



Planning Commission Staff Report Agenda Item No. 2 June 28, 2018

SUBJECT: Initial Study Application No. 7410, Classified Conditional Use Permit Application No. 3597 and Minor Variance Application No. 1287

Amend Classified Conditional Use Permit (CUP) No. 3476 in order to allow expansion of an existing fruit packing and storage facility in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone Districts, including authorization of a 39-foot building height (35-foot maximum building height allowed) for a proposed building addition to be partially located in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts, and a 38-foot building height (35-foot maximum building height allowed) for a proposed building addition to be located in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of Trimmer Springs Road, approximately three miles north of its intersection with Belmont Avenue, approximately three miles southwest of the unincorporated community of Piedra (21095 E. Trimmer Springs Road) (SUP. DIST. 5) (APNs 158-070-65, 158-070-69, 158-070-76, 158-070-77).

APPLICANT/OWNER: Kings River Packing

STAFF CONTACT: Derek Chambers, Planner
(559) 600-4205

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) No. 7410; and
- Approve Classified Conditional Use Permit (CUP) No. 3597 with recommended Findings and Conditions; and
- Approve Minor Variance No. 1287; 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 Plans
6. Floor Plans
7. Elevation Drawings
8. Applicant’s Operational Statement
9. Applicants’ Statement of Variance Findings
10. Summary of Initial Study (IS) Application No. 7410
11. Draft Mitigated Negative Declaration
12. Planning Commission Resolution and Staff Report for CUP No. 3476

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture in the County-adopted Kings River Regional Plan	No change
Zoning	APN 158-070-65: AL-40 (Limited Agricultural, 40-acre minimum parcel size) APN 158-070-69: AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) APN 158-070-76: AL-40 (Limited Agricultural, 40-acre minimum parcel size) APN 158-070-77: AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	28.83-acre parcel comprised of Assessor’s Parcel Numbers	No change

Criteria	Existing	Proposed
	(APNs) 158-070-65, 158-070-69, 158-070-76 and 158-070-77	
Project Site	Commercial fruit packing and storage operation authorized by Classified CUP No. 2786 and expanded by Classified CUP Nos. 3307 and 3476	Phased expansion of commercial fruit packing and storage operation by an additional 5.75 acres of processing, storage, and office space; including authorization of a 39-foot building height and a 38-foot building height (35-foot maximum building height allowed) for proposed building additions
Existing Improvements: <ul style="list-style-type: none"> • 45,280 square-foot packing and storage building • 23,000 square-foot packing building • 21,970 square-foot packing building • 1,440 square-foot break room and restroom building • 12,000 square-foot cooling building • 6,400 square-foot process packing building • 7,500 square-foot de-greening building • 7,080 square-foot preparation packing building • Two 3,965 square-foot cold storage buildings • 20,295 square-foot building containing 13,364 square feet of storage; 798 square-foot office; 1,073 square-foot mechanical area; 5,060 square-foot cold storage area • 6,400 square-foot staging building • 24,747 square-foot storage building • 5,000 square-foot storage building • 6,000 square-foot storage building • 1,490 square-foot office • 1,351 square-foot office • 5,000 square-foot sweat building • 2,000 square-foot sweat building • 11,700 square-foot storage building • 186 square-foot pump house • Truck loading dock • Three engineered septic systems 		Proposed Improvements: <p>Phase I:</p> <ul style="list-style-type: none"> • Additional truck loading dock • 77,500 square-foot addition with 39-foot building height to be utilized for fruit cold storage and office space <p>Phase II:</p> <ul style="list-style-type: none"> • 173,000 square-foot addition with 38-foot building height to be utilized for fruit packing and office space
Nearest Residence	Approximately 125 feet northwest of the subject parcel	No change
Surrounding Development	Agricultural area with orchards and few residential land uses; portions of the Kings River and the Fresno Irrigation District	No change

Criteria	Existing	Proposed
	(FID) Gould Canal are easterly adjacent to the subject parcel; the Friant-Kern Canal is located approximately one and a half miles south of the subject parcel	
Operational Features	Commercial fruit packing operation	See discussion under the Background Information section of this Staff Report
Employees	70 full-time employees	<p>January through April (Peak Season):</p> <ul style="list-style-type: none"> • Up to 300 full-time employees <p>May through December (Off-Peak Season):</p> <ul style="list-style-type: none"> • Up to 100 full-time employees
Customers/Visitors	Five per day, five days per week from November through June	Up to eight per day, six days per week, year-round
Traffic Trips	<p>Approximately 10 one-way customer trips (five round trips) per day, five days per week, November through June</p> <p>Approximately 140 one-way employee trips (70 round trips) per day, five days per week, November through June</p> <p>Approximately 80 one-way truck trips (40 round trips) per day, six days per week, November through June</p>	<p>Approximately 16 one-way customer trips (eight round trips) per day, six days per week, year-round</p> <p>Approximately 600 one-way employee trips (300 round trips) per day, six days per week, January through April</p> <p>Approximately 200 one-way employee trips (100 round trips) per day, six days per week, May through December</p> <p>Approximately 120 one-way truck trips (60 round trips) per day, six days per week, January through April</p> <p>Approximately 10 one-way truck trips (five round trips) per day, six days per week, May through December</p>

Criteria	Existing	Proposed
Lighting	Building exteriors and parking areas	No change
Hours of Operation	8:00 a.m. until 5:00 p.m., six days per week from November through June	24 hours per day, six days per week, year-round

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: No

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 10.

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

PUBLIC NOTICE:

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

PROCEDURAL CONSIDERATIONS:

A Classified Conditional Use Permit (CUP) may be approved only if the four Findings specified in Fresno County Zoning Ordinance Section 873-F are made by the Planning Commission.

A Minor Variance (MV) may be approved only if the four Findings specified in the Fresno County Zoning Ordinance Section 877 are made by the Planning Commission. Specifically related to a Variance, in order to make Findings 1 and 2, a determination must be made that the property is subject to an exceptional or extraordinary physical circumstance that does not apply to other properties in the same Zone District, and a substantial property right held by other property owners of like-zoned parcels in the area must be identified.

Both applications (CUP and MV) are being brought before the Planning Commission for consideration, as they represent an interrelated request for a single project; however, the subject CUP application and the concurrent MV application shall be considered separately. Further, denial of the CUP will also deny the MV; however, denial of the MV will not deny the CUP but would require modifications to the project's submitted Plans, particularly the Elevation Drawings for the proposed building additions. The CUP may still be approved, subject to meeting the four Findings specified in Zoning Ordinance Section 873-F.

The decision of the Planning Commission on a CUP and MV application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

This proposal entails the phased expansion of an existing 10.89-acre commercial fruit packing and storage operation by an additional 5.75 acres of processing, storage, and office space in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts. Phase I of this expansion proposal includes construction of a loading dock and a 77,500 square-foot addition to an existing metal building to be utilized for fruit cold storage and office space. Phase II of this expansion proposal includes construction of a 173,000 square-foot addition to an existing metal building to be utilized for fruit packing and office space. The proposed 77,500 square-foot addition will have an overall building height of approximately 39 feet, and the proposed 173,000 square-foot addition will have an overall building height of approximately 38 feet, whereas the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts permit a 35-foot maximum building height. As such, Minor Variance Application No. 1287 is being concurrently processed with Classified Conditional Use Permit Application No. 3597 so as to allow the proposed 39-foot and 38-foot building heights.

The existing commercial fruit packing and storage operation was originally authorized by Classified Conditional Use Permit (CUP) No. 2786, and was subsequently expanded by CUP No. 3307 and CUP No. 3476. Currently, the existing commercial fruit packing operation is located on an approximately 28.83-acre parcel identified as Assessor's Parcel Numbers (APNs) 158-070-65, 158-070-69, 158-070-76 and 158-070-77, which is partially located in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts.

The following analysis addresses each of the required Findings for Classified Conditional Use Permit (CUP) No. 3597, and Minor Variance (MV) No. 1287.

CLASSIFIED CONDITIONAL USE PERMIT (CUP) APPLICATION NO. 3597

ANALYSIS/DISCUSSION:

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:	Proposed Operation:	Is Standard Met (Y/N)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (northwest property line): 53 feet Side (southwest property line): 66 feet Side (northeast property line): 194 feet Rear (southeast property line): 74 feet	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (Y/N)
Parking	<u>Commercial Facility:</u> One standard parking space for each two permanent employees; one standard parking space for each truck operated by the facility <u>California Building Code:</u> At least one parking space for the physically handicapped per every 25 parking spaces at a facility	Paved parking areas with 374 standard parking spaces; eight parking spaces for the physically handicapped; 40 parking spaces for trucks	Yes
Lot Coverage	No requirement	No requirement	N/A
Separation Between Buildings	Six feet minimum (75 feet minimum between human habitations and structures utilized to house animals)	N/A (proposed improvements will be constructed as additions to existing buildings)	Yes
Wall Requirements	No requirement	No requirement	N/A
Septic Replacement Area	100 percent	No change	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	Yes

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The existing and proposed improvements satisfy the setback requirements of the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts. The AL-40 and AE-20 Zone Districts permit a maximum 35-foot building height. Therefore, a Minor Variance (MV) is required to waive the maximum building height restrictions of the AL-40 and AE-20 Zone Districts in order to authorize construction of the proposed 39-foot and 38-foot-tall building additions.

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

Analysis:

Staff review of the Site Plans demonstrates that the proposed improvements satisfy the setback requirements of the AL-40 and AE-20 Zone Districts.

With regard to off-street parking, commercial fruit packing and storage operations are required to provide at least one standard parking space for each two permanent employees, and at least one standard parking space for each truck operated by the facility. Further, California Building Code requires the provision of at least one parking space for the physically handicapped per every 25 parking spaces required at a facility. Regarding the subject proposal, the expanded facility will have up to 300 full-time employees. As such, the expanded facility needs to have at least 150 standard parking spaces and at least six parking spaces for the physically handicapped. In this case, the expanded facility will have paved parking areas with 374 standard parking spaces, eight parking spaces for the physically handicapped and 40 parking spaces for trucks.

Based on the above information and with adherence to a Site Plan Review (SPR) required as a Condition of Approval, staff finds that the project site is adequate in size and shape to accommodate the proposed use. Conditions of the SPR may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

Finding 2: That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use

		Existing Conditions	Proposed Operation
Private Road	No	N/A	No change
Public Road Frontage	Yes	Trimmer Springs Road: Good condition	No change
Direct Access to Public Road	Yes	Trimmer Springs Road: Two paved driveways	One additional paved driveway accessing Trimmer Springs Road
Road ADT		Trimmer Springs Road: 1,200	Less than significant traffic increase
Road Classification		Trimmer Springs Road: Arterial	No change
Road Width		Trimmer Springs Road along APN 158-070-77: 106-foot total existing right-of-way	No change

		Existing Conditions	Proposed Operation
		Trimmer Springs Road along APNs 158-070-65 and 158-070-76: 80-foot total existing right-of-way	
Road Surface		Trimmer Springs Road: Paved (pavement width: 40.4 feet)	No change
Traffic Trips		<p>Approximately 10 one-way customer trips (five round trips) per day, five days per week, November through June</p> <p>Approximately 140 one-way employee trips (70 round trips) per day, five days per week, November through June</p> <p>Approximately 80 one-way truck trips (40 round trips) per day, six days per week, November through June</p>	<p>Approximately 16 one-way customer trips (eight round trips) per day, six days per week, year-round</p> <p>Approximately 600 one-way employee trips (300 round trips) per day, six days per week, January through April</p> <p>Approximately 200 one-way employee trips (100 round trips) per day, six days per week, May through December</p> <p>Approximately 120 one-way truck trips (60 round trips) per day, six days per week, January through April</p> <p>Approximately 10 one-way truck trips (five round trips) per day, six days per week, May through December</p>
Traffic Impact Study (TIS) Prepared	Yes	N/A	Review of the TIS prepared for the proposal by Precision Civil Engineering, Inc. determined that Mitigation is necessary to reduce adverse transportation and traffic impacts to a less than significant level
Road Improvements Required		N/A	See Mitigation Measures attached as Exhibit 1

Reviewing Agency/Department Comments:

Design Division of the Fresno County Department of Public Works and Planning: A Traffic Impact Study (TIS) was prepared for the proposal by Precision Civil Engineering, Inc. The following Mitigation Measure has been included to reduce adverse transportation and traffic impacts to a less than significant level:

***Mitigation Measure:**

- 1. In order to mitigate potential traffic impacts to County roadways, prior to occupancy, the Applicant/owner shall enter into an agreement with Fresno County agreeing to participate on a pro-rata basis of 38% of the total cost for the maintenance and restoration of Trimmer Springs Road (approximate 2.3-mile segment from project site) and Oliver Street (approximate one-mile segment from Belmont Avenue to State Route 180) for a period not to exceed 10 years. This agreement shall establish the existing baseline condition for Trimmer Springs Road and Oliver Street, and address the monitoring and evaluation of roadway pavement conditions, and the undertaking of roadway repairs and/or maintenance overlay as necessary to ensure project-related traffic can be safely accommodated. The pro-rata share for the maintenance and restoration of said roadways shall not exceed \$485,000 over the term of this agreement.*

Development Engineering Section of the Fresno County Department of Public Works and Planning: Trimmer Springs Road is a County-maintained road classified as an Arterial road. The minimum total width for an Arterial road right-of-way is 106 feet. Trimmer Springs Road has a total existing right-of-way of 106 feet along the frontage of APN 158-070-77, with 53 feet east and 53 feet west of the centerline. Trimmer Springs Road has a total existing right-of-way of 80 feet along the frontage of APNs 158-070-65 and 158-070-76, with 40 feet east and 40 feet west of the centerline. A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Trimmer Springs Road. An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the County right-of-way. These mandatory requirements have been included as Project Notes.

Analysis:

The existing commercial fruit packing and storage operation currently utilizes two 50-foot-wide paved driveways to access Trimmer Springs Road, and the proposed expanded facility will utilize one additional 50-foot-wide paved driveway to access Trimmer Springs Road.

Trimmer Springs Road has a total existing right-of-way of 80 feet along the frontage of APNs 158-070-65 and 158-070-76, with 40 feet east and 40 feet west of the centerline, whereas the minimum total width for an Arterial road right-of-way is 106 feet. Therefore, in order to satisfy the Arterial road standard, an additional 13 feet of right-of-way dedication would be needed from the western side of APNs 158-070-65 and 158-070-76, which abuts Trimmer Springs Road. However, considering the amount of property such a dedication would constitute, and that this project entails the expansion of a previously-approved use, no additional right-of-way dedication will be required for this proposal.

With regard to traffic, the proposed expanded facility will generate approximately 16 one-way customer trips (eight round trips) per day, six days per week, year-round; approximately 600 one-way employee trips (300 round trips) per day, six days per week, January through April; approximately 200 one-way employee trips (100 round trips) per day, six days per week, May through December; approximately 120 one-way truck trips (60 round trips) per day, six days per

week, January through April; and, approximately 10 one-way truck trips (five round trips) per day, six days per week, May through December.

This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which determined that a Traffic Impact Study (TIS) was needed to effectively evaluate potential traffic-related impacts associated with the proposed expanded facility. In accordance with this determination, a TIS was prepared for the proposal by Precision Civil Engineering, Inc.

The TIS includes analysis of intersection operations at State Route 180 (Kings Canyon Road) and Rio Vista Avenue, State Route 180 (Kings Canyon Road) and Reed Avenue, State Route 180 (Kings Canyon Road) and Oliver Street, and Trimmer Springs Road and the project site access. This analysis of intersection operations was conducted under the following scenarios: 1) Existing, 2) Near-Term, 3) Near-Term plus Phase I, 4) Cumulative, and 5) Cumulative plus Full Build-Out. Additionally, the TIS prepared for the proposed expansion project also includes analysis of the roadway operations and structural conditions of Belmont Avenue west of Academy Avenue, and Trimmer Springs Road south of the project site.

According to the TIS prepared for the proposed expansion project, it was not practical to obtain traffic counts at the intersections of Belmont Avenue and Oliver Street, or State Route 180 (Kings Canyon Road) and Oliver Street due to closure and reconstruction of Belmont Avenue between Academy Avenue and Trimmer Springs Road. As such, traffic counts for the intersection of State Route 180 (Kings Canyon Road) and Oliver Street were derived from Fresno Council of Governments (COG) travel demand modeling data and the other State Route 180 (Kings Canyon Road) intersection traffic counts identified in this analysis.

Based on the above information, and with adherence to the transportation-related Mitigation Measure and Project Notes discussed in this Staff Report, staff believes that the streets in proximity to the project site will be adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will have no adverse impact on abutting property and surrounding neighborhood or permitted use thereof

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North:	4.21 acres	Orchard	AE-40	None
Northwest:	10.22 acres	Two single-family residences Orchard	AE-40	125 feet
Northeast:	104.07 acres	Two single-family residences Orchard	AL-20	2,705 feet

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
West:	15.10 acres	Orchard	AL-40	None
East:	96.62 acres	Vacant	RE	None
South:	144.14 acres	Vacant	AL-20; O	None

Reviewing Agency/Department Comments:

California Regional Water Quality Control Board (Water Board): The Applicant submitted a Report of Waste Discharge (RWD) to the Water Board in 1997 for the discharge of 4,500 gallons of fruit-washing wastewater per day (monthly average) to approximately 65 acres of land. If the proposed expansion project will result in a material change in the volume, character, or location of the discharge that was described in the 1997 RWD, the Applicant shall be required to submit a new RWD to the Water Board at least 140 days prior to initiating discharge from the expanded facility.

As construction associated with this proposal will disturb more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the Applicant shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.

These mandatory requirements will be included as Project Notes.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 1645H, portions of the subject parcel are located within FEMA Flood Zone AE, which is subject to flooding from the one-percent (1%)-chance storm. Any work performed within designated Flood Zones shall conform to provisions established in Chapter 15.48 of the Fresno County Ordinance Code (Flood Hazard Areas). Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards. A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal. These mandatory requirements have been included as Project Notes.

Fresno County Department of Agriculture (Agricultural Commissioner's Office): No concerns with the proposal.

Fresno County Department of Public Health, Environmental Health Division: The commercial fruit packing operation shall satisfy the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95. As such, within 30 days of the occurrence of any of the following events, the commercial fruit packing operation must update their Hazardous Materials Business Plan (HMBP) and Site Map on file with the Fresno County Department of Public Health: 1) There is a 100% or more increase in the quantities of a previously disclosed material; or 2) The facility begins handling a previously undisclosed material at or above the HMBP

threshold amounts. The commercial fruit packing operation must also certify that a review of the HMBP has been conducted at least once every year and that any necessary changes were made and that the changes were submitted to the Fresno County Department of Public Health.

Within six months of the occurrence of any of the following events, the commercial fruit packing operation must update their Risk Management Plan (RMP) on file with the U.S. Environmental Protection Agency (EPA): 1) If a change alters the Program Level that applies to any covered process; or 2) If a change requires a revised Off-Site Consequence Analysis; or 3) If a change requires a revised Process Hazard Analysis or Hazard Review; or 4) If a new regulated substance is present above the threshold quantity in an already covered process; or 5) If a regulated substance is present above the threshold quantity in a new process; or 6) If the U.S. EPA begins regulating a new substance.

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

Per California Plumbing Code Section 6.9, disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting evaporation of sewer effluent. California Plumbing Code Appendix H requires access to septic tanks to be maintained.

These mandatory requirements have been included as Project Notes.

Fresno County Fire Protection District (Fire District): The proposal shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project shall be approved by the Fire District prior to issuance of Building Permits by the County. The subject parcel shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. These mandatory requirements have been included as Project Notes.

Fresno Irrigation District (FID): An FID canal identified as Gould Canal No. 97 traverses an eastern edge of the subject parcel, and FID access along said portion of the canal may be obstructed by existing encroachments such as trees and fencing. As such, FID requests that any obstructions located within 20 feet of the canal be removed, that FID review and approval be required for any aspect of the proposed expansion project that will impact FID facilities, and that the Applicant be required to submit a Grading and Drainage Plan to FID for review and approval in order to prove that the proposed expansion project will not adversely impact the structural integrity of the canal or result in drainage patterns that would adversely impact FID.

San Joaquin Valley Unified Air Pollution Control District (Air District): This proposal is subject to Air District Rule 9510 (Indirect Source Review) and may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt). These requirements have been included as Project Notes. An Air Impact Assessment was completed for the proposal resulting in mitigation.

State Water Resources Control Board, Division of Drinking Water: The commercial fruit packing operation has an existing public water system regulated by the Division of Drinking Water. The proposed expansion will not change the current water system classification for the facility.

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: The subject parcel is located in a designated water-short area; however, there will not be a significant increase in water usage resulting from the proposed expansion project, as water generated from the fruit washing process is recycled as a supplement for the irrigation water utilized by surrounding orchards, thereby replacing groundwater that would otherwise be pumped for irrigation purposes.

Analysis:

The subject parcel is located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. Additionally, portions of the Kings River and the Fresno Irrigation District Gould Canal are easterly adjacent to the subject parcel, and the Friant-Kern Canal is located approximately one and a half miles south of the subject parcel.

A portion of Trimmer Springs Road, which is identified as a Scenic Drive in the Fresno County General Plan, abuts a western property line of the subject parcel. Policy OS-L.3 of the General Plan typically requires intensive land use proposals such as commercial developments to be developed with a 200-foot natural open space area adjacent to the Scenic Drive. General Plan Policy OS-L.3 also allows this 200-foot natural space setback requirement to be modified for proposals which involve the expansion of an existing facility. In this case, the existing commercial fruit packing operation currently encroaches into the typically-required 200-foot natural open space area. The proposed improvements would be set back farther from Trimmer Springs Road than the existing commercial fruit packing operation; however, the proposed improvements would be located within the typically-required 200-foot natural open space area. As such, drought-tolerant landscaping shall be provided along the western property line of the subject parcel where said property line abuts Trimmer Springs Road. Further, said landscaping shall be maintained in healthful condition and shall consist of trees and shrubs of reasonable size and density to provide visual screening. This landscaping requirement will be included as a Mitigation Measure to reduce the proposal's aesthetic impacts on Trimmer Springs Road to a less than significant level. Additionally, the design of the required landscaping shall be reviewed for approval during Site Plan Review (SPR), which will be required as a Condition of Approval. Conditions of the SPR may include design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.

With regard to the agency comments provided by the Fresno Irrigation District (FID), County staff acknowledges that the requirement for the Applicant to provide a Grading and Drainage Plan to FID for review and approval prior to the issuance of Building Permits will help ensure that the project will not adversely impact FID facilities. This requirement will be included as a Condition of Approval, as was the case with previously-approved Classified Conditional Use Permit (CUP) No. 3476. Additionally, the inclusion of a Condition of Approval requiring the Applicant to provide a Grading and Drainage Plan to FID for review and approval negates the need for FID to review other aspects of the project. Further, regarding removal of possible obstructions to FID access along Gould Canal No. 97, County staff does not believe there is a nexus for such a requirement considering the 180-foot separation between Gould Canal No. 97 and the nearest proposed structural improvement.

Based on the above information, and with adherence to the Mitigation Measures, recommended Conditions of Approval and mandatory Project Notes identified in the Initial Study (IS) prepared for this project and discussed in this Staff Report, staff finds that the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3: County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to the following Criteria: a) Use shall provide a needed service to the surrounding area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics; b) Use should not be sited on productive agricultural lands if less productive land is available in the vicinity; c) Use shall not have a detrimental impact on water resources or the use or management of surrounding properties within a one quarter-mile radius; d) a probable workforce should be located nearby or readily available; f) evaluation under Criteria LU-A.3.a for proposed value-added agricultural processing facilities shall consider the service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services; h) evaluation of discretionary permits for existing commercial uses shall not consider Criteria LU-A.3.b</p>	<p>With regard to Criteria “a” and Criteria “f”, this proposal entails the expansion of an existing 10.89-acre commercial fruit packing operation by an additional 5.75 acres of processing, storage, and office space. The subject parcel is located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. The existing commercial fruit packing operation is served by on-site engineered septic systems and an on-site water well, and no additional septic systems or water wells are being requested through the proposed expansion project. Further, as this proposal is an expansion of an existing commercial use, Criteria “b” does not apply per Criteria “h”.</p> <p>With regard to Criteria “c”, the subject parcel is located in a designated water-short area. However, according to the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, there will not be a significant increase in water usage resulting from the proposed expansion project, as water generated from the fruit washing process is recycled as a supplement for the irrigation water utilized by surrounding orchards, thereby replacing groundwater that would otherwise be pumped for irrigation purposes. Further, with adherence to the Mitigation Measures, recommended Conditions of Approval and mandatory Project Notes identified in the Initial Study (IS) prepared for this project and discussed in this Staff Report, staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties.</p> <p>With regard to Criteria “d”, this proposal is located approximately three miles southwest of the unincorporated community of Piedra,</p>

Relevant Policies:	Consistency/Considerations:
	and is also located approximately ten miles east of the City of Clovis, which have the ability to provide an adequate workforce.
<p>General Plan Policy LU-A.13: County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> <p>General Plan Policy LU-A.14: County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</p>	<p>With regard to Policy LU-A.13 and Policy LU-A.14, this proposal entails the expansion of an existing commercial fruit packing operation located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. Portions of the subject parcel are classified as Semi-Agricultural and Rural Commercial, and Prime Farmland on the Fresno County Important Farmland Map (2014). With regard to the portions of the subject parcel classified as Prime Farmland, this proposal will preclude the agricultural cultivation of approximately 3.97 acres of Prime Farmland. However, this loss of farmland is less than significant in that the proposed improvements will serve an existing commercial enterprise which processes and stores agricultural products.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation prior to consideration of any discretionary project related to land use. The evaluation shall include the following:</p> <ol style="list-style-type: none"> a. Determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question; b. Determination of the impact that use of the proposed water supply will have on other water users in Fresno County; c. Determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. 	<p>With regard to Policy PF-C.17, the subject parcel is located in a designated water-short area. However, according to the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, there will not be a significant increase in water usage resulting from the proposed expansion project, as water generated from the fruit washing process is recycled as a supplement for the irrigation water utilized by surrounding orchards, thereby replacing groundwater that would otherwise be pumped for irrigation purposes.</p>

Reviewing Agency/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated as Agriculture in the County-adopted Kings River Regional Plan. Portions of the subject parcel are enrolled under Agricultural Land Conservation Contract (Williamson Act Contract) No. 225; however, partial Non-Renewals of Contract No. 225 have been filed for the contracted portions of the subject parcel and will be removed from the Williamson Act by the last day of December 2022.

Analysis:

Based on the analysis provided above, staff believes the proposal is consistent with the County General Plan and the County-adopted Kings River Regional Plan. Applicable Policies regarding siting and water supply evaluation were reviewed for this proposal and found to be consistent.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

MINOR VARIANCE (MV) APPLICATION NO. 1287

ANALYSIS/DISCUSSION:

Staff research indicates that no other building height-related Variance Applications have been filed within one mile of the subject parcel.

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

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

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts permit a maximum 35-foot building height. Therefore, a Minor Variance (MV) is required to waive the maximum building height restrictions of the AL-40 and AE-20 Zone Districts in order to authorize construction of the proposed 39-foot and 38-foot-tall building additions.

Analysis:

In support of Finding 1, the Variance Findings provided for this proposal state the following: *“Approval of this minor variance will allow for optimal use of the building by providing the adequate vertical clearance between the top of the fruit storage bins and the refrigeration equipment that hangs above. We require a certain amount of clearance above the fruit storage to allow the cold air to blow over the top of the storage.”*

In support of Finding 2, the Variance Findings provided for this proposal state the following: *“The property is restrictive because of its odd shape and the fact that it’s enclosed by the Kings River on the east side and Trimmer Springs Road on the west side; we are limited on how we are able to develop new buildings. Our operations require a linear process through the plant, with incoming fruit on one end, going through the sorting and packing process, then exiting on the opposite end to be shipped to customers. The odd shape of the property only permits us to*

layout buildings in a certain fashion and still be able to effectively perform our process through the facility. The buildings also must be situated so the site drainage is maintained.”

The AE-20 and AL-40 Zone Districts restrict permitted building height to 35 feet. However, considering that the proposed 39- and 38-foot-tall building additions are an expansion of a previously-approved use, and that the excessive height of the proposed building additions is made necessary by the Applicant’s operational requirements, staff believes that a substantial property right will be preserved by the approval of this Variance request.

Recommended Conditions of Approval:

None.

Conclusion:

Findings 1 and 2 can be made.

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

Reviewing Agency/Department Comments:

Building and Safety Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Fresno County Department of Agriculture (Agricultural Commissioner’s Office): No concerns with the proposal.

Analysis:

In support of Finding 3, the Variance Findings provided for this proposal state the following: *“The proposed use and minor variance will have no adverse effect on the abutting properties and surrounding neighborhood or the permitted use thereof. The property is surrounded by similarly-zoned parcels, AL-20 and AE-40, all with agricultural-related uses, in line with the proposed use.”*

With regard to Finding 3, if approved, the granting of this Variance request will authorize construction of 39- and 38-foot-tall building additions to be utilized by an existing commercial fruit packing and storage operation.

The primary purpose of Zoning height restrictions is to protect the aesthetic character of a neighborhood. Without building height standards, extreme height variations can occur between buildings on adjacent properties, which can negatively affect the viewshed along roads. In this case, the subject parcel is located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. Considering the lack of development in the area surrounding the subject property, and the existing nature of the commercial fruit packing and storage operation to be served by the proposed building additions, this proposal is not anticipated to have a negative aesthetic impact on the surrounding area.

Based on the above discussion, staff does not believe that the 39- and 38-foot building heights proposed by the Applicant will create a negative impact on the neighborhood or be detrimental to the public welfare.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 3 can be made.

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

Reviewing Agency/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated as Agriculture in the County-adopted Kings River Regional Plan. Portions of the subject parcel are enrolled under Agricultural Land Conservation Contract (Williamson Act Contract) No. 225; however, partial Non-Renewals of Contract No. 225 have been filed for the contracted portions of the subject parcel and will be removed from the Williamson Act by the last day of December 2022.

Analysis:

In support of Finding 4, the Variance Findings provided for this proposal state the following: *“The proposed development is consistent with the General Plan.”*

With regard to Finding 4, the subject parcel is designated as Agriculture in the County-adopted Kings River Regional Plan. Staff acknowledges that commercial fruit packing and storage operations may be allowed on lands designated as Agriculture in the General Plan by means of a discretionary use permit (*i.e.*, Conditional Use Permit), per General Plan Policy LU-A.3. As previously discussed in this Staff Report, the existing commercial fruit packing and storage operation was originally authorized by Classified Conditional Use Permit (CUP) No. 2786, and was subsequently expanded by CUP No. 3307 and CUP No. 3476.

Portions of the subject parcel are enrolled under Agricultural Land Conservation Contract (Williamson Act Contract) No. 225; however, partial Non-Renewals of Contract No. 225 have been filed for the contracted portions of the subject parcel and will be removed from the Williamson Act by the last day of December 2022.

The County-adopted Kings River Regional Plan does not have Policies addressing building height. As such, approval of this Variance request would not be in conflict with the Policies of the General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the required findings for granting the Classified Conditional Use Permit can be made based on the factors cited in the analysis. Staff also believes the required findings for granting the Minor Variance can be made based on the factors cited in the analysis. Therefore, staff recommends adoption of the Mitigated Negative Declaration prepared for this project, and approval of Classified Conditional Use Permit No. 3597 and Minor Variance No. 1287, subject to the recommended conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative declaration prepared for Initial Study (IS) Application No. 7410; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3597 subject to Conditions and Project Notes attached as Exhibit 1; and
- Move to determine that the required Findings can be made and move to approve Minor Variance No. 1287 subject to Conditions and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit No. 3597; and
- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Minor Variance No. 1287; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Monitoring, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

DC:ksn

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Mitigation Monitoring and Reporting Program
Initial Study No. 7410 / Classified Conditional Use Permit No. 3597 / Minor Variance No. 1287
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	In order to mitigate potential impacts to the scenic corridor along Trimmer Springs Road as a result of the proposed project, the Applicant shall screen the facility utilizing drought-tolerant landscaping, consisting of trees and shrubs of adequate size and density, along the western property line of the subject parcel where said property line abuts Trimmer Springs Road. Said landscaping shall be maintained in a healthy condition for the life of project operations. If the amount of landscaping provided to satisfy this requirement is equal to or greater than 500 square feet, the Applicant shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO). Proposed landscaping and irrigation plans shall be submitted in conjunction with the required Site Plan Review Application and all landscaping shall be installed prior to occupancy.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
2.	Aesthetics	Prior to occupancy, all outdoor lighting shall be hooded, directed and permanently maintained as to not shine toward adjacent properties and roads.	Applicant	Applicant/PW&P	Ongoing
3.	Air Quality	The Applicant shall comply with all the measures identified in the Project Air Impact Assessment (AIA)/Indirect Source Review (Project Number C-2018007) dated February 15, 2018 as approved for this project by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The Applicant shall submit evidence annually to SJVAPCD and Department of Public Works and Planning demonstrating compliance with the mitigation measures.	Applicant	Applicant/San Joaquin Valley Air Pollution Control District (Air District)	Ongoing
4.	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	Applicant	Applicant	Ongoing

EXHIBIT 1

		occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photographs, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.			
5.	Transportation and Traffic	In order to mitigate potential traffic impacts to County roadways, prior to occupancy, the Applicant/owner shall enter into an agreement with Fresno County agreeing to participate on a pro-rata basis of 38% of the total cost for the maintenance and restoration of Trimmer Springs Road (approximate 2.3-mile segment from project site) and Oliver Street (approximate one-mile segment from Belmont Avenue to State Route 180) for a period not to exceed 10 years. This agreement shall establish the existing baseline condition for Trimmer Springs Road and Oliver Street, and address the monitoring and evaluation of roadway pavement conditions, and the undertaking of roadway repairs and/or maintenance overlay as necessary to ensure project related traffic can be safely accommodated. The pro-rata share for the maintenance and restoration of said roadways shall not exceed \$485,000 over the term of this agreement.	Applicant	Applicant/PW&P	As noted

Conditions of Approval

1.	All Conditions of Classified Conditional Use Permit No. 3476 shall remain in full force and effect, except as modified with the approval of Classified Conditional Use Permit No. 3597 and Site Plan Review (SPR).
2.	Development and operation shall be in substantial conformance with the approved Site Plans, Floor Plans, Elevation Drawings and Operational Statement, except as modified by the Conditions of Approval and Site Plan Review (SPR).
3.	Prior to issuance of Building Permits, a Site Plan Review (SPR) shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, and lighting.
4.	The developer shall submit a Grading and Drainage Plan to the Fresno Irrigation District (FID) for review and approval prior to the issuance of Building Permits which demonstrates that the proposed development will not endanger the structural integrity of FID's Gould Canal No. 97 or result in drainage patterns that could adversely affect FID.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

Notes

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

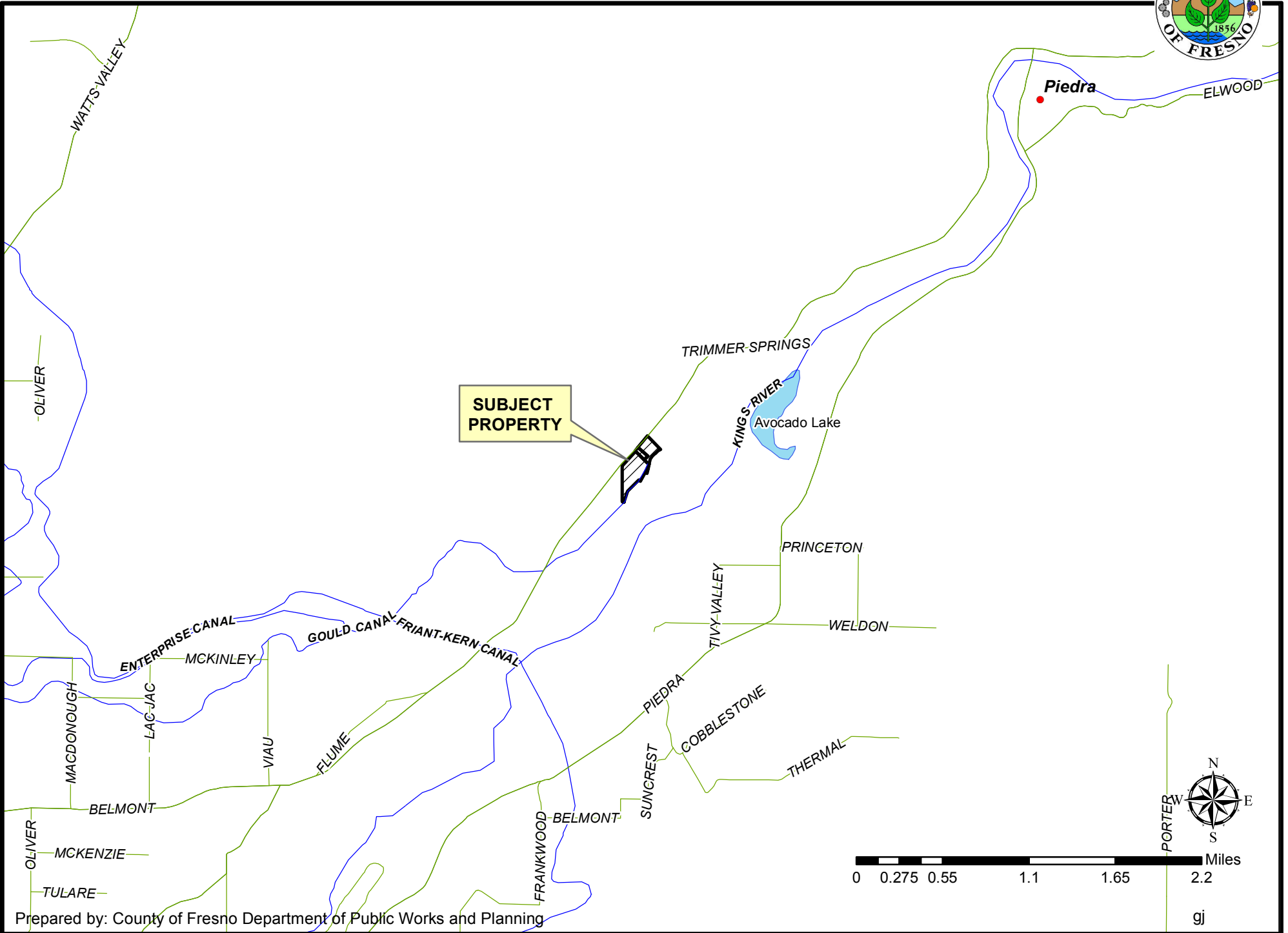
1.	A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Trimmer Springs Road.
2.	An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the County right-of-way.
3.	The Applicant submitted a Report of Waste Discharge (RWD) to the Water Board in 1997 for the discharge of 4,500 gallons of fruit-washing wastewater per day (monthly average) to approximately 65 acres of land. If the proposed expansion project will result in a material change in the volume, character, or location of the discharge that was described in the 1997 RWD, the Applicant shall be required to submit a new RWD to the Water Board at least 140 days prior to initiating discharge from the expanded facility.
4.	As construction associated with this proposal will disturb more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the Applicant shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.
5.	According to FEMA FIRM Panel 1645H, portions of the subject parcel are located within FEMA Flood Zone AE, which is subject to flooding from the one-percent (1%)-chance storm. Any work performed within designated Flood Zones shall conform to provisions established in Chapter 15.48 of the Fresno County Ordinance Code (Flood Hazard Areas).
6.	Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards.
7.	A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal.
8.	The commercial fruit packing operation shall satisfy the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95. As such, within 30 days of the occurrence of any of the following events, the commercial fruit packing operation must update their Hazardous Materials Business Plan (HMBP) and Site Map on file with the Fresno County Department of Public Health: 1) There is a 100% or more increase in the quantities of a previously disclosed material; or 2) The facility begins handling a previously undisclosed material at or above the HMBP threshold amounts. The commercial fruit packing operation must also certify that a review of the HMBP has been conducted at least once every year and that any necessary changes were made and that the changes were submitted to the Fresno County Department of Public Health.
9.	Within six months of the occurrence of any of the following events, the commercial fruit packing operation must update their Risk Management Plan (RMP) on file with the U.S. Environmental Protection Agency (EPA): 1) If a change alters the Program Level that applies to any covered process; or 2) If a change requires a revised Off-Site Consequence Analysis; or 3) If a change requires a revised Process Hazard Analysis or Hazard Review; or 4) If a new regulated substance is present above the threshold quantity in an already covered process; or 5) If a regulated substance is present above the threshold quantity in a new process; or 6) If the U.S. EPA begins regulating a new substance.

Notes	
10.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes.
11.	Per California Plumbing Code Section 6.9, disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting evaporation of sewer effluent. California Plumbing Code Appendix H requires access to septic tanks to be maintained.
12.	The proposal shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project shall be approved by the Fire District prior to issuance of Building Permits by the County.
13.	The subject parcel shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.
14.	This proposal is subject to Air District Rule 9510 (Indirect Source Review) and may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions) Rule 4102 (Nuisance) Rule 4601 (Architectural Coatings) Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt)

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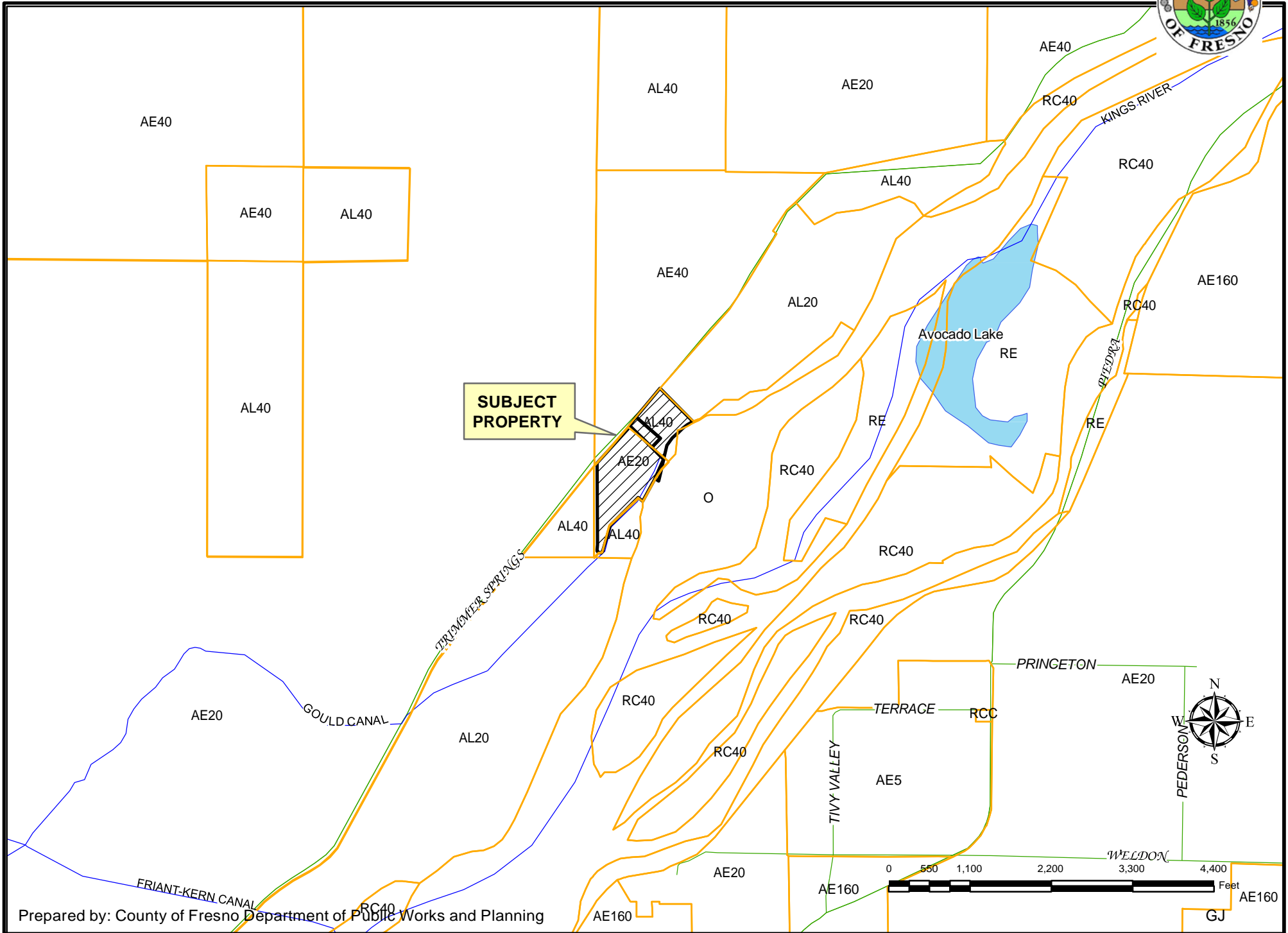
LOCATION MAP



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

gj

EXISTING ZONING MAP



**SUBJECT
PROPERTY**

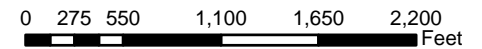
EXISTING LAND USE MAP



LEGEND	
FC	- FIELD CROP
GRZ	- GRAZING
ORC	- ORCHARD
PAH	- PACKING HOUSE
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division

EXPANSION OF EXISTING PACKING AND STORAGE FACILITY

FOR

KINGS RIVER PACKING
 21083 AND 21095 EAST TRIMMER SPRINGS ROAD
 SANGER, CA 93657

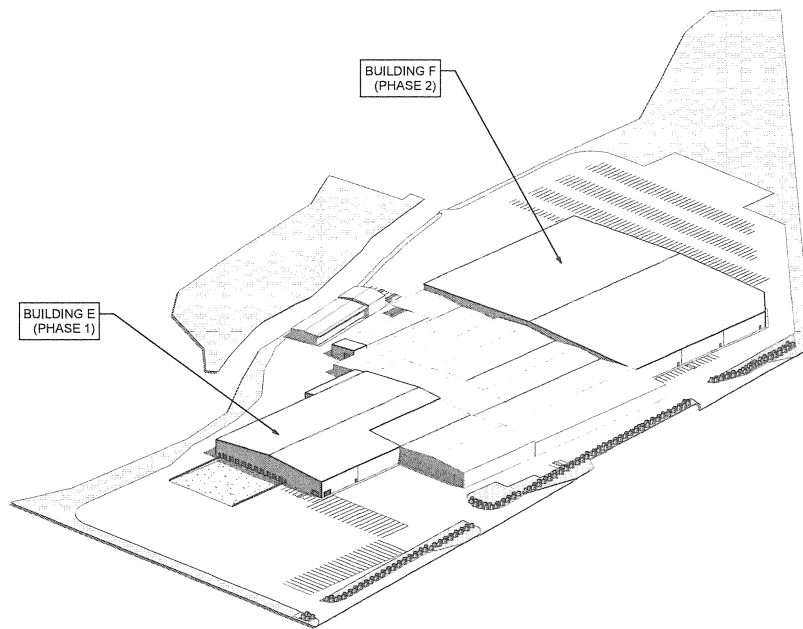


EXHIBIT 5



NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED HEREIN AND DOES NOT INCLUDE ANY OTHER SERVICES OR OBLIGATIONS THAT MAY BE IMPOSED BY OTHER PROFESSIONAL BODIES OR STATUTE.

EVR
 CONSULTING ENGINEERS
 2100 J STREET
 WASHINGTON, DC 20037
 (202) 233-2437

COVER SHEET
 PLANT EXPANSION AND SITE IMPROVEMENTS
 FOR
 KINGS RIVER PACKING
 21083 E. TRIMMER SPRINGS ROAD
 SANGER, CA 93657

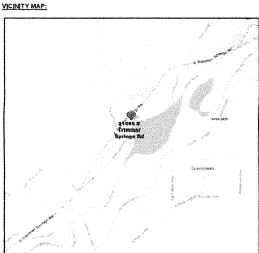
DATE: 11/17/2017
 SHEET NO: 17101
 PROJECT: RT
 DRAWN BY: CS1.0

PROJECT DATA:
 PROJECT NAME: NEW WAREHOUSE FACILITY
 SCOPE OF WORK: TWO-PHASE EXPANSION OF AN EXISTING COMMERCIAL FUEL PACKING AND STORAGE FACILITY.
 JURISDICTION: COUNTY OF FRESNO, CA
 ZONING: AE-20 (EXCLUSIVE AGRICULTURAL DISTRICT)
 ACCESSORS PARCEL NO.'S: 156-070-05, 156-070-06, 156-070-76, 156-070-77

GOVERNING CODES:
 2016 CALIFORNIA BUILDING CODE
 2016 CALIFORNIA FIRE CODE
 2016 CALIFORNIA PLUMBING CODE
 2016 CALIFORNIA MECHANICAL CODE
 2016 CALIFORNIA ELECTRICAL CODE
 2016 CALIFORNIA ENERGY CODE

APPLICABLE ORDINANCES AND AMENDMENTS BY THE COUNTY OF FRESNO:
 NEW FRESHENKED METAL BUILDING ADDITIONS - BUILDINGS E AND F

OCCUPANCY CLASS: S-20
CONSTRUCTION TYPE: I-B, FULLY SPARKLETERED
ALLOWABLE AREA: UNLIMITED AREA BUILDING PER CBC 507 (90 YARDS ALL SIDES)
EXIST'G FLOOR AREA: BLDG. E (77,500 SF), BLDG. F (173,800 SF)
FLOOR AREA PROPOSED: BLDG. E (77,500 SF), BLDG. F (173,800 SF)



LEGAL DESCRIPTION:

RECORDING REQUESTED BY:
 Fresno County

FOR THE GRANTOR(S) TO BE IDENTIFIED BY THE COUNTY OF FRESNO, CALIFORNIA, THE GRANTOR(S) HAS/HAVE HEREBY DECLARED THAT THE GRANTOR(S) HAS/HAVE THE RIGHT AND AUTHORITY TO MAKE THE ABOVE DESCRIBED GRANT AND TO EXECUTE THIS INSTRUMENT FOR THAT PURPOSE.

RECORDING REQUESTED BY:
 Hazelton Farm, Inc.
 21136 Trimmer Springs Road
 Sanger, CA 93657

REC'D BY: 11/17/17
 DOC# 2017-0135237
 RECEIVED: SEP 26, 2013 11:00:46
 FEE: \$5.00 REG: \$ 60203266
 262/8274-2

SPACE ABOVE THIS LINE IS FOR RECORDERS USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
 I/WE COMPLETED THIS DEED AND ALL INSTRUMENTS AND DOCUMENTS REFERRED TO IN THIS DEED.
 I/WE COMPLETED THIS DEED AND ALL INSTRUMENTS AND DOCUMENTS REFERRED TO IN THIS DEED.
 I/WE COMPLETED THIS DEED AND ALL INSTRUMENTS AND DOCUMENTS REFERRED TO IN THIS DEED.

FOR CONSIDERATION RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, Hazelton Farm, Inc., a California Corporation hereby GRANT(S) to Hazelton Farm, Inc., a California Corporation the following described real property in the County of Fresno, State of California:

Said Exhibit B' attached hereto and by reference made a part thereof. This deed is being recorded to effectuate that certain Lot Line Adjustment No. 12-20 approved by County of Fresno.

Hazelton Farm, Inc., a California Corporation
 Grantor
 David Hines, Secretary & Chief Financial Officer

STATE OF CALIFORNIA
 COUNTY OF FRESNO
 I, _____, a Notary Public, do hereby certify that the above described grantor(s) has/have executed this instrument for the purposes and in the manner stated herein, and that he/she/they are the person(s) named in this instrument, and that he/she/they are the person(s) named in this instrument, and that he/she/they are the person(s) named in this instrument, and that he/she/they are the person(s) named in this instrument.

WITNESS my hand and official seal.

DATE: 11/17/17
 COUNTY: FRESNO
 NOTARY PUBLIC

EXHIBIT 'A'

The portion of the Southwest quarter of Section 24, Township 13 South, Range 23 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, more particularly described as follows:

Beginning at the Southwest corner of said Section 24:

Thence along the west line of said Section 24, North 00°09'00" West a distance of 1322.95 feet to the most northerly southeasterly right of way line of Trimmer Springs Road, said right of way described in the Deed granted to the County of Fresno recorded July 24, 1963 in Book 4886, Page 730, as Document No. 93734, Official Records Fresno County;

Thence along said southeasterly right of way, North 36°24'00" East a distance of 41.90 feet to a point on the easterly line of that parcel of land granted to Fresno Irrigation District by Deed recorded June 28, 1945 in Book 2285, Page 229, as Document No. 35504, Official Records Fresno County;

Thence along said easterly line, South 00°09'00" East a distance of 56.80 feet to the most southerly southeasterly right of way line of said Trimmer Springs Road;

Thence along said southeasterly right of way, North 39°16'35" East a distance of 1322.10 feet to the most easterly northeast corner of that parcel of land granted to Fresno County by Deed recorded February 20, 1963 in Book 4825, Page 21, as Document No. 15296, Official Records Fresno County, and point also being on the southwesterly boundary line of the land described in the Deed recorded December 30, 1971 in Book 5972, Page 928, as Document No. 104653, Official Records Fresno County;

Thence along said southeasterly boundary and its prolongation southeasterly, South 44°07'00" East a distance of 678.64 feet;

Thence South 63°52'30" West a distance of 167.77 feet;

Thence South 47°57'04" West a distance of 268.96 feet;

Thence South 35°11'07" West a distance of 128.27 feet;

Thence South 19°18'16" West a distance of 191.93 feet to the most easterly corner of the land described in the Certificate of Compliance recorded July 26, 1997 as Document No. 97094761, Official Records Fresno County;

Thence South 16°23'50" West a distance of 344.57 feet to the most easterly northeast corner of said parcel of land granted to Fresno Irrigation District;

Thence along the northerly line of said parcel of land granted to Fresno Irrigation District, North 62°45'00" West a distance of 23.73 feet to a point on the southeasterly boundary line of the land described in the Certificate of Compliance recorded July 26, 1997 as Document No. 97094761, Official Records Fresno County;

Thence along said southeasterly boundary line, South 29°09'00" West a distance of 375.90 feet;

Thence continuing along said southeasterly boundary line, North 50°32'00" West a distance of 79.90 feet;

DMA #149582; PLA 12-20; Parcel A

Thence continuing along said southeasterly boundary line, South 39°30'00" West a distance of 101.47 feet;

Thence continuing along said southeasterly boundary line, South 43°45'00" West a distance of 419.10 feet;

Thence continuing along said southeasterly boundary line, South 12°42'00" West a distance of 145.00 feet;

Thence continuing along said southeasterly boundary line, South 18°33'00" West a distance of 210.11 feet;

Thence continuing along said southeasterly boundary line, South 54°18'00" West a distance of 32.43 feet;

Thence along the southerly boundary line of said Document No. 97094761, South 89°46'00" West a distance of 20.10 feet;

Thence continuing along said southerly boundary line, North 43°10'00" West a distance of 31.84 feet;

Thence South 00°05'00" East a distance of 60.82 feet to a point on the south line of said Section 24;

Thence along said south line, South 89°46'00" West a distance of 24.91 feet to the Point of Beginning.

DMA #149582; PLA 12-20; Parcel A

OWNER:
 HAZELTON FARM, INC./KINGS RIVER PACKING
 21083 EAST TRIMMER SPRINGS ROAD
 SANGER, CA 93657
 CONTACT: KEITH GARDNER
 KEITH@KINGSRIVER.COM
 (559) 787-2656

PROJECT TEAM:
 STRUCTURAL ENGINEER:
 EVR CONSULTING ENGINEERS
 1483 BROADWAY #2019
 SAN DIEGO, CA 92101
 CONTACT: ROB TAMAGGIO, S.E., P.E., LEED AP
 RTAMAG@EVR.COM
 (619) 507-5778

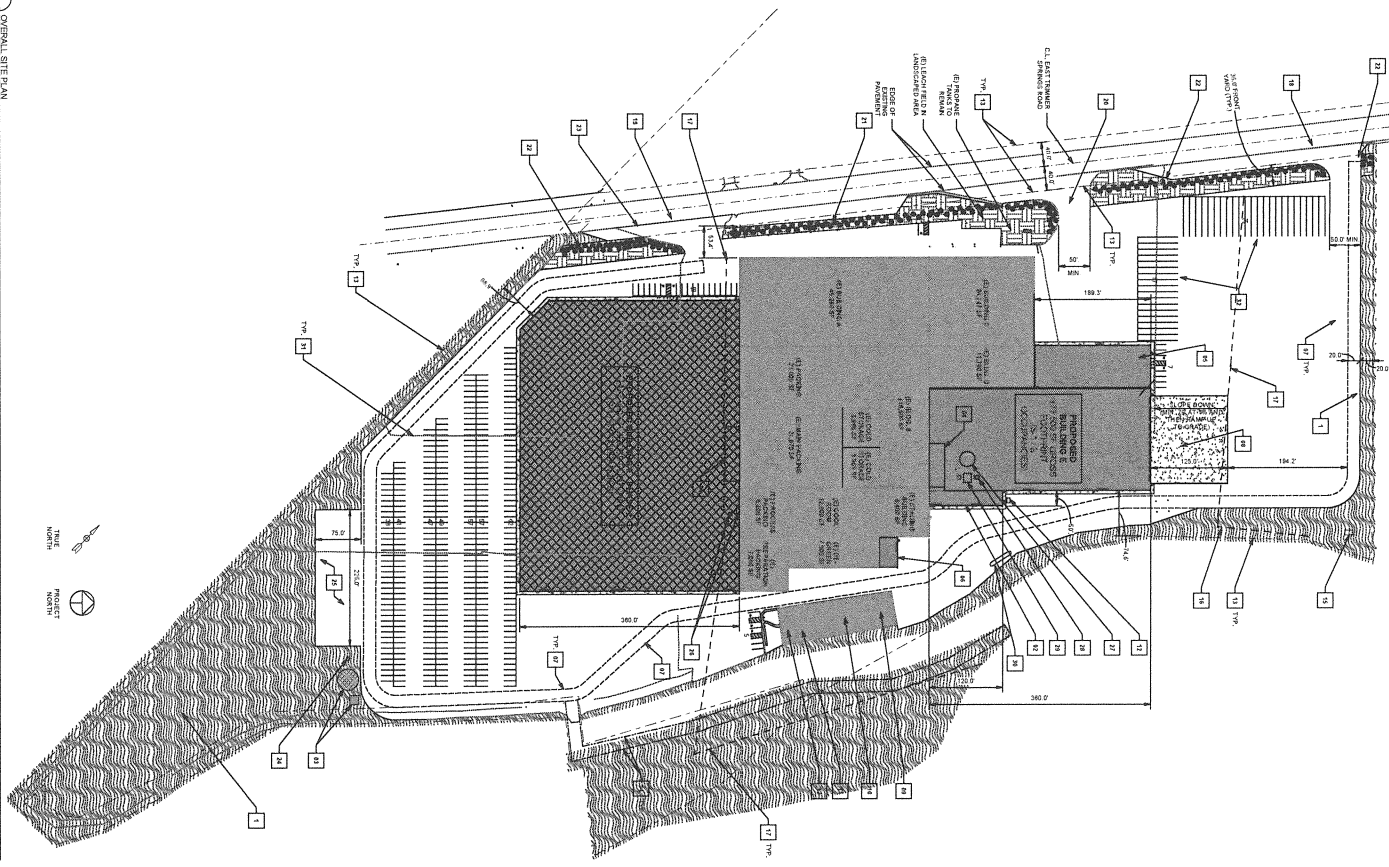
SHEET LIST BY DISCIPLINE:

SHEET	TITLE
001	COVER SHEET
ARCHITECTURAL	
ALB	CONCEPT SITE AND DEVELOPMENT PLAN
AS0	DOOR PLAN - BUILDING E
AS3	ELEVATIONS - BUILDING E
AS6	FLOOR PLAN - BUILDING F
AT0	ELEVATIONS - BUILDING F
AE1	PHOTO KEY MAP
AE2	EXISTING SITE PHOTOS

SPR, CUP AND INITIAL STUDY
 PLAN SUBMITTAL

EXHIBIT 5

OVERALL SITE PLAN



SITE PLAN NOTES

1. NEW PAVING SHALL BE SET BACK BY ONE FOOT.
2. REPOSITION EQUIPMENT AND ELECTRICAL ROOMS PER BUILDING FLOOR PLAN.
3. NEW FIRE TANK AND PUMP HOUSE.
4. EXISTING ADA, AND ACCESSIBLE PAVEMENT TO REMAIN.
5. PROPOSED TRUCK-DRIVE SHIPPING OFFICE.
6. NEW STORAGE BUILDING PER FLOOR PLAN.
7. 20' FIRE LANE.
8. NEW CONCRETE PAVED LOADING DOCK AREA.
9. EXISTING SWAYT BUILDING (1000 SF).
10. EXISTING OFFICE (2500 SF) - OWNER TO VERIFY FINE SHIMULET INSTALLATION.
11. EXISTING OFFICE (2500 SF) - OWNER TO VERIFY FINE SHIMULET INSTALLATION.
12. EXISTING OFFICE (2500 SF) - OWNER TO VERIFY FINE SHIMULET INSTALLATION.
13. PROPOSED NEW TRUCK-DRIVE SHIPPING OFFICE.
14. EXISTING ADA ACCESS PAVEMENT TO BE MAINTAINED AND REPOURED THEN SET BACKING PAVE 2'.
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PARKING SUMMARY

MAXIMUM OF 200 EMPLOYEE STANDING SHIFT PER DAY ON
 MAXIMUM 1000
 STANDING SHIFT PER DAY
 PROPOSED PROJECT'S MAX ACCESSIBLE SPACES
 TRUCK TRAILER SHALL BE 9' X 30' - 40' PROPOSED

ZONING SUMMARY (AERB - SECTION 18.5.2)

WHAT IS REQUIRED AND PROVIDED
 FRONT YARD - 20' MIN.
 REAR YARD - 10' MIN.
 BUILDING HEIGHT -
 MAX. 20' HEIGHT PERMITTED (SECTION 18.5.2.1)
 A VARIANCE IS REQUESTED FOR THE ABOVE HEIGHTS SHOWN ON SHEETS A1.2 AND A1.3

CONCEPT SITE AND DEVELOPMENT PLAN
PLANT EXPANSION AND SITE IMPROVEMENTS
 FOR
KINGS RIVER PACKING
 21905 E. TRIMMER SPRINGS ROAD
 SANGER, CA 95367



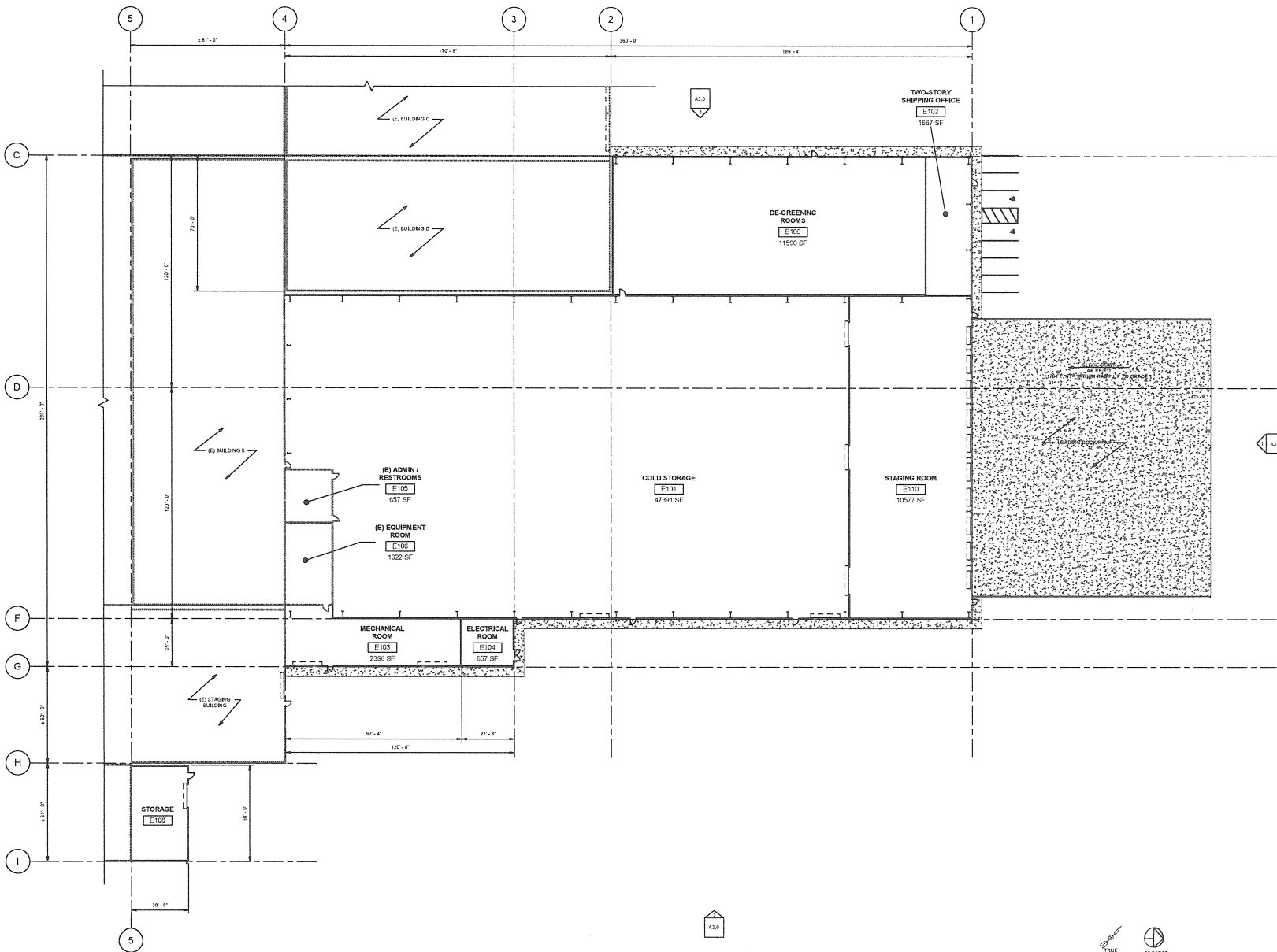
EVR
 CONSULTING
 ENGINEERS
 21905 E. TRIMMER SPRINGS ROAD
 SANGER, CA 95367
 (530) 833-1111
 www.evr-engineers.com

DATE: 11/17/2017
 DRAWN BY: NT
 CHECKED BY: NT


PROJECT NO: 171201
 SHEET NO: A1.0

SCALE: AS SHOWN
 PROJECT NAME: SPR, CUP AND INITIAL STUDY
 PLAN SUBMITTAL

EXHIBIT 6



1 CONCEPT FLOOR PLAN - BUILDING E
 A2.0 1" = 20'-0"



EVR
 CONSULTING
 ENGINEERS

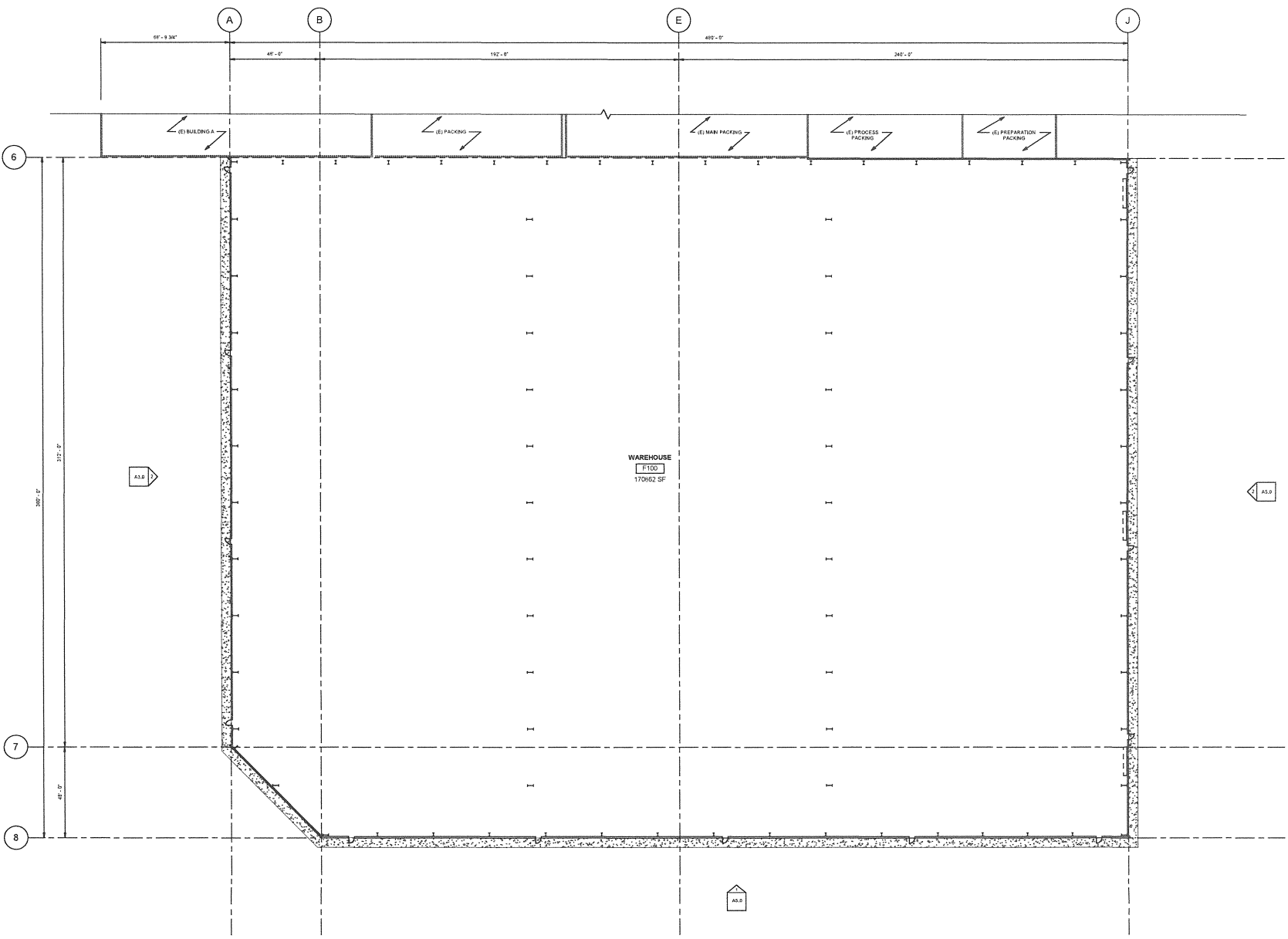
10000 W. 10TH AVENUE
 WHEAT RIDGE, CO 80037
 (303) 426-7477

FLOOR PLAN - BUILDING E
 FOR
KINGS RIVER PACKING
 21805 E TRIMBLE SPRINGS ROAD
 SPANISH FORK, UT 84309

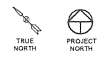
PROJECT NO.	171101
CLIENT	RT
DATE	11/17/2017
PROJECT	A2.0

EXHIBIT 6


SPR, CUP AND INITIAL STUDY
 PLAN SUBMITTAL



1
MS
CONCEPT FLOOR PLAN - BUILDING F
1" = 20'-0"



SPR, CUP AND INITIAL STUDY
PLAN SUBMITTAL



DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 PROJECT NO.: 171101
 SHEET NO.: _____
 OF _____

EVR
 CONSULTING
 ENGINEERS

1000 ROUTE 100, SUITE 400
 WILMINGTON, MA 01897
 (617) 353-7477

FLOOR PLAN - BUILDING F
 PLANT EXPANSION AND SITE IMPROVEMENTS
 FOR
 KINGS RIVER PACKING
 21805 E. TRIMBLE SPRINGS ROAD
 SPRINGFIELD, MA 01107

SHEET NO.	171101
PROJECT NO.	RT
DATE	11/17/2017

A4.0

SECTION 7 - NORTH ELEVATION
 SECTION 8 - WEST ELEVATION
 SECTION 9 - EAST ELEVATION
 SECTION 10 - SOUTH ELEVATION
 SECTION 11 - NORTH ELEVATION
 SECTION 12 - WEST ELEVATION
 SECTION 13 - EAST ELEVATION
 SECTION 14 - SOUTH ELEVATION

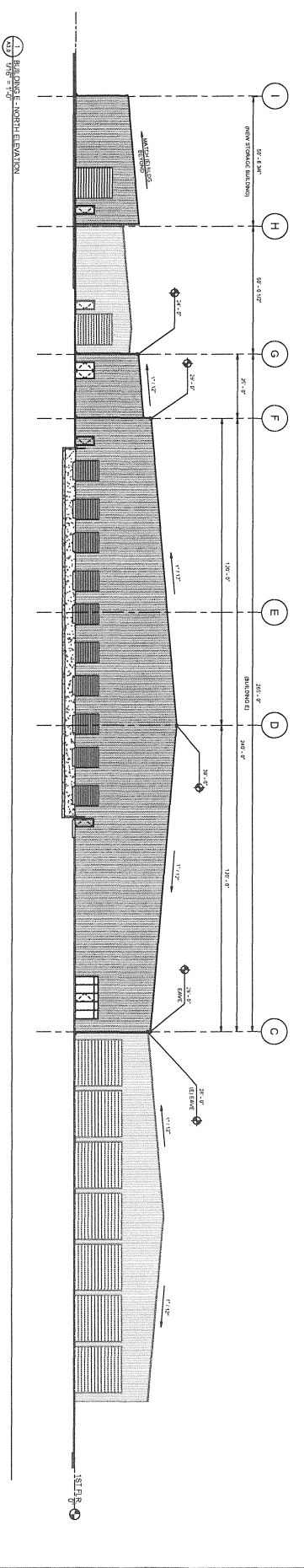
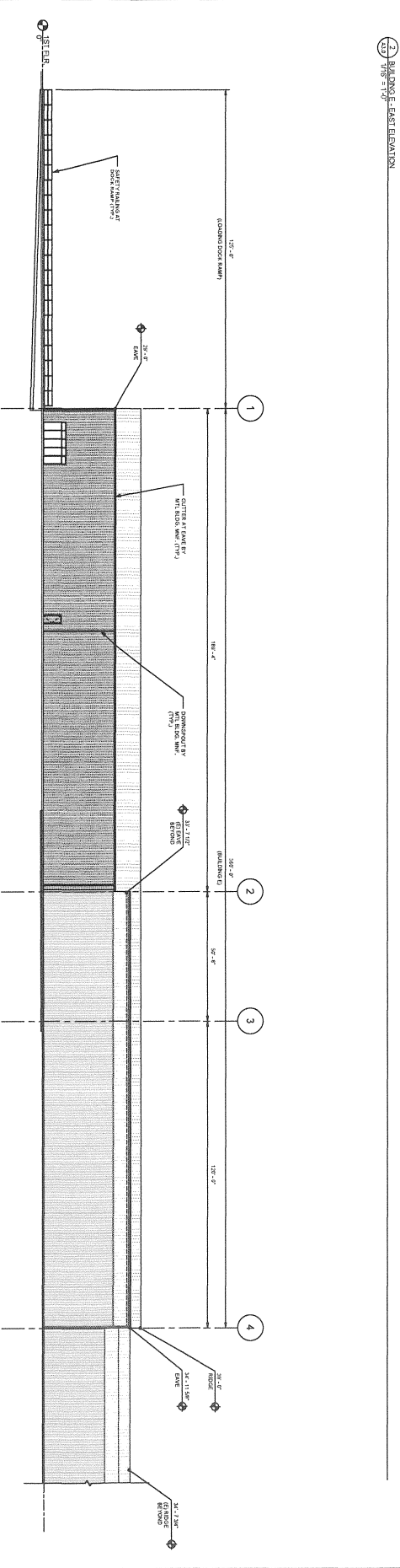
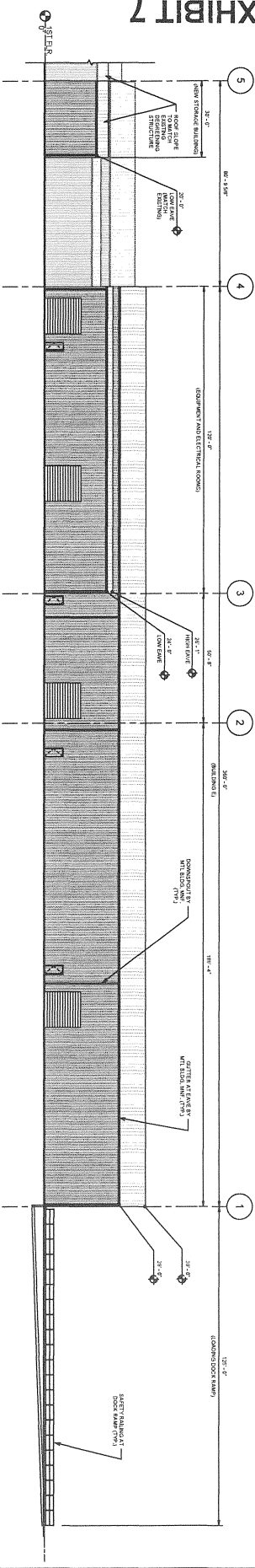


EXHIBIT 7

1.1.1 BUILDING - NORTH ELEVATION
 1/16" = 1'-0"

1.2.1 BUILDING - EAST ELEVATION
 1/16" = 1'-0"



1.3.1 BUILDING - WEST ELEVATION
 1/16" = 1'-0"

EXHIBIT 7

SPR CUP AND INITIAL STUDY
 PLAN SUBMITTAL

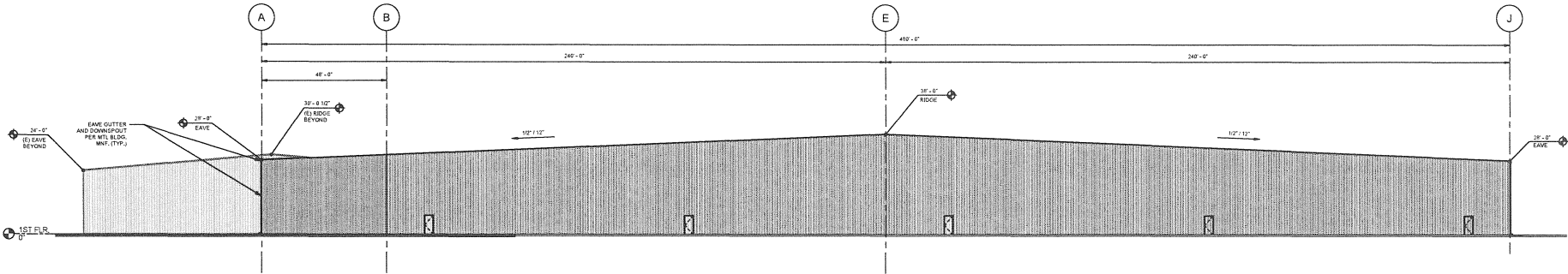


DATE:	1/17/2017
BY:	[Signature]
PROJECT:	SPR CUP AND INITIAL STUDY
CLIENT:	KINGS RIVER PACKING
ADDRESS:	21005 E TRIMMER SPRINGS ROAD SANGER, CA 95857

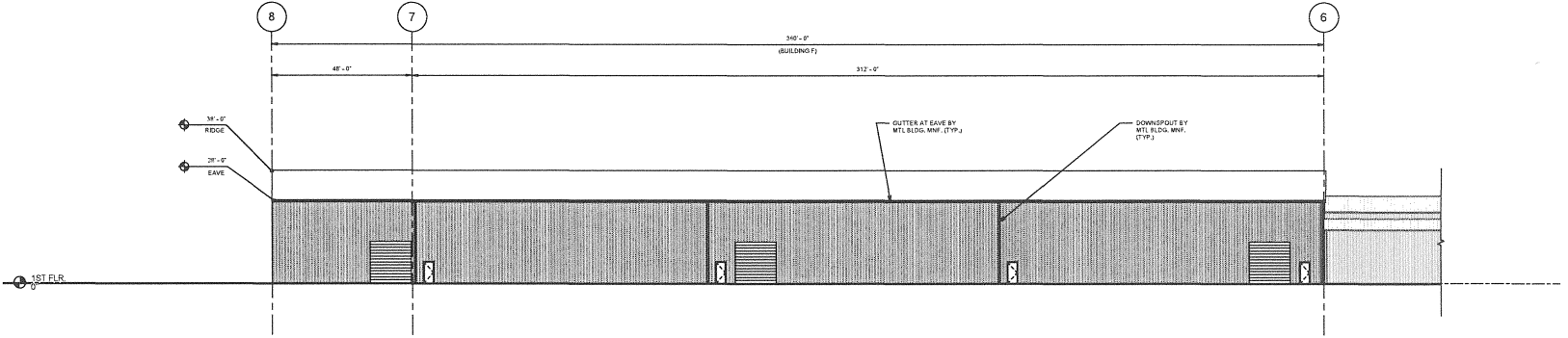
ELEVATIONS - BUILDING E
 PLANT EXPANSION AND SITE IMPROVEMENTS
 FOR
 KINGS RIVER PACKING
 21005 E TRIMMER SPRINGS ROAD
 SANGER, CA 95857

DATE:	1/17/2017
BY:	[Signature]
PROJECT:	SPR CUP AND INITIAL STUDY
CLIENT:	KINGS RIVER PACKING
ADDRESS:	21005 E TRIMMER SPRINGS ROAD SANGER, CA 95857

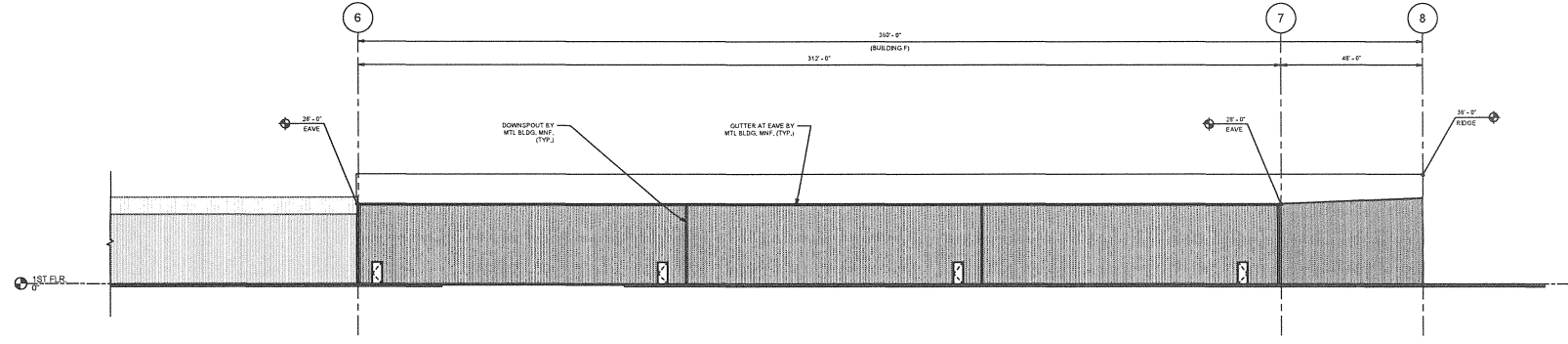
NOTE - THE COUNTY ZONING CODE SECTION 81.4.52 PERMITS MAX. 37' BUILDING HEIGHT IN ZONE AS SHOWN. THIS PROJECT PROPOSES A VARIANCE TO THESE MAXIMUM HEIGHTS AS SHOWN THIS SHEET.



1 BUILDING F - SOUTH ELEVATION
1/16" = 1'-0"



2 BUILDING F - EAST ELEVATION
1/16" = 1'-0"



3 BUILDING F - WEST ELEVATION
1/16" = 1'-0"

DATE: 11/17/2017
 PROJECT: SPR, CUP AND INITIAL STUDY PLAN SUBMITTAL
 SHEET NO.: A5.0
 TOTAL SHEETS: 17
 CONTRACT NO.: 171101
 CLIENT: RT
 DATE: 11/17/2017

EVR
 CONSULTING
 ENGINEERS
 14000 BIRCH AVE
 SUITE 100, CA 92503
 (951) 233-7477

ELEVATIONS - BUILDING F
PLANT EXPANSION AND SITE IMPROVEMENTS
 FOR
KINGS RIVER PACKING
 21805 E TRIMMER SPRINGS ROAD
 SPRINGFIELD, CA 95677

SHEET NO.: 171101
 CONTRACT NO.: RT
 DATE: 11/17/2017

SPR, CUP AND INITIAL STUDY
 PLAN SUBMITTAL

A5.0



May 9, 2018

County of Fresno
Planning Department
2220 Tulare St.
Fresno, CA 93721

RE: Kings River Packing (KRP) Operational Statement
Owner: Hazelton Farms, Inc.
Project: Expansion of Existing Fruit Packing and Storage Facility
Address: 21083 and 21095 E. Trimmer Springs Road
Sanger, CA 93657
APN: 158-070-65, ...69, ...76 and ...77

To Whom It May Concern:

The proposed project will be located at 21083 & 21095 East Trimmer Springs Road, Sanger, Ca. 93657 on an existing 28.83 acre parcel. The proposed project involves a facility expansion that will be completed in two phases; Phase 1 consisting of the construction of a 77,500sf (approx.) metal building addition (Building 'E') on the north end, to be used as fruit cold storage and shipping office. There will also be a significant amount of site work, including a new loading dock, completed during the first phase. Phase 2 will consist of the construction a 173,000sf (approx.) metal building addition (Building 'F') on the south end, to be used for packing operations and a new main office. The use of the new buildings will be in line with the current operations of the existing commercial fruit packing facility. The land to be used for the proposed building is currently vacant, graded, asphalt-paved land.

The existing commercial fruit packing facility has been in operation since 1977 and was last approved under CUP 3476 in January 2015. The company's operation has consisted of the sorting and packing of oranges, lemons and other citrus fruits. Over the years, we have seen an increase in product demand, as well as an increase in the number of growers we service. This has prompted us to prepare this master site plan, in order to accommodate our future projected growth. As we grow, we will also add new automated equipment to increase the facility's efficiency.

The facility will operate year-around, with a peak season between January to April. The hours of operation will be six days per week, 24 hours per day, during the peak season. At peak season, we will operate two shifts: 1st shift, 6am to 3pm and the 2nd shift, 3pm to 12am. With the growth we've experienced in the past few years, we anticipate a yearly average of about 200 full-time employees, with up to 300 during the peak season and only 100 during the off season. These figures are based on the completion of Phase 2.

During the peak season we will have about 120 one-way truck trips per day, spread out throughout the day. During the off season we will only have about 5 truck trips per day, which consist of service deliveries and trash pickup. Access to the site is currently provided off of a paved road, East Trimmer Springs Road, from the north and the south. We anticipate 6 to 8 visitors per day. There will not be any caretakers living onsite.

The site will have the 374 auto parking stalls for visitors and employees, 8 ADA stalls and approximately 40 truck parking stalls on the north end. No goods are sold on-site. The product is shipped by truck on demand or is stored in cold storage until it is needed.

The facility currently produces approximately 4,500 gallons of liquid waste per day. The liquid waste consists of water used to wash the fruit. The wash water is recirculated and reused as wash water. It is then reclaimed and discharged into the surrounding fields. All other liquid waste is disposed of through the existing septic tanks and leach fields that are located on the site. The proposed building will not increase the amount of liquid waste being produced by the facility. Solid waste will be picked up by a commercial carrier on a weekly basis.

The facility's water will be provided by a new water well, which will be located on the property. The existing water well will be decommissioned. The facility uses approximately 4,500 gallons of water per day, during the peak season.

Onsite advertising consists of a 4'-0" x 7'-0" pole sign, which is located at the main entrance to the site. The proposed buildings will not cause an unsightly appearance or produce dust, noise, glare or any odors. Lighting for the site is provided through a combination of wall-packs and pole-mounted lighting. There are no outdoor intercom systems. Facility communications are accomplished through the use of two-way radios.

The site is currently surrounded on three sides by orange orchards and the Kings River and an irrigation canal lie on the east side of the property. There is an existing landscape area in front of the existing main office and redwood trees along most of the Trimmer Springs street frontage.

Respectfully submitted,



Keith Gardner
Kings River Packing



January 4, 2018

County of Fresno
Planning Department
2220 Tulare Street
Fresno, CA 93720

**RE: Request for Minor Variance
21083 E. Trimmer Springs Road, Sanger, CA
Initial Study Application #7410 and Conditional Use Permit Application #3597**

To Whom It May Concern:

We are formally requesting consideration of a Minor Variance of Zoning Ordinance Sections 816.5-D and 817.5-D of Zone District AE-20, to allow a 10% deviation of the 35-foot maximum building height. We would only exceed the height limit by 10% with a maximum building height of 38ft-6in.

Our request is based on the following Findings:

1. Approval of this minor variance will allow for optimal use of the building by providing the adequate vertical clearance between the top of the fruit storage bins and the refrigeration equipment that hangs above. We require a certain amount of clearance above the fruit storage to allow the cold air to blow over the top of the storage.
2. The property is restrictive because of its odd shape and the fact that its enclosed by the Kings River on the east side and Trimmer Springs Road on the west side, we are limited on how we are able develop new buildings. Our operations require a linear process through the plant, with incoming fruit on one end, going through the sorting and packing process, then exiting on the opposite end to be shipped to customers. The odd shape of the property only permits us to layout buildings in a certain fashion and still be able to effectively perform our processes through the facility. The buildings also must be situated so the site drainage is maintained.
3. The proposed use and minor variance will have no adverse effect on the abutting properties and surrounding neighborhood or the permitted use thereof. The property is surrounded by similarly zoned parcels, AL-20 and AE-40, all with agricultural related uses, inline with the proposed use.
4. The proposed development is consistent with the General Plan

Sincerely,

Frank Flores
Project Manager
Cell. 559-907-6176
frankf@kingorange.com

KINGS RIVER PACKING ● 21083 E TRIMMER SPRINGS ROAD ● SANGER, CA 93657

559.787.2056 ● WWW.KINGORANGE.COM

EXHIBIT 9



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Kings River Packing
- APPLICATION NOS.:** Initial Study Application No. 7410, Classified Conditional Use Permit Application No. 3597 and Minor Variance Application No. 1287
- DESCRIPTION:** Amend Classified Conditional Use Permit (CUP) No. 3476 in order to allow expansion of an existing fruit packing and storage facility in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone Districts, including authorization of a 39-foot building height (35-foot maximum building height allowed) for a proposed building addition to be partially located in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts, and a 38-foot building height (35-foot maximum building height allowed) for a proposed building addition to be located in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION:** The project site is located on the east side of Trimmer Springs Road, approximately three miles north of its intersection with Belmont Avenue, approximately three miles southwest of the unincorporated community of Piedra (21095 E. Trimmer Springs Road) (SUP. DIST. 5) (APNs 158-070-65, 158-070-69, 158-070-76, 158-070-77).

I. AESTHETICS

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This proposal entails the phased expansion of an existing 10.89-acre commercial fruit packing operation by an additional 5.75 acres of processing, storage, and office space in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts. Phase I of this expansion proposal includes construction of a loading dock and a 77,500 square-foot addition to an existing metal building to be utilized for fruit cold storage and office space. Phase II of this expansion proposal includes construction of a 173,000 square-foot addition to an existing metal building to be utilized for fruit packing and office space. The proposed 77,500 square-foot addition will have an overall building height of approximately 39 feet, and the proposed 173,000 square-foot addition will have an overall building height of approximately 38 feet, whereas the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts permit a 35-foot maximum building height. As such, Minor Variance Application No. 1287 is being concurrently processed with Classified Conditional Use Permit Application No. 3597 so as to allow the proposed 39-foot and 38-foot building heights.

The existing commercial fruit packing operation was originally authorized by Classified Conditional Use Permit (CUP) No. 2786, and was subsequently expanded by CUP No. 3307 and CUP No. 3476. Currently, the existing commercial fruit packing operation is located on an approximately 28.83-acre parcel identified as Assessor's Parcel Numbers (APNs) 158-070-65, 158-070-69, 158-070-76 and 158-070-77, which is partially located in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts.

The subject parcel is located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. Additionally, portions of the Kings River and the Fresno Irrigation District Gould Canal are easterly adjacent to the subject parcel, and the Friant-Kern Canal is located approximately one and a half-mile south of the subject parcel.

A portion of Trimmer Springs Road, which is identified as a Scenic Drive in the Fresno County General Plan, abuts a western property line of the subject parcel. Policy OS-L.3 of the General Plan typically requires intensive land use proposals such as commercial developments to be developed with a 200-foot natural open space area adjacent to the Scenic Drive. General Plan Policy OS-L.3 also allows this 200-foot natural space setback requirement to be modified for proposals which involve the expansion of an existing facility. In this case, the existing commercial fruit packing operation currently encroaches into the typically required 200-foot natural open space area. The proposed improvements would be setback farther from Trimmer Springs Road than the existing commercial fruit packing operation; however, the proposed improvements would be located within the typically required 200-foot natural open space area. As such, drought-tolerant landscaping shall be provided along the western property line of the subject parcel where said property line abuts Trimmer Springs Road. Further, said landscaping shall be maintained in healthful condition and shall consist of trees and shrubs of reasonable size and density to provide visual screening. This landscaping requirement will be included as a Mitigation Measure to reduce the proposal's aesthetic impacts on Trimmer Springs Road to a less than significant level. Additionally, the design of the required landscaping shall be reviewed for approval during Site Plan

Review (SPR), which will be required as a Condition of Approval. Conditions of the SPR may include design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.

* **Mitigation Measure**

1. *In order to mitigate potential impacts to the scenic corridor along Trimmer Springs Road as a result of the proposed project, the Applicant shall screen the facility utilizing drought-tolerant landscaping, consisting of trees and shrubs of adequate size and density, along the western property line of the subject parcel where said property line abuts Trimmer Springs Road. Said landscaping shall be maintained in a healthy condition for the life of project operations. If the amount of landscaping provided to satisfy this requirement is equal to or greater than 500 square feet, the Applicant shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO). Proposed landscaping and irrigation plans shall be submitted in conjunction with the required Site Plan Review Application and all landscaping shall be installed prior to occupancy.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This proposal will utilize outdoor lighting which has the potential of generating new sources of light and glare in the area. As such, all outdoor lighting fixtures shall be required to be hooded and directed so as to not shine towards adjacent properties and roads. This requirement will be included as a Mitigation Measure.

* **Mitigation Measure**

1. *Prior to occupancy, all outdoor lighting shall be hooded, directed and permanently maintained as to not shine towards adjacent properties and roads.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is not located on forest land, and portions of the subject parcel are classified as Semi-Agricultural and Rural Commercial, and Prime Farmland on the Fresno County Important Farmland Map (2014).

Portions of the subject parcel are enrolled under Agricultural Land Conservation Contract (Williamson Act Contract) No. 225; however, partial Non-Renewals of Contract No. 225 have been filed for the contracted portions of the subject parcel and will be removed from the Williamson Act by the last day of December 2022.

With regard to the portions of the subject parcel classified as Prime Farmland, this proposal will preclude the agricultural cultivation of approximately 3.97 acres of Prime Farmland. However, this loss of farmland is less than significant in that the proposed improvements will serve an existing commercial enterprise which processes and stores agricultural products.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the San Joaquin Valley Unified Air Pollution Control District (Air District), this proposal is subject to Air District Rule 9510 (Indirect Source Review) as it meets the applicability threshold within Air District Rule 9510 (Indirect Source Review) of 25,000 square feet of light industrial space. Additionally, for proposals subject to Air District Rule 9510 (Indirect Source Review), the Air District requires submittal of an Air Impact Assessment (AIA) Application no later than applying for final discretionary approval. Further, this proposal may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt).

An Air Impact Assessment (AIA) Application (ISR Project No. C-20180007) was prepared for this proposal and submitted to the Air District on January 8, 2018. The AIA Application was approved by the Air District on February 15, 2018. According to the Air District, emissions of criteria pollutants specific to the proposal are expected to be mitigated below the Air District significance thresholds of 10 tons/year NOX and 15 tons/year PM10. As such, the emissions of criteria pollutants specific to the proposal would have no significant adverse impact on air quality. In order to ensure that emissions of criteria pollutants specific to the proposal are maintained below Air District significance thresholds, the commercial fruit packing operation shall adhere to the Mitigation Measures identified in the AIA Application approval.

* **Mitigation Measure**

1. *The Applicant shall comply with all the measures identified in the Project Air Impact Assessment (AIA)/Indirect Source Review (Project Number C-2018007) dated February 15, 2018 as approved for this project by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The Applicant shall submit evidence annually to the SJVAPCD and Department of Public Works and Planning demonstrating compliance with the mitigation measures.*

Compliance with Air District Rules and Regulations will reduce air quality impacts from the subject proposal to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in an agricultural area and has been previously disturbed as said property has been historically utilized for a commercial fruit packing facility and agricultural cultivation. Further, neighboring properties have been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed.

This proposal was referred to the California Department of Fish and Wildlife (CDFW), which did not identify any concerns related to the project. This proposal was also referred to the U.S. Fish and Wildlife Service (USFWS), which also did not identify any concerns related to the project. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; or 4.) 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. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is located in an area designated to be highly sensitive for archeological resources; however, said property has been historically utilized for a commercial fruit packing facility and agricultural cultivation and, therefore, has been previously disturbed. Further, Peak & Associates, Inc. prepared a Cultural Resource Assessment for the project site, which identified no archaeological or cultural resources. However, in the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be

contacted 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 shall be followed by photographs, reports and video. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. This requirement will be included as a Mitigation Measure to reduce the proposal's cultural resource impacts to a less than significant level.

* **Mitigation Measure**

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

VI. GEOLOGY AND SOILS

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

FINDING: NO IMPACT:

The area where the subject parcel is located is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns related to ground shaking, ground failure, liquefaction or landslides. Development of the project will be subject to the Seismic Design Category C Standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Changes in topography and erosion could result from grading activities associated with this proposal. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the Applicant must obtain a Grading Permit

or Grading Voucher for any grading associated with this proposal. This mandatory requirement will be included as a Project Note.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing commercial fruit packing operation is served by three engineered on-site septic systems, and no additional septic systems are being requested through the proposed expansion project.

According to the Environmental Health Division of the Fresno County Department of Public Health, California Plumbing Code Appendix H requires access to septic tanks to be maintained. Additionally, per California Plumbing Code Section 6.9, disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting evaporation of sewer effluent. These mandatory requirements will be included as Project Notes.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Unified Air Pollution Control District (Air District) has reviewed this proposal and expressed no concerns related to greenhouse gas emissions. Further, compliance with Air District Rules and Regulations discussed in Section III (Air Quality) of this analysis will reduce air quality impacts from the subject proposal to a less than significant level.

VIII. HAZARDS AND HAZARDOUS MATERIALS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Environmental Health Division of the Fresno County Department of Public Health, the commercial fruit packing operation shall satisfy the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95. As such, within 30 days of the occurrence of any of the following events, the commercial fruit packing operation must update their Hazardous Materials Business Plan (HMBP) and Site Map on file with the Fresno County Department of Public Health: 1) There is a 100% or more increase in the quantities of a previously disclosed material; or 2) The facility begins handling a previously undisclosed material at or above the HMBP threshold amounts. The commercial fruit packing operation must also certify that a review of the HMBP has been conducted at least once every year and that any necessary changes were made and that the changes were submitted to the Fresno County Department of Public Health. These mandatory requirements will be included as Project Notes.

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

Further, within six months of the occurrence of any of the following events, the commercial fruit packing operation must update their Risk Management Plan (RMP) on file with the U.S. Environmental Protection Agency (EPA): 1) If a change alters the Program Level that applies to any covered process; or 2) If a change requires a revised Off-Site Consequence Analysis; or 3) If a change requires a revised Process Hazard Analysis or Hazard Review; or 4) If a new regulated substance is present above the threshold quantity in an already covered process; or 5) If a regulated substance is present above the threshold quantity in a new process; or 6) If the U.S. EPA begins regulating a new substance. This mandatory requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

There are no schools located within one quarter-mile of the subject parcel.

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

FINDING: NO IMPACT:

No hazardous materials sites are located within the boundaries of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located approximately one mile northeast of a private airstrip identified as "Harris River Ranch Airport"; however, the project site is not located within any Safety Zone of the private airstrip. Further, the private airstrip is oriented in an east to west direction.

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

FINDING: NO IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan. No such impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

The project site is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As construction associated with this proposal will disturb more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the Applicant shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a

Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These mandatory requirements will be included as Project Notes.

According to the California Regional Water Quality Control Board (Water Board), the Applicant submitted a Report of Waste Discharge (RWD) to the Water Board in 1997 for the discharge of 4,500 gallons of fruit-washing wastewater per day (monthly average) to approximately 65 acres of land. If the proposed expansion project will result in a material change in the volume, character, or location of the discharge that was described in the 1997 RWD, the Applicant shall be required to submit a new RWD to the Water Board at least 140 days prior to initiating discharge from the expanded facility. This mandatory requirement will be included as a Project Note.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in a designated water-short area. However, according to the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, there will not be a significant increase in water usage resulting from the proposed expansion project as water generated from the fruit washing process is recycled as a supplement for the irrigation water utilized by surrounding orchards, thereby replacing ground water that would otherwise be pumped for irrigation purposes.

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

FINDING: NO IMPACT:

Portions of the Kings River are easterly adjacent to the subject parcel; however, no streams or rivers are located within the boundaries of the subject parcel.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Permanent improvements associated with this proposal will not cause significant changes in absorption rates, drainage patterns or the rate and amount of surface runoff, with adherence to the Grading and Drainage Sections of the Fresno County Ordinance Code. Further, any additional runoff generated by development of the proposal cannot be drained across property lines and must be retained on site per County Standards. This mandatory requirement will be included as a Project Note.

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno Irrigation District (FID), an FID canal identified as Gould Canal No. 97 traverses an eastern edge of the subject parcel, and FID access along said portion of the canal may be obstructed by existing encroachments such as trees and fencing. As such, with regard to that portion of the canal traversing an eastern edge of the subject parcel, FID requests that any obstructions located within 20 feet of the canal be removed. Additionally, FID also requests that FID review and approval be required for any aspect of the proposed expansion project that will impact FID facilities. Further, FID also requests that the Applicant be required to submit a Grading and Drainage Plan to FID for review and approval in order to prove that the proposed expansion project will not adversely impact the structural integrity of Gould Canal No. 97, or result in drainage patterns that would adversely impact FID.

With regard to the agency comments provided by FID, County staff acknowledges that the requirement for the Applicant to provide a Grading and Drainage Plan to FID for review and approval prior to the issuance of Building Permits will help ensure that the project will not adversely impact FID facilities. This requirement will be included as a Condition of Approval, as was the case with previously-approved Classified Conditional Use Permit (CUP) No. 3476. Additionally, the inclusion of a Condition of Approval requiring the Applicant to provide a Grading and Drainage Plan to FID for review and approval negates the need for FID to review other aspects of the project. Further, regarding removal of possible obstructions to FID access along Gould Canal No. 97, County staff does not believe there is a nexus for such a requirement considering the 180-foot separation between Gould Canal No. 97 and the nearest proposed structural improvement.

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

FINDING: NO IMPACT:

No housing is proposed with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA FIRM Panel 1645H, portions of the subject parcel are located in Flood Zone AE, which is subject to flooding from the 1% chance storm (100-year storm). Any work performed within Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance. This mandatory requirement will be included as a Project Note.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Pineflat Reservoir is located approximately six and a half-mile northeast of the subject parcel; however, no impacts related to levee or dam failure were identified in the project analysis.

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

FINDING: NO IMPACT:

The subject parcel is not prone to seiche, tsunami or mudflow. No such impacts were identified in the project analysis.

X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

This proposal will not physically divide a community. The subject parcel is located approximately three miles southwest of the unincorporated community of Piedra.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is designated Agriculture in the County-adopted Kings River Regional Plan. Provisions for value-added agricultural uses, such as the proposed commercial fruit packing operation expansion, have been provided for in areas designated Agriculture by the Fresno County Zoning Ordinance and General Plan.

Policy LU-A.3 of the General Plan provides that value-added agricultural uses may be allowed by discretionary permit on lands designated Agriculture, subject to a number of specific criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use should not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on

water resources or the use or management of surrounding properties within a one quarter-mile radius. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available. Criteria LU-A.3.f states that the evaluation under Criteria LU-A.3.a for proposed value-added agricultural processing facilities shall consider the service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services. Criteria LU-A.3.h states that the evaluation of discretionary permits for existing commercial uses shall not consider Criteria LU-A.3.b.

With regard to Criteria “a” and Criteria “f”, this proposal entails the expansion of an existing 10.89-acre commercial fruit packing operation by an additional 5.75 acres of processing, storage, and office space. The subject parcel is located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. The existing commercial fruit packing operation is served by on-site engineered septic systems and an on-site water well, and no additional septic systems or water wells are being requested through the proposed expansion project. Further, as this proposal is an expansion of an existing commercial use, Criteria “b” does not apply per Criteria “h”.

With regard to Criteria “c”, the subject parcel is located in a designated water-short area. However, according to the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, there will not be a significant increase in water usage resulting from the proposed expansion project as water generated from the fruit washing process is recycled as a supplement for the irrigation water utilized by surrounding orchards, thereby replacing ground water that would otherwise be pumped for irrigation purposes. Further, with adherence to the Conditions of Approval, Mitigation Measures and Project Notes identified in this Initial Study (IS), staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties.

With regard to Criteria “d”, this proposal is located approximately three miles southwest of the unincorporated community of Piedra, and is also located approximately ten miles east of the City of Clovis, which have the ability to provide an adequate workforce.

According to Policy LU-A.13 of the General Plan, the County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.

According to Policy LU-A.14 of the General Plan, the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

With regard to Policy LU-A.13 and Policy LU-A.14, this proposal entails the expansion of an existing commercial fruit packing operation located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. Portions of the subject parcel are classified as Semi-Agricultural and Rural Commercial, and Prime Farmland on the Fresno County Important Farmland Map (2014). With regard to the portions of the subject parcel classified as Prime Farmland, this proposal

will preclude the agricultural cultivation of approximately 3.97 acres of Prime Farmland. However, this loss of farmland is less than significant in that the proposed improvements will serve an existing commercial enterprise which processes and stores agricultural products.

According to Policy PF-C.17 of the General Plan, the County shall undertake a water supply evaluation prior to consideration of any discretionary project related to land use. The evaluation shall include the following:

- a. Determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question;*
- b. Determination of the impact that use of the proposed water supply will have on other water users in Fresno County;*
- c. Determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability.*

With regard to Policy PF-C.17, the subject parcel is located in a designated water-short area. However, according to the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, there will not be a significant increase in water usage resulting from the proposed expansion project as water generated from the fruit washing process is recycled as a supplement for the irrigation water utilized by surrounding orchards, thereby replacing ground water that would otherwise be pumped for irrigation purposes.

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

FINDING: NO IMPACT:

This proposal will not conflict with any Habitat Conservation Plan or Natural Community Conservation Plan. No such Plans were identified in the project analysis.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in Mineral Resource Zone 2 (MRZ-2) per General Plan Policy OS-C.2. Typically, the County shall not permit land uses incompatible with mineral resource recovery within areas designated as MRZ-2; however, this proposal entails expansion of an existing facility, and no mineral resource impacts were identified in the project analysis.

XII. NOISE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Environmental Health Division of the Fresno County Department of Public Health reviewed this proposal and did not identify any potential noise-related impacts. However, development of the proposal must comply with the Fresno County Noise Ordinance related to construction noise, limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday, thereby minimizing noise impacts to less than significant. This mandatory requirement will be included as a Project Note.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located approximately one mile northeast of a private airstrip identified as "Harris River Ranch Airport"; however, no adverse noise impacts were identified in the project analysis.

XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

This proposal will not construct or displace housing and will not otherwise induce population growth.

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:

1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Fresno County Fire Protection District (Fire District) which did not identify any concerns with the project. The proposal must comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project must be approved by the Fire District prior to issuance of Building Permits by the County. These mandatory requirements will be included as Project Notes to be addressed during Site Plan Review (SPR), which will be required as a Condition of Approval. Conditions of the SPR may include design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.

According to the Fire District, the subject parcel must annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. This requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the project analysis.

XV. RECREATION

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which determined that a Traffic Impact Study (TIS) was needed to effectively evaluate potential traffic-related impacts associated with the proposed expansion project. In accordance with this determination, a TIS was prepared for the proposal by Precision Civil Engineering, Inc.

The TIS prepared for the proposed expansion project by Precision Civil Engineering, Inc. includes analysis of intersection operations at State Route 180 (Kings Canyon Road) and Rio Vista Avenue, State Route 180 (Kings Canyon Road) and Reed Avenue, State Route 180 (Kings Canyon Road) and Oliver Street, and Trimmer Springs Road and the project site access. This analysis of intersection operations was conducted under the following scenarios: 1) Existing, 2) Near-Term, 3) Near-Term plus Phase I, 4) Cumulative, and 5) Cumulative plus Full Build-Out. Additionally, the TIS prepared for the proposed expansion project also includes analysis of the roadway operations and structural conditions of Belmont Avenue west of Academy Avenue, and Trimmer Springs Road south of the project site.

According to the TIS prepared for the proposed expansion project, it was not practical to obtain traffic counts at the intersections of Belmont Avenue and Oliver Street or State Route 180 (Kings Canyon Road) and Oliver Street due to closure and reconstruction of Belmont Avenue between Academy Avenue and Trimmer Springs Road. As such, traffic counts for the intersection of State Route 180 (Kings Canyon Road) and Oliver Street were derived from Fresno Council of Governments (COG) travel demand modeling data and the other State Route 180 (Kings Canyon Road) intersection traffic counts identified in this analysis.

Based upon the TIS prepared for the proposed expansion project by Precision Civil Engineering, Inc., prior to occupancy, the applicant/owner shall enter into an agreement with Fresno County agreeing to participate, on a pro-rata basis of 38% of the total cost for the maintenance and restoration of Trimmer Springs Road (approximately 2.3 mile segment from project site) and Oliver Street (approximately one mile segment from Belmont Avenue to State Route 180) for a period not to exceed 10 years. This agreement shall establish the existing baseline condition for Trimmer Springs Road and Oliver Street, and address the monitoring and evaluation of roadway pavement conditions, and the undertaking of roadway repairs and/or maintenance overlay as necessary to ensure project related traffic can be safely accommodated. The pro-rata share for the maintenance and restoration of said roadways shall not exceed \$485,000

over the term of this agreement. This requirement will be included as a Mitigation Measure to reduce adverse transportation and traffic impacts to a less than significant level.

* **Mitigation Measure**

1. *In order to mitigate potential traffic impacts to County roadways, prior to occupancy, the applicant/owner shall enter into an agreement with Fresno County agreeing to participate, on a pro-rata basis of 38% of the total cost for the maintenance and restoration of Trimmer Springs Road (approximately 2.3 mile segment from project site) and Oliver Street (approximately one mile segment from Belmont Avenue to State Route 180) for a period not to exceed 10 years. This agreement shall establish the existing baseline condition for Trimmer Springs Road and Oliver Street, and address the monitoring and evaluation of roadway pavement conditions, and the undertaking of roadway repairs and/or maintenance overlay as necessary to ensure project related traffic can be safely accommodated. The pro-rata share for the maintenance and restoration of said roadways shall not exceed \$485,000 over the term of this agreement.*

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

FINDING: NO IMPACT:

The project site is located approximately one mile northeast of a private airstrip identified as "Harris River Ranch Airport"; however, no adverse impacts to air traffic patterns were identified in the project analysis.

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

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Trimmer Springs Road is identified as a Class II Bikeway in the Transportation and Circulation Element of the General Plan; however, this proposal entails expansion of an existing facility, and no adverse alternative transportation impacts were identified in the project analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.E Hydrology and Water Quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.B Hydrology and Water Quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Pursuant to discussion in Section IV (Biological Resources), no such impacts on biological resources were identified in the project analysis. Pursuant to discussion in Section V (Cultural Resources), this proposal may have impacts on cultural resources; however, the Mitigation Measure included in Section V (Cultural Resources) will reduce such impacts to a less than significant level.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3597 and Minor Variance Application No. 1287, 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 population and housing, or recreation.

Potential impacts related to agricultural and forestry resources, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, public services, and utilities and service systems have been determined to be less than significant.

Potential impacts relating to aesthetics, air quality, cultural resources, and transportation and traffic have been determined to be less than significant with the identified Mitigation Measures.

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

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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 7410	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): Derek Chambers, Planner	Area Code: 559	Telephone Number: 600-4205	Extension: N/A
Applicant (Name): Kings River Packing	Project Title: Classified Conditional Use Permit Application No. 3597 and Minor Variance Application No. 1287		
Project Description: Amend Classified Conditional Use Permit (CUP) No. 3476 in order to allow expansion of an existing fruit packing and storage facility in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone Districts, including authorization of a 39-foot building height (35-foot maximum building height allowed) for a proposed building addition to be partially located in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts, and a 38-foot building height (35-foot maximum building height allowed) for a proposed building addition to be located in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the east side of Trimmer Springs Road, approximately three quarters of a mile north of its intersection with Belmont Avenue, approximately three miles southwest of the unincorporated community of Piedra (21095 E. Trimmer Springs Road) (SUP. DIST. 5) (APNs 158-070-65, 158-070-69, 158-070-76, 158-070-77).			
Justification for Negative Declaration: Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3597 and Minor Variance Application No. 1287, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to population and housing, or recreation. Potential impacts related to agricultural and forestry resources, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, public services, and utilities and service systems have been determined to be less than significant. Potential impacts relating to aesthetics, air quality, cultural resources, and transportation and traffic have been determined to be less than significant with the identified Mitigation Measures. The Initial Study and MND are available for review at 2220 Tulare Street, Suite A, Fresno, CA 93721.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – June 8, 2018		Review Date Deadline: June 27, 2018	
Date: June 8, 2018	Type or Print Signature: Marianne Mollring Senior Planner	Submitted by (Signature): Derek Chambers Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

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EXHIBIT 11

Project



Inter Office Memo

DATE: January 15, 2015

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12482 - CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3476

APPLICANT: Span Construction

OWNER: Hazelton Farms, Inc.

REQUEST: Amend Classified Conditional Use Permit (CUP) No. 3307 in order to allow the on-site relocation and expansion of a storage building authorized by Classified CUP No. 3307 on 27.01 acres of land in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone Districts.

LOCATION: The project site is located on the east side of Trimmer Springs Road, approximately three quarters of a mile north of its intersection with Belmont Avenue, approximately three miles southwest of the unincorporated community of Piedra (21095 E. Trimmer Springs Road) (SUP. DIST.: 5) (APNs: 158-070-65, 158-070-76, and 158-070-77).

PLANNING COMMISSION ACTION:

At its hearing of January 15, 2015, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Rocca and seconded by Commissioner Zadourian to accept the Mitigated Negative Declaration previously approved for Initial Study Application No. 6312, adopt the recommended Findings of Fact in the Staff Report, and approve Classified Conditional Use Permit Application No. 3476, subject to the Conditions listed in Exhibit "B" with the inclusion of an additional Condition to require the property owner to provide four additional truck parking spaces on site prior to granting occupancy for the subject use.

EXHIBIT "A"

Classified Conditional Use Permit Application No. 3476

Staff: The Fresno County Planning Commission considered the Staff Report dated January 15, 2015, and heard a summary presentation by staff.

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

- The facility currently has six truck parking spaces at the loading dock, and room to park approximately ten trucks in the existing parking lot.
- The inclusion of a condition requiring the provision of four additional truck parking spaces is acceptable.
- There have been instances in the past where trucks were queuing on Trimmer Springs Road awaiting access to the facility; however, no such incidences have occurred since the facility was expanded and re-designed under CUP No. 3307.
- It takes approximately one hour to unload a truck at the facility.

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

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

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**Classified Conditional Use Permit (CUP) No. 3476
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	All Conditions of Classified Conditional Use Permit (CUP) No. 3307 shall remain in full force and effect, except as modified with the approval of Classified CUP No. 3476 and Site Plan Review (SPR).
2.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.
3.	The developer shall submit a Grading and Drainage Plan to the Fresno Irrigation District (FID) for review and approval prior to the issuance of Building Permits which demonstrates that the proposed development will not endanger the structural integrity of FID's Gould Canal No. 97 or result in drainage patterns that could adversely affect FID.
4.	The property owner shall provide four additional truck parking spaces on site prior to the County granting occupancy for the subject use. Confirmation of the provision of these additional spaces shall be provided through a revised site plan submitted at the time of Site Plan Review and shall be confirmed in the field at the time final inspection for occupancy occurs for the relocated storage building.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Prior to occupancy, the facility operator shall update the online Hazardous Materials Business Plan on file with the Fresno County Department of Public Health, Environmental Health Division.
2.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
3.	It is recommended that the facility operator consider having the existing septic tanks pumped and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. Such inspections may indicate possible repairs, additions, or require the proper destruction of the systems.
4.	Plans related to construction and development of the proposal prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections.
5.	The project shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans, stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning, to the Fresno County Fire Protection District (Fire District) for their

EXHIBIT B

Notes

	review and approval. The Applicant shall submit evidence that their Plan was approved by the Fire District, and all fire protection improvements shall be installed prior to granting occupancy for the use.
6.	According to FEMA FIRM Panel 1645H, the subject property is partially within shaded Flood Zone X and Flood Zone AE. The shaded flood zone refers to areas of 0.2 percent annual chance flood, areas of one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance of flood. Flood Zone AE is subject to flooding from the 100-year storm. No net import of fill shall be allowed within the Flood Zones. Any work within designated Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance.
7.	Any additional run-off generated by development shall not be drained across property lines or into County right-of-way, and shall be retained on site per County Standards.
8.	If the proposed development increases the net impervious surface on site, and/or the existing drainage patterns are changed, an Engineered Grading and Drainage Plan shall be submitted to Development Engineering staff for review and approval prior to the issuance of Building Permits.
9.	A Grading Permit or Voucher shall be required for any grading activity associated with this proposal.
10.	It is recommended that the property owner contact Fresno Irrigation District (FID) staff regarding the request made by FID for the property owner to grant an easement to FID for the land underlying Gould Canal No. 97 and associated area along the canal required for FID maintenance.

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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

February 9, 2015

Span Construction
1841 Howard Road
Madera CA 93637

Dear Applicant:

Subject: Resolution No. 12482 – Classified Conditional Use Permit Application No.
3476

On January 15, 2015, the Fresno County Planning Commission approved your application with modified Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Classified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at dchambers@co.fresno.ca.us or 559-600-4205.

Sincerely,

Derek Chambers, Planner
Development Services Division

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Enclosure



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

Planning Commission Staff Report Agenda Item No. 3 January 15, 2015

SUBJECT: Classified Conditional Use Permit Application No. 3476

Amend Classified Conditional Use Permit (CUP) No. 3307 in order to allow the on-site relocation and expansion of a storage building authorized by Classified CUP No. 3307 on 27.01 acres of land in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone Districts.

LOCATION: The project site is located on the east side of Trimmer Springs Road, approximately three quarters of a mile north of its intersection with Belmont Avenue, approximately three miles southwest of the unincorporated community of Piedra (21095 E. Trimmer Springs Road) (SUP. DIST.: 5) (APNs: 158-070-65, 158-070-76, and 158-070-77).

Applicant: Span Construction
Owner: Hazelton Farms, Inc.

STAFF CONTACT: Derek Chambers, Planner
(559) 600-4205

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Accept, per Section 15162 of the California Environmental Quality Act, the Mitigated Negative Declaration previously approved by the Planning Commission for Initial Study Application No. 6312;
- Approve Classified Conditional Use Permit Application No. 3476 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

Construction and improvement activities associated with the proposal may provide for some short-term job opportunities.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Assessor's Map
6. Site Plans
7. Previously Approved Site Plans for Classified CUP No. 3307
8. Floor Plan
9. Elevation Drawings
10. Applicant's Operational Statement
11. Summary of Initial Study Application No. 6312

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture in the County-adopted Kings River Regional Plan	No change
Zoning	<p>APN 158-070-65: AL-40 (Limited Agricultural, 40-acre minimum parcel size)</p> <p>APN 158-070-76: AL-40 (Limited Agricultural, 40-acre minimum parcel size)</p> <p>APN 158-070-77: AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)</p>	No change
Parcel Size	<p>APN 158-070-65: 1.47 acres</p> <p>APN 158-070-76: 7.04 acres</p>	No change

Criteria	Existing	Proposed
	APN 158-070-77: 18.50 acres	
Project Site	Commercial fruit packing operation and orchards partially located on a 1.47-acre parcel (APN 158-070-65), a 7.04-acre parcel (APN 158-070-76) and an 18.50-acre parcel (APN 158-070-77)	Allow the on-site relocation and expansion of a 7,150 square-foot storage building authorized by Classified CUP No. 3307, resulting in an 11,700 square-foot storage building .
Structural Improvements	<p>45,280 square-foot packing and storage building</p> <p>23,000 square-foot packing building</p> <p>21,970 square-foot packing building</p> <p>1,440 square-foot break room and restroom building</p> <p>12,000 square-foot cooling building</p> <p>6,400 square-foot process packing building</p> <p>7,500 square-foot de-greening building</p> <p>7,080 square-foot preparation packing building</p> <p>Two 3,965 square-foot cold storage buildings</p> <p>20,295 square-foot building containing 13,364 square feet of storage; 798 square-foot office; 1,073 square-foot mechanical area; 5,060 square-foot cold storage area</p>	11,700 square-foot storage building

Criteria	Existing	Proposed
	<p>6,400 square-foot staging building</p> <p>24,747 square-foot storage building</p> <p>5,000 square-foot storage building</p> <p>6,000 square-foot storage building</p> <p>1,490 square-foot office</p> <p>1,351 square-foot office</p> <p>5,000 square-foot sweat building</p> <p>2,000 square-foot sweat building</p> <p>186 square-foot pump house</p> <p>Truck dock</p> <p>Three engineered septic systems</p>	
Nearest Residence	Approximately 125 feet to the northwest	No change
Surrounding Development	Single-family residences; Fresno Irrigation District (FID) Gould Canal and Kings River southeasterly adjacent to project site	No change
Operational Features	Commercial fruit packing operation with storage and orchards	No change other than additional storage area
Employees	70 full-time employees	No change
Customers	Five per day, five days per week from November through June	No change

Criteria	Existing	Proposed
Traffic Trips	<p>Approximately 10 one-way customer trips (five round trips) per day, five days per week, November through June</p> <p>Approximately 140 one-way employee trips (70 round trips) per day, five days per week, November through June</p> <p>Approximately 80 one-way truck trips (40 round trips) per day, six days per week, November through June</p>	No change
Lighting	Building exteriors and parking areas	No change
Hours of Operation	8:00 a.m. until 5:00 p.m., six days per week from November through June	No change

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: No

ENVIRONMENTAL ANALYSIS:

A Mitigated Negative Declaration prepared for Initial Study No. 6312 was adopted by the Planning Commission in conjunction with the approval of Classified Conditional Use Permit (CUP) No. 3307 on July 21, 2011, in accordance with the California Environmental Quality Act (CEQA).

Section 15162 of the CEQA Guidelines states that once a Mitigated Negative Declaration has been adopted for a project, no subsequent Environmental Impact Report (EIR) or Mitigated Negative Declaration shall be prepared for said project unless: 1) substantial changes are proposed to the project; 2) substantial changes occur with respect to the circumstances under which the project is undertaken; or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted.

The subject proposal to amend Classified CUP No. 3307 was routed to the same agencies that reviewed the Initial Study prepared for Classified CUP No. 3307, and no concerns regarding the subject proposal were identified by the reviewing agencies. The project site with the subject proposal and surrounding area are substantially the same as when Classified CUP No. 3307 was approved, and there have not been any changes in circumstances or new information identified by the reviewing agencies. As such, it has been determined that no subsequent Mitigated Negative Declaration shall be required for the subject proposal per Section 15162 of the CEQA Guidelines. A summary of Initial Study No. 6312 is included as Exhibit 11.

PUBLIC NOTICE:

Notices were sent to four property owners within one quarter mile of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Classified Conditional Use Permit (CUP) Application may be approved only if four Findings specified in the Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission regarding a Classified CUP Application is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

On July 21, 2011, Classified Conditional Use Permit (CUP) No. 3307 was approved by the Planning Commission allowing the expansion of an existing 6.96-acre commercial fruit packing operation authorized by Classified CUP No. 2786. Classified CUP No. 3307 allowed an additional 3.83 acres of processing, storage, parking and circulation area. At that time, the existing facility was located on a 23.95-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District, and the expansion authorized by Classified CUP No. 3307 was to be located on portions of the 23.95-acre parcel and a 180.16-acre parcel that was zoned both AL-40 (Limited Agricultural, 40-acre minimum parcel size) and O (Open Conservation).

On August 27, 2013, Property Line Adjustment (PLA) No. 12-20 was approved resulting in the existing facility authorized by Classified CUP No. 2786 being located on an 18.50-acre parcel (APN 158-070-77) in the AE-20 Zone District, and the expansion authorized by Classified CUP No. 3307 being located on portions of the 18.50-acre parcel, a 1.47-acre parcel (APN 158-070-65) in the AL-40 Zone District, and a 7.04-acre parcel (APN 158-070-76) in the AL-40 Zone District.

The 3.83-acre expansion authorized by Classified CUP No. 3307 included a 7,150 square-foot storage building to be located on the southern side of the existing facility. The subject proposal to amend Classified CUP No. 3307 entails relocating the approved location of the 7,150 square-foot storage building to the northern side of the existing facility, and expanding said storage building to 11,700 square feet.

ANALYSIS/DISCUSSION:

Finding 1: 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:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front 35 feet; Sides 20 feet; Rear 20 feet	Front (western property line): 240 feet; Side (northern property line): 550 feet; Side (southern property line): 620 feet;	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
		Rear (eastern property line): 300 feet	
Parking	One parking space for each two permanent employees; one parking space for the physically handicapped for every 25 parking spaces required	66 standard parking spaces; four truck parking spaces; three parking spaces for the physically handicapped	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Six feet minimum	N/A (proposed storage building will be constructed as an addition to an existing structure)	N/A
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	100 percent	No change	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	Yes

Reviewing Agencies/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: Existing and proposed improvements satisfy the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone Districts. Revision to Site Plan Review (SPR) No. 7766 is recommended to ensure compliance with development standards.

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

Analysis:

Staff review of the Site Plans demonstrates that the existing and proposed improvements satisfy the minimum building setback requirements of the AE-20 and AL-40 Zone Districts, which have identical setback requirements. In regard to off-street parking, the Zoning Ordinance requires at least one parking space for each two permanent employees, and the

California Building Code requires at least one parking space for the physically handicapped per every 25 parking spaces required at a facility. As the subject facility retains 70 employees, at least 35 standard parking spaces and two parking spaces for the physically handicapped are required for the operation. However, the facility has 66 standard parking spaces, four truck parking spaces, and three parking spaces for the physically handicapped. Based on the above information and with adherence to a Site Plan Review (SPR) required as a Condition of Approval, staff believes the project site is adequate to accommodate the proposed use, vehicle circulation, and ingress/egress.

Recommended Condition of Approval:

Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.

Conclusion:

Finding 1 can be made.

Finding 2: *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	No change
Public Road Frontage	Yes	Trimmer Springs Road: Fair condition	No change
Direct Access to Public Road	Yes	Trimmer Springs Road	No change
Road ADT		Trimmer Springs Road: 1,200	No change
Road Classification		Trimmer Springs Road: Arterial	No change
Road Width		Trimmer Springs Road along APN 158-070-77: 106 feet Trimmer Springs Road along APNs 158-070-65 and 158-070-76: 80 feet	No change
Road Surface		Trimmer Springs Road: Paved (pavement width: 40.4 feet)	No change
Traffic Trips		Approximately 10 one-way	No change

		Existing Conditions	Proposed Operation
		<p>customer trips (five round trips) per day, five days per week, November through June</p> <p>Approximately 140 one-way employee trips (70 round trips) per day, five days per week, November through June</p> <p>Approximately 80 one-way truck trips (40 round trips) per day, six days per week, November through June</p>	
Traffic Impact Study (TIS) Prepared	No	N/A	None required as proposed expansion will not generate additional traffic beyond existing operational conditions
Road Improvements		N/A	None required

Reviewing Agencies/Department Comments:

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Trimmer Springs Road is a County-maintained road which is classified as an Arterial. The minimum total width for an Arterial right-of-way is 106 feet. Trimmer Springs Road has an existing total right-of-way of 106 feet along the property identified as APN 158-070-77, with 53 feet east and 53 feet west of the centerline. Trimmer Springs Road has an existing total right-of-way of 80 feet along the properties identified as APNs 158-070-65 and 158-070-76, with 40 feet east and 40 feet west of the centerline. A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Trimmer Springs Road. This requirement has been included as a Project Note.

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

Analysis:

The portion of Trimmer Springs Road fronting the properties identified as APNs 158-070-65 and 158-070-76 has an existing total right-of-way of 80 feet, whereas the minimum total width for an Arterial right-of-way is 106 feet. Therefore, an additional 13 feet of right-of-way dedication is needed from the western side of APNs 158-070-65 and 158-070-76 that abuts Trimmer Springs Road in order to satisfy the standards for an Arterial. However, considering the limited scope of the proposed expansion in conjunction with the fact that no new access is being proposed from Trimmer Springs Road, no additional right-of-way dedication will be required for this project. Based on the above information, and with adherence to the Project Note described above, staff believes that the section of Trimmer Springs Road at the project site will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

None

Conclusion:

Finding 2 can be made.

***Finding 3:** The proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North:	4.21 acres	Orchard	AE-40	None
Northwest:	10.22 acres	Two single-family residences; orchard	AE-40	125 feet
Northeast:	104.07 acres	Two single-family residences; orchard	AL-20	2,705 feet
West:	15.10 acres	Orchard	AL-40	None
East:	96.62 acres	Vacant	RE	None
South:	144.14 acres	Vacant	AL-20; O	None

Reviewing Agencies/Department Comments:

Fresno County Department of Agriculture (Agricultural Commissioner’s Office): No concerns with the proposal.

San Joaquin Valley Unified Air Pollution Control District (Air District): No concerns with the proposal.

Fresno County Department of Public Health, Environmental Health Division: Prior to occupancy, the facility operator shall update the online Hazardous Materials Business Plan on file with the Fresno County Department of Public Health, Environmental Health Division. All

hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. These requirements have been included as Project Notes. It is recommended that the facility operator consider having the existing septic tanks pumped and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. Such inspections may indicate possible repairs, additions, or require the proper destruction of the systems. This recommendation has been included as a Project Note.

Building and Safety Section of the Fresno County Department of Public Works and Planning: If approved, plans related to construction and development of the proposal prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections. This requirement has been included as a Project Note.

Fresno County Fire Protection District (Fire District): The proposal shall comply with the 2007 California Code of Regulations Title 24 – Fire Code, and County-approved Site Plans shall be submitted to the Fire District for review and approval prior to issuance of Building Permits. This requirement has been included as a Project Note.

Fresno Irrigation District (FID): FID's Gould Canal No. 97 traverses the southeastern portion of the subject property, and will be impacted by the development. FID requires the developer to submit, for FID's approval, a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the canal, or result in drainage patterns that could adversely affect FID. This requirement has been included as a Condition of Approval. FID also requires that the owner of the subject property grant an easement to FID for the land underlying Gould Canal No. 97 and associated area along the canal required for maintenance pursuant to Water Code Section 22425(a-f) and FID policy.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 1645H, the subject property is partially within shaded Flood Zone X and Flood Zone AE. The shaded flood zone refers to areas of 0.2 percent annual chance flood, areas of one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance of flood. Flood Zone AE is subject to flooding from the 100-year storm. No net import of fill shall be allowed within the Flood Zones. Any work within designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance. Any additional run-off generated by development cannot be drained across property lines or into County right-of-way, and must be retained on site per County Standards. If the proposed development does not increase the net impervious surface on site, and the existing drainage patterns are not changed, there will be no requirement to submit an Engineered Grading and Drainage Plan to Development Engineering staff for review and approval prior to the issuance of Building Permits. A Grading Permit or Voucher shall be required for any grading activity associated with this proposal. These requirements have been included as Project Notes.

Analysis:

This proposal entails the relocation of a 7,150 square-foot storage building authorized by Classified Conditional Use Permit (CUP) No. 3307 from the southern side of an existing commercial fruit packing facility to the northern side of the existing facility, and expanding said storage building by 4,550 square feet to total 11,700 square feet.

The project site is located in an agricultural area comprised primarily of orchards with a few residences nearby. The Kings River is located adjacent to and east of the project site, as is the Fresno Irrigation District (FID) Gould Canal No. 97. Additionally, the Friant-Kern Canal is located approximately 1.5 miles south of the project site and a trailer park is located approximately 3.5 miles northeast of the project site.

With regard to the agency comments provided by FID, staff acknowledges that the requirement for the developer to provide a Grading and Drainage Plan to FID for review and approval prior to the issuance of Building Permits will help ensure that the project will not endanger the structural integrity of Gould Canal No. 97. However, with regard to FID's request for the owner of the subject property to grant an easement to FID for the land underlying Gould Canal No. 97 and associated area along the canal required for FID maintenance, staff does not believe there is a nexus for such a requirement, considering the limited scope of the proposed expansion, the 300-foot separation between the proposed location of the storage building and Gould Canal No. 97, and the existing structures and existing paved driveway located between the proposed location of the storage building and Gould Canal No. 97. However, staff recommends that the property owner contact FID staff regarding the requested easement so as to ensure that operations conducted at the subject facility do not affect Gould Canal No. 97. This recommendation has been included as a Project Note.

Based on the above information and with adherence to the recommended Conditions of Approval and mandatory Project Notes discussed in this Staff Report, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Condition of Approval:

The developer shall submit a Grading and Drainage Plan to the Fresno Irrigation District (FID) for review and approval prior to the issuance of Building Permits, demonstrating that the proposed development will not endanger the structural integrity of FID's Gould Canal No. 97 or result in drainage patterns that could adversely affect FID.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3: County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to the following Criteria: a) Use shall provide a needed service to surrounding agricultural area, which cannot be provided within urban areas; b) Use shall not be sited on productive agricultural lands if less productive lands are available; c) Use shall not have a detrimental impact on water resources or the use or management of surrounding properties within</p>	<p>With regard to Criteria "a", this proposal entails the expansion of an existing agricultural processing operation located in an agricultural area. As this is an expansion to an existing commercial use, Criteria "b" does not apply per Criteria "h". With regard to Criteria "c", this proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the project, as the proposed expansion will not require additional water usage beyond what is currently being utilized.</p>

Relevant Policies:	Consistency/Considerations:
<p>one quarter-mile radius; d) Probable workforce located nearby or readily available; h) Discretionary permits for existing commercial uses shall preclude Criteria LU-A.3(b).</p>	<p>Further, with adherence to the recommended Conditions of Approval and mandatory Project Notes discussed in this Staff Report, staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties within the vicinity. With regard to Criteria "d", this proposal is located approximately three miles southwest of the unincorporated community of Piedra, which has the ability to provide an adequate workforce. The proposal is consistent with these Criteria.</p>
<p>General Plan Policy OS-L.3: County shall manage the use of land adjacent to scenic drives and scenic highways based on the following principles: Intensive land development proposals including commercial developments shall be designed to blend into the natural landscape. The design of said proposals shall provide a natural open space area 200 feet in depth parallel to the right-of-way. Modification of this setback requirement may be appropriate when any of the following conditions exist: 1) topographic or vegetative characteristics preclude such a setback; 2) topographic or vegetative characteristics provide screening from the right-of-way; 3) property dimensions preclude such a setback; 4) development involves expansion of an existing facility or use.</p>	<p>Trimmer Springs Road abuts the western property line of the project site and is identified as a Scenic Drive in the Fresno County General Plan. Improvements including graded and paved parking areas and portions of existing structures already encroach within the 200-foot setback area required from a Scenic Drive. Additionally, an existing landscaping screen consisting of fruit trees adjacent to Trimmer Springs Road provides some visual screening of the facility from the roadway. Further, the proposed storage building will be set back approximately 240 feet from Trimmer Springs Road. The proposal is consistent with this Policy.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</p>	<p>This proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the proposal, as the proposed expansion will not require additional water usage beyond what is currently being utilized. The proposal is consistent with this Policy.</p>

Reviewing Agencies/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Analysis:

Based on the analysis provided above, staff believes the proposal is consistent with the Fresno County General Plan. Applicable Policies regarding siting and water supply evaluation were

reviewed for this proposal and found to be consistent.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes the required Findings for granting Classified Conditional Use Permit Application No. 3476 can be made, based on the factors cited in the analysis, the recommended Conditions of Approval and Project Notes regarding mandatory requirements. Staff therefore recommends approval of Classified Conditional Use Permit Application No. 3476, subject to the recommended Conditions of Approval.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to accept the Mitigated Negative Declaration previously approved by the Planning Commission for Initial Study Application No. 6312; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit Application No. 3476, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit Application No. 3476; 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.

DC:ksn
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**Classified CUP No. 3476
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	All Conditions of Classified Conditional Use Permit (CUP) No. 3307 shall remain in full force and effect, except as modified with the approval of Classified CUP No. 3476 and Site Plan Review (SPR).
2.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.
3.	The developer shall submit a Grading and Drainage Plan to the Fresno Irrigation District (FID) for review and approval prior to the issuance of Building Permits which demonstrates that the proposed development will not endanger the structural integrity of FID's Gould Canal No. 97 or result in drainage patterns that could adversely affect FID.

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

1.	Prior to occupancy, the facility operator shall update the online Hazardous Materials Business Plan on file with the Fresno County Department of Public Health, Environmental Health Division.
2.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
3.	It is recommended that the facility operator consider having the existing septic tanks pumped and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. Such inspections may indicate possible repairs, additions, or require the proper destruction of the systems.
4.	Plans related to construction and development of the proposal prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections.
5.	The project shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans, stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning, to the Fresno County Fire Protection District (Fire District) for their review and approval. The Applicant shall submit evidence that their Plan was approved by the Fire District, and all fire protection improvements shall be installed prior to granting occupancy for the use.

Notes

6.	According to FEMA FIRM Panel 1645H, the subject property is partially within shaded Flood Zone X and Flood Zone AE. The shaded flood zone refers to areas of 0.2 percent annual chance flood, areas of one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance of flood. Flood Zone AE is subject to flooding from the 100-year storm. No net import of fill shall be allowed within the Flood Zones. Any work within designated Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance.
7.	Any additional run-off generated by development shall not be drained across property lines or into County right-of-way, and shall be retained on site per County Standards.
8.	If the proposed development increases the net impervious surface on site, and/or the existing drainage patterns are changed, an Engineered Grading and Drainage Plan shall be submitted to Development Engineering staff for review and approval prior to the issuance of Building Permits.
9.	A Grading Permit or Voucher shall be required for any grading activity associated with this proposal.
10.	It is recommended that the property owner contact Fresno Irrigation District (FID) staff regarding the request made by FID for the property owner to grant an easement to FID for the land underlying Gould Canal No. 97 and associated area along the canal required for FID maintenance.

DC:ksn

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LOCATION MAP

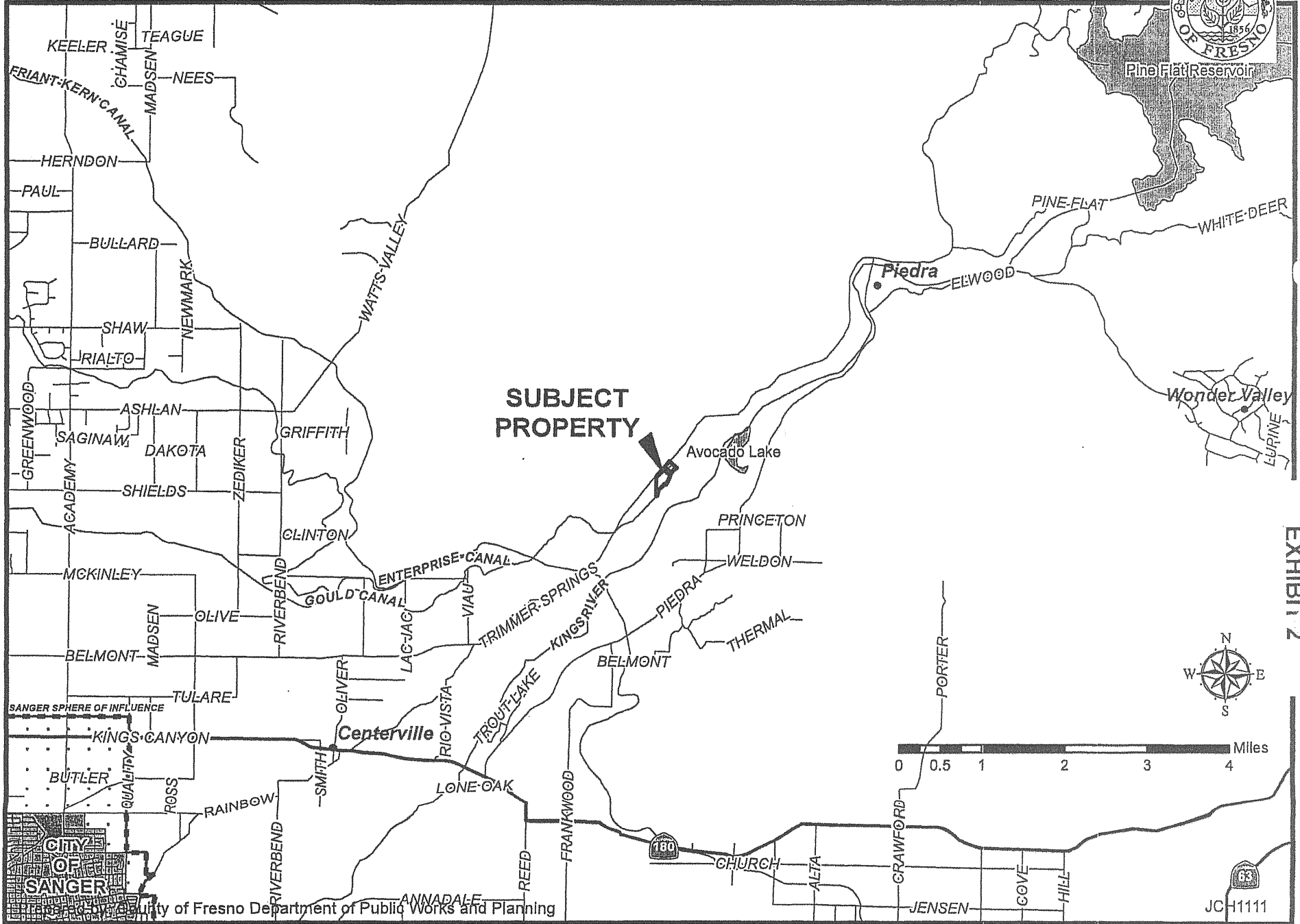


EXHIBIT 2

EXISTING ZONING MAP

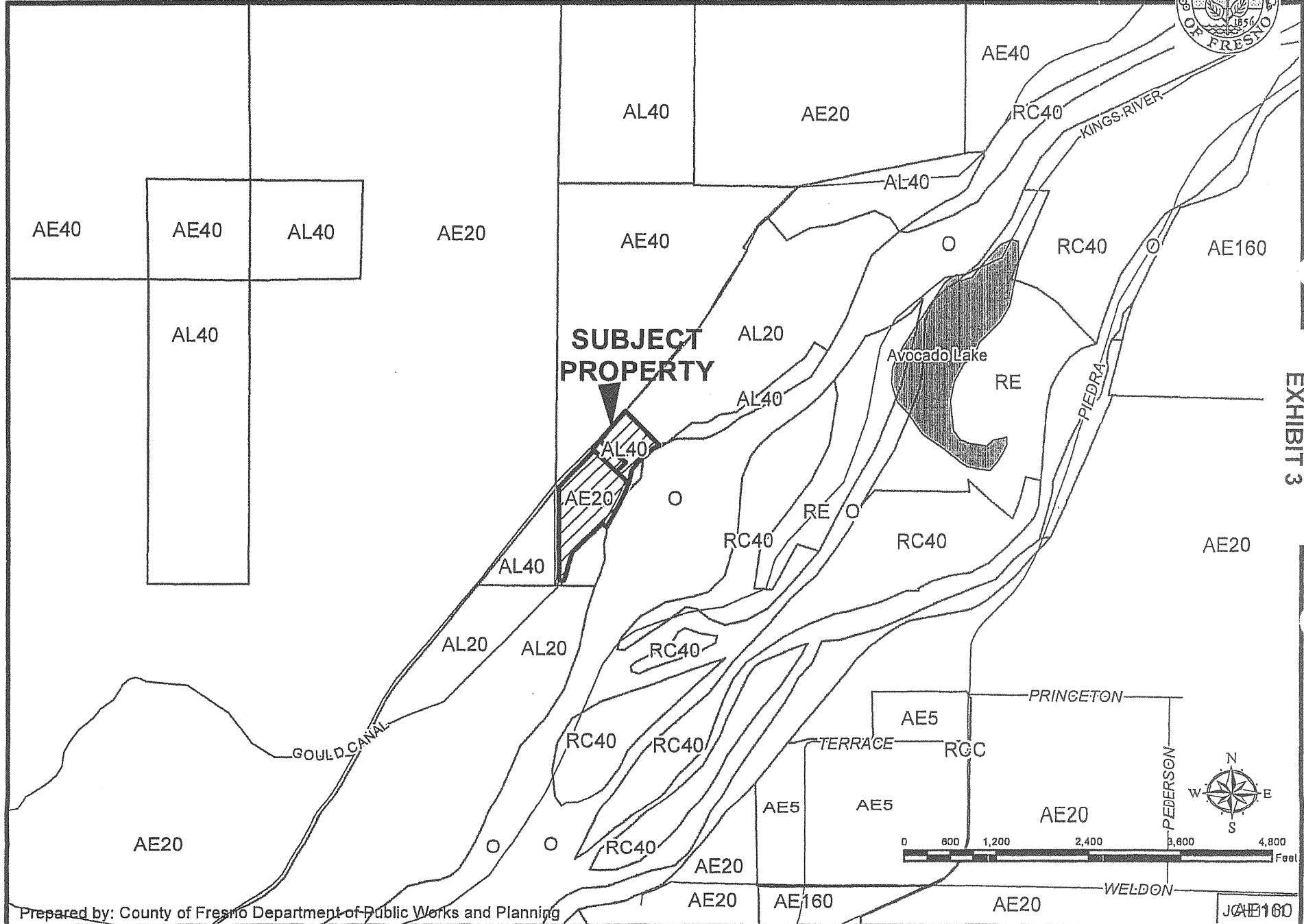
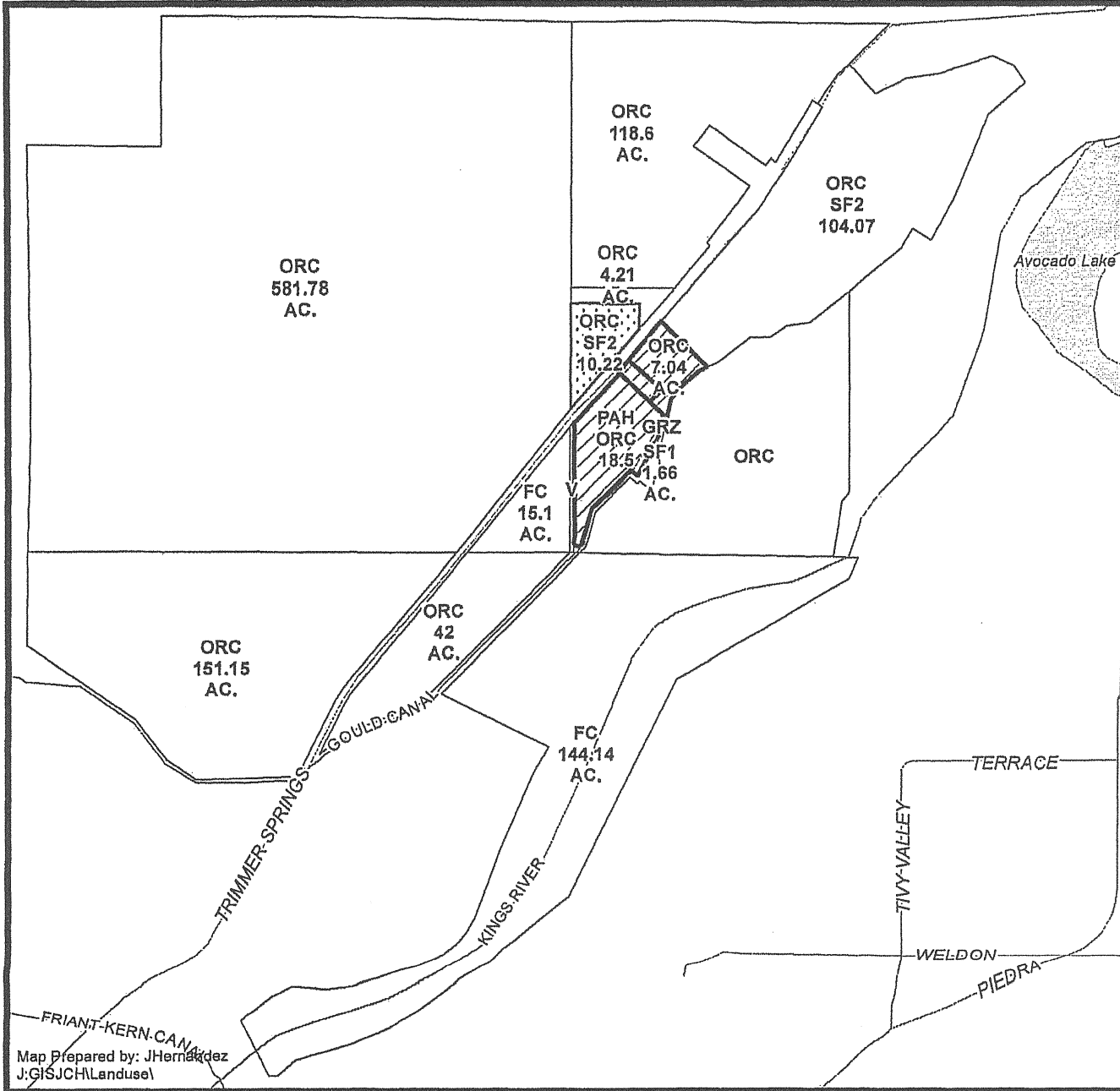


EXHIBIT 3

EXISTING LAND USE MAP

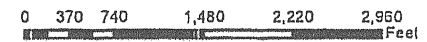


LEGEND

FC - FIELD CROP
 GRZ - GRAZING
 ORC - ORCHARD
 PAH - PACKING HOUSE
 SF# - SINGLE FAMILY RESIDENCE
 V - VACANT

LEGEND:

Subject Property
 Ag Contract Land

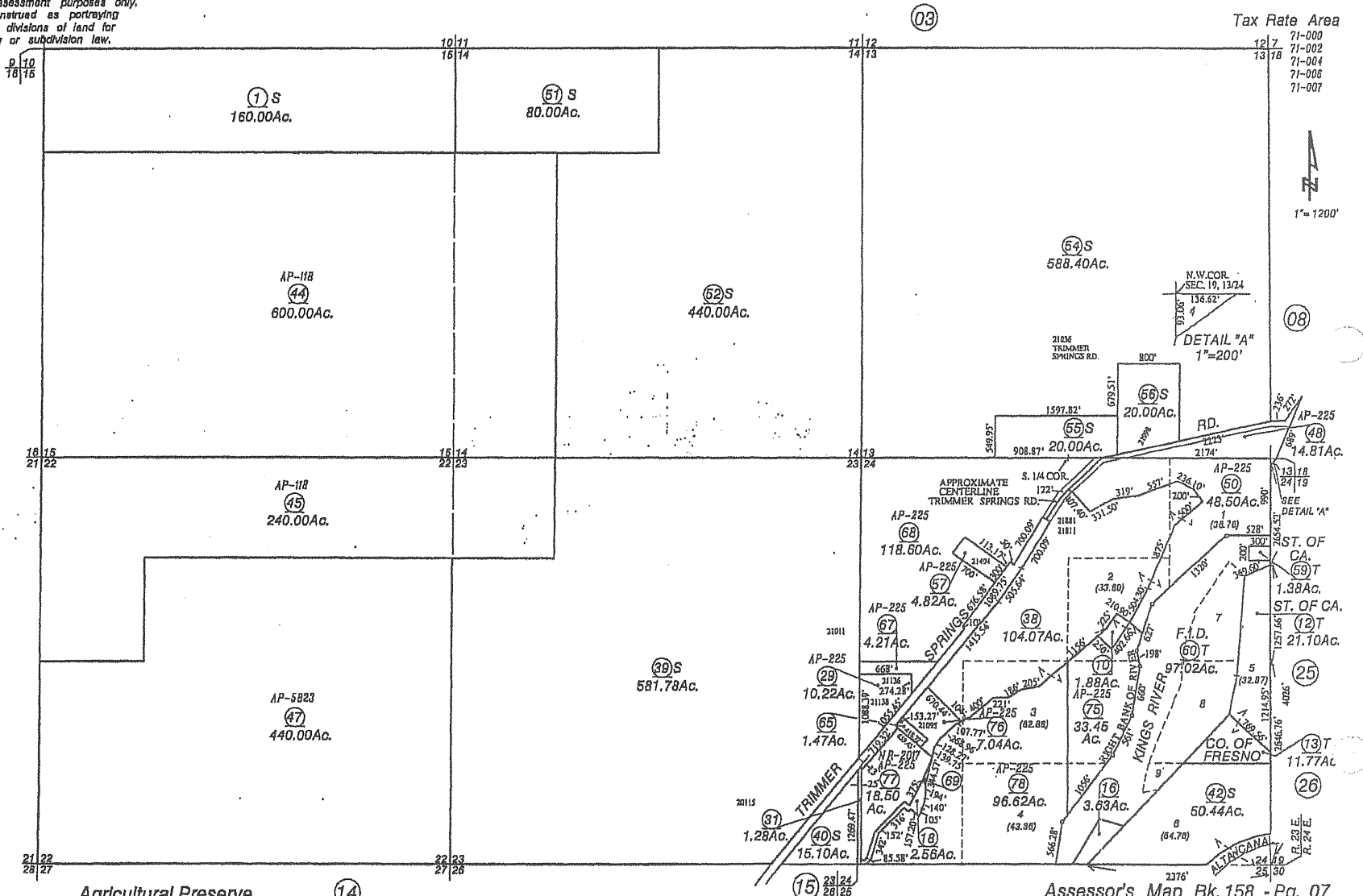


Department of Public Works and Planning
 Development Services Division

EXHIBIT 4

--- 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.



NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

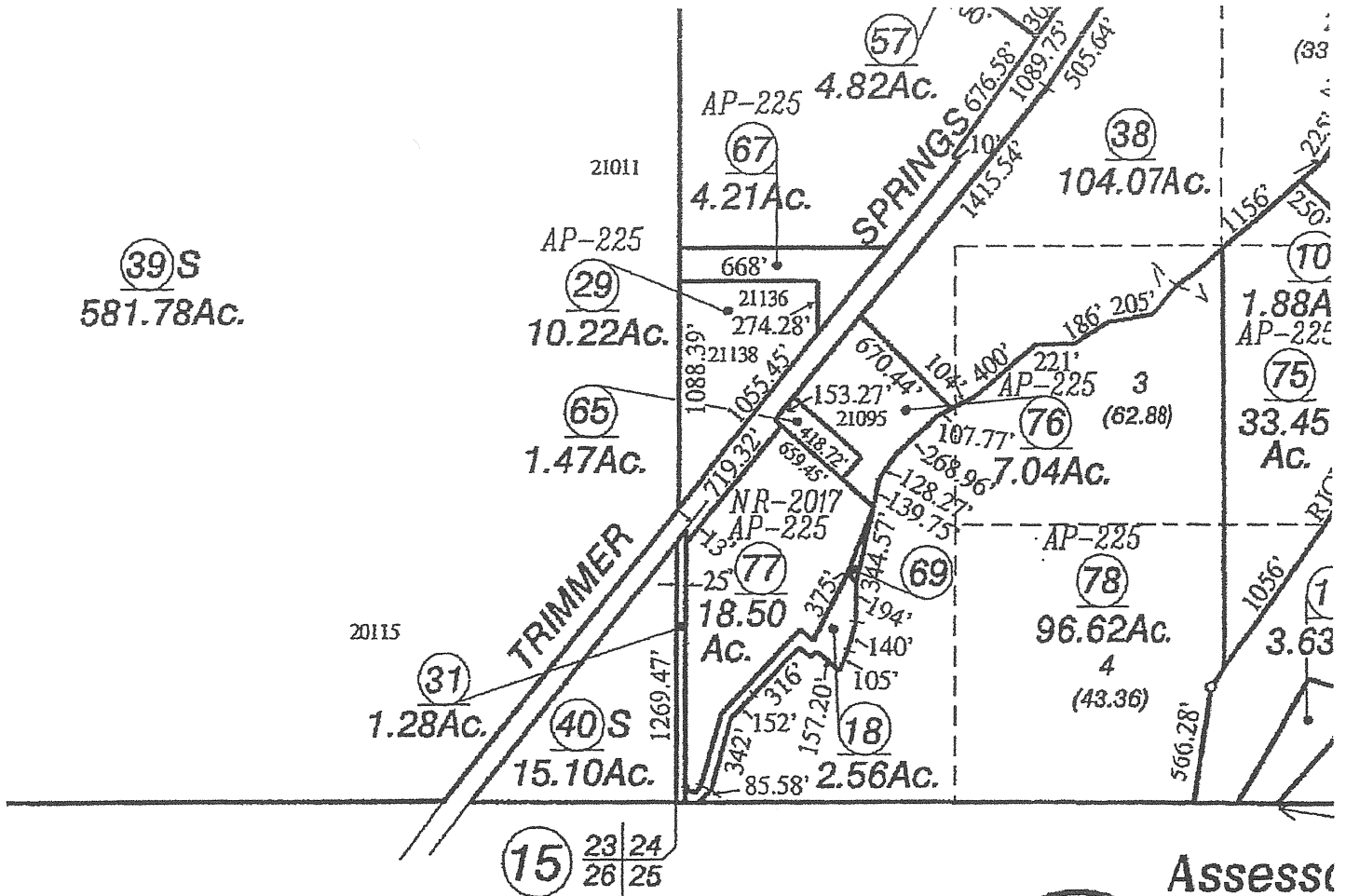
Assessor's Map Bk. 158 - Pg. 07
County of Fresno, Calif.

Exhibit 5 - Page 1

10/17/13

EXHIBIT 5

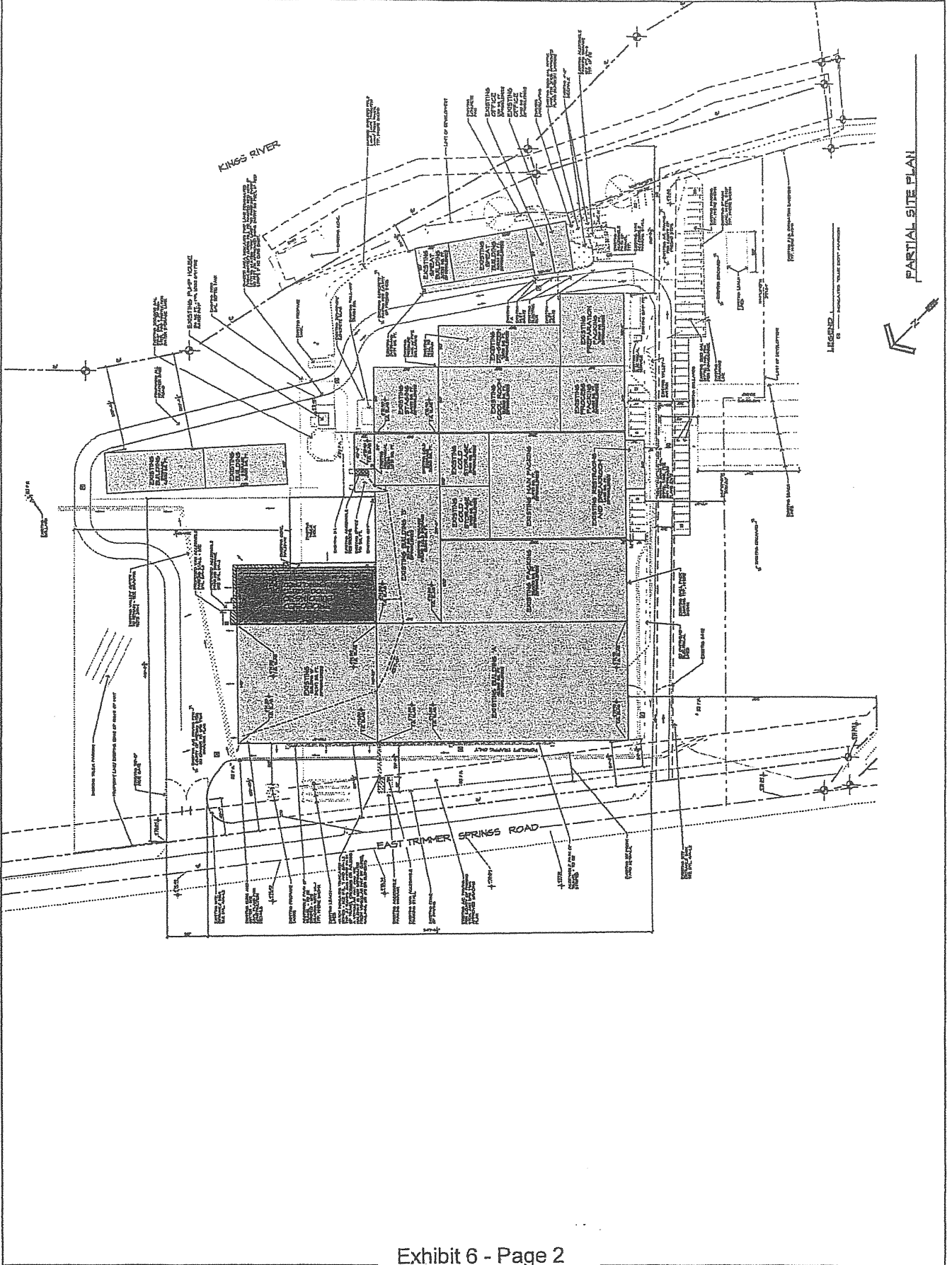
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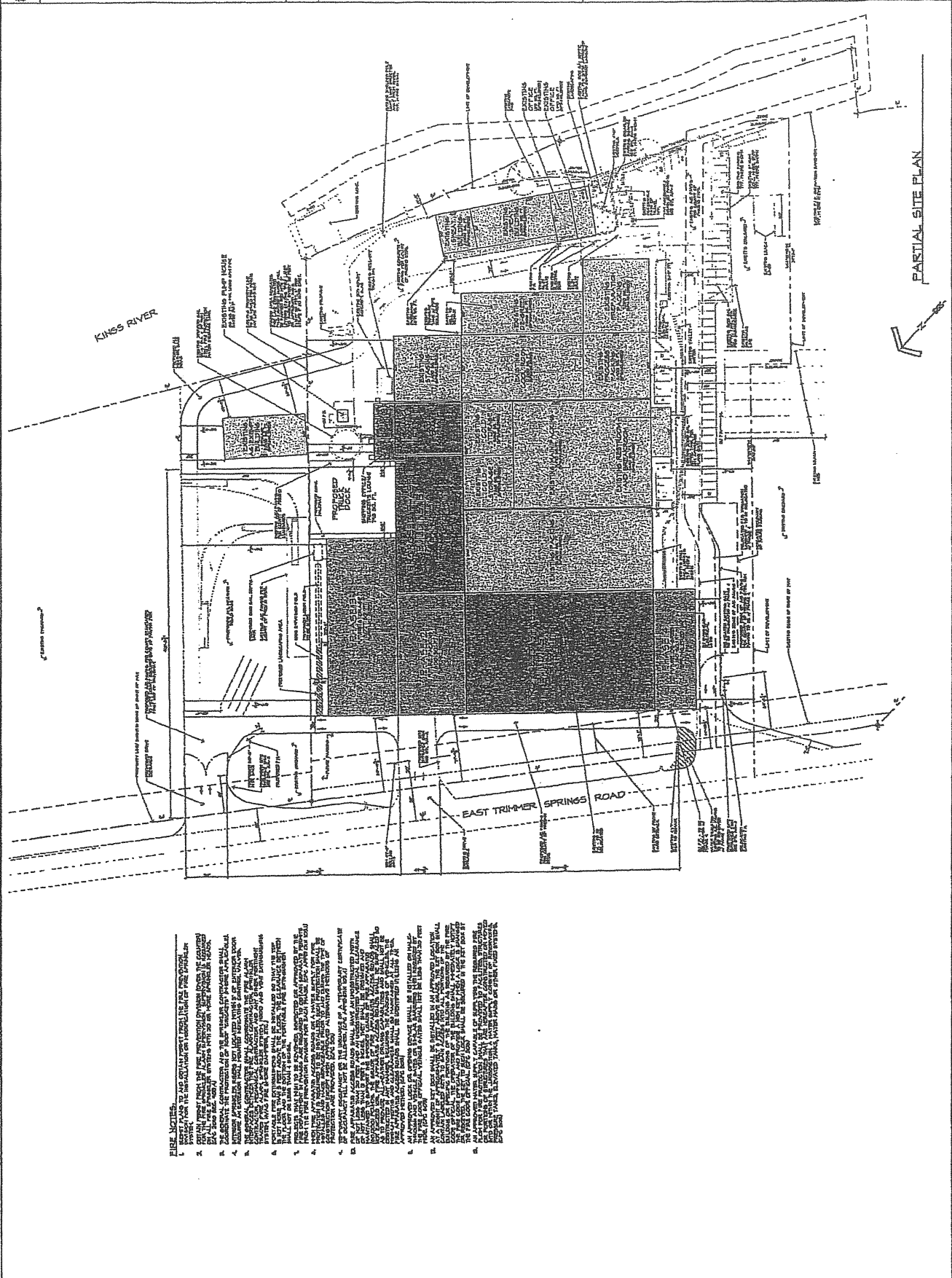


NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles

Assessor
Coun

SPAN CONTRACTOR
 11117221
 11/17/14
 2014.175
PROPOSED PROJECT FOR
KINGS RIVER PACKING
 2014.175
A-1.1
 PARTIAL SITE PLAN





- FIELD NOTES:**
- REFER TO THE INFORMATION SHEET FOR THE FIELD NOTES.
 - THE FIELD NOTES ARE TO BE USED IN CONJUNCTION WITH THE ARCHITECTURAL DRAWINGS.
 - ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 - EXISTING CONDITIONS ARE SHOWN WITH DASHED LINES AND PROPOSED CONDITIONS ARE SHOWN WITH SOLID LINES.
 - ALL PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF GRAND PRAIRIE ORDINANCES.
 - ALL UTILITIES SHOWN ARE BASED ON THE MOST RECENT RECORD DRAWINGS AVAILABLE.
 - ALL UTILITIES SHALL BE DEPTH MARKED AND SHALL BE IDENTIFIED BY COLOR.
 - ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE DISRUPTED.
 - ALL UTILITIES SHALL BE REINSTALLED TO ORIGINAL OR BETTER CONDITIONS.
 - ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE DISRUPTED.
 - ALL UTILITIES SHALL BE REINSTALLED TO ORIGINAL OR BETTER CONDITIONS.
 - ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE DISRUPTED.
 - ALL UTILITIES SHALL BE REINSTALLED TO ORIGINAL OR BETTER CONDITIONS.
 - ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE DISRUPTED.
 - ALL UTILITIES SHALL BE REINSTALLED TO ORIGINAL OR BETTER CONDITIONS.

DATE	1/1/2014
SCALE	1/8" = 1'-0"
PROJECT	KINGS RIVER PARK
DESIGNED BY	DEIRDRE M. WELLS
CHECKED BY	DEIRDRE M. WELLS
DATE	1/1/2014

DEIRDRE M. WELLS & ASSOCIATES, INC.
 ARCHITECTS
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 (303) 733-1100
 WWW.DMWELLS.COM

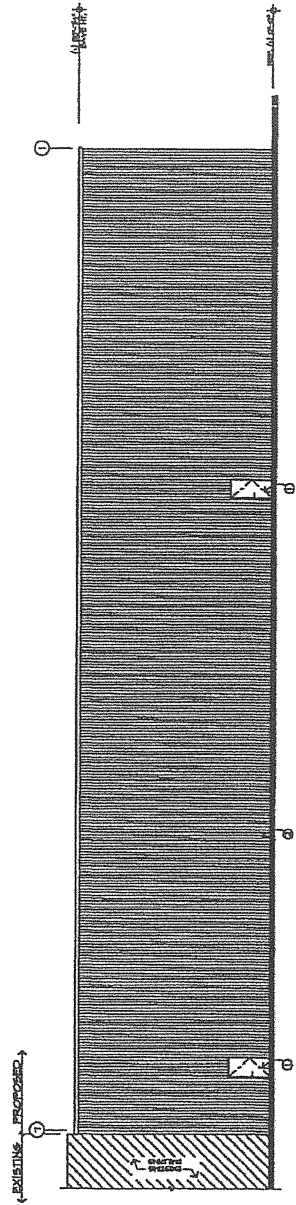


EXHIBIT 9

PROPOSED PROJECT FOR
KINGS RIVER PARK
 2014.1.17.6
 SHEET NO. 1

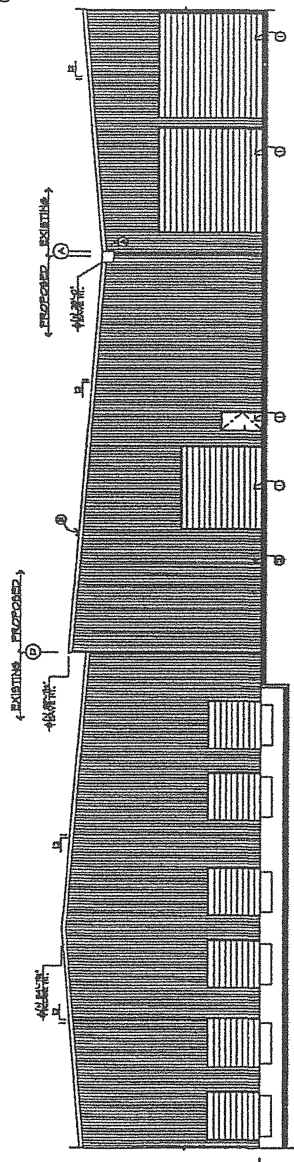
NO.	REVISION

A-3
 SHEET NO. 1
 2014.1.17.6
 PROJECT NO. 1



SOUTH ELEVATION

- EXTERIOR MATERIAL LIST**
- 1. DOOR - SEE FLOOR PLAN
 - 2. WALL PANEL - SEE FLOOR PLAN
 - 3. WALL PANEL - SEE FLOOR PLAN
 - 4. WALL PANEL - SEE FLOOR PLAN
 - 5. WALL PANEL - SEE FLOOR PLAN
 - 6. WALL PANEL - SEE FLOOR PLAN
 - 7. WALL PANEL - SEE FLOOR PLAN
 - 8. WALL PANEL - SEE FLOOR PLAN
 - 9. WALL PANEL - SEE FLOOR PLAN
 - 10. WALL PANEL - SEE FLOOR PLAN



EAST ELEVATION

EXTERIOR ELEVATIONS

EXHIBIT 10

GMA Gerald Mele & Associates, Inc.

Consulting Engineers
Gerald A. Mele, PE, SE
Martin R. Iness, PE, SE

7337 N. First St., Suite 110 Fresno, CA 93720 (559) 435-1411 Fax (559) 435-1169

County of Fresno
Planning Department
2220 Tulare St.
Fresno, CA 93721

Kings River Packing Building Additions
Operational Statement

To whom it may concern,

The project will be located at 21083 East Trimmer Springs Road, Sanger, Ca. 93657 on the lots with the Assessor's Parcel Numbers of 158-070-65, 158-070-76 and 158-070-77. The proposed project constitutes Phase 3 of the company's needed expansion, which consists of the construction of a 11,700 sq. ft. metal building addition (Building 'D') to be used as storage. Approximately 3,448 sq. ft. of the proposed building was included in CUP 3307, hence the amended CUP application, which has already been submitted to the County. The anticipated use of the buildings will be an expansion of the operations of the existing commercial fruit packing facility located on the site. The land to be used for the proposed building is currently vacant, graded, asphalt paved land.

The existing commercial fruit packing facility has been in operation since 1977 and was last approved under CUP 3307. The company's operation has consisted of the processing and packing of oranges as well as lemons, which were added to their product line in 2005. The company historically has operated seasonally from November to June. Over the years they have seen an increase in product demand as well as an increase in the number of clients that has prompted them to construct several buildings (see site plan) as the company has grown. They have also added new machinery throughout the years to increase the company's efficiency.

The nature of the company's operations is the same as it was at the time of approval of current CUP. Past expansion under the current CUP was as follows:

Phase 1 of the company's expansion included the construction of a 45,280 sq. ft. metal building (Building 'A') and a 20,295 sq. ft. metal building (Building 'B'). It also included the construction of a new truck dock and a truck parking lot.

Phase 2 involved the construction of a 24,747 sq. ft. metal building addition (Building 'C').

The proposed building will be approximately 28'-0" tall at the low eave, 33'-7 1/2" at the high eave and will be cream colored, which will match the other buildings on the site.

The business tends to have 3 to 5 visitors a day. They currently have 70 full time employees who work 8 hours a day, 5 days a week from November to June. The number of employees will not increase as a result of the proposed project as its planned use is storage. There are no caretakers living on-site.

GMA Gerald Mele & Associates, Inc.

Consulting Engineers
Gerald A. Mele, PE, SE
Martin R. Iness, PE, SE

7337 N. First St., Suite 110 Fresno, CA 93720 (559) 435-1411 Fax (559) 435-1169

The company receives approximately 40 trucks a day during the season, 6 days a week. At no time will they exceed 8 trucks per hour. The construction of the proposed building will not cause an increase in truck traffic as no additional shipments will be added.

Access to the site is currently provided off of East Trimmer Springs Road, which is a paved road.

There are currently 66 automobile parking stalls on the site and 4 truck-parking stalls provided in the truck parking lot.

No goods are sold on-site. The product is shipped by truck on demand or is stored in cold storage until it is needed.

The proposed building will not cause an unsightly appearance or produce dust, noise, glare or any odors.

The company currently produces approximately 4,500 gallons of liquid waste per day. The liquid waste consists of wash water and is collected and used to irrigate the surrounding orange orchards. All other liquid waste is disposed of through the approved septic system and leech pits that are located on the site. The proposed building will not increase the amount of liquid waste being produced by the company.

As for solid waste, a commercial carrier on a weekly basis picks up the trash. Oranges that are rejected are disposed of commercially.

The company's water is provided by a private well and it uses approximately 4,500 gallons a day, during the previously mentioned season.

On-site advertising consist of a 4'-0"x7'-0" sign which is located at the main entrance to the site.

Lighting for the site is provided through a combination of wall-pack and pole mounted lighting. There is no outdoor sound amplification system. Communication is provided through the use of two-way radios.

The site is currently surrounded on three sides by orange orchards. The Kings River lies on the remaining side of the parcel. There is an existing landscape area in front of the existing offices.

Respectfully submitted,

Sean Odom
Gerald Mele & Associates, Inc.



EXHIBIT 11

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Gerald Mele & Associates, Inc. on behalf of Kings River Packing
- APPLICATION NOS.:** Initial Study Application No. 6312 and Classified Conditional Use Permit Application No. 3307
- DESCRIPTION:** Allow the expansion of an existing 6.96-acre commercial fruit packing operation by an additional 3.83 acres of processing, storage, parking and circulation area on portions of a 23.95-acre parcel within the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District and on portions of a 180.16-acre parcel within the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and O (Open Conservation) Zone Districts.
- LOCATION:** The project site is located on the east side of Trimmer Springs Road, approximately three quarters of a mile north of its intersection with Belmont Avenue, approximately three miles southwest of the unincorporated community of Piedra (21095 E. Trimmer Springs Road) (Sup. Dist.: 5) (APNos.: 158-070-61, 158-070-63 and 158-070-64).

I. AESTHETICS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails the expansion of an existing 6.96-acre commercial fruit packing operation allowed under Conditional Use Permit (CUP) No. 2786 by an additional 3.83 acres of processing, storage, and parking and circulation area. The existing operation is located on a 23.95-acre parcel zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) which is identified as Assessor's Parcel Number (APN) 158-070-61. Proposed improvements associated with this project will be located on the aforementioned 23.95-acre parcel and on a 1.68-acre portion of an adjacently located 180.16-acre parcel which is zoned both AL-40

DEVELOPMENT SERVICES DIVISION

(Limited Agricultural, 40-acre minimum parcel size) and O (Open Conservation). The AL-40 (Limited Agricultural, 40-acre minimum parcel size) zoned portion of the aforementioned 180.16-acre parcel is identified as APN 158-070-63 and the proposed improvements will be located on this portion of said parcel. No improvements are proposed on the O (Open Conservation) zoned portion of the 180.16-acre parcel which is identified as APN 158-070-64.

The project site is located in an agricultural area comprised primarily of orchards with few residential land uses dispersed throughout. Additionally, a portion of the Kings River is adjacently located east of the project site and the Fresno Irrigation District Gould Canal is also adjacently located east of the project site. The Friant-Kern Canal is located approximately one and a half miles south of the project site, and a trailer park is located approximately three and one half miles northeast of the project site.

Trimmer Springs Road abuts the western property line of the project site and is identified as a Scenic Drive in the Fresno County General Plan. Policy OS-L.3 of the Plan typically requires intensive land use proposals such as commercial developments to be developed with a 200-foot natural open space area adjacent to the Scenic Highway. However, Policy OS-L.3 also allows this 200-foot natural space setback requirement to be modified for proposals which involve the expansion of an existing facility. As of today, improvements including graded and paved parking areas and portions of existing structures already appear to encroach within this setback area. Further, an existing landscape screen adjacent to Trimmer Springs assists in screening the facility from the roadway. As the subject project entails the expansion of the existing fruit packing operation, the 35-foot setback proposed for improvements adjacent to Trimmer Springs Road is acceptable.

Visibility of this proposal from neighboring properties to the north and south will be screened from view by existing orchards located on the subject property and neighboring properties to the north and south. No visibility concerns are anticipated east of the proposal as there are existing mature trees located throughout the easterly neighboring properties that will provide visual screening of the project site. This proposal may be visible from Trimmer Springs Road and westerly neighboring properties. However, landscaping was not required for CUP No. 2786 or its associated Site Plan Review (SPR) No. 6769. As previously discussed, an existing landscaping screen exists along Trimmer Springs. To address potential aesthetic concerns that could be associated with the proposed phased expansion, staff will recommend a Condition of Approval requiring additional landscaping as an extension of the existing landscaping screen abutting Trimmer Springs to be phased as development occurs, and a Condition requiring that new construction be painted a color compatible with the existing structures.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This proposal will utilize outdoor lighting that has the potential of generating new sources of light and glare in the area. All outdoor lighting shall be required to be hooded and directed as to not shine towards adjacent properties and public streets. This requirement will be included in the following Mitigation Measure:

* Mitigation Measure(s)

1. All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located on forest land and is classified as Unique Farmland on the Fresno County Important Farmland Map (2008). This proposal entails the expansion of an existing 6.96-acre commercial fruit packing operation allowed under CUP No. 2786 by an additional 3.83 acres of processing, storage, and parking and circulation area. The proposed expansion will result in the loss of approximately 2.61 acres of orchard on the subject property. This loss of farmland is less than significant in that the proposed use will serve an existing commercial enterprise which processes and stores agricultural products (fruit).

The southern 1.68 acres of the property identified as APN 158-070-63 is currently enrolled under Agricultural Land Conservation Contract (ALCC) No.225. According to the Policy Planning Section of the Fresno County Department of Public Works and Planning, the proposed expansion of the existing commercial fruit packing operation is not a compatible use on property subject to a Williamson Act Contract, unless a cancellation of the Contract has occurred. An application for partial cancellation of Contract No. 225 for the 1.68-acre portion of the property under Contract was filed by the Applicant in April 2011 and is in process. Approval of the subject proposal is contingent upon approval of the cancellation of Contract No. 225 by the Board of Supervisors which would occur after final action on the subject land use application.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or

- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the San Joaquin Valley Air Pollution Control District (Air District) which commented that the project is subject to District Rule 9510 (Indirect Source Review). Additionally, the project may also be subject to the following District Rules: Regulation VIII (Fugitive Dust Rules), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Compliance with Air District Rules will reduce air quality impacts of the subject project to a less than significant level. Staff notes that the Applicant is in the process of filing an Indirect Source Review (ISR) with the Air District. Filing will occur prior to the item being considered by the Planning Commission.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a Tree Preservation Policy or Ordinance; or
- F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state Habitat Conservation Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in an agricultural area and has been previously disturbed as said property has been historically utilized for commercial fruit packing and agricultural cultivation. Additionally, neighboring properties have been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed. This proposal was referred to the USFWS, which did not express any concerns related to the project. This proposal was also referred to the CDFG, who also did not express any concerns. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFG or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; and 4.) 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. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is located within an area designated to be highly sensitive for archeological resources. Staff acknowledges that the project site has been highly disturbed, but also acknowledges the possibility of resource discovery with additional ground disturbance. As such, in the event that cultural resources are unearthed during grading or construction, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The Mitigation Measure will reduce potential impacts to cultural resources to a level of insignificance.

* Mitigation Measure(s)

1. *In the event that cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.*

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake?
 - (a.) Strong seismic ground shaking?
 - (b.) Seismic-related ground failure, including liquefaction?
 - (c.) Landslides?

FINDING: NO IMPACT:

The project site is not located within a fault zone or area of known landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Changes in topography and erosion could result from grading activities associated with this proposal. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, an Engineered Grading and Drainage Plan demonstrating how additional storm water run-off generated by the project will be handled without adversely impacting adjacent properties shall be provided to said Section for review and approval. This requirement will be included as a project Note and shall be reviewed for approval during the Site Plan Review (SPR) process which will be included as a Condition of Approval. Conditions of the SPR may include, but are not limited to: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting. With adherence to these requirements, potential erosion impacts will be reduced to a level of insignificance.

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing fruit packing operation is currently served by two engineered on-site sewage disposal systems and a third on-site sewage disposal system is proposed to accommodate the proposed expansion. According to the Fresno County Department of Public Health, Environmental Health Division, a test hole and inspection shall be required prior to the issuance of Construction Permits for the proposed on-site sewage disposal system. Further, the proposed on-site sewage disposal system shall be designed and installation certified by a California Registered Geologist or a Registered Civil Engineer who is knowledgeable and experienced in the field of septic tank-leaching system design and installation. This requirement will be included as a project Note.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: NO IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) has reviewed this proposal and expressed no concerns related to greenhouse gas emissions. Additionally, compliance with Air District Rules discussed in Section III.E of this analysis will reduce air quality impacts of the subject proposal to a less than significant level. Staff notes that the project involves a fruit packing facility in proximity to existing agricultural land and the operation is not a high-emission generating use. There will be no appreciable gain in truck traffic with development of the expansion and the Applicant is in the process of submitting an ISR application to the Air District.

VIII. HAZARDS AND HAZARDOUS MATERIALS

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Department of Public Health, Environmental Health Division, the Applicant shall be required to submit an updated Hazardous Materials Business Plan to said agency prior to the issuance of Construction and/or Grading Permits. Additionally, the Applicant shall also be required to submit an updated Hazardous Materials Business Plan to said agency prior to each phase of the proposed expansion. Further, all hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5, which discusses proper labeling, storage and handling of hazardous wastes. With adherence to these requirements, which will be included as project Notes, this proposal will have a less than significant impact in regard to the handling and accidental release of hazardous materials. Additionally, there are no schools within one-quarter mile of the project site.

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

FINDING: NO IMPACT:

No hazardous materials sites were identified in the project analysis.

- E. Would a project be located within an Airport Land Use Plan or, absent such a Plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or

- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area; or

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.

- G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan.

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

FINDING: NO IMPACT:

The project site is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located within an area of low groundwater availability. However, upon review of this proposal by the Water/Geology/and Natural Resources Section of the Fresno County Department of Public Works and Planning, no water-related concerns were expressed as the proposed expansion will not result in increased water usage.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off-site; or
- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No additional water quality impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

No additional housing is proposed with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, FEMA FIRM Panel 1645H indicates that portions of the project site are in Flood Zone X and Flood Zone AE which are subject to the 100-year storm. Any work performed within the Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance. This requirement will be included as a project Note.

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

This proposal will not physically divide a community. The subject parcel is located within a predominately agricultural area.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated Agriculture in the County-adopted Kings River Regional Plan. Provisions for value-added agricultural uses such as the proposed use have been provided for in the Fresno County Zoning Ordinance and General Plan. Policy LU-A.3 of the General Plan provides that the commercial packing and processing of crops may be allowed by discretionary permit subject to a number of specific criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available. Criteria LU-A.3.f states that

the evaluation under Criteria LU-A.3.a shall consider the service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services. The operation has been providing fruit packing services to the surrounding agricultural area which, due to its size and nature, is not as easily operated or established in urbanized areas; the site has already been developed with the use; reviewing agencies have not cited water deficiencies or impacts to surrounding properties associated with the proposed expansion or improvements. Therefore, the proposed use is conditionally compatible with the Agriculture General Plan designation.

Policy LU-A.12 of the General Plan requires that agricultural activities be protected from encroachment of incompatible uses. In this instance, neighboring properties are being utilized for agricultural cultivation; however, this proposal does entail the expansion of an existing commercial fruit packing operation which is associated with and complimentary to surrounding agricultural uses.

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

FINDING: NO IMPACT:

This proposal will not conflict with any Land Use Plan or Habitat or Natural Community Conservation Plan. No such Plans were identified in the project analysis.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

No mineral resource impacts were identified in the project analysis.

XII. NOISE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal has the potential to generate additional noise from construction activity associated with the development of the project site. As this proposal may result in significant short-term localized noise impacts due to construction equipment use, said equipment shall be maintained according to manufacturers' specifications and shall be equipped with mufflers. This requirement will be included as a project Note. Additionally, this proposal was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which expressed no concerns in regard to noise.

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of an airport and is not impacted by airport noise.

XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

This proposal will not result in an increase of housing, nor will it otherwise induce population growth.

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities in the following areas:

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Fresno County Fire Protection District, which did not express any concerns with the project. Additionally, any resultant development shall comply with the California Code of Regulations Title 24 – Fire Code. This requirement will be included as a project Note.

2. Police protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Sheriff's Department, it has been recommended that the subject company name and address be visible from Trimmer Springs Road for response by law enforcement and other emergency personnel, the facility be adequately illuminated during nighttime hours so that structural improvements are visible from Trimmer Springs Road, and that the facility be equipped with a monitored alarm system to reduce theft and improve response time by law enforcement and fire protection personnel. These recommendations will be included as project Notes.

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the project analysis.

XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system taking into account all modes of transportation; or

B. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails the expansion of an existing 6.96-acre commercial fruit packing operation allowed under CUP No. 2786 by an additional 3.83 acres of processing, storage, and parking and circulation area. The existing operation generates 140 daily one-way employee trips five days per week from November to June. There will be no increase in employees as a result of the proposed expansion as new automated equipment will be utilized in the operation. The

existing operation generates 80 daily one-way truck trips six days per week from November to June. There will be no increase in truck trips as a result of the proposed expansion as the proposed facilities will be utilized to more efficiently facilitate the staging and loading of the trucks currently received. This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which expressed no traffic related concerns in regard to the number of vehicular trips generated by the operation.

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

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns.

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

FINDING: NO IMPACT:

This proposal was reviewed by the Design Division and the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, both of which expressed no concerns with the project. Staff notes that the County's Road Maintenance and Operations Division will require an Encroachment Permit for all improvements within the County right-of-way, and will request cross-sections, dimensions, and other detailed information as part of the project's Site Plan Review revision. This information will be provided to the Applicant in the form of project Notes.

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

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or

- B. Would the project require construction of or the expansion of a new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.B Hydrology and Water Quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No such impacts on biological resources were identified in the project analysis. The subject parcel is located in an agricultural area and has been previously disturbed as said property has been historically utilized for commercial fruit packing and agricultural cultivation. Additionally, neighboring properties have been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3307, 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 greenhouse gas emissions, mineral resources, population and housing, and recreation.

Potential impacts related to agricultural and forestry resources, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation and traffic, and utilities and service systems have been determined to be less than significant. Potential impacts relating to aesthetics and cultural resources have been determined to be less than significant with the identified Mitigation Measures.

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

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