



# PLANNING COMMISSION AGENDA

Room 301, Hall of Records  
2281 Tulare Street  
Northwest Corner of Tulare & M  
Fresno, CA 93721-2198

Contact: Planning Commission Clerk  
Phone: (559) 600-4497  
Email: [knovak@fresnocountyca.gov](mailto:knovak@fresnocountyca.gov)  
Call Toll Free: 1-800-742-1011 – Ext. 04497

Web Site: <http://www.co.fresno.ca.us/PlanningCommission>

## AGENDA April 11, 2019

### 8:45 a.m. - CALL TO ORDER

#### INTRODUCTION

Explanation of the REGULAR AGENDA process and mandatory procedural requirements. Staff Reports are available on the table near the room entrance.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### CONSENT AGENDA

Items listed under the Consent Agenda are considered to be routine in nature and not likely to require discussion. Prior to action by the Commission, the public will be given an opportunity to comment on any consent item. The Commission may remove any item from the Consent Agenda for discussion.

1. **TENTATIVE TRACT MAP NO. 5415 – TIME EXTENSION** filed by **APKAR AVEDIAN** proposing to grant a two-year discretionary time extension to exercise Tentative Tract Map No. 5415, which authorizes the creation of a 24-lot subdivision with community water system with a minimum lot size of two acres from five existing parcels totaling 55 acres in the RR (Rural Residential, two-acre minimum parcel size) District. The subject property is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APN 308-150-05, 18, 20, 37S & 38S).

**NOTE:** *The sole purpose of the public hearing is to address the time extension request.*

-Contact person, Ejaz Ahmad (559) 600-4204, email: [eahmad@fresnocountyca.gov](mailto:eahmad@fresnocountyca.gov)

-Staff Report Included

-Individual Noticing

#### REGULAR AGENDA

1. **PUBLIC PRESENTATIONS** (This portion of the meeting is reserved for persons desiring to address the Planning Commission on any matter within the Commission's jurisdiction and not on this Agenda.)
2. **VARIANCE APPLICATION NO. 4066** filed by **ROY OKEN** proposing to allow a ropes course with a maximum height of 55.6 feet (maximum of 25 feet allowed) at an existing ranch and youth camp on a 43.6-acre parcel in the RE (Recreational) Zone District. The project site is located on the north side of Elwood Road between Mustang Drive and Live Oak Drive,

approximately five miles northwest of the unincorporated community of Squaw Valley (6450 Elwood Road, Sanger CA) (Sup. Dist. 5) (APN 158-090-28)

-Contact person, Ejaz Ahmad (559) 600-4204, email: [eahmad@fresnocountyca.gov](mailto:eahmad@fresnocountyca.gov)

-Staff Report Included

-Individual Noticing

3. **INITIAL STUDY APPLICATION NO. 6205, CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3281 and VARIANCE APPLICATION NO. 4023** filed by **OBADI KASSIM**, proposing to allow an Agricultural Commercial Center consisting of a market with fuel sales, and allow the creation of a 2.36-acre parcel and a 16.32-acre parcel from a 0.53-acre parcel and an 18.15-acre parcel by means of a property line adjustment in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the northeast corner of Conejo Avenue and Highland Avenue and is approximately 2 miles southwest of the nearest city limits of the City of Selma (SUP. DIST. 4) (APN 393-280-77S and 393-280-84S). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 6205, and take action on Classified Conditional Use Permit No. 3281 and Variance Application No. 4023 with Findings and Conditions.

-Contact person, Thomas Kobayashi (559) 600-4224, email: [tkobayashi@fresnocountyca.gov](mailto:tkobayashi@fresnocountyca.gov)

-Staff Report Included

-Individual Noticing

4. **DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4564** filed by **GAIL ZACK**, proposing to allow the construction of a 1,068 square-foot conventional home as a permanent second residence, with a 2,486 square-foot conventional dwelling to remain as a primary residence on a 2.00-acre parcel in the R-R (Rural Residential, two-acre minimum parcel size) Zone District. The subject parcel is located on the south side of West Fairmont Avenue approximately 750 feet east of its intersection with North Garfield Avenue, and approximately 2.5 miles east of the nearest city limits and Sphere of Influence of the City of Fresno (7317 W. Fairmont) (Sup. Dist. 1) (APN 512-060-14).

-Contact person, Jeremy Shaw (559) 600-4207, email: [jshaw@fresnocountyca.gov](mailto:jshaw@fresnocountyca.gov)

-Staff Report Included

-Individual Noticing

5. **2018 GENERAL PLAN ANNUAL PROGRESS REPORT**

-Contact person, Mohammad Khorsand (559) 600-4230, email: [mkhorsand@fresnocountyca.gov](mailto:mkhorsand@fresnocountyca.gov)

-Staff Report Included

6. **INFORMATION/DISCUSSION ITEM:**

Report from staff on prior Agenda Items, status of upcoming Agenda, and miscellaneous matters.

-Contact person, Marianne Mollring (559) 600-4569, email: [mmollring@fresnocountyca.gov](mailto:mmollring@fresnocountyca.gov)

Requests for disability-related modification or accommodation reasonably necessary in order to participate in the meeting must be made to Suzie Novak, Planning Commission Clerk, by calling (559) 600-4497 or email [knovak@fresnocountyca.gov](mailto:knovak@fresnocountyca.gov), no later than the Monday preceding the meeting by 9:00 a.m.

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# County of Fresno

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

## Planning Commission Staff Report Consent Agenda Item No. 1 April 11, 2019

**SUBJECT:** Tentative Tract Map No. 5415 - Time Extension

Grant a two-year discretionary time extension to exercise Tentative Tract Map No. 5415, which authorizes the creation of a 24-lot subdivision with community water system with a minimum lot size of two acres from five existing parcels totaling 55-acres in the RR (Rural Residential, two-acre minimum parcel size) Zone District.

**LOCATION:** The subject property is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APNs 308-150-05, 18, 20, 37S & 38S).

**OWNER/  
APPLICANT:** Apkari Avedian

**STAFF CONTACT:** Ejaz Ahmad, Planner  
(559) 600-4207

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Approve a two-year discretionary time extension for Tentative Tract Map No. 5415; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Location Map
2. Existing Land Use Map
3. Existing Zoning Map
4. Board of Supervisors Approval dated March 3, 2009 and Staff Report dated October 2, 2008 (including the approved Tentative Tract Map)
5. Applicant's letter requesting a time extension

**ENVIRONMENTAL DETERMINATION:**

A Mitigated Negative Declaration prepared for Initial Study Application No. 5497 was approved by the Fresno County Board of Supervisors on March 3, 2009 in accordance with the California Environmental Quality Act (CEQA) with the approval of Tentative Tract No. 5415. Section 15162(b) of the CEQA Guidelines states that once an EIR and/or Mitigated Negative Declaration has been certified for a project, no subsequent EIR or Mitigated Negative Declaration shall be prepared unless: 1) substantial changes are proposed to the project; 2) substantial changes occur with respect to the circumstances under which the project is undertaken; or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted.

Staff has not received any comments or information that the circumstances noted in the above Conditions are present. Therefore, it has been determined that no further CEQA documentation is required for the subject proposal.

**PUBLIC NOTICE:**

Notices were sent to 60 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

The State Subdivision Map Act provides that prior to the expiration of a Tentative Map, a subdivider is entitled to file a "Final Map" for recording with the County if it conforms to the approved Tentative Map and certain mandatory requirements. Except for special circumstances specified in the Map Act, a Tentative Map expires two years after its approval unless extensions are granted by the local agency. Such extensions may not exceed a total of six years. Under the terms of the Fresno County Subdivision Ordinance, time extensions may be granted by the Planning Commission upon application by the subdivider prior to the expiration date.

Starting in 2008, the State of California passed six separate Bills to give subdividers time extensions for Tentative Maps that met certain criteria. These Bills are: a) Senate Bill (SB) 1185 (approved 2008; Map Act Section 66452.21) which granted an automatic one-year time extension; b) Assembly Bill (AB) 333 (approved 2009; Map Act Section 66452.22) which granted an automatic two-year time extension; c) Assembly Bill (AB) 208 (approved 2011; Map

Act Section 66452.23) which granted an automatic two-year time extension; d) Assembly Bill (AB) 116 (approved 2013; Map Act Section 66452.24) which granted an automatic two-year time extension; e) Assembly Bill (AB) 1303 (approved 2015; Map Act Section 66452.25) which granted an automatic two-year time extension; and f) Assembly Bill (AB) 2973 (approved 2018; Map Act Section 66452.26) which granted a discretionary two-year time extension provided the project meets the requirements related to project approval date and time extension filing date according to Section 66452.25 of the Subdivision Map Act.

Granting an extension of a Tentative Map is discretionary, although the Planning Commission's discretion is limited to questions of time. The Commission cannot Condition the grant of extension unless the Applicant agrees to such additional Conditions. If the Applicant does not agree to such additional Conditions, the Commission may deny the extension if it finds, based on the evidence, that the project will be injurious to public health, safety or general welfare if the additional Conditions are not imposed.

### **BACKGROUND INFORMATION:**

On March 3, 2009, the Fresno County Board of Supervisors approved Tentative Tract Map No. 5415 authorizing the development of a 55-acre residential subdivision consisting of 24 single-family residential lots with a community water system.

The project was originally heard by the Planning Commission on October 2, 2008 and was denied based on the water supply evaluation. The project was proposed to be served by individual wells and septic systems. The County Board of Supervisors heard the project on November 4, 2008 on an appeal and directed the staff to investigate the possibility of allowing a community water system to serve the subject 24-lot rural residential subdivision. Based on the staff research indicating that the project can be accommodated with a community water system, the Board approved the project on March 3, 2009.

Prior to staff's determination that the Tentative Map would expire on March 3, 2019, a series of legislative time extension were passed, approving automatic time extensions as noted above in "Procedural Considerations" for the Tentative Map, resulting in a new expiration date of March 3, 2019. The subject request is to allow a two-year discretionary time extension, pursuant to Map Act Section 66462.26 through the consideration of the Planning Commission. Approval of this request will allow the Tract Map No. 5415 to expire on March 3, 2021. The Applicant filed the subject request on January 24, 2019.

### **ANALYSIS/DISCUSSION:**

Tentative Tract Map No. 5415 was approved on March 3, 2009 by the Fresno County Board of Supervisors. Attached is a copy of the original Staff Report and the Board of Supervisor's Approval dated March 3, 2009 (Exhibit 4).

According to a letter submitted by the Applicant (Exhibit 5), filing of the subject request to allow for additional time to complete the project was necessary due to sluggish economy in Fresno County and an uncertain market for the type of residential development proposed by Tentative Tract Map (TT) No. 5415. The subject Time Extension will allow the Applicant until March 3, 2021 to begin substantial development of the project.

The current time extension request was routed to all the agencies who reviewed the original project in 2007. None of those agencies identified any change in circumstances or the need for additional conditions, and did not express any concerns with the proposed extension of time. However, per the comments received from the Resources Division of the Fresno County Department of Public Works and Planning, and Fresno County Fire Protection District, Project Notes as mandatory requirements have been included requiring the Applicant to: 1) annex the property into County Service Area (CSA) 35 CL; 2) have a Homeowners' Association (HOA) or an equivalent entity maintain the interior roads within the tract; 3) annex the property into Community Facilities District No. 2010-1 of the Fire Protection District; and 4) have the project development comply with the California Code of Regulations, Title 14 Natural Resources 12720. Based on the comments received, the Applicant has been advised to consult with the Resources Division and the Fresno County Fire Protection District.

**PUBLIC COMMENT:**

None.

**CONCLUSION:**

Staff believes this two-year discretionary time extension for Tentative Tract Map No. 5415 should be approved, based on the factors cited in the analysis above. Approval of this time extension will extend the expiration date to March 3, 2021.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to approve the two-year discretionary time extension for Tentative Tract Map No. 5415; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Alternative Motion** (Denial Action)

- Move to deny the two-year discretionary time extension request for Tentative Tract Map No. 5415 (state reasons how approval of the time extension request would pose a health and safety issue to the residents of the subdivision or the immediate community, or both; or state how denial of the time extension request is required in order to comply with State or Federal law); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**NOTES:**

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

1. The property shall be annexed into County Service Area (CSA) 35 CL, and a Homeowners' Association (HOA) or an equivalent entity shall maintain all interior roads within Tract No. 5415.

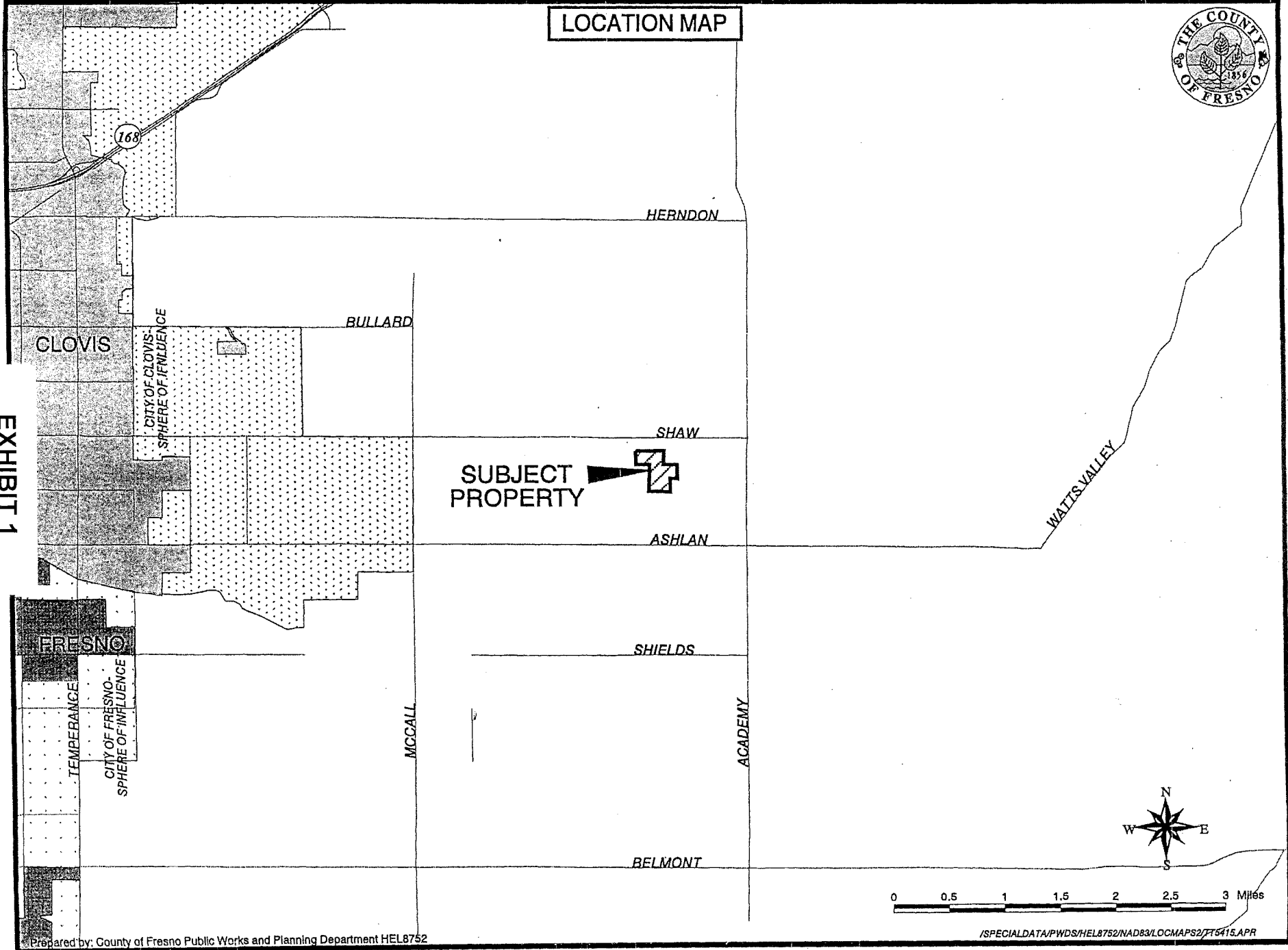
2. The property shall be annexed into Community Facilities District No. 2010-1 of the Fresno County Fire Protection District and the project shall be developed in compliance with California Code of Regulations, Title 14 Natural Resources 12720.

EA:

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EXHIBIT 1

LOCATION MAP



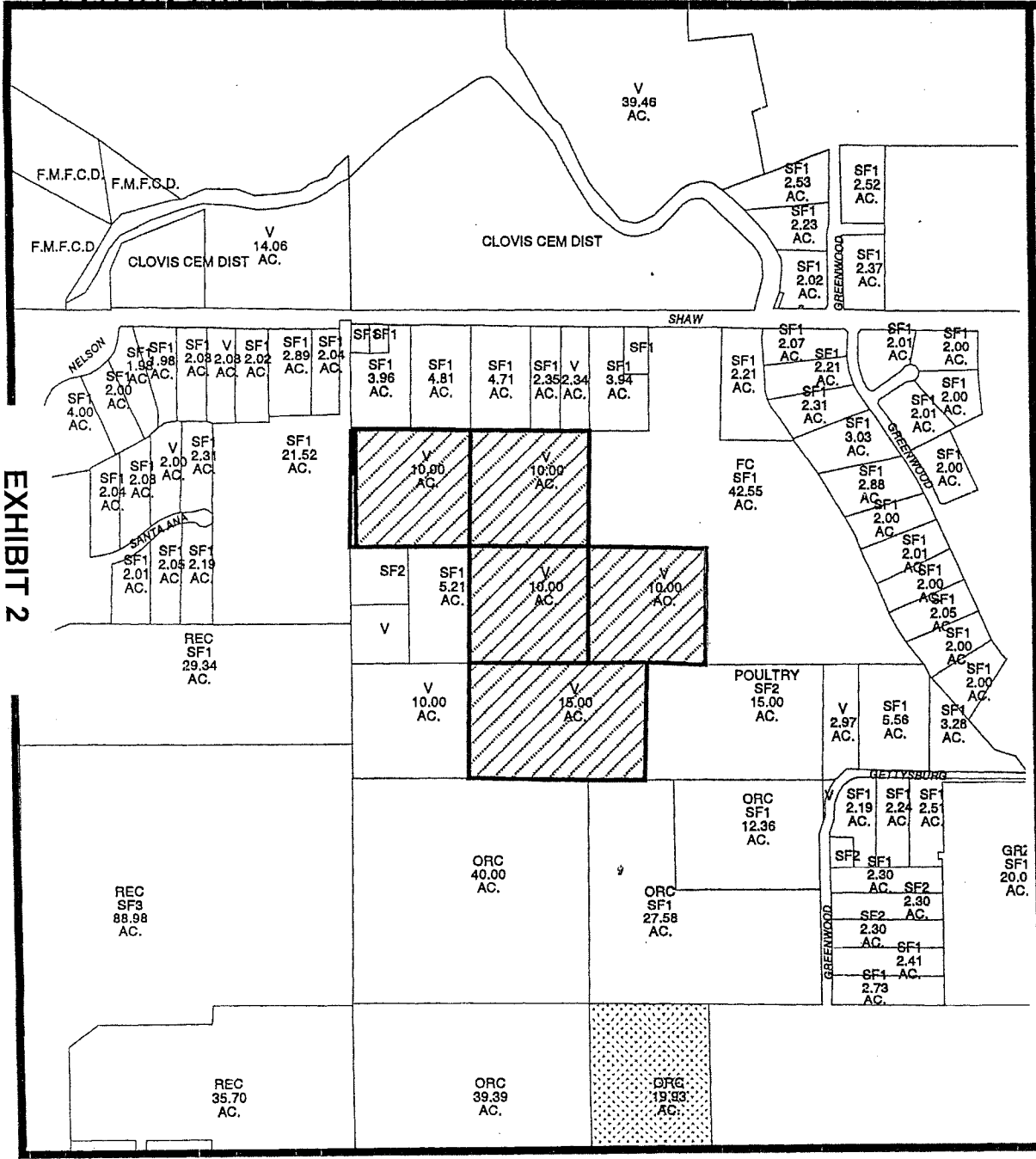
Prepared by: County of Fresno Public Works and Planning Department HEL8752

/SPECIALDATA/PWDS/HEL8752/NAD83/LOCMAPS2/RT5415.APR



EXHIBIT 1



# EXISTING LAND USE MAP



Legend	
FC	- FIELD CROP
GRZ	- GRAZING
ORC	- ORCHARD
REC	- RECREATION
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

 Subject Property  
 Ag Contract Land



300 0 300 600 900 Feet

EXHIBIT 2

EXHIBIT 2

# EXISTING ZONING MAP

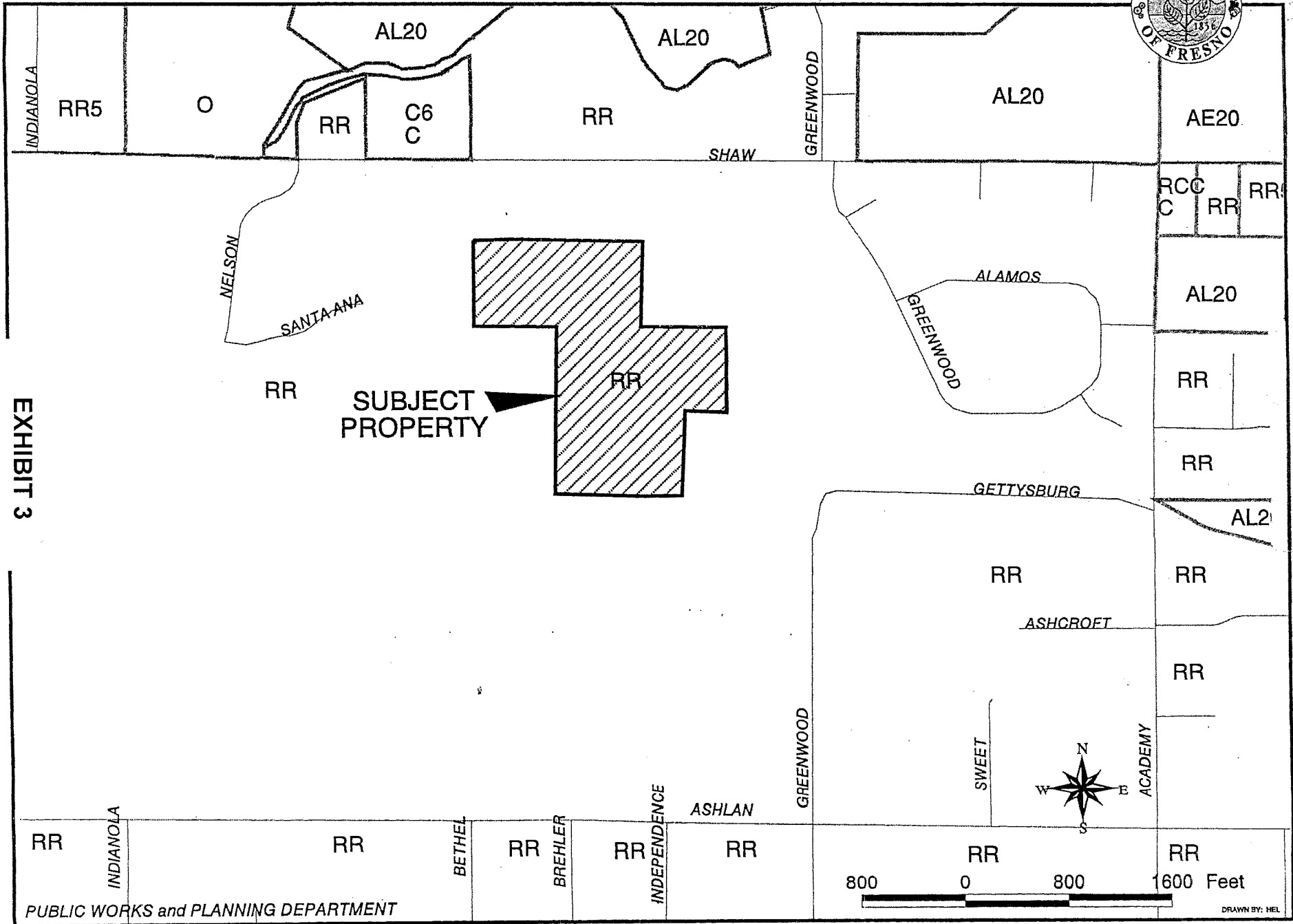


EXHIBIT 3


EXHIBIT 3

## Inter Office Memo



DATE: March 3, 2009

TO: Board of Supervisors

FROM: Alan Weaver, Director   
Department of Public Works and Planning

SUBJECT: Initial Study Application No. 5497 and Tentative Tract Application No. 5415  
(Amal Avedian)

RECOMMENDED ACTION

**Consider and take action on appeal filed by Amal Avedian of the Planning Commission's denial of Tentative Tract Map Application No. 5415 to allow creation of a 24-lot subdivision with a minimum lot size of two acres from five existing parcels totaling 55 acres in the RR (Rural Residential, two-acre minimum parcel size) District and consider provision of water services to said Tract by a community water system. The project is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST: 5) (APN: 308-150-05, 18, 20, 37S & 38S).**

BACKGROUND / DISCUSSION

This item returns to your Board pursuant to your Board's vote to continue the item on November 4, 2008 to a future date to evaluate the proposal with a community water system.

On October 2, 2008, the Planning Commission considered the subject project filed by the Applicant. After considering the information in the Staff Report, staff's presentation, and public testimony from the Applicant's Representative, the Commission voted six to two to adopt Resolution No. 12124 denying Tentative Tract Application No. 5415. The Planning Commission stated that one or more of the findings, as outlined in the Subdivision Review Committee Report, cannot be made due to the project not addressing broader water supply needs for the region and the County, and thus deferring the comprehensive assessment of possible water impacts, as related to rural residential development, to subsequent approvals.

An appeal was filed on October 7, 2008 to your Board for consideration.

At your regularly scheduled November 4, 2008 hearing, your Board considered the appeal of the Planning Commission's denial of the subject project. As originally proposed, this project was to be served by individual wells and septic systems.

At that hearing, upon considering public testimony from the Applicant's Representative and Consulting Engineer related to the project's impact on area-wide water via the use of individual water wells, your Board directed staff to investigate the possibility of allowing a

community water system to serve the subject 24-lot rural residential subdivision and provide a report to your Board within 90 days.

As permitting for community water systems in Fresno County requires review, approval and permit by the State of California Department of Public Health (CDPH), coordination with that agency for review of existing water testing information (both quantity and quality) was necessary prior to returning to your Board. It was also necessary to engage with staff of our Resources Division, who would be maintaining and operating the community water system, for review and additional conditioning to insure the system could be adequately maintained and meet County General Policies for water conservation and metered rates.

A synopsis of this review and subsequent conditions by staff is as follows:

Pursuant to Policy PF-C.17 of the County General Plan, a Hydro-Geologic Evaluation Report prepared for the project by BSK Engineering, dated January 30, 2006 and January 25, 2008, related to water supply evaluation were submitted to and reviewed by the County Water-Geology Unit, County Resources Division - Special Districts Section, and CDPH Drinking Water Program staff. This re-evaluation was conducted at the level of a community system.

After their review, it was concluded that the proposed water usage and data contained in the reports demonstrated that the project met the necessary water supply requirements of the State of California and the Fresno County General Plan regarding adequacy, sustainability, quality and impacts to nearby wells. As noted by the County's Resources Division, the community water system will include a minimum of two primary wells and one back-up well.

According to the Applicant, and accepted by County Water-Geology Unit and CDPH, all three wells will provide for 50-foot seals and will be re-tested for water quality prior to the recordation of a Final Map. Also, a Water Supply Permit shall be obtained prior to occupancy.

As a community water system located within the vicinity of an existing County Service Area (CSA No. 10 Cumorah Knolls), the County Resources Division - Special Districts Section indicated possible options for establishing a CSA to serve the proposed Tract. These options include creation of a new CSA, or expanding CSA No. 10, which provides water services to an existing 47-lot rural residential tract at Shaw and Greenwood Avenues, by creating a Zone of Benefit within CSA No. 10. In either event, it will be necessary for the Applicant to engage with staff of the County Department of Public Works and Planning, Local Area Formation Commission (LAFCO), and CDPH prior to approval of a Final Map to determine the most acceptable option.

Based on the above-described review, a series of additional Conditions and Mitigation Measures were generated to be applied to the Tentative Tract Map as necessary for a community water system. Specific Mitigation Measures have also been included in the revised environmental document prepared for this project. Recirculation of this document occurred on January 30, 2009. Mitigation Measures and Conditions of Approval for this Tract, as modified for consideration of a community water system, are attached (see Attachment 1).

Board of Supervisors  
March 3, 2009  
Page 3

Staff believes that the project can accommodate a community water system to serve the subject 24-lot rural residential subdivision based upon the additional review conducted by the State of California and the County, and the added recommended Mitigation Measures and Conditions of Approval noted in Attachment 1. Staff therefore recommends approval of Tentative Tract Map No. 5415 subject to the recommended amended Mitigation Measures and additional Conditions of Approval as attached.

If your Board determines that the project can be served by a community water system operated and maintained by the County of Fresno, a motion to approve Tentative Tract Map Application No. 5415 subject to the recommended Mitigation Measures and Conditions of Approval stated above would be appropriate.

If your Board determines that the project cannot be approved and upholds the Planning Commission's denial of the project, a simple denial motion would be appropriate.

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Agenda Item

DATE: March 3, 2009

TO: Board of Supervisors

FROM: Alan Weaver, Director *Alan Weaver*  
 Department of Public Works and Planning

SUBJECT: Initial Study Application No. 5497 and Tentative Tract Application No. 5415  
 (Amal Avedian)

RECOMMENDED ACTION:

**Consider and take action on appeal filed by Amal Avedian of the Planning Commission's denial of Tentative Tract Map Application No. 5415 to allow creation of a 24-lot subdivision with a minimum lot size of two acres from five existing parcels totaling 55 acres in the RR (Rural Residential, two-acre minimum parcel size) District and consider provision of water services to said Tract by a community water system. The project is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST: 5) (APN: 308-150-05, 18, 20, 37s & 38s). Continued from November 4, 2008.**

This item was continued from the February 24, 2009 Board hearing at the request of the applicant and returns to your Board pursuant to your Board's vote to continue the item on November 4, 2008 to a future date to evaluate the proposal with a community water system in lieu of individual wells as originally proposed.

Staff's re-evaluation of the project determined that the 24-lot rural residential subdivision can be accommodated by a community water system. This determination was made based upon the additional review conducted in conjunction with State of California Department of Public Health (CDPH) and the County, and the added recommended Mitigation Measures and Conditions of Approval noted in Attachment 1. Note that revised and additional mitigation measures and conditions are in bold type. Staff therefore recommends approval of Tentative Tract Map No. 5415 subject to the recommended amended Mitigation Measures and additional Conditions of Approval as attached.

If your Board chooses to approve the project with the inclusion of a community water system operated and maintained by the County of Fresno, a motion to approve Tentative Tract Map Application No. 5415 subject to the recommended Mitigation Measures and Conditions of Approval stated above would be appropriate.

ADMINISTRATIVE OFFICE REVIEW *Bruno Ortiz* Page 1 of 89  
 BOARD ACTION DATE March 3, 2009 APPROVED AS RECOMMENDED  OTHER



CONDUCTED PUBLIC HEARING; RECEIVED PUBLIC TESTIMONY; CLOSED HEARING;  
 APPROVED APPEAL APPROVING INITIAL STUDY APPLICATION NO. 5497 AND  
 TENTATIVE TRACT MAP APPLICATION NO. 5415, SUBJECT TO CONDITIONS

UNANIMOUS  ANDERSON Aye CASE No LARSON Aye PEREA Aye POOCHIGIAN Aye

ALTERNATIVE ACTION(s):

If your Board determines that the project cannot be approved with the inclusion of a community water system and upholds the Planning Commission's denial of the project, a simple denial motion would be appropriate.

FISCAL IMPACT:

Approval or denial of the recommended action should have no fiscal impact to the County. Operation and maintenance of a community water system through a County Service Area (CSA) must occur as a self-funded activity paid for by property owners via the CSA for the services received.

IMPACTS ON JOB CREATION:

Approval or denial of the recommended action should have minimal impact on job creation in Fresno County. Housing construction, design and construction activity related to a community water system, and other improvement activities associated with approval of this application may provide for some short-term job opportunities.

DISCUSSION:

This item returns to your Board pursuant to your Board's vote to continue the item on November 4, 2008 to a future date to evaluate the proposal with a community water system.

On October 2, 2008, the Planning Commission considered the subject project filed by the Applicant. After considering the information in the Staff Report, staff's presentation, and public testimony from the Applicant's Representative, the Commission voted six to two to adopt Resolution No. 12124 denying Tentative Tract Application No. 5415. The Planning Commission stated that one or more of the findings, as outlined in the Subdivision Review Committee Report, cannot be made due to the project not addressing broader water supply needs for the region and the County, and thus deferring the comprehensive assessment of possible water impacts, as related to rural residential development, to subsequent approvals.

An appeal was filed on October 7, 2008 to your Board for consideration.

At your regularly scheduled November 4, 2008 hearing, your Board considered the appeal of the Planning Commission's denial of the subject project. As originally proposed, this project was to be served by individual wells and septic systems.

At that hearing, upon considering public testimony from the Applicant's Representative and Consulting Engineer related to the project's impact on area-wide water via the use of individual water wells, your Board directed staff re-evaluate the project with the inclusion of a community water system to serve the subject 24-lot rural residential subdivision and provide a report to your Board within 90 days.

As permitting for community water systems in Fresno County requires review, approval and permit by the State of California Department of Public Health (CDPH), coordination with that agency for review of existing water testing information (both quantity and quality) was necessary prior to returning to your Board. It was also necessary to engage with staff of our Resources Division, who would be maintaining and operating the community water system, for review and additional conditioning to insure the system could be adequately maintained and meet County General Policies for water conservation and metered rates.

A synopsis of this review and subsequent conditions by staff is as follows:

Pursuant to Policy PF-C.17 of the County General Plan, a Hydro-Geologic Evaluation Report prepared for the project by BSK Engineering, dated January 30, 2006 and January 25, 2008, related to water supply evaluation were submitted to and reviewed by the County Water-Geology Unit, County Resources Division - Special Districts Section, and CDPH Drinking Water Program staff. This re-evaluation was conducted at the level of a community system.

After their review, it was concluded that the proposed water usage and data contained in the reports demonstrated that the project met the necessary water supply requirements of the State of California and the Fresno County General Plan regarding adequacy, sustainability, quality and impacts to nearby wells. As noted by the County's Resources Division, the community water system will include a minimum of two primary wells and one back-up well.

According to the Applicant, and accepted by County Water-Geology Unit and CDPH, all three wells will provide for 50-foot seals and will be re-tested for water quality prior to the recordation of a Final Map. Also, a Water Supply Permit shall be obtained prior to occupancy.

As a community water system located within the vicinity of an existing County Service Area (CSA No. 10 Cumorah Knolls), the County Resources Division - Special Districts Section indicated possible options for establishing a CSA to serve the proposed Tract. These options include creation of a new CSA, or expanding CSA No. 10, which provides water services to an existing 47-lot rural residential tract at Shaw and Greenwood Avenues, by creating a Zone of Benefit within CSA No. 10. In either event, it will be necessary for the Applicant to engage with the Department, Local Agency Formation Commission (LAFCO), and CDPH prior to approval of a Final Map to determine the most acceptable option.

Based on the above-described review, a series of additional Conditions and Mitigation Measures were generated to be applied to the Tentative Tract Map as necessary for a community water system. Specific Mitigation Measures have also been included in the revised environmental document prepared for this project. Recirculation of Initial Study Application No. 5497 (Mitigated Negative Declaration) occurred on January 30, 2009. Mitigation Measures and Conditions of Approval for this Tract, as modified for consideration of a community water system, are attached (see Attachment 1).

Staff believes that the project can accommodate a community water system to serve the subject 24-lot rural residential subdivision based upon the additional review conducted by the State of California and the County, and the added recommended Mitigation Measures and Conditions of Approval (bold type) noted in Attachment 1. Staff therefore recommends approval of Tentative Tract Map No. 5415 subject to the recommended amended Mitigation Measures and additional Conditions of Approval as attached.

#### OTHER REVIEWING AGENCIES:

As stated above, CDPH reviewed the Hydro-Geologic Evaluation Report prepared for this proposal and determined that the evaluation has proved adequate for a community water system.



## ATTACHMENT 1

### Conditions of Approval

Initial Study Application No. 5497  
Tentative Tract Map Application No. 5415

#### A. BETHEL AVENUE:

1. Is not a County maintained road; however it is a public road. Bethel Avenue has recently been constructed as part of PM 7918 as a 24-foot wide paved roadway within a 60-foot wide easement. Bethel Avenue along the frontage of this tentative map shall be widened to provide a stabilized shoulder on each side to comply the Air Board requirement for PM-10 within the 60-foot easement.
2. Thirty feet by thirty feet corner cutoffs shall be provided at the intersection of Bethel Avenue and proposed interior road connection.
3. Direct access rights from proposed Lot 1 and Lot 24 to Bethel Avenue shall be relinquished. A non-access barrier acceptable to the Director of the Department of Public Works and Planning shall be provided.

#### B. INTERIOR STREETS:

1. Shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standard A-1, Case A-1-b (24 feet of base and pavement) within 60 feet of right-of-way.
2. The alignment of the interior road connection to Bethel Avenue shall be placed no less than 120 feet north of the center line of Santa Ana Avenue west of Bethel Avenue.
3. Twenty by twenty feet corner cutoff shall be provided at all the right angle intersections.
4. The interior roads shall be named. The subdivider shall submit names to the Street Name Committee for review and approval prior to final map approval.
5. Stub roads shall be provided at the end of the easterly roads proposed at Lot 9/10 & Lot 14/15 because the length of the roads exceeds 500 feet.
6. Shall be provided with Standard B-2 Rural Residential cul-de-sacs at the end of the roads with a 1 foot restricted access strip at the east property line.
7. Those portions of the cul-de-sac- bulbs lying outside of the standard right-of-way shall be contained in easements to be extinguished upon extension of the roads.

C. DRAINAGE AND EROSION CONTROL:

1. Provisions shall be made to maintain natural drainage throughout the development in a manner that will not significantly change the existing drainage characteristics of those parcels adjacent to the development.
2. Provisions shall be made to retain all runoff generated from the developed portion of this tract within one or more drainage ponds or other facility acceptable to the Director of Public Works. The required storage capacity of the pond shall be based on the formula,  $S=0.5 CA$  (C is the coefficient of runoff and A is the drainage area). Recorded covenant shall be required with the final map for the maintenance of the ponding basin.
3. A grading and drainage plan shall be prepared and submitted to the County Development Engineering Section for review and approval. Individual lot grading plans may be required where lying within known flood zones as determined in the most recent FIRM available from FEMA.
4. A portion of the property is in Zone A, an area determined to be within the 100-year floodplain per FEMA Firm Panel 1615 F. A flood study to establish the Base Flood Elevation and the limits of inundation for a 100-year storm shall be conducted on the property. The limits of inundation shall be shown on the additional map sheet. [The limit of flood study shown on FEMA map ends within the subdivision boundary.
5. Hydrologic and hydraulic analysis shall be provided to determine the sizes and locations of culvert crossings and/or relocated drainage channels. The analysis shall also address the provision in Section 17.48.230 of the Fresno County Ordinance pertaining to development of land subject to flooding.
6. The applicant shall obtain an NPDES permit prior to construction or grading activities. A Notice of Intent (NOI) shall be filed with the Regional Water Quality Control Board. A copy of this Notice shall be provided to the County prior to commencing of construction activities.
7. The applicant shall develop a Storm Water Pollution Prevention Plan (SWPPP) and incorporate the plan into the construction improvement plans.
8. This area is within the Fresno Metropolitan Flood Control District. (FMFCD). All district requirements shall be met and made a part of the improvement plans including all engineering related studies and channel improvements.
9. A building pad for Lot 12 shall be constructed above the flood limits prior to recordation of the final map.

D. MAINTENANCE:

1. A Zone of Benefit in a County Service Area or other method acceptable to the Director of Public Works shall be provided for the maintenance of all interior roads.
2. A maintenance entity acceptable to the Director of Public Works shall be established if a community fire protection system is proposed.
3. The subdivider will be required to secure the maintenance of the new roads for a period of one year after the acceptance thereof.

E. UTILITIES:

1. All new utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance.
2. The existing easement through Lot 6 shall be extinguished or the easement rerouted to be coterminous with the proposed lot line. Failure to extinguish or reroute the easement shall require the redesign of the lots so that the lot boundary is coterminous with the easement.

F. FIRE PROTECTION:

1. The design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Department of Public Works and Planning after consideration of the recommendations of the fire district having jurisdiction of the area.
2. The project shall comply with all the applicable California Code of Regulations Title 24 – Fire Code 2007, which were agreed upon between the applicant and Fire District and signed by the applicant on August 13, 2008.
3. Mandatory fire requirements from the Fresno County Fire Protection District (Cal Fire) as listed for this project in Item 10 of “Notes” shall be considered at the time of the recordation of the final map.
4. Maintenance of all required community fire protection facilities shall be the responsibility of the Homeowners Association (HOA) or other property owner entity acceptable to the Fresno County Fire Protection District (District) and/or the County of Fresno that will function as an HOA with respect to the community fire protection facilities. All fire protection facilities shall be inspected by a qualified inspector possessing a C-16 Fire Protection Contractor classification on an annual basis (or more frequently as stipulated by the District or County of Fresno), and the results of said inspection shall be

submitted to the District for approval. The Developer or HOA shall be responsible for all costs associated with the District's review of any plans, maintenance/inspection records, or any other work performed by the District associated with maintenance of these systems. Prior to any annual inspection provided by a C-16 Fire Protection Contractor a Facility Fire Protection Permit shall be applied for by the C-16 Fire Protection Contractor. The permit shall be issued by Fresno County Fire Protection District prior to any inspection being conducted.

Any work performed on the Fire Protection Facility as a result of the annual inspection will require a field inspection and clearance by the District. Any corrective work shall be completed as required by the California Fire Code by a qualified contractor possessing a C-16 Fire Protection Contractor classification. All work performed on the Fire Protection Facility will be inspected and approved by the District.

Prior to recordation of the final map, an estimate shall be prepared by developer and approved by the District and/or the County of Fresno demonstrating adequate funding to complete the annual inspection/maintenance. The developer must also provide executed agreements that identify a source(s) and provide for perpetual funding for the annual inspections and system operational costs. Said agreements shall explicitly identify the developer as responsible for funding of the annual inspections and system operational costs until such time as the HOA can viably fund these functions. The developer/applicant shall post a one year electrical and mechanical bond from acceptance of the work that would cover defects in the materials or workmanship for the construction of the facilities. The aforementioned requirements shall be included in the CC&R's recorded for the subdivision which shall be recorded in conjunction with the recordation of the Final Map.

#### **G. WATER AND SEWER:**

- 1. Prior to Final Map recordation, a Master Plan shall be submitted to Resources Division which includes plans and specifications for the community water system. The improvement plans shall include site plans, well construction data, telemetry information, current water quality data (Title 22), CEQA, and the well hydrology report.**
- 2. Prior to recordation of Final Map, the developer shall adhere to any water conservation guidelines/ordinances adopted by the County of Fresno.**
- 3. Prior to recordation of the final map, all proposed wells shall be constructed, permitted, tested, and accepted by the County.**
- 4. Water facilities to serve the proposed community water system shall be designed and installed in accordance with County Improvement**

**Standards.** An Engineer's evaluation must demonstrate acceptable operations parameters and capacity based upon the proposed development. Two copies of engineered plans for these facilities shall be submitted to Resources Division, Special Districts for review and comment prior to recordation of a Final Map. A fee shall be required to review water facility plans.

5. The intended use of the subdivided parcels will determine the GPM per EDU required.
6. A permanent chlorination system must be designed into the system.
7. Funding for a telemetry monitoring system shall be provided for future installation.
8. The location and construction of the proposed wells must be in compliance with the California Well Standards Bulletin 74-81 and 74-90.
9. The developer shall construct the well site in such a manner as to minimize noise from equipment and aesthetically minimize the impact to residents within the near vicinity of the well site.
- \*10. Prior to recordation of final map, the applicant shall submit water quality data from all three wells after a 50 foot seal has been installed to the California Department of Public Health (CDPH), Drinking Water Program. Contact the Fresno District Engineer at (559) 447-3300 for information.
- \*11. Prior to occupancy, the property owner shall obtain approval for the issuance of a Public Water Supply Permit by submitting an application for the permit and supporting documentation, in the form of a technical report, to the California Department of Public Health (CDPH), Drinking Water Program. The documentation shall include a demonstration of Technical, Managerial, and Financial (TMF) Capacity as well as documentation of the services of a State-Certified Water Distribution Operator. Contact the Fresno District Engineer at (559) 447-3300 for information.
- \*12. Prior to the recordation of the Final Map, the Governing Board of the CSA serving the project shall adopt a tiered rate schedule for domestic and irrigation use service for the annexed area. The rate for irrigation services shall be tiered to discourage the over use of irrigation water. The tiered rate structure shall include the procedures indicating when water meters shall be read, payment of fees, and notification of over use.
- \*13. Prior to the recordation of the Final Map, a groundwater monitoring program acceptable to the County Geologist and to be performed by the CSA shall be adopted by the CSA Governing Board. The cost of the

ongoing monitoring program shall be included within the rate schedule approved by the CSA.

- \*14. A minimum of two wells are required. It is recommended that the system include a backup water well that could be used if the primary well becomes contaminated or runs dry. Each well must be capable of serving all of the proposed parcels as a standalone well and must meet the maximum day demand while minimizing the likelihood of contamination.**
- \*15. All onsite wells shall be equipped with a pressure transducer and a data logger shall be provided by the developer.**
- \*16. All rights to groundwater beneath the proposed tract shall be dedicated to the County of Fresno. Private property owners shall be prohibited from digging wells within tract boundaries. This requirement shall be recorded as a covenant running with the land and shall be noted on the Final Map.**
- \*17. Each lot shall be required to have two (2) meters. This requirement shall be recorded as a covenant running with the land and shall be noted on the Final Map. One meter shall serve the residence and the second meter shall serve landscape irrigation needs. Water meters shall be equipped with remote sensors so that homeowners may monitor their water usage. Water meters shall be installed only after permits are issued for a proposed residence. A water meter installation fee shall be due prior to installation of water meters. Resources Division shall install or contract to install meters for each lot.**
- \*18. The developer/representative shall contact the Department of Public Works and Planning's Design Division, Formations Section and LAFCO, to initiate the process of formation and annexation of a Zone of Benefit for the proposed lots into a CSA. The developer/representative shall be required to prepare an Engineer's Report justifying service rates.**
- \*19. The developer /representative shall be required to negotiate a financing agreement for the funding of water service operations until such time as that the CSA becomes self-sufficient. The Service/Financing Plan must explain; the type of service to be provided, the depth and scope of each service, the frequency of each service, any special vendors and/or contractors that may be needed for each service, the projected annual operating costs for each service, and the method of financing for each service.**
- \*20. All wells must have a minimum of a 50 foot seal and shall not be drilled using the Tubex drilling method because of additional monitoring requirements imposed by the California Department of Public Health. Also, water quality must be reviewed by the State Health Department to**

**determine if treatment is required and if the water source is acceptable. In addition, the proposed water system must provide a minimum of 1,000 gpm for two-hours for fire protection.**

- \*21. If the County of Fresno is designated to administer and maintain the proposed water system's budget and facilities respectively, than all water facilities and associated property shall be deeded to the CSA.**
- \*22. Engineered individual sewage disposal system will be required for each lot in this tract as per the conclusions and recommendations made by Norbert W. Larsen & Associates, Inc, on April 4, 2006 which were based upon a previous study submitted by the firm on December 10, 1990 or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division and shall be recorded as a covenant with the property upon recording of the Final Map and be noted on an additional map sheet.**
- \*23. All existing wells that are either unpermitted and/or abandoned within the subdivision shall be destroyed in an approved manner as authorized by a permit for water well destruction issued by the Fresno County Department of Public Health, Environmental Health Division (Health Department) prior to recordation of the final map.**

**G. OTHER CONDITIONS:**

- \*1. All outdoor lighting shall be hooded and directed so as not to shine toward public roads or the surrounding properties and be noted on an additional map sheet.**
- \*2. Prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.**
- \*3. To mitigate potential impacts to the County maintained roads, a pro-rata share for future off-site improvements is required as defined in item a and b below. This fee shall either be paid prior to recordation of the map or a covenant shall be recorded on each lot providing notice that issuance of a building permit is subject to payment of a Public Facilities fee. If the applicant opts for the latter, the fee shall be collected no later than the date of final inspection or the date of issuance of a certificate of occupancy, whichever comes first.**
  - a. Road widening to four (4) lanes of the 0.7 mile road segment of Shaw Avenue between McCall Avenue and Quail Lake Drive. The project's maximum share for the 2025 scenario is 2.98% or \$ 22,848.00**

- b. Signalization at the intersection of Shaw Avenue and McCall Avenue. The project's maximum share for the 2025 scenario is 1.31 % or \$5,482.00.

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

- 4. **A zone of benefit within CSA 35 for the purposes of road maintenance shall be established.**
- 5. **A Homeowner's Association or other entity shall be required for maintenance of storm water basins serving this tract.**

\*MITIGATION MEASURE – Measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.





DEPARTMENT OF PUBLIC WORKS AND PLANNING  
ALAN WEAVER  
DIRECTOR

**EVALUATION OF ENVIRONMENTAL IMPACTS  
(Revised Initial Study)**

- APPLICANT:** Amal Avedian
- APPLICATION NOS:** Initial Study Application No. 5497 and Tentative Tract Map Application No. 5415
- DESCRIPTION:** Allow creation of a 24-lot subdivision to be served by a community water system with a minimum lot size of two acres from five existing parcels totaling 55 acres in the RR (Rural Residential, two-acre minimum parcel size) District.
- LOCATION:** The subject property is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST: 5) (APN: 308-150-05, 18, 20, 37S & 38S).

**I. AESTHETICS**

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

**FINDING:** NO IMPACT:

*The project site is located within designated rural residential area of the County approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the City of Clovis. There are no scenic vistas, historic buildings or scenic resources within the area that would be adversely impacted by the project. The topography of the site and surrounding area is flat and most of the surrounding parcels are developed with residential and agricultural uses. The proposed project is similar to the existing development in the area,*

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thus, the project will not impact the visual character or quality of the site and its surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The project would generate new sources of light and glare in the form of residential lighting (exterior and interior) and vehicular headlights. However, the increase in light and glare is not considered significant because the type of light generated is expected to be similar to that of existing home sites in the area on rural residential properties. To mitigate light and glare impacts on the adjacent properties, the following mitigation measure will be incorporated into the project:*

**\*Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed so as not to shine toward public roads or the surrounding properties and be noted on an additional map sheet.*

**II. AGRICULTURAL RESOURCES**

- A. **Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use;**
- B. **Would the project conflict with existing agricultural zoning or Williamson Act contracts; or**
- C. **Would the project involve other environmental changes which, due to their location or nature, could result in conversion of farmland to non-agricultural use?**

FINDING: NO IMPACT:

*The project will not convert prime or unique farmlands to non-agricultural uses. The project site is classified as Farmland of Local Importance on the Fresno County Important Farmland Map 2002, suited for pasture, dry land farming, confined livestock and grazing. It is vacant and is not subject to Williamson Act Contract. Majority of the adjoining lands to the north and east are designated as Farmland of Local Importance. Parcels to the south are designated as Farmland of State Wide Importance and to the west are designated as Urban and Built-up Land.*

### III. AIR QUALITY

- A. **Would the project conflict with or obstruct implementation of the applicable air quality plan?**
- B. **Would the project isolate any air quality standard or contribute to an existing or projected air quality violation;**
- C. **Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a federal or state ambient air quality standard; or**
- D. **Would the project expose sensitive receptors to substantial pollutant concentrations?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The San Joaquin Valley Air Pollution Control District (Air District) reviewed the project and indicated that the project is expected to have no significant adverse impact on air quality. Also, at full build-out, the project would be less than 50 residential units and would not be subject to District Rule 9510 (Indirect Source Review). However, the Air District indicates that the project may be subject to several District rules that can be incorporated into the design of the project to reduce the project's overall level of emissions to reduce emissions throughout the San Joaquin Valley. These rules include: District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials, Rule 4601 (Architectural coatings), Rule 4641 (Cutback, Slow, Cure, and emulsified Asphalt, Paving and Maintenance Operations), and Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters). Also, Rule 4002 (National Emission Standards for Hazardous Air Pollutants) would apply in case an existing structure on the property is renovated. These requirements will be included as project notes.*

*Adherence to the regulations noted above would reduce air-related impacts to a less than significance level.*

- E. **Would the project create objectionable odors affecting a substantial number of people?**

FINDING: NO IMPACT:

*As proposed, the single family residential development will not create objectionable odors.*

#### IV. BIOLOGICAL RESOURCES

- A. **Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species?**
- B. **Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFG or USFWS?**

FINDING: NO IMPACT:

*The subject 55-acre property is located in a rural residential area of the County located east of City of Clovis and west of the Friant Kern canal. According to Fresno County Assessor's record, up until 1967 the property was a fig orchard. At present, it is vacant with a little or no vegetation and is dominated by native or non-native up-land grasses.*

*A biological report titled "Bethel Avenue Parcels Biological Assessment Report" was prepared by ESR, Inc., dated December 13, 2005, and reviewed by the California Department of Fish & Game (F&G). Amid F&G concerns that project site be surveyed during the appropriate time of the year to determine the location and extent of possible vernal pool habitat and the presence of the special status species, a supplemental "Hydrologic Monitoring and Habitat Assessment Report" was prepared by ESR, Inc., dated June 4, 2007. This supplemental report concluded that the subject property does not contain necessary parameters to qualify as vernal pools or habitat that would be conducive for use by vernal pool fairy shrimp, California tiger salamander or San Joaquin adobe sunburst. The reports finding are as follows:*

- 1. The soil analysis including the data interpretation and the filed sampling program did not identify any soils that were able to support wetland or vernal pool conditions.*
- 2. No clay soils were identified that would serve as habitat for the San Joaquin adobe sunburst.*
- 3. The site does not contain the necessary parameters to qualify as vernal pools or habitat that would be conducive for use by vernal pool fairy shrimp, California tiger salamander or San Joaquin adobe sunburst.*

*The California Department of Fish and Game (F&G) reviewed the report and accepted its findings as noted above and did not request for additional information.*

The United States Fish and Wildlife Service (F&WL) also reviewed the project and indicated that based upon the information available to the Service, at least 12 federally and state-listed species of plants and animals have been reported for the area, including 3 reported in the immediate area California tiger salamander, vernal pool fairy shrimp and San Joaquin adobe sunburst. The F&WL recommended that parcel-specific biological surveys be conducted by a qualified biologist to determine the presence of federally-listed species at the site. The "Hydrologic Monitoring and Habitat Assessment Report" prepared by ESR, Inc., dated June 4, 2007, along with Department of Fish & Game response to the project was routed to the Service on October 25, 2007 for review and comments. A follow-up letter for response was sent on November 27, 2007, followed by a second letter sent on December 18, 2007. No concerns were subsequently expressed in reference to the information provided to the Service.

- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means?**

FINDING: NO IMPACT:

*According to the analysis made in Hydrologic Monitoring and Habitat Assessment Report," the site does not meet wetland characteristics as per the wetland definition established by Army Corps of Engineers (ACOE). The project was routed to ACOE who indicated that in case jurisdictional Waters of United States is found on the property, a 404 permit from ACOE would be required. This will be included as project note.*

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

FINDING: NO IMPACT:

*See discussion above in Section IV, A. B. The project site does not have or will impact migratory fish or wildlife species.*

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?**

FINDING: NO IMPACT:

*The project will not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

**V. CULTURAL RESOURCES**

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

FINDING: NO IMPACT:

*No impacts to cultural resources were identified in the project analysis. The subject site is not located within an archeological sensitivity area or near any areas of known archaeological or historical activities.*

**VI. GEOLOGY AND SOILS**

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

FINDING: NO IMPACT:

*The site is not located within a fault zone or area/topography that is subject to landslides. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction, or landslides.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project could result in minor changes in absorption rates, drainage patterns and the rate and amount of surface run-off, in the form of drainage from grading activities. These effects are not considered significant because the applicant will be required to adhere to the Grading and Drainage Sections of the County Ordinance Code.*

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed this application and required that a sewage feasibility study be prepared for the site to indicate its potential to support septic systems for the development. A Geology & Sewage disposal Feasibility Study was prepared by Norbert W. Larsen, dated April 4, 2006, which was based on a previous study, dated December 10, 1990. The Health Department reviewed the Feasibility Study and concluded that engineered septic systems consistent with the variable geologic conditions on each lot should be required for this tract at the time of housing construction and recommends that the following mitigation measure be included in the approval of the project in order to address potential impacts related to the use of specific systems.*

**\*Mitigation Measures**

1. *Engineered individual sewage disposal systems will be required for each lot in this tract as per the conclusions and recommendations made by Norbert W. Larsen & Associates, Inc, on April 4, 2006 which were based upon a previous study submitted by the firm on December 10, 1990 or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division and shall be recorded as a covenant with the property upon recording of the Final Map and be noted on an additional map sheet.*

**VII. HAZARDS AND HAZARDOUS MATERIALS**

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials?**
- B. Would the project create a significant hazard involving accidental release of hazardous materials into the environment?**
- C. Would the project emit hazardous materials within ¼ mile of a school?**

FINDING: NO IMPACT:

*No impacts relating to hazardous materials were identified in the project review process. The nature of a proposed rural residential subdivision will not generate or involve the transport of quantities of hazardous materials with the potential to impact surrounding property owners or the environment. No hazardous materials sites were identified within the project area by the Department of Community Health, Environmental Health Division.*

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

FINDING: NO IMPACT:

*The project is not located on a hazardous materials site.*

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



FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

*The project will not impair implementation or physically interfere with an adopted emergency response plan.*

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

FINDING: NO IMPACT:

*The proposal is not located in a wildland fire area and therefore will not expose people or structures to such hazards.*

## **VIII. HYDROLOGY AND WATER QUALITY**

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?**
- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?**

FINDING: LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED:

*The project will utilize three on site wells to provide for community water systems meeting all water quality and quantity standards required by the County and the State of California.*

*Engineered individual sewage disposal systems will be utilized for wastewater discharge for each lot in the tract. Since such systems provide much more control on groundwater contamination over non-engineered individual sewage disposal systems, the project will not degrade groundwater quality.*

*Hydro-Geologic Evaluation Reports, dated January 30, 2006 and January 25, 2008 respectively, were prepared for the project by BSK Engineering. The report, which contained information for three production wells pumped at 24gpm, 21.5gpm and 22.2gpm (gallon per minute), were reviewed by the County Water-Geology Unit and California Department of Public Health (CDPH), Drinking Water Program described as per a community water system. Given the proposed water usage and data contained in the reports, the project meets water supply requirements of the State of California and Fresno County General Plan regarding adequacy, sustainability and impacts to nearby wells. As noted by Resources Division, the community water system shall include a minimum of two primary wells and one back-up well. On a similar note, CDPH indicated that only two wells are required to be developed with 50 foot seals and be tested for both water quality and quantity in order to serve the community system. However, if all three wells are to be developed to community standards with 50 foot seals, then only water quality test is required. According to the applicant, and accepted by County Water-Geology Unit and CDPH, all three wells at 50 feet will be sealed and retested for water quality prior to the recordation of final map. Also, a water supply permit shall be obtained prior to occupancy. These requirements have been included as mitigation measures and are as follows:*

**\*Mitigation Measures:**

- \*1. Prior to recordation of final map, the applicant shall submit water quality data from all three wells after a 50 foot seal has been installed to the California Department of Public Health (CDPH), Drinking Water Program. Contact the Fresno District Engineer at (559) 447-3300 for information.*
- \*2. Prior to occupancy, the property owner shall obtain approval for the issuance of a Public Water Supply Permit by submitting an application for the permit and supporting documentation, in the form of a technical report, to the California Department of Public Health (CDPH), Drinking Water Program. The documentation shall include a demonstration of Technical, Managerial, and Financial (TMF) Capacity as well as documentation of the services of a State-Certified Water Distribution Operator. Contact the Fresno District Engineer at (559) 447-3300 for information.*
- \*3. Prior to recordation of the final map, all existing wells that are either unpermitted and/or abandoned, within the subdivision shall be destroyed in an approved manner as authorized by a permit for water well destruction issued by the Fresno County Department of Public Health, Environmental Health Division.*

As a community water system located within the vicinity of an existing County Service Area providing community water (CSA No. 10 Cumorah Knolls), the County Resources Division-Special Districts Section indicated various options for establishing a CSA to serve the proposed tract. These options include creation of a new CSA or expanding CSA No. 10 by creating a zone of benefit within CSA No. 10. The water system will be owned and operated by the County of Fresno and per the Resources Division, will be required the following included as mitigation measures:

- \*4. *Prior to the recordation of the Final Map, the Governing Board of the CSA serving the project shall adopt a tiered rate schedule for domestic and irrigation use service for the annexed area. The rate for irrigation services shall be tiered to discourage the over use of irrigation water. The tiered rate structure shall include the procedures indicating when water meters shall be read, payment of fees, and notification of over use.*
- \*5. *Prior to the recordation of the Final Map, a groundwater monitoring program acceptable to the County Geologist and to be performed by the CSA shall be adopted by the CSA Governing Board. The cost of the ongoing monitoring program shall be included within the rate schedule approved by the CSA.*
- \*6. *A minimum of two wells are required. It is recommended that the system include a backup water well that could be used if the primary well becomes contaminated or runs dry. Each well must be capable of serving all of the proposed parcels as a standalone well and must meet the maximum day demand.*
- \*7. *All onsite wells shall be equipped with a pressure transducer and a data logger shall be provided by the developer.*
- \*8. *All rights to groundwater beneath the proposed tract shall be dedicated to the County of Fresno. Private property owners shall be prohibited from digging wells within tract boundaries. This requirement shall be recorded as a covenant running with the land and shall be noted on the Final Map.*
- \*9. *Each lot shall be required to have two (2) meters. This requirement shall be recorded as a covenant running with the land and shall be noted on the Final Map. One meter shall serve the residence and the second meter shall serve landscape irrigation needs. Water meters shall be equipped with remote sensors so that homeowners may monitor their water usage. Water meters shall be installed only after permits are issued for a proposed residence. A water meter installation fee shall be due prior to installation of water*

meters. Resources Division shall install or contract to install meters for each lot.

- \*10. *The developer/representative shall contact the County of Fresno Design Division, Formations Section and LAFCO, to initiate the process of formation and annexation of a Zone of Benefit for the proposed lots into a CSA. The developer/representative shall be required to prepare an Engineer's Report justifying service rates.*
- \*11. *The developer /representative shall be required to negotiate a financing agreement for the funding of water service operations until such time as that the CSA becomes self-sufficient. The Service/Financing Plan must explain; the type of service to be provided, the depth and scope of each service, the frequency of each service, any special vendors and/or contractors that may be needed for each service, the projected annual operating costs for each service, and the method of financing for each service.*
- \*12. *All wells must have a minimum of a 50 foot seal and shall not be drilled using the Tubex drilling method because of additional monitoring requirements imposed by the California Department of Public Health. Also, water quality must be reviewed by the State Health Department to determine if treatment is required and if the water source is acceptable. In addition, the proposed water system must provide a minimum of 1,000 gpm for two-hours for fire protection.*
- \*13. *If the County of Fresno is designated to administer and maintain the proposed water system's budget and facilities respectively, than all water facilities and associated property shall be deeded to the CSA.*

*Additional requirements from Resources Division requires that the project shall: (1) submit plans and specification for the community system, (2) adopt water conservation practices, (3) be designed and installed in accordance with County Improvement Standards and accepted by the County, (3) maintain acceptable distance between wells and nearest septic system, and (4) be provided with permanent chlorination and funding for a telemetry monitoring system. These requirements have been included as conditions of approval.*

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to FEMA Map Panel 1615F, a portion of the property lies within the 100-year flood plain. The Development Engineering Section of the Department of Public Works and Planning reviewed the project and indicated that a flood study to establish the base flood elevation and the limits of inundation for 100-year storm shall be conducted on the property and be shown on the map.*

*The Fresno Metropolitan Flood Control District (FMFCD) also reviewed the project and indicated that the existing stream course within the property is an FMFCD Master Plan channel and that District requires approval and design of a relocated channel prior to approval of the tract, dedication of easements as requested, and construction of culverts to accommodate Master Plan flows. To address District's concerns, the Development Engineering Unit, in agreement with the District, has recommended that since the property located within the FMFCD boundary; all District requirements shall be met and be made a part of improvement plans including engineering related studies and channel improvements. Required studies include a flood study to establish base flood elevation and the limits of inundation for a 100-year storm and hydraulic analysis to determine the sizes and locations of culvert crossings and/or relocated drainage channels to address the provisions in the Section 17.48.230 of the Fresno County Ordinance pertaining to development of land subject to flooding. These will be included as conditions of approval for the project. In addition, a condition of approval will be added requiring that a building pad for Lot 12 shall be constructed above the flood limits prior to the recording of the final map.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*As mentioned earlier, the project could cause changes in absorption rates, drainage patterns, and an increase in the rate and amount of surface runoff. This potential impact would result from construction and paving activities, which would compact and over cover the soil, thereby reducing the area available for infiltration of storm water.*

*Potential runoff, flooding erosion, and situation effects are not considered significant because future development shall be required to adhere to mandatory construction practices contained in the Building, Grading and Drainage Sections of the County Ordinance Code. According to the Development Engineering Section of the Department of Public Works and Planning, this proposal will require all storm water runoff generated from the developed portion of this tract be retained on site. Also, as indicated by Resources Division of the Department of Public Works and Planning, Homeowner's Association (HOA) or other entity will be required for maintaining storm water basin. This will be included as a condition of approval.*

*Adhering to these requirements will reduce project impact related to drainage and flooding to a less than significant level.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*As mentioned above in Section VI. E., engineered individual sewage disposal system will be used on the property. This system is required by Fresno County Department of Public Health, Environmental Health Division (Health Department) and will safeguard underground water quality more than an individual non-engineered septic system can.*

*In addition, the applicant will be required to obtain NPDES permit prior to construction and grading activities, file a Notice of Intent (NOI) with the Regional Water Quality Control Board, and develop a Storm Water Pollution Prevention Plan (SWPPP) and incorporate it into the construction improvement plans. Adherence to these requirements will reduce the project impact on ground water quality to less than significant.*

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*See discussion above in VIII. C. D.*

**I. Would the project expose persons or structures to levee or dam failure?**

**J. Would the project inundation by seiche, tsunami or mudflow?**

FINDING: NO IMPACT:

*No levee or dam is upstream of the site and no inundation hazards were identified in the analysis.*

**IX. LAND USE AND PLANNING**

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

FINDING: NO IMPACT:

*The project is located in a rural residential area and will not physically divide any established community. The project site is located approximately 3 ½ miles east of the incorporated City of Clovis.*

**B. Will the project conflict with any land use plan, policy or regulation of an agency with jurisdiction over the project?**

FINDING: NO IMPACT:

*The project will not conflict with any land use plan, policy or regulation of any agency with jurisdiction over the project. The subject property is designated for Rural Residential use on the Fresno County General Plan.*

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

FINDING: NO IMPACT:

*The project will not conflict with any habitat or natural community conservation plan.*

**X. MINERAL RESOURCES**

**A. Would the project result in the loss of availability of a known mineral resource?**

**B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a general plan?**

FINDING: NO IMPACT:

*The project site is not located in a mineral resource zone, as identified in the General Plan (Figure 7-8 and 7-9). The proposal will not extract and excavate minerals and would not result in the loss of a locally-important mineral resource recovery sites.*

## **XI. NOISE**

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

*The project would result in an increase in noise levels associated with the development of 24 residential units. However, Fresno County Department of Public Health, Environmental Health Division, who enforces the county noise ordinance, has indicated that given the location of existing residential development in the surrounding areas and the distance of such development from the proposed, site noise impact would be less than significant. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activities occur between the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. Noise impacts associated with construction are expected to be short-term.*

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

**FINDING: NO IMPACT:**

*The project site is not in the vicinity of an airport or private airstrip and therefore is not impacted by airport noise.*



## **XII. POPULATION AND HOUSING**

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

*The project would result in the construction of a maximum of 24 single-family residences on a 55-acre site in an area planned for Rural Residential development. The population growth resulting from the project is not considered significant based upon the County's adopted plan and policies.*

## **XIII. PUBLIC SERVICES**

- A. Would the project result in physical impacts associated with the provision of new public services in the following areas:**

- 1. Fire protection**

**FINDING: NO IMPACT:**

*Based upon the initial review of the project, the Fresno County Fire Protection District did not identify any significant concerns with the proposal. In their letter dated July 21, 2008, the Fire District indicated that the project shall comply with California Code of Regulations Title 24 – Fire Code 2007. The applicable Fire Codes were discussed and agreed upon between the applicant and Fire District to comply with and were signed by the applicant on August 13, 2008. The Fire district also requires that the project shall be provided with a 180, 000 gallon water storage tank on the property or a 90,000 gallon water storage tank with each house having sprinkler system installed. This will be reflected in covenant and agreement to be recorded with the final map. In addition, the design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Department of Public Works & Planning after consideration of the recommendations of the fire district having jurisdiction of the area. These requirements will be included as a condition of approval of the project.*

**2. Police protection**

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The Board of Supervisors has directed that a funding mechanism be established to provide for minimum level manning of Sheriff's services in areas experiencing new residential growth. This is consistent with General Plan Policy PF-G.2, which states that the County shall strive to maintain a staffing ratio of two sworn officers per 1,000 residents served. A mitigation measure has, therefore, been included requiring creation of a Community Facilities District or other appropriate funding mechanism to provide for police protection at a ratio of two sworn officers per 1,000 residents. The applicant has agreed to the following condition:*

**\*Mitigation Measure**

1. *Prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.*

**2. Schools**

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project is located within the Sanger Unified School District boundaries. The District has adopted an ordinance requiring payment of a construction fee. Payment will be required prior to issuance of building permits.*

**4. Parks**

**5. Other public facilities?**

FINDING: NO IMPACT:

*No impact on parks or other public facilities were identified in the analysis.*

#### XIV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks?
- B. Would the project require expansion of recreational facilities?

FINDING: NO IMPACT:

*No such impacts were identified in the analysis. However, an established recreational facility is located to the west within a quarter mile of the subject site.*

#### XV. TRANSPORTATION/CIRCULATION

- A. Would the project result in increased vehicle or traffic congestion?
- B. Would the project exceed the established level of service standards?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The Design Division of the Fresno County Department of Public Works and Planning identified potential impacts to the existing transportation system from traffic generated by the proposed project and determined that a Traffic Impact Study (TIS) was required in order to determine the full extent of traffic impacts. The applicant provided a TIS prepared by Peters Engineering Group dated, June 2, 2006. The traffic impact study concluded that the existing road network is adequate to accommodate the proposed project based upon opening day conditions and near-term conditions. The TIS recommended a project share for future construction cost for signalization of the intersection of Shaw and McCall Avenues and widening of Shaw Avenue to four lanes between McCall Avenue and Quail Lake Drive. The Design Division accepted the recommendations as outlined in TIS and has determined that the project shall pay its fare share for these improvements. These recommendations will be included as project mitigation measures and are as follows:*

**\*Mitigation Measure**

1. *To mitigate potential impacts to the County maintained roads, a pro-rata share for future off-site improvements is required as defined in item a and b below. This fee shall either be paid prior to recordation of the map or a covenant shall be recorded on each lot providing notice that issuance of a building permit is subject to payment of a Public Facilities fee. If the applicant opts for the latter, the fee shall be collected no later than the date of final*

*inspection or the date of issuance of a certificate of occupancy, whichever comes first.*

- i. Road widening to four (4) lanes of the 0.7 mile road segment of Shaw Avenue between McCall Avenue and Quail Lake Drive. The project's maximum share for the 2025 scenario is 2.98% or \$ 22,848.00*
- ii. Signalization at the intersection of Shaw Avenue and McCall Avenue. The project's maximum share for the 2025 scenario is 1.31 % or \$5,482.00.*

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

*The project was also reviewed by the Resources Division of the Department of Public Works and Planning who indicates that a zone of benefit within County Service Area (CSA) 35 for the purpose of road maintenance shall be established. This requirement will be included as a condition of approval.*

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

FINDING: NO IMPACT:

*The project will not change or alter air traffic patterns.*

**D. Would the project substantially increase traffic hazards due to design features?**

**E. Would the project result in inadequate emergency access?**

**F. Would the project result in inadequate parking capacity?**

FINDING: NO IMPACT:

*The project will not result in traffic hazards due to design features or in inadequate emergency access or parking capacity. All emergency access will be subject to approval by the Fresno County Fire Protection District prior to the completion of improvement plans/issuance of building permits.*

- G. Would the project conflict with adopted plans, policies or programs supporting alternative transportation?**

FINDING: NO IMPACT:

*The project will not conflict with any alternative transportation plans.*

**XVI. UTILITIES AND SERVICE SYSTEMS**

- A. Would the project exceed wastewater treatment requirements?**
- B. Would the project require construction of new water or wastewater treatment facilities?**

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The project will be provided with community water and individual sewage disposal systems, and does not require construction of new water or wastewater treatment facilities. The project has been approved by the Fresno County Department of Public Health, Environmental Health Division (Health Department) for on site sewage disposal systems and Water-Geology Unit of the Department of Public Works and Planning and California Department of Public Health (CDPH) for community water system subject to recommended mitigation measures noted above in Section VI. E., Geology and Soils and Section VIII. A. B. Hydrology and Water Quality.*

- C. Would the project require construction of new storm water drainage facilities?**
- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?**
- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?**

FINDING: LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED:

*See discussion above in Section VI. E., Geology and Soils and Section VIII, A. B. E., Hydrology and Water Quality.*

- F. Would the project be served by a landfill with sufficient permitted capacity?**

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project site will be served by a local waste hauler designated to provide refuse and recyclable material removal as required by County Ordinance. The development of the proposal is not expected to significantly impact local area landfills.*

## **XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

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

FINDING: NO IMPACT:

*No impacts to biological resources were identified in the analysis.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The San Joaquin Valley Air Pollution Control District (Air District) has reviewed the project and has commented that the entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). The project would contribute to the overall decline in air quality due to construction activity and an increase in traffic. The Air District indicated that the project is subject to several of its adopted mandatory rules and regulations designed to reduce emissions throughout the San Joaquin valley.*

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

FINDING: NO IMPACT:

*No substantial adverse effects on human beings were identified in the analysis.*

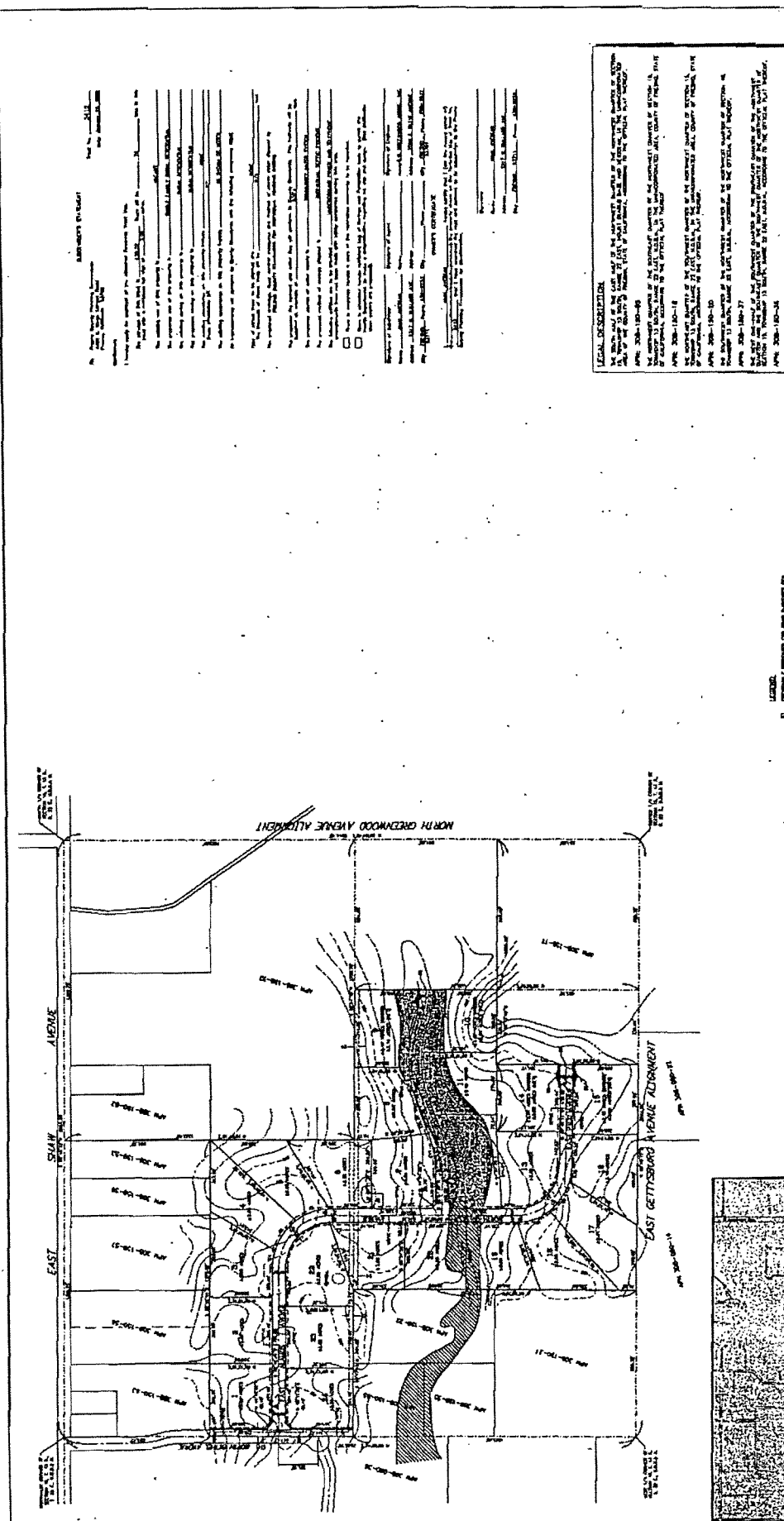
## **CONCLUSION/SUMMARY**

Based upon the revised Initial Study prepared for Tentative Tract Map No. 5415 to include a community water system, staff has concluded that the project will not have a significant effect on the environment. No potential impacts were identified related to agricultural resources, biological resources, cultural resources, hazards and hazardous materials, land use and planning, and mineral resources. Impacts related to population and housing, have been determined to be less than significant, including air quality and noise which have been determined to be less than significant with adherence to the provisions set forth by the San Joaquin Valley Air Pollution Control District and County Noise Ordinance.

Impacts related to aesthetics, geology and soils, hydrology and water quality, public services, transportation and circulation, and utilities and service systems have been determined to be less than significant with adherence to the proposed mitigation measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Ste. "A", Fresno, CA.

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**STATEMENTS BY OWNER:**

1. The above described land is owned in fee simple by the undersigned.

2. The above described land is being offered for sale to the public.

3. The above described land is being offered for sale to the public for the purpose of subdividing the same into lots.

4. The above described land is being offered for sale to the public for the purpose of subdividing the same into lots for the purpose of subdividing the same into lots.

5. The above described land is being offered for sale to the public for the purpose of subdividing the same into lots for the purpose of subdividing the same into lots.

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8. The above described land is being offered for sale to the public for the purpose of subdividing the same into lots for the purpose of subdividing the same into lots.

9. The above described land is being offered for sale to the public for the purpose of subdividing the same into lots for the purpose of subdividing the same into lots.

10. The above described land is being offered for sale to the public for the purpose of subdividing the same into lots for the purpose of subdividing the same into lots.

**LEGAL DESCRIPTION:**

ALL THAT PART OF THE LAND IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED IN THE OFFICIAL RECORDS OF THE COUNTY OF FRESNO, CALIFORNIA, AS FOLLOWS, TO-WIT:

APR. 2004-150-08

APR. 2004-150-09

APR. 2004-150-10

APR. 2004-150-11

APR. 2004-150-12

APR. 2004-150-13

APR. 2004-150-14

APR. 2004-150-15

APR. 2004-150-16

APR. 2004-150-17

APR. 2004-150-18

APR. 2004-150-19

APR. 2004-150-20

APR. 2004-150-21

APR. 2004-150-22

APR. 2004-150-23

APR. 2004-150-24

APR. 2004-150-25

APR. 2004-150-26

APR. 2004-150-27

APR. 2004-150-28

APR. 2004-150-29

APR. 2004-150-30

APR. 2004-150-31

APR. 2004-150-32

APR. 2004-150-33

APR. 2004-150-34

APR. 2004-150-35

APR. 2004-150-36

APR. 2004-150-37

APR. 2004-150-38

APR. 2004-150-39

APR. 2004-150-40

APR. 2004-150-41

APR. 2004-150-42

APR. 2004-150-43

APR. 2004-150-44

APR. 2004-150-45

APR. 2004-150-46

APR. 2004-150-47

APR. 2004-150-48

APR. 2004-150-49

APR. 2004-150-50

APR. 2004-150-51

APR. 2004-150-52

APR. 2004-150-53

APR. 2004-150-54

APR. 2004-150-55

APR. 2004-150-56

APR. 2004-150-57

APR. 2004-150-58

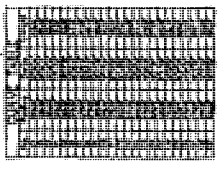
APR. 2004-150-59

APR. 2004-150-60

TENTATIVE  
**TRACT MAP No. 5415**  
 IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA  
 PREPARED BY  
**JACK & AMAL AVEDIAN**

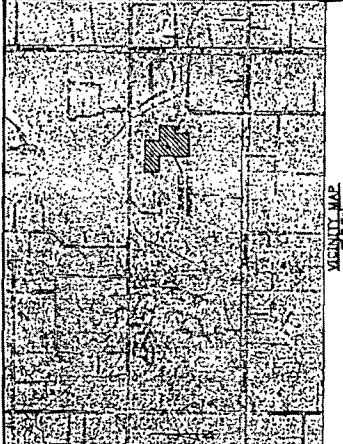
**R. W. Greenwood Associates, Inc.**  
 PLANNING AND LANDSCAPE ARCHITECTURE  
 1411 EAST 9TH AVENUE, SUITE 100, FRESCO, CALIFORNIA 93720  
 PHONE: (559) 281-1111  
 FAX: (559) 281-1112

- LEGEND:**
- 1. Proposed lot lines.
  - 2. Proposed street layout.
  - 3. Proposed driveway layout.
  - 4. Proposed utility lines.
  - 5. Proposed water main layout.
  - 6. Proposed sewer main layout.
  - 7. Proposed gas main layout.
  - 8. Proposed telephone main layout.
  - 9. Proposed electric main layout.
  - 10. Proposed fire hydrant layout.
  - 11. Proposed fire hydrant connection layout.
  - 12. Proposed fire hydrant connection layout.
  - 13. Proposed fire hydrant connection layout.
  - 14. Proposed fire hydrant connection layout.
  - 15. Proposed fire hydrant connection layout.
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  - 17. Proposed fire hydrant connection layout.
  - 18. Proposed fire hydrant connection layout.
  - 19. Proposed fire hydrant connection layout.
  - 20. Proposed fire hydrant connection layout.



**SCALE OF READINGS:**

AS SHOWN ON THIS MAP, ALL DIMENSIONS ARE IN FEET. DIMENSIONS ARE TO BE TAKEN FROM THE CENTERLINE OF THE ROAD OR FROM THE CENTERLINE OF THE LOT LINE, UNLESS OTHERWISE SPECIFIED.







# Agenda Item

# 6

DATE: November 4, 2008  
 TO: Board of Supervisors  
 FROM: Planning Commission  
 SUBJECT: RESOLUTION NO. 12124 – TENTATIVE TRACT APPLICATION NO. 5415

APPLICANT: Amal Avedian  
 OWNER: Amal Avedian

REQUEST: Allow creation of a 24-lot subdivision with a minimum lot size of two acres from five existing parcels totaling 55 acres in the RR (Rural Residential, two-acre minimum parcel size) District.

LOCATION: The subject property is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST: 5) (APN: 308-150-05, 18, 20, 37S & 38S).

### PLANNING COMMISSION ACTION:

At its hearing of October 2, 2008, the Commission considered the Subdivision Review Committee Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Milligan and seconded by Commissioner Gill to adopt the Mitigated Negative Declaration prepared for the project; adopt the recommended findings of fact in the Subdivision Review Committee Report; and approve Tentative Tract Map Application No. 5415, subject to the conditions listed in Subdivision Review Committee Report.

ADMINISTRATIVE OFFICE REVIEW *Gandra Dumbao* Page 1 of 4  
 BOARD ACTION: DATE November 4, 2008 APPROVED AS RECOMMENDED \_\_\_\_\_ OTHER X



Official Action of  
Board of Supervisors  
*SZ*  
Secretary

### SEE PAGE 3 FOR ACTION

UNANIMOUS \_\_\_\_\_ ANDERSON \_\_\_\_\_ CASE \_\_\_\_\_ LARSON \_\_\_\_\_ PEREA \_\_\_\_\_ WATERSTON \_\_\_\_\_



CONDUCTED HEARING; RECEIVED PUBLIC TESTIMONY; CLOSED HEARING; MOTION, MADE BY SUPERVISOR WATERSTON, TO GRANT APPEAL FAILED FOR A LACK OF A SECOND

DIRECTED STAFF TO WORK WITH APPLICANT ON A COMMUNITY WATER SYSTEM AND RETURN TO THE BOARD NO LATER THAN 90 DAYS

ADOPTED by the following vote, to-wit:

AYES: Supervisors Anderson, Larson, Waterston  
NOES: Supervisor Case  
ABSENT: Supervisor Perea

EXHIBIT "A"

Tentative Tract Application No. 5415

Staff: The Fresno County Planning Commission considered the Staff Report dated October 2, 2008, and heard a summary presentation by staff.

Applicant: The Applicant's representative agreed with the Staff Report and staff's recommendation. The Applicant's representative described the project and offered the following information:

- We have worked closely with the staff for over four years and have completed a Hydrological and Sewage Disposal Study, both which have been approved for the project.
- We were not allowed to utilize a community water system for this project; instead we are proposing individual water systems (wells). Staff would have recommended the project for denial, if a community water system was proposed.
- We have done everything staff asked us to do and request the Commission to approve the project.
- The property is located downstream from the Enterprise Canal which supplies water to the area.
- One of the tributaries of the Red Bank Creek runs through the center of our property and supplies underground water.
- Wolf Lakes is located to the west of the subject property and also receives subsurface water from these sources.
- North of Wolf Lakes and northwest of the subject property is Red Bank Dam. This feature stores water and is another source of water supply to the area.
- We do not have a shortage of water in this particular area. If the subject property were planted in fruit trees and vines, more underground water would be pumped than a residential subdivision.

Others: No other individuals presented information in support of or in opposition to the project.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

EXHIBIT "B"

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Tentative Tract Application No. 5415

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

Tentative Tract Application	\$ 11,468.00
Environmental Review:	\$ 2,895.00
Health Department Review:	<u>\$ 1,050.00</u>
<b>Total Fees Collected</b>	<b><u>\$ 15,413.00</u></b>



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
**ALAN WEAVER**  
DIRECTOR

## **Subdivision Review Committee Report Agenda Item No. 4 October 2, 2008**

**SUBJECT:** Initial Study Application No. 5497 and Tentative Tract Application No. 5415

Allow creation of a 24-lot subdivision with a minimum lot size of two acres from an existing 55-acre parcel of land in the RR (Rural Residential, two-acre minimum parcel size) District.

**LOCATION:** The subject property is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST: 5) (APN: 308-150-05, 18, 20, 37S & 38S).

Applicant/Owner: Amal Avedian

**STAFF CONTACT:** Ejaz Ahmad, Planner  
(559) 262-4324

Chris Motta, Senior Planner  
(559) 262-4241

**RECOMMENDATION:**

- Adopt the Mitigated Negative Declaration prepared for Initial Study No. 5497; and
- Approve Tentative Tract Map Application No. 5415 with recommended findings and conditions; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**DEVELOPMENT SERVICES DIVISION**

## **IMPACTS ON JOB CREATION**

The commission's action will not have any substantial effect on the long-term objective of the creation of jobs in Fresno County. Housing construction and other improvement activities associated with approval of this application may provide for some short-term job opportunities.

### **EXHIBITS:**

1. Location Map
2. Existing Land Use Map
3. Existing Zoning Map
4. Tentative Tract Map No. 5415
5. Summary of Initial Study Application No. 5497

### **PROJECT DESCRIPTION AND SUMMARY:**

Listed below are key features of the project based on information contained in the application and tentative tract map (Exhibit 4).

#### **Proposed Use:**

- Allow creation of a 24-lot subdivision with a minimum lot size of two acres from a 55-acre parcel of land in the RR (Rural Residential, two-acre minimum parcel size) District. The subdivision is proposed to be served by individual septic systems and water wells.

#### **Project Site:**

- 55-acres

#### **Existing Improvements:**

- None

#### **Proposed Improvements:**

- Twenty-four single-family residential lots
- Interior road system
- Individual septic systems and water wells
- Fire protection improvements
- Drainage facilities

**ENVIRONMENTAL ANALYSIS:**

Initial Study Application No. 5497 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 5.

Notice of Intent to adopt a Mitigated Negative Declaration publication date: August 8, 2008.

**PUBLIC NOTICE:**

Notices were sent to 62 property owners within 1320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

A Tentative Tract Map Application may be approved only if five findings specified in the Subdivision Map Act are made. These findings are included in the body of the Subdivision Review Committee Report. Approval of the Tentative Tract Application is final unless appealed to the Board of Supervisors within 15 (fifteen days) of the approval action.

**BACKGROUND INFORMATION:**

Tentative Subdivision Map No. 4291/ Environmental Assessment No. 3713 was originally approved by Fresno County Planning Commission on August 8, 1991 to allow creation of 24-lot subdivision with a minimum lot size of two-acre. The approval required that a final map be submitted within two-years of the approval of the tentative subdivision map. Due to financial setbacks, the property owner(s) failed to either file final map within two-years or a request for time extension, which resulted in expiration of the tentative subdivision map. The subject tract map application was filed in October of 2005 by current property owner to restart the process.

**KEY INFORMATION PERTINENT TO STAFF ANALYSIS:**

- Date of Subdivision Review Committee Meeting: July 18, 2008
- Subdivider: Amal Avedian
- Engineer: R. W. Greenwood Assoc., Inc.



- Location: Located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues,
- Nearest City Limits: The project site is located approximately 3.5 miles east of the nearest city limits of the City of Clovis
- Number of Acres: 55-acres
- Number of Lots: Twenty-four
- Minimum Lot Size: Two acre
- Proposed Source of Water: Individual wells
- Proposed Means of Sewage Disposal: Engineered individual sewage disposal systems
- Drainage: On-site drainage ponds or other facilities acceptable to the Director of the Department of Public Works & Planning
- Zoning on Subject Property: RR (Rural Residential, two-acre min. parcel size)
- Surrounding Zoning: RR, C-6, AL-20
- Proposed Use: Single Family Residential
- Land Use on Subject Property: Vacant
- Surrounding Land Use: Residential, grazing, recreation, vacant (See Existing Land Use Map, Exhibit 2)

#### **ANALYSIS / DISCUSSION:**

##### Finding 1: General Plan Consistency

The subject 55-acre site is designated Rural Residential in the County General Plan and is zoned RR District which is consistent with this designation.

The General Plan includes several countywide rural residential policy directives reflecting concern over the consumption of land for rural residential uses, the effect of rural residential uses on agricultural and grazing lands, on open space and on water consumption, and the supply of vacant rural residential parcels.

Policy LU-E.16 of the General Plan states that the County shall not designate additional land for Rural Residential except for unique circumstances to be determined by the Board of Supervisors. This policy is not a consideration for the current application because the subject property is located within an area currently designated Rural Residential in the General Plan. As noted above, the 55-acre project site is designated Rural Residential in the General Plan and is currently zoned RR District.

Policy LU-E.17 of the General Plan is applicable to the current request. This policy states that the County shall consider the current inventory of undeveloped parcels when reviewing rezoning and subdivision proposals involving lands currently designated Rural Residential and that such proposals shall generally not be considered appropriate until such time as at least sixty (60) percent of the available lots in the area have been developed.

The term "area" could be defined based on common topographic features, geographic location, common water supply issues, and/or related characteristics. In reviewing the current proposal, staff has defined "area" in the same manner as used in the review of other rural residential tracts within the same general vicinity (i.e. Tract 4977 laying 0.60 mile south of subject property was approved by the Planning Commission on August 9, 2001). The area includes land designated Rural Residential north and east of the Fresno/Clovis Metropolitan Area to the Friant-Kern Canal that forms the boundary of the Sierra-North Regional Plan. Within this area, there are 11 Rural Residential designated areas containing approximately 5,123 rural residential parcels (five acres or less). Of these parcels, approximately 79.42% of the parcels are developed with a residence.

Policy PF-C.17 of the General Plan states that the County shall, prior to any discretionary project related to land use, undertake a water supply evaluation that determines (a) whether the proposed water supply is adequate to meet the needs of the development, (b) the impact of the use of the proposed water supply will have on other water users, and (c) that the proposed water supply is sustainable. The subject tract proposes individual wells for each of the 24-lots. The County Water-Geology-Unit reviewed Hydro-geologic Evaluation Report prepared for the project by BSK Engineering, dated January 30, 2006 and January 25, 2008, respectively and indicates that given the proposed water usage and data contained in the reports, the water supply meets the requirements of Fresno County General Plan regarding adequacy, sustainability and impacts to nearby wells. However, ground water consumption shall be for domestic purposes only and not for irrigation.

Policy PF-H.2 of the General Plan states that new development in unincorporated areas of the County shall not be approved unless adequate fire protection facilities are provided. The Fresno County Fire Protection District reviewed the project and indicates that the project shall comply with all the applicable California Code of Regulations Title 24 – Fire Code 2007. Also, the design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Department of Public Works and Planning after consideration of the recommendations of the fire district having jurisdiction of the area. In addition, maintenance of all required community fire protection facilities shall be the responsibility of the Homeowners Association (HOA) or other property owner entity acceptable to the Fresno County Fire Protection District (District) and/or the County of Fresno. All fire protection facilities will be inspected by a qualified fire protection inspector with a permit from and inspection results to be reviewed by the District, developer or HOA. Prior to recordation of the final map, a funding mechanism will be established through agreements and will require posting a bond on materials and workmanship. Included as a condition of approval, these requirements will be included in the CC&R's recorded for the subdivision in conjunction with the recordation of the Final Map.

Policy PF-I.8 of the General Plan states that the county and school districts should work closely to secure adequate funding for new school facilities. The policy also states that the County shall support the school districts efforts to obtain appropriate funding methods such as school impact fees. The subject property is located within the Sanger Unified School District, which has adopted a resolution requiring the payment of a construction fee. The County, in accordance with the State law that authorizes the fee, may not issue a building permit without certification from the school district that the fee has been paid.

Policy PF-G.2 of the General Plan states that the County shall strive to maintain a staffing ratio of two (2) sworn officers per 1,000 residents served. A mitigation measure has therefore been included requiring creation of a Community Facilities District, or other appropriate funding mechanism, to provide for police protection. The applicant has agreed that, prior to recordation of a final map, a funding mechanism shall be established through a Community Facilities District or Districts under the Mello-Roos Community Facilities Act of 1982, or through other appropriate funding mechanism to be determined by the County, to support cost for Sheriff protection services to achieve a ratio of two sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.

Policy TR-A.5 of the General Plan states that the County shall require dedication of right-of-way and road improvements as necessary to ensure that roads will safely

serve expanding development. For this proposal, no additional road right-of-way is required as Bethel Avenue currently meets the local road width standard. Conditions recommended for this subdivision require that Bethel Avenue along the frontage of this tract shall be widened to comply with Case A-2b Improvement standard with 20 feet of pavement and an additional stabilized shoulder on each side within the 60-foot road right-of-way. In addition, direct access rights from proposed Lot 1 and Lot 24 shall be relinquished, all interior roads of the subdivision shall be constructed to a 25 MPH public road standard in accordance with County Improvement Standards A-1, Case A-1-b (24 feet of base and pavement) within 60 feet of right-of-way; cul-de-sacs shall be constructed in accordance with Improvement Standard B-2; corner cut-offs shall be provided at all the right angle intersections; stub road shall be provided at the end of easterly roads; the alignment of the interior road connection to Bethel Avenue shall be in accordance with the roads for the adjoining subdivision (Parcel Map No. 7918). These requirements have been included as conditions of approval of the project.

Policy TR-A.5 of the General Plan states that the County shall assess fees on new development sufficient to cover the fair share portion of that developments' impact on the local and regional transportation system. A Traffic Impact Study (TIS) prepared by Peters Engineering Group dated, June 2, 2006, concluded that the existing road network is adequate to accommodate the proposed project, and recommended project share of future construction cost for signalization of the intersection of Shaw and McCall Avenues and widening of Shaw Avenue to four lanes. The Design Division of the Department of Public Works and Planning accepted the recommendations as outlined in the TIS and determined that the project shall pay its fare share for these improvements. This has been included as project mitigation measure.

Based on information and findings provided above, staff believes that Finding 1 can be made.

#### Finding 2: Suitability of Site

The subject property is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis. The topography of the site is essentially flat, with virtually no vegetation. According to FEMA Map Panel 1615F, a portion of the property lies within the 100-year flood plain. A flood study to establish the base flood elevation and the limits of inundation for 100-year storm will be conducted on the property and will be shown on the additional map sheet.

The existing stream course within the property is a Fresno Metropolitan Flood Control District (FMFCD) Master Plan channel which requires District approval and design of a relocated channel prior to approval of final map, dedication of easements for the channel, and construction of culverts to accommodate Master

Plan flows, and on-site storm water retention per County standards. To address the District's concerns, the Development Engineering Section of the Department of Public Works and Planning in agreement with the District requires that all District requirements shall be met and be made a part of improvement plans including engineering related studies and channel improvements. Required studies include a flood study to establish base flood elevations and the limits of inundation for a 100-year storm event and hydraulic analysis to determine the sizes and locations of culvert crossings and/or relocated drainage channels to address the provisions in the Section 17.48.230 of the Fresno County Ordinance pertaining to development of land subject to flooding. In addition, a building pad for Lot 12 shall be constructed above the flood limits prior to recording the final map (dirt for building pad shall come from the area in tread of stream, or it must come from Lot 12 only after recordation of final map), all storm water runoff generated by this project shall be retained on site in a drainage basin, and a grading and drainage plan shall be prepared and approved by the Development Engineering Section. These will be included as conditions of approval of the project.

The proposal will use individual on-site sewage disposal systems for each of the 24 lots. A Geology & Sewage Disposal Feasibility Study by Norbert W. Larson, dated April 4, 2006, was prepared for the project. The Fresno County Department of Public Health, Environmental Health Division reviewed the report and concludes that engineered septic systems consistent with the variable geologic conditions on each lot should be required for this tract at the time of housing construction. This requirement has been incorporated into the project as a mitigation measure.

The applicant is proposing that the project be served by on-site individual wells for each of the 24 lots. As noted in Finding 1, County Water-Geology Unit has reviewed the proposal and concludes that the water supply meets the requirements of Fresno County General Plan. Concerning water quality, analysis provided by the applicant from two wells on the subject parcels to test all water quality constituents as required of community water systems in the California Domestic Water Quality and Monitoring Regulations, Title 22, California Code of Regulations were reviewed by the Fresno County Department of Public Health, Environmental Health Division (Health Department). The Health Department determined that all constituents and chemicals analyzed met the standards adopted by the California Department of Health Services for community public water systems.

In accordance with the requirements of the Subdivision Ordinance, the design of the subdivision (Exhibit 4) must be reviewed for conformance with the RR District property development standards. All lots in the proposed subdivision are required to be a minimum of two acres in size, exclusive of all road and canal rights-of-way, recreation easements, permanent water bodies, and public or quasi-public common use areas. The design of the proposed subdivision will result in all of the 24 lots being two net acres in size or greater.

Based on information and findings provided above, staff believes that Finding 2 can be made.

### Finding 3: Environmental Effects

The Subdivision Ordinance requires that a tentative map be denied if a finding is made that the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project is located in a rural residential setting with neighboring parcels ranging from 0.50-acre to 39.39-acres in size developed with residential and agricultural uses.

The Initial Study (Exhibit 5) has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts related to agricultural resources, biological resources, cultural resources, hazards and hazardous materials, land use and planning, and mineral resources. Potential impacts related to population and housing have been determined to be less than significant, including air quality and noise impacts which have been determined to be less than significant with adherence to the provisions set forth by the San Joaquin Valley Air Pollution Control District and County Noise Ordinance. Potential impacts related to aesthetics, geology and soils, hydrology and water quality, public services, and transportation and circulation have been determined to be less than significant with adherence to the proposed mitigation measures.

The San Joaquin Valley Air Pollution Control District (Air District) indicates that the project is expected to have no significant adverse impact on air quality. Also, it will not be subject to District Rule 9510 (Indirect Source Review) as upon full build out it would not meet the threshold of 50 residential units for ISR. However, the project may be subject to several District rules that can be incorporated into the design of the project to reduce the project's overall level of emissions to reduce emissions throughout the San Joaquin Valley and have been included as project notes.

The project would result in an increase in noise levels associated with the development of 24 residential units. However, Environmental Health, who regulates the county noise ordinance, has indicated that given the location of existing residential development in the surrounding areas and the distance of such development from the proposed, site noise impact would be less than significant. Noise impacts associated with construction are expected to be short-term and are exempt from County Noise Ordinance if construction activities occur between the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

As noted in Finding 1, the project will pay its fair share portion of development's impact on the county roadways and this has been included as a project mitigation measures.

The California Department of Fish and Game (F&G) has reviewed "Bethel Avenue Parcels Biological Assessment Report" dated December 13, 2005, and a supplemental "Hydrologic Monitoring and Habitat Assessment Report" dated June 4, 2007, prepared by ESR, Inc., for this project. The F&G accepted the findings of the supplemental report which states that: (a) the soil analysis including the data interpretation and the filed sampling program did not identify any soils that were able to support wetland or vernal pool conditions; (b) no clay soils were identified that would serve as habitat for the San Joaquin adobe sunburst; (c) The site does not contain the necessary parameters to qualify as vernal pools or habitat that would be conducive for use by vernal pool fairy shrimp, California tiger salamander or San Joaquin adobe sunburst and acknowledged report's conclusion that the subject property does not contain necessary parameters to qualify as vernal pools or habitat that would be conducive for use by vernal pool fairy shrimp, California tiger salamander or San Joaquin adobe sunburst, also a federally listed species of plant and animals. Review of these reports by U.S. Department of Fish & Wildlife did not generate any concerns with the proposal.

Based on above discussion, staff believes that the proposal is not likely to cause substantial environmental damage nor substantially injure fish or wildlife in their environment, and therefore Finding 3 can be made

#### Finding 4: Public Utilities and Easements

The subdivision design is required to accommodate any easements acquired by the public at large for access through or use of the property. In this case, there is an existing easement which goes through the Lot 6 of the proposed tract. A condition has been included requiring that this easement shall be extinguished or be rerouted to be coterminous with the proposed lot line. Failure to do so will require the redesign of the lots so that the lot boundary is coterminous with the easement.

All new utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance. The Pacific Gas and Electric Company (PG&E) has indicated that the existing gas or electric facility relocations necessitated by new street improvements shall be done at the expense of the developer, a Public Utility Easement (PUE) be incorporated within all access easements, and, the property owner shall provide PG & E with adequate rights-of-way for any existing pole line facility which crosses property lines and is not covered by an existing easement. The exact size and locations of the PUE's, together with the need for an easement, will be finalized during the final map review.

#### Finding 5: Public Health

Neither the design of the subdivision nor the type of improvements are likely to cause serious health problems. Each lot of the proposed subdivision will have its own engineered sewage disposal system and on-site well which has been approved by Fresno County Department of Public Health, Environmental Health Division, and Water-Geology Unit of the Department of Public Works and Planning.

According to Subdivision Ordinance of Fresno County, if a subdivision is at any point within 300 feet of an AE or AL Zone District, a "Right-to-Farm" Notice must be recorded as a condition of approval of the tentative and final subdivision map. The nearest AL zone property is located approximately 1,400 feet from the subject property. Recordation of a "Right-to-Farm" Notice is not required for this tract.

As noted in Finding 1, prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of two sworn officers per 1,000 residents for the affected properties. This has been included as a mitigation measure.

The Fresno County Fire Protection District has requested adequate facilities for fire fighting purposes as discussed in detail in Finding 1. These requirements have been included both as conditions of approval and project notes.

Based on information and findings provided above, the design of the subdivision and the type of improvements are not likely to cause serious health problems provided that the development complies with mitigation measures, conditions of approval and project notes staff believes that Finding 5 can be made.

**CONCLUSION:**

Staff believes the required findings for granting Tentative Tract Map Application No. 5415 can be made based on the factors cited in the analysis and the recommended conditions and notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for Initial Study Application No. 5497 and recommends approval of Tentative Tract Map Application No. 5415, subject to the recommended conditions, mitigation measures, and mandatory project notes.

**PLANNING COMMISSION MOTIONS:**

**RECOMMENDED MOTION** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 5497; and



- Adopt findings noted in the Subdivision Review Committee Report and approve Tentative Tract Map Application No. 5415, subject to conditions and notes as stated below; and
- Direct the secretary to prepare a resolution documenting the Commission's action.

**ALTERNATIVE MOTION** (Denial Action)

- Move to determine one or more of the required tract map findings cannot be made for the following reasons (state which finding(s) and reasons) and move to deny the project; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

**CONDITIONS AND NOTES**

A. **BETHEL AVENUE:**

1. Is not a County maintained road; however it is a public road. Bethel Avenue has recently been constructed as part of PM 7918 as a 24-foot wide paved roadway within a 60-foot wide easement. Bethel Avenue along the frontage of this tentative map shall be widened to provide a stabilized shoulder on each side to comply the Air Board requirement for PM-10 within the 60-foot easement.
2. Thirty feet by thirty feet corner cutoffs shall be provided at the intersection of Bethel Avenue and proposed interior road connection.
3. Direct access rights from proposed Lot 1 and Lot 24 to Bethel Avenue shall be relinquished. A non-access barrier acceptable to the Director of the Department of Public Works and Planning shall be provided.

B. **INTERIOR STREETS:**

1. Shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standard A-1, Case A-1-b (24 feet of base and pavement) within 60 feet of right-of-way.
2. The alignment of the interior road connection to Bethel shall be placed no less than 120 feet north of the center line of Santa Ana Avenue west of Bethel Avenue..

3. Twenty by twenty feet corner cutoff shall be provided at all the right angle intersections.
4. The interior roads shall be named. The subdivider shall submit names to the Street Name Committee for review and approval prior to final map approval.
5. Stub roads shall be provided at the end of the easterly roads proposed at Lot 9/10 & Lot 14/15 because the length of the roads exceeds 500 feet.
6. Shall be provided with Standard B-2 Rural Residential cul-de-sacs at the end of the roads with a 1 foot restricted access strip at the east property line.
7. Those portions of the cul-de-sac- bulbs lying outside of the standard right-of-way shall be contained in easements to be extinguished upon extension of the roads.

C. DRAINAGE AND EROSION CONTROL:

1. Provisions shall be made to maintain natural drainage throughout the development in a manner that will not significantly change the existing drainage characteristics of those parcels adjacent to the development.
2. Provisions shall be made to retain all runoff generated from the developed portion of this tract within one or more drainage ponds or other facility acceptable to the Director of Public Works. The required storage capacity of the pond shall be based on the formula,  $S=0.5 CA$  (C is the coefficient of runoff and A is the drainage area). Recorded covenant shall be required with the final map for the maintenance of the ponding basin.
3. A grading and drainage plan shall be prepared and submitted to the County Development Engineering Section for review and approval. Individual lot grading plans may be required where lying within known flood zones as determined in the most recent FIRM available from FEMA.
4. A portion of the property is in Zone A, an area determined to be within the 100-year floodplain per FEMA Firm Panel 1615 F. A flood study to establish the Base Flood Elevation and the limits of inundation for a 100-year storm shall be conducted on the property. The limits of inundation shall be shown on the additional map sheet. [The limit of flood study shown on FEMA map ends within the subdivision boundary.

5. Hydrologic and hydraulic analysis shall be provided to determine the sizes and locations of culvert crossings and/or relocated drainage channels. The analysis shall also address the provision in Section 17.48.230 of the Fresno County Ordinance pertaining to development of land subject to flooding.
6. The applicant shall obtain an NPDES permit prior to construction or grading activities. A Notice of Intent (NOI) shall be filed with the Regional Water Quality Control Board. A copy of this Notice shall be provided to the County prior to commencing of construction activities.
7. The applicant shall develop a Storm Water Pollution Prevention Plan (SWPPP) and incorporate the plan into the construction improvement plans.
8. This area is within the Fresno Metropolitan Flood Control District (FMFCD). All district requirements shall be met and made a part of the improvement plans including all engineering related studies and channel improvements.
9. A building pad for Lot 12 shall be constructed above the flood limits prior to recordation of the final map.

D. MAINTENANCE:

1. A Zone of Benefit in a County Service Area or other method acceptable to the Director of Public Works shall be provided for the maintenance of all interior roads.
2. A maintenance entity acceptable to the Director of Public Works shall be established if a community fire protection system is proposed.
3. The subdivider will be required to secure the maintenance of the new roads for a period of one year after the acceptance thereof.

E. UTILITIES:

1. All new utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance.
2. The existing easement through Lot 6 shall be extinguished or the easement rerouted to be coterminous with the proposed lot line. Failure to extinguish or reroute the easement shall require the redesign of the lots so that the lot boundary is coterminous with the easement.

F. FIRE PROTECTION:

1. The design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Department of Public Works and Planning after consideration of the recommendations of the fire district having jurisdiction of the area.
2. The project shall comply with all the applicable California Code of Regulations Title 24 – Fire Code 2007, which were agreed upon between the applicant and Fire District and signed by the applicant on August 13, 2008.
3. Mandatory fire requirements from the Fresno County Fire Protection District (Cal Fire) as listed for this project in Item 10 of “Notes” shall be considered at the time of the recordation of the final map.
4. Maintenance of all required community fire protection facilities shall be the responsibility of the Homeowners Association (HOA) or other property owner entity acceptable to the Fresno County Fire Protection District (District) and/or the County of Fresno that will function as an HOA with respect to the community fire protection facilities. All fire protection facilities shall be inspected by a qualified inspector possessing a C-16 Fire Protection Contractor classification on an annual basis (or more frequently as stipulated by the District or County of Fresno), and the results of said inspection shall be submitted to the District for approval. The Developer or HOA shall be responsible for all costs associated with the District’s review of any plans, maintenance/inspection records, or any other work performed by the District associated with maintenance of these systems. Prior to any annual inspection provided by a C-16 Fire Protection Contractor a Facility Fire Protection Permit shall be applied for by the C-16 Fire Protection Contractor. The permit shall be issued by Fresno County Fire Protection District prior to any inspection being conducted.

Any work performed on the Fire Protection Facility as a result of the annual inspection will require a field inspection and clearance by the District. Any corrective work shall be completed as required by the California Fire Code by a qualified contractor possessing a C-16 Fire Protection Contractor classification. All work performed on the Fire Protection Facility will be inspected and approved by the District.

Prior to recordation of the final map, an estimate shall be prepared by developer and approved by the District and/or the County of Fresno demonstrating adequate funding to complete the annual inspection/maintenance. The developer must also provide executed agreements that identify a source(s) and provide for perpetual funding for

the annual inspections and system operational costs. Said agreements shall explicitly identify the developer as responsible for funding of the annual inspections and system operational costs until such time as the HOA can viably fund these functions. The developer/applicant shall post a one year electrical and mechanical bond from acceptance of the work that would cover defects in the materials or workmanship for the construction of the facilities. The aforementioned requirements shall be included in the CC&R's recorded for the subdivision which shall be recorded in conjunction with the recordation of the Final Map.

G. OTHER CONDITIONS:

- \*1. All outdoor lighting shall be hooded and directed so as not to shine toward public roads or the surrounding properties and be noted on an additional map sheet.
- \*2. Engineered individual sewage disposal system will be required for each lot in this tract as per the conclusions and recommendations made by Norbert W. Larsen & Associates, Inc, on April 4, 2006 which were based upon a previous study submitted by the firm on December 10, 1990 or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division and shall be recorded as a covenant with the property upon recording of the Final Map and be noted on an additional map sheet.
- \*3. All existing wells that are either: unpermitted, abandoned, and/or are not to be utilized to serve an individual parcel within the subdivision shall be destroyed in an approved manner as authorized by a permit for water well destruction issued by the Fresno County Department of Public Health, Environmental Health Division (Health Department) prior to recordation of the final map unless express approval allowing a particular well to remain on site has been obtained from the Health Department.
- \*4. Prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.
- \*5. To mitigate potential impacts to the County maintained roads, a pro-rata share for future off-site improvements is required as defined in item a and b below. This fee shall either be paid prior to recordation of the map or a

covenant shall be recorded on each lot providing notice that issuance of a building permit is subject to payment of a Public Facilities fee. If the applicant opts for the latter, the fee shall be collected no later than the date of final inspection or the date of issuance of a certificate of occupancy, whichever comes first.

- a. Road widening to four (4) lanes of the 0.7 mile road segment of Shaw Avenue between McCall Avenue and Quail Lake Drive. The project's maximum share for the 2025 scenario is 2.98% or \$ 22,848.00
- b. Signalization at the intersection of Shaw Avenue and McCall Avenue. The project's maximum share for the 2025 scenario is 1.31 % or \$5,482.00.

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

MITIGATION MEASURE – Measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.

## NOTES

**The following note(s) reference various mandatory requirements of Fresno County or other agencies and is provided as information to the project applicant if approved.**

1. Improvement plans shall be submitted for review and approval on all aspects of improvement to the Development Engineering Section and Planning Department and Road Maintenance & Operations Division of the County along with FMFCD prior to any construction on the site.
2. A soils report will be required for the subdivision.
3. Site specific grading plans, permits and elevation certificates will be required for individual; lots lying with Zone A. No import of material will be allowed in the Zone A area in Lots 8 through 12 and 19 & 20 without an analysis

indicating no adverse impacts on adjacent property.

4. Any relocation of existing channels shall require approval from FMFCD via Board action by the District.
5. The Sanger Unified School District in which you are proposing construction has adopted a resolution requiring the payment of a construction fee. The County, in accordance with State Law, which authorizes the fee, may not issue a building permit without certification from the school district that the fee has been paid. The County will provide an official certification form when application is made for a building permit.
6. The proposed project will be subject to the San Joaquin Valley Air Pollution Control District's applicable rules and regulations in order to reduce emission in the San Joaquin Valley and are listed as follows:
  - a. Regulation VIII– Fugitive Dust Rules, to reduce PM-10 emissions (dust/dirt) generated by human activities, construction and demolition activities.
  - b. Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials and creates public nuisance.
  - c. Rule 4601(Architectural coatings) to limit volatile organic compounds from architectural coatings.
  - d. Rule 4641 applies to manufacture and use of cutback asphalt, slow, cure asphalt for paving and maintenance operations)
  - e. Rule 4901(Wood Burning Fireplaces and Wood Burning Heaters) limits PM10 and PM 2.5 emissions from residential development.
7. The applicant shall obtain NPDES permit prior to construction and grading activities, file a Notice of Intent (NOI) with the Regional Water Quality Control Board, and develop a Storm Water Pollution Prevention Plan (SWPPP) and incorporate it into the construction improvement plans.
8. The applicant shall develop a Storm Water Pollution Prevention Plan (SWPPP) and incorporate the plan into the construction Improvement Plans. A Notice of Intent (NOI) shall be filed with the Regional Water Quality Control Board prior to the start of any grading work.
9. The applicant, or future property owner, will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Public Health, Environmental Health Division (Health Department). Please be advised that only those persons with a valid C-57

Contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 445-3357.

10. The project shall comply with the following mandatory fire requirements of California Code of Regulations, Title 24, Fire Code 2007, required by the Fresno County Fire Protection District (Cal Fire):

a. California Fire Code 503.2.1: Fire Department Access

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

b. California Fire Code 503.2.3: Surfaces

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

c. California Fire Code 503.4: Obstruction of Fire Apparatus Access Roads

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicle. The minimum widths and clearances established in **Section 503.2.1** shall be maintained at all times.

d. California Fire Code 505.1: Premises Identification

New and existing buildings shall have approved address numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Number shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7).

e. California Fire Code 505.2: Street and road signs

Street and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

f. California Fire Code 508.1: Required Water Supply



An approved water supply capable of supplying the required fire flow for fire protection shall be provided to promises upon which facilities, building or portions of the building are hereafter constructed or moved into or within the jurisdiction

g. California Fire Code 508.3: Fire Flow

Fire flow requirement for building or portions of buildings and facilities shall be determined by an approved method or *Appendix B*.

h. California Fire Code 508.5.5: Clear Space Around Hydrants

A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved

i. California Fire Code 501.4: Timing of Installation

When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with **Section 505.2**

j. California Fire Code, 503.2.4: Turning radius

The required turning radius of a fire apparatus access road shall be determined by the fire code officer.

k. California Fire Code, 503.2.5: Dead Ends

Dead-end fire apparatus access roads in excess of 150 feet (45 720mm) in length shall be provided with an approved area for turning around fire apparatus.

l. California Fire Code, 503.4: Obstruction of Fire Apparatus Access Roads

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicle. The minimum widths and clearances established in **Section 503.2.1** shall be maintained at all times.

m. California Fire Code, 508.5: Fire Hydrant Systems

Fire hydrant systems shall comply with **Sections 508.1 through 508.5.6 and Appendix C** or by an approved method.

n. California Fire Code, 901.2: Construction Documents

The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents should be submitted and approved prior to system installation.

o. California Fire Code, 901.5: Installation Acceptance Testing

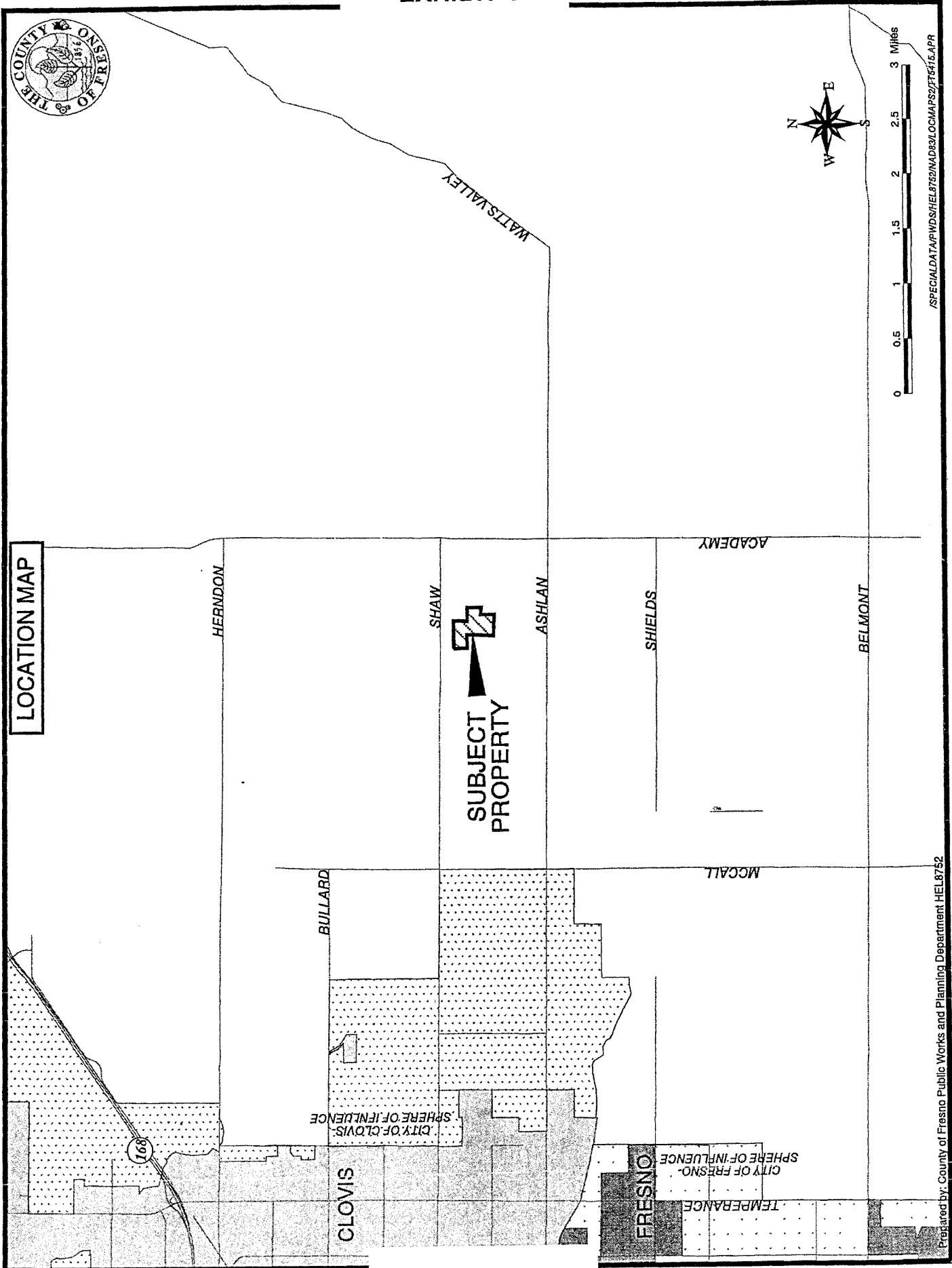
Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents should be submitted and approved prior to system installation.

p. California Fire Code, 1103.2.4: Combustible Vegetation

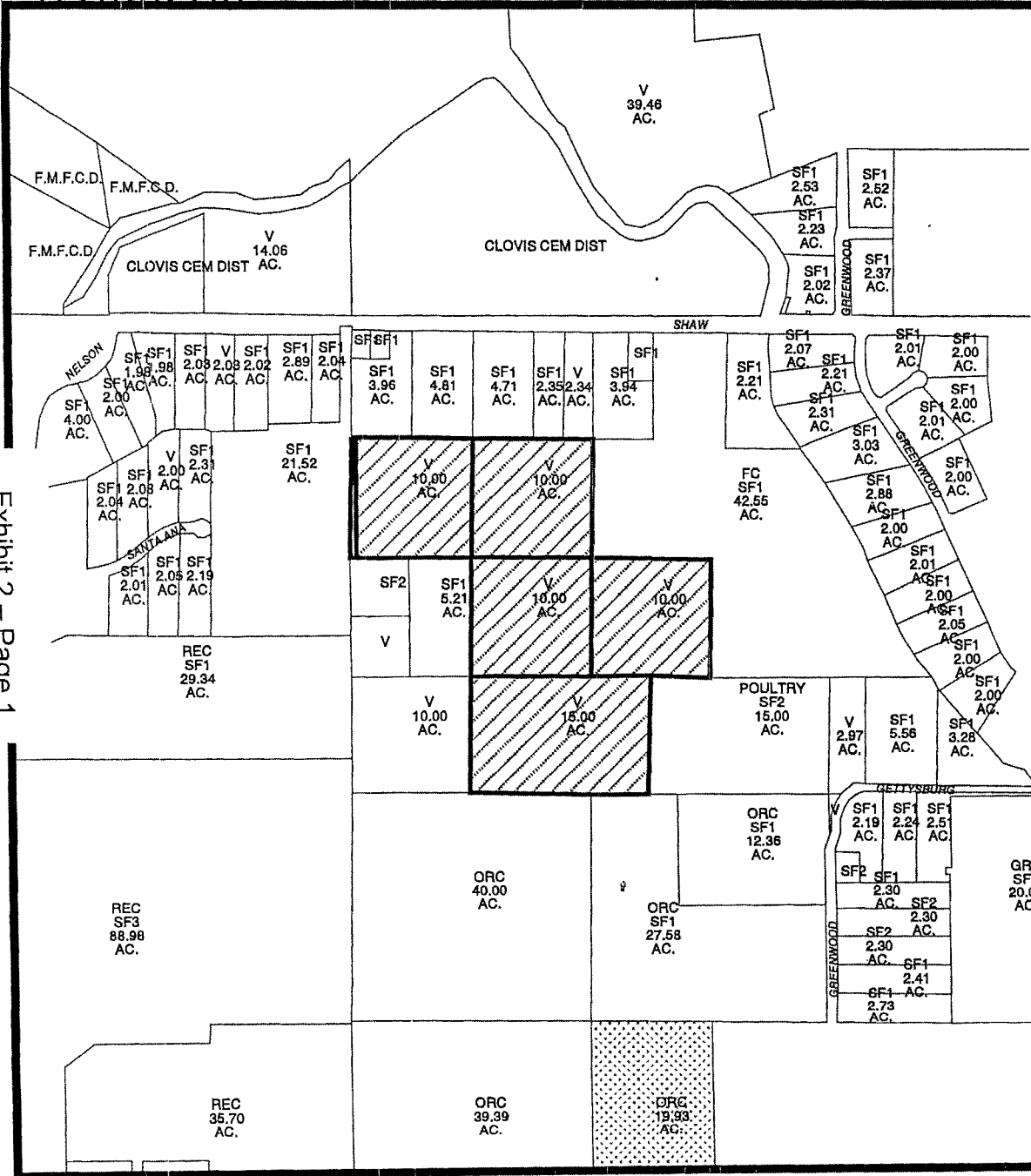
Cut or uncut weeds, grass, vines, and other vegetation shall be removed.

11. All address numbers shall be clearly marked and easily visible from the street.



# EXHIBIT 1



# EXISTING LAND USE MAP



Legend	
FC	FIELD CROP
GRZ	GRAZING
ORC	ORCHARD
REC	RECREATION
SF#	SINGLE FAMILY RESIDENCE
V	VACANT

-  Subject Property
-  Ag Contract Land



300 0 300 600 900 Feet

Exhibit 2 - Page 1

EXHIBIT 2

# EXISTING ZONING MAP

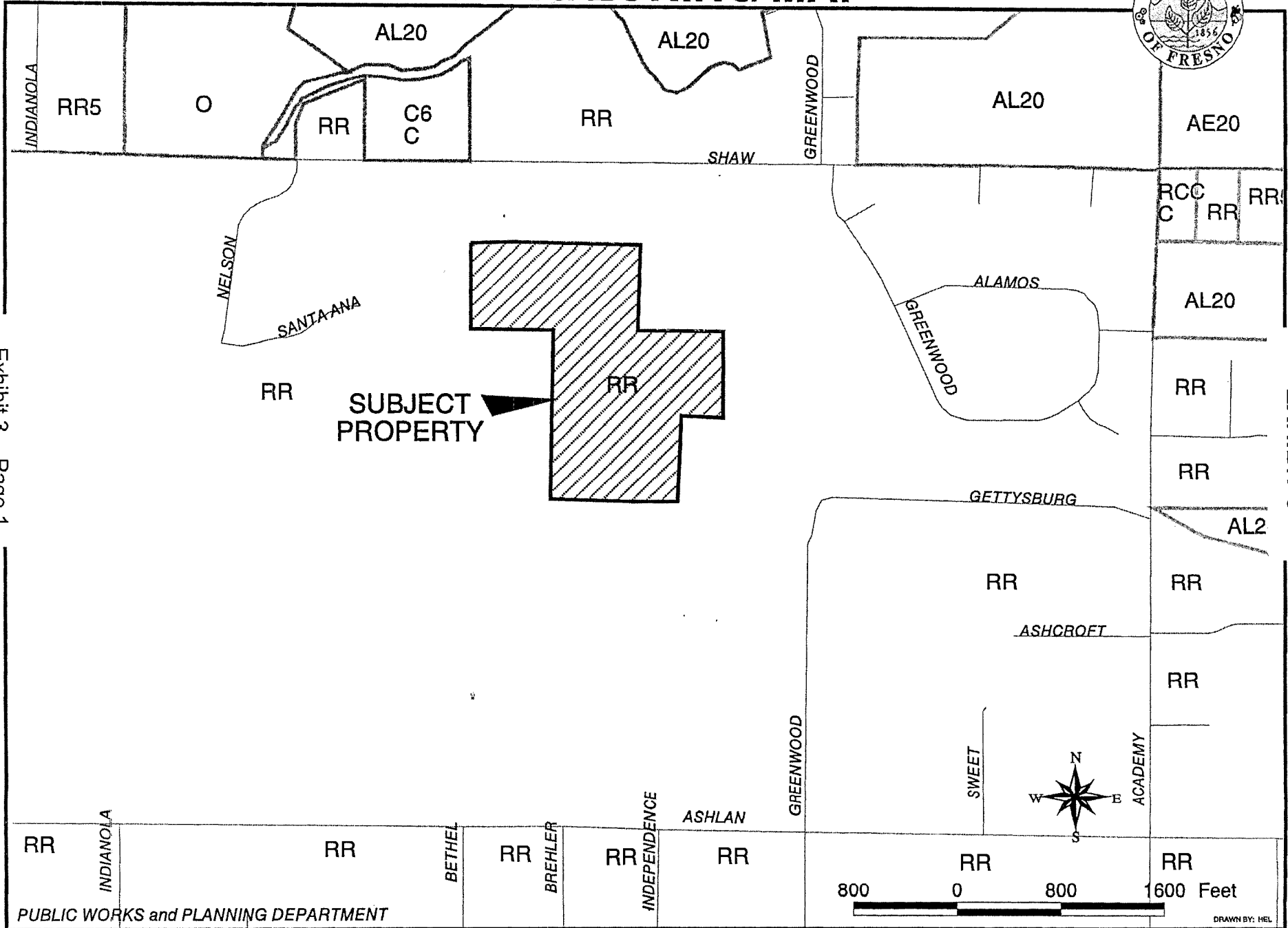
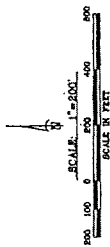
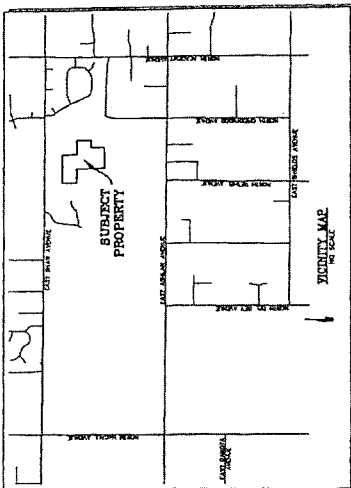


Exhibit 3 - Page 1

EXHIBIT 3

# EXHIBIT 4



- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT A PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT B PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT C PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT D PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT E PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT F PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT G PLAN
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- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT V PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT W PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT X PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT Y PLAN
- UNIMPROVED LOT SUBJECT TO EASEMENT BY PLAT Z PLAN

**TRACT No. 5415**  
 IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA  
 PREPARED FOR  
**JACK & AMAL AVEDIAN**

R. W. Greenwood Associates, Inc.  
 CIVIL ENGINEERING - LAND SURVEYING  
 1508 E. Olive Ave.  
 Fresno, California 93701  
 Tel. (559) 244-1000  
 Fax (559) 244-1000  
 Project No. 4854-B

**SURVEYOR'S STATEMENT**

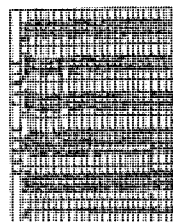
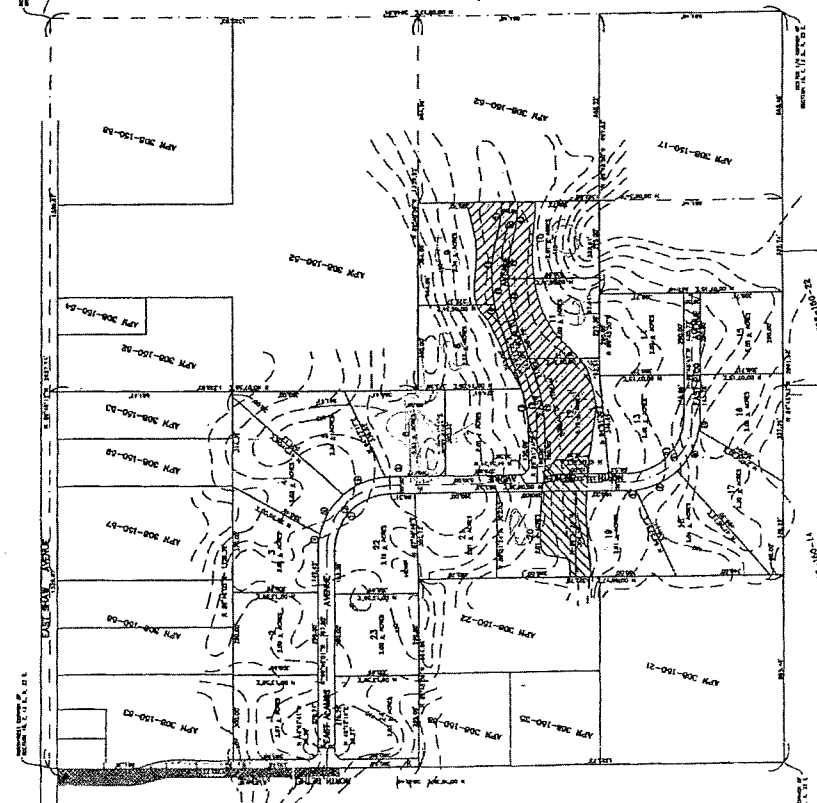
I, \_\_\_\_\_, a duly licensed Professional Engineer in the State of California, certify that I have personally surveyed the above described property and the adjacent property, and that the same are shown on the attached plan. I have also personally examined the original survey records and the same are correct and true to the original survey records. I have also personally examined the original survey records and the same are correct and true to the original survey records. I have also personally examined the original survey records and the same are correct and true to the original survey records.

Witness my hand and seal at the City and County of Fresno, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
 R. W. Greenwood  
 Professional Engineer  
 License No. \_\_\_\_\_  
 State of California

**OWNER'S COMMENTS**

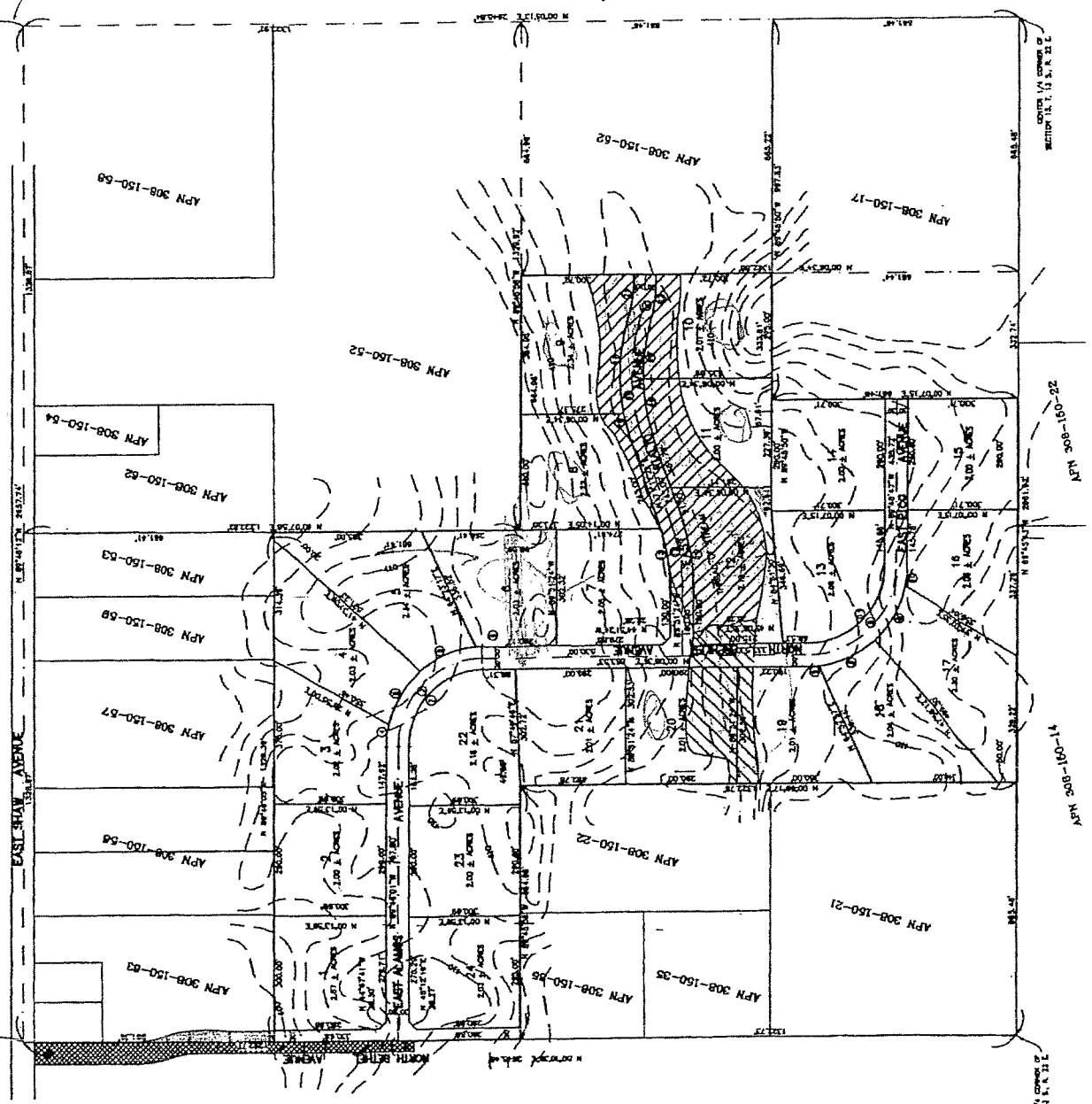
\_\_\_\_\_  
 Jack & Amal Avedian  
 Owners



**LEGAL DESCRIPTION**

\_\_\_\_\_  
 Jack & Amal Avedian  
 Owners

SECTION 17, CORNER OF SECTION 18, T. 17, S. 21, E. 1.



SECTION 17, CORNER OF SECTION 18, T. 17, S. 21, E. 1.

**SUBMITTERS STATEMENT**

Tract No. 5413  
Date August 17, 2004

Fire County Planning Commission  
Commissioner

I hereby certify for approval of the attached Tentative Tract Map.

The acreage of this tract is 53.042 acres. There will be 74 lots in the tract with a minimum lot size of 200 square feet.

The ability use of this property is resort.

The proposed use of this property is mixed family dual residential.

The existing structures on this property is RS.

The proposed structures on this property is NOISE.

The existing structures on this property is NOISE.

All improvements will conform to County Standards with the following exceptions: NOISE.

Type of access to be provided on the tract is NOISE.

The proposed drainage, flood control measures and method of storm water disposal in County of Plumas is NOISE.

The proposed method of water supply is individual storage disposal systems.

The proposed method of sewage disposal is individual storage disposal systems.

The proposed method of water disposal is individual storage disposal systems.

There is attached hereto a copy of the tentative map to be prepared by the Planning Commission and a copy of the tentative map to be prepared by the Planning Commission. The tentative map to be prepared by the Planning Commission is NOISE.

There is attached hereto a copy of the tentative map to be prepared by the Planning Commission and a copy of the tentative map to be prepared by the Planning Commission. The tentative map to be prepared by the Planning Commission is NOISE.

Signature of Submitter: [Signature]  
Name: John Anderson  
Address: 3312 N. Burrell Ave., Marysville, CA 95901  
City: Marysville  
Phone: 530-332-8332  
Signature of Planner: [Signature]  
Name: Mark W. O'Connell, Assoc. Planner  
Address: 2308 S. 5th St., Marysville, CA 95901  
City: Marysville  
Phone: 530-332-8332

**OWNER'S CERTIFICATE**

I, John Anderson, owner of the above described property, do hereby certify that I am the record owner of the property shown on this Tentative Tract Map, and I have examined the map and find it to be correct and true to the facts as shown on the map.

Signature: [Signature]  
Name: John Anderson  
Address: 3312 West Bulger Avenue  
City: Marysville, CA 95901  
Phone: 530-332-8332



**EVALUATION OF ENVIRONMENTAL IMPACTS**

- APPLICANT:** Amal Avedian
- APPLICATION NOS:** Initial Study Application No. 5497 and Tentative Tract Map Application No. 5415
- DESCRIPTION:** Allow creation of a 24-lot subdivision with a minimum lot size of two acres from an existing 55-acre parcel of land in the RR (Rural Residential, two-acre minimum parcel size) District.
- LOCATION:** The subject property is located approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the nearest city limits of the City of Clovis (SUP. DIST: 5) (APN: 308-150-05, 18, 20, 37S & 38S).

**I. AESTHETICS**

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

**FINDING:** NO IMPACT:

*The project site is located within designated rural residential area of the County approximately 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues, approximately 3.5 miles east of the City of Clovis. There are no scenic vistas, historic buildings or scenic resources within the area that would be adversely impacted by the project. The topography of the site and surrounding area is flat and most of the surrounding parcels are developed with residential and agricultural uses. The proposed project is similar to the existing development in the area, thus, the project will not impact the visual character or quality of the site and its surroundings.*

**DEVELOPMENT SERVICES DIVISION**



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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The project would generate new sources of light and glare in the form of residential lighting (exterior and interior) and vehicular headlights. However, the increase in light and glare is not considered significant because the type of light generated is expected to be similar to that of existing home sites in the area on rural residential properties. To mitigate light and glare impacts on the adjacent properties, the following mitigation measure will be incorporated into the project:*

**\*Mitigation Measure**

- 1. All outdoor lighting shall be hooded and directed so as not to shine toward public roads or the surrounding properties and be noted on an additional map sheet.*

**II. AGRICULTURAL RESOURCES**

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use;**
- B. Would the project conflict with existing agricultural zoning or Williamson Act contracts; or**
- C. Would the project involve other environmental changes which, due to their location or nature, could result in conversion of farmland to non-agricultural use?**

FINDING: NO IMPACT:

*The project will not convert prime or unique farmlands to non-agricultural uses. The project site is classified as Farmland of Local Importance on the Fresno County Important Farmland Map 2002, suited for pasture, dry land farming, confined livestock and grazing. It is vacant and is not subject to Williamson Act Contract. Majority of the adjoining lands to the north and east are designated as Farmland of Local Importance. Parcels to the south are designated as Farmland of State Wide Importance and to the west are designated as Urban and Built-up Land.*

**III. AIR QUALITY**

- A. **Would the project conflict with or obstruct implementation of the applicable air quality plan?**
- B. **Would the project isolate any air quality standard or contribute to an existing or projected air quality violation;**
- C. **Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a federal or state ambient air quality standard; or**
- D. **Would the project expose sensitive receptors to substantial pollutant concentrations?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The San Joaquin Valley Air Pollution Control District (Air District) reviewed the project and indicated that the project is expected to have no significant adverse impact on air quality. Also, at full build-out, the project would be less than 50 residential units and would not be subject to District Rule 9510 (Indirect Source Review). However, the Air District indicates that the project may be subject to several District rules that can be incorporated into the design of the project to reduce the project's overall level of emissions to reduce emissions throughout the San Joaquin Valley. These rules include: District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials, Rule 4601 (Architectural coatings), Rule 4641 (Cutback, Slow, Cure, and emulsified Asphalt, Paving and Maintenance Operations), and Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters). Also, Rule 4002 (National Emission Standards for Hazardous Air Pollutants) would apply in case an existing structure on the property is renovated. These requirements will be included as project notes.*

*Adherence to the regulations noted above would reduce air-related impacts to a less than significance level.*

- E. **Would the project create objectionable odors affecting a substantial number of people?**

FINDING: NO IMPACT:

*As proposed, the single family residential development will not create objectionable odors.*

#### **IV. BIOLOGICAL RESOURCES**

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species?**
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFG or USFWS?**

FINDING: NO IMPACT:

*The subject 55-acre property is located in a rural residential area of the County located east of City of Clovis and west of the Friant Kern canal. According to Fresno County Assessor's record, up until 1967 the property was a fig orchard. At present, it is vacant with a little or no vegetation and is dominated by native or non-native up-land grasses.*

*A biological report titled "Bethel Avenue Parcels Biological Assessment Report" was prepared by ESR, Inc., dated December 13, 2005, and reviewed by the California Department of Fish & Game (F&G). Amid F&G concerns that project site be surveyed during the appropriate time of the year to determine the location and extent of possible vernal pool habitat and the presence of the special status species, a supplemental "Hydrologic Monitoring and Habitat Assessment Report" was prepared by ESR, Inc., dated June 4, 2007. This supplemental report concluded that the subject property does not contain necessary parameters to qualify as vernal pools or habitat that would be conducive for use by vernal pool fairy shrimp, California tiger salamander or San Joaquin adobe sunburst. The reports finding are as follows:*

- 1. The soil analysis including the data interpretation and the filed sampling program did not identify any soils that were able to support wetland or vernal pool conditions.*
- 2. No clay soils were identified that would serve as habitat for the San Joaquin adobe sunburst.*
- 3. The site does not contain the necessary parameters to qualify as vernal pools or habitat that would be conducive for use by vernal pool fairy shrimp, California tiger salamander or San Joaquin adobe sunburst.*

*The California Department of Fish and Game (F&G) reviewed the report and accepted its findings as noted above and did not request for additional information.*

*The United States Fish and Wildlife Service (F&WL) also reviewed the project and indicated that based upon the information available to the*

*Service, at least 12 federally and state-listed species of plants and animals have been reported for the area, including 3 reported in the immediate area California tiger salamander, vernal pool fairy shrimp and San Joaquin adobe sunburst. The F&WL recommended that parcel-specific biological surveys be conducted by a qualified biologist to determine the presence of federally-listed species at the site. The "Hydrologic Monitoring and Habitat Assessment Report" prepared by ESR, Inc., dated June 4, 2007, along with Department of Fish & Game response to the project was routed to the Service on October 25, 2007 for review and comments. A follow-up letter for response was sent on November 27, 2007, followed by a second letter sent on December 18, 2007. No concerns were subsequently expressed in reference to the information provided to the Service.*

- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means?**

FINDING: NO IMPACT:

*According to the analysis made in Hydrologic Monitoring and Habitat Assessment Report," the site does not meet wetland characteristics as per the wetland definition established by Army Corps of Engineers (ACOE). The project was routed to ACOE who indicated that in case jurisdictional Waters of United States is found on the property, a 404 permit from ACOE would be required. This will be included as project note.*

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

FINDING: NO IMPACT:

*See discussion above in Section IV, A. B. The project site does not have or will impact migratory fish or wildlife species.*

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?**

FINDING: NO IMPACT:

*The project will not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

## V. CULTURAL RESOURCES

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

FINDING: NO IMPACT:

*No impacts to cultural resources were identified in the project analysis. The subject site is not located within an archeological sensitivity area or near any areas of known archaeological or historical activities.*

## VI. GEOLOGY AND SOILS

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

FINDING: NO IMPACT:

*The site is not located within a fault zone or area/topography that is subject to landslides. No agency expressed concerns or*

*complaints related to ground shaking, ground failure, liquefaction, or landslides.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project could result in minor changes in absorption rates, drainage patterns and the rate and amount of surface run-off, in the form of drainage from grading activities. These effects are not considered significant because the applicant will be required to adhere to the Grading and Drainage Sections of the County Ordinance Code.*

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed this application and required that a sewage feasibility study be prepared for the site to indicate its potential to support septic systems for the development. A Geology & Sewage disposal Feasibility Study was prepared by Norbert W. Larsen, dated April 4, 2006, which was based on a previous study, dated December 10, 1990. The Health Department reviewed the Feasibility Study and concluded that engineered septic systems consistent with the variable geologic conditions on each lot should be required for this tract at the time of housing construction and recommends that the following mitigation measure be included in the approval of the project in order to address potential impacts related to the use of specific systems.*

**\*Mitigation Measures**

2. *Engineered individual sewage disposal systems will be required for each lot in this tract as per the conclusions and recommendations made by Norbert W. Larsen & Associates, Inc, on April 4, 2006 which were based upon a previous study submitted by the firm on December 10, 1990 or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division and shall be recorded as a covenant with the property upon recording of the Final Map and be noted on an additional map sheet.*

## VII. HAZARDS AND HAZARDOUS MATERIALS

- A. **Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials?**
- B. **Would the project create a significant hazard involving accidental release of hazardous materials into the environment?**
- C. **Would the project emit hazardous materials within ¼ mile of a school?**

FINDING: NO IMPACT:

*No impacts relating to hazardous materials were identified in the project review process. The nature of a proposed rural residential subdivision will not generate or involve the transport of quantities of hazardous materials with the potential to impact surrounding property owners or the environment. No hazardous materials sites were identified within the project area by the Department of Community Health, Environmental Health Division.*

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

FINDING: NO IMPACT:

*The project is not located on a hazardous materials site.*

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

FINDING: NO IMPACT:

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

**G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

FINDING: NO IMPACT:

*The project will not impair implementation or physically interfere with an adopted emergency response plan.*

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

FINDING: NO IMPACT:

*The proposal is not located in a wildland fire area and therefore will not expose people or structures to such hazards.*

**VIII. HYDROLOGY AND WATER QUALITY**

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

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

FINDING: LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED:

*The project will utilize individual water systems (wells) on the properties and will not violate any water quality standards or otherwise degrade water quality.*

*The Fresno County Department of Public Health, Environmental Health Division (Health Department) required the applicant to provide water quality information from two wells on the subject parcels to test all water quality constituents as required of community water systems in the California Domestic Water Quality and Monitoring Regulations, Title 22, California Code of Regulations. The Health Department reviewed water quality information provided by the applicant and determined that all constituents and chemicals analyzed meet the standards adopted by the*



California Department of Health Services for community public water systems.

As discussed above in Section VI. E. Geology and Soils, the proposal will use engineered individual sewage disposal systems for wastewater discharge for each lot in the tract. Such systems provide much more control on groundwater contamination over non-engineered individual sewage disposal systems. Therefore, the project will not degrade water quality.

The County Water-Geology Unit required that Hydro-geologic Evaluation Report be prepared for the project's impact on groundwater quantity. Hydro-Geologic Evaluation Reports were prepared by BSK Engineering, dated January 30, 2006 and January 25, 2008 respectively. The County Water-Geology Unit reviewed the reports and indicated that given the proposed water usage and data contained in the reports, it appears that the water supply meets the requirements of Fresno County General Plan regarding adequacy, sustainability and impacts to nearby wells. However, the Unit indicates that ground water consumption shall be for domestic purposes only and not for irrigation. Also, the property shall be surveyed for abandoned wells and any such well discovered must be properly destroyed prior to project approval. This will be included as a mitigation measure.

**\*Mitigation Measures:**

3. All existing wells that are either: unpermitted, abandoned, and/or are not to be utilized to serve an individual parcel within the subdivision shall be destroyed in an approved manner as authorized by a permit for water well destruction issued by the Fresno County Department of Public Health, Environmental Health Division (Health Department) prior to recordation of the final map unless express approval allowing a particular well to remain on site has been obtained from the Health Department.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*According to FEMA Map Panel 1615F, a portion of the property lies within the 100-year flood plain. The Development Engineering Section of the Department of Public Works and Planning reviewed the project and indicated that a flood study to establish the base flood elevation and the limits of inundation for 100-year storm shall be conducted on the property and be shown on the map.*

*The Fresno Metropolitan Flood Control District (FMFCD) also reviewed the project and indicated that the existing stream course within the property is an FMFCD Master Plan channel and that District requires approval and design of a relocated channel prior to approval of the tract, dedication of easements as requested, and construction of culverts to accommodate Master Plan flows. To address District's concerns, the Development Engineering Unit, in agreement with the District, has recommended that since the property located within the FMFCD boundary; all District requirements shall be met and be made a part of improvement plans including engineering related studies and channel improvements. Required studies include a flood study to establish base flood elevation and the limits of inundation for a 100-year storm and hydraulic analysis to determine the sizes and locations of culvert crossings and/or relocated drainage channels to address the provisions in the Section 17.48.230 of the Fresno County Ordinance pertaining to development of land subject to flooding. These will be included as conditions of approval for the project. In addition, a condition of approval will be added requiring that a building pad for Lot 12 shall be constructed above the flood limits prior to the recording of the final map.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*As mentioned earlier, the project could cause changes in absorption rates, drainage patterns, and an increase in the rate and amount of surface runoff. This potential impact would result from construction and paving activities, which would compact and over cover the soil, thereby reducing the area available for infiltration of storm water.*

*Potential runoff, flooding erosion, and situation effects are not considered significant because future development shall be required to adhere to mandatory construction practices contained in the Building, Grading and Drainage Sections of the County Ordinance Code. According to the Development Engineering Section of the Department of Public Works and Planning, this proposal will require all storm water runoff generated from the developed portion of this tract be retained on site.*

*Adhering to this requirement will reduce project impact related to drainage and flooding to a less than significant level.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*As mentioned above in Section VI. E., engineered individual sewage disposal system will be used on the property. This system is required by Fresno County Department of Public Health, Environmental Health Division (Health Department) and will safeguard underground water quality more than an individual non-engineered septic system can.*

*In addition, the applicant will be required to obtain NPDES permit prior to construction and grading activities, file a Notice of Intent (NOI) with the Regional Water Quality Control Board, and develop a Storm Water Pollution Prevention Plan (SWPPP) and incorporate it into the construction improvement plans. Adherence to these requirements will reduce the project impact on ground water quality to less than significant.*

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*See discussion above in VIII. C. D.*

**I. Would the project expose persons or structures to levee or dam failure?**

**J. Would the project inundation by seiche, tsunami or mudflow?**

FINDING: NO IMPACT:

*No levee or dam is upstream of the site and no inundation hazards were identified in the analysis.*

**IX. LAND USE AND PLANNING**

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

FINDING: NO IMPACT:

*The project is located in a rural residential area and will not physically divide any established community. The project site is located approximately 3 ½ miles east of the incorporated City of Clovis.*

- B. Will the project conflict with any land use plan, policy or regulation of an agency with jurisdiction over the project?**

FINDING: NO IMPACT:

*The project will not conflict with any land use plan, policy or regulation of any agency with jurisdiction over the project. The subject property is designated for Rural Residential use on the Fresno County General Plan.*

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

FINDING: NO IMPACT:

*The project will not conflict with any habitat or natural community conservation plan.*

**X. MINERAL RESOURCES**

- A. Would the project result in the loss of availability of a known mineral resource?**
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a general plan?**

FINDING: NO IMPACT:

*The project site is not located in a mineral resource zone, as identified in the General Plan (Figure 7-8 and 7-9). The proposal will not extract and excavate minerals and would not result in the loss of a locally-important mineral resource recovery sites.*

**XI. NOISE**

- A. Would the project result in exposure of people to severe noise levels?**
- B. Would the project result in ground borne vibration?**
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity?**

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project would result in an increase in noise levels associated with the development of 24 residential units. However, Fresno County Department of Public Health, Environmental Health Division, who enforces the county noise ordinance, has indicated that given the location of existing residential development in the surrounding areas and the distance of such development from the proposed, site noise impact would be less than significant. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activities occur between the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. Noise impacts associated with construction are expected to be short-term.*

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

FINDING: NO IMPACT:

*The project site is not in the vicinity of an airport or private airstrip and therefore is not impacted by airport noise.*

## **XII. POPULATION AND HOUSING**

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project would result in the construction of a maximum of 24 single-family residences on a 55-acre site in an area planned for Rural Residential development. The population growth resulting from the project is not considered significant based upon the County's adopted plan and policies.*

### **XIII. PUBLIC SERVICES**

#### **A. Would the project result in physical impacts associated with the provision of new public services in the following areas:**

##### **1. Fire protection**

FINDING: NO IMPACT:

*Based upon the initial review of the project, the Fresno County Fire Protection District did not identify any significant concerns with the proposal. In their letter dated July 21, 2008, the Fire District indicated that the project shall comply with California Code of Regulations Title 24 – Fire Code 2007. The applicable Fire Codes were discussed and agreed upon between the applicant and Fire District to comply with and were signed by the applicant on August 13, 2008. The Fire district also requires that the project shall be provided with a 180, 000 gallon water storage tank on the property or a 90,000 gallon water storage tank with each house having sprinkler system installed. This will be reflected in covenant and agreement to be recorded with the final map. In addition, the design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Department of Public Works & Planning after consideration of the recommendations of the fire district having jurisdiction of the area. These requirements will be included as a condition of approval of the project.*

##### **2. Police protection**

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The Board of Supervisors has directed that a funding mechanism be established to provide for minimum level manning of Sheriff's services in areas experiencing new residential growth. This is consistent with General Plan Policy PF-G.2, which states that the County shall strive to maintain a staffing ratio of two sworn officers per 1,000 residents served. A mitigation measure has, therefore, been included requiring creation of a Community Facilities District or other appropriate funding mechanism to provide for police protection at a ratio of two sworn officers per 1,000 residents. The applicant has agreed to the following condition:*

**\*Mitigation Measure**

4. *Prior to recordation of a final map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.*

**5. Schools**

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project is located within the Sanger Unified School District boundaries. The District has adopted an ordinance requiring payment of a construction fee. Payment will be required prior to issuance of building permits.*

**4. Parks**

**5. Other public facilities?**

FINDING: NO IMPACT:

*No impact on parks or other public facilities were identified in the analysis.*

**XIV. RECREATION**

- A. **Would the project increase the use of existing neighborhood and regional parks?**
- B. **Would the project require expansion of recreational facilities?**

FINDING: NO IMPACT:

*No such impacts were identified in the analysis. However, an established recreational facility is located to the west within a quarter mile of the subject site.*

**XV. TRANSPORTATION/CIRCULATION**

- A. **Would the project result in increased vehicle or traffic congestion?**
- B. **Would the project exceed the established level of service standards?**

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*The Design Division of the Fresno County Department of Public Works and Planning identified potential impacts to the existing transportation system from traffic generated by the proposed project and determined that a Traffic Impact Study (TIS) was required in order to determine the full extent of traffic impacts. The applicant provided a TIS prepared by Peters Engineering Group dated, June 2, 2006. The traffic impact study concluded that the existing road network is adequate to accommodate the proposed project based upon opening day conditions and near-term conditions. The TIS recommended a project share for future construction cost for signalization of the intersection of Shaw and McCall Avenues and widening of Shaw Avenue to four lanes between McCall Avenue and Quail Lake Drive. The Design Division accepted the recommendations as outlined in TIS and has determined that the project shall pay its fare share for these improvements. These recommendations will be included as project mitigation measures and are as follows:*

**\*Mitigation Measure**

5. *To mitigate potential impacts to the County maintained roads, a pro-rata share for future off-site improvements is required as defined in item a and b below. This fee shall either be paid prior to recordation of the map or a covenant shall be recorded on each lot providing notice that issuance of a building permit is subject to payment of a Public Facilities fee. If the applicant opts for the latter, the fee shall be collected no later than the date of final inspection or the date of issuance of a certificate of occupancy, whichever comes first.*
  - a. *Road widening to four (4) lanes of the 0.7 mile road segment of Shaw Avenue between McCall Avenue and Quail Lake Drive. The project's maximum share for the 2025 scenario is 2.98% or \$ 22,848.00*
  - b. *Signalization at the intersection of Shaw Avenue and McCall Avenue. The project's maximum share for the 2025 scenario is 1.31 % or \$5,482.00.*

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



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

FINDING: NO IMPACT:

*The project will not change or alter air traffic patterns.*

**D. Would the project substantially increase traffic hazards due to design features?**

**E. Would the project result in inadequate emergency access?**

**F. Would the project result in inadequate parking capacity?**

FINDING: NO IMPACT:

*The project will not result in traffic hazards due to design features or in inadequate emergency access or parking capacity. All emergency access will be subject to approval by the Fresno County Fire Protection District prior to the completion of improvement plans/issuance of building permits.*

**G. Would the project conflict with adopted plans, policies or programs supporting alternative transportation?**

FINDING: NO IMPACT:

*The project will not conflict with any alternative transportation plans.*

**XVI. UTILITIES AND SERVICE SYSTEMS**

**A. Would the project exceed wastewater treatment requirements?**

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

*As discussed above in Section VI. E., Geology and Soils and Section VIII. A. B. Hydrology and water Quality, the project will utilize individual on-site wells and engineered individual sewage disposal systems, and therefore, it does not require construction of new water or wastewater treatment facilities. The Fresno County Department of Public Health, Environmental Health Division (Health Department) and Water-Geology Unit of the Department of Public Works and Planning reviewed the project and approved it for water quality, quantity and on-site sewage disposal system.*

- C. **Would the project require construction of new storm water drainage facilities?**
- D. **Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?**
- E. **Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?**

FINDING: LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED:

*See discussion above in Section VI. E., Geology and Soils and Section VIII, A. B. E., Hydrology and Water Quality.*

- F. **Would the project be served by a landfill with sufficient permitted capacity?**
- G. **Would the project comply with federal, state and local statutes and regulations related to solid waste?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The project site will be served by a local waste hauler designated to provide refuse and recyclable material removal as required by County Ordinance. The development of a rural residential subdivision of the size and character proposed with this project will not significantly impact local area landfills.*

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

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

FINDING: NO IMPACT:

*No impacts to biological resources were identified in the analysis.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

*The San Joaquin Valley Air Pollution Control District (Air District) has reviewed the project and has commented that the entire San Joaquin Valley Air Basin is classified non-attainment for ozone and fine particulate matter (PM10). The project would contribute to the overall decline in air quality due to construction activity and an increase in traffic. The Air District indicated that the project is subject to several of its adopted mandatory rules and regulations designed to reduce emissions throughout the San Joaquin valley.*

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

FINDING: NO IMPACT:

*No substantial adverse effects on human beings were identified in the analysis.*

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Tentative Tract Map No. 5415, staff has concluded that the project will not have a significant effect on the environment. No potential impacts were identified related to agricultural resources, biological resources, cultural resources, hazards and hazardous materials, land use and planning, and mineral resources. Impacts related to population and housing, have been determined to be less than significant, including air quality and noise which have been determined to be less than significant with adherence to the provisions set forth by the San Joaquin Valley Air Pollution Control District and County Noise Ordinance.

Impacts related to aesthetics, geology and soils, hydrology and water quality, public services, transportation and circulation, and utilities and service systems have been determined to be less than significant with adherence to the proposed mitigation measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Ste. "A", Fresno, CA.

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# AGENDA ITEM WORKSHEET

Agenda Date: 11/4/2008

Regular  Estimated Time: 10  
(Mins)

Consent

Closed  Ejaz Ahmad/Bernard Jimenez  
Contact Person

[Signature]  
Approved By:

2-4324/2-4497  
Phone

Submitting Dept. Public Works & Planning

CAO Analyst Sandra Dumlao

Presenter Ejaz Ahmad  
(Name and Signature)

**TYPE ITEM DESCRIPTION AS IT IS TO APPEAR ON AGENDA:** (Should begin with verb, i.e., Approve, Adopt, Consider, Discuss, Authorize, Present, Proclaim, Receive, etc.) (Answer the 5W's - Who? What? Why? When? How much?) A brief general description of an item would not exceed 20 words. **If your agenda item has the description that you wish to use for the agenda, you do not have to type anything below. If your agenda item has multiple recommended actions, you must summarize below.**

Consider and take action on appeal filed by Amal Avedian of the Planning Commission's denial of Tentative Tract Application No. 5415 to allow creation of a 24-lot subdivision with a minimum lot size of two acres from an existing 55-acre parcel of land in the RR District located approx. 600 feet south of E. Shaw Avenue between N. Nelson and N. Academy Avenues (SUP. DIST: 5) (APN: 308-150-05, 18, 20, 37S & 38S).

Vote Required:  4/5  Majority  Receive and File

Review by: County Counsel:  Yes  N/A

Auditor-Controller:  Yes  N/A

Other Information: Board Briefing Report \_\_\_\_\_  
(Date)

Advanced Agenda Material \_\_\_\_\_  
(Date)

Documents that are not included in Board packets are Agreements (unless agreement is stated in the agenda item as an exhibit/attachment), Resolutions (unless the resolution is in support of legislation, resolution or ordinance in the agenda item as an exhibit/attachment), General Documents (unless it is entered into the agenda item as an exhibit/attachment).

Please list Agenda Item and Supporting Documents	Qty.	Distribution Options	
		Distribute to Board, Scanned and Posted for Public Viewing	Do Not Distribute to Board, Scanned and Posted for Public Viewing Only
1. Inter Office Memo	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Agenda Item w/Exhibits A-B	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Subdivision Review Comm Rpt. w/ Ex 1-5	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
6. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
7. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>

**Special Instructions to Clerk Including Legal Publication, Notification & Posting Requirements:** Please e-mail Minute Order to Bernard Jimenez and Michele Carter.

<b>Rush Processing:</b> <input type="checkbox"/> Yes	Contact: Phone:
<b>Clerk Use Only</b>	Copies Sent To:



For Office Use Only	
Date received:	10/8/08
Copied to:	W. Kettler, C. Motta
Date copy sent:	10/8/08
Hearing set for:	11/4/08

**LAND USE APPEAL**

Date: 10/07/08

BERNICE E. SEIDEL, Clerk, Board of Supervisors  
Hall of Records, Room 301  
2281 Tulare  
Fresno, CA 93721

**APPEAL FEE: \$508.00**  
*(Fee must accompany appeal)*  
*(Fee not applicable if appeal is only on GPA with no concurrent applications)*

I wish to appeal the Planning Commission's/Director's decision to deny approve  
\*VA, CUP, (TT) AA, GPA, AT, DRA Application/s No/s. 5415 on 10/02/08  
(Circle Applicable Application/s) (PC Hearing Date)

for the following **specific reason/s** (Note: Disregard if GPA appeal): The decision was not correct because the denial of the map was based on the P.C. proposing a community water system when it is well known that community system is not allowed in the RR zone district. We have followed the requirements of the General Plan. The P.C. acted against the General Plan that they have sworn to uphold.

Please notify me of the date and time of the appeal hearing before the Board of Supervisors.

<u>Appellant</u>	<u>Agent (if applicable)</u>
Jack Avedian	Ronald W. Greenwood
(Name)	(Name)
3317 W. Bullard Fresno	2558 E. Olive Ave. Fresno
(Address) (City)	(Address) (City)
93711 559/681-0510	93701 559/268-7831
(Zip Code) (Daytime Phone No.)	(Zip Code) (Daytime Phone No.)

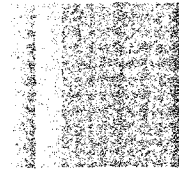
If appellant is not the applicant, please provide: Applicants Name: \_\_\_\_\_

*Amal Aeppli*  
(Signature)

\*Fresno County Zoning Ordinance § 877(c) requires that any appellant, other than the applicant, County Department Director, or Board of Supervisors member, must be a property owner within a certain distance from the Variance application property. The Department of Public Works and Planning will verify that the ordinance requirements are met. If the requirements are not met, the appeal fee will be returned and no date for appeal hearing before the Board of Supervisors will be set.

Apkar "Jack" Avedian

4146 W. Ellery Way, Fresno, CA 93722  
(559) 681-0510 avedianlulu@yahoo.com



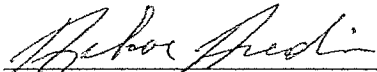
January 10, 2019

Chris Motta, Senior Planner  
Development Services Division  
Fresno County Department of Public Works and Planning  
Re: Tentative Tract Map No. 5415 (Avedian)

Dear Mr. Motta,

Currently, with the most recent legislative time extensions this map will expire March 3<sup>rd</sup> 2019. Unfortunately the economy is still sluggish in Fresno County and there is an uncertain market for this type of residential development. Therefore, we would like to request an extension for this subdivision.

Warm regards,

x   
\_\_\_\_\_  
Apkar "Jack" Avedian





# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 April 11, 2019

**SUBJECT:** Variance Application No. 4066

Allow a ropes course with a maximum height of 55.6 feet (maximum of 25 feet allowed) at an existing ranch and youth camp on a 43.6-acre parcel in the RE (Recreational) Zone District.

**LOCATION:** The project site is located on the north side of Elwood Road between Mustang Drive and Live Oak Drive, approximately five-miles northwest of the unincorporated community of Squaw Valley (6450 Elwood Road, Sanger CA) (Sup. Dist. 5) (APN 158-090-28).

**OWNER:** Western Camps Inc.  
**APPLICANT:** Roy Oken

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

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Approve Variance Application No. 4066; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans and Course Layout
6. Elevations
7. Applicant's Submitted Findings
8. Approved Variances Map
9. Public Correspondence

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Foothill Rural Residential in the County-adopted Sierra-South Regional Plan	No Change
Zoning	RE (Recreational)	No Change
Parcel Size	43.63 acres	No Change
Project Site	A ranch and youth camp	Ropes courses with maximum height of 55.6 feet (25 feet allowed) in the RE Zone District
Structural Improvements	Ranch & Youth Camp: suites, lodges, cottages, offices, meeting rooms, water slides, athletic fields, mobile homes, horse arenas, storage shops, tennis courts, rifle range, dormitory, wedding site, parking  Ropes Course: Up to 37-foot-tall poles and a climbing wall	No change  Up to 55.6-foot-tall climbing tower and poles
Nearest Residence	126 feet to the east	No Change
Surrounding Development	Single-family residences	No Change



<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Operational Features	<ul style="list-style-type: none"> <li>• The existing ranch and youth camp has been operating a ropes course for the past 25 years aimed at developing self-confidence in children (ages 7 to 16)</li> <li>• The course runs 8 weeks each summer and accommodates 220 children plus staff</li> <li>• Each year from September through May an average of 60 groups (children from ages 7 to 16) use the ropes course</li> </ul>	No change
Employees	4	No change
Customers	N/A	N/A
Traffic Trips	Commercial	No change
Lighting	Commercial	No change
Hours of Operation	<ul style="list-style-type: none"> <li>• September - May: 8:00 am to 5:00pm; 7 days per week</li> <li>• June – July: 9:00am to 12:00pm and 2:00 to 5:00pm; Monday through Friday</li> </ul>	No change  No change

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

**ENVIRONMENTAL ANALYSIS:**

It has been determined pursuant to Section 15305 of the California Environmental Quality Act (CEQA) guidelines that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

**PUBLIC NOTICE:**

Notices were sent to 145 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

## **PROCEDURAL CONSIDERATIONS:**

A Variance (VA) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 877-A are made by the Planning Commission.

The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

## **BACKGROUND INFORMATION:**

This Variance proposal entails a request to allow a ropes course with a maximum height of 55.6 feet at an existing 43.3-acre ranch and youth camp (facility) located in the eastern part of Fresno County.

The subject facility has been in business since 1967 and runs a conference and retreat center from September to June and a children's summer camp during the summer. Over the years, several land use proposals [Conditional Use Permit (CUP) No. 2274, CUP No. 1545 and CUP No. 1130] approved by the County Planning Commission has added/expanded activities on the property.

Among several outdoor activities such as swimming, tennis courts, water slides, archery, and rifle range, the facility also offers a ropes challenge course as part of children's summer camp in June and July and a resort team-building program from September through May.

A licensing company recently inspected the improvements for a ropes course in compliance with the facility's insurance requirements. This inspection resulted in the need for immediate and near-future replacement of several poles (ranging in height from 35 feet to 37 feet) due to normal wear, excluding those related to a High 'V' (three poles connected to zip lines) and a Burner Bridge (two poles connected to zip lines). The Applicant has taken down the affected poles to replace them with new poles, and will install additional new poles and construct a climbing tower, all connected via zip lines with a maximum height not to exceed 55.6 feet. As, the current RE (Recreational) zoning on the property allows a maximum height of 25 feet for building and structure, the subject Variance is required to allow a ropes course with a maximum height of 55.6 feet. This also includes all 35- to 37-foot-tall existing poles and a climbing wall that currently do not meet the height requirements of the RE Zone District. All existing and proposed improvements are located within the area of the property reserved for the ropes course challenges (Exhibit 5).

There have been two variance applications within a one-mile radius of the project site. But, none of those variance applications are similar to the subject Variance application request.

*Finding 1:* *There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.*

*Finding 2:* *Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.*

	<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	Front: 600 feet (South property line) Side: 60 feet (east property line) Side: 2,005 feet (west property line) Rear: 220 feet (north property line)	Y
Parking	Two (2) feet of off-street parking area for each one (1) square-foot of floor area, or fraction thereof	No change	Y
Lot Coverage	Fifty (50) percent of total lot area	No change	Y
Space Between Buildings	<ul style="list-style-type: none"> <li>• One (1) parking space on the lot for each trailer parking space; and</li> <li>• One (1) additional parking space for each ten (10) trailer spaces for guest parking</li> </ul>	N/A	N/A
Wall Requirements	<ul style="list-style-type: none"> <li>• No more than 6 feet in height on all rear and side property lines</li> <li>• No more than 3 feet in height in any required front yard or in the required side yard on the street side</li> </ul>	N/A	N/A
Septic Replacement Area	N/A	N/A	N/A
Water Well Separation	N/A	N/A	N/A

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

Zoning Unit of the Fresno County Department of Public Works and Planning: The RE Zone District allows a maximum of 25-foot building height, resulting in the need for a Variance to waive the requirements to allow the maximum height of 55.6 feet for existing and proposed poles, climbing wall and climbing tower.

No other reviewing Agencies or Departments expressed comments specific to the adequacy of the site.

**Analysis:**

This Variance proposal entails a request to allow a ropes course with a maximum height of 55.6 feet (maximum of 25 feet allowed) at an existing 43.6-acre ranch and youth camp in the RE (Recreational) Zone District.

In order to make Findings 1 and 2 of the “Findings Necessary for the Granting of a Variance” (Exhibit 7) a determination must be made that the property is subject to an exceptional or extraordinary circumstance that does not apply to other properties in the same zoning district, and a substantial property right shared by other property owners must be demonstrated.

In support of Finding 1, the Applicant states that the subject property is the only commercial property in the area zoned for and developed with recreational uses related to a resort and children's youth camp. The ropes course will consist of high elements from 35 feet to 55 feet 6 inches, similar in height to other properties that have ropes courses. Greater height is required to encourage participants to build trust in each other, trust the equipment, and face their fears.

In support of Finding 2, the Applicant states that no other property in Wonder Valley like this is zoned for commercial use. Competitors have high ropes courses and the Applicant states that the camp has the right to have a similar course to offer the same type of experience and programs to patrons.

The subject facility (ranch and youth camp) has operated a ropes course for children/youth for the past 25 years. The existing improvements include telephone poles, zip lines and a climbing wall. This proposal will replace worn-out poles, install new poles, and construct a climbing tower, all connected via zip lines with a maximum height of 55.6 feet. Upon analyzing the subject Variance request, staff concurs with the Applicant that the proposed height is a function of the use. By not maintaining a height greater than 25 feet (maximum height allowed in the RE Zone District) and up to 55.6 feet for poles and related structures, high ropes courses will not be possible. Staff also acknowledges that the proposed ropes course is similar in height to the ropes course offered by other competitors in Fresno County.

A consideration in addressing Findings 1 and 2 is whether there are alternatives that would avoid the need for the Variance. The only alternatives would be to either reduce the height to 25 feet as required by the RE Zone District, or eliminate the use altogether. However, both of these options are undesirable by the Applicant. As maintaining certain height for poles and climbing towers is a function of the use, a lesser height that is currently required will make the use unfeasible. Given the above discussion and the fact that no viable options are available to the Applicant, staff believes that the 55.6-foot height as proposed by this application is necessary and acceptable. Findings 1 and 2 can be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 1 and 2 can be made.

**Finding 3:** *The granting of such Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.*

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	1.5 acres to 2.1 acres	Single-Family Residence	AE-5	N/A
South	1 acre to 2.6 acres	Single-Family Residence	AE-5	N/A
East	1.4 acres to 2 acres	Single-Family Residence	AE-5	40 feet
West	1 acre to 1.3 acres	Single-Family Residence	AE-5	N/A

**Reviewing Agency/Department Comments:**

Zoning Section of the Fresno County Department of Public Works and Planning: Construction plans, permits and inspections are required for the proposed ropes course.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Permits were not obtained for the existing ropes course or the climbing wall and are being operated in violation of the County of Fresno Ordinance. Plans, permits and inspections are required, and a Certificate of Occupancy must be obtained prior to the use of the ropes course and climbing wall.

Fresno County Department of Public Health, Environmental Health Division: In the future, if the operation of the facility exceeds the maximum capacity of the sewage treatment system, a licensed contractor should evaluate the septic system for adequacy. The Applicant should consider having the existing septic tank pumped and the tank and leach field evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. All abandoned water wells and septic systems shall be properly destroyed by an appropriately-licensed contractor. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil and if lubricating oil is found in the well, the oil shall be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well shall be handled in accordance with federal, state and local government requirements.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 06019C1670, the proposed site is in Flood Hazard Zone AO (depth 3 feet) and Zone X. All construction shall comply with Chapter 15.48 of the Fresno County Ordinance. A grading permit shall be required to insure compliance with the County Flood Hazard Ordinance.

The aforementioned requirements will be included as Project Notes.

Fresno County Fire Protection District; Policy Planning Unit, Design Division, and Water and Natural Resources Division of the Fresno County Department of Public Works and Planning; and Pacific Gas & Electric (PG&E): No concerns expressed regarding the proposal.

**Analysis:**

In support of Finding 3, the Applicant states that they have been offering the ropes course for the past 25 years with no major injuries and no complaints, and that they have trained staff to run a ropes course, which a licensed company inspects yearly for insurance purposes.

The primary purpose of the height requirement for building structures is to protect the aesthetic character of the neighborhood. Without building height standards, extreme height variations can occur between buildings on adjacent properties, which can negatively affect the appearance along streets.

Upon reviewing the Applicant-submitted Site Plan, elevations and photographs of the existing and proposed improvements (poles, climbing wall, climbing tower), including the property's aerial view, staff has determined that a ropes course with a maximum height of 55.6 feet will not be injurious to public or the surrounding properties. Sparse single-family residences (SFRs) are located in the project area and the nearest residence is approximately 126 feet east of the proposed improvements. The existing landscaping that surrounds this residential parcel will screen much of the visibility of the improvements from the residences.

Given the project is located within an area designated for a ropes course, a 55.6-foot-high ropes course will cast little or no shadow on the neighboring properties. The height will also have no impact on crop dusting operation due to no active farmland in the area, and has raised no concerns for the Fresno County Fire Protection District.

Based on the above information, staff does not believe that the ropes course with a maximum height of 55.6 feet will create a negative visual impact on the neighborhood, nor will it be detrimental to public welfare. Based on this discussion, staff believes Finding 3 can be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 3 can be made.

*Finding 4: Granting of this Variance will not be contrary to the objectives of the General Plan Consistency.*

**Reviewing Agency Comments:**

Policy Planning Unit of the Fresno County Department of Public Works and Planning: No comments specific to General Plan Policy were expressed.

**Analysis:**

In support of Finding 4, the Applicant states that the proposed ropes course has no negative impact to the Fresno County General Plan.

The subject property is designated Foothill Rural Residential in the County-adopted Sierra-South Regional Plan. There are no policies specific to building or structure height in the Fresno County General Plan or Sierra-South Regional Plan. Therefore, approval of the subject Variance request to deviate from height requirement in the RE Zone District would not be in conflict with the policies of the General Plan. Based on this discussion, staff believes that Finding 4 can be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 can be made.

**PUBLIC COMMENT:**

Staff received five letters and one email correspondence in support of the project. The correspondence states that a ropes course at the existing ranch and youth camp will continue providing activities to special needs children, including others who attend summer burn camp. In addition, the project will generate property taxes and revenues for the County and will not generate noise or visually affect the neighborhood.

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes that required Findings 1, 2, 3 and 4 for granting the Variance can be made. Staff therefore recommends approval of Variance No. 4066.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to determine that the required Findings can be made and move to approve Variance No. 4066; 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 Variance No. 4066; 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.

**Variance Application No. 4066  
(Including Conditions of Approval and Project Notes)**

<b>Conditions of Approval</b>	
1.	Development shall be in substantial compliance with the Site Plan and Elevation(s) as approved by the Planning Commission.
2.	Plans, permits, and inspections are required, and a Certificate of Occupancy must be obtained prior to the use of the existing ropes course or the climbing wall which are being operated in violation of the Fresno County Ordinance.

Conditions of Approval reference recommended Conditions for the project.

<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Variance will become void unless there has been substantial development within one year of the effective date of approval.
2.	Construction plans, building permits and inspections will be required for all proposed improvements related to a ropes course. Contact the Building and Safety Section of the Development Services and Capital Projects Division at (559) 600-4540 for plans, permits and inspections.
3.	<p>Per the Fresno County Department of Public Health, Environmental Health Division:</p> <ul style="list-style-type: none"> <li>• In future, if the operation of the facility exceeds the maximum capacity of the sewage treatment system, the septic system should be evaluated by an appropriately-licensed contractor for adequacy. It is recommended that the Applicant consider having the existing septic tank pumped, and have the tank and leach field evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system(s)</li> <li>• In an effort to protect groundwater, all abandoned water wells and septic systems on the parcel shall be properly destroyed by an appropriately-licensed contractor (permits required).</li> <li>• Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column should be checked for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the "oily water" should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.</li> </ul>
4.	<p>Per the Development Engineering Section of the Development Services and Capital Projects Division,</p> <ul style="list-style-type: none"> <li>• According to FEMA FIRM Panel 06019C1670, the proposed site is in Flood Hazard Zone AO (depth 3 feet) and Zone X. All construction shall comply with Chapter 15.48 of the Fresno County Ordinance.</li> <li>• A grading permit will be required to insure compliance with the County Flood Hazard Ordinance.</li> </ul>

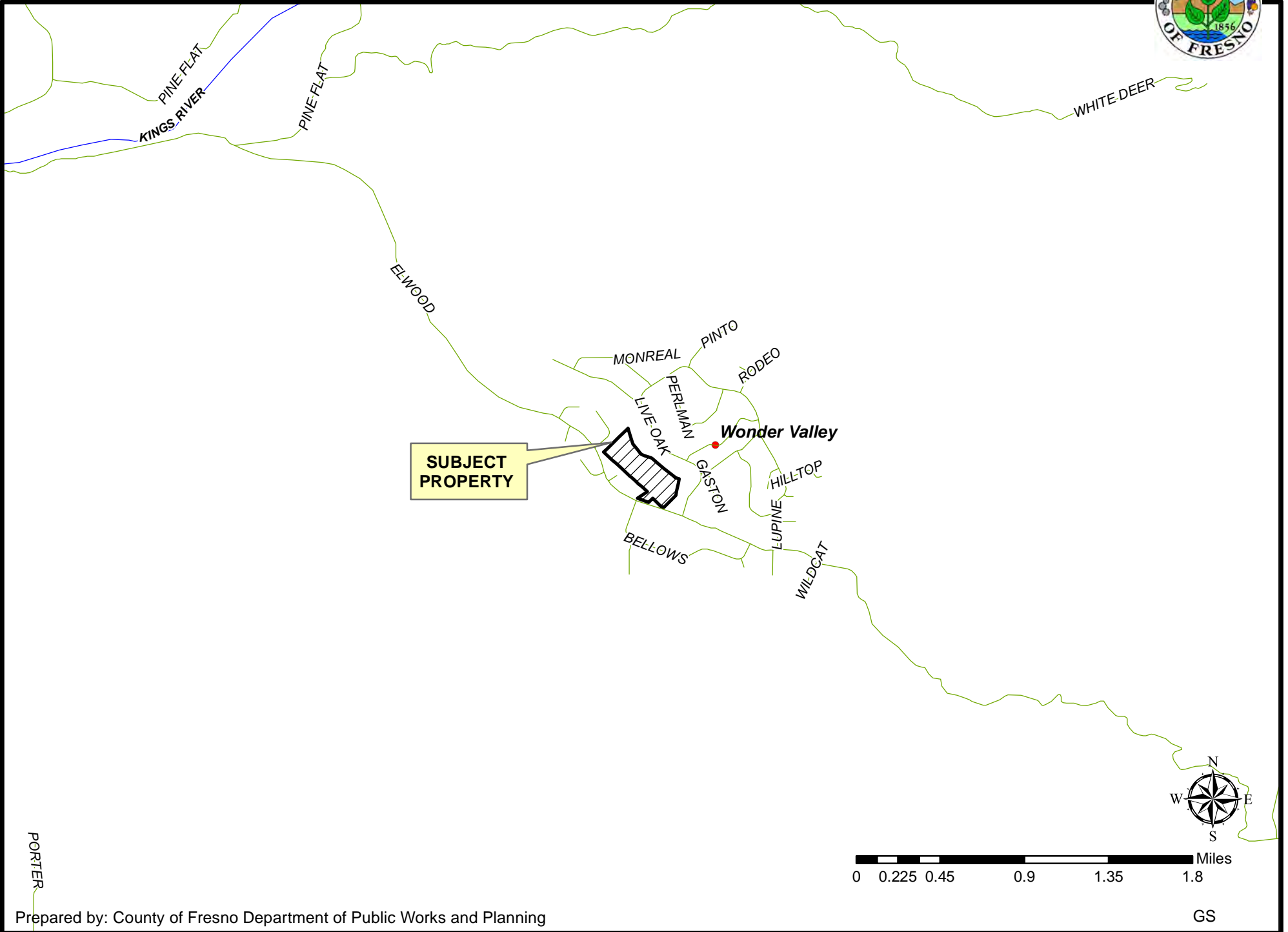
EA:ksn

G:\4360Devs&Pln\PROJSEC\PROJDOCS\VA\4000-4099\4066\SR\VA 4066 MMRP (Ex 1).docx

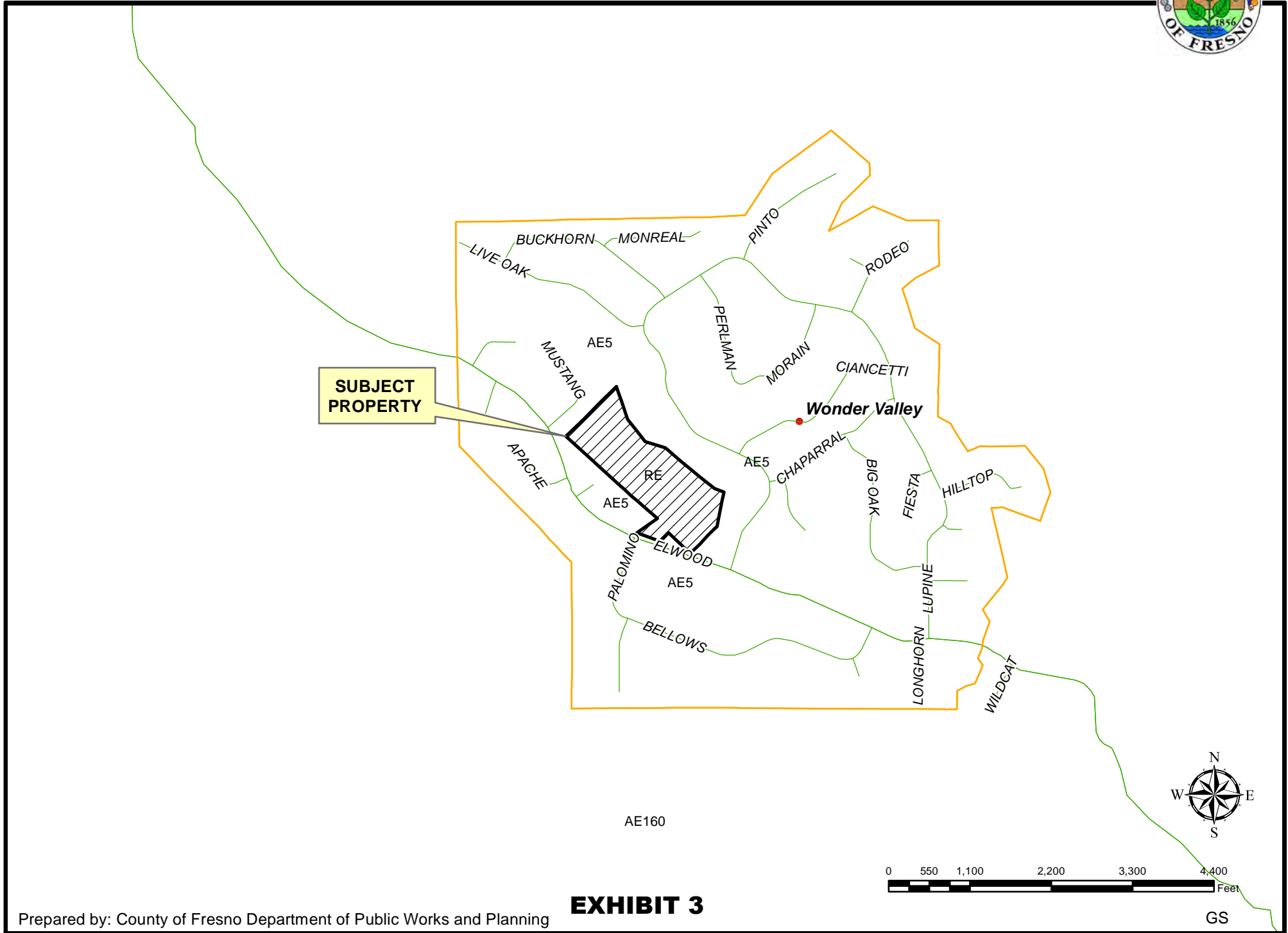
**EXHIBIT 1**



# LOCATION MAP



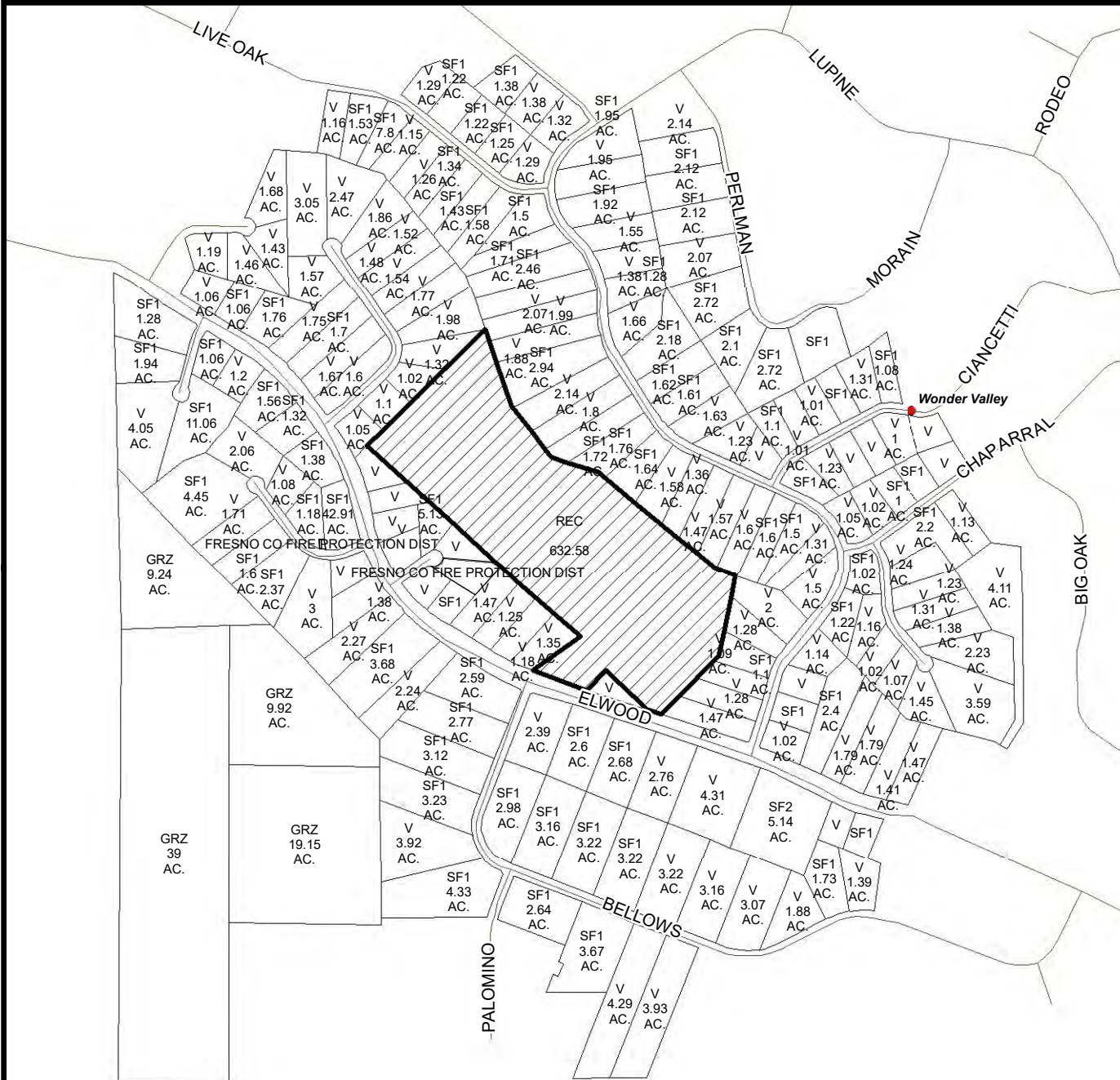
# EXISTING ZONING MAP




**SUBJECT  
PROPERTY**

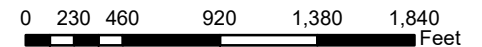
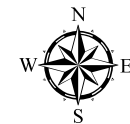
## EXHIBIT 3

# EXISTING LAND USE MAP



LEGEND	
GRZ	- GRAZING
REC	- RECREATION
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

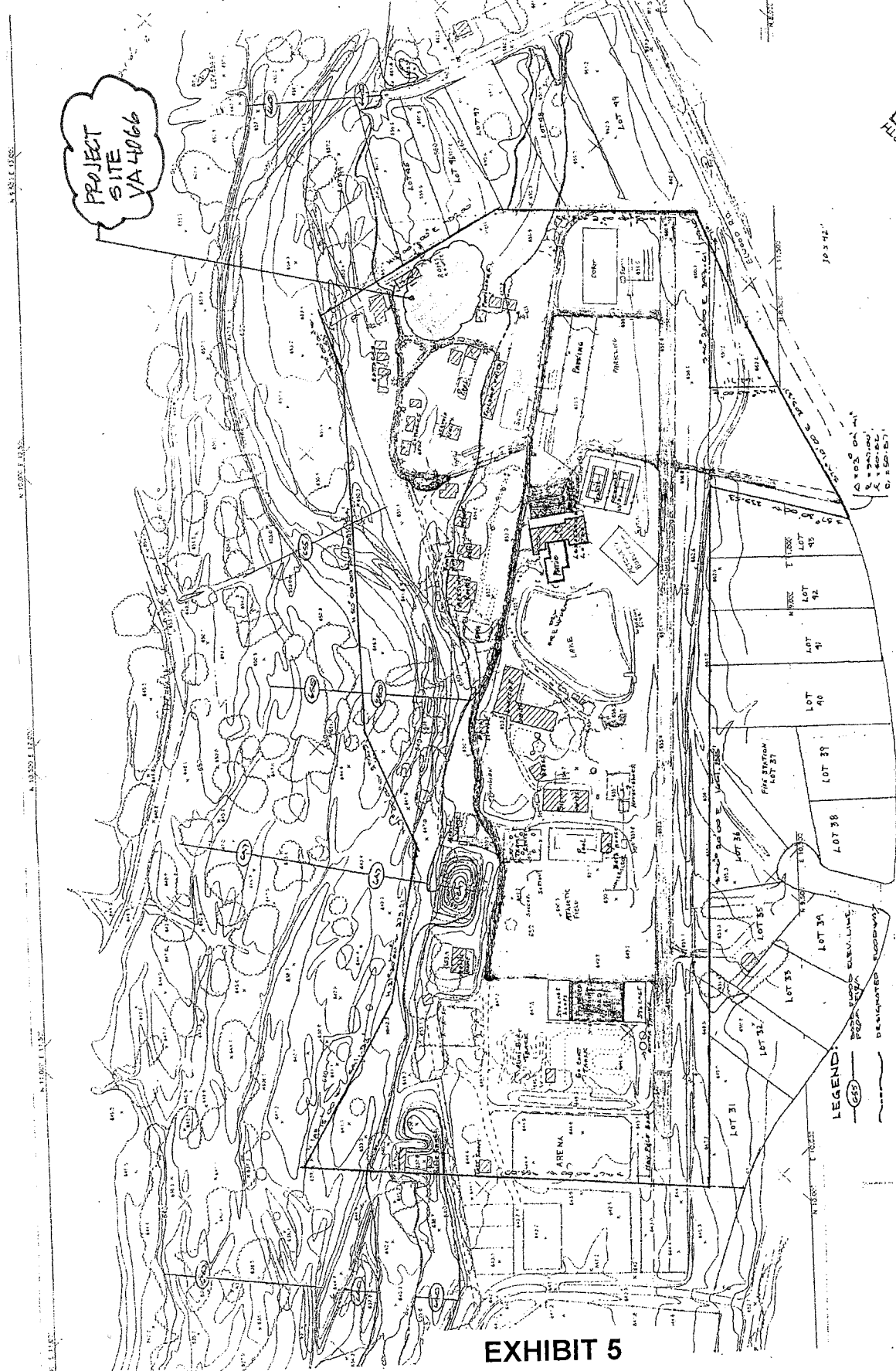
**LEGEND:**  
 Subject Property



Department of Public Works and Planning  
 Development Services Division

WONDER VALLEY RANCH RESORT  
 6450 ELWOOD ROAD,  
 SANGER, CA 93657

PROJECT  
 SITE  
 VA-4066



OVERALL SITE PLAN

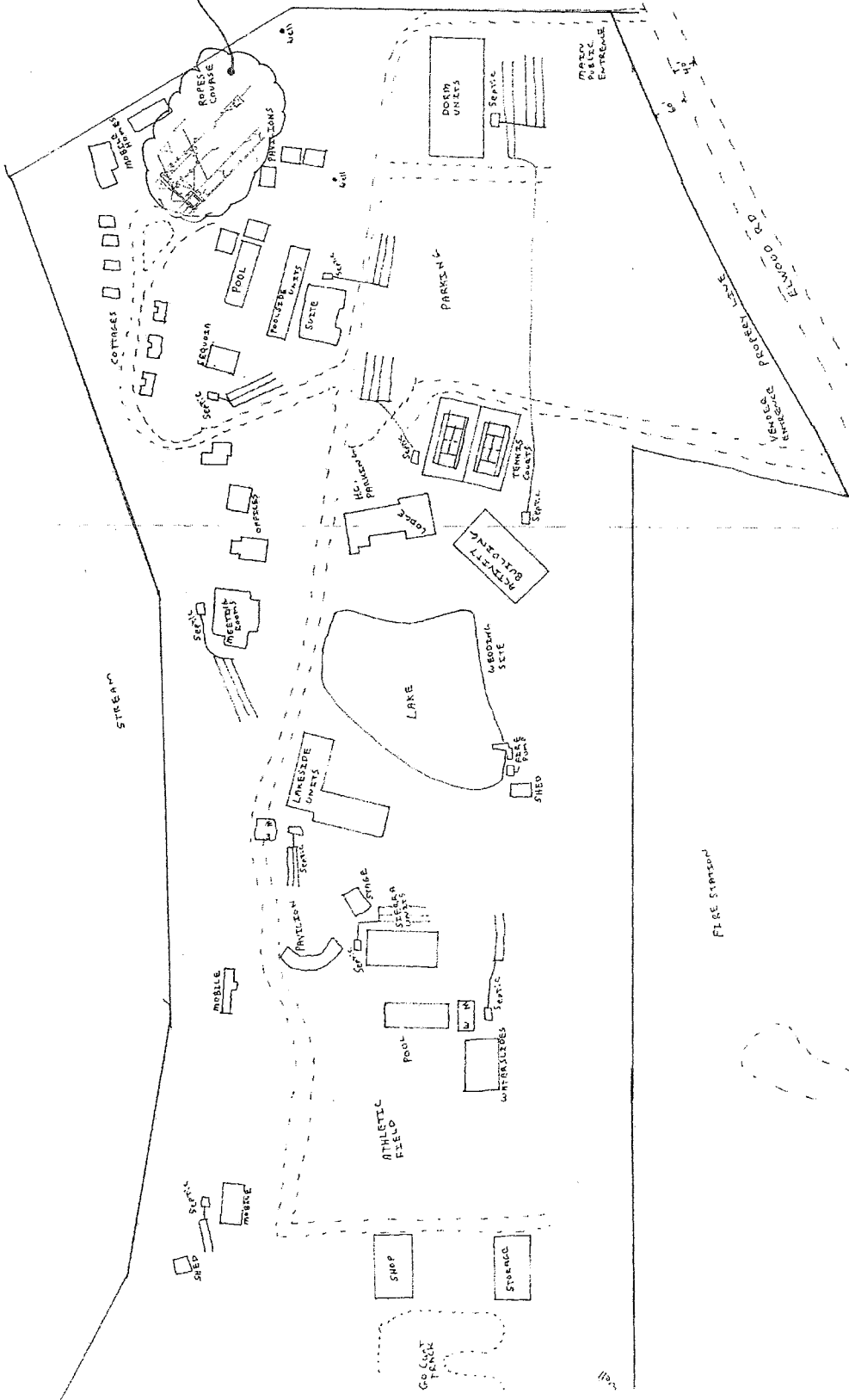
LEGAL PHOTOGRAPHIC SERVICES  
 11/15/18  
 11/15/18

EXHIBIT 5

PROJECT LOCATION VA 40160



1" = 100'

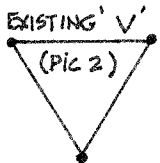


WONDER VALLEY RANCH RESORT  
6480 ELWOOD ROAD,  
GANGER, CA 93527

# SITE PLAN (ENLARGED)

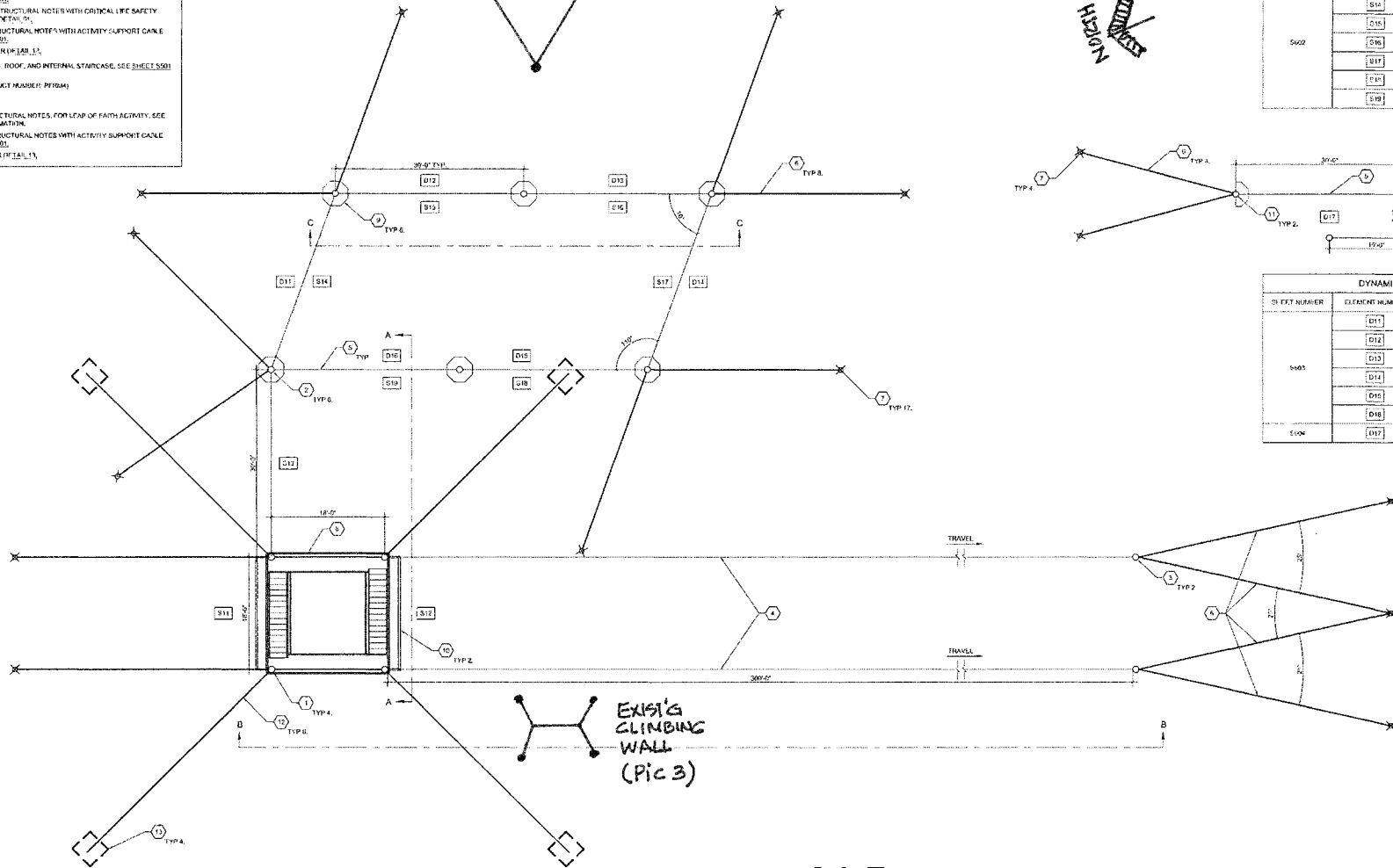
- PLAN NOTES**
- 75' CLASS 2 MAIN POLE, PER STRUCTURAL NOTES, FOR TOWER, SEE DETAIL 31 FOR EMBEDMENT INFORMATION.
  - 1" CLASS 2 MAIN POLE, PER STRUCTURAL NOTES, FOR ADVENTURE COURSE, PER DETAIL 31 FOR EMBEDMENT INFORMATION.
  - 40' CLASS 2 MAIN POLE, PER STRUCTURAL NOTES, FOR ZIP LINE TERMINATION, SEE DETAIL 31 FOR EMBEDMENT INFORMATION.
  - 3/4" DIA. GAC ZIP CABLE, PER STRUCTURAL NOTES WITH CRITICAL LIFE SAFETY CABLE CONNECTIONS, TYPICAL DETAIL 01.
  - 3/4" DIA. GAC ZIP CABLE, PER STRUCTURAL NOTES WITH CRITICAL LIFE SAFETY CABLE CONNECTIONS, TYPICAL DETAIL 01.
  - 3/4" DIA. GAC CUY CABLE, PER STRUCTURAL NOTES WITH ACTIVITY SUPPORT CABLE CONNECTIONS, TYPICAL DETAIL 01.
  - 3/4" DIA. GAC CUY CABLE, PER STRUCTURAL NOTES WITH ACTIVITY SUPPORT CABLE CONNECTIONS, TYPICAL DETAIL 01.
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  - 3/4" DIA. GAC CUY CABLE, PER STRUCTURAL NOTES WITH ACTIVITY SUPPORT CABLE CONNECTIONS, TYPICAL DETAIL 01.

EXIST'G BURNER BRIDGE  
(PIC 1)



STATIC ELEMENT SCHEDULE		
SHEET NUMBER	ELEMENT NUMBER	ELEMENT NAME
S201	D11	VERTICAL PLAYPEN
	D12	CLIMBING WALL
	S13	TRAIN TRACK BRIDGE
	S14	EARTHQUAKE BRIDGE
S202	D15	BUCKET BRIDGE
	S16	ISLANDS IN THE SKY
	S17	SYNCHROPSIS
	C18	STUMP JUMP
	S19	BURMA BRIDGE

HIDDEN



EXIST'G CLIMBING WALL  
(PIC 3)

DYNAMIC ELEMENT SCHEDULE		
ELEMENT NUMBER	ELEMENT NUMBER	ELEMENT NAME
S203	D11	PIRATES ON JUNGLE
	D12	THIRD TWO LINE
	D13	WINE TRAVELER
	D14	CATWALK
S204	D15	TERMINATOR
	D16	FRISK
S204	D17	LEAP OF FAITH

COURSE LAYOUT APPROXIMATE NORTH

WONDER VALLEY CHALLENGE COURSE

6450 ELWOOD ROAD  
SANGER CA, 93657

Signature RESEARCH INC.



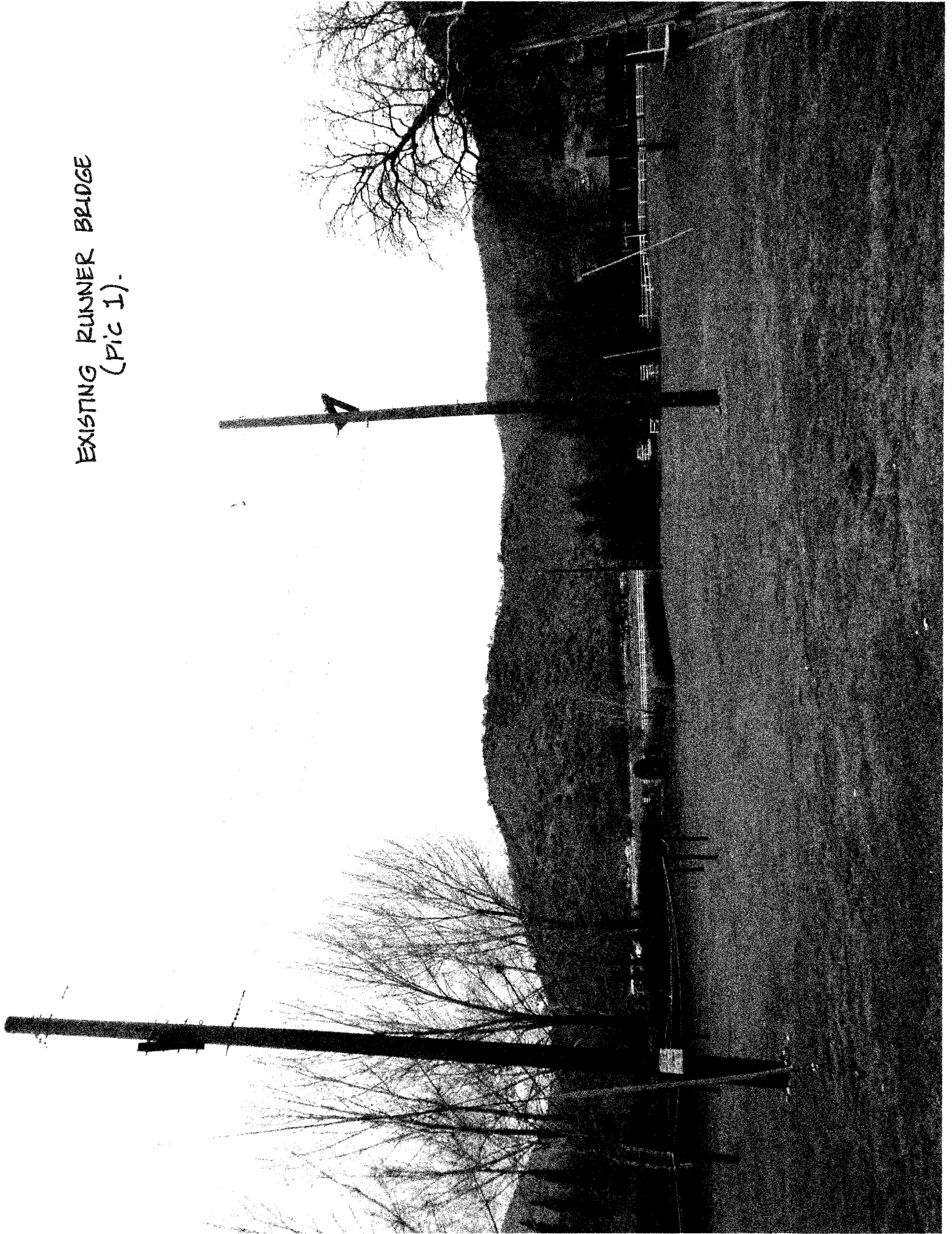
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CHECKED:	DT
DATE:	03/20/19

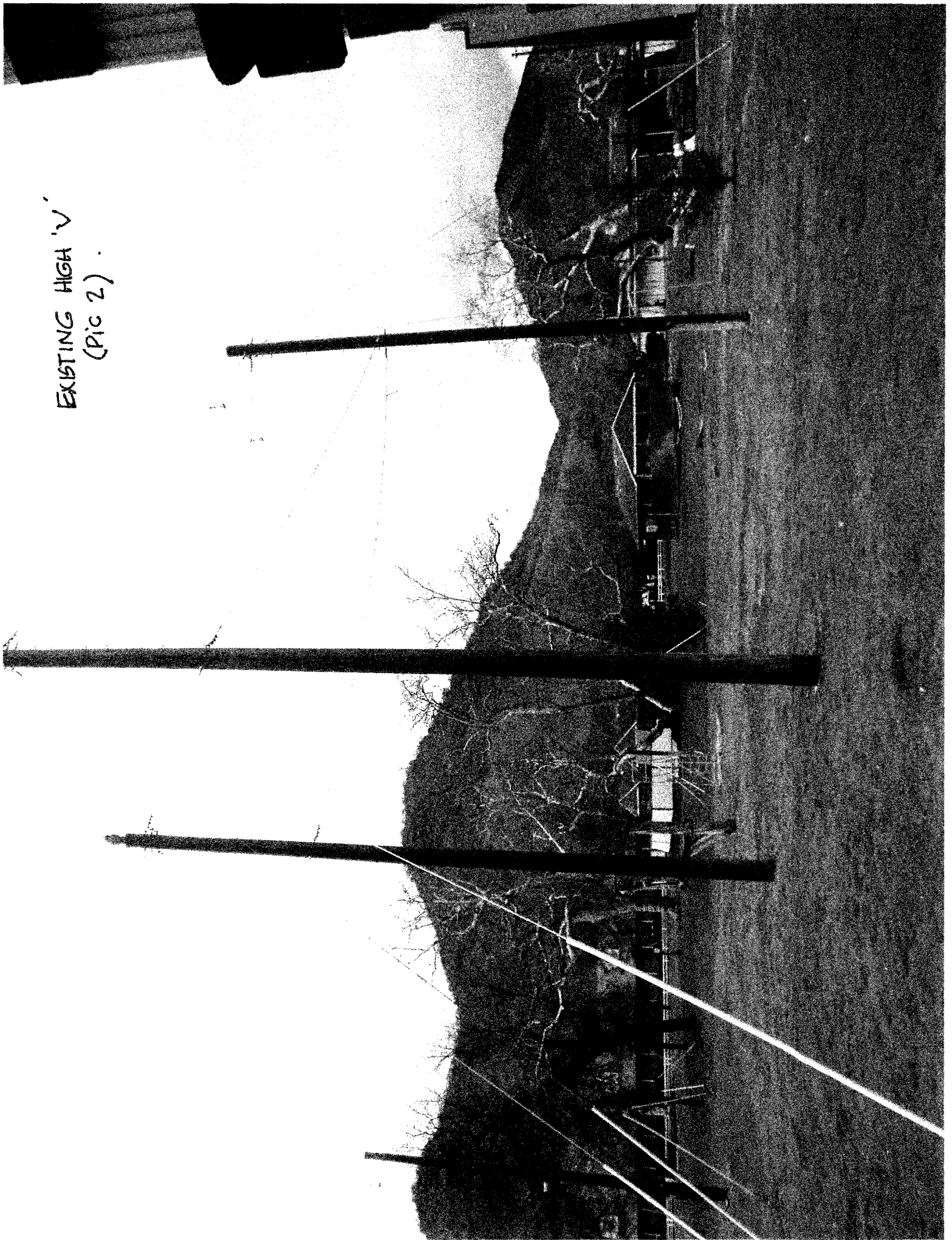
SHEET NUMBER:  
**S201**  
COURSE LAYOUT

JOB NUMBER: 1808

EXISTING RUNNER BRIDGE  
(PIC 1).



EXISTING HIGH 'V'  
(Pic 2)

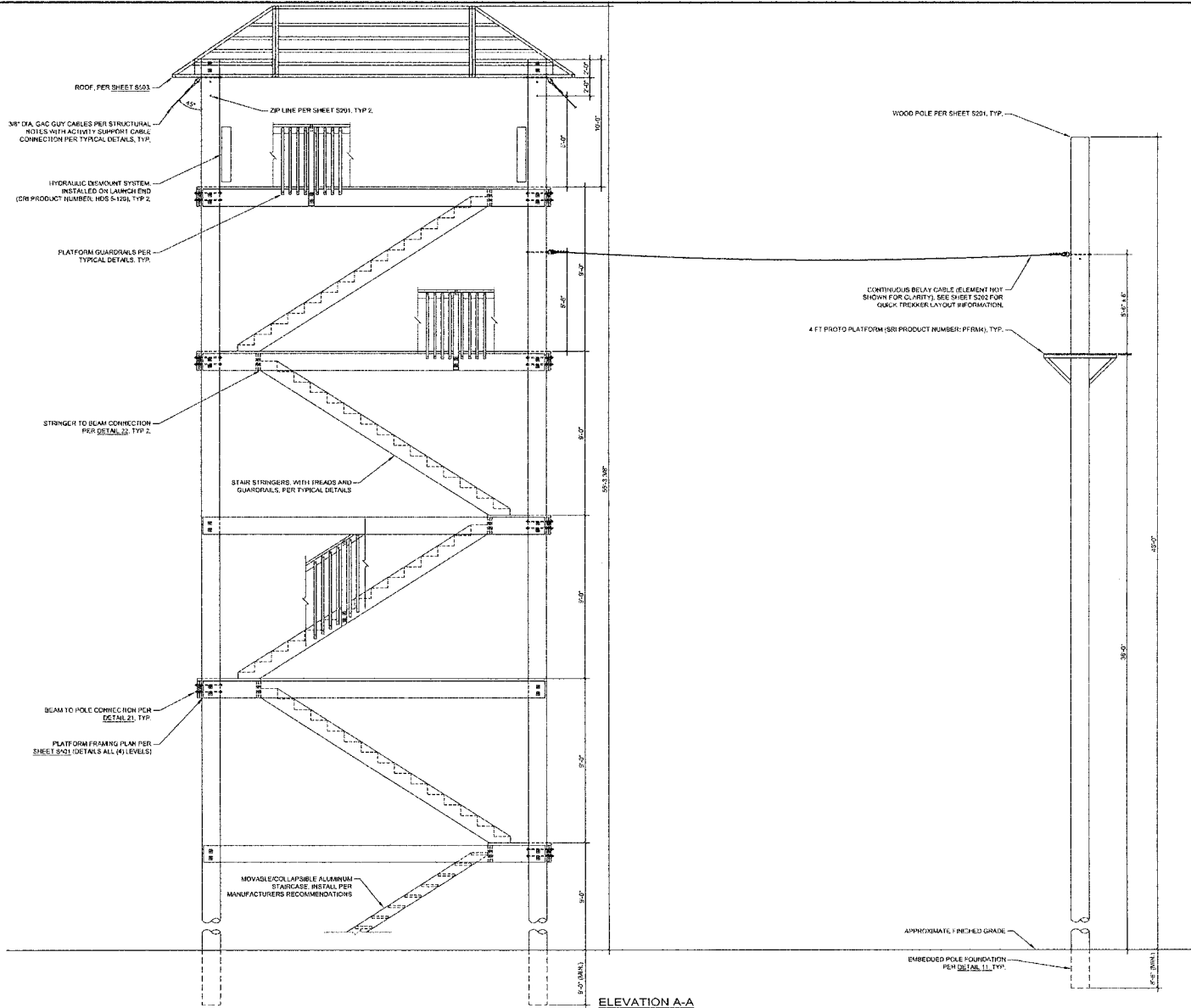




EXISTING CLIMBING WALL  
(PIC 3)



EXHIBIT 6



ELEVATION A-A

**WONDER VALLEY CHALLENGE COURSE**  
 6450 ELWOOD ROAD  
 SANGER CA, 93657

JOB NUMBER: 1808



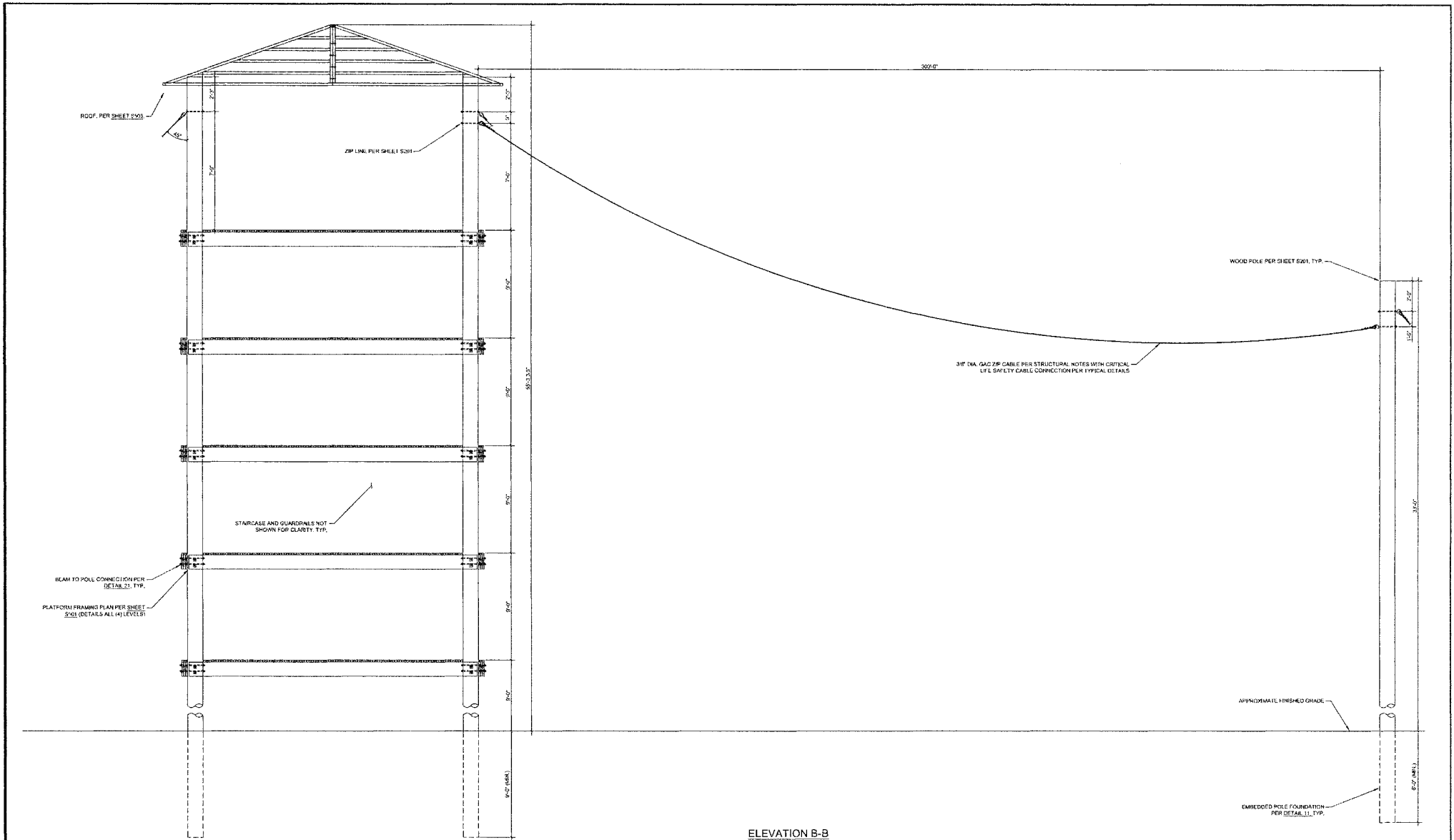
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DRAWN:	MAR
ENGINEERED:	MAR
CHECKED:	DT
DATE:	03/05/19

SHEET NUMBER:  
**S301**  
 ELEVATION - A

EXHIBIT 6





ELEVATION B-B



WONDER VALLEY CHALLENGE COURSE

6450 ELWOOD ROAD  
SANGER CA, 93657

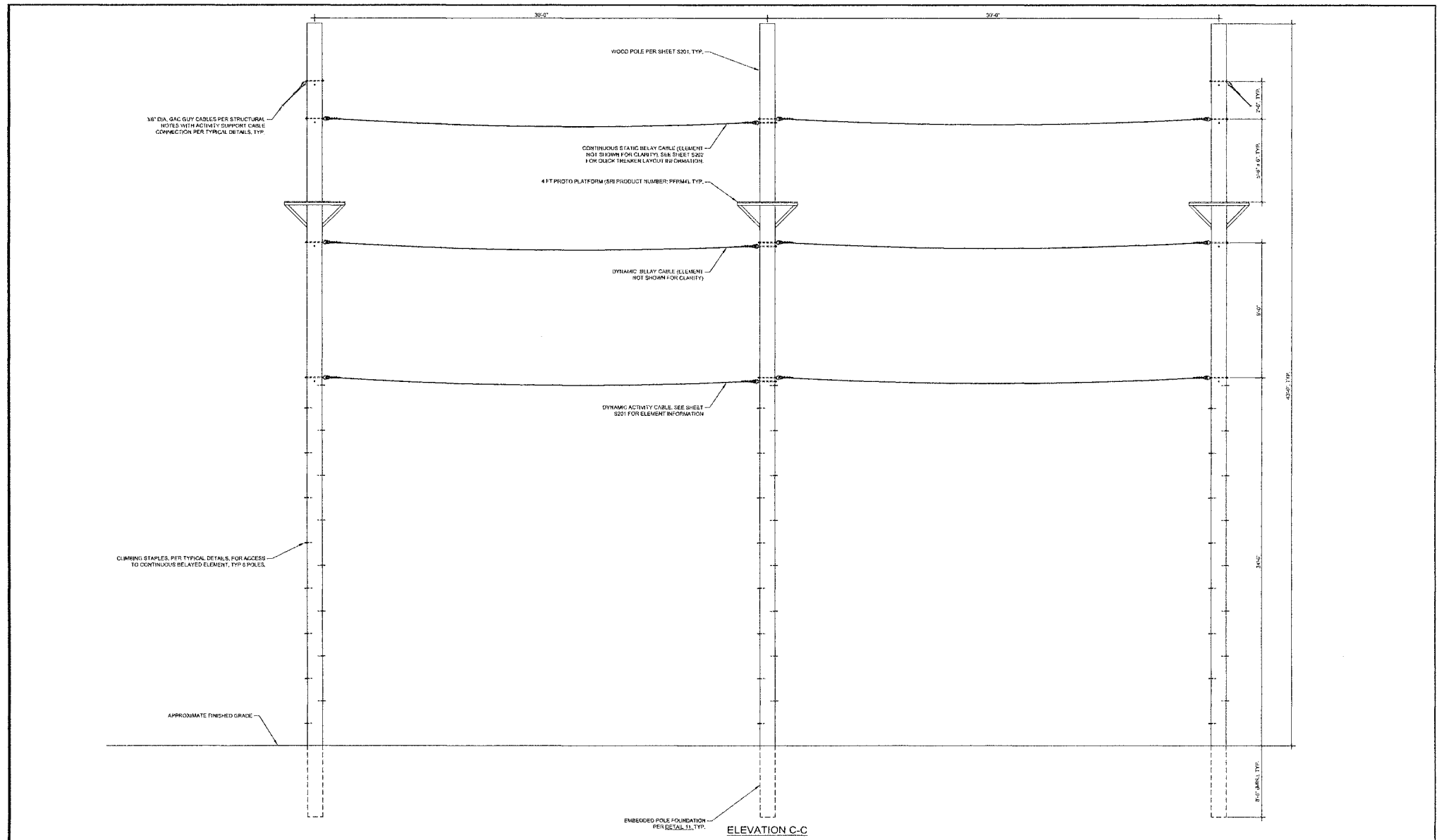
JOB NUMBER: 1808



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DRAWN:	MAR
ENGINEERED:	MAR
CHECKED:	DT
DATE:	03/05/19

SHEET NUMBER:  
**S302**  
ELEVATION - B



ELEVATION C-C

# WONDER VALLEY CHALLENGE COURSE

6450 ELWOOD ROAD  
SANGER CA, 93657

JOB NUMBER: 1808

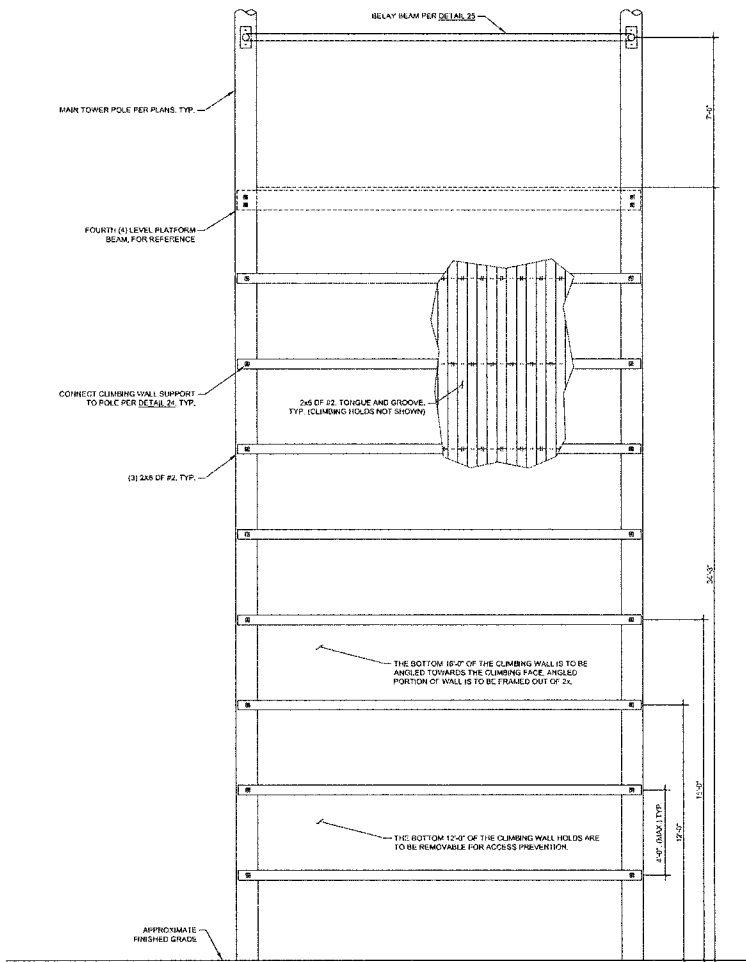


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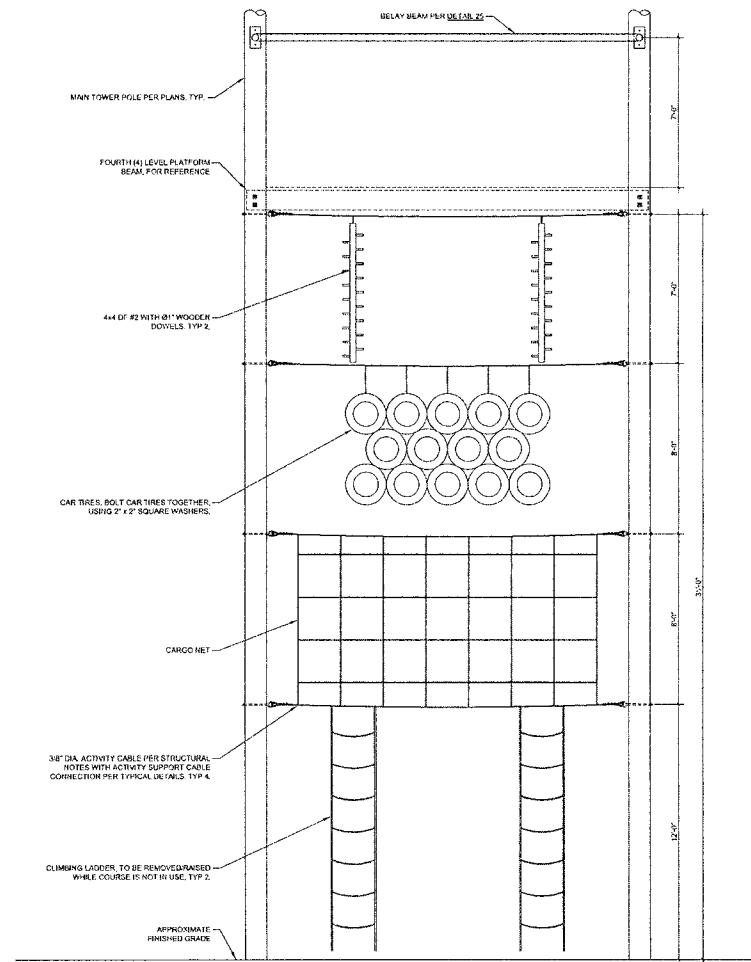
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DATE:	01/07/19

SHEET NUMBER:  
**S303**  
ELEVATION - C

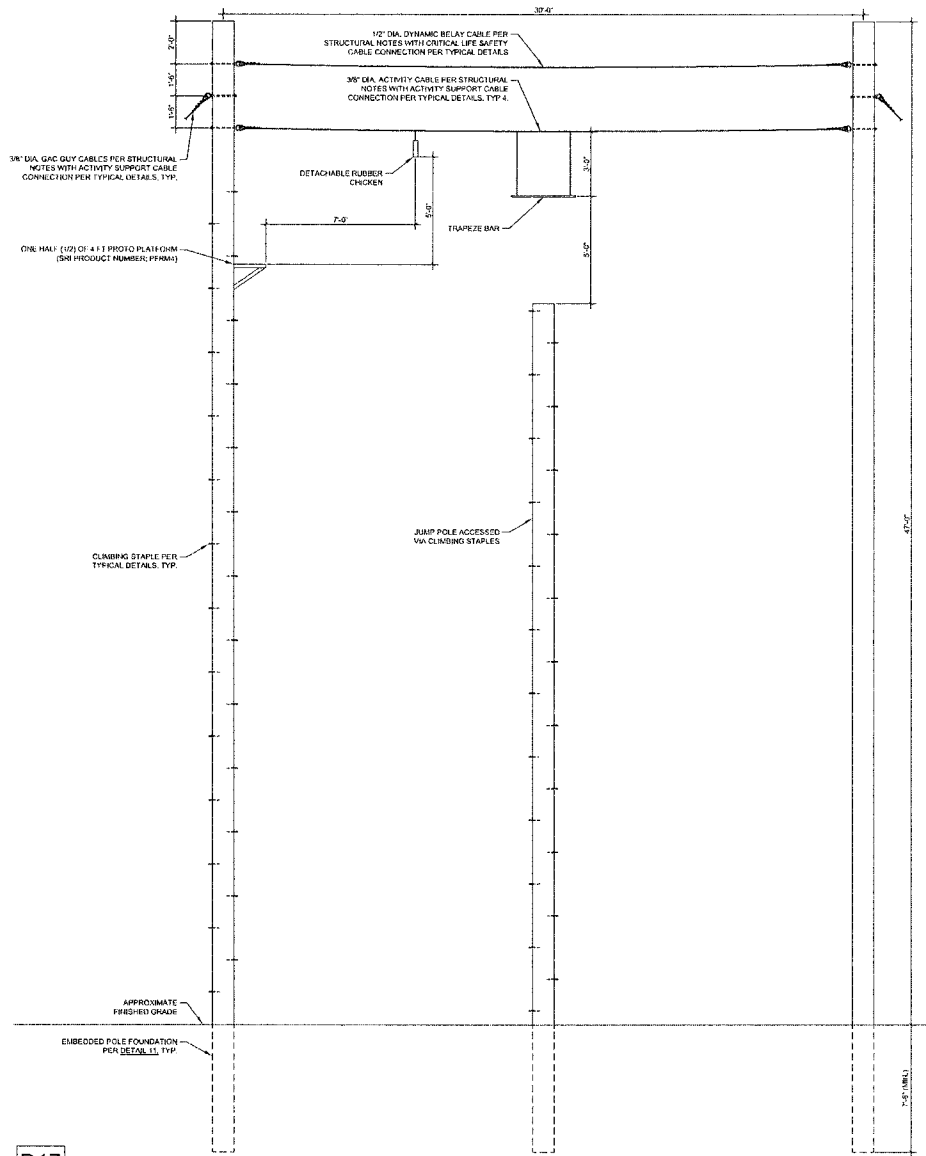




S11 CLIMBING WALL



S12 VERTICAL PLAY PEN



*Signature*  
RESEARCH INC.

# WONDER VALLEY CHALLENGE COURSE

6450 ELWOOD ROAD  
SANGER CA, 93657

JOB NUMBER: 1808

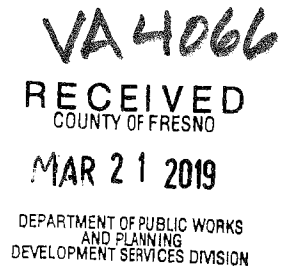


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DRAWN:	MAR
ENGINEERED:	MAR
CHECKED:	DT
DATE:	01/07/19

SHEET NUMBER:  
**S604**  
DYNAMIC ELEMENT  
DETAILS - II

March 4, 2019  
Wonder Valley Ropes Course  
Project Location: 6450 Elwood Rd. Sanger Ca. 93657  
Subject Assessor's Parcel No. 158-090-28  
Owner: Roy Oken  
Reference: Required Variance Findings for VA 4066



Western Camps Inc. doing business as Wonder Valley Ranch Resort and River Way Ranch Camp is a California Corporation formed in 1967. Western Camps Inc. is in the hospitality/ recreation and children's camp Industry providing services to guests and to individual leisure travelers, corporate/church retreats, conferences, international and domestic senior citizen group tours, outdoor education, children's camps, family reunions, weddings and banquets.

We conduct River Way Ranch Camp for children who come from all over the world for summer camp. They participate in activities designed to teach children to become self-sufficient, responsible and productive by learning and living together from various walks of life and various countries. This program is conducted for 8 weeks each summer and accommodates approximately 220 children plus staff. The ropes challenge course has improved many children's lives who are survivors of fires by building their self-confidence. The Oken Family subsidizes about 80% of the costs and fire departments pay the balance. The children do not pay anything. Ropes Course is a large part of the program with Joni & Friends who we have been hosting for the last 12 years. We are also starting a program that takes children of first responders and military personnel.

We are a resort and children's camp and have many typical camp activities such as pools, tennis courts, waterslides, archery, rifle range, and many other activities. The ropes course has been an important part of the program for many years.

1. We are the only commercial property in our area. No other property in Wonder Valley is zoned for commercial or recreational use. We operate a resort and children's youth camp. All of our main competition has facilities with ropes challenge courses. Our ropes course will consist of high elements from between 35 feet to 55 feet 6 inches which is similar in height of other properties that do have ropes courses. Ropes courses require height to encourage participants to build trust in each other trust the equipment, and face their fears. It would put us a huge disadvantage with other youth camps not to be able to offer this program. We are asking to replace an existing course that has been there for 25 years. The proposed site is adequate in size and shape to accommodate the ropes course. The overall land use is not larger than what has been there for many years. We have a more than adequate parking lot for all our guests.
2. Our competition all have high ropes courses and we should have the right to offer the same type of experience and programs as Pali Adventures, Camp Kennolyn, Challenge Course at Scout Island, Hume Lake and Gold Arrow Camp, Fresno State, Yosemite Adventure Ranch, Valley Teen Ranch, Blackbeards, and Tenya Lodge. All these facilities have nice high ropes challenge courses. Again, no other property in Wonder Valley is zoned for commercial use. The roads used for the ropes course are the same roads that bring guests to our resort.
3. We have had an existing course for 25 years with no major injuries. All staff facilitators must go through extensive training and hold current certifications in order to run the course. The ropes course is inspected every year by a qualified company (Signature Research) and the

inspection results are sent to our insurance company. We have had zero complaints from neighbors about the ropes course over the last 25 years.

4. The ropes course has no negative impact to Fresno County's General Plan. In fact we help the economic base of Fresno County through the expansion of nonagricultural industry and through the development and expansion of recreation and visitor-serving attractions and accommodations. We employ up to 150 people from the area and purchase most of our supplies from Fresno which adds greatly to the local economy.

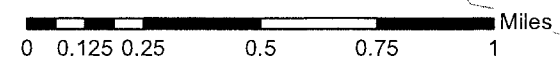
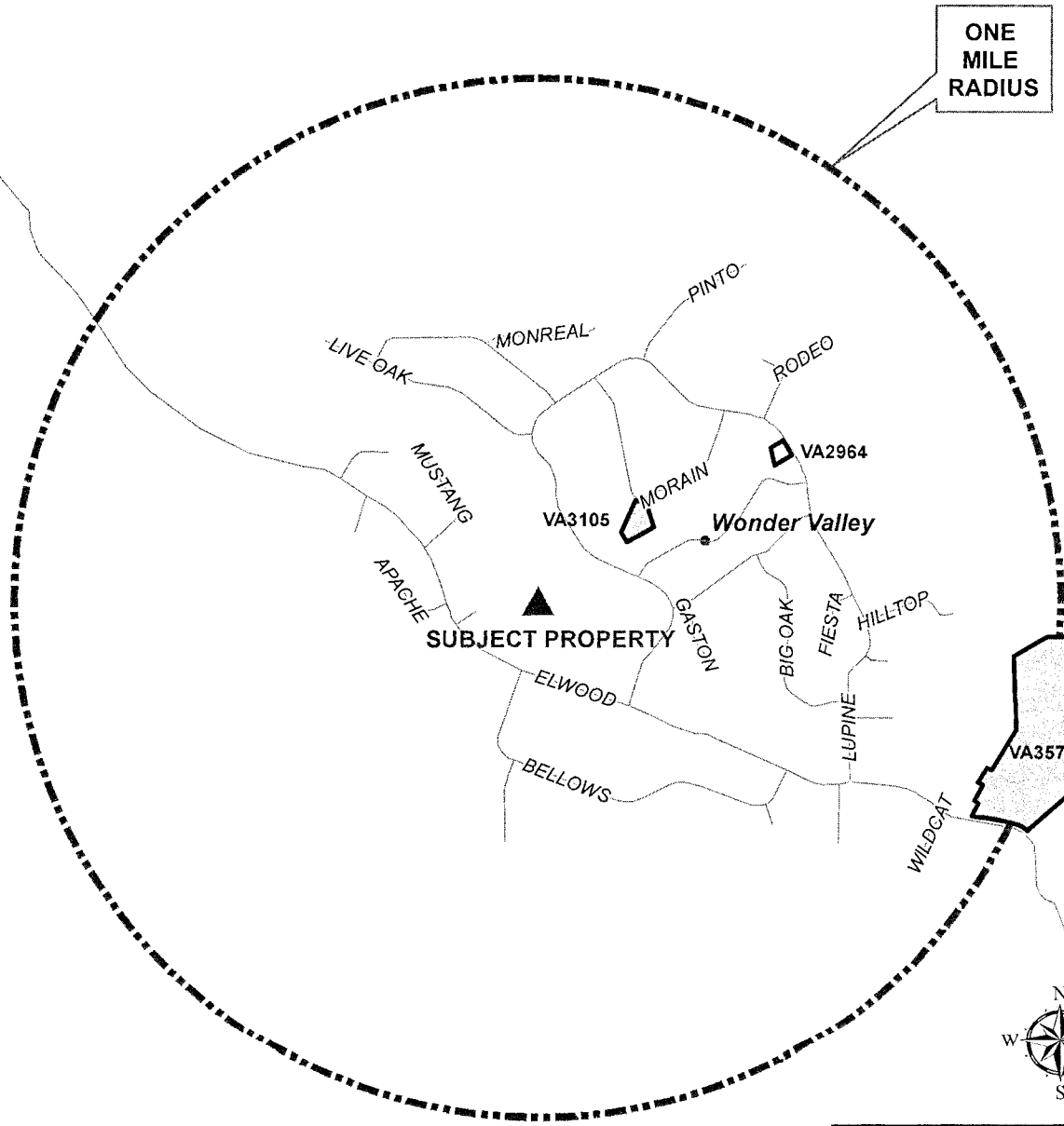
VA 4066  
RECEIVED  
COUNTY OF FRESNO  
MAR 21 2019  
DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION



# APPROVED VARIANCES WITHIN A ONE MILE RADIUS



EXHIBIT 8



**EXHIBIT 8**

**Ahmad, Ejaz**

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**From:** Roy Oken <roy@wondervalley.com>  
**Sent:** Wednesday, April 03, 2019 9:53 AM  
**To:** Ahmad, Ejaz  
**Subject:** FW: Variance application # 4066. Roy Oken

**From:** Sandra Trueblood [mailto:[trueb143@aol.com](mailto:trueb143@aol.com)]  
**Sent:** Wednesday, April 03, 2019 8:15 AM  
**To:** [EAmad@fresnocounty.gov](mailto:EAmad@fresnocounty.gov)  
**Subject:** Variance application # 4066. Roy Oken

To Whom it may Concern:

In regards to the above-mentioned variance I have no issues/concerns and support the proposed plans.

I am a resident of Wonder Valley & neighbor in close proximity to the ranch & ropes course. The area of the ropes course is secluded & barely visible from off the property. Noise has not been an issue in my opinion.

It has been my experience that the management of the ranch has been respectful & considerate of our community and excellent neighbors.

Respectfully,

Sandra Trueblood  
[trueb143@aol.com](mailto:trueb143@aol.com)  
(559)999-5339  
7141 Morain Dr.  
Sanger. CA. 93657

VA 4066  
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COUNTY OF FRESNO  
APR 03 2019  
DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

4/2/2019

Jeffrey Escobedo  
7218 Coyote Trail Rd  
Sanger, CA 93657

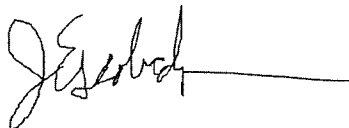
To:  
Steven E. White/Ejaz Ahmad  
Department of Public Works and Planning  
Fresno County Planning Commission  
2220 Tulare St  
Fresno, CA 93721

Dear Fresno County Planning Commission,

This letter is in regard to Variance Application #4066, The possible expansion of a ropes course in Wonder Valley (Sanger,CA) at the Ranch Resort. I have been a resident and neighbor in Wonder Valley for 10 years and support the expansion of the ropes course. It is not visible from the road and is **not** an eyesore or out of place at all on the Wonder Valley resort grounds. It does not produce any noise that can bother nearby residents. The ropes course offers great opportunities for young people in this community for team building and local events. There has been and will be no negative impact from the resort expanding and improving their offerings. The financial impact will also result in a net gain in Fresno county taxes and revenues. There is no potential downside to this new construction/expansion. As a resident of Wonder Valley/Fresno County, I fully support the application and urge you to approve it. Thank you.

Sincerely,

Jeffrey Escobedo



Wonder Valley Resident

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DEVELOPMENT SERVICES DIVISION



alisa ann ruch  
burn foundation

FEDERAL TAX ID #23-7162017

February 26, 2019

To: Whom It May Concern

This letter is in support of Wonder Valley Ranch Resort and Conference Center's request to upgrade their high ropes course at their facility. Wonder Valley Ranch has been home to the Alisa Ann Ruch Burn Foundation's Champ Camp for more than 30 years. Champ Camp is our annual summer burn camp attended by 130-150 child survivors, ages 5-16, and is held at Wonder Valley in Sanger, CA.

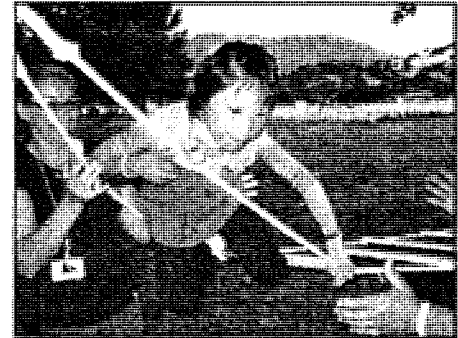


Champ Camp 2018 helped create community.

Champ Camp is a life-changing experience for kids, ages 5-16, who have been treated in a California burn unit or who are California residents. Champ Camp is the largest and longest-running residential camp for burn-injured kids in the nation; we always expect 130-150 campers. The Fresno County Board of Supervisors declared June 6-13, 2015 as "Champ Camp Week" in the County of Fresno in honor of Champ Camp's 30<sup>th</sup> year of operation!

Campers enjoy fishing, horseback riding, crafts, canoeing, archery, water slides, campfire, a dance, and team-building activities. Challenging and fun activities inspire

confidence on the inside that can greatly affect our campers' lives on the outside back at home. When a child tries horseback riding or a challenging ropes course for the first time since her injury, she is inspired to try new tasks at home. When a child confides in friends and counselors at camp, he is more trusting of others at home.



Kids are encouraged to try challenging activities to build confidence.

The Alisa Ann Ruch Burn Foundation supports Wonder Valley Ranch Resort and Conference Center's request to upgrade their current high ropes course. Wonder Valley Ranch has been a great community partner and supporter of the Alisa Ann Ruch Burn Foundation, Champ Camp, child burn survivors and the community. We applaud them for their good work and their desire to enhance their facilities for community organizations like the Alisa Ann Ruch Burn Foundation.

For more information about the Alisa Ann Ruch Burn Foundation or Champ Camp, feel free to contact me at (818) 848-0223 ext. 12 or [jradics@aarbf.org](mailto:jradics@aarbf.org).

Thank you.

Sincerely,

Jennifer Radics-Johnson, MBA, CRE  
Executive Director

"To significantly reduce the number of burn injuries through prevention education, and to enhance the quality of life for those who have been affected by burn injuries in California."

[www.aarbf.org](http://www.aarbf.org)

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DEPARTMENT OF PUBLIC WORKS  
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SOUTHERN CALIFORNIA OFFICE: 50 N. Hill Avenue, Suite 305 • Pasadena, California 91106 • 818-848-0223 • 800-242-BURN • Fax 818.848.0296  
CENTRAL CALIFORNIA OFFICE: 911 H Street, Fresno, California 93721 • 559-621-4016 • 888-492-BURN • Fax 559-498-1072  
NORTHERN CALIFORNIA OFFICE: 708 El Cerrito Plaza El Cerrito, California 94530 • 415-495-7223 • 800-755-BURN • Fax 415-495 7224



**joni&friends**  
central california

February 26<sup>th</sup>, 2019

To Whom It May Concern,

Joni and Friends Central California is a non-profit dedicated to sharing the Gospel and giving practical help to people impacted by disability worldwide. For the past 40 years, we have been devoted to providing the hope of Christ to people affected by disability and their families through our programs and outreaches around the globe. Our mission is to equip the church, moving people from lack of awareness to a movement of inclusivity where everyone is welcome into the fabric of worship, fellowship, and outreach.

One of the programs we provide for special needs families is our annual Family Retreat. Family Retreats offer a haven for special needs families. Here, families are cared for, encouraged, and rejuvenated in a Christ-centered, fully-accessible camp environment. Each Retreat site provides worship, teaching, fun, age-appropriate activities and cultivates meaningful connections with families who understand the challenges of life with disability. Each special needs child and their siblings are buddied with a Short-Term Missionary, who serves the families throughout the week with Christ-like encouragement and friendship.

Wonder Valley Ranch Resort and Conference Center provides the only fully-accessible camp experience within hours of the Central Valley. Our group has been partnering with the Wonder Valley retreat site for 12 years and counting. Wonder Valley doesn't only provide a venue for our camp, they provide an experience wrapped in care, concern, and regard for our special needs families. For families who daily deal with the impact of disability on their lives, Wonder Valley offers a week of respite, relief, and rejuvenation unlike any other.

One of the most wonderful things about coming to Wonder Valley, is how accessible everything is for our families affected by disability. One of the challenges special needs families face is that little to no vacation destinations are fully-accessible to meet the needs of a vast array of disabilities. However, Wonder Valley activities are not only fully-inclusive, the staff at Wonder Valley are flexible and work hard to make sure all activities work for all campers. A great example of this is their ropes course. Our special needs campers wait all year to participate in the ropes course at Wonder Valley. We have children with Cerebral Palsy, who have never even been on a swing, going down the zip line. We have teens who are blind, who have been denied access to rock walls and ropes courses at other camps, walking across the high-rise balance beam. And we have adults with autism, who would never be able to wait in line at an amusement park, being assisted up the rock wall. The ropes course at Wonder Valley has provided incredible freedom, access, and adventure to our campers affected by disability. It's difficult to put into words the lives Wonder Valley has touched through their willingness to provide such accessible activities to special needs families.

If you have any questions, please feel free to contact me.

Humbly,

Lauren Annin, Area Director

Joni and Friends Central California

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DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

Wayne & Lynn Ritchey

559.338.2757 | lwritchey1970@gmail.com

**April 3, 2019**

Ejaz Ahmad  
Department of Public Works and Planning  
2220 Tulare Street,  
Fresno, CA 93721  
559.600.4204  
eahmad@fresnocountyca.us

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DEVELOPMENT SERVICES DIVISION

**Dear Ejaz Ahmad:**

We are Wayne and Lynn Ritchey, residents of Wonder Valley. We are very happy to be neighbors with the Wonder Valley Ranch Resort. We have no objection whatsoever to the Oken Family's plans for a new ropes course. The idea of a ropes course encourages kids – and all ages - to succeed with setting goals and cooperation with others. The Oken Family and staff have planned the project with foresight and concern for our mutual benefit to the community.

There are no downsides to this project. The staff is responsible and well-trained in safety, and trees on the property hide the site from view. The ropes course is not a noisy activity, either.

The course has been designed by one of the best companies in their business. Thorough research has been done over the past year to make it a great addition to this awesome resort, one who gives back to the community with camps for kids with special needs and many other community-service projects. We look forward to its completion!

Respectfully submitted,

Wayne & Lynn Ritchey

April 3, 2019

Steven E. White, Director  
Department of Public Works & Planning  
Secretary – Fresno County Planning Commission  
2220 Tulare Street  
Fresno, CA 93721  
Ph: 559-600-4204

Re: Variance Application No. 4066

Dear Steven E. White and Members of the Planning Commission,

I am writing you on behalf of the Wonder Valley Ranch Resort, whom will participate in a public hearing on April 11<sup>th</sup>, 2019 regarding the construction of their proposed Ropes Course project.

I am a resident of Wonder Valley and I have lived within immediate proximity of the resort for the past 12 years. In this time I have never experienced an issue with noise or visual distractions from their existing Ropes Course Elements. I do not foresee any negative impact caused by the construction of a new course in the existing location, regardless of the height a new course may be placed at.

With regard to the community as a whole, residents in fact welcome this new opportunity for the area, as the continued growth and development of the resort provide direct benefits to our neighborhood. These benefits include, but are not limited to, potential employment opportunities and community “play days” as we have experienced in the past. Additionally, the Ropes Course is utilized by individuals in the area for their own company and staff teambuilding experiences. We are grateful for the access to such a structure, and we are excited about the new changes and opportunities this will bring in the future.

Thank you for your consideration and your support on this project.

Sincerely,

Stacey Roberts  
Wonder Valley Resident  
7233 Coyote Trail Road  
Sanger, CA 93657  
559-304-6852

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# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 3 April 11, 2019

**SUBJECT:** Initial Study Application No. 6205, Classified Conditional Use Permit Application No. 3281, and Variance Application No. 4023

Allow an Agricultural Commercial Center consisting of a market with fuel sales, and allow the creation of a 2.36-acre parcel and a 16.32-acre parcel from a 0.53-acre parcel and an 18.15-acre parcel by means of a property line adjustment in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject property is located on the northeast corner of Conejo Avenue and Highland Avenue (SR 43) and is approximately 1.98 miles southwest of the nearest city limits of the City of Selma (14942 S. Highland Avenue, Selma, CA) (Sup. Dist. 4) (APN 393-280-77S and 393-280-84S).

**OWNER/  
APPLICANT:** Obadi Kassim

**STAFF CONTACT:** Thomas Kobayashi, Planner  
(559) 600-4224

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Recommend approval of the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6205; and
- Recommend approval of the Master Plan prepared for the Agricultural Commercial Center as detailed in Exhibit 6; and
- Recommend approval of Classified Conditional Use Permit Application No. 3281 and Variance Application No. 4023 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.



**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. One-Mile Radius Variance Map
6. Master Plan
7. Site Plan and Detail Drawings
8. Elevations
9. Applicant’s Operational Statement
10. Applicant’s Variance Findings
11. Summary of Initial Study Application No. 6205
12. Draft Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agricultural	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	Parcel “A”: 0.53-acre parcel Parcel “B”: 18.15-acre parcel	Parcel “A”: 2.36-acre parcel Parcel “B”: 16.32-acre parcel
Project Site	Parcel “A”: Non-conforming Market and a Mobile Home  Parcel “B”: Single-Family Residence and Agriculture	Parcel “A”: Agricultural Commercial Center consisting of a Market and Fuel Sales  Parcel “B”: No change
Structural Improvements	Parcel “A”: Non-conforming Market and a Mobile Home	Parcel “A”: Agricultural Commercial Center consisting of a Market and Fuel Sales, two 8,000-gallon and one 20,000-gallon

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
	Parcel "B": Single-Family Residence	Underground Tanks, twelve Gasoline Pump Dispensers, Ponding Basin, onsite Wastewater Treatment System, Domestic Well, Pump House and Water Storage Tank  Parcel "B": Single-Family Residence
Nearest Residence	Parcel "A": Approximately 400 feet northwest of the project site  Parcel "B": Approximately 620 feet northwest of the single-family residence on Parcel B	No change
Surrounding Development	Agriculture and Single-Family Residences	No change
Operational Features	Non-conforming Market	Agricultural Commercial Center consisting of a Market and Fuel Sales
Employees	N/A	8-10 employees
Customers	N/A	700 during off-harvest season  1,200 during harvest season
Traffic Trips	19 trips A.M. Peak  51 trips P.M. Peak	103 trips A.M. Peak  113 trips P.M. Peak
Lighting	Parcel "A": Residential lighting and lighting from existing market  Parcel "B": Residential lighting	Parcel "A": Exterior lighting from market and fuel canopy  Parcel "B": No change
Hours of Operation	N/A	6:00 A.M. to 12 A.M.

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

**ENVIRONMENTAL ANALYSIS:**

Initial Study Application No. 6205 was prepared for the subject application 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 (Exhibit 12) is appropriate.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: February 15, 2019

**PUBLIC NOTICE:**

Notices were sent to 14 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

Agricultural Commercial Centers may be allowed in an AE (Exclusive Agricultural) Zone District with approval of a Classified Conditional Use Permit. Section 867 of the Zoning Ordinance contains regulations specifying allowed uses, property development standards, and application requirements for Agricultural Commercial Centers. Section 873 of the Zoning Ordinance provides that final approval of an Agricultural Commercial Center is made by the Board of Supervisors following review and recommendation by the Planning Commission. Should the Planning Commission deny a proposed Agricultural Commercial Center, the denial must be appealed to the Board of Supervisors.

A Conditional Use Permit Application may be approved only if four Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. In regard to this proposal, if the four Findings are made by the Planning Commission and a recommendation of approval is made by said Commission to the Board of Supervisors, this proposal will be scheduled for the next available Board hearing date. If however, the Planning Commission denies the proposed Agricultural Commercial Center, the denial must be appealed to the Board of Supervisors.

**BACKGROUND INFORMATION:**

The existing 0.53-acre parcel is currently improved with a non-conforming market and a mobile home. The adjacent 18.15-acre parcel is improved with a single-family residence and is currently being farmed. The proposal is to demolish the existing non-conforming market, remove the mobile home from the 0.53-acre parcel, and build a new Agricultural Commercial Center consisting of a market and fuel sales. Additionally, the 0.53-acre parcel will be enlarged to 2.36 acres via a Property Line Adjustment (PLA) between the 0.53-acre parcel and the adjacent 18.15-acre parcel. As the PLA request will reduce the 18.15-acre parcel further below the minimum parcel size designation (AE-20), a Variance application and approval are required.

On March 4, 1972, the Fresno County Parcel Map Ordinance went into effect requiring a mapping procedure to be completed for the subdivision of land into four or less parcels. Prior to implementation of the Parcel Map Ordinance, a parcel of any size and dimensions could be created through the recordation of a Deed. However, parcels created in such a manner were still subject to the development standards prescribed by the Zoning Ordinance.

The subject property is shown as a 19.40-acre parcel on the 1971 and 1972 Assessor's Maps. The parcels were zoned A-1 (Agricultural) and then changed to AE-20 by means of County-initiated Amendment Application No. 2870 on August 31, 1976. Variance No. 3416 was approved on May 20, 1993 to allow the creation of a 0.77-acre parcel and an 18.63-acre parcel from the existing 19.40-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District, with the 0.77-acre parcel having a lot width of 145 feet where 165 feet

of lot width is required. The intent of the Variance was to split the existing non-conforming market from the agricultural operation and homesite. On December 29, 1993, Parcel Map 7568 was recorded to officially split the parcels.

Assessor's records indicate that the existing market was estimated to have been built in 1950, and first assessed in 1966. The existing mobile home received building permits on September 18, 1970. Building permit records indicate that multiple improvements and repairs have been made to the existing market from February 5, 1990 to February 20, 2014. With building permits being issued to the existing market, the market had been recognized as an existing non-conforming market. Additionally, Director Review and Approval No. 2552 was approved on April 25, 1990 to allow an employee restroom addition to the existing non-conforming grocery store. This further verifies the existing market as a non-conforming use. On the existing 18.15-acre parcel, building permit records show that the single-family residence received building permits on March 3, 2009. If Conditional Use Permit (CUP) No. 3281 and Variance (VA) No. 4023 are approved, the existing non-conforming market and mobile home on APN 393-280-77S will be removed and replaced with the Agricultural Commercial Center, and the existing single-family residence on APN 393-280-84S will remain.

**The following analysis addresses each of the required Findings for Classified Conditional Use Permit (CUP) No. 3281, and Variance Application (VA) No. 4023.**

**CLASSIFIED CONDITIONAL USE PERMIT (CUP) APPLICATION NO. 3281**

*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	AE-20 Front: 35 feet Side: 20 feet Street side: 35 feet Rear: 20 feet	Front: 55 feet Street side: 38 feet Rear: Approximately 183 feet	Y
Parking	2 square feet of off-street parking for each one square-foot of retail floor space	9 parking spaces, 1 ADA space (Open space on site for more parking if needed)	Y
Lot Coverage	No requirements	No requirements	Y
Space Between Buildings	No requirements	No requirements	Y
Wall Requirements	No requirement unless in corner cut-off	No wall proposed	Y
Septic Replacement Area	100 percent	No change	Y

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Water Well Separation	Septic Tank: 100 feet;  Disposal Field: 100 feet;  Seepage Pit: 150 feet.	Septic Tank: Approximately 105 feet  Disposal Field: Approximately 111 feet  Seepage Pit: None	Y

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

Zoning Section of the Fresno County Department of Public Works and Planning: No comment.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: Proposed improvement area of 500 square feet or more shall 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 (SPR) unit for review and approval prior to issuance of building permits. **This shall be included as a Project Note.**

All proposed signs shall be submitted to the Department of Public Works and Planning permit counter to verify compliance with the Zoning Ordinance. Off-site signs are not allowed for commercial uses in the AE (Exclusive Agricultural) Zone District. **This shall be included as a Project Note.**

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 2650H, the parcel is not subject to flooding from the 100-year storm.

An Engineered Grading and Drainage Plan should be required to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties. **This shall be included as a Condition of Approval.**

Building and Safety Section of the Fresno County Department of Public Works and Planning: If approved, plans, permits and inspections will be required for all onsite improvements. **This shall be included as a Project Note.**

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

**Analysis:**

Staff review of the Site Plan demonstrates that the proposed improvements exceed minimum building setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. As prescribed in the Zoning Ordinance, the project will be subject to a Site Plan Review. With adherence to the proposed site plan and compliance with requirements set forth in the Site Plan Review process, staff believes the site is adequate to accommodate the proposed use and related facilities.

**Recommended Conditions of Approval:**

None.

**Conclusion:**

Finding 1 can be made.

*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	N/A
Public Road Frontage	Yes	Conejo Avenue and Highland Avenue (State Route 43)	No change
Direct Access to Public Road	Yes	Conejo Avenue and Highland Avenue (State Route 43)	Conejo Avenue Only
Road ADT		Conejo Avenue: 2,200	Less than significant
Road Classification		Conejo Avenue: Local Road	No change
Road Width		Conejo Avenue: 60 feet	No change
Road Surface		Paved with pavement width of 23.8 feet	No change
Traffic Trips		19 A.M. Peak 51 P.M. Peak	103 A.M. Peak 113 P.M. Peak
Traffic Impact Study (TIS) Prepared	Yes	Study intersections operating at acceptable Levels of Service	Less than significant change
Road Improvements Required		N/A	43-foot irrevocable offer on Highland Avenue (SR 43)  75-foot left-turn lane on Conejo Avenue for site access

**Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:**

California Department of Transportation (Caltrans): It is recommended that the existing

westbound left-turn lane remain unchanged.

The project proponent shall install “No Parking” signs along the project frontage on State Route 43 (Highland Avenue). **This shall be included as a Condition of Approval.**

A physical barrier such as landscape or equivalent shall be provided to discourage vehicles from accessing State Route 43. An Encroachment Permit will be required and should be included in the Conditions of Approval. **This shall be included as a Condition of Approval.**

An irrevocable offer of dedication of 43 feet shall be made prior to issuance of a Caltrans Encroachment Permit. **This shall be included as a Condition of Approval.**

Development Engineering Section of the Fresno County Department of Public Works and Planning: Conejo Avenue is a Local road with an existing total right-of-way width of 30 feet north of the centerline. The minimum total width for a Local road right-of-way is 60 feet. No additional right-of-way is necessary.

Conejo Avenue is a County-maintained road. Records indicate this section of Conejo Avenue, from State Route 43 (Highland Avenue) to Thompson Avenue, has an ADT of 2,200, pavement width of 23.8 feet, structural section of 0.30 feet AC, and is in good condition.

A Site Plan Review will be required to ensure compliance with grading and drainage requirements and other development standards, such as adequacy of parking, circulation, ingress, egress, etc. **This shall be included as a Condition of Approval.**

If not already present, a 30-foot x 30-foot corner cut-off should be improved for site distance purposes at the intersection of State Route 43 (Highland Avenue) and Conejo Avenue. **This shall be included as a Project Note.**

The proposed parking areas should comply with the Fresno County Off-Street Parking Design Standard. **This shall be included as a Project Note.**

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Prior to construction, improvement plans for the road work will have to be submitted to the Road Maintenance and Operations Division for review and approval prior to start of work. The improvement plan(s) will also have to include an approach taper and paving at the easterly end of the project site along Conejo Avenue. **This shall be included as a Condition of Approval.**

Design Division of the Fresno County Department of Public Works and Planning: Comments have been addressed by the Traffic Impact Study and site plan design.

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

#### **Analysis:**

The project site is located on the northeast corner of Highland Avenue (State Route 43) and Conejo Avenue. According to County records, Conejo Avenue is classified as a Local road with an existing right-of-way width of 30 feet north of the centerline. Conejo Avenue from Highland Avenue (State Route 43) to Thompson Avenue has an ADT of 2,200, pavement width of 23.8 feet, structural section of 0.30 feet AC and is in good condition. Highland Avenue (State Route

43) is not a County-maintained road and is maintained by the California Department of Transportation (Caltrans). Caltrans was included in the project review and has provided comments.

A Traffic Impact Study was prepared for the project proposal and was reviewed by the Design Division, Road Maintenance and Operations Division, and the California Department of Transportation (Caltrans). The Traffic Impact Study stated that the study intersections are currently operating at acceptable levels of service and will continue to operate at acceptable levels of service with construction of the project through the year 2038. The queuing analysis did not reveal concerns related to storage or blocking of adjacent lands. The Traffic Impact Study concluded that the project will not cause a significant impact related to traffic. The study proposed that the channelized left-turn lane on Conejo Avenue that accesses the project site should be at least 50 feet long. The Design Division and the Road Maintenance and Operations Division recommend that the subject channelized left-turn lane on Conejo Avenue be extended to 75 feet to accommodate storage of a truck and trailer.

Based on the Traffic Impact Study, design features, and requirements set forth by the Design Division, Road Maintenance and Operations Division, and Caltrans, staff review indicates that Conejo Avenue and Highland Avenue (State Route 43) are adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

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*

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	39.4 acres	Vineyard and Single-Family Residence	AE-20	Approximately 550 feet
South	158.21 acres	Vineyard and Single-Family Residence	AE-20	Approximately 1,818 feet
East	40 acres	Vineyard and Single-Family Residence	AE-20	Approximately 1,082 feet
West	52.17 acres	Orchard	AE-20	Approximately 148 feet
	5.29 acres	Field Crops		
	3.27 acres	Single-Family Residential		
	15.39 acres	Field Crops		



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

State Water Resources Control Board: The proposed facility will meet the definition of a Transient Non-Community Water System and must be permitted by the State Water Resources Control Board as a public water system, unless it can be demonstrated that there is no human consumption of the water and the market is permitted under the California Retail Food Code by the Fresno County Department of Public Health, Environmental Health Division. **This shall be included as a Project Note.**

Any well planned for use as a domestic source of water must be constructed in accordance with the California Well Standards and County well requirements. The owner/operator must be able to document the construction features of the well to be used by submittal of a Well Completion Report or Well Drillers Report. This should accompany the permit application. **This shall be included as a Project Note.**

The well must demonstrate compliance with all applicable water quality criteria under the California Safe Drinking Water Act. A transient non-community water system must monitor for the constituents and comply with nitrate maximum contaminant levels. The well must also be free of coliform bacteria. The monitoring must be conducted and the results submitted with the permit application. **This shall be included as a Project Note.**

Fresno County Department of Public Health, Environmental Health Division: In the case of this application, it appears that the parcel can accommodate the new sewage disposal system and expansion area, meeting the mandatory setbacks and policy requirements as established with the implementation of the Fresno County Tier 2 Local Area Management Plan (LAMP) onsite wastewater treatment system (OWTS) policy and California Plumbing Code. It is the responsibility of the property owner, the property buyer, the engineer, and/or sewage disposal contractor to confirm required setbacks, separations, expansion area, and other special requirements or conditions which may affect the placement, location and construction of the sewage disposal system.

The Uniform Plumbing Code does not allow an impervious surface over the area of the drain field for an individual sewage disposal system. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent. **This shall be included as a Project Note.**

Prior to issuance of building permits for each structure connected to an OWTS, specific design and capacity details for the OWTS (Sewage Disposal Design submitted by Krazan & Associates, Inc., May 30, 2018) shall be approved by either the California Regional Water Quality Control Board or the Fresno County Department of Public Works and Planning depending on oversight jurisdiction (dependent on OWTS capacity/daily flow rates). **This shall be included as a Condition of Approval.**

The sewage disposal systems located on the subject parcel serving the existing market and mobile home shall be properly destroyed with the demolition of the existing market and removal of the mobile home. Within the unincorporated area of Fresno County, the Applicant shall obtain a permit from the Department of Public Works and Planning. **This shall be included as a Project Note.**

If the Applicant proposes to construct a new 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 Public Health, Environmental Health Division. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. **This shall be included as a Project Note.**

Prior to occupancy, the Applicant shall have the existing abandoned water well on the property destroyed under permit from the Fresno County Department of Public Health, Environmental Health Division. **This shall be included as a Project Note.**

The Applicant must submit an application for a permit to operate a Public Water System and supporting information in the form of a technical report to the State Water Resource Control Board, Division of Drinking Water - Fresno District for review. Approval for the permit will require demonstration of Technical, Managerial, and Financial (TMF) Capacity, as well as documentation of the services of a State-Certified Water Distribution Operator, and shall be obtained prior to occupancy. **This shall be included as a Project Note.**

Prior to issuance of building permits for the food facility, the operator/owner shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operations, the operator shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. **This shall be included as a Project Note.**

The Applicant shall obtain their license to sell alcoholic beverages prior to alcohol sales. **This shall be included as a Project Note.**

If the Applicant decides to construct an aboveground petroleum storage tank, a spill prevention control and countermeasure plan (SPCC) is required for aboveground petroleum storage tanks with greater than or equal to 1,320 gallons of storage capacity. **This shall be included as a Project Note.**

The Applicant should contact their local Fire Authority concerning construction and installation requirements for aboveground fuel storage tanks. **This shall be included as a Project Note.**

If the Applicant decides to construct an underground petroleum storage tank, prior to issuance of building permits, the Applicant shall submit three sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. **This shall be included as a Project Note.**

Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. **This shall be included as a Project Note.**

All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes. **This shall be included as a Project Note.**

Should the structures have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structures in order to prevent the spread of vectors to adjacent properties. **This shall be included as a Mitigation Measure.**

In the process of demolishing the existing structures, the contractor may encounter asbestos-containing construction materials, and materials coated in lead-based paint.

If asbestos-containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District. **This shall be included as a Mitigation Measure.**

If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or remodel work, the contractor should contact the following agencies for current regulations and requirements: California Department of Public Health, Childhood Lead Poisoning Prevention Branch; United States Environmental Protection Agency; and State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service. **This shall be included as a Mitigation Measure.**

Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements. **This shall be included as a Mitigation Measure.**

Fresno County Fire Protection District: The project shall comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving the Fresno County Fire Protection District (FCFPD) conditions of approval for the project, the Applicant must submit construction plans to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD. **This shall be included as a Project Note.**

The project/development shall annex to Community Facilities District No. 2010-01 of FCFPD. The project/development also will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought. **This shall be included as a Project Note.**

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: The subject parcel is not located within a low-water area.

Consolidated Mosquito Abatement District: The basin should be constructed and/or managed so that water depths are maintained to a minimum of four feet in order to preclude invasive emergent vegetation such as cattails. **This shall be included as a Project Note.**

If water levels are subject to fluctuation during the summer mosquito breeding season, the basin should be constructed with a low-flow/sump area. To prevent the growth of emergent vegetation, the sump area should be excavated to a minimum depth of four feet below the pond floor. The engineer responsible for the grading and drainage plan for this project should be able to approximate the size of the sump area required to accommodate the low in-flows of summer-time nuisance water that are associated with this type of development. The basin floor should also be graded or sloped so as the standing water recedes it will drain into the sump area. **This shall be included as a Project Note.**

Access must be provided. A free and unencumbered access roadway around the entire basin perimeter for pond maintenance and mosquito abatement activities is essential. **This shall be included as a Project Note.**

Basin edges shall be well managed and free of excess vegetation that promotes mosquito breeding and hinders District control efforts. **This shall be included as a Project Note.**

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

**Analysis:**

The project site is located approximately 1.98 miles southwest of the nearest city limits of the City of Selma. The project site is located on the northeast corner of Conejo Avenue and Highland Avenue (State Route 43). Surrounding land uses consist of agricultural land with single-family residences pocketed throughout the area. Upon proposed construction, the market, gas canopy, fuel pumps, and water storage tank will be visible from the surrounding properties and public right-of-way. According to the Applicant, the buildings will be built up to 20 feet. These improvements are expected to be compatible with existing residences in the area in height, design, color and material.

An eight-foot landscape bed is proposed with this application along the Conejo Avenue and Highland Avenue (State Route 43) frontage to provide physical barriers to discourage vehicles from accessing the project site from places other than the access point and also screen vehicle light/glare from affecting the public right-of-way. The nearest residence is approximately 148 feet northwest of the project site. The project is not expected to affect nearby residences, as mature landscaping near the residences and the proposed landscape bed will screen any vehicle glare that is produced from the project site. A Mitigation Measure is being implemented to reduce light and glare produced from the proposed development requiring that all lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets and roadways.

The Department of Public Health, Environmental Health Division and the State Water Resources Control Board have reviewed proposed water and onsite wastewater treatment systems. Both Departments will require the Applicant to abide by standards, regulations and permitting to verify adequacy of water and onsite wastewater treatment systems so that no adverse effect could result from the project proposal.

The Department of Public Health, Environmental Health Division has reviewed the subject application with regard to the fuel sales aspect of the proposal. The Applicant has indicated that the fuel tanks will be stored underground, which will require further permit and review by the Department of Public Health, Environmental Health Division. Additionally, further review and regulations may be required in addressing handling of hazardous materials and hazardous waste.

Based on the above information and with adherence to the requirements included as Mitigation Measures, Conditions of Approval and Project Notes, which also requires a Site Plan Review application and approval, staff believes that proposal will not have an adverse effect upon surrounding properties.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 3 can be made.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally-related activities including value-added processing facilities and certain non-agricultural uses. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:</p> <ol style="list-style-type: none"> <li>a. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics;</li> <li>b. The use should not be sited on productive agricultural land if less-productive land is available in the vicinity;</li> <li>c. The operation or characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one quarter (1/4)-mile radius;</li> <li>d. A probable workforce should be located nearby or be readily available;</li> <li>e. For proposed Agricultural Commercial Center uses the following additional criteria shall apply:               <ol style="list-style-type: none"> <li>1. Commercial uses should be clustered in centers instead of single uses.</li> <li>2. To minimize proliferation of commercial centers and overlapping of trade areas, commercial centers should be located a minimum of four (4)</li> </ol> </li> </ol>	<p>With regard to Criteria “a”, the project proposal will allow a market and gas station to replace the existing non-conforming market. This use will provide a service to the surrounding agricultural area where the most similar use is approximately 2.9 miles north of the project site. Additionally, the nearest urban areas are the City of Selma, which is located approximately 1.98 miles north of the project site, and the City of Kingsburg, which is 2.95 miles away.</p> <p>With regard to Criteria “b”, the project site is already improved with an existing non-conforming market and mobile home. The additional land being provided through the Property Line Adjustment has not been actively farmed in recent times and is currently vacant. Therefore, the project is not seen as being sited on productive agricultural land.</p> <p>With regard to Criteria “c”, the State Water Resources Control Board; the Fresno County Department of Public Health, Environmental Health Division; and the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning have reviewed the subject application and set forth requirements in addressing water resource management.</p> <p>With regard to Criteria “d”, the project site is located approximately 1.98 miles from the nearest city limits of the City of Selma and is also located approximately 2.95 miles from the city limits of the City of Kingsburg. Both cities can be considered for a probable workforce for the proposed project.</p> <p>With regard to Criteria “e.1”, the proposed project will develop a market and gas canopy within close proximity of each other.</p> <p>With regard to Criteria “e.2”, the project site is already improved with a legal non-conforming market. Since the intention is to replace the</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>miles from any existing or approved agricultural or rural residential commercial center or designated commercial area of any city or unincorporated community.</p> <ol style="list-style-type: none"> <li>3. New commercial uses should be located within or adjacent to existing centers.</li> <li>4. Sites should be located on a major road serving the surrounding area.</li> <li>5. Commercial centers should not encompass more than one quarter-mile of road frontage, or one eighth-mile if both sides of the road are involved, and should not provide potential for developments exceeding ten separate business activities exclusive of caretakers' residences.</li> </ol>	<p>legal non-conforming market with a legal Agricultural Commercial Center, the proposal is not seen as proliferating more commercial centers or overlapping trade areas.</p> <p>With regard to Criteria "e.3" the proposed project is for a new center to replace a legal non-conforming market.</p> <p>With regard to Criteria "e.4", the project site is located on Conejo Avenue and Highland Avenue (State Route 43). Highland Avenue/State Route 43 is considered the major road serving the surrounding area.</p> <p>With regard to Criteria "e.5", the project site's longest road frontage is under one quarter-mile. Two uses in the form of a market and fuel sales are being proposed. Due to development standards of the underlying zone district and the size of the subject parcel, the addition of commercial activities in excess of ten separate business activities is not seen and is not proposed with this application.</p>
<p>General Plan Policy LU-A.12: In adopting land uses policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p>	<p>With regard to Policy LU-A.12, the existing non-conforming market has been on the subject property for numerous years. The Fresno County Zoning Ordinance allows for an Agricultural Commercial Center through the Conditional Use Permit process with the intent of providing agricultural and rural residential communities with necessary services.</p>
<p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>With regard to Policy LU-A.13, adequate buffers are required through the front-yard, side-yard, and rear-yard setbacks. Review of the proposed site plan shows that setbacks are in excess of what is required and therefore no conflict with agricultural and non-agricultural uses are seen.</p>
<p>General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</p>	<p>With regard to Policy LU-A.14, the Policy Planning Section of the Development Services and Capital Projects Division has reviewed the subject application and determined that partial cancellation of ALCC No. 5621 is required to move forward with this application. At the Agricultural Land Conservation Committee meeting on December 5, 2018, a unanimous vote was made by the Committee to</p>

Relevant Policies:	Consistency/Considerations:
	recommend approval of the partial cancellation to the Board of Supervisors.
General Plan Policy HS-B.1: The County shall review project proposals to identify potential fire hazards and to evaluate the effectiveness of preventive measures to reduce the risk to life and property.	With regard to Policy HS-B.1, the Fresno County Fire Protection District has reviewed the subject application and has provided comments that address fire hazards and preventative measures to reduce risk to life and property.
General Plan Policy HS-F.1: The County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.	With regard to Policy HS-F.1, the Department of Public Health, Environmental Health Division has provided comments that address requirements and regulations that address management of hazardous materials and hazardous wastes.
General Plan Policy HS-F.2: The County shall require that applications for discretionary development projects that will use hazardous materials or generate hazardous waste in large quantities include detailed information concerning hazardous waste reduction recycling, and storage.	With regard to Policy HS-F.2, the Department of Public Health, Environmental Health Division has reviewed the application and has provided comments that address the generation of hazardous waste and use of hazardous materials.

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject property is designated as Agricultural in the General Plan.

APN 393-280-84S is subject to Agricultural Land Conservation (Williamson Act) Contract (ALCC) No. 5261. A Notice of Partial Non-Renewal of Land Conservation Contract was recorded on October 25, 2013 and will expire the last day of December 2022. CUP No. 3281 and VA No. 4023 require Williamson Act contract cancellation. As such, a Revision of Land Conservation Contract (RLCC) No. 944 was initiated for the cancellation of the subject parcels. RLCC No. 944 was not pursued due to inactivity of the project, and a refund was given to the applicant on December 11, 2014. After the inactive file was closed, RLCC No. 989 was filed to petition for cancellation of ALCC No. 5261. On December 5, 2018, RLCC No. 989 was brought before the Agricultural Land Conservation Commission and received a unanimous vote by the committee to recommend approval of Partial Cancellation of ALCC No. 5261 to the Board of Supervisors.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

**Analysis:**

The General Plan allows for Agricultural Commercial Centers in areas designated Agriculture in the County of Fresno, provided the use substantially adheres to criteria “a” through “e” of General Plan Policy LU-A.3. Although the project can be seen as being inconsistent with

criteria “e.2”, the project site is intended to replace an existing legal non-conforming market that already services the agricultural area. Considering the existing nature of the use, its location on State Route 43 (Highland Avenue), the project site’s proximity to a major employment center in the form of Harris Ranch Beef Company, and the lack of Agricultural or Rural Commercial Centers or another urban center located westerly of the project site that services the agricultural area, staff believes that the project is consistent with criteria “e.2”. Based on the analysis and discussion, staff believes that the project proposal is consistent with the General Plan.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 4 can be made.

**VARIANCE (VA) APPLICATION NO. 4023**

**ANALYSIS/DISCUSSION:**

Staff research indicates that three Variance requests have been applied for within a one-mile radius of the project site. Two of those Variance requests are related to the project proposal and both were approved.

<b>Application/Request</b>	<b>Date of Action</b>	<b>Staff Recommendation</b>	<b>Final Action</b>
VA No. 2694: Allow a 20-foot front-yard setback (35 feet required).	PC Hearing: April 8, 1982  BOS Hearing: May 17, 1982 and continued on June 21, 1982	Denial	PC Denied; BOS Approved with Conditions
VA No. 3226: Recognize creation of a 7,800 square-foot parcel (20 acres required) with 65 feet of lot width/public road frontage (165 feet required) and 120 feet of lot depth (170 feet required), and allow 5-foot and 17-foot side-yard setbacks (20 feet required) and a 15-foot front-yard setback (35 feet required) on said parcel.	November 2, 1989	Denial	PC Approved
VA No. 3416: Allow the creation of a 0.77-acre parcel (20 acres minimum required)	May 20, 1993	Approval	PC Approved



<p>having a lot width of 145 feet (165 feet required) from a 19.40-acre parcel of land in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.</p>			
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As mentioned earlier, Variance No. 3416 allowed the creation of a 0.77-acre parcel where a minimum of 20 acres is required and the created parcel having a 145 feet lot width where 165 feet is required from a 19.40-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Consideration of Variance No. 3416 was made as this Variance is related to the current project site.

Although there is a history of Variance requests within a proximity of the subject parcels, each Variance request must be considered on its own merit, based on unique site conditions and circumstances.

*Finding 1: There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties in the vicinity having the identical zoning classification.*

*Finding 2: Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.*

**Reviewing Agencies/Department Comments:**

Zoning Section of the Fresno County Department of Public Works and Planning: If approved, prior to construction, a mapping application and approval will be required to adjust property lines between APN 393-280-77S and 393-280-84S. **This shall be included as a Condition of Approval.**

No other comments specific to Findings 1 and 2 were expressed by reviewing Agencies or Departments.

**Analysis:**

In support of Finding 1, the Applicant states the existing market has been present on the property and has continued to operate for over 45 years. The present property owners have operated the store from 1994 to present date.

In support of Finding 2, the Applicant states that the store existed prior to the establishment of the Fresno County Zoning Ordinance. As the present minimum parcel is 20 acres, the preservation of the store use is sought, but is constrained by current zoning standards.

In regard to Finding 1, staff concurs with the Applicant that the existence of the non-conforming market provides an unusual circumstance, as the occurrence of non-conforming markets is uncommon. Due to the limitations of non-conforming uses set forth by the Zoning Ordinance, the Applicant does not have many alternatives with regard to expansion or renovations. During the early stages of the Conditional Use Permit application, the Variance request was not

proposed and the Applicant was planning on utilizing the existing parcel to operate the Agricultural Commercial Center. Due to the location of the proposed Agricultural Commercial Center, the Road Maintenance and Operations and Design Divisions of the Fresno County Department of Public Works and Planning, and the California Department of Transportation provided comments that required the Variance to address traffic and road concerns that restricted access and design features.

In addressing Finding 2, staff believes that a property right is at issue in that commercial operations should be allowed to provide a safe environment for the public. Due to the relative small size of the existing parcel and due to the constraints of the legal non-conforming market, the Applicant is not able to provide improvements which would create a safer environment for their customers. Existing access occurs on State Route 43 and Conejo Avenue and is located in close proximity to the intersection. Staff believes that those access points create a hazardous condition to traffic due to their proximity to the intersection. If the Variance request is approved, the project site will be built to current standards and provide a safer environment for traffic and potential customers. Therefore, staff believes that a substantial property right is at issue and that the granting of the Variance will correct the issue.

A consideration in addressing Variance applications is whether there are alternatives available that would avoid the need for the Variance. In the case of this application, alternatives are limited, as the parcel expansion is mainly being required to address traffic and access concerns. Additionally, Caltrans is restricting access points from State Route 43 so that the only access point is located on Conejo Avenue.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 1 and 2 can be made.

*Finding 3: The granting of the Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.*

**Reviewing Agencies/Department Comments:**

No comments specific to Finding 3 were expressed by reviewing Agencies or Departments.

**Analysis:**

In support of Finding 3, the Applicant states that the project will not be detrimental to the public welfare and that proposed improvements are considered upgrades compared to the existing non-conforming market.

In regard to Finding 3, staff agrees with the Applicant that proposed improvements will bring the building and use into conformance with current standards and regulations. Additionally, proposed improvements related to traffic, fire safety, septic system, and storm water runoff will have a minor beneficial impact on the current properties and the surrounding area when compared to the existing market and related improvements. If approved, the Variance will allow the proposed Agricultural Commercial Center to be built to current standards and provide a

safer environment for its customers and the surrounding community. Therefore, staff believes that the granting of the Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 3 can be made.

*Finding 4:* *The granting of such Variance will not be contrary to the objectives of the Fresno County General Plan.*

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-A.10:                      The County may allow by discretionary permit creation of substandard lots when necessary for the development of an agricultural commercial center pursuant to Policy LU-A.3 or in conjunction with development within a designated commercial interchange within the Westside Freeway Corridor Overlay. Approval of such parcels shall take into consideration the proposed use of the property, surrounding uses, and the potential for abandonment of the planned commercial uses at a future date. Appropriate conditions shall be applied to minimize adverse impacts on surrounding agricultural operations. Parcels for agricultural commercial centers shall in no case be less than one (1) gross acre.</p>	<p>Proposed acreage will be 2.36 acres and 16.32 acres from the existing 0.53-acre parcel and 18.15-acre parcel. The creation of the substandard lots is necessary to change the non-conforming market into a conforming Agricultural Commercial Center. Road and traffic requirements necessitate the expansion of the Agricultural Commercial Center parcel.</p>

**Reviewing Agencies/Department Comments:**

No comments specific to Finding 4 were expressed by reviewing Agencies or Departments.

**Analysis:**

In support of Finding 4, the Applicant states that the granting of this Variance will not be contrary to the objectives of the General Plan.

In regard to Finding 4, based on the analysis of the General Plan policies referencing Agricultural Commercial Centers and the road and traffic requirements necessitating creation of the substandard parcels, staff agrees with the Applicant in that the granting of the Variance will not be contrary to the objectives of the General Plan.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 can be made.

**PUBLIC COMMENT:**

*None.*

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Classified Conditional Use Permit and Variance can be made. Staff therefore recommends approval of Classified Conditional Use Permit No. 3281 and Variance No. 4023, subject to the recommended Conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to recommend approval of the Mitigated Negative Declaration prepared for Initial Study Application No. 6205; and
- Recommend approval of the Master Plan prepared for the Agricultural Commercial Center as detailed in Exhibit No. 6; and
- Move to determine the required Findings can be made and move to recommend approval of Classified Conditional Use Permit No. 3281 and Variance No. 4023, 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. 3281 and Variance No. 4023; 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.

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**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 6205/Conditional Use Permit Application No. 3281/Variance Application No. 4023**  
**(Including Conditions of Approval and Project Notes)**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets and roadways.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
2.	Cultural Resources and Tribal 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 should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities
3.	Energy	Idling of onsite equipment and vehicles shall be avoided to the most possible extent to prevent wasteful consumption of energy resources.	Applicant	Applicant/PW&P	Ongoing
4.	Hazards and Hazardous Materials	Should the structure have any active rodent or insect infestation, the infestation should be abated prior to demolition of the structure in order to prevent the spread of vectors to adjacent properties.	Applicant	Applicant/PW&P	Prior to construction
5.	Hazards and Hazardous Materials	In the process of demolishing the existing structures, the contractor may encounter asbestos-containing construction materials and materials coated with lead-based paint: <ol style="list-style-type: none"> <li>1. If asbestos-containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District.</li> <li>2. If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or</li> </ol>	Applicant	Applicant/PW&P	During demolition of existing improvements

**EXHIBIT 1**

		<p>remodel work, the contractor should contact the following agencies for current regulations and requirements: California Department of Public Health, Childhood Lead Poisoning Prevention Branch; United States Environmental Protection Agency; and the State of California, Industrial Relations Department, Division of Occupational Safety and Health.</p> <p>3. Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state and local requirements.</p>			
<b>Conditions of Approval</b>					
1.	Development of the property shall be in accordance with the Master Plan, Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission and Board of Supervisors, subject to modifications required by the Site Plan Review.				
2.	An irrevocable offer of 43 feet shall be made along project frontage on Highland Avenue (SR 43) prior to the issuance of a Caltrans Encroachment Permit.				
3.	Site Plan Review application and approval is required for this project.				
4.	Prior to construction, a mapping application and approval will be required to adjust property lines between APN 393-280-77S and 393-280-84S.				
5.	An Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.				
6.	Prior to issuance of building permits for each structure connected to an Onsite Wastewater Treatment System (OWTS), specific design and capacity details for the OWTS (Sewage Disposal Design submitted by Krazan and Associates, Inc. May 30, 2018) shall be approved by either the California Regional Water Quality Control Board or the Fresno County Department of Public Works and Planning, depending on oversight jurisdiction.				
7.	Prior to construction, improvement plans for the roadwork shall be submitted to the Road Maintenance and Operations Division for review and approval prior to the start of work. The improvement plan(s) shall include an approach taper and paving at the easterly end of the project site along Conejo Avenue.				
8.	<p>The following requirements have been set forth by the California Department of Transportation (Caltrans).</p> <ul style="list-style-type: none"> <li>• The project proponent shall install “No Parking” signs along the project frontage on State Route 43 (Highland Avenue).</li> <li>• A physical barrier such as landscape or equivalent should be provided to discourage vehicles from accessing State Route 43. An Encroachment Permit from Caltrans will be required.</li> </ul>				

\*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.	<p>The following requirements have been set forth by the State Water Resources Control Board.</p> <ul style="list-style-type: none"><li>• The proposed facility will meet the definition of a Transient Non-Community Water System and must be permitted by the State Water Resources Control Board as a public water system prior to use of the system, unless it can be demonstrated that there is no human consumption of the water and the market is permitted under the California Retail Food Code by the Fresno County Department of Public Health, Environmental Health Division.</li><li>• Any well planned for use as a domestic source of water must be constructed in accordance with the California Well Standards and County well requirements. The owner/operator must be able to document the construction features of the well to be used by submittal of the Well Completion Report or Well Drillers Report. This should accompany the permit application.</li><li>• The well must demonstrate compliance with all applicable water quality criteria under the California Safe Drinking Water Act. A transient non-community water system must monitor for the constituents and comply with nitrate maximum contaminant levels. The well must also be free of coliform bacteria. The monitoring must be conducted and the results submitted with the permit application.</li></ul>
2.	<p>The following requirements have been set forth by the Development Engineering Section of the Development Services and Capital Projects Division.</p> <ul style="list-style-type: none"><li>• If not already present, a 30' x 30' corner cut-off should be improved for sight distance purposes at the intersection of State Route 43 (Highland Avenue) and Conejo Avenue.</li><li>• The proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards.</li><li>• Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.</li><li>• A grading permit or voucher is required for any grading proposed with this application.</li></ul>
3.	<p>The following requirements have been set forth by the Fresno County Department of Public Health, Environmental Health Division.</p> <ul style="list-style-type: none"><li>• The Uniform Plumbing Code does not allow an impervious surface over the area of the drain field for an individual sewage disposal system. Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent.</li><li>• The sewage disposal systems located on the subject parcel serving the existing market and mobile home shall be properly destroyed with the demolition of the existing market and removal of mobile home. The Applicant shall obtain a permit from the Fresno County Department of Public Works and Planning.</li><li>• If the Applicant proposes to construct a new 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 Public Health, Environmental Health Division.</li><li>• Prior to occupancy, the Applicant shall have the existing abandoned water well on the property destroyed under permit from the Fresno County Public Health Department, Environmental Health Division.</li><li>• The Applicant shall submit an application for a permit to operate a Public Water System and supporting information, in the form of a technical report, to the State Water Resource Control Board, Division of Drinking Water - Fresno District for review. Approval for the permit will require demonstration of Technical, Managerial, and Financial (TMF) Capacity, as well as documentation of the services of a State-Certified Water Distribution Operator, and shall be obtained prior to occupancy.</li></ul>

**Notes**

	<ul style="list-style-type: none"> <li>• Prior to issuance of building permits for the food facility, the operator/owner shall submit complete food facility plans and specification to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operations, the operator shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division.</li> <li>• The Applicant shall obtain their license to sell alcoholic beverages prior to alcohol sales.</li> <li>• If the Applicant decides to construct an aboveground petroleum storage tank, a spill prevention control and countermeasure plan (SPCC) is required for aboveground petroleum storage tanks with greater than or equal to 1,320 gallons of storage capacity.</li> <li>• The Applicant should contact their local Fire Authority concerning construction and installation requirements for aboveground fuel storage tanks.</li> <li>• If the Applicant decides to construct an underground petroleum storage tank, prior to issuance of building permits, the Applicant shall submit three sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division.</li> <li>• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR) Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to HSC, Division 20, Chapter 6.95.</li> <li>• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage, and handling of hazardous wastes.</li> </ul>
4.	<p>The following requirements have been set forth by the Fresno County Fire Protection District.</p> <ul style="list-style-type: none"> <li>• The project shall comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving the Fresno County Fire Protection District conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno Department of Public Works and Planning for review. It is the Applicant’s responsibility to deliver a minimum of three sets of plans to FCFPD.</li> <li>• The project/development shall annex to Community Facilities District No. 2010-01 of FCFPD. The project/development also will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.</li> </ul>
5.	<p>The following requirements have been set forth by Site Plan Review Unit of the Development Services and Capital Projects Division.</p> <ul style="list-style-type: none"> <li>• Proposed improvement area of 500 square feet or more shall 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 Fresno County Department of Public Works and Planning, Site Plan Review (SPR) Unit for review and approval prior to issuance of building permits.</li> <li>• All proposed signs shall be submitted to the Fresno County Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are not allowed for commercial uses in the AE (Exclusive Agricultural) Zone Districts.</li> </ul>
6.	<p>The following requirements have been set forth by the Consolidated Mosquito Abatement District.</p> <ul style="list-style-type: none"> <li>• The basin should be constructed and/or managed so that water depths are maintained to a minimum of four feet in order to preclude invasive emergent vegetation such as cattails.</li> <li>• If water levels are subject to fluctuation during the summer mosquito breeding season, the basin should be constructed with a low-flow/slump area. To prevent the growth of emergent vegetation, the sump area should be excavated to a minimum</li> </ul>

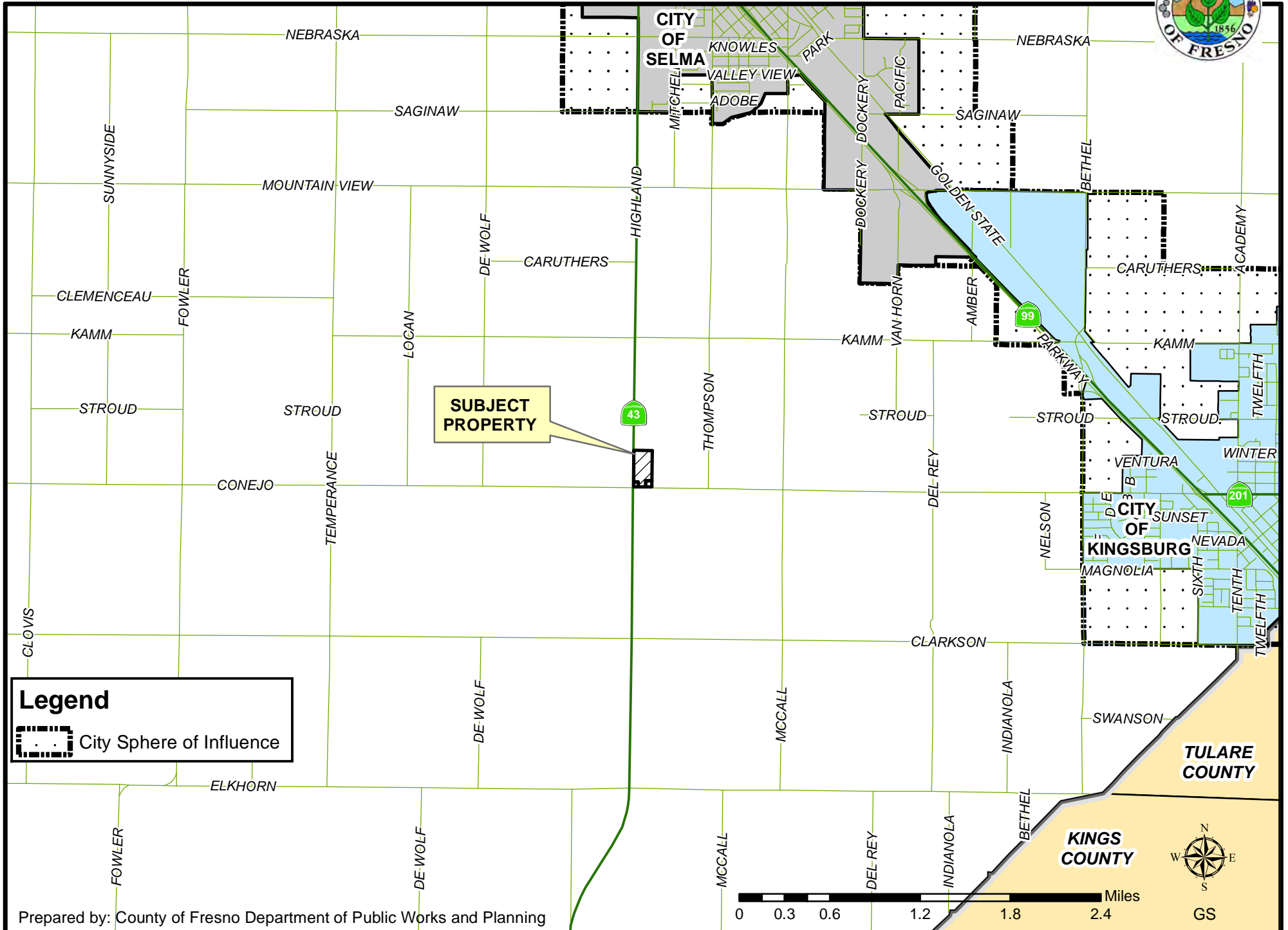


<b>Notes</b>	
	<p>depth of four feet below the pond floor. The engineer responsible for the grading and drainage plan for this project should be able to approximate the size of the sump area required to accommodate the low in-flows of summertime nuisance water that are associated with this type of development. The basin floor should also be graded or sloped so as the standing water recedes, it will drain into the sump area.</p> <ul style="list-style-type: none"> <li>• Access must be provided. A free and unencumbered access roadway around the entire basin perimeter for pond maintenance and mosquito abatement activities is essential.</li> <li>• Basin edges shall be well managed and free of excess vegetation that promotes mosquito breeding and hinders District control efforts.</li> </ul>
7.	If approved, plans, permits and inspections will be required for all onsite improvements.

TK:ksn

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3281 See VA 4023\SR\CUP 3281 MMRP (Ex 1).docx

# LOCATION MAP

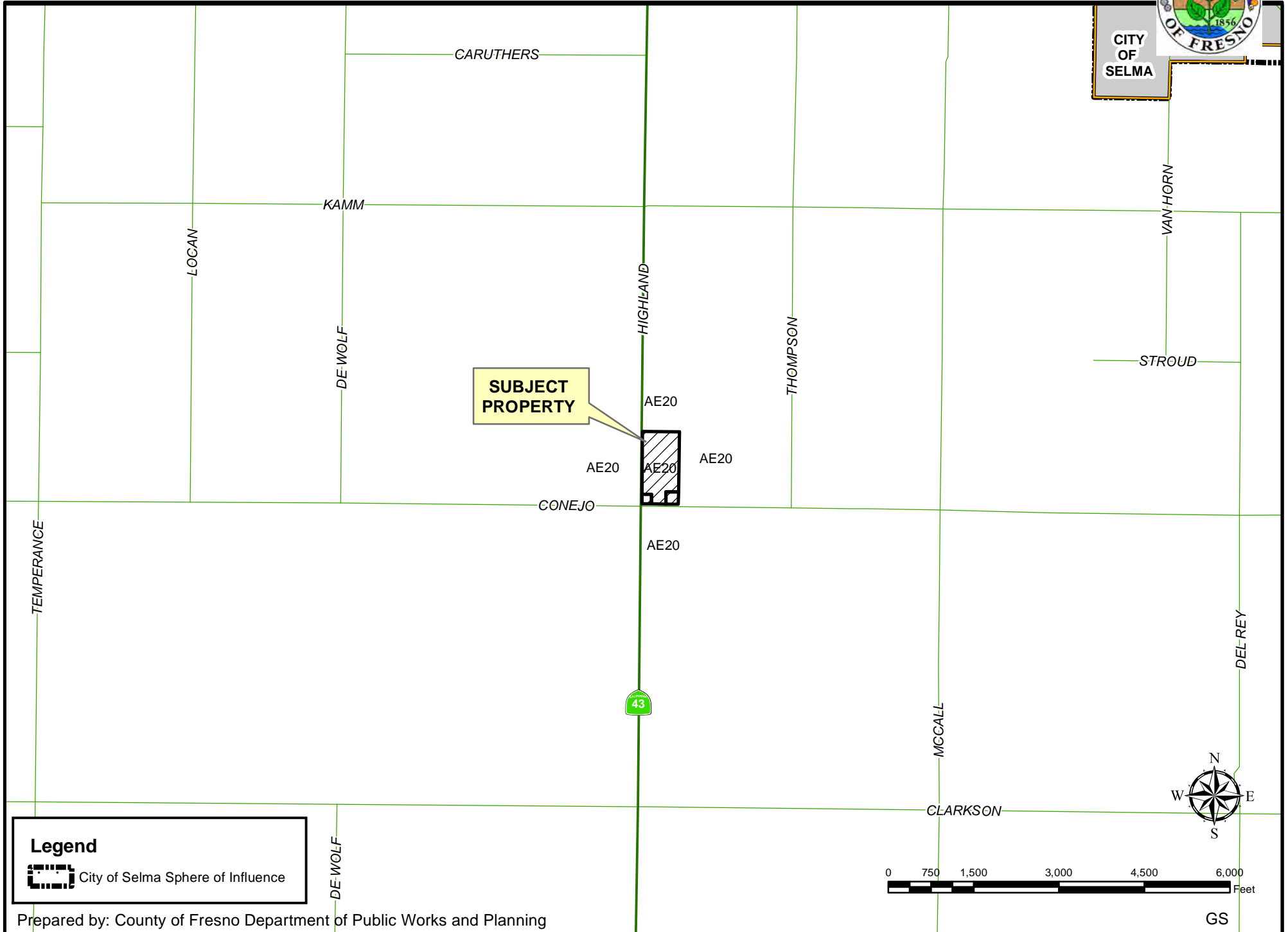


**Legend**  
 City Sphere of Influence

# EXISTING ZONING MAP

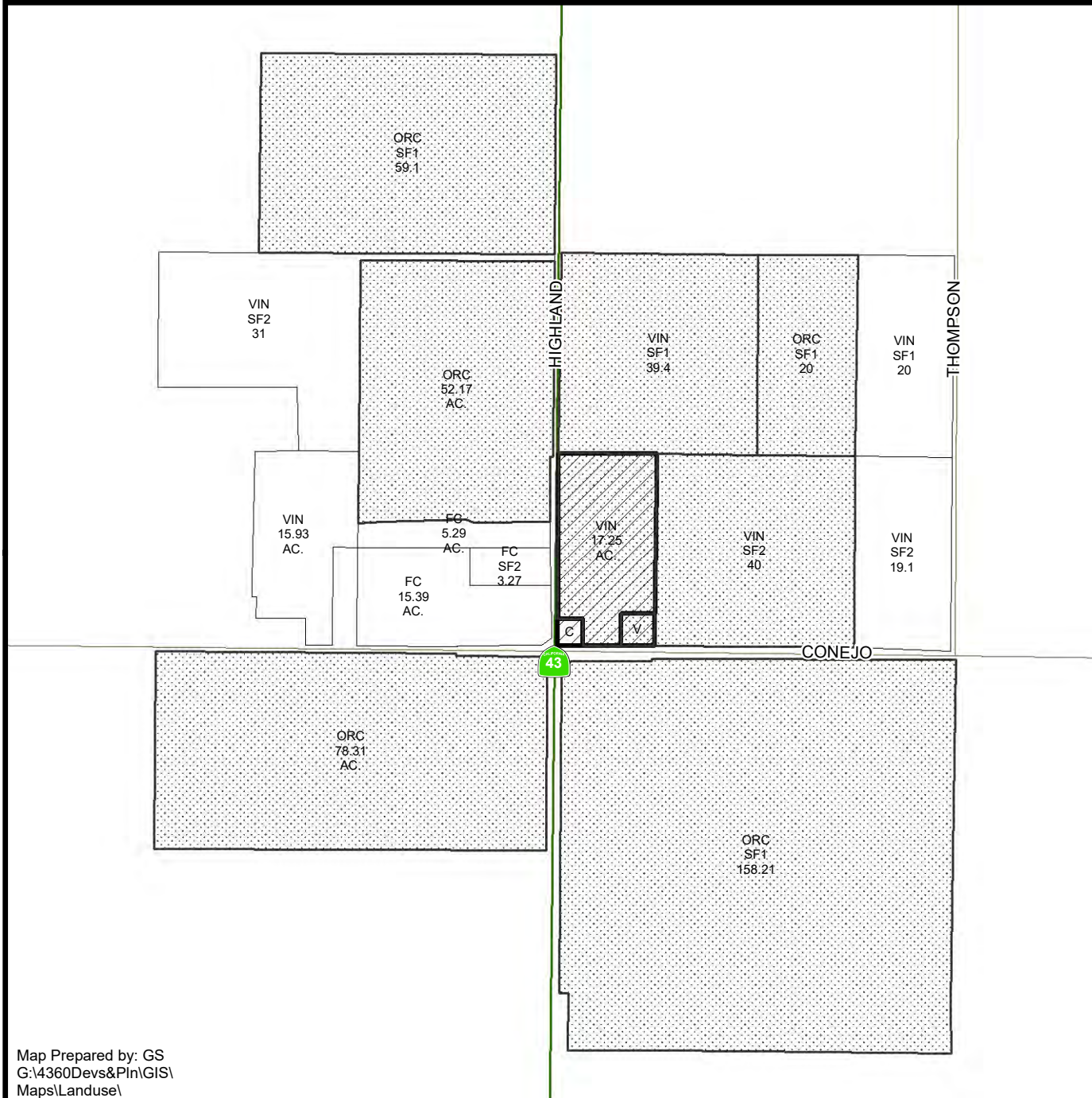


CITY  
OF  
SELMA





**Legend**  
 City of Selma Sphere of Influence

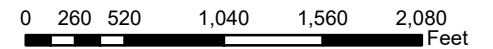
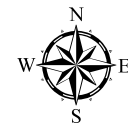
# EXISTING LAND USE MAP



LEGEND
C - COMMERCIAL
FC - FIELD CROP
ORC - ORCHARD
V - VACANT
VIN - VINEYARD
SF# - SINGLE FAMILY RESIDENCE

LEGEND:

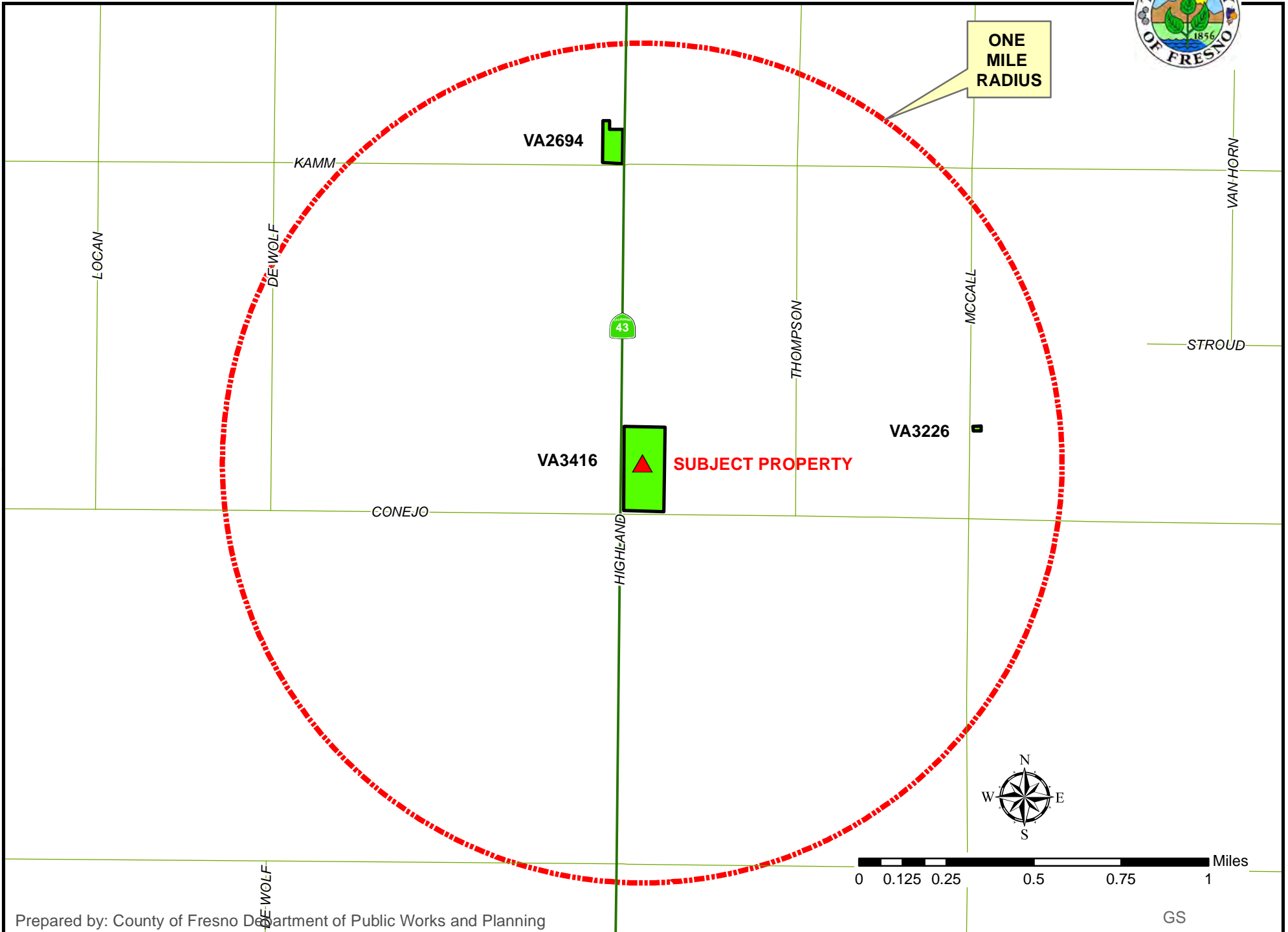
-  Subject Property
-  Ag Contract Land

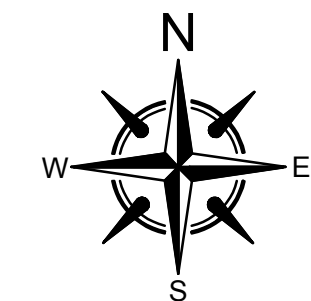
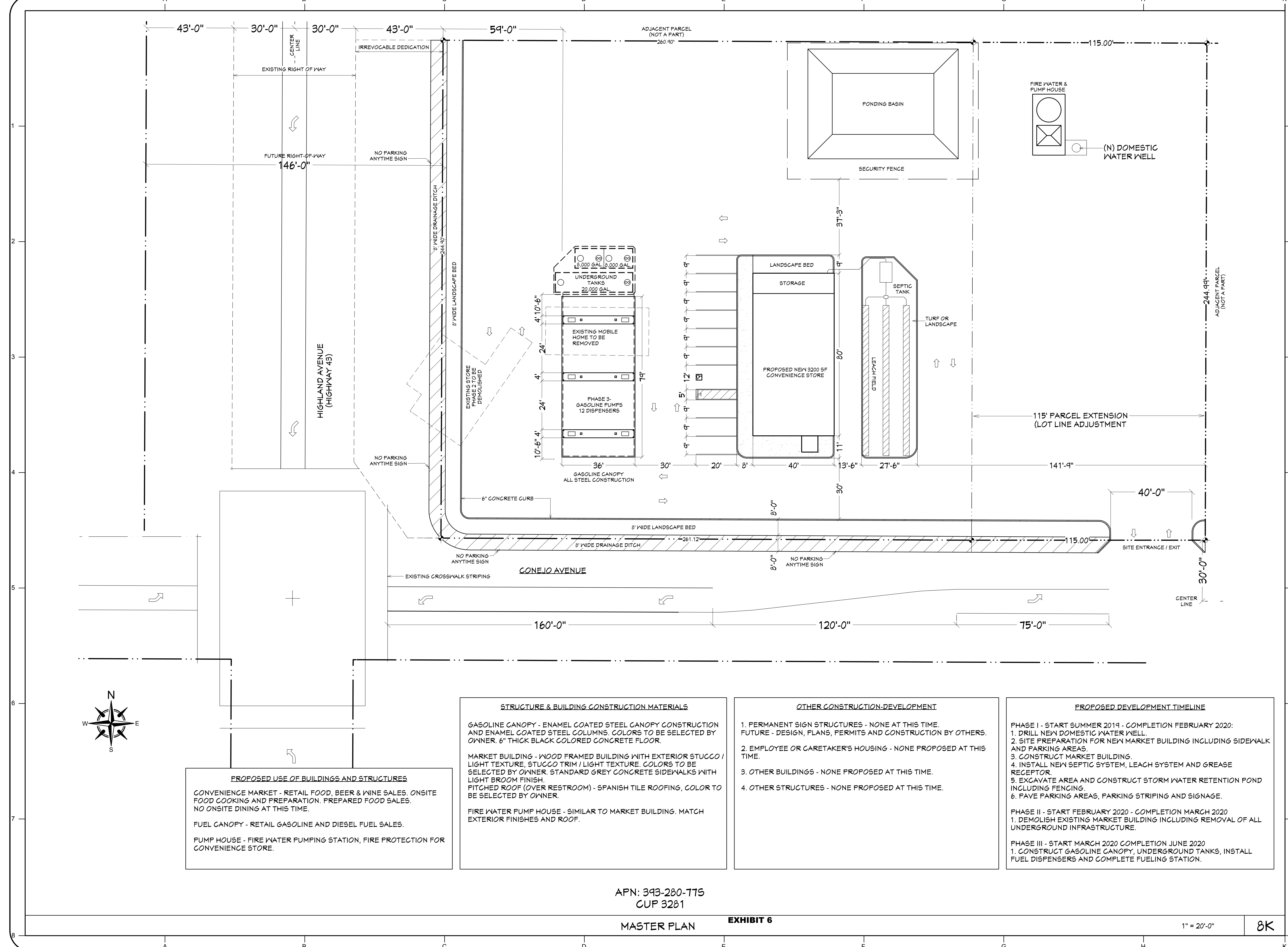


Map Prepared by: GS  
 G:\4360Devs&Pln\GIS\  
 Maps\Landuse\

Department of Public Works and Planning  
 Development Services Division

# APPROVED VARIANCES WITHIN A ONE MILE RADIUS





**PROPOSED USE OF BUILDINGS AND STRUCTURES**

CONVENIENCE MARKET - RETAIL FOOD, BEER & WINE SALES, ONSITE FOOD COOKING AND PREPARATION, PREPARED FOOD SALES. NO ONSITE DINING AT THIS TIME.

FUEL CANOPY - RETAIL GASOLINE AND DIESEL FUEL SALES.

PUMP HOUSE - FIRE WATER PUMPING STATION, FIRE PROTECTION FOR CONVENIENCE STORE.

**STRUCTURE & BUILDING CONSTRUCTION MATERIALS**

GASOLINE CANOPY - ENAMEL COATED STEEL CANOPY CONSTRUCTION AND ENAMEL COATED STEEL COLUMNS. COLORS TO BE SELECTED BY OWNER. 6" THICK BLACK COLORED CONCRETE FLOOR.

MARKET BUILDING - WOOD FRAMED BUILDING WITH EXTERIOR STUCCO / LIGHT TEXTURE, STUCCO TRIM / LIGHT TEXTURE. COLORS TO BE SELECTED BY OWNER. STANDARD GREY CONCRETE SIDEWALKS WITH LIGHT BROOM FINISH.

FITCHED ROOF (OVER RESTROOM) - SPANISH TILE ROOFING, COLOR TO BE SELECTED BY OWNER.

FIRE WATER PUMP HOUSE - SIMILAR TO MARKET BUILDING. MATCH EXTERIOR FINISHES AND ROOF.

**OTHER CONSTRUCTION DEVELOPMENT**

1. PERMANENT SIGN STRUCTURES - NONE AT THIS TIME. FUTURE - DESIGN, PLANS, PERMITS AND CONSTRUCTION BY OTHERS.
2. EMPLOYEE OR CARETAKER'S HOUSING - NONE PROPOSED AT THIS TIME.
3. OTHER BUILDINGS - NONE PROPOSED AT THIS TIME.
4. OTHER STRUCTURES - NONE PROPOSED AT THIS TIME.

**PROPOSED DEVELOPMENT TIMELINE**

PHASE I - START SUMMER 2014 - COMPLETION FEBRUARY 2020:

1. DRILL NEW DOMESTIC WATER WELL.
2. SITE PREPARATION FOR NEW MARKET BUILDING INCLUDING SIDEWALK AND PARKING AREAS.
3. CONSTRUCT MARKET BUILDING.
4. INSTALL NEW SEPTIC SYSTEM, LEACH SYSTEM AND GREASE RECEPTOR.
5. EXCAVATE AREA AND CONSTRUCT STORM WATER RETENTION POND INCLUDING FENCING.
6. PAVE PARKING AREAS, PARKING STRIPING AND SIGNAGE.

PHASE II - START FEBRUARY 2020 - COMPLETION MARCH 2020

1. DEMOLISH EXISTING MARKET BUILDING INCLUDING REMOVAL OF ALL UNDERGROUND INFRASTRUCTURE.

PHASE III - START MARCH 2020 COMPLETION JUNE 2020

1. CONSTRUCT GASOLINE CANOPY, UNDERGROUND TANKS, INSTALL FUEL DISPENSERS AND COMPLETE FUELING STATION.

APN: 393-280-775  
CUP 3281

MASTER PLAN

EXHIBIT 6

1" = 20'-0"

8K

**Errol Vetter**  
Drafting Services  
807 East Ivy Street  
Hanford, California 93230  
Phone 559-284-2928  
Email: evetter@msn.com



LEE'S MARKET  
14940 S. HIGHLAND AVENUE  
SELMA, CALIFORNIA 93662

MASTER PLAN

JOB NUMBER  
072116-JI

DATE  
03-19-2019

SHEET  
1

REVISIONS  
 02-28-2017 FLOOR PLAN  
 03-06-2017 ELEVATIONS  
 02-01-2018 SITE PLAN  
 02-21-2018 SITE PLAN  
 03-05-2018 SITE PLAN  
 08-14-2018 SITE PLAN  
 03-14-2019 MINOR

PROJECT NAME: LEE'S MARKET  
 BUILDING LOCATION: 14940 S. HIGHLAND AVENUE  
 SELMA, CALIFORNIA 93662

BUILDING USE: CONVENIENCE STORE

OWNER (S): OBADI KASSIM SALEM  
 CONEJO AVENUE  
 SELMA, CALIFORNIA 93662

APN: 393-280-77S  
 ZONING: AE-20  
 LOT AREA: 63,291 SF (1.45 ACRES)  
 SETBACKS: FRONT - 15 FT  
 SIDE-10 FT  
 REAR - 10 FT

CONSTRUCTION TYPE: V-B  
 OCCUPANCY: "M" CBC-§309.1

NUMBER OF STORIES: ONE  
 HEIGHT: +/- 20 FT  
 AREA: 2,736 SF SALES AREA, STORAGE & RESTROOM  
 464 SF WALK-IN COOLER  
 TOTAL AREA: GROSS - 3,200 SF

FIRE SPRINKLERS: NO

HEIGHT/AREA LIMITATION: 1-STORY, 9,000 SF, 40 FT HEIGHT (25' CN ZONING DISTRICT)

AREA INCREASE ALLOWABLE: 9,000 SF  
 FRONTAGE INCREASE: 200/200-0.25\*0.92=6,210 SF

TOTAL ALLOWABLE: 15,210 SF

OCCUPANT LOAD: 2736/60=46 PERSONS (CBC TABLE 1004.1.2)  
 TOTAL OCCUPANT LOAD: 46 PERSONS (EGRESS)

EXITS REQUIRED: ONE

ADA ACCESSIBILITY: YES-CBC CHAPTER 11-B

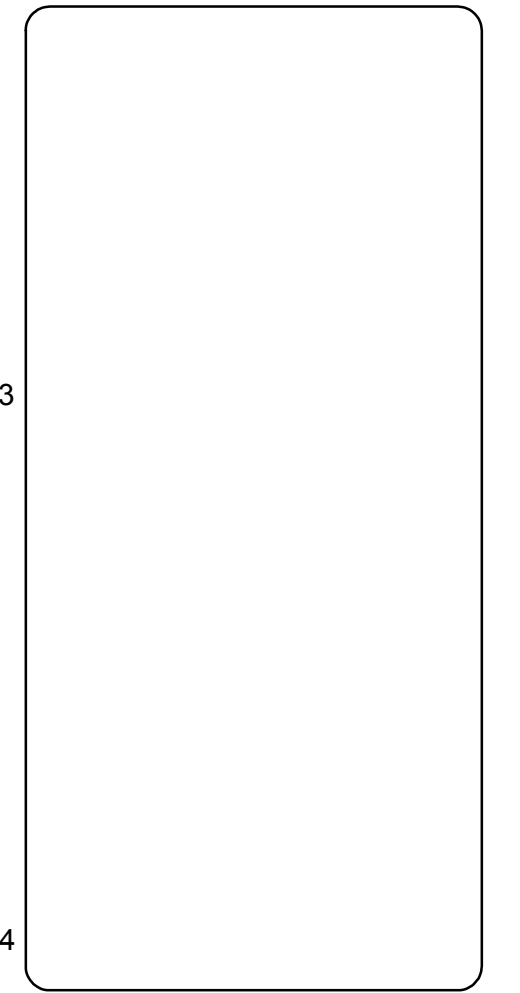
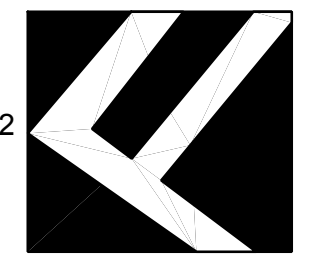
STRUCTURAL LOADS  
 WIND: 85MPH, 3-SECOND GUST, EXPOSURE B  
 LAT. & LONG: LAT 36.104 LONG -119.572  
 SEISMIC: Ss - 0.791  
 S1- 0.311

SEISMIC DESIGN CAT: D  
 SOIL CATEGORY: D

FLOOR LIVE LOAD: 40 PSF  
 ROOF DEAD LOAD: 21 PSF  
 ROOF LIVE LOAD: 20 PSF  
 SOIL BEARING CAPACITY: 1500 PSF

BUILDING CODES: 2016 CALIFORNIA BUILDING, ELECTRICAL, FIRE, ENERGY, GREEN, MECHANICAL & PLUMBING CODES

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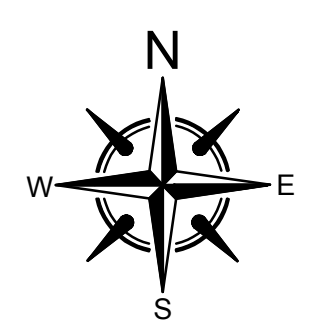
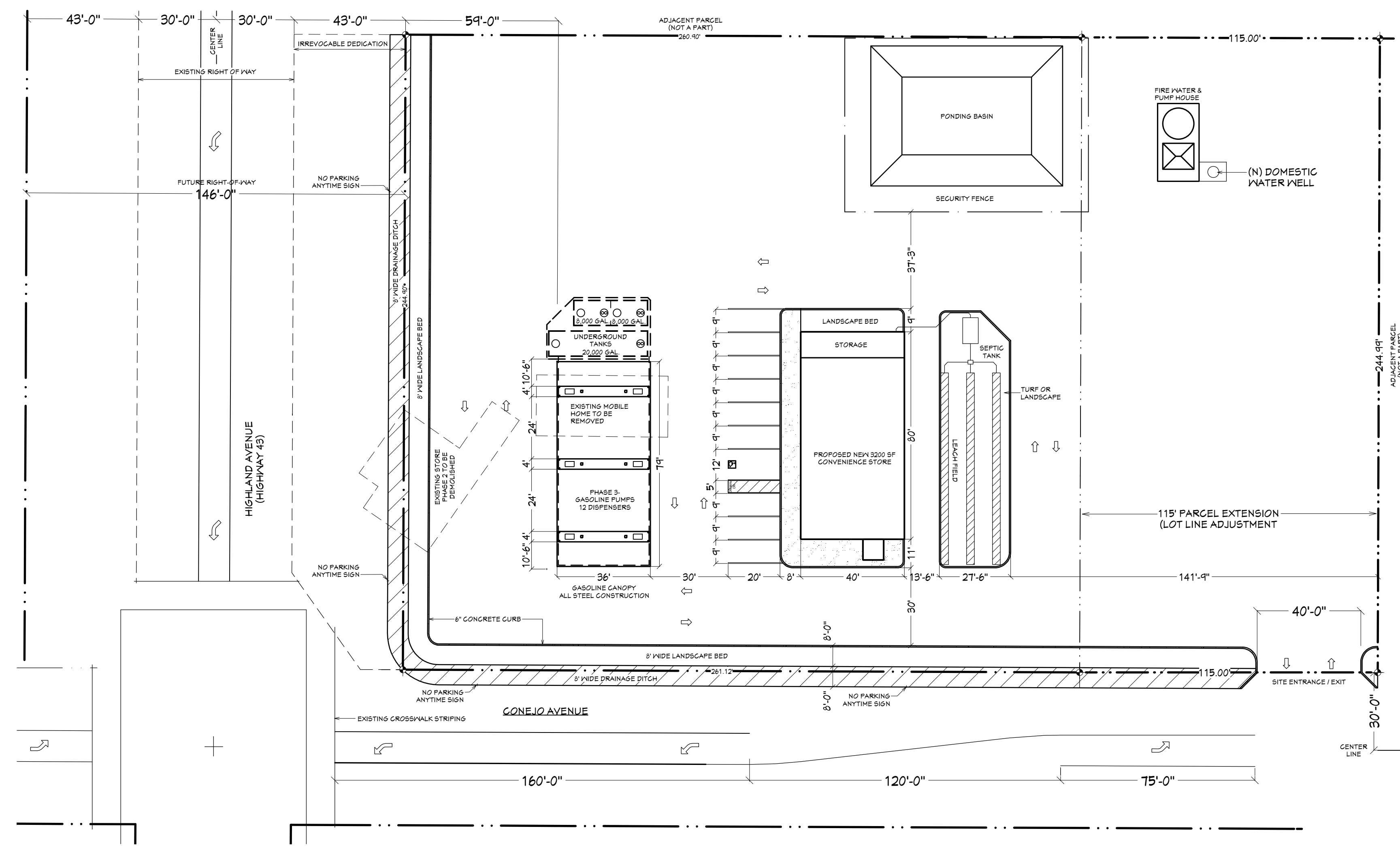


PROPOSED NEW CONVENIENCE STORE FOR:  
**LEE'S MARKET**  
 14940 S. HIGHLAND AVENUE  
 SELMA, CALIFORNIA

SITE PLAN & PROJECT INFORMATION

PROFESSIONAL STAMP

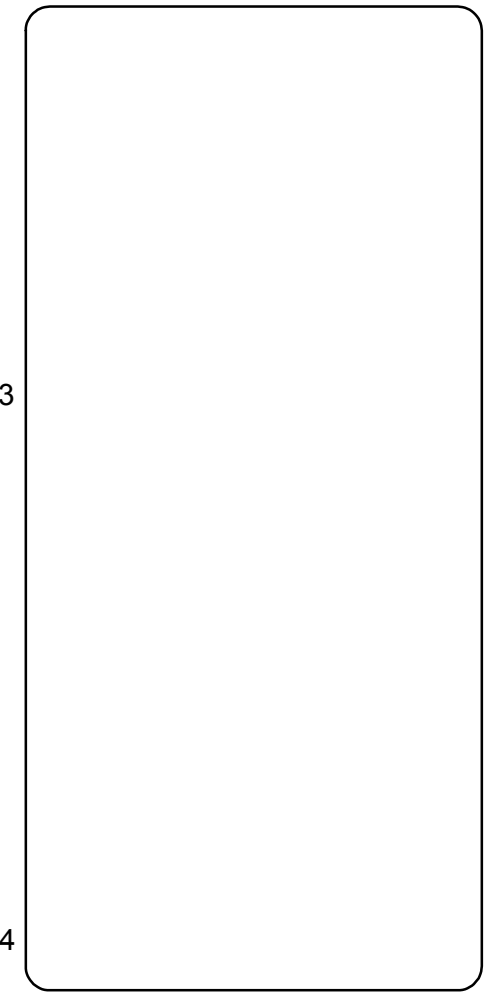
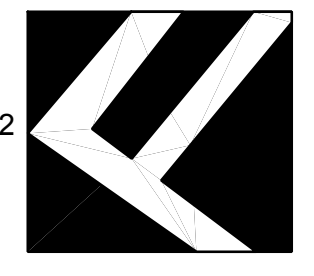
JOB NUMBER: 072716-JI  
 DATE: 09-30-2016  
 SHEET: C-1



SITE PLAN EXHIBIT 7

1" = 30'-0" 8G

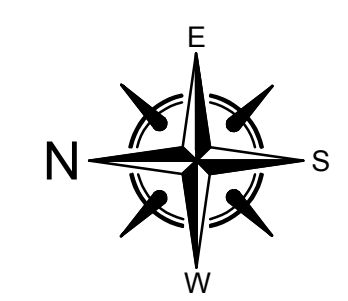
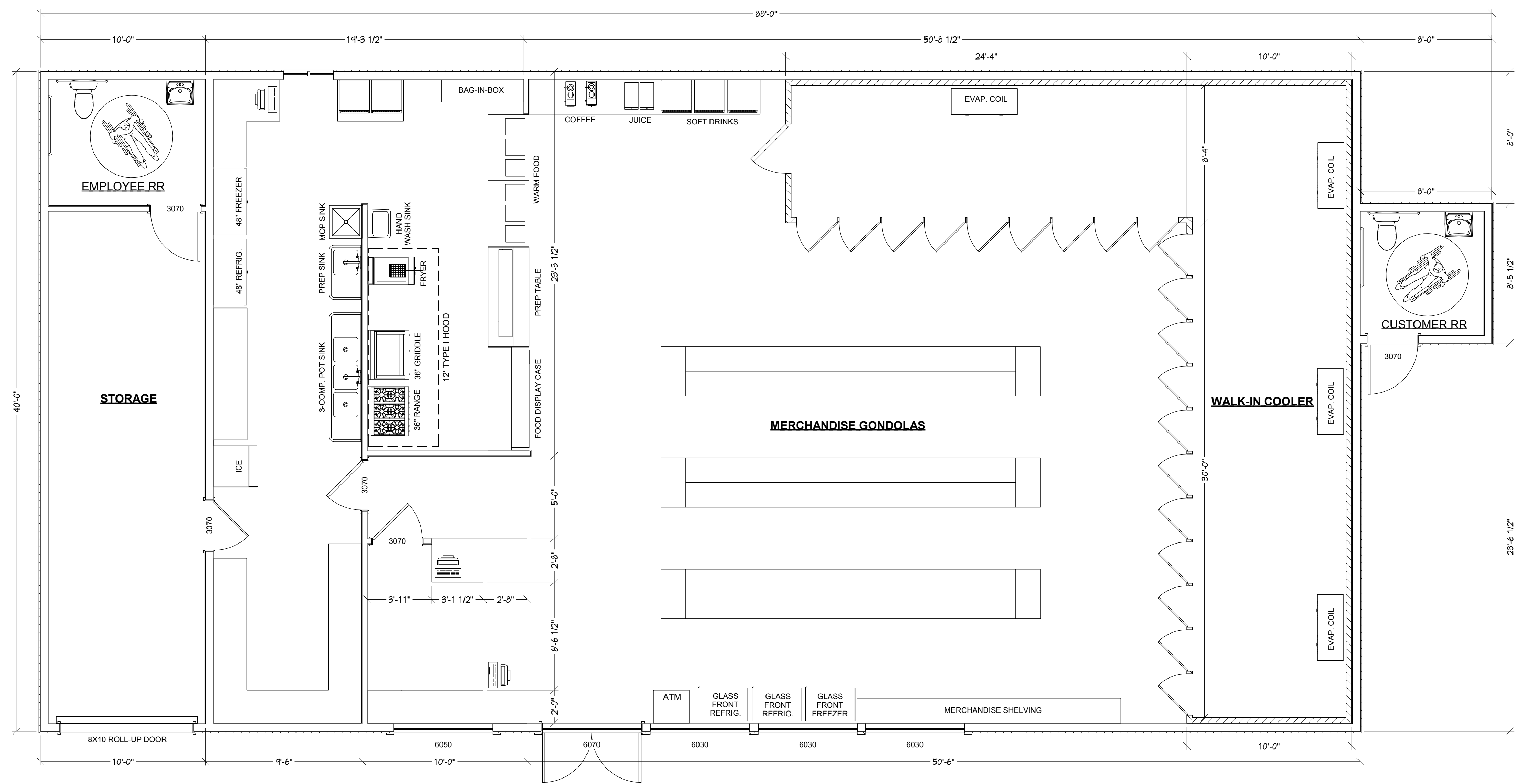
**Errol Vetter**  
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Phone 559-284-2923  
Email: evetter@msn.com



PROPOSED NEW CONVENIENCE STORE FOR:  
**LEE'S MARKET**  
14940 S. HIGHLAND AVENUE  
SELMA, CALIFORNIA

PROFESSIONAL STAMP

JOB NUMBER  
072716-JI  
DATE  
09-30-2016  
SHEET  
**A-1**

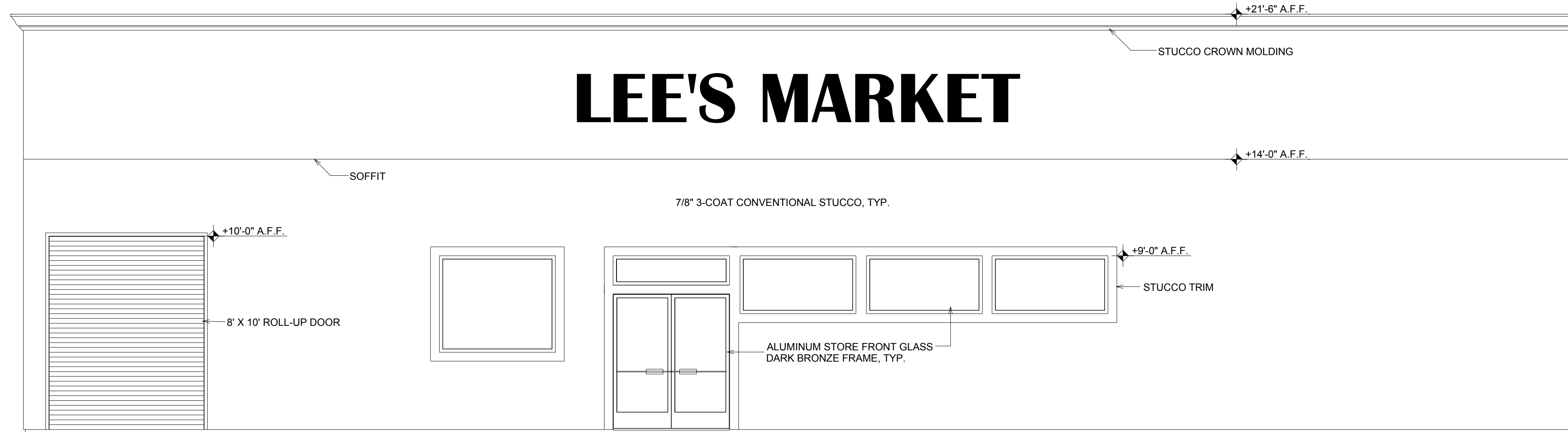


FLOOR PLAN

1/4" = 1'-0"

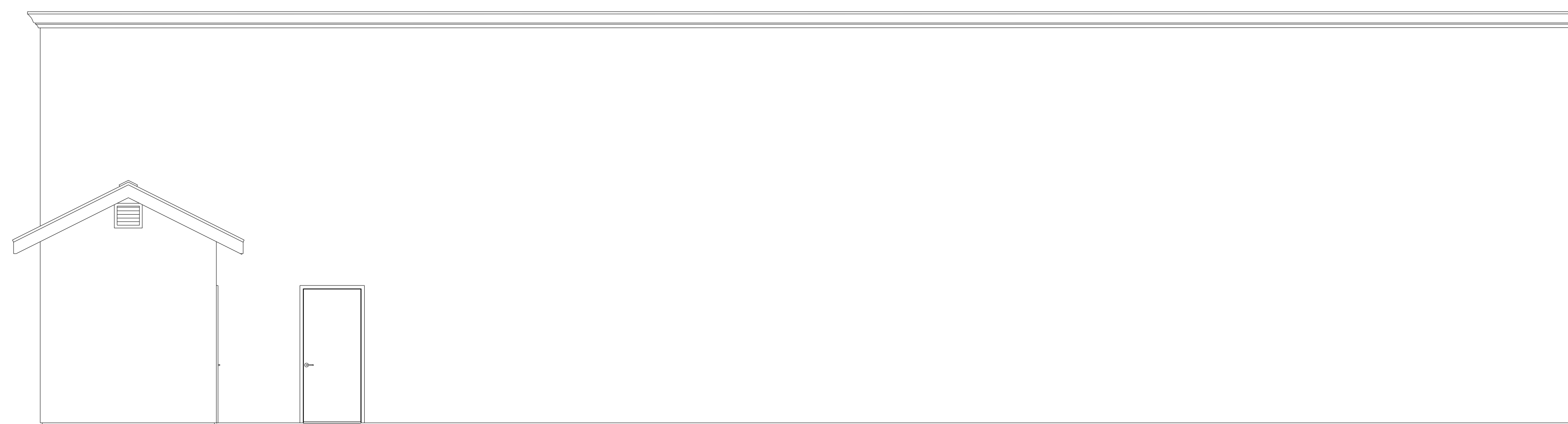
8K





WEST ELEVATION

4K



EAST ELEVATION

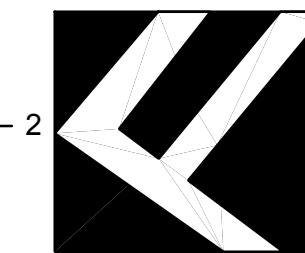
EXHIBIT 8

1/4" = 1'-0"

8K

REVISIONS

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PROPOSED NEW CONVENIENCE STORE FOR:  
**LEE'S MARKET**  
 1440 S. HIGHLAND AVENUE  
 SELMA, CALIFORNIA

PROJECT

PROJECT DESCRIPTION

EXTERIOR ELEVATIONS

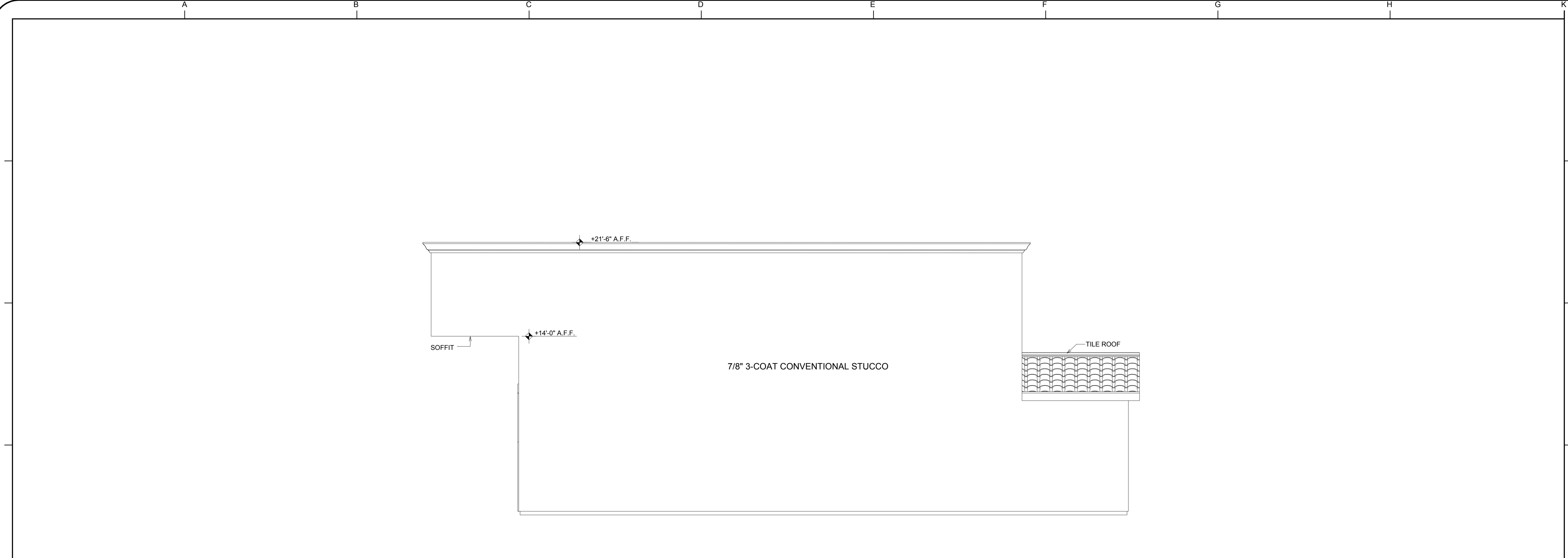
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072716-JI

DATE  
09-30-2016

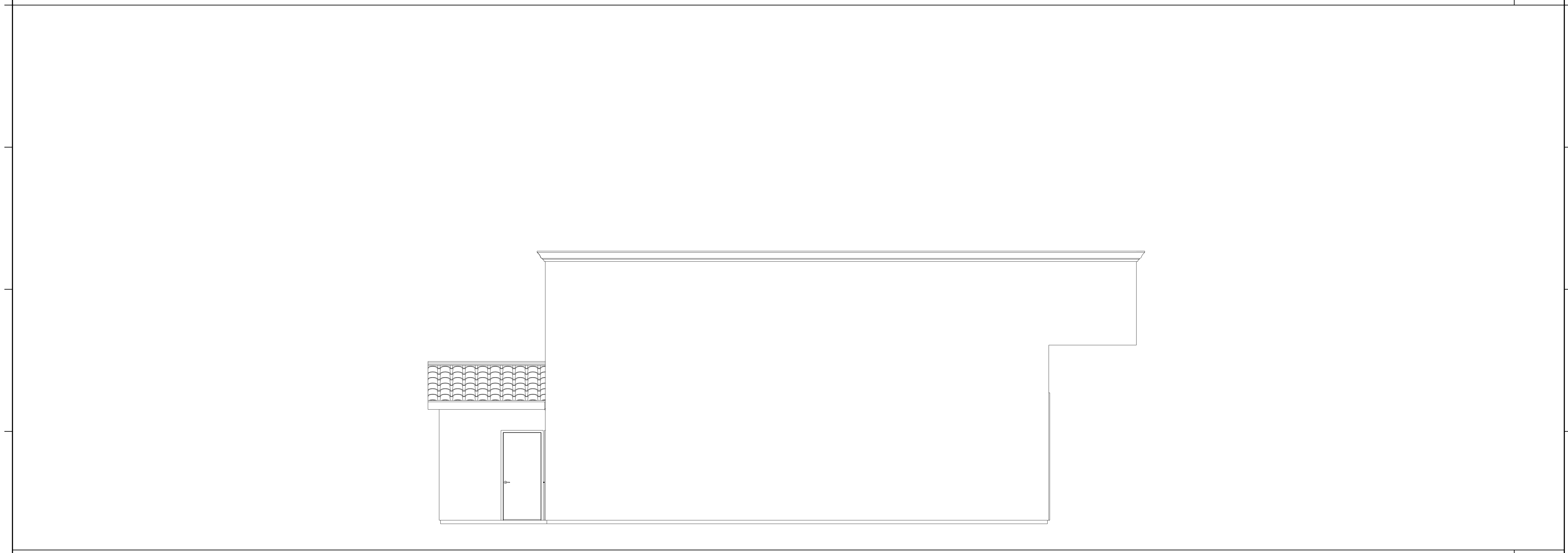
SHEET

A-2



SOUTH ELEVATION

4K



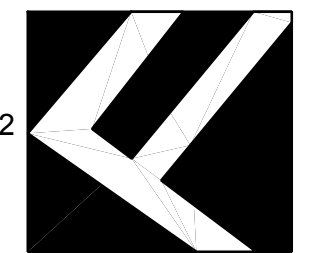
NORTH ELEVATION

1/4" = 1'-0"

8K

REVISIONS

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PROPOSED NEW CONVENIENCE STORE FOR:

LEE'S MARKET  
 1440 S. HIGHLAND AVENUE  
 SELMA, CALIFORNIA

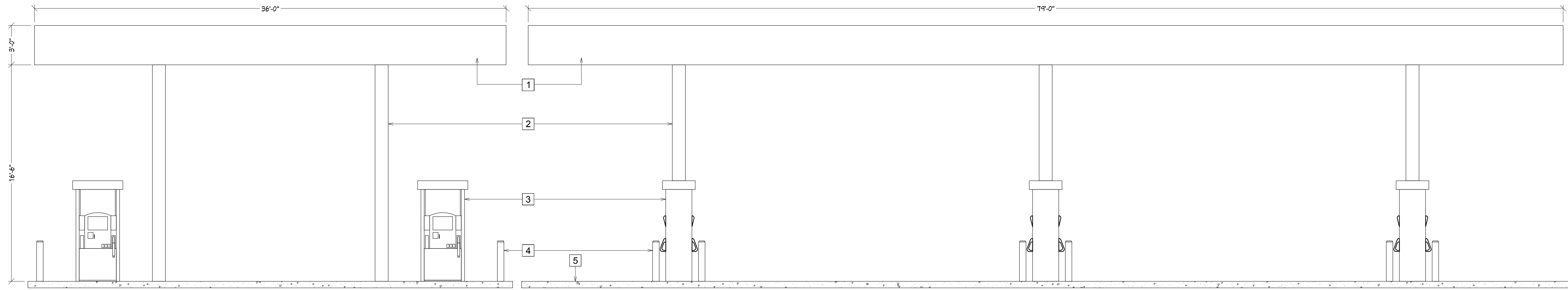
EXTERIOR ELEVATION

PROFESSIONAL STAMP

JOB NUMBER  
 072716-JI

DATE  
 09-30-2016

SHEET  
 A-3



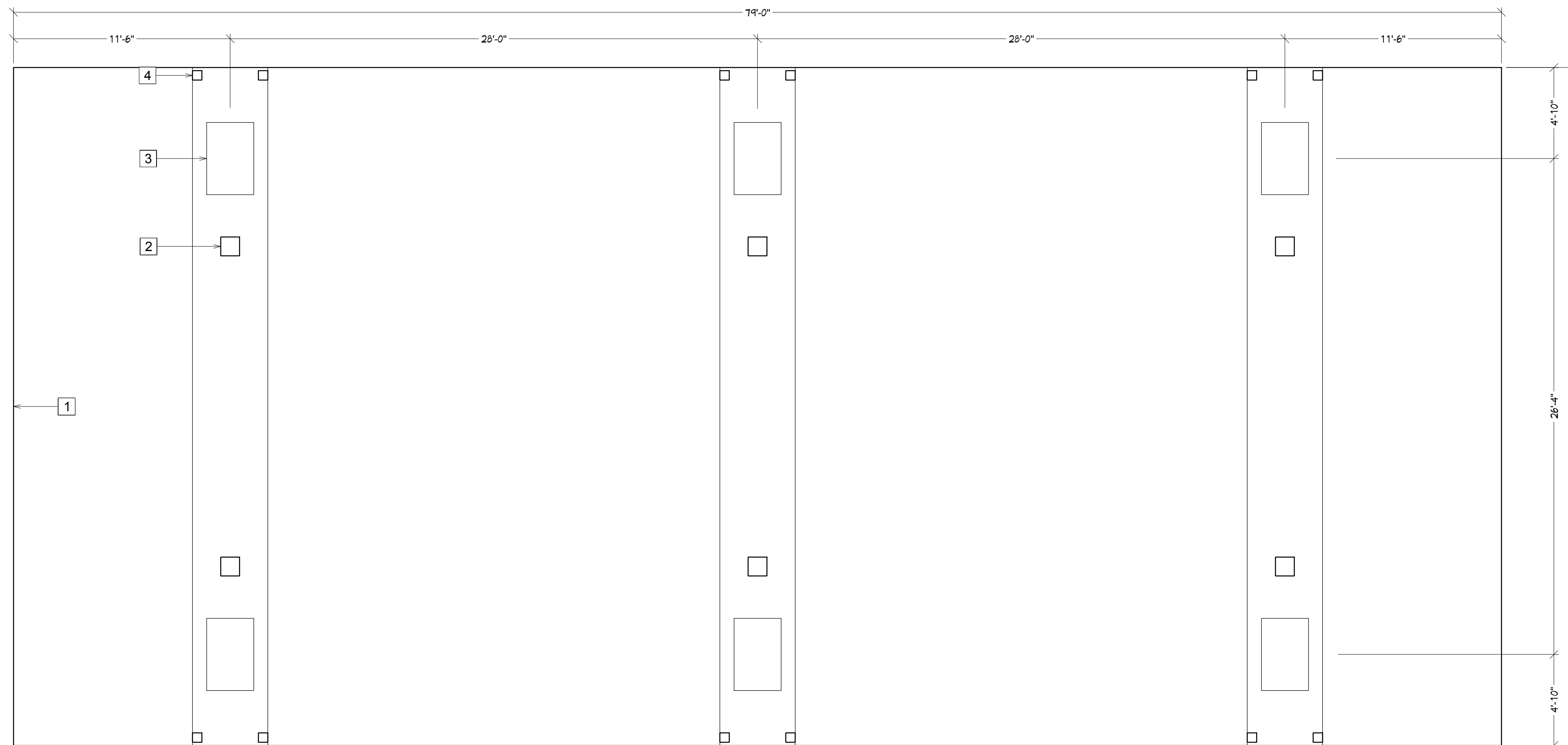
ELEVATION

1/4" = 1'-0"

3K

**KEY NOTES**

- 1 STEEL CANOPY FASCIA
- 2 CANOPY STEEL SUPPORT COLUMN, TYP. OF 6
- 3 GILBARCO ELECTRONIC FUEL DISPENSER
- 4 6" SQ. STEEL BOLLARD, CONCRETE FILLED, TYP. OF 12
- 5 6" THICK CONCRETE SLAB

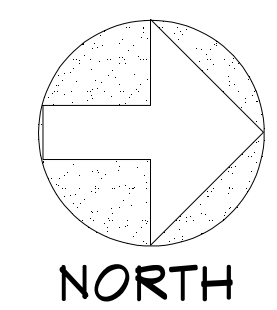


GASOLINE CANOPY-ALL STEEL CONSTRUCTION

PLAN VIEW

1/4" = 1'-0"

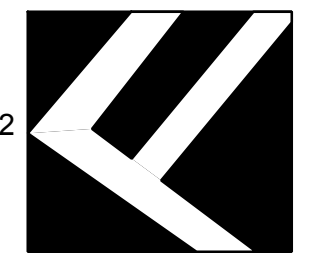
8K



NORTH

REVISIONS

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GASOLINE CANOPY FOR:  
**LEE'S MARKET**  
 14940 S. HIGHLAND AVENUE  
 SELMA, CALIFORNIA 93662

GASOLINE CANOPY

PROFESSIONAL STAMP

JOB NUMBER  
072716-JI  
 DATE  
03-18-2019  
 SHEET  
**1 OF 1**

RECEIVED  
COUNTY OF FRESNO

Revised 04-05-18

APR 05 2018

## OPERATIONAL STATEMENT CHECKLIST

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

Lee's Market  
NE CORNER S HIGHLAND AND CONEJO  
SELMA, CA

REFERENCE: PRE-APPLICATION REVIEW #39047 AND CUP 3281 IN PROCESS

### DEPARTMENT OF PUBLIC WORKS AND PLANNING

(Answers follow numbered requests on Operational Guide Checklist)

1. Proposal is to enlarge existing store into a new mini mart grocery store and install fuel pumps (later date). ***(No details on fuel as fuel will be added at a later date and information regarding size, number and location of tanks will be provided by company who will design and install at a later date and not a part of Jerry M Irons contract. Best estimate by Irons would be 3 gasoline, regular, med, and premium and 1 tank for diesel size of tanks unknown)***
2. Store operates 12 months each year , 7 days per week, from 6:00 Am to 12:00 PM, 18 hours per day with earlier or later hours during peak agricultural season from 4:00 AM to 12:00 PM . There are no special activities. All trade is inside store. ***(Store hours from 6:00 AM to midnight 12:00 PM.)***
3. We estimate customers and/or visitor at 700 off harvest season with maximum per day at 1200 peak harvest. Mostly early "to work", noon lunch and evening "after work".
4. Employees vary from 8 to 10 depending on harvest peaks and lows. Two live in mobile behind store. As far as how many hours worked each day or week is not known for the most part the employees are family and rotate. ***(Two employee/relatives live in mobile home to rear to be removed prior to start of construction on store building) (There are no expansion of future employees foreseen in the near future.)***
5. Store does not deliver. Family owned pickups are used to pick up merchandise and deliver back to store. Rack jobbers deliver and stock stores with perishables. ***(Expected 4 to 6 rack jobbers and owner pickup deliveries to store 4 to 6 days per week depending on seasons with more in summer for beverage deliveries.) (See #1 above regarding fuel)***
6. Access to site is off Highland Avenue and Conejo Avenue on paved road onto paved parking lots.***(Entry and exit on Conejo Avenue only as per CalTrans).(Site plan shows extension of Conejo eastbound left turn lane into store site as per CalTrans and owners and designers.)***
7. At this point it appears to be around 12 marked parking spaces but new building will have required parking spaces for handicap and number of regular, compact and bicycle spaces as required for this type of business. All onsite parking will be paved with asphalt paving material. ***(See attached site plan.)***
8. All goods and merchandize will be sold on site. No goods are grown by owners and sold on site. Fresh vegetables and fruits are purchased and delivered to store by fresh fruit and vegetable wholesale companies. This is an all enclosed grocery store. ***(See #1 above regarding fuel.)***
9. No farming equipment is on site. ***(See #1 above regarding fuel.)***
10. No growing or growing materials on site.

**EXHIBIT 9**

11. All merchandise is stocked in shelves designed for that express purpose. Refrigeration storage is used for all merchandise needing refrigeration and inside store
12. Solid waste is deposited in franchised waste hauling companies franchised by County of Fresno. Waste/used grease from deep fryers is deposited in sealed containers and picked up on a regular basis by contract haulers on regularly scheduled basis. Grease in sealed containers temporarily stored in concrete block waste/trash bins with concrete block walls and concrete floors.
13. An estimate of 25 gallons per day per employee. Source of water is partially by bottle and balance from private well system. ***(Water for new site will be provided by a new to be drilled on store parcel during store construction which will be designed with adequate capacity for fire water suppression system as well with well drilled and operable prior to opening of store).***
14. Advertising by painted signs on building, some lighted, temporary posters in windows, outside temporary Lotto signs with some outside special soda and beer signs.
15. A completely new "stick built" stucco finished structure with parapet walls and roof of white elastomeric finish over felt, composition rolled and sealed material. At this point in time it is expected the building, including parapet walls to be 20' in height with decorative "pop outs", stucco covered. Final paint color will be in lighter tones to reflect sun.
15. The outside perimeter 40' x 80 , rectangular shaped structure is being designed with entry as on site plan, double glass doors. After entry, two cash register stands on either side of doors. Kitchen on the south wall. The north wall will house a 13 door 10' or 12' walk-in box. Along the west and east walls will have soda dispensers, coffee and slurpee machines with frozen ice cream chest freezers and several stand up double door freezers and refrigeration units. The middle will have 48" dual sided all metal gondolas with the ends designed for rack jobber merchandise. Ceilings at 10' height with 2' x 4' panels in metal painted frames housing Title 24 lighting and washable panels over areas in food prep areas. Inside main store area will be cooled and heated by high energy efficient equipment under current T-24 specifications.
16. Entire building under roof will be used in operation.
17. Outside lighting will meet Fresno County parking lot standards for this type of structure and building plus meeting T-24 lighting requirements for safety and efficiency.
18. Landscaping will be minimum to conserve water with low water requirement plantings controlled by clock timers and drip water system.
19. Owners will build and furnish for longevity as business is usually passed from father to son. For example all floors shall be of tile and counters of granite. Walls primed and painted with quality semi-gloss paint able to withstand many washings.
20. Owner of large parcel remaining APN 393-280-84S is Salam Obadi Kassim and Kassim Obadi Saleh.  
Owner of APN 393-280-77S, Lee's Market, is Kassim Obadi Saleh Mohamed with site address 14940 S Highland Ave, Selma, CA, 93662

March 17, 2017

To: Fresno County Planning Department  
Re: CUP #3281

Attn: Chrissy Monfette, Planner

Findings 1 and 2: Information in support of exceptional or extraordinary circumstances/substantial property rights:

"There are exceptional circumstances applicable to this property in that this grocery store has been operated for over 45 years. The store has been leased by the owner to various store operator for this many years until a sale to the present owner(s) in 1994 who have operated continuously until present date.

The Variance is necessary for the preservation of a substantial property right in the store which existed prior to the purchase by the past owner in 1956 and the store existed prior to the establishment of the zoning for this property. The present minimum parcel size is 20 acres.

Findings 3 and 4: Information in support of exceptional or extraordinary circumstances:

The granting of this Variance will not be detrimental to the public welfare because the only change taking place is a new store building, fire safety water tanks, improved leach field and a ponding recharge basin utilizing lost water from runoff

The granting of the Variance is not contrary to the objectives of the General Plan. Replacement of dilapidated and inefficient energy users is preferable to existing properties of this nature.

##



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Obadi Kassim
- APPLICATION NOS.: Initial Study Application No. 6205, Conditional Use Permit Application No. 3281, and Variance Application No 4023
- DESCRIPTION: Allow an Agricultural Commercial Center consisting of a market with fuel sales and allow the creation of a 2.36-acre parcel and a 16.32-acre parcel from a 0.53-acre parcel and an 18.15-acre parcel by means of a property line adjustment in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The subject property is located on the northeast corner of Conejo Avenue and Highland Avenue (SR 43) and is approximately 2 miles southwest of the nearest city limits of the City of Selma. (APN: 393-280-77S and 393-280-84S) (SUP. DIST.: 4) (14942 S. Highland Avenue, Selma, CA)

### I. AESTHETICS

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

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

FINDING: NO IMPACT:

The project site is located in a mainly agricultural setting with single-family residential units supporting the agricultural parcels. The existing 0.53-acre parcel is currently improved with a non-conforming market and mobile home. The existing 18.15-acre parcel is improved with a single-family residence and vineyard. The parcels to the north, east, and south are actively farmed and the parcel to the west is utilized for grazing. The proposal will not have an impact on scenic vistas as none were identified on or near the project site. Additionally, no scenic resource including, but not limited to, trees, rock outcroppings, and historic building exist on or near the property. The project site is not located on or near an identified State scenic highway.

- 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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed development will include a market, fuel canopy, 12 gasoline pump dispensers, two 8,000 gallon underground storage tanks, and one 20,000 gallon underground tank. According to the applicant's operational statement, the building will have stucco siding and a white finish on the roof. The final color of the building will be in lighter tones to reflect sun. The surrounding areas of the project site are mainly agricultural with the nearest single-family residence being approximately 246 feet to the east of the project site. Entrance and exit to the project site is limited to Conejo Avenue. The project is proposed to have an eight-foot wide landscape bed along the Highland Avenue and Conejo Avenue frontages. Considering the existing site aesthetic, the proposed market will not substantially degrade the existing visual character or quality of public views of the site and its surroundings as the new market is being proposed to be aesthetically pleasing with landscaping along the road frontages and an up-to-date market façade.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Development of this proposal could generate new sources of light and glare resulting from outdoor lighting around the building, fueling states and parking and circulation areas. However, these impacts will be reduced to less than significant with a mitigation measure which would require all outdoor lighting to be hooded and directed downward as to not shine toward adjacent property and public streets.

\* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets and roadways.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An existing non-conforming market (proposed to be removed) is currently located on a 0.53-acre parcel which is proposed to be enlarged to 2.36 acres by means of a property line adjustment (PLA) between the existing 0.53-acre parcel (APN: 393-280-77S) and an adjacent 18.15-acre parcel (APN: 393-280-84S). The adjacent 18.15-acre parcel is currently under Agricultural Land Conservation Contract No. 5261. The Policy Planning Section of the Development Services and Capital Projects Division required that the 1.83 acres being taken from the 18.15-acre parcel must be removed from the contract. The project was brought before the Agricultural Land Conservation Committee on December 5, 2018 regarding the partial cancellation of Williamson Act contract to allow the Agricultural Commercial Center. A unanimous vote was made by the committee to recommend approval of Partial Cancellation of ALCC No. 5261 to the Board of Supervisors. With the partial cancellation being recommended, the project is not seen as conflicting with existing zoning for agricultural use or a Williamson Act Contract. Although the project site is designated Prime Farmland according to the Fresno County 2014 Important Farmland Map, an existing market and mobile home are currently present and site has not been actively farmed. Due to the size of the project site, the parcel is not considered viable for an agricultural operation. The portion of the 18.15-acre parcel being given to the project site is designated Prime Farmland, but is currently vacant and not being actively farmed.

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

FINDING: NO IMPACT:

The project site is not located in forest land, timberland or timberland zoned Timberland Production. Therefore, the project will not conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production and will not result in the loss of forest land or convert forest land to non-forest use.

- 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 forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site currently has a non-conforming market and single-family residence on the property. The project site will increase in size and take acreage from the adjoining property. The adjoining property is a farmed property with a single-family residence. Although the project site is taking acreage from the adjoining farmed property, it is not seen as conversion of farmland as the portion that is being taken is currently vacant and has not been actively farmed for a number of years.

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; or
- 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: NO IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has reviewed the subject application and did not express any concerns with regards to any conflicts with or obstruction for the implementation of the applicable Air Quality Plan. Additionally, SJVAPCD did not express any concerns with regards to a cumulatively considerable net increase of any criteria pollutants under any applicable federal or state ambient air quality standard.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

The nearest sensitive receptor would be a single-family residence approximately 246 feet east of the project site. The SJVAPCD did not express any concerns with regards to exposure of substantial pollutant concentrations to sensitive receptors nor did they comment on emissions that would adversely 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?

FINDING: NO IMPACT:

The project site is located in an agricultural area and has been previously disturbed by agricultural operations and the existing built uses on the project site. Due to the agricultural operations and the already improved parcels, the project site is not seen as providing habitat for state or federally listed species. The project was referred to the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) for review and comments. Neither agency expressed any concern with the proposed project.

- 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?

FINDING: NO IMPACT:

The project site is not located on or near a riparian habitat or sensitive natural community. According to the National Wetlands Inventory, the project site is not located on or near a state or federally-protected wetlands.

- 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:

As stated above, the project site is located in a mainly agricultural area the is already improved with a non-conforming market and mobile home. The project is not seen as interfering with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impeded 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; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources. Additionally, the project will not conflict with 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 project site has been improved with a non-conforming market and a mobile home and is located in an agricultural area which experiences ground disturbance on an occasional basis. Ground disturbance has already occurred due to the past improvements and no know historical resources, archaeological resource or human remains have been located on the property. No historical resource or archaeological resource has been identified near the project site. Although unlikely, mitigation measures will be incorporated to reduce impacts to cultural resources in the event any resource is unearthed during the construction of the project.

\* **Mitigation Measure(s)**

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

## 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 WITH MITIGATION INCORPORATED:

Mitigation Measures will be implemented to avoid potential environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction. Idling of onsite equipment and vehicles will be avoided to the most possible extent to avoid wasteful consumption of energy resources. If approved, current building code practices will be implemented during the plan checking and building permitting phase to ensure operation of the project will not be wasteful, inefficient or unnecessary in consumption of energy resources.

\* **Mitigation Measure(s)**

1. *Idling of onsite equipment and vehicles shall be avoided to the most possible extent, to prevent wasteful consumption of energy resources.*

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

FINDING: NO IMPACT:

The project is expected to not conflict with or obstruct state or local plans for renewable energy or energy efficiency. This will be seen through current building code practices that promote energy efficiency.

## 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?

FINDING: NO IMPACT:

According to the Earthquake Zone Application (EQ Zapp) administered by the California Department of Conservation, the project site is not located in an area with an identified rupture or a known earthquake fault.

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

FINDING: NO IMPACT:

According to Figure 9-5 and 9-6 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located in an identified area of strong seismic ground shaking hazards, seismic-related ground failure hazards, or landslide hazards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will result in compaction and covering of soil due to construction activities and the proposed construction of new buildings. Changes in topography and erosion could also result from grading for the project. According to the Development Engineering Section of the Development Services and Capital Projects Division, the project will require 1) an Engineered Grading and Drainage Plan to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties; 2) a site plan review to ensure compliance with grading and drainage requirements and other development standards, such as adequacy of parking, circulation, ingress and egress; and 3) a Grading Permit or Voucher is required for any grading proposed with this application. The requirements will be included as Project Notes and will be addressed through mandatory Site Plan Review.

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; or

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:

The project is not located in an area of known risk of landslide, lateral spreading, subsidence, liquefaction or collapse. Additionally, the project site is not located in an area of known risk for expansive soils. The Development Engineering Section of the Development Services and Capital Projects Division did not express any concerns regarding soil suitability for the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and required a sewage feasibility analysis/engineered septic design for the project. A Sewage Disposal Feasibility Study (KA Project No. 012-17235) was prepared by Krazan and Associates Inc, and dated April 13, 2018. The

Department reviewed the Study and approved it. Along with approval of the Study, prior to issuance of building permits for each structure connected to an Onsite Wastewater Treatment System (OWTS), specific design and capacity details for the OWTS (Sewage Disposal Design submitted by Krazan and Associates, Inc., May 30, 2018 shall be approved by either the California Regional Water Quality Control Board or the Fresno County Public Works and Planning depending on oversight jurisdiction (dependent on the OWTS capacity/daily flow rates). This shall be included as a Project Note.

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

FINDING: NO IMPACT:

No paleontological resource or geologic resource was identified on the project site. As stated before, the project site has experienced previous ground disturbance from improvements related to the non-conforming market and mobile home. Any stated resource, paleontological or geologic, may have been removed or destroyed during construction of the previous improvement and therefore no impact is seen.

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

FINDING: NO IMPACT:

The San Joaquin Valley Air Pollution has reviewed the project and did not express any concerns regarding greenhouse gas emissions.

#### VIII. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION MEASURES:

The Fresno County Department of Public Health, Environmental Health Division has reviewed the subject application and has offered comments in regards to the proposal. The offered comments will be implemented through project notes and Mitigation Measures.

- If the applicant decides to construct an aboveground petroleum storage tank, a spill prevention control and countermeasure plan (SPCC) is required for aboveground petroleum storage tanks with greater than or equal to 1,320 gallons of storage capacity
- If the applicant decides to construct an underground petroleum storage tank, prior to issuance of building permits, the applicant shall submit three sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division;
- Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. The default State reporting thresholds that apply are  $\geq 55$  gallons (liquids),  $\geq 500$  pounds (solids),  $\geq 200$  cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances;
- All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5).
- In the process of demolishing the existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead based paint;
  - If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District
  - If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or remodel work the contractor should contact the following agencies for current regulations and requirements, California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, and State of California, Industrial Relations Department, Division of Occupational Safety and Health
  - Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state and local requirements.



\* **Mitigation Measure(s)**

1. *Should the structure have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure in order to prevent the spread of vector to adjacent properties.*
  2. *In the process of demolishing the existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead based paint;*
    - a. *If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District.*
    - b. *If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or remodel work the contractor should contact the following agencies for current regulations and requirements, California Department of Public Health, Childhood Lead Poisoning Prevention Branch; United States Environmental Protection Agency; and the State of California, Industrial Relations Department, Division of Occupational Safety and Health.*
    - c. *Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state and local requirements.*
- 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: NO IMPACT:

The project site is not located within one-quarter-mile of a school.

- 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 a generated NEPAssist Report for the project area, the project site is not located on or near a hazardous materials site.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project 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 located in the vicinity of a public airport or private airstrip.

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

FINDING: NO IMPACT:

The project will not impair implementation or physically interfere with an adopted emergency response plan.

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

FINDING: NO IMPACT:

The project site is not located on or near any identified area that is susceptible to wildland fires.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Works and Planning, Water and Natural Resources Division has reviewed the subject application and did not express any concerns with regards to water quality standards or groundwater supplies. The Department of Public Health, Environmental Health Division and the State Water Resources Control Board, Division of Drinking Water-Fresno District, commented that the project will be considered a Public Water System and that the Applicant shall submit an application for a permit to operate a Public Water System and supporting information, in the form of a technical report, to the State Water Resource Control Board, Division of Drinking Water-Fresno Division for review. Approval for the permit will require demonstration of Technical, Managerial, and Financial (TMF) Capacity as well as documentation of the services of a State-Certified Water Distribution Operator, and shall be obtained prior to occupancy. In addition, if a new water well for domestic use is being proposed, the well must be constructed in accordance with the California Well Standards and County Well Requirements. The State Water Resources Control Board also required that the well must demonstrate compliance with all applicable water quality criteria under the California Safe Drinking Water Act. A transient noncommunity water system must monitor for the constituents and comply with the nitrate maximum contaminant level.

The well must also be free of coliform bacteria. The monitoring must be conducted and the results submitted with the permit application. With these requirements being incorporated as project notes, the project is seen as having a less than significant impact.

- 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 result in substantial erosion or siltation on or off site?
1. Result in substantial erosion or siltation on- or off-site?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 7-3 and 7-4 of the FCGPBR, the project site is not located on or near an identified erosion hazard area. Additionally, the Development Engineering Section of the Development Services and Capital Projects Division requires that an Engineered Grading and Drainage Plan be completed to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties.

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Development Engineering Section of the Development Services and Capital Projects Division requires that an Engineered Grading and Drainage Plan be completed to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties. Additionally, the Applicant is proposing to build a ponding basin to reduce any risk of flooding.

- i. Impede or redirect flood flows?

FINDING: NO IMPACT:

According to FEMA FIRM Panel 2650H, the project site is not subject to flooding from the 100-year storm, therefore no impact is seen on impeded or redirecting flood flows.

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

FINDING: NO IMPACT:

According to FEMA FIRM Panel 2650H, the project site is not subject to flooding from the 100-year storm. The project is not located near a body of water that would cause concern for tsunami or seiche zones.

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

FINDING: NO IMPACT:

The State Water Resources Control Board, Department of Public Health, Environmental Health Division and the Water and Natural Resources Division of the Department of Public Works and Planning did not express any concerns with regards to implementation of a sustainable groundwater management plan. As stated in Section X. Hydrology and Water Quality A. and B., the requirements set forth by the State Water Resources Control Board and the Department of Public Health, Environmental Health Division, will involve the applicant to apply for permits and meet water quality standards. Therefore, no conflict or obstruction of a water quality control plan is seen.

## 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.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is designated as Agriculture in the Fresno County General Plan. The proposed non-agricultural use is allowed by the County General plan provided that the use meets General Plan Policy LU-A.3, Criteria a., b., c., and d.

Criteria LU-A.3.a. states that the use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operations characteristics. Criteria LU-A.3.b. states that the use should not be sited on productive agricultural lands if less productive land is available in the vicinity. Criteria LU-A.3.c. states that the operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use of management of surrounding properties within at least one-quarter (1/4) mile radius and Criteria LU-A.3.d. states the a probable workforce should be located nearby or be readily available.

With regards to Criteria “a”, the proposal will allow a market and gas station to replace the existing non-conforming market. This use will provide a service to the surrounding agricultural area where the most similar use is approximately 2.9 miles north of the project site. With regards to Criteria “b”, the project site is already improved with an existing non-conforming market and mobile home. Portions of the adjacent property that is proposed to be given to the project site is not being actively farmed and is currently vacant. With regards to Criteria “c”, the State Water Resources Control Board, the Department of Public Health, Environmental Health Division, and the Water and Natural Resources Division of the Department of Public Works and Planning, have reviewed the subject application and set forth requirements in addressing water resource management. With regards to Criteria “d”, the project site is located approximately 1.98 miles from the nearest city limits of the City of Selma and is also located approximately 2.95 miles from the city limits of the City of Kingsburg. Both cities can be considered for a probable workforce for the proposed project.

General Plan Policy LU-A.12 states that in adopting land uses policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses. With regards to Policy LU-A.12, the existing non-conforming market has been on the subject property for a number of years. The Fresno County Zoning Ordinance allows for an Agricultural Commercial Center through the Conditional Use Permit process with the intent of providing agricultural and rural residential communities with necessary services.

General Plan Policy LU-A.13 states that the County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations. With regards to Policy LU-A.13, adequate buffers are required through front yard, side yard, and rear yard setbacks. Review of the proposed site shows that setbacks are in excess of what is required and therefore no conflict with agricultural and nonagricultural uses are seen.

General Plan Policy LU-A.14 states that the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. With regards to Policy LU-A.14, the Policy Planning Section of the Development Services and Capital Projects Division has reviewed the application and determined that partial cancellation of ALCC No. 5621 is required to move forward with the application. At the Agricultural Land Conservation Committee meeting on December 5, 2018, a unanimous vote was made by the Committee to recommend approval of the partial cancellation to the Board of Supervisors.

General Plan Policy HS-B.1 states that the County shall review project proposals to identify potential fire hazards and then evaluate the effectiveness of preventive measures to reduce the risk to life and property. The Fresno County Fire Protection District has reviewed the subject application and has provided comments that address fire hazards and preventive measures to reduce risk to life and property.

General Plan Policy HS-F.1 states that the County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in

accordance with applicable hazardous materials and waste management laws and regulations. See Section VIII. Hazards and Hazardous Materials A. and B. for discussion and comments provided by the Department of Public Health, Environmental Health Division that address hazardous materials and hazardous wastes.

General Plan Policy HS-F.2 states that the County shall require that applications for discretionary development projects that will use hazardous materials or generate hazardous waste in large quantities include detailed information concerning hazardous waste reduction, recycling, and storage. The Department of Public Health, Environmental Health Division has reviewed the application and has provided comments that address the generation of hazardous waste and use of hazardous materials.

## 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:

According to Figure 7-7 of the FCGPBR, the project site is not located on or near any identified mineral resource location.

## XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As there is already an existing market on the subject parcel, a minor increase in ambient noise levels could occur with the proposed market and gas station. The project will be required to adhere to the County of Fresno Noise Ordinance. The Department of Public Health, Environmental Health Division has reviewed the subject application and did not express any concerns with regards to noise levels.

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of a private airstrip or public airport.

#### 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)?

FINDING: NO IMPACT:

The project is not seen as inducing substantial unplanned population growth. As the existing use is similar to the proposed use, no unplanned population growth is expected.

- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed use will remove the existing mobile home that is currently occupied with two residents, which is not a substantial amount of people and the one existing mobile home is not considered a substantial amount of housing. Therefore, although housing and people will be displaced, the displacement will not necessitate the construction of replacement housing and the impact will be less than significant.

#### 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 public services?

- 1. Fire protection;

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District (FCFPD) provided comments for the subject application, but did not express any concerns with regards to 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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives. The subject comments received from the Fresno County Fire Protection District will be included as project notes:

- a. The Project shall comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving the FCFPD conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno Public Works and Planning for review. It is the Applicant’s responsibility to deliver a minimum of three sets of plans to the FCFPD.
- b. The project/development shall annex to Community Facilities District No. 2010-01 of the FCFPD. The project/development also will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

2. Police protection;

FINDING: NO IMPACT:

The Fresno County Sheriff-Coroner has reviewed the subject application and did not express any concerns with the project.

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project site already contains an existing market and the proposal is not expected to impact school, parks or other public facilities.

## 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 increase the use of existing neighborhood parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Also the project will not require the construction of new recreational facilities or the expansion of recreational facilities which might have an adverse physical effect on the environment.

XVI. 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. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Regulatory changes to the CEQA guidelines that implement Senate Bill 743 (SB743) were approved on December 28, 2018. July 1, 2020 is the statewide implementation date and agencies may opt-in use of new metrics prior to that date. A Traffic Impact Study was completed for the subject application on January 11, 2018 and was reviewed by the appropriate Departments prior to the statewide implementation date. Therefore, project specifics and data relating to the Traffic Impact Study are considered under the previous guidelines.

The Traffic Impact Study performed by Peters Engineering Group focused on the anticipated effect of vehicle traffic that would be generated by the project. The report included analysis of the Highland Avenue and Conejo Avenue intersection and site access from Conejo Avenue. The Traffic Impact Study indicated that the studied intersection is currently operating at acceptable levels of service and is expected to continue to operate at acceptable levels of service with construction of the project through the year 2038. A queueing analysis did not reveal concerns related to storage or blocking of adjacent lanes. The Traffic Impact Study concluded that the project will not cause a significant impact related to transportation. The California Department of Transportation, the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, and the Design Division of the Department of Public Works and Planning, reviewed the subject Traffic Impact Study and generally agreed with the conclusions.

Additionally, under the current CEQA Guidelines, the project is seen as reducing Vehicle Miles Traveled (VMT) by providing a service located in the midst of agricultural operations and the residential units that support the agricultural industry. The next closest market and gas station is approximately 2.9 miles north of the proposed project. The closest after that is approximately 3.6 miles east in the City of Kingsburg.

- 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: LESS THAN SIGNIFICANT IMPACT:

The California Department of Transportation (CalTrans) has provided comments regarding the design of the project:

- It is recommended that the existing westbound left-turn lane remain unchanged.
- The project proponent shall install “No Parking” signs along the project frontage on State Route 43 (Highland Avenue).
- A physical barrier such as landscape or equivalent should be provided to discourage vehicles from accessing State Route 43 (SR 43). An Encroachment Permit will be required.
- An irrevocable offer of dedication of 43 feet shall be made prior to issuance of a Caltrans Encroachment Permit.

With these requirements being incorporated as conditions of approval and project notes, hazards due to design features are reduced to a less than significant impact.

The Road Maintenance and Operations Division and the Design Division have requested that the left-turn lane be increased to 75 feet to account for truck and trailer storage. This request is reflected in the site plan.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Caltrans, the Road Maintenance and Operations Division and the Design Division did not express any concerns with regards to emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project 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 WITH MITIGATION INCORPORATED:

Participating California Native American tribes were notified and given the opportunity to enter consultation with the County of Fresno for the proposed project. On September 14, 2017, County staff received a request for consultation from the Dumna Wo Wah Tribal Government. A response was sent on September 19, 2017 to recognize the request for consultation and establish a meeting date at the earliest convenience. Although meetings with the Dumna Wo Wah tribe were conducted, no document or record was produced from the Dumna Wo Wah tribe that identified the presence of tribal cultural resources on the project site. On July 16, 2018, County staff sent an email to the Dumna Wo Wah representative indicating that no tribal cultural resource has been identified and no evidence has been received suggesting otherwise. County staff provided a due date to allow additional time for the Dumna Wo Wah tribe to present information with regards to the presence of a tribal cultural resource. No response was received on or after the due date. Therefore, consultation with the Dumna Wo Wah tribe had ended with no tribal cultural resources identified. A mitigation measure will be implemented to ensure that in the event that a tribal cultural resource or other cultural resource be identified during the construction of the project, steps will be incorporated to ensure impact to those resources are mitigated.

\* **Mitigation Measure(s)**

1. *See Section V. Cultural Resources A., B., and C., Mitigation Measures*

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:

The Applicant will be required to submit an Engineered Grading and Drainage Plan to address any storm water drainage system. The Applicant has also proposed to construct a ponding basin which will be addressed in the Engineered Grading and Drainage Plan. A new water well for domestic use will be permitted and monitored by the Environmental Health Division and the State Water Resources Control Board. A new wastewater treatment system is proposed and will be reviewed and permitted by

the Building and Safety Section of the Development Services and Capital Projects Division.

The Environmental Health Division has requested that a Sewage Feasibility Analysis be completed for the project.

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

FINDING: NO IMPACT:

The Water and Natural Resources Division, the State Water Resources Control Board, and the Environmental Health Division did not express any concerns with regards to sufficient water supplies. The project is expected to use a similar volume of water as the existing use.

- 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: NO IMPACT:

The project site will be serviced by a new onsite wastewater treatment system and will meet capacity and setback requirements set forth in the Fresno County Local Area Management Plan.

- 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?
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Applicant anticipates that a half (1/2) ton of solid waste per week will be accumulated from the project. They are also anticipating that half (1/2) ton of waste will be recycled. The solid waste disposal will be through the private waste collection company that is contracted for the area. No reviewing Department expressed concerns with regards to the generation of solid waste or any conflicts with federal, state or local management related to solid waste.

## XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located in or near a state responsibility area or near land classified as very high fire hazard severity zones.

## 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: NO IMPACT:

The project site is located in an agricultural area with single-family residential units pocketed throughout the area. An existing market and mobile home are situated on the project site and will be removed prior to construction of the project. With the level of ground-disturbance and human traffic already present in the area, no potential impacts to any wildlife species or endangered plants are seen. The California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service reviewed the subject application and expressed no concerns with the project.

- 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:**

A Traffic Impact Study (TIS) was prepared to analyze the impact a new market and gas station would have on the intersections of Conejo Avenue and Highland Avenue (SR 43) and the entrance to the project site from Conejo Avenue. The prepared TIS concluded that the proposed project will operate at acceptable levels of service through the year 2038. The analysis also concluded that no concerns related to storage or blocking of adjacent lanes will occur. Caltrans, the Design Division of the Department of Public Works and Planning, and the Road Maintenance and Operations Division of the Department of Public Works and Planning reviewed the subject TIS and agreed with the conclusions.

The Department of Public Health, Environmental Health Division required that a Sewage Feasibility Analysis be completed to analyze site conditions and provide recommendations for the design of the proposed septic system. The Environmental Health Division reviewed the subject application and provided comments in addressing and permitting the sewage disposal system.

Reviewing agencies and the provided studies expressed no concerns with regards to cumulative impacts. Potential impacts to aesthetics, cultural resources, energy, hazardous and hazardous materials, and tribal cultural resources have been identified in the analysis. These potential impacts are addressed through mitigation measures discussed in Section I.D, Section V.A, B. and C., Section VI.A, Section VIII.A and B., and Section XVIII.A.1 and 2.

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

**FINDING: NO IMPACT:**

No environmental effects that could cause substantial adverse effects on human beings, either directly or indirectly were identified in the analysis.

**CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Conditional Use Permit Application No. 3281 and Variance Application No. 4023, 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 Air Quality, Biological Resources, Greenhouse Gas Emissions, Mineral Resources, Public Services, Recreation, and Wildfire.

Potential impacts related to Agricultural and Forestry Resources, Geology and Soils, Hydrology and Water Quality, Land Use Planning, Noise, Population and Housing, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, Hazards and Hazardous Materials, and Tribal Cultural Resources have determined to be less than significant with compliance with the identified Mitigation Measures.

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

TK

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DRAFT

File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: <b>IS 6205</b>	<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): Thomas Kobayashi Planner	Area Code: 559	Telephone Number: 600-4224	Extension: N/A
Project Applicant/Sponsor (Name): Obadi Kassim	Project Title: Classified Conditional Use Permit Application No. 3281 and Variance Application No. 4023		
Project Description: Allow an Agricultural Commercial Center consisting of a market with fuel sales and allow the creation of a 2.36-acre parcel and a 16.32-acre parcel from a 0.53-acre parcel and an 18.15-acre parcel by means of a property line adjustment in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Conditional Use Permit Application No. 3281 and Variance Application NO 4023, 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 Air Quality, Biological Resources, Greenhouse Gas Emissions, Mineral Resources, Public Services, Recreation and Wildfire.  Potential impacts related to Agricultural and Forestry Resources, Geology and Soils, Hydrology and Water Quality, Land Use Planning, Noise, Population and Housing, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, Hazards and Hazardous Materials, and Tribal Cultural Resources have been determined to be less than significant with compliance with the identified Mitigation Measures.  A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, CA.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal –		Review Date Deadline: Planning Commission –	
Date:	Type or Print Signature: Marianne Mollring Senior Planner	Submitted by (Signature): Thomas Kobayashi Planner	

State 15083, 15085

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

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**





# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 4 April 11, 2019

**SUBJECT:** Director Review and Approval Application No. 4564

Allow the construction of a 1,068 square-foot conventional home as a permanent second residence, with a 2,486 square-foot conventional dwelling to remain as a primary residence on a 2.00-acre parcel in the R-R (Rural Residential, two-acre minimum parcel size) Zone District.

**LOCATION:** The subject parcel is located on the south side of West Fairmont Avenue at its intersection with North Tisha Avenue, approximately one quarter-mile north of the nearest city limits and within the Sphere of Influence of the City of Fresno (7317 West Fairmont Avenue) (Sup. Dist. 1) (APN 512-060-14).

**OWNER/  
APPLICANT:** Gail Zack

**STAFF CONTACT:** Jeremy Shaw, Planner  
(559) 600-4207

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Approve Director Review and Approval No. 4564 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan, Floor Plans, and Elevations
6. Public Correspondence: Letters in Opposition

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Rural Residential	No change
Zoning	R-R (Rural Residential, two-acre minimum parcel size)	No change
Parcel Size	2.00 acres	No change
Project Site	N/A	N/A
Structural Improvements	2,486 square-foot single-family dwelling 1,352 square-foot detached garage	The addition of a 1,068 square-foot conventional dwelling as a permanent second residence
Nearest Residence	Approximately 105 feet west of the existing primary residence	The nearest residence to the proposed second dwelling would be approximately 165 feet west
Surrounding Development	Primarily Rural Residential development and some agricultural parcels	No change
Traffic Trips	Residential - one dwelling unit	Residential - two dwelling units; ten additional trips per day
Lighting	Residential	No change
Hours of Operation	N/A	N/A

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

**ENVIRONMENTAL ANALYSIS:**

It has been determined pursuant to Section 15303(a) of the California Environmental Quality Act (CEQA) guidelines that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

**PUBLIC NOTICE:**

Notices were sent to 72 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

A Director Review and Approval (DRA) may be approved only if four Findings specified in Section 872-C of the Fresno County Zoning Ordinance are made by the Director. The Director has referred this application to the Planning Commission per Ordinance Section 872-A.

The decision of the Planning Commission on a DRA Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

The subject parcel was originally created as Lot No. 14 of Tract No. 2931 Garfield Acres, recorded on February 28, 1979. Permits were issued for the existing single-family residence on January 28, 1983, and permits for the existing detached garage were issued March 15, 2014.

This current application is proposing to allow the construction of a 1,068 square-foot conventional dwelling as a permanent second residence, with an existing 2,486 square-foot conventional dwelling to remain as a primary residence on the 2.00-acre subject property.

*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 Rear: 20 feet Sides: 20 feet	Front (north): 175 feet +/- Rear(south): 135 feet +/- Side (west): 100 feet +/- Side (east): 81 feet +/-	<b>Yes</b>
Parking	One space per dwelling unit	No change	Yes
Lot Coverage	No requirements	N/A	N/A

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Space Between Buildings	Six feet	No change	Yes
Wall Requirements	No requirements	No change	N/A
Septic Replacement Area	100 percent for existing system	No change	Yes
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	Proposed septic system is located approximately 150 feet from the existing domestic well	Yes

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

Zoning Section of the Fresno County Department of Public Works and Planning: Septic system density will be limited to one system per two acres. Any new development of less than two acres or second dwelling, will require a nitrogen loading analysis by a qualified professional, demonstrating to the Department that the regional characteristics are such that an exception to the septic system density limit can be accommodated. The Department will refer any analysis to the Regional Water Quality Control Board (RWQCB) for their concurrence and input. Note: A nitrogen loading analysis was completed and approved by this Department on January 29, 2019, in accordance with the Fresno County Local Area Management Program and State law.

Fresno County Department of Public Health, Environmental Health Division: In the case of this application, it appears that the parcel size can accommodate the proposed sewage disposal system and expansion area, meeting the mandatory setbacks and policy requirements as established with the implementation of the Fresno County Tier 2 Local Area Management Plan (LAMP), onsite wastewater treatment system (OWTS) policy and California Plumbing Code.

The project is located within the sphere of influence of the City of Fresno. Any new construction on the parcel should be required to connect to public water and sewer service.

The Applicant is proposing to expand the existing sewage disposal system to serve both dwellings on the subject parcel. It is recommended that the Applicant consider having the septic tanks pumped, and have the tank and leach fields evaluated by an appropriately-licensed contractor. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.

The new expanded sewage disposal system shall be installed under permit and inspection by the Fresno County Department of Public Works and Planning Building and Safety Section.

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

**Analysis:**

Review of the site plan shows that the proposed second residence is located approximately 135 feet from the rear (southerly) property line, approximately 81 feet from the eastern property line, approximately 100 feet from the western property line, approximately 175 feet from the northern property line and approximately 76 feet from the existing primary residence. The proposed second residence meets all setback requirements of the Rural Residential Zone District.

The project was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which determined that the subject parcel could accommodate the proposed septic system, meeting setback requirements as established in the California Plumbing Code and California Well Standards Ordinance. This proposal entails the expansion of an existing septic system to serve both the existing primary and the proposed second residence. Due to the relatively small parcel size, the proposed septic system is subject to new septic system density restrictions per the Local Area Management Program (LAMP) effective May 13, 2018, which regulates the design, installation, and operation of on-site wastewater treatment systems (OWTS). LAMP limits OWTS to one septic system per two acres, and that applicants provide a nitrogen loading analysis, performed by a qualified professional, to the Fresno County Department of Public Works and Planning, which will determine, based on regional characteristics, if an exception can be made.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval and Project Notes attached as Exhibit 1.*

**Conclusion:**

Finding 1 can be made.

*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	Public frontage	No change
Direct Access to Public Road	Yes	The subject parcel has frontage on East Fairmont Avenue	No change
Road ADT		200 vehicles	No change
Road Classification		Local	No change
Road Width		East Fairmont Avenue has an existing right-of-way of 30 feet on either side of the centerline	No change
Road Surface		Paved	No change

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Traffic Trips		Residential - one dwelling unit/10 traffic trips per day	Residential - two dwelling units/10 additional traffic trips per day
Traffic Impact Study (TIS) Prepared	No	N/A	N/A
Road Improvements Required		No	N/A

**Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:**

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No comment.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Fairmont Avenue is a Local road with an existing 30-foot right-of-way south of the centerline. The minimum width for a Local road right-of-way south of the centerline is 30 feet. Fairmont Avenue is a County-maintained road and records indicate that this section of Fairmont Avenue, from Garfield Avenue to the end of the cul-de-sac, has an Average Daily Traffic (ADT) of 200, a paved width of 24 feet, an unknown structural section and is in good condition.

According to FEMA FIRM Panel 1545H, the parcel is not subject to flooding from the 100-year storm.

The subject parcel is located within the Fresno Metropolitan Flood Control District (FMFCD) Boundary.

Typically, any additional runoff generated by the proposed development of this site cannot be drained across property lines, and must be retained on site per County Standards.

A grading permit or voucher may be required for any grading that has been done without a permit and any grading proposed with this application.

Design Division of the Fresno County Department of Public Works and Planning: The proposed project does not generate enough additional traffic trips to warrant the preparation of a Traffic Impact Study, however, as the proposed construction has the potential to block the access point to properties at the east end of Fairmont Avenue, a Traffic Management Plan will be required for the construction phase of the project. Prior to the issuance of building permits, a Traffic Management Plan shall be submitted to the Design Division of the Fresno County Department of Public Works and Planning.

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

**Analysis:**

The subject application is proposing the construction of a 1,068 square-foot conventional home as a permanent second residence, with the existing 2,486 square-foot dwelling to remain as a primary residence. Access to the subject property is via an existing driveway off East Fairmont Avenue.

Based on the above information, and with adherence to the required Traffic Management Plan, staff believes East Fairmont Avenue is adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

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*

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	1.92 acres 2.90 acres	Single-Family Residence Single-Family Residence	Rural Residential	Primary: 220 Secondary: 390 feet
South	2.38 acres	Single-Family Residential	Rural Residential	Primary: 700 feet Secondary: 575 feet
East	2.22 acres	Single-Family Residential	Rural Residential	Primary: 150 feet Secondary: 175 feet
West	2.00 acres	Single-Family Residential	Rural Residential	Primary: 105 feet Secondary: 165 feet

Note: Distances are approximate.

**Reviewing Agency/Department Comments:**

Zoning and Permit Review Section of the Fresno County Department of Public Works and Planning: Any new development of less than two acres or a secondary dwelling will require a nitrogen loading analysis by a qualified professional, demonstrating to the Fresno County Department of Public Works and Planning, that the regional characteristics are such that an exception to the septic system density limit can be accommodated. A nitrogen loading analysis of the subject property was completed and approved by the Fresno County Department of Public Works and Planning on January 29, 2019

Building and Safety/Plan Check Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections will be required for all on-site improvements.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

**Analysis:**

Staff analysis of the proposal did not indicate any privacy or visibility concerns with the placement of the proposed second residence. The proposed second dwelling would be located to the rear of the existing primary dwelling and therefore will be screened from view of East Fairmont Avenue which is located approximately 175 feet to the north and partially screened from neighboring properties to the east, west and south by existing landscaping along the perimeter of the property. However, additional landscaping that is substantially similar to the existing landscaping will be required around the proposed secondary dwelling, and submission of an approved landscaping plan will also be required prior to the issuance of building permits for the proposed second residence. Landscaping will be required to comply with Title 13, Chapter 12, Section 060 of the Fresno County Ordinance Code, pertaining to water-efficient landscaping.

Based on the above information, and compliance with the included Conditions of Approval, staff believes the proposal will not have an adverse effect upon surrounding properties.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Public Comment:**

Staff received ten letters in opposition to this application. The concerns addressed by those in opposition included possible adverse impacts due to a potential increase in traffic resulting from the additional dwelling, increased residential density, impacts to neighboring water supply wells, negative impacts on property values in the vicinity, increase in crime, trespassing, quality of architecture consistent with the character of the neighborhood, increased light and noise, overall quality of life in the neighborhood, and restrictions on the addition of second residences within the community covenants, conditions and restrictions (CC&Rs).

The CC&Rs were not considered in the evaluation of Finding 3, as CC&Rs are a civil matter between and concerning the property owners, and not typically subject to County Ordinance. Additionally, the effect on surrounding property values resulting from the addition of the proposed second residence is unknown and speculative, and was not considered in the evaluation of Finding 3.

Concerns related to traffic impacts will be addressed through performance of the required Traffic Management Plan. Regarding concerns related to a potential increase in residential density, other property owners in the vicinity would be allowed to apply for the addition of a second residence through the same discretionary approval process. Each application is considered on its own merits, and approval of this project should not be considered precedent to the approval of future projects of this type. Section 822.5.A of the Zoning Ordinance establishes the minimum allowable lot size in the Rural Residential Zone District as two net acres, thus no divisions that would create substandard lots would be allowed without the appropriate land use application, public notice and discretionary approval by the Planning Commission. Additionally, the two-acre minimum parcel size for Rural Residential development is established in General Plan policy,



and any request to further subdivide a Rural Residential parcel would be inconsistent with this policy.

**Conclusion:**

Finding 3 can be made.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>Policy LU-H.4 The County shall allow second dwellings, not to be sold as a separate unit, subject to a discretionary permit in areas designated for low-, medium- and medium-high-density residential use, rural residential use, and agricultural or rangeland use. The second dwelling shall be clearly subordinate in size to the primary dwelling.</p>	<p>In this case, the subject parcel is designated Rural Residential in the Fresno County General Plan, which allows by discretionary review the possibility of a permanent second residence. Regarding the size requirement, the new second residence will be 1,418 square feet smaller than the existing primary residence, therefore the project is consistent with this policy.</p>
<p>Policy PF-C.17 The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation.</p>	<p>The project was reviewed by the Water and Natural Resources Division, which determined that the subject property is not within a water-short area, and will therefore not require a water supply evaluation.</p>
<p>Policy PF-D.6 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.</p>	<p>The Fresno County Department of Public Health, Environmental Health Division determined that the subject property is adequate to accommodate the proposed sewage disposal system. The sewage disposal system is subject to the requirements of the Local Area Management Program (LAMP). A nitrogen loading analysis was completed and approved by the Fresno County Department of Public Works and Planning on January 29, 2019, demonstrating that the subject property could accommodate the proposed expansion of the existing septic system.</p>

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated Rural Residential in the Fresno County General Plan, which allows for a second dwelling unit provided it meets the requirements set forth in Policy LU-H.4.

**Analysis:**

Based on these factors, the proposed second residence is consistent with the above-cited policies and therefore consistent with the General Plan.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 4 can be made.

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Director Review and Approval can be made. Staff therefore recommends approval of Director Review and Approval No. 4564, subject to the recommended Conditions of Approval and Project Notes.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to determine the required Findings can be made and move to approve Director Review and Approval No. 4564, subject to the 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 Director Review and Approval No. 4564; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

**Conditions of Approval and Project Notes:**

See attached Exhibit 1.

JS:ksn  
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**Director Review and Approval Application No. 4564  
Conditions of Approval and Project Notes**

<b>Conditions of Approval</b>	
1.	Development shall be in substantial compliance with the approved site plan, floor plans, and elevations.
2.	The proposed residence shall be landscaped in such a manner that is substantially similar to the existing landscaping. The required landscaping, including trees and shrubs, shall be provided on all sides of the proposed second residence to enhance its appearance from adjacent properties. A landscape plan shall be submitted to the Department of Public Works and Planning for approval, prior to issuance of building permits. The landscaping shall be completed prior to occupancy, and shall comply with Title 13, Chapter 12 , Section 060 of the Fresno County Ordinance Code, pertaining to water-efficient landscaping. If the proposed landscape area exceeds 500 square feet in area, the landscaping will be subject to the Model Water Efficient Landscape Ordinance (MWELo) requirements currently in effect.
3.	Prior to the issuance of building permits, a Traffic Management Plan shall be submitted to and approved by the Design Division of the Fresno County Department of Public Works and Planning, and will be required for the construction phase of the proposed development.

Conditions of Approval reference recommended Conditions for the project.

In addition to the above-cited conditions, this application is subject to the following mandatory standards of the Fresno County Zoning Ordinance, Section 855-N-28:

<b>Special Standards</b>	
1.	One parking space, either covered or uncovered, shall be provided for each dwelling unit, as shown on the approved site plan. Each parking space shall be a minimum size of 8-1/2 feet by 20 feet. The parking spaces and the driveway providing access to said parking spaces shall be improved.
2.	Prior to issuance of a building permit, a covenant running with the land between the County and the owner shall be recorded with the County Recorder requiring that one of the dwelling units shall be occupied by an owner of record.  Note: The Department of Public Works and Planning will prepare the Covenant upon receipt of the standard processing fee, which is currently \$243.50.

The following Notes reference mandatory requirements of Fresno County of other agencies and are provided as information to the project applicant

<b>Notes</b>	
1.	This permit shall become void unless there has been substantial development within two years of the effective date of this approval.
2.	The proposed expanded sewage and disposal system shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section.

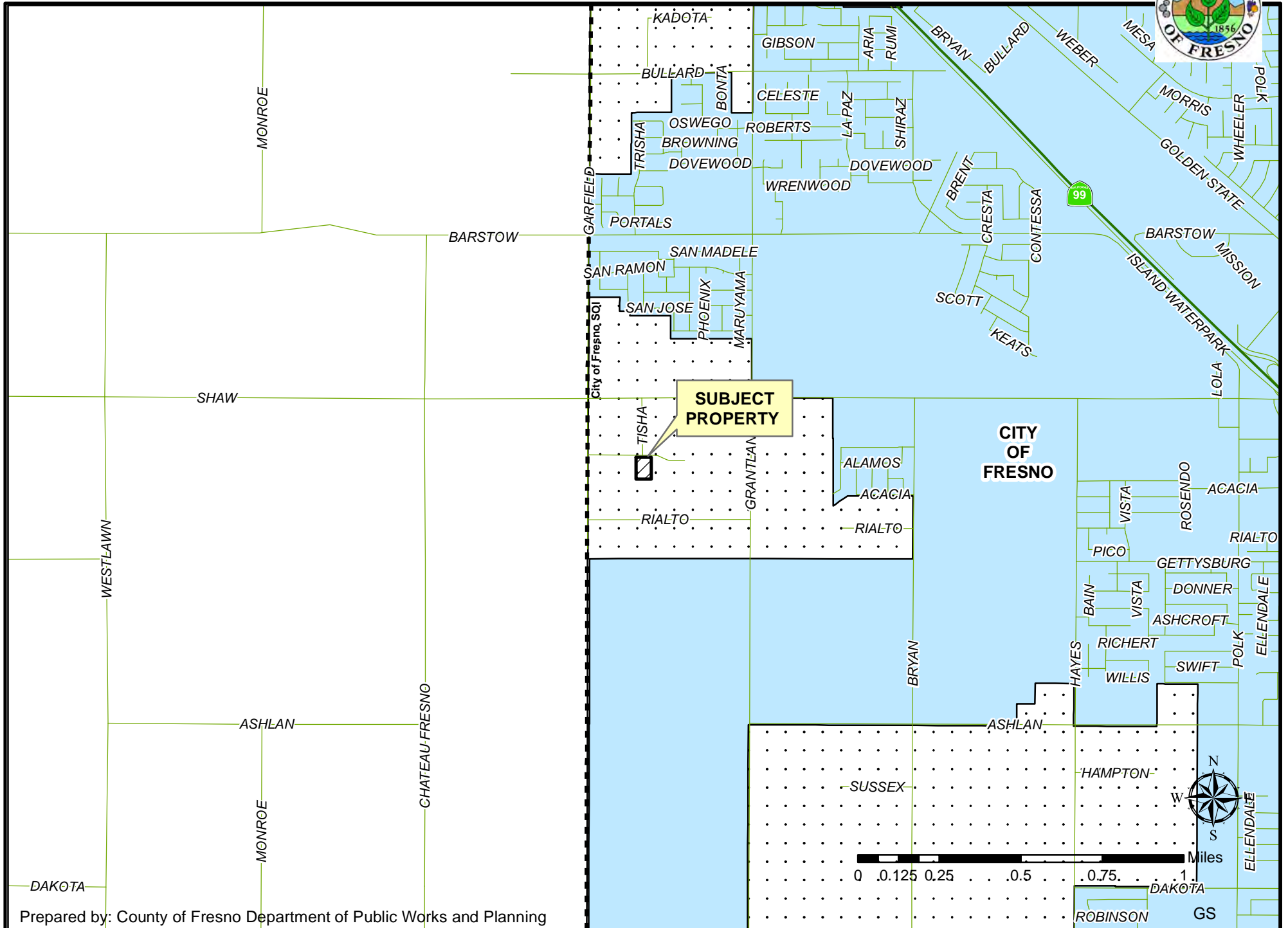
**EXHIBIT 1**

<b>Notes</b>	
3.	Any runoff generated by the proposed development of this site cannot be drained across property lines, and must be retained or disposed of per County Standards.
4.	The project will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
5.	The subject parcel is located within the Sphere of Influence of the City of Fresno. Accordingly, any new development shall be required to connect to public water and sewer service, when available.
6.	The Central Unified District, in which the subject property is located, is authorized by State Law to adopt a resolution requiring the payment of construction fees. The Department of Public Works and Planning, Development Services and Capital Projects Division requires certifications from the school district that the fees have been paid. An official certification form will be provided by the County when an application is made for a building permit.
7.	A grading permit or voucher may be required for any grading that has been done without a permit and any grading proposed with this application.
8.	Plans, permits, and inspections will be required for all on-site improvements.

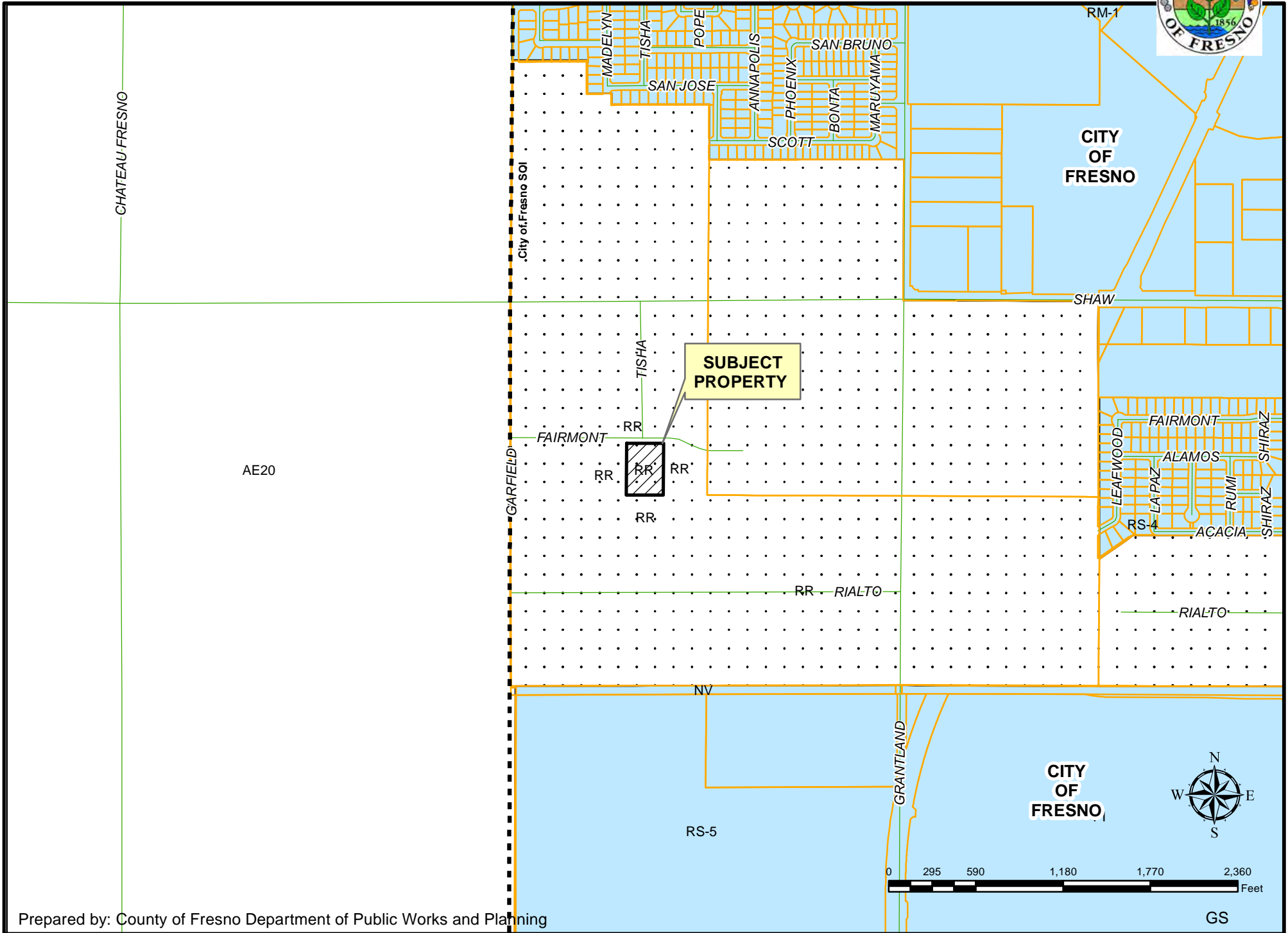
JS:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\DR\4500-4599\4564\SR\DR\4564 Conditions & PN (Ex 1).docx

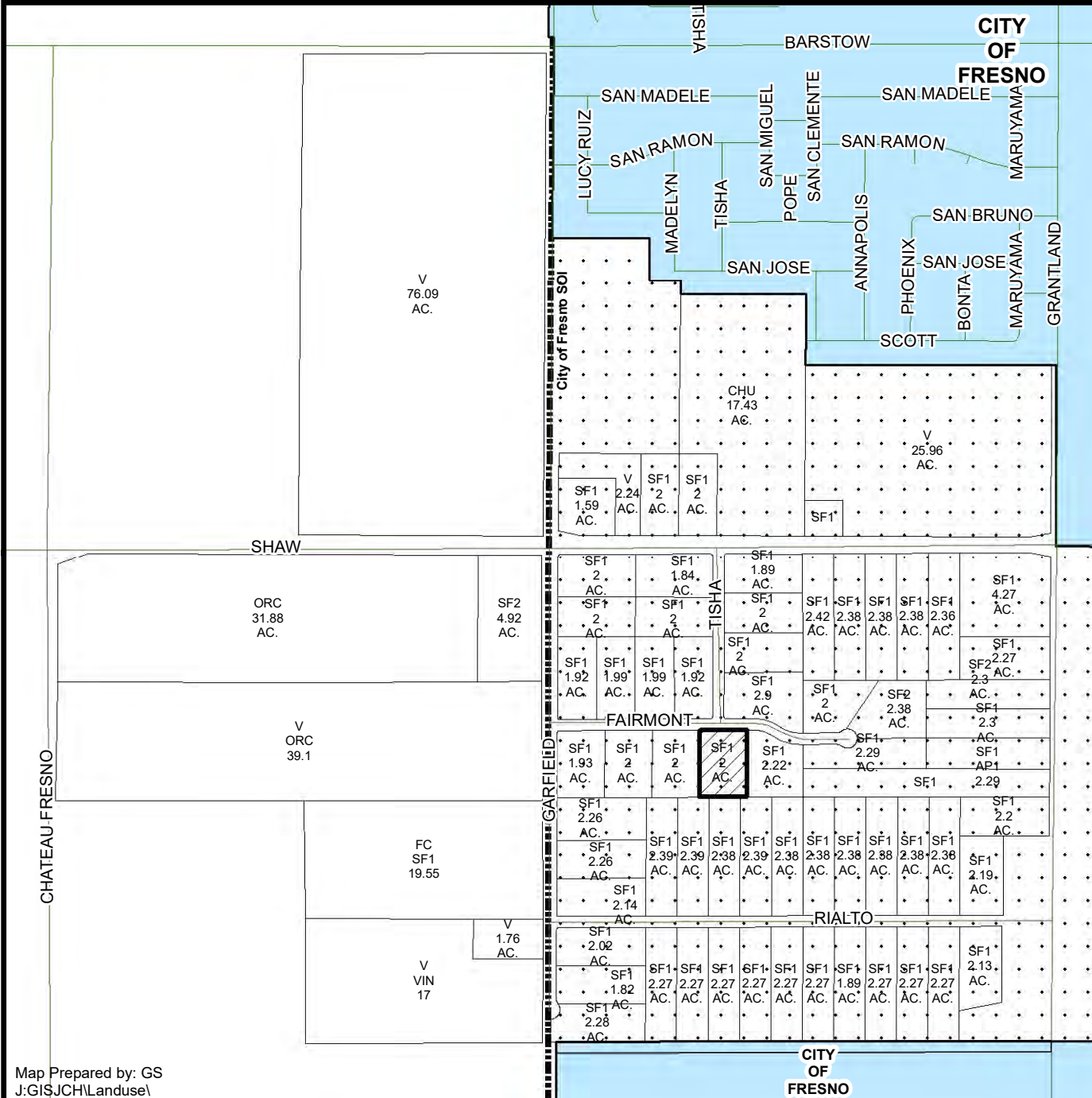
# LOCATION MAP



# EXISTING ZONING MAP



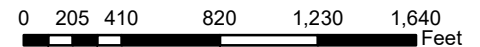
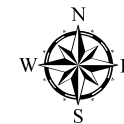
# EXISTING LAND USE MAP



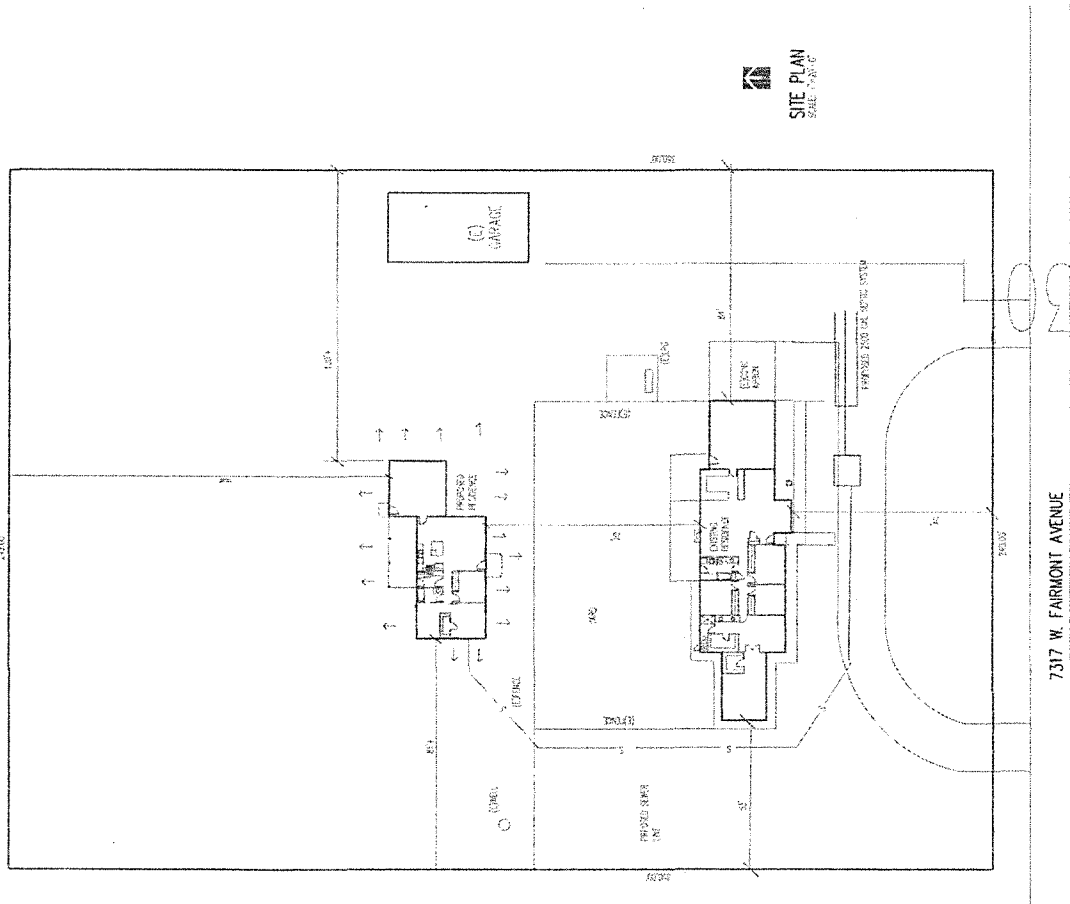
P_LEGEND	
CHU	- CHURCH
FC	- FIELD CROP
ORC	- ORCHARD
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT
VIN	- VINEYARD
AP1	- APARTMENT

**LEGEND:**

- Subject Property
- Ag Contract Land



Department of Public Works and Planning  
Development Services Division



**SITE PLAN**  
 7317 W. FAIRMONT AVENUE

**EXHIBIT 5**



### DOOR SCHEDULE

DOOR TYPE	HARDWARE GROUP	DOOR SIZE
1. SOLID CORE		3'-0" x 7'-0"
2. SOLID CORE		3'-0" x 7'-0"
3. HOLLOW CORE		3'-0" x 7'-0"
4. HOLLOW CORE		3'-0" x 7'-0"
5. HOLLOW CORE		3'-0" x 7'-0"
6. HOLLOW CORE		3'-0" x 7'-0"
7. FULL FRAME		3'-0" x 7'-0"
8. FULL FRAME		3'-0" x 7'-0"
9. FULL FRAME		3'-0" x 7'-0"
10. FULL FRAME		3'-0" x 7'-0"
11. SINGLE		3'-0" x 7'-0"
12. DOUBLE		3'-0" x 7'-0"

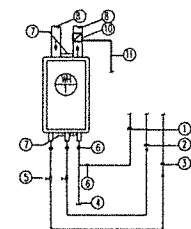
REMARKS:

### HARDWARE GROUP

DOOR TYPE	HARDWARE GROUP	DOOR SIZE
A.	LOOKSET W/ DEADBOLT, PEEPHOLE AND KNOCKER	
B.	LOOKSET W/ AUTO CLOSER	
C.	PASSAGE SET W/ PRIVATE LOCK	
D.	PASSAGE SET	
E.	DUMBY KNOB W/ HADSET OR SHARP LATCH	
F.	RECESSED PULLS - FLOOR GLIDES	
G.	RECESSED PULLS	
H.	RECESSED PULLS W/ LATCH	
I.	DUMBY KNOB	
J.	LOOKSET	
K.	LOOKSET W/ KEY OUTSIDE - THUMB LATCH INSIDE	
L.	AUTO LOCKSET - KEYS OUTSIDE - PASSAGE INSIDE	

NOTES:

- ALL SWINGING DOORS SHALL HAVE BASIC BOARDS WALL MOUNTED DOOR STOPS.
- SOLID CORE DOORS SHALL HAVE THREE HINGES HOLLOW CORE DOORS SHALL HAVE TWO HINGES.
- WATER HEATER DOORS THAT HAVE COMBUSTION AIR VENTS MOUNTED IN THE DOOR SHALL BE SOLID CORE.



- ### LEGEND
- GAS SUPPLY LINE
  - COLD WATER SUPPLY LINE
  - HOT WATER SUPPLY LINE
  - 4" LONG DRIFT LEG
  - BALL VALVE (TYP)
  - UNION (TYP)
  - MOUNTING BRACKET, ATTACH WATER HEATER TO WALL PER MANUFACTURERS RECOMMENDATION
  - DIRECT VENT SYSTEM THRU ROOF OR EXIST W/ RAIN CAP AND WEATHERTIGHT FLASHING
  - GAS VALVE
  - VERTICAL DRAINPIPE MOUNT IN EXHAUST VENT
  - 1/2" DRAIN TUBE ROUTE TO WOP SINK

(A) SURFACE MOUNTED TANKLESS WATER HEATER PIPING

REVISIONS	BY

PROJECT: RESIDENTIAL FLOOR PLAN

john ford drafting and design  
 635 BARSTOWN AVENUE, STE 202, CLOVIS, CA 93612  
 PHONE (559) 325-4375 EMAIL JFD@JFDALLO.COM

G.J. Gardner. HOMES

FILE
DRAWN
DATE
SCALE AS NOTED
SHEET NO. <b>A2</b>

### TITLE 24 REQUIREMENTS

INSPECTOR'S SIGN-OFF REQUIRED

THIS RESIDENCE IS SUBJECT TO THE FOLLOWING MARKED ENERGY SAVING MEASURES PER TITLE 24 (PART 901)

ALL OPERABLE WINDOWS TO HAVE A MAXIMUM U-FACTOR OF 0.29 SHGC 0.21

ALL FIXED WINDOWS TO HAVE A MAXIMUM U-FACTOR OF 0.29 SHGC 0.21

ALL FRENCH WINDOWS TO HAVE A MAXIMUM U-FACTOR OF 0.29 SHGC 0.21

MANUFACTURER'S WINDOW IDENTIFICATION STICKERS MUST BE ON AT TIME OF FRAME INSPECTION

INSULATION DUCT U-VALUE R-2.0  
 WALLS R-13 CEILING R-38 FLOOR R-  
 WALLS R- CEILING R- FLOOR R-  
 TANKLESS WATER HEATER INSTALLED

HOT WATER PIPE 3/4" OR LARGER SHALL BE INSULATED FROM HEAT SOURCE TO KITCHEN FIXTURE

PIPE INSULATION R-4 OR GREATER PIPE INSULATION REQUIRED ON ALL 3/4" OR LARGER PIPING FOR NON-RECIRCULATING SYSTEMS. ATTIC OR WALL INSULATION CANNOT BE SUBSTITUTED FOR PIPE INSULATION

INSTALLATION OF RADIANT BARRIER IN THE ATTIC (INCLUDING ALL PERIMETER SURFACES) NAME OF CERTIFIED RADIANT BARRIER SYSTEM \_\_\_\_\_ TECH SHEET \_\_\_\_\_

SUPPLY REGISTER SHALL BE NO MORE THAN 24" ABOVE THE FLOOR

HERS VERIFIED REFRIGERANT CHARGE

INSTALLATION OF THERMOSTATIC EXPANSION VALVE. INSTALLER TO COMPLETE INSTALLATION CERTIFICATE OF-IR FIELD VERIFICATION REQUIRED BY A CERTIFIED INDEPENDENT HERS RATER WITH COMPLETED OF-IR FORMS

HERS VERIFIED DEER

TESTED DUCT LEAKAGE (REQUIRED FOR COMPLIANCE PACKAGES C40 UNLESS ALI-USED) MINIMUM AIR LEAKAGE. INSTALLER TO COMPLETE INSTALLATION CERTIFICATE OF-IR FIELD VERIFICATION THEN REQUIRED BY A CERTIFIED INDEPENDENT HERS RATER WITH COMPLETED OF-IR FORMS

HERS FIELD VERIFICATION OF INSULATION INSTALLATION

THE COOLING SYSTEM SHALL HAVE A MINIMUM SEER OF 14.0

THE HEATING SYSTEM (AFCU) SHALL BE 9.5

BLOWER DOOR TESTING MINIMUM AIR LEAKAGE ALLOWED \_\_\_\_\_ FIELD VERIFICATION REQUIRED BY AN INDEPENDENT HERS RATER WITH COMPLETED OF-IR FORMS

COMPLIANCE WITH LIGHTING MANDATORY MEASURES

HOUSE WRAP DRYKIT. INSTALLED PER MANUFACTURER'S INSTALLATION INSTRUCTIONS AND MEETS SIX INSTALLATION GUIDELINES PER CCC RESIDENTIAL MANUAL PAGE 8-27. SEPARATE INSPECTION REQUIRED.

ALL HERS CERTIFICATION MUST BE SUBMITTED AND APPROVED PRIOR TO FINAL

### NOTICE TO BUILDER

IT IS THE INTENT OF THIS DESIGNER THAT THESE PLANS ARE ACCURATE AND ARE CLEAR ENOUGH FOR THE LICENSED PROFESSIONAL BUILDER TO CONSTRUCT THIS PROJECT. IN THE EVENT THAT SOMETHING IS UNCLEAR OR NEEDS CLARIFICATION, STOP AND CALL THE DESIGNER LISTED ON THESE SHEETS. IT IS THE RESPONSIBILITY OF THE LICENSED PROFESSIONAL THAT IS CONSTRUCTING THIS PROJECT TO FULLY REVIEW THESE DOCUMENTS BEFORE CONSTRUCTION BEGINS AND ANY AND ALL CORRECTIONS, IF NEEDED TO BE MADE BEFORE ANY WORK BEGINS.

### LANDING NOTE

A. FLOOR AND LANDINGS SHALL BE AT THE SAME ELEVATION ON EACH SIDE OF A DOORWAY. FLOOR LEVEL CHANGES GREATER THAN .75" SHALL BE BEVELLED WITH A SLOPE NOT TO EXCEED 2:1 (50% SLOPE)

B. LANDINGS AT EXTERIOR DOORWAYS CAN HAVE A MAXIMUM .75" CHANGE IN ELEVATION MEASURED FROM THE TOP OF THE THRESHOLD, PROVIDED THE DOOR DOES NOT SWING OVER THE LANDING

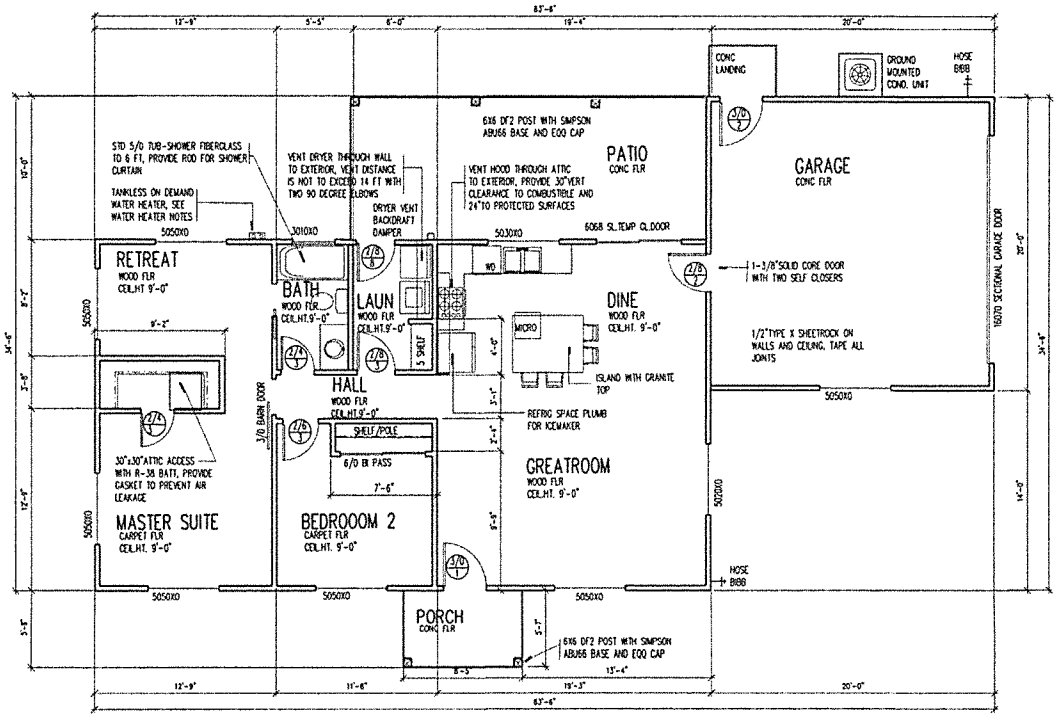
C. THRESHOLD HEIGHT SHALL NOT BE MORE THAN .75" AT SLUING DOORS SERVING DRILLING CHITS, AND NOT MORE THAN .50" FOR ALL OTHER DOORS.

D. THRESHOLDS SHALL BE LIMITED TO 7.75" IN HEIGHT PROVIDED THE DOOR IS AN EXTERIOR DOOR AND DOES NOT SWING OVER THE LANDING. (CCC 1008.6.1)

### FLOOR PLAN

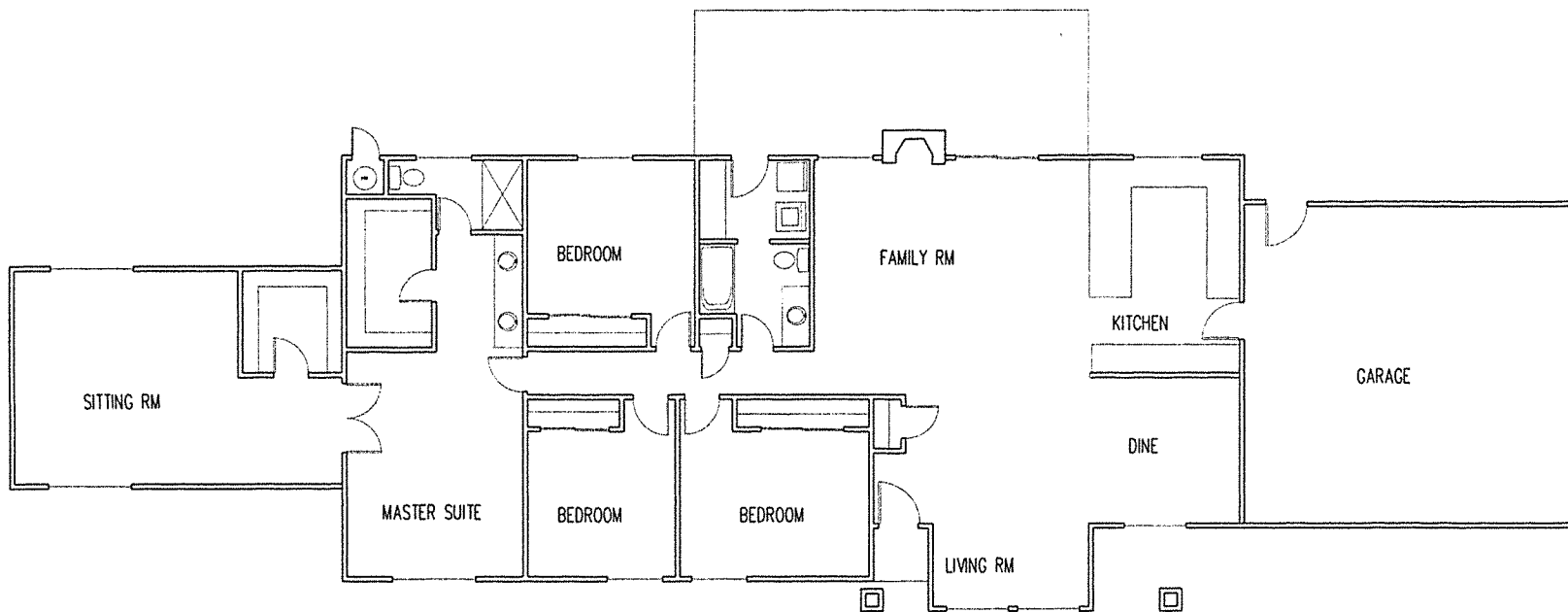
SCALE: 3/4"=1'-0"

RESIDENCE FOOTAGE = 1008 SF.  
 GARAGE FOOTAGE = 413 SF.  
 PATIO FOOTAGE = 252 SF.  
 PORCH FOOTAGE = 45 SF.



### WATER HEATER RATING

# OF BATHROOMS	LESS THAN 2	LESS THAN 3	LESS THAN 4
# OF BATHROOMS	1 261	2 384	3 4 1700 E
FIRST HOUR RATING IN GALLONS	42 54	54 67	80 67 90



EXISTING FLOOR PLAN  
 SCALE: 1/4"=1'-0"  
 RESIDENCE FOOTAGE = 2486 SF.

REVISIONS	BY

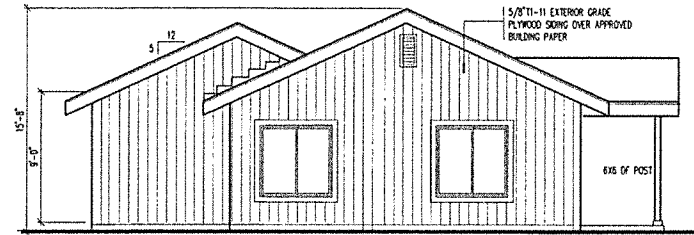
A1 MEMBER OF AMERICAN INSTITUTE OF BUILDING DESIGN  
 BD MEMBER OF CALIFORNIA INSTITUTE OF BUILDING DESIGN  
 CA11 MEMBER OF CALIFORNIA INSTITUTE OF BUILDING DESIGN  
 BD MEMBER OF CALIFORNIA INSTITUTE OF BUILDING DESIGN  
 RESIDENTIAL DESIGN  
 CAD DRAFTING  
 TITLE 24 CALCULATIONS  
 REMODELS AND ADDITIONS  
 TENANT IMPROVEMENTS

PROJECT: ZACK DRA  
 DRAWING: EXISTING FLOOR PLAN

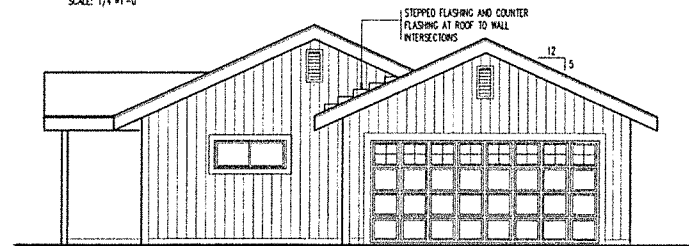
**john ford drafting and design**  
 certified professional building designer american institute of building design  
 635 BARSTOW AVENUE, STE 20, CLOVIS, CA 93612  
 PHONE (559)323-4375 EMAIL JFDRAW@AOL.COM

FILE
DRAWN
DATE
SCALE
AS SHOWN
SHEET NO

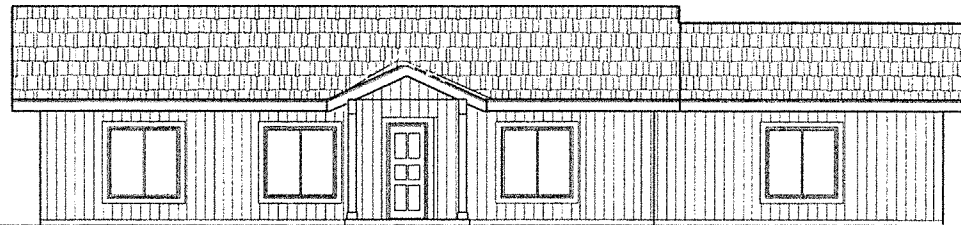
A3



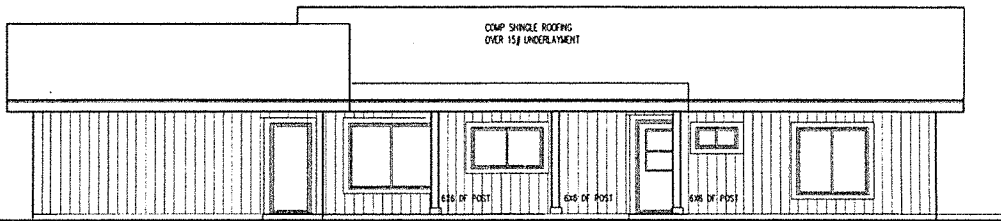
**EAST ELEVATION**  
SCALE: 1/4"=1'-0"



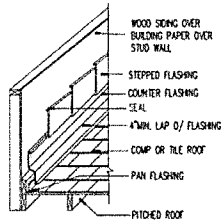
**WEST ELEVATION**  
SCALE: 1/4"=1'-0"



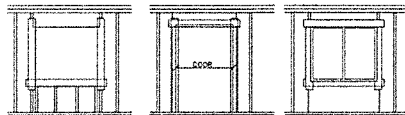
**NORTH ELEVATION**  
SCALE: 1/4"=1'-0"



**SOUTH ELEVATION**  
SCALE: 1/4"=1'-0"



**FLASHING AND COUNTERFLASHING DETAIL**  
SCALE: 1/2"=1'-0"



**WINDOW FLASHING DETAIL**  
STEP 1 - PRIOR TO INSTALLING PLYWOOD, ATTACH 6" WIDE FORTIFIBER FLASHING ALONG THE BOTTOM OF WINDOW OPENING LONG ENOUGH TO EXTEND PAST VERTICAL PLACES OF FLASHING TO BE ON EACH SIDE.  
STEP 2 - ATTACH 6" WIDE FORTIFIBER FLASHING ALONG EACH SIDE FLUSH WITH OPENING AND LONG ENOUGH TO EXTEND PAST TOP AND BOTTOM FLASHING.  
STEP 3 - AFTER WINDOW IS IN POSITION WITH FLASHING OVER FLASHING STRIP, ATTACH 3" WIDE SHORTJAKE FLASHING STRIP OVER TOP OF TOP WINDOW FLANGE. FLASHING MUST EXTEND BEYOND EACH SIDE OF FORTIFIBER FLASHING STRIP.  
STEP 4 - INSTALL UNDER BOTTOM OF SHEET OF FLASHING, FROM BOTTOM OF WINDOW TO BOTTOM OF PLATE, A FULL SHEET OF FLASHING WIDE ENOUGH TO COVER EACH OUTER SIDE OF FLASHING STRIP.

**EXTERIOR DOOR FLASHING DETAIL**  
STEP 1 - PRIOR TO INSTALLING PLYWOOD, ATTACH 6" WIDE FORTIFIBER FLASHING 2" INTO OPENING ON EACH SIDE OF DOOR FROM FINISH FLOOR TO A MINIMUM OF 8" ABOVE TOP OF OPENING.  
STEP 2 - ATTACH FLASHING ON TOP 2" INTO OPENING AND LONG ENOUGH TO EXTEND PAST FLASHING ON EACH SIDE.  
STEP 3 - INSTALL EXTERIOR DOOR JAMB SO THAT FLASHING IS BETWEEN PLYWOOD AND EXTERIOR TRIM.

**DOOR AND WINDOW FLASHING**

REVISIONS	BY

PROJECT:  
**ZACK RESIDENCE**  
DESCRIPTION:  
**ELEVATIONS**

**john ford drafting and design**  
vertical professional building design  
633 BURBANK AVENUE, STE 201, CLONIS, CA 93812  
PHONE: (569)333-4375 EMAIL: JFDRAWING@AOL.COM

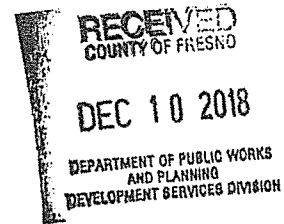
**G.J.Gardner. HOMES**

FILE
DRAWN
DATE
SCALE
AS NOTED

SHEET NO

**A4**

David Oliver  
4632 N. Garfield Ave.  
Fresno, CA 93723



December 9, 2018

Attention: Jeremy Shaw  
Planner Department of Public Works and Planning  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721-2104

This is to inform you that I am opposed to the project at 7317 W Fairmont, the second residence on 2 acre parcel.

A handwritten signature in cursive script, appearing to read "David Oliver".

David Oliver

Phone number: Cell:559-301-1263 or Home: 559-275-0981

# County of Fresno

## Internal Services Department (ISD) - IT Services

Service Desk 600-5900 (Help Desk)

### CAUTION!!!

This email has been flagged as containing one or more attachments from an outside source.  
Please check the senders email address carefully.  
If you were not expecting to receive an email with attachments, please DO NOT open the file.  
Forward the email to SPAM "[SPAM@co.fresno.ca.us](mailto:SPAM@co.fresno.ca.us)" and delete it.

Please see attached letter.

--

David Oliver  
[westcoastchemical@gmail.com](mailto:westcoastchemical@gmail.com)

--

David Oliver  
[westcoastchemical@gmail.com](mailto:westcoastchemical@gmail.com)

**David Oliver**

**FAX TRANSMITTAL**

<b>DATE:</b>	12/9/2018		
<b>TO:</b>	Attn: Jeremy Shaw Department of Public Works and Planning	<b>FROM:</b>	David Oliver
<b>FAX:</b>	559-600-4200	<b>FAX:</b>	559-275-0122
<b>TEL:</b>	559-600-4207	<b>TEL:</b>	559-275-0981 or Cell 559-301-1263
<b>CC:</b>		<b>PAGES:</b>	2

**COMMENTS: ATTACHED IS LETTER IN RESPONSE TO NOTICE OF APPLICATION**

Gary F. Kimber  
7202 W Rialto Ave  
Fresno CA 93723

Dec. 10 2018

RECEIVED  
DEC 17 2018

FRESNO COUNTY  
DEPT. OF  
PUBLIC WORKS & PLANNING

Jeremy Shaw,  
Planner at Fresno County

Sir, I am protesting the possible  
~~Plan~~ building of a second residence  
on property at 7317 W. Fairmont Ave  
Fresno Ca 93723.

Our CCRs in this subdivision prohibits  
second residence on these properties  
also it will increase traffic in  
our subdivision and lower property  
values. Also we must rely on  
private wells for our water and  
the water level ~~has~~ lowered consisten-  
ly, to the lowest level one can  
draw water without drilling a  
deeper well. This is expensive!

Thanks for considering  
my opinion.

Gary F Kimber

December 12, 2018

County of Fresno  
Department of Public Works and Planning  
Attn: Jeremy Shaw, Planner  
Development Services and Capital Projects Division  
2220 Tulare Street, Sixth Floor  
Fresno, Ca. 93721

RECEIVED  
COUNTY OF FRESNO  
DEC 12 2018  
DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

Dear Mr. Shaw,

I am writing in regards to the property located at 7317 West Fairmont Ave. Fresno, Ca 93723, APN number 512-060-14. I wish to oppose the proposed second residence.

My name is Diane Anderson. My address is 7378 W. Rialto Ave. , Fresno, CA 93723. My cell phone number is 559 259-6895.

I am happy to discuss this matter with you at your convenience.

Sincerely,

*Diane Anderson*

Diane Anderson



RECEIVED  
COUNTY OF FRESNO

DEC 13 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

12/13/18

To: Jeremy Shaw, Planner  
Development Services and Capital Projects Division

Re: 7317 West Fairmont Avenue, Fresno, CA 93723 – APN 512-060-14

We are commenting on the proposed building of a permanent second residence on a 2.0 acre parcel in the R-R Zone District.

We are OPPOSED for the following reasons:

- 1) We feel it is a “slippery slope”, and if it is allowed once, how can you then deny any/all the neighbors who would also like to add an additional residence.
- 2) We are on well water, and the additional density could have an effect on current water levels.
- 3) Our original CC&R’s do not allow for any second residences on the property.
- 4) It will change the nature of the rural designation – which is why we chose to live in this neighborhood.

Thank you for your consideration.

Sincerely,

*James B Scarbrough*

*Gina Edmonds Rodgers*

James B Scarbrough III

Gina Edmonds Rodgers

7226 W. Rialto Ave

7226 W. Rialto Ave

Fresno, CA 93723

Fresno, CA 93723

559-275-8565

559-974-7057

[j.scarbrough@yahoo.com](mailto:j.scarbrough@yahoo.com)

[ginaerodgers@gmail.com](mailto:ginaerodgers@gmail.com)

RECEIVED  
COUNTY OF FRESNO

DEC 13 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**From:** Jacque Pronovost  
**To:** Shaw, Jeremy  
**Subject:** OPPOSE APPLICATION-APN: 512-060-14  
**Date:** Thursday, December 13, 2018 11:48:49 AM

---

My husband Gary Pronovost & I, Jacque Pronovost absolutely OPPOSE the application made by resident living at 7314 West Fairmont, Fresno. We do NOT want them to build a second residence on their property. It's also against our CC&R's.

Please reply to confirm you received this. We live at 7199 W. Rialto Avenue, Fresno, 93723. You can also reach my cell: 974-3287.

Sent from my iPhone

RECEIVED  
COUNTY OF FRESNO

DEC 14 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**From:** Angela Pettit  
**To:** Shaw, Jeremy  
**Cc:** "Anthony & Mary Jo Avila"; "Anthony Avila Jr."; "Anthony McCov"; "anthonya170"; "Bob Enos"; "creature\_teacher"; "Dan Spencer"; "Dave Mendrin"; "Debbie & Dave Mendrin"; demery1077@unwiredhb.com; "Diane & Brad Anderson"; "Dick Powell"; "Fran & Don Bergmann"; "Gary Kimber"; "Gary Pronovost"; "Gay Witrado"; "ginaerodgers"; "Gwen & Hugo Rodriguez"; "Grant & Paula Seals"; "Helen Roberson"; "j.scarbrough"; jere@edsel.us; "Jerry & Shelley Wong"; "Jonni Pettit"; "Judy & Domenico Santeufemua"; "karen Ferdinand"; "Larry & Kathy Chicoine"; "Maria Brouwer"; "Marian Shubin"; "Mike Pronovost"; nicoleoliver@aol.com; "Olivers"; "Pat Spencer"; "Steve & Stacia Bolderoff"; "Tim Weaver"  
**Subject:** 2nd residence on Fairmont AVE  
**Date:** Friday, December 14, 2018 8:19:57 AM

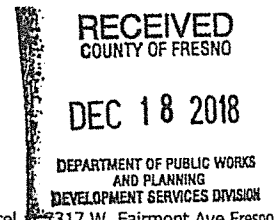
---

Someone on Fairmont Ave. has applied to build a second residence on their property. I am opposed to this application for the following reasons:

1. It's against our CC&R's to build a second residence on our property.
2. If this gets approved, it sets a precedence & many more neighbors will be doing it.
3. It will lower our property value.
4. Added traffic on our streets.
5. Density
6. Added use of our Well Water

Please forbid this application for a second residence.

Angela Pettit  
7435 W. Rialto  
Fresno, CA



**From:** Bd Slev  
**To:** Shaw, Jeremy  
**Subject:** Application #4564, allow a permanent second residence on a 2.0 acre parcel at 7317 W. Fairmont Ave Fresno Ca.  
**Date:** Monday, December 17, 2018 10:14:23 PM

---

Dear Sirs:

Re: Proposed permanent second residence on a 2.0 acre parcel at 7317 W. Fairmont Ave, Fresno, Ca.

I am currently apposed to having a 2nd residence built on our Rural Residential two-acre minimum parcel size.

In 1990 we were looking for a lot to have our home built for us and our children. We bought in this area because of the lot configurations, the spacing of the homes, and the CC&R's. We did not want to be on a crowded city parcel with our neighbors 5' away. Our neighbor is a quite and peaceful neighborhood. We are able to walk with our grand-children down the street without being concerned about many vehicles making it dangerous for our walk. When I look at the lots, I can see a second house put on each site, and If you allow one family to build a second residence on their property we could end up with double the homes, people, and traffic.

This application to change the neighborhood would not be needed if they took out a permit to add-on to the existing house.

Thank You,

Bill Slevkoff

7216 W. Fairmont Ave Fresno, Ca

559-284-9041

7257 W. Rialto Ave.  
Fresno CA 93723  
December 16, 2018

County of Fresno  
Department of Public Works and Planning  
Steven E. White, Director  
2220 Tulare St.  
Fresno CA 93721  
ATTN: Jeremy Shaw, planner.

RECEIVED  
DEC 19 2018

FRESNO COUNTY  
DEPT. OF  
PUBLIC WORKS & PLANNING

Dear sirs:

Regarding Director Review and Approval Application No. 4564:

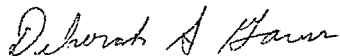
The proposed zoning variance violates the spirit, if not the letter, of the Covenants, Conditions & Restrictions (C, C & R's) attached to the title deed to every property within West Shaw Acres.

The variance, if approved, would be a precedent-setting standard that would deteriorate our neighborhood's quality of life and property values for years to come.

Population density, as a result, would increase, leading to heavier traffic on our neighborhood streets, and the traffic arteries into this area which are already strained. The resulting higher population density would lead to greater environmental pollution, and a general decline in the quality of life in our neighborhood. It would also adversely affect the values of the existing properties in the neighborhood.

Water draw on our residential-level aquifer would increase, possibly leading to many of our existing wells going dry. This would impose a financial hardship on those of us who are living on a fixed income, and can't afford to extend our wells to a deeper level.

Given these realistic projections, we must resolutely oppose the approval of the construction zoning variance requested at 7317 W. Fairmont Ave.



Jere and Deborah Gauss  
7257 W. Rialto Ave.  
Fresno CA 93723  
559-907-3411

RECEIVED  
COUNTY OF FRESNO

DEC 17 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**From:** David Oliver  
**To:** Shaw, Jeremy  
**Subject:** Re: Letter opposing Application No. 4564 regarding second residence on 2.0 acre parcel at 7317 West Fairmont Ave., Fresno, CA 93723  
**Date:** Sunday, December 16, 2018 1:27:31 PM  
**Attachments:** [image002.png](#)  
[image002.png](#)

---

Please be advised following points regarding disapproval second residence.

- 1 .CCR Restrictions
- 2 Setting a bad precedence for future applications
- 3 Adverse effects on property value
- 4 Increase traffic issues
- 5 Density impact
- 6 Increased consumption of precious well water.

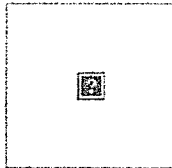
Regards,  
David Oliver  
4632 N Garfield Fresno Ca 93723

On Wed, Dec 12, 2018 at 11:03 AM Shaw, Jeremy <[jshaw@fresnocountyca.gov](mailto:jshaw@fresnocountyca.gov)> wrote:

Mr. Oliver,

Thank you for the follow up email, your letter has been received. Did you have any specific concerns with or questions about the proposal for the second residence?

Regards,



**Jeremy Shaw** | Planner  
Department of Public Works and Planning |  
Development Services and Capital Projects Division  
2220 Tulare St. 6th Floor Fresno, CA 93721  
Main Office: (559) 600-4230 Direct: (559) 600-4207

[Your input matters! Customer Service Survey](#)

---

**From:** David Oliver <[westcoastchemical@gmail.com](mailto:westcoastchemical@gmail.com)>  
**Sent:** Wednesday, December 12, 2018 10:55 AM  
**To:** Shaw, Jeremy <[jshaw@fresnocountyca.gov](mailto:jshaw@fresnocountyca.gov)>  
**Subject:** Letter opposing Application No. 4564 regarding second residence on 2.0 acre parcel at 7317 West Fairmont Ave., Fresno, CA 93723

RECEIVED  
COUNTY OF FRESNO

DEC 17 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**From:** [David Efseaff](#)  
**To:** [Shaw, Jeremy](#)  
**Subject:** RE: permanent second residence application on Fairmont Ave  
**Date:** Friday, December 14, 2018 10:13:22 PM

---

**Jeremy Shaw, Planner at Fresno County, by December 20.**

Email address: [jshaw@co.fresno.ca.us](mailto:jshaw@co.fresno.ca.us)

We received a Notice of Application from the County of Fresno Public Works & Planning Dept. stating that someone in our neighborhood (Fairmont Ave.) has applied to the County to approve the building of a permanent second residence on their 2.0-acre parcel on their property.

We are opposed to this application for the following reasons:

1. Our area has had Restricted Zoning (CC & R's?) since it was developed years ago. It is against our area CC&R's to build a second residence on property in our area. This is a low population density neighborhood. We prefer it remain that way.
2. If this gets approved, it sets a precedent and potentially more area residents may be requesting approval for second residences. This occurred at our previous neighborhood with deleterious effects on crime, trespassing, and quality of the second residences. Trailers were moved in and never removed upon the passing of the person the second residence was intended for. They became rentals.
3. This may adversely affect the property values of homes in the area.
4. Added traffic on our streets endangers playing children, bike riders, pets, etc.
5. Most of us have chosen this neighborhood because it is semi-rural, with less light and noise pollution. We don't want more residences that may create more such pollution.
6. Added use of our Well Water table. Our older private wells are not as deeply dug. We are concerned about any new construction or development in our neighborhood that puts in deeper wells that would dry up our delicious un-chlorinated water.

Please deny this application for a second residence.

Dave and Andrea Efseaff

Maria Brower  
7171 W Rialto Ave  
Fresno, CA 93723  
559-277-1621

RECEIVED  
DEC 17 2018

FRESNO COUNTY  
DEPT. OF  
PUBLIC WORKS & PLANNING

Dear Jeremy Shaw,

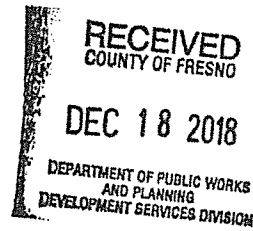
I am writing concerning the notice of application for a permanent second residence on 7317 West Fairmont - Application # 4564.

I am very much against allowing a second residence to be built in our neighborhood for a couple of reasons.

1. Rural Residential CCORs state we are only allowed one residence on our 2 acres.
2. We don't want any future "rentals" or subdividing of our neighborhood
3. Other neighbors - one that I know of - also requested this and was turned down. How do you turn me down and ok another?
4. Don't open this door.

Maria Brower  
December 12, 2018





December 12, 2018

County of Fresno  
Department of Public Works and Planning  
Attn: Jeremy Shaw, Planner  
Development Services and Capital Projects Division  
2220 Tulare Street, Sixth Floor  
Fresno, Ca. 93721

Dear Mr. Shaw,

I am writing in regards to the property located at 7317 West Fairmont Ave. Fresno, Ca 93723, APN number 512-060-14. I wish to oppose the proposed second residence. The CC&Rs do not permit a second dwelling. We already have a traffic problem in our area.. Property prices will be affected when comparables are used for a one acre lot vs. a two acre lot. Once property values go down, others will want to recoup their investment by adding a second hose also.

My name is Diane Anderson. My address is 7378 W. Rialto Ave. , Fresno, CA 93723. My cell phone number is 559 259-6895.

I am happy to discuss this matter with you at your convenience.

Sincerely,

Diane Anderson



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 5 April 11, 2019

**SUBJECT:** 2018 GENERAL PLAN ANNUAL PROGRESS REPORT

**STAFF CONTACT:** Derek Chambers, Planner  
(559) 600-4230

Anthony Lee, Planner  
(559) 600-4230

Mohammad Khorsand, Senior Planner  
(559) 600-4230

### RECOMMENDATION:

Receive staff's report on Fresno County's Annual Progress Report (APR) for the 2018 calendar year.

### ENVIRONMENTAL DETERMINATION:

The General Plan Annual Progress Report is not a project under the California Environmental Quality Act (CEQA). It is the type of activity that is Categorically Exempt, Class 6 (Information Collection) based on Section 15306 of the CEQA Guidelines.

### BACKGROUND/DISCUSSION:

California state law requires each city and county to adopt a general plan "for the physical development of the county or the city, and any land outside its boundaries which in the planning agency's judgement bears relation to its planning". As the basis for local government decision making, general plans include goals and policies by which projects are analyzed against and actions are taken consistent with the overall vision for the city or the county.

The General Plan must include seven mandated elements as required by State law (Land Use, Circulation, Housing, Noise, Safety, Conservation, and Open Space). Legislation passed in 2016, Senate Bill 1000, requires cities and counties that have disadvantaged communities upon the adoption or next revision of two or more general plan elements concurrently on or after January 1, 2018, to include Environmental Justice (EJ) goals and policies in their General Plans, either as a separate element or by integrating related goals, policies, and programs throughout other elements of the general plan.

Additional elements of special and unique concern to a local government, including Economic Development and Air Quality may be included as optional elements.

Implementation of the General Plan is the responsibility of various departments in the County as well as certain agencies that are not part of the County's structure but are under contract to provide services to the County.

State law, Government Code Section 65400, requires that the County submit an APR on the status of implementation of its General Plan, including the Housing Element, to the Board of Supervisors. Upon its acceptance by the Board, the APR will be forwarded to the California Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD). The APR which is attached to this staff report (Attachment 1) contains a report on the status of the County's General Plan, including the Housing Element. The preparation of the APR meets County General Plan Policy LU-H.12, which requires annual review of the General Plan.

The purpose of the APR is to inform the Board of Supervisors of the status of implementing the County's General Plan, as well as presenting other planning activities that occurred during the previous calendar year. State law requires generalized annual reporting on General Plan implementation, with specific reporting requirements on the Housing Element. The California Department of Housing and Community Development (HCD) has been working on revising the prescribed forms in 2018. The revised forms were provided to local governments on January 17, 2019, and required a significant amount of additional information resulting in additional staff time commitments for local governments to prepare the Housing Element portion of the APR.

As was noted above, there is no standardized form, format or required content for the General Plan APR. However, the Housing Element portion of the APR must be prepared on new forms prescribed by HCD.

The 2018 APR meets the requirement of Government Code Section 65400 regarding reasonable and practical means for implementing the General Plan or elements of the General Plan so that it will serve as an effective guide for orderly growth and development. Similarly, the Housing Element part the APR provides the status of the plan and progress in its implementation as well as the progress in meeting the County's share of the Fifth-Cycle Regional Housing Needs. The Housing Element report is included in this APR as Appendix B.

As was mentioned above, prior to submittal of the APR to the State, it must be presented to the Board of Supervisors for review and acceptance. Staff is presenting this APR to the Planning Commission prior to presenting it to the Board.

The 2018 APR addresses the following topics:

- Status of the General Plan Review and Zoning Ordinance Update project;
- A description of major planning activities;
- Information on various types of development applications that were received and processed;
- Description of the general plan amendments that were received and processed;

- Description of zone code text amendments and zone changes that were received and processed;
- Status of implementation programs of each General Plan element; and
- Report on the status of the Housing Element, including an evaluation of its implementation programs.

**Summary:**

The 2018 APR is prepared pursuant to Government Code Section 65400 and the County General Plan that requires a report to be prepared each year regarding the implementation of the General Plan. This APR is prepared according to the guidance provided by OPR and reports on key aspects of the County's General Plan implementation during the calendar year 2018. The report on the Housing Element is prepared according to new forms prescribed by HCD.

**PLANNING COMMISSION MOTIONS:**

- Receive the 2018 Annual Progress Report; and
- Make a recommendation, if any, to the Board of Supervisors on the 2018 General Plan Annual Progress Report; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.



# 2018 General Plan Annual Progress Report



**March 2019**

## **PURPOSE OF THE ANNUAL REPORT**

Government Code Section 65400 requires that the County provide a report on the status of implementing the General Plan, including Housing Element, to the Board of Supervisors. Following acceptance of the APR by the Board, the APR will be forwarded to the Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

State law requires generalized reporting on implementation of the General Plan. The Housing Element portion of the annual report, must be prepared through the use of standards, forms, and definitions provided by HCD.

The Housing Element portion of the APR for the calendar year 2018 has been prepared on new forms that were released by HCD on January 17, 2019, and requires new information to be provided on the forms that HCD has developed. The report for the Housing Element is included in the APR as Appendix B.

The purpose of the APR is to inform the Board of Supervisors on the status of implementing the County General Plan, as well as major planning activities that have been undertaken by the County in the 2018 calendar year (January 1, 2018 through December 31, 2018).

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## **EXECUTIVE SUMMARY**

The Department of Public Works and Planning (PW&P) has prepared this 2018 General Plan Annual Progress Report (APR) in accordance with guidance provided by the State Office of Planning and Research (OPR) and the State Department of Housing and Community Development. This APR covers the 2018 calendar year. The information included in this APR has been provided by various County Divisions/Departments.

This APR is tentatively scheduled to be presented to the Planning Commission on April 11, 2019 and the Board of Supervisors on June 4, 2019.

This APR covers the status of implementation of the County General Plan for the 2018 calendar year, and provides information on major planning activities and projects that have been processed, or initiated, for the unincorporated areas of the County.

### Primary Planning Activities

Key planning efforts that were initiated and/or continued in 2018 include:

- General Plan Review
- Zoning Ordinance Update
- Preparation of the PEIR for the General Plan Review and Zoning Ordinance Update
- Implementation of Housing Element for the 5<sup>th</sup> Cycle
- Audit of Williamson Act Contracts
- Fresno County Water Conservation Ordinance
- Operations of County Landfills and Recycling Programs

A detailed description of the above activities is provided throughout various sections of this APR.



**STATE OFFICE OF PLANNING AND RESEARCH (OPR) GUIDANCE FOR PREPARATION OF ANNUAL PROGRESS REPORT**

There is no standardized form or format for the preparation of the General Plan APR. The following recommendations have been provided by OPR to serve as guidance in developing an APR for cities and counties. The APR prepared for a city or a county is not required to incorporate all of the elements suggested by OPR and need not be an elaborate and time-consuming task

1. Introduction
2. Table of Contents
3. Date of presentation to the Board of Supervisors
4. Measures associated with the implementation of the general plan with specific reference to individual elements
5. Housing Element reporting
6. The degree to which the General Plan complies with OPR’s General Plan Guidelines, including environmental justice considerations, collaborative planning with the military lands and facilities, and consultation with Native American tribes
7. The date of the last update to the General Plan
8. Priorities for land use decision making that have been established by the local legislative body (e.g., passage of moratoria or emergency ordinances)
9. Goals, policies, objectives, standards or other plan proposals that need to be added or were deleted, amended, or otherwise adjusted
10. One or more lists of the following, including reference to the specific general plan element or policy, status (i.e., approved/denied, initiated/ongoing/completed, etc.), and brief comment on how each advanced the implementation of the General Plan during the past year: <ul style="list-style-type: none"> <li>a. Planning activities initiated – These may include, but are not limited to, master plans, specific plans, master environmental assessments, annexation studies, and other studies or plans</li> <li>b. General Plan amendments – These may include agency-driven as well as applicant-driven amendments</li> <li>c. Major development applications processed</li> </ul>

## **GENERAL PLAN OVERVIEW**

State law requires every city and county in California to adopt a General Plan that is comprehensive and long term. The Plan outlines policies for the physical development of the county or city and any land outside its boundaries which in the planning agency's judgment bears relation to its planning.

The Fresno County General Plan is the County's comprehensive planning document that provides the long-term framework for economic and land use development, and for the protection of the County's agricultural, natural, and cultural resources. Designed to meet State General Plan requirements, the document outlines goals and policies to guide day-to-day decisions concerning Fresno County's future. Fresno County's General Plan has a planning horizon of 15 to 25 years. The planning horizon for the 2000 General Plan is through the year 2020 and beyond.

The General Plan was comprehensively updated in the year 2000 based on the State General Plan Guidelines (Government Code Section 65040.2) which included the Background Report, the Policy Document, an Economic Development Strategy, a Fiscal and Financial Analysis, and an Environmental Impact Report (EIR).

The General Plan Policy Document contains countywide goals, policies, and implementation programs, and land use and circulation diagrams that collectively constitute the County's primary policy for land use, development and resource management. The document includes the required Elements: Agriculture and Land Use, Transportation and Circulation, Public Facilities and Services, Housing, Conservation, Open Space, Noise, and Safety. The Conservation and Open Space Elements are combined as one element for a total of seven. In addition to the required elements, the Policy Document includes an optional Economic Development Element which outlines the County's goals and strategic initiatives for diversifying Fresno County's economy and reducing the County's unemployment rate.

The Fiscal and Financial Analysis examined the fiscal impacts (costs and revenues), County facility costs and the cost benefits associated with implementation of the General Plan.

### *Vision Statement*

The General Plan sets out a vision reflected in goals, policies, programs, and diagrams for Fresno County. The County sees its primary role to be the protector of prime agricultural lands, open space, recreational opportunities, and environmental quality, and the coordinator of countywide efforts to promote economic development. The General Plan is built on the following 12 major themes:

- Economic Development
- Agricultural Land Protection
- Growth Accommodation
- Urban-Centered Growth
- Efficient and Functional Land Use Patterns
- Service Efficiency
- Recreation Development
- Resource Protection
- Health and Safety Protection
- Health and Well-Being
- Enhanced Quality of Life
- Affordable Housing

Key Goals

The Countywide General Plan Policy Document contains explicit statements of goals, policies, standards, and implementation programs. The following are some of the more notable Goals listed in the Economic Development and Agricultural Land Use Elements of the General Plan:

Goal	Description
ED-A	To increase job creation through regional leadership, agricultural productivity, and development of high-value-added processing firms.
ED-B	To diversify the economic base of Fresno County through the expansion of non-agricultural industry clusters and through the development and expansion of recreation and visitor-serving attractions and accommodations.
ED-C	To improve labor force preparedness by providing the local workforce with the skills needed to meet the requirements of an increasingly diverse business sector in the 21 <sup>st</sup> century global economy.
LU-A	To promote the long-term conservation of productive and potentially- productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the County's economic development goals.
LU-C	To preserve and enhance the value of the river environment as a multiple-use, open-space resource; maintain the environmental and aesthetic qualities of the area; protect the quality and quantity of the surface and groundwater resources; provide for long-term preservation of productive agricultural land; conserve and enhance natural wildlife habitats; and maintain the flood-carrying capacity of the channel at a level equal to the one (1) percent flood event (100-year flood).
LU-D	To promote continued agricultural uses along Interstate 5, protect scenic views along the freeway, promote the safe and efficient use of the freeway as a traffic carrier, discourage the establishment of incompatible and hazardous uses along the freeway, and provide for attractive, coordinated development of commercial and service uses that cater specifically to highway travelers, and of agriculture-related uses at key interchanges along Interstate 5.
LU-F	To encourage mixed-use pedestrian and transit-oriented development and to establish development standards for residential, commercial, and industrial development in urban and urbanizing areas.

Implementation Programs

Each Element includes goal statements relating to different aspects of the issues addressed in the Element. Under each Goal Statement, the Plan sets out policies that amplify the Goal Statement. Implementation programs that are listed at the end of each section of the 2000 General Plan describe briefly the proposed action, the County agencies or departments with primary responsibility for carrying out the program, and the time frame for accomplishing the program.

## GENERAL PLAN ELEMENTS AND REPORT ON ACTIVITIES IN 2018 RELATED TO EACH ELEMENT

- **Economic Development Element**

The Economic Development Element is divided into three sections: Job Creation, Economic Base Diversification, and Labor Force Preparedness. The Element includes goals, policies and programs to address these three areas.

- During the 2018 calendar year, Fresno County continued implementing policies of the Economic Development Element.

- **Agriculture and Land Use Element**

The Agriculture and Land Use Element provides diagrams as well as goals, and policies that guide decision-makers, planners, property owners, developers, and the general public as to how to accommodate future development in an efficient and sustainable manner that is compatible with the character of unincorporated communities and the protection of valuable and sensitive natural resources.

- During 2018, the County continued to implement General Plan policies relating to preservation of agricultural resources by directing growth to cities in the form of Pre-General Plan Amendment consultation for any proposed land use designation change within the Sphere of Influence of cities and two miles beyond, and referral of developments for possible annexation.

- **Transportation and Circulation Element**

The Transportation and Circulation Element is divided into two major parts. The first major part describes the County's Circulation Diagram and functional roadway classification system. The second major part sets out goals, policies and implementation programs organized into six sections: Streets and Highways; Transit; Transportation System Management; Bicycle Facilities; Rail Transportation; and Air Transportation.

- During the calendar year 2018, the County continued to implement planning efforts to facilitate a safe and multi-modal road network. Major activities associated with the Transportation and Circulation Element are included below:

**San Joaquin River Trail Project**

- The San Joaquin River Trail Feasibility Project commenced on August 6, 2013.
- The feasibility study determines the alignment for Reach 1 which would begin at the Friant Cove Recreational Area and end at Finegold Day Use Area at the end of Sky Harbour Road.
- San Joaquin River Reach 1 Feasibility Study was completed on July 26, 2018 in accordance with the terms of the extended agreement.

Fresno County Road Improvement Program (RIP)

- The RIP is an annual projection of the maintenance and construction programming plan over the next seven years. The types of projects in the RIP include bridge replacement/repair, road reconstruction, traffic signals, shoulder widening, and pavement repair.
- The RIP is intended to be a guide to the Board of Supervisors' road priorities and the Department's road program development, as well as for the Administrative Office, businesses, economic development community, utility companies, and the public at large.
- The RIP was updated on September 11, 2018.

- **Public Facilities and Services Element**

The Public Facilities and Services Element is organized accordingly into ten sections: General Public Facilities and Services; Funding; Water Supply and Delivery; Wastewater Collection, Treatment, and Disposal; Storm Drainage and Flood Control; Landfills, Transfer Stations, and Solid Waste Processing Facilities; Law Enforcement; Fire Protection and Emergency Medical Services; School and Library Facilities; and Utilities.

- Major activities in 2018 related to this Element are noted below:

Public Facilities Impact Fees

- On March 20, 2018, the Board of Supervisors received and approved a proposed update to the adopted County Capital Improvement Plan to enable expenditure of public facility impact fees collected under the 2008 program.
- On October 9, 2018, the Board of Supervisors conducted the second public hearing to consider adopting an Ordinance amending Title 17 – Division of Land, Chapter 17.90 – Public Facilities Impact Fees and Schedule of Fees, of the Fresno County Ordinance Code. The Board voted to discontinue public facilities impact fees established in 2008, but maintain authority to establish new public facilities impact fees in the future.

- **Open Space and Conservation Element**

The primary focus of the Open Space and Conservation Element is to provide direction for future growth and development with respect to the conservation, management, and utilization of natural and cultural resources; the protection and preservation of open space; and the provision of parks and recreational resources. This Element establishes goals, policies, and programs that value and protect natural resources to ensure they are available for the future.

- During the 2018 calendar year, Fresno County continued implementing policies of the Open Space and Conservation Element.

- **Health and Safety Element**

Many of the health and safety risks associated with development can be avoided through locational decisions made at the planning stages of development, while others may be lessened through the use of Mitigation Measures in the planning and land use

regulation process. This Element outlines Fresno County's strategy for ensuring the maintenance of a healthy and safe physical environment. The Health and Safety Element is divided into seven sections: Emergency Management and Response; Fire Hazards; Flood Hazards; Seismic and Geological Hazards; Airport Hazards; Hazardous Materials; and Noise.

- The Development Services and Capital Projects Division (DSCPD) of the Department of Public Works and Planning along with the Department of Public Health continues to review development applications for consistency with the goals and policies of the Safety Element and require mitigation measures when necessary during the course of processing discretionary project applications.

#### Tree Mortality

- o On April 17, 2018, the Board approved a revenue agreement with CAL FIRE for \$880,133 in Local Assistance for Tree Mortality Grant Program (LATM) funding that allows the County to cover the 25% California Disaster Assistance Act (CDAA) cost share requirement and draw down an additional \$2,640,399 in CDAA funding. Additionally, the Board increased the Purchasing Manager's aggregate threshold to procure tree removal services from \$6,600,000 to \$12,120,532.
- o On November 6, 2018, the Board approved two revenue agreements with CAL FIRE for \$1,390,032 in Fire Prevention Program Grant (FPP) funding to continue contracting for the removal of dead and dying trees that are within 300 feet of permanent private structures, roadways, and public or private infrastructure.
- o On December 11, 2018, the Board considered and adopted a resolution proclaiming continuation of the local emergency status related to the extremely high levels of tree mortality and hazardous conditions created by the drought and requesting that the Governor continue to provide resources and support to mitigate risk of falling trees and increased fire hazard.

- **Housing Element**

The Housing Element Progress Report is included as Appendix B.

## **STATUS OF GENERAL PLAN IMPLEMENTATION PROGRAMS**

### Appendix A attached to the Annual Report

Appendix A provides a discussion of each of the implementation programs of the General Plan and the County's efforts and progress in implementing each of the programs.

## **GENERAL PLAN REVIEW AND ZONING ORDINANCE UPDATE PROCESS**

In June 2006, the Board of Supervisors directed staff to initiate a Review of the General Plan Policy Document along with the comprehensive update of the Zoning Ordinance. The purpose of the General Plan Review was to evaluate goals, policies and implementation programs of all General Plan elements to retain policies and programs that still serve a purpose and delete policies and programs that have been implemented or are obsolete, and add policies and programs to address new laws that affect the General Plan since its adoption in 2000.

A final Draft of the Revised Policy Document was presented to the Board for action at a public hearing that was held on September 30, 2014. At the conclusion of the hearing, the Board directed the following:

- Update the General Plan Background Report
- Continue work on the Policy Document
- Continue work on the Zoning Ordinance Update
- Prepare a Program Environmental Impact Report (PEIR) to address potential environmental impact associated with implementation of the Revised General Plan and the updated Zoning Ordinance.

#### Program Environmental Impact Report

On September 30, 2014, the Board considered options presented by staff regarding PEIR options for the General Plan Review and the Zoning Ordinance Update and allocated up to \$850,000 for updating the Background Report, continued work on the Policy Document and the Zoning Ordinance and preparation of the PEIR.

On June 2, 2015, staff informed the Board of prior policy direction including prohibiting designating of new land to Rural Residential; elimination of substandard homesite exceptions; and elimination of the Urban Village designation. Staff also discussed other policy-related matters that had occurred during the General Plan Review process and recent legislation that must be reflected in the County's General Plan. The Board changed the direction that was given to staff by the previous Board and directed staff to retain the current Rural Residential and homesite exception policies and address new legislation that affects the General Plan. The Board directed staff to delete the Urban Village designation and to return with a final scope and cost estimate for the PEIR to be prepared for the General Plan Review and Zoning Ordinance Update.

On October 13, 2015 staff presented the Scope of Work for the PEIR and the contract to retain the firm of Mintier-Harnish to continue work on the project. The Board approved the Scope of Work and the Contract with the consulting firm of Mintier-Harnish.

On May 16, 2017, Public Works and Planning staff presented the General Plan Review and Zoning Ordinance effort to the Board of Supervisors to inform the new Board members of the project and the most recent direction on certain key land use policies that had been given to staff in 2015. At the conclusion of the hearing, the Board confirmed the direction given by the Board in 2015.

#### Progress on General Plan Review, Update of the Background Report, Zoning Ordinance Update and PEIR

Since approval of the consultant agreement and the scope of work for the project, Public Work and Planning staff, with assistance of the consultant, has been working on preparing the following documents:

Administrative Draft Revised General Plan Background Report which addresses: demographics, employment, land use, community character, housing, transportation, mobility, public facilities, services and infrastructure, natural resources, hazards, safety, climate change, and noise.

Administrative Draft Revised General Plan Policy Document which includes revised policies and programs, enhanced graphics, a new format, and necessary/relevant changes to the text. This revised document also addresses required legislative changes to the General Plan.

Administrative Draft Zoning Ordinance Update which includes a new format and provisions to implement General Plan policies. The current Zoning Ordinance, which is the principal tool for implementing the County's General Plan, was adopted in 1960 and has been amended several times, but the document has never been comprehensively updated.

#### Release of the General Plan and Zoning Ordinance Documents for Public Review

The Public Review Drafts of the Revised General Plan Background Report, General Plan Policy Document and Zoning Ordinance Update were released for public review on January 26, 2018. It should be noted that customarily, the Draft Revised General Plan and the Draft Updated Zoning Ordinance are released concurrently with the release of the Draft PEIR for public review. However, County staff released the Draft Revised General Plan and Zoning Ordinance Update Documents for public review as a courtesy prior to preparation of the PEIR.

On March 1, 2018, the County released a Notice of Preparation (NOP) of its intent to prepare a PEIR to assess potential environmental impacts associated with the implementation of the Revised General Plan and Zoning Ordinance Update. Staff and the PEIR consultant conducted two scoping meetings on March 26, 2018 to solicit comments from the public.

At a public hearing before the Board on August 21, 2018, Public Works and Planning staff presented to the Board the progress made on the General Plan Review and Revision and the Zoning Ordinance Update. Staff also presented to the Board comments that were received from the public, organizations and public agencies subsequent to release of the documents. Staff pointed out certain comments which were not part of the scope of the project and informed the Board that entertaining those comments would require a change in the Scope of Work of the project and would require allocation of substantial additional funds as well causing substantial delay in the time line identified for the project. At the conclusion of the public hearing, the Board did not entertain those recommendations by the public or agencies that would require changes in the scope of the project. The Board directed Public Works and Planning staff to conduct additional public outreach for the General Plan Review and Zoning Ordinance Update effort.

During the months of November and December of 2018, Public Works and Planning staff conducted five community meetings informing the public of the project and gathered comments from the public. One meeting was held in each Supervisorial District with meeting locations determined based on discussions with staff of the individual Supervisorial District offices.

Currently, Public Works and Planning staff and the consulting team are working to address comments that were received in response to release of the documents in January of 2018 as well as preparation of the PEIR.

#### Update of Unincorporated Community Plans

Fresno County has four adopted Regional Plans, ten adopted Unincorporated Community Plans, and six Specific Plans. In 2003, the Board of Supervisors established a priority list for updating the County's Regional and Community Plans.



Since 2003, the Friant and Laton Community Plans have been updated and adopted by the Board. The Friant Community Plan was updated in 2011 as a result of the Friant Ranch project which was an applicant-initiated project. The Laton Community Plan was updated and adopted by the Board in 2012 and represented the last comprehensive Community Plan update to date. The funding for the update came out of the allocation for the General Plan Review and Zoning Ordinance Update project.

## PLANNING AND DEVELOPMENT ACTIVITIES

### Discretionary Development Applications

Table 1 below provides a summary of discretionary development applications received by the Development Services and Capital Projects Division (DSCPD) during the 2018 calendar year. As shown in the Table, DSCPD received a total of 263 new applications. The Table provides the status of the applications for the calendar year 2018.

Application Type	Total Incoming	Approved	Denied / Withdrawn	Still in Process
Rezone	8	3	0	5
Amendment to Text of the Zoning Ordinance	2	1	0	1
Conditional Use Permit	36	26	3	7
Director Review & Approval	37	18	1	18
General Plan Amendment	4	0	0	4
Environmental Impact Report	0	0	0	0
Merger	10	8	1	1
Pre-Certificate of Compliance	3	2	0	1
Property Line Adjustment	36	9	5	22
Site Plan Review	71	68	0	3
Tentative Parcel Map	14	0	2	12
Tentative Parcel Map Waiver	20	0	1	19
Tentative Tract Map	1	0	0	1
Variance	21	6	0	15
Cancellation of Williamson Act Contract	7	0	0	7
Revision to Williamson Act Contract	3	0	0	3
<b>TOTAL</b>	<b>273</b>	<b>141</b>	<b>13</b>	<b>119</b>

Table 2 Lot Size Exceptions Approved in 2018		
Exception Type	Size of Parcel Created	APN
Gift Deed (PCOC 3511)*	1.39 acres	003-060-08
Gift Deed (PCOC 3512)*	10 acres	331-072-29s
Homesite (TPM 8191)*	2.01 acres	035-342-08
Homesite (TPM 8196)*	2.5 acres	(363-040-20 & 21)
Variance (VA 4039)	5.0 and 5.0 acres	580-010-24
Variance (VA 4040)	96 and 11 acres	333-041-33
Variance (VA 4044)	2.08 acres	053-070-58s & 61s
Variance (VA 4046)	1.71 acres	309-100-35 & 37
Variance (VA 4047)	15.1 acres, 21,184 sq. ft., 4,563 sq. ft., 19,621 sq. ft.	195-290-01T, 195-273-11, 195- 273-03, -04, -05 and -06

Figures 1 and 2 depict the location of the parcels referenced in Table 2.

\*Gift deeds and homesites are permitted per Section 816.5.A.2.b.(2) of the Zoning Ordinance.

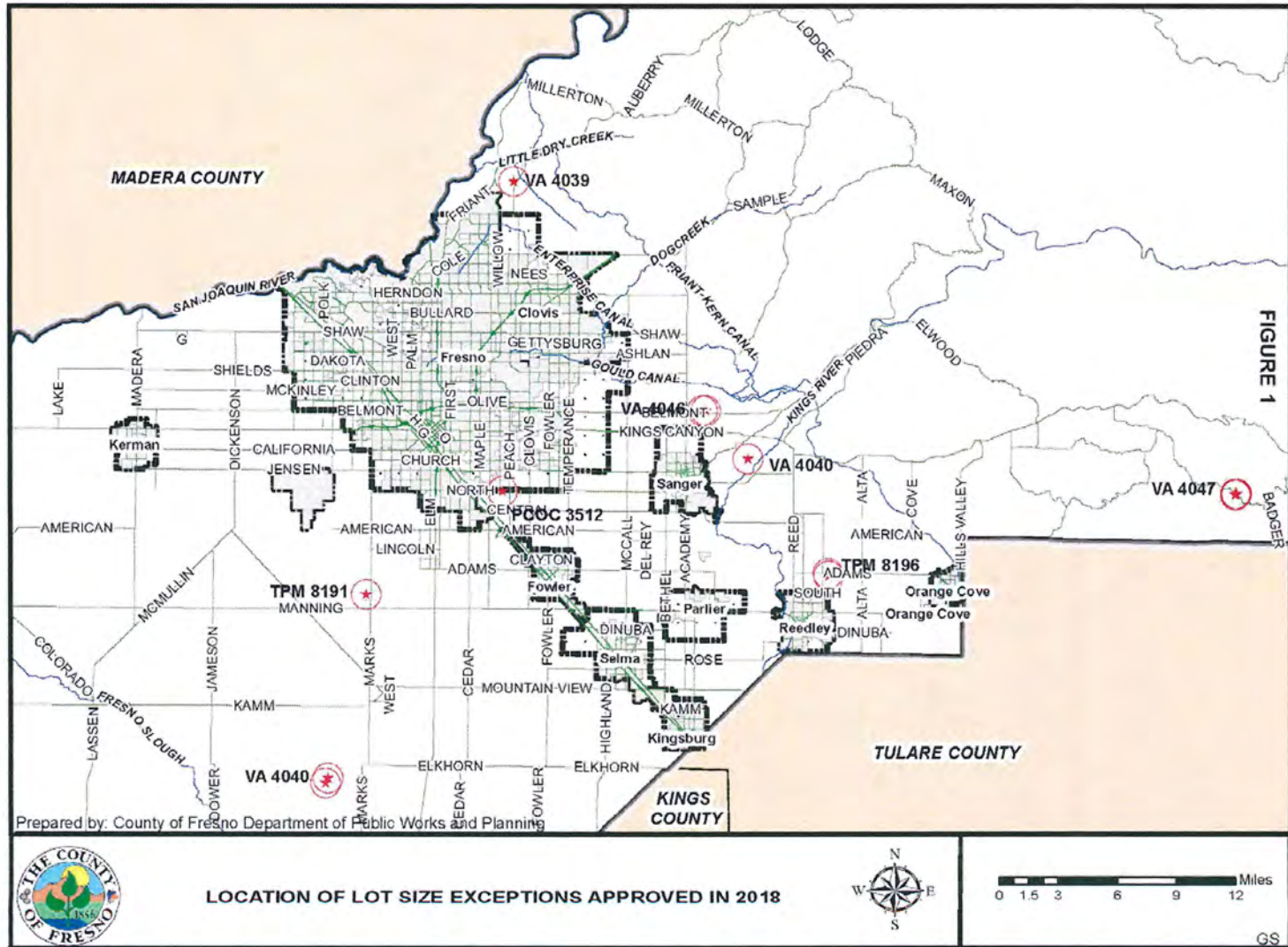


FIGURE 1

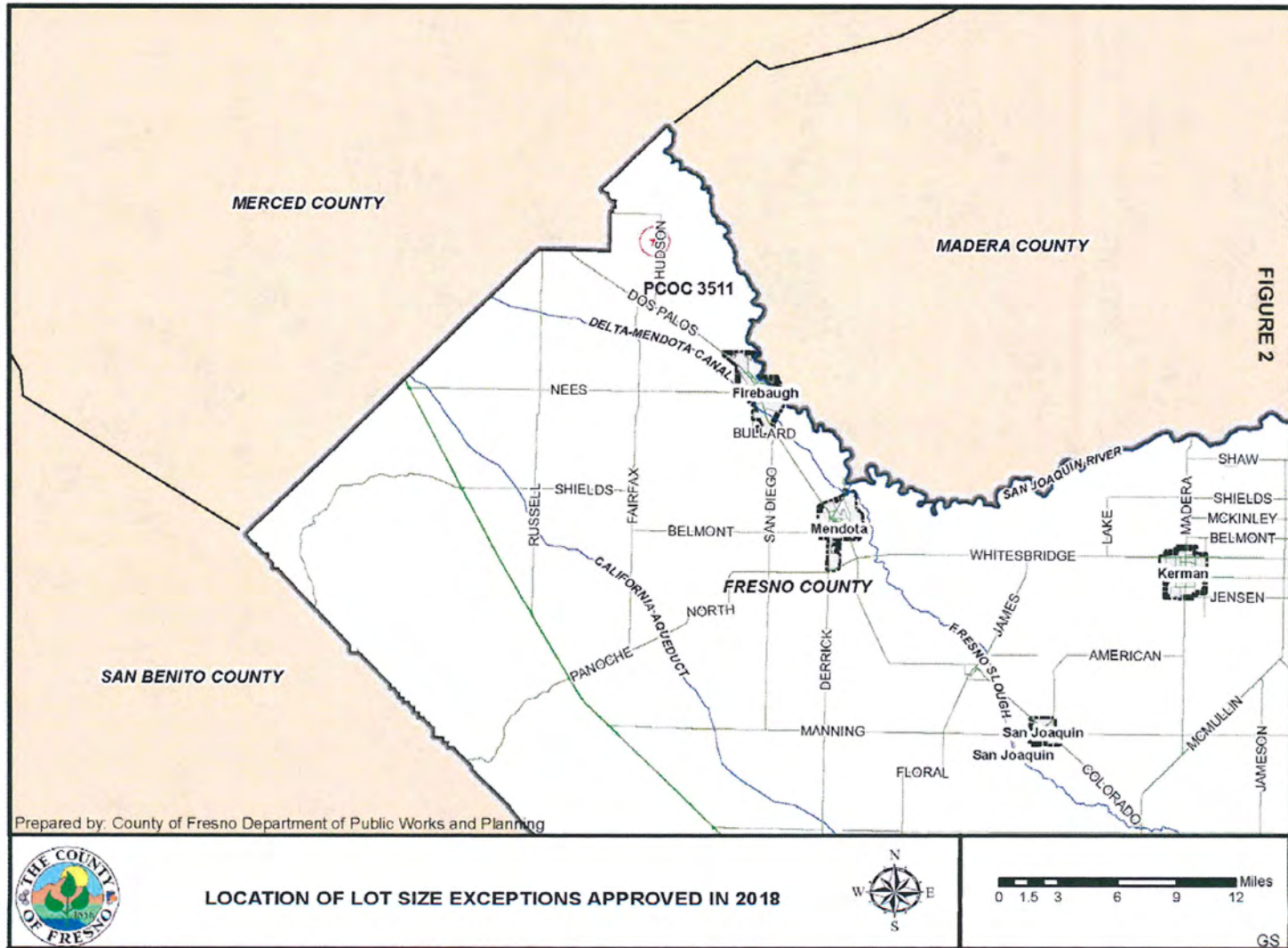


FIGURE 2

## GENERAL PLAN AMENDMENTS

The following are the General Plan Amendments that were submitted for processing in 2018 or were submitted in prior year(s) and continued to be processed, or were concluded in the 2018 calendar year:

General Plan Amendment (GPA) Application	Description
GPA No. 545 (Closed)	Colburn R. Thomason, amend the Shaver Lake Community Plan boundary by changing the land use designation of an 81.29-acre parcel from Public Lands and Open Space Designation to Mountain Residential – file was closed based on applicant inactivity and application was returned to the applicant
GPA No. 549 (Withdrawn)	Art Weldon, amend the Fresno High-Roeding Community Plan by re-designating a 6.5-acre parcel from Rural Residential to Limited Industrial and rezone from RR to the CM(c) Zone District to allow a mini-storage facility – application was withdrawn by the applicant
GPA No. 551 (Approved)	Larry and Shelly Rompal, amend the Fresno High-Roeding Community Plan by re-designating a 3.57-acre parcel from Rural Residential to Limited Industrial and rezone from RR to the M-1(c) Zone District, conditionally limited to Contractor Storage Yard - the Planning Commission recommended approval on March 15, 2018 and the project was approved by the Board of Supervisors on May 8, 2018
GPA No. 552 (Approved)	Fresno Humane Animal Services, amend the General Plan by re-designating approximately 4.15 acres from Rural Residential to Limited Industrial and rezone the subject property from RR to M-1 Zone District - the Planning Commission recommended approval on July 26, 2018 and the project was approved by the Board of Supervisors on October 23, 2018 and the approval action is currently subject to litigation undertaken by project opponents
GPA No. 553 (In Process)	Leo Gonzales, amend the General Plan by re-designating 8.38 acres from Agricultural to General Industrial and rezone the subject property from AE-20 to M-3 Zone District – in process
GPA No. 554 (In Process)	Jeff Roberts, redesignate a five-acre area of a 40.00-acre parcel known as APN 300-542-12 from “Park” to “Medium Density Residential” and change its zoning from the O to R-1(c) Zone District, and simultaneously redesignate approximately 13 acres within the same parcel, but at a different on-site location, from “Medium Density Residential” to “Open Space” and change its zoning from the R-1(c) to O Zone District – in process
GPA No. 555 (In Process)	Roger Van Groningen, amend the Selma Community Plan to redesignate 27.82 acres from Agricultural to General Industrial and rezone from AE-20 to M-3 Zone District for proposed railroad freight terminal – in process
GPA No. 556 (In Process)	Jason Higton, redesignate an approximately 0.34-acre parcel from Low Density Residential to Medium Density Residential in the Roosevelt Community Plan and rezone from R-1-B to R-2 Zone District – in process
GPA No. 557 (In Process)	C&A Farms, LLC, redesignate an approximately 158.57-acre property from Agricultural to Heavy Industrial and rezone from AE-20 to M-3 Zone District – in process

## ZONING ORDINANCE AMENDMENTS

The County implements the General Plan primarily through its Zoning Ordinance. Zoning Ordinance Amendments processed in 2018 are identified below.

### Amendments to the Zoning Ordinance

One amendment to the text of the Zoning Ordinance was submitted and approved in 2018. One application submitted in 2018 is still being processed.

Amendment to Text Application No.	Description
377 (Approved)	Amend the Zoning Ordinance for Wholesale, Minor, and Micro Wineries – the Planning Commission recommended approval on April 26, 2018 and the project was approved by the Board of Supervisors on June 12, 2018
378 (In Process)	Amend the Zoning Ordinance to modify Section 857 to allow streamlining of oil development applications – AT number assigned June 3, 2018 and application still in review - in process

### Rezone Applications

The Zoning Ordinance Amendment (Rezone) Applications processed in 2018 are described below.

Amendment (Rezone) Application No.	Description
3820 (Withdrawn)	Rezone a 6.5-acre parcel from the R-R to a C-M(c) Zone District to allow a mini-storage facility - application withdrawn by the applicant
3823 (Approved)	Rezone a 3.57-acre parcel from R-R(nb) (Rural Residential, two-acre minimum parcel size, Neighborhood Beautification Overlay) to M-1(c) (Light Manufacturing, Conditionally limited to Contractors Storage Yard) – the Planning Commission recommended approval on March 15, 2018 and the project was approved by the Board of Supervisors on May 8, 2018
3824 (Approved)	Rezone a 14.21-acre parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to an M-3(c) (Heavy Industrial, Conditional) Zone District - the Planning Commission recommended approval on March 15, 2018 and the project was approved by the Board of Supervisors on May 8, 2018
3825 (Approved)	Rezone a 2.09-acre and a 2.06-acre property from Rural Residential to Limited Industrial and rezone the adjacent parcels from the RR (Rural Residential) Zone District to the M-1 (Light Manufacturing) Zone District to allow an animal shelter/animal hospital and associated uses – the Planning Commission recommended approval on July 26, 2018 and the project was approved by the Board of Supervisors on October 23, 2018
3826 (Approved)	Amend previously-approved Conditional Rezone Application No 3620 to include additional uses in the M-1(c) (Light Manufacturing, Conditional) Zone District - the Planning Commission recommended approval on March 29, 2018 and the project was approved by the Board of Supervisors on June 5, 2018

3828 (In Process)	Rezone 124.17 acres from AL-20 (Limited Agricultural, 20-acre minimum) to M-3 (Heavy Industrial) – in process
3829 (In Process)	Rezone 42.6 acres from AL-20 (Limited Agricultural, 20-acre minimum) to M-3 (Heavy Industrial) - in process
3830 (In Process)	Rezone 8.38 acres from AE-20 (Exclusive Agricultural, 20-acre minimum) to M-3 (Heavy Industrial) - in process
3831 (In Process)	Rezone a five-acre portion of a 40-acre parcel from O (Open Conservation) Zone District to R-1(c) (Single Family Residential, 6,000 square-foot minimum parcel size, Conditional), and simultaneously change the land use designation of approximately 13 acres within the same parcel, but at a different on-site location, from “Medium Density Residential” to “Open Space” and change its zoning from the R-1(c) (Single Family Residential, 6,000 square-foot minimum parcel size, Conditional) Zone District to O (Open Conservation) to allow an 80-unit PUD in the Millerton New Town area - in process
3832 (In Process)	Rezone an 18.56 and a 9.29-acre parcel from AE-20 (Exclusive Agricultural, 20-acre minimum) to M-3 (Heavy Industrial) - in process
3833 (In Process)	Rezone a 0.34-acre parcel from R-1-B (Single-Family Residential) to R-2 (Low-Density Multiple-Family Residential) - in process
3834 (In Process)	Rezone 160 acres from AE-20 (Exclusive Agricultural, 20-acre minimum) to M-3 (Heavy Industrial) - in process
3835 (In Process)	Rezone 4.82 acres from RR (Rural Residential) to C-1 (Neighborhood Shopping Center) - in process

**OTHER PLANNING ACTIVITIES**

**Environmental Impact Reports (EIR)**

<p><u>EIR 7257 (Fifth Standard Solar)</u></p> <p>Unclassified Conditional Use Permit Application Nos. 3562, 3563, and 3564 to allow the construction and operation of a 150-megawatt (MW) solar photovoltaic (PV) generation facility, a 20 MW solar PV generation facility, and a 20 MW energy storage facility – The proposed project is located on twelve (12) parcels totaling 1600 acres, generally located west of South Lassen Avenue (SR-269), north of West Jayne Avenue, east of South Lake Avenue, and west of West Gale Avenue, approximately three miles south of the nearest city limits of the City of Huron.</p> <ul style="list-style-type: none"> <li>- In 2018, County staff continued to work with the applicant and the EIR consultant to prepare the Draft EIR.</li> </ul>
<p><u>EIR 7225 (Little Bear Solar)</u></p> <p>Unclassified Conditional Use Permit Application Nos. 3550, 3551, 3552, 3553, and 3577 to allow the construction and operation of a 180-megawatt (MW) solar photovoltaic (PV) energy generation and energy storage project - located south of West California Avenue and west State Route 33 (South Derrick Avenue), approximately two and one half miles southwest of the nearest city limits of the City of Mendota.</p> <ul style="list-style-type: none"> <li>- The project went before the Planning Commission on December 6, 2018. The EIR was not certified and the project was denied. The Applicant appealed to the Board of Supervisors. At the Board hearing that was held on February 26, 2019 the Board certified the EIR and approved the project.</li> </ul>

EIR 7180 (Coalinga Oilfield Improvements)

Unclassified Conditional Use Permit Application Nos. 3538, 3539, and 3548 to allow ongoing oil and gas exploration, drilling, and production activities on properties within the Coalinga Oil Field on one hundred and five (105) parcels totaling 25,749 acres, generally located six miles west of Interstate 5 (I-5) and 0.5 mile west of the center of the City of Coalinga.

- In 2018, County staff continued working with the applicant to finalize the EIR agreement.

EIR 7398 South Lake Solar

Unclassified Conditional Use Permit Application No. 3596 to allow the construction and operation of an up to 80-megawatt (MW) solar power generating facility with the potential to add up to 80 MW of energy storage on the site and a 70 kV overhead tie line, which will extend approximately 500 feet from the on-site substation to the adjacent Pacific Gas and Electric Company (PG&E) transmission line on two (2) parcels totaling 585 acres - generally located 30 miles southwest of the City of Fresno and 3.4 miles south-southwest of the unincorporated community of Five Points.

- In 2018, County staff continued to work with the applicant and the EIR consultant to prepare the Draft EIR.

EIR 7230 Scarlet Solar

Unclassified Conditional Use Permit Application No. 3555 to allow the construction and operation of a 400-megawatt (MW) solar photovoltaic (PV) generation facility and 200 MW energy storage project on 27 parcels totaling 4,069 acres generally located south of West South Avenue, north of West Dinuba Avenue, east of State Route 33 (SR-33; South Derrick Avenue), and west of South San Mateo Avenue, approximately four miles west-southwest of the unincorporated community of Tranquillity.

- In 2018, County staff continued to work with the applicant and the EIR consultant to prepare the Draft EIR.

**Other Activities**

Tribal Consultation

AB 52 (Gatto), amended provisions of the California Environmental Quality Act (CEQA) approved by the Governor on September 25, 2014. AB 52 requires that within 14 days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency must provide formal notification to the designated contact or tribal representative of traditionally and culturally affiliated California Native American tribes that have requested notice. In turn, the tribe must respond, in writing, within 30 days of receipt of the formal notification to request consultation. The requirements of AB 52 apply to any project for which a Notice of Preparation, Notice of Mitigated Negative Declaration or Notice of Negative Declaration is filed on or after July 1, 2015.

During the 2018 calendar, staff has consulted with tribal governments on various projects subject to CEQA, with one tribe requesting consultation on the majority of AB 52-applicable projects submitted to and in process with the County.



Williamson Act Contract Audit

On September 18, 2012, the Board of Supervisors directed staff to audit existing Williamson Act Contracts on an ongoing basis for possible removal of lands from the program that do not meet the State or County's eligibility requirements to remain in the program.

In 2018, due to limited staff resources, staff's audit of the Williamson Act Contracts was limited to contracted land on which a development was proposed.

Sustainable Groundwater Management Act (SGMA)

The Sustainable Groundwater Management Act (SGMA), signed into law in September of 2014, established a new structure for managing California's groundwater resources by local agencies.

During 2018, one (1) SGMA working group meeting was held, which was co-chaired by members of the Board of Supervisors, during which membership was re-aligned to reflect Groundwater Sustainability Agency (GSA) representatives within the County. Meeting frequency of the SGMA working group was limited during the 2018 calendar year as membership focused on the preparation and coordination of their respective Groundwater Sustainability Plans (GSPs). Members of the Board of Supervisors actively participate on four (4) of the GSA's governing boards within the three high-priority basins within Fresno County, as well as County staff's annual participation in over 250 Board, policy, technical, and outreach committee meetings. Groundwater Sustainability Plans are required to be submitted by the GSAs to the State of California, Department of Water Resources on January 31, 2020. Failure to prepare and submit a GSP in a groundwater basin could result in the State Water Resources Control Board asserting its power to manage local groundwater resources.

Water Conservation Ordinance

On September 30, 2014 the Fresno County Board of Supervisors approved Ordinance Code Chapter 14.01 (Water Conservation Ordinance) which went into effect on October 31, 2014.

March 20, 2018, County staff presented the 2018-19 Annual Report for the water year (April 1, 2018 through March 31, 2019). Staff's recommendation was that all Community Service Areas (CSAs) and Waterworks Districts (WWDs), with the exception of three CSAs and one WWD, remain on Normal Water Conservation. The recommendation was made for the Board to implement Stage 4 Water Conservation for CSAs 30, 32, and 49 due to the reduction in water allocation from the water provider (Westlands Water District) of the aforementioned CSAs. County staff has been working with CSAs 30, 32, and 49 to identify new/additional sources of water for each community. The recommendation was made for the Board to implement Stage 2 and 3 for CSA 39AB to comply with the water regulations of their water provider (City of Fresno). Finally, the recommendation was made for the Board to implement Stage 4 for WWD 40 due to water capacity issues with their water system. County staff has been working with WWD 40 to identify new/additional sources of water. The Board accepted the 2018-19 Annual Report and implemented all recommendations made by staff for the 2018-19 water year.

Operations of County Landfills

Currently there are two landfills that are operating within the County: the American Avenue Disposal Site (AADS) and the Clovis Landfill (CL). The estimated closure date for AADS has been revised to October 6, 2034 from the June 30, 2044 estimated closure date reported in the 2017 APR.

### Recycling Programs

The County of Fresno is responsible for administration of management programs for solid waste streams in the unincorporated areas of the County. In addition, the County serves in an administrative capacity for the greater County of Fresno with respect to regional program implementation and reporting.

Annual and Biannual reporting detailing for both local and regional programs for solid waste streams is submitted to the California Department of Resources Recycling and Recovery (CalRecycle).

Programs and reporting requirements that are currently administered by the County relating to solid waste and recycling include:

- California Global Warming Solutions Act (AB 32)
- California Solid Waste Law – Diversion Requirements (AB 939)
- Waste Tonnage Reporting for County Cities and Facilities (AB 901)
- Mandatory Recyclable Material Requirement (AB 341)
- Mandatory Organic Waste Material Requirement (AB 1826)
- Waste Reporting Parameters (AB 1594)
- Construction and Demolition Waste Diversion Requirement (SB 1374); including Title 15 Building Standards Code related to diversion requirements.

## **APPENDIX A**

**This appendix includes a matrix showing the status of General Plan Implementation Programs for the Economic Development Element, Agriculture and Land Use Element, Transportation Element, Public Facilities and Services Element, Open Space and Conservation Element and the Health and Safety Element.**

**APPENDIX A**  
Review of General Plan Implementation Programs

PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<b>Economic Development Element</b>			
ED-A Economic Development			
ED-A.A			
<p>The County shall create an economic development staff position(s) in the County Administrative Office and the Planning &amp; Resource Management Department to serve as liaison/facilitator and support for the economic development implementation program and the Action Team. (See Policy ED-A.2, ED-A.3)</p>	<p>Board of Supervisors</p> <p align="center">County Administrative Office (CAO)</p> <p align="center">Public Works &amp; Planning (PW&amp;P)</p>	<p>FY 00-01</p>	<p>On September 12, 2017, the Board of Supervisors approved formation of an Economic Development Action Team (EDAT) Standing Committee with Structure, Objectives and Composition as outlined below:</p> <p><u>Structure</u></p> <ul style="list-style-type: none"> <li>• Formed as a Standing Committee to discuss EDAT issues/projects with meetings convened based on need.</li> </ul> <p><u>Objectives</u></p> <ul style="list-style-type: none"> <li>• Work with County staff to implement the following three goals of the Economic Development Element of the County's General Plan: (1) Job Creation, (2) Economic Base Diversification, and (3) Labor Force Preparedness;</li> <li>• Assist County staff in reviewing the Economic Development Element of the County General Plan; and</li> <li>• Provide direction to County staff regarding economic development projects in the unincorporated area of Fresno County.</li> </ul> <p><u>Composition</u></p> <p><i>County of Fresno</i></p> <ul style="list-style-type: none"> <li>• Chairman of the Board of Supervisors, or another supervisor designated by the Chairman;</li> <li>• A second County Supervisor determined by the issue/project the EDAT is discussing;</li> <li>• County Administrative Officer;</li> <li>• Public Works and Planning Director; and</li> <li>• City representatives impacted by the issue/project the EDAT is discussing.</li> </ul>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
			<p><i>For the City of Fresno the representatives would include:</i></p> <ul style="list-style-type: none"> <li>• Mayor of the City of Fresno;</li> <li>• President of the City Council for the City of Fresno; and</li> <li>• City Manager of the City of Fresno.</li> </ul> <p><i>For the Cities of Clovis, Coalinga, Firebaugh, Fowler, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, San Joaquin, or Selma the representatives would include:</i></p> <ul style="list-style-type: none"> <li>• Mayor of that City; and</li> <li>• City Manager of that City.</li> </ul>
<b>ED-A.B</b>			
The County shall create, support, and staff an Action Team to coordinate countywide economic development. (See Policy ED-A.3)	Board of Supervisors  CAO	FY 00-01	See ED-A.A.
<b>ED-A.C</b>			
The County shall retain an independent and qualified institution to conduct an evaluation at least every five (5) years of success in achieving the goals and targets of the Economic Development Strategy. (See Policy ED-A.4)	Board of Supervisors  CAO	FY 05-06; every five (5) years thereafter	The Economic Development Corporation works with the County to update the County's Economic Development Strategy (CEDS). As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>ED-A.D</p> <p>The County, working in cooperation with the cities, shall develop criteria for the location in the unincorporated areas of value-added agricultural processing facilities that are compatible with an agricultural setting. Such criteria shall take into account the service requirements of facilities for processing agricultural products and the capability and capacity of the cities to provide the services required. (See Policy ED-A.7)</p>	<p>Board of Supervisors</p> <p style="text-align: center;">PW&amp;P</p>	<p>FY 01-02; 02-03; 03-04</p>	<p>This program has been implemented. The General Plan Policy LU-A.3 allows for the establishment of value-added processing facilities in areas designated Agriculture through approval of a discretionary permit subject to established criteria which includes analysis of service requirements for facilities and the capability and capacity of surrounding areas to provide the services required.</p>
<p>ED-A.E</p> <p>The County shall establish guidelines for the analysis of the economic impacts in staff reports of all discretionary decisions by the Board of Supervisors, Planning Commission, and other County decision-making bodies. (See Policy ED-A.11)</p>	<p>Board of Supervisors</p> <p style="text-align: center;">CAO</p>	<p>FY 00-01</p>	<p>Per direction from the CAO's office, the analysis of economic impacts are no longer required in the staff report for discretionary permits. As such, this program is obsolete.</p>
<p>ED-A.F</p> <p>The County shall contract with the Fresno EDC to develop marketing programs for Fresno County produce. (See Policy ED-A.14)</p>	<p>Board of Supervisors</p> <p style="text-align: center;">CAO</p>	<p>Ongoing</p>	<p>The EDC has developed several marketing efforts for Fresno County produce. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>ED-A.G The County shall determine, in cooperation with existing agencies, if capital deficiencies exist for farmers with the capital costs of shifting production modes to crops that create higher employment levels. If such deficiencies are identified, the County, in partnership with existing agencies, shall work to access additional funds or redirect existing funds. (See Policy ED-A.18)</p>	<p>Board of Supervisors  County Department of Agriculture</p>	<p>FY 02-03; 03-04</p>	<p>The EDC in working with the County will identify if capital deficiencies exist for farmers with capital costs of shifting production modes for crops that create higher employment levels. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
<p>ED-B Economic Base Diversification</p>			
<p>ED-B.A The County shall convene a group of the existing service providers to assess the current state of telecommunications infrastructure, the needs for the future, and the role of the County and other agencies in facilitating implementation of services demanded by high technology firms. (See Policy ED-B.4)</p>	<p>Board of Supervisors  CAO</p>	<p>FY 02-03; 03-04</p>	<p>In July 2002 the Fresno Regional e-Government Taskforce was created to develop a plan for utilizing electronic information technology to improve the delivery of governmental services and to expand the opportunity for economic development. The group was instrumental in improving collaboration and data sharing between the County and the Cities of Fresno and Clovis. In January 2010, regular meetings were suspended due to lack of funding. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
ED-B.B			
<p>The County shall coordinate an initiative to deliver a comprehensive package of technical assistance regarding available technology to local businesses to improve their productivity and make this assistance available as an incentive for business prospects. (See Policy ED-B.9)</p>	<p>Board of Supervisors  PW&amp;P</p>	<p>FY 02-03; 03-04</p>	<p>The Economic Development Corporation (EDC) works to enhance the stability and growth of Fresno County's existing companies by connecting them with specific resources, information and services with the primary objectives to assist businesses with expansions, survive economic difficulties, and make them more competitive in the wider marketplace. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
ED-B.C			
<p>The County shall convene a roundtable of major financial institutions, venture capital firms, and business finance agencies, such as the California Public Employees Retirement System (CALPERS), to determine the need for improving access to capital for non-agricultural businesses seeking to locate or expand in Fresno County. (See Policy ED-B.10)</p>	<p>Board of Supervisors  CAO  PW&amp;P</p>	<p>FY 02-03</p>	<p>The Economic Development Corporation (EDC) through its Business Expansion, Attraction, and Retention (BEAR) Action Network program works with businesses seeking to locate or expand in Fresno County and works to assist with financing and microloan programs. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
ED-B.D			
<p>The County shall initiate a planning process to identify additional recreation opportunities in the coast range foothills and other areas where "gateway opportunities" exist. (See Policy ED-B.18)</p>	<p>Board of Supervisors  PW&amp;P</p>	<p>FY 01-02</p>	<p>The County continues to identify recreational opportunities in the coast range foothills and other areas of the County.</p>



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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<b>ED-B.E</b>			
<p>The County shall regularly evaluate the marketing programs of the Visitor and Convention Bureau and provide funding assistance as appropriate to support effective marketing programs that attract business travel to the County. (See Policy ED-B.20)</p>	<p>Board of Supervisors  CAO  PW&amp;P</p>	<p>FY 00-01</p>	<p>The Fresno Economic Development Corporation in cooperation with the Visitor and Convention Bureau works on developing effective marketing programs that attract business and travel to the County. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
<b>ED-C</b> <b>Labor Force Preparedness</b>			
<b>ED-C.A</b>			
<p>The County shall join with the Workforce Development Board, community colleges, and others to develop a countywide workforce preparation system. (See Policy ED-C.1)</p>	<p>Workforce Development Board  Social Services</p>	<p>Ongoing</p>	<p>Fresno County is an active participant on the Fresno Regional Workforce Investment Board which serves to mobilize and integrate all private and public partners to effectively educate, train and place individuals with the necessary resources and skills to fulfill employer needs in the County.</p>
<b>ED-C.B</b>			
<p>The County shall develop a skills inventory on the CalWORKS labor pool for local expansion and new businesses seeking employees. (See Policy ED-C.1)</p>	<p>Social Services</p>	<p>FY 01-02</p>	<p>A skills inventory was developed for positions in local industries. This was used as the basis for a coded skills inventory using the automated Welfare Employment Preparedness Index. The system could then be queried and sorted by specific skills and can produce a list of clients meeting given criteria. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
ED-C.C			
The County shall improve tracking systems for employment and retention for CalWORKS recipients. (See Policy ED-C.1)	Social Services	FY 00-01	The Department of Social Services uses an automated system developed for use by counties throughout the State to record employment information. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.
ED-C.D			
The County shall continue efforts to assist the Fresno EDC, placement agencies, and businesses to assess the availability and work readiness of CalWORKS recipients for employment opportunities. (See Policy ED-C.1)	Social Services	Ongoing	The County Department of Social Services through the CalWORKS program provides services such as job clubs, job fairs, participant assessments, adult basic education and vocational training. The County is also an active participant on the Fresno Regional Workforce Investment Board which serves to mobilize and integrate all private and public partners to effectively educate, train and place individuals with the necessary resources and skills to fulfill employer needs.
ED-C.E			
The County shall continue its collaborative planning and funding efforts with agencies such as the County Office of Education, State EDD, local school districts, post-secondary educational institutions, training agencies, and the cities. Such efforts may include education management services, employment placement services, relocation and retention programs, youth employment programs, job clubs, and neighborhood jobs services. (See Policy ED-C.1 and ED-C.2)	Social Services	Ongoing	The County Department of Social Services through the CalWORKS program provides services such as job clubs, job fairs, participant assessments, adult basic education and vocational training. The County is also an active participant on the Fresno Regional Workforce Investment Board which serves to mobilize and integrate all private and public partners to effectively educate, train and place individuals with the necessary resources and skills to fulfill employer needs.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<b>ED-C.F</b>			
The County shall continue, on an ongoing basis, efforts initiated through the CalWORKS Job Creation Investment Fund to identify the skills required by the clusters and industries targeted for expansion, attraction, and new enterprise development. (See Policy ED-C.3)	Social Services	Ongoing	The Fresno County Workforce Investment Board, the Employment Development Department and the Economic Development Corporation assist Fresno employers in meeting their labor needs by delivering outplacement, recruitment and training services.
<b>Agriculture and Land Use Element</b>			
LU-A			
Agriculture			
LU-A.A			
The County shall review and amend its Zoning and Subdivision Ordinances to ensure consistency with policies and standards of this section. (See Policies LU-A.1 through LU-A.21)	Board of Supervisors  PW&P	FY 00-01; 01-02	The County has undertaken the comprehensive update of its Zoning Ordinance to ensure consistency between the Zoning Ordinance and the General Plan. The County continues to amend its Subdivision Ordinance to ensure consistency of the Ordinance with the policies of the General Plan.
LU-A.B			
The County shall evaluate minimum parcel sizes necessary for sustained agricultural productivity on land designated for agriculture throughout the County, and, as appropriate, amend the Zoning Ordinance according to the results of that analysis. (See Policy LU-A.6.)	PW&P	FY 03-04	Policy LU-A.6 states that the County shall maintain twenty (20) acres as the minimum permitted parcel size in areas designated Agriculture, except as provided in Policies LU-A.9, LU-A.10 and LU-A.11. The County may require parcel sizes larger than twenty (20) acres based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>LU-A.C</p> <p>The County shall develop and implement guidelines for design and maintenance of buffers to be required when new non-agricultural uses are approved in agricultural areas. Buffer design and maintenance guidelines shall include, but not be limited to, the following:</p> <p>a) Buffers shall be physically and biologically designed to avoid conflicts between agriculture and non-agricultural uses. b) Buffers shall be located on the parcel for which a permit is sought and shall protect the maximum amount of farmable land. c) Buffers generally shall consist of a physical separation between agricultural and non-agricultural uses. The appropriate width shall be determined on a site-by-site basis taking into account the type of existing agricultural uses, the nature of the proposed development, the natural features of the site, and any other factors that affect the specific situation. d) Appropriate types of land uses for buffers include compatible agriculture, open space and recreational uses such as parks and golf courses, industrial uses, and cemeteries. e) The County may condition its approval of a project on the ongoing maintenance of buffers. f) A homeowners association or other appropriate entity shall be required to maintain buffers to control litter, fire hazards, pests, and other maintenance problems. g) Buffer restrictions may be removed if agricultural uses on all adjacent parcels have permanently ceased. (See Policy LU-A.16)</p>	<p>PW&amp;P</p>	<p>FY 03-04</p>	<p>The County requires buffers for certain land uses with the potential to hinder agricultural uses. For discretionary land use proposals including tentative tract maps, buffers are taken into consideration as part of project conditions. This has also been applied to utility-scale photovoltaic solar facilities with a general policy of 50 feet between panels or structures and surrounding agricultural properties.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
LU-A.D			
<p>The County shall periodically review agricultural land preservation programs and assess their effectiveness in furthering the County's agricultural goals and policies. (See Policies LU-A.13 and LU-A.16)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>The Williamson Act Program (Program) and placing agricultural land under conservation easement are two effective methods for preservation of agricultural land. The Department of Public Works and Planning audits the Williamson Act contracts for conformity with the State and County requirements when an applicant or a landowner submits a development application or a building permit request. Parcels that no longer meet the eligibility requirements to remain in the Program will be removed from the Program. County staff does its due diligence and works with the State Department of Conservation on petitions for cancellation of contracts, continues to utilize the Agricultural Land Conservation Committee to review cancellation petitions, and forwards the Committee's recommendations to the Board of Supervisors (see Policy LU-A.F).</p>
LU-A.E			
<p>The County shall continue to implement the County's Right-to-Farm Ordinance, and will provide information to the local real estate industry to help make the public aware of the right-to-farm provisions in their area. (See Policy LU-A.15)</p>	<p>County Department of Agriculture</p>	<p>Ongoing</p>	<p>The County staff utilizes the Right-to-Farm Ordinance notification process on many types of discretionary land use permits to insure that applicants or future property owners are aware of ongoing agricultural activities within the vicinity of developments approved via a discretionary approval process. Further, County staff actively communicates with the Agricultural Commissioner's Office on discretionary projects proposed in agricultural areas and seeks comments from that Department.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p><b>LU-A.F</b> The County, in cooperation with UC Cooperative Extension, resource conservation districts, and other industry agencies, shall develop and implement a public outreach program to inform agriculturists and the public of the advantages of participation in land trust agreements, conservation easements, dedication incentives, Williamson Act contracts, Farmland Security Act contracts, and the Agricultural Land Stewardship Program Fund. (See Policies LU-A.16 through LU-A.21)</p>	<p align="center">PW&amp;P  County Department of Agriculture</p>	<p align="center">Ongoing</p>	<p>The Board of Supervisors has adopted Resolutions of Support for land owners who wish to place their land under conservation easement. In 2017, the Board adopted a Resolution to place 642 acres in a conservation easement. In 2015, the Board adopted one Resolution to place a 56-acre parcel in a conservation easement and in 2014 the Board adopted two Resolutions to place a total of 309 acres in a conservation easement. As part of the General Plan Review process, policies and programs of the Land Use Element are being reviewed to determine which policies still serve a purpose and should be kept and which ones have served their purpose or are no longer relevant and should be deleted or revised.</p>
<p><b>LU-A.G</b> The County shall actively pursue grant funds under provisions of the Agricultural Land Stewardship Program Act of 1995 to assist interested farmers and ranchers in obtaining funds for conservation easements. (See Policy LU-A.16)</p>	<p align="center">PW&amp;P</p>	<p align="center">Ongoing</p>	<p>The Board of Supervisors continues to support land owners who wish to place their land under conservation easement, provided that the proposals meet certain required criteria.</p>
<p><b>LU-A.H</b> The County shall develop a program establishing criteria to prioritize funding for agricultural conservation easements. (See Policy LU-A.16)</p>	<p align="center">PW&amp;P</p>	<p align="center">FY 02-03</p>	<p>The County uses the State's criteria in its review of proposals submitted by landowners requesting a Resolution of Support to obtain grants to place agricultural land under conservation easements. As part of the General Plan Review process, policies and programs of the Land Use Element are being reviewed to determine which policies still serve a purpose and should be kept and which ones have served their purpose or are no longer relevant and should be deleted or revised.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p><b>LU-A.I</b> The County shall assess the approaches to determining agricultural land values in the 1981 Farmland Protection Policy Act land evaluation and site assessment (LESA) system, and the Tulare County Rural Valley Lands Plan, 1975 amendment, to determine the potential for developing a similar process for identifying and ranking the value of agricultural land in Fresno County. If appropriate, the County shall establish an agricultural quality scale system to assist the Planning Commission and Board of Supervisors in agricultural land use conversion decisions. (See Policy LU-A.16)</p>	<p align="center">PW&amp;P County Department of Agriculture</p>	<p align="center">FY 03-04</p>	<p>The County has not assessed utilizing an agricultural quality scale system similar to LESA as part of the evaluation process of converting agricultural land to non-agricultural uses. However, the impacts of projects on agricultural lands are analyzed for projects that may have a potential impact on conversion of agricultural land to non-agricultural uses as part of the environmental assessment of discretionary projects. As part of the General Plan Review process, policies and programs of the Land Use Element are being reviewed to determine which policies still serve a purpose and should be kept/ revised and which ones have served their purpose or are no longer relevant and should be deleted.</p>
<p><b>LU-A.J</b> The County shall maintain an inventory of lot size exceptions granted by discretionary permit. This inventory, including number of exceptions, size of the lots, and their location, shall be presented to the Board of Supervisors during the annual review of the General Plan. (See Policies LU-A.9, LU-A.10, and LU-A.11)</p>	<p align="center">PW&amp;P Board of Supervisors</p>	<p align="center">Annually</p>	<p>During the 2018 calendar year, four lot size exceptions were granted through provisions outlined in Policy LU-A.9. In addition, five lot size exceptions, specific to agricultural zoning, were granted through variance applications approved by the decision-making bodies. A list of the exceptions granted is included on Page 11 of the 2018 General Plan Annual Progress Report.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
LU-B Westside Rangelands			
LU-B.A			
The County shall maintain an inventory of lot size exceptions granted by discretionary permit. This inventory, including numbers of exceptions, size of the lots, and their location shall be presented to the Board of Supervisors during the annual review of the General Plan. (See Policies LU-B.7, LU-B.9, and LU-B.10)	PW&P	Annually	During the 2018 calendar year, four lot size exceptions were granted through provisions outlined in Policy LU-B.7. In addition, five lot size exceptions, specific to agricultural zoning, were granted through variance applications approved by the decision-making bodies. A list of the exceptions granted is included on Page 11 of the 2018 General Plan Annual Progress Report. Also, a map showing the location of the granted lot size exceptions are included in the body of the 2018 Annual Report.
LU-C River Influence Areas			
LU-C.A			
The County will update and maintain the Kings River Regional Plan to guide County decision-making concerning land use and environmental quality within the Kings River influence area. (See Policies LU-C.1 and OS-H.10)	Board of Supervisors  PW&P	FY 02-03 (first update); subsequently as needed	Due to budgetary constraints and timing of other plan updates, implementation of this program has been delayed. There has been some renewed interest in updating the plan, which has arisen with public interest in surface mining projects on the Kings River.



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LU-C.B			
<p>The County shall work with the San Joaquin River Parkway and Conservation Trust, San Joaquin River Conservancy, City of Fresno, and other interested agencies and organizations to implement the San Joaquin River Parkway Master Plan.</p>	<p>Board of Supervisors  PW&amp;P</p>	<p>Ongoing</p>	<p>The Recompiled San Joaquin River Parkway Master Plan was approved and adopted by the San Joaquin River Conservancy Governing Board on July 20, 2000. The San Joaquin River Conservancy (SJRC) started the process of updating the San Joaquin River Parkway Master Plan in June of 2013 that includes an update of policies and planned facilities, and the preparation of a Master EIR. The SJRC Board approved the Master Plan update and the Final EIR (State Clearinghouse No. 2013061035) on April 11, 2018. The SJRC will be working with the Department of Public Works and Planning, Resources Division, Parks (County Parks) for the completion of the Lost Lake Master Plan. The County has been participating as a member of the Interagency Project Development Committee. The County also regularly coordinates with the interested agencies/stakeholders with regard to project reviews to discuss and minimize possible project impacts to river resources.</p>
LU-D			
Westside Freeway Corridor			
LU-D.A			
<p>The County shall revise its Zoning Ordinance to implement the revised provisions of this section concerning the Westside Freeway Corridor. (See Policies LU-D.1 through LU-D.7)</p>	<p>Board of Supervisors  PW&amp;P</p>	<p>FY 01-02</p>	<p>Revisions to the County Zoning Ordinance were approved March 27, 2001 by the Board of Supervisors to implement the revised provisions of this section concerning the Westside Freeway Corridor with approval of Amendment to Text (AT) No. 337, and subsequently amended with AT No. 352 in 2004. Therefore, this program has been implemented and will be removed.</p>

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LU-F Urban Development Patterns			
LU-F.A			
The County shall work with the Cities of Clovis and Fresno and other cities as appropriate to adopt incentives and disincentives that will lead to compact urban development and infill of vacant and underutilized land. (See Policies LU-F.1 through LU-F.10)	Board of Supervisors	Ongoing	The County's General Plan and the General Plan of the cities of Fresno and Clovis include polices that promote infill of vacant and underutilized land. Also, the cost of providing urban services to suburbs is a disincentive that has motivated several cities to pursue infill development over annexation of new territory. County staff continues to refer to General Plan policies that direct intensive urban growth to the cities and unincorporated communities and reviews relevant policies when processing discretionary land use permits.
LU-F.B			
The County shall review its Zoning Ordinance and Subdivision Ordinance to incorporate amendments that will implement the policies for pedestrian and transit-oriented development. (See Policies LU-F.1 through LU-F.10)	Board of Supervisors	FY 01-02	The County is in the process of updating its Zoning Ordinance which will include provisions for mixed uses and pedestrian and transit-oriented developments.
LU-G Incorporated City, City Fringe Area, and Unincorporated Community Development			
LU-G.A			
The County shall review and revise, as appropriate, its Zoning Ordinance to facilitate moderate increases in density of housing in unincorporated urban communities. (See Policies LU-G.21 through LU-G.23)	PW&P	FY 01-02	The County is in the process of Reviewing and Revision of its General Plan and updating its Zoning Ordinance. As part of the revision and update process the allowable density in the R2, R2-A, R3, R3-A, R4, C4 and RP Zone Districts is proposed to be increased to 20 units per acre.

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LU-G.B			
<p>The County shall review all annexation proposals submitted to the Local Agency Formation Commission (LAFCo) and prepare a recommendation to LAFCo for each proposal. The County shall formally protest when the annexation is inconsistent with a city's adopted general plan or with the County's General Plan or applicable community plan. (See Policies LU-G.1 through LU-G.20)</p>	<p>PW&amp;P Board of Supervisors</p>	<p>As Needed</p>	<p>The Department of Public Works and Planning staff reviews annexation proposals submitted by cities to ensure consistency of the proposals with the City and County General Plans and the Memorandum of Understanding between the County and each City. A consistency determination letter is provided for each annexation proposal found to be consistent. Approximately six consistency determination letters were issued in 2018.</p>
LU-H General and Administrative Provisions			
LU-H.A			
<p>The County shall prepare and adopt a regional plan for the Friant-Millerton area consistent with the directives of Policy LU-H.8. (See Policy LU-H.8)</p>	<p>Board of Supervisors PW&amp;P</p>	<p>FY 02-03</p>	<p>This program has been suspended pending additional Board direction.</p>

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<p>LU-H.B</p> <p>County Staff shall meet regularly with cities and adjacent counties to address planning and growth issues of common interest and concern. Staff shall report annually on cooperative planning efforts of the previous year and the planned schedule of meetings with local jurisdictions to address regional planning issues in the upcoming year.</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>Efforts that began in 2014 culminated with a January 27, 2015 joint meeting between the Madera County Board of Supervisors and the Fresno County Board of Supervisors at the Fresno Council of Governments (FCOG). Topics discussed at the joint meeting included development and land use vision in the Rio Mesa area and Friant Corridor, Fresno County/Madera County Highway 41 Origin-Destination Study, and the Sustainable Groundwater Management Act of 2014 (SGMA).</p> <p>On June 22, 2015, a joint meeting between the Board of Supervisors and representatives of all 15 incorporated cities within the County was held at the FCOG. Topics discussed included SGMA, Marijuana Ordinances, land use and preservation and special districts.</p> <p>On November 17, 2015, a joint meeting between the Board of Supervisors and the representatives from the Cities of Clovis, Fowler, Fresno and Sanger was held at the FCOG. Topics discussed included industrial parks, spheres of influence and SGMA.</p> <p>On May 30, 2017, a joint meeting between the Board of Supervisors and representatives from the City of Fresno was held at Fresno City Hall. Topics discussed included emergency coordination/public safety, ShotSpotter technology expansion, Marijuana Ordinances and animal control.</p> <p>There are efforts underway for the Board of Supervisors and the Fresno City Council to meet periodically to discuss regional issues.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
LU-H.C			
The County shall prepare and adopt minimum format and content guidelines for the preparation of updated and new regional, community, and specific plans to ensure consistency with the countywide General Plan. (See Policy LU-H.10)	PW&P	FY 02-03	The County has prepared a format and guideline for new and updates to existing plans. This program has been implemented and will be deleted.
LU-H.D			
The Planning Commission shall review the General Plan annually, focusing principally on actions undertaken in the previous year to carry out the implementation programs of the plan. The Planning Commission's report to the Board of Supervisors shall include, as the Commission deems appropriate, recommendations for amendments to the General Plan. This review shall also be used to satisfy the requirements of Public Resources Code 21081.6 for a mitigation monitoring program. (See Policy LU-H.12)	Planning Commission  Board of Supervisors  PW&P	FY 02-03; annually thereafter	The Public Works and Planning Department prepares and presents the General Plan Annual Progress Report (APR) for the previous calendar year to the Planning Commission and the Board of Supervisors.
LU-H.E			
The County shall conduct a major review of the General Plan, including the General Plan Policy Document and Background Report, every five years and revise it as deemed necessary. (See Policy LU-H.14)	Board of Supervisors  PW&P	FY 05-06; every five (5) years thereafter	The County is currently working on the Review of the General Plan documents. On September 22, 2015 the Board of Supervisors accepted the scope of work and authorized the Chairman to execute a Consultant Agreement with the consulting firm of Mintier-Harnish to provide planning and environmental consulting services for the preparation of an Environmental Impact Report (EIR) for the General Plan Review and Comprehensive Zoning Ordinance Update.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>LU-H.F</p> <p>The County shall comprehensively review and amend as necessary the Zoning Ordinance text and Zoning Map to reflect new policies and standards included in the General Plan during the 2000 update. (See Policy LU-H.15)</p>	<p>PW&amp;P</p>	<p>FY 02-03; 03-04</p>	<p>The Zoning Ordinance has been amended to incorporate the policies of the 2000 General Plan Update. The County is currently working on the update of the Zoning Ordinance along with the Review and Revision of General Plan documents. On September 22, 2015, the Board of Supervisors accepted the scope of work and authorized the Chairman to execute a Consultant Agreement with the consulting firm of Mintier-Harnish to provide planning and environmental consulting services for the preparation of an Environmental Impact Report (EIR) for the General Review and Comprehensive Zoning Ordinance Update.</p>
<p>LU Mitigation Measure 4.16-2</p> <p>In approving new development, the County shall require that lighting standards be designed and constructed to minimize the project contribution to ambient light production and to preclude "spillover" light onto adjacent light-sensitive (e.g., residences, hospitals) properties.</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>The Public Works and Planning Department currently conditions discretionary projects that exterior lighting to be hooded and directed so as to avoid glare onto adjacent roads or properties. A Mitigation Measure is included to reduce ambient light as well as glare impacts when an environmental assessment is required. As part of the General Plan Review process, policies and programs of the Economic Development Element are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<b>Transportation and Circulation Element</b>			
TR-A			
Streets and Highways			
TR-A.A			
<p>The County shall prepare and adopt a priority list of street and highway improvements for the Road Improvement Program (RIP) based on a horizon of at least seven (7) years. The Board of Supervisors shall update the RIP every five (5) years, or more frequently as recommended by the responsible departments. The RIP shall include program maintenance and rehabilitation, reconstruction, capacity, operational, safety improvements, and specific plan lines on a prioritized basis. The RIP shall be coordinated with the five (5)-year major review of the General Plan and shall be included in the annual General Plan review. (See Policies TR-A.4 and TR-A.11)</p>	<p style="text-align: center;">PW&amp;P Board of Supervisors</p>	<p>FY 00-01; every five years thereafter</p>	<p>On August 22, 2017, the Board of Supervisors approved the Fresno County Road Improvement Program (RIP) and Declaration of Projects. The RIP is a multi-year maintenance and construction programming plan and reflects the County's efforts to protect and improve the public investment in the County road system and to provide for the safe and efficient movement of people and commodities. The RIP identifies maintenance funding levels and specific projects expected to be delivered within a defined time frame. The funding in the RIP reflects current and projected budgets and the RIP also identifies, but does not fund, a number of recommended projects that are necessary for an improved County road and bridge system. These prospective projects are described in a series of appendices to the RIP. The types of projects in the RIP include bridge replacement/repair, road reconstruction, traffic signals, shoulder widening, and pavement repair. The RIP was approved by the Board on September 11, 2018.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
TR-A.B			
<p>The County shall consider adopting a traffic impact fee ordinance for areas outside the spheres of influence of cities in the County. The traffic fees should be designed to achieve the adopted Level of Service (LOS) and preserve structural integrity based on a twenty (20)-year time horizon. The traffic mitigation fees should be updated at least every five years, or concurrently with the approval of any significant modification of the land use allocation used to develop the fees. The County shall require new development within the spheres of influence of cities in the County to pay the traffic impact fees of those cities. (See Policy TR-A.8)</p>	<p>PW&amp;P Board of Supervisors</p>	<p>FY 01-02</p>	<p>A traffic impact fee has been adopted by the Board of Supervisors. However, on May 19, 2015, the Board of Supervisors conducted a public hearing to consider an amendment to repeal the Public Facilities Impact Fees Ordinance in its entirety. At the conclusion of the hearing, the Board decided to continue suspension of the impact fees to November 9, 2017 and directed Staff to return to the Board with a workshop on the County's Facility Impact Fees and provide options for the Board to consider. On October 31, 2017, the Board of Supervisors conducted the second public hearing to consider an amendment to the County Ordinance for Public Facilities Impact Fees. On October 9, 2018, the Board voted to discontinue public facilities impact fees established in 2008, but maintain authorization to establish new public facilities impact fees in the future.</p>
TR-A.C			
<p>The County shall continue to identify and pursue appropriate new funding sources for transportation improvements. Grant funds from regional, State, and Federal agencies should be pursued and utilized when compatible with the General Plan policies and long-term local funding capabilities. (See Policy TR-A.10)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>The County continues to pursue funding for transportation improvements in working with the Fresno Council of Governments.</p>
TR-A.D			
<p>The County shall coordinate its transportation planning with the Council of Fresno County Governments, Caltrans, cities within the County, and adjacent jurisdictions. (See Policy TR-A.6)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>During 2018, the County continued coordinating its transportation planning with FCOG, Caltrans, Cities and adjacent jurisdictions.</p>



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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
TR-A.E			
The County shall update and maintain the Improvement Standards for other County development improvements, including private roads dedicated to public use. (See Policy TR-A.1)	PW&P	Ongoing	The County implements this program/policy on a continuous basis. The County is currently working on updating the County's Improvement Standards.
TR-B Transit			
TR-B.A			
The County shall work with the Fresno Council of Governments (FCOG) and transit providers in the County to periodically review and update the short-range transit plans in the County at least as often as required by State law. (See Policy TR-B.1)	PW&P	FY 01-02; every five years thereafter	The County works with FCOG on review and update of the Short-Range Transit Plan on a continuous basis. The Short-Range Transit Plan for the Rural Fresno County Area was last approved by the FCOG Policy Board on June 29, 2017. FCOG staff is working on the updated plan that will be presented to the FCOG Policy Board for consideration in June of 2019.
TR-B.B			
The County shall encourage transit providers and FCOG to prepare, adopt, and implement a long-range strategic transit master plan for the County or sub-areas of the County. The master plan shall review the transit corridors in this Policy Document and designate a set of transit corridors so that appropriate planning can be concentrated on these corridors. The plan(s) shall be reviewed and updated on a regular basis. (See Policy TR-B.1)	PW&P	Ongoing	<p>The Fresno-Clovis Metropolitan Area Public Transportation Strategic Service Evaluation project was completed by FCOG on May 28, 2014. The Fresno County Regional Long Range Transit Plan (LRTP) will guide transit and multimodal investments and services in the Fresno region through the year 2050. The plan builds on Fresno COG's 2018 Regional Transportation Plan (RTP) and prior transit planning studies, and will inform the 2022 RTP. More importantly, the LRTP will integrate appropriate and effective public transportation planning and projects into the fabric of the region's overall circulation networks and systems for all transit operators; FCRTA, FAX and Clovis.</p> <p>The Long Range Transit Plan <i>Draft</i> was released January 28, 2019 and the plan will be presented to the FCOG Policy Board for consideration in April of 2019.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
TR-B.C			
Through its representation on the FCOG Board and the FCRTA (a joint powers agency), the County shall work with these agencies to identify and pursue funding for transit. (See Policy TR-B.4)	PW&P	Ongoing	Fresno County continues to work with FCOG to identify and pursue funding for transit.
TR-B.D			
The County shall work with FCOG and other agencies to identify right-of-way needs within designated transit corridors and to acquire needed rights-of-way, including abandoned rights-of-way and track structures. (See Policy TR-B.3)	PW&P	Ongoing	Fresno County continues to work with FCOG to identify right-of-way needs within designated transit corridors and to acquire needed rights-of-way, including abandoned rights-of-way and track structures.
TR-B.E			
The County shall work with the cities in the County to prepare and adopt land use and design standards for areas within designated urban transit corridors to promote transit accessibility and use. (See Policy TR-B.3)	PW&P	After FY 01-02 (if initiated by County)	In 2011, FCOG prepared the Public Transportation Infrastructure Study (PTIS). The PTIS Study makes recommendations for investments, the timing of those investments, and funding sources augmenting Measure C sales tax revenue to pay for them. In addition, the PTIS study makes policy recommendations that will be important to be adopted by City- and County-elected officials and implemented by planning department and public works administrators in order to shape future growth in such a way that it supports the transit investments. Fresno County continues to work with FCOG to promote transit accessibility and use.
TR-B.F			
The County shall work with Caltrans and other agencies to determine the need for additional or expanded park-and-ride lots and to identify additional sites for such lots. (See Policy TR-B.2)	PW&P	Ongoing	Caltrans is the primary provider of Park and Ride lots on State highways. Fresno County continues to work with Caltrans and FCOG to determine the need for additional or expanded park-and-ride lots and to identify additional sites for such lots.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
TR-D Bicycle Facilities			
TR-D.A			
The County shall work with the Fresno Council of Governments, Caltrans, and cities within the County to update the Regional Bikeways Plan to ensure consistency with the Circulation Diagram and Standards section. (See Policy TR-D.1)	PW&P	FY 00-01	On February 22, 2018, the Fresno COG Policy Board directed staff to hire a consultant to develop a Regional Active Transportation Plan (ATP). Active transportation refers to human-powered transportation, such as walking, cycling, using a wheelchair, in-line skating, skateboarding, etc. The Fresno Regional ATP is an important document that will help each jurisdiction in the County identify needed bicycle and pedestrian projects and help the agencies qualify for new funds to implement the projects. The Active Transportation Plan (ATP) is a comprehensive guide that creates a vision for a network of trails, bike lanes, sidewalks, and other elements to support safe walking and bicycling. The consultant worked with all COG member jurisdictions in developing the Regional ATP. The ATP includes a chapter (Chapter 6) that describes the existing bicycle and pedestrian facilities in the unincorporated communities of Fresno County.
TR-D.B			
The County shall encourage implementation and use of bikeways by use of Transportation Development Act Article III bicycle and pedestrian funds to implement and maintain bikeways or bike trails. The County shall continue to identify and pursue appropriate new funding sources for bikeway implementation. Grant funds from regional, State, and Federal agencies should be pursued and utilized when compatible with the General Plan policies and long-term local funding capabilities. (See Policy TR-D.1)	PW&P	Ongoing	The County continues to encourage implementation and use of bikeways and trails by implementing the goals and policies of the Fresno County Regional Bicycle and Recreational Trails Master Plan that was adopted by the Board of Supervisors on September 24, 2013. Since then, the bicycle portion has been integrated into the Fresno County Regional Active Transportation Plan (FCRATP). The Recreational Trails portion is currently under development and upon completion will also be integrated into the FCRATP. The Recreational Trails portion is anticipated to be completed by the end of 2020 with full integration of both the bike and trails portions in 2021.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
TR-D.C			
<p>The County shall require that sufficient pavement width for bikeways shown on the Regional Bikeway Plan be constructed in conjunction with road construction projects, and that adequate right-of-way and/or pavement width for bicycle facilities be included in frontage improvements required of new development. Implementation through signing and striping is an operational decision, and may not coincide with initial construction. (See Policies TR-D.4 and TR-D.5)</p>	PW&P	Ongoing	<p>The County requires sufficient pavement width for bikeways shown on the Fresno County Regional Bicycle and Recreational Trails Master Plan that was adopted by the Board of Supervisors on September 24, 2013.</p>
TR-D.D			
<p>The County shall use California Department of Transportation (Caltrans) bikeway design standards as guidelines for construction of Class I, II and III bicycle facilities. (See Policies TR-D.1 and TR-D.3)</p>	PW&P	Ongoing	<p>The Fresno County Regional Bicycle and Recreational Trails Master Plan that was adopted by the Board of Supervisors on September 24, 2013, specifies California Department of Transportation (Caltrans) bikeway design standards as guidelines for the construction of Class I, II and III bicycle facilities.</p>
TR-D.E			
<p>The County shall work with other agencies to provide facilities that help link bicycles to other modes, including provision of bike racks or space on buses and parking or lockers for bicycles at transportation terminals. (See Policy TR-D.8)</p>	PW&P	Ongoing	<p>The Fresno County Regional Bicycle and Recreational Trails Master Plan that was adopted by the Board of Supervisors on September 24, 2013, provides information on facilities that help link bicycle riders to other modes, including the provision of bike racks or space on buses and parking or lockers for bicycles at transportation terminals.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
TR-E Rail Transportation			
TR-E.A			
The County shall work with other agencies to plan line-designated railroad corridors to facilitate the preservation of important railroad rights-of-way for future rail expansion or other appropriate transportation facilities. (See Policies TR-E.3 and TR-E.4)	PW&P	Ongoing	The County continues to work with other agencies including the California High Speed Rail Authority for rail expansion to facilitate the railroad rights-of-way for railroads and other transportation facilities.
TR-E.B			
The County shall use appropriate zoning in designated rail corridors to ensure preservation of rail facilities for future local rail use. (See Policy TR-E.4)	PW&P	Ongoing	The County continues to use appropriate zoning classifications in designated rail corridors.
TR-E.C			
The County shall participate in the Council of Fresno County Governments Rail Committee to support improvement, development, and expansion of rail service in Fresno County. (See Policies TR-E.1 through TR-E.6)	PW&P	Ongoing	The FCOG Rail Committee was dissolved in 2012 when the San Joaquin Valley Joint Powers Authority (SJVJPA) was formed. A Board of Supervisors member represents Fresno County by participating in the SJVJPA. This program will be removed.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<b>Public Facilities and Services Element</b>			
PF-A General Public Facilities and Services			
PF-A.A			
<p>The County shall ensure that infrastructure plans or area facilities plans are prepared in conjunction with any new or expanded community or specific plans and are reviewed and updated as needed. Such plans shall contain phasing and facility improvement time lines.</p>	<p style="text-align: center;">CAO  PW&amp;P</p>	<p style="text-align: center;">Annually</p>	<p>When a new community or specific plan is prepared or updated in conjunction with a proposed development, infrastructure plans or area facilities plans must be prepared to address the adequacy of the existing infrastructure or expansion of the infrastructure to accommodate the proposed development.</p>
PF-B Funding			
PF-B.A			
<p>The County shall prepare and adopt a Capital Improvement Program (CIP) for designing and constructing County facilities. Roadways shall be included in the separate Roadway Improvement Plan (RIP). The CIP should be updated at least every five (5) years, or concurrently with the approval of any significant amendments to the General Plan.</p>	<p style="text-align: center;">CAO  Board of Supervisors  PW&amp;P</p>	<p style="text-align: center;">FY 01-02; every five years thereafter</p>	<p>The CIP was last updated in 2006. However, update of the CIP has been suspended by the Board with the suspension of impact fees until November 9, 2017 based on Board action which occurred on February 2, 2015.</p> <p>On March 20, 2018, the Board of Supervisors received and approved the proposed update to the adopted County Capital Improvement Plan to enable expenditure of public facility impact fees collected under the 2008 program.</p> <p>October 9, 2018, the Board of Supervisors conducted the second public hearing to consider adopting an Ordinance amending Title 17 – Division of Land, Chapter 17.90 – Public Facilities Impact Fees and Schedule of Fees of the Fresno County Ordinance Code. The Board voted to discontinue public facilities impact fees established in 2008, but maintain authorization to establish new public facilities impact fees in the future.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>PF-B.B</p> <p>The County shall develop and adopt ordinances specifying acceptable methods for new development to pay for new capital facilities and expanded services. Possible mechanisms include development fees, assessment districts, land/facility dedications, county service areas, and community facilities districts. (See Policies PF-B.1 and PF-B.3)</p>	<p>CAO</p> <p>Board of Supervisors</p> <p>PW&amp;P</p>	<p>FY 01-02; 02-03</p>	<p>On October 8, 2013, the Board of Supervisors considered potential options to the County's Public Facilities Impact Fee Ordinance and Schedule of Fees and associated Capital Improvement Plan (CIP) and any other actions related to the previously collected, unspent fees, and budgetary impacts resulting from those actions. The potential options included: 1) Continue the temporary suspension of collecting Public Facilities Impact (PFI) Fees through November 9, 2015, as approved by the Board on June 19, 2012; 2) Engage a consultant to prepare an updated PFI Fee Report and direct staff to prepare an associated CIP; 3) Engage with the consultant to study and prepare a report to reduce the number of categories and areas they serve; and, 4) Adopt an ordinance repealing the PFI and adopt a resolution to terminate the associated CIP and refund fees collected to the property owners of record.</p> <p>On February 2, 2015, the Board of Supervisors conducted a second public hearing to consider an amendment to repeal the Public Facilities Impact Fees Ordinance in its entirety. At the conclusion of the hearing, the Board decided to continue suspension of the impact fees until November 9, 2017 and directed Staff to return to the Board in two years.</p> <p>On March 20, 2018, the Board of Supervisors received and approved a proposed update to the adopted County Capital Improvement Plan to enable expenditure of public facility impact fees collected under the 2008 program.</p> <p>October 9, 2018, the Board of Supervisors conducted the second public hearing to consider adopting an Ordinance amending Title 17 – Division of Land, Chapter 17.90 – Public Facilities Impact Fees and Schedule of Fees of the Fresno County Ordinance Code. The Board voted to discontinue public facilities impact fees established in 2008, but maintain authorization to establish new public facilities impact fees in the future.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
PF-C Water Supply and Delivery			
PF-C.A			
<p>The County shall develop a process for resolution of water supply problems and apply the process when areas of need are identified.</p>	<p>PW&amp;P</p>	<p>FY 01-02</p>	<p>The Water and Natural Resources Division of the Department of Public Works and Planning reviews all discretionary permits and provides recommendation for requirements and mitigation measures as necessary. The County, prior to consideration of any discretionary project related to land use, requires a water supply evaluation as outlined in General Plan Policy PF-C.17.</p> <p>In addition, the County is currently working to implement the requirements of the Sustainable Groundwater Management Act (SGMA) which will further address the resolution of water supply problems. During 2018, one SGMA working group meeting was held, which was co-chaired by members of the Board of Supervisors, during which membership was re-aligned to reflect GSA representatives within the County. Meeting frequency of the SGMA working group was limited during the 2018 calendar year as membership focused on the preparation and coordination of their respective GSPs. Members of the Board of Supervisors actively participate on four of the GSA's governing boards within the three high-priority basins within Fresno County, as well as County staff's annual participation in over 250 Board, policy, technical, and outreach committee meetings. Groundwater Sustainability Plans are required to be submitted by the GSAs to the State of California, Department of Water Resources on January 31, 2020. Failure to prepare and submit a GSP in a groundwater basin could result in the State Water Resources Control Board asserting its power to manage local groundwater resources.</p>



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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>PF-C.B</p> <p>The County shall adopt a well construction and destruction ordinance that will include among other requirements the mapping of location information on abandoned wells in the County GIS database and which includes a procedure for ensuring that abandoned wells are properly destroyed.</p>	<p align="center">PW&amp;P Public Health</p>	<p align="center">FY 02-03</p>	<p>The County Environmental Health Division has developed a procedure to ensure the abandoned wells are properly destroyed. This program will be removed.</p>
<p>PF-C.C</p> <p>The County shall prepare or cause to be prepared water master plans for water delivery systems for areas undergoing urban growth. The County shall have approved such plans prior to implementation. (See Policy PF-C.8)</p>	<p align="center">PW&amp;P</p>	<p align="center">As Needed</p>	<p>Updates of water master plans and implementation schedules are required for areas experiencing urban-type growth. Millerton Specific Plan area, Shaver Lake area and Friant Specific Plan area have approved plans. As an example, in 2010, a Water Supply Assessment was completed for the Millerton Specific Plan as part of the approval process for Tentative Tract Map No. 5430.</p>
<p>PF-C.D</p> <p>The County shall develop and implement a tiered water pricing structure for County Service Areas and Waterworks Districts. (See Policy PF-C.29)</p>	<p align="center">PW&amp;P</p>	<p align="center">FY 02-03</p>	<p>Tiered water rate structures have been implemented in recent developments. Due to recent drought conditions, CSA and WWD water rate structures are being modified to a flat rate (operational costs) plus a consumption rate (cost of water). Tiered consumption rates are being utilized in CSAs and WWDs where the supply or treatment of water is limited. All new developments are required to provide water rate structures prepared by an engineer and comprised of a flat rate and consumption rate.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>PF-C.E</p> <p>The County shall establish water demand standards based on types and sizes of uses to serve as a basis for determining the adequacy of a proposed water supply for new development. (See Policy PF-C.14)</p>	<p>PW&amp;P</p>	<p>FY 01-02</p>	<p>Although specific standards have not been established, water supply and proposed water use are evaluated on a per-project basis by Public Works and Planning staff to determine adequate water supply. Further, in regard to landscaping, the County is implementing the State required Model Water Efficient Landscape Ordinance (MWELO) which applies to both residential and commercial projects. The MWELO was part of the Governor's Drought Executive Order of April 1, 2015. The revised ordinance was approved on July 15, 2015.</p> <p>As part of the General Plan Review process which is currently underway, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
<p>PF-C.F</p> <p>The County shall establish a review and/or regulatory process for proposed transfers of surface water to areas outside of the County and for substitution of groundwater for transferred surface water. (See Policy PF-C.23)</p>	<p>PW&amp;P</p>	<p>FY 00-01</p>	<p>This program has been implemented with the adoption of the Groundwater Transfer Ordinance and will be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
PF-C.G			
<p>The County shall develop a list of water conservation technologies, methods, and practices that maximize the beneficial use of water resources. The County shall review and update the list periodically to eliminate practices that no longer prove beneficial and add new technologies that become available. (See Policy PF-C.28)</p>	PW&P	FY 01-02	<p>The County enforces the State Model Water Efficient Landscape Ordinance as a means to promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible, to establish a structure for planning, designing, installing maintaining and managing water-efficient landscapes in new and rehabilitated projects, to establish provisions for water management practices and water waste prevention for established landscapes, and to use water efficiently without waste by setting a Maximum Applied Water Allowance (MAWA) as an upper limit for water use and reduce water use to the lowest practical amount. These standards are enforced for any residential, commercial, or industrial projects that require a permit, plan check or design review and that have a 500 square-foot or more landscaping area.</p>
PF-D Wastewater Collection, Treatment and Disposal			
PF-D.A			
<p>The County shall prepare or cause to be prepared a sewer master plan for wastewater treatment facilities for areas experiencing urban growth. The County shall have approved such plans prior to implementation. (See Policy PF-D.7)</p>	PW&P	As Needed	<p>Areas that experience urban growth are required to prepare a sewer master plan or update the current master plan. The Public Works and Planning Department is responsible for implementing the policies and implementation programs in the plan. This program is being implemented on an as needed basis.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
PF-E Storm Drainage and Flood Control			
PF-E.A			
The County shall work with responsible flood control agencies to pursue adoption of appropriate regulations and programs as necessary and appropriate to implement required actions under State and Federal storm water quality programs. (See Policy PF-E.13)	PW&P Board of Supervisors	Ongoing	The County coordinates with the Fresno Metropolitan Flood Control District (FMFCD) who is the Lead Agency for the Municipal Storm Water Permit held by FMFCD, the cities of Fresno and Clovis, Fresno County, and California State University Fresno. The County also requires developments to file storm water permits with the State Water Resources Control Board when the project meets the minimum threshold for permitting.
PF-F Landfills, Transfer Stations, and Solid Waste Processing Facilities			
PF-F.A			
The County shall require new commercial, industrial, and multi-family residential uses to provide adequate areas on site to accommodate the collection and storage of recyclable materials. (See Policy PF-F.1)	PW&P	FY 01-02	The Public Works and Planning staff reviews and comments on Initial Studies/Environmental Assessments and, when appropriate, provide comments recommending that new commercial, industrial, and multi-family residential uses provide adequate areas on site for the collection and storage of recyclable materials. The County implemented a mandatory hauler program in the mid-2000s to mandate refuse and recycling collection for all unincorporated areas.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
PF-G Law Enforcement			
PF-G.A			
<p>The County shall prepare and adopt a master plan to identify locations for sheriff substations and community offices. The County should further evaluate these locations in the regional and unincorporated community plan updates. (See Policy PF-G.1)</p>	<p>Sheriff  PW&amp;P</p>	<p>As Needed</p>	<p>The Sheriff's Department has established substations in unincorporated County areas to be able to provide faster response to service calls. Although no master plan has been prepared, when Community Plans are updated, a location is identified for a Sheriff's substation. Further, the Sheriff's Department actively works with Public Works and Planning staff on land use matters pertinent to their facilities.</p> <p>As an example, during the Laton Community Plan Update, Public Works and Planning Department staff worked with Sheriff's Department staff to identify a potential location for a future Sheriff's substation.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
PF-H Fire Protection and Emergency Medical Services			
PF-H.A			
<p>If a Fire Protection Master Plan has not been prepared for the area and the County Director of Planning &amp; Resource Management Department determines that additional fire protection facilities are needed, the County shall not approve discretionary development until such time as a Master Plan has been adopted or other facilities acceptable to the Director are provided, with appeal rights as provided by County Ordinance. The Fire Protection Master Plan must contain the following information: identification of water supply; delineation of the service area boundary; designation of an appropriate fire protection entity; determination of structural, equipment, and personnel needs and costs; and a financing plan based on shared benefit. (See Policy PF-H.2)</p>	<p align="center">PW&amp;P</p>	<p align="center">As Needed</p>	<p>The Public Works and Planning staff routes all projects to the appropriate fire district for review and comment. The District then identifies appropriate fire protection measures to accommodate the project. Upon consultation with the District, staff will include the fire district requirements as conditions of approval for each project.</p> <p>As part of the General Plan Review process which is currently underway, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
PF-H.B			
<p>The County shall work with the California Department of Forestry and Fire Protection, local fire protection agencies, and city fire departments to maximize the use of resources to develop functional and/or operational consolidations and standardization of services and to maximize the efficient use of fire protection resources. (See Policy PF-H.1)</p>	<p align="center">CAO  County Fire</p>	<p align="center">Ongoing</p>	<p>The County works cooperatively with the California Department of Forestry and Cal Fire on various land use and permit matters. The County contracts with the California Department of Forestry/Cal Fire for the Amador Plan during the non-fire season to provide additional protection.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<b>PF-I</b> <b>School and Library Facilities</b>			
<b>PF-I.A</b>			
The County shall coordinate the updating of regional, community, and specific plans necessitated by the general plan with applicable school districts to identify the need for and potential location of new or expanded school facilities. (See Policies PF-I.3, PF-I.4, and PF-I.5)	PW&P	Ongoing	The County involves the respective school district in the update of each regional, community and specific plan to identify the need for and potential location of new or expansion of existing facilities. Further, through the General Plan Conformity (GPC) findings process, potential school site acquisitions are evaluated for consistency with the General Plan. This is required per Public Resources Code 21151.2 and Government Code 65402. Three General Plan Consistency requests were processed for proposed school sites in 2018.
<b>PF-I.B</b>			
The County shall coordinate the updating of regional, community, and specific plans necessitated by the general plan with applicable library districts and library interest groups to identify the need for and potential location of new or expanded library facilities. (See Policy PF-I.9)	PW&P	Ongoing	The County involves library administration in the update of each regional, community and specific plan to identify the need for and potential location of new or expansion of existing libraries.
<b>Open Space and Conservation Element</b>			
<b>OS-A</b> <b>Water Resources</b>			
<b>OS-A.A</b>			
The County shall develop, implement and maintain a water sustainability plan. (See Policy OS-A.1)	PW&P	FY 01-02; Ongoing	In June 2006 the County adopted a Fresno Area Regional Groundwater Management Plan. Also, with the passage of the Sustainable Groundwater Management Act, local agencies within the Kings, Westside, and Delta Mendota basins in the County will be required to form Groundwater Sustainability Agencies which will in turn create Groundwater Sustainability Plans. The plans are required to be adopted by January 31, 2020.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>OS-A.B</p> <p>The County shall establish and maintain a centralized water resource database for surface and groundwater that includes the water budget, groundwater monitoring data, and the groundwater recharge site inventory. (See Policies OS-A.7 through OS-A.10)</p>	<p>PW&amp;P</p>	<p>FY 01-02; Ongoing</p>	<p>Water budget development and maintenance will be required through the implementation of the Sustainable Groundwater Management Act in areas with aquifers identified as being in a condition of critical overdraft. The County has completed a study through the AB 303 Local Groundwater Assistance Grant funding, to identify potential recharge sites northeast of the City of Fresno and City of Clovis. As development occurs, the County will use this information to attempt to preserve those areas identified as prime recharge areas.</p> <p>As part of the General Plan Review process which is currently underway, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
<p>OS-A.C</p> <p>The County shall develop, implement and maintain a groundwater monitoring program. Information from this program shall be provided to the Board of Supervisors during the annual General Plan review. (See Policy OS-A.9)</p>	<p>PW&amp;P</p>	<p>FY 01-02; Ongoing</p>	<p>Groundwater monitoring and reporting will be a key component of the implementation of the Sustainable Groundwater Management Act. By January 31, 2020, Groundwater Sustainability Agencies within the County will be required to adopt a Groundwater Sustainability Plan for implementation.</p> <p>As part of the General Plan Review process which is currently underway, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>



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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-A.D			
<p>The County shall develop, implement, and maintain land use plans to preserve for recharge purpose those lands identified as suitable for groundwater recharge in the water resource database inventory. (Policy OS-A.10)</p>	<p>PW&amp;P</p>	<p>FY 02-03</p>	<p>The County has completed a study through the AB 303 Local Groundwater Assistance Grant funding to identify potential recharge sites northeast of the City of Fresno and City of Clovis. As development occurs, the County will use this information to attempt to preserve those areas identified as prime recharge areas.</p> <p>As part of the General Plan Review process which is currently underway, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
OS-B			
Forest Resources			
OS-B.A			
<p>The County, in consultation with the California Department of Forestry and Fire Protection, shall conduct a careful evaluation of the Forest Practice Rules with regard to: clearcutting and other forest management practices with potential visual impacts; use of prescribed burning; protection of biological, soil, and water resources; and protection of old growth forest in Fresno County. If the Forest Practice Rules are determined to be inadequate, a compilation of Special Forest Practice Rules for Fresno County shall be proposed to the Board of Forestry to address those inadequacies. (See Policies OS-B.2 and OS-B.3)</p>	<p>PW&amp;P</p>	<p>FY 03-04</p>	<p>The Department of Forestry and Fire Protection enforcement authority granted under the Forest Practice Act and Rules is only applicable when conversion of land from a use other than growing a commercial crop of trees, or commercialization of forest products occurs and is only applicable on private land. Forested stands within Fresno County that may be characterized as "Old Growth" may exist in extremely limited acreages and most likely exist exclusively on national forest land.</p> <p>As part of the General Plan Review process which is currently underway, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-B.B			
<p>The County shall encourage the California Department of Forestry and Fire Protection to complete an inventory of existing and residual stands of ancient and old growth forest on private timberlands in Fresno County. The results of this inventory shall be incorporated into the County's biological resources database for use in future land use planning decisions. (See Policy OS-B.2)</p>	PW&P	FY 03-04	<p>The Department of Forestry and Fire Protection has no mandate or authority to enter private timber lands unless enforcement of the Forest Practice Act and rules have been triggered.</p> <p>Forested stands within Fresno County that may be characterized as "Old Growth" may exist in extremely limited acreages and most likely exist exclusively on national forest land.</p> <p>As part of the General Plan Review process, policies and programs of all element of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
OS-B.C			
<p>The County shall encourage the U.S. Forest Service and the California Department of Forestry and Fire Protection to identify potential impacts on, and the need for preservation of, old growth forest in Fresno County. (See Policy OS-B.2)</p>	PW&P	FY 03-04	<p>The California Department of Forestry and Fire Protection is required by law to identify potential impacts to a wide variety of natural and cultural resources when engaging in a discretionary project that triggers compliance with the California Environmental Quality Act (CEQA).</p> <p>Forested stands within Fresno County that may be characterized as "Old Growth" may exist in extremely limited acreages and most likely exist exclusively on national forest land.</p>
OS-B.D			
<p>The County shall formally request that the California Department of Forestry and Fire Protection include educational materials for residents in its Notice of Intent to Harvest Timber. Such materials should include information concerning the Forest Practice Act, Forest Practice Rules, and Department of Forestry and Fire Protection Timber Harvest Plan review process. (See Policy OS-B.2)</p>	PW&P	FY 03-04	<p>A "Notice of Intent to Harvest Timber" (NOI) is a specific requirement of the Forest Practice Act and Rules and is required for a wide variety of timber harvest documents. A modification of the NOI would require rule change by the Board of Forestry (BOF).</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-D Wetland and Riparian Areas			
OS-D.A			
<p>The County shall work toward the acquisition by public agencies or private non-profit conservation organizations of creek corridors, wetlands, and areas rich in wildlife or of a fragile ecological nature as public open space where such areas cannot be effectively preserved through the regulatory process. Such protection may take the form of fee acquisition or protective easements and may be carried out in cooperation with other local, State, and Federal agencies and private entities. Acquisition shall include provisions for maintenance and management in perpetuity. (See Policies OS-D.2 and OS-D.8)</p>	PW&P	Ongoing	<p>The County works with public agencies and private non-profit organizations toward acquisition of areas rich in wildlife or of fragile ecological nature as public open space where such areas cannot be protected and preserved through regulatory process.</p>
OS-D.B			
<p>The County shall adopt an ordinance for riparian protection zones identifying allowable activities in riparian protection zones and allowable mitigation techniques. (See Policy OS-D.4)</p>	PW&P	FY 02-03	<p>Due to budgetary constraints, a specific ordinance has not been adopted. The County continues to coordinate with resource agencies for projects located within sensitive habitat areas and applies mitigation measures to reduce any potential impacts to a less than significant level.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-E Fish and Wildlife Habitat			
OS-E.A			
<p>The County shall compile inventories of ecologically-significant resource areas, including unique natural areas, wetlands, riparian areas, and habitats for special-status plants and animals from existing data sources. The inventories shall be presented when area plans, specific plans, or other project development proposals are considered by the County. The classification system shall be based on the California Wildlife Habitats Relationships (WHR) system and shall identify appropriate buffer zones around the identified resource areas in order to account for periodic, seasonal, or ecological changes. The maps shall be revised on a regular basis to reflect the availability of new information from other agencies, changes in definition, or any other changes. (See Policies OS-E.1, OS-E.2, and OS-E.5)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>Development projects that may have a potential impact on wetlands, riparian areas and habitats for special-status plants and animals are referred to the California Department of Fish and Wildlife and United States Fish and Wildlife Service for review and comment. Recommended mitigation measures proposed by these agencies will be considered during the environmental review of development projects and may be imposed on proposed projects if warranted.</p> <p>As part of the General Plan Review process, policies and programs of all element of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>OS-E.B</p> <p>The County shall maintain current maps that indicate the extent of significant habitat for important fish and game species as these maps are made available by the California Department of Fish and Wildlife (CDFW). The relative importance of these game species shall be determined by the County, in consultation with CDFW, based on relevant ecological, recreational, and economic considerations. These maps shall be used by the County to evaluate proposed area plans, specific plans, and any other project development proposals to determine the compatibility of development with maintenance and enhancement of important fish and wildlife species. (See Policy OS-E.2)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>The County provides development projects for comment to the United States Fish and Wildlife Service and the California Department of Fish and Wildlife for review and comment as to any potential impact on sensitive species of plants or animals. County staff also has access to State-maintained software which provides updated maps containing biological data in an electronic mapping database.</p> <p>As part of the General Plan Review process, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-F Vegetation			
OS-F.A			
The County shall prepare and maintain an updated list of State and Federal rare, threatened, and endangered plant species known or suspected to occur in the County. The following other uncommon or special-status species which occur or may occur in the County should also be included on the list: 1) plant species included in the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California; and 2) species of special concern as designated by the California Department of Fish and Wildlife. In addition to updating the list, as new information becomes available, the list should be reviewed and amended at least once every two years. (See Policy OS-F.5)	PW&P	FY 00-01; every two years thereafter	The County provides development projects for comment to the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (formerly CDFG) for review and comment as to any potential impact on sensitive species of plants or animals. County staff also has access to State-maintained software which provides updated maps containing sensitive species of plants and animals in an electronic mapping database.  As part of the General Plan Review process, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.
OS-F.B			
The County shall make the Fresno County Oak Management Guidelines and other educational resources available to landowners located in oak woodland habitat. (See Policy OS-F.11)	PW&P	Ongoing	The boundaries of the oak woodland habitat area have yet to be established; when they are, a handout will be prepared and distributed with every permit that is issued within these areas. Individual projects in oak woodland areas are evaluated for buffering or tree preservation requirements depending on the sensitivity of the habitat and relative health of tree growth as indicated by independent studies provided by project applicants. Further, Policy OS-F.11, which contains the County's Oak Woodlands Management Guidelines, is considered.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-G Air Quality			
OS-G.A			
The County shall review the Guide for Assessing and Mitigating Air Quality Impacts published by the SJVAPCD and adopt procedures for performing air quality impact analysis and mitigation measures with any modifications deemed appropriate. (See Policy OS-G.1)	PW&P	FY 02-03	The County provides development projects for comment to the SJVAPCD for review and comment on potential air quality impacts and requires development projects to comply with SJVAPCD rules to mitigate any impact on air quality. For discretionary projects, County staff will review SJVAPCD comments and require district requirements as warranted (i.e., indirect source review, etc.) as part of the CEQA review process.
OS-G.B			
The County shall adopt a package of programs to reduce its employees' work-related vehicular trips.	CAO PW&P	FY 02-03	<p>The County commonly promotes and utilizes telephone conference calling in lieu of physical meetings so as to minimize travel-related impacts. The County has begun to use video conferencing for both inter-County and intra-county meetings, with the resultant reduction in employee work-related vehicular trips. The County is also in the planning and development stages of countywide e-government programs that will impact the number of vehicular trips required to conduct business. Additionally, given the increasing quality of current aerial photos and the available historical imagery which allows comparative analysis, County staff can in some instances use aerial information rather than conducting field visits.</p> <p>The County encourages employee participation in FCOG's car and van pool program.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>OS-G.C The County shall amend its Subdivision and Grading Ordinances and Development Standards to address dust control measures for new development, access roads, and parking areas. (See Policies OS-G.13 and OS-G.14)</p>	<p>PW&amp;P</p>	<p>FY 02-03</p>	<p>All development projects must comply with the SJVAPCD regulations for dust control and project conditions or mitigation for discretionary land use permits may require additional levels of dust control.</p> <p>As part of the General Plan Review process, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>
<p>OS-H Parks and Recreation</p>			
<p>OS-H.A The County shall work with local, State, and Federal agencies to complete a comprehensive inventory of all parks and recreation areas and services in the County and to identify other areas suitable for park acquisition and development as funds permit. The County shall consider preparation of a County park and recreation master plan to provide a policy framework for independent implementation by the cooperating agencies. (See Policies OS-H.1 through OS-H.3)</p>	<p>PW&amp;P</p>	<p>FY 01-02; 02-03</p>	<p>Funds have not been available to prepare a comprehensive inventory of all parks and recreation areas and to identify other areas suitable for park acquisition and development.</p>



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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-H.B			
As new development occurs, the County shall consider contracting with existing entities or forming County Service Areas (CSAs) that have the authority to receive dedications or grants of land or funds, plus the ability to charge fees for acquisition, development, and maintenance of parks; open space; and riding, hiking, and bicycle trails. (See Policy OS-H.4)	PW&P	Ongoing	Public Works and Planning staff considers the need for an entity to hold and maintain parkland, open space, and trails as a part of the project review. The Department considers these service needs when a CSA is being formed or expanded. It should be noted that due to limitations of the Proposition 218 process, which allows residents within a CSA to vote on or consider discontinuation of service, the use of CSAs for Services beyond basic services (i.e., sewer and water) can become problematic and has limited the use of CSAs in more recent developments.
OS-I Recreational Trails			
OS-I.A			
The County shall prepare a Recreational Trails Master Plan for a countywide trail system that identifies appropriate corridors and the design of the trails in the corridors based on the criteria listed in the policies of this section. The Recreational Trail Corridor Map (Figure OS-1) and Conceptual Recreational Trail List shall be used as a starting point for the master plan process. (See Policies OS-I.1 and OS-I.10)	PW&P	FY 02-03	This program has been implemented; the Fresno County Regional Bicycle and Recreational Trails Master Plan was adopted by the Board of Supervisors on September 24, 2013. Since then, the bicycle portion has been integrated into the Fresno County Regional Active Transportation Plan (FCRATP). The Recreational Trails portion is currently under development and upon completion will also be integrated into the FCRATP. The Recreational Trails portion is anticipated to be completed by the end of 2020 with full integration of both the bike and trails portions in 2021.
OS-I.B			
The County shall investigate the potential of various land use controls for reserving areas for trails such as the acquisition of easements, open space and floodplain zoning, and subdivision control. (See Policies OS-I.3 and OS-I.4)	PW&P	FY 02-03	This program has been implemented. It is included in the Fresno County Regional Bicycle and Recreational Trails Master Plan that was adopted by the Board of Supervisors on September 24, 2013. This program will be deleted.

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OS-I.C			
<p>The County shall enact an ordinance to prohibit the use of recreational trails by all motorized vehicles except maintenance vehicles, regulate users on multiple purpose paths, and protect the interests of property adjacent to trails. (See Policy OS-I.5)</p>	PW&P	FY 01-02	<p>This program has been implemented. It is included in the Fresno County Regional Bicycle and Recreational Trails Master Plan that was adopted by the Board of Supervisors on September 24, 2013. The County uses the California Department of Transportation (Caltrans) Manual on Uniform Traffic Control Devices (MUTCD) approved sign R44A on Class I bike paths. This program will be deleted.</p>
OS-J Historical, Cultural, and Geological Resources			
OS-J.A			
<p>The County shall adopt and implement an ordinance to protect and preserve significant archaeological, historical, and geological resources. The ordinance shall provide for implementation of applicable development conditions, open space easements, tax incentives, related code revisions and other measures as needed. (Policy OS-J.1)</p>	PW&P	FY 02-03	<p>Development projects are referred to the State Historic Preservation Officer, the Fresno County Historical Landmarks and Records Advisory Commission and the Fresno County Historical Society for potential impact on significant archeological and historical and geological resources. However, no ordinance has been developed.</p> <p>As part of the General Plan Review process, policies and programs of all elements of the General Plan are being reviewed to determine which policies still serve a purpose and should be kept/modified and which ones have served their purpose or are no longer relevant and should be deleted.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
OS-L Scenic Roadways			
OS-L.A			
The County, in cooperation with the Fresno Council of Governments and the Association for the Beautification of Highway 99, shall participate in establishing a landscape master plan and design guidelines for the Highway 99 corridor. The plan and guidelines shall unify the design features of the Highway 99 corridor while recognizing the individuality of each community. (See Policies OS-L.7 and OS-L.8)	PW&P  CAO	FY 03-04	This program has been implemented via adoption of Amendment to Text (AT) No. 361 on July 8, 2008, and has been incorporated into the Zoning Ordinance. This program will be deleted.
OS-L.B			
The County shall work with the California Department of Transportation to apply for scenic highway designation for the State highway segments eligible for such designation, and take necessary steps for approval, including adoption of scenic corridor protection programs for eligible segments. (See Policy OS-L.9)	PW&P	FY 03-04	County staff collaborated with the Sierra Gateway Trust, Inc. and Caltrans in pursuit of a State Official Scenic Highway designation for segments of SR 180. Staff of the County and Caltrans with the Sierra Gateway Trust worked together to complete the Visual Assessment and Corridor Protection Program in support of a State Official Scenic Highway designation status for approximately 60.7 miles of the eastern segments of SR 180. On October 15, 2015, the Caltrans Director approved designation of the two sections of eastern SR 180 from the Alta Main Canal near Minkler to near the General Grant Grove section of Kings Canyon National Park, and the General Grant Grove section of Kings Canyon National Park to Kings Canyon National Park boundary near Cedar Grove as a State Scenic Highway.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<b>Health and Safety Element</b>			
HS-A Emergency Management and Response			
HS-A.A			
The County shall maintain agreements with other local, State, and Federal agencies to provide coordinated disaster response.	Sheriff  CAO  PW&P  County Fire  County Office of Emergency Services	Ongoing	On November 14, 1995, the Fresno County Board of Supervisors adopted the State's Standardized Emergency Management System (SEMS), established the geographic area of the County of Fresno as the Fresno County Operational Area, and designated Fresno County as the Operational Area Lead Agency. In the County's role as the Operational Area Lead Agency, the County Office of Emergency Services (OES) maintains ongoing communication with local government agencies (County Departments, Incorporated Cities, Special Districts, and Public School Districts), as well as many State and Federal agencies and nonprofit organizations to maintain and enhance the communities' capability to respond to and recover from disasters.
HS-A.B			
The County shall continue to monitor and periodically evaluate County emergency planning, operations, and training capabilities. (See Policy HS-A.1)	County Office of Emergency Services	Ongoing	The County Office of Emergency Services (OES) implements this program on an ongoing basis. OES is located within the Department of Public Health, Environmental Health Division and coordinates planning, preparedness, response and recovery efforts for disasters occurring within the unincorporated areas of Fresno County. Fresno County OES coordinates the development and maintenance of the Fresno County Operational Area Master Emergency Services Plan, which is updated periodically.

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
HS-A.C			
<p>The County shall continue to periodically evaluate County-owned safety and emergency management facilities and public utility systems for susceptibility to damage due to flood inundation or seismic or geologic hazards and implement corrective actions should problems be identified. (See Policies HS-A.2 and HS-A.3)</p>	<p align="center">PW&amp;P  County Office of Emergency Services</p>	<p align="center">Ongoing</p>	<p>The County Department of Internal Services evaluates County facilities in conjunction with concerns raised by the occupying department. Facility issues or any damage resulting from events are inspected with the assistance of Risk Management staff and qualified consultants or sub-consultants. Modifications, improvements or construction of new structures to replace existing facilities are also evaluated with the assistance of staff from the Department of Public Works and Planning. A more comprehensive inventory of existing facilities is targeted as budgeting and staffing permit.</p>
HS-A.D			
<p>The County shall continue to conduct programs to inform the general public of emergency preparedness and disaster response procedures. (See Policy HS-A.4)</p>	<p align="center">County Office of Emergency Services</p>	<p align="center">Ongoing</p>	<p>The County Office of Emergency Services (OES) implements this program on an ongoing basis. The County OES maintains contact and emergency information on the County's website. The Fresno County Multi-Hazard Mitigation Plan provides additional details regarding County hazards and responses to mitigate damage or injury. In addition, the Public is also encouraged to obtain family and business preparedness information at websites maintained by The American Red Cross and FEMA.</p>
HS-B Fire Hazards			
HS-B.A			
<p>The County shall review the design of all buildings and structures to ensure they are designed and constructed to State and local regulations and standards as part of the building permit plan check process. (See Policy HS-B.2)</p>	<p align="center">PW&amp;P</p>	<p align="center">Ongoing</p>	<p>The Department of Public Works and Planning continues to review all proposed developments to ensure they are designed and constructed to meet the State and local regulations as part of the building permit and plan check processes.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>HS-C Flood Hazards</p>			
<p>HS-C.A</p>			
<p>The County shall continue to participate in the Federal Flood Insurance Program. The County shall maintain flood hazard maps and other relevant floodplain data and shall revise or update this information as new information becomes available. In the County's review of applications for building permits and discretionary permits and proposals for capital improvement projects, the County shall determine whether the proposed project is within the 100-year floodplain based on these maps. (See Policy HS-C.7)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>The Department of Public Works and Planning maintains the most current FEMA flood hazard maps and updates the information as necessary or as new data/maps are released by FEMA. All submitted projects are reviewed to determine proximity to the 100-year floodplain during the grading permit process.</p>
<p>HS-C.B</p>			
<p>The County shall continue to implement and enforce its Floodplain Management Ordinance. (See Policy HS-C.8)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>The Department of Public Works and Planning reviews all submitted projects for conformance with floodplain requirements through the grading permit process.</p>
<p>HS-C.C</p>			
<p>The County shall continue to develop and review relevant dam failure evacuation plans and continue to provide public information on dam failure preparedness. (See Policy HS-C.13)</p>	<p>PW&amp;P  County Office of Emergency Services</p>	<p>Ongoing</p>	<p>There are 23 dams within Fresno County that pose a significant risk to people and/or property. The Fresno County Office of Emergency Services has developed dam failure evacuation plans for each of these 23 dams. The Fresno County Multi-Hazard Mitigation Plan (2009) Section 4.2.9 evaluates dam failure in Fresno County. According to this document, there were 14 dam failures between 1976 and 1983, but all were earthen dams on private property. Although there remains a risk of dam failure in Fresno County, there have not been any failures of major dams.</p>

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PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>HS-D Seismic and Geological Hazards</p>			
<p>HS-D.A</p>			
<p>The County shall regularly review readily available information published by the California Division of Mines and Geology and other agencies and use the information to update County maps and the General Plan Background Report. (See Policies HS-D.1 and HS-D.2)</p>	<p>PW&amp;P</p>	<p>Ongoing</p>	<p>The County reviews material published by the California Division of Mines and Geology and updates the maps and the General Plan Background Report as necessary. Further, County staff actively engages with and discusses proposed mining projects with State Mining and Geology Board staff.</p>
<p>HS-D.B</p>			
<p>The County shall inventory unreinforced masonry structures, including emergency facilities and other critical facilities constructed prior to 1948, used for human occupancy (excluding single-family residential structures), and evaluate the facilities for seismic safety. If found below acceptable standards, the County shall implement a program to mitigate potential hazards.</p>	<p>PW&amp;P</p>	<p>FY 02-03; 03-04</p>	<p>A survey was conducted in 1991 to identify all unreinforced masonry buildings in the unincorporated areas of Fresno County. The survey did not identify any building to be below acceptable standards. Since unreinforced masonry buildings are not allowed within the unincorporated areas, this program will be deleted as part of the ongoing General Plan Review process.</p>
<p>HS-D.C</p>			
<p>The County shall develop a public awareness program to aid in the identification and mitigation of unreinforced masonry structures. (See Policy HS-D.6)</p>	<p>PW&amp;P</p>	<p>FY 02-03</p>	<p>Because no unreinforced masonry buildings have been located within the unincorporated areas of the County, a public awareness program has not been developed. This program will be deleted as part of the ongoing General Plan Review process.</p>

**APPENDIX A**  
Review of General Plan Implementation Programs

PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
<p>HS-E Airports Hazards</p>			
<p>HS-E.A</p>			
<p>The County shall refer to the Fresno County Airport Land Use Commission for review of projects within the Airport Review Area requiring amendments of general, community and specific plans, airport master plans, rezoning applications, zoning ordinance text amendments, and building code amendments for consistency with the appropriate Airport Land Use Policy Plan.</p>	<p>PW&amp;P  County Airport Land Use Commission</p>	<p>Ongoing</p>	<p>All applicable land use applications are referred to the Airport Land Use Commission (ALUC) that is administered by FCOG, for evaluation of consistency with the appropriate Airport Land Use Policy Plan. Recommendations of the ALUC are incorporated into staff's evaluation and forwarded to the Planning Commission and the Board of Supervisors.</p>
<p>HS-F Hazardous Materials</p>			
<p>HS-F.A</p>			
<p>The County shall review discretionary uses which involve use of hazardous materials or generate hazardous wastes in regulated quantities. (See Policy HS-F.2)</p>	<p>PW&amp;P  Public Health</p>	<p>Ongoing</p>	<p>The County Health Department continues to review discretionary uses that generate hazardous materials. The Department of Public Works and Planning routes discretionary permit applications to the Health Department for review and comment. Any proposed project that may generate hazardous material will be required to comply with the recommended conditions or mitigation measures.</p>
<p>HS-F.B</p>			
<p>The County shall investigate funding alternatives for site acquisition, development, and operation for a permanent household waste facility.</p>	<p>PW&amp;P</p>	<p>FY 01-02</p>	<p>On March 14, 2013, the County received Planning Commission's approval to permit the establishment of a 15,000 square-foot household hazardous waste facility at the American Avenue Landfill. This Facility has since been constructed and is operational. CUP Application No. 3629 – in process – proposes to allow a new Regional Environmental Compliance Center to dispose of waste items generated by business participants and households that are not allowed for regular disposal.</p>



**APPENDIX A**  
Review of General Plan Implementation Programs

PROGRAM	RESPONSIBLE DEPARTMENT	TIME FRAME	STATUS
HS-F.C			
The County shall review the plans to mitigate soil or groundwater contamination for redevelopment or infill projects. (See Policy HS-F.4)	PW&P Public Health	Ongoing	Development projects are referred to the County Health Department for review and comment. If the subject site is identified as a contaminated site, Health Department staff recommends mitigation measures to address soil or groundwater contamination. Further, as part of the environmental review process, staff has the ability to access State and Federal databases for contaminated sites and can apply appropriate mitigation to discretionary land use projects via comments from State, Federal or local agencies.
HS-G Noise			
HS-G.A			
The County shall amend and enforce the Fresno County Noise Ordinance as necessary, consistent with the policies and standards within this element. (See Policies HS-G.1 through HS-G.9)	PW&P Public Health	FY 01-02	The County Health Department will continue to enforce the Fresno County Noise Ordinance and amend its policies as necessary. Discretionary land use permits which may potentially generate excessive noise levels are often required to complete a noise analysis, and proposals within designated noise areas of airports are evaluated or limited to avoid conflicts with General Plan noise standards.
HS-G.B			
The County shall develop an effective noise control program that includes: A) An ordinance (1) defining acceptable noise levels based on land use, (2) setting forth monitoring methodology and determination of violations, (3) defining exemptions and variance procedures, and (4) delineating enforcement and abatement procedures; and B) A public information program to inform County residents of the impact of noise on their lives.	PW&P Public Health	FY 01-02	All land use projects are evaluated for potential noise impacts as required by the California Environmental Quality Act (CEQA) and appropriate mitigation measures are incorporated as necessary. As stated in response to HS-G.A above, staff coordinates with the County Health Department regarding discretionary land use permits, and additional evaluation may be required for projects that may potentially generate excessive noise levels. However, a noise control program that addresses all components of this Implementation Program has not been developed.

# **APPENDIX B**

## **GENERAL PLAN HOUSING ELEMENT PROGRESS REPORT FOR THE 2018 CALENDAR YEAR**

## Appendix B

### Housing Element Progress Report

#### Fifth-Cycle Update

California Housing Element law requires every jurisdiction to prepare and adopt a Housing Element as part of their General Plans. In California, it is typical for each city or county to prepare and maintain its own separate General Plan and Housing Element. However, Fresno County and 12 of the 15 cities in Fresno County prepared a Multi-Jurisdictional Housing Element (MJHE) for the fifth round of Housing Element updates. The MJHE provides an opportunity for countywide housing issues and needs to be more effectively addressed at the regional level rather than just at the local level. Regional efforts also provide the opportunity for the local governments in the County to work together to accommodate the Regional Housing Needs Allocation (RHNA) assigned to the Fresno County region. In addition, economies of scale resulted in significant cost savings to jurisdictions who participated in preparing the MJHE.

The primary objective of the MJHE was to prepare a regional plan addressing housing needs through a single certified Housing Element for all 13 participating jurisdictions. The Fresno County MJHE represents an innovative approach to meeting State Housing Element law and coordinating resources to address the region's housing needs. The regional Housing Element approach, while tested in a few counties with fewer jurisdictions, was a major undertaking for the 13 Fresno County jurisdictions. The following jurisdictions participated in the effort: Fresno County, Clovis, Coalinga, Fowler, Huron, Kerman, Kingsburg, Mendota, Parlier, Reedley, San Joaquin, Sanger, and Selma.

Although State law allows local governments to decide when to update their General Plans, State Housing Element law mandates that Housing Elements be updated every eight years. The MJHE covers the planning period of December 31, 2015 through December 31, 2023.

The Housing Element includes: 1) an identification and analysis of existing and projected local housing needs; 2) an identification of resources and constraints; and 3) goals, policies, and implementation programs for the rehabilitation, maintenance, improvement, and development of housing for all economic segments of the population.

The Fifth-Cycle MJHE includes an Appendix (Appendix 2) which is organized into separate appendices for each of the participating jurisdictions.

On March 15, 2016, the Fresno County Board of Supervisors adopted the Fifth-Cycle Housing Element, and the document was forwarded to HCD for certification on April 29, 2016. The Fifth-Cycle Housing Element Update was certified by the State Department of Housing and Community Development (HCD) on July 22, 2016.

The Fresno County MJHE received the 2016 Outstanding Planning Award in the Best Practices Category from the American Planning Association Central Section, and was awarded the 2016 Merit Award for Best Practices by the American Planning Association California Chapter.

The 2018 Housing Element Annual Progress Report (APR) includes reporting on the

County's residential permit activities for various income categories, as well as activities on various programs such as Home Affordable Refinance Program (HARP), Rental Rehabilitation Loan Program and Homebuyer Assistance Program (HAP). This information is provided on the new forms developed by HCD, which were distributed to local governments on January 17, 2019. The new forms must be used for the 2018 Housing Element APR. The Housing Element APR also includes a matrix that provides information on implementation of the programs of the Fifth-Cycle Housing Element.

**Please Start Here**

General Information	
Jurisdiction Name	Fresno County - Unincorporated
Reporting Calendar Year	2018
Contact Information	
First Name	Mohammad
Last Name	Khorsand
Title	Senior Planner
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Phone	(559) 600-4230
Mailing Address	
Street Address	2220 Tulare Street, 6th Floor
City	Fresno
Zipcode	93721

**Submittal Instructions**

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. **Online Annual Progress Reporting System (Preferred)** - This enters your information directly into HCD's database limiting the risk of errors. If you would like to use the online system, email [APR@hcd.ca.gov](mailto:APR@hcd.ca.gov) and HCD will send you the login information for your jurisdiction. *Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is [opr.apr@opr.ca.gov](mailto:opr.apr@opr.ca.gov).*

2. **Email** - If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at [APR@hcd.ca.gov](mailto:APR@hcd.ca.gov) and to OPR at [opr.apr@opr.ca.gov](mailto:opr.apr@opr.ca.gov). Please send the Excel workbook, not a scanned or PDF copy of the tables.

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**

(CCR Title 25 §6202)

Jurisdiction	Fresno County - Unincorporated	
Reporting Year	2018	(Jan. 1 - Dec. 31)

Note: \* Optional field  
 Cells in grey contain auto-calculation formulas

Table A

Housing Development Applications Submitted

Project Identifier				Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes							Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Notes		
1				2	3	4	5							6	7	8	9	10	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA, SFD, J to 4.5+ ADU, MH)	Tenure (R= Renter, O= Owner)	Date Application Submitted	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project (Auto-calculated Can Be Overwritten)	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)7 (SB 35 Streamlining)	Notes*
Summary Row: Start Data Entry Below																			
	309-022-49	3765 McCall		2018-100000	MH	O			1						1	1			A used 1458 square foot MH not on permanent foundation, secondary residence, low valuation of \$8,748, and located in agricultural Zone District.
	309-022-49	17473 Parkcliff		2018-100027	MH	O			1						1	1			A used 1440 square-foot MH, low valuation of \$8,640, and location within Trailer Park.
	329-110-04	3360 Cherry		2018-100520	MH	O			1						1	1			A used 750 square-foot MH not on permanent foundation, low valuation of \$4,500, issued for Farmworker Housing.
	309-021-06	9272 Dakota		2018-101051	MH	O			1						1	1			A used 720 square-foot MH not on permanent foundation, low valuation of \$4,000, and located in agricultural Zone District.
	327-210-23	3387 Central		2018-101370	MH	O			1						1	1			A used MH not on permanent foundation, secondary residence, and low valuation of \$4,000.
	308-340-02	5687 McCall		2018-101476	MH	O			1						1	1			A used MH not on permanent foundation, secondary residence, and low valuation of \$8,640.
	128-450-65	33699 SJE		2018-102806	MH	O			1						1	1			A used 1080 square-foot MH and low valuation of \$6,480.
	335-170-14	8741 Chestnut		2018-103305	MH	O			1						1	1			A used 672 square-foot MH not on permanent foundation, low valuation of \$4,000, issued for Farmworker Housing.
	335-170-14	8751 Chestnut		2018-103307	MH	O			1						1	1			A used 672 square-foot MH not on permanent foundation, low valuation of \$4,000, issued for Farmworker Housing.
	335-170-14	8761 Chestnut		2018-103331	MH	O			1						1	1			A used 672 square-foot MH not on permanent foundation, low valuation of \$4,000, issued for Farmworker Housing.
	335-170-14	8771 Chestnut		2018-103334	MH	O			1						1	1			A used 672 square-foot MH not on permanent foundation, low valuation of \$4,000, issued for Farmworker Housing.
	335-170-14	8781 Chestnut		2018-103335	MH	O			1						1	1			A used 672 square-foot MH not on permanent foundation, low valuation of \$4,000, issued for Farmworker Housing.
	335-170-14	8791 Chestnut		2018-103340	MH	O			1						1	1			A used 672 square-foot MH not on permanent foundation, low valuation of \$4,000, issued for Farmworker Housing.



053-516-04s	20714 Troutdale	2018-103043	SFD	O															Unit size of 1820 square feet and valuation of \$198,707.
	2890 Charleston	2018-103432	SFD	O															Unit size of 1700 square feet and valuation of \$186,654.
043-250-64s	2879 Indiana	2018-103433	SFD	O															Unit size of 1700 square feet and valuation of \$186,000.
053-120-24s	20648 Garfield	2018-103553	SFD	O															Unit size of 1642 square feet and valuation of \$178,656.
300-684-20s	20063 Sunset	2018-104093	SFD	O															Unit size of 1515 square feet and valuation of \$168,328.
	26562 TwinPonds	2018-105215	SFD	O															Unit size of 1700 square feet, valuation of \$183,449, and located in agricultural Zone District.
118-020-61																			
312-030-87	6689 McKinley	2018-107101	SFD	O															Unit size of 1527 square feet and valuation of \$167,298.
	4810 Riverdale	2018-107340	SFD	O															Unit size of 1650 square feet, valuation of \$175,434, and located in agricultural Zone District.
057-021-37	13697 Vandenburg	2018-108025	SFD	O															Unit size of 1495 square feet and valuation of \$172,453.
043-250-39s	3846 Wilda	2018-108239	SFD	O															Unit size of 1548 square feet and valuation of \$168,091.
053-513-06s	20103 Sulmona	2018-109462	SFD	O															Unit size of 1515 square feet and valuation of \$168,328.
300-684-13s		2018-105900	MH	O															
																			A used 1478 square-foot MH not on permanent foundation, secondary residence, low valuation of \$8,968, and located in agricultural Zone District.
312-330-53	2461 Grantland	2017-108787	SFD	O															Unit size of 1257 square feet, secondary residence, low valuation of \$40,668, and located in agricultural Zone District.
158-161-07	2523 Pederson	2018-104239	SFD	O															Unit size of 1900 square feet, secondary residence, and located in agricultural Zone District.
028-041-11	28013 Clayton		SFD	O															Unit size of 1700 square feet, secondary residence, located in agricultural Zone District.
554-052-07	1563 Leonard		SFD	O															Unit size of 2000 square feet, secondary residence, located in agricultural Zone District.
350-190-09	12675 Jefferson		MH	O															A used 1040 square-foot MH, secondary residence, and located in agricultural Zone District.
035-190-31	8472 Hayes		MH	O															A used 800 square-foot MH not on permanent foundation, secondary residence, and located in agricultural Zone District.
345-050-19	7486 Kenneth		SFD	O															A small unit size of 1497 square feet, secondary residence, located in agricultural Zone District.
393-122-22	13568 Caruthers	2018-107452	MH	O															A used MH not on permanent foundation, low valuation of \$11,424, and secondary residence.
309-140-26	11482 McKinley		SFD	O															A small unit size of 1059 square feet and secondary residence.
308-081-26s	11810 Ashlan		SFD	O															A small unit size of 1422 square feet, secondary residence, located in agricultural Zone District.
158-450-10	19188 Trimmer Springs		MH	O															A used 1152 square-foot MH not on permanent foundation, secondary residence, located in agricultural Zone District.
385-042-15	8058 Nebraska		MH	O															A used 1125 square-foot MH, secondary residence, located in agricultural Zone District.
333-310-05	20143 Goodfellow		SFD	O															
309-251-61s	3680 Lindsey		SFD	O															Secondary residence located in agricultural Zone District.
393-280-59	10563 Kamm		SFD	O															

Note: Affordability is based on the unit type and size, valuation and the Fresno County's Median Income for each income category.







**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**

(CCR Title 25 §6202)

<b>Jurisdiction</b>	Fresno County - Unincorporated	
<b>Reporting Year</b>	2018	(Jan. 1 - Dec. 31)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.  
Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	460				2						28	432
	Non-Deed Restricted					26							
Low	Deed Restricted	527				9						9	518
	Non-Deed Restricted												
Moderate	Deed Restricted	589										237	352
Above Moderate	Non-Deed Restricted	1146	102	63	54	18						271	875
Total RHNA		2722											
Total Units 44			264	101	125	55						545	2177

Note: units serving extremely low-income households are included in the very low-income permitted units totals  
Cells in grey contain auto-calculation formulas



# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202)

<b>Jurisdiction</b>	Fresno County - Unincorporated
<b>Reporting Year</b>	2018 (Jan. 1 - Dec. 31)

**Table D**

**Program Implementation Status pursuant to GC Section 65583**

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
---	---	---	---

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
<p><b>1. Regional Collaboration on Housing Opportunities</b></p> <p>Relevant Policies: 1.3, 1.4, 1.7, 4.2, 4.3, 4.6</p>	<p>The County of Fresno Public Works and Planning Department, with assistance of the Fresno COG, will take the lead in coordinating the Countywide Fifth Cycle Housing Element Committee meetings.</p> <p>Continue to participate in the Countywide Housing Element Technical Committee to collaborate on housing program implementation and regional issues including disadvantaged unincorporated communities (SB 244), infrastructure challenges, farmworker housing, homelessness, and fair housing.</p> <p>The Committee will meet at least biannually to evaluate successes in implementation of programs and to identify gaps and additional needs.</p> <p>The Committee will meet annually with the California Department of Housing and Community Development (HCD) to discuss funding opportunities and challenges in implementation of programs, and</p>	<p>All ongoing</p>	<p>During the 2018 calendar year, representatives of the local governments who participated in the Fifth-Cycle Housing Element Update (Representatives) met biannually including meeting with the California Department of Housing and Community Development (HCD) staff.</p> <p>Regarding implementation of SB 244, Representatives realized that implementation of SB 244 is the obligation of individual local governments.</p> <p>Regarding infrastructure issues, the consensus of the Representatives was that this is an issue that is unique to each jurisdiction and needs to be addressed by individual local governments.</p> <p>Regarding collaboration on housing for Low-Income populations, as in prior years, the County and the cities are working together to develop housing for Low-Income populations at appropriate locations. The County of Fresno has collaborated with the cities of Sanger, Kerman and Fowler in developing housing for Low-Income populations. The County and the cities are also working together to address the homeless population.</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>seek technical assistance from HCD and other State agencies in the implementation of housing programs and the pursuit of grant funding.</p> <p>The Committee will meet periodically with Fair Housing of Central California to discuss fair housing issues and opportunities for education.</p> <p>The Committee will advocate on behalf of the Fresno County region for more grant funding for affordable housing and infrastructure improvements.</p> <p>Continue to seek partnerships with other jurisdictions in the region and other agencies (such as the Housing Authority), housing developers, community stakeholders, and agricultural employers/employees to explore viable options for increasing the availability of farmworker housing in suitable locations in the region.</p>	Ongoing	<p>An official from the Fair Housing of Central California made a presentation to Representatives in 2017.</p> <p>Representatives are committed to advocate for grant funding for affordable housing and improvement of infrastructure.</p> <p>In 2018, the Representatives, as in prior years, committed to work with each other and individually work with other agencies and housing developers, stakeholders and agricultural employers regarding development of affordable housing, including farmworker housing. In 2018, the County of Fresno worked with the cities of Sanger, Kerman, and Fowler for development of affordable housing. The County has also worked with developers of affordable housing and stakeholders to explore options for development of affordable housing.</p>
<p><b>2. Review Annexation Standards in Memorandum of Understanding</b></p> <p>Relevant Policies: 1.1, 1.3, 1.4</p>	<p>During the Housing Element planning period, the County of Fresno and the cities within the County will work together to review and revise, as deemed appropriate by all parties, the standards for annexation contained in the Memorandum of Understanding between the County and the cities.</p>	Ongoing	<p>The County works with cities on any proposed revision to the Standards for Annexation contained in the Memorandum of Understanding (MOU) either at the time of renewal of MOUs or upon a request by a city. The County works with cities on annexation of land to allow the cities to meet their share of Regional Housing Needs Allocation.</p>
<p><b>3. Adequate Sites Program</b>  <b>The County will provide for a variety of housing types and ensure that there are adequate sites</b></p>	<p>Complete General Plan and Zoning Ordinance technical amendments in 2016 to achieve internal consistency.</p>	2016/ In process	<p>The General Plan Review and Zoning Ordinance Update projects are moving forward. The public review draft of the General Plan documents and the Zoning Ordinance were released in January of 2018. County staff and the consultants are addressing comments that were received from the public and agencies regarding the General Plan, the Zoning Ordinance and the EIR.</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
<p><b>available to meet its RHNA</b></p> <p>Relevant Policies: 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9</p>	<p>Maintain and annually update the inventory of residential land resources.</p> <p>Monitor development and other changes in the inventory to ensure the County has remaining capacity consistent with its share of the regional housing need.</p> <p>Continue to designate and zone adequate sites to meet special housing needs as required.</p> <p>Continue to encourage a variety of housing types for all income levels such as mixed use and higher density housing through implementation of the General Plan and community plans, through incentives or other mechanisms encouraging affordability, maintaining existing zoning and upzoning where appropriate. These efforts will also consider promoting development within existing communities, active transportation and access to services and amenities.</p> <p>Direct interested residential developers, especially affordable housing developers throughout the County, to Community Plan and Specific Plan areas where amenities are or can be located and where water and sewer service providers have or can provide capacity and potential for the expansion of infrastructure (see Program 12), such as the Shaver Lake Forest Specific</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>The County annually monitors inventory of lands identified in the Housing Element to ensure the County maintains the capacity to accommodate its share of RHNA obligations. The County's Fifth-Cycle RHNA obligation consisted of 460 units for Very Low, 527 units for Low, 589 units for Moderate, and 1,146 units for Above Moderate-Income populations. After accounting for the number of units for which permits have been issued up to December 31, 2017, the monitoring of the inventory revealed that the County has a surplus capacity of 1,161 units in the Very Low-Income and Low-Income categories, 3,045 units in Moderate-Income category, and 7,489 units in the Above Moderate-Income category.</p> <p>The Board of Supervisors approved amendments to the Zoning Ordinance in November of 2015, which among other things, identified zones that can accommodate populations with special needs. There has been no change regarding the designated zones that can accommodate populations with special housing needs in 2018.</p> <p>The County will continue to promote development of housing for all income groups within existing unincorporated communities. The General Plan Review and Revision project includes increasing the density for lands designated and zoned for multi-family residential development to 20 units per acre to lower the cost of affordable housing. The Zoning Ordinance Update includes Density Bonus provision to lower the cost of housing development and to encourage development of affordable housing. Also, the County has suspended collection of impact fees to lower the cost of housing, including housing for low income population.</p> <p>The County continues to direct interested residential developers, including affordable housing developers, to unincorporated communities with community or specific plans where amenities or infrastructure exist or can be provided to accommodate proposed developments.</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>Plan, Millerton Specific Plan, Sierra North Regional Plan, Laton, and Tranquility areas.</p> <p>Meet with developers to discuss constraints and opportunities on TP-zoned sites and address constraints and establish incentives, procedures or other mechanism by 2017 to promote development.</p> <p>Actively participate in the development of the next RHNA Plan to better ensure that the allocations are reflective of the County's General Plan policies and are realistic based on land use patterns in the unincorporated areas of the County.</p>	Ongoing	<p>The County periodically meets with residential developers to discuss constraints and opportunities for development of housing for all income groups, including Low-Income populations. Lack of available funding and lack of interest by developers to develop in unincorporated communities are considered constraints. To address these issues, the County has committed to support housing developers and agencies who are active in development of affordable housing such as the Fresno Housing Authority and Self-Help Enterprises, in the application of funds for affordable housing, including State HCD and USDA Rural Development loans and grants, and other funding sources that may become available. The Revised General Plan Policy Document proposes to increase the density of land designated and zoned for multi-family development to 20 units per acre and the County's Zoning Ordinance Update includes density bonus provisions as incentive for development within unincorporated communities. The suspension of impact fees by the Board of Supervisors is another incentive for development of affordable housing in unincorporated communities.</p> <p>The County has actively participated in development of RHNA and will participate in development of the next RHNA methodology.</p>
<p><b>4. Monitoring of Residential Capacity (No Net Loss)</b></p> <p>Relevant Policies: 1.1, 1.2, 1.3, 1.4, 1.5, 1.6</p>	<p>Develop and implement a formal evaluation procedure pursuant to Government Code Section 65863 by 2016.</p> <p>Annually monitor the effectiveness of non-residential zones to facilitate residential development.</p> <p>If rezoning/upzoning is required to replenish the sites inventory for meeting the RHNA shortfall, the sites shall be adequate in size to accommodate at least 16 units per site at a minimum density of 20 units</p>	<p>Completed</p> <p>Ongoing</p>	<p>The County has developed a procedure to review all actions that may result in reduction of inventory of available land included in the County's Housing Element to accommodate housing for various income categories. The County will perform a quantitative analysis pursuant to Government Code Section 65863 to determine whether the remaining sites identified in the inventory are adequate to meet the remaining County's share of RHNA obligation for each income category. If the quantitative analysis reveals that such action results in a reduction of inventory of land identified in the Housing Element for a certain income category and the remaining sites are not adequate to meet the County RNHA obligations, the County will identify and will take appropriate actions to ensure adequate sites with an equal or greater residential density are available to meet the County's RHNA obligation for that income category.</p> <p>The County monitors and evaluates its inventory of vacant sites available for residential developments on an ongoing basis to ensure sufficient</p>



Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	per acre, and shall be rezoned within two years.		<p>lands are available to accommodate the County's share of the Fifth-Cycle RHNA.</p> <p>The County monitors the effectiveness of non-residential zones to facilitate residential development. No non-residential site has been proposed for residential development since the adoption of the Fifth-Cycle Housing Element.</p>
<p><b>5. Lot Consolidation and Lot Splits</b></p> <p>Relevant Policies: 1.1, 1.2, 1.3, 1.4, 1.5, 1.6</p>	<p>Assist interested developers/property owners in identifying opportunities for lot consolidation or lot splitting.</p> <p>Continue to streamline the processing of requests for lot consolidation and lot splitting concurrent with other development reviews.</p> <p>Annually monitor lot consolidation activities as part of the County's annual report to HCD on Housing Element progress and evaluate if County efforts are effective in facilitating lot consolidation of small sites for residential development. If appropriate, make necessary changes to facilitate lot consolidation.</p> <p>Encourage the use of master plans/specific plans to provide a cohesive development strategy for large lots.</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>The County will assist interested landowners and developers with lot consolidation or lot splitting to accommodate sites of adequate size to accommodate residential development for all income groups. If lot consolidation or lot splitting is necessary, the County will process them concurrently with review of the proposed development. However, there has not been any proposed housing development that required lot consolidation or lot splitting in 2018.</p> <p>The County encourages/requires the use of master plans/specific plans for development of large lots.</p>
<p><b>6. Coordination of Infrastructure and Services</b></p> <p>Relevant Policy: 1.7</p>	<p>Continue to coordinate with independent service providers to assess development trends, needs for infrastructure and services, and plans for expansion. Communicate with the service providers at least semi-annually or as major development applications are received to discuss and pursue plans for future expansion to ensure adequate infrastructure</p>	<p>Ongoing</p>	<p>County staff continues to coordinate with water and sewer service providers to assess development trends, needs for infrastructure and services and plans for expansion of services. Staff regularly communicates with the independent service providers to identify community infrastructure needs and available resources. The County encourages water and sewer service providers to improve infrastructure in communities with service deficiencies. County staff annually publishes and sends out notices to service providers and community groups regarding the application period to apply to the County's program that provides grant funding for public facility and infrastructure improvement</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>and services are available to meet the County's RHNA, consistent with housing development trends.</p> <p>As part of coordination and communication with CSDs, provide assistance as appropriate to encourage infrastructure improvements in communities with infrastructure and service deficiencies.</p> <p>Seek (at least annually and ongoing) and support funding applications by CSDs for infrastructure and service expansions that are consistent with the County's General Plan and Community Plan policies.</p> <p>As funding permits, CDBG and/or HOME funds provide gap financing to affordable projects as a means to reducing the costs of development, including infrastructure improvements. At least annually meet with developers and community stakeholders to discuss and pursue or support additional funding resources.</p> <p>Annually explore and pursue funding opportunities for community plan updates as necessary to promote development within existing communities with active transportation and access to services and amenities.</p> <p>Provide a copy of the adopted Housing Element to the various service providers serving the unincorporated communities.</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Completed</p>	<p>projects in the eligible unincorporated areas of Fresno County. In 2018, 26 notices were mailed to CSDs and community groups, along with publication, website posting and direct email response. In addition, a public workshop was held to provide assistance on preparing applications and the funding process. County staff disseminates information about other funding opportunities for CSDs for infrastructure and service expansions when they become available. The majority of infrastructure and service expansion funding available focuses on urban areas. In 2018, County staff explored applying for funding through the State's Transformative Climate Communities grant for disadvantaged communities, but unfortunately this program's assistance focused on specific large cities. As funding permits, the County continues to consider use of CDBG and/or HOME funds as gap financing to eligible affordable projects as a means to reducing the costs of development. In 2018, two affordable housing projects were under construction in Sanger and Fowler using County HOME funds. The cooperation between the County and cities within the County to address the housing needs at the regional level was the chief reason for collaboration between the County and twelve cities within the County to prepare a Multi-Jurisdictional Housing Element to address the housing needs of all income groups at the regional level as well as the local level.</p> <p>County staff published two Notices of Funding Availability (NOFA) in 2018 to provide gap financing to develop affordable housing. \$800,000 was tentatively awarded to build Gateway Apartments in the City of Kerman, but unfortunately the development was not successful in receiving State Tax Credits. The application deadline for the 2nd NOFA was in January 2019.</p> <p>In 2018, Fresno County did not utilize any HOME Investment Partnerships Program (HOME) funds as gap financing loans for the development of affordable housing in the unincorporated area. The County completed one HOME-funded affordable housing project during 2018, which expanded the supply of affordable housing for lower-income households in the partner City of Sanger by 48 units. The County also had one HOME-funded affordable housing project under construction as of the end of 2018 (not yet completed) in the partner City of Fowler. The cooperation between the County and the cities within the County to address the housing needs at the regional level was the chief reason for collaboration between Fresno County and twelve cities in the County to prepare a Multi-Jurisdictional Housing Element to address the housing needs of all income groups at the regional level. The County continues its</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
			<p>efforts to provide HOME funds as gap financing to develop new affordable housing projects in the unincorporated area and its partner cities, as its Federal HOME funding permits. County staff seeks partnerships and regularly meets with other agencies, housing developers, and community stakeholders to discuss and pursue viable opportunities to provide affordable housing.</p> <p>During 2018, these meetings included: Fresno Housing Authority, Self-Help Enterprises, Habitat for Humanity – Greater Fresno Area, Willow Partners, and Integrated Development Inc. The County continues to monitor the State Department of Housing and Community Development’s (HCD’s) and HUD’s websites for Notices of Funding Ability (NOFA) for affordable housing for lower-income households. No opportunities for funding of affordable housing development in the unincorporated areas of Fresno County were identified in 2018, but the County was awarded a State Housing Preservation Grant in 2017. The HPG funds were used in 2018 to assist eligible Low-Income homeowners in Fresno County who required assistance for housing repairs and rehabilitation. The County offers assistance to other agencies in accessing local, state, and federal funding for affordable housing. In 2018, County staff provided a Letter of Funding to support Gateway Apartments’ application for State Tax Credits. In addition, County Staff published two Notice of Funding Availability (NOFA) in 2018 to provide gap financing to develop affordable housing. \$800,000 was tentatively awarded to build Gateway Apartments in the City of Kerman, but unfortunately the development was not successful in receiving State Tax Credits. The application for the 2nd NOFA was due in January 2019. In 2018, the County was instrumental in facilitating the collaboration between Habitat Fresno County, Self-Help Enterprises and USDA Rural Development to build two new single-family homes in the community of Riverdale. The County provided a development loan for the construction and down payment assistance for the new low-income homeowners. County Staff continues to support and encourage its partner agencies, cities and housing developers, such as the Fresno Housing Authority and Self-Help Enterprises, in applying for funds, including State HCD and USDA Rural Development loans and grants and other funding sources, to develop affordable housing in Fresno County.</p> <p>The County explores funding opportunities for community plan updates including the SB 2 Planning Grants.</p>



Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>community stakeholders and employers to discuss and pursue viable opportunities for providing affordable housing</p> <p>Monitor the State Department of Housing and Community Development's (HCD's) and HUD's websites at least semi-annually for Notices of Funding Ability (NOFA) and, where appropriate, prepare or support applications for funding for affordable housing for lower-income households (including extremely-low-income households), such as seniors, disabled (including persons with developmental disabilities), the homeless, and those at risk of homelessness.</p> <p>Continue to support and encourage other agencies and housing developers, such as the Fresno Housing Authority and Self-Help Enterprises, in the application of funds, including State HCD and USDA Rural Development loans and grants and other funding sources that may become available.</p> <p>Continue current efforts to streamline and improve efficiencies in planning and permit approval and building inspection service.</p> <p>Establish to the extent feasible, a program that accommodates submittal and issuance of certain permits via the Internet by 2020.</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>provided a development loan for the construction and down payment assistance for the new Low-Income homeowners. County Staff continues to support and encourage its partner agencies, cities and housing developers, such as the Fresno Housing Authority and Self-Help Enterprises, in applying for funds, including State HCD and USDA Rural Development loans and grants and other funding sources, to develop affordable housing in Fresno County.</p> <p>The County continues its efforts to streamline and improve efficiencies in processing permits and building inspections. Currently, certain permit requests as well as inspections can be submitted online.</p>



Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>Development loans and grants and other funding sources that may become available.</p> <p>Annually monitor the status of farmworker housing as part of the County's annual report to HCD on Housing Element progress and evaluate if County efforts are effective in facilitating the provision of farmworker housing. If appropriate, make necessary changes to enhance opportunities and incentives for farmworker housing development.</p>	Ongoing	
<p><b>9. Preserving Assisted Housing</b></p> <p>Relevant Policy: 3.6</p>	<p>Continue to monitor status of affordable housing projects. If projects become at risk of converting to market-rate housing:</p> <ol style="list-style-type: none"> <li>1. Monitor the status of any Notice of Intent and Plan of Action filed by property owners to convert to market-rate units;</li> <li>2. Identify nonprofit organizations as potential purchasers/managers of at-risk housing units;</li> <li>3. Explore funding sources available to purchase affordability covenants on at-risk projects, transfer ownership of at-risk projects to public or nonprofit agencies, purchase existing buildings to replace at-risk units, or construct replacement units;</li> <li>4. Ensure the tenants are properly noticed and informed of their rights and eligibility to obtain special Section 8 vouchers reserved for tenants of converted HUD properties.</li> </ol>	Ongoing	<p>The Housing Authority of Fresno County (HAFC) manages, monitors, improves, and creates assisted housing in the unincorporated Fresno County area. No affordable housing rental projects in the unincorporated area are considered at risk of converting to market-rate housing.</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
<p><b>10. Zoning Ordinance Amendments</b></p> <p>Relevant Policies: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6</p>	<p>Complete comprehensive Zoning Ordinance update in 2017 to address the density bonus provisions, increase the allowable density at R2, R2-A, R3, R3-A, R4, C4 and RP to 20 units per acre.</p> <p>Address the provision of Single-Room Occupancy (SRO) housing as part of the comprehensive Zoning Ordinance update in 2016.</p> <p>Examine, in 2016, alternatives to requiring discretionary approval for the development of multi-family housing in the C-4 Zone District and adopt appropriate actions to expedite the review and processing of multi-family housing development applications.</p> <p>Consider establishing a discretionary permit requirement for new agricultural operations in residential zones and addressing farm labor housing in those zones in a similar manner.</p> <p>Annually review the effectiveness and appropriateness of the Zoning Ordinance and process any necessary amendments to remove or mitigate potential constraints to the development of housing.</p>	<p>Ongoing</p> <p>In process</p> <p>In process</p> <p>Ongoing</p>	<p>As part of the General Plan Review and the Zoning Ordinance Update that is underway, the County is addressing the Density Bonus provision, Single-Room Occupancy (SRO), alternative to discretionary approval for multi-family housing in C-4 Zone, farm labor housing, and increasing density for R2, R2A, R3, R3A, R4, C4 and RP zones. The County continues reviewing the effectiveness of the Zoning Ordinance and amends the Ordinance to mitigate potential constraints to development of housing.</p>
<p><b>11. Monitoring of Planning and Development Fees</b></p> <p>Relevant Policies: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6</p>	<p>Should the Board decide to reinstate impact fees, monitor the fees annually to ensure they do not unduly constrain housing development.</p>	<p>Ongoing</p>	<p>At the public hearing of October 31, 2017, the Board of Supervisors conducted a public hearing to consider an amendment to the County Ordinance for Public Facilities Impact Fees. At the conclusion of the hearing, the Board decided to continue suspension of the impact fees to November 10, 2018. At the public hearing of October 9, 2018, the Board of Supervisors conducted a public hearing to consider another amendment to the County Ordinance for Public Facilities Impact Fees. At</p>



Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
			the conclusion of the hearing, the Board decided to continue suspension of the impact fees indefinitely.
<p><b>12. Housing Assistance Rehabilitation Program (HARP)</b></p> <p>Relevant Policies: 3.2, 4.1</p>	<p>This program provides loans to qualifying homeowners in the unincorporated County and participating cities for the rehabilitation of their homes. Eligible improvements include energy efficiency upgrades and installations, health and safety and hazard corrections, and accessibility modifications. Loan terms under this program vary according to household income and the improvements and repairs that are needed.</p> <p>Provide rehabilitation assistance to households in the unincorporated area as federal funding is available and applications are received.</p>	Ongoing	Fresno County provided one HARP loan to one Very Low-Income household in the unincorporated area during 2018. This loan is a no-interest affordable payment loan for eligible housing rehabilitation. The County continues to market HARP to all unincorporated area homeowners, and continues to meet with community groups to provide information on the program.
<p><b>13. Rental Rehabilitation Program (RRP)</b></p> <p>Relevant Policies: 3.2, 4.1</p>	<p>This program provides no interest loans to qualifying property owners for making improvements to their rental properties occupied by eligible tenants. Eligible improvements include repairing code deficiencies, completing deferred maintenance, lead-based paint and asbestos abatement, HVAC repairs, energy efficiency upgrades, accessibility modifications, and kitchen and bathroom upgrades.</p> <p>Provide assistance for the rehabilitation of four rental housing units as federal funding is available and applications are received.</p>	Ongoing	Fresno County did not provide any Rental Rehabilitation Program loans for housing rehabilitation projects in the unincorporated area during 2018, but did provide one loan in a partner city. The cooperation between the County and the cities within the County to address the housing needs at the regional level was the chief reason for collaboration between the County and twelve cities in the County to prepare a Multi-Jurisdictional Housing Element to address the housing needs of all income groups at the regional level as well as the local level. The County continues to market the Rental Rehabilitation Program to eligible rental property owners.

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
<p><b>14. Code Enforcement</b></p> <p>Relevant Policies: 1.8, 2.5, 3.1, 3.2, 3.3, 3.4, 3.5, 4.1</p>	<p>The Department of Public Works and Planning is responsible for the enforcement of County Zoning Ordinance and Building Code violations and applicable State codes. One of the main goals of the Code Enforcement program is to bring to the attention of residential owners any existing ordinance or code violation which could have a negative impact on their neighborhood. County staff investigates violations of property maintenance standards and encourages property owners to seek assistance through available housing rehabilitation programs.</p> <p>Continue to enforce property maintenance standards and abate substandard structures through Code Enforcement and various housing rehabilitation programs.</p>	<p>Ongoing</p>	<p>One of the main goals of the Code Enforcement Program is to bring to the attention of residential owners any existing Ordinance or Code Violation which could have a negative impact on their neighborhood. County staff investigates violations of property maintenance standards and encourages property owners to seek assistance through available housing rehabilitation programs.</p> <p>The County continues to enforce zoning and building codes to ensure compliance with land use regulations and building codes. The County continues to enforce property maintenance standards and to abate substandard structures.</p>
<p><b>15. Homebuyer Assistance Program (HAP)</b></p> <p>Relevant Policy: 2.8</p>	<p>This program assists lower-income families with purchasing their first home by providing a zero interest, deferred payment loan that does not exceed 20 percent of the purchase price of the single-family residence (plus loan closing costs). Households earning up to 80 percent Area Median Income (AMI) in unincorporated Fresno County and participating cities are eligible for this program.</p> <p>Provide assistance to income-eligible households to purchase a home in the unincorporated areas as federal funding is available and applications are received.</p>	<p>Ongoing</p>	<p>The County provided two HAP loans to two Very Low-Income homebuyers to purchase homes in the unincorporated area during 2018. Additional four HAP loans were made (one Low-Income homebuyer and three Moderate-Income homebuyers) for home purchases in participating cities during this period. The cooperation between the County and the cities within the County to address the housing needs at the regional level as well as the local level was the chief reason for collaboration between the County and twelve cities in the County to prepare a Multi-Jurisdictional Housing Element to address the housing needs of all income groups at the regional level. The County continues to market HAP to eligible first-time homebuyers, and works closely with lenders and the real estate community to ensure the program is made available whenever possible to qualified applicants.</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
<p><b>16. First-Time Homebuyer Resources</b></p> <p>Relevant Policy: 2.8</p>	<p>Fresno County residents have access to a number of homebuyer assistance programs offered by the California Housing Finance Agency (CalHFA):</p> <p><b>Mortgage Credit Certificate (MCC):</b> The MCC Tax Credit is a federal credit which can reduce potential federal income tax liability, creating additional net spendable income which borrowers may use toward their monthly mortgage payment. This MCC Tax Credit program may enable first- time homebuyers to convert a portion of their annual mortgage interest into a direct dollar for dollar tax credit on their U.S. individual income tax returns.</p> <p><b>CalPLUS Conventional Program:</b> This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalPLUS Conventional is fixed throughout the 30-year term. The CalPLUS Conventional is combined with a CalHFA Zero Interest Program (ZIP), which is a deferred-payment junior loan of three percent of the first mortgage loan amount, for down payment assistance.</p> <p><b>CalHFA Conventional Program:</b> This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalHFA Conventional is fixed throughout the 30-year term.</p>		

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>Promote available homebuyer resources on the County website and public counters by 2016.</p> <p>Annually review funding resources available at the state and federal levels and pursue as appropriate to provide homebuyer assistance.</p>	Ongoing	<p>The County continues to provide information on its Homebuyer Assistance Program to first-time homebuyers via flyers and its website, as well as through meetings with lenders, realtors, and community groups, to ensure the program is made available whenever possible to qualified applicants. During meetings with lenders and community groups, other non-County sources of available financing are also discussed. The County continues to review funding resources available from the State and Federal government to pursue as appropriate to provide homebuyer assistance.</p>
<p><b>17. Housing Choice Voucher Rental Assistance</b></p> <p>Relevant Policy: 2.2</p>	<p>The Housing Choice Voucher Program extends rental subsidies to extremely-low and very-low-income households, including families, seniors, and the disabled. The program offers a voucher that pays the difference between the current fair market rent (FMR) as established by the U.S. Department of Housing and Urban Development (HUD) and what a tenant can afford to pay (i.e. 30 percent of household income). The Fresno Housing Authority administers the housing choice voucher program in Fresno County. Given the continued need for rental assistance, the County supports and encourages the provision of additional subsidies through the Housing Choice Voucher Program.</p> <p>Continue to support and encourage the provision of vouchers to qualifying Fresno County households.</p> <p>Continue to refer interested households and homeowners to the Fresno Housing Authority and encourage landlords to register their properties with the Housing Authority for accepting HCVs.</p>	Ongoing	<p>The County supports the efforts of the Housing Authority of Fresno County (HAFC) in offering Section 8 and other rental assistance programs in the unincorporated area. The County reviews and certifies the HAFC's five-year and annual plans for consistency with the County's Consolidated Plan. The County does not provide rental assistance directly, but does assist the Housing Authority in publicizing the opening of the Section 8/Housing Choice Voucher waiting list by disseminating the information to County partners and clients.</p>

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>Work with the Housing Authority to disseminate information on incentives for participating in the HCV program throughout the County areas with varying income levels to promote housing opportunities for all unincorporated community residents.</p>		
<p><b>18. Energy Conservation</b> Relevant Policies: 6.1, 6.2, 6.3</p>	<p>Continue to promote and implement the County's Go Green initiatives.</p> <p>Consider inclusion of design standards for new development that encourage alternative transportation (for example, bicycle lanes, bus turnouts, and direct pedestrian connections to transit lines) as a part of the update of the County Zoning Ordinance to conserve energy and improve air quality.</p> <p>Continue to promote and support Pacific Gas and Electric Company programs that provide energy-efficiency rebates for qualifying energy-efficient upgrades.</p> <p>Continue to incorporate conservation measures in housing rehabilitation programs.</p> <p>Expedite review and approval of residential alternative energy devices.</p>	<p>Ongoing</p>	<p>The County makes every effort to incorporate "green building" and energy-efficient components in housing being rehabilitated when practical and acceptable to the client. The County's rehabilitation standards adhere to the HOME Program requirements to ensure the longevity of the major components of the home and improve the energy efficiency as much as possible. The County promotes design standards for new developments that encourage alternative transportation modes such as walking and riding bicycles to promote physical activities and improve air quality. The County continues to promote and support Pacific Gas and Electric Company programs that provide energy-efficiency rebates for qualifying energy-efficient upgrades.</p>
<p><b>19. Fair Housing</b> Relevant Policies: 5.1, 5.2</p>	<p>Impediments to fair housing in Fresno County are identified in the County's Analysis of Impediments (AI) to Fair Housing, which was most recently submitted and accepted by the U.S. Department of Housing and Urban Development (HUD) in May 2010. It</p>		

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
	<p>was most recently reviewed in May 2015, and was found to continue to reflect accurate fair housing conditions in the County. The geographic area covered by this document includes the unincorporated areas and partner cities participating with the County in its HUD grant programs.</p> <p>Conduct outreach and education workshops at least annually and on an ongoing basis for lenders, real estate professionals, housing providers, community stakeholders, and the community at large. Provide information and written materials on fair housing rights, available services, and responsible agencies in English and Spanish. Place materials at County libraries, Community Services Districts offices, and public counters, and on the County's website by 2016. Refer fair housing complaints to HUD, State Department of Fair Employment and Housing (DFEH), Fair Housing Council of Central California (FHCCC), and other housing agencies. Conduct Fair Housing Assessment as required by HUD on a regular basis (every five years).</p>	Ongoing	<p>Fresno County focuses available resources toward mitigating obstacles through its affordable housing programs and services. Information on fair housing rights and responsibilities is available at public counters, and is provided during outreach efforts around the County. During 2018, two outreach and education workshops were conducted on fair housing for lenders, real estate professionals, housing providers, community stakeholders and the community at large. In 2018, County staff served as a guest speaker on the local fair housing radio program "Fair Housing is the Law" twice, educating County residents about their rights and the various Fresno County affordable housing programs. No complaints were received regarding fair housing during 2018. The County provides fliers, referrals and education to the residents of Fresno County utilizing various vehicles. The County continues to provide information to the County libraries, Community Services District offices, partner cities, and at public counters throughout various County offices. The County also mailed over 3,677 fliers in 2018 to various residents throughout the County and its partner cities. The County will begin holding community meetings in the summer of 2019 as part of the Fair Housing Assessment process to be completed in 2020.</p>

**General Comments:**

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202)

<b>Jurisdiction</b>	Fresno County - Unincorporated	
<b>Reporting Period</b>	2018	(Jan. 1 - Dec. 31)

Note: + Optional field  
 Cells in grey contain auto-calculation formulas

Table E									
Commercial Development Bonus Approved pursuant to GC Section 65915.7									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Very Low Income	Low Income	Moderate Income	Above Moderate Income <sup>4</sup>	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row. Start Data Entry Below									

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**

(CCR Title 25 §6202)

<b>Jurisdiction</b>	Unincorporated
<b>Reporting Period</b>	2018 (Jan. 1 - Dec. 31)

Note: + Optional field  
 Cells in grey contain auto-calculation formulas

**Table F**

**Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)(2)**

This table is optional. Jurisdictions may list (for informational purposes only) units that do not count toward RHNA, but were substantially rehabilitated, acquired or preserved. To enter units in this table as progress toward RHNA, please contact HCD at APR@hcd.ca.gov. HCD will provide a password to unlock the grey fields. Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in Government Code section 65583.1(c)(2).

Activity Type	Units that Do Not Count Towards RHNA <sup>+</sup> Listed for Informational Purposes Only				Units that Count Towards RHNA <sup>+</sup> Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1 <sup>+</sup>
	Extremely Low-Income <sup>+</sup>	Very Low-Income <sup>+</sup>	Low-Income <sup>+</sup>	TOTAL UNITS <sup>+</sup>	Extremely Low-Income <sup>+</sup>	Very Low-Income <sup>+</sup>	Low-Income <sup>+</sup>	TOTAL UNITS <sup>+</sup>	
Rehabilitation Activity		1		1					
Preservation of Units At-Risk									
Acquisition of Units		2		2					
Total Units by Income		3		3					



<b>Jurisdiction</b>	no County - Unincorporated	
<b>Reporting Year</b>	2018	(Jan. 1 - Dec. 31)

<b>Permitted Units Issued by Affordability Summary</b>		
<b>Income Level</b>		<b>Current Year</b>
Very Low	Deed Restricted	2
	Non-Deed Restricted	30
Low	Deed Restricted	0
	Non-Deed Restricted	10
Moderate	Deed Restricted	0
	Non-Deed Restricted	23
Above Moderate		1
<b>Total Units 44</b>		<b>66</b>

Note: units serving extremely low-income households are included in the very low-income permitted units totals

<b>Entitlement Summary</b>	
Total Housing Applications Submitted:	0
Number of Proposed Units in All Applications Received:	66
Total Housing Units Approved:	66
Total Housing Units Disapproved:	0

<b>Use of SB 35 Streamlining Provisions</b>	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

<b>Units Constructed - SB 35 Streamlining Permits</b>			
<b>Income</b>	<b>Rental</b>	<b>Ownership</b>	<b>Total</b>
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Cells in grey contain auto-calculation formulas