



County of Fresno

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

October 22, 2021

Trafalgar Land Company
P.O. Box 38
Orosi, CA 93647

Dear Applicant:

Subject: Resolution No. 12902 - Initial Study No. 8021 and Classified
Conditional Use Permit Application No. 3699

On September 9, 2021, the Fresno County Planning Commission approved your above-referenced project with 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 Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at tkobayashi@fresnocountyca.gov or 559-600-4224.

Sincerely,

Thomas Kobayashi, Planner
Development Services and Capital Projects Division

TK:
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Enclosure

CC: Rene Gutierrez, Supreme Construction



Inter Office Memo

DATE: September 9, 2021
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12902 - INITIAL STUDY NO. 8021 AND CLASSIFIED
CONDITIONAL USE PERMIT APPLICATION NO. 3699

APPLICANT/
OWNER: Trafalgar Land Company

REQUEST: Allow the processing, storage, and sale of agricultural
chemicals on a 2.09-acre parcel in the AE-20 (Exclusive
Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the north side of E. Conejo
Avenue approximately 1,290 feet east of its intersection
with S. Cedar Avenue and is approximately 7.2 miles west
of the City of Selma (2246 E. Conejo Avenue) (APN 042-
310-03) (Sup. Dist. 4).

PLANNING COMMISSION ACTION:

At its hearing of September 9, 2021, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Hill and seconded by Commissioner Ede to adopt the Mitigated Negative Declaration prepared for the project based on Initial Study No. 8021, adopt the required Findings of Fact as recommended by staff, and approve Classified Conditional Use Permit No. 3699, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12902

This motion passed on the following vote:

VOTING: Yes: Commissioners Hill, Ede, Abrahamian, Carver, Chatha, and Ewell
 No: None
 Absent: Commissioners Eubanks, and Woolf
 Abstain: None

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

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

WMK:tk:im
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NOTE: 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 Conditional Use Permit.

The Planning Commission action is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.

Attachments

EXHIBIT A

Initial Study No. 8021
Classified Conditional Use Permit Application No. 3699

- Staff: The Fresno County Planning Commission considered the Staff Report dated September 9, 2021 and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- We purchased the site for the sole purpose of storing and blending fertilizer for customer's own use.
 - Farming operations are subject to oversight in terms of nitrate pollution of groundwater.
 - We intend to blend fertilizers so that applied fertilizers are more appropriate for the soil types of their respective farm sites.
 - Buying pre-blended fertilizers that fit different soil types throughout the Central Valley is difficult.
 - This will allow our farming operations to be more efficient, promote soil health, and mitigate nitrate pollution.
- 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.

Mitigation Monitoring and Reporting Program
Initial Study No. 8021
Classified Conditional Use Permit Application No. 3699
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.	Applicant	Applicant/Department of Public Works and Planning (PW&P)	
2.	Cultural Resources/ Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities.
Conditions of Approval					
1.		Development of the property shall be in substantial compliance with the Site Plans, Floor Plans, Elevations, and Operational Statement as approved by the Planning Commission.			
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference required Conditions for the project.					
Notes					
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.					
1.		Development Engineering Section of the Department of Public Works and Planning provide the following comments: 1. An Engineered Grading and Drainage Plan should be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. If the licensed Civil Engineer deems an engineered grading and drainage plan is not necessary because the proposed development does not substantially increase the net impervious surface on-site and the existing drainage patterns are not changed, there will be no engineered grading and drainage plan required. However, Letter of Retention and Letter of Certification from a licensed Civil Engineer addressed to the Department of Public Works and Planning will be required. Letter of Certification must specify the reason why an engineered grading and drainage plan is not needed.			

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2. Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines, or into road right-of-way, and must be retained on-site per County Standards.
3. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) are required to be filed with the State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1-acre or more of area. Copies of the completed NOI with WDID # and SWPPP shall be provided to the Development Engineering Section prior to any grading work.
4. Any existing or proposed parking areas shall comply with the Fresno County Off-Street Parking Design Standards. Stalls should be 18 feet by 9 feet, and backing distance must be a minimum of 29 feet for 90-degree parking stalls. Also 5 feet should be provided beyond the last stall in any row to provide for backing. Any proposed handicap accessible parking stalls and curb ramps shall be in compliance with ADA standards and the maximum surface slope within the disabled parking space(s) and adjacent access aisle(s) shall not exceed 2% in any direction.
5. A grading permit/voucher is required for any grading that has been done without a permit and/or grading proposed with this application.
6. Any proposed or existing driveway should be setback a minimum of 10 feet from the property line.
7. For unpaved or gravel surface access roads, the first 100 feet off of the edge of the road right-of-way must be graded and asphalt concrete paved or treated with dust palliative.
8. Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line of the length of the longest truck entering the site and shall not swing outward.
9. If not already present, a 10-foot by 10-foot corner cut-off should be improved for sight distance purposes at any proposed or existing driveway accessing Conejo Avenue.
10. Any work done within the County road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.

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

1. Any entrance gates shall be set back 20 feet from the road right-of-way, or the length of the longest vehicle entering the site, to eliminate the vehicles from idling in the road when stopped to open the gate.
2. Drive approaches shall be limited to 35 feet in width per Fresno County Improvement Standard D-3.
3. An Encroachment permit will be required for any work performed within the County road right-of-way.

A Traffic Management Plan shall be prepared and submitted to address potential impacts during operation of the project.

The Department of Public Health, Environmental Health Division provide the following comments:

1. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.
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. This Division discusses proper labeling, storage, and handling of hazardous wastes.
3. It is recommended that the Applicant consider having the existing septic tanks pumped and have the tank and leach lines evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last

Notes

<p>five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.</p> <p>4. Any proposal for a new sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section.</p> <p>5. If any underground storage tank(s) are found during construction, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.</p> <p>6. As a measure to protect ground water, any water wells, or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project shall be properly destroyed. For those wells located in the unincorporated area of Fresno County, the Applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. The destruction and construction of wells can only be completed by a licensed C-57 contractor.</p> <p>7. The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the County of Fresno Noise Ordinance.</p>	<p>5. The San Joaquin Valley Air Pollution Control District provide the following comments:</p> <ol style="list-style-type: none"> 1. The project will be subject to District Rule 2010 and Rule 2201 and will require District Permits. Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the Project proponent by the District. 2. In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. 3. The project may also be subject to Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutbacks, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished, or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
<p>6. The Fresno County Fire Protection District provide the following comments:</p> <ol style="list-style-type: none"> 1. The project shall comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving Fresno County Fire Protection District (FCFPD) conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno Public Works and Planning and FCFPD for review. It is the Applicant's responsibility to deliver a minimum of two sets of plans to the FCFPD. 2. The project/development may be required to annex into the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. Project/Developments included: Single Family Residential (SFR) properties subdivided into three or more housing units, Multi-Family Residential (MFR) property, Commercial property, Industrial property, and/or Office property. 3. Project/Developments will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought. 	