



County of Fresno

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

DATE: November 6, 2024

TO: Department of Public Works and Planning, Attn: Steven E. White, Director
Department of Public Works and Planning, Attn: Bernard Jimenez,
Planning and Resource Management Officer
Development Services and Capital Projects, Attn: William M. Kettler,
Deputy Director
Development Services and Capital Projects, Attn: Chris Motta, Division Manager
Development Services and Capital Projects, Attn: Tawanda Mtunga,
Principal Planner
Development Services and Capital Projects, Attn: Attn: James Anders,
Principal Planner
Development Services and Capital Projects, Current/Environmental
Planning, Attn: David Randall, Senior Planner
Development Services and Capital Projects, Policy Planning, Attn:
Mohammad Khorsand, Senior Planner; Dominique Navarette, Oscar Gate
Development Services and Capital Projects, Zoning & Permit Review,
Attn: Daniel Gutierrez, Senior Planner
Development Services and Capital Projects, Development Engineering,
Attn: Laurie Kennedy, Office Assistant III
Water and Natural Resources Division, Attn: Augustine Ramirez, Division
Manager
Water and Natural Resources Division, Attn: Roy Jimenez, Senior Planner
Water and Natural Resources Division, Transportation Planning, Attn:
Hector Luna, Senior Planner/Darren Findley, Senior Engineering
Technician/Brody Hines, Planner
Water and Natural Resources Division, Community Development, Attn:
Yvette Quiroga, Principal Planner
Design Division, Attn: Mohammad Alimi, Division Manager;
Erin Haagenson, Principal Staff Analyst
Resources Division, Attn: Daniel Amann, Division Manger
Resources Division, Special Districts, Attn: Christopher Bump, Principal
Staff Analyst,
Road Maintenance and Operations Division, Attn: Wendy Nakagawa,
Supervising Engineer
Department of Public Health, Environmental Health Division, Attn: Deep
Sidhu, Supervising Environmental Health Specialist; Kevin Tsuda,
Environmental Health Specialist;
Agricultural Commissioner, Attn: Melissa Cregan
Sheriff's Office, Attn: Captain Ryan Hushaw, Kevin Lolkus, Lt. Brandon
Purcell, Kathy Curtice, Adam Maldonado
Pacific Gas and Electric, Centralized Review Team, Attn: PGEPlanReview@pge.com
Fresno County Fire Protection, FKU.Prevention-Planning@fire.ca.gov

FROM: Alyce Alvarez, Planner
Development Services and Capital Projects Division

SUBJECT: Variance No. 4179 and Initial Study No. 8628

APPLICANT: Aaron McAfee

DUE DATE: **November 21, 2024**

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to waive property development standards in lot size requirements, to create two 9.93-acre parcels from an existing 19.86-acre parcel. The subject property is located within the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The subject parcel is located on the southwest side of south Jameson Ave. and west Adams Ave., approximately 6.3-miles south from the City limits of the City of Kerman.
(APN: 035-070-34s) (ADDRESS: 7225 S. Jameson Ave.) (Sup. Dist.1).

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

We must have your comments by **November 21, 2024**. Any comments received after this date may not be used.

If you do not have comments, please provide a “NO COMMENT” response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Alyce Alvarez, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-9669, or email alyalvarez@fresnocountyca.gov

AA
G:\4360Devs&Pln\PROJSEC\PROJDOCS\VA\4100-4199\4179\Routing\VA 4179 Routing Ltr.doc

Activity Code (Internal Review): 2394

Enclosures

Legend

 Subject Property

LINCOLN

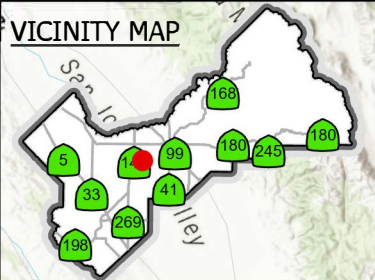
MCMULLIN

JAMESON

SUBJECT PROPERTY

SOUTH

VICINITY MAP

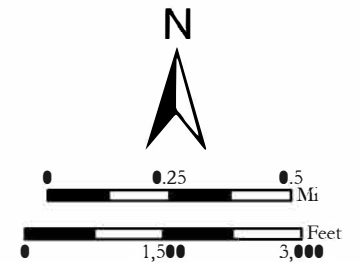


LOCATION MAP



VA 4179

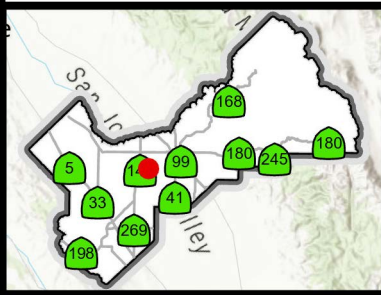
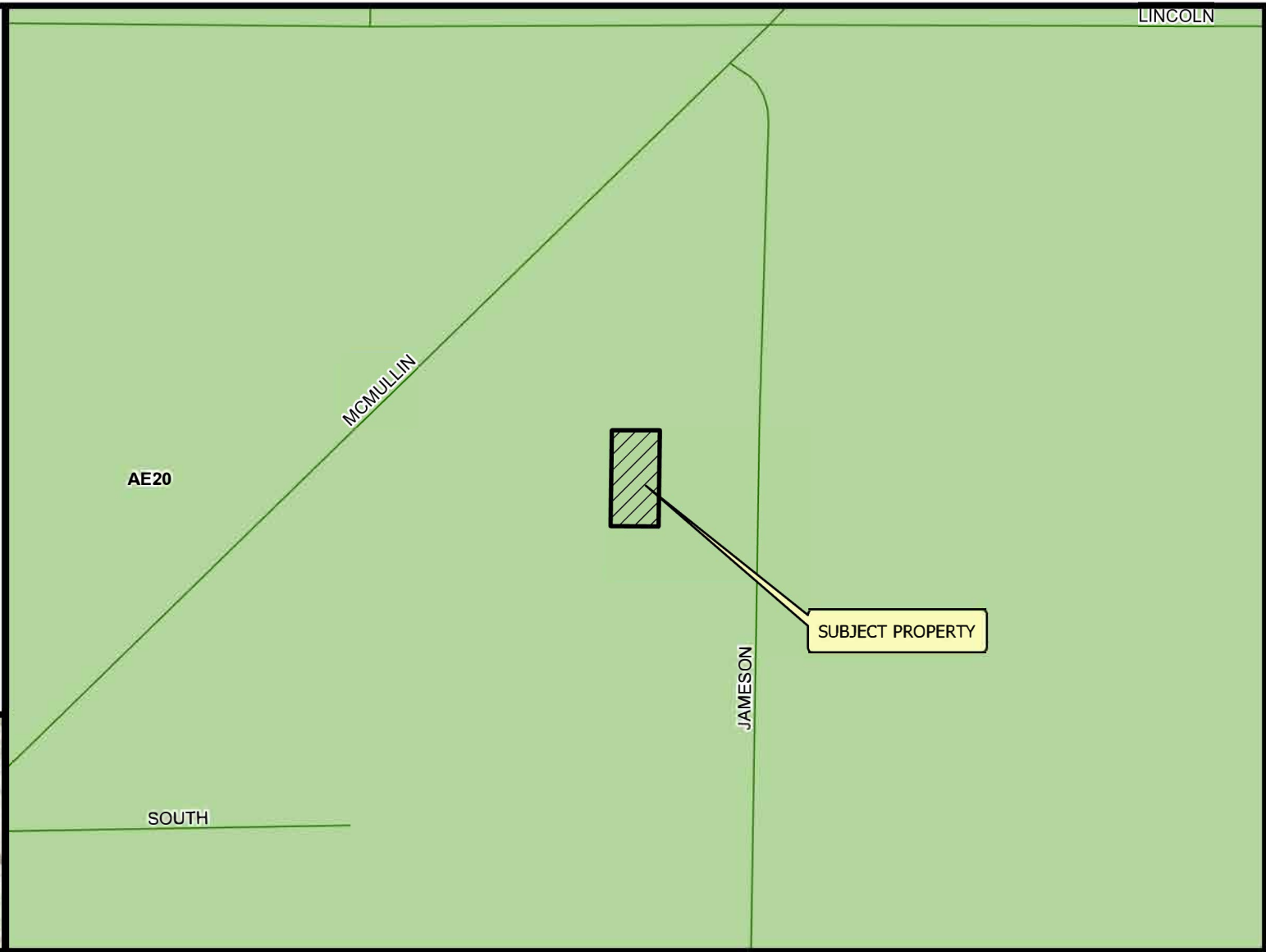
2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
Person Prepared by : chuwang
On Date : 11/4/2024



Legend

-  Subject Property
-  AE20

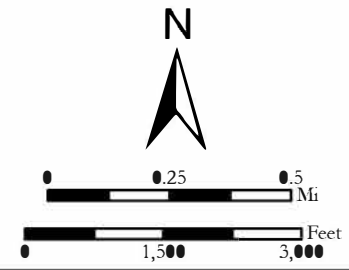


Existing Zoning Map



VA 4179
STR 15 - 15S / 18E

2024

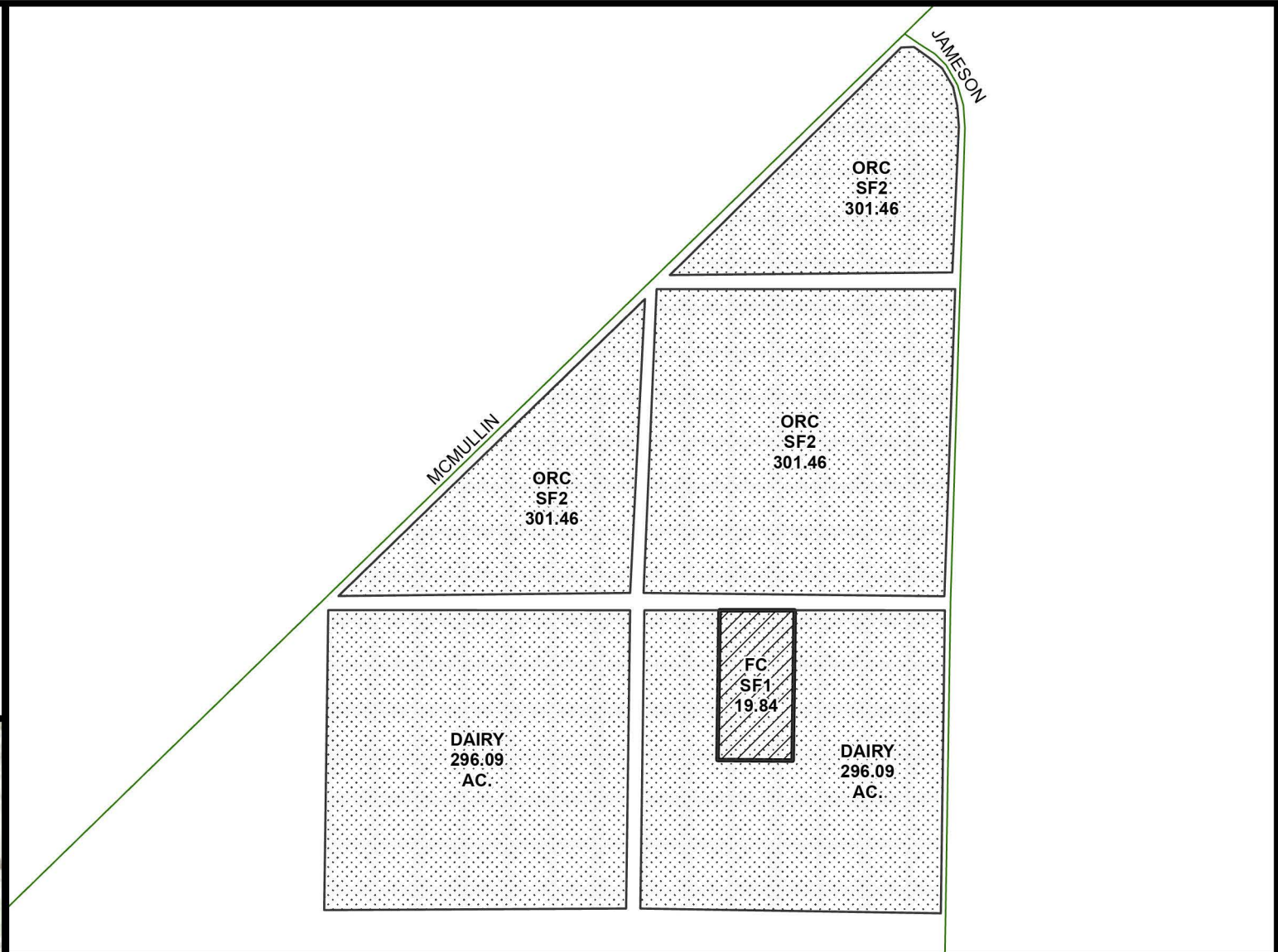
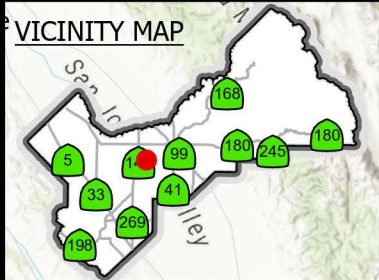
Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
Person Prepared by : chuang
On Date : 11/4/2024



LEGEND:

-  Subject Property
-  Ag Contract Land

LEGEND
DAIRY
FC - FIELD CROP
ORC - ORCHARD
SF#- SINGLE FAMILY RESIDENCE

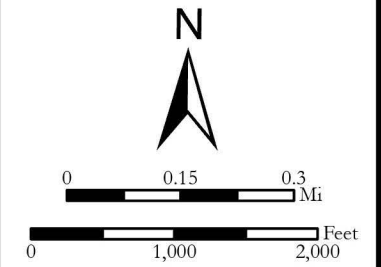


Existing Land Use Map

VA 4179

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuvang
 On Date : 11/4/2024



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

SUBDIVIDED LAND & POR. SEC'S. 13, 14, 15, 22, 23, & 24, T.15 S., R.18 E., M.D.B. & M.

Tax Rate Area
120-004
167-002

035-07

1"=1200'

Certificate of Parcel Map Waiver No. 8068, Doc. 4748, 1-14-10
Certificate of Parcel Map Waiver No. 10-06, Doc. 135931, 10-07-11



Agricultural Preserve
Du Bois Colony R.S. Bk. 5, pg. 16
Record of Survey - Bk. 38, Pg. 12
Record of Survey - Bk. 55, Pg. 51

Record of Survey - Bk. 57, Pg. 50

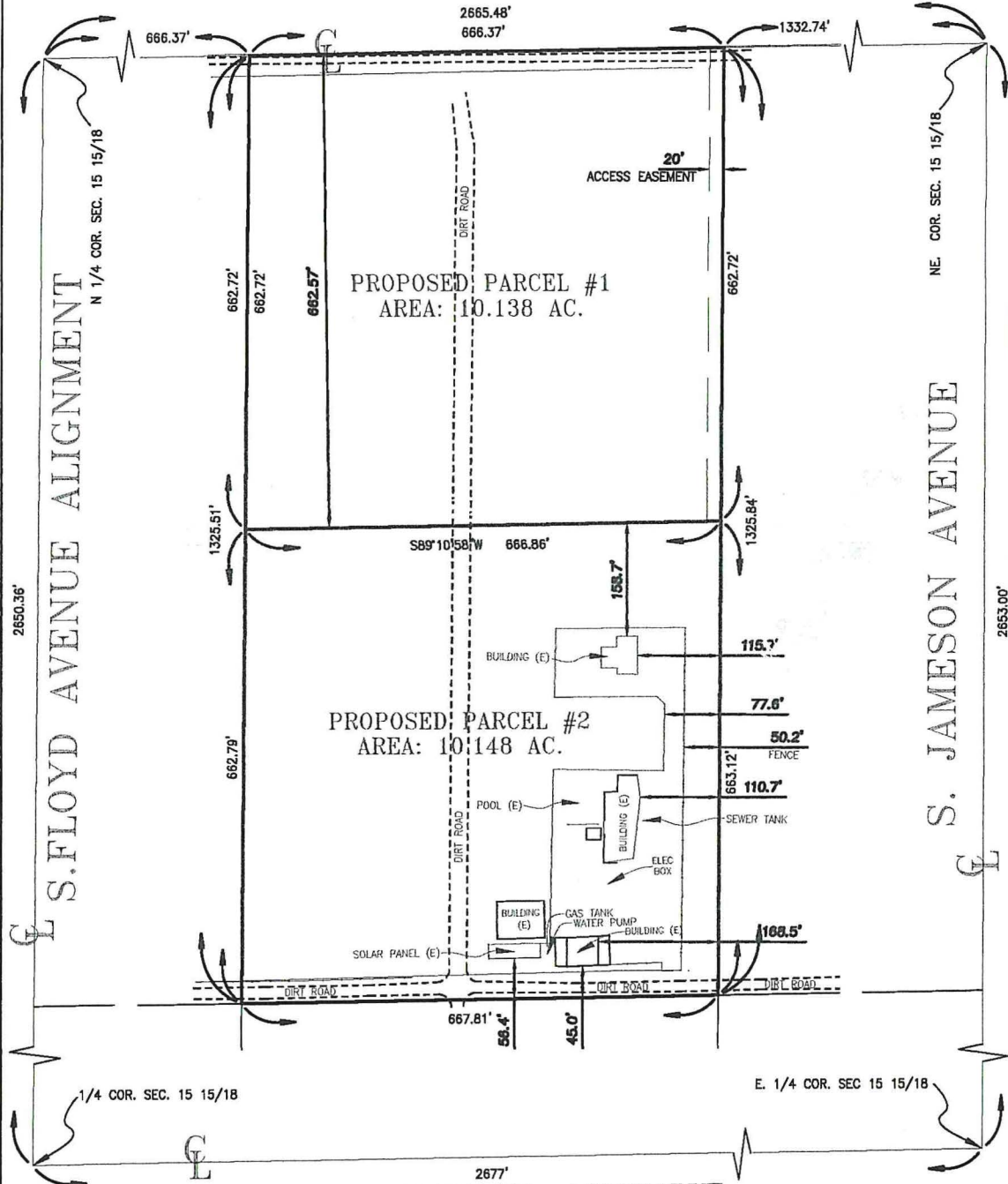
Note - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 035 - Pg. 07
County of Fresno, Calif.

1/14/2019

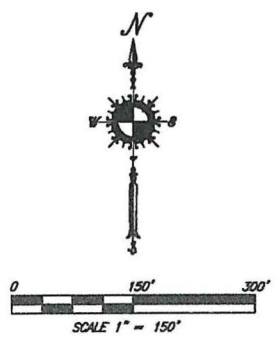
EXHIBIT "A"
SITE PLAN

ADAMS AVENUE



LEGEND:

	ORIGINAL BOUNDARY
	NEW DIVISION
	EDGE OF PAVEMENT
	AC ROAD
	SECTION LINE
	DIRT ROAD
	ROAD RIGHT OF WAY
(R-1)	RECORD DATA PER PARCEL MAP NO. 7036, FILED IN BOOK 50, PAGE 54, FRESNO COUNTY RECORDS
	LIGHT POLE
	ALMOND TREE
	AGRICULTURAL WELL
	DOMESTIC WELL
	EXISTING GUY WIRE
	EXISTING POWER POLE



OWNER:
ADDRESS:

TEL.:
EMAIL:

CVEAS **CENTRAL VALLEY**
ENGINEERING AND SURVEYING

2511 LOGAN STREET Tel. (559) 891-8811
SEJMA, CA 93862 Fax (559) 891-8819
WWW.CVEAS.COM Email: info@cveas.com

NOT A CONTRACT. ANY AND ALL WORK SHALL BE GOVERNED BY THE TERMS AND CONDITIONS OF THE CONTRACT. CONSULT THE CONTRACT FOR COMPLETE TERMS AND CONDITIONS.

Fresno County
Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare Street, Sixth Floor
Fresno, CA 93721
559-600-4497

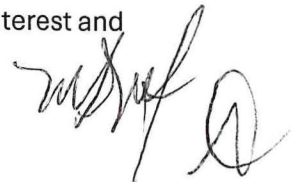
Aaron McAfee
298 S. Park Avenue
Kerman, CA 93630
559-977-8564
Aaron.m@rawfarmusa.com

July 18, 2024

RE: Variance Conditions for APN 035-070-34S and Pre-Application 24-005681

To the Committee reviewing this application, I humbly submit these answers to the 4 “Findings Necessary for the Granting of a Variance” as referenced in the Fresno County document G:\4360Devs&Pln\FORMS\F071 Variance Findings Handout.doc

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having identical zoning classifications.
 - a. The subject APN is a 20-acre parcel owned by my mom and dad (Blaine and Mark McAfee). My parents started our family-owned dairy in 1998 when I was a sophomore in high school (www.rawfarmusa.com). I moved to the city after graduating from high school to attend Fresno State, but my parents still live on the 20-acre parcel where I grew up. I now have 3 children of my own and I run the dairy farm. My wife and I want to build a house on the farm to be close to the cows and the farm business that I run. I want to raise my children on our farm. My sister is living with my parents in their home already so there is no space for me to move in with them. The only option for us is to build a home on the farm or live off the farm and not be there at my farm to manage it.
 - b. The subject parcel is surrounded by APN's 035-070-35 and 035-402-06S. Those fields make up our family-owned dairy. In other words, my parents' 20-acre parcel is in the middle of and surrounded by the rest of our farm that make up the dairy.
 - c. What “exceptional” conditions are applicable to this property that I can't replicate at another “property in the vicinity having identical zoning classifications”?
 - i. There is only one RAW FARM, LLC. There is only one McAfee Family that owns and operates the dairy. My oldest son is almost as old as I was when I started working on the dairy that my dad started when I was in high school. The sustainability of our family farm relies, in part, on the future interest and



focus of my children that will inherit the land. I want my children to grow up on the farm, work on the farm, appreciate cows and the farm life like I do. I can't replicate that on a "identical zoning" parcel in the "vicinity".

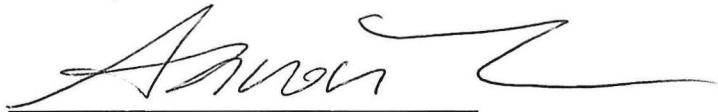
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.
 - a. Without a doubt, we are substantially unique, and we cannot "enjoy" the right is possessed by other property owners "under like conditions".
 - b. The following areas make this 20-acre parcel unique from the vicinity properties with like conditions:
 - i. Our family farm is a business, with cows grazing and milking and crops being grown and tours.
 - ii. The public comes to the farm to purchase products, visits the farm which is open to the public for tours and not a private farm with no public access.
 - iii. We can't have a random house on another part of the property, for example near the milk barn or the creamery, because we have tours and food safety concerns which require all the homes to be in one area of the farm and not scattered around throughout the farm.
 - iv. The surrounding APNs are owned by the business whose members of the LLC are also my uncles and not just my parents.
 - v. The only parcel that my dad owns without the business is this APN and I can't build on the other parcels owned by the other members.
 - vi. Our bank that lends money to the farm (RAW FARM, LLC) has a "senior secured loan" whereby all the land (except the 20-acre parcel in this variance application which is not owned by the LLC and is personally owned by my parents) is held as collateral for the loan. The bank will not approve of the land they hold as collateral to be used to build a home without paying off the loan as it has been pledged as collateral on a USDA loan program.
 1. My parents' 20-Acre parcel is the only land we own that is not pledged as collateral and the only land where I can build to live on the farm with my parents and sister to manage the farm.
3. The granting of a Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.
 - a. We are only asking for this Variance for the sole purpose of building a home on the 10-acre parcel after the split is approved.
 - b. We have no intentions whatsoever of having any activity or use that would be "detrimental" to anything.
 - c. The use is for my family to live on the farm which we own, and the business of which I and in charge of (President, Owner) and so my children can learn and benefit from living on the farm with me and eventually takeover the control of.
4. The granting of such a Variance will not be contrary to the objectives of the General Plan.
 - a. There is already a home on this 20-Acre parcel, but the 20-Acre parcel is in the middle of a 405-acre farm that we own and operate.

A handwritten signature in black ink, appearing to be a stylized name followed by a circled initial or mark.

- b. 2 houses in the middle of 405 acres is a different challenge than 2 houses on 20-Acres (10 acres each is our proposal).
- c. In other words, we are surrounded by our own farm acres, so the "General Plan" is not in jeopardy because this will look like and act like 2 houses on 405 acres, not 2 houses on 20-Acres.

I hope that the attached pictures and aerial imagery will help explain this, as well as the survey which we paid to have completed by Central Valley Engineering. I humbly beg of this Committee to grant this so my children, wife and I can finally overcome the obstacle to moving to our farm. On a personal note, this has been a big stress factor for me as I cannot build a home without permission from Fresno County, and this is the only obstacle in the way of me executing this goal.

Sincerely,



Aaron McAfee
Applicant, Son
President
RAW FARM, LLC
559-977-8564
Aaron.m@rawfarmusa.com



Mark McAfee
Landowner of parcel, Father
CEO
RAW FARM, LLC
559-970-5581
mark.m@rawfarmusa.com

Exhibits and Enclosures to follow:



Fresno County Department of Public Works and Planning

Date Received:	(Application No.)
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MAILING ADDRESS:
 Department of Public Works and Planning
 Development Services and Capital Projects Division
 2220 Tulare St., 6th Floor
 Fresno, Ca. 93721

LOCATION:
 Southwest corner of Tulare & "M" Streets, Suite A
 Street Level
 Fresno Phone: (559) 600-4497

APPLICATION FOR:

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

DESCRIPTION OF PROPOSED USE OR REQUEST:

CEQA DOCUMENTATION: Initial Study PER N/A

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

LOCATION OF PROPERTY: South side of Adams Avenue
 between S. Jameson Ave and S. Floyd Ave Alignment
 Street address: 7225 S. Jameson Ave Fresno, CA 93706

APN: 035-070-345 Parcel size: 20.28 Acres Section(s)-Twp/Rg: S 15 - T 15 S/R 18 E

ADDITIONAL APN(s): N/A

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

Mark McAfee 7225 S. Jameson Ave Fresno 93706 (559)970-5581
 Owner (Print or Type) Address City Zip Phone

Aaron McAfee 298 S. Park Ave Kernan 93630 (559)977-8564
 Applicant (Print or Type) Address City Zip Phone

Representative (Print or Type) Address City Zip Phone

CONTACT EMAIL: aaron.m@awfarmusa.com

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)	
Application Type / No.:	Fee: \$
Application Type / No.:	Fee: \$
Application Type / No.:	Fee: \$
Application Type / No.:	Fee: \$
PER/Initial Study No.:	Fee: \$
Ag Department Review:	Fee: \$
Health Department Review:	Fee: \$
Received By: _____ Invoice No.:	TOTAL: \$

UTILITIES AVAILABLE:

WATER: Yes / No
 Agency: _____

SEWER: Yes / No
 Agency: _____

STAFF DETERMINATION: This permit is sought under Ordinance Section: _____ Sect-Twp/Rg: _____ - T _____ S / R _____ E

Related Application(s): _____ APN # _____ - _____ - _____

Zone District: _____ APN # _____ - _____ - _____

Parcel Size: _____ APN # _____ - _____ - _____

over.....



County of Fresno

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

INITIAL STUDY APPLICATION

INSTRUCTIONS

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

OFFICE USE ONLY

IS No. _____

Project No(s). _____

Application Rec'd.: _____

GENERAL INFORMATION

- Property Owner: Mark McAfee Phone/Fax: (559) 970-5581
Mailing Address: 7225 S. Jameson Ave Fresno CA 93706
Street City State/Zip
- Applicant: Arvon McAfee Phone/Fax: (559) 977-8564
Mailing Address: 298 S. ^{Park} Jam Ave Kernan CA 93630
Street City State/Zip
- Representative: N/A Phone/Fax: _____
Mailing Address: _____
Street City State/Zip
- Proposed Project: Waive property development standards to create two 10-Acre parcels from a 20-Acre parcel by a variance. Pre-App 24-005681
- Project Location: 7225 S. Jameson Ave APN: 035-070-345
Fresno, CA 93706
- Project Address: Same
- Section/Township/Range: _____ / _____ / _____
- Parcel Size: 20.286
- Assessor's Parcel No. 035-070-345 OVER.....

10. Land Conservation Contract No. (If applicable): _____

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

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

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

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

13. Existing Zone District¹: _____

14. Existing General Plan Land Use Designation¹: _____

ENVIRONMENTAL INFORMATION

15. Present land use: Alfalfa field for dairy cow feed
Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements:

See Site Plan attached

Describe the major vegetative cover: Alfalfa field

Any perennial or intermittent water courses? If so, show on map: NO

Is property in a flood-prone area? Describe:

N/A

16. Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):

North: <u>Almonds</u>	} <u>Agriculture</u>
South: <u>Pasture</u>	
East: <u>Alfalfa</u>	
West: <u>Pasture</u>	

17. What land use(s) in the area may be impacted by your Project?: None

18. What land use(s) in the area may impact your project?: None

19. Transportation:

NOTE: The information below will be used in determining traffic impacts from this project. The data may also show the need for a Traffic Impact Study (TIS) for the project.

A. Will additional driveways from the proposed project site be necessary to access public roads?
 Yes No

B. Daily traffic generation:

I. Residential - Number of Units 1
Lot Size 10 Acres
Single Family 1
Apartments 0

II. Commercial - Number of Employees 0
Number of Salesmen 0
Number of Delivery Trucks 0
Total Square Footage of Building 0

III. Describe and quantify other traffic generation activities: Minimal

20. Describe any source(s) of noise from your project that may affect the surrounding area: None

21. Describe any source(s) of noise in the area that may affect your project: None

22. Describe the probable source(s) of air pollution from your project: None

23. Proposed source of water:

() private well

() community system³--name: _____ OVER.....

24. Anticipated volume of water to be used (gallons per day)²: 300 gallons/Day
25. Proposed method of liquid waste disposal:
 septic system/individual
 community system³-name _____
26. Estimated volume of liquid waste (gallons per day)²: 300 gallons/Day
27. Anticipated type(s) of liquid waste: Shower, dishwasher, etc.
28. Anticipated type(s) of hazardous wastes²: None
29. Anticipated volume of hazardous wastes²: None
30. Proposed method of hazardous waste disposal²: None
31. Anticipated type(s) of solid waste: Normal trash only
32. Anticipated amount of solid waste (tons or cubic yards per day): 0.25 yds/day
33. Anticipated amount of waste that will be recycled (tons or cubic yards per day): 0.25 yds/day
34. Proposed method of solid waste disposal: Mid Valley Disposal
35. Fire protection district(s) serving this area: North Central Fire
36. Has a previous application been processed on this site? If so, list title and date: Pre-Application
21-103251
37. Do you have any underground storage tanks (except septic tanks)? Yes _____ No X
38. If yes, are they currently in use? Yes _____ No X

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

[Signature]
 SIGNATURE

5/28/24
 DATE

¹Refer to Development Services and Capital Projects Conference Checklist

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

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

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

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

STATE FISH AND WILDLIFE FEE

State law requires that specified fees (effective January 1, 2024: \$4,051.25 for an EIR; \$2,916.75 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

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

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

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


Applicant's Signature


Date

Google Earth image showing parcel split



Google Earth image showing parcel within the bigger farm in RURAL Fresno County

