



County of Fresno

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

February 28, 2020

Zumwalt Construction
5520 E. Lamona
Fresno CA 93727

Dear Applicant:

Subject: Resolution No. 12811 - Initial Study Application No. 7645 and Classified
Conditional Use Permit Application No. 3652

On January 9, 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 Classified 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 (Resolution)



Inter Office Memo

DATE: January 9, 2020

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12811 - INITIAL STUDY APPLICATION NO. 7645 and CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3652

APPLICANT: Zumwalt Construction

OWNER: O'Neill Vintners & Distillers

REQUEST: Allow a 6,952 square-foot office building, the expansion and renovation of an existing parking lot, and new carport structures with roof-mounted solar panels on a 2.87-acre portion of a 46.36-acre parcel for an existing winery in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northwest corner of E. Parlier and S. Lac Jac Avenues, approximately 1.2 miles west of the nearest city limits of the City of Reedley (8435 S. Lac Jac Avenue, Parlier) (SUP. DIST. 4) (APN 363-051-20).

PLANNING COMMISSION ACTION:

At its hearing of January 9, 2020, the Commission considered the Staff Report and testimony (summarized in Exhibit A).


A motion was made by Commissioner Hill and seconded by Vice Chair Lawson 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 Classified Conditional Use Permit No. 3652, subject to the Conditions listed in Exhibit B, including modification to the operational statement to change the operational hours of the administrative office from 6:00 a.m. to 6:00 p.m., seven days per week.

RESOLUTION # 12811

This motion passed on the following vote:

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

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

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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 Classified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7645
Classified Conditional Use Permit Application No. 3652

Staff: The Fresno County Planning Commission considered the Staff Report dated January 9, 2020 and heard a summary presentation by staff.

Applicant: The owner'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 agree with the recommended conditions of approval in the staff report.
- The project proposes 206 onsite parking spaces; employees from the office in Reedley will move to this building.
- Our administrative office currently operates from 8 a.m. to 5 p.m.
- We request that the current operating hours of the administrative office, as noted in the Operational Statement, be changed to 6:00 a.m. to 6:00 p.m., seven days per week.

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. 7645/Classified Conditional Use Permit Application No. 3652
(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 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 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	As noted
3.	Energy	The idling of onsite vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.	Applicant	Applicant	During construction
4.	Hazards and Hazardous Materials	If buildings or other structures are to be demolished on any project sites included in the proposed project, prior to the issuance of building permits, surveys shall be conducted for the presence of lead-based paints or products, mercury, asbestos-containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals shall be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings shall be conducted in accordance with DTSC's 2006 Interim Guidance Evaluation of School Sites with Potential	Applicant	Applicant/Dept. of Toxic Substances Control (DTSC)	As noted

EXHIBIT B

		Contamination from Lead-Based Paint, Termiticides, and Electrical Transformers (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf).			
5.	Hazards and Hazardous Materials	If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, prior to the issuance of building permits, proper sampling shall be conducted to ensure that the imported soil is free of contamination and the imported materials be characterized according to DTSC's 2001 Information Advisory Clean Imported Fill Material (https://rfs-env.berkeley.edu/sites/default/files/dtscsmp_fs_cleanfill-schools.pdf).	Applicant	Applicant/DTSC	As noted
6.	Hazards and Hazardous Materials	If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, prior to issuance of building permits, the current and former agricultural lands shall be evaluated in accordance with DTSC's 2008 Interim Guidance for Sampling Agricultural Properties (Third Revision) (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf)	Applicant	Applicant/DTSC	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.				

*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 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.

Notes

2.	Plans, permits and inspections are required for all onsite improvements. 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, 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"> • Per Section 855 E 3.a. of the Fresno County Zoning Ordinance, the required front yard shall be landscaped with appropriate materials and be maintained. • 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 (MWEL0) 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 (SPR) unit for review and approval prior to the issuance of Building Permits. • The driveway shall be a minimum of 24 feet and a maximum of 35 feet in width as approved by the Road Maintenance and Operations Division. • If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate right-of-way shall be concrete or asphalt. • All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. • A dust palliative shall be required on all unpaved parking and circulation areas. <p>Note: These requirements will be addressed through Site Plan Review.</p>
4.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan and a grading permit shall be required for any grading proposed with this application. • Any existing or proposed entrance gate shall be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward. • If not already present, 30-foot by 30-foot corner cutoffs shall be provided at the intersection of Parlier Avenue and Lac Jac Avenue for sight distance purposes.
5.	An encroachment permit shall be obtained from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning prior to any work being performed in the County road right-of-way. The existing curb and a fence shall be removed outside of the ultimate right-of-way for Parlier and Lac Jac Avenues.
6.	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 must 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 annex to Community Facilities District (CFD) No. 2010-01 of FCFPD.
7.	To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:

Notes

- Within 30 days of the occurrence of any of the following events, the Applicant/operators shall update their online Hazardous Materials Business Plan and site map: 1) there is a 100% or more increase in the quantities of a previously-disclosed material; 2) the facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts.
- All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, and an Underground Storage Tank Removal Permit shall be obtained to remove any underground storage tank.
- Should the demolition of the existing structures have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structures, and if asbestos-containing materials are encountered, the San Joaquin Valley Air Pollution Control District shall be contacted.
- If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or remodel, 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.
- Any construction materials deemed hazardous as identified in the demolition process shall be disposed of in accordance with current federal, state, and local requirements.
- In an effort to protect groundwater, all abandoned water wells on the parcel shall be properly destroyed by an appropriately-licensed contractor; prior to destruction of agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil; should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction; and the "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.
- A sewage disposal system shall be installed for the office building under permit and inspection by the Department of Public Works and Planning, Building and Safety Section.
- The location of the onsite sewage disposal area shall be identified and cordoned off to prevent traffic from driving over, causing damage and possible failure of the septic system
- Noise related to construction shall adhere to the Fresno County Noise Ordinance.

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