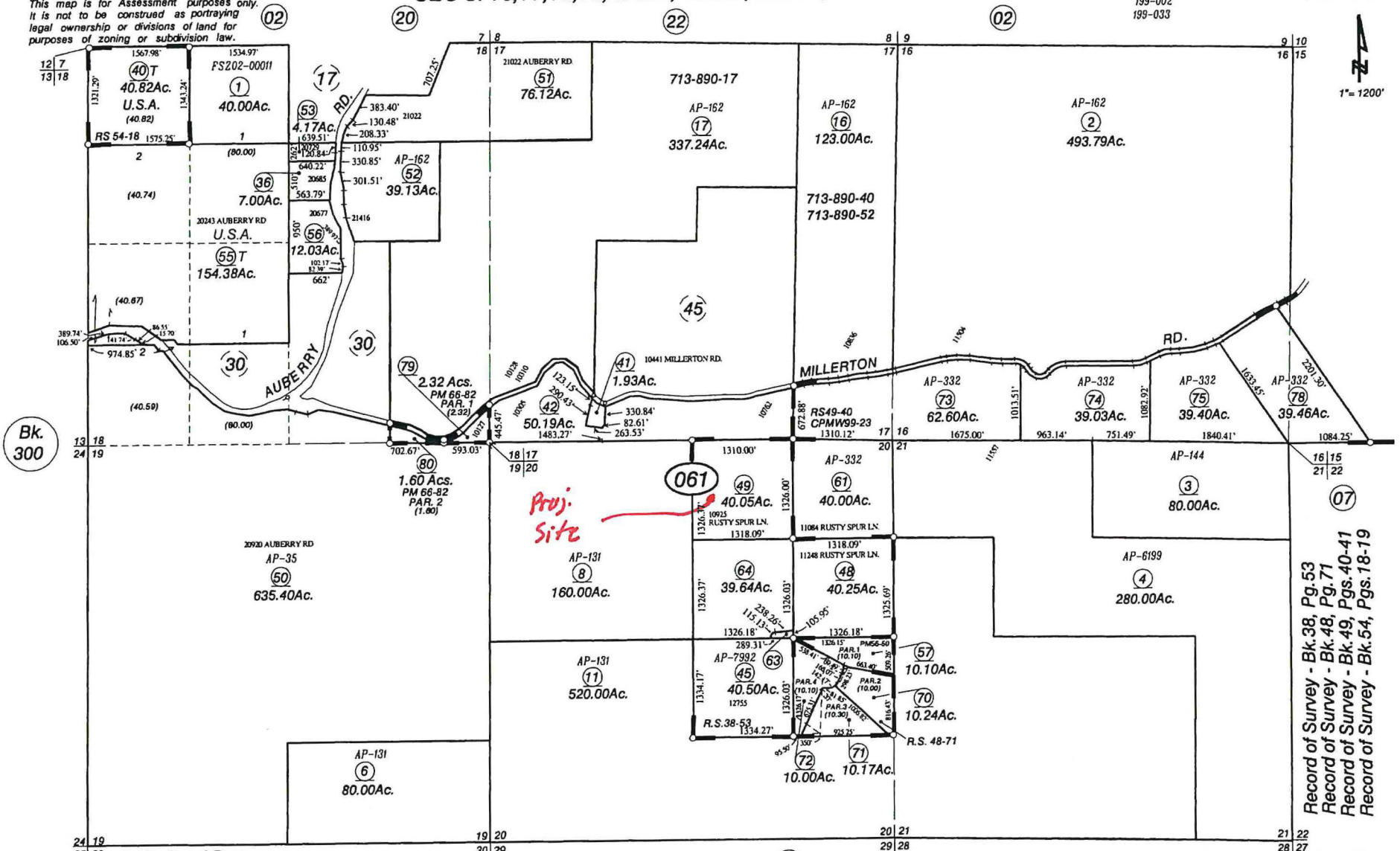
SEC'S. 16,17,18,19,20&21, T.11S., R.22E., M.D.B.&M.

Tax Rate Area
199-002
199-033

138-06



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



Bk. 300

Agricultural Preserve
Parcel Map 7638, Bk. 56, Pgs. 50-51
Parcel Map 7932, Bk. 66, Pgs. 82-84
Certificate of Parcel Map Waiver No. 99-23, Doc.# 216172, 09-15-05

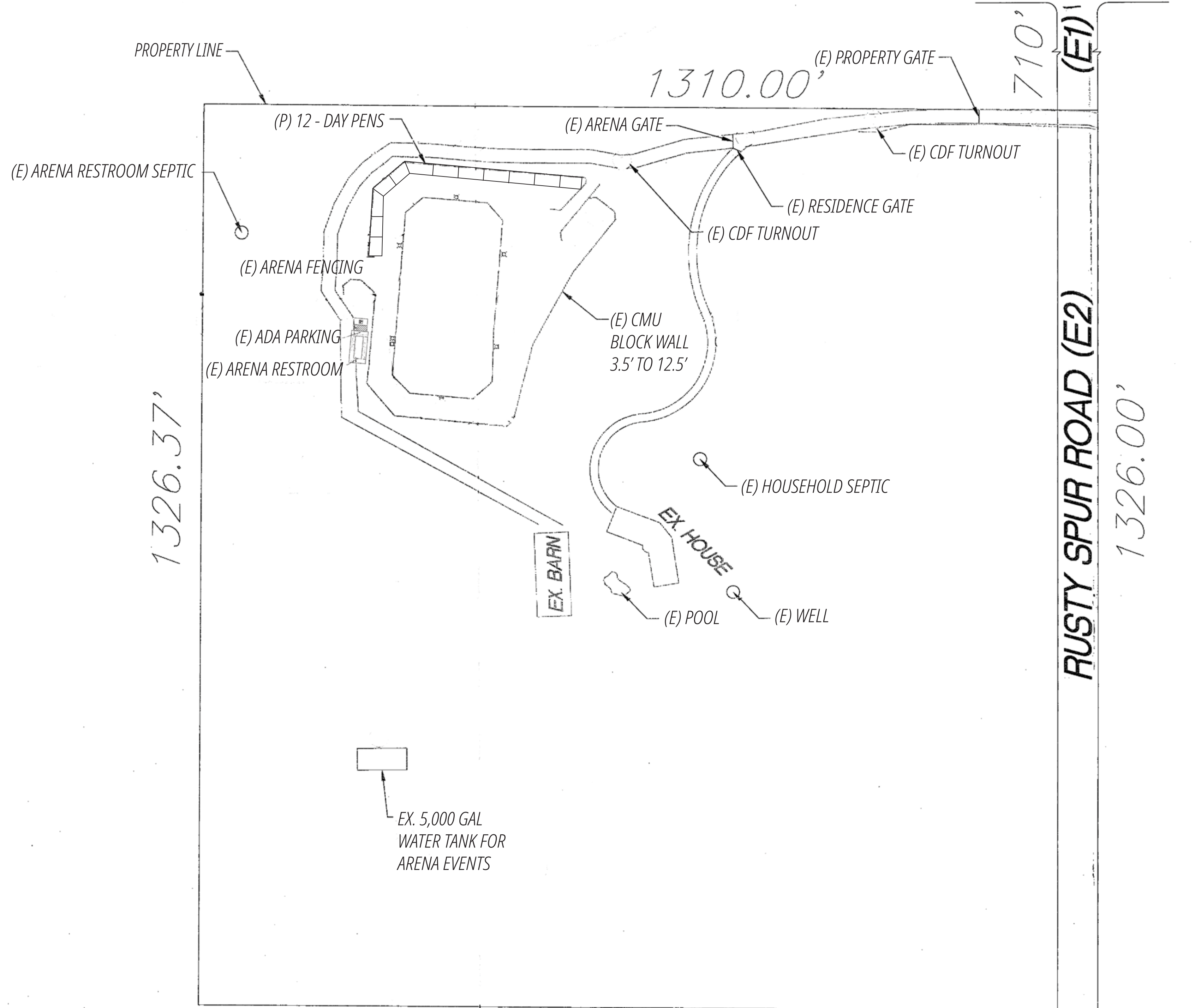
Assessor's Map Bk. 138 - Pg. 06
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Record of Survey - Bk. 38, Pg. 53
Record of Survey - Bk. 48, Pg. 71
Record of Survey - Bk. 49, Pgs. 40-41
Record of Survey - Bk. 54, Pgs. 18-19

FRESNO COUNTY REVISION TO DRA No. 4465

MILLERTON ROAD



PROPERTY SITE MAP
1" = 100'

PROJECT INFO

OWNER: CHARLIE AND TAMMY MAXWELL
ADDRESS: 10925 RUSTY SPUR RD.
CLOWIS, CA 93619
APN: 139-061-49
PHONE: (559) 299-0502

FRESNO COUNTY INFORMATION

DIRECTORS REVIEW APPROVAL 4112
APPROVED SEPTEMBER 27TH 2011 BY FRESNO COUNTY BOARD OF SUPERVISORS
RUSTY SPUR ROADWAY CREATED BY PARCEL MAP NO. 94-39 CONSISTING OF TWO EASEMENTS,
E1 FIRST 770' SOHM, FERGUSON, BLASINGAME, UNRESTRICTED EASEMENT,
E2 RUSTY SPUR ROADWAY UNRESTRICTED EASEMENT VIA PARCEL MAP 94-39
RUSTY SPUR ROADWAY ASPHALT CONSTRUCTION 17'-22" IN WIDTH
ARENA GRADING PERMIT GP 10379
ARENA RETAINING WALL PERMITS B127970, B129411
ARENA COMMERCIAL RESTROOM PERMIT 12-100809

PROPERTY FENCING

F1 6 STRAND BARB WIRE T-POST 8' ON CENTER, 5' HEIGHT
F2 2 7/8 IP POST 8' ON CENTER, 4 3/4" FIELD RAILS 4'-6" HEIGHT

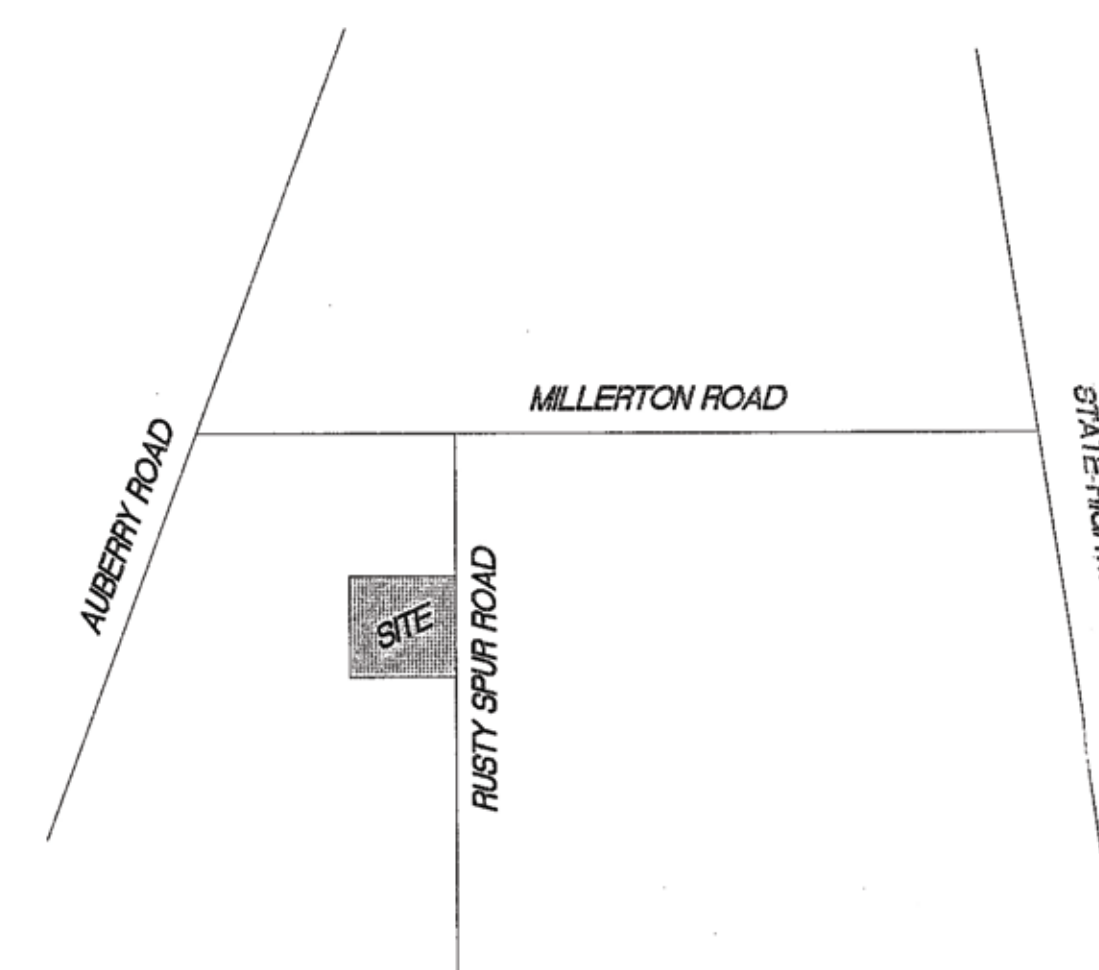
PROPOSED PROPERTY IMPROVEMENTS

(E) EXISTING
(P) PROPOSED



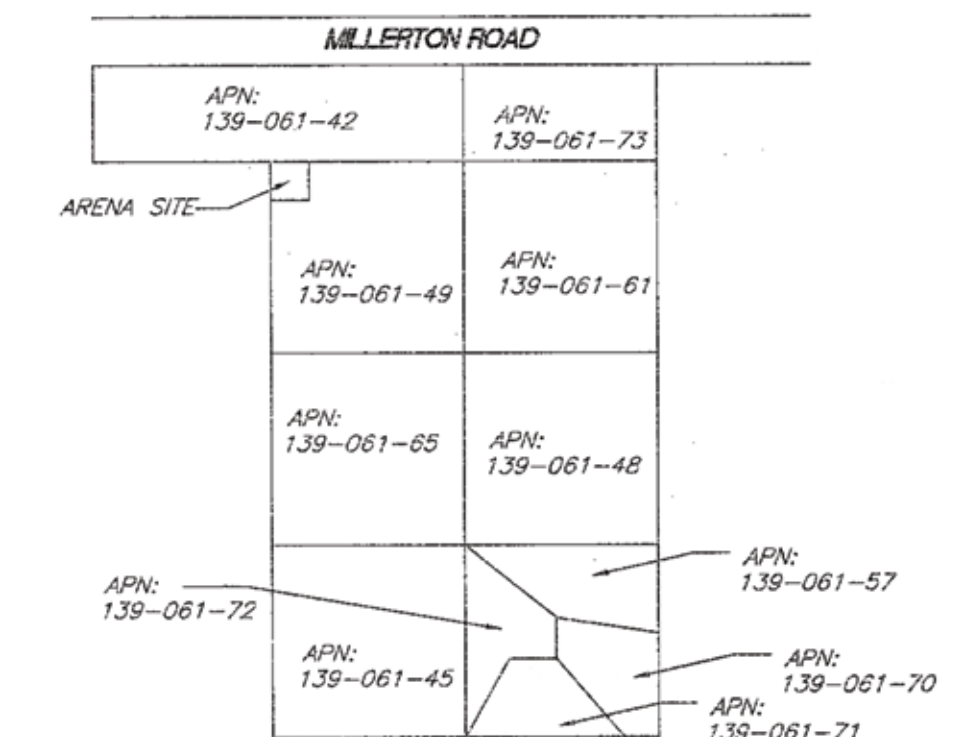
HANDICAP VAN ACCESSIBLE STALL

NOT TO SCALE

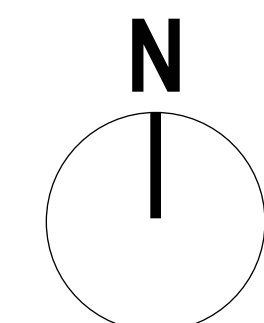


VICINITY MAP

NOT TO SCALE



APN MAP



REVISION TO DRA No. 4465 - SITE PLAN
CHARLIE & TAMMY MAXWELL
10925 RUSTY SPUR RD.S, CA 93619

DRAWN BY:
PROJECT NO:
DRAWN: 01/03/2024
REVISED:
REVISED:
SHEET NO.:
1
OF 1 SHEETS



County of Fresno

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

INITIAL STUDY APPLICATION

INSTRUCTIONS

Answer all questions completely. An incomplete form may delay processing of your application. Use additional paper if necessary and attach any supplemental information to this form. Attach an operational statement if appropriate. This application will be distributed to several agencies and persons to determine the potential environmental effects of your proposal. Please complete the form in a legible and reproducible manner (i.e., USE BLACK INK OR TYPE).

OFFICE USE ONLY	
ER	
IS No.	8547
Project No(s).	DRA 4760
Application Rec'd.:	

GENERAL INFORMATION

- Property Owner :** Mr. Charlie & Mrs. Tammy Maxwell **Phone/Fax** 559-299-0502
Mailing Address: 10925 Rusty Spur Ln. Clovis CA/93619
Street City State/Zip
- Applicant :** Rusty Spur Arena, Inc. **Phone/Fax:** 559-299-0502
Mailing Address: 10925 Rusty Spur Ln. Clovis CA/93619
Street City State/Zip
- Representative:** Dirk Poeschel Land Development Services, Inc. **Phone/Fax:** 559-445-0374
Mailing Address: 923 Van Ness Ave., Suite 200 Fresno CA/93721
Street City State/Zip
- Proposed Project:** Amend Directors Review & Approval (DRA) No. 4465 and Initial Study No. 6062
which allows operational commercial horse arena on a 40.05 +/- acre parcel
in the AL-40 Zone District to allow equestrian boarding.
- Project Location:** West side of Rusty Spur Ln., and south of Millerton Rd.
- Project Address:** 10925 Rusty Spur Ln. Clovis, CA 93619
- Section/Township/Range:** / /
- Parcel Size:** 40.05 +/- Ac.
- Assessor's Parcel No.** 138-061-49 **OVER.....**

10. Land Conservation Contract No. (If applicable): N/A

11. What other agencies will you need to get permits or authorization from:

<u> </u> LAFCo (annexation or extension of services)	<u> </u> SJVUAPCD (Air Pollution Control District)
<u> </u> CALTRANS	<u> </u> Reclamation Board
<u> </u> Division of Aeronautics	<u> </u> Department of Energy
<u> </u> Water Quality Control Board	<u> </u> Airport Land Use Commission
<u> </u> Other _____	

12. Will the project utilize Federal funds or require other Federal authorization subject to the provisions of the National Environmental Policy Act (NEPA) of 1969? Yes No

If so, please provide a copy of all related grant and/or funding documents, related information and environmental review requirements.

13. Existing Zone District¹: AL-40

14. Existing General Plan Land Use Designation¹: Agriculture

ENVIRONMENTAL INFORMATION

15. Present land use: Residential/Agriculture
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:
See operational statement for more details.


Describe the major vegetative cover: Natural
Any perennial or intermittent water courses? If so, show on map: Intermittent. See attached map.

Is property in a flood-prone area? Describe:
Northeast corner of property is in Flood Zone A. None of the existing and
proposed improvements are within 100 year flood event area. See approved I.S. No. 6062 for more details.

16. Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):
North: Agriculture / Residential
South: Agriculture
East: Agriculture / Residential
West: Agriculture

24. Anticipated volume of water to be used (gallons per day)²: See operational statement for more details.
25. Proposed method of liquid waste disposal:
 septic system/individual
 community system³-name _____
26. Estimated volume of liquid waste (gallons per day)²: Typical.
27. Anticipated type(s) of liquid waste: See operational statement for more details.
28. Anticipated type(s) of hazardous wastes²: N/A
29. Anticipated volume of hazardous wastes²: N/A
30. Proposed method of hazardous waste disposal²: N/A
31. Anticipated type(s) of solid waste: See operational statement for more details.
32. Anticipated amount of solid waste (tons or cubic yards per day): See operational statement for more details.
33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): Per Fresno County standards.
34. Proposed method of solid waste disposal: Private hauler.
35. Fire protection district(s) serving this area: Fresno County Fire Protection District.
36. Has a previous application been processed on this site? If so, list title and date: DRA No. 4112 (9/27/2011);
DRA No. 4465 (4/25/2017); I.S. No. 6062
37. Do you have any underground storage tanks (except septic tanks)? Yes _____ No
38. If yes, are they currently in use? Yes _____ No _____

TO THE BEST OF MY KNOWLEDGE, THE FOREGOING INFORMATION IS TRUE.

 (for D.P.)
SIGNATURE

1/29/2024
DATE

¹Refer to Development Services and Capital Projects Conference Checklist

²For assistance, contact Environmental Health System, (559) 600-3357

³For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

The Board of Supervisors has adopted a policy that applicants should be made aware that they may be responsible for participating in the defense of the County in the event a lawsuit is filed resulting from the County's action on your project. You may be required to enter into an agreement to indemnify and defend the County if it appears likely that litigation could result from the County's action. The agreement would require that you deposit an appropriate security upon notice that a lawsuit has been filed. In the event that you fail to comply with the provisions of the agreement, the County may rescind its approval of the project.

STATE FISH AND WILDLIFE FEE


State law requires that specified fees (effective January 1, 2021: \$3,445.25 for an EIR; \$2,480.25 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

- 1. All projects statutorily exempt from the provisions of CEQA (California Environmental Quality Act).*
- 2. All projects categorically exempt by regulations of the Secretary of Resources (State of California) from the requirement to prepare environmental documents.*

A fee exemption may be issued by CDFW for eligible projects determined by that agency to have "no effect on wildlife." That determination must be provided in advance from CDFW to the County at the request of the applicant. You may wish to call the local office of CDFW at (559) 222-3761 if you need more information.

Upon completion of the Initial Study you will be notified of the applicable fee. Payment of the fee will be required before your project will be forwarded to the project analyst for scheduling of any required hearings and final processing. The fee will be refunded if the project should be denied by the County.



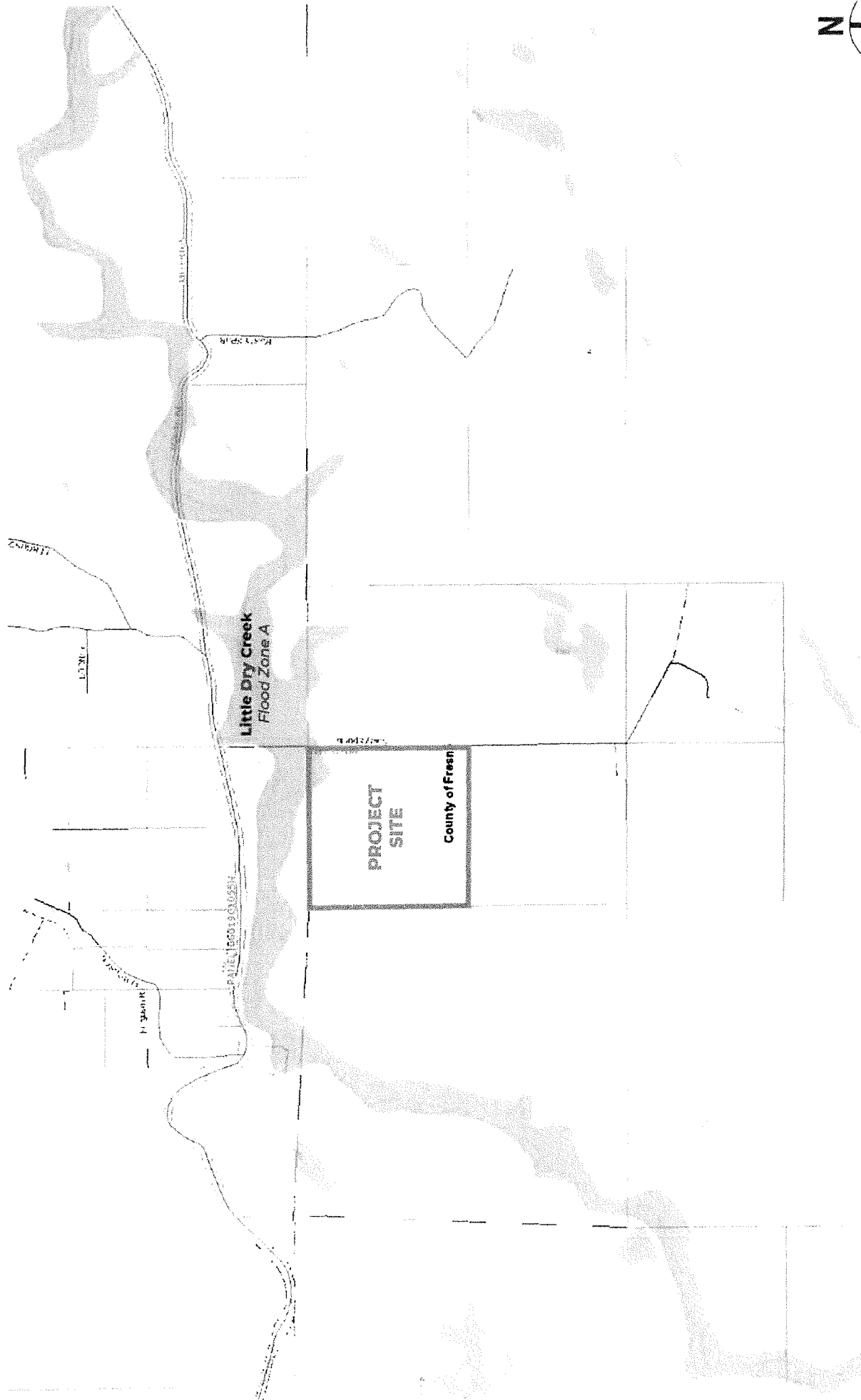
Applicant's Signature



Date

G:\4360Devs&PLN\PROJSEC\PROJDOCS\TEMPLATES\IS-CEQA TEMPLATES\INITIAL STUDY APP.DOTX

Intermittent Water Course Map



MAXWELL RUSTY SPUR ARENA

**OPERATIONAL STATEMENT
Revising Directors Review and Approval No. 4465**

January 26, 2024

PROPERTY OWNERS

Mr. Charlie & Mrs. Tammy Maxwell
10925 Rusty Spur Ln.
Clovis, CA 93619

DRA 4760

PROJECT APPLICANTS

Rusty Spur Arena, Inc. a California Nonprofit Corporation
c/o Mr. Charlie & Mrs. Tammy Maxwell
10925 Rusty Spur Ln.
Clovis, CA 93619
(559) 299-0502
charliemaxwell@ymail.com

REPRESENTATIVE

Mr. Dirk Poeschel
Land Development Services, Inc.
923 Van Ness Ave., Suite 200
Fresno, CA 93721
(559) 445-0374
Email: dirk@dplds.com

Mr. John Kinsey, Esq.
Wanger Jones Helsley, PC
265 E. River Park Circle, Suite 310
Fresno, CA 93720
(559) 233-4800
Email: jkinsey@wjhattorneys.com

PROJECT LOCATION

10925 Rusty Spur Ln., Clovis, CA
APN: 138-061-49

PROJECT DESCRIPTION

Amend Directors Review & Approval (DRA) No. 4465 and Initial Study No. 6062 which allows operational commercial horse arena on a 40.05 +/- acre parcel in the AL-40 Zone District to allow equestrian boarding.

BACKGROUND

The applicants have owned the subject site since 1992. The site is within an area zoned exclusively for agricultural uses with a 40 acre minimum lot size. For perspective, a 40 acre parcel contains 1,742,200 square feet, theoretically enough room for approximately 139, 12,500 sq. ft. lots zoned Single-Family Residential R-1-B. Subsequent to their acquisition, the applicants made improvements to the site for their personal use and enjoyment of equestrian activities.

On September 27, 2011, Fresno County Board of Supervisors approved DRA No. 4112 for a limited number of commercial equestrian events. Initial Study No. 6062 with Site Plan Review No. 7814 was subsequently approved which established further project details and improvement requirements.

On April 25, 2017, Fresno County Board of Supervisors approved DRA No. 4465 for an increase in the number of commercial event days allowing 75 paying events and 2 non-profit events a year.

The site remains generally surrounded by rural residential uses on 40 acre parcels. Other than cattle, no agricultural product has been grown on the site for decades.

1. Nature of the operation - what do you propose to do?

The applicant proposes to board 15 horses onsite in existing covered boarding stalls. Owners of the horses may ride and groom their horses and clean their leased stalls. Movement of the horses from and to the site will be limited to the hours between 7:00 a.m. to 10:00 p.m. Borders may ride their horses from 8:00 a.m. to 9:00 p.m.

No public address or scoreboard lighting will be used during boarding activities.

A vermin and fly eradication program has been implemented by the Applicant. That effort will continue.

2. Operational Time Limits

There is no change to the planned public events.

3. Number of customers or visitors

There will be no change in visitor intensity from the previous approvals. The facility will host a

maximum of 50 to 60 riders and 30 trailers for all events, with 75 event days limited in the number of participants.

The applicant believes that the arena will attract tourists or participants from outside Fresno County that will rent rooms and spend other tourism-related dollars on food and lodging. As was previously approved, in some instances, during a limited number of events, contestants will stay on the property in their trailers or motorhomes. These contestants will leave immediately after the events conclude.

4. Number of employees

There will be no change from the previous approvals. There will be no employees. During youth events there will be volunteers, including retired CDF employees.

5. Service and delivery vehicles

There will be no change from the previous approvals. No large service or delivery trucks will visit the site.

6. Access to the site

There will be no change from the previous approvals. The arena is located as the first residence off of Rusty Spur Lane, which connects to the public roadway of Millerton Road. Per Site Plan Review No. 7814, the access drive has been graded to conform to county standards.

7. Number of parking spaces for employees, customers, and service/delivery vehicles.

There will be no change from the previous approvals. The arena is located on a 40 acre parcel with the arena being located in the extreme north/west portion of the parcel. The applicant is in compliance with parking regulations established by Site Plan Review No. 7814. The applicant has planted native grass to mitigate dust. The design of the arena and surrounding parking area adjacent to the arena would be limited to 60 trailers. All parking stalls will be chalked or painted per county standards.

8. Are any goods to be sold on-site?

There will be no change from the previous approvals. This is primarily a youth activity facility. Numerous groups have offered to sell food and drinks to support their youth activities and the activities of the arena. The applicant will not cook or produce food for any public event.

9. What equipment is used?

There will be no change from the previous approvals. The applicant's tractors and related equipment are used on the property. General boarding operation cleanup is conducted with hand tools.

10. What supplies or materials are used and how are they stored?

There will be no change from the previous approvals. Event equipment is utilized in the arena on the day of the event and stored in a personal on-site storage building.

11. Does the use cause an unsightly appearance?

There will be no change from the previous approvals. By design, the arena was placed in the extreme north/west corner of the property. The location is removed as far as possible from any other residences on Rusty Spur Lane. The neighbors to the north are separated from the arena by a vacant 80 acre parcel, a public roadway (Millerton Road) and a seasonal stream (Little Dry Creek).

Seventy Afghan Pines, five Bradford Pear, five Raywood Ash and eight Chinese Elm trees were planted in strategic locations to block views into the site, provide shade and block lighting emitted from the site. Since the approval of DRA No. 4465, a total of 88 trees have been planted on the subject property which are maintained on an existing irrigation system.

A solid masonry decorative block wall was installed along the north boundary of the arena in accordance with Site Plan Review No. 7814. The wall provides an additional noise and aesthetic barrier to surrounding properties. An earthen berm exists along the south and east boundaries of the arena which provides an additional noise barrier by deflecting event sound upwards. The distance from the neighbor's home to the north to the center of the arena is approximately 1,266 feet or 422 yards. Odor and dust are both controlled by an existing arena watering system.

As previously approved, the arena is lighted per county standards with all lights hooded and directed to not annoy nearby property owners. The boarding of horses is a relatively passive event that does not require amplified voice or music.

12. List any solid or liquid wastes to be produced.

There will be no change from the previous approvals. Event days generate very little animal waste because the participants' animals are not eating. On event days, the arena is disced at the end of each day thereby disposing of any waste or urine by incorporating such matter into the arena surface.

According to the Equine Science Center website, an average horse will generate an average of 31 lbs. of waste including 2.4 gallons of urine per day. Therefore, the proposed equine horse boarding facility will generate approximately 465 lbs. of waste per day including 36 gallons of urine per day. Said manure waste will be spread on the subject 40 +/- acre site as a soils supplement.

A fully accessible ADA compliant restroom building exists in accordance with Site Plan Review No. 7814 and is located consistent with applicable regulations for such restroom facilities. Said restrooms have ADA compliant parking.

The subject site is served by Ponderosa Disposal which is under contract with Fresno County for waste collection. The applicant complies with all public health, disposal and recycling requirements mandated by law. In addition, the applicant has installed approximately thirty, 50 gallon waste collection drums for the ease of attendees to dispose of small waste such as paper plates etc.

13. Estimated volume of water to be used (gallons per day)

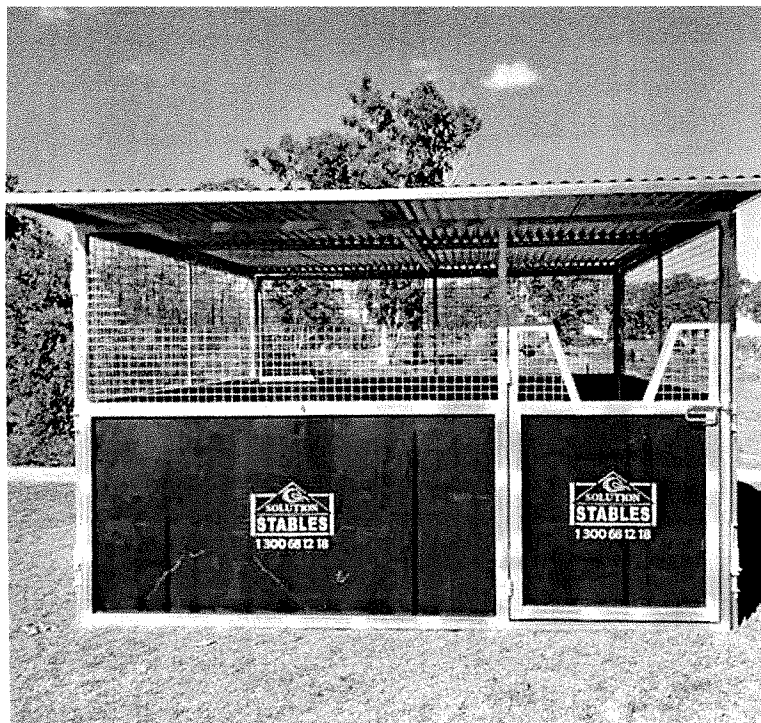
Water consumption of the boarded horses is insignificant. According to the Wholesome Equine Nutrition website, an average horse will consume 5 to 10 gallons of water per day. Conservatively, the proposed horse boarding will use approximately 150 to 200 gallons of additional water per day.

No change to site irrigation consumption will occur. An irrigation system is used to water the arena to reduce dust. A 5,000 gallon potable water storage tank has been installed south of the arena approximately 145 ft. above the arena floor. This existing water system will allow the arena to be watered completely with minimum effort to allow for maximum dust control.

The facility uses approximately 2,000 gallons of water on event days. The water is provided from an on-site well which has sufficient capacity to allow for this usage and more.

14. Will existing buildings be used or will new buildings be constructed?

The photo directly below illustrates the proposed 12 boarding stalls which are about 10 ft. tall with a length and depth of 12 ft. Wind screens will protect the horses from wind and sun. There will be no other changes from the previous approvals. As indicated on the attached project site plan, all buildings exist and are operational consistent with county approvals. All such improvements and structures were constructed with building permits associated with Site Plan Review No. 7814.



There will be no change from the previous approvals. Only the existing barn will be used for storage of the event timing equipment. The applicant believes that the arena will attract tourists or participants from outside Fresno County that will rent rooms and spend other tourism related dollars on food and lodging. In some cases, during a limited number of events, contestants will stay on the property in their trailers. These vehicles will leave immediately after the events end.

15. Will any outdoor lighting or an outdoor sound amplification system be used?

The existing 35 ft. tall light poles will be reduced in height to 25ft. There will be no other changes from the previous approvals. Arena lighting will be reduced when boarders exercise their horses by turning off every other light or other means to be determined.

A conjunctive lighting and sound pole system has been installed by the applicant that accommodates lighting and electric speakers on the same pole.

The Applicant has calculated the height of the aforementioned poles to optimize lighting and reduce the potential for light to annoy adjacent properties. As the majority of events take place in daylight hours, lighting is only used, as necessary. The lighting system is hooded and directed downwards to avoid annoying nearby property owners.

No sound amplification will occur during any boarding activities. The sound amplification speakers are encased in a metal shield that directs sound downward. In addition, the applicant has established the height and location of the aforementioned poles to optimize the sound system's efficiency without annoying nearby property owners. Precision Engineering of Fresno prepared a noise study for DRA No. 4465 for Fresno County Development Services which determined the arena noise level was in compliance with Fresno County noise standards.

16. Landscaping or fencing proposed?

There will be no change from the previous approvals. Sixty (60) Afghan Pines, five (5) Bradford Pears, five (5) Raywood Ash and eight (8) Chinese elm trees were planted in strategic locations to obstruct views into the site, provide shade and shield light emitted from the site. Eighty-eight (88) additional trees have been planted since the approval of DRA No. 4465. Said trees are on an existing irrigation system.

A series of fences and gates exist on the subject site to segregate the private residence from the arena area. The arena fencing was specifically designed and constructed to restrict movement on and off the applicant's property and prevent visitors and guests from wandering onto adjacent parcels.

Since Site Plan Review No. 7814, an electric gate controlling access to Rusty Spur Lane has been moved 760 feet south of Millerton Road and south of the applicant's driveway. This allows arena users to enjoy over 2,600 feet of "stacking distance" upon entry to Rusty Spur Lane prior to parking their vehicles.

17. Any other information that will provide a clear understanding of the project or operation.

The primary goal or purpose of the project is to “give back” to the community the same enjoyment that the applicant’s children and numerous other foothill children enjoyed while growing up. Multiple families and community groups have approached the applicant with the idea of providing safe, clean, and fun activities for the children of this community, such as those involved in the American Legion youth equestrian training program. Children with disabilities are especially welcomed and accommodated at the arena. Select riding clinics and trail events have been designed around the goals of having all participants be a winner and receive prizes that will be donated from the Rusty Spur Arena and local merchants of the surrounding community.

18. Identify all Owners

Charlie Maxwell and his wife Tammy are the property owners of the Rusty Spur Arena, Inc. a California non-profit corporation.

SUPPLEMENTAL INFORMATION

Air Quality:

The development will comply with all San Joaquin Unified Air Pollution Control District standards and pay applicable fees as required. Said District evaluated the previous entitlements and expressed no concerns.

Biological Resources:

All site improvements exist. The site is in a rural, agricultural area substantially disturbed by general equestrian and typical rural, weed and fire prevention activities that have occurred on the site for decades. The California Department of Fish and Game evaluated the previous entitlements and expressed no concerns therefore no impacts were identified.

Cultural Resources:

All site improvements exist. No grading or other site topographic modifications are proposed or required.

General equestrian and typical rural, weed and fire prevention activities have occurred on the site for decades. Therefore, there will be no impacts to prehistoric or historic subsurface cultural resources that have not already occurred.

Geology and Soils:

All site improvements exist. The project complies with all applicable building and development codes that have proven to be effective in addressing potential impacts to geology and soils. The

site is not in an active seismic safety zone or an Alquist-Priolo zone. All site improvements requiring a building permit comply with ministerial soil and geologic construction requirements.

Land Use and Planning:

As was previously determined, the proposed project is consistent with the site's adopted land use designation and zoning. The subject property remains designated Specific Plan Reserve area in the county adopted Sierra North Regional Plan. According to general plan policy LU.A-3, certain agriculturally-related activities, such as commercial horse arenas, may be allowed by means of a discretionary use permit.

Other general plan policies were evaluated as part of the review and approval process for DRA No. 4112. The county staff, planning commission and Board of Supervisors determined the project was consistent with the general plan.

As was the status when DRA No. 4112 was approved, the subject property is not encumbered with an Agricultural Land Conservation Contract. Said site is not located with any clear zone or other protection surface of a public use or private use airport or within an identified airport noise contour. The site is not within the Mineral Resource Zone (MRZ) area. None of the aforementioned information has changed since DRA No. 4112 was approved.

Traffic:

Initial Study No. 6062 evaluated potential environmental impacts associated with the approval of DRA No. 4112. As part of the environmental analysis associated with that project, Fresno County Traffic Engineering staff determined that a formal traffic study was not required per Fresno County standards due to the location, type and kind of traffic and low volume of Millerton Rd. traffic.

County staff visited the subject site and evaluated the curvilinear nature, bridges and road conditions that provide access to and from the site on Millerton Rd. Traffic counts developed by Fresno County staff in 2011 indicate 600 daily trips east of Auberry Rd. on Millerton Rd. west of the subject site and 400 daily trips on Millerton Rd. east of the subject site. County staff evaluated the aforementioned roadway characteristics and project details and concluded that said traffic would not result in a significant increase in vehicle or traffic congestion nor exceed established levels of service standards.

County staff also evaluated site access and determined that site visibility in both directions met applicable standards. County staff also determined queuing of traffic coming into and out of the site met applicable standards. The applicant's operational statement identified that the project's existing residential entry gate would be maintained open at all times during events and that a queuing distance of over 2,600 feet was available from Rusty Spur Lane onto the applicant's property from Millerton Rd. Therefore, the potential for project traffic to back up on to Millerton Rd. was not reasonably probable.

As part of the review of DRA 4465, the county reconfirmed no traffic congestion or other arena related traffic problems have been reported to the California Highway Patrol since approval of DRA No. 4112. Further the applicant is not aware of any traffic related incidents associated with the arena or its events.

New Project Boarding Traffic

To update existing traffic on Millerton Rd., the applicant accumulated traffic counts on Millerton Rd. for 14 days from Monday November 6, 2023, to Sunday November 12, 2023, and from Monday November 20, 2023, to Sunday November 26, 2023. These counts accounted for bicycles, motorcycles, cars, trucks, trucks with trailers and large industrial vehicles such as cement trucks, etc. Bicycles accounted for 22 trips during the 14 day study period. The original traffic count sheets are attached.

During the observation period, east and west bound travel on Millerton Rd. was observed from 7:00 a.m. to 9:00 a.m. and from 5:00 p.m. to 7 p.m. also in both directions (see Attachment "A"). The results of the traffic counts are detailed on the attached graph FIGURE 1. Observed average AM Peak trips on Millerton Rd. totaled 23.36 AM Peak eastbound trips and 39.93 AM Peak westbound trips whereas average PM Peak trips totaled 49.5 PM Peak eastbound trips and 36.57 PM Peak westbound trips.

No Institute of Traffic Engineers (ITE) studies are available for horse boarding facilities. New project traffic is estimated to include an average of 2 visits per horse per week with those trips typically occurring on Saturdays and Sundays. Therefore, the project horse boarding visitation will generate an average of approximately 30 inbound and 30 outbound trips per week (15 horses X 2 trips/week = 30 inbound and 30 outbound trip ends per week = 60 total trips or an average of approximately 8.5 total new trips per day (60 total inbound and outbound trips ÷ 7 days = 8.57 trip ends per day or approximately 4.25 trips in and 4.25 trips out).

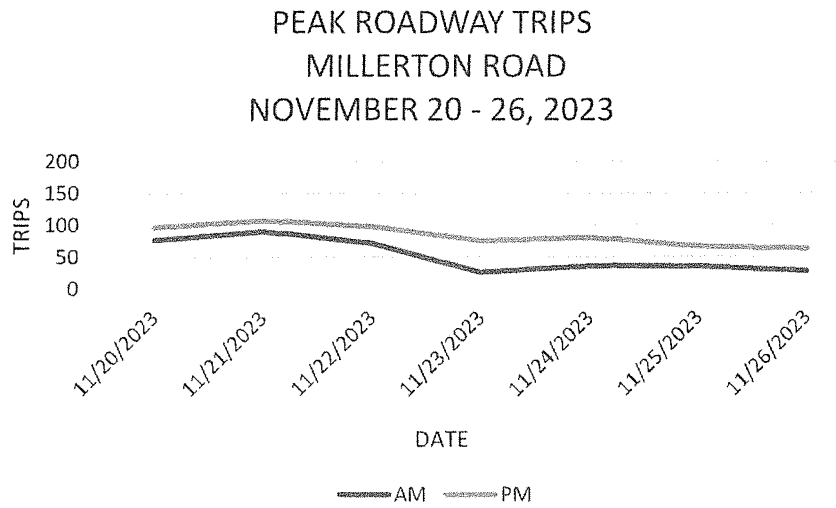
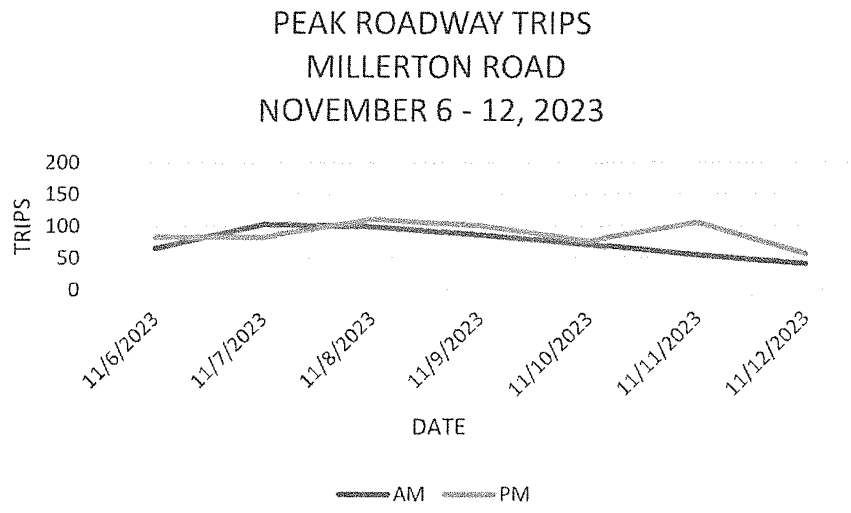
One additional truck delivery (2 trip ends) for hay per month is expected. Two additional trips per week (4 trip ends) are assumed to occur for deliveries. Therefore, 60 boarding related trips, 2 trip ends for hay delivery and 4 trips for deliveries per week will be generated by the proposed boarding for an unadjusted total of 66 trips per week. To be conservative, for purposes of calculating average weekday daily trips, 66 trips are assumed to occur per week or 9.42 trips (use 10) or 10 average trips per day. Using the industry standard that peak trips are 10% of total trips, 1 additional peak trip will be added on average per week by the proposed boarding which is an insignificant contribution to existing traffic on Millerton Rd.

Attachment "A"

TRAFFIC COUNTS

Date	AM Eastbound	AM Westbound	PM Eastbound	PM Westbound
11/6/2023	43	23	57	26
11/7/2023	39	65	57	26
11/8/2023	28	71	65	46
11/9/2023	30	56	57	44
11/10/2023	16	55	49	28
11/11/2023	20	34	48	57
11/12/2023	12	28	20	36
11/20/2023	34	43	57	40
11/21/2023	31	60	65	43
11/22/2023	26	46	61	37
11/23/2023	12	15	40	36
11/24/2023	11	25	45	36
11/25/2023	16	19	36	30
11/26/2023	9	19	36	27
Total	327	559	693	512

FIGURE 1



PAVED ENTRY FROM MILLERTON TO RUSTY SPUR LN



PERIMETER LANDSCAPING/ENTRY DRIVE



PERIMETER LANDSCAPING



ADA RESTROOM/FOOD SERVICE AREA



SITE PERSPECTIVE FROM THE FERGISSON PARCEL



EXISTING DAY PEN



**SOUTHEAST VIEW OF ARENA FROM
EXISTING DAY PEN**



EXISTING DAY PEN



Emmie
AKA
"Baby Shark"
Do NOT feed me!
I am insulin resistant.