



# County of Fresno

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

June 29, 2020

Eriksson LLC  
315 W. Oak Avenue  
Visalia CA 93291

Dear Applicant:

Subject: Resolution No. 12819 - Initial Study Application No. 7749 and Classified  
Conditional Use Permit Application No. 3661

On June 11, 2020, 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 eahmad@fresnocountyca.gov or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner  
Development Services and Capital Projects Division

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Enclosure



## Inter Office Memo

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DATE: June 11, 2020  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12819 - INITIAL STUDY APPLICATION NO. 7749 and  
CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3661

APPLICANT/  
OWNER: Eriksson LLC

REQUEST: Allow expansion of an existing pistachio processing facility on a 40.20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of S. Westlawn Avenue approximately 1,321 feet south of its intersection with W. Cerini Avenue and 3,550 feet northwest of the unincorporated community of Lanare (19210 S. Westlawn, Riverdale, CA) (SUP. DIST. 4) (APN 053-420-02S).

### PLANNING COMMISSION ACTION:

At its hearing of June 11, 2020, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Woolf and seconded by Commissioner Ede to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings of Fact for approval of a Conditional Use Permit, and approve Classified Conditional Use Permit No. 3661, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12819

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Woolf, Ede, Abrahamian, Carver, Chatha and Eubanks
	No:	None
	Absent:	Commissioners Burgess, Hill and Lawson
	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:ksn  
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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.

Attachments

EXHIBIT A

Initial Study Application No. 7749  
Classified Conditional Use Permit Application No. 3661

Staff: The Fresno County Planning Commission considered the Staff Report dated June 11, 2020, 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 process pistachios at the existing facility that are grown on our farms and not others.
- The proposed additional water storage tank will be used for fire suppression.

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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**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7749/Classified Conditional Use Permit Application No. 3661**  
**(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 as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	During project life
2.	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 shall 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	As noted
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plans, Elevations, and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permits, 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, onsite grading and drainage, fire protection, landscaping, signage and lighting.				
3.	The Applicant shall submit a new Report of Waste Discharge to the Regional Water Quality Control Board if the project will result in any changes in the character and/or location of discharge of wastewater from the current pistachio processing facility onto farmland.				
4.	All Conditions of Conditional Use Permit No. 3505 shall remain in full force and effect except where superseded by this application.				

\*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.	<p>This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period in excess of two years.</p>
2.	<p>Construction plans, building permits and inspections will be required for all improvements on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for plans, permits and inspections.</p>
3.	<p>To address site development impacts resulting from the project, the Site Plan Review Unit of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"> <li>• Any proposed gate that provides initial access to this site shall be set back from the edge of the road right-of-way a minimum of 20 feet or the length of the longest vehicle to enter the site, whichever is greater.</li> <li>• Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width.</li> <li>• If only the driveway is to be paved, the first 100 feet of the edge of the ultimate right-of-way shall be concrete or asphalt.</li> <li>• Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and shall require submittal of landscape and irrigation plans for approval to the Department of Public Works and Planning, Site Plan Review (SPR) unit.</li> <li>• All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.</li> <li>• A dust palliative shall be required on all parking and circulation areas</li> </ul> <p><b>Note:</b> These requirements will be addressed through Site Plan Review.</p>
4.	<p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• An Underground Storage Tank Removal Permit shall be obtained for any underground storage tank(s) if found during construction.</li> <li>• Pursuant to the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers, the owner/operator may require obtaining a permit from the California Department of Resources Recycling and Recovery (CalRecycle).</li> <li>• All abandoned water wells on the property shall be properly destroyed under permits and inspections from the Health Department.</li> </ul>

**Notes**

<ul style="list-style-type: none"> <li>• The location of the on-site sewage disposal area shall be identified and cordoned off to prevent truck trailer traffic from driving over, causing damage and possible failure of the septic system.</li> <li>• All construction-related noise shall adhere to the Fresno County Noise Ordinance.</li> </ul>	
<p>5. 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 subject application, plans shall be submitted to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD. In addition, the property shall be annexed into Community Facilities District (CFD) No. 2010-01 of FCFPD.</p>	
<p>6. To address site development impact resulting from the project, the Development Engineering Section of Fresno County requires the following:</p> <ul style="list-style-type: none"> <li>• An updated Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.</li> <li>• A grading permit or voucher shall be required for any grading proposed with this application.</li> <li>• Any work done within the right-of-way to connect a new driveway or improve an existing driveway shall require an encroachment permit from the Road Maintenance and Operations Division.</li> <li>• A 10-foot by 10-foot corner cutoff shall be improved for sight distance purposes at the exiting driveways onto Westlawn Avenue.</li> </ul>	
<p>7. The project shall require an Authority to Construct (ATC) permit from the San Joaquin Valley Air Pollution Control District and be subject to District Regulation VIII (Fugitive PM10 Prohibitions), 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).</p>	