



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 4 August 22, 2024

SUBJECT: Unclassified Conditional Use Permit Application No. 3721 and Initial Study No. 8135

Allow the development and operation of a new cemetery with caretaker's residence, on a 17.70-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the southwest corner of the intersection of E. Nebraska Avenue and S. Bethel Avenue approximately one mile east of the nearest city limits of the City of Selma (APN: 393-071-18T) (Sup. Dist. 4).

OWNER: Selma Cemetery District

APPLICANT: Sarai Ramirez (Selma Cemetery District)

STAFF CONTACT: Jeremy Shaw, Planner
(559) 600-4207

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration based on Initial Study (IS) No. 8135; and
- Approve Unclassified Conditional Use Permit Application No. 3721 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Site Photos
7. Applicant's submitted operational Statement
8. Summary of Initial Study No. 8135
9. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20	No change
Parcel Size	17.70 acres	No change
Project Site	See above	No change
Structural Improvements	Single-Family Dwelling, metal shop building with attached office.	A new public restroom facility is proposed for visitors. The existing dwelling will be utilized as a caretaker's residence, and the existing metal shop with attached office will be used as a maintenance building and the attached office will be for employee use. The existing dwelling/proposed caretaker's residence will require a change of occupancy.
Nearest Residence	50 feet west of the project parcel boundary	No change
Surrounding Development	A mix of irrigated agriculture, orchards and vineyards; and very low density residential	No change

Criteria	Existing	Proposed
Operational Features	Agriculture and residential uses	New cemetery comprising approximately 17.7 acres and containing approximately 27,750 graves and niches at full development, which will occur in two phases.
Employees	The cemetery district currently employs 8 people; a General Manager, grounds supervisor, office assistant and five full time groundskeepers, based at the existing Floral Memorial site within the Selma Cemetery District, and travel between sites for work as needed.	The proposed new cemetery would add up to two staff members at the proposed site. Additional seasonal employees may be utilized for grounds maintenance during the summer months. It is anticipated that two additional cemetery district employees will be on site at any given time.
Customers	N/A	It is anticipated that the proposed cemetery once constructed and operational, will initially receive an average of 5-10 visitors daily, but will increase as the number of interments increase.
Traffic Trips	Bethel Ave: ADT = 1400 Nebraska Ave: ADT = 900	At full development, the project is anticipated to generate 104 additional daily traffic trips not including occasional funeral processions and visitors for such events.
Lighting	Residential	Outdoor lighting is proposed and will consist of solar and battery-operated lighting. Additional building mounted lighting is proposed around the existing shop and attached office.
Hours of Operation	N/A	Interment services will be held Monday through

Criteria	Existing	Proposed
		Friday between 9:00 a.m. and 11:00 a.m. and from 1:00 p.m. to 3:00 p.m. Saturday services will be held between 9:00 a.m. and 11:00 a.m. No interment services will be held on Sunday or on Holidays. Visitors will be allowed daily from sunrise to sunset.

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

ENVIRONMENTAL ANALYSIS:

Initial Study No. 8135 was prepared for the subject application by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration (Exhibit 9) is appropriate.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: December 11, 2023

PUBLIC NOTICE:

Notices were sent to 21 property owners within 1,320 Feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

No public comment was received as of the date of preparation of this report.

PROCEDURAL CONSIDERATIONS:

A Conditional Use Permit may be approved only if the four (4) Findings specified in the Fresno County Zoning Ordinance, Article 5, Chapter 842.5 are made by the Planning Commission.

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

BACKGROUND INFORMATION:

Unclassified Conditional Use Permit No. 3488 which pertains to the subject property and which application was made by the current applicant for the same proposed use, was denied by the Planning Commission at its September 10, 2015 hearing, based on the inability to make Finding No. 3. The applicant appealed the denial to the Board of Supervisors, who at its hearing of November 3, 2015 denied the application on a vote of four to one. The current subject application was received on September 13, 2021, and proposes the development and operation of a new cemetery for the Selma Cemetery District, which currently operates three other cemeteries within the boundaries of City of Selma; if approved, the proposed site would be the fourth cemetery under the District’s management, though it would not be located within the City of Selma. The District currently operates West Cemetery located approximately 2.4 miles west of the subject parcel; North Cemetery, located approximately 2.5 miles northwest of the subject

parcel; and Floral Memorial Cemetery, located approximately 2.5 miles northwest of the subject parcel.

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.

	Current Standard: AE-20 Zone District	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Street Side: 35 feet Rear: 20 feet	Front (north): 35 feet. Side (street) (east): 35 feet. Side (west): 20 feet. Rear (south): 20 feet.	Yes
Parking	One (1) parking space for every two (2) employees, one for every salesperson, and adequate parking area for trucks operated by the facility. Parking spaces shall be a minimum of 9 feet by 18 feet with 29 feet of clear backing space	Two standard parking spaces and two ADA compliant spaces will be provided for employees near the maintenance yard and shop/storage building, and proposed caretaker's residence; additional parking will be provided along one side of the 30-foot-wide internal circulation roads for public use. Provision of parking will be subject to further review during the site plan review process.	Yes
Lot Coverage	No requirements	N/A	N/A
Space Between Buildings	No animal or fowl pen, coop, stable, barn or corral shall be located within forty (40) feet on any dwelling or other building used for human habitation.	N/A	N/A
Wall Requirements	No applicable requirements	N/A	N/A
Septic Replacement Area	100 percent	100 percent	Yes

	Current Standard: AE-20 Zone District	Proposed Operation:	Is Standard Met (y/n)
Water Well Separation	Building sewer: 50 feet. Septic tank: 100 feet. Disposal field: 100 feet. Seepage pit/cesspool: 150 feet.	Septic tank: 113 feet Disposal field: 113 feet Seepage pit/cesspool: N/A	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Department of Public Works and Planning:

All proposed structures will require building permits and/or change of occupancy for use as described in project operational statement.

Development Engineering Section of the Department of Public Works and Planning:

According to FEMA, FIRM Panel 2675H, the project site is not subject to flooding from the 100-year (one percent chance) storm event.

The above comments provided by reviewing Agencies and Departments will be included as project notes. No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Finding 1 Analysis:

Based on review of the submitted site plan, the approximately 17.7-acre subject parcel appears to be of adequate size to accommodate the proposed cemetery and be in conformance with all applicable development standards of the AE-20 Zone District.

Based on the foregoing analysis, Staff finds that the subject parcel/project site is adequate in size and shape to accommodate the proposed cemetery, meeting all required setbacks and buffers.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Finding 1 Conclusion:

Based on the foregoing discussion 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.

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Nebraska Avenue	No change

		Existing Conditions	Proposed Operation
		Bethel Avenue	No change
Direct Access to Public Road	Yes	Nebraska Avenue Bethel Avenue	Public access from Nebraska Avenue will not be allowed. Access will be limited to employees, maintenance and emergency vehicles.
Road ADT		Nebraska Avenue: 900 trips Bethel Avenue: 1,400 trips	No significant change to average ADT. See discussion under traffic trips below.
Road Classification		Nebraska Avenue: Collector Bethel Avenue: Arterial	No change
Road Width		Nebraska Avenue: 60-feet of Right-of-way (existing) Bethel Avenue: 40 feet of right-of-way (existing)	An additional 12 feet of right-of-way shall be offered for dedication along Nebraska Avenue. An additional 33 feet of right-of-way shall be offered for dedication along Bethel Avenue.
Road Surface		Nebraska Avenue: Asphalt/Pavement Condition Index (PCI) = 72/100 Bethel Avenue: Asphalt/ PCI = 92/100	No change No change
Traffic Trips		Nebraska Avenue Bethel Avenue	A trip generation analysis prepared for the project determined that there would be approximately 104 total daily trips at full development, not including funeral processions.
Traffic Impact Study (TIS) Prepared	No	A traffic impact analysis was not required for the project	A Traffic Management Plan will be required during construction and during funeral procession events.

	Existing Conditions	Proposed Operation
Road Improvements Required	Nebraska Avenue	No change
	Bethel Avenue	No change

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

Road Maintenance and Operations Division of the Department of Public Works and Planning:

Nebraska Avenue is County Maintained and classified as a Collector Road, with an existing 60 feet of right-of-way and an ultimate right-of-way of 84 feet, as per the General Plan.

Bethel Avenue is County Maintained and classified as an Arterial Road with an existing 40 feet of right-of-way and an ultimate right-of-way of 106 feet, as per the General Plan.

All setbacks for new construction must be based on the ultimate road rights-of-way for both Nebraska and Bethel Avenues.

Proposed drive approaches shall be limited to 35 feet in width per Fresno County Improvement Standard D-3.

Any entrance gates must be set back a minimum of 20 feet from the road right-of-way, or the length of the longest vehicle entering the site, to eliminate the vehicles from idling in the road when stopped to open the gate.

A 20 foot x 20 foot corner cutoff shall be at the intersection of Bethel and Nebraska Avenues shall be improved and maintained.

Any proposed signage must not be installed within the County right-of-way. An encroachment permit is required for any work performed within the County right-of-way.

The above comments provided by reviewing Agencies and Departments will be included as project notes unless stated otherwise. No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Finding 2 Analysis:

The project proposes to develop in two phases over the next 140 years, as burial space is needed. Initial phase one development will include two employees, and approximately 19,990 graves and niche interment sites, for the first one hundred years of existence. Phase two is anticipated to have approximately 7,760 additional grave sites with no niches; and is expected to take forty years before full buildout. The project is not anticipated to generate substantial traffic during operation and once fully developed the cemetery site is anticipated to generate similar amounts of traffic as the three other existing cemeteries in the Selma Cemetery District.

Based on the above information, Bethel Avenue and Nebraska Avenue are adequate to accommodate the proposed use, with the inclusion of the recommended Conditions of Approval.

Recommended Conditions of Approval:

See recommended Mitigation Measures, and Conditions of Approval attached as Exhibit 1.

***Mitigation Measure:**

An additional 12 feet of right-of-way across the property frontage along Nebraska Avenue and an additional 33 feet of right-of-way along the property's Bethel Avenue frontage, shall be irrevocably offered for dedication.

Finding 2 Conclusion:

Finding 2 can be made as both Nebraska Avenue and Bethel Avenue are adequate in width and pavement type to accommodate traffic generated by the proposed cemetery.

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	17.66 acres	Single-Family Residential/Orchard	AE-20	230 feet
South	66.18 acres	Single-Family Residential/Vineyards	AE-20	1,900 feet
East	25.00 acres	Single-Family Residential/Orchard	AE-20	120 feet
West	1.24 acres	Single-Family Residential/Vineyards	AE-20	50 feet
	66.18 acres	Single-Family Residential	AE 20	None

*Distances are approximate

Reviewing Agency/Department Comments:

Department of Public Health, Environmental Health Division:

The Selma Cemetery District shall reserve the right to request participants at graveside services to reduce and/or stop activities which create noise levels in excess of the Fresno County Noise Ordinance Code should the noise levels become disruptive to other services and/or neighboring properties.

If any underground storage tank(s) are found in the project area, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.

San Joaquin Valley Air Pollution Control District:

The Air District commented that the project as described is not expected to exceed any significance thresholds identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). The project is subject to District Rule 9510 – Indirect Source Review and was required to submit an application for an Air Impact Assessment to the Air District for review. The Air Impact Assessment was submitted to and approved by the Air District on June 4, 2015.

Agricultural Commissioners Office:

The project has the potential to conflict with adjacent agricultural operations. Consideration should be given to the installation of a vegetative buffer or solid wall around the property to mitigation agricultural spray drift.

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

Finding 3 Analysis:

The project proposes to develop a cemetery on approximately 17.7 acres of land currently used containing vineyards, a single-family dwelling and several accessory structures. The project proposal was reviewed by the County Agricultural Commissioner’s office which commented that the presence of people on the site could impact the ability of adjacent agricultural operators to apply chemicals without concern for drift affecting sensitive receptors on the site. To address this concern, a Mitigation Measure has been included, requiring that a continuous vegetative buffer be installed around the property perimeter, and maintained in perpetuity.

The Project was routed to The Central Kings GSA who had no adverse comments or recommended mitigations or conditions of Approval. The Fresno County Public Works and Planning Department division of Water and Natural Resources indicated that they “believe the proposal will have a less than significant impact on existing water supply in the area. Additionally, the subject parcel is not located within an area of the county defined as being a water short area.”

Based on the above information and with adherence to Conditions of Approval, and mandatory Project notes, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

***Mitigation Measure:**

Prior to beginning operation of the cemetery, a continuous vegetative buffer, as shown in the submitted site plan shall be installed along the cemetery property perimeter in order to minimize the potential for drift of agricultural chemicals and dust from agricultural operations onto the cemetery site would be minimized. Maintenance of the buffer shall be provided for by the project owner/operator in perpetuity.

Finding 3 Conclusion:

Finding 3 can be made, as Mitigation has been included to minimize the potential for adverse impacts on surrounding property. Additionally, as of the date of preparation of this report, no correspondence in opposition to the project has been received.

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

Relevant Policies:	Consistency/Considerations:
General Plan Policy LU-A.3: <i>The County May allow by discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally related activities,</i>	The proposed use while not agriculturally related, may be allowed subject to discretionary approval. The potential for conflicts with surrounding agricultural

<p>Relevant Policies:</p> <p><i>including value-added processing facilities and certain non-agricultural uses listed in Table LU-3. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:</i></p>	<p>Consistency/Considerations:</p> <p>operations has been addressed through the suggested Mitigation Measures.</p>
<p>General Plan Policy LU-A.13:</p> <p><i>The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</i></p>	<p>Development of the subject parcels will be subject to development standards of the underlying zone district. In this instance, the development standards of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District will apply. Applicable setbacks of the AE-20 Zone District will apply to development of the site. The setbacks will require minimum setbacks are established for development from the parcel line and ensures that a buffer is in place between the project and adjacent agricultural operations. Additionally the proposed Condition of Approval for a perimeter fence will provide a physical buffer.</p>
<p>General Plan Policy LU-A.14:</p> <p><i>The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</i></p>	<p>Review of the project’s impact on agricultural land was conducted in the prepared Initial Study and through analysis by the Policy Planning Section. The Initial Study determined that a less than significant impact would occur on agricultural land as the proposed facility will be sited on portion of land and would not impact the feasibility or operations of the existing agricultural operation. Parcels contracted under the Williamson Act were reviewed and through the Nonrenewal process, will eventually be taken out of the Williamson Act and results in a non-conflict.</p>
<p>General Plan Policy LU-A.23: Farmland Conversion</p> <p><i>For discretionary land use projects that are not directly related to or supportive of agricultural uses and which propose the permanent conversion of twenty acres or more of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (as designated by the Farmland Mapping and Monitoring Program) to nonagricultural uses, the County shall consider and adopt feasible measures including, but not limited to:</i></p> <ul style="list-style-type: none"> • <i>Acquisition of conservation easements at</i> 	<p>The project is not inconsistent with this policy as the 17.7-acre project site is less than the 20-acre threshold for mitigation under this policy.</p>

Relevant Policies:	Consistency/Considerations:
<p><i>a 1:1 ratio for lands lost to nonagricultural uses.</i></p> <ul style="list-style-type: none"> • <i>Fee title of agricultural mitigation land that may be held by a third party or the County.</i> • <i>In lieu fees paid to the County that may be used to acquire future mitigation property.</i> • <i>Mitigation banks. The County may exempt projects from agricultural mitigation requirements when it has been determined that conversion is occurring pursuant to a local groundwater sustainability plan, or the project is for housing which is predominately for persons of low or moderate income as defined in section 50093 of the Health and Safety Code. Further, the County may exempt discretionary land use projects from agricultural mitigation requirements if it finds that the loss of agricultural land caused by the proposed conversion is outweighed by specific overriding economic, legal, social, technological, or other benefits of the conversion, as contemplated by section 21081(b) of the Public Resources Code.</i> 	
<p>General Plan Policy PF-C.17: <i>The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:</i></p> <ul style="list-style-type: none"> a. <i>A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</i> 	<p>The Water and Natural Resources Division conducted a water supply evaluation and determined existing groundwater supplies were adequate to support the project. Additionally, the project site is not in an area of the County identified as being water short.</p>

Relevant Policies:	Consistency/Considerations:
<p>b. A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</p> <p>c. A determination of the impact that use of the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</p>	
<p>General Plan Policy HS-B.1: <i>The County shall review project proposals to identify potential fire hazards and to evaluate the effectiveness of preventative measures to reduce the risk to life and property.</i></p>	<p>The project proposal was reviewed by the Fresno County Fire Protection District with additional review occurring during the building permit process for the subject facility.</p>
<p>General Plan Policy HS-F.1: <i>The County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.</i></p>	<p>Per the Fresno County Department of Public Health, Environmental Health Division, the project is subject to regulatory permit and oversight. Additional regulatory requirements including the preparation and submittal of a Hazardous Materials Business Plan is required by the Environmental Health Division.</p>
<p>General Plan Policy HS-F.2: <i>The County shall require that applications for discretionary development projects that will use hazardous materials or generate</i></p>	<p>As noted, there are additional regulatory requirements anticipated for this project in addition to County conditions of approval. Regulatory agencies including the</p>

Relevant Policies:	Consistency/Considerations:
<i>hazardous waste in large quantities include detailed information concerning hazardous waste reduction, recycling, and storage.</i>	Department of Public Health, the Regional Water Quality Control Board, and the San Joaquin Valley Air Pollution Control District will require further compliance with State and local requirements for the handling and disposal of hazardous materials/wastes.

Reviewing Agency Comments:

Policy Planning Section of the Department of Public Works and Planning:

The subject parcel is not enrolled in the Williamson Act Program.

Comments specific to General Plan Policy that were expressed by reviewing Departments have been addressed in the table above.

Finding 4 Analysis:

While the project may be proposed in an agricultural area, a cemetery is not an agriculturally related use, and by definition would place sensitive receptors in an area where they may be exposed to dust and pesticides. The project was reviewed by the Agricultural Commissioner’s office, which expressed such concern. This concern has been addressed with inclusion of a Mitigation Measure, discussed under Finding 3.

Based on these factors, and inclusion of the recommended Mitigation Measure, the proposed cemetery has been determined to be consistent with applicable General Plan policies.

Recommended Conditions of Approval:

None

Finding 4 Conclusion:

Finding 4 can be made.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

SUMMARY CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made, and therefore recommends that the Planning Commission approve Unclassified Conditional Use Permit No. 3721, subject to the recommended Mitigation Measures, Conditions of Approval and Project notes.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative/Negative Declaration prepared for Initial Study No. 8135; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3721, 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 Application No. 3721; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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EXHIBIT 1

**Mitigation Monitoring and Reporting Program
Initial Study No. 8135/Unclassified Conditional Use Permit Application No. 3721
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward and away from adjacent properties and the public right-of-way.	Applicant	Applicant/PW&P	Prior to occupancy
*2.	Agriculture and Forestry Resources	Prior to beginning operation of the cemetery, a continuous vegetative buffer, as shown in the submitted site plan shall be installed along the cemetery property perimeter in order to minimize the potential for drift of agricultural chemicals and dust from agricultural operations onto the cemetery site would be minimized. Maintenance of the buffer shall be provided for by the project owner/operator in perpetuity.			
*3.	Cultural Resources/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/Qualified Archaeologist	During ground-disturbing activities
*4.	Geology and Soils	If a paleontological resource is found, regardless of depth or setting, the Project contractor shall cease ground-disturbing activities within 50 feet of the find and contact a qualified paleontologist. The qualified paleontologist shall oversee paleontological monitoring of all excavation at depths greater than 20 feet in previously undisturbed sediments. Monitoring shall be conducted by a paleontological monitor meeting the standards of the Society of Vertebrate Paleontology (2010). The qualified paleontologist shall evaluate the significance of the resources and recommend appropriate treatment measures.	Applicant	Applicant/Qualified Paleontologist	During ground-disturbing activities

*5.	Transportation	Prior to issuance of development permits, a Traffic Management Plan, prepared by a licensed Traffic Engineer, shall be submitted to the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, for review and approval.	Applicant	Applicant/Road Maintenance and Operations Division	Prior to issuance for development permits
*6	Transportation	Public access to the cemetery, (ingress and egress) shall be exclusively via Nebraska Avenue. Access to the cemetery from Bethel Avenue shall be limited to employees of the Selma Cemetery District, service and delivery vehicles, and emergency vehicles and apparatus. Signage restricting access shall be installed and permanently maintained at the Bethel Avenue access gate. The Bethel Avenue access shall be gated and the gate setback a minimum of 20 feet from the ultimate right-of-way of Bethel Avenue. The gate shall be locked with a Fresno County Fire Protection District approved padlock.	Applicant	Applicant/Road Maintenance and Operations Division	Prior to occupancy
*7	Transportation	An additional 12 feet of road right-of-way is required to be irrevocably offered for dedication along the parcel frontage to meet the ultimate road right-of-way for Nebraska Avenue; and an additional 33 feet of road right-of-way is required to be irrevocably offered for dedication along the parcel frontage to meet the ultimate road right-of-way for Bethel Avenue.	Applicant	Applicant/Road Maintenance and Operations Division	Prior to issuance for development permits

Conditions of Approval

1.	The project shall be developed in substantial conformance with the operational statement and site plan, as presented to and approved by the Planning Commission.
2.	A 20'x20' corner cutoff shall be at the intersection of Bethel and Nebraska Avenues shall be improved and maintained.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference required 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.	Unclassified Conditional Use Permit No. 3721 shall become void unless there has been substantial development within two years of the effective date of approval of said Conditional Use Permit; or, there is a cessation of occupancy or use of land or structures authorized by said Conditional Use Permit for a period in excess of two-years; except where the structure or land is limited to a single purpose use.
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Notes	
2.	Plans, permits and inspections shall be required for all on-site improvements. Buildings and facilities providing a public use must comply with the accessibility requirements of chapter 11B of the California Building Code.
3.	Any proposed driveway shall be a minimum of 24 feet or a maximum of 35 feet in width. If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate right-of-way shall be concrete or asphalt.
4.	A dust palliative shall be required on all parking and circulation areas that are not paved.
5.	This project will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
6.	No building or structure erected in this District shall exceed 35 feet in height per Section 816.5.D of the Fresno County Zoning Ordinance.
7.	An additional storm water runoff generated by the proposed development cannot be drained across property boundaries or into the public right-of-way and must be retained or disposed of on site as per County standards.
8.	Parking areas shall be constructed in accordance with Fresno County Parking Standards, and applicable State standards.
9.	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 electronically pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/). 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.
10.	Should any underground storage tank(s) be found on the project site, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health Environmental Health Division.
11.	An engineered grading and drainage plan is required to demonstrate how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent property. The grading and drainage plan shall provide calculations of the required basin storage capacity and the basin design storage capacity.
12.	As a measure to protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed. For those wells located in the unincorporated area of Fresno County, the applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. The destruction and construction of wells can only be completed by a licensed C-57 contractor.
13.	Any new sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section.

Notes

14.	It is recommended that the applicant consider having the existing septic tanks pumped and have the tank and leach lines evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last 5 years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.
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JS:

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EXHIBIT 2 LOCATION MAP

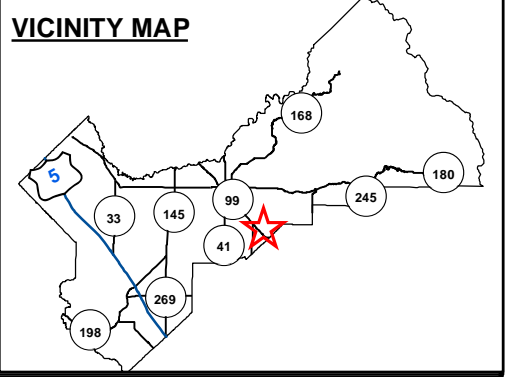
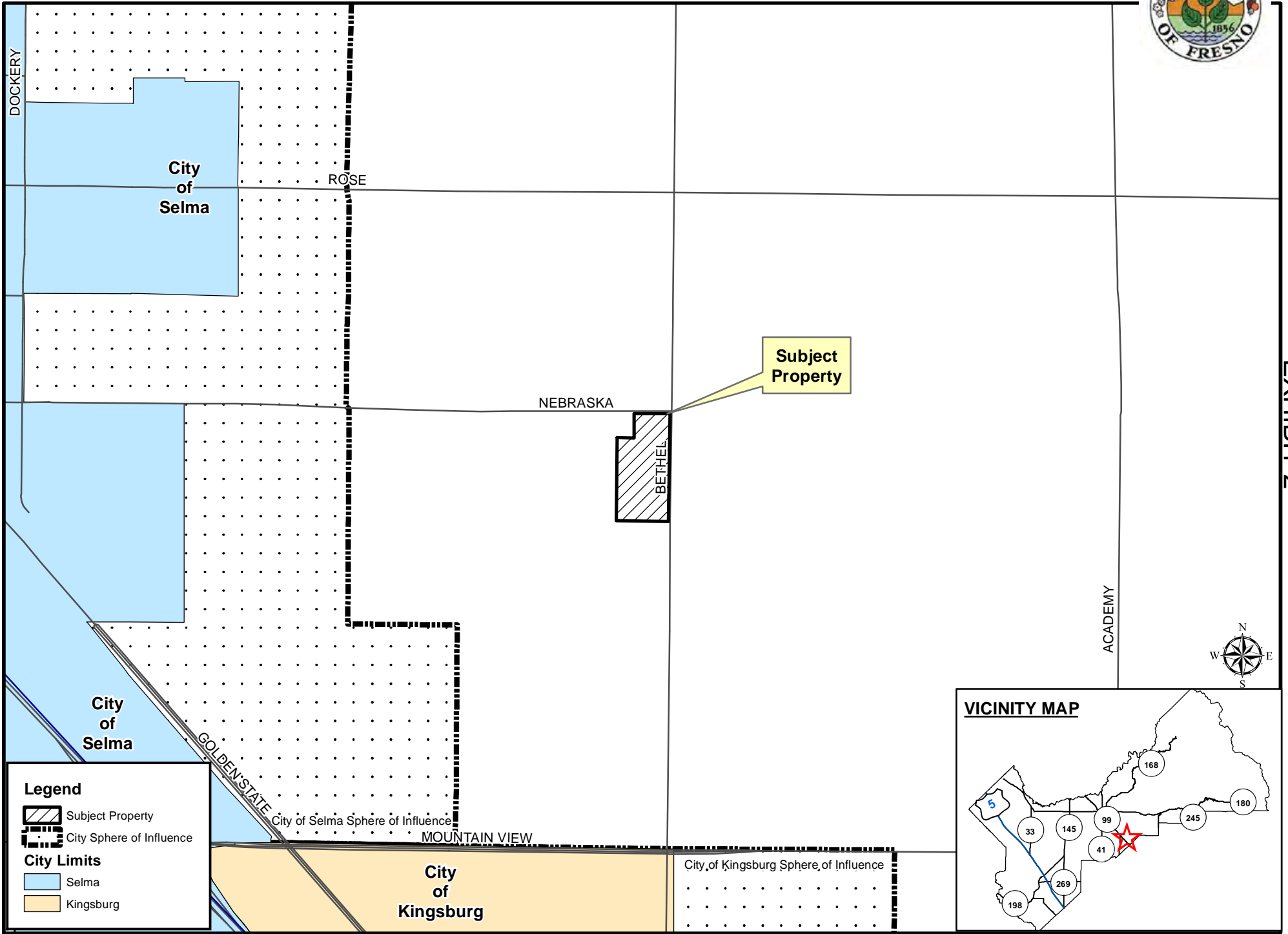
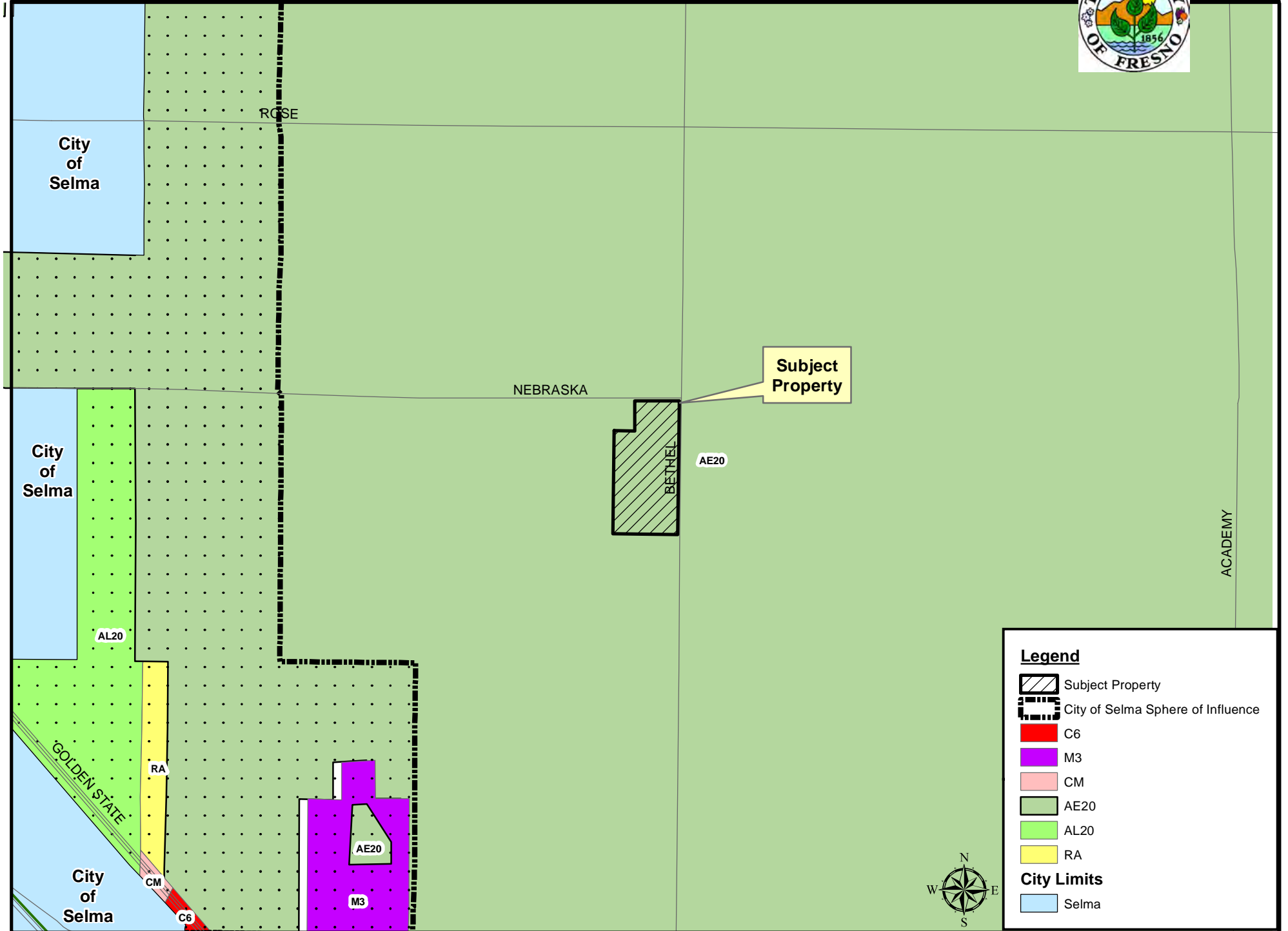


EXHIBIT 2



EXHIBIT 3 EXISTING ZONING MAP



Legend

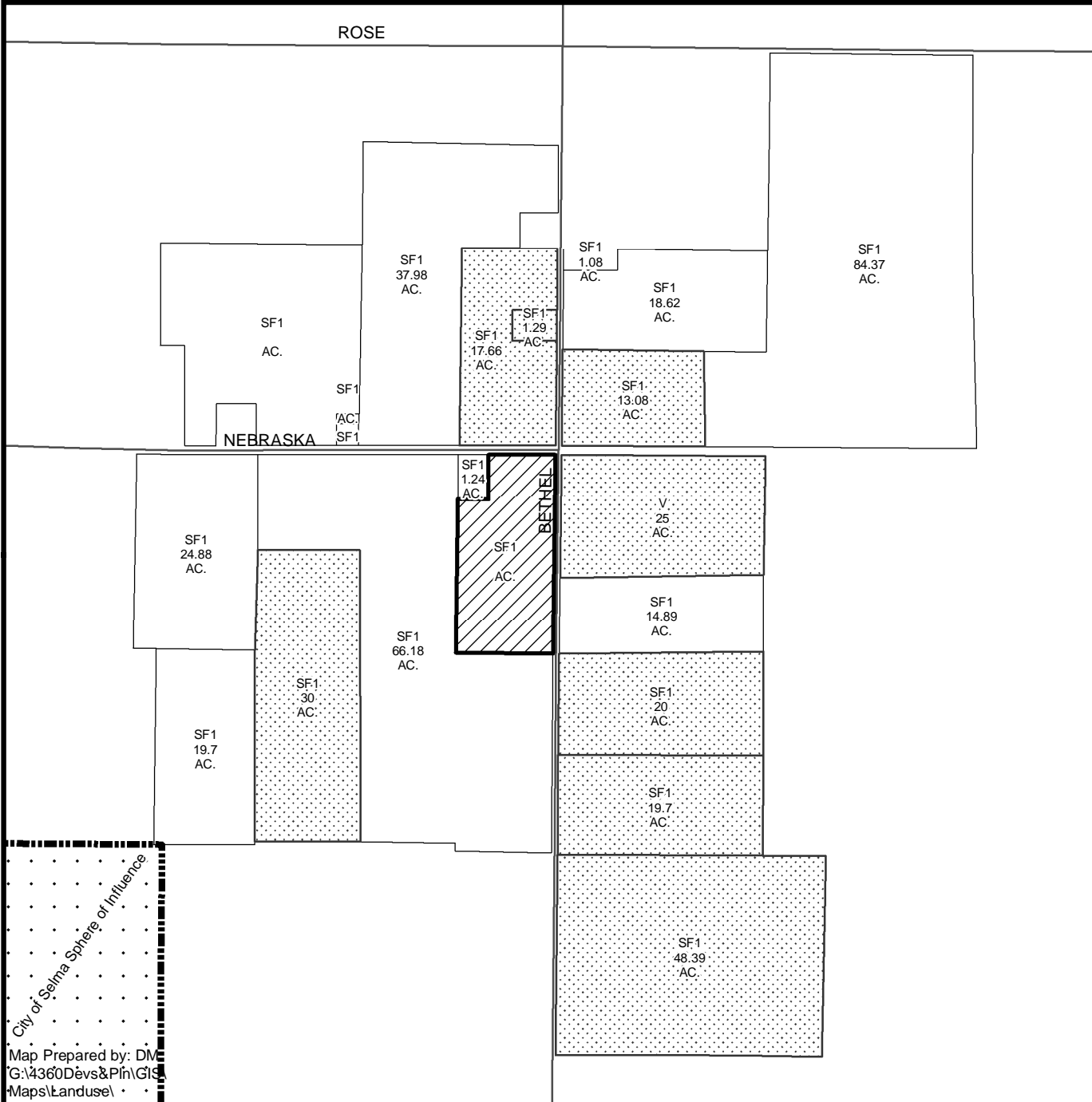
- Subject Property
- City of Selma Sphere of Influence
- C6
- M3
- CM
- AE20
- AL20
- RA
- City Limits**
- Selma



EXHIBIT 4

EXISTING LAND USE MAP

CUP 3721



LEGEND

SF#- SINGLE FAMILY RESIDENCE
V - VACANT

LEGEND:

- Subject Property
- Ag Contract Land

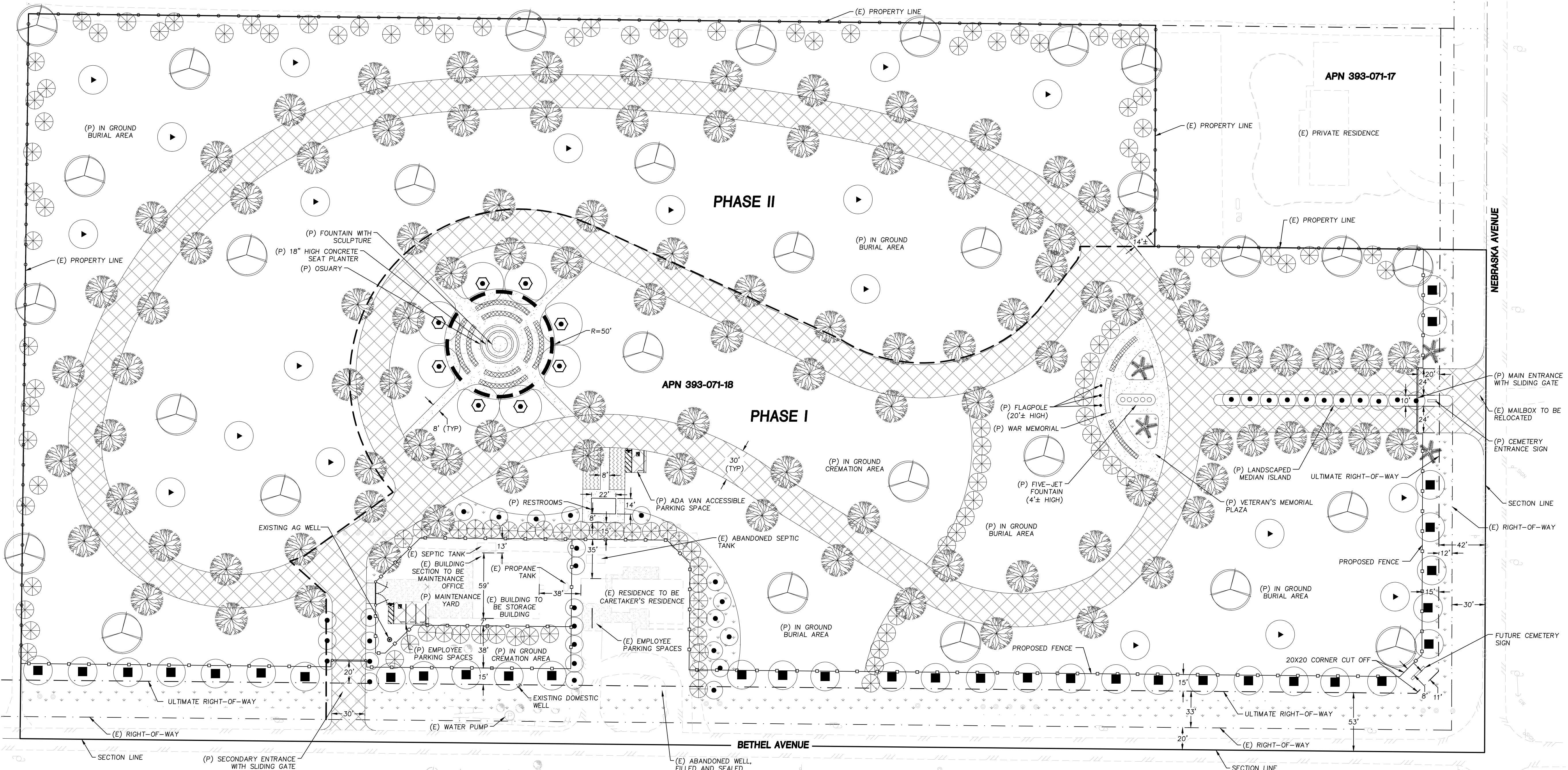
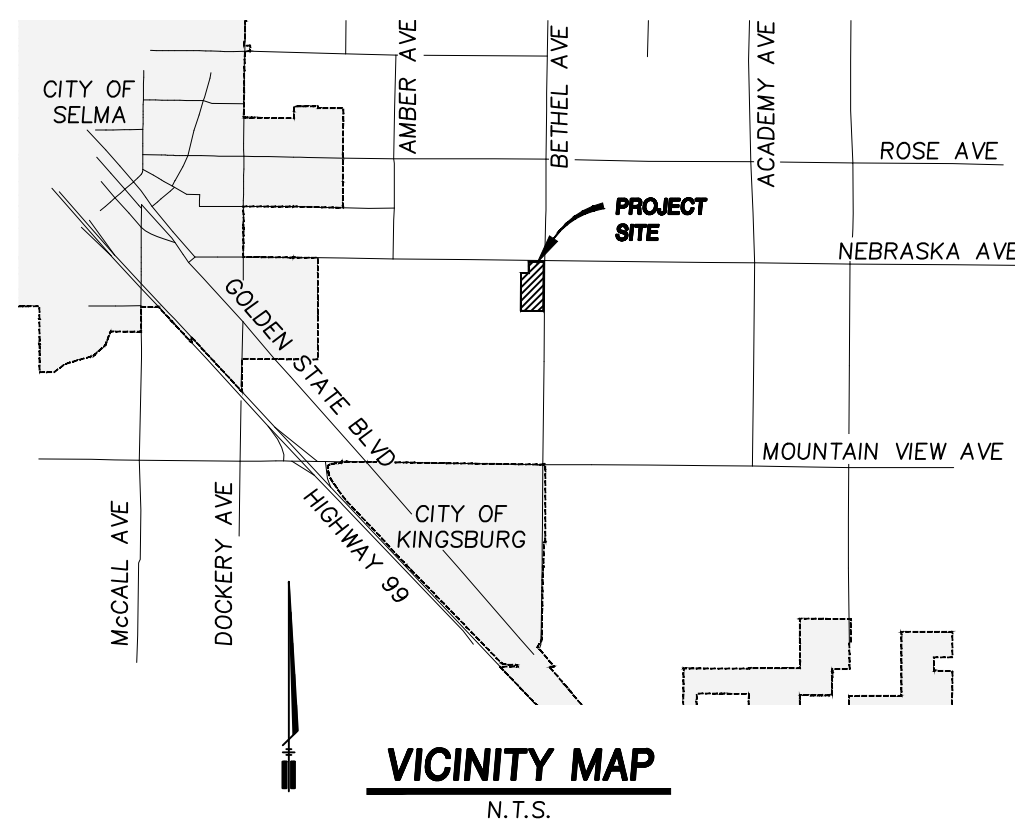


0 255 510 1,020 1,530 2,040 Feet

Department of Public Works and Planning
Development Services Division

Map Prepared by: DM
G:\4360D\v&P\GIS
Maps\Landuse\

EXHIBIT 4



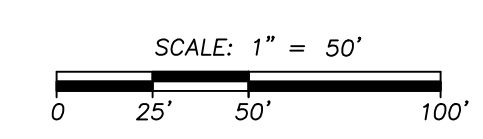
- NOTES:**
- EXISTING PARCEL COVERED IN VINEYARDS. AS SITE IS DEVELOPED, EXISTING VEGETATION AND IRRIGATION FACILITIES WILL BE REMOVED AS NEEDED.
 - PROPOSED PUBLIC ENTRANCES/EXITS ACCESSIBLE TO PEDESTRIANS AT ALL TIMES. PROPOSED PUBLIC ENTRANCES/EXITS TO HAVE GATE-CONTROLLED ACCESS TO PRIVATE AND SERVICE VEHICLES DURING BUSINESS HOURS.
 - EXISTING DRIVE APPROACHES TO RESIDENCE TO REMAIN.
 - EXISTING 12" IRRIGATION LINE TO BE ABANDONED AND/OR REMOVED.
 - NO EXISTING PUBLIC OFF-STREET PARKING.
 - NO PROPOSED PUBLIC OFF-STREET PARKING EXCEPT FOR ONE PROPOSED DESIGNATED ADA VAN ACCESSIBLE PARKING STALL TO BE INSTALLED NEAR RESTROOM FACILITIES AND THREE DESIGNATED EMPLOYEE PARKING SPOTS.
 - UNMARKED PARKING ALONG THE SIDE CEMETERY ROADWAY ALLOWS FOR APPROXIMATELY 140 VEHICLES WHEN TRAFFIC MOVES IN ONE DIRECTION ONLY.
 - EXISTING UTILITIES TO REMAIN AND BE PROTECTED UNLESS OTHERWISE NOTED.
 - EXISTING STREET SIGNS TO REMAIN AND BE PROTECTED UNLESS OTHERWISE NOTED.
 - PROPOSED ENTRANCE SIGNS TO BE MOUNTED TO ENTRANCE WALL/FENCE AND READ "SELMA VINEYARD CEMETERY."
 - NO EXISTING OR PROPOSED STREET LIGHTING.
 - PROPOSED GROUND-MOUNTED FLOODLIGHTS IN FRONT OF FLAGPOLES AND NORTHEAST CORNER SIGN.
 - APPROXIMATELY 30,000 PROPOSED BURIAL SPACES.

- LEGEND (EXISTING):**
- EXISTING SECTION LINE
 - EXISTING CENTER LINE
 - EXISTING PROPERTY LINE
 - EXISTING RIGHT-OF-WAY LINE
 - EXISTING EDGE OF PAVEMENT
 - EXISTING IRRIGATION LINE
 - EXISTING IRRIGATION STAND PIPE
 - EXISTING UTILITY METER
 - EXISTING SANITARY SEWER MANHOLE
 - EXISTING WATER/IRRIGATION PUMP
 - EXISTING WATER WELL

- LEGEND (PROPOSED):**
- EXISTING STREET LIGHT
 - EXISTING UTILITY POLE
 - EXISTING POWER POLE
 - EXISTING MAILBOX
 - EXISTING TREE
 - EXISTING TREE/SHRUB
 - EXISTING CONCRETE

	PHASE I	PHASE II
PROPOSED CONCRETE	16,466 SF	
PROPOSED GRAPE VINES	1,129 SF	
PROPOSED 30' WIDE ASPHALT ROAD	149,990 SF	107,936 SF
PROPOSED DECORATIVE LANDSCAPING	37,554 SF	42,054 SF
PROPOSED COLUMBARIUM (APPROX. 6' HIGH)	11	
PROPOSED CONCRETE BENCH	12	
PROPOSED 6' HIGH WROUGHT IRON FENCE	2,261 LF	1,946 LF
PROPOSED 6' HIGH CHAIN LINK FENCE	2,088 LF	276 LF
PROPOSED ROLLED CONCRETE CURB	7,308 LF	4,506 LF

PROPOSED SOUTHERN LIVE OAK TREE	30	PROPOSED EVERGREEN PEAR TREE	36
PROPOSED COASTAL REDWOOD TREE	121	PROPOSED CAMPHOR TREE	8
PROPOSED CHINESE PISTACHIO TREE	109	PROPOSED GRAPE MYRTLE TREE	30
PROPOSED TULIP TREE	20	PROPOSED MEDITERRANEAN PALM TREE	4



<p>2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727</p> <p>TEL (559) 244-3123 FAX (559) 244-3120</p>	<p>Ref. & Rev.</p> <p>4-21-15 DH 12-13-22 DH 06-27-24 AL</p>	<p>COUNTY OF FRESNO</p> <p>PROJECT TITLE SELMA VINEYARD CEMETERY SELMA, CALIFORNIA</p> <p>SHEET DESCRIPTION SITE PLAN</p>	<p>Dr. By: NT Ch. By: DH Date: 04/21/16</p>	<p>YH Job No. 14-247 Sheet No. 1 Scale: As Noted of 1 Sheets</p>
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EXHIBIT 7

OPERATIONAL STATEMENT CHECKLIST

SELMA CEMETERY DISTRICT

2430 FLORAL AVE.

SELMA, CA 93662

FOR THE 17.7 ACRE SELMA VINEYARD CEMETERY

1. The existing Selma Cemetery District is comprised of three (3) sites: West Cemetery, North Cemetery, and Floral Memorial. The nature of our new project is a cemetery. The expansion at the Selma Vineyard Cemetery will allow for the continued burial of the residents of the Selma Cemetery District. It will become the fourth (4th) site. This location will be used for graveside burials, interment of human remains, human cremated remains and installation of markers / headstones.
2. Interment services will be Monday – Friday, between 9:00 am – 11:00 am, and 1:00 pm – 3:00 pm. Saturday services will be held between 9:00 am – 11:00 am. No interment services will be held on Sundays or Holidays. Visitation at the cemetery will be daily from sunup to sundown. At this time, there are no interments. The district currently has 180-200 interments per year. We will be expecting that to continue with the new location, as this is the average we serve per year. Interments will not increase, just the extended space for continued burials.
3. It is estimated that there will be an average of 5-10 visitors at the cemetery daily. The number of visitors will be minimal, since we will still be doing interments at our current location and only those who do not already own a lot will be placed at the new cemetery. The number of visitors will increase as the number of interments increase.
4. The district currently has five full time grounds men, one full time office assistant, a grounds supervisor, and a General Manager. There is a possibility that we may need to add one or two grounds men to maintain the grounds in a manner our citizens are accustomed to. All staff work 7:00 am – 4:00 pm, with an hour lunch. Grounds men do work on an occasional Saturday when an interment is scheduled. Additionally, during the summer months, we hire seasonal employees to edge and maintain the area around the headstones / markers. All staff are assigned to the Floral Memorial site and travel to the other sites as schedule mandates. A maximum of two (2) staff members will be at this project site at once. There is a home on the property that is occupied by renters; however, it will be used as a caretaker residence (employee of the district).
5. At this time, there are no large delivery vehicles entering the property. Once the property is developed, there will be an occasional large delivery truck entering the property delivering casket vaults and other needed supplies. Deliveries are made during work hours and generally in the mornings before noon, Monday – Friday. There will be delivery of flowers and markers once the grounds are being used for interments. Generally, the only time flowers are delivered is for a scheduled funeral service.

6. The main access to the property is planned to be off Nebraska, with an additional entrance / exit onto Bethel. Both roads are county, paved roads. The interior roads will be paved with curbs.
7. The number of parking spaces will be a total of five (5), two existing, three (3) proposed with one (1) being ADA compliant on paved surface.
8. There are no goods sold onsite at the Selma Vineyard Cemetery. All sales and interment rights are sold at the main office (Floral Memorial) located at 2430 Floral Ave., Selma, CA 93662. There are no plans to have a full office at the Selma Vineyard Cemetery, the district uses a mapping system that allows locations to be viewed and sold from the main office. We use a program called Pontem to sell plots at all three of the current cemeteries. Mapping will be done to show all the new locations for the Vineyard cemetery. This program shows each location in the cemetery, its occupant, and the owner of the grave. It is also connected to our website(selmace1.com) for burial searches by the families. There is a small office attached to the large metal shop on the property. This could be used by grounds employees to make calls. There will be a computer there for employees to locate loved ones for families. Nothing is grown that will be sold.
9. Equipment used at our cemetery operations are backhoes, tractors, fork-lift, cement mixer, shovels, double depth shoring device, welding equipment (in shop), sprayer, mowers, lowering devices, dirt trailers, electric family carts, carry all carts and gators.
10. Supplies include gas / diesel containers, storage cabinet for flammable liquids, outer burial containers, foundations, cement, sand, gravel, and landscape chemicals. All landscape chemicals will be kept in a fenced area on the grounds. Landscape chemicals are stored in a locked, OSHA approved storage container within the fenced area. The district anticipates completing a hazardous plan with the Department of Environmental Health, County of Fresno.
11. It is anticipated the cemetery will improve the aesthetics of the area; it will be landscaped and will contain specimen trees. There will be some noise associated with the general operation of the cemetery as well as from graveside services, such as a 21-gun salute and music. This will occur only during business and interment hours.
12. The district will use a septic tank, as to our knowledge, the city utilities are not an option at this location. Mechanical and green waste will be disposed of as required by California and / or local ordinance. Green waste is currently placed in bins and removed by local waste control company. The district plans to dispose of the green waste from the new location in the same manner.
13. The volume of water will increase as the cemetery develops. The entire 17.7 acres will not be developed at one time. It will be developed in sections as the need arises. The plan is to start on the section at the entrance of the cemetery and work our way south. We will be starting at the north end of the cemetery off Nebraska. NOTE: A map showing Phase 1 was included in the application. Phase 1: Will have a total of 19,990 graves and niches and is expected to last over 100 years. Phase 2 will have an additional 7,760 graves and is expected to last at least 40 years. There are no niches in phase 2, which is why the number of graves is less than Phase 1. The water will be drawn from an agricultural well.

The house has its own separate domestic well. The estimated water demand (including irrigation, employees and guests) is approximately 76,682 gallons per day.

14. The district doesn't advertise. There will be a sign at the entrance and exit of the cemetery that contains rules and when flower pick-ups occur. There is the possibility we will place a granite sign at the entrance with the name of the cemetery. District hours, contact information, locations and times of funeral services, and board meeting notices will be posted on the outside of the restroom in a locked wall cabinet. Interior signs are used to mark funeral route for funeral directors and family members.
15. There is an existing house, shop, restroom, and small office off the backside of the shop. A pole barn is connected to the shop. There will be the need to add restrooms for the visitors of the cemetery. The plans have been prepared by our architect and engineer.
16. The large shop, pole barn, small restroom, and office off the shop will be used for the operation of the district.
17. Outdoor lighting will be minimal and solar / battery. There will be low lights at the office and shop. Sound amplification systems are used at the graveside services for the immediate surrounding area and are battery operated. They are only used during the interment / business hours.
18. Landscaping will consist of turf (in the likelihood, warm season turf) and a wide variety of specimen trees, annual and perennial flowers, bushes, and shrubs. Fencing will be brick and iron along the 2 sides and chain link along the back.
19. To continue to serve the families of the district in the future, the cemetery needs to expand. The existing cemetery is estimated to be full in the next five to eight years. The proposed development of the 17.7 acres at the Selma Vineyard Cemetery is a natural expansion and will continue to serve the families in our district. The district has spent 10+ years looking for land. If it is not developed, the families in our district will be forced to go to other cemeteries outside of their area. This in turn creates another hardship on them. By going to another District, they are taking space that is meant for that district's residents, they will have to qualify to be buried there by having a family member buried at the cemetery, and they will also face a non-resident fee for not belonging to that district. Family members will have to travel further to pay their respects to their loved one. Surrounding districts will suffer as well. They will be losing land meant for their residents and be forced to expand as a result.
20. Chairman: Alan Langstraat, Vice Chair: Jennifer Earle, Trustees: Una Tristan, Rose Robertson, Ramza Coury.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Selma Cemetery District

APPLICATION NOS.: Initial Study No. 8135 and Unclassified Conditional Use Permit Application No. 3721

DESCRIPTION: Allow the development and operation of a cemetery on a 17.70-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the southwest corner of the intersection of E. Nebraska Avenue and S. Bethel Avenue approximately one mile east of the nearest city limits of the City of Selma (APN: 393-071-18T) (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: LESS THAN SIGNIFICANT IMPACT:

The subject property is located in a mainly rural area with the majority of land utilized for agricultural, and low-density residential uses. The subject parcel is currently utilized for agricultural production vineyards, and is also improved with a single-family dwelling and several accessory structures. There are no identified scenic vistas impacted by the project proposal. There are no identified scenic resources on the project site that would be impacted by development of the subject parcel. There were no historic buildings or scenic highways identified on the project parcel or identified as being impacted by the project. The proposed cemetery will not change the overall character of the area, which is predominately rural.

The development of the proposed cemetery will entail the construction of a new approximately 308 square-foot public restroom building, several new landscape related structures such as fountains, sculptures, and landscape planters, along with new landscape plants and trees, a perimeter fence with a main entrance gate and an emergency entrance gate. The existing dwelling will be utilized as a caretaker's

residence and existing accessory buildings also be utilized; additionally, the cemetery The addition of the landscaping with enhance the appearance of the facility and minimize its visual impact on the surrounding area, and will not substantially alter the rural character of the surrounding area.

- 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:

As noted above, surrounding land uses are mainly agricultural production and rural residential uses. The project would involve the utilization of landscaping to screen the use from adjacent properties and public right-of-way. The existing visual character of the subject site would change as the prevailing agricultural character would be removed and replaced with a landscaped site; this is not considered a substantial degradation of the visual character that would negatively impact the surrounding area. Therefore, a less than significant impact to the visual character is anticipated.

- 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 Operational Statement indicates that outdoor lights will be used for security at the office and shop. To ensure that sources of light associated with the proposed operation do not adversely affect views in the area and do not negatively impact adjacent properties or public right-of-way, a mitigation measure for the design and orientation of outdoor lighting will be implemented.

* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward and away from adjacent properties and the 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: LESS THAN SIGNIFICANT IMPACT:

According to the 2016 Fresno County Important Farmland Map the subject parcel contains land that is designated as Farmland of Statewide Importance and Unique Farmland. The project will result in the permanent conversion of approximately 18.0 acres of Farmland to a non-agricultural use. However, it would not constitute a substantial conversion of agricultural land. Therefore, in consideration of the conversion of Farmland, this project is not expected to have a significant impact on Farmland, or precipitate additional conversion of Farmland.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project is limited in scope and is not anticipated to directly conflict with surrounding agricultural users or encourage future non-agricultural uses. The project would be developed in three phases over time as demand for interment space increases on the Cemetery District's existing facilities. General Plan Policy directs those agricultural operations be protected from conflicts with non agricultural uses by requiring buffers between agricultural and non-agricultural uses. The buffer requirement provides that it consist of a physical separation between the non-agricultural use and surrounding agricultural operations, although no specific distance is provided. However, General Plan Program LU-A.C provides that the appropriate width of buffers be determined on a site-by site basis, in consideration of the type of existing agricultural uses, the nature of the proposed development, the natural features of the site, and any other factors specific to the situation.

In the case of this proposal, the project site has road frontage on its north and east sides, where the road right-of-way provides approximately 60 feet between the subject property and neighboring properties. On the west and south sides, the subject property abuts the neighboring property immediately with ten to fifteen feet of separation between those surrounding agricultural uses and the project site. Based on the nature of the proposed use, it is not anticipated that there would be adverse impacts to agriculture from operation of the cemetery, however, there is potential that the operation of the cemetery would be impacted by surrounding agricultural operations.

The Fresno County Department of Agriculture, Agricultural Commissioner's office has reviewed the proposal and express concerns that the project may affect surrounding agricultural operators' ability to apply pesticides as scheduled, due to concerns that members of the public or employees of the cemetery may be exposed to airborne dust and pesticide drift. It was suggested by the Agricultural Commissioner's office, that in

order to minimize the potential for pesticide drift onto the cemetery, the perimeter should be planted with fast growing dense foliage to form a physical buffer, or a solid wall at least six (6) feet in height. To address the concerns stated by the County Agricultural Department, the following mitigation measure has been included.

* **Mitigation Measure(s)**

1. *Prior to beginning operation of the cemetery a continuous physical buffer, as shown in the submitted landscaping plan shall be installed between the cemetery property boundaries, and surrounding properties, such that the potential for drift of agricultural chemicals and dust from agricultural operations onto the cemetery site would be minimized. Maintenance of the buffer shall be provided for by the project owner/operator in perpetuity.*

- 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 property is not located in or zoned for forest land, timberland, or timberland zoned Timberland Production and would not result in the loss of forestland or conversion of forestland 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 is expected to be confined to the subject parcel and is not expected to result in conversion of additional farmland to non-agricultural use or conversion of forestland to non-forest use.

III. AIR QUALITY

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was reviewed by the San Joaquin Valley Air Pollution Control District, which did not express concern that the project would obstruct implementation of any identified air quality plans.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Air District review determined that neither construction or operation of the project was likely to result in a cumulatively considerable net increase in any criteria pollutant for which the region is in non-attainment, such as PM 10 and PM 2.5. As such, the project is anticipated to have a less than significant impact on air quality.

- 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: NO IMPACT:

The project once constructed would not result in the generation of substantial pollutant concentrations impacted sensitive receptors, or cause emissions leading to odors which would affect a substantial number of people, and project construction is not anticipated to result in the generation of substantial pollutant concentrations, or odors.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

According to the California Natural Diversity Database, the project site is not located in a reported occurrence area of any special status species. A search of the California Natural Diversity Database (CNDDDB) Bios Viewer, maintained by the California Department of Fish and Wildlife (CDFW), reveals that the subject parcel is within the range and near to areas of predicted habitat of several special status species, such as the Burrowing Owl, and Tricolored Blackbird, both listed as state species of special concern, and within the range of the California Tiger Salamander (CTS) by the CDFW, although no. However, no sightings of either species have been recorded in the vicinity the subject site is located in a mainly agricultural area and no sensitive natural community or riparian habitat, or wetlands were identified on the project site, according to a review

of the U.S. Fish and Wildlife National Wetlands Mapper. The nearest wetland feature is identified as an irrigation canal, located approximately 600 feet west of the subject parcel. The subject parcel is currently utilized for agricultural production (vineyards) and residential use, thus the ground is regularly disturbed. When considering the current use of the subject parcel and surrounding area; and the absence of any reports of special status species on the site, or identified sensitive natural community, the project would not likely result in adverse impacts to biological resources.

- 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:

A review of the National Wetlands Inventory (NWI) mapper and web based aerial imagery of the subject property and surrounding area, there are no wetlands located within the subject property itself, however there is an irrigation canal located approximately 600 feet west of the property. No federally protected wetlands were identified on or in the vicinity of the subject parcel. Therefore, based on the foregoing analysis, the project would not have a substantial adverse effect on any protected wetlands.

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

FINDING: NO IMPACT:

The subject parcel is utilized for agricultural and residential purposes. There are no wildlife corridors or wildlife nursery sites known on the project site. The project proposes to have fencing along the perimeter of the subject parcel which could deter movement of native wildlife along the site when comparing movement to existing conditions. However, the provision of perimeter fencing would not substantially interfere with movement where an impact can be seen.

- 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:

Department and Agency review of the project did not reveal conflicts with any policies or ordinances for protection biological resources, nor were any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local,

regional, or state Habitat Conservation Plan identified as being in conflict with the project proposal.

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 a single-family residence and accessory structure. The remainder of the parcel is utilized for agricultural production. In considering the past ground disturbance and disturbance related to the agricultural operation, archaeological or historical resources are not likely to occur. The existing structures were not identified as being historic. A mitigation measure will be implemented to address cultural resources in the unlikely event that they are unearthed during ground-disturbing activities related to the project.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the fine. 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 Heritage 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: NO IMPACT:

Reviewing agencies and departments did not express concern that the project would result in unnecessary consumption of energy resources or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

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

FINDING: NO IMPACT:

The California Department of Conservation, Earthquake Hazard Zone web application indicates that the subject parcel is not located within an Earthquake Fault Zone.

- 2. Strong seismic ground shaking?

FINDING: NO IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR), the project site is located on land with a 0-20% chance of reaching peak horizontal ground acceleration assuming a probabilistic seismic hazard with a 10% probability in 50 years. The proposed development will be subject to the most current building code standards and would ensure minimal impact when considering the low likelihood of strong seismic ground shaking.

- 3. Seismic-related ground failure, including liquefaction?
- 4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the FCGPBR, the project site is not located in an area designated for landslide hazards or subsidence. In addition, as noted above, the project site is located in an area with a low likelihood of experiencing strong seismic shaking. Therefore, seismic-related ground failure is not likely to occur.

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

FINDING: NO IMPACT:

Project construction will result in the loss of topsoil; however, this loss of topsoil would not result in dangerous conditions involving risk of loss, injury, or death. The subject property is located in a relatively flat agricultural area where no slopes or other changes in elevation occur where occurrences of soil erosion would cause a substantial risk to development.

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or
- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

The project site is not located in an area of the County identified as an unstable geologic unit, or prone to lateral spreading, subsidence, liquefaction or collapse, according to Figures 7-1 (Expansive Soils), 9-6 (Landslide Hazards and Areas of Subsidence), of the Fresno County General Plan Background Report (FCGPBR).

- 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 project proposes to utilize an individual onsite wastewater treatment system (septic). No concerns were raised by any reviewing agencies or County departments, with wastewater treatment system regulatory authority, about the capacity of the project site to accommodate the existing septic system or any proposed septic system.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

No paleontological resources were identified in the analysis, however in the unlikely event that paleontological resources are unearthed during ground disturbing activities, the following mitigation measure has been added to address that potential discovery.

* **Mitigation Measure(s)**

1. *If a paleontological resource is found, regardless of depth or setting, the Project contractor shall cease ground-disturbing activities within 50 feet of the find and contact a qualified paleontologist. The qualified paleontologist shall oversee paleontological monitoring of all excavation at depths greater than 20 feet in*

previously undisturbed sediments. Monitoring shall be conducted by a paleontological monitor meeting the standards of the Society of Vertebrate Paleontology (2010). The qualified paleontologist shall evaluate the significance of the resources and recommend appropriate treatment measures.

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 Memorandum was prepared for the project by LSA, dated December 22, 2022. It is anticipated that both project construction and operation will result in the generation of greenhouse gas emissions. Construction GHG emissions would be generated by consumption of fossil fuels during operation of construction equipment and worker and vendor vehicle traffic. The California Emissions Estimator Model (CalEEMod) was utilized to quantify project GHG emissions. The CalEEMod output for the project estimated that project construction would generate approximately 602 metric tons of CO₂e (Carbon Dioxide Equivalent). According to the Environmental Protection Agency (EPA), CO₂e represents the number of metric tons of CO₂ emissions with the same global warming potential as one metric ton of another greenhouse gas.

Operational GHG emissions or long-term emissions would be primarily generated by mobile sources such as from vehicle trips by visitors, area sources such as from maintenance activities including landscaping, and indirect emissions from energy consumption such as from solid waste disposal and water use (supply and conveyance) treatment and distribution, and increased electricity consumption. Based on CalEEMod inputs, Operational GHG emissions were estimated to be approximately 22.2 metric tons of CO₂e per year. Because there are no adopted any numeric GHG emissions thresholds of significance for the County, GHG emissions by evaluated for consistency with a regional GHG emissions reduction plan. In the case of this project, the project was evaluated for consistency with the San Joaquin Valley Air Pollution Control District's Climate Change Action Plan, adopted in August 2008, and the subsequent Guidance for Valley Land Use Agencies in Addressing GHG emissions Impacts for New Projects Under CEQA, when serving as the lead agency. The Guidance relies upon performance-based standards or Best Performance Standards (BPS). Projects implementing BPS would be determined to have a less than cumulatively significant impact; or with demonstration of a 29 percent reduction in GHG emissions, from business as usual (base line), levels, or consistency with, Executive Order B-30-15,/SB 32, which has a goal of a 40 percent reduction in GHG emissions below 1990 levels by 2030. The project would generate low levels of energy source emissions, and generate minimal new traffic trips. The project would also be required to comply with Title 24

California Code of Regulations (CCR), which requires reduction of waste water generation and water use, and other regulatory measures like MWELo (The Model Water Efficient Landscape Ordinance), therefore the project would not be in conflict with any energy use reduction measures or water conservation measures, nor result in a significant impact on the environment, or conflict with any state or local greenhouse gas emissions reduction goals, policies or plans.

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: NO IMPACT:

The project will not involve the routine transport, use or disposal of hazardous materials.

- 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 will not result in hazardous emissions, or involve the handling of hazardous materials, and is not located within one-quarter mile of an existing school.

- G. 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:

The project site is not located on a known hazardous materials site, identified by NEPAassist. There is a site located approximately three quarter-miles west of the project site, identified as a Hazardous Waste Handler under RCRA (the Resource Conservation and Recovery Act) which provides the authority and framework for the EPA to regulate the generation, transportation, treatment, storage and disposal of hazardous waste.

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

FINDING: NO IMPACT:

The project site is not located in an identified airport land use plan area, or within two miles of a public airport.

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

FINDING: NO IMPACT:

The project will be required to comply with all applicable emergency access standards of the current Fire Code and Building Code.

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

FINDING: NO IMPACT:

The project site is not located in a State Responsibility Area (SRA) or other area of the County at significant risk from wildfire. The project site is in an area of irrigated agriculture.

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?

FINDING: NO IMPACT:

The project is not anticipated to result in violation of any water quality or waste discharge requirements, or degrade surface or ground water.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not anticipated to substantially decrease groundwater supplies or interfere in any way with groundwater recharge. The project will be supplied water from an onsite domestic well which will be utilized for domestic purposes and maintenance of landscaping, which is subject to the applicable provisions of the Model Water Efficient Landscape Ordinance (MWELO). The project was reviewed by the County Water and Natural Resources Division, which determined that the subject parcel was not in an area of the County identified as being water short. Additionally, the water system will be

subject to permitting and regulation by the State Water Resources Control Board, Division of Drinking Water.

- 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?

FINDING: NO IMPACT:

The project may result in some additional runoff; however, it is not anticipated to be substantial. The project will not add a significant amount of new impervious surface.

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

FINDING: NO IMPACT:

The project is not located in a flood hazard area as identified by Figure 9-7 of the Fresno County General Plan Background Report (FCGPBR); it is located in an area prone to flood inundation due dam failure, as per Figure 9-8 (FCGPBR). In the unlikely event of a dam failure, the project site is not anticipated to result in the release of pollutants.

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

FINDING: NO IMPACT:

The project was reviewed by the State Water Resources Control Board, Drinking Water Division, the Central Kings Groundwater Sustainability Agency (GSA) and the County Water and Natural Resources Division. None of these agencies expressed concerns that the project would adversely impact water quality, or conflict with a water quality plan, or sustainable groundwater management plan. The project will be required by the State Water Resources Control Board, Division of Drinking Water to be permitted as a public water system, and be subject to all applicable regulation of public water systems.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project has no features which would physically divide an established community.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of the project identified the potential for the project to conflict with normal agricultural operations, due to the increase in sensitive receptors during memorial services being in close proximity to the application of agricultural chemicals, and the generation of dust. The General Plan Land Use Element contains policies which seek to protect agriculture from the encroachment of non-agricultural uses which may create conflicts with surrounding agricultural operations. As such, mitigation has been included under Section II (Agricultural and Forestry Resources) above. In the case of this project, it is not anticipated that the establishment of the proposed cemetery would result in significant environmental impacts.

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:

The project will not impact any known mineral resources, and is not located in an area of mineral resources as identified by Figures 7-7 (Mineral Resource Locations), 7-8 (Principal Mineral Producing Locations (1997-1998)), and 7-9 (Generalized Mineral Resource Zone Classifications) of the Fresno County General Plan Background Report (FCGPBR).

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:

The project is not anticipated to result in generation of a substantial increase in ambient noise levels or generate excessive ground-borne vibration in the vicinity. The project will be subject to all applicable provisions of the Fresno County Noise Ordinance. There may be an occasional 21-gun salute during funeral ceremonies for veterans of military service, which may briefly result in noise levels exceeding the County Noise Ordinance standards. Additionally, the use of sound amplification equipment services may also be used on occasion, however, the noise from the discharge of firearms and sound amplification systems would be limited to the duration of such ceremonies and therefore not result in a substantial increase in ambient noise levels in the immediate vicinity.

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of a public or private airport, or within the boundaries of an adopted airport land use plan area.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project has no features which would likely induce population growth in the vicinity, require the construction of any new homes, or extension of infrastructure, or displace any people. The proposed cemetery will not require a substantial number of new employees, which would entail the construction of new housing.

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

FINDING: NO IMPACT:

The project will not require the provision for new or physical altered governmental facilities. The project will be subject to current fire code and may be required to be annexed into Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.

XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project will not increase the use of existing neighborhood parks or other recreational facilities.

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: LESS THAN SIGNIFICANT IMPACT:

The project will be consistent with applicable General Plan Policies of the Transportation and Circulation element of the County's General Plan. According to the conclusions and recommendations of the Trip Generation and Distribution Analysis prepared for the project by JLB Traffic Engineering, Inc. dated June 27, 2022, the project would generate approximately 104 daily trips, based on estimates derived from the Institute of Transportation Engineers (ITE) 11th edition Trip Generation Manual. The proposed trip generation was based on two employees, at a rate of 51.75 trips per employee per day, including three a.m. peak hour trips, and eight (8) p.m. peak hour trips. Based on the foregoing analysis, the project would not conflict with an applicable plans or policies addressing the County General Plan Transportation and Circulation Element, and therefore result in a less than significant impact on Transportation.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not anticipated to exceed the daily trip threshold for Vehicle Miles Travelled, of 110 trips, established by the State Governors Office of Planning and Research (OPR). As noted the project is anticipated to be below that threshold with 104 daily trips.

- 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 WITH MITIGATION INCORPORATED:

The project has no design features which would create a new sharp curve or dangerous intersection, or involve incompatible uses.

* **Mitigation Measure**

1. *Prior to issuance of development permits, a Traffic Management Plan, prepared by a licensed Traffic Engineer, shall be submitted to the Design Division of the Fresno County Department of Public Works and Planning (Design Division), for review and approval. Construction of the proposed new Almond Hulling/Shelling facility shall be in substantial conformance with the Traffic Management Plan, as approved by the Design Division.*
2. *Primary public access to and from the cemetery shall be taken exclusively via the Nebraska Avenue driveway. Access to the cemetery from Bethel Avenue shall be limited to employees of the Selma Cemetery District and emergency vehicles and apparatus. The Bethel Avenue access shall be gated and the gate setback a minimum of 20 feet from the ultimate right-of-way of Bethel Avenue. The gate shall be locked with a Fresno County Fire Protection District approved padlock.*

3. *An additional 12 feet of road right-of-way is required to be irrevocably offered for dedication along the parcel frontage to meet the ultimate road right-of-way for Nebraska Avenue; and an additional 33 feet of road right-of-way is required to be irrevocably offered for dedication along the parcel frontage to meet the ultimate road right-of-way for Bethel Avenue.*

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

No aspects of the project design would restrict emergency access, moreover, the project would be subject to the current Fire Code as it relates to access for emergency apparatus.

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:

Though no Tribal Cultural or Cultural Resources were identified in the analysis, the potential exists for previously unknown subsurface resources to be unearthed during project related ground disturbance. In the event of such discovery of Tribal Cultural or Cultural Resources, the following Mitigation Measure has been included.

* **Mitigation Measure**

1. *See Mitigation Measure under Section V Cultural Resources.*

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 proposes to utilize an onsite wastewater treatment system, no public sewer services are proposed.

- 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 will rely upon an onsite well for water. The project was reviewed by the County Water and Natural Resources Division, which did not express any concerns with the project's water supply. The water system will be subject to permits from and regulation by the State Water Resources Control Board, Division of Drinking Water.

- 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 utilize an onsite wastewater treatment system (OWTS) which is subject to County development standards, permits and inspection.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or

- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project is not anticipated to result in the generation of solid waste in excess of State or local standards, or impair the attainment of or be non compliant with federal, state or local solid waste standards.

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located within a State Responsibility Area or high fire hazard severity zone., therefore the project would not be subject to increased risk from wildfire, or post wildfire conditions.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not expected to have a significant effect on the quality of the environment, or result in substantial loss of habitat for fish or wildlife, nor result in adverse impacts to historical resources.

- 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:

No cumulatively considerable impacts were identified.

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

FINDING: NO IMPACT:

No environmental impacts that would cause adverse effects on human beings were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3721, 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 Biological Resources, Energy, Mineral Resources, Noise, Public Services, Recreation, Utilities and Service Systems, and Wildfire.

Potential impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology & Water Quality, and Land Use and Planning, have been determined to be less than significant.

Potential impacts relating to Aesthetics, Agricultural and Forestry Resources, Cultural Resources, Geology and Soils, Transportation and Tribal Cultural Resources have determined to be less than significant with compliance with the included 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.

JS

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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
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): Jeremy Shaw, Planner	Area Code: 559	Telephone Number: 600-4207	Extension: N/A
Project Applicant/Sponsor (Name): Selma Cemetery District	Project Title: Initial Study No. 8135 and Unclassified Conditional Use Permit Application No. 3721		
Project Description: Allow the development and operation of a new cemetery site on a 17.70-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: It has been determined that there would be no impacts to Biological Resources, Energy, Land Use and Planning, Mineral Resources, Noise, Public Services, Recreation, Utilities and Service Systems, and Wildfire. Potential impacts related to Agricultural and Forestry Resources, Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology & Water Quality, and Transportation have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, Geology and Soils, and Tribal Cultural Resources have determined to be less than significant with compliance with the included Mitigation Measures.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – July 10, 2023		Review Date Deadline: Planning Commission – February 8, 2024	
Date:	Type or Print Signature: David Randall, Senior Planner	Submitted by (Signature): Jeremy Shaw, Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**