



# PLANNING COMMISSION AGENDA

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

Contact: Planning Commission Clerk  
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Web Site: <http://www.co.fresno.ca.us/PlanningCommission>

## AGENDA April 25, 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.

There are no consent agenda items for this hearing.

#### 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. **INITIAL STUDY APPLICATION NO. 7571** and **UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3633** filed by **TOM JOHNSON** on behalf of **AT&T**, proposing to remove an existing 70-foot monopole (approved by Unclassified Conditional Use Permit No. 3167) and allow the installation of a new 88-foot monopole with 12 antennas, 4 equipment cabinets, 1 GPS antenna and supporting equipment, including colocation of the existing cellular equipment on the proposed tower on a 1,062 square-foot portion of a 2.18 acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the north side of E. Nees Avenue, approximately 330 feet west of its intersection with Leonard Avenue, approximately 486 feet southeast of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APN 558-032-08). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7571, and take action on Unclassified Conditional Use Permit No. 3633 with Findings and Conditions.

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

-Staff Report Included

-Individual Noticing

3. **VARIANCE APPLICATION NO. 4055** filed by **MARIA NAVARRO**, proposing to allow a reduced rear-yard setback of 4 feet (20-foot minimum required) and reduced minimum required space between buildings to 3 feet (6-foot minimum required) to allow the conversion of an existing detached garage to an accessory living quarters on a 0.17-acre parcel in the R-1(nb) (Single-Family Residential, 6,000 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District. The project site is located on the east side of Ninth Street approximately 79 feet north of its intersection with Laurite Avenue, within a County island in the City of Fresno (SUP. DIST. 3) (APN 480-273-18).

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

-Staff Report Included

-Individual Noticing

4. **SITE PLAN REVIEW NO. 8077 APPEAL OF APPROVAL** filed by **WANGER JONES HELSLEY PC** on behalf of **FORGOTTEN FRESNO, GONZALO ARIAS, JR., ROGER DAY and ELISA BILIOS et al.** Consider and take action on appeal of the Director's approval of Site Plan Review No. 8077, for the development of an animal shelter in the M-1(c) (Light Manufacturing, Conditional) Zone District. The subject property is located on the east side of North Grantland Avenue, between North Parkway Drive and West Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (SUP. DIST. 1) (APN 504-081-02S and -03S).

-Contact person, Hector Luna (559) 600-4216, email: [hluna@fresnocountyca.gov](mailto:hluna@fresnocountyca.gov)

-Staff Report Included

5. **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.



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 April 25, 2019

**SUBJECT:** Initial Study Application No. 7571 and Unclassified Conditional Use Permit Application No. 3633

Remove an existing 70-foot monopole (approved by Unclassified Conditional Use Permit No. 3167) and allow the installation of a new 88-foot monopole with 12 antennas, 4 equipment cabinets, 1 GPS antenna and supporting equipment, including colocation of the existing cellular equipment on the proposed tower on a 1,062.27 square-foot portion (lease area) of a 2.17-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project site is located on the north side of E. Nees Avenue, approximately 330 feet west of its intersection with Leonard Avenue, approximately 486 feet southeast of the nearest city limits of the City of Clovis (7818 E. Nees Avenue, Clovis, CA) (Sup. Dist. 5) (APN 558-032-08).

**OWNER:** Walter W. and Gretta Christa

**APPLICANT:** AT&T

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

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7571; and
- Approve Unclassified Conditional Use Permit Application No. 3633 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Cell Tower Vicinity Map
6. Site Plans, Elevations, and Detail Drawings
7. Service Coverage Maps (with and without project)
8. Project Description, Operational Statement, and Response to Fresno County Wireless Communication Guidelines
9. Summary of Initial Study Application No. 7571
10. 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) Zone District	No change
Parcel Size	2.17 acres	No change
Project Site	610.58 square feet of fenced area	1,062.27 square feet of fenced area
Structural Improvements	70-foot monopole and associated equipment, and a single-family residence	88-foot monopole and associated equipment.
Nearest Residence	Approximately 215 feet to the east.	Approximately 210 feet east
Surrounding Development	Single-Family Residences	No change
Operational Features	Unmanned Wireless Telecommunications Facility	No change



<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Employees	At least one maintenance visit per month	No change
Customers	N/A	N/A
Traffic Trips	Residential traffic and one maintenance visit per month	No change
Lighting	Residential lighting	No change
Hours of Operation	An unmanned telecommunications facility will be in operation 24 hours per day, seven days per week, year-round.	No change.

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

**ENVIRONMENTAL ANALYSIS:**

Initial Study No. 7571 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 9

Notice of Intent of Mitigated Negative Declaration publication date: March 22, 2019

**PUBLIC NOTICE:**

Notices were sent to 49 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:**

An Unclassified Conditional Use Permit may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

**BACKGROUND INFORMATION:**

Unclassified Conditional Use Permit (CUP) No. 3167 was previously approved by the Planning Commission on May 25, 2006. CUP No. 3167 allowed the construction of a 70-foot wireless communications tower and related facilities on a 625 square-foot portion of a 2.17-acre parcel, with an existing residence, in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The current proposal entails the construction of an 88-foot-high wireless communications tower and related facilities on an approximately 1,062 square-foot portion of the same parcel in the

AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District and removal of the existing tower after the new tower is completed. Once construction is complete, the existing cell tower equipment will be installed on the new tower. According to the Applicant's Operational Statement, the intent of the project is to expand the service coverage and provide enhanced wireless services. The Applicant also states that the project is designed as a colocation, and colocation applications are preferred by the County.

***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  Rear: 20 feet	Front: Approximately 269.42 feet  Side: Approximately 25.75 feet  Rear: Approximately 30.17 feet	<b>Y</b>
Parking	No requirement	No requirement	<b>Y</b>
Lot Coverage	No requirement	No requirement	<b>Y</b>
Space Between Buildings	No requirement	No requirement	<b>Y</b>
Wall Requirements	No requirement	No requirement	<b>Y</b>
Septic Replacement Area	100 percent	No change	<b>Y</b>
Water Well Separation	Septic Tank: 100 feet Disposal Field: 100 feet Seepage Pit: 150 feet	No change	<b>Y</b>

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

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA, FIRM Panel 1585H, this parcel is not subject to flooding from the 100-year storm.

According to U.S.G.S. Quad Maps, there are no existing natural drainage channels adjacent or running through the parcel.

Zoning Section of the Fresno County Department of Public Works and Planning: All proposed improvements including fences/gate entrances exceeding 7 feet in height will require building permits. **This will be included as a Project Note.**

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits, and inspections will be required for all onsite improvements. **This will 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 submitted site plan shows that the lease area will be expanded from 625 square feet to 1,062.27 square feet to accommodate the new tower and ground equipment. The proposed cell tower is located in excess of required setbacks and is located in the general vicinity of the existing tower. Once the proposed tower is constructed, the existing tower will be removed. Based on the above analysis, staff believes that the project site is adequate in shape and size to accommodate the proposed use.

**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	Yes	12-foot-wide access road	No change
Public Road Frontage	No	Nees Avenue	No change
Direct Access to Public Road	Yes	Nees Avenue	No change
Road ADT		900 ADT	No change
Road Classification		Local Road	No change
Road Width		60 feet	No change
Road Surface		Paved asphalt	No change
Traffic Trips		One round trip; 2 one-way trips per month	No change
Traffic Impact Study (TIS) Prepared	No	N/A	No significant increase in traffic expected

		Existing Conditions	Proposed Operation
Road Improvements Required		N/A	None required

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

Development Engineering Section of the Fresno County Department of Public Works and Safety: If not already present, a 10-foot x 10-foot corner cutoff for sight distance purposes shall be maintained at the drive approach. **This will be included as a Project Note.**

Typically, any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward. **This will be included as a Project Note.**

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: There is a paved drive entrance to the site of the monopole. If additional improvements are constructed for the approach in the road right-of-way, an encroachment permit is required from the Road Maintenance and Operations Division. **This will be included as a Project Note.**

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

**Analysis:**

As there is already an existing unmanned wireless communications facility, minimal to no impacts to roads and traffic generation are expected. One round trip (two one-way trips) per month will continue once the proposed tower is constructed and the existing tower demolished. Nees Avenue is currently at maximum planned width and will not require any more dedications or improvements. The tower will be accessed from Nees Avenue via an existing 12-foot-wide paved private road. No reviewing County agency expressed concerns regarding impacts on County-maintained roads. Based on the existing nature and similar proposed use, staff believes that the section of Nees Avenue at the project site will remain adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*None.*

**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*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	4.77 acres	Vacant	AE-20 (Exclusive Agricultural, 20-acre	N/A

Surrounding Parcels				
			minimum parcel size)	
South	2.17 acres	Single-Family Residence	RR (Rural Residential)	Approximately 430 feet
East	2.38 acres	Single-Family Residence	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	Approximately 210 feet
West	2.27 acres	Single-Family Residence	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	Approximately 410 feet

**Reviewing Agency/Department Comments:**

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: No comment.

Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous waste 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 will 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 will be included as a Project Note.**

Fresno County Fire Protection District: The proposal shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving Fresno County Fire Protection District (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 FCFPD. **This will be included as a Project Note.**

Project/Development: Single-family residential property of three or more lots, multi-family residential property, commercial property, industrial property, and/or office property shall annex into Community Facilities District No. 2010-01 of FCFPD. **This will be included as a Project Note.**

Project/Development 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 will be included as a Project Note.**

City of Clovis: No comment.

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

**Analysis:**

The project site is located on an existing residential parcel, which includes an unmanned wireless communications facility. Properties to the east, south, and west of the subject parcel are mainly improved with single-family residences. To the north of the subject property is vacant land. Once construction of the project is complete, existing mature landscaping and fencing will effectively screen the project site from ground level. The proposed monopole tower will utilize the existing cell tower equipment and keep the radome enclosure design at or around the 70-foot mark. At the 85-foot mark, the proposed design will be a monopole with 3 sectors of panel antennas mounted on the pole. The parcels to the north of the project site are vacant and the tower will be visible to traffic traveling on Highway 168. Staff believes that due to the existing mature landscaping and fencing already effectively screening the current cell tower site and the vacant nature of properties to the north of the project site, aesthetic impacts by the proposed project are limited and will have visual impact similar to the existing conditions on the surrounding neighborhood.

Mitigation Measures discussed in the Initial Study prepared for the project address the potential of the installation of outdoor lighting. In the event that outdoor lighting is installed, a Mitigation Measure has been implemented that all outdoor lighting shall be hooded and directed downward so as not to shine on public roads or surrounding properties.

Additionally, the Department of Public Health and the Fresno County Fire Protection District, has reviewed the project proposal and has provided requirements that further reduce the potential of adverse effects that the project could have on the abutting properties and surrounding neighborhood.

Therefore, based on the above information and requirements set forth by reviewing Departments and Agencies, staff believes that the proposal will not have an adverse effect upon surrounding properties.

**Recommended Conditions of Approval:**

*None.*

**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>
General Plan Policy LU-A.3: The County may allow by discretionary permit in areas designated as Agricultural, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses listed in Table LU-3. Approval of these and similar uses in areas designated as Agricultural shall be subject to the following criteria:	An unmanned wireless communications tower is listed in Table LU-3.  In regard to Criteria “a” of Policy LU-A.3, the Applicant states that the purpose of the application is to expand and enhance their wireless coverage. Due to the existing cell tower site, colocation by means of a taller cell tower is proposed and will provide better

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<ul 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 lands if less productive land is available in the vicinity;</li> <li>c. The operational or physical characteristics of the use shall not have a detrimental impact on water sources or the use or management of surrounding properties within at least one quarter-mile radius;</li> <li>d. A probable workforce should be located nearby or be readily available.</li> </ul>	<p>network coverage for the surrounding agricultural and rural residential area.</p> <p>In regard to Criteria “b”, the project site is located on an existing cell tower site and the rest of the property is used for residential purposes. The subject property and surrounding properties are used as residential and are not located on productive agricultural land. According to the 2014 Fresno County Important Farmland Map, the project site is located on Rural Residential-designated land.</p> <p>In regard to Criteria “c”, the project proposal is for an unmanned wireless telecommunications facility and will not impact water sources, uses, or management.</p> <p>In regard to Criteria “d”, the project site is located approximately 486 feet southeast of the City of Clovis. The City of Clovis is able to provide a readily available workforce for the project.</p>
<p>General Plan Policy PF-J.4: The County shall require compliance with the Wireless Communications Guideline for siting of communication towers in unincorporated areas of the County.</p>	<p>The Wireless Communication Guidelines indicate that the need to accommodate new communication technology must be balanced with the need to minimize the number of new tower structures, thus reducing the impacts towers can have on the surrounding community. The Applicant has provided responses to the Wireless Communication Guidelines which describe the basis for site selection and need for the tower site. As the project proposal is designed as a colocation and does not increase the amount of towers, staff believes that the proposal is consistent with policy PF-J.4.</p>

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated Agricultural in the General Plan and is not enrolled in the Williamson Act Program.

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

**Analysis:**

General Plan Policy PF-J.4 requires compliance with the Wireless Communications Guidelines, which address several concerns related to the development of cell towers, including site placement, colocation opportunities, and alternative site locations. The Applicant indicates that the proposal will provide expanded capacity and coverage for the surrounding neighborhood. County records indicate that there are 24 cell towers within a five-mile radius of the project site. As stated, the project is located on an existing cell tower site and has been designed as a colocation proposal.

The project site is located within a half-mile of the City of Clovis, although it is not located within the Sphere of Influence of the City of Clovis. County staff reached out to the City of Clovis for comments regarding the proposal and the City of Clovis Guidelines for wireless facilities. The City of Clovis did not express any concerns with the project proposal.

County Wireless Communication Guidelines require that the towers should be sited to minimize aesthetic impact to adjacent homesites on surrounding properties. Based on site plans submitted by the Applicant, the proposed tower is set back approximately 269 feet from the front property line and approximately 25 feet from the closest side property line. Existing mature landscaping and fencing provide screening of the project from public right-of-way and adjacent properties. Although the taller tower and design of the antennas are different from the previously-approved design, staff believes that most aesthetic impacts seen from the ground have been minimized.

Colocation opportunities increase, as the lease area has been increased and tower height is being increased to allow additional carriers to install their equipment. The Applicant has stated that a new lease agreement is being processed to address the increased lease area. As the new lease agreement has not been provided, a Condition of Approval will be implemented stating that prior to building permits being issued for the project, the new lease agreement will be provided to staff to verify that colocation opportunities are available for the project.

Based on the above analysis and recommended Conditions of Approval, staff believes that the proposed project is consistent with the General Plan and County Wireless Communications Guidelines.

**Recommended Conditions of Approval:**

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

**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 Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3633, subject to the recommended Conditions.



## **PLANNING COMMISSION MOTIONS:**

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

- Move to adopt the Mitigated Negative/Negative Declaration prepared for Initial Study Application No. 7571; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3633, 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 Unclassified Conditional Use Permit No. 3633; 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.

TK:ksn

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**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 7571  
Unclassified Conditional Use Permit Application No. 3633  
(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.	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/Department of Public Works and Planning (PW&P)	During ground-disturbing activities
2.	Energy	The idling of onsite vehicles and equipment shall be avoided to the most possible extent to avoid wasteful or inefficient energy consumption during the construction of the project.	Applicant	Applicant/PW&P	During construction of the project
<b>Conditions of Approval</b>					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plan, Elevations, and Operational Statement approved by the Commission.				
2.	The approval shall expire in the event that use of the tower ceases for a period in excess of two years. At such time, the tower and related facilities shall be removed and the lease area shall be restored as nearly as practical to its original conditions. This stipulation shall be recorded as a Covenant running with the land.  Note: This Department will prepare the Covenant upon receipt of the standard processing fee, which is currently \$243.50.				
3.	Prior to building permits being issued for the project proposal, the Applicant shall submit an updated lease agreement that reflects the proposed lease area, and so that staff can verify that colocation of the project site is accommodated in the agreement.				
4.	The Applicant must receive a demolition permit and acquire final inspection of the demolition of the existing tower prior to finalization of the building permits associated with the proposed unmanned wireless telecommunications facility.				

\*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

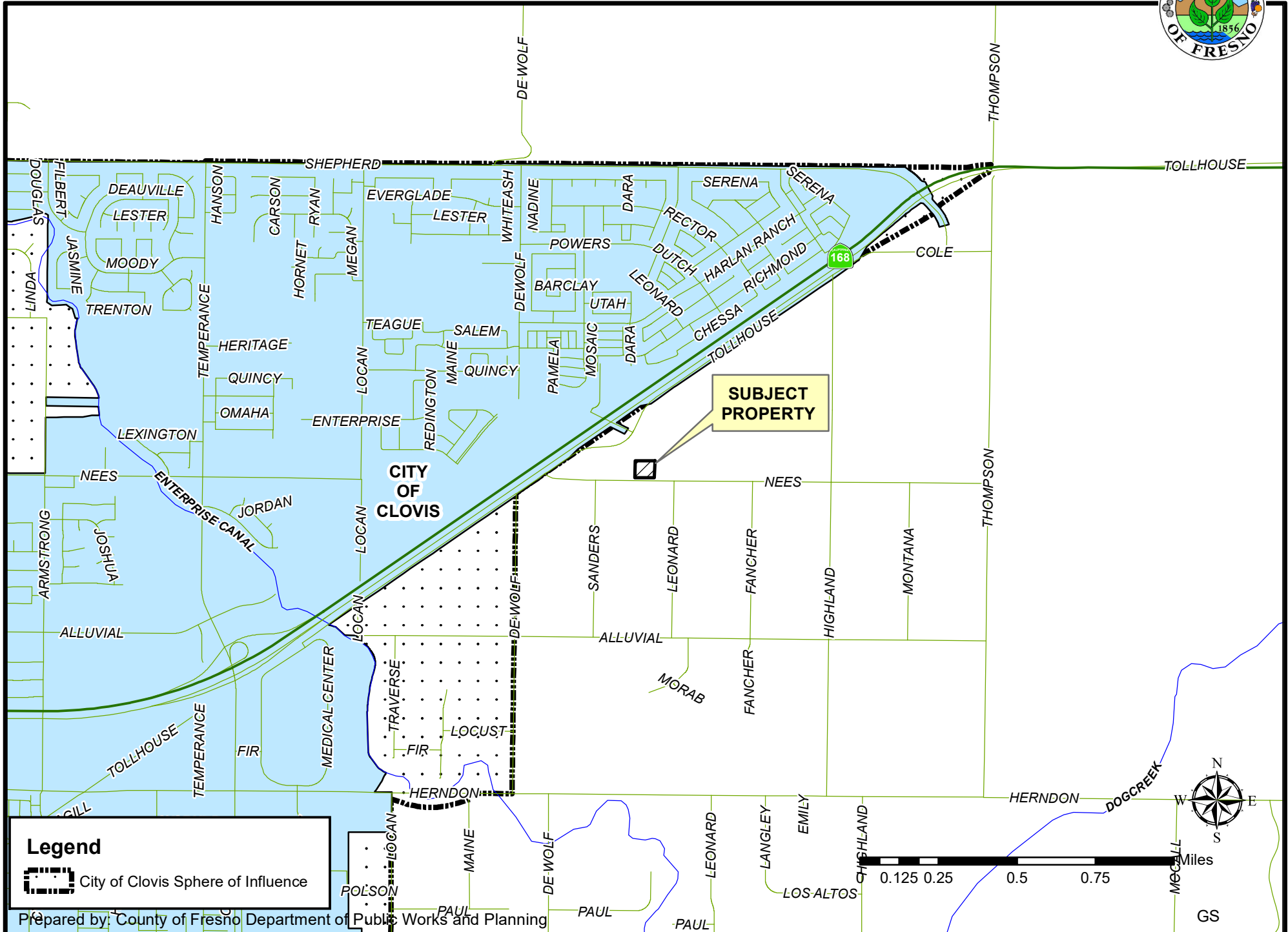
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

1.	All proposed improvements including fences/gate entrances exceeding 7 feet in height will require building permits.
2.	Plans, permits, and inspections will be required for all onsite improvements.
3.	If not already present, a 10-foot x 10-foot corner cutoff for sight distance purposes shall be maintained at the drive approach.
4.	Typically, any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
5.	There is a paved drive entrance to the site of the monopole. If additional improvements are constructed for the approach in the road right-of-way, an encroachment permit is required from the Road Maintenance and Operations Division.
6.	Facilities proposing to use and/or store hazardous materials and/or hazardous waste 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.
7.	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 waste.
8.	The proposal shall comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving Fresno County Fire Protection District (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 FCFPD.
9.	Project/Development: Single-family residential property of three or more lots, multi-family residential property, commercial property, industrial property, and/or office property shall annex into Community Facilities District No. 2010-01 of FCFPD.
10.	Project/Development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

TK:ksn

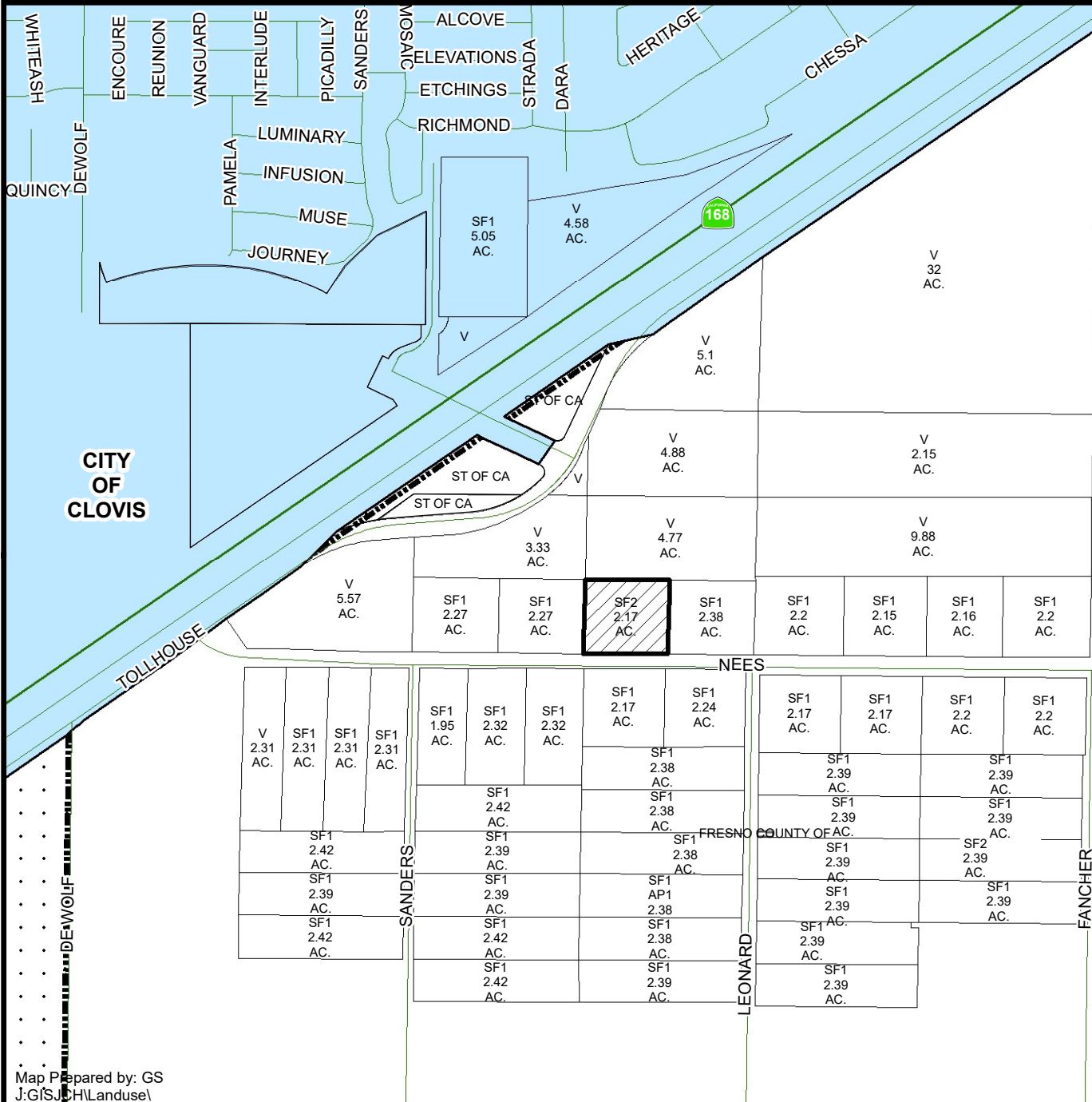
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# LOCATION MAP







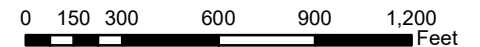
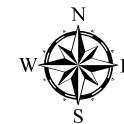
# EXISTING LAND USE MAP



LEGEND	
AP1	- APARTMENT
SF#	SINGLE FAMILY RESIDENCE
V	- VACANT

## Legend

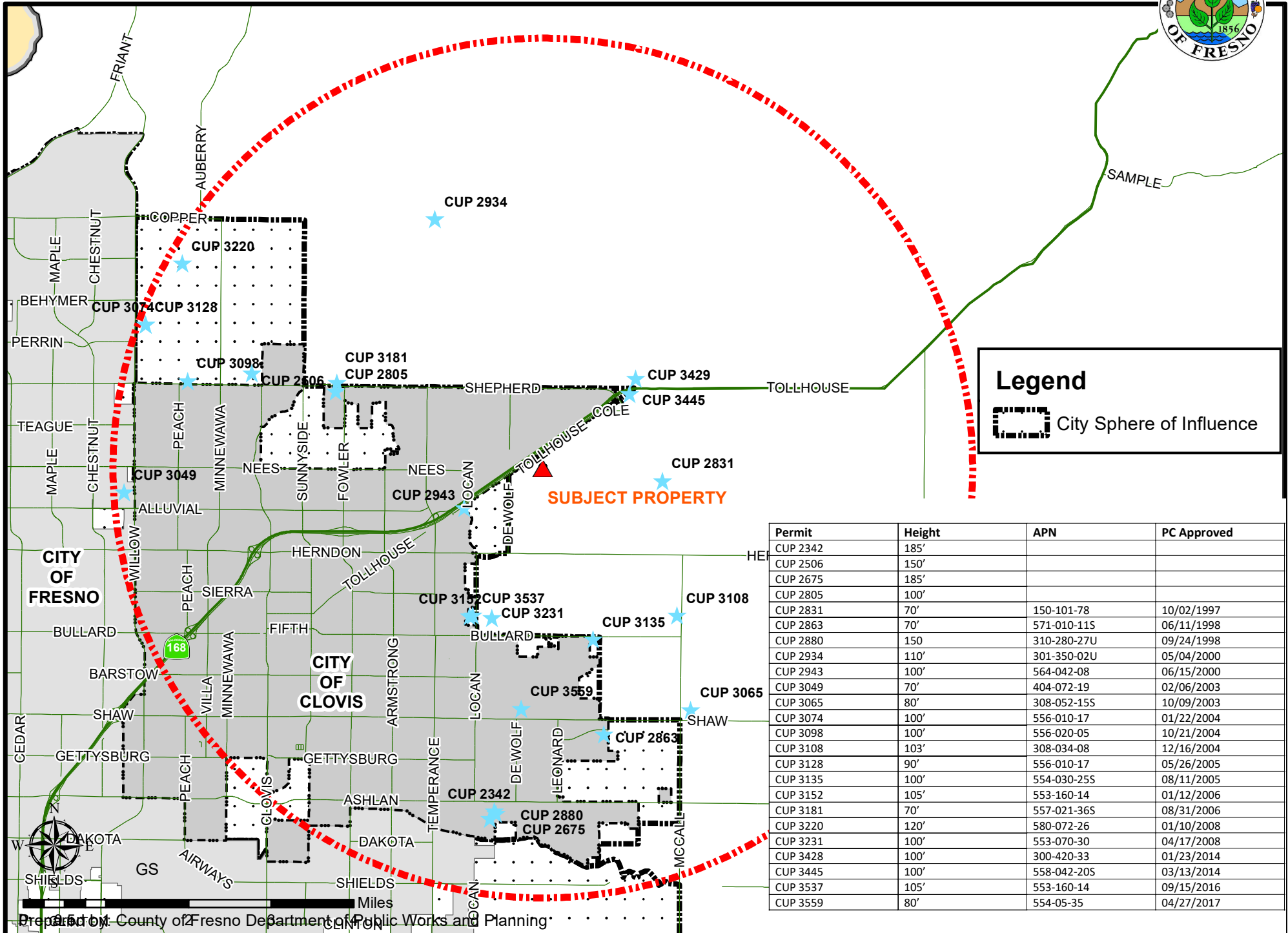
-  Subject Property
-  City of Clovis Sphere of Influence



Department of Public Works and Planning  
Development Services Division



# CELL TOWERS WITHIN A FIVE-MILE RADIUS



RECEIVED  
COUNTY OF FRESNO

DEC 27 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION



**SITE NUMBER: CVL00099/CVU0099**

**FA NUMBER: 10151724**

**CROWN CASTLE BUN: 828161**

**LTE 1C MRSFR005438, LTE 2C MRSFR044882**

**LTE 3C MRSFR044871, LTE 4C MRSFR044835**

**PTN# 3701A09XBS, PTN# 3701A0DX3S**

**PTN# 3701A0DX46, PTN# 3701A0DX2N**

**SITE NAME: HARLAN RANCH**

**7818 EAST NEES AVENUE**

**CLOVIS, CA 93619**

**ENGINEERING**

2018 CALIFORNIA BUILDING CODE  
2018 CALIFORNIA TITLE 24  
2018 CALIFORNIA FIRE CODE  
2018 CALIFORNIA ENERGY CODE  
2018 CALIFORNIA MECHANICAL CODE  
TIA/EIA-222-F OR LATEST EDITION

**GENERAL NOTES**

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

**SITE INFORMATION**

**PROPERTY OWNER:** CHRISTA GRETTA  
7818 EAST NEES AVE  
CLOVIS, CA 93619

**TOWER LANDLORD:** CROWN CASTLE  
4301 HACIENDA DRIVE, STE 410  
PLEASANTON, CA 94588

**APPLICANT:** AT&T  
5001 EXECUTIVE PARKWAY  
SAN RAMON, CALIFORNIA 94583

**LATITUDE (NAD 83):** 36° 51' 9.83" N  
**LONGITUDE (NAD 83):** 119° 38' 24.68" W  
**LONGITUDE/LATITUDE TIME:** NAD 83  
**GROUND ELEVATION:** 412.8' AMSL  
**APN #:** 558-032-06  
**ZONING JURISDICTION:** COUNTY OF FRESNO

**CURRENT ZONING:** -  
**POWER COMPANY:** PG&E  
**TELCO COMPANY:** AT&T  
**PROPOSED USE:** UNMANNED TELECOM FACILITY  
**LEASE AREA (SF):** N/A

**PROJECT TEAM**

**PROJECT MANAGER:** VINCULUMS  
575 LENNON LN # 125  
WALNUT CREEK, CA 94596  
CONTACT: MICHELE PHIPPEN  
PH: (925) 958-3734  
EMAIL: MPHIPPEN@VINCULUMS.COM

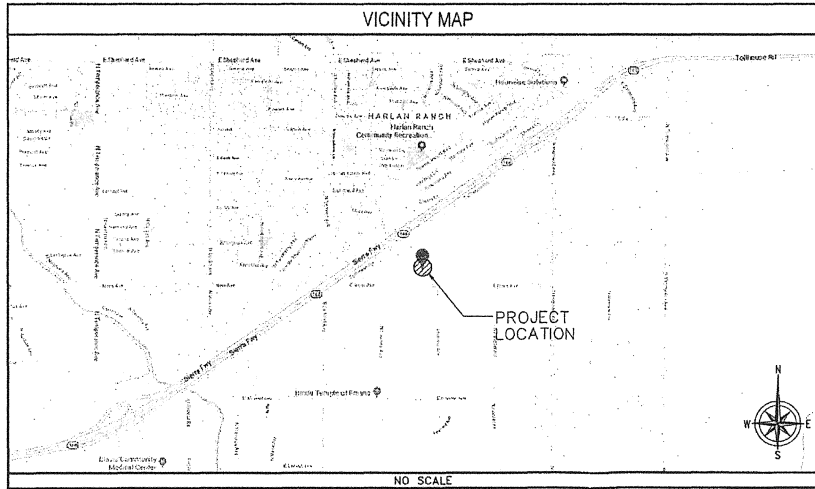
**CLIENT:** INTELLOCITY, LLC  
1875 CORONADO AVE,  
SIGNAL HILL, CALIFORNIA 90755  
CONTACT: SAM VANN  
PH: 562-230-3519

**SITE ACQUISITION:** TSJ CONSULTING INC.  
31878 DEL OBISPO ST.  
STE # 118-454  
SAN JUAN CAPISTRANO, CA 92675  
CONTACT: TOM JOHNSON  
MOBILE: (925) 785-3727

**ZONING:** TSJ CONSULTING INC.  
31878 DEL OBISPO ST.  
STE # 118-454  
SAN JUAN CAPISTRANO, CA 92675  
CONTACT: TOM JOHNSON  
MOBILE: (925) 785-3727

**RF ENGINEER:** VINCULUMS  
5001 EXECUTIVE PARKWAY,  
SAN RAMON, CALIFORNIA 94583

**CONSTRUCTION MANAGER:** FORREEM@VINCULUMS.COM  
575 LENNON LN # 125  
WALNUT CREEK, CA 94596  
CONTACT: FLOYD GREEN  
PH: (460) 528-1927  
EMAIL: FORREEM@VINCULUMS.COM



**DRIVING DIRECTIONS**

**DIRECTIONS FROM AT&T OFFICE:**  
5001 EXECUTIVE PARKWAY, SAN RAMON, CALIFORNIA 94583. GET ON I-680 S FROM BOLLINGER CANYON RD, HEAD NORTHEAST ON BISHOP DR TOWARD SUNSET DR, TURN RIGHT ONTO SUNSET DR, USE THE RIGHT 2 LANES TO TURN RIGHT ONTO BOLLINGER CANYON RD, USE THE RIGHT LANE TO MERGE ONTO I-680 S VIA THE RAMP TO SAN JOSE, TAKE I-580 E, I-205 E AND CA-99 S TO DRAGONFLY LN IN CLOVIS, USE THE RIGHT 2 LANES TO TAKE EXIT 30A TO MERGE ONTO I-580 E TOWARD STOCKTON MERGE ONTO I-5 N, USE THE RIGHT 2 LANES TO TAKE EXIT 461 FOR CA-120 TOWARD MANTECA/SONORA, TAKE EXIT 6 TO MERGE ONTO CA-99 S TOWARD MODESTO/FRESNO, USE THE RIGHT 2 LANES TO TAKE EXIT 1338 TO MERGE ONTO CA-180 E TOWARD KINGS CANYON/AIRPORT, TAKE THE EXIT TOWARD HWY 168 E/CLOVIS/HUNTINGTON LAKE, TAKE TOLLHOUSE RD TO E NEES AVE, TURN RIGHT ONTO DRAGONFLY LN, TURN RIGHT ONTO TOLLHOUSE RD, TURN LEFT ONTO E NEES AVE, DESTINATION WILL BE ON THE LEFT.

**CD DRAWING**

IF USING 11"x17" PLOT, DRAWINGS WILL BE HALF SCALE

**PROJECT DESCRIPTION**

AT&T WIRELESS PROPOSES MAKING MODIFICATION TO AN EXISTING FACILITY CONSISTING OF THE FOLLOWING:

- INSTALL 12 (P) PANEL ANTENNAS.
- INSTALL 1 (P) 88' HIGH MONOPOLE.
- INSTALL 24 (P) RRUS, NEAR ANTENNAS.
- INSTALL 4 (P) SURGE PROTECTION.
- INSTALL 4 (P) EQUIPMENT CABINETS
- INSTALL 1 (P) GPS ANTENNA.
- INSTALL 1 (P) GENA MOUNTED ON (P) H-FRAME.
- INSTALL 1 (P) PPC & 1 TELCO BOX MOUNTED ON (P) H-FRAME.
- INSTALL 1 (P) COVP MOUNTED ON (P) H-FRAME.
- INSTALL 1 (P) ELECTRICAL METER MOUNTED ON (P) H-FRAME.
- INSTALL UNDERGROUND CONDUIT FOR POWER AND TELCO SERVICE.

**DRAWING INDEX**

SHEET NO:	TITLE
T-1	TITLE SHEET
G-1	TOPOGRAPHIC SURVEY
A-1	SITE PLAN
A-2	EXISTING AND PROPOSED EQUIPMENT PLANS
A-3	PROPOSED ANTENNA LAYOUTS
A-4	(E) & (P) ELEVATIONS
A-5	(E) & (P) ELEVATIONS

**DO NOT SCALE DRAWINGS**

SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



**UNDERGROUND SERVICE ALERT OF CALIFORNIA**  
800-642-2444

48 HOURS BEFORE YOU DIG

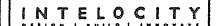


5001 EXECUTIVE PARKWAY,  
SAN RAMON, CA 94583



575 Lennon Ln #125  
Walnut Creek, CA 94598

PLANS PREPARED BY:



1875 Coronado Ave  
Signal Hill, CA 90755

A MSAVAL COMPANY

REV	DATE	DESCRIPTION	BY
4	10/14/18	ISSUE 10% ZONING DRAWINGS	SV
3	09/25/18	ISSUE 10% ZONING DRAWINGS	OGA
2	08/27/18	MANCA RESPONSE	SV
1	05/22/18	100% ZONING DRAWINGS	GC
0	07/30/18	100% ZONING DRAWINGS	VM

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CVL00099/CVU0099  
HARLAN RANCH  
7818 EAST NEES AVENUE  
CLOVIS, CA 93619  
MONOPOLE/INDOOR

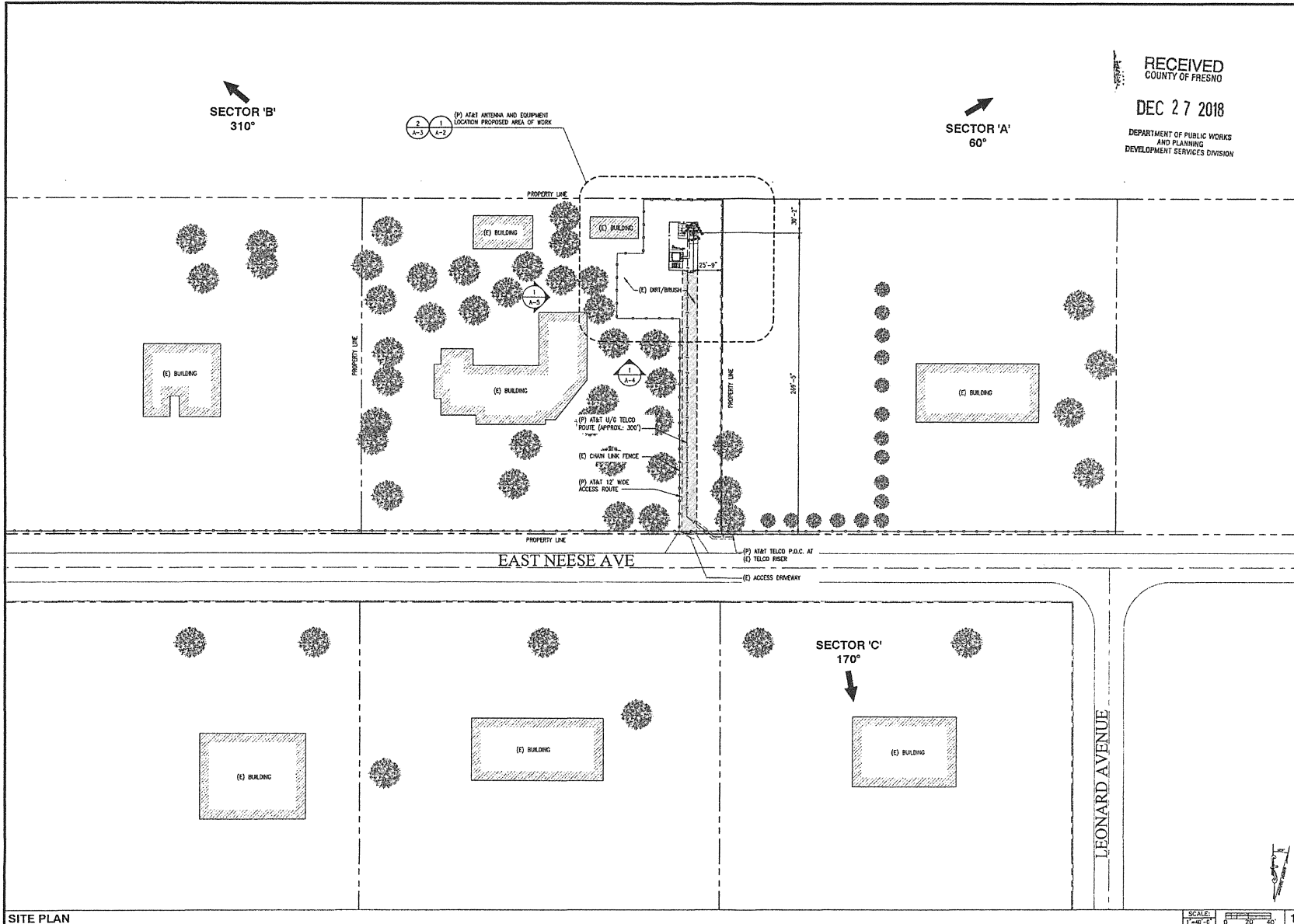
SHEET TITLE  
TITLE SHEET

SHEET NUMBER

T-1

EXHIBIT 6





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 AND PLANNING  
 DEVELOPMENT SERVICES DIVISION

5001 EXECUTIVE PARKWAY,  
 SAN RAMON, CA 94583

575 Lennon Ln #125  
 Walnut Creek, CA 94598

PLANS PREPARED BY:

1815 Colorado Ave  
 Signal Hill, CA 90755

A HARVE COMPANY

REV	DATE	DESCRIPTION	INT
4	10/14/18	REVISED 100% ZONING DRAWINGS	SV
3	09/25/18	REVISED 100% ZONING DRAWINGS	GCA
2	09/27/18	LANDMARK REDRAWINGS	SV
1	09/02/18	100% ZONING DRAWINGS	GC
0	07/25/18	100% ZONING DRAWINGS	MM

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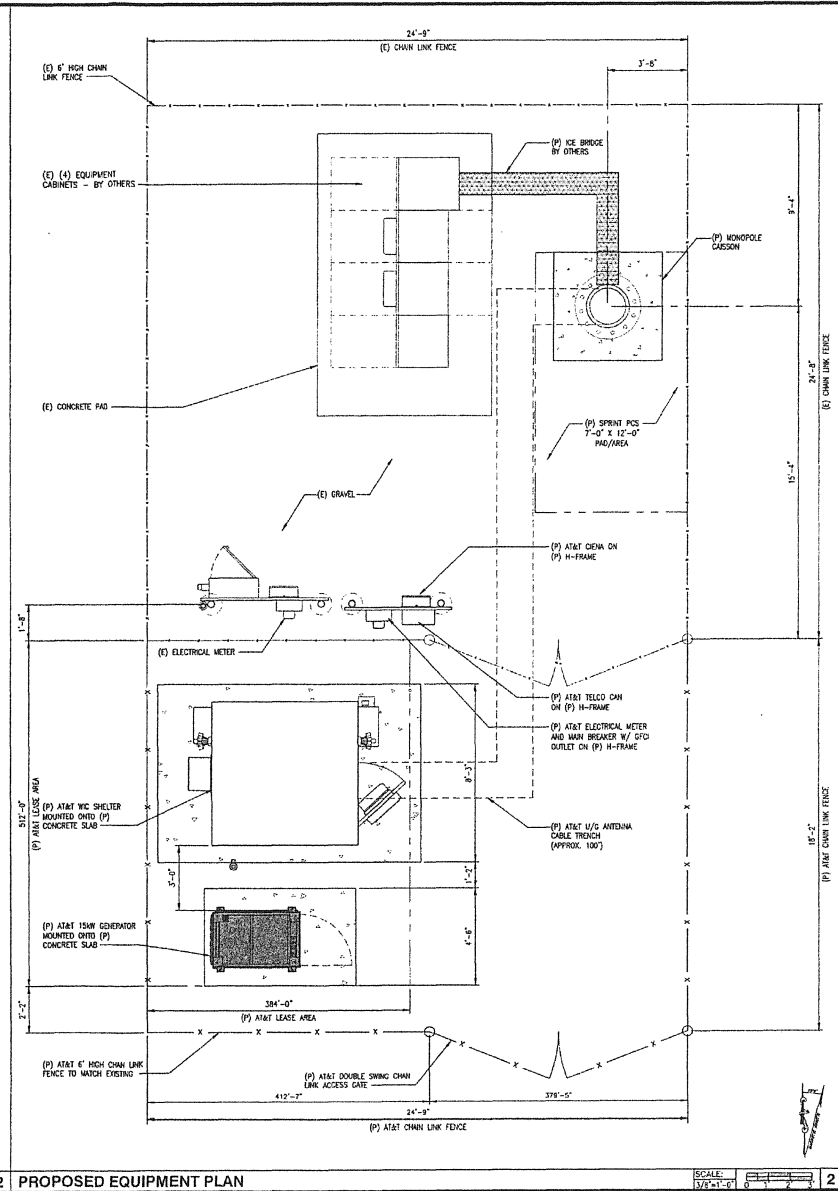
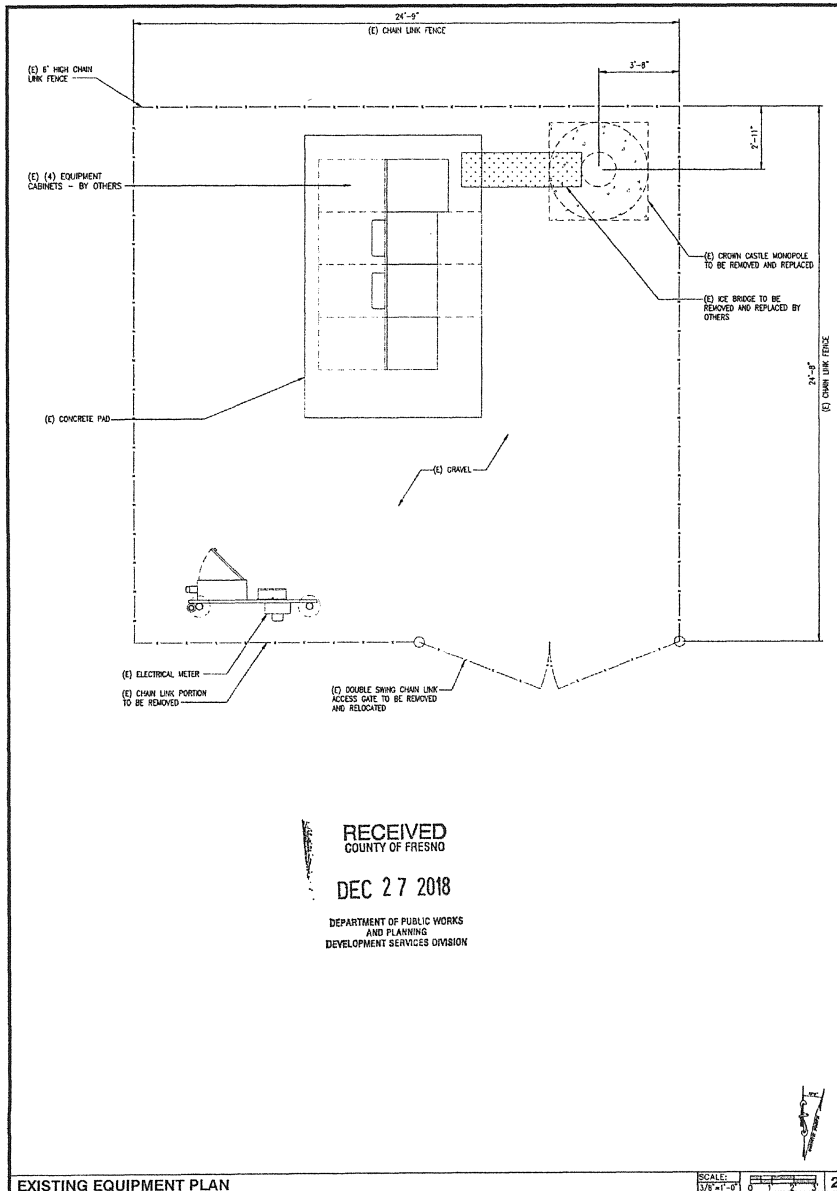
CYL00099/CYU0099  
 HARLAN RANCH  
 7818 EAST NEES AVENUE  
 CLOVIS, CA 93619  
 MONDPOLE/INDOOR

SHEET TITLE  
 SITE PLAN

SHEET NUMBER  
 A-1

SCALE: 1" = 40'-0"

SITE PLAN



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 DEVELOPMENT SERVICES DIVISION

5001 EXECUTIVE PARKWAY,  
 SAN RAMON, CA 94583

575 Lennon Ln #125  
 Walnut Creek, CA 94598

PLANS PREPARED BY:

1875 Colorado Ave  
 Signal Hill, CA 90755

A HARVIVE COMPANY

REV	DATE	DESCRIPTION	INT
4	10/14/18	REVISED 100% ZONING DRAWINGS	SV
3	09/25/18	REVISED 100% ZONING DRAWINGS	SDA
2	08/27/18	ISSUE REVISIONS	SV
1	08/02/18	100% ZONING DRAWINGS	CC
0	07/20/18	ISSUE ZONING DRAWINGS	LAW

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 HARLAN BRANCH  
 7818 EAST NEES AVENUE  
 CLOVIS, CA 93619  
 MONOPOLE/INDOOR

SHEET TITLE  
 EXISTING AND PROPOSED  
 ANTENNA LAYOUTS

SHEET NUMBER  
**A-2**

EXISTING EQUIPMENT PLAN

SCALE: 1/8"=1'-0"

2 PROPOSED EQUIPMENT PLAN

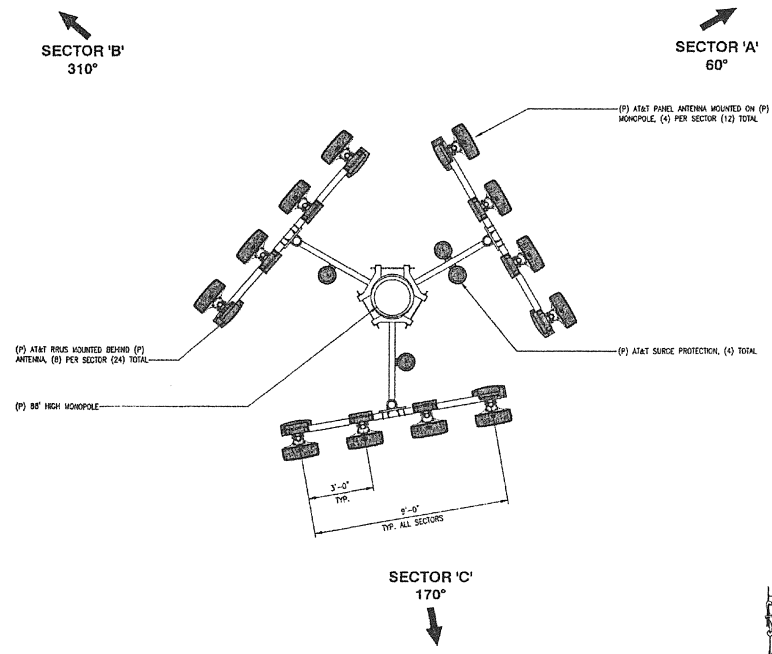
SCALE: 1/8"=1'-0"

NOT USED

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AND PLANNING  
DEVELOPMENT SERVICES DIVISION

2 PROPOSED ANTENNA PLAN

NEW ANTENNA SCHEDULE												
ANTENNA POSITION	STATUS	TECHNOLOGY	RAD CENTER	ANTENNA MAKE/MODEL	AZIMUTH	ANTENNA COUNT	FILTER/TIA MODEL	FILTER/TIA COUNT	TRANSMISSION LENGTH	TRANSMISSION TYPE(S)	RRUS MAKE/MODEL	RRUS COUNT
ALPHA SECTOR	A1	NEW	LTE 700/850 LTE 1900	85°-0°	KATHREIN 800-1096SK	60°	1	-	-	±120'	RRUS-4449 B5/B12 RRUS-8843 B2/B66A	1
	A2	NEW	LTE 700 LTE AWS	85°-0°	KATHREIN 800-1096SK	60°	1	-	-	±120'	RRUS-4478 B14	1
	A3	NEW	LTE LTE AWS	85°-0°	KATHREIN 800-1096SK	60°	1	-	-	±120'	RRUS-4415 B30	1
	A4	NEW	LTE/LTE 700 LTE 1900	85°-0°	KATHREIN 800-1096SK	60°	1	-	-	±120'	RRUS-E2 B29 RRUS-4415 B25	1
BETA SECTOR	B1	NEW	LTE 700/850 LTE 1900	85°-0°	KATHREIN 800-1096SK	310°	1	-	-	±120'	RRUS-4449 B5/B12 RRUS-8843 B2/B66A	1
	B2	NEW	LTE 700 LTE AWS	85°-0°	KATHREIN 800-1096SK	310°	1	-	-	±120'	RRUS-4478 B14	1
	B3	NEW	LTE LTE AWS	85°-0°	KATHREIN 800-1096SK	310°	1	-	-	±120'	RRUS-4415 B30	1
	B4	NEW	LTE/LTE 700 LTE 1900	85°-0°	KATHREIN 800-1096SK	310°	1	-	-	±120'	RRUS-E2 B29 RRUS-4415 B25	1
GAMMA SECTOR	C1	NEW	LTE 700/850 LTE 1900	85°-0°	KATHREIN 800-1096SK	170°	1	-	-	±120'	RRUS-4449 B5/B12 RRUS-8843 B2/B66A	1
	C2	NEW	LTE 700 LTE AWS	85°-0°	KATHREIN 800-1096SK	170°	1	-	-	±120'	RRUS-4478 B14	1
	C3	NEW	LTE LTE AWS	85°-0°	KATHREIN 800-1096SK	170°	1	-	-	±120'	RRUS-4415 B30	1
	C4	NEW	LTE/LTE 700 LTE 1900	85°-0°	KATHREIN 800-1096SK	170°	1	-	-	±120'	RRUS-E2 B29 RRUS-4415 B25	1
TOTAL											24	



SCALE: 1/8\"/>

5001 EXECUTIVE PARKWAY,  
SAN RAMON, CA 94583

575 Lennon Ln #125  
Walnut Creek, CA 94598

PLANS PREPARED BY:

**INTELOCITY**  
1875 Colorado Ave  
Signal Hill, CA 90755

A NOVAVE COMPANY

REV	DATE	DESCRIPTION	INT
4	10/14/18	REVISED 100K ZONING DRAWINGS	SV
3	09/25/18	REVISED 100K ZONING DRAWINGS	GCA
2	08/27/18	MINOR REVISIONS	SV
1	08/02/18	100K ZONING DRAWINGS	GC
0	07/20/18	50K ZONING DRAWINGS	MM

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CVL00099/CVU0099  
HARLAN BRANCH  
7818 EAST NEES AVENUE  
CLOVIS, CA 93619  
MONOPOLE/INDOOR

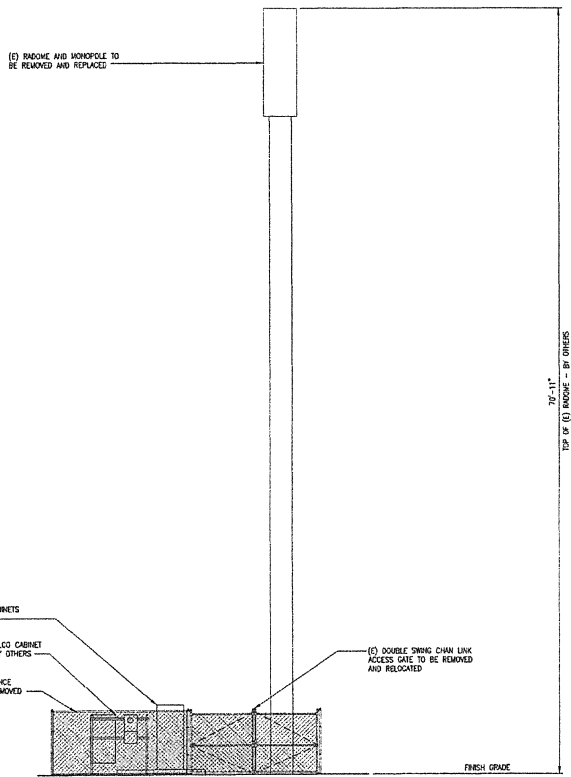
SHEET TITLE  
EXISTING AND PROPOSED  
ANTENNA LAYOUTS

SHEET NUMBER  
**A-3**

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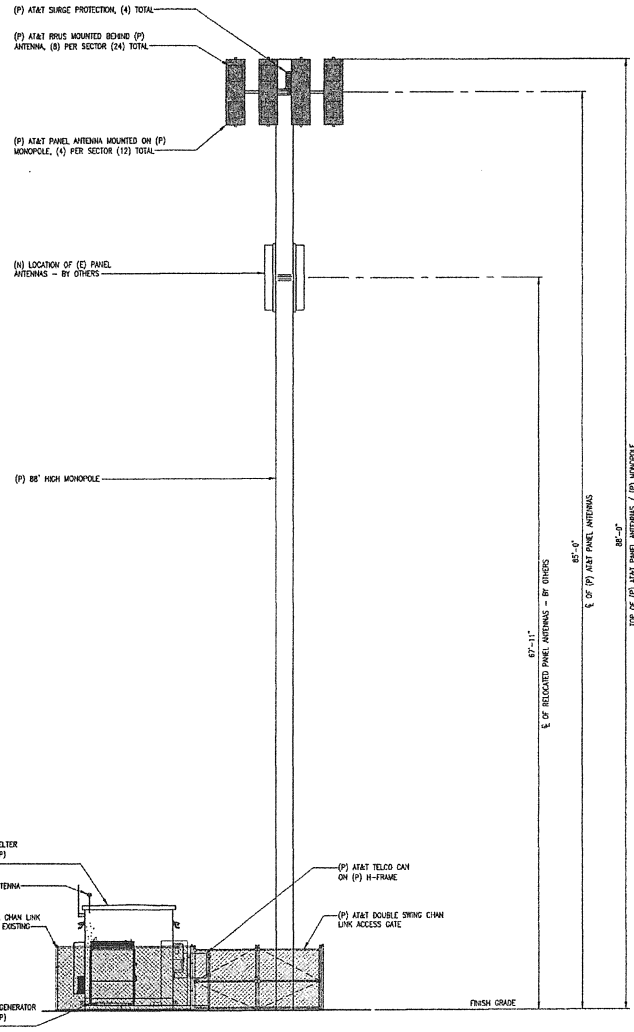
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AND PLANNING  
DEVELOPMENT SERVICES DIVISION



(E) SOUTH ELEVATION

SCALE: 3/16"=1'-0" 1



(P) SOUTH ELEVATION

SCALE: 3/16"=1'-0" 2



5001 EXECUTIVE PARKWAY,  
SAN RAMON, CA 94583



575 Lennon Ln #125  
Walnut Creek, CA 94598

PLANS PREPARED BY:  
**INTELOCITY**  
DESIGN | BUILD | INNOVATE  
1875 Colorado Ave  
Signal Hill, CA 90755  
A KEARNEY COMPANY

REV	DATE	DESCRIPTION	INT
4	10/14/18	REVISED ZONING DRAWINGS	SV
3	10/25/18	REVISED ZONING DRAWINGS	OCA
2	08/27/18	MAJOR REVISIONS	SV
1	08/22/18	LOCAL ZONING DRAWINGS	CC
0	07/20/18	BOX ZONING DRAWINGS	MM

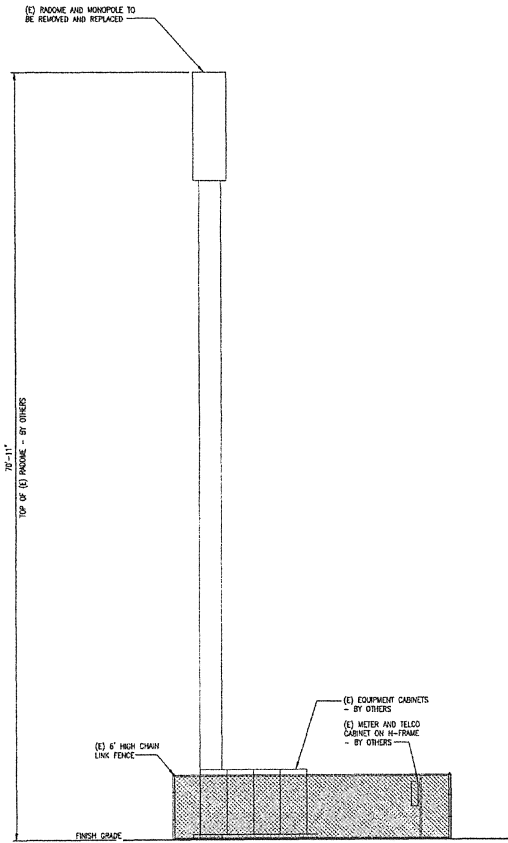
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CVL00099/CVL0099  
HARLAN RANCH  
7818 EAST NEES AVENUE  
CLOVIS, CA 93619  
MONOPOLE/INDOOR

SHEET TITLE  
ELEVATIONS

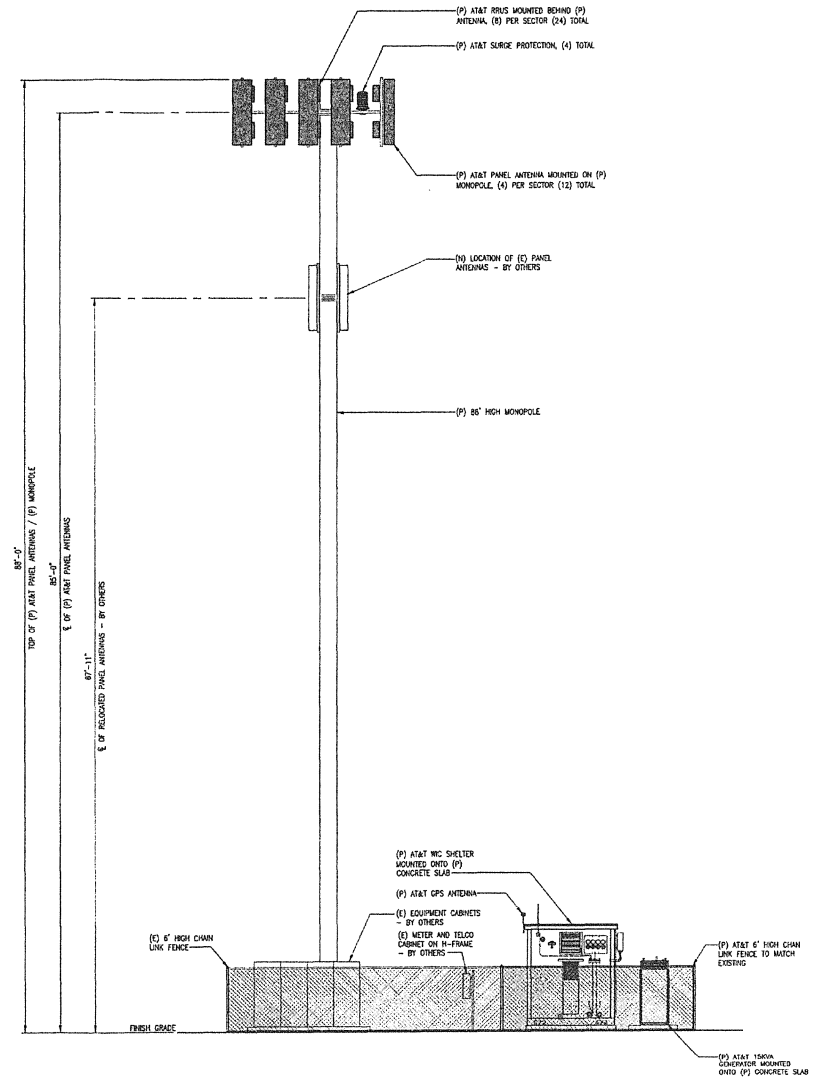
SHEET NUMBER  
A-4

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(E) WEST ELEVATION

SCALE: 1/4"=1'-0"  
 1




(P) WEST ELEVATION

SCALE: 1/4"=1'-0"  
 2



5001 EXECUTIVE PARKWAY,  
 SAN RAMON, CA 94583



575 Lennon Ln #125  
 Walnut Creek, CA 94598

PLANS PREPARED BY:

**INTELOCITY**  
 DESIGN | BUILD | MANAGE

1875 Colorado Ave  
 Signal Hill, CA 90755

A SERVICE COMPANY

REV	DATE	DESCRIPTION	INT
4	10/14/18	REVISED 100% ZONING DRAWINGS	SV
3	09/25/18	REVISED 100% ZONING DRAWINGS	SCA
2	08/27/18	MINOR REVISIONS	SV
1	08/02/18	100% ZONING DRAWINGS	CC
0	07/20/18	90% ZONING DRAWINGS	MM

IF IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

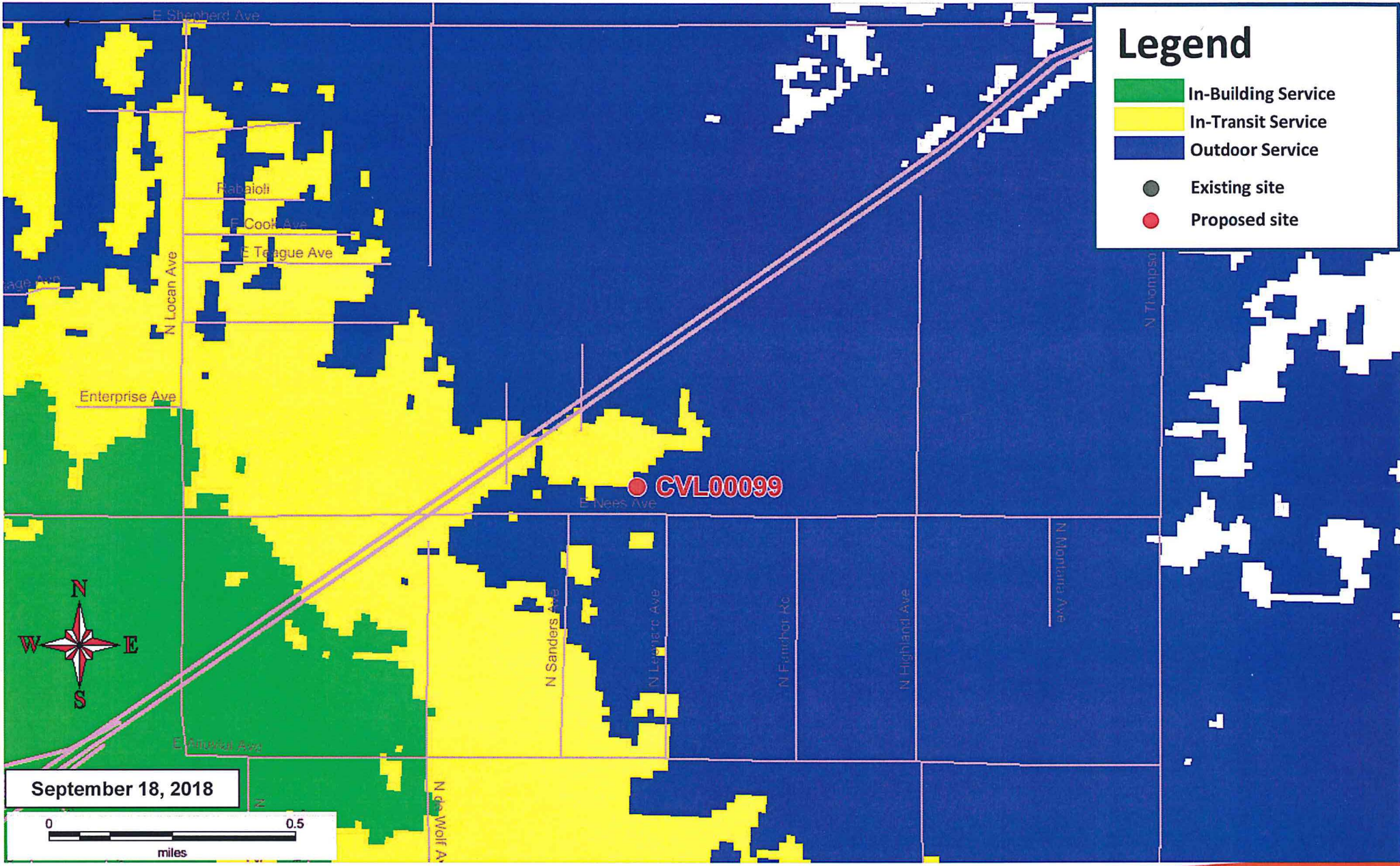
CVL00099/CVU0099  
 HARLAN RANCH  
 7818 EAST NEES AVENUE  
 CLOVIS, CA 93619  
 MONOPOLE/INDOOR

SHEET TITLE  
 ELEVATIONS

SHEET NUMBER  
 A-5

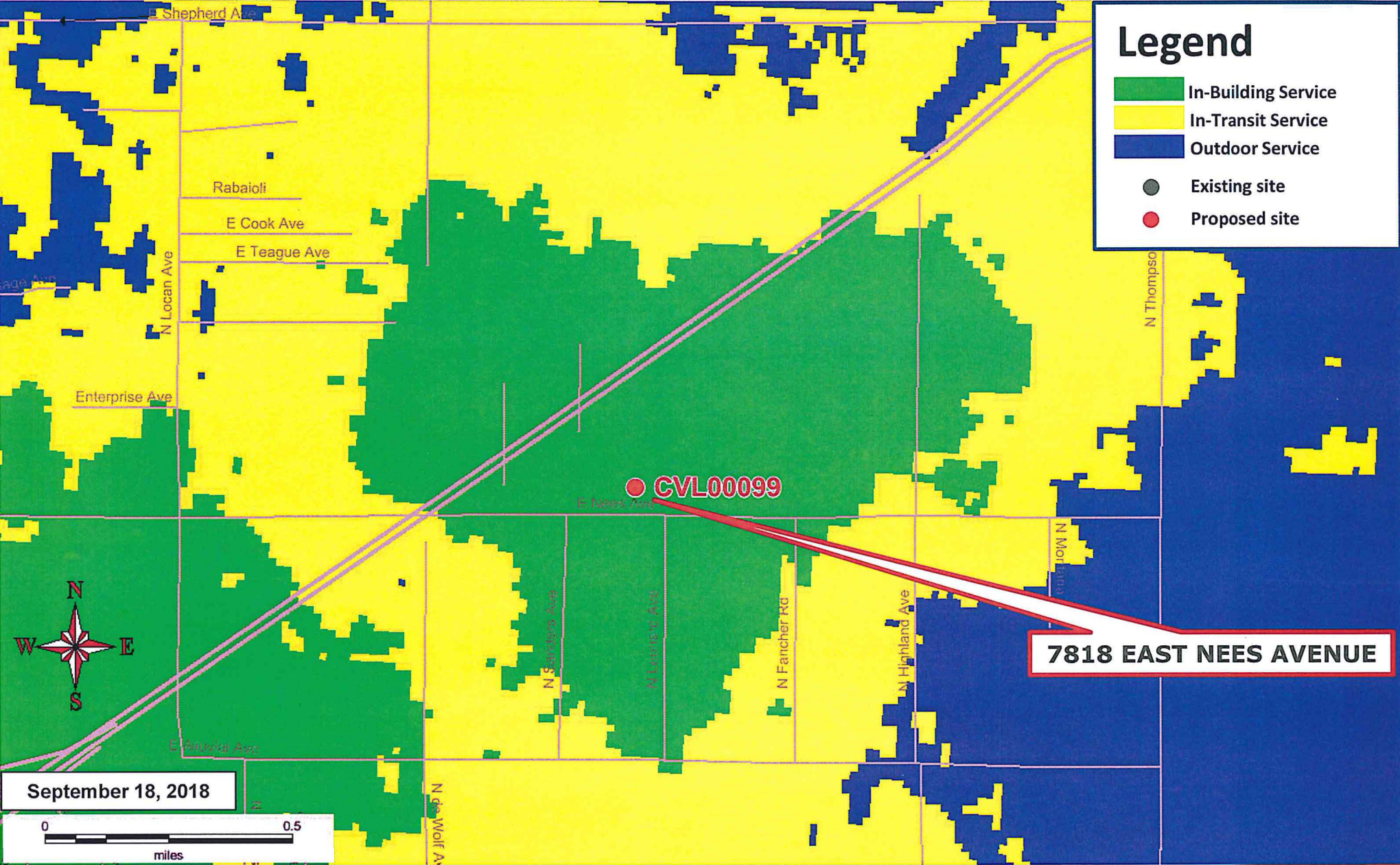


# Existing LTE 700 Coverage





# Proposed LTE 700 Coverage (RC = 85 ft)





# Wireless Telecommunication Facility

**SITE:**

**AT&T Site CVL00099  
Harlan Ranch**



**Address:**

**7818 East Nees Ave.  
Clovis, CA. 93619**

**REPRESENTATIVE:**

*Tom Johnson*

*TSJ Consulting Inc.*

*27130 Paseo Espada #A-1426*

*San Juan Capistrano, CA. 92675*

*Phone: 925-785-3727*

*tom@tsjconsultinginc.com*

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COUNTY OF FRESNO**

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**DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION**

**EXHIBIT 8**



## **Introduction:**

New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility (“AT&T”) is a registered public utility, licensed and regulated by the California Public Utilities Commission and the Federal Communications Commission (“FCC”). As a public utility, AT&T Mobility is mandated by the FCC to provide wireless communication services throughout California. AT&T is dedicated to providing customers with wireless technology designed to enrich their lives as their mobility is increasing. AT&T’s vision is to simplify the wireless experience for its consumer and business customers by offering easy-to-understand, affordable rate plans and excellent customer service. AT&T is bringing next-generation wireless data products - from corporate e-mail to downloadable ringtones - to customers nationwide through its advanced networks. The network performance goals include providing the best quality, lowest level of blocking, easy access to the network and continuous drop-free connections.

AT&T’s wireless network is based on LTE technology. These technologies are wireless communication standards that require reusing specific frequencies across defined frequency bands. Due to the need for frequency reuse, LTE require numerous sites to provide customers with suitable signal strength to deliver services. These sites are typically built on existing buildings, lattice towers and freestanding poles in order to provide a network of sites that provide seamless coverage over an area.

In addition to these 3G & 4G wireless service gap issues; AT&T is in the process of deploying its 4G LTE service in the County of Fresno with the goal of providing the most advanced personal wireless experience available to residents of the Cities. AT&T holds a license with the FCC and has a responsibility to utilize this spectrum to provide personal wireless services in the City. 4G LTE is capable of delivering speeds up to 10 times faster than industry-average 3G speeds. LTE technology also offers lower latency, or the processing time it takes to move data through a network, such as how long it takes to start downloading a webpage or file once you’ve sent the request. Lower latency helps to improve the quality of personal wireless services. What’s more, LTE uses spectrum more efficiently than other technologies, creating more space to carry data traffic and services and to deliver a better overall network experience. This is particularly important in the County of Fresno because of the likely high penetration of the new 4G LTE iPad and other LTE devices.

Efforts are currently underway in the County to establish the required infrastructure. AT&T is currently seeking the review and approval of a Conditional Use Permit to allow the construction, operation, and maintenance of an unmanned wireless telecommunications facility in this AE20 zoned property (“Proposed Facility”).

**Background:**

AT&T serves millions of voice and data customers across the United States. Wireless communications continue to change the future of telecommunications with easy-to-use, lightweight and highly mobile communications devices including: smartphones, tablets, e-readers and notebook computers. Wireless communications provide voice, e-mail, texting and high-speed Internet access capabilities for customer's communications needs virtually anywhere and at any time.

The wireless network being developed by AT&T uses state of the art digital technology. The benefits include call privacy and security, improved voice quality, high-speed data, texting, video conferencing, visual voicemail, and an expanded menu of affordable products and services for personal and professional communications needs.

The Proposed Facility will enhance the area's public safety infrastructure by providing wireless communication services to the surrounding neighborhood and local community. The general public, police, fire fighters, and other emergency personnel rely heavily on wireless communications for fast and dependable communications at all times, but especially during natural disasters or other emergencies, such as earthquakes and fires.

Like other carriers in the industry, AT&T is working diligently to respond to the customer demand for mobile services, by expanding services to its customers from where they have historically used mobile phones, while traveling in the vehicle at their offices to where they are demanding more and more service in the residential communities, in-building coverage in their homes.

AT&T is requesting the review and the approval of a permit to allow the construction, operation, and maintenance of an unmanned wireless telecommunications facility ("WTF"). The project is proposed to close a significant service coverage gap and enhance personal wireless services in the area surrounding the site. AT&T's service coverage area in the city must be improved to handle the growing number of voice calls and wireless data usage. To remain competitive, AT&T must improve services in the areas where consumers are increasingly using their phones and data services.

**The project consists of:**

Removal of the existing 70' tall slimline monopole with the replacement of a new 88' tall monopole that will accommodate 12 antennas and supporting radio equipment for AT&T and relocate the existing antennas for Sprint to the new tower location which will be within the existing compound of the site. Along with the antenna installation on the tower, a new equipment enclosure will be installed within an expanded fenced compound adjacent to the tower location.

This project is designed as a colocation and replacement of an existing pole. A colocation application is preferred by the County and meets the code requirements.

Once constructed and operational, the Proposed Facility will provide 24-hour service to customers seven (7) days a week. Apart from initial construction activity, an AT&T technician will service the facility on a periodic basis. It is reasonable to expect that routine maintenance/inspection of the facility will occur about once a month during normal working hours. Beyond this intermittent service, AT&T requires 24-hour access to the Proposed Facility to ensure that technical support is immediately available if and when warranted.

### **Overview of Site Design/Location Criteria**

The network of AT&T cell sites throughout the region is “location dependent,” meaning that there is a necessary and logical interrelationship between each proposed site. Eliminating or relocating a single cell site can lead to gaps in the system and prohibit AT&T from providing uninterrupted or reliable service to customers in a defined coverage area. Further, the elimination or relocation of a cell site will most often have a “domino” effect on other cell site locations and necessitate significant design changes or modifications to the network.

In identifying the proposed location, AT&T network deployment personnel have selected the Proposed Facility because it meets the technical objectives of RF engineering and provides the best site option with regard to other key criteria including, but not limited to, accessibility, utility connections, zoning compatibility, minimal or no visual impact, liability and risk assessment, site acquisition, maintenance and construction costs.

### **Description of Coverage Area**

AT&T’s objective in locating a WCF at this site is to provide coverage to the residential community along Highway 168. This area is currently lacking in quality service to the surrounding residents, this site will enhance the outdoor coverage and provide for quality indoor service as well as the opportunity to bring wireless internet service to the surrounding residents.

### **Site Development Standards and General Plan**

The location, size, design, and operating characteristics of the Proposed Facility will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with the surrounding land uses. The proposed use is consistent with this finding in that:

The proposed equipment associated with the telecommunication structure operates quietly or virtually noise free.

The equipment does not emit fumes, smoke, or odors that could be considered objectionable.

The Proposed Facility will be unmanned and only requires periodic maintenance, which equates to approximately one trip per month. The Proposed Facility will not result in

conditions or circumstances contrary to the public health, safety and the general welfare. The proposed use is consistent with this finding in that:

Unlike other land uses, which can be spatially determined through the General Plan or other land use plans, the location of WTFs are based on technical requirements such as network design criteria, service area, elevations, topography, heights of nearby structures, alignment with neighboring sites and customer demand.

The Proposed Facility will be unmanned, have no impact on circulation systems, and generate no noise, odor, smoke, or any other adverse impacts to adjacent land uses. The proposed facility will allow commuters and residents within the coverage area wireless access to the rapidly expanding communications infrastructure by providing voice and data transmission services not currently available. The installation of antenna sectors and transmission equipment will not result in any material changes to the character of the local community. This Proposed Facility will operate in full compliance with applicable state and federal laws, including the Telecommunications Act of 1996.

### **Regulating Agencies**

AT&T is regulated by the FCC and is authorized to operate in the frequencies established for PCS operators. AT&T's WTFs operate at the lowest possible power levels and are well below established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. These standards have been tested and proved safe by the American National standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE). As explained in the RF engineering analysis provided by Hammett & Edison, Inc., Consulting Engineers, submitted with this Application, the Proposed Facility will operate well within all applicable FCC public exposure limits.

Please feel free to contact me if you have any questions.

Regards,

Tom Johnson  
TSJ Consulting Inc.  
925-785-3727  
tom@tsjconsultinginc.com

AT&T Cell Sites - Fresno County

SITE ID	TYPE	LONGITUDE	LATITUDE
CVL00027	INBUILDING	-119.881217	36.787763
CVL00029	INBUILDING	-119.87337	36.767635
CVL00030	INBUILDING	-119.97037	36.765232
CVL00037	INBUILDING	-119.890503	36.768978
CVL00041	INBUILDING	-119.890217	36.802726
CVL00046	INBUILDING	-119.904813	36.83424
CVL00051	INBUILDING	-119.908759	36.795124
CVL00159	INBUILDING	-119.756802	36.815304
CVL00160	INBUILDING	-119.756802	36.815304
CVL00161	INBUILDING	-119.756802	36.815304
CVL00162	INBUILDING	-119.756802	36.815304
CVL00163	INBUILDING	-119.756802	36.815304
CVL00164	INBUILDING	-119.756802	36.815304
CVL00165	INBUILDING	-119.756802	36.815304
CVL00166	INBUILDING	-119.756802	36.815304
CVL00167	INBUILDING	-119.756802	36.815304
CVL00168	INBUILDING	-119.756802	36.815304
CVL00169	INBUILDING	-119.7590891	36.81439759
CVL00170	INBUILDING	-119.7577309	36.81344652
CVL00171	INBUILDING	-119.7570149	36.81459517
CVL00172	INBUILDING	-119.7582786	36.81524507
CVL00367	INBUILDING	-119.875036	36.789147
CVL00378	INBUILDING	-119.951173	36.72743
CVL00554	MACRO	-119.7519389	36.811225
CVL00670	MACRO	-119.7495833	36.85316111
CVL00680	MACRO	-119.609808	36.566774
CVL01718	MACRO	-119.923008	36.838036
CVL02098	MACRO	-119.777775	36.707986
CVL02200	MACRO	-119.774019	36.803092
CVL02203	MACRO	-119.853142	36.784297
CVL02204	MACRO	-119.546	36.66971944
CVL02205	MACRO	-119.751717	36.545728
CVL02206	MACRO	-120.163444	36.683861
CVL02208	MACRO	-120.10175	36.14227778
CVL02209	MACRO	-120.4141667	36.48638889
CVL02210	MACRO	-119.650283	36.791806
CVL02212	MACRO	-119.318599	37.097773
CVL02213	MACRO	-120.097436	36.488439
CVL02215	MACRO	-119.756864	36.795617
CVL02216	MACRO	-119.7866714	36.807972
CVL02216	MACRO	-119.7869294	36.80802609
CVL02216	MACRO	-119.7869182	36.80792694
CVL02218	MACRO	-119.708653	36.836131
CVL02219	MACRO	-119.7645149	36.83812228

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AND PLANNING  
DEVELOPMENT SERVICES DIVISION

AT&T Cell Sites - Fresno County

SITE ID	TYPE	LONGITUDE	LATITUDE
CVL02219	MACRO	-119.7644812	36.83776172
CVL02221	MACRO	-119.787486	36.767283
CVL02222	MACRO	-119.7158611	36.66030833
CVL02223	MACRO	-119.8265528	36.82353889
CVL02224	MACRO	-119.970103	36.741453
CVL02225	MACRO	-119.280028	36.746306
CVL02226	MACRO	-119.675072	36.884528
CVL02227	MACRO	-119.462	36.6075
CVL02228	MACRO	-119.8674944	36.62288056
CVL02229	MACRO	-119.700606	36.742692
CVL02230	MACRO	-119.580528	36.537053
CVL02231	MACRO	-119.452556	37.013083
CVL02232	MACRO	-119.697589	36.798161
CVL02233	MACRO	-119.7662	36.834436
CVL02234	MACRO	-120.2291056	36.32727778
CVL02235	MACRO	-119.788703	36.834772
CVL02236	MACRO	-120.3087556	36.20839444
CVL02237	MACRO	-119.820544	36.744025
CVL02238	MACRO	-119.746153	36.736194
CVL02239	MACRO	-119.819029	36.79352
CVL02240	MACRO	-119.745872	36.814811
CVL02241	MACRO	-119.892473	36.813876
CVL02242	MACRO	-119.849547	36.838822
CVL02243	MACRO	-119.7228306	36.76686667
CVL02244	MACRO	-119.652094	36.597773
CVL02246	MACRO	-119.787083	36.740294
CVL02247	MACRO	-119.757209	36.86682
CVL02248	MACRO	-119.790954	36.853484
CVL02249	MACRO	-119.843314	36.808911
CVL02250	MACRO	-119.549322	36.740375
CVL02251	MACRO	-119.650272	36.699831
CVL02252	MACRO	-119.824003	36.772392
CVL02253	MACRO	-119.7011361	36.82134444
CVL02254	MACRO	-120.056447	36.710275
CVL02255	MACRO	-119.871803	36.823872
CVL02256	MACRO	-119.774575	36.823544
CVL02258	MACRO	-119.767136	36.808025
CVL02259	MACRO	-119.747794	36.76435
CVL02260	MACRO	-119.804147	36.675808
CVL02261	MACRO	-119.773098	36.621681
CVL02262	MACRO	-120.4598611	36.86283333
CVL02263	MACRO	-119.806759	36.823637
CVL02264	MACRO	-119.83225	36.430417
CVL02265	MACRO	-119.658018	36.845217

AT&T Cell Sites - Fresno County

SITE ID	TYPE	LONGITUDE	LATITUDE
CVL02266	MACRO	-119.888603	36.837803
CVL02267	MACRO	-119.809822	36.808911
CVL02268	MACRO	-119.770081	36.850234
CVL02269	MACRO	-119.653	36.9769
CVL02270	MACRO	-119.238569	37.218203
CVL02271	MACRO	-119.725823	36.811087
CVL02272	MACRO	-119.729862	36.705412
CVL02273	MACRO	-119.689889	36.445944
CVL02274	MACRO	-119.7414306	36.83893333
CVL02275	MACRO	-119.8057472	36.84458889
CVL02276	MACRO	-119.685019	36.809683
CVL02277	MACRO	-119.7752083	36.75208056
CVL02278	MACRO	-119.728892	36.850169
CVL02279	MACRO	-119.696761	36.72195
CVL02280	MACRO	-119.672518	36.824751
CVL02281	MACRO	-119.766636	36.895706
CVL02282	MACRO	-119.780812	36.866798
CVL02283	MACRO	-120.043306	36.606661
CVL02284	MACRO	-119.54475	36.521025
CVL02286	MACRO	-119.862226	36.80757
CVL02287	MACRO	-119.392861	36.578861
CVL02288	MACRO	-119.7182944	36.82458333
CVL02289	MACRO	-119.863515	36.730401
CVL02290	MACRO	-119.8971306	36.77766111
CVL02292	MACRO	-119.5568694	36.70838056
CVL02293	MACRO	-119.8618694	36.76856667
CVL02295	MACRO	-119.711247	36.809167
CVL02296	MACRO	-119.824428	36.838956
CVL02334	MACRO	-120.601361	36.983389
CVL02343	MACRO	-119.309667	37.169889
CVL02411	MACRO	-119.763	36.7364
CVL02413	MACRO	-119.800214	36.719322
CVL02414	MACRO	-119.7728	36.7828
CVL02417	MACRO	-120.728931	36.777069
CVL02421	MACRO	-120.6509444	36.85036111
CVL02423	MACRO	-120.4789444	36.71283333
CVL02500	MACRO	-119.789334	36.789664
CVL02501	MACRO	-119.846217	36.8233
CVL02504	MACRO	-119.8430944	36.75364444
CVL02505	MACRO	-119.802986	36.731661
CVL02509	MACRO	-119.709487	36.79289
CVL02510	MACRO	-119.718815	36.751762
CVL02511	MACRO	-119.72704	36.87664
CVL02512	MACRO	-119.765286	36.701136

AT&T Cell Sites - Fresno County

SITE ID	TYPE	LONGITUDE	LATITUDE
CVL02513	MACRO	-119.682458	36.756467
CVL02514	MACRO	-119.85072	36.529123
CVL02516	MACRO	-119.559572	36.604239
CVL02518	MACRO	-119.447306	36.716306
CVL02519	MACRO	-119.31195	36.620317
CVL02521	MACRO	-119.618822	36.579858
CVL02523	MACRO	-120.3711111	36.12936111
CVL02526	MACRO	-119.554767	36.809525
CVL02529	MACRO	-120.6195556	36.63794444
CVL02530	MACRO	-119.6953	36.850369
CVL02534	MACRO	-120.3832861	36.757275
CVL02535	MACRO	-119.697883	36.994167
CVL02541	MACRO	-119.79989	36.75171
CVL02542	MACRO	-119.72135	36.731961
CVL02546	MACRO	-119.791319	36.78345
CVL02707	MACRO	-119.436742	36.602729
CVL02708	MACRO	-119.6719806	36.79468333
CVL02709	MACRO	-119.788356	36.732472
CVL02712	MACRO	-120.066928	36.738644
CVL02713	MACRO	-119.739947	36.807439
CVL02714	MACRO	-119.697861	36.707086
CVL02715	MACRO	-119.804792	36.852249
CVL02716	MACRO	-119.745886	36.8604
CVL03019	MACRO	-119.7289	36.7993806
CVL03196	MACRO	-119.916822	36.593817
CVL03984	MACRO	-119.782231	36.720733



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DEPARTMENT OF PUBLIC WORKS  
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DEVELOPMENT SERVICES DIVISION

# CVL00099 Zoning Propagation Map

September 18, 2018



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: AT&T
- APPLICATION NOS.: Initial Study Application No. 7571 and Unclassified Conditional Use Permit Application No. 3633
- DESCRIPTION: Remove an existing 70-foot monopole (approved by Unclassified Conditional Use Permit No. 3167) and allow the installation of a new 88-foot monopole with 12 antennas, 4 equipment cabinets, 1 GPS antenna and supporting equipment, including colocation of the existing cellular equipment on the proposed tower. The project site is located on a 2.17-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the north side of Nees Avenue approximately 330 feet west of its nearest intersection with Leonard Avenue and is approximately 486 feet southeast of the nearest city limits of the City of Clovis. (SUP. DIST.: 5) (7818 East Nees Avenue, Clovis, CA) (APN: 558-032-08)

### 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 will not have a substantial adverse effect on a scenic vista or scenic resource. According to Figure OS-2 of the Fresno County General Plan, the project site is not located on or near an identified scenic roadway or 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 project site is located in a mostly residential area. Although zoning designations state that the project site is located in an agricultural zone district, no agricultural operations exist within the vicinity of the project site. To the north of the project site is vacant land and Highway 168. Single-family residential units are located to the east, west and south of the project site. The proposed tower will be setback 269 feet and 5 inches from Nees Avenue. The proposal will expand the enclosure to allow sufficient space for installing additional equipment related to the proposal. Proposed fencing will match the existing enclosure fencing, which has already been approved and complements the aesthetics of the surrounding area. Existing mature landscaping and fencing are expected to screen most of the ground equipment and are expected to create a less than significant impact.

The project site is approximately 486 feet southeast of the nearest city limits of the City of Clovis. Although the project site is close to the City of Clovis, the subject parcel is not located within the City of Clovis' Sphere of Influence (SOI). Considering the relative closeness of the project site to the City of Clovis, the City of Clovis was asked to provide any comments with regards to the project. The City of Clovis expressed no concerns with regards to the project.

- 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:

No new source of light or glare is being proposed with this project. Existing lighting from the previously approved Unclassified Condition Use Permit No. 3167 had a condition of approval that states that all outdoor lighting shall be hooded and directed downward so as not to shine on public roads or surrounding properties. In the event that existing lighting will be present or if new lighting is installed at a later date, a mitigation measure will be incorporated to minimize impacts caused by onsite lighting.

\* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on public roads or surrounding properties.*

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: NO IMPACT:

According to the Fresno County 2014 Important Farmland Map, the project site is located on a Rural Residential designated parcel. Additionally, the project site consists of an existing cell tower site. Therefore, the project will not convert farmland and does not conflict with existing agricultural zoning or Williamson Act Contracts.

- 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. The project will not result in the loss of forest land or conversion of 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: NO IMPACT:

The project site is located in a rural residential and urban and built up setting. The project will not convert farmland to non-agricultural use and is not located in or near forest land.

### 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; or
- 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. Expose sensitive receptors to substantial pollutant concentrations; or
- E. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has reviewed the subject application and did not offer any comments with regards to the project. Minor increases in pollutants and emissions may occur during the construction of the project. With regards to the operation of the project, no increase in pollutants or emissions is expected. Considering the existing cell tower present on the project site and no concerns from the SJVAPCD, a less than significant impact is seen due to the temporary increase of pollutants and emissions during construction of the project.

#### 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:

As the project is located on an existing cell site and is also located on a single-family residential parcel, the project is not expected to adversely affect any federally or state listed species. The California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) did not express any concerns with regards to the 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?

FINDING: NO IMPACT:

No riparian habitat or other sensitive natural community has been identified on the project site. Additionally, the project site has been improved with a single-family

residence and an unmanned wireless telecommunication facility. No impact is seen on riparian habitats or sensitive natural communities.

- 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:

Per the National Wetlands Inventory administered by the USFWS, there are no identified wetlands on or near the project site.

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

FINDING: NO IMPACT:

The project is not expected to substantially interfere with the movement of any native resident or migratory fish. Also the project is not expected to interfere with a migratory wildlife corridor or impede use of a wildlife nursery site as no corridor or nursery was identified on or near the project site.

- 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. The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

## V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The subject property is currently improved with a single-family residence, multiple accessory buildings and an unmanned wireless telecommunications facility. Due to the multiple improvements being made to the project site, ground disturbance has already occurred at the site. A mitigation measure will be incorporated with the project to address cultural resources in the event they are unearthed during construction of the project. 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.

\* **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, report, 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; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The project will be built to current California Building Code standards to reduce and meet federal and state energy efficiency plans. The project is not expected to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project operation. A mitigation measure will be incorporated with the project to reduce the potential for wasteful or inefficient



consumption of energy resources during project construction. The idling of onsite vehicles and equipment will be avoided to the most possible extent to avoid wasteful or inefficient energy consumption during the construction of the project.

\* **Mitigation Measure(s)**

1. *The idling of onsite vehicles and equipment will be avoided to the most possible extent to avoid waste or inefficient energy consumption during the construction of the project.*

## 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:

Per the Earthquake Zone Application administered by the California Department of Conservation, the subject property is not located within a rupture of 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 seismic hazard area nor is it located in a landslide area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located in an area at risk of erosion according to Figure 7-3 of the Fresno County General Plan Background Report. Grading activities could result in changes in topography and therefore potentially increase surface runoff at the project site; however, due to the limited size of the project area the proposal is not expected to result in substantial erosion or loss of topsoil. The Development Engineering Section of



the Development Services and Capital Projects Division indicated that a grading permit may be required for any grading proposed with this application.

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

FINDING: NO IMPACT:

The project is not located in an area of steep slopes per Figure 7-2 of the FCGPBR, nor at risk of on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

- 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:

According to Figure 7-1 of the FCGPBR, the project site is not located on or near any identified areas of expansive soils.

- 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: NO IMPACT:

The proposal is for an unmanned telecommunications tower and no septic tanks or alternative wastewater disposal systems are proposed with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An existing unmanned wireless telecommunications tower, associated equipment and a single-family residence is on the subject property. Ground-disturbing activities have previously occurred on the project site. No paleontological resource or unique geologic feature has been identified on the project site.

## 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: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District reviewed the subject application and did not provide comments with regards to greenhouse gas emissions. The project is not seen as generating greenhouse gas emissions that may have a significant impact on the environment and is not expected to conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gasses. There is an estimated two vehicle trips per month to the site for maintenance purposes.

### 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:

According to the applicant, the project will not produce any hazardous waste. The project will not present a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials. Additionally, the project will not 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. The Department of Public Health, Environmental Health Division has reviewed the subject application and has commented on the project in the event that the project will use and/or store hazardous materials. 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. All hazardous wastes 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. These requirements will be incorporated as project notes. Considering the Applicant's statements regarding the project proposal and the comments from the Environmental Health Division, a less than significant impact is seen.

- 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 an existing or proposed 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:

A NEPAAssist Report generated for the subject property showed that the site is not located on an identified 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 within an airport land use plan or within two miles of a public airport or private air strip.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- 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 located approximately 269 feet north of Nees Avenue and will be accessible through an existing entrance off Nees Avenue. The project will not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project site is located in a rural residential area with vacant land directly to north. The proposal will not expose people or structures, either directly or indirectly to a significant risk of loss, injury, or death involving wildland fire.

## 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: NO IMPACT:

The project is for an unmanned wireless telecommunications tower and associated equipment. No new water or wastewater facilities are proposed for the project. No impact is seen on water quality standards or ground water supplies as no water use is proposed for this project.

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

FINDING: NO IMPACT:

According to FEMA, FIRM Panel 1585H, the project site is not subject to flooding from the 100-year storm. The Development Engineering Section of the Development Services and Capital Projects Division and the Fresno Metropolitan Flood Control District has reviewed the subject application and did not express any concerns with regards to substantial erosion or siltation on or off site, an increase of the rate or amount of surface runoff that could result in flooding, create or contribute runoff water which would exceed capacity of existing or planned stormwater drainage, or impede or redirect flood flows. According to Figure 9-8 of the Fresno County General Plan Background Report, the project site is not located in a dam failure flood inundation area and will not risk release of pollutants due to project inundation.

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

FINDING: NO IMPACT:

As no water use is being proposed for the subject application, the project is not seen as conflicting with or obstructing implementation of water quality control plans or sustainable groundwater management plans.

## 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: NO IMPACT:

The subject parcel is designated Agricultural 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.

General Plan Policy LU-A.3 states that the County may allow by discretionary permit in areas designated as Agricultural, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses. Approval of these and similar uses in area designated as Agricultural shall be subject to the following criteria. 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 operational 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 or management of surrounding properties within at least one-quarter mile radius. Criteria LU-A.3.d states that a probable workforce should be located nearby or be readily available.

Regarding Criteria "a" the proposal will allow the construction of a new wireless telecommunications tower that provides colocation opportunities for the Applicant. This will allow increased cell coverage to the surrounding community while confining the project site to an already approved location via Unclassified Conditional Use Permit Application No. 3167. With regards to Criteria "b", the project site is located on a 2.17-acre parcel and is improved with a single-family residence, accessory structures and an approved 70-foot wireless communications tower. The project site is not utilized for agricultural use and the surrounding area is comprised of residential and vacant uses. Additionally, according to the Fresno County 2014 Important Farmland Map, the project site is designated as Rural Residential. Therefore, the project site is not seen as being sited on productive agricultural lands. With regards to Criteria "c", the project will be an unmanned facility with no water use being proposed. With regards to Criteria "d", the project site is located approximately 486 feet southeast of the city limits of the City of

Clovis. The City of Clovis can be considered for a probably workforce and is located near the project site.

General Plan Policy PF-J.4 states that the County shall require compliance with the Wireless Communications Guidelines for siting of communication towers in unincorporated areas of the County.

The Wireless Communications Guidelines indicate that the need to accommodate new communication technology must be balanced with the need to minimize the number of new tower structures, thus reducing the impacts towers can have on the surrounding community. In the case of this application, colocation will be achieved through the construction of a new 88-foot tower on an existing cell tower site and placing the existing equipment onto the new tower once built.

Additionally, the existing tower had already included provisions of colocation in the lease agreement between the existing towers owner and the property owner, which will still be applicable to the new tower if approved.

## 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 in any identified Mineral Resource Location. Therefore, no impact is seen on the loss of availability of a known mineral resource or the loss of a locally-important mineral resource recovery site.

## 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 an existing 70-foot wireless cell tower is currently on site, temporary increase of noise is expected during the project construction and demolition of the existing tower.

Once construction and demolition are completed, the project operations are not expected to substantially increase the amount of noise compared to the existing operation. A minor increase in noise may occur due to the additional operating equipment, but is not expected to exceed noise standards brought forth in the Fresno County Noise Ordinance. The Fresno County Department of Public Health, Environmental Health Division has reviewed the project proposal and did not express any concerns with regards to noise.

- 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 within two miles of a public airport or private airstrip.

#### XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The proposal is for an unmanned wireless telecommunications facility and will not induce unplanned population growth either directly or indirectly. The project site is located on an existing cell tower site and will not displace existing housing or people.

#### 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) has reviewed the subject application and requires that the project shall comply with California Code of Regulations Title 24 – Fire Code. Additionally, project/development including Single-Family Residential, property of three or more lots. Multi-Family Residential Property, Commercial Property, Industrial Property, and/or Office Property shall annex into the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. Also project/development will be subject to the requirements of the current Fire Code and Building code when a building permit of certificate of occupancy is sought. With the project adhering to the requirements and regulations set forth by the FCFPD, the project is seen as having a less than significant impact.

2. Police protection;
3. Schools;
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

No reviewing agency expressed any concerns with regards to police protection, schools, parks, of other public facilities, therefore no impacts are seen.

#### 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 is not expected to increase the use of existing neighborhood and regional parks and will not require the construction or expansion of recreational facilities.

#### 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?



FINDING: NO IMPACT:

The project will not conflict with a program, plan, ordinance or policy addressing the circulation system.

- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As the project site is an existing 70-foot wireless cell tower, the proposal is not expected to increase vehicle miles traveled as the type of use will not change. According to the applicant, the proposed facility will operated 24 hours, 7 days a week and will be serviced by a technician on a once per month basis. 24-hour access to the facility is presented to ensure technical support is immediately available. As the operations aspect is unchanged from previously approved Conditional Use Permit No. 3167, vehicle miles traveled are expected to be unchanged.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project is not seen as substantially increasing hazards due to geometric design features or incompatible uses. Access is provided by an existing driveway along the eastern property line.

## 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:**

As stated, the project site has already experience multiple improvements that have resulted in ground disturbance. In the unlikely event that a cultural or tribal cultural resource be located during project construction, a mitigation measure will be incorporated to address cultural and/or tribal cultural resources.

Participating California Native American tribes were notified of the project proposal and given an opportunity to enter consultation with the County for this project per Assembly Bill 52 (AB52). No participating Native American Tribe expressed concern with the project proposal and therefore no impact on cultural resources is seen.

\* **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 project proposal is for the replacement of an existing 70-foot tower with a new 88-foot tower. The project will not result or require the relocation or construction of water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities. The use will be unmanned with a technician providing maintenance to the site on a monthly basis, therefore water and wastewater treatment facilities are not required or proposed. As an existing facility is present, no expansion or construction of electrical facilities is needed to address facility needs.

- 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 project proposal is for an unmanned wireless telecommunications facility and will not require a water supply be available for the operation of the facility.

- 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 will be unmanned and not require the use of wastewater treatment system.

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

FINDING: NO IMPACT:

As the project will be an unmanned facility, no generation of solid waste is expected.

## 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:

According to the 2007 Fire Hazard Severity Zone in LRA by the California Department of Forestry and Fire Protection (CalFire), the project site is not located in a fire hazard severity zone and is not located in or near a State Responsibility Area.

## 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 is not expected to have any impact on any listed wildlife species.

- 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:

Cumulative impacts identified in the analysis were related to Aesthetics, Cultural Resources, Energy, and Tribal Cultural Resources. These impacts are seen as being reduced to a less than significant impact with incorporated Mitigation Measures discussed in Section 1.D., Section V.A., B., and C., Section VI.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: LESS THAN SIGNIFICANT IMPACT:

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

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3633, 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 Agricultural and Forestry Resources, Biological Resources, Hydrology and Water Quality, Land Use Planning, Mineral Resources, Population and Housing, Recreation and Wildfire.

Potential impacts related to Air Quality, Geology and Soils, Hazards and Hazardous Materials, Greenhouse Gas Emissions, Noise, Public Services, Transportation, and Utilities and Services Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, and Tribal Cultural Resources have determined to be less than significant with compliance with the incorporated Mitigation Measures.

A Mitigated Negative Declaration/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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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 7571</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): Tom Johnson/AT&T	Project Title: Unclassified Conditional Use Permit 3633		
Project Description: Remove an existing 70-foot monopole (approved by Unclassified Conditional Use Permit No. 3167) and allow the installation of a new 88-foot monopole with 12 antennas, 4 equipment cabinets, 1 GPS antenna and supporting equipment, including colocation of the existing cellular equipment on the proposed tower. The project site is located on a 2.17-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3633, 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 Agricultural and Forestry Resources, Biological Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use Planning, Mineral Resources, Population and Housing, Recreation and Wildfire.  Potential impacts related to Air Quality, Geology and Soils, Hazards and Hazardous Materials, Noise, Public Services, Transportation, and Utilities and Services Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Energy, and Tribal Cultural Resources have determined to be less than significant with compliance with the incorporated Mitigation Measures.  A Mitigated Negative Declaration/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.			
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. 3 April 25, 2019

**SUBJECT:** Variance Application No. 4055

Allow a reduced rear-yard setback of 4 feet (20-foot minimum required) and reduced minimum required space between buildings to 3 feet (6-foot minimum required) to allow the conversion of an existing detached garage to an accessory living quarters on a 0.17-acre parcel in the R-1(nb) (Single-Family Residential, 6,000 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District.

**LOCATION:** The subject parcel is located on the east side of Ninth Street approximately 79 feet north of its intersection with Laurite Avenue, within a County island in the City of Fresno (2469 S. Ninth Street, Fresno, CA) (Sup. Dist. 3) (APN 480-273-18).

**OWNER:** Ana Maria Escalante, Sandra Godinez Romero & Silvia Escalante  
**APPLICANT:** Maria Navarro

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

Marianne Mollring, Senior Planner  
(559) 600-4569

**RECOMMENDATION:**

- Deny Variance Application No. 4055; 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. One-Mile Radius Variance Map
6. Site Plans and Detail Drawings
7. Applicant's Findings

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Roosevelt Community Plan – Low-Density Residential	No change
Zoning	R-1(nb) (Single-Family Residential, 6,000 sq. ft. minimum parcel size, Neighborhood Beautification Overlay)	No change
Parcel Size	0.17 acre	No change
Project Site	N/A	N/A
Structural Improvements	Single-Family Residence, Detached Garage, and Storage Buildings	Detached Garage converted to Accessory Living Quarters
Nearest Residence	Approximately 57 feet north	No change
Surrounding Development	Single-Family Residences and Accessory Buildings	No change
Operational Features	N/A	N/A
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential	No change
Lighting	Residential	No change
Hours of Operation	N/A	N/A



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

Violation File No. 16-109737 was opened on the property on November 18, 2016. The violation was for remodeling a garage into living quarters without permits and the addition of two structures without permits. The owners were notified of the violations and are attempting to abate the violation by applying for the Variance and necessary permits.

**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 109 property owners within 600 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 VA Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

After applications for building permits for the accessory living quarters were received, staff noted that the detached garage was originally permitted and was allowed to encroach into the rear- and side-yard setbacks, as the Zoning Ordinance allows non-residential accessory building to encroach into required yard setbacks as long as they do not exceed 500 square feet inside the setbacks and that the accessory building is 85 feet or more from the front property line. Due to the fact that the applicant is applying to convert the detached garage into an accessory living quarters, the aforementioned development standards do not apply, as the building is now being considered for living space.

There are two additions built onto the proposed accessory living quarters, one to the south and one to the east. The proposed accessory living quarters is encroaching into the rear-yard setback by 16 feet, and the southern addition has been built within 3 feet of an existing storage building. The Fresno County Zoning Ordinance requires that accessory buildings shall be a minimum of 6 feet from main buildings. The proposed accessory living quarters will be considered a main building based on Section 855.N.1.a. of the Fresno County Zoning Ordinance, which states that where an accessory building is part of or joined to the main building by a common wall, or where any accessory building has sleeping or living accommodations, said accessory building shall be deemed a main building for purposes of applying the property development standards of this Division. Due to these two ordinance requirements, the owners were notified that an approved Variance would be required to move forward with the conversion of the garage into an accessory living quarters. Additionally, the Applicant applied for a carport permit to meet parking requirements for the zone district prior to applying for the Variance.

The subject property first appears on November 9, 1914, in recorded Sunset Heights map as lot No. 34 and 35. The project site was zoned R-3 (Medium-Density Multiple-Family Residential, 7,500 sq. ft. minimum parcel size) on June 8, 1960. The Fresno County Board of Supervisors then adopted the Roosevelt Community Plan on December 17, 1979 and designated the project site Low-Density Residential. The property was then rezoned via Amendment Application No. 3148 on September 29, 1980 from the R-3 Zone District to an R-1 (Single-Family Residential, 6,000 square-foot minimum parcel size) Zone District.

The current residence and detached garage were permitted on July 19, 2007. Several additions to the detached garage and the conversion of the detached garage into accessory living quarters occurred between the time the building permits were finalized and the opening of the violation file.

There has been one (1) Variance that has been applied for within a one-mile radius of the project site that is related to the subject application.

Application/Request	Date of Action	Staff Recommendation	Final Action
VA No. 3880 – Allow a zero-yard setback (10 feet minimum required) and waive masonry wall requirements in the C-1 District.	N/A	N/A	Applicant withdrew their application.

Although there is a history of variance requests within 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 property in the vicinity having the identical zoning classification.*

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

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 20 feet Side: 5 feet, Accessory buildings may encroach into the setbacks up to an aggregate area of 500 square feet granted that the accessory building is located 85 feet from the front property line. Rear: 20 feet, Accessory buildings may encroach into the setbacks up to an aggregate area of 500	Front: 20 feet Side: 5 feet Rear: 4 feet  (Note: The garage, which is approximately 115 feet from the front property line, is being converted to an Accessory Living Quarters, which makes the building ineligible for	<b>N</b>

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
	square feet granted that the accessory building is located 85 feet from the front property line.	the 500 square-foot aggregate area rule.)	
Parking	One parking space in a garage or carport for every dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve and be located to the rear of the required front yard, except for hillside lots.	The existing detached garage is being converted to Accessory Living Quarters. A permitted carport will be utilized to meet the parking standard.	Y
Lot Coverage	Maximum lot coverage by buildings and structures shall not exceed forty (40) percent of the total lot area.	No change	Y
Space Between Buildings	Accessory buildings shall be a minimum of six feet from the main building. Accessory buildings connected to the main building by a breezeway roof shall also maintain a minimum six-foot separation.	The proposed accessory living quarters will be considered a main building and has a three-foot separation from an existing storage building, thus requiring a Variance.	N
Wall Requirements	Where lots are one acre or less, a fence or wall not less than five feet nor greater than six feet in height shall be constructed.	Existing fence not to exceed six feet.	Y
Septic Replacement Area	N/A	N/A	Y
Water Well Separation	N/A	N/A	Y

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

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

**Analysis:**

In support of Finding 1, the Applicant's findings state that substantial improvements have been made to the parcel and that having this separate living space detached from the main house makes this property unique. Family members utilize the space so that they can be close by to care for their mother who is the occupant of the main house.

In support of Finding 2, the Applicant's findings state that the proposed accessory living quarters will be utilized as a private family space. The space allows family members to stay in or near the house while allowing their mother to continue living in the house. Without the space, the Applicant states that there would not be adequate room for the family to stay, which could result in having to move the mother away from the home. The Applicant states that strict compliance with zoning laws would cause undue hardship on the property owner.

A consideration in addressing Variance applications is whether there are alternatives available that would avoid the need for the Variance. The only alternative that is available that would avoid the need for the Variance would be to convert the accessory living quarters back into a garage. This conversion would classify the structure as an accessory building and would allow the building to encroach into the rear-yard setback and also reduce the minimum spacing between buildings, as the accessory building would not be considered a main building. The Applicant has indicated that the improvements have already been made to the structure, and converting it back into an accessory building (in the case of this application, a detached garage) would not be feasible for them compared to applying for the building permits to convert the detached garage to accessory living quarters.

In regard to Finding 1, staff research indicates that the project site is an interior lot and that the parcel configuration is similar to other interior lots within the vicinity of the project area. Staff would also like to note that the single-family residence and garage are configured in a similar manner compared to the surrounding development. The detached garage was permitted in July 19, 2007 with the modifications occurring between the time that the garage permit was finalized and when the violation file was opened by Code Enforcement in 2016. Ownership change did not occur in between those times. It is possible that the owner made the modifications to the garage without knowledge that building permits or approval of the modifications were required, however, this type of situation would not be considered an extraordinary or unusual circumstance. Therefore, staff believes that Finding 1 cannot be made.

In regard to Finding 2, the Applicant has indicated that the property is being utilized for private family space and that the approval of the Variance will preserve their property right to continue utilizing the property as such. As staff has noted before, the lot and the structures are configured similarly to other properties in the vicinity of the project site. Additionally, a single-family residence is already available to provide private family space. Considering the lot configuration, development standards and the available private family space provided by the existing single-family residence, staff does not believe that the granting of the Variance will preserve a substantial property right that other property owners with similarly-zoned properties in the vicinity have. Therefore, staff believes Finding 2 cannot be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 1 and 2 cannot be made.

***Finding 3:** The granting of a 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	0.17 acre	Single-Family Residence	R-1(nb)	Approximately 56 feet
South	0.17 acre	Single-Family Residence	R-1(nb)	Approximately 55 feet
East	0.17 acre	Single-Family Residence	R-1(nb)	Approximately 108 feet
	0.17 acre	Single-Family Residence	R-1(nb)	Approximately 112 feet
West	0.17 acre	Single-Family Residence	R-1(nb)	Approximately 198 feet
	0.17 acre	Single-Family Residence	R-2-A(nb)	Approximately 195 feet

**Reviewing Agency/Department Comments:**

Fresno Metropolitan Flood Control District: No onsite retention of storm water runoff is required provided the developer can verify to the County of Fresno that runoff can be safely conveyed to the Master Plan inlet(s). **This shall be included as a Project Note.**

Drainage from the site shall be directed to Ninth Street. **This shall be included as a Project Note.**

No surface runoff shall be directed toward the alley. **This shall be included as a Project Note.**

The drainage fee reflects a reduction credit of fifty-five percent (55%) of the drainage fee amount otherwise payable by the proposed development of County VAR 4055. This credit is applied to development entitlements within Drainage Areas “RR” and “II1”, which are obligated under ordinance to pay a “full cost” drainage fee, but which are also subject to an increased Benefit Assessment on their annual property tax bill for completion of the Drainage Area “RR” and “II1” systems. As this increased levy will fund a portion of a project which will complete the storm drain facilities in Drainage Areas “RR” and II1”, the “full cost” drainage fee rates for these drainage areas can be, and are by this fifty-five percent (55%) reduction, proportionately reduced.

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

**Analysis:**

In support of Finding 3, the Applicant states that the result of the Variance will have no effect on the use of the land and no new land use will occur. The Applicant also states that the parcel will

not be used in any manner that will be materially detrimental to the public welfare or injurious to neighboring properties. The Applicant states that the proposed structure will still look like a garage from the front, neighbor's yard and alleyway, therefore the Applicant believes that no detrimental effect will occur if the Variance is approved.

In regard to Finding 3, if approved, the Variance will allow the Applicant to proceed with their building application to allow the conversion of the existing detached garage to an accessory living quarters, as accessory living quarters are subject to more strict development standards compared to an accessory building. Staff concurs with the Applicant's finding that the Variance request will not change the existing land use and will not be detrimental to public welfare or injurious to neighboring properties. Approval of the request will allow the Applicant to convert the garage into an accessory living quarters, which is an allowed use along with single-family residential use. Based on this information and no concerns being brought forth from reviewing agencies, staff believes Finding 3 can be made.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 3 can be made.

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

**Reviewing Agency Comments:**

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

City of Fresno Development and Resources Management: No comment.

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

**Analysis:**

In support of Finding 4, the Applicant states that the granting of the Variance will have no impact on the existing land uses and would not impact surrounding properties.

The subject property is designated Low-Density Residential in the Roosevelt Community Plan. There are no General Plan policies, nor any policies in the Roosevelt Community Plan, that specifically address setbacks and space between buildings. The proposal is therefore consistent with the applicable community plan and the County General Plan.

Based on these factors, the proposal is consistent with 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 that required Findings 1 and 2 for granting the Variance cannot be made. Staff therefore recommends denial of Variance No. 4055.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Denial Action)

- Move to determine that the required Findings cannot be made and move to deny Variance No. 4055; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Alternative Motion** (Approval Action)

- Move to determine that the required Findings can be made (state basis for making the Findings) and move to approve Variance No. 4055, 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.

**Recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

TK:ksn

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**Variance Application No. 4055  
Conditions of Approval and Project Notes**

<b>Conditions of Approval</b>	
1.	Development of the property shall be in accordance with the Site Plan and Elevations approved by the Planning Commission.

Conditions of Approval reference recommended Conditions for the project.

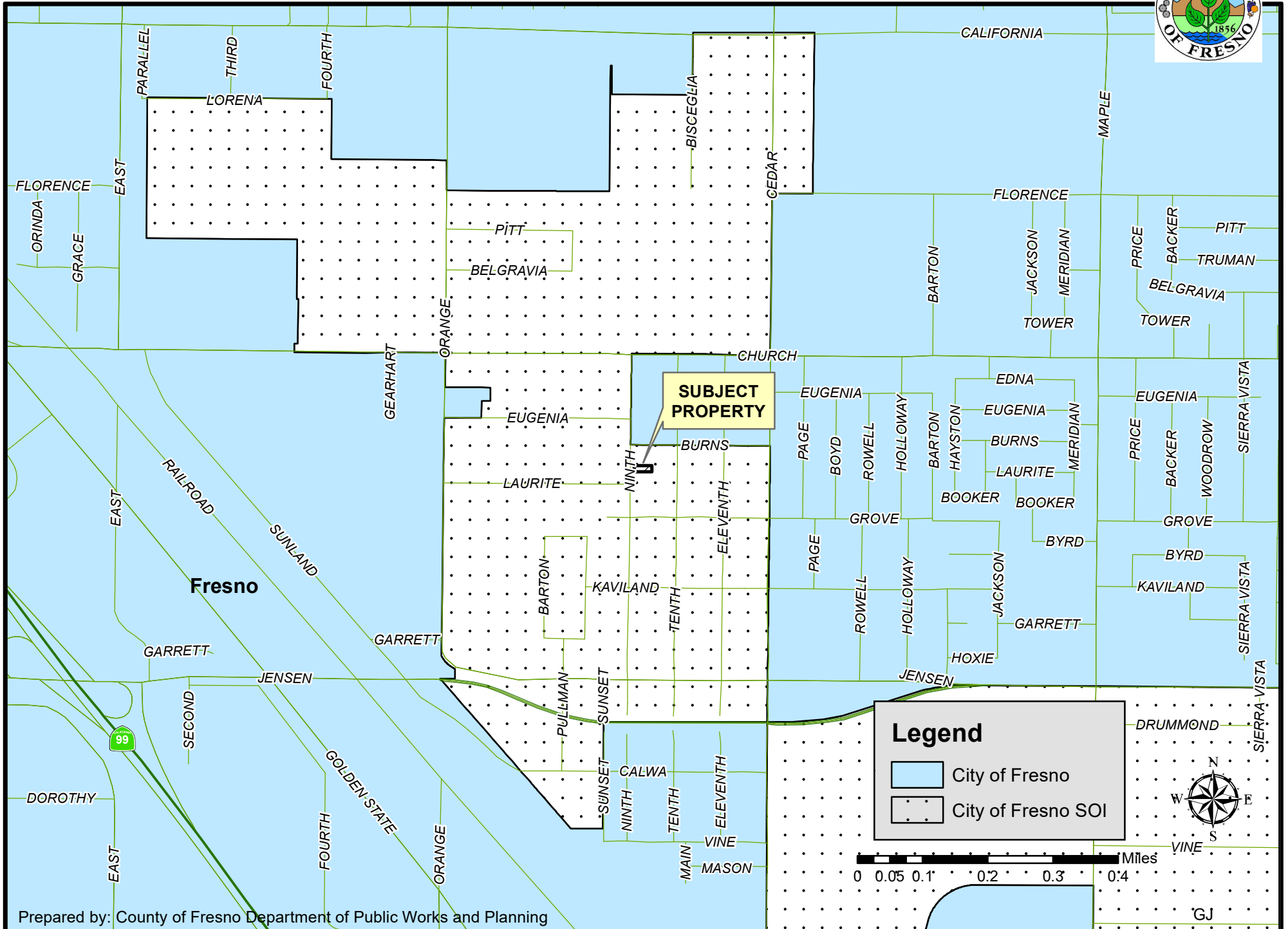
<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	Fresno Metropolitan Flood Control District: <ul style="list-style-type: none"><li>• No onsite retention of storm water runoff required, provided the developer shall verify to the County of Fresno that runoff can be safely conveyed to the Master Plan inlet(s).</li><li>• Drainage from the site shall be directed to Ninth Street.</li><li>• No surface runoff shall be directed toward the alley.</li></ul>

TK:ksn

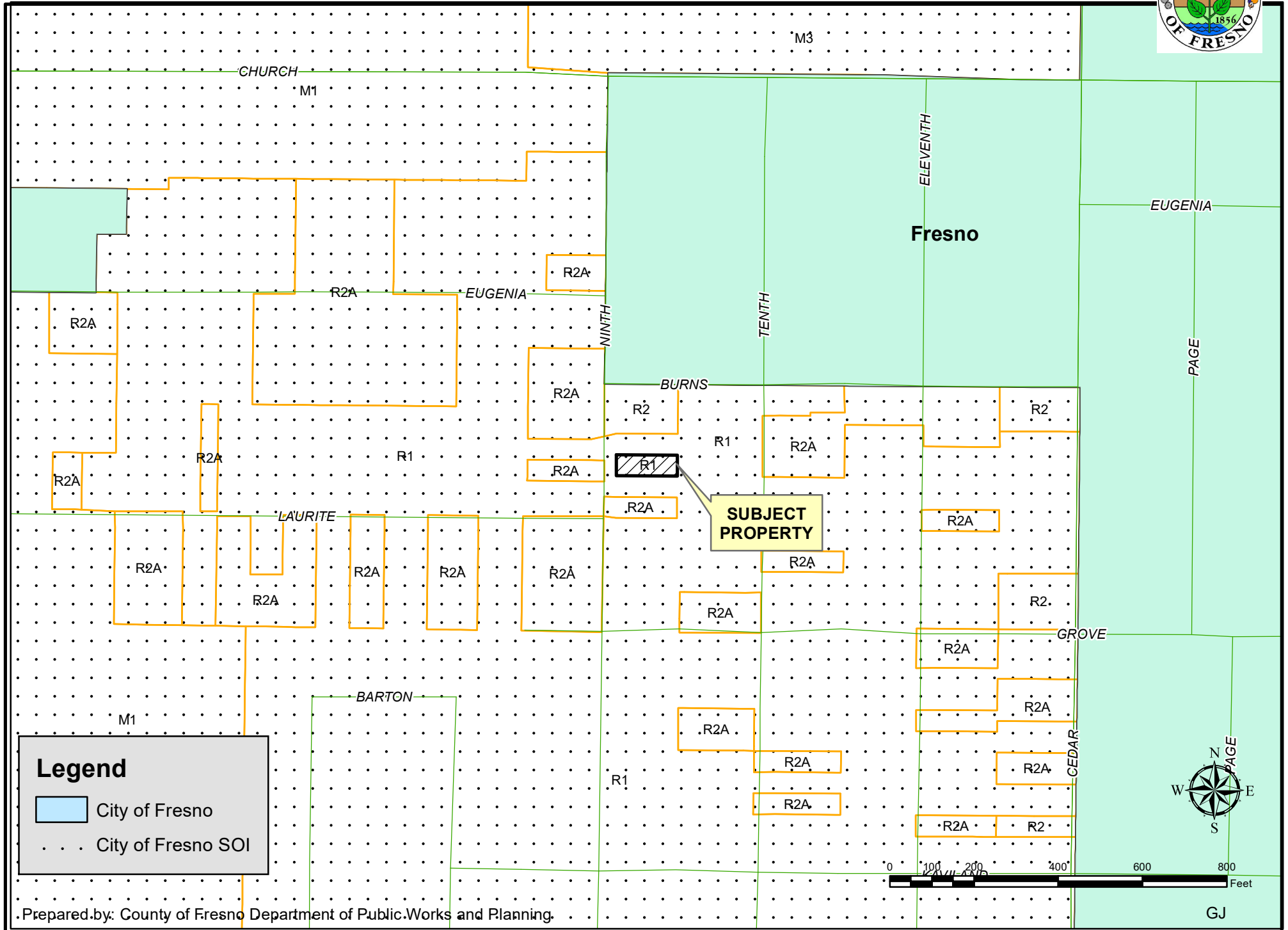
G:\4360Devs&Pln\PROJSEC\PROJDOCS\VA\4000-4099\4055\SR\VA 4055 Conditions & PN (Ex 1).docx



# LOCATION MAP



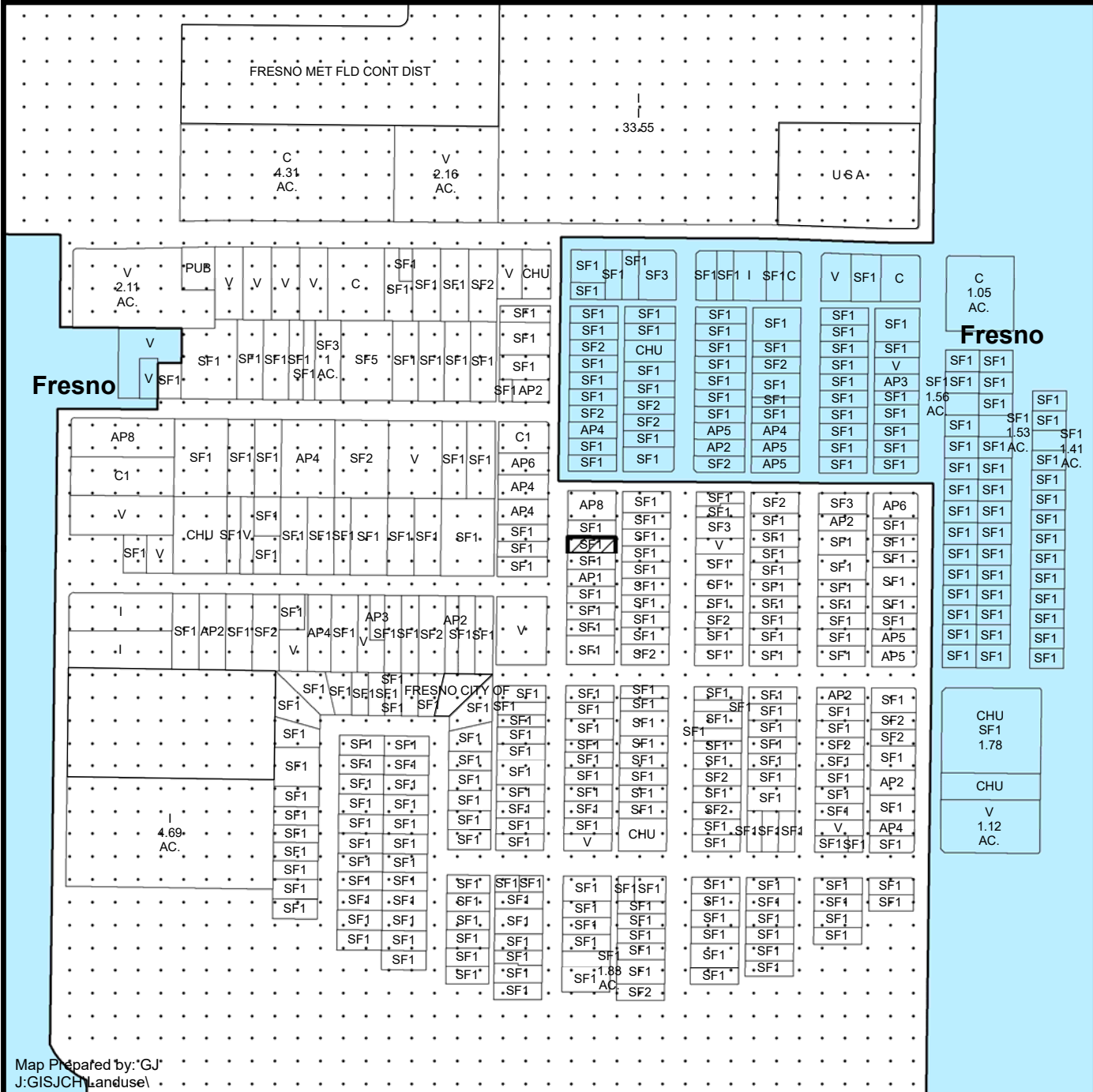
# EXISTING ZONING MAP



**Legend**


- City of Fresno
- City of Fresno SOI


# EXISTING LAND USE MAP

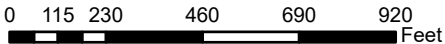


LEGEND	
CP# -	OFFICE COMM./PROF
AP1 -	APARTMENT
C -	COMMERCIAL
C# -	COMMERCIAL
CHU -	CHURCH
I -	INDUSTRIAL
PUB -	PUBLICLY OWNED
SF# -	SINGLE FAMILY RESIDENCE
V -	VACANT

**LEGEND:**

 Subject Property

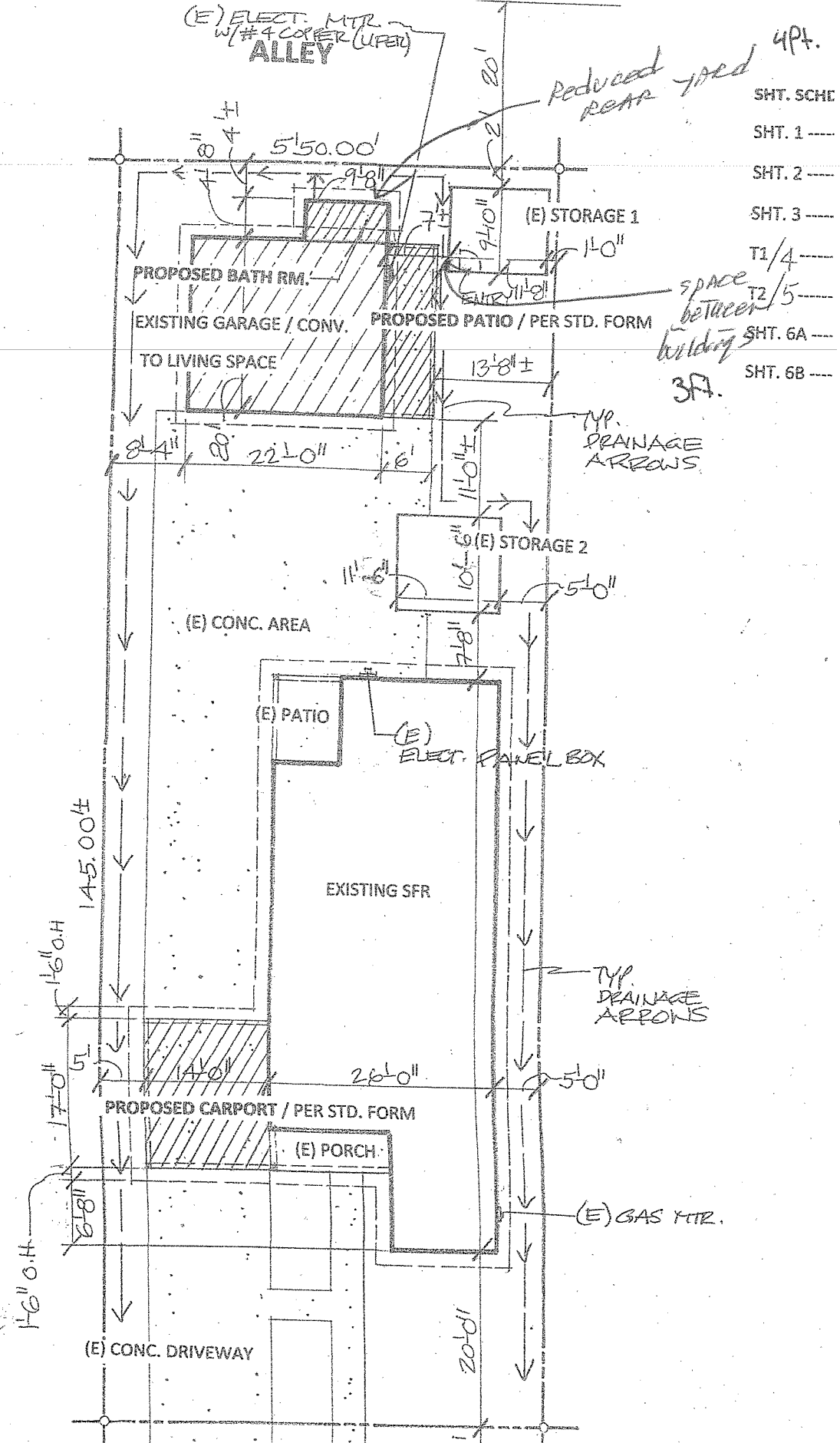
 City of Fresno SOI



Department of Public Works and Planning  
Development Services Division

Map Prepared by: "GJ"  
J:GISJCH Landuse





- SHT. SCHE
- SHT. 1 ---
- SHT. 2 ---
- SHT. 3 ---
- T1/4 ---
- T2/5 ---
- SHT. 6A ---
- SHT. 6B ---

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 AND PLANNING  
 DEVELOPMENT SERVICES DIVISION  
 VA4055  
 ER7515

**EXHIBIT 6**

## Variance Application

1. Substantial improvements have been made to the parcel. Having to modify the house to meet these requirements would be a great expense and effect the aesthetics of the house. This property is unique in that it has a separate living space detached from the main house. This allows space for us to be close to and care for a family member who would not be able to live by herself.
2. The parcel has been used and maintained and continues to be used as a private family space. To the East of the house is an alleyway, for this reason it does not affect neighbors. This space allows family members to stay at the house to be close to the current homeowner (our mother) to be able to take care of her while allowing her to remain in her home. Without this space, there would not be adequate room for family to stay which could result in our mother having to move from her home that she has lived in for many many years. This space allows family staying with her to have a comfortable place to sleep. Strict compliance with zoning laws would cause undue hardship on the property owner.
3. The parcel will not be used in any manner that will be materially detrimental to the public welfare or injurious to neighboring properties. These uses are fully consistent with the public welfare. The Variance will have no effect on the use of the land and no new land use will occur because of the Variance. The granting of the variance would not result in a hazardous condition and strict compliance would be an unreasonable hardship. Leaving the structure as it is would be the least intrusive solution possible. From the front of the house, the neighbor's yards, and the alleyway it appears to be a garage, therefore the space does not have any detrimental effect on the public or any surrounding neighbors.
4. The Parcel would have no impact on the existing land uses and would not impact surrounding properties. This space would not alter the essential character of the neighborhood. Therefore, we do not believe the granting of such variance will not be contrary to the objectives of the Fresno County General Plan.

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# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 4 April 25, 2019

**SUBJECT:** Site Plan Review Application No. 8077

Consider and take action on appeal filed by Wanger Jones Helsley PC on behalf of Forgotten Fresno, Gonzalo Arias, Jr., Roger Day and Elisa Bilios *etal* of the Department's approval of Site Plan Review Application No. 8077, filed as a requirement per Section 843.6 of the Fresno County Zoning Ordinance, and in relation to approval of General Plan Amendment No. 552 and Amendment Application No. 3825, approved by the Board of Supervisors on October 23, 2018, amending the Fresno County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezoning those parcels to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses.

**LOCATION:** The subject property is located on the east side of North Grantland Avenue, between North Parkway Drive and West Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (SUP. DIST. 1) (APN 504-081-02S and -03S).

**OWNER:** WESCLO, LP  
**APPLICANT:** Fresno Humane Animal Services

**STAFF CONTACT:** Hector Luna, Senior Staff Analyst  
(559) 600-4216

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Deny the appeal and uphold Director's approval of Site Plan Review Application No. 8077; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Site Plan Review Approval Letter with Conditions
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Approved Site Plan, Elevations and Detail Drawings
6. Site Plan Review Findings
7. Summary of Board Action
8. Correspondence Related to Site Plan Review

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

Initial Study Application (IS) No. 7359, prepared for General Plan Amendment Application (GPA) No. 552 and Amendment Application (AA) No. 3825 was adopted and approved by the Board of Supervisors on October 23, 2018.

Section 15162 of the California Environmental Quality Act (CEQA) Guidelines states that once an EIR and/or Negative Declaration has been certified for a project, no subsequent EIR or 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 EIR (or Negative Declaration) was certified. There is no evidence of the circumstances noted in conditions 1, 2, or 3 above, therefore a subsequent/supplemental environmental document is not required.

**PUBLIC NOTICE:**

The California Government Code and County Zoning Ordinance do not require public notices to be provided for this type of application. A Notice of Approval of the application was sent to the law firm of Wanger Jones Helsley PC (representing the Appellants), who previously requested notification of all actions taken on this application. The Appellants and the Applicant were notified of the hearing date directly by staff.

**PROCEDURAL CONSIDERATIONS:**

A Site Plan Review is an administrative process that allows the Director to make a finding that the proposed development is in conformity with the intent and provisions of the Fresno County Zoning Ordinance, and to guide the Development Services and Capital Projects Division in the issuance of permits. The Applicant or any aggrieved person may appeal, in writing, setting forth the reasons for such appeal to the Planning Commission. Such appeal must be filed with the Director of the Department of Public Works and Planning within fifteen (15) days after the mailing of the notice of such decision. The Commission shall hear such appeal of the Director's



decision within forty (40) days after the date of the filing of such appeal. The Commission shall review the Site Plan and shall approve, approve with conditions, or disapprove based on the findings listed in Section 874-A.2 of the Fresno County Zoning Ordinance (Exhibit 6). The decision of the Commission is final unless appealed to the Board of Supervisors within fifteen (15) days of the Commission's action.

### **BACKGROUND/DISCUSSION:**

This item comes to your Commission on appeal of the Director's approval of the subject application. A Site Plan Review application is a requirement of the M-1 (Light Manufacturing) Zone District, per Section 843.6, of the Fresno County Zoning Ordinance.

The Planning Commission recommended approval (5 to 4) of GPA No. 552 and AA No. 3825 to the Board of Supervisors on July 26, 2018. That decision recommended adoption of the Mitigated Negative Declaration (IS No. 7359) prepared for the requests to the Board. The Board ultimately approved (5 to 0) the GPA and Rezoning on October 23, 2018. The Site Plan Review Application was filed November 2, 2018 and approved by the Department of Public Works and Planning Director on March 8, 2019.

It is important to note that this item is not an appeal of the GPA or Rezoning approved by the Board, but is an appeal of the Site Plan Review Application and approval required by Section 843.6 of the Zoning Ordinance. As previously stated, a Site Plan Review is an administrative process that allows the Director to make a finding that the proposed development is in conformity with the intent and provisions of the Fresno County Zoning Ordinance, to guide the Development Services and Capital Projects Division in the issuance of permits, and addresses design-level details for access, parking and circulation, lighting, vehicle and public safety, landscaping, and signs, along with grading and drainage review.

If your Commission determines to uphold the Director's approval of the project, a simple denial motion denying the appeal and upholding the Director's approval would be appropriate. If your Commission decides to grant the appeal, a motion to uphold the appeal, thus denying the Site Plan Review would be appropriate, with clarification and reasoning as to which Findings cannot be made.

### **ANALYSIS/DISCUSSION:**

#### Site Plan Review Finding 1: Zoning Ordinance Compliance

#### **Analysis:**

On October 23, 2018, the Board approved GPA No. 552 and AA No. 3825. Through that approval, the Board determined that the rezoning of the property to the M-1(c) (Light Manufacturing, Conditional) Zone District (limited to an animal hospital/shelter and associated uses) was consistent with the GPA re-designation of the property to Limited Industrial and therefore, was in compliance with the Fresno County Zoning Ordinance. Furthermore, the Site Plan Review Unit of the Development Services and Capital Projects Division evaluated the parking and circulation plan of the proposed animal shelter and determined it to be consistent with Section 855 of the Fresno County Zoning Ordinance. Proposed site design, layout, and landscaping, etc. meet the requirements of the M-1(c) district as further conditioned by the Mitigation Measures and Conditions of Approval associated with AA No. 3825.

**Conclusion:**

Site Plan Review Finding 1 can be made.

*Site Plan Review Finding 2: Traffic Congestion, Pedestrian and Vehicular Safety and Welfare and Adverse Effects on Surrounding Property due to the following: (1) Facilities and improvements; (2) Vehicular ingress, egress, and internal circulation; (3) Setbacks, (4) Height of buildings; (5) Location of Service, (6) Walls, (7) Landscaping, and (8) Compatibility with surrounding development when required as a condition of use permit or zoning*

**Analysis:**

Traffic Congestion, Pedestrian and Vehicular Safety and Welfare, and Adverse Effects on Surrounding Property were all evaluated during the processing of Site Plan Review No. 8077. Per the approved Site Plan, there is adequate on-site parking, pedestrian and road improvements, and off-street parking incorporated into the development of the project. A Traffic Impact Study was prepared for the project which determined the use would generate approximately 37 AM and 53 PM daily peak hour trips, which would not have a significant impact on traffic congestion. No adverse effect was determined for the on-site development or the surrounding properties.

The Transportation and Traffic Mitigation Measures for GPA No. 552 and AA No. 3825 included transition paving between Tenaya Avenue and the southern boundary of the project site, and a Class II bike lane path along the project frontage. A Condition of Approval required development of the site to construct all street frontage improvements along the project frontage of Grantland Avenue per City of Fresno standards.

**Conclusion:**

Site Plan Review Finding 2 can be made.

*Site Plan Review Finding 3: Proposed lighting as so arranged as to reflect the light away from adjoining properties*

**Analysis:**

On October 23, 2018, the Board adopted the Mitigated Negative Declaration (MND) for GPA No. 552 and AA No. 3825. Included in the MND were Mitigation Measures implemented for Conditions of Approval. Mitigation Measure No. 2 requires that “*All lighting shall be hooded and directed as to not shine toward adjacent property and public streets*”. Under this condition there are no anticipated effects on adjoining properties or County right-of-way related to lighting.

**Conclusion:**

Site Plan Review Finding 3 can be made.

*Site Plan Review Finding 4: Proposed signs will not, by size, location, color or lighting, interfere with traffic or limit visibility.*

**Analysis:**

The Operational Statement of the land use entitlement approved by GPA No. 552 and AA No. 3825 identified proposed signage integrated with the overall project design. All proposed signage requires a Site Plan Review for conformance to the Zoning Ordinance. For this project, State-standard “STOP” signs and “RIGHT TURN ONLY” signs are required be installed, and a 12’ x 12’ corner cut-off for sight distance visibility shall be maintained at the driveways onto Grantland Avenue. Staff believes that signage in the proposed location will not interfere with Traffic and Visibility.

**Conclusion:**

Site Plan Review Finding 4 can be made.

**CONCLUSION:**

Staff believes the required Findings can be made based on the analysis above, and recommends that your Commission deny the appeal and uphold the Department’s approval of Site Plan Review No. 8077.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Denial Action)

- Move to deny the appeal and uphold the Director’s approval of Site Plan Review No. 8077; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

**Alternative Motion** (Approval Action)

- Move to determine one or more of the required Site Plan Review Findings cannot be made (state the basis for not making the Findings), and move to uphold the appeal; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

HEL:ksn  
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# Exhibit 1



## County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E WHITE, DIRECTOR

March 08, 2019

Jeffrey T. Roberts  
621 W. Fallbrook Ave.  
Fresno, CA 93711

Mr. Roberts:

SUBJECT: SITE PLAN REVIEW NO. 8077

Site Address:	6414 N. Grantland Ave.
APN:	504-081-02, 504-081-03S
Zoning District:	M-1 (c) (Light Manufacture-Conditional)
Use Approved:	Allow an animal shelter and related facilities

The Department of Public Works and Planning has reviewed your application and determined that the required findings can be made and hereby approves Site Plan Review No. 8077 subject to the following conditions.

### CONDITIONS OF APPROVAL

Approval of this application is subject to conditions required by Section 874 of the Fresno County Zoning Ordinance, Amendment Application No. 3825, and General Plan Amendment No. 552.

The required improvements are listed below and on the approved plans. An inspection is required prior to the issuance of a Certificate of Occupancy to assure compliance with these conditions and the approved Site Plan. Please call (559) 600-4560, Fresno County Department of Public Works and Planning, Building and Safety Section, to arrange for this inspection when required improvements are completed.

Prior to the issuance of a Building Permit, Required Development Clearances shall be satisfied.

I. DEDICATION OF RIGHT-OF-WAY (County)

- A. The westerly twenty-five (25) feet of the subject properties shall be granted as right-of-way to the County for road purposes. The eastern line of said offer shall establish the building setback line for future development. In accordance with Section 874-C-3 of the Fresno County Zoning Ordinance, the required right-of-way shall be granted before a building permit can be issued. A description of the property to be dedicated and a map depicting the dedication shall be prepared by a licensed land surveyor or registered civil engineer. A current Preliminary Title Report, along with the description and map shall be submitted to this Department before the above right-of-way dedication can be processed. The developer is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial reconveyance of any other document required to clear title to the property shall be borne by the owner or developer.

Note: The County will prepare the document for you. A processing fee of \$243.50 will be required to be submitted.

II. REQUIRED DEVELOPMENT CLEARANCES

- A. The property is subject to the provisions of the Fresno County Parcel Map Ordinance. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022. (Notes7)

The proposed development encompasses two legal lots; a parcel merger of said lots is required in order to conform to all zoning requirements, prior to development. (Notes8)

- B. Prior to the issuance of building permits, the applicant shall submit sewer and water will serve letter from City of Fresno to the County. The project shall connect to the City of Fresno sewer and water services. (MM3)

- C. A Covenant shall be recorded running with the land for the benefit of access and drainage over and across the two land division lines in the event they are ever separated by ownership. This Covenant shall run with the land and be binding upon the owners, their heirs, successors, and assigns.

NOTE:



The County shall prepare the document for you. A processing fee of \$243.50 will be required to be submitted.

- D. A Grading and Drainage Plan shall be prepared by a Registered Civil Engineer and submitted to the Department of Public Works and Planning, the Fresno Irrigation District (FID), and the Fresno Metropolitan Flood Control District (FMFCD) in accordance with Section 6731 of the California Business and Professions Code. The Plan shall have an Engineer's Certificate indicating that the grading and drainage will have no adverse effect on the adjoining properties. A Grading and Drainage Plan Submittal Checklist has been attached. Contact the Grading Engineer for Grading and Drainage Plan requirements at (559) 600-4022. (COA5) (Notes1)

A grading permit or voucher is required for any grading that has been done without permit and any grading proposed with this application. Any additional 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. (Notes2)

Construction activity, including grading, clearing, grubbing, filling, excavation, development or redevelopment of land that results in a disturbance of one (1) acre or more of the total land area, or less if part of a larger plan of development or sale, must secure a storm water discharge permit in compliance with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System regulations (CFR Parts 122-124, Nov. 1990). The permit must be secured by filing a Notice of Intent for the State General Permit for Construction Activity with the State Water Resources Control Board. The notice must be filed prior to the start of construction. (Notes 13)

The drainage and grading plan be reviewed and approved by the FMFCD prior to approval by the County.

- E. All driveways and parking areas to be used by motor vehicles shall be designed by an architect or civil engineer in accordance with Fresno County Standards. Engineered plans for construction, including a complete listing of materials, costs and quantities in place, shall be submitted to this Department for approval. A fee, based upon construction costs, will be assessed in accordance with Section 879 of the Fresno County Zoning Ordinance and must be collected with the submittal of the Grading and Drainage Plan.
- F. The subject property is located within Fresno Metropolitan Flood Control District (FMFCD) boundary Drainage Zones EM. The (FMFCD) Drainage Fee is based on the rate in effect at the time the building permit is issued as required by Section 17.64.030 of the Fresno County Ordinance Code.

The Owner shall connect to existing FMFCD Master Plan Facilities available to the subject site. Prior to issuance of a Building Permit, the Owner shall pay applicable Drainage Fees of \$54,410 and Review fees of \$933.00 to FMFCD. The Drainage Fee may be paid at the County, however, the Review Fees shall be paid at FMFCD's district office located at 5469 E. Olive Ave., Fresno, Ca. 93727. Evidence of payment shall be submitted to the County of Fresno. (Notes10)

The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability the Fresno Metropolitan Flood Control District to operate and maintain the canal or pipeline. (Notes12)

The District requires that the storm drainage patterns for the development conform to the District's Master Plan. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter for conformance to the Master plan within the project area. (Notes11)

Master Plan facilities may be required and the County and developer should contact the District.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas shall not be connected to the District's system. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements is available on the District's website at: [www.fresnofloodcontrol.org](http://www.fresnofloodcontrol.org) or contact the District's Environmental Department, Daniel Rourke, at (559) 456-3292 for further information regarding these policies related to industrial site requirements.

- G. The Fresno Irrigation District (FID) requires the applicant to replace the existing pipeline across the subject parcels with new 48-inch diameter



ASTM C-361 825 Rubber Gasket Reinforced Concrete Pipe (RGRCP) with appurtenant structures in accordance with FID standards for developed parcels and that the applicant enter into an agreement with FID for that purpose.

FID's right of ingress to and egress from the easement over and across the real property of the Owners in a covenant and agreement that no building, fence or other structure shall be constructed, and no trees, vines or shrubs shall be planted or maintained upon the easement without the consent of FID. (NOTES15)

- H. A detailed landscape plan, prepared by a licensed Landscape Architect, shall be submitted for review and approval as part of the mandatory Site Plan Review process for this project. Since the amount of landscaping will exceed 500 square feet, the developer shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO). (MM1)

Trees, and other vegetation, shall be located outside FID's pipeline and pipeline easement. This would be FID's preference. The advantage is the County and FID would have better control over encroachments as well as better access to patrol and maintain the easement. Should there be a leak, the damage would be minimized.

- I. The applicant shall submit site plans directly to the North Central Fire Protection District for review. The proposal shall comply with California Code of Regulations Title 24 – Fire Code. For more information, please contact the district at 559-621-4147.
- J. The Central Unified School District, in which you are proposing construction, has adopted a resolution requiring the payment of a Development Impact Fee. The County, in accordance with State law, which authorizes the fee, will not issue a building permit without certification from the school district that the fee has been paid. An official certification form will be provided by the County when application is made for a building permit.

### III. OFF-SITE IMPROVEMENTS (County)

- A. The necessary permits for off-site improvements shall be obtained from the Fresno County Department of Public Works and Planning, Road Maintenance and Operations Division, and/or City of Fresno Public Works Department, and shall be installed in accordance with applicable County and City of Fresno Improvement Standards. For more information, please contact Road Maintenance and Operations Division at 559-600-4240.



- B. Master-planned storm drainage facilities should be required for construction in order to tie site drainage into the master-planned system. If the site drainage is not directed into master-planned facilities, then additional storm water generated by the property development shall be contained on-site. Construction of master-planned drainage facilities may encompass construction in road right of way that is remote from the site.
- C. Applicant shall construct road frontage improvements, including curb, gutter, sidewalk and pave-out to the ultimate road right of way for Grantland Avenue. Road improvements shall include appropriate transition paving at each end of the parcel frontage improvements.
- D. The project shall add transition paving between Tenaya Avenue and the southern project boundary, and north of the project based on a 45 MPH speed, as recommended in the Traffic Impact Study. (MM4)
- E. The project shall implement a Class II Bike Lane facility along its frontage on Grantland Avenue as recommended in the Traffic Impact Study. (MM5)
- F. 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. (Notes3)
- G. Prior to development, the project shall construct all street frontage improvements along the project frontage of Grantland Avenue, per City of Fresno standards, including any dedications of required right-of-way for those improvements. (COA4)
- H. The developer is responsible for relocating those utilities within the road right-of-way to the correct alignment and grade affected by the developer's improvements.

Prior to the Certificate of Occupancy being granted, all items listed below shall be completed/satisfied.

#### IV. ON-SITE IMPROVEMENTS

- A. No buildings or structures shall have a height greater than 35 feet. (COA2)
- B. On-site development shall provide front-yard (Grantland Avenue) landscaping. The Requirements of Section 820.5-E, (Rural Residential Zone District, Yards) shall apply for the front-yard, side-yard, and rear-yard setbacks for development in this M-1(c) Zone District. (COA 3)
- C. Landscaping, consisting of trees and shrubs, shall be planted and maintained along the Grantland Avenue.

All landscaping shall be planted prior to final occupancy of the development. The landscaping and the irrigation system shall be maintained as long as the facility is in operation. (MM1)

- D. The parking and circulation areas shall be graded, asphalt concrete surfaced, and striped. Off-street parking spaces shall be provided as shown on the approved plan.
- E. ADA stall(s) shall be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. ADA stalls shall be concrete or asphalt concrete paved and must be located on the shortest possible route to the main entrance so the disabled person does not cross the driveway into the parking lot.
- F. When no masonry wall is required, wheel stops in the form of a 6" high concrete curb or other approved fixed barrier, placed a minimum distance of 3' from the property line, or the building to be protected, shall be installed.
- G. A six foot high solid masonry wall shall be erected along the property line which is a district between the M-1 district and residential district

Where the district boundary is an interior side lot line, the required wall shall be reduced in height to three (3) feet within the front yard setback area.

- H. Install 30" state standard "STOP" signs and "right turn only" sign per City of Fresno standards.
- I. Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest vehicle entering the site and shall not swing outward. (Notes4)
- J. On-site turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back out onto the roadway. (Notes5)
- K. 12' x 12' corner cutoffs will need to be improved for sight distance purposes at the driveway onto Grantland Avenue. (Notes6)
- L. The project shall connect to the City of Fresno sewer and water services. (MM3)
- M. All outdoor lighting shall be hooded and directed so as not to shine toward public roads or the surrounding properties. (MM2)



V. MISCELLANEOUS

- A. Fire protection improvements shall be in place and inspected by the North Central Fire Protection District prior to occupancy. Contact the District at 559-621-4147 to arrange for an inspection. Allow 14 to 21 days for the District to complete the inspection.
- B. A Regional Transportation Mitigation Fee (RTMF) shall be paid to the RTMF Joint Powers Agency prior to occupancy. The required form will be supplied during the building plan check process. Contact the RTMF Joint Powers Agency at (559) 233-4148 for more information.
- C. The Civil Engineer who prepares the on-site improvement plans shall inspect construction of the facilities and shall certify to the Department of Public Works and Planning that the work conforms to approved plans and specifications. The Fresno County Grading Engineering Section requires the submittal of an As-Built Grading and Drainage Plan. Contact Grading Engineering at (559) 600-4022 for more information.
- D. A Landscape and Irrigation Audit Report shall be submitted to the Department of Public Works and Planning, site plan review section, for review and approval prior to occupancy.
- E. Prior to issuance of final occupancy, the Project Developer shall provide evidence to the County that the terms of Agreement no. 143033, recorded on December 10, 1979 (Book 7427, Page 961), with the Fresno Irrigation District (FID) have been satisfied through either pipeline replacement as stipulated, or entering into a revised agreement between FID and the property owner to supersede the 1979 Agreement with new terms satisfactory to both the Project Developer and FID. (COA5)

VI. NOTES

- A. All conditions of approval for previous applications shall be implemented if not already in place.
- B. The M-1 (Light Industrial) uses allowed on the property shall be limited to Animal Hospitals and Shelters, subject to the Property Development Standards in Section 843.5 except as modified for building height and setbacks below. (COA1)
- C. To ensure minimal disruption to the surrounding community, the facility shall ensure all measures listed in the operational statement, for this proposed development, including, but not limited to, odor and noise, are continuously complied, as part of the approved use.

- D. Permits for structural, electrical, and plumbing work shall be obtained from the Department of Public Works and Planning, Permits Counter, prior to any construction.
- E. All abandoned wells and septic systems located on the property shall be destroyed by a licensed contractor under permit by the County of Fresno.  
(Notes16)
- F. Footings and retaining walls shall not encroach into the Fresno Irrigation District (FID) easement and all soil and stockpile shall be kept outside of the easement. (COA5)
- G. Large earthmoving equipment (paddle wheel scrapers, graders, and excavators) shall be prohibited within the Fresno Irrigation District (FID) easement. (COA5)

The Requirements of Section 820.5-E, (Rural Residential Zone District, Yards) shall apply for the front-yard, side-yard, and rear-yard setbacks for development in this M-1(c) Zone District. (COA3)

- H. All proposed signs shall be submitted to the Department of Public Works and Planning, Permits Counter to verify compliance with the Zoning Ordinance.
- I. If the use of this property should ever change, it is important that the owner or operator verify that the new use would be allowed by all applicable building codes and ordinances of Fresno County. Contact the Fresno County Department of Public Works and Planning, Permits Counter at (559) 600-4540 for information on applicable codes and ordinances.
- J. Required site improvements may be bonded in accordance with the provisions of Section 874-C-2 of the Fresno County Zoning Ordinance.
- K. This Site Plan Review approval shall expire in two years from the date of approval unless substantial development has commenced.

(xxx) Denote Mitigation Measures, Conditions of Approval, and Project Notes for approved Initial study application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825.

Site Plan Review No. 8077

Page 10 of 10

This approval is final, unless appealed to the Fresno County Planning Commission. In this event, you must submit a fee of \$508.00 and file a written appeal setting forth your reasons for such appeal to the Commission. Such appeal shall be filed with the Director of the Department of Public Works and Planning within 15 days after the mailing of this decision and shall be addressed to:

Department of Public Works and Planning  
Development Services and Capital Projects Division  
Attention: Hector E. Luna  
2220 Tulare Street, Sixth Floor  
Fresno, CA 93721

If you have any questions or require any further assistance, please feel free to contact me at (559) 600-4216.

Hector E. Luna  
Senior Staff Analyst  
County of Fresno  
Department of Public Works and Planning  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721

Regards,



Hector E. Luna  
Development Services and Capital Projects Division

HEL  
G:\4360Devs&P\in\BLD\_SFTY\Zoning\S.P.R\8000-8099\8077\SPR 8077 Approval Letter.doc

C: Fresno County Department of Community Health, Environmental Health System  
North Central Fire Protection District; 911 H Street, Fresno, CA 93721

Enclosure





# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E WHITE, DIRECTOR

March 08, 2019

John P. Kinsley  
Wanger Jones Helsley PC  
265 E. River Park Circle  
Suite #310  
Fresno, CA 73720

Mr. Kinsley:

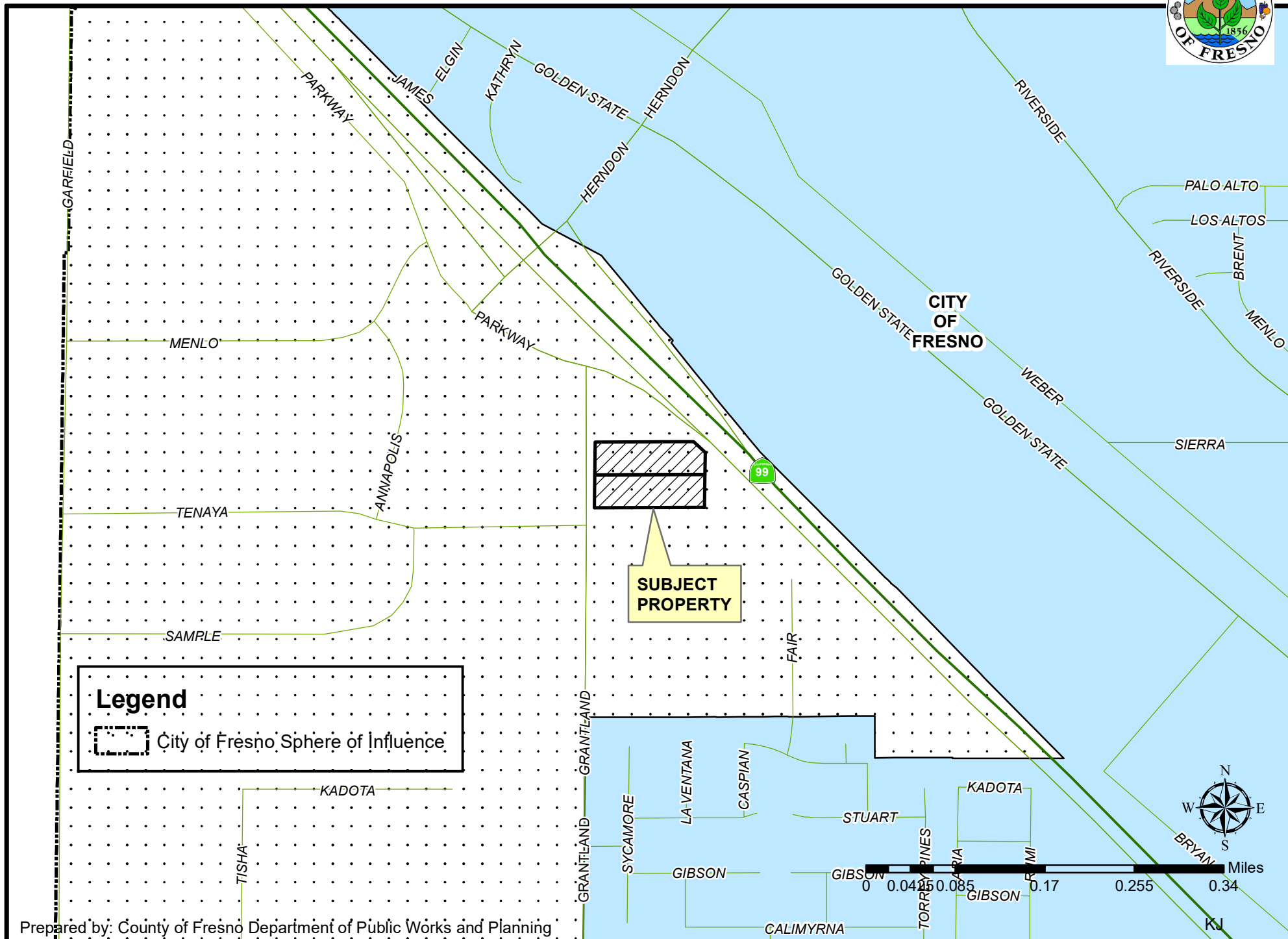
The Department of Public Works and Planning has approved Site Plan Review (SPR) Application No. 8077, proposed animal shelter, located at 6414 N. Grantland Ave. Approval of this application is consistent with approval of Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825, approved by the Board of Supervisors, October 23, 2018, to rezone the subject properties from Rural Density Residential to Limited Industrial to allow an animal hospital/shelter and related uses.

Please refer to the SPR 8077 approval letter for information, and conditions of approval for the approved application.

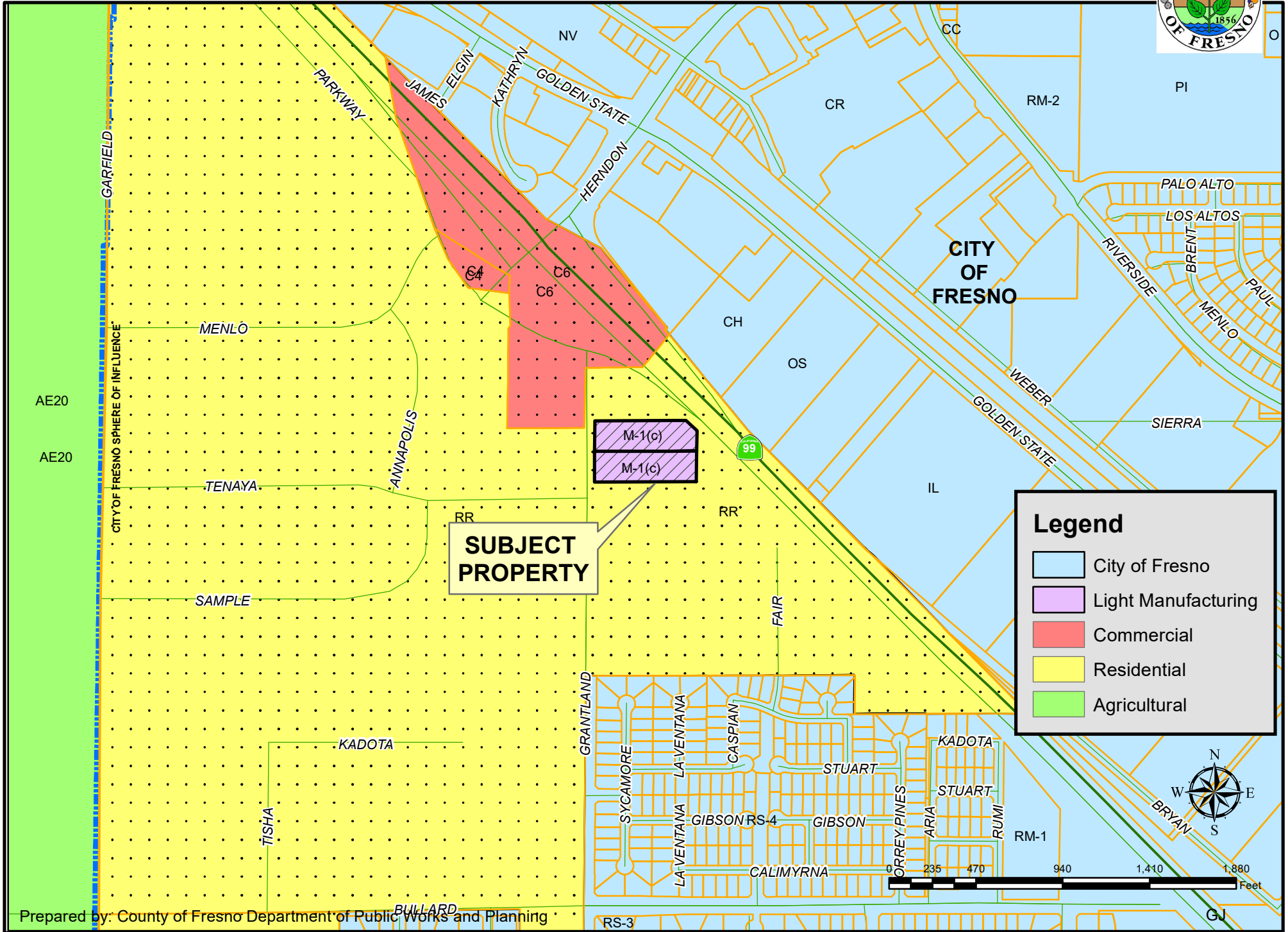
If you have any questions or require any further assistance, please feel free to contact me at (559) 600-4216.

Regards,

Hector E. Luna  
Senior Staff Analyst  
County of Fresno  
Department of Public Works and Planning  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721



# EXISTING ZONING MAP





# Exhibit 4

# EXISTING LAND USE MAP

SPR 8077

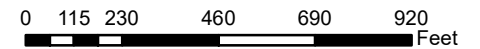


Map Prepared by: KJ  
 G:\360 Days & Print\BLD SFTY Zoning  
 S.P.R.18000-8099\8077\Appeal

LEGEND
ORC - ORCHARD
C - COMMERCIAL
CHU - CHURCH
LODGE
SF#- SINGLE FAMILY RESIDENC
V - VACANT

### LEGEND:

- Subject Property
- City of Fresno Sphere of Influence

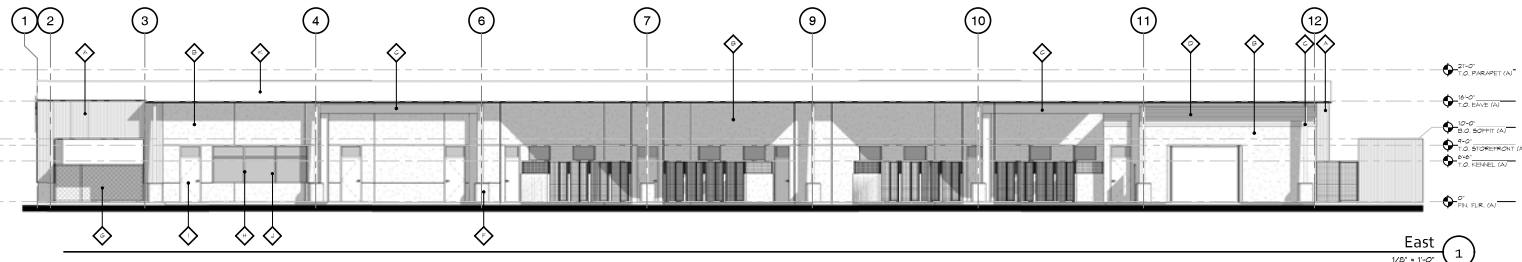
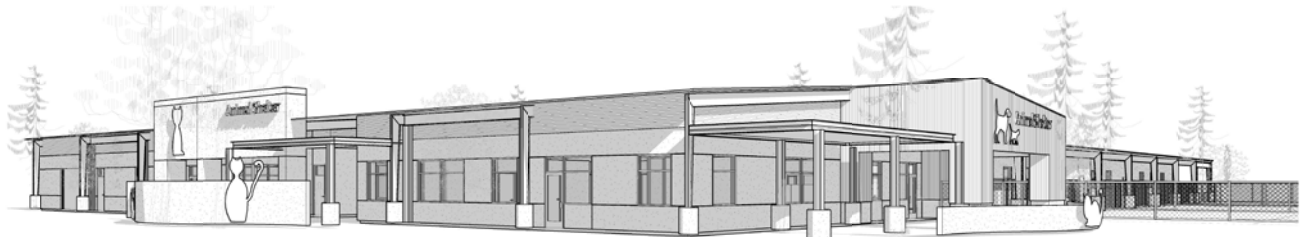


Department of Public Works and Planning  
 Development Services Division

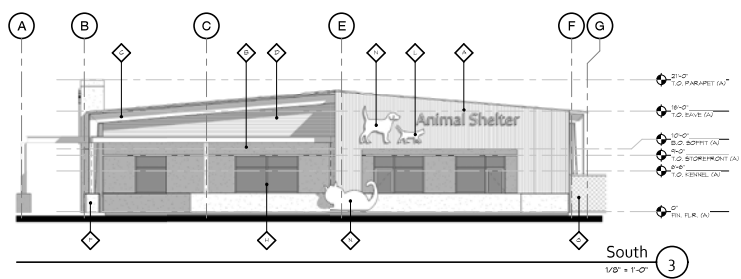




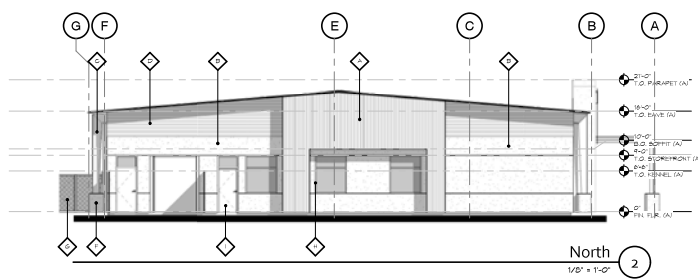
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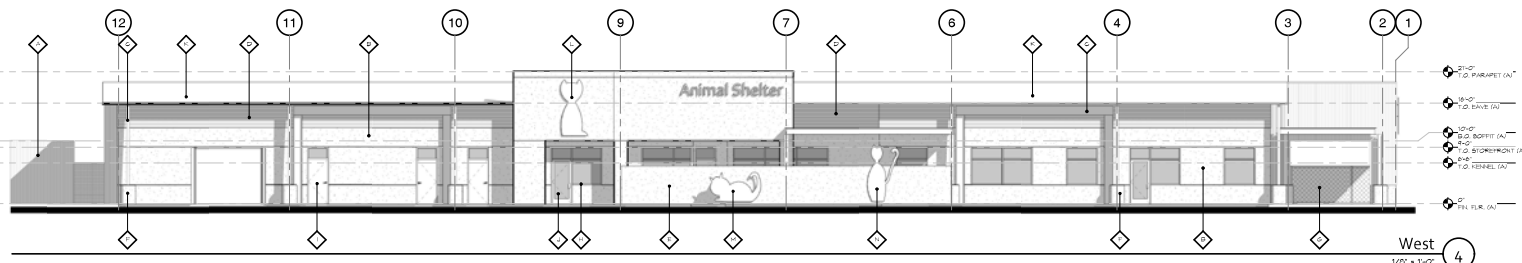
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South  
1/8" = 1'-0" 3



North  
1/8" = 1'-0" 2



West  
1/8" = 1'-0" 4

Keyed Elevation Notes

**FRESNO COUNTY PUBLIC WORKS AND PLANNING DEPARTMENT**

**APPROVED PLAN**

DATE	SPR 8077	DATE	SEP
DATE	OTHER	DATE	BY

**NOTE:**

- 1) THIS APPROVAL IS SUBJECT TO ALL CONDITIONS NOTED HEREON AND IN THE APPROVAL LETTER
- 2) ALL IMPROVEMENTS MUST BE INSPECTED AND APPROVED BY THE DEVELOPMENT SERVICES DIVISION

Finish Schedule

Mark	Manufacturer	Type	Color
1	VECO	Vertical Siding	White
2	VECO	Horizontal Siding	White
3	VECO	Horizontal Siding	White
4	VECO	Horizontal Siding	White
5	VECO	Horizontal Siding	White
6	VECO	Horizontal Siding	White
7	VECO	Horizontal Siding	White
8	VECO	Horizontal Siding	White
9	VECO	Horizontal Siding	White
10	VECO	Horizontal Siding	White
11	VECO	Horizontal Siding	White
12	VECO	Horizontal Siding	White

RECEIVED  
COUNTY OF FRESNO  
January 13, 2016  
DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION  
**SPR 8077**

Exterior Elevations (Building A)



1485 North Van Ness Avenue  
Fresno, California 93728  
559-444-4424  
559-445-2481  
www.itarch.com

Project  
Fresno Humane Animal Services  
N. Grantland Avenue South of Parkway  
Fresno, California 93723

Owner  
Style-Line Construction Inc.  
1817 N. Helm  
Suite #106  
Fresno, California 93727

Publishing Status
Schematic
Design Development
Site Plan Review
Bidding
Plan Check

Revisions

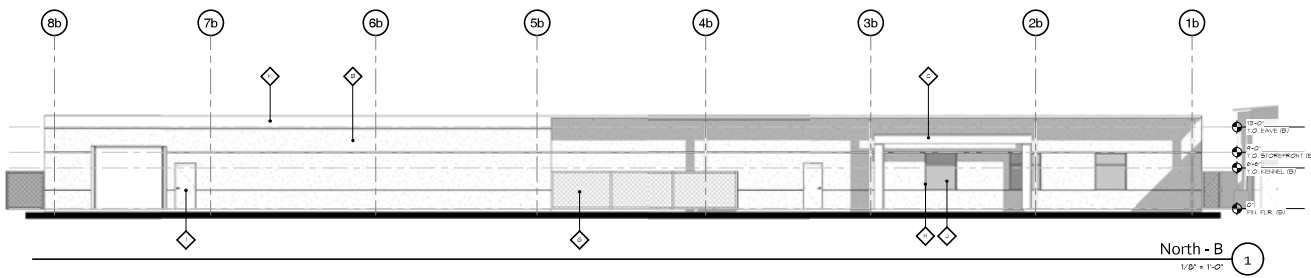
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1/8" = 1'-0"

Project Manager  
MR. ROBERTSON

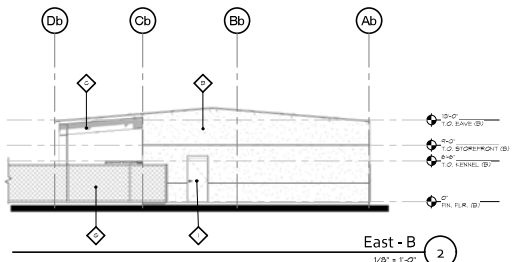
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15-024

Sheet  
A-3.0

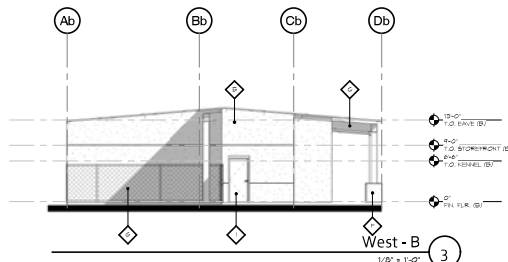
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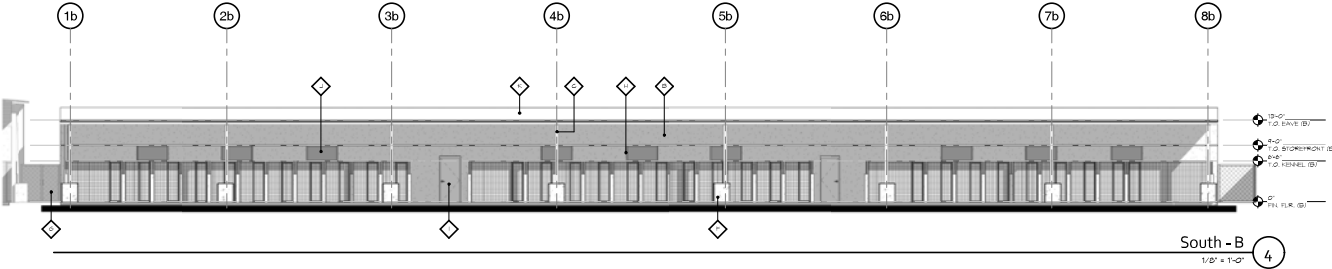
North - B  
1/8" = 1'-0" 1



East - B  
1/8" = 1'-0" 2



West - B  
1/8" = 1'-0" 3



South - B  
1/8" = 1'-0" 4

Finish Schedule			
Mark	Manufacturer	Type	Color
A	Hydra Base	vertical Finishing	White Traffic Red
B	Q	Color Block	White
C	Q	Color Block	White
D	Hydra Base	horizontal Finishing	White
E	Q	Color Block	White
F	Q	Color Block	White
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H	Q	Color Block	White
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X	Q	Color Block	White
Y	Q	Color Block	White
Z	Q	Color Block	White

FRESNO COUNTY PUBLIC WORKS AND PLANNING DEPARTMENT

**APPROVED PLAN**

DRAW	SPR 8077	MVA	BYP
	OTHER	03/08/2019	BY:HEL

**NOTE:**

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RECEIVED  
OPENED FILED

January 13, 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**SPR 8077**



Project

Fresno Humane Animal Services  
N. Grantland Avenue South of Parkway  
Fresno, California 93723

Owner

Style-Line Construction Inc.  
1817 N. Helm  
Suite #106  
Fresno, California 93727

Publishing Status

Schematic

Design Development

Site Plan Review

Bidding

Plan Check

Revisions

1

2

3

4

Scale

1/8" = 1'-0"

Project Manager

MR. ROBERTSON

Project Number

18-024

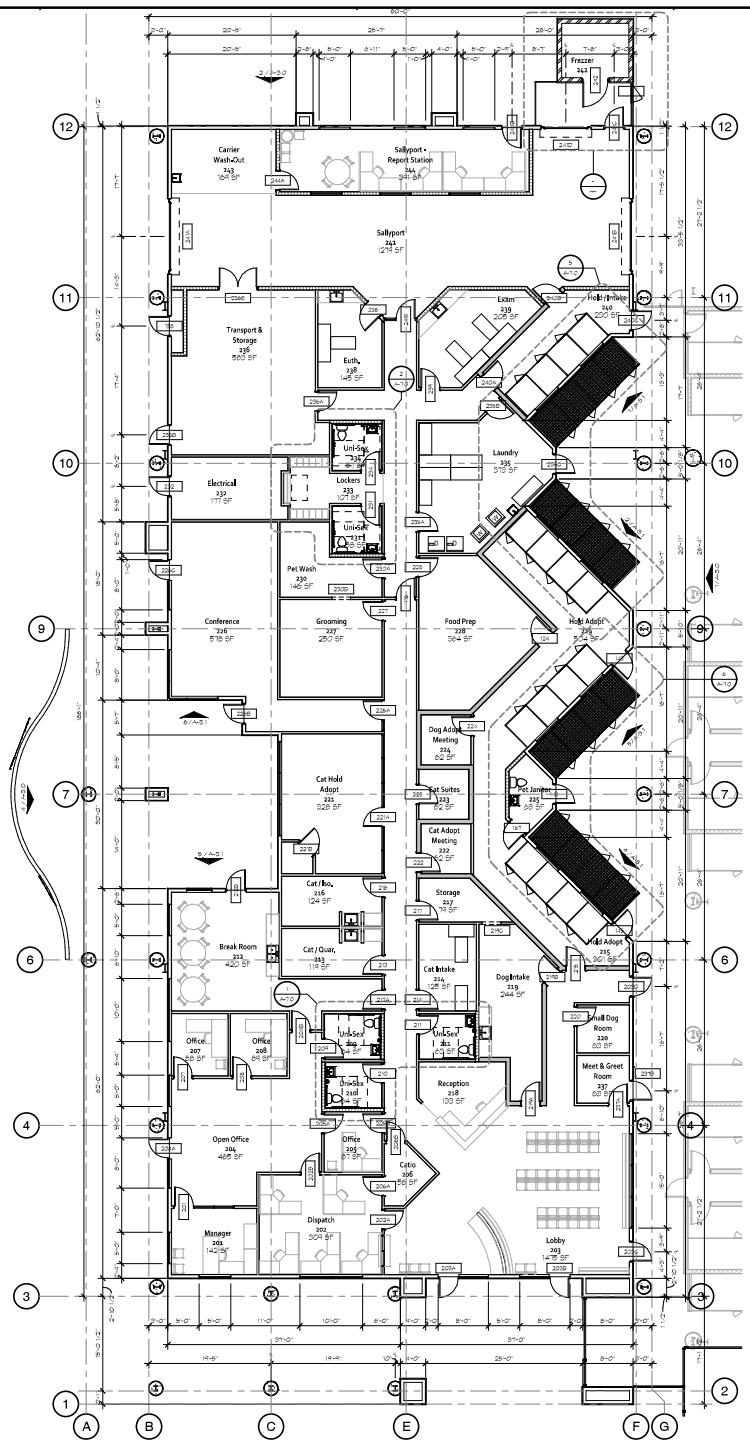
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**A-3.2**

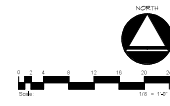
Exterior Elevations (Building B)



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Name	Area
Building A	13371 SF
Building B	1076 SF
Building C	1047 SF
Building D	1047 SF
Building E	1000 SF
Building F	1000 SF
Building G	1000 SF
Building H	1000 SF



**Keyed Floor Plan Notes**

- General Notes**
1. PLANS ARE NOT TO BE SCALED - INDICATED DIMENSIONS SHALL GOVERN.
  2. GENERAL CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY IF ANY DISCREPANCY OR ANOMALY CONDITIONS ARE DISCOVERED.
  3. GENERAL CONTRACTOR SHALL INTERFERE WITH PLUMBING, MECHANICAL, AND ELECTRICAL PLANS TO CORRECT ANY SPECIFIC REQUIREMENTS OF ALL TRADES/PROFESSIONS SHOWN ON PLANS.
  4. GENERAL CONTRACTOR IS RESPONSIBLE TO COORDINATE ALL BLOCKING AND BRACING LOCATIONS AS REQUIRED BY EQUIPMENT, FURNISHINGS, & UTILITY SUPPLIES.
  5. GENERAL CONTRACTOR SHALL VERIFY WITH OWNER FOR ALL INTERIOR FINISHES.
  6. ALL METAL STUD FRAMING SHALL BE INSTALLED PER THE REQUIREMENTS OF DETAIL 2001.
  7. ALL NEW GLAZING SHALL COMPLY WITH THE REQUIREMENTS OF DETAIL 1001-10.
  8. GENERAL CONTRACTOR SHALL GUARANTEE THAT ALL SUB-CONTRACTOR DEVICES INSTALLED OR MODIFIED WITHIN INTERIOR TENANT SPACE MATCH IN COLOR, FINISH, & SWITCH PLATES (IF APPLICABLE, ETC.).
  9. ALL EXTERIOR DRINKING AREAS (FRONTAGE OF SEATING) REFER TO DETAIL 1001-10 (SIDE OF SEAT OR CENTER LINE OF SEATING). ALL INTERIOR DIMENSIONS ARE FRONTAGE OF SEAT.
  10. ALL HOOD STUD FRAMING SHALL BE INSTALLED PER THE REQUIREMENTS OF DETAIL 2001.
  11. PROVIDE 1 1/2" DIA. PORTABLE FIRE EXTINGUISHER (APFA 10L) ONE EXTINGUISHER IS REQUIRED FOR A 2000 SF OR PORTION THEREOF OF SPACE, WITH TRAVEL DISTANCE NOT TO EXCEED 75 FEET. 2000 GALLON SECTION 1008 IS ADDITIONAL REQUIREMENT. ALL BE INSTALLED AT TIME OF TENANT IMPROVEMENT.

- Legend**
- DOOR TAG - REFER TO DOOR SCHEDULE SHEET XXXX
  - WINDOW TAG - REFER TO WINDOW SCHEDULE SHEET XXXX

**FRESNO COUNTY PUBLIC WORKS AND PLANNING DEPARTMENT**  
**APPROVED PLAN**

DATE:	SPR 0077	DATE:	APR 0078	DATE:	APR 0078
BY:	MVS	BY:	BRW	BY:	BRW

**NOTE:**

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**Reference Plan**

RECEIVED  
COURTYARD  
**January 13, 2018**  
DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION  
**SPR 0077**

**Floor Plan - Building A**  
(MAIN ADMIN.)



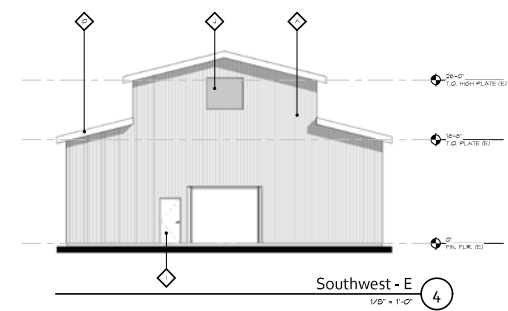
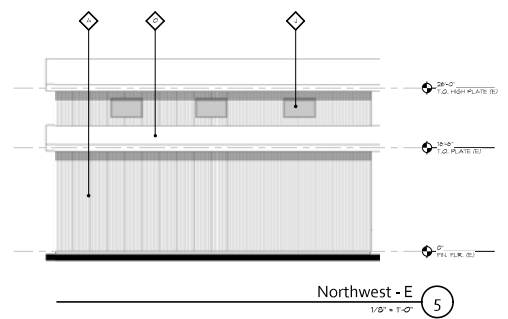
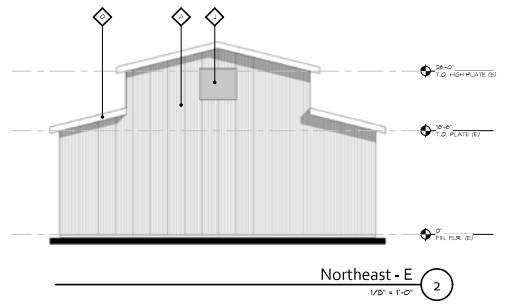
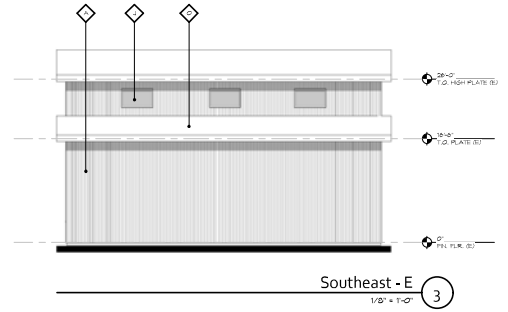
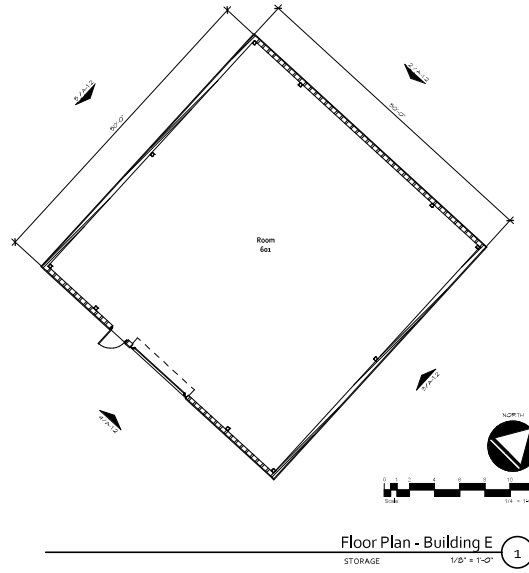
**Project**  
Fresno Humane Animal Services  
N. Grantland Avenue South of Parkway  
Fresno, California 93723

**Owner**  
Style-Line Construction Inc.  
1817 N. Helm  
Suite #106  
Fresno, California 93727

Publishing Status	
Schematic	
Design Development	
Site Plan Review	
Bidding	
Plan Check	
Revisions	
Scale	1/8" = 1'-0"
Project Manager	IAN ROBERTSON
Project Number	18-024
Sheet	<b>A-1.0</b>



ALL DESIGN, DIMENSIONS AND FINISHES ARE SHOWN ON THIS DRAWING AND SHALL BE CONSIDERED TO BE THE FINAL DESIGN. ANY CHANGES TO THE DESIGN SHALL BE MADE BY AN ADDENDUM TO THIS DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND FINISHES ON THE JOB. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.



Mark	Manufacturer	Type	Color
A1	WALL	Vertical Paneling	WALL, Traffic Wood
B1	CEILING	Drop Ceiling	White
C1	CEILING	Drop Ceiling	White
D1	CEILING	Drop Ceiling	White
E1	CEILING	Drop Ceiling	White
F1	CEILING	Drop Ceiling	White
G1	CEILING	Drop Ceiling	White
H1	CEILING	Drop Ceiling	White
I1	CEILING	Drop Ceiling	White
J1	CEILING	Drop Ceiling	White
K1	CEILING	Drop Ceiling	White
L1	CEILING	Drop Ceiling	White
M1	CEILING	Drop Ceiling	White
N1	CEILING	Drop Ceiling	White
O1	CEILING	Drop Ceiling	White
P1	CEILING	Drop Ceiling	White
Q1	CEILING	Drop Ceiling	White
R1	CEILING	Drop Ceiling	White
S1	CEILING	Drop Ceiling	White
T1	CEILING	Drop Ceiling	White
U1	CEILING	Drop Ceiling	White
V1	CEILING	Drop Ceiling	White
W1	CEILING	Drop Ceiling	White
X1	CEILING	Drop Ceiling	White
Y1	CEILING	Drop Ceiling	White
Z1	CEILING	Drop Ceiling	White

**FRESNO COUNTY PUBLIC WORKS AND PLANNING DEPARTMENT**  
**APPROVED PLAN**  
 DRAW: SPR 8077 DATE: 03/09/2019 BY: [Signature]  
**NOTE:** 1) THIS APPROVAL IS SUBJECT TO ALL CONDITIONS NOTED HEREON AND IN THE APPROVAL LETTER.  
 2) ALL IMPROVEMENTS MUST BE INSPECTED AND APPROVED BY THE DEVELOPMENT SERVICES DIVISION.

RECEIVED  
 03/09/2019  
 JANUARY 13, 2016  
 DEVELOPMENT SERVICES DIVISION  
**SPR 8077**

**Floor Plan / Exterior Elevation (Building E)**



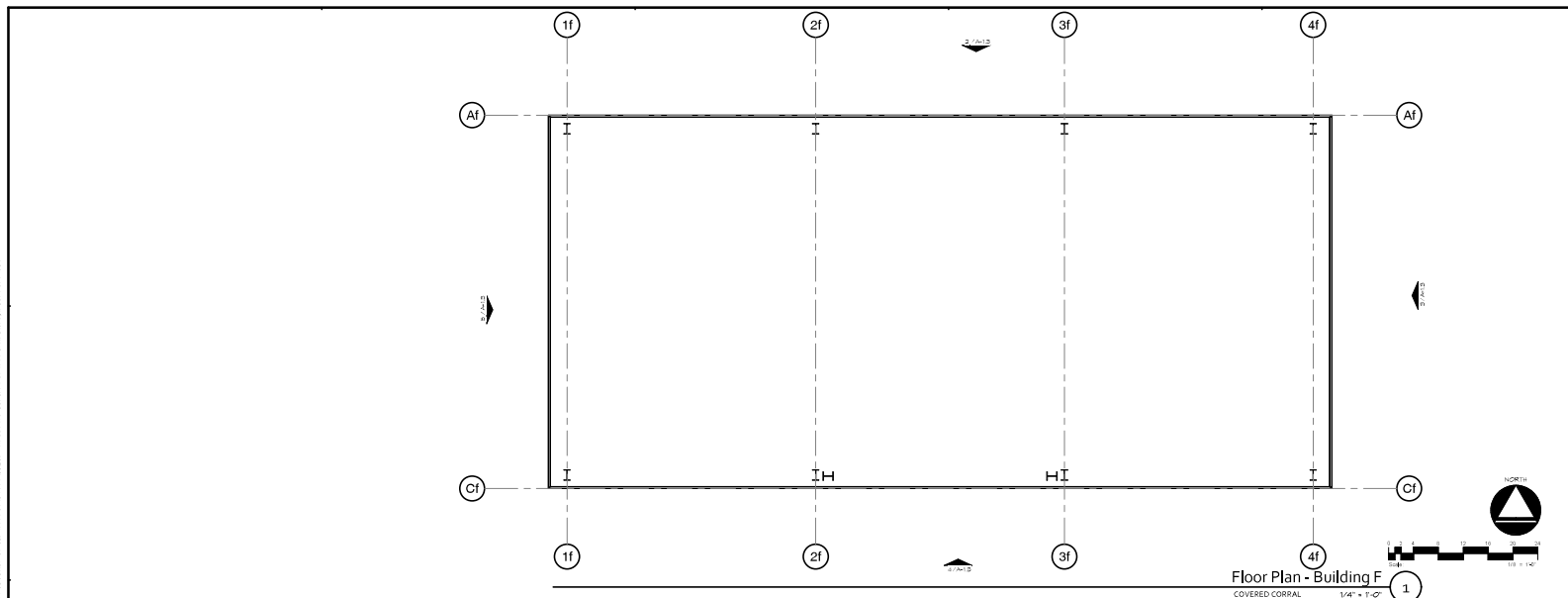
**Project**  
 Fresno Humane Animal Services  
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 Style-Line Construction Inc.  
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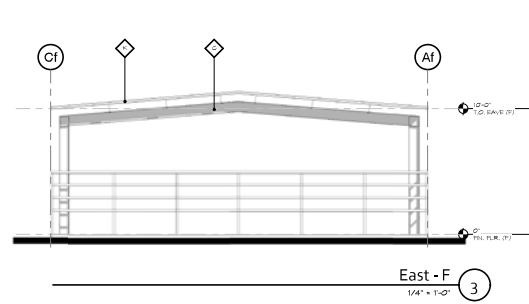
Publishing Status	
Schematic	
Design Development	
Site Plan Review	
Building	
Plan Check	
Revisions	
Scale	1/8" = 1'-0"
Project Manager	MR. ROBERTSON
Project Number	18-024
Sheet	A-1.2



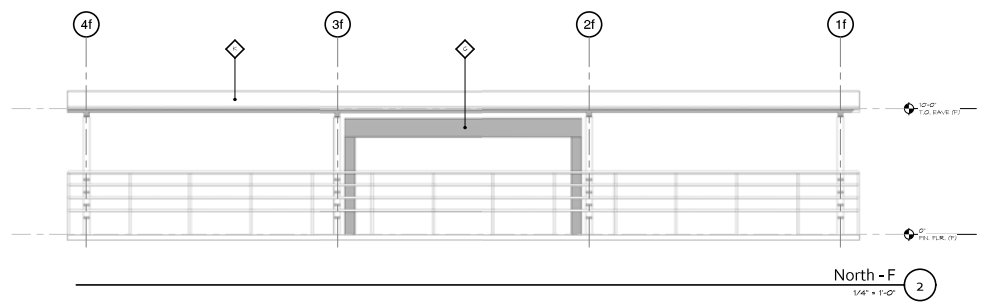
ALL DETAILS, DIMENSIONS AND FINISHES ARE INDICATED OR REPRESENTED BY THE DRAWINGS AND NOTED OR REPRESENTED BY THE PROPERTY OF ARCHITECTURE. ARCHITECTURE, INCORPORATED OR CONSULTANTS, AND ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF ARCHITECTURE, INCORPORATED. THIS DRAWING IS THE PROPERTY OF ARCHITECTURE, INCORPORATED.



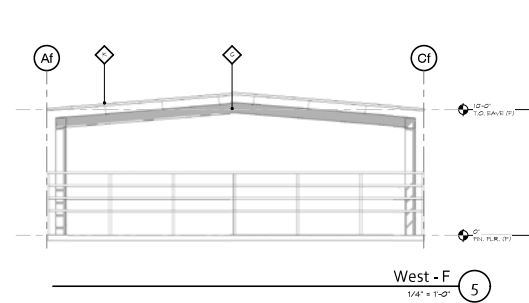
Floor Plan - Building F  
COVERED CORRAL 1/4" = 1'-0"



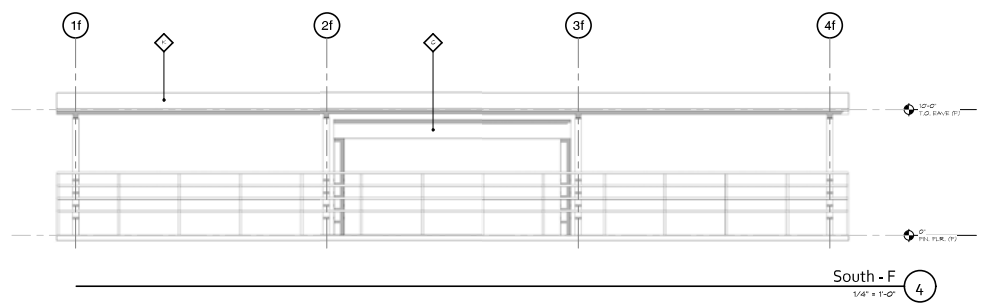
East - F  
1/4" = 1'-0" 3



North - F  
1/4" = 1'-0" 2



West - F  
1/4" = 1'-0" 5



South - F  
1/4" = 1'-0" 4

Mark	Manufacturer	Type	Color
A	Meta Sales	vertical Paneling	PAV. Traffic Med
B	CF	3 Coat Fluorocarbon PVDF	White
C	CF	3 Coat Fluorocarbon PVDF	White
D	Meta Sales	horizontal Paneling	PAV. Silver Gray
E	CF	3 Coat Fluorocarbon PVDF	White
F	CF	3 Coat Fluorocarbon PVDF	White
G	CF	3 Coat Fluorocarbon PVDF	White
H	CF	3 Coat Fluorocarbon PVDF	White
I	CF	3 Coat Fluorocarbon PVDF	White
J	CF	3 Coat Fluorocarbon PVDF	White
K	CF	3 Coat Fluorocarbon PVDF	White
L	CF	3 Coat Fluorocarbon PVDF	White
M	CF	3 Coat Fluorocarbon PVDF	White
N	CF	3 Coat Fluorocarbon PVDF	White
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P	CF	3 Coat Fluorocarbon PVDF	White
Q	CF	3 Coat Fluorocarbon PVDF	White
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S	CF	3 Coat Fluorocarbon PVDF	White
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Y	CF	3 Coat Fluorocarbon PVDF	White
Z	CF	3 Coat Fluorocarbon PVDF	White

**FRESNO COUNTY PUBLIC WORKS AND PLANNING DEPARTMENT**

**APPROVED PLAN**

DATE	SPR 8077	MW	03/08/2019	BYP
OTHER				

**NOTE:**

- THIS APPROVAL IS SUBJECT TO ALL CONDITIONS NOTED HEREON AND IN THE APPROVAL LETTER.
- ALL IMPROVEMENTS MUST BE INSPECTED AND APPROVED BY THE DEVELOPMENT SERVICES DIVISION.

RECEIVED  
COUNCIL/COMMISSION  
January 13, 2018  
DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION  
**SPR 8077**

Floor Plan / Exterior Elevation (Building F)



**Project**  
Fresno Humane Animal Services  
N. Grantland Avenue South of Parkway  
Fresno, California 93723

**Owner**  
Style-Line Construction Inc.  
1817 N. Helm  
Suite #106  
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**Publishing Status**

Schematic

Design Development

Site Plan Review

Bidding

Plan Check

**Revisions**

Scale: 1/4" = 1'-0"

Project Manager: VAN ROBERTSON

Project Number: 18-024

Sheet: **A-1.3**

**Exhibit 6**

**REQUIRED FINDINGS NECESSARY FOR THE APPROVAL  
OF A SITE PLAN REVIEW APPLICATION AS SPECIFIED  
IN THE FRESNO COUNTY ZONING ORDINANCE**

1. **Zoning Ordinance Compliance**
2. **Traffic Congestion, Pedestrian and Vehicular Safety and Welfare, and Adverse Effects on Surrounding Property**
3. **Lighting Effects on Adjoining Properties**
4. **Sign Interference with Traffic and Visibility**



## Exhibit 7

# Board Agenda Item 11

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DATE: October 23, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Initial Study Application No. 7359, General Plan Amendment Application No. 552,  
and Amendment Application No. 3825 (Applicant: Fresno Humane Animal Services)  
CONTINUED FROM SEPTEMBER 11, 2018

RECOMMENDED ACTION(S):

1. **Consider and adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7359 including the Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. 552 and Amendment Application No. 3825, amending the Fresno County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial to permit an animal hospital/shelter and associated uses.**
2. **Approve Ordinance pertaining to Amendment Application No. 3825 thereby rezoning the subject 4.15-acre site from R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to M-1(c) (Light Manufacturing, Conditionally limited to animal hospital/shelter) Zone District.**
3. **Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance and direct the Clerk of the Board to post and publish the required summary in accordance with California Government Code, Section 25124(b)(1).**
4. **Adopt Resolution approving General Plan Amendment Application No. 552 as the Second General Plan Amendment of the Agriculture and Land Use Element of the Fresno County General Plan for 2018.**

**The subject parcels are located on the east side of N. Grantland Avenue, between N. Parkway Drive and W. Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (APN 504-081-02S and -03S).**

The recommended actions were originally before your Board on September 11, 2018 following a July 26, 2018 recommendation for approval by the Planning Commission (5 to 4). The recommended actions, which consist of amending the General Plan to redesignate two adjacent parcels and rezone the subject property to permit an animal hospital/shelter and associated uses, requires final action from your Board per Fresno County Zoning Ordinance and State planning law. A summary of the Planning Commission's action is included in Attachment A.

During the September 11, 2018 meeting, after receiving public testimony both in favor and in opposition to

the recommended actions, your Board voted unanimously (5 to 0) to continue the item to today's Board Meeting to allow the Applicant additional time to conduct public outreach with concerned residents and to allow Department of Public Works and Planning staff the opportunity to review certain conditions of approval.

This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

If your Board determines that the proposed General Plan Amendment to re-designate two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial is not consistent with the General Plan, a motion to deny General Plan Amendment Application No. 552 and concurrent Amendment Application No. 3825 would be appropriate.

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the Applicant has paid \$16,045 in land use processing fees to the County for the processing of Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825.

DISCUSSION:

A General Plan Amendment (GPA) and rezoning (Amendment Application) are legislative actions requiring final approval by your Board. Final action by your Board is also required for the adoption of the Mitigated Negative Declaration prepared for the Initial Study filed concurrently with the GPA and rezoning. If approved, the GPA and rezoning would become effective 30 days after approval.

At the September 11, 2018 Board Meeting, a number of speakers provided testimony in either support of or in opposition to the proposal. Speakers in opposition expressed concern that future development of the site per the rezoning request (animal hospital/shelter) would exacerbate traffic congestion, generate noise and odor issues, and present a hazardous situation for neighboring uses. Other concerns were articulated in written correspondence received prior to the Board Meeting, which included part of the Reference Material associated with the September 11, 2018 item.

Project representatives stated that if the property, which is located within the City of Fresno's Sphere of Influence, developed according to the site's City of Fresno General Plan designation of Business Park, potential uses could be much more intensive in regards to traffic and noise than the proposed use. Additionally, the property owner provided testimony regarding his concerns with the cost associated with the on-site irrigation pipeline improvements requested by Fresno Irrigation District (FID) and its potential burden on a non-profit organization.

At the conclusion of public testimony, your Board continued the item to today's date. In the continuance action, your Board requested that the Applicant to address the concerns through public outreach by meeting with property owners, and directed Department staff to review project conditions of approval including a condition related to Fresno Irrigation District (FID) Epstein No. 48 pipeline, which runs along the north property line of the project site.

Following the September 11, 2018 meeting, Department staff was advised by the Applicant that a public information meeting had been scheduled for October 10, 2018. Staff provided the Applicant a map and list of property owners that were provided notice of the land use application. During today's meeting, staff will provide a verbal update on the outcome of the public information meeting held by the Applicant.

Department staff reviewed the project conditions of approval and recommends modification of an existing condition and the addition of three additional conditions to address neighborhood concerns. Staff is also recommending inclusion of a condition requiring indemnification.

To address your Board's concerns regarding the FID-related project conditions of approval, staff recommends replacing existing project Condition of Approval No. 5 with the following revised condition language:

- *Prior to the issuance of permits, evidence from Fresno Irrigation District (FID) must be provided demonstrating that issues related to the on-site FID improvements (Epstein No. 48 pipeline) have been satisfied.*

Finally, staff recommends that if your Board approves the request, the following indemnification condition be included:

- *The Applicant shall enter into an agreement indemnifying the County for all legal costs associated with its approval of General Plan Amendment Application No. 552, and Amendment Application No. 3825.*

If your Board determines that proposed General Plan Amendment No. 552 and its associated rezoning are consistent with the General Plan, a motion to approve would be appropriate stating in its motion that your Board is:

- Adopting the Mitigated Negative Declaration prepared for Initial Study No. 7359;
- Adopting a resolution approving General Plan Amendment No. 552 to re-designate the subject 4.15 acres from Rural Density Residential to Limited Industrial as the second General Plan Cycle of 2018; and,
- Approve the Ordinance pertaining to Amendment Application No. 3825, rezoning the subject 4.15 -acre site from the R-R(nb) to the M-1(c) Zone District, limited to animal hospital/shelter and associated uses with mitigation measures, conditions of approval and project notes as listed as Exhibit B of Attachment A, with modification to Condition No. 5 related to on-site FID improvements and the inclusion of additional conditions of approval as recommended by Department staff.

The proposed Mitigated Negative Declaration prepared for Initial Study No. 7359 is included as Attachment D.

If your Board determines that the rezoning is not consistent with the General Plan, denial of the applications would then be appropriate citing the reasons for denial and the proposal's inconsistency with the General Plan.

REFERENCE MATERIAL:

BAI #10 - September 11, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachments A - D  
Ordinance  
On file with Clerk - Resolution  
On file with Clerk - Ordinance Summary

CAO ANALYST:

Sonia M. De La Rosa



## Inter Office Memo

---

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

DATE: July 26, 2018

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12726 - INITIAL STUDY APPLICATION NO. 7359, AMENDMENT APPLICATION NO. 3825, and GENERAL PLAN AMENDMENT APPLICATION NO. 552

APPLICANT: Fresno Humane Animal Services

OWNER: WESCLO, LP

REQUEST: Amend the County General Plan designation for two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezone the subject parcels from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses related to an animal hospital and shelter.

LOCATION: The subject property is located on the east side of North Grantland Avenue between North Parkway Drive and West Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (SUP. DIST. 1) (APN 504-081-02S/03S).

### PLANNING COMMISSION ACTION:

At its hearing of July 26, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Burgess to recommend to the Board of Supervisors adoption the Mitigated Negative Declaration prepared for Initial Study Application No. 7359; approval of General Plan Amendment Application No. 552 and Amendment Application No. 3825; and direct the Secretary to prepare a resolution recommending that the proposed changes to the County General Plan and approval of the proposed rezone are consistent with the Fresno County General Plan, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING:      Yes:            Commissioners Abrahamian, Burgess, Delahay, Hill and Vallis  
                  No:            Commissioners Chatha, Ede, Eubanks and Lawson  
                  Absent:        None  
                  Abstain:       None

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

By:   
\_\_\_\_\_  
William M. Kettler, Manager  
Development Services and Capital Projects Division

WMK:ksn  
G:\4360Devs&Plan\ADMIN\BOARD\Board Items\2010-2019\2018\9-11-18\GPA 552 and AA 3825\Attachment A AA 3825 GPA 552 Reso.docx

Attachments

EXHIBIT A

Initial Study Application No. 7359  
General Plan Amendment Application No. 552  
Amendment Application No. 3825

Staff: The Fresno County Planning Commission considered the Staff Report dated July 26, 2018, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- The project will be limited to a single use and will be a state-of-the-art animal hospital and shelter.
- The services will include a spay and neuter program, animal vaccinations, drop-off location for deceased animals, and pet adoption center.
- We held a community meeting and there were 40 members of the public in support and one in opposition.
- The facility will be fenced and secured; there will be no odors; and deceased animals will be stored in a cold box for weekly collection and removal.

Others: Eight individuals, representing the neighborhood and animal service providers spoke in favor of the application:

- The facility is needed and is welcomed in my neighborhood.
- This is an accessible location, near the freeway, and people do not want to go to an out-of-the-way location to adopt a pet.
- The shelter will be designed to mitigate noise and odor; the noise from the adjacent freeway is louder than the proposed facility; and animals will be kept inside at night.
- Any animals that are dumped at the facility after hours, will be captured and taken in by the shelter operators; animal dumping is a countywide issue.
- The shelter operators will provide education programs to the community regarding proper animal treatment, care, and laws.



Three individuals, representing the neighborhood spoke in opposition to the application:

- I am concerned dead animals will be left out causing odors and disease; the dead animals will draw coyotes to the neighborhood; and animals will be dumped at the site.
- This type of facility does not belong in a residential neighborhood or near a school; and the City of Fresno is planning a different use for this site.
- The facility will bring extra traffic to the neighborhood, which already has heavy traffic.

No other individuals presented information in support of or in opposition to the application.

Correspondence: Three letters were presented to the Planning Commission in opposition to the application citing concerns with land use compatibility, traffic, noise, odor, health and safety, and animal dumping should the proposal be approved.

**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825**  
**(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Landscaping, consisting of trees and shrubs, shall be planted and maintained along the Grantland Avenue frontage of the project. A detailed landscape plan, prepared by a licensed Landscape Architect, shall be submitted for review and approval as part of the mandatory Site Plan Review process for this project. All landscaping shall be planted prior to final occupancy of the development. The landscaping and the irrigation system shall be maintained as long as the facility is in operation.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy
2.	Aesthetics	All lighting shall be hooded and directed as to not shine toward adjacent property and public streets.	Applicant	Applicant/ Public Works and Planning	Ongoing
3.	Hydrology and Water Quality	The project shall connect to the City of Fresno sewer and water services.	Applicant	Applicant/ Public Works and Planning/ City of Fresno Public Utilities Department	Prior to final occupancy
4.	Transportation/ Traffic	The project shall add transition paving between Tenaya Avenue and the southern project boundary and north of the project based on a 45 MPH speed as recommended in the Traffic Impact Study.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy
5	Transportation/ Traffic	The project shall implement a Class II Bike Lane facility along its frontage on Grantland Avenue as recommended in the Traffic Impact Study.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy

\*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.

### Conditions of Approval

1.	The M-1 (Light Industrial) uses allowed on the property shall be limited to Animal Hospitals and Shelters, subject to the Property Development Standards in Section 843.5 except as modified for building height and setbacks below.
2.	No buildings or structures shall have a height greater than 35 feet.
3.	On-site development shall provide front-yard (Grantland Avenue) landscaping. The Requirements of Section 820.5-E, (Rural Residential Zone District, Yards) shall apply for the front-yard, side-yard, and rear-yard setbacks for development in this M-1(c) Zone District.
4.	Prior to development, the project shall construct all street frontage improvements along the project frontage of Grantland Avenue, per City of Fresno standards, including any dedications of required right-of-way for those improvements.
5.	<p>Fresno Irrigation District (FID) Facility (Epstein No. 48 Pipeline) partially exists on the project site and shall be protected prior to any County approval action on any grading and drainage plans, or construction and landscaping plans; the County shall route said plans to FID for review and comment. The County shall consider FID input with the intent to ensure that proposed development will not endanger the structural integrity of the pipeline or result in drainage patterns that could adversely affect the on-site FID facilities. FID easements shall be shown on all plans submitted to the County for review.</p> <ol style="list-style-type: none"> <li>a) Footings and retaining walls shall not encroach into the FID easement and all soil and stockpile shall be kept outside of the easement.</li> <li>b) Large earthmoving equipment (paddle wheel scrapers, graders, and excavators) shall be prohibited within the FID easement.</li> <li>c) Prior to development, the Project Developer shall coordinate with FID concerning Note No. 15 listed under "Notes" which addresses Agreement No. 143033 recorded on December 10, 1979 (Book 7427, Page 961). Prior to issuance of final occupancy, the Project Developer shall provide evidence to the County that the terms of this Agreement have been satisfied through either pipeline replacement as stipulated, or entering into a revised agreement between FID and the property owner to supersede the 1979 Agreement with new terms satisfactory to both the Project Developer and FID.</li> </ol>

### Notes

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

1.	An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.
2.	A grading permit or voucher is required for any grading that has been done without permit and any grading proposed with this application. Any additional 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.

Notes	
3.	Any work done within the right-of-way to construct a new driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
4.	Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
5.	If not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back out onto the roadway.
6.	If not already present, 10' x 10' corner cutoffs will need to be improved for sight distance purposes at the driveway onto Grantland Avenue.
7.	The property is subject to the provisions of the Fresno County Parcel Map Ordinance. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022.
8.	The proposed development encompasses two legal lots; a parcel merger of said lots is required in order to conform to all zoning requirements, prior to development.
9.	A Site Plan Review will be required to be submitted to and approved by the Fresno County Department of Public Works and Planning prior to the issuance of any permits in the M-1 Zone District.
10.	The subject site will be required to pay the Fresno Metropolitan Flood Control District drainage fees at the time of any development based on the fee rates in effect at that time. Current drainage fees for development are estimated to be \$54,410.
11.	The Fresno Metropolitan Flood Control District (District) requires that the storm drainage patterns for the development conform to the District's Master Plan. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. Construction requirements will be addressed with future entitlements on the property that may include street reconstruction.
12.	The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability the Fresno Metropolitan Flood Control District to operate and maintain the canal or pipeline.
13.	Construction activity, including grading, clearing, grubbing, filling, excavation, development or redevelopment of land that results in a disturbance of one (1) acre or more of the total land area, or less if part of a larger plan of development or sale, must secure a storm water discharge permit in compliance with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System regulations (CFR Parts 122-124, Nov. 1990). The permit must be secured by filing a Notice of Intent for the State General Permit for Construction Activity with the State Water Resources Control Board. The notice must be filed prior to the start of construction.

<b>Notes</b>	
14.	As part of the mandatory Site Plan Review Process, new development on this parcel shall be submitted to the San Joaquin Valley Unified Air Pollution Control District to determine if an Indirect Source Review application is required.
15.	<p>Fresno Irrigation District's (FID's) active Epstein No. 48 pipeline runs northwesterly and traverses the north and eastern portions of the subject property, in a 40-foot-wide perpetual and exclusive easement, recorded November 21, 1979 as Document Number 143033, Official Records of Fresno County, and crosses Grantland Avenue approximately 100 feet north of the subject property. The southern 15 feet of this easement is on the subject property. The terms of this Agreement include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) FID's right of ingress to and egress from the easement over and across the real property of the Owners in a covenant and agreement that no building, fence or other structure shall be constructed, and no trees, vines or shrubs shall be planted or maintained upon the easement without the consent of FID.</li> <li>b) Should the property described in the Agreement, be developed in either commercial or residential use, the existing 48" inside diameter irrigation pipeline shall be replaced, at the Property Owner's expense, with a 48" inside diameter, rubber gasketed reinforced concrete pipeline as may be required by FID.</li> </ul>
16.	All abandoned wells and septic systems located on the property shall be destroyed by a licensed contractor under permit by the County of Fresno.

MM:ksn  
G:\4360Devs&P\In\PROJSEC\PROJDOCS\IAA\3800-3899\3825 - See GPA 552\SR\AA 3825 GPA 552 MMRP (Ex 1).docx

EXHIBIT "C"

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study Application No. 7359  
General Plan Amendment Application No. 552  
Amendment Application No. 3825

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

Initial Study Application	\$ 5,151.00 <sup>1</sup>
General Plan Amendment Application	\$ 3,500.00 <sup>2</sup>
Amendment Application	\$ 6,214.00 <sup>2</sup>
Public Health Department Review	\$ <u>1,180.00<sup>3</sup></u>
<b>Total Fees Collected</b>	<b>\$ <u>16,045.00</u></b>

<sup>1</sup> Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.
<sup>2</sup> Review and research, engaging with reviewing departments and multiple agencies, staff's analysis, Staff Report and Board Agenda Item preparation, public hearings before County Planning Commission and County Board of Supervisors.
<sup>3</sup> Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division.



## Planning Commission Staff Report Agenda Item No. 2 July 26, 2018

**SUBJECT:** Initial Study Application No. 7359, General Plan Amendment Application No. 552 and Amendment Application No. 3825

Amend the County General Plan designation for two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezone the subject parcels from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses related to an animal hospital and shelter.

**LOCATION:** The subject property is located on the east side of North Grantland Avenue between North Parkway Drive and West Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (SUP. DIST. 1) (APN 504-081-02S/03S).

**OWNER:** Wesclo, LP  
**APPLICANT:** Fresno Humane Animal Services

**STAFF CONTACT:** Marianne Mollring, Senior Planner  
Initial Study/Amendment Application Information  
(559) 600-4569

Mohammad Khorsand, Senior Planner  
General Plan Amendment Application Information  
(559) 600-4239

Chris Motta, Principal Planner  
(559) 600-0422



**RECOMMENDATION:**

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7359; and
- Recommend that the Board of Supervisors approve General Plan Amendment (GPA) No. 552 amending the County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial as the second General Plan Amendment Cycle in 2018; and
- Recommend that the Board of Supervisors approve Amendment Application (AA) No. 3825 to rezone two adjacent parcels totaling 4.15 acres from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal shelter/animal hospital and associated uses; and
- Direct the Secretary to prepare a Resolution forwarding GPA No. 552 and AA No. 3825 to the Board of Supervisors with a recommendation for approval, stating that the proposed changes to the County General Plan and rezoning request are consistent with the Fresno County General Plan.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Land Use Map
4. Existing Zoning Map
5. Uses Allowed Under the Current Zoning
6. Use Allowed Under the Proposed Zoning
7. Summary of Initial Study Application No. 7359
8. Draft Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Rural Residential	Limited Industrial
Zoning	R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District	M-1(c) (Light Manufacturing, Conditional) Uses limited to an animal hospital and shelter
Parcel Size	2.09 acres (APN 504-	No change

Criteria	Existing	Proposed
	081-03S) 2.06 acres (APN 504-081-02S)	
Project Site	Vacant	Amend the County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezone the site from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to the M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses (uses related to an animal hospital and shelter).
Structural Improvements	None	No Change
Nearest Residence	150 feet west of the project site	No Change
Surrounding Development	Social lodge, churches, elementary school, and single-family residences	No change
Operational Features	None	See "Project Site" above
Employees	N/A	No direct change proposed. Rezoning would allow by-right development of an animal hospital/shelter.
Customers/Supplier	N/A	No direct change proposed. Rezoning would allow by-right development of an animal hospital/shelter.
Traffic Trips	None	No direct change proposed. Rezoning would allow by-right development of an animal hospital/shelter.
Lighting	None	No direct change proposed. Rezoning would allow by-right development of an animal hospital/shelter.
Hours of Operation	N/A	No direct change proposed. Rezoning would allow by-right development of an animal hospital/shelter.

### Setback, Separation and Parking

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	R-R Zone District: Front: 35 feet Sides: 20 feet Rear: 20 feet	M-1 Zone District: Front: 15 feet Sides: 15 feet Rear: 15 feet	No direct change proposed. Rezoning would allow by-right development of an animal hospital/shelter.
Parking	One (1) parking space for every dwelling unit	One (1) off-street space for each two (2) permanent employees	No direct change proposed. Rezoning would allow by-right development of an animal hospital/shelter.
Lot Coverage	No requirement	No requirement	N/A
Separation between Buildings	Six-foot minimum	No requirement	N/A
Wall Requirements	No wall requirement	Six-foot-high solid masonry wall	N/A
Septic Replacement Area	100 percent for the existing system	City of Fresno sewer system	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	City of Fresno water system	Yes

### Circulation and Traffic

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Grantland Avenue; Excellent condition	No change
Direct Access to Public Road	Yes	N/A	N/A
Road ADT		7,500	No change
Road Classification		Arterial	No change

		Existing Conditions	Proposed Operation
Road Width		20 feet east of section line	No change
Road Surface		Asphalt paved; pavement width 21.4 feet	No change
Traffic Trips		None	Increase associated with development
TIS Prepared	Yes	N/A	TIS required by the Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		Excellent condition	No change

### Surrounding Properties

	Size:	Use:	Zoning:	Nearest Residence:
North	2.01 acres	Church	R-R	None
South	2.05 acres	Vacant/Social Lodge	R-R	960 feet
East	3.0 acres	Vacant/SR 99	R-R	None
West	2.01 acres	Single-family residence, Church	R-R	150 feet

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

### ENVIRONMENTAL ANALYSIS

Initial Study Application No. 7359 was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 7. The Initial Study has been revised to delete Mitigation Measure 2, under Section I Aesthetics. The six-foot masonry wall is required by the M-1 (Light Industrial) Section of the Zoning Ordinance.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: June 8, 2018.

### PUBLIC NOTICE:

Notices were sent to 58 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

Should the Planning Commission recommend approval, a subsequent hearing date before the Board of Supervisors (BOS) will be scheduled as close to the Commission's action as practical to make the final decision on the General Plan Amendment and rezoning request. Staff is currently targeting a Board of Supervisors hearing date in September 2018. Once scheduled, a separate notice of that hearing will be provided to the Applicant, surrounding property owners and other interested parties.

**PROCEDURAL CONSIDERATIONS:**

A General Plan Amendment and rezoning (Amendment Application) are legislative acts requiring final action by the Board of Supervisors. A decision by the Planning Commission in support of General Plan Amendment and rezoning request is an advisory action requiring an affirmative vote of the majority of its total membership. A recommendation for approval is then forwarded to the Board of Supervisors for final action. A Planning Commission decision to deny a General Plan and rezoning, however, is final unless appealed to the Board of Supervisors.

**BACKGROUND INFORMATION:**

The subject property currently has a General Plan designation of Rural Residential and is zoned R-R(nb) (Rural Residential, Neighborhood Beautification Overlay). The zoning was enacted on August 31, 1976 by the County Board of Supervisors (Amendment Application No. 2870) during a broad-scale rezoning associated with the update of the County General Plan, which involved rezoning a large portion of land west of the City of Fresno from agricultural zoning to the R-R Zone District and changing the underlying General Plan designation to Rural Residential. The rezoning extended west to Grantland Avenue, and the subject parcels (which are located on the east side of Grantland Avenue and thus within that new Rural Residential area) were encompassed within the rezoning and re-designation.

The project site is located in an area of mixed uses including residential, school, churches, vacant land, and a social lodge. The area to the west of the parcel across Grantland Avenue is zoned R-R and is developed with single-family residences, a church, and an elementary school. The property to the north is a church; to the east is a vacant parcel and State Route 99; and south is vacant land and a social lodge, all zoned R-R. Further south is a single-family residential neighborhood within the City of Fresno, and to the southwest is the Herndon-Barstow Elementary School. The subject parcels are currently vacant.

Other non-residential land uses approved in the vicinity include:

Application No.	Project Description	Status	Date of Action
Conditional Use Permit (CUP) No. 3234	Allow a church, 6343 N. Grantland (APN 504-040-65)	Planning Commission Approved	2/3/2009
CUP No. 2289 CUP No. 2601	Allow a social club, 6176 N. Grantland (APN 504-081-07S)	Planning Commission Approved	10/9/1986 1/20/1993
CUP No. 1861	Allow a church, 6438 N. Grantland (APN 504-081-01S)	Planning Commission Approved	4/8/1981

Under the subject proposal, the Applicant is proposing to amend the County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezone the parcels from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses (uses related to an animal hospital and shelter).

Although the proposed General Plan Amendment and Rezone applications would allow establishing an animal hospital/shelter as a by-right use, the development of the subject site into an allowed use would require approval of a Site Plan Review to ensure compliance with the development standards of the proposed M-1(c) Zone District.

**ANALYSIS/DISCUSSION/GENERAL PLAN CONSISTENCY:**

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-F.29, criteria a, b, c, d: County may approve rezoning requests for new industrial development, provided that the project’s operational measures protect public health, safety, and welfare; project provides adequate off-street parking; project maintains non-objectionable use areas adjacent to abutting properties; and project limits the industry’s size, time of operation, or length of permit.</p>	<p>The subject site (two adjacent parcels totaling 4.15 acres) is not developed. The rezoning will allow an animal hospital/shelter by right. The proposal is consistent with Policy LU-F.29.</p>
<p>General Plan Policy LU-F.30: County shall generally require community sewer and water services for industrial development.</p>	<p>The proposed parcels will be required to connect to City of Fresno services at the time of development. No concerns relating to sewer and water services were expressed by the Fresno County Department of Public Health, Environmental Health Division.</p>
<p>General Plan Policy LU-F.31: To the extent feasible, the County shall require that all industrial uses located adjacent to planned non-industrial areas or roads carrying significant non-industrial traffic be designed with landscaping and setbacks comparable to the non-industrial area.</p>	<p>The proposed Mitigation Measures, Conditions of Approval, and mandatory Site Plan Review will ensure compatible landscaping and setbacks consistent with the surrounding Rural Residential Zone District.</p>
<p>General Plan Policy LU-F.32: Since access to industrial areas by way of local roads not designed for industrial traffic is generally inappropriate, the County may require facility design, traffic control devices, and appropriate road closures to eliminate this problem.</p>	<p>Any development proposed for the site will be required to provide street improvements to City of Fresno standards, including sidewalk, curb and gutter, and a Class II bicycle lane. The Conditional M-1 Zoning limits the use to an animal hospital/shelter, with limited, non-industrial traffic generation.</p>
<p>General Plan Policy LU-F.33: The County shall require that permanent parking facilities permitted within designated</p>	<p>Any development proposed for the site will be required to provide on-site parking conforming to the M-1(c) Zone District standards and be</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>industrial areas be designed to be compatible with the surrounding land use patterns.</p>	<p>approved through Site Plan Review.</p>
<p>General Plan Policy LU-G.1: The County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.</p> <p>General Plan Policy LU-G.14: The County shall not approve any discretionary permit for new urban development within a city's sphere of influence unless the development proposal has first been referred to the city for consideration of possible annexation pursuant to the policies of this section and provisions of any applicable city/county memorandum of understanding.</p>	<p>This application was referred to the City of Fresno for processing and annexation. The City of Fresno declined annexation and released the application for processing by the County on May 23, 2017.</p>
<p>General Plan Policy TR-A.7: County shall assess fees on new development sufficient to cover the fair share portion of that development's impacts on the local and regional transportation system.</p> <p>General Plan Policy TR-A.8: County shall ensure that land development that affects roadway use or operation, or requires roadway access to plan, dedicate, and construct required improvements is consistent with the criteria in the Circulation Diagram and Standards section of the General Plan.</p>	<p>This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning. The project required a Traffic Impact Study (TIS) to determine requirements and traffic mitigation.</p> <p>According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the total existing right-of-way east of the section line for the portion of Grantland Avenue which fronts the subject property is 20 feet. Due to this portion of Grantland Avenue being classified as an Arterial, the minimum right-of-way required for Grantland Avenue is 53 feet east of the section line. Any future development activity will be required to provide full right-of-way and street improvements to City of Fresno standards.</p>

**Reviewing Agency/Department Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject property is designated Rural Residential in the General Plan. The Applicant is proposing to rezone the subject property from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to the M-1(c) (Light Manufacturing, Conditional) Zone District to allow a proposed animal hospital/shelter and related facilities. The M-1 Zone District is a compatible zone district for land designated Limited Industrial within the General Plan.



Development Engineering Section of the Fresno County Department of Public Works and Planning: Grantland Avenue is classified as an Arterial with an existing 20-foot right-of-way east of the section line along the parcel frontage, per Plat Book. The minimum width for an Arterial right-of-way east of the section line is 53 feet. According to FEMA FIRM Panel 1535H, the subject property is not subject to flooding from the 100-year storm. According to the U.S.G.S. Quad Maps, there are existing natural drainage channels traversing the subject parcel. Easements may be required by the appropriate agency.

All 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. If not already present, 10' x 10' corner cutoffs should be improved for sight distance purposes at the exiting driveways onto Grantland Avenue. An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. A grading permit or voucher is required for any grading that has been done without permit and any grading proposed with this application. This information has been included under Project Notes.

Fresno Irrigation District (FID): FID's active Epstein No. 48 pipeline runs northwesterly and traverses the north and eastern portions of the subject property in a 40-foot-wide perpetual and exclusive easement, recorded November 21, 1979, as Document Number 143033, Official Records of Fresno County, crosses Grantland Avenue approximately 100 feet north of the subject property and will be impacted by the future development. This section of pipe was installed in 1979 (37 years old) as 48-inch diameter Cast in Place Monolithic Concrete Pipe (CIP-MCP). CIP-MCP is a non-reinforced monolithic pipe that is easily damaged, extremely prone to leakage and does not meet FID's minimum standards for developed (residential, industrial, commercial) parcels or urban areas. FID has an Agreement for Substitution of Pipeline of this section of Epstein No. 48, which runs with the land, requiring the pipeline to be upgraded with a new 48-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) with appurtenant structures in accordance with FID standards upon development of the parcels.

FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities, including, but not limited, to Sewer, Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry Utilities, and all other utilities. FID requires that the Applicant/developer submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Canal, or result in drainage patterns that could adversely affect FID. This information has been included under Project Notes.

Fresno County Department of Public Health, Environmental Health Division: The Applicant will be required to submit an acoustical analysis, prepared by a qualified acoustical consultant, which must address the potential impacts to nearby noise-sensitive receivers from the operation of the proposed project. The analysis shall take into account noise coming from the parking lot area, and Fresno County Noise Ordinance Standards for daytime and nighttime.

The Applicant has completed this requirement. The Fresno County Department of Public Health, Environmental Health Division reviewed the Acoustical Analysis provided by WJV Acoustics, Inc. and recommends that future development adhere to the recommendations of the Acoustical Analysis.

State Water Resources Control Board: The proposal requires a “will-serve” letter from the City of Fresno. The Environmental Health Division will not permit the proposed facility due to its close proximity to the City of Fresno.

The Applicant has completed this requirement and provided the County with a will-serve letter from the City of Fresno and with Fresno County Local Agency Formation Commission (LAFCo) approval for the service connections.

San Joaquin Valley Air Pollution Control District: The proposed project would equal or exceed 20,000 square feet of medical office space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review). The Applicant is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval.

The Applicant has completed this requirement. The San Joaquin Valley Air Pollution Control District approved the Air Impact Assessment submitted for this project and determined that the project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site mitigation fees.

Fresno Metropolitan Flood Control District (FMFCD): The subject site will be required to pay the FMFCD drainage fees at the time of any development based on the fee rates in effect at that time. FMFCD requires that the storm drainage patterns for the development conform to the District's Master Plan. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline. Construction activity, including grading, clearing, grubbing, filling, excavation, development or redevelopment of land that results in a disturbance of one (1) acre or more of the total land area, or less if part of a larger plan of development or sale, must secure a storm water discharge permit in compliance with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System regulations (CFR Parts 122-124, Nov. 1990). This information has been included under Project Notes.

City of Fresno: The City of Fresno General Plan designates the subject site for Commercial Business Park, which would correspond to the BP (Business Park) Zone District. The City's BP Zone District does not permit the proposed animal shelter use. The Applicant shall agree not to oppose inclusion in any future annexation by the City of Fresno regarding the subject property.

The Applicant shall construct all street frontage improvements along the project frontage of Grantland Avenue per City of Fresno standards, including any dedications of required right-of-way for those improvements. This has been included as a Condition of Approval.

Zoning Section, Water and Natural Resources Division, and Building and Safety Section of the Fresno County Department of Public Works and Planning; California Department of Fish and Wildlife; Table Mountain Rancheria; and Fresno County Fire Protection District: No concerns.

**Analysis:**

One fundamental issue regarding any rezone request is whether the proposed zone change is consistent with the General Plan. The subject site (two adjacent parcels totaling 4.15 acres) is currently designated Rural Residential in the County General Plan and zoned R-R(nb) (Rural

Residential, Neighborhood Beautification Overlay) in the County Zoning Ordinance.

A Memorandum of Understanding (MOU) between the County and the City of Fresno, as well as General Plan Policy LU-G.1, require that applications for new urban development within the City's Sphere of Influence be referred to the City for annexation. In response to Fresno County Referral No. 982, on May 23, 2017, the City elected not to annex the parcel and released the project to the County to process. County staff also consulted with the City of Fresno during its review of the project in order to evaluate potential impacts on transportation, public facilities, and other factors. Staff at the City of Fresno indicated there were no immediate concerns with the proposed rezoning and that the Applicant would need to address street frontage improvements, and public water and wastewater connections at the time of development.

The current request is to change the land use designation on the project site from Rural Residential to Limited Industrial. The General Plan lists the M-1 Zone District as being compatible with the proposed Limited Industrial land use designation.

The project area encompasses two adjacent parcels totaling 4.15 acres and is currently undeveloped. Industrial use is not compatible with the Rural Residential land use designation and R-R zoning on the parcel. The subject proposal would amend the County General Plan by re-designating the site from Rural Residential to Limited Industrial and rezoning from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and related uses.

An Initial Study (IS) prepared for this proposal has identified that there would be no impacts to Agricultural and Forestry Resources, Cultural Resources, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation. Potential impacts related to Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Noise have been determined to be less than significant. Potential impacts relating to Aesthetics, Hydrology and Water Quality, Transportation/Traffic, and Utilities and Service Systems have been determined to be less than significant with compliance with the Mitigation Measures listed in Exhibit 1.

In order to ensure compatibility of an animal hospital/shelter with the existing Rural Residential neighborhood and adjacent uses, Mitigation Measures and Conditions of Approval (Exhibit 1) have been included in this project requiring: landscape improvements along the Grantland frontage; hooded and directed lighting; height limit of 35 feet on structures; and street improvements, sidewalk, and bicycle lane on Grantland Avenue. A six-foot-high solid masonry wall along the property lines is a requirement of the M-1 Zone District when adjacent to residentially-zoned property.

Identified mandatory project requirements (Project Notes), as discussed in this staff report, would more appropriately apply to any future development on the property, subject to mandatory Site Plan Review as specified in Section 874 of the County Zoning Ordinance.

Given the above discussion, staff believes the proposal is consistent with the County General Plan.

**RECOMMENDED CONDITIONS OF APPROVAL:**

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

## **PUBLIC COMMENT:**

*None.*

## **CONCLUSION:**

Staff believes that amendment to the County General Plan from Rural Residential to Limited Industrial and the proposed rezone from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District is consistent with the Fresno County General Plan and recommends approval of General Plan Amendment No. 552 and Amendment Application No. 3825, subject to the Mitigation Measures, Conditions of Approval, and Project Notes attached as Exhibit 1.

## **PLANNING COMMISSION MOTIONS:**

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

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7359; and
- Recommend that the Board of Supervisors approve General Plan Amendment No. 552 amending the County General Plan by re-designating two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial as the second General Plan Amendment cycle in 2018; and
- Recommend that the Board of Supervisors approve Amendment Application No. 3825 to rezone two adjacent parcels totaling 4.15 acres from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses (uses related to an animal hospital and shelter); and
- Direct the Secretary to prepare a Resolution forwarding General Plan Amendment Application No. 552 and Amendment Application No. 3825 to the Board of Supervisors with a recommendation for approval, stating that the proposed changes to the County General Plan and rezoning request are consistent with the Fresno County General Plan.

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

- Determine that the proposed request to amend the Fresno County General Plan from Rural Residential to Limited Industrial, and rezone from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses is inconsistent with the General Plan (state basis for inconsistency) and deny General Plan Amendment No 552 and Amendment Application No. 3825; and
- Direct the Secretary to prepare a resolution documenting the Commission's action.

MM:ksn

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**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825**  
**(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	Landscaping, consisting of trees and shrubs, shall be planted and maintained along the Grantland Avenue frontage of the project. A detailed landscape plan, prepared by a licensed Landscape Architect, shall be submitted for review and approval as part of the mandatory Site Plan Review process for this project. All landscaping shall be planted prior to final occupancy of the development. The landscaping and the irrigation system shall be maintained as long as the facility is in operation.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy
*2.	Aesthetics	All lighting shall be hooded and directed as to not shine toward adjacent property and public streets.	Applicant	Applicant/ Public Works and Planning	Ongoing
*3.	Hydrology and Water Quality	The project shall connect to the City of Fresno sewer and water services.	Applicant	Applicant/ Public Works and Planning/ City of Fresno Public Utilities Department	Prior to final occupancy
*4.	Transportation/ Traffic	The project shall add transition paving between Tenaya Avenue and the southern project boundary and north of the project based on a 45 MPH speed as recommended in the Traffic Impact Study.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy
*5.	Transportation/ Traffic	The project shall implement a Class II Bike Lane facility along its frontage on Grantland Avenue as recommended in the Traffic Impact Study.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy

\*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.

<b>Conditions of Approval</b>	
1.	The M-1 (Light Industrial) uses allowed on the property shall be limited to Animal Hospitals and Shelters, subject to the Property Development Standards in Section 843.5 except as modified for building height and setbacks below.
2.	No buildings or structures shall have a height greater than 35 feet.
3.	On-site development shall provide front-yard (Grantland Avenue) landscaping. The Requirements of Section 820.5-E, (Rural Residential Zone District, Yards) shall apply for the front-yard, side-yard, and rear-yard setbacks for development in this M-1(c) Zone District.
4.	Prior to development, the project shall construct all street frontage improvements along the project frontage of Grantland Avenue, per City of Fresno standards, including any dedications of required right-of-way for those improvements.
5.	<p>Fresno Irrigation District (FID) Facility (Epstein No. 48 Pipeline) partially exists on the project site and shall be protected prior to any County approval action on any grading and drainage plans, or construction and landscaping plans; the County shall route said plans to FID for review and comment. The County shall consider FID input with the intent to ensure that proposed development will not endanger the structural integrity of the pipeline or result in drainage patterns that could adversely affect the on-site FID facilities. FID easements shall be shown on all plans submitted to the County for review.</p> <ul style="list-style-type: none"> <li>a) Footings and retaining walls shall not encroach into the FID easement and all soil and stockpile shall be kept outside of the easement.</li> <li>b) Large earthmoving equipment (paddle wheel scrapers, graders, and excavators) shall be prohibited within the FID easement.</li> <li>c) Prior to development, the Project Developer shall coordinate with FID concerning Note No. 15 listed under "Notes" which addresses Agreement No. 143033 recorded on December 10, 1979 (Book 7427, Page 961). Prior to issuance of final occupancy, the Project Developer shall provide evidence to the County that the terms of this Agreement have been satisfied through either pipeline replacement as stipulated, or entering into a revised agreement between FID and the property owner to supersede the 1979 Agreement with new terms satisfactory to both the Project Developer and FID.</li> </ul>

<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.	An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.
2.	A grading permit or voucher is required for any grading that has been done without permit and any grading proposed with this application. Any additional 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.

**Notes**

3.	Any work done within the right-of-way to construct a new driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
4.	Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
5.	If not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back out onto the roadway.
6.	If not already present, 10' x 10' corner cutoffs will need to be improved for sight distance purposes at the driveway onto Grantland Avenue.
7.	The property is subject to the provisions of the Fresno County Parcel Map Ordinance. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022.
8.	The proposed development encompasses two legal lots; a parcel merger of said lots is required in order to conform to all zoning requirements, prior to development.
9.	A Site Plan Review will be required to be submitted to and approved by the Fresno County Department of Public Works and Planning prior to the issuance of any permits in the M-1 Zone District.
10.	The subject site will be required to pay the Fresno Metropolitan Flood Control District drainage fees at the time of any development based on the fee rates in effect at that time. Current drainage fees for development are estimated to be \$54,410.
11.	The Fresno Metropolitan Flood Control District (District) requires that the storm drainage patterns for the development conform to the District's Master Plan. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. Construction requirements will be addressed with future entitlements on the property that may include street reconstruction.
12.	The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability the Fresno Metropolitan Flood Control District to operate and maintain the canal or pipeline.
13.	Construction activity, including grading, clearing, grubbing, filling, excavation, development or redevelopment of land that results in a disturbance of one (1) acre or more of the total land area, or less if part of a larger plan of development or sale, must secure a storm water discharge permit in compliance with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System regulations (CFR Parts 122-124, Nov. 1990). The permit must be secured by filing a Notice of Intent for the State General Permit for Construction Activity with the State Water Resources Control Board. The notice must be filed prior to the start of construction.



<b>Notes</b>	
14.	As part of the mandatory Site Plan Review Process, new development on this parcel shall be submitted to the San Joaquin Valley Unified Air Pollution Control District to determine if an Indirect Source Review application is required.
15.	<p>Fresno Irrigation District's (FID's) active Epstein No. 48 pipeline runs northwesterly and traverses the north and eastern portions of the subject property, in a 40-foot-wide perpetual and exclusive easement, recorded November 21, 1979 as Document Number 143033, Official Records of Fresno County, and crosses Grantland Avenue approximately 100 feet north of the subject property. The southern 15 feet of this easement is on the subject property. The terms of this Agreement include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) FID's right of ingress to and egress from the easement over and across the real property of the Owners in a covenant and agreement that no building, fence or other structure shall be constructed, and no trees, vines or shrubs shall be planted or maintained upon the easement without the consent of FID.</li> <li>b) Should the property described in the Agreement, be developed in either commercial or residential use, the existing 48" inside diameter irrigation pipeline shall be replaced, at the Property Owner's expense, with a 48" inside diameter, rubber gasketed reinforced concrete pipeline as may be required by FID.</li> </ul>
16.	All abandoned wells and septic systems located on the property shall be destroyed by a licensed contractor under permit by the County of Fresno.

MM:ksn

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# LOCATION MAP

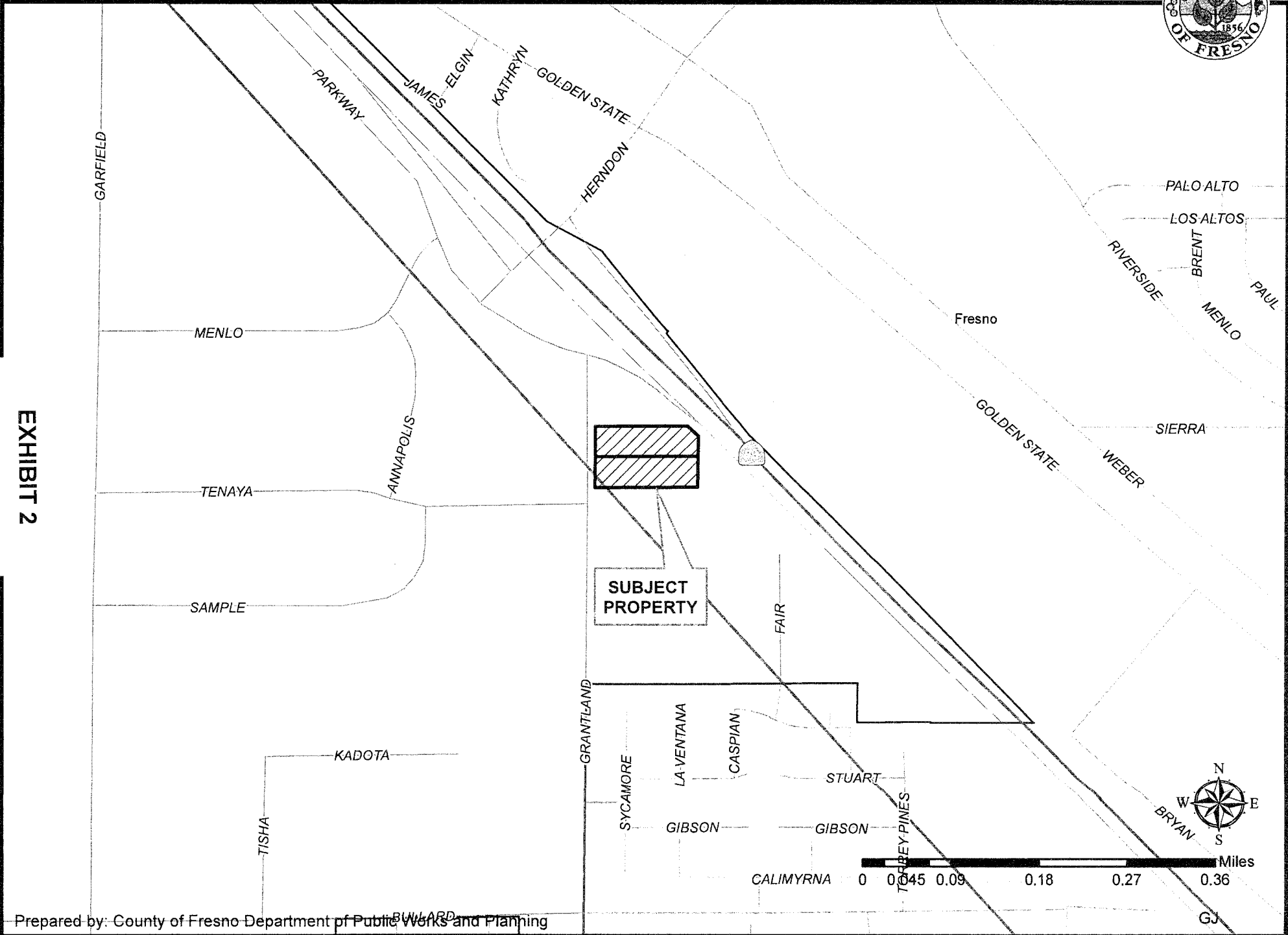


EXHIBIT 2

AA 3825

# EXISTING LAND USE MAP





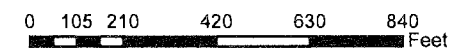
EXHIBIT 3



LEGEND	
ORC	- ORCHARD
C	- COMMERCIAL
CHU	- CHURCH
LODGE	
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

LEGEND:

	Subject Property
	Ag Contract Land



Map Prepared by: GJ J.GISJCHLanduseI

Department of Public Works and Planning  
Development Services Division

# EXISTING ZONING MAP

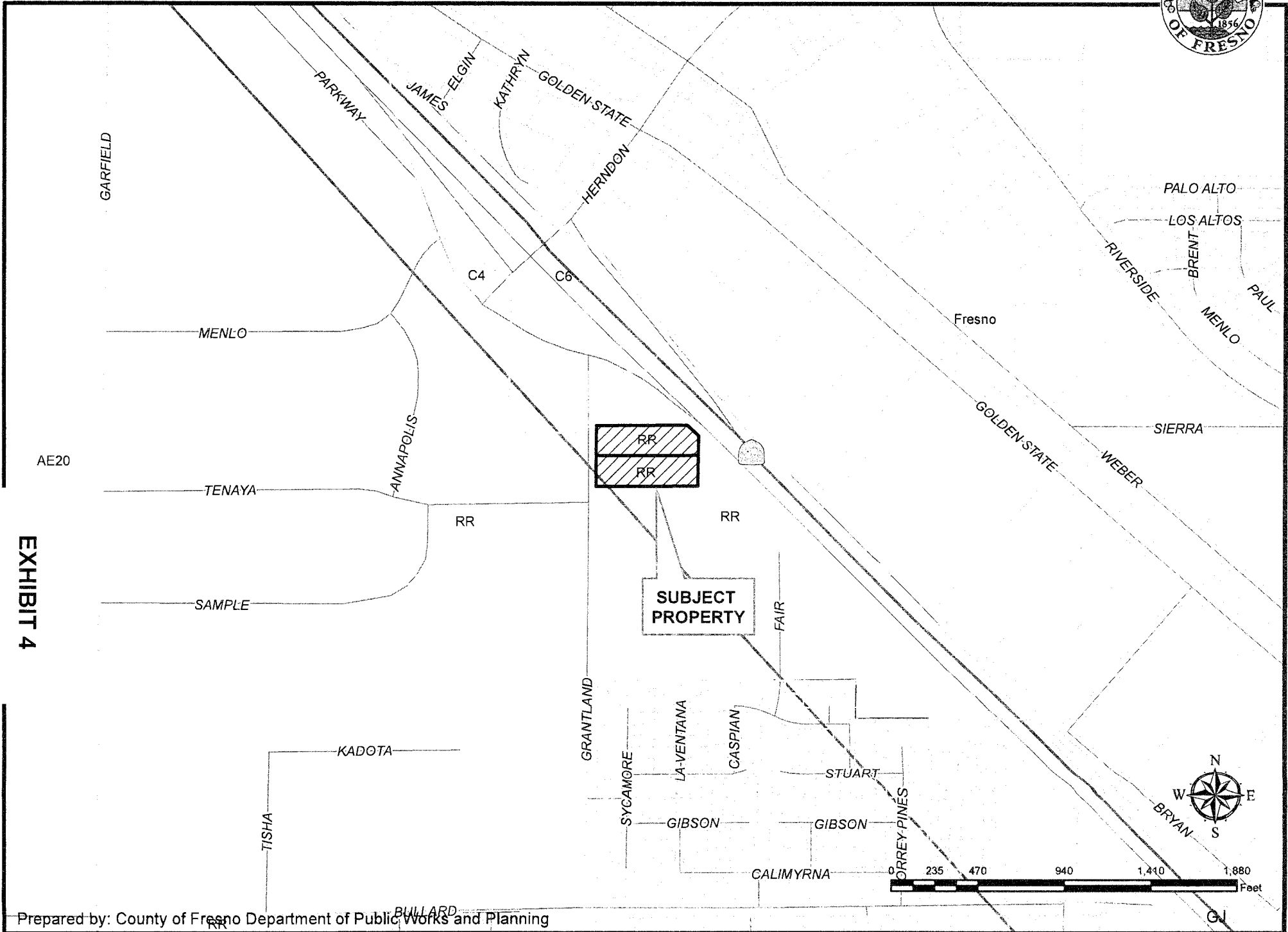


EXHIBIT 4

EXHIBIT 5  
Amendment Application No 3825

Uses Allowed Under the existing R-R (Rural Residential) Zone District

The following uses shall be permitted in the "R-R" District. All uses shall be subject to the property development standards in Section 820.5.:

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings including servant's quarters, accessory living quarters, garages and farm buildings.
- C. Agricultural crops, greenhouses, fruit trees, nut trees and vines.
- D. Bovine animals, horses, sheep, and goats where the lot area is thirty-six thousand (36,000) square feet or more and provided that the number thereof shall not exceed a number per each thirty-six thousand (36,000) square feet equal to four (4) adult animals in any combination of the foregoing animals and their immature offspring with not more than three (3) adult animals of a bovine or equine kind or combination thereof and their immature offspring or not more than six (6) immature bovine or equine animals or combination thereof where no adult animals are kept per each thirty-six thousand (36,000) square feet. Where the lot is less than thirty-six (36,000) square feet in area, but twenty thousand (20,000) square feet or greater in area, horses may be maintained for personal use in a number not to exceed two (2) animals with their offspring less than one (1) year of age.
- E. Dogs and cats as domestic pets only (limited to three (3) or fewer animals four (4) months of age or older).
- F. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.
- G. Mobilehome occupancy, not more than one (1) mobilehome per lot, subject to the provisions of Section 856.
- H. Signs subject to the provisions of Section 820.5-K.
- I. Storage of petroleum products for use by the occupants of the premises, but not for resale or distribution.
- J. Storage or parking of boats, trailers, recreational vehicles, or commercial vehicles, limited to the private non-commercial use by the occupants of the premises.
- K. The keeping of rabbits and other similar small furbearing animals for domestic use on a lot containing not less than thirty-six thousand (36,000) square feet.
- L. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H and similar organizations. In no case shall the poultry facility be kept or maintained on a lot containing less than thirty-six thousand (36,000) square feet.
- M. The sale of agricultural products produced upon the subject property.
- N. Day nursery - small.
- O. Plant nurseries limited to the sale of agricultural products produced on the property.

EXHIBIT 6  
Amendment Application No 3825

Uses Allowed Under the M-1 (c) (Light Industrial, Conditional) Zone District

Uses permitted "by right" shall be limited to:

- Animal Hospitals and Shelters



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Fresno Humane Animal Services
- APPLICATION NOS.: Initial Study Application No. 7359, General Plan Amendment Application No. 552 and Amendment Application No. 3825
- DESCRIPTION: Amend the County General Plan designation for two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezone the subject parcels from the RR (nb) (Rural Residential, Neighborhood Beautification) Zone District to the M-1(c) (Light Manufacturing, conditional) Zone District to allow an animal hospital/shelter and associated uses (uses limited to an animal hospital and shelter).
- LOCATION: The project site is located on the east side of North Grantland Avenue between North Parkway Drive and West Tenaya Avenues, and approximately 180 feet southwest of the City of Fresno (SUP. DIST. 1) (APN 504-081-02S/03S).

### I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

The subject parcel is located along Grantland Avenue, and west of State Route 99, which is not a State Scenic Highway. No scenic vistas or scenic resources were identified near the property.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is located adjacent to mixed uses including churches, an elementary school, single-family residences, a social club, State Route 99, and vacant land. The General Plan designates this area for Rural Residential uses. The proposed zoning, M-



1(c), is not consistent with the current General Plan designation and a General Plan amendment is being processed concurrently for a Limited Industrial land use designation. Landscaping will be required along the west side of the subject site as a condition of approval to minimize any aesthetic impacts and to conform to the neighborhood beautification overlay in the adjacent Rural Residential Zone District. Additionally, as required by County Ordinance Section 843.5-H.1, a six (6) foot high solid masonry wall shall be erected along the property lines adjacent to Rural Residential Zone Districts. As a Condition of Approval, buildings on this site shall be limited to a maximum of 35 feet in height, in keeping with the building height restrictions in the surrounding Rural Residential Zone District.

\* **Mitigation Measure(s)**

1. *Landscaping, consisting of trees and shrubs, shall be planted and maintained along the Grantland Avenue frontage of the project. A detailed landscape plan, prepared by a licensed Landscape Architect, shall be submitted for review and approval as part of the mandatory Site Plan Review process for this project. All landscaping shall be planted prior to final occupancy of the development. The landscaping and the irrigation system shall be maintained as long as the facility is in operation.*
2. *A six (6) foot high solid masonry wall shall be erected along the property lines (north, east, and west, which are the district boundaries between the "M-1" District and the Rural Residential District). The required wall shall be reduced in height to three (3) feet within the front yard setback area. (Omitted, as required under Fresno County Zoning Ordinance Section 843.5.H)*

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 allowed use may result in the creation of new sources of light and glare in the area. The nearest neighboring residential unit is located on the opposite side of North Grantland Avenue, approximately 150 feet west of the closest property line. Potential light and glare impacts will be mitigated to a less than significant impact by requiring that all outdoor lighting be hooded and directed so as not to shine towards adjacent properties and public streets.

\* **Mitigation Measure(s)**

3. *All outdoor lighting shall be hooded, directed, and permanently maintained as not to shine towards adjacent properties and public roads.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?

FINDING: NO IMPACT:

The project proposes to rezone land that has been designated as Farmland of Local Importance by the Department of Conservation's Important Farmland 2014 map, however, it is not prime farmland, unique farmland or farmland of statewide importance. The parcel is not under a Williamson Act Contract. The current zoning on the parcel is Rural Residential, which is a designation for very low density residential development and is permitted limited agricultural uses. There is no impact on prime or unique farmlands, or conflicts with Williamson Act Contracts.

- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or

- D. Would the project result in the loss of forestland or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

The project is not located in a forestland or a timberland preserve.

- E. Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not zoned for Timberland Production, or near any sites so zoned. Adjacent land is zoned Rural Residential, land to the north is zoned for Commercial uses, and land to the east and south of the project is urbanized and within the city limits of the City of Fresno. The application does not propose any changes to the environment that could result in the conversion of farmland or forestland to non-agricultural or non-forest use.

### III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or
- 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?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

In order to determine if this project would conflict with or obstruct implementation of the Air Quality Plan, the cumulative impact of the project's contribution to the existing violation of air quality standards within the San Joaquin Valley Air Basin was considered. The Air Impact Assessment, approved by the San Joaquin Valley Air Pollution Control District on February 8, 2018, determined that the mitigated baseline emissions for construction and operation will be less than two tons NOx per year and two tons PM10 per year. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site mitigation fees.

**D. Would the project expose sensitive receptors to substantial pollutant concentrations?**

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The District considers a sensitive receptor to be a location that houses or attracts children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. The closest sensitive receptors are a single-family residence located approximately 150 feet west of the project site and Herndon-Barstow Elementary School located approximately 500 feet southwest of the project site. The project is not considered a sensitive receptor and has not identified any uses that would be potentially significant sources of toxic emissions.

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

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

This project has the potential to cause objectionable odors from the use as an animal hospital and shelter. The project has been designed to contain odor by site design and operations. Proper cleaning and sanitation protocols are designed to keep odor inside and out to a minimum. In the proposed shelter, animal waste would be cleaned and disposed of immediately in flushing basins plumbed into each kennel building. Outdoor kennels and exercise areas will be concrete with drains, which will be sanitized daily with a safe and effective accelerated hydrogen peroxide disinfectant to eliminate bacteria and odor. Deceased animals will be stored in a large self-contained cooler and picked up weekly. A state-of-the-art HVAC system throughout the shelter will provide 100% filtered air circulation at a rate of 12 air changes per hour, which is specifically designed to reduce odor and disease.

During construction, the various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods beyond the project's site boundaries. The potential for diesel odor impacts is therefore less than significant.

#### 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; or
- 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 the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The California National Diversity Database (CNDDDB) does not list any candidate, sensitive, or special-status species at the project site. Historically, the property has alternated between vacancy and agricultural uses. Its proximity to the City of Fresno and other urbanized uses reduces the probability that there is habitat to support special-status species. This project was routed to the California Department of Fish and Wildlife Service and the U.S. Department of Fish and Wildlife Service. Neither agency expressed concerns that the proposed project would have an adverse impact on any habitats, natural communities, or local plans, policies and regulations.

- 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; or
- 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:

There are no natural wetlands within or adjacent to the subject parcel.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- 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 subject parcel is not located within an applicable Natural Community Conservation Plan or Habitat Conservation Plan. The rezoning request does not conflict with any local policies or ordinances protecting biological resources

## V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries; or
- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: NO IMPACT:

The site is not in an archeological sensitive area and the subject property and surrounding area have been historically used and are currently used for agricultural, elementary school, limited farming, and residential purposes and have been previously disturbed. This project was forwarded to Table Mountain Rancheria, Dumna Wo Wah, Picayune Rancheria, and Santa Rosa Rancheria Tachi Yokut. None of the tribes requested consultation on this project. No unique paleontological resources, sites, or unique geological features were identified by any of the reviewing agencies.

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

FINDING: NO IMPACT:

The subject parcel is not located along a known fault line according to the most recent Alquist-Priolo Earthquake Fault Zoning Act maps. According to the Fresno County General Plan Background Report (FCGPBR), the project site is not located in an area at substantial risk of Seismic Hazard or Landslide Hazards per Figures 9-5 and 9-6 of the Fresno County General Plan Background Report.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not in an area at risk of erosion according to Figure 7.3 of the Fresno County General Plan Background Report (FCGPBR). The Development Engineering Section of the Fresno County Department of Public Works and Planning indicated that a Grading Permit or Voucher will be required for any grading proposed with this application.

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

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

FINDING: NO IMPACT:

The project is not located in an area of steep slopes per Figure 7-2 (FCGPBR) or in an area of expansive soils, per Figure 7-1 (FCGPBR). The project site is not at risk of seismic hazards, per discussion above. The project site is not located in an area of risk of on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse as identified in the (FCGPBR). The project was reviewed by the Water and Natural Resources Division, which did not express any concerns relating to any of the above listed hazards, associated with the subject application.

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: NO IMPACT:

The project will be required to connect to the City of Fresno sewer system for service.

VII. GREENHOUSE GAS EMISSIONS

A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Approval of this General Plan Amendment and rezone application would allow new uses on the subject parcel. However, development and operation of the proposed facility must be in compliance with existing San Joaquin Valley Air Pollution Control District

regulations, which are designed to reduce project emissions to a less than significant level.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The rezone will allow, by right, an animal hospital and shelter that may require the routine transport, use, or disposal of hazardous materials; however, such uses will be restricted by the California Health and Safety Code, which will reduce the impact of such use and potential accidental releases to less than significant. The project will be subject to the requirements of the State of California Code of Regulations, the State of California Plumbing and Building Codes, State of California Health and Safety Code, and the County of Fresno Ordinance Code Title 9 – Animals.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Herndon-Barstow Elementary School is located approximately 500 feet southwest of the project site. The rezone will allow, by right, an animal hospital and shelter that may require the routine transport, use, or disposal of hazardous materials; however, such uses will be restricted by the California Health and Safety Code, which will reduce the impact of such use and potential accidental releases to less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of the Environmental Protection Agency's Superfund Enterprise Management System revealed no Superfund sites along North Grantland Avenue. Review of the County's Certified Unified Protection Agency's (CUPA) list of hazardous materials generators revealed a number of such locations in the vicinity of the subject parcel: E-Z Trip, 1/4 mile north of the project, is a storage facility for motor vehicle fuel; The Trestle, 1/4 mile northeast of the project is a closed restaurant Hazardous Waste Generator; and ARCO AM/PM, 1/4 mile north of the project, is a storage facility for motor vehicle fuel. These nearby generators are in compliance with CUPA regulations and will not have adverse impacts on employees which may be hired when the subject parcel is developed. There were no records of the subject parcels having been designated as 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; or
- 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 site is not located within an airport land use plan and is 2.5 miles west of Sierra Sky Park.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

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

- H. Would the project 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 project site is not in an area at risk of wildland fires.

## IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality; or
- 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 IMPACT WITH MITIGATION INCORPORATED:

These parcels shall connect to the City of Fresno for sewer and water services and will not impact the local groundwater table. A condition of approval will be placed on the project, which will require that all abandoned wells and septic systems are properly destroyed by a licensed contractor, which will further protect groundwater quality and quantity.

\* **Mitigation Measure(s)**

4. *The project shall connect to the City of Fresno sewer and water services.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

There are no streams or rivers in the vicinity of the project site. The site is located within Fresno Metropolitan Flood Control District's (FMFCD's) Drainage Area "EM." Storm runoff produced by land development is controlled through a system of pipelines and storm drainage retention basins. At the time of development, FMFCD will collect the pro-rata share for construction of necessary flood control improvements. Until the public facilities are built, the applicant will be required to comply with Fresno County regulations, which require that stormwater run-off is retained on site.

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

FINDING: NO IMPACT:

This application does not approve any development. By-right industrial uses which will be allowed on this parcel upon approval of the proposed amendment and rezone are further limited by the conditional nature of the zoning requested by the applicant and the required Site Plan Review, which will ensure compliance with all existing regulations. Certain uses would require the approval of discretionary applications, which would be subject to a separate CEQA review.

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

FINDING: NO IMPACT:

The project site is not located within a 100-year flood prone area as designated on the latest Flood Insurance Rate Map, FIRM Panel 1535H. No housing is proposed as part of this application.

- I. Would the project expose persons or structures to levee or dam failure; or
- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The subject parcel is not located in an area at risk of inundation by levee or dam failure, according to Figure 9-8 (FCGPBR). The parcel is not located near a body of water that would be subject to tsunami or seiche and is not located in an area of steep slopes, which could cause mudflow.

## X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

This application proposes to change the land use designation from Rural Residential to Limited Industrial and the zoning from R-R (Rural Residential) to M-1(c) (Light Manufacturing, conditional) on two parcels totaling 4.15 acres. The neighborhood is typified by mixed uses and the limits of this project correspond to the property limits of the two parcels, therefore, approval will not divide an established community.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project; or
- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

This application proposes to change the zoning of this parcel from R-R to M-1(c) and the General Plan designation from Rural Residential to Limited Industrial, for the use of an animal hospital and shelter. The subject parcels are within the City of Fresno Sphere of Influence. Per the Memorandum of Understanding (MOU) between the County and the City of Fresno and General Plan Policy, this project was referred to the City of Fresno for possible annexation and development within the City. However, the City of Fresno declined to annex the parcels and pursuant to the Memorandum of Understanding between the City and the County, the County accepted the subject General Plan Amendment and rezone application processing. The proposed zoning is compatible with the proposed General Plan Amendment. In addition, the project is adjacent to Grantland Avenue, which is a designated arterial roadway, incorporates on-site parking, and the project is designed with landscaping and setbacks comparable to the adjacent Rural Residential neighborhood.

There are no Habitat Conservation Plans or Natural Community Conservation Plans applicable to this project.

## XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- 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:

No mineral resource impacts were identified in the project analysis. The project site is not located in a Mineral Resources Area as identified in Figure 7-7 (FCGPBR).

## XII. NOISE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Acoustical Analysis was prepared for this project by WJV Acoustics, dated April 23, 2018, to determine if noise generated by an animal hospital and shelter would comply with applicable Fresno County noise standards. The analysis was based on the proposed use, preliminary site plan, operational statement, and data obtained by WJV Acoustics at the project site. Existing sources of noise within and adjacent to the project site are dominated by traffic noise associated with State Route 99 and North Grantland Avenue, and exceed the County's applicable exterior noise level standard. Representative data, collected from a similar animal shelter, included all noise sources in the vicinity of that operation, including traffic. With sensitive receptors located over 150 feet from noise-generating operations at the proposed use, the analysis concluded that the proposed use would comply with Fresno County noise level requirements without the need for mitigation measures, and would not exceed the existing ambient noise levels.

While barking is an inevitable issue in any animal shelter environment, kennel areas have been designed to reduce noise levels and to prevent excessive barking along the perimeters; exterior kennels do not directly face residential areas, and dogs may be confined to interior kennels overnight. In addition, the required six (6) foot high solid masonry wall (*Mitigation Measure 2, Aesthetics*) along the property lines of this development will provide additional sound attenuation.

Noise impacts associated with facility construction are expected to be temporary and will be subject to the County Noise Ordinance, which is enforced by the Fresno County Public Health Department.

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- 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 located near an airport and is 2.5 miles from the Sierra Sky Park, and therefore will not be impacted by airport related noise.

### XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

No housing is proposed with this application and the project site is currently vacant land. The project is a General Plan Amendment and rezoning to allow an animal hospital and shelter. The land is currently vacant and no housing or people will be displaced as a result of the project. The nearest off-site residential dwelling is located approximately 150 feet west of the proposed animal shelter.

### XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:
  - 1. Fire protection; or
  - 2. Police protection; or
  - 3. Schools; or
  - 4. Parks; or
  - 5. Other public facilities?

**FINDING: NO IMPACT:**

The project has been reviewed by the North Central Fire Protection District and Fresno County Sheriff's Department, which expressed no concerns with the proposal. There are no parks within the project site vicinity and the nearest school is Herndon-Barstow Elementary School, located approximately 500 feet southeast of the proposed site. The project is an animal hospital and shelter and will not generate new students or increase the need for parks or other public facilities.

**XV. RECREATION**

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

**FINDING: NO IMPACT:**

The proposal is not located on or near a public park and will not require expansion of recreational facilities.

**XVI. TRANSPORTATION/TRAFFIC**

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

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

A Traffic Impact Study (TIS) was prepared by JLB Traffic Engineering, Inc., dated April 16, 2018. Data provided in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10<sup>th</sup> Edition, was used to estimate the number of trips anticipated to be generated by uses that would be allowed in the proposed M-1(c) Zone District. The study estimated a maximum of 266 daily trips, 37 AM peak hour trips, and 53 PM peak hour trips, based on development of the entire 4.15-acre site.

Study of the existing conditions show that the intersection of Grantland Avenue and Parkway Drive operates at an acceptable LOS during both peak periods.

In the Existing plus Project condition, the intersection of Grantland and Parkway will be operating at an acceptable LOS C or better in both AM and PM Peak hours. In the 20-Year Cumulative without Project, the intersection of Grantland and Parkway will be performing at an unacceptable LOS F during the AM Peak hours with a delay of 90.5 seconds and LOS C during the PM Peak Hours with a delay of 22.0 seconds. In the 20-Year Cumulative with Project, the intersection of Grantland and Parkway will be

performing at an unacceptable LOS F during the AM Peak hours with a delay of 91.5 seconds and LOS C during the PM Peak Hours with a delay of 22.7 seconds.

Increase in delay of 5.0 seconds or more would be considered a significant impact. The project's added traffic does not exacerbate the intersection delay by 5.0 seconds or more. In this case, the project's traffic will increase the overall intersection delay by 1.0 seconds, so the impact will be less than significant.

The existing storage capacity for the northbound left-turn lane is projected to exceed that available for the AM peak period in the Near Term plus Project Traffic Conditions scenario. The TIS states that while there are no constraints to increasing the storage capacity of this movement, it is recommended that this movement be monitored.

The TIS recommended the project proponent participate in a fair-share for improvements at the intersection of Grantland and Parkway to bring the intersection to an acceptable LOS. A fair-share for the recommended improvements at the intersection will not be required for this project based on the project's less than significant impact to the intersection. The TIS also recommended the Project add transition paving between Tenaya Avenue and the southern project boundary and north of the project based on a 45 MPH design speed and that that the Project implement a Class II Bike Lane facility along its frontage on Grantland Avenue to mitigate traffic/transportation impacts.

\* **Mitigation Measure(s)**

5. *The project shall add transition paving between Tenaya Avenue and the southern project boundary and north of the project based on a 45 MPH speed as recommended in the Traffic Impact Study.*
6. *The project shall implement a Class II Bike Lane facility along its frontage on Grantland Avenue as recommended in the Traffic Impact Study.*

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

FINDING: NO IMPACT:

The project site is not within the area of any clear zone or other imaginary surface of a public use airport as described under FAR Part 77 or in the vicinity of a private airstrip.

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

E. Would the project result in inadequate emergency access; or

F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The TIS determined that approval of this application would not exacerbate the intersection delay at Grantland and Parkway Avenues by 5.0 seconds or more, resulting in a less than significant impact. As mitigation measures the project will be required to add transition paving between Tenaya Avenue and the southern project boundary and north of the project based on a 45 MPH design speed and implement a Class II Bike Lane facility along its frontage on Grantland Avenue. In addition, the project will construct a sidewalk along its Grantland Avenue frontage.

\* **Mitigation Measure(s)**

*(See Mitigation Measures 5 and 6 above)*

XVII. UTILITIES AND SERVICE SYSTEMS

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The City of Fresno has sufficient capacity to accept wastewater from this site, has adequate capacity to provide water services, and has provided a will-serve letter to the County. The Local Agency Formation Commission has approved the service connection.

\* **Mitigation Measure(s)**

*(See Mitigation Measure 4, Hydrology and Water Quality)*

- C. Would the project require or result in the construction or expansion of new stormwater drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in Fresno Metropolitan Flood Control District's Storm Drainage and Flood Control Master Plan. Development of this site will be subject to a pro-rata share for flood drainage improvements in this area. The mandatory Site Plan Review required of all development on these parcels will ensure that improvement plans are submitted to FMFCD and that fees are paid.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:



The applicant will connect to the City of Fresno for water services and the City has provided a will-serve letter to the County. The Local Agency Formation Commission has approved the service connection.

\* **Mitigation Measure(s)**

*(See Mitigation Measure 4, Hydrology and Water Quality)*

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The applicant will connect to the City of Fresno for sewer services, which system has adequate capacity to serve this project.

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

FINDING: NO IMPACT:

No impacts to landfills or statutes and regulations pertaining to solid waste were identified in the course of the analysis. The American Avenue Landfill has sufficient capacity to serve this project.

## XVIII. 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:

The project site has been historically used for light farming purposes and does not provide an area of habitat for special-status plants or animals and does not contain any riparian habitat or other natural waters. The parcel is similarly not located in an area which is known to be sensitive to archeological finds and no Tribal Government requested consultation regarding potential resources.

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

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

Cumulatively considerable impacts were identified for Aesthetics, Hydrology and Water Quality, Transportation/Traffic, and Utilities and Service Systems; however, these impacts will be mitigated with compliance to the Mitigation Measures listed in Section I, IX, and XIV.

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

**FINDING: NO IMPACT:**

No environmental impacts which could cause substantial adverse effects on human beings were identified in the course of this analysis.

**CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for General Plan Amendment No. 552 and Amendment Application No. 3825, 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 Agricultural and Forestry Resources, Cultural Resources, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation.

Potential impacts related to Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Noise have been determined to be less than significant. Potential impacts relating to Aesthetics, Hydrology and Water Quality, Transportation/Traffic, and Utilities and Service Systems have determined to be less than significant with compliance with the Mitigation Measure listed in Section I, IX, and XIV.

A Mitigated Negative Declaration/Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.

MM

G:\4360Devs&PIn\PROJSEC\PROJDOCS\AA\3800-3899\3825 - See GPA 552\IS-CEQAAA 3825 IS wu Rev.docx

**Mollring, Marianne**

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**From:** Carol Ann Meme <memerd924@att.net>  
**Sent:** Friday, July 20, 2018 4:50 PM  
**To:** Mollring, Marianne  
**Subject:** Animal Shelter on Grantland

Dear Marianne:

I am unable to attend the meeting on Thursday July 26 at 8:45 am as I have to work that day. My husband's health does not permit his attending. However, I would very much like to state my opposition and my husband's opposition to Fresno County building the animal shelter at the location on Grantland between N. Parkway and Tenaya Avenue. This shelter should not be in a residential location. The traffic in this area is already unbearable and it is near impossible to get out of this housing development in the mornings. I also have a concern about the noise generated from numerous dogs that will be located here. Fresno Co. encompasses a very large area and I would hope you could find a site that is not so close to schools and residential neighborhoods.

Thank you for taking the time to read this and share with the planning commission.

Carol Ann Meme  
Albert Newton  
7138 W. Browning  
Fresno, CA 93723

**RECEIVED**  
COUNTY OF FRESNO

**JUL 20 2018**

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

John T. Withrow  
6509 N. Grantland Ave.  
Fresno, CA 93723

July 20, 2018

Department of Public Works and Planning  
2220 Tulare Street, Suite A  
Fresno, CA 93721

Re: AMENDMENT APPLICATION #552 & #3825, filed by,  
FRESNO HUMANE ANIMAL SERVICES

Greetings: FRESNO COUNTY PLANNING COMMISSIONERS

As owner, and current resident of the above address, I am vehemently opposed to the application, #552, & #3825, now before you. My reasons are simple, and basic:

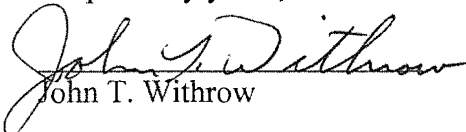
1. Directly across the street from this project, I fear for the health and safety of my family.
2. My quality of life will be affected by the foul odors of dead animals, flies, rodents, and insects.
3. I fear that predators, such as coyotes, will be drawn to the scent of decaying animals.
4. I fear for the health, and safety of young children attending the Herndon-Barstow School.
5. I fear for the health, and safety of those attending, 2 churches, very close-by.

It is the stated intent of those running this organization to bring in neglected, diseased animals, both large and small, for the purpose of providing care and long term habitat. They recognize the enviable foul odor problem to the community, and their solution is to install air filters. If there were any such air filters in existence, wouldn't the dairy farms already be using them? That's why they build their herds far away from the sphere of influence of the city limits. May I suggest that, the "Fresno Humane Animal Services", do the same!

It has been publicly known, for some time that this Applicant was ask to leave the facility at SPCA, under a heavy political cloud. Now they are seeking a new location to implement their extreme views of compassion, with complete disregard for the health and safety standards, of the people affected.

Hopefully you will vote NO, on Amendment Applications, #552 & #3825, because it is the right thing to do, and is in the best interest of the community at large in North West Fresno.

Respectfully yours,

  
John T. Withrow

RECEIVED  
COUNTY OF FRESNO

JUL 23 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

July 24, 2018

Fresno County Planning Commission  
Department of Public Works & Planning  
2220 Tulare Street 6<sup>th</sup> Floor  
Fresno CA 93721

RE: INITIAL STUDY APPLICATION NO. 7359, GENERAL PLAN AMENDMENT APPLICATION NO. 552, and AMENDMENT APPLICATION NO. 3825 filed by FRESNO HUMANE ANIMAL SERVICES

Dear Fresno Planning Commission:

As residents of Fresno County, we are writing to voice our opposition to the building of an animal shelter as proposed in the above amendment at the location of Grantland Avenue and Highway 99.

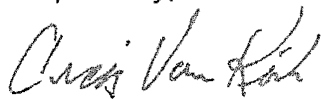
As much as Fresno County needs a new animal shelter, this is not the proper location for several reasons:

1. The proposed location is surrounded by upscale, middle to higher classed residential homes, some even approaching values of \$1,000,000. An animal shelter needs to be convenient for public access but not situated directly adjacent to this established upscale neighborhood. The land should remain zoned for residential.
2. Dumping of unwanted animals will occur when the proposed animal shelter is closed and even when it is open. This happens ALL the time at other shelters and at all hours. The result will be that the residential area will be inundated with loose and potentially aggressive dogs that will threaten the safety of the residents in the adjacent neighborhoods.
3. Then there is the obvious traffic problem. Not only is that area currently extremely congested, it is getting worse. It will become even more so with the increased traffic from the shelter employees and the public coming and going from the shelter. And the loose animals from dumping and those that escape from the shelter will also cause traffic issues, accidents, and will end up being the victims of many of those traffic accidents themselves.
4. Besides the noise of barking dogs day and night and the smell that comes along with the animals, the last major area of concern is the introduction of the undesirable element of crime into the neighborhood that comes when animal

owners will try to break into the shelter and "steal" back their dogs that have been impounded.

Thank you for your consideration.

Respectfully,



Craig Van Kirk



Linda Van Kirk

8175 W. Ashlan Ave  
Fresno CA 93723

## Mollring, Marianne

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**From:** Cathy Caples <cathybcaples@gmail.com>  
**Sent:** Thursday, July 26, 2018 6:55 AM  
**To:** Mollring, Marianne  
**Subject:** Planning document Mitigated Negative Declaration prepared for Initial Study Application (IS) No. 7359,

Good Morning,

My name is Catherine Caples, I live in the City of Fresno a ½ mile from the property to be discussed today at 7232 W Dovewood Lane

I was made aware of the meeting this morning to determine use for an animal shelter on Grantland when I attended the West Area Specific Planning Advisory Committee meeting last evening. I went to the website to learn more about it and saw that there is a study called a Mitigated Negative Declaration prepared for the site-but I can not find the study on your website. I hope to attend the meeting this morning, but would like to be better prepared to understand the reasoning of this idea for our neighborhood. Please send to me if you come by the office before the meeting.

My concerns are as follows:

I understand this land was donated and although free land is nice for the county's budget and the donor had the best intentions, I do not feel that the county is taking into consideration the needs of the community or the animals.

This is the most northern point of Fresno County, adjacent to 2 railways and a freeway, the air pollution, sound and danger to the animals from air pollution and noise and risk of a semi truck crashing needs to be taken into consideration. Plus they will need to travel greater distance in vehicles before they reach the site.

The site's current designation for community beautification and rural residential is in alignment with the current community of 2 churches, 1 elementary school and rural residential homes. Being within the City's sphere of influence, the City has currently convened an Advisory Committee appointed by the City Council to work on the West Area Specific Plan. This committee has just begun it's work but in the initial discussion, it has not considered light industrial for the West Area Specific Plan as this area is primarily developed at this time with single family homes. It would be respectful to allow the City time to develop this plan before the County changes designation of this property.

In building on a site that is donated so far from the center of the area served, I wonder if the county has considered the implications to the operations budget that site will require after built. It will require more time, fuel and vehicle maintenance to drive to this location with the animals. In early discussions of the need for the shelter, it was suggested that this shelter be located near the Juvenile Justice site, in addition to already being in an industrial area, more centrally located in Fresno County and highway 41. It also has the advantage of having a benefit to troubled youth who could help care for the animals while receiving job training.

The donated land could be sold and the proceeds could be used to purchase land and pay for the building if the land by the Juvenile Justice site is already owned by the county. I am sure the donor only wanted the animals to receive the best care available and didn't care where that actually happened.

Thank you.

Catherine Caples  
7232 W Dovewood Lane



**ATTACHMENT D**

File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.		
Agency File No: <b>IS 7359</b>		<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
Responsible Agency (Name): <b>Fresno County</b>	Address (Street and P.O. Box): <b>2220 Tulare St. Sixth Floor</b>		City: <b>Fresno</b>	Zip Code: <b>93721</b>
Agency Contact Person (Name and Title): <b>Marianne Mollring Senior Planner</b>		Area Code: <b>559</b>	Telephone Number: <b>600-4569</b>	Extension: <b>N/A</b>
Applicant (Name): <b>Fresno Humane Animal Services</b>		Project Title: <b>General Plan Amendment No. 552, Amendment Application No. 3825</b>		
Project Description: Amend the County General Plan designation for two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezone the subject parcels from the RR (nb) (Rural Residential, Neighborhood Beautification) Zone District to the M-1(c) (Light Manufacturing, conditional) Zone District to allow an animal hospital/shelter and associated uses (uses limited to an animal hospital and shelter)..				
Justification for Negative Declaration: <b>Based upon the Initial Study prepared for General Plan Amendment No. 552 and Amendment Application No. 3825, 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 Agricultural and Forestry Resources, Cultural Resources, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation.</b>  <b>Potential impacts related to Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Noise have been determined to be less than significant. Potential impacts relating to Aesthetics, Hydrology and Water Quality, Transportation/Traffic, and Utilities and Service Systems have determined to be less than significant with compliance with the Mitigation Measure listed in Section I, IX, and XIV.</b>  <b>A Mitigated Negative Declaration/Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.</b>				
FINDING: <b>The proposed project will not have a significant impact on the environment.</b>				
Newspaper and Date of Publication: <b>Fresno Business Journal – June 8, 2018</b>			Review Date Deadline: <b>Board of Supervisors – September 11, 2018</b>	
Date:	Type or Print Signature: <b>Chris Motta Principal Planner</b>		Submitted by (Signature): <b>Marianne Mollring Senior Planner</b>	

State 15083, 15085

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

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**



# Exhibit 8

## WANGER JONES HELSLEY PC ATTORNEYS

OLIVER W. WANGER  
TIMOTHY JONES\*  
MICHAEL S. HELSLEY  
PATRICK D. TOOLE  
SCOTT D. LAIRD  
JOHN P. KINSEY  
KURT F. VOTE  
TROY T. EWELL  
JAY A. CHRISTOFFERSON  
MARISA L. BALCH  
PETER M. JONES\*\*  
STEVEN M. CRASS\*\*  
AMANDA G. HEBESHA\*\*\*  
JENA M. HARLOS\*\*\*\*  
MICAELA L. NEAL  
REBECCA S. MADDOX  
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ERIN T. HUNTINGTON  
STEVEN K. VOTE  
JENNIFER F. DELAROSA  
ROCCO E. DICICCO  
GIULIO A. SANCHEZ  
YLAN H. NGUYEN  
CHRISTOPHER A. LISIESKI

265 E. RIVER PARK CIRCLE, SUITE 310  
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MAILING ADDRESS  
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FRESNO, CALIFORNIA 93729

TELEPHONE  
(559) 233-4800

FAX  
(559) 233-9330



OFFICE ADMINISTRATOR  
LYNN M. HOFFMAN

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CLERK. BOARD OF SUPERVISORS

\* Also admitted in Washington  
\*\* Of Counsel  
\*\*\* Of Counsel/Also admitted in  
Idaho  
\*\*\*\* Also admitted in Wisconsin

November 15, 2018

### VIA EMAIL & HAND DELIVERY

Bernice E. Seidel  
Clerk of the Board of Supervisors  
County of Fresno  
2281 Tulare Street, Room #301  
Hall of Records  
Fresno, CA 93721-2198

**Re: Public Records Act Request re: Initial Study  
Application No. 7359, General Plan Amendment  
No. 552, and Amendment No. 3852**

Dear Ms. Seidel:

I write today on behalf of my clients, Forgotten Fresno, Gonzalo Arias, Jr., Roger Day, and Elisa Bilios to make a request for public records under the Public Records Act, Government Code section 6250, *et seq.* This request concerns Initial Study No. 7359, General Plan Amendment No. 552, and Amendment No. 3852 approved by the Fresno County Board of Supervisors on October 23, 2018 (the "Project"). As permitted by the Public Records Act, and on behalf of my clients, I respectfully request access to all "public records," as defined by section 6252 of the Government Code, and as identified below:

1. Any and all materials referenced or relied upon by the County and/or its consultants in any draft or final version of the mitigated negative declaration prepared for the Project.

{8232/002/00937154.DOCX}

**EXHIBIT 8**

**WANGER JONES HELSLEY PC**

November 15, 2018

Page 2

2. Any and all application materials for the Project.
3. All staff reports and related documents (including documents referenced in the staff report) prepared by the County with respect to the Project.
4. Any and all audiotapes, transcripts, minutes, or notes of any public hearing or public meeting relating to the Project, including but not limited to the Planning Commission meeting on July 26, 2018, and the Board of Supervisors meetings on September 11, 2018, and October 23, 2018.
5. All and all documents submitted by any person or entity to the County relating to the Project.
6. Any and all studies or technical reports related to the Project.
7. Any and all draft and final contracts for any technical consultant or expert to evaluate the environmental effects of the Project.
8. All notices issued by Fresno County to comply with Public Resources Code section 21000, *et. seq.*, or with any other law governing the processing and approval of the Project.
9. All written or email correspondence submitted to or received by the County relating to the Project, including comments from the public and comments from County staff.
10. Any proposed decisions or findings submitted to the Fresno County Board of Supervisors by its staff, or the Project proponent, Project opponents, or other persons.
11. Any and all drafts and the final version of the initial study for the Project.
12. Any and all documents referenced in any version of the initial study for the Project.
13. Any and all drafts and the final version of the mitigated negative declaration for the Project.
14. Any and all documents referenced in any version of the mitigated negative declaration for the Project.
15. Any and all drafts and the final version of any technical reports or studies relating to the Project, including those relied upon in the mitigated negative declaration.

**WANGER JONES HELSLEY PC**

November 15, 2018

Page 3

16. Any and all documents referenced in any version of the technical reports or studies relating to the Project.
17. Any and all drafts and the final version of any findings considered by the County relating to the Project.
18. Any and all documents referenced in any version of the findings considered by the County relating to the Project.
19. Any and all documents relating to the formulation and negotiation of mitigation measures for the Project.
20. All notes prepared by County staff related to the Project.
21. All memoranda prepared or received by County staff related to the Project.
22. All communications, including emails, between Fresno Humane Animal Services and the County related to the Project.
23. All communications, including emails, between WESCLO, LP and the County related to the Project.
24. All communications, including emails, between any representative of Fresno Humane Animal Services and the County related to the Project.
25. All communications, including emails, between any representative of WESCLO LP and the County related to the Project.
26. All internal agency communications, including emails, related to the Project.

To effectuate access to each of the above categories of documents in an efficient and timely manner, as allowed under the Government Code, we would appreciate having the documents subject to this request made available to us for review within the statutory timeframe so we can determine which documents we may copy. If any of the requested items are available on the Internet, we request the County direct us to the appropriate links for accessing the documents. Once you have compiled the documents responsive to this request, please contact my assistant, Belinda Ordway, at (559) 233-4800 to discuss arrangements for the review and copying of those documents.

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**WANGER JONES HELSLEY PC**

November 15, 2018

Page 4

If you have any questions regarding the above, please do not hesitate to contact my office.

Very truly yours,

A handwritten signature in black ink, appearing to read "John P. Kinsey". The signature is written in a cursive style with a large, stylized initial "J".

John P. Kinsey

**WANGER JONES HELSLEY PC**  
ATTORNEYS

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REBECCA S. MADDOX  
NICOLAS R. CARDELLA  
ERIN T. HUNTINGTON  
STEVEN K. VOTE  
JENNIFER F. DELAROSA  
ROCCO E. DICICCO  
GIULIO A. SANCHEZ  
CHRISTOPHER A. LISIESKI\*\*\*\*\*  
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\*\* Of Counsel  
\*\*\* Of Counsel/Also admitted in Idaho  
\*\*\*\* Also admitted in Wisconsin  
\*\*\*\*\* Also admitted in Virginia

March 22, 2019

**VIA HAND DELIVERY**

County of Fresno  
Department of Public Works and Planning  
Development Services and Capital Projects Division  
Attention: Hector E. Luna  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721

Re: Appeal of Site Plan Review Application No. 8077

Dear Mr. Luna:

Our office represents the Petitioners Forgotten Fresno, Gonzalo Arias, Jr., Roger Day, and Elisa Biliros (collectively, "Appellants") in connection with *Forgotten Fresno et al. v. County of Fresno et al.*, Fresno County Superior Court Case No. 18CECG04248. The litigation challenges Fresno County's approval of the Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3852 to build an animal shelter project ("Project") at 6414 North Grantland Avenue. On March 8, 2019, the Department of Public Works and Planning issued a letter providing notice of the Department's approval of Site Plan Review ("SPR") Application No. 8077 for the Project. A copy of the letter is attached as Exhibit "A."

The purpose of the Site Plan Review in Fresno County is to give the Director the opportunity to “approve, approve with conditions deemed necessary to protect the health safety and welfare, or disapprove the plan.” (Fresno County Code Ord., § 874 A, 2.) To approve a plan, the decision-maker must find that “[a]ll provisions of this Division are complied with and the site plan is “so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on surrounding property.” (*Id.*) Based on our concerns as analyzed below, it is not possible to make the finding for SPR Application No. 8077.

Therefore, pursuant to the terms of the Site Plan Approval letter, we hereby submit this appeal on behalf of Petitioners to the Director of the Department of Public Works and Planning for the approval of SPR Application No. 8077. (See Fresno County Ord. Code § 874(A)(3).)

**General Objection.** The Department of Public Works and Planning cannot approve SPR Application No. 8077 due to the impacts stated in the lawsuit and prior comments letters filed challenging the Application’s underlying entitlements. A copy of the comment letter filed to challenge the underlying entitlements granted by the Fresno County Board of Supervisors is attached as Exhibit “B.”

**Inadequate Information about Runoff from Industrial Activities.** The Letter of Approval identifies that “Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain” and “roofs covering such areas are recommended.” (*Id.* at 4, § 2, ¶ F.) However, there are no identifications of what “industrial activities” are anticipated for the anticipated Project use or where in the Site Plan such water could be expected. “Roofs covering such areas are recommended,” but, again, “such areas” have not been identified in the approval. The Letter identifies loading docks, depressed areas, and areas servicing or fueling vehicles as being subject to these requirements, but there is not indication as to whether these circumstances exist in this project to justify approval of the site plan.

**Sewer and Water Services Construction.** Prior to the issuance of building permits, the applicant is required to submit to the County that the site will connect to the City of Fresno sewer and water services. (*Id.* at 2, § 2, ¶ B.) The Council to the City of Fresno has not yet approved sewer and water services to the site, and the site currently lacks any constructed water or sewer facilities. Building the water and sewer facilities will require additional permitting and construction which will cause noise, dust, aesthetic, and potential traffic impacts, but the approval fails to identify where the sewer and water services will be located. Therefore, the analysis lacks sufficient information to find that the facilities and improvements will be no adverse effect on the surrounding properties.

**Lack of a Grading and Drainage Plan.** The Conditions of Approval approved for Application No. 8077 require “[a] Grading and Drainage Plan shall be prepared by a Registered Civil Engineer,” and “[t]he Plan shall have an Engineer’s Certificate indicating that the grading and drainage will have no adverse effect on the adjoining properties.” (*Id.* at 3, § 2, ¶



D.) The Site Plan submitted with the application notes construction recommendations for grading, but does not have an Engineer's Certificate indicating the grading and drainage will have no adverse effect on the adjoining properties. The Conditions of Approval also require construction and maintenance of outdoor storage areas to prevent contaminants from running off into storm drain systems. (*Id.* at 4, § 2, ¶ F.) However, neither are noted in the Letter of Approval or on the Site Plan provided with the Letter. Therefore, it was not possible for the decision-maker to find "there will be no adverse effect on the surrounding property" as required by Fresno County Ordinance Code Section 874 without having the grading and drainage plan.

***Master Plan Facilities Are Not Specified.*** According to the Conditions of Approval, "Master Plan facilities may be required and the County and developer should contact the District." (*Id.* at 4, § 2 ¶ F.) No facilities are described or provided, and "may be required" lacks any specificity as a condition for the final approval of the SPR.

***No Review for Compliance with the California Fire Code.*** The Site Plan has not yet been reviewed by the North Central Fire Protection District to ensure it complies with the California Fire Code. (*Id.* at 5, § 2 ¶ I.)

***No Detailed Landscape Plan by Landscape Architect.*** According to the terms of the Conditions of Approval, "[a] detailed landscape plan, prepared by a licensed Landscape Architect, shall be submitted for review and approval as part of the mandatory Site Plan Review process for this project. Since the amount of landscaping will exceed 500 square feet, the developer shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELo)." (*Id.* at 5, § 2 ¶ H.) Even though the conditions require the plan as part of the review process, there is no indication a detailed plan was received or reviewed. The Engineering plans attached to the Letter of Approval indicate landscape drawings exist, but they are not attached to the application. If a detailed landscape plan prepared by a licensed landscape architect has not been considered as part of the SPR, it is not possible to determine whether the project complies with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELo) as required by the Conditions of Approval.

***No Integration of a Drainage Plan.*** The Conditions of Approval require either master-planned storm drainage facilities to be built or to be contained on site, but it is not clear from the conditions of approval whether either has been reviewed as part of the site plan. (*Id.* at 6, § 3 ¶ B.)

***Reference to Noise and Odor Restrictions that Do Not Exist.*** The notes to the Conditions of Approval require the facility to ensure all measures listed in the operational statement for this development are complied with, including odor and noise. (*Id.* at 8, §4 ¶ C.) However, the operational statement attached to the initial statement is very limited and lacks any reference or provisions to limiting odor and noise from the Project. A copy of the operational statement attached to the Initial Study for the Project is attached as Exhibit "C."

**WANGER JONES HELSLEY PC**

March 22, 2019

Page 4

Finally, even if the Planning Commission disagrees with the discrepancies raised by this appeal, litigation is currently ongoing challenging the approval of entitlements that SPR Application No. 8077 relies upon. On November 15, 2018, our clients filed a petition and complaint against the County of Fresno and the Board of Supervisors for the County of Fresno in *Forgotten Fresno et al. v. County of Fresno et al.*, Fresno County Superior Court Case No. 18CECG04248. The litigation challenges the same entitlements cited in the approval letter – Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825 - on the grounds the approval of the project violated CEQA.

For all of the foregoing reasons, we respectfully request the Department to decline the approval for Site Plan Review Application No. 8077. Thank you for your time and consideration, and if you have any questions or require any additional information, please feel free to reach me at our office.

Very truly yours,



John P. Kinsey





# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E WHITE, DIRECTOR

March 08, 2019

John P. Kinsley  
Wanger Jones Helsley PC  
265 E. River Park Circle  
Suite #310  
Fresno, CA 73720

Mr. Kinsley:

The Department of Public Works and Planning has approved Site Plan Review (SPR) Application No. 8077, proposed animal shelter, located at 6414 N. Grantland Ave. Approval of this application is consistent with approval of Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825, approved by the Board of Supervisors, October 23, 2018, to rezone the subject properties from Rural Density Residential to Limited Industrial to allow an animal hospital/shelter and related uses.

Please refer to the SPR 8077 approval letter for information, and conditions of approval for the approved application.

If you have any questions or require any further assistance, please feel free to contact me at (559) 600-4216.

Regards,

Hector E. Luna  
Senior Staff Analyst  
County of Fresno  
Department of Public Works and Planning  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721



# Inter Office Memo

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DATE: January 29, 2018

TO: Bei Jia, Planner

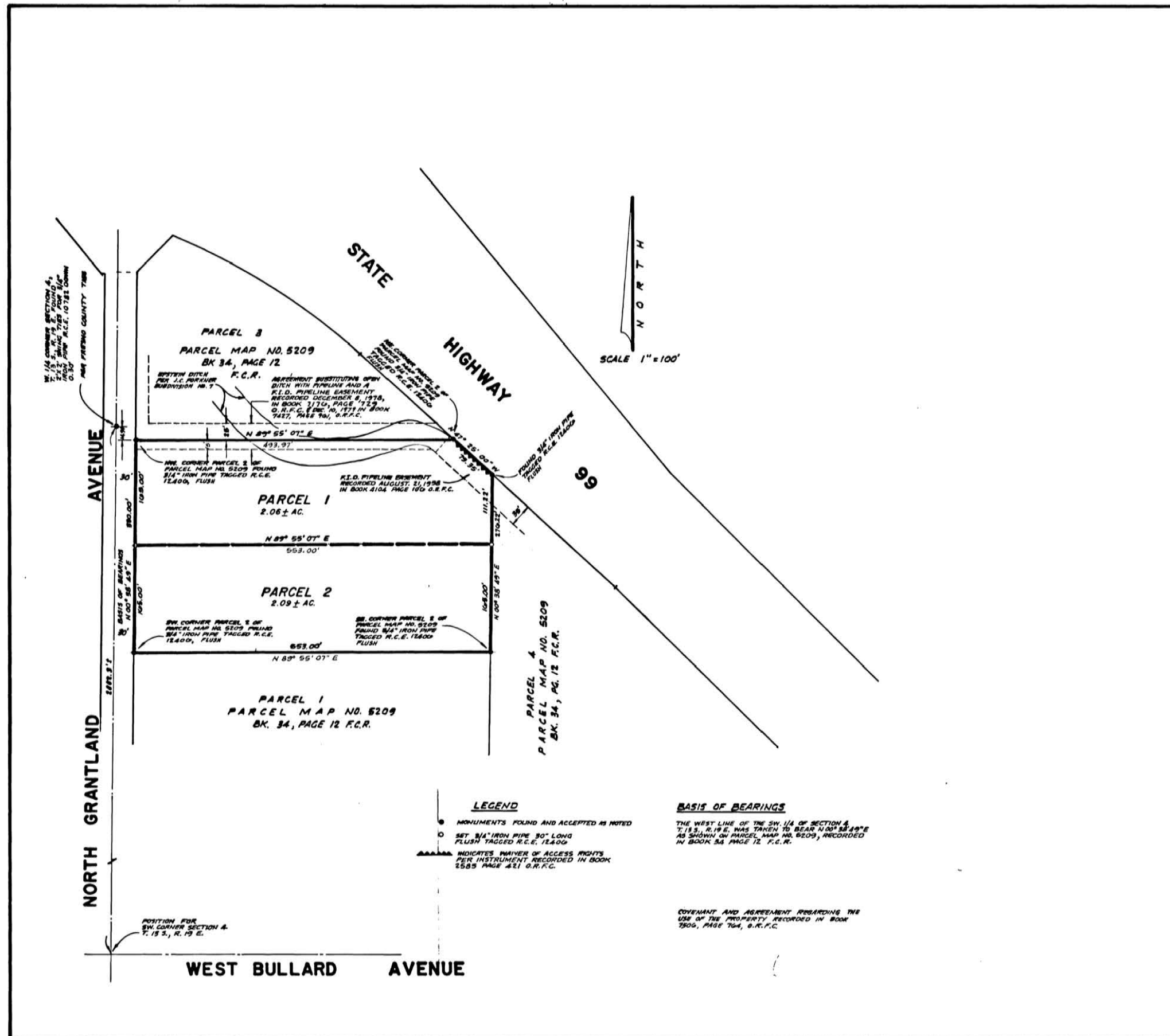
FROM: Scott Tigson, Engineer

SUBJECT: SPR 8077; AA 3825; GPA 552 — Proposal to allow an animal shelter facility and a rezone to M-1 (Light Manufacturing – In Process).

APN: 504-081-02s/03s  
Sec-Twp-Rng: 4-13S-19E

1. All conditions of approval for any previous applications shall be implemented, if not already in place.
2. Grantland Avenue is classified as an arterial with an existing 30-foot right-of-way east of the section line along the parcel frontage, per Parcel Map No. 5610 – see attachment. The minimum width for an arterial right-of-way east of the section line is 53 feet.
3. Grantland Avenue is a County-maintained road. Records indicate this section of Grantland Avenue, from Tenaya Avenue to Parkway Drive, has an ADT of 7500, pavement width of 21.4 feet, structural section of .24 feet AC, and is in excellent condition.
4. Highway 99 is not a county-maintained road at the subject parcel. Please refer to Caltrans for their requirements.
5. Typically, any access driveway should be set back a minimum of 10' from the property line.
6. 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.
7. Typically, in an arterial classification, if not already present, on-site turnarounds are required for vehicles leaving the site to enter the arterial road in a forward motion so that vehicles do not back out onto the roadway. Direct access to an arterial road is usually limited to one common point. No new access points are allowed without prior approval, and any existing driveway shall be utilized.
8. If not already present, 10' x 10' corner cutoffs should be improved for sight distance purposes at the exiting driveway onto Grantland Avenue.
9. According to FEMA, FIRM Panel 1535H, the parcel is not subject to flooding from the 100-year storm.

10. According to Parcel Map No. 5610 recorded in book 35, page 25 there is an existing Fresno Irrigation District (FID) easement along the North and Northeast property lines. Typically, any improvements constructed within or near the easement should be coordinated with FID.
11. The project is located within the Fresno Metropolitan Flood Control District (FMFCD) Boundary and Drainage Zone District EM. FMFCD clearance is required prior to issuing any permits, please contact FMFCD at (559) 456-3292 for more information.
12. Typically, if the subject property is within the City SOI (Sphere of Influence), the City of Fresno should be consulted regarding their requirements for any future off-site improvements and driveway placement relative to the property line.
13. An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.
14. 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.



**ENGINEER'S CERTIFICATE**  
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF JIM LUTZ IN MAY 8, 1980. I HEREBY STATE THAT THIS PARCEL MAP IS SUBSTANTIALLY CONFORMANT TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

*Ronald W. Greenwood*  
 RONALD W. GREENWOOD R.C.E. 12406  
 CIVIL

**COUNTY SURVEYOR'S CERTIFICATE**  
 THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.  
 DATED 10-1-80

CLAYTON D. BEERY  
 DIRECTOR OF PUBLIC WORKS  
*Clayton D. Beery*  
 ASSISTANT DIRECTOR OF PUBLIC WORKS

**RECORDER'S CERTIFICATE**  
 DOCUMENT NO. 96984  
 FILED THIS 8TH DAY OF October, 1980,  
 AT 8:00 A.M. IN BOOK 35 OF PARCEL MAPS, AT  
 PAGE 25 AT THE REQUEST OF R.W. GREENWOOD ASSOC. INC.  
 FEE \$5.00

GALEN LATSON  
 COUNTY RECORDER  
*Galen Latson*  
 DEPUTY COUNTY RECORDER

THIS CERTIFICATE SIGNED AND ACKNOWLEDGED BY ME, HAVING REVIEWED TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION CONSENTING TO THE PREPARATION AND RECORDATION OF THIS MAP IS FILED AS DOCUMENT NO. 96985 IN THE OFFICE OF THE FRESNO COUNTY RECORDER.

**PARCEL MAP NO. 5610**  
 CONSISTING OF ONE SHEET

PARCEL 2 OF PARCEL MAP NO. 5209, AS PER MAP THEREOF RECORDED IN BOOK 34 PAGE 12 OF PARCEL MAPS, F.C.R.  
 FRESNO COUNTY CALIFORNIA

PREPARED FOR  
**JIM LUTZ**  
 BY  
**R. W. GREENWOOD ASSOCIATES, INC.**  
 CIVIL ENGINEERING LAND SURVEYING  
 2528 E. OLIVE AVENUE, FRESNO, CALIFORNIA PHONE 288-7231

## Jia, Bei

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**From:** Daniele, Frank  
**Sent:** Wednesday, March 21, 2018 1:39 PM  
**To:** Jia, Bei; Luna, Hector  
**Cc:** Vongsa, Soutchai; Nakagawa, Wendy; Lopez, Nadia; Rodriguez, Enrique; Ishii, Randy  
**Subject:** RE: SPR 8077-Animal Shelter( APN: 504-081-02S/03S)

See comments from Road Maintenance (RMO) below. RMO reserves the right to make additional comments on this SPR application once the rezone application and associated traffic impact study are completed and approved.

Frank L. Daniele, PE  
Supervising Engineer  
Maintenance & Operations Division  
Fresno County Dept. of Public Works & Planning  
Telephone: (559) 600-4268

*Your input is important. Please fill out the attached survey so that we can improve our service to you.*

[https://www.surveymonkey.com/s/PWP\\_SuperShort5](https://www.surveymonkey.com/s/PWP_SuperShort5)

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**From:** Rodriguez, Enrique  
**Sent:** Monday, February 26, 2018 3:49 PM  
**To:** Ishii, Randy <rishii@co.fresno.ca.us>; Daniele, Frank <FDaniele@co.fresno.ca.us>  
**Cc:** Vongsa, Soutchai <SVongsa@co.fresno.ca.us>; Nakagawa, Wendy <WNakagawa@co.fresno.ca.us>; Lopez, Nadia <nllopez@co.fresno.ca.us>  
**Subject:** FW: SPR 8077-Animal Shelter( APN: 504-081-02S/03S)  
**Importance:** High

Randy/Frank,

SPR #8077 proposes the construction of an animal shelter on two parcels encompassing roughly 4.1 acres, in M-1 (Light Manufacturing) Zoning District (rezoning in process). Parcel takes access off of Grantland Avenue. Grantland Avenue is classified as an Arterial Road with existing 40 feet of road right-of-way centered at section line. The subject parcel and surrounding parcels are all within an Area of Minimal Flood Hazard (Zone X).

**Grantland Avenue:** Is a County maintained road classified as an Arterial Road, with existing total road right-of-way of 72', 42' west of section line and 30' east of section line. Pavement width is 21.4', with dirt shoulders. ADT of Grantland Avenue is 7500 VPD, with PCI of 100. Roadway is in good condition.

Road Maintenance and Operation Comments:

1. Grantland Avenue is classified as an Arterial Road with existing total road right-of-way of 72-feet, an additional 25-feet of road right-of-way is required along the west property line of this development to complete the required 55-feet of ultimate half road right-of-way east of the section line. No facilities shall be constructed within 55 feet east of the section line and any setbacks for new construction should be based upon the ultimate road right-of-way for Grantland Avenue.
2. Applicant shall construct road frontage improvements, including curb, gutter, sidewalk and pave-out to the ultimate road right of way for Grantland Avenue. Road improvements shall include appropriate transition paving at each end of the parcel frontage improvements.

3. An Encroachment permit is required for the road improvements and two proposed driveways along Grantland Avenue. Proposed driveways along Grantland Avenue shall be concrete approaches constructed in accordance with County standards.
4. Subject Parcel is within the boundaries of the Fresno Metropolitan Flood Control District. Improvements should meet requirements set forth by the Storm Drainage and Flood Control Master Plan from the Fresno metropolitan Flood Control District. Applicable drainage fees shall be paid by the applicant as a condition of SPR approval.
5. Master-planned storm drainage facilities should be required for construction in order to tie site drainage into the master-planned system. If the site drainage is not directed into master-planned facilities, then additional storm water generated by the property development shall be contained on-site. Construction of master-planned drainage facilities may encompass construction in road right of way that is remote from the site.
6. Fresno Irrigation District must be notified of this new development. Relocation of existing irrigation facilities may be required for development of the site. FID should be consulted regarding these requirements.
7. Proposed improvements on parcel must drain onsite within itself, or be directed into master-planned storm drainage facilities. Runoff shall not flow onto adjacent properties.
8. Road improvement plans will need to be reviewed and approved by the County of Fresno prior to construction. Applicable plan check and inspection fees shall be required in accordance with the County's Master Schedule of Fees.
9. An encroachment permit is required from Fresno County Road Maintenance Division prior to any work being performed in the County road right of way.
10. Additional comments may be generated based upon conditions imposed on the pending land use application and associated traffic impact study.

Thank You,

Enrique Rodriguez Jr., Engineer I  
Fresno County Public Works and Planning  
Road Maintenance and Operations, Traffic  
E-mail: [enrirodriguez@co.fresno.ca.us](mailto:enrirodriguez@co.fresno.ca.us)  
Phone: (559) 600-4617

---

**From:** Lopez, Nadia  
**Sent:** Monday, February 12, 2018 5:17 PM  
**To:** Rodriguez, Enrique <[enrirodriguez@co.fresno.ca.us](mailto:enrirodriguez@co.fresno.ca.us)>  
**Subject:** FW: SPR 8077-Animal Shelter( APN: 504-081-02S/03S)  
**Importance:** High

**Nadia Lopez, Administrative Assistant**  
**Department of Public Works and Planning**  
**Road Maintenance & Operations**

559.600.4275

Stop #214

Your input is important. Please fill out the attached survey so that we can improve our service to you.  
Customer Service Survey

---

**From:** Jia, Bei

**Sent:** Tuesday, January 16, 2018 10:24 AM

**To:** 'Carlucci, Carl@Waterboards' <[Carl.Carlucci@waterboards.ca.gov](mailto:Carl.Carlucci@waterboards.ca.gov)>; 'centralvalleyfresno@waterboards.ca.gov' <[centralvalleyfresno@waterboards.ca.gov](mailto:centralvalleyfresno@waterboards.ca.gov)>; 'CEQA (ceqa@valleyair.org)' <[ceqa@valleyair.org](mailto:ceqa@valleyair.org)>; Daniele, Frank <[FDaniele@co.fresno.ca.us](mailto:FDaniele@co.fresno.ca.us)>; 'Dave Padilla' <[dave\\_padilla@dot.ca.gov](mailto:dave_padilla@dot.ca.gov)>; 'developmentreview@fresnofloodcontrol.org' <[developmentreview@fresnofloodcontrol.org](mailto:developmentreview@fresnofloodcontrol.org)>; Sidhu, Sukhdeep <[SSidhu@co.fresno.ca.us](mailto:SSidhu@co.fresno.ca.us)>; 'FID (Engr-Review@fresnoirrigation.com)' <[Engr-Review@fresnoirrigation.com](mailto:Engr-Review@fresnoirrigation.com)>; 'Jennifer Bryan-Sanchez' <[jennifer\\_bryan-sanchez@dot.ca.gov](mailto:jennifer_bryan-sanchez@dot.ca.gov)>; 'Jill Gormley (Jill.Gormley@fresno.gov)' <[Jill.Gormley@fresno.gov](mailto:Jill.Gormley@fresno.gov)>; 'Juarez, Caitlin@Waterboards' <[Caitlin.Juarez@Waterboards.ca.gov](mailto:Caitlin.Juarez@Waterboards.ca.gov)>; 'Laurie Sawhill (Laurie.Sawhill@fresno.gov)' <[Laurie.Sawhill@fresno.gov](mailto:Laurie.Sawhill@fresno.gov)>; Lopez, Nadia <[nllopez@co.fresno.ca.us](mailto:nllopez@co.fresno.ca.us)>; 'louise.gilio@fresno.gov' <[louise.gilio@fresno.gov](mailto:louise.gilio@fresno.gov)>; 'Melessa Avakian' <[Melessa.Avakian@fresno.gov](mailto:Melessa.Avakian@fresno.gov)>; 'Robledo, Jose@Waterboards' <[Jose.Robledo@waterboards.ca.gov](mailto:Jose.Robledo@waterboards.ca.gov)>; Leon, Nadia <[nleon@co.fresno.ca.us](mailto:nleon@co.fresno.ca.us)>

**Cc:** Tsuda, Kevin <[KTsuda@co.fresno.ca.us](mailto:KTsuda@co.fresno.ca.us)>; Ishii, Randy <[rishii@co.fresno.ca.us](mailto:rishii@co.fresno.ca.us)>; Luna, Hector <[HLuna@co.fresno.ca.us](mailto:HLuna@co.fresno.ca.us)>

**Subject:** SPR 8077-Animal Shelter( APN: 504-081-02S/03S)

Good Morning,

Please review the attached Site Plan Review (SPR) project submitted to the County and comment accordingly.

Note:

Related applications: AA 3825; GPA 552

Feel free to contact me should you have any questions.

*Regards,*

**Bei Jia(Glen), Planner**

*Development Services Division*

*Department of Public Works and Planning*

*County of Fresno*

*2220 Tulare Street, Suite A*

*Fresno, CA 93721*

*559.600.9668-Office*

*559.600.4200-Fax*

*[bjia@co.fresno.ca.us](mailto:bjia@co.fresno.ca.us)*



FEB 08 2018

Derrel Ridenour  
Fresno Humane Solution Inc.  
2637 W. Lake Van Ness Circle  
Fresno, CA 93711

**Re: Air Impact Assessment (AIA) Application Approval**  
**ISR Project Number: C-20180028**  
**Land Use Agency: City of Fresno**  
**Land Use Agency ID Number: Site Plan Review**

Dear Mr. Ridenour:

The San Joaquin Valley Air Pollution Control District (District) has approved your Air Impact Assessment (AIA) for the Fresno Humane Animal Services project, located at N. Grantland in Fresno, California. The District has determined that the mitigated baseline emissions for construction and operation will be less than two tons NOx per year and two tons PM10 per year. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site mitigation fees. The determination is based on the project construction details provided with the application. Changes in the construction details may result in increased project related emissions and loss of this exemption.

Pursuant to District Rule 9510, Section 8.4, the District is providing you with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- An approved Monitoring and Reporting Schedule

In addition, to maintain this exemption you must comply with all mitigation measures identified in the enclosed Monitoring and Reporting Schedule. Please notify the District of any changes to the project as identified in the approved Air Impact Assessment for this project.

Seyed Sadredin  
Executive Director/Air Pollution Control Officer

---

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585



### **Change in Developer Form**

If all or a portion of the project changes ownership, a completed Change in Developer form must be submitted to the District within thirty (30) days following the date of transfer.

### **Additional Requirements**

- Dust Control Plan. Please be aware that you may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.
- Asbestos Requirements for Demolitions. If demolition is involved, a Certified Asbestos Consultant will need to perform an asbestos survey prior to the demolition of a regulated facility. Following the completion of an asbestos survey; the asbestos survey, Asbestos Notification, Demolition Permit Release, and the proper fees are to be submitted to the District 10 working days prior to the removal of the Regulated Asbestos Containing Material and/or the demolition when no asbestos is present.
- Permits. Per District Rule 2010 (Permits Required), you may be required to obtain a District Authority to Construct prior to installation of equipment that controls or may emit air contaminants, including but not limited to emergency internal combustion engines, boilers, and baghouses.

To identify other District rules or regulations that apply to this project or to obtain information about District rules and permit requirements, the applicant is strongly encouraged to visit [www.valleyair.org](http://www.valleyair.org) or contact the District's Small Business Assistance office nearest you:

Fresno office: (559) 230-5888  
Modesto office: (209) 557-6446  
Bakersfield office: (661) 392-5665

Mr. Ridenour  
Page 3

Thank you for your cooperation in this matter. If you have any questions, please contact Ms. Sharla Yang at (559) 230-5934.

Sincerely,

Arnaud Marjollet  
Director of Permit Services

  
Brian Clements  
Program Manager

AM: sy

Enclosures

cc: Elena Nuno  
c/o Stantec Consulting Services, Inc.  
7502 N. Colonial, Suite 101  
Fresno, CA 93711

## Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

Project Name:	FRESNO HUMANE ANIMAL SERVICES
Applicant Name:	FRESNO HUMANE SOLUTION INC.
Project Location:	N. GRANTLAND N. GRANTLAND, SOUTH OF PARKWAY APN(s): 504-081-02S, 03S
Project Description:	LAND USE: Medical Building - 30942 Square Feet - Other Medical Building - 30942 Square Feet - Other Medical Building - 30942 Square Feet - Other ACREAGE: 4.1
ISR Project ID Number:	C-20180028
Applicant ID Number:	C-302866
Permitting Public Agency:	CITY OF FRESNO
Public Agency Permit No.	SITE PLAN REVIEW

### Existing Emission Reduction Measures

Enforcing Agency	Measure	Quantification	Notes
There are no Existing Measures for this project.			

### Non-District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Source Of Requirements
There are no Non-District Enforced Measures for this project.			

### District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Exempt from Off-site Mitigation Fee	For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30-days of the end of each phase of construction.	(Compliance Dept. Review)	Ongoing

## Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	Ongoing

Number of District Enforced Measures: 3

City Hall  
2600 Fresno Street, 4<sup>th</sup> Floor  
Fresno, California 93721  
Ph. (559) 621-8650 FAX (559) 488-1045  
[www.fresno.gov](http://www.fresno.gov)

Scott L. Mozier, P.E.  
Public Works Director

January 19, 2017

Hector Luna, Staff Analyst III  
County of Fresno, Department of Public Works and Planning  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721

SUBJECT: **SPR APPLICATION NO. 8077**  
APN: 504-081-02s, -03s  
Address: ±6400 Block of Grantland Avenue

Dear Mr. Luna,

Thank you for the opportunity to review the subject application for approval of the Fresno Humane Animals Services project.

**General Conditions:**

For any property roadway frontage that is within the City of Fresno Sphere of Influence the property shall dedicate the necessary right-of-way per the City of Fresno standards for the roadway classification. Building setbacks should also be calculated based on the City of Fresno standards from the future roadway alignment so that the City of Fresno can grow into the Sphere of Influence and have sufficient capacity in the roadway circulation element. Failure to ask for the dedication and setbacks of buildings to the City of Fresno standard would create a significant impact on the City of Fresno circulation element as part of the City of Fresno **2035 General Plan**. The dedication can be made to the County of Fresno in the form of an Irrevocable Offer. The County does not need to accept the offer until annexation occurs.

If this property is located within the City of Fresno Sphere of Influence and is developing **prior** to annexation, this property should sign a covenant that they will incorporate into the City of Fresno without protest when the land around them incorporates so as to not create a future County island within the Sphere of Influence. Failure to agree to incorporate without protest would create a significant impact to the services provided by the City of Fresno as we expand our City Limits to our Sphere of Influence Line.

Underground all existing off-site overhead utilities within the limits of this site/map as per FMC Section 15-4114.

All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. To access the City's Standards, visit our website at [www.fresno.gov](http://www.fresno.gov). They are located under the Public Works Department's Technical Library.

## **Recommended Conditions of Approval:**

A parcel merger or cross access agreement may be required. This is a separate process. Contact the planner, Hector Luna.

### **Street Dedications and Encroachment Permits**

Identify all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc. within the public right of way. Also, identify the required **4'** minimum path of travel along the public sidewalk directly in front of property, as required by the California Administration Code (Title 24). **A pedestrian easement may be required if Title 24 requirements cannot be met.**

Deed documents for the required dedications shall be prepared by the applicant's engineer and submitted to the [County of Fresno](#) **prior** to issuance of building permits.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the [City/County](#) of Fresno. Encroachment permits must be approved **prior** to issuance of building permits.

### **Street Improvements**

The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. Street construction plans are required and shall be approved by the [City/County](#) Engineer. Contact the [City/County](#) of Fresno Public Works Department. All required street improvements must be completed and accepted by the [City/County](#) **prior** to occupancy, where applicable.

Repair all damaged and/or off grade off-site concrete improvements as determined by the [City/County](#) of Fresno Public Works Department.

### **Grantland Avenue: Arterial**

1. Dedication Requirements:
  - a. Dedicate **55'** of property, from section line, for public street purposes, within the limits of this application, per Public Works Standard **P-52**.
2. Construction Requirements:
  - a. Construct **20'** of permanent paving per Public Works Standard **P-50**, within the limits of this application and transition paving as necessary.
  - b. Construct driveway approaches to Public Works Standards **P-2, P-6, P-76 and/or P-77**, as approved on the site plan. For proposed approaches shown as **P-76** and/or **P-77**, this is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard **P-10**. If grades are not sufficient, construct to Public Works Standards **P-2** and **P-6**. **Provide 10' of red curbing (3 coats) on both sides of the proposed driveway approaches.**
  - c. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.
  - d. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **10'** commercial pattern. Construct **4' x 6'** tree wells per Public Works Standard **P-8**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).

- e. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-7** for Arterials and approved street lighting plans.

### **Off-Street Parking Facilities and Geometrics**

1. Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawings **P-21, P-22, P-23**.
2. Install **30"** state standard "STOP" signs at locations shown. (Arterials) A "right turn only" sign is also required, at the same location; install a **30" x 36"** state standard sign immediately below the stop sign on the same post. Signs shall be mounted on a **2"** galvanized post with the bottom of the lowest sign **7'** above ground, located behind curb and immediately behind a major street sidewalk.
3. Parking: Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A"**. No obstructions shall be within the **2'** overhang.
4. Gates:
  - a. Provide a minimum of **20'**, or the length of the largest vehicle to enter/exit the site, whichever is greater, from the gate to the back of walk.
  - b. Submit an operational statement on the site plan for the proposed gate(s) to Traffic Engineering for review and approval, **prior** to permits. Provide the following information:
    - a. Clarify if the gate will be secured with a padlock, have a keypad, or remote access.
    - b. Identify hours to remain open and closed.
    - c. Specify that the person opening/closing the gate will not block the public right-of-way.
5. When no masonry wall is required, wheel stops in the form of a **6"** high concrete curb or other approved fixed barrier, placed a minimum distance of **3'** from the property line, or the building to be protected, shall be installed.

The City of Fresno respectfully requests that we be notified of the Planning Commission date for this application. Additionally, we request that these conditions be placed on the above Application. This will facilitate development, within the City's sphere, consistent with current standards, traffic patterns and the orderly growth of the City of Fresno.

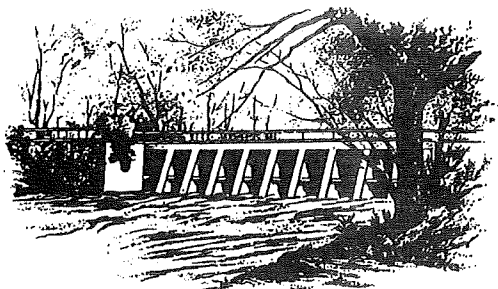
Please feel free to contact:

Melessa Avakian at (559) 621-8812, [Melessa.Avakian@fresno.gov](mailto:Melessa.Avakian@fresno.gov) if you have any further questions regarding this matter.

Sincerely,

---

Louise Gilio, Traffic Planning Supervisor  
Public Works Department, Engineering Division, Traffic Planning



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF  
**FRESNO**  
**IRRIGATION DISTRICT**

TELEPHONE (559) 233-7161  
FAX (559) 233-8227  
2907 S. MAPLE AVENUE  
FRESNO, CALIFORNIA 93725-2208

January 30, 2018

Mr. Hector Luna  
County of Fresno  
Department of Public Works and Planning  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, CA 93721

RE: Site Plan Review Application No. 8077  
N/E Bullard and Grantland avenues  
FID's Epstein No. 48

Dear Mr. Luna:

The Fresno Irrigation District (FID) has reviewed the Site Plan Review No. 8077 for which the applicant proposes to allow for an Animal Shelter, APNs: 504-081-02S, 03S. FID has the following comment:

**Summary of Requirements**

- FID Board Approval.
- Review and Approval of all plans.
- Substitute approx. 550 feet of existing CIP with 48 inch ASTM C-361 B25 RGRCP (with MacWrap).
- Pipeline Substitution Agreement with 40' Easement.
- Project/Review Fees.

**Area of Concern**

1. FID's active Epstein No. 48 runs northwesterly and traverses the north and eastern part of the subject property as shown on the attached FID exhibit map, and will be impacted by future development. FID owns the following exclusive easements and a 48" pipeline along the subject property:
  - a. Area of Concern: 40-foot wide perpetual and exclusive easement, recorded November 21, 1979 as Document Number 143033, Official Records of Fresno County. The canal consists of a 48-inch diameter Cast in Place Monolithic Concrete Pipe (CIP-MCP) installed in 1979 (39 years old). Pipeline plan is attached for your reference. CIP-MCP is a non-reinforced monolithic pipe that is easily damaged, extremely prone to leakage and does not meet FID's minimum standards for developed (residential, industrial, commercial) parcels or urban areas.

G:\Agencies\County\Site Plan Review\8077.doc

**BOARD OF DIRECTORS** President RYAN JACOBSEN, Vice-President JERRY PRIETO, JR.  
CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager GARY R. SERRATO



2. FID requires the applicant to replace the existing pipeline across the subject parcels with new 48-inch diameter ASTM C-361 B25 Rubber Gasket Reinforced Concrete Pipe (RGRCP) with appurtenant structures in accordance with FID standards for developed parcels and that the applicant enter into an agreement with FID for that purpose.
3. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers, including agricultural deliveries and groundwater recharge basins, and may impact stormwater routing capability (on the canals that are used to route stormwater). Significant pipeline damage often occurs by the time this problem is identified by FID and can be very costly to make the necessary repairs. The leaking pipelines and pipeline repairs also increase the liability of all parties involved.

The applicant will need to address these concerns, and FID has several suggestions (listed in order of preference).

- a. Keep trees away from the pipeline and pipeline easement. This would be FID's preference. The advantage is the County and FID would have better control over encroachments as well as better access to patrol and maintain the easement. If there is a leak, the damage would be minimized. Trees would be located outside the FID easement.
  - b. Install a jointless pipe (i.e. HDPE with fusion weld joints) - HPDE (High-Density Polyethylene) is stronger than PVC pipe, which makes it more suitable to be placed in urban areas. In addition, the jointless design of fusion welded pipe reduces the risk of root intrusion. FID does not currently have or allow HDPE pipelines, so there will be a significant learning curve related to HDPE pipeline design, strength/longevity, and future maintenance. If the applicant chooses this alternative, all parties need to further evaluate the potential issues including long term maintenance, repair methods, materials, etc.
  - c. Install external wrap around the pipe joint – This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. FID approved this method in the City of Fresno and the City of Clovis. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.
4. FID requires its easements be shown on all maps with proper recording information, and that FID be made a party to signing the final map.
  5. Should the applicant propose to build any improvements within FID's easement, FID requires it review and approve all Private facilities that encroach into FID's property/easement. For all encroachment(s), the applicant will be required to enter into

Mr. Hector Luna  
RE: SPR 8077  
January 30, 2018  
Page 3 of 3

the appropriate agreement to be determined by FID. However, FID will not allow any structures within its easement.

6. FID requires it review, approve and be made a party to signing all improvement plans which affect its easements and pipeline facilities including but not limited to Grading and Drainage, Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.
7. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.
8. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

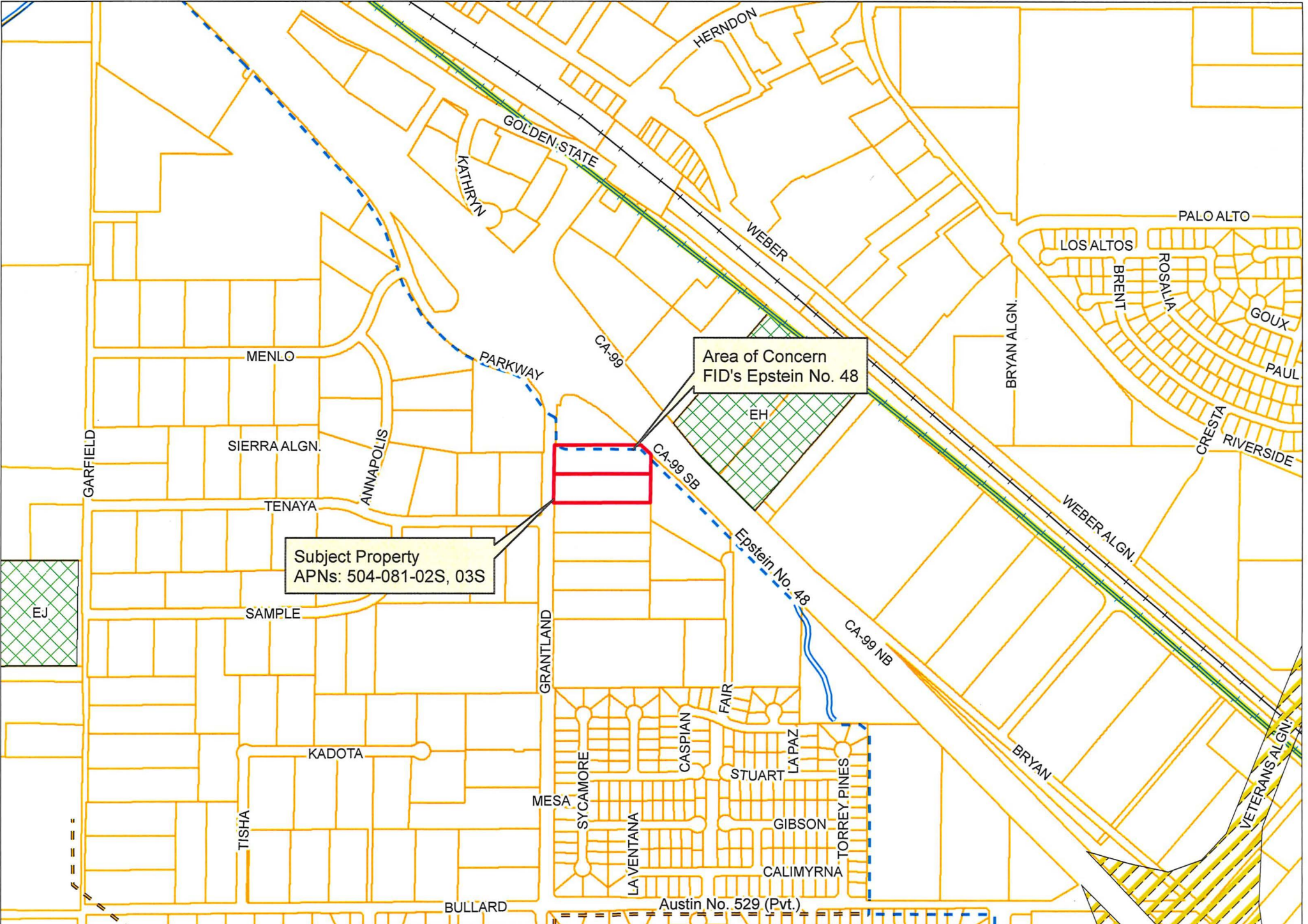
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or [clundeen@fresnoirrigation.com](mailto:clundeen@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment



This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

- Legend**
- FID Canal
  - Private Canal
  - - - FID Pipeline
  - - - Private Pipeline
  - Stream Group
  - Other-Creek/River
  - - - Other-Pipeline
  - - - FID Boundary
  - + + + Railroad
  - Streets & Hwys
  - Parcel
  - FMFCD Acquired Basins
  - FMFCD Proposed Basins

0 355 710 Feet  
 1 inch = 701.77 feet  
 Date Saved: 12/12/2017 10:57:58 AM  
 Path: G:\Fidgis\master\_AG10.mxd





**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS**

File No. 210.422

Page 1 of 2

**PUBLIC AGENCY**

HECTOR LUNA  
DEPARTMENT OF PUBLIC WORKS AND  
PLANNING  
COUNTY OF FRESNO  
2220 TULARE STREET, 6TH FLOOR  
FRESNO, CA 93721

**DEVELOPER**

FRESNO HUMANE ANIMAL SERVICES  
760 W. NEILSEN AVE.  
FRESNO, CA 93706

PROJECT NO: **8077**  
ADDRESS: **E/S GRANTLAND N/O BULLARD**  
APN: **504-081-02S, 03S**

SENT: **2/5/18**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
EM	\$54,410.00	NOR Review	\$153.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$780.00	Amount to be submitted with first grading plan submittal.
<b>Total Drainage Fee: \$54,410.00</b>		<b>Total Service Charge: \$933.00</b>		

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the County. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/18 based on the site plan submitted to the District on 1/16/18 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

**Conditions: (Checked if Required)**

- Recommend that the County require a temporary on-site storm water storage facility for any additional development or street improvements. Said facility should be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street.
- Request that the drainage and grading plan be reviewed and approved by the FMFCD prior to approval by the County.
- The proposed development appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate flood plain management action (See attached Flood Plain Policy).
- No on-site retention of storm water runoff required provided the developer can verify to the County of Fresno that runoff can be safely conveyed to the Master Plan inlet(s).
- See Exhibit No.1 for additional comments, recommendations, and requirements.

**CO SPR No. 8077**



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 2 of 2

6. X The subject site contains a portion of a canal or pipeline that is used to manage recharge, stormwater, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.
7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
  - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office.) A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
  - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.



Peter Sanchez  
District Engineer



Sarai Yanovsky  
Project Engineer

GO SPR No. 8077

**OTHER REQUIREMENTS**  
**EXHIBIT NO. 1**

The District requires that the storm drainage patterns for the development conform to the District's Master Plan as shown on Exhibit No. 2. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter for conformance to the Master plan within the project area.

Should street improvements on Grantland Avenue become a requirement of Co. SPR 8077, Master Plan facilities may be required and the County and developer should contact the District.

The construction of the "Optional Master Plan Facilities" as shown on Exhibit No. 2 will provide permanent drainage service to Co. SPR 8077. If these optional facilities are not constructed, the District recommends temporary facilities until permanent service is available.

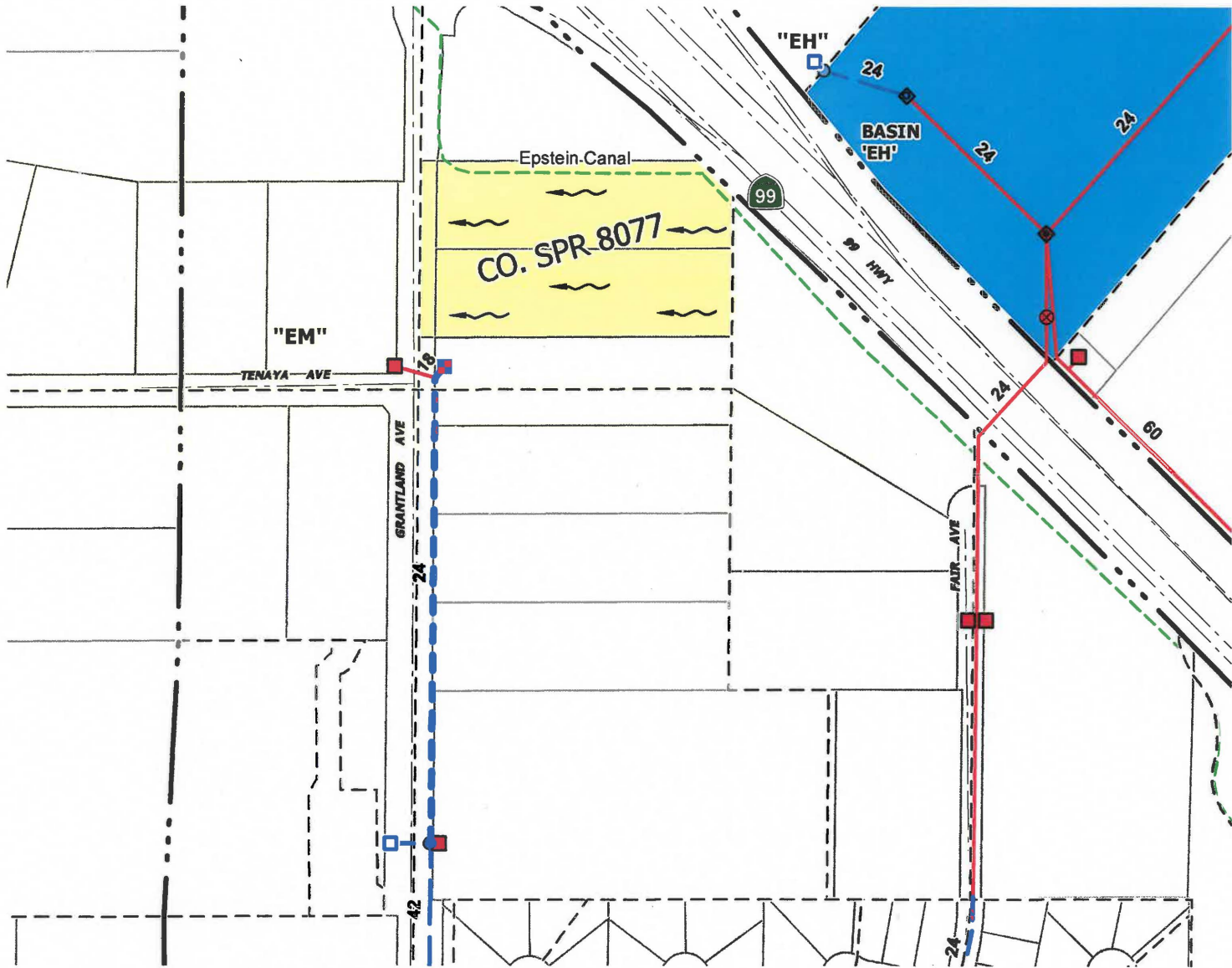
In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas shall not be connected to the District's system. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements is available on the District's website at: [www.fresnofloodcontrol.org](http://www.fresnofloodcontrol.org) or contact the District's Environmental Department, Daniel Rourke, for further information regarding these policies related to industrial site requirements.

Development No. CO SPR 8077

NOTE: THIS MAP IS SCHEMATIC.  
 DISTANCES, AMOUNT OF CREDITABLE  
 FACILITIES, AND LOCATION OF INLET  
 BOUNDARIES ARE APPROXIMATE.



**LEGEND**

- Optional Master Plan Facilities To Be Constructed By Developer - Pipeline (Size Shown) & Inlet
- Existing Master Plan Facilities
- Future Master Plan Facilities
- Epstein Canal
- Inlet Boundary
- Drainage Area Boundary
- Direction Of Drainage
- Limits Of Project



**CO. SPR 8077**  
**DRAINAGE AREA "EM"**

**EXHIBIT NO. 2**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**





**Jia, Bei**

---

**From:** Padilla, Dave@DOT <dave.padilla@dot.ca.gov>  
**Sent:** Tuesday, September 11, 2018 8:46 AM  
**To:** Jia, Bei  
**Cc:** Luna, Hector  
**Subject:** FW: IS 7359, GPA 552, AA 3825 (SCH 2018061009)

Hello Bei,

My apologies. We did provide a “no comment” to the Initial Study and the GPA back in July, 2018. We also have no concerns with the site plan (SPR No. 8077).

Thank you

David Padilla, Associate Transportation Planner  
Office of Planning & Local Assistance  
1352 W. Olive Avenue  
Fresno, CA 93778-2616  
Office: (559) 444-2493, Fax: (559) 445-5875



District 6

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**From:** Mollring, Marianne [mailto:mmollring@fresnocountyca.gov]  
**Sent:** Monday, July 02, 2018 4:24 PM  
**To:** Padilla, Dave@DOT <dave.padilla@dot.ca.gov>  
**Subject:** RE: IS 7359, GPA 552, AA 3825 (SCH 2018061009)

Thank you Dave.  
Marianne

---

**From:** Padilla, Dave@DOT <[dave.padilla@dot.ca.gov](mailto:dave.padilla@dot.ca.gov)>  
**Sent:** Monday, July 02, 2018 2:52 PM  
**To:** Mollring, Marianne <[mmollring@fresnocountyca.gov](mailto:mmollring@fresnocountyca.gov)>  
**Cc:** state.clearinghouse (<[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)>) <[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)>  
**Subject:** IS 7359, GPA 552, AA 3825 (SCH 2018061009)

Hello Marianne,

We have no concerns with the proposed project.

Thank you

David Padilla, Associate Transportation Planner  
Office of Planning & Local Assistance  
1352 W. Olive Avenue  
Fresno, CA 93778-2616  
Office: (559) 444-2493, Fax: (559) 445-5875



District 6

