



County of Fresno

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

September 30, 2019

Troy Turner
1175 Shaw Avenue #247
Clovis CA 93612

Dear Applicant:

Subject: Resolution No. 12797 - Initial Study Application No. 7602 and Classified
Conditional Use Permit Application No. 3640

On September 12, 2019, 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 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

DATE: September 12, 2019
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12797 - INITIAL STUDY APPLICATION NO. 7602 and
CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3640

APPLICANT/
OWNER: Troy Turner

REQUEST: Allow retail liquefied petroleum gas distribution and storage on a 5.54-acre parcel 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. Belmont Avenue and N. McCall Avenue, approximately 2.9 miles east of the nearest city limits of the City of Fresno (9886 E. Belmont Avenue, Sanger, CA) (Sup. Dist. 5) (APN 309-290-37).

PLANNING COMMISSION ACTION:

At its hearing of September 12, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

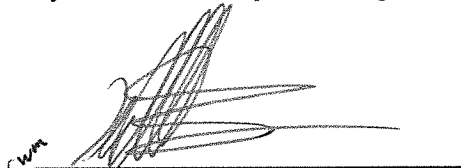
A motion was made by Commissioner Vallis and seconded by Commissioner Chatha to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of Fact for approval of a Conditional Use Permit, and approve Classified Conditional Use Permit No. 3640, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12797

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Vallis, Chatha, Abrahamian, Delahay, Ede, Hill and Lawson
	No:	None
	Absent:	Commissioners Burgess and Eubanks
	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 Classified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7602
Classified Conditional Use Permit Application No. 3640

- Staff: The Fresno County Planning Commission considered the Staff Report dated September 12, 2019, 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:
- The proposed operation will have a 1,000-gallon tank and is intended to refill propane tanks for barbeques and trailers.
 - The operation will be manned by the Applicant and a business partner.
- Others: One person spoke in opposition of the proposed application raising concerns about the possible development of the entire 5.54-acre parcel with a propane business and the availability of emergency services in case of a propane gas leak.
- Correspondence: One letter of support with five signatures was received and presented to the Commission.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7602 and Classified Conditional Use Permit Application No. 3640
(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 public roads or surrounding property.	Applicant	Applicant/Department of Public Works and Planning (PW&P)	Ongoing
2.	Cultural Resources and 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
3.	Energy	The idling of onsite vehicles and equipment shall be avoided to the most possible extent to avoid wasteful or inefficient energy consumption during the construction of the project.	Applicant	Applicant/PW&P	During ground-disturbing activities
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Elevations, and Operational Statement 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.				

*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.	Any work done within the 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.
2.	All proposed signs shall be submitted to the Department of Public Works, Permits Counter to verify compliance with the Zoning Ordinance.
3.	Plans, permits, and inspections will be required for onsite improvements.
4.	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 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.
5.	Project Development: 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 Community Facilities District No. 2010-01 of FCFPD.
6.	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.
7.	Typically, in an Arterial classification, if not already present, onsite turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back out onto the roadway. Direct access to an Arterial road is usually limited to one common point. No new access points are allowed without prior approval, and any existing driveway shall be utilized.
8.	Typically, any existing or proposed entrance gate should 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.
9.	If not already present, 30-foot by 30-foot corner cutoffs should be improved for sight distance purposes at the intersection of Belmont Avenue and McCall Avenue.
10.	A grading permit is required.
11.	An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.
12.	Both Belmont and McCall are classified as Arterial roads requiring an ultimate right-of-way of 106 feet, 53 feet on each side of the section line. Currently both rights-of-way are 60 feet wide, 30 feet on each side of the section line. Ultimately, an additional 23 feet of road right-of-way will be required across the parcel frontage. A 30-foot by 30-foot corner cutoff will also be required for the ultimate right-of-way widths. Setbacks to any structure should be based upon these ultimate right-of-way lines.

Notes

13.	<p>As public traffic will be accessing the tank site, it is recommended that one of the entrances be paved all the way to the tank site and parking area. The drive approach being utilized for truck traffic should be widened and improved to accommodate the truck traffic. Once the access to the tank site splits off from the driveway, the remainder of the access could be surfaced with all-weather materials. However, if that access is utilized for public traffic, then it should also be paved to the tank site.</p>
14.	<p>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.</p>
15.	<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 waste.</p>