



County of Fresno

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

June 29, 2020

Josh & Allison Verburg
2588 S. Brawley
Fresno CA 93756

Dear Applicant:

Subject: Resolution No. 12820 - Initial Study Application No. 7759 and Unclassified
Conditional Use Permit Application No. 3664

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

DATE: June 11, 2020
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12820 - INITIAL STUDY APPLICATION NO. 7759 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3664

APPLICANT/
OWNER: Josh & Allison Verburg

REQUEST: Allow a high-intensity park with related improvements for weddings and other venues appropriate and incidental to parks on a 2.13-acre portion of a 19.55-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. Brawley Avenue approximately 660 feet south of its intersection with W. Annadale Avenue and 2.5 miles west of the nearest city limits of the City of Fresno (2588 S. Brawley Avenue, Fresno) (SUP. DIST. 1) (APN 327-140-64).

PLANNING COMMISSION ACTION:

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

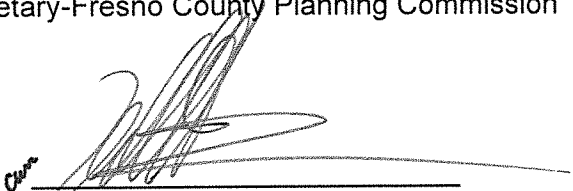
A motion was made by Commissioner Woolf and seconded by Commissioner Carver to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of Fact for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3664, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12820

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Woolf, Carver, Abrahamian, Chatha, Ede, 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. 7759
Unclassified Conditional Use Permit Application No. 3664

Staff: The Fresno County Planning Commission considered the Staff Report dated June 11, 2020 and heard a summary presentation by staff.

Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- We have added landscaping to make our property attractive/pleasing for weddings and other party events.
- We have planted trees on the property where noise generated by the events could potentially impact neighboring properties.
- The nearest public school located within a school zone district is one quarter-mile from our property. We abide by spraying restrictions on farmlands we manage near the property.
- Most attendees of weddings/party events will come from the City of Fresno located 10 minutes from our property.
- We will provide security and wedding planners during events; wedding planners will ensure that event music remains within the limits established by the project.
- We may obtain Uber services (ridesharing company) for event attendees.
- We plan on opening our business by the end of the year 2020.

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

Correspondence: One letter was presented to the Planning Commission in support of the application by acknowledging the traffic and the noise associated with the project-related events.

No letters were presented to the Planning Commission in opposition to the application.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7759/Unclassified Conditional Use Permit Application No. 3664
(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.	Noise	The project-related noise levels shall adhere to the Acoustical Analysis prepared by WJV Acoustics, dated February 7, 2020, and shall not exceed the applicable County of Fresno daytime (7:00 a.m. to 10:00 p.m.) noise level standards.	Applicant	Applicant/Fresno County Dept. of Public Health, Environmental Health Division	As noted
3.	Transportation	The project proponent shall prepare a Traffic Management Plan (TMP) to show how the traffic will be handled during events. The TMP shall be reviewed and approved by the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning prior to the approval of Site Plan Review.	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.	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 require submittal of Landscape and Irrigation plans per the Governor's Drought Executive Order of 2015. The Landscape and Irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review Unit for review and approval prior to the issuance of Building Permits.				
4.	The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development.				
5.	A dust palliative shall be required on all parking and circulation areas.				

EXHIBIT B

6.	Prior to setting up any shade tent on the property, building permits shall be obtained from the Building and Safety Section of the Fresno County Department of Public Works and Planning.
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*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.	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.
2.	Plans, permits and inspections are required for all onsite proposed improvements, including shade tents. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	<p>To address site development impacts resulting from the project, a Site Plan Review is required by the Site Plan Review Unit of the Fresno County Department of Public Works and Planning, including the following:</p> <ul style="list-style-type: none"> • ADA stall(s) must be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. • ADA stalls shall be concrete or asphalt concrete paved and must be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. • A four-foot path of travel for disabled persons shall be constructed and striped in accordance with state standards. • All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. <p>Note: These requirements and those noted below in the Road Maintenance and Operations Division comments will be addressed through Site Plan Review.</p>
4.	<p>To address site development impacts resulting from the project, the Road Maintenance and Operations Division of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • Any work within the road right-of-way to construct a new driveway or improve an existing driveway shall require an encroachment permit from Fresno County Road Maintenance and Operations. • Any proposed entrance swing gates along Brawley Avenue should be set back a minimum of 20 feet from the road right-of-way of Brawley Avenue, or such other extra depth, so as to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate. • For all access driveways onto Brawley Avenue, the first 100 feet of the roadway or driveway from the public road must be paved or treated with dust palliative to minimized tracking and dust pollution to County roads.
5.	To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:

Notes

- An 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.
- A grading permit or voucher shall be required for any grading that has been done without a permit and any grading proposed with this application.
- If not already present, a 20-foot by 20-foot corner cut-off shall be improved for sight distance purposes at the existing driveway onto Brawley Avenue.

6.

To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires that demolition of existing structures shall be subject to the following requirements:

- Should the structure have an active rodent or insect infestation, the infestation shall be abated prior to remodel of the structure in order to prevent the spread of vectors to adjacent properties;
- In the process of demolition of the existing structure, if asbestos-containing materials are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted;
- If the structure was constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to remodel work, the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9, State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted; and
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

Furthermore:

- A sewage feasibility analysis/engineered septic system shall be reviewed and approved by the Fresno County Department of Public Works and Planning (FCPPP) and septic system shall be installed under permit and inspection by FCPPP.
- The Uniform Plumbing Code does not allow an impervious surface over the area of the drain field for an individual sewage disposal system. 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 a possible evaporation or sewer effluent.
- The location of the onsite sewage disposal area shall be identified and cordoned off to prevent vehicle traffic from driving over, causing damage and possible failure of the septic system.
- The Applicant should consider having the existing septic tank pumped and have the tank and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.
- The food and beverages shall be provided by a caterer permitted by the Fresno County Department of Public Health, Environmental Health Division. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- In the future, if food is proposed to be prepared at the project site, then the Applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.

7.

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

Notes	
	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 annex to Community Facilities District (CFD) No. 2010-01 of FCFPD.
8.	Fresno Irrigation District's Lower Dry Creek No. 77 runs southwesterly, and crosses Blythe Avenue approximately 3,300 feet northwest of the subject property. Plans for any street and/or utility improvements along Blythe Avenue, Annadale Avenue, or in the vicinity of the canal, shall require FID's review and approval.
9.	Fresno Irrigation District's Fanning No. 76 runs southwesterly, and crosses Brawley Avenue approximately 1,900 feet north of the subject property. Plans for any street and/or utility improvements along Brawley Avenue or in the vicinity of this pipeline shall require FID's review and approval.
10.	Fresno Irrigation District's Fresno Colony No. 24 runs westerly, and crosses Valentine Avenue approximately 2,800 feet southeast of the subject property. Plans for any street and/or utility improvements along Valentine Avenue or in the vicinity of this canal shall require FID's review and approval.
11.	Privately-owned canals Arnett No. 248 and Levitt No. 282, that run near the project site, are active canals and shall be treated as such.

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