



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Harpreet Pawar

APPLICATION NOS.: Initial Study No. 7679 and Amendment Application No. 3838

DESCRIPTION: Rezone a 1.74-acre parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District.

LOCATION: The project site is located on the east side of South Peach Avenue approximately 1,460 feet south of its nearest intersection with East North Avenue and is approximately 1.05 miles southeast of the nearest city limits of the City of Fresno (APN 331-200-01S) (3280 S. Peach Avenue, Fresno, CA) (SUP. DIST.: 4).

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 subject parcel is located in an area of industrial uses to the west, residential uses directly north and south, and agricultural uses to the east. The site borders urbanized land to the west and rural agricultural land to the east. No scenic vista has been identified as being affected by the project proposal. According to Figure OS-2 of the Fresno County General Plan, there is no scenic roadway fronting the project site. No scenic resources have been identified as being affected by the project proposal.

- 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:

Per the Roosevelt Community Plan, the subject site is designated for General Industrial and the proposed rezone from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District would be consistent with its land designation. The subject site is currently improved with a single-family residence and accessory structures. The proposed rezone has the potential to change the visual character of the site from a residential/rural character consistent with the current underlying zone district to a more industrial character based on the uses allowed in the M-1 Zone District. This however is seen as a less than significant impact due to the area being planned for industrial activity as shown in the land designation and through consideration of the existing character of the area, which is already affected by industrial operations.

- 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:

The project site is currently improved with a single-family residence and accessory buildings. There is no development proposed with the subject application. Any new development on the project site could potentially result in light or glare. To ensure that public right-of-way and surrounding properties are not negatively impacted by light pollution from any future development, a Mitigation Measure shall be implemented that all outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.

* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.*

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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?

FINDING: NO IMPACT:

According to the Fresno County Important Farmland 2016 Map, the subject property is located in land designated as Rural Residential Land. Aerial imaging of the project site and photos provided by the Applicant further confirm that the subject property is not utilized for agricultural cultivation. Therefore, the project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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

FINDING: NO IMPACT:

The project proposes to rezone the subject site from its existing AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. The Subject site is a part of the Roosevelt Community Plan and is designated for General Industrial. The proposal will bring the parcel into further compliance with its land use designation under the Roosevelt Community Plan and will not conflict with the existing zoning. The subject parcel is not Williamson Act contracted.

- 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 subject site is not zoned for forest land, timberland, or timberland zoned Timberland Production and 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:

Per the County-adopted Roosevelt Community Plan, the subject site and surrounding land bounded by North Avenue to the north, Minnewawa Avenue to the east, Central Avenue to the south, and Peach Avenue to the west, are designated for general industrial. Currently land located within the identified area is zoned for agriculture under the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District or zoned for industrial use under the M-1 (Light Manufacturing) or M-3 (Heavy Industrial) Zone District. Therefore, although the project could lead to conversion of additional farmland to non-agricultural use, the area has been designated for industrial use and does not have an impact on agricultural resources.

III. AIR QUALITY

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

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

FINDING: NO IMPACT:

An Air Quality and Greenhouse Gas Emissions Analysis was prepared by Vang Inc. Consulting Engineers (VICE) for the project. The San Joaquin Valley Air Pollution Control District (SJVAPCD) reviewed the subject application and analysis and did not express concerns with the analysis or project proposal. The analysis states that the project proposal is consistent with the Air Quality Plan established with SJVAPCD as the project would result in short-term construction and long-term pollutant emissions that are less than the significance emissions threshold with control measures incorporated. Additionally, the Air Quality Plan is based on growth projections developed by the Air District. The County's General Plan is consistent with the Air District and in considering the land use designation of the project area of industrial, the project proposal was taken into account for the growth projections of the Air District. Therefore, the project will not conflict with or obstruct implementation of the applicable Air Quality Plan.

- B. 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:

SJVAPCD annual emissions significance thresholds are: 100 ton per year of CO; 10 tons per year of NOx; 10 tons per year of ROG; 27 tons per year of SOx; 15 tons per year of PM10; and 15 tons per year of PM2.5. The Air Quality and Greenhouse Gas Emissions Analysis produced for the subject application estimated the construction emissions associated with the project shown for the years 2020 and 2021. Estimates of construction emissions for all criteria pollutants resulting from the project are under significance thresholds established by the SJVAPCD. Operational emissions are likely to come from two main sources, area sources and mobile sources. The operational air pollutant emissions are estimated to be under significance thresholds under SJVAPCD standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Fresno County Zoning Ordinance, the M-1 (Light Manufacturing) Zone District is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of material that are in already processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot, or lighting to any degree which might be obnoxious or offensive to persons residing in or conducting business in either this or any other district. The by-right uses of the proposed zone district are not expected to expose sensitive receptors to substantial pollutant concentrations or result in emissions that would adversely affect a substantial number of people. Per the Air Quality analysis provided by the Applicant, estimated criteria pollutants both from proposed project construction and operation at the highest intensity of project buildout would be under significance thresholds established under the SJVAPCD. Any more intensive use under the proposed zone district that requires a land-use entitlement will require additional analysis of the use, therefore the site at build-out of the highest intensity would have a less than significant impact on sensitive receptors and would not adversely affect a substantial number of people.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: NO IMPACT:

According to the California Natural Diversity Database, there are no reported occurrence of special status species on the project site. The site has historically been used as a single-family residential site. Aerial imaging of the site and surrounding area suggest that the project site is on the boundaries of urban development and agricultural operations indicating disturbed areas that would deter wildlife from occupying the site or any other site in the immediate vicinity of the project site. Both the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) were notified of the subject application and no concerns were expressed by either agency.

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the National Wetlands Inventory (NWI), the subject parcel is easterly adjacent to an identified wetland. Upon further inspection, the identified wetland is a manmade canal under the jurisdiction of the Fresno Irrigation District (FID). FID identifies the canal as Washington Colony No. 15 Canal and runs southerly traversing the east side of the subject property. Development of the site will require compliance with setbacks and easements associated with the FID owned canal and avoid direct impacts on the canal. There are no riparian habitat or other sensitive natural communities identified on the project site. Although the identified wetland is not a state or federally-protected wetland, the project will avoid adversely impacting the wetland.

- 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 located on the boundary of urban development and agricultural operations. The project will not interfere with the movement of any native resident or migratory fish. There are no identified migratory wildlife corridor or native wildlife nursery site 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:

There are no local policies or ordinances protecting biological resources that would conflict with the project proposal. The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to Fresno County records, the site is not located in areas identified as being archeologically sensitive. The project site has experienced ground disturbance with construction of the existing single-family residence and accessory buildings. Although past ground disturbance has occurred, a mitigation measure will be implemented in the event that cultural resources are unearthed during further ground disturbance related to development of the site.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT:

New development of the site will be subject to current building and energy codes that comply with state and local standards. Energy usage in the form of running equipment and vehicles is expected to increase, but will not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

According to Figure 9-3 of the Fresno County General Plan Background Report (FCGPBR) and the Earthquake Hazard Zone Application, administered by the California Department of Conservation, the subject site is not located on or near a known earthquake fault.

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

FINDING: NO IMPACT:

Per Figure 9-5 of the FCGPBR, the subject site is not located in area identified as having a probabilistic seismic hazard with a peak horizontal ground acceleration of over 20%. The County of Fresno is situated in an area of relatively low seismic activity with faults and fault systems lying along the eastern and western boundaries of the County. The subject site is not located near the identified faults and fault system, therefore it can be seen that the site will not be subject to strong seismic ground shaking or seismic-related ground failure. The subject site is located in a relatively flat area, therefore risk of landslides is minimal. Additionally, per Figure 9-6 of the FCGPBR, the project site is not located any identified landslide hazard areas.

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

FINDING: NO IMPACT:

Further development of the project site could result in additional coverage of the parcel with impermeable surfaces which will decrease the potential for significant soil erosion. In reviewing the terrain of the site and taking into consideration the presence of the Fresno Metropolitan Flood Control District which will allow safe directing of storm water that further decrease the risk of soil erosion, no impact is seen from the project.

- 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:

No geologic unit or unstable soil has been identified on the project site.

- C. 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 Fresno County General Plan Background Report, the subject site is not located on areas identified as having soils exhibiting moderately high to high expansive potential.

- D. 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:

There is no development proposed with the subject rezone. Building permit records indicate the presence of a single-family residence that is serviced by a septic system. Reviewing agencies and departments did not express concern with the project to indicate that the site has soils incapable of adequately supporting additional septic tanks or alternative wastewater disposal systems. If a new septic system or alternative wastewater disposal system were to be proposed, the development would be subject to review and permitting by the Department of Public Works and Planning.

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

FINDING: NO IMPACT:

No unique paleontological resource or unique geologic feature has been identified on the subject parcel.

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:

A Greenhouse Gas Emissions Analysis has been prepared for the subject application provided estimated greenhouse gas emissions based off the worst case scenario. Construction greenhouse gas emissions are estimated to be approximately 258.3597 metric tons of CO₂ emissions per year. The analysis indicates that the proposed

rezone could result in a total CO2 emissions of 972.8874 metric tons per year in operation with the worst case scenario is mind.

The San Joaquin Valley Air Pollution District on December 17, 2009 published its Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA (Guidance). The Guidance recommends using performance-based standards as a means of determining the significance of project specific GHG emission impacts using established specifications or project design elements and Best Performance Standards. The effects of project specific GHG emissions are considered to be cumulative unless reduces or mitigated, their incremental contribution to global climate change could be considered cumulatively considerable. No numerical threshold of significance for GHG emissions has been established. Guidance also compare estimated operational emissions to a Business as Usual (BAU) scenario to a 2002-2004 baseline scenario to represent conditions if current regulations were not adopted.

The Greenhouse Gas (GHG) Emissions Analysis concluded that although the project proposal does not meet the percentage reduction threshold of 29% when compared to BAU emissions established under Guidance from the SJVAPCD, the project proposal is still consistent with State reduction goals as implementation of BPS and project design for GHG emission reduction will occur to the most possible extent as these items are addressed through State standards and regulations. Therefore, the project is not expected to generate GHG emissions that may have a significant impact on the environment. The SJVAPCD has reviewed the project proposal and prepared GHG Emissions Analysis and did not express concern to indicate that the project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses.

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:

The subject application proposes to rezone the project site from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. Permitted uses under the proposed zone district could result in the transport, use, or disposal of hazardous materials. However, if a use is established on the project site that would result in the handling or disposal of hazardous materials/waste, the operation would be subject to local, state, and federal regulations for permitting and handling of said hazardous materials/waste. More intensive uses listed outside of permitted uses would be subject to a land-use permit, which would

under go further review for handling of hazardous materials and waste. Reviewing agencies and departments did not express concern with the subject proposal. The Department of Public Health, Environmental Health Division listed state requirements for handling and storage of hazardous waste. Therefore, with compliance of local, state, and federal standards for handling of hazardous materials and waste, the project will result in a less than significant impact to the public and environment.

- 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:

There are no existing or proposed schools within a one-quarter mile of the project site.

- 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; or
- 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 two miles of an airport land use plan or public airport or public use airport.

- 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:

Department and agency review of the subject application did not indicate that the project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The subject site is located on the boundary between urban and agricultural land and would not be subject to a significant risk of loss, injury, or death involving wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Applicant, water is provided by a private well and liquid waste disposal is available via an onsite septic system. The Water and Natural Resources Division and the State Water Resources Control Board reviewed the subject application and did not express concern with the project to indicate that the project will result in violation of any water quality standards or a substantial decrease in groundwater supplies or recharge. The State Water Resources Control Board states that although development is not proposed with the subject application to rezone the parcel, if the future development to the site results in the formation of a new public water system, the Applicant will need to comply with Senate Bill 1263.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
 1. Result in substantial erosion or siltation on- or off-site?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject application does not propose direct development of the site and proposes to rezone the subject parcel to an industrial zone district. Future development of the site can result in the addition of impervious surfaces which can result in erosion or siltation on or off site. Development of the site will be subject to current building code and grading standards to ensure erosion or siltation of the site is reduced so as to not cause an adverse effect. The project site is in a generally flat area with the biggest change in elevation being a canal located abutting the eastern property line. The Fresno Irrigation District has reviewed the subject proposal and request that a minimum 20-foot easement be provided to ensure that their facilities are unaffected by any development proposed for this site. Additionally, the Fresno Metropolitan Flood Control District has reviewed the subject application and indicate that the project site is located in proximity to established drainage facilities and can accommodate development of the site subject to their requirements. Therefore, in considering the presence of facilities that can reduce impacts from the addition of impervious surfaces resulting from the project, a less than significant impact is seen.

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Further development of the site could result in an increase rate or amount of surface runoff which could result in flooding on- or off-site. The increase however is not considered significant as the subject site is located within the boundaries of the Fresno Metropolitan Flood Control District (FMFCD) and would be subject to requirements for providing improvements related to connecting to their facilities for stormwater runoff. The FMFCD have indicated that the existing facilities are adequate in servicing the subject parcel.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

Per FEMA FIRM Panel C2130H, the subject property is located in Zone X, Area of Minimal Flood Hazard. Therefore, the subject proposal and any future development would not impeded or redirect flood flows.

D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

The subject site is not located in the 100-year flood zone hazard area and is not located near any body of water that would indicate that the site is at risk due to tsunami or seiche zones.

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

FINDING: NO IMPACT:

Agency and department review of the project proposal did not produce concern to indicate that the project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is located on a 1.74-acre parcel on the east side of South Peach Avenue of approximately 1,460 feet south of its nearest intersection with East North Avenue.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Policy Planning Section of the Fresno County Department of Public Works and Planning has reviewed the subject application and provided information regarding the project's consistency with the Fresno County General Plan. Per the County-adopted Roosevelt Community Plan, the subject parcel is designated General Industrial, therefore the proposed M-1 Zone District is compatible with the land-use designation.

Policy LU-F.29 states that the County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors. Criteria "a": Operational measures or specialized equipment to protect public health, safety, and welfare, and to reduce adverse impacts of noise, odor, vibration, smoke, noxious gases, heat and glare, dust and dirt, combustibles, and other pollutants on abutting properties; Criteria "b": Provisions for adequate off-street parking to handle maximum number of company vehicles, salespersons, and customers/visitors; Criteria "c": Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties; Criteria "d": Limitations on the industry's size, time or operation, or length of permit.

In regard to Policy LU-F.29, mitigation measures, conditions of approval, and project notes are to be implemented to ensure that impacts from the project proposal are reduced to at least a less than significant impact or meet State and local standards and regulations. Additional requirements per local standards will be implemented to ensure that the new industrial development not adversely impact surrounding properties.

Policy LU-F.30 states that the County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.

The existing structures on the property include a single-family residence and accessory storage building. Per the Fresno County Zoning Ordinance, submittal and approval of a Site Plan Review application is necessary for new improvements to the subject site under the M-1 Zone District. Therefore, new improvements related to an industrial use would be subject to additional review and determine if community sewer and water services is necessary. More intensive industrial development under the zone district that requires a land-use permit will be subject to additional environmental review and further determination on the requirement of community sewer and water services.

Policy LU-F.31 states that 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.

The subject site and surrounding area per the County-adopted Roosevelt Community Plan is designated for industrial development. Although the area is not currently zoned for industrial development, the area is planned for industrial uses and with some existing industrial uses present. Additional land-use permit review or site plan requirements will address the need for landscaping and setbacks requirements.

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 and 7-8 of the Fresno County General Plan Background Report, the subject site is not located on or near any identified mineral resource location or mineral producing location.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject application does not propose immediate development of the site. Future development of the site would be subject to the provisions of the Fresno County Noise Ordinance and should not exceed established noise level thresholds. According to the County-adopted Roosevelt Community Plan, the project site and area surrounding the property are designated for Limited Industrial. However, certain parcels in close proximity of the subject parcel that will continue to be zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and utilized for residential purposes. As a measure to protect the existing residences surrounding the subject parcel, all trailers with refrigeration units operating shall be parked towards the middle of the trailer parking area with non-refrigeration trailers parked in outer parking spots to aid in buffering noise from the refrigeration units. In considering the eventual conversion of land to industrial uses per land-use designations under the adopted plan and compliance with the Fresno County Noise Ordinance a permanent increase in noise levels will have a less than significant impact. Compliance with the listed mitigation measure will ensure a less than

significant impact on the surrounding existing residential uses from negative impacts resulting from certain uses allowed if the rezone were to be approved.

* **Mitigation Measure(s)**

1. *All trailers with refrigeration units operating shall be parked towards the middle of the trailer parking area with non-refrigeration trailers parked in outer parking spots to aid in buffering noise from the refrigeration units.*

- 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 subject project site is not located on or within two miles of a private airstrip, airport land use plan, public airport or public use airport.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The subject rezone will not induce substantial unplanned population growth as the area has been identified in the Roosevelt Community Plan for industrial uses. The project does not displace a substantial number of existing people or housing necessitating construction of replacement housing elsewhere.

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: NO IMPACT:

The Fresno County Fire Protection District (FCFPD) has reviewed the subject proposal and did not express concern with the project to indicate that the rezone will require the provision of new or physically-altered governmental facilities.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the subject application to indicate that the project will result or require in the provision of new or physically-altered governmental facilities.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project will not result in increased use of existing neighborhood or regional parks or other recreational facilities. The project will not result in or 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; or
- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

A Traffic Impact Study (TIS) has been prepared for the subject application addressing trip generation resulting from the proposal. The project proposes to rezone the subject property from the rural residential zone district to the light industrial zone district. The TIS addresses the highest traffic generating land uses allowed under the Light Industrial zone district. Uses utilized for traffic trip estimations are General Office, General Light Industrial, Manufacturing, and Shopping Center. Of the four uses, the shopping center produced the most weekday trips. A level of service and queuing analysis were also conducted and identified the S. Peach Avenue and E. Central Avenue intersection, the S. Peach Avenue and E. North Avenue intersection, the S. Peach Avenue and E. Jensen Avenue intersection, S. Peach Avenue and intersection with Driveway A, and S. Peach Avenue and intersection with Driveway B. Per the analysis, the Peach Avenue and Jensen Avenue intersection under the cumulative plus project scenario would cause the intersection to operate at a Level of Service of E. Based on comments provided by the Transportation Planning Section, the applicant will be required to pay their fair share of improvements needed for the intersection to function as a Level of Service of D or better. As this intersection is located in both the County of Fresno and City of Fresno, half of those improvements would be paid to the County with the other half going to the City. Additional mitigation in the form of payment of equitable share on the studied intersections was recommended by the City, County, and consultant to reduce traffic impacts resulting from the proposed rezone. Further mitigation measures are being implemented to ensure future development of the site meets the applicable circulation plans and programs of the City of Fresno and County of Fresno.

Under Section 15064.3, subdivision (b) of CEQA Guidelines, a Vehicle Miles Traveled (VMT) analysis was conducted by the consultant and estimated an annual VMT with mitigation of 1,340,039 miles resulting from the worst-case scenario. Review of the VMT analysis and estimates did not cause concern with reviewing agencies and departments, therefore a less than significant impact is seen from the project.

* **Mitigation Measure(s)**

- 1. The project shall pay its equitable share towards the dual lefts at the Jensen Avenue and Peach Avenue Intersection. The Equitable Share Contribution from the developer was calculated to be 0.1% of the total cost, or approximately \$60.00.*
- 2. The project shall pay its equitable share towards the signalization of the Peach Avenue and Central Avenue intersection. The Equitable Share Contribution from the developer was calculated to be 1.1% of the total signalization cost, or approximately \$4,400.00.*
- 3. The project shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact (FMSI) Fee, a Traffic Signal Mitigation Impact (TSMI) Fee, and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.*

4. *Construct site frontage improvements along S. Peach Avenue to include curb, gutter, sidewalk and accommodations for bicycle facilities to be constructed in connection with the City of Fresno Active Transportation Plan. These include Class II facilities along S. Peach Avenue.*
 5. *Provide onsite bike racks/bike lockers and pedestrian accessibility to all proposed buildings and offsite sidewalks.*
- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject application proposes to rezone the parcel from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. There is no associated site plan with this proposal as there is no specific use being proposed. Per the Fresno County Zoning Ordinance, Section 843.6, "before any building or structure is erected on any lot in this District, a site plan shall be submitted to and approved by the Director, pursuant to the provisions of Section 874". Aerial images of the site indicate that the subject parcel is currently improved with a single-family residence and accessory structures. Development of the site in relation to any use allowed under the proposed zone district would be subject to the provisions of the Site Plan Review process addressed under Section 874, which will address design features of the site including circulation and parking on the site. The site is designated under the Roosevelt Community Plan for industrial use with some properties in the vicinity of the subject site zoned for industrial and are improved with industrial uses. Therefore, the proposal will not substantially increase hazards due to design features or incompatible uses.

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

As stated, establishment of building and structures related to a use under the M-1 Zone District will require further review and compliance of circulation, parking, and emergency access standards. Therefore, the project will not result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size

and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Under the provisions of Assembly Bill 52 (AB 52), participating California Native American Tribes were given the opportunity to enter into consultation with the County on the subject application. No participating California Native American Tribe expressed concern with the project proposal. A Mitigation Measure is incorporated with the project proposal to ensure proper handling of the cultural resources in the event that a resource is unearthed during ground-disturbing activities on the project site. No historical resources were identified on the site or is affected by the project proposal.

* **Mitigation Measure(s)**

1. *See Section V. Cultural Resources Mitigation Measure No. 1.*

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; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or
- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is currently serviced by a private domestic well for water and an onsite septic system for wastewater service. The subject application does not include

provisions for additional improvements related to water or wastewater service. The Department of Public Health, Environmental Health Division has provided comments on the subject application noting that Fresno County General Plan Policy LU-F.30 states that “the County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.” The Environmental Health Division further states that if onsite water wells and/or sewage disposal systems are permitted, only low water uses and uses that generate small amounts of liquid waste shall be permitted until such time that the property is served by a community water and sewer facilities or adequate information is submitted to the Fresno County Department of Public Health and Department of Public Works and Planning to demonstrate that the property can accommodate higher volumes of liquid wastes. Currently, the proposal only requests to allow the rezone of the subject parcel with a use to be established at a later time. Per the Zoning Ordinance, any building or structure erected on the lot will be subject to submittal and approval of a Site Plan Review Application and will allow the County to screen the use for the establishment of a community water or wastewater service. Additional more intensive uses under the Zoning Ordinance that require a land-use permit will necessitate additional environmental review which can determine the establishment of a community water or wastewater service. Agency and Departmental review of the application indicates that the subject site is not located in a low water area.

- 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: LESS THAN SIGNIFICANT IMPACT:

The proposal entails the rezone of a subject site from the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District to the M-1 (Light Manufacturing) Zone District. Although uses permitted under the M-1 Zone District can potentially increase solid waste generation compared to certain uses permitted in the AL-20 Zone District, any permitted use on the site if the rezone were to be approved would be subject to all federal, state, and local standards for solid waste. Therefore, the project is not expected to generate solid waste in excess of state or local standards and will comply with federal, state, and local management and reductions statutes related to solid waste.

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

Per the 2007 Fresno County Fire Hazard Severity Zones in LRA Map, published by the California Department of Forestry and Fire Protection, the subject site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT:

The subject site is located on the boundary between industrial development and rural agricultural use. Per the County-adopted Roosevelt Community Plan, the site and surrounding area is designated for industrial development. Existing conditions of the site and surrounding area suggest daily human disturbance from the present industrial residential, and agricultural uses. The subject property is already developed with a single-family residence with the possibility of further development. While the possibility of development could degrade the quality of the environment, the site is already developed to an extent where habitat for fish or wildlife species is not present and would not affect species to a point where self-sustaining levels would be threatened.

- 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: NO IMPACT:

No impacts were identified in this analysis which would be cumulatively considerable.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Environmental effects that could potentially have a substantial adverse effect on human beings, either directly or indirectly were identified and reduced to a less than significant impact with implementation of mitigation measures. Therefore, the project with implemented mitigation measures will not have an adverse effect on human beings.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Amendment Application No. 3838, 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, Geology and Soils, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

Potential impacts related to Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Noise, Transportation, and Tribal Cultural Resources have determined to be less than significant with compliance with implementation of Mitigation Measures.

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

TK

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