



# County of Fresno

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

June 29, 2020

Pilot Travel Centers LLC  
5508 Lonas Road  
Knoxville TN 37909

Dear Applicant:

Subject: Resolution No. 12823 – Unclassified Conditional Use Permit Application No. 3674

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 [tkobayashi@fresnocountyca.gov](mailto:tkobayashi@fresnocountyca.gov) or 559-600-4224.

Sincerely,

Thomas Kobayashi, 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. 12823 - UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3674

APPLICANT: Pilot Travel Centers LLC

OWNER: Interstate 5 Travel Center, Inc.

REQUEST: Amend Unclassified Conditional Use Permit Application No. 3028 and master plan for the Interstate Freeway Commercial Development to allow expansion of a travel center on a 38.01-acre parcel in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located at the southwest corner of Interstate 5 and State Route 269 (Lassen Avenue), approximately eight miles southeast of the nearest city limits of the City of Coalinga (44779 South Lassen Avenue, Huron, CA) (Sup. Dist. 4) (APN 085-130-26S).

### PLANNING COMMISSION ACTION:

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

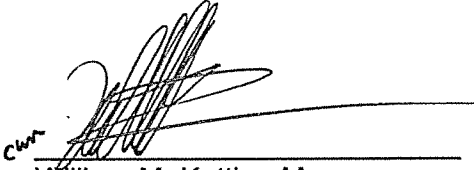
A motion was made by Commissioner Chatha and seconded by Commissioner Ede to adopt the Addendum prepared for Initial Study (IS) Application No. 4795, adopt the recommended Findings of Fact for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3674, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12823

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Chatha, Ede, Abrahamian, Carver, Eubanks and Woolf
	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:   
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 William M. Kettler, Manager  
 Development Services and Capital Projects Division

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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

Unclassified Conditional Use Permit Application No. 3674

- 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 are pleased to see staff's recommendation for approval and are in agreement with the listed Mitigation Measures, Conditions of Approval and Project Notes associated with the project.
  - There is another commercial travel center development located several miles south across the County line in Kings County.
- 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  
Unclassified Conditional Use Permit Application No. 3674  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
4.	Cultural Resources	Forty-Eight (48) hours prior to any ground-disturbing activities within the Area of Potential Effect (APE), such as digging, trenching, or grading, the Applicant shall notify all tribes that participated in consultation of the opportunity to have a certified Native American Monitor be present during ground-disturbing activities. Notification shall be by email to the following person: Shana Powers, Santa Rosa Rancheria Tachi Yokut Tribe, at <a href="mailto:spowers@tachi-yokut-nsn.gov">spowers@tachi-yokut-nsn.gov</a>	Applicant	Applicant/Department of Public Works and Planning (PW&P)	During ground-disturbing activities
5.	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 shall be in substantial compliance with the Master Plan, floor plans, and elevations approved by the Commission				
2.	A Site Plan Review (SPR) Application shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance prior to issuance of Building Permits. Items to be addressed under the SPR may include, but are not limited to, design of parking and circulation, driveway access, grading and drainage, fire protection, and lighting.				
3.	All Mitigation Measures, Conditions of Approval, and Project Notes for all previous project approvals at this site shall be implemented if not already in place.				

\*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.	Plan submittal is required for all proposed structures and expansions.
2.	Typically, any existing or proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards. Stalls should be 18 feet by 9 feet and backing distances must be a minimum of 29 feet for 90-degree parking stalls. Also, five 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.
3.	Typically, any access driveway should be set back a minimum of 10 feet from the property line.
4.	Typically, any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or length of the longest truck entering the site and shall not swing outward.
5.	Typically, for unpaved or gravel surface access roads, the first 100 feet off the edge of the road right-of-way line must be graded and asphalt concrete paved or treated with a dust palliative.
6.	A grading permit or voucher is required for any grading proposed with this application.
7.	No new access to State Route 269 (South Lassen Avenue) will be allowed.
8.	According to FEMA FIRM Panel 2450H, the northern tip of the subject property is located in the Special Flood Hazard Area. Any development within the area identified as Flood Zone A, shall conform to provisions established in the Fresno County Ordinance Code, Title 15, Chapter 15.48 Flood Hazard Areas. Typically, any associated electrical equipment/electrical system components shall be above the Base Flood Elevation (BFE). No net import or fill shall be allowed within the flood zone.
9.	An intermittent stream may be present within the subject parcel based on the contour lines shown in the U.S.G.S. Quad Map. Typically, any development within or near a stream will require clearance from the State Department of Fish and Game.
10.	Typically, any additional runoff generated by the proposed development of this site cannot be drained across property lines or into the road right-of-way and must be retained on-site per County standards.
11.	Typically, 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 engineered grading and drainage plan required. However, according to the site plan, additional impervious surface appears to be created. Therefore, a grading and drainage plan or calculations may be required to verify the new drainage patterns and the adequacy of the existing basin.
12.	Prior to issuance of building permits, if there are any modifications/changes made to the interior of the existing food facilities, 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.

**Notes**

13.	<p>Should the project involve any modifications to the existing restroom facilities, then the operator is advised that a food facility must have a functioning restroom facility at all times for the employees. Since the food facility conducts food preparation, then a restroom trailer is required. The restroom trailer must be equipped with hot/cold running water and a toilet capable of flushing. Porta-potty type restrooms are not acceptable for facilities with unpackaged food or food preparation activities.</p>
14.	<p>In addition, the remodel activities must be conducted in such a manner as to not contaminate any food product, or food contact surfaces if the applicant is proposing to conduct construction activities during operational hours. The applicant's contractor shall take all necessary measures to ensure contamination does not occur, or the facility will be required to be closed until the remodel is complete or remodel activities occur strictly during off hours.</p>
15.	<p>The Applicant should contact their local Fire Authority concerning construction and installation requirements for aboveground fuel storage tanks.</p>
16.	<p>Within 30 days of the occurrence of any of the following events that applicant/operators shall update their Hazardous Materials Business Plan and site map:</p> <ol style="list-style-type: none"> <li>1. There is a 100% or more increase in the quantities or a previously disclosed material;</li> <li>2. The facility begins handling a previously undisclosed material at or above the Hazardous Materials Business Plan threshold amounts.</li> </ol> <p>The business shall certify that a review of the business plan has been conducted at least once every three years and that any necessary changes were made and that the changes were submitted to the local agency.</p>
17.	<p>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.</p>
18.	<p>The proposed construction and commercial project(s) have the potential to expose nearby residents to short-term elevated noise levels. Consideration should be given to the County of Fresno Noise Ordinance Code.</p>
19.	<p>The site is surrounded by agricultural operations, the applicant needs to acknowledge the Right to Farm ordinance to protect customers and staff from ongoing agricultural operations. Fresno County Right-to-Farm Notice: "It is the declared policy of Fresno County to preserve, protect, and encourage the development of its agricultural land and industries for the production of food and other agricultural products. Residence of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years."</p>
20.	<p>Per District Rule 9510 (Indirect Source Review) Section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the project. Therefore, the project proponent is required to obtain a District Authority to Construct prior to installation of equipment that controls or may emit air contaminants, including but not limited to emergency internal combustion engines, boilers, and baghouses.</p>

**Notes**

21.	The proposed project may be subject to District Rules and Regulations, including Regulation VIII (Fugitive PM10 Prohibitions), rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, 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).
22.	The application 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 for review. It is the applicant's responsibility to deliver a minimum of three sets of the plans to the FCFPD.
23.	Project/Development including Single-Family Residential (SFR) property of three or more lots, Multi-Family Residential (MFR) property, Commercial property, Industrial property, and/or Office property shall annex into the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.
24.	Project/Development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.