



County of Fresno

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

November 16, 2018

Pacific Agriculture Rentals
4 Harris Road
Salinas CA 93908

Dear Applicant:

Subject: Resolution No. 12745 - Initial Study Application No. 7458 and Classified
Conditional Use Permit Application No. 3613

On October 25, 2018, the Fresno County Planning Commission approved your Classified Conditional Use Permit 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 dacrider@fresnocountyca.gov or 559-600-9669.

Sincerely,

Danielle Crider, Planner
Development Services and Capital Projects Division

DTC:ksn
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3613\RESOLUTION\CUP 3613 Reso.docx

Enclosure



Inter Office Memo

DATE: October 25, 2018
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12745 - INITIAL STUDY APPLICATION NO. 7458 and
CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3613

APPLICANT/
OWNER:

Pacific Agriculture Rentals

REQUEST:

Allow an operations facility for the sale, rental, leasing, and maintenance of farm equipment with two structures totaling 9,983 square feet and two above-ground storage tanks totaling 3,000 gallons of diesel fuel storage on an 8.78-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION:

The project site is located on the south side of West Mount Whitney Avenue, on the southwest corner of its intersection with South Goldenrod Avenue, approximately 13.5 miles southwest of the nearest city limits of the City of San Joaquin (14093 W. Mt. Whitney Avenue) (APN 050-140-43S) (Sup. Dist. 4).

PLANNING COMMISSION ACTION:

At its hearing of October 25, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).


A motion was made by Commissioner Lawson and seconded by Commissioner Chatha 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. 3613, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12745

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Lawson, Chatha, Abrahamian, Burgess, Delahay, Ede, Eubanks and Vallis
	No:	None
	Absent:	Commissioner Hill
	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
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3613\RESOLUTION\CUP 3613 Reso.docx

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. 7458
Classified Conditional Use Permit Application No. 3613

Staff: The Fresno County Planning Commission considered the Staff Report dated October 25, 2018, and heard a summary presentation by staff.

Applicant: The Applicant and their representative concurred with the Staff Report and the recommended Conditions. They offered the following information to clarify the intended use:

- I am pursuing this Conditional Use Permit because I could not acquire building permits for the proposed maintenance building without it.
- I am installing a new fire water storage tank, but there will not be fire sprinklers in the proposed maintenance building.
- The subject property is currently used for equipment rental and maintenance.

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.

DTC:ksn
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3613\RESOLUTION\CUP 3613 Reso.docx

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7458/Classified Conditional Use Permit Application No. 3613
(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 upward or toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	During construction and operation
2.	Biological Resources	A qualified biologist shall conduct a survey for nesting raptors prior to the onset of construction activities, following the survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000). If ground-disturbing activities take place between February 1 and September 15, a pre-construction survey for active nests must be conducted by a qualified biologist no more than 10 days prior to the onset of these ground-disturbing activities.	Applicant	Applicant/PW&P	Prior to construction and decommissioning
3.	Biological Resources	If an active SWHA nest is found, no construction may take place within a one half-mile of the nest until the end of breeding season (September 15) or until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival. If this is not feasible, the Applicant shall consult with the California Department of Fish and Wildlife (CDFW) to determine if the project can avoid take. If SWHA cannot be avoided, acquisition of an Incidental Take Permit (ITP) could be warranted.	Applicant	Applicant/PW&P	Prior to construction through the completion of decommissioning activities
4.	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

EXHIBIT B

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Elevation, and Operational Statement approved by the Commission.
2.	Any proposed 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.
3.	A spill prevention control and countermeasure plan (SPCC) is required for aboveground petroleum storage tanks with greater than or equal to 1320 gallons of storage capacity. (Storage capacity means the aggregate capacity of all aboveground tanks and containers at a tank facility.)
4.	Permits must be obtained from the Department of Public Works and Planning for any unpermitted structures prior to the granting of final occupancy. The presence of any unpermitted structures will be determined during inspection.

*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.	Plans, permits and inspections are required for all on-site improvements.
2.	According to FEMA, FIRM Panel 2850J, portions of the subject parcel are in Zone A, which is subject to flooding from the 100-year storm. If any development is within the area identified as Zone A, it must comply with the County Flood Hazard Ordinance (Title 15.48).
3.	Internal access roads shall comply with required widths by the Fire District for emergency apparatus. Additionally, plan approval from the Fire District will be required prior to the acquisition of permits.
4.	A dust palliative shall be required on all parking and circulation areas.
5.	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. 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.
6.	The Applicant should contact the local Fire Authority concerning construction and installation requirements for aboveground storage tanks.
7.	The Applicant should be advised of the State of California Public Resources Code, Division 30 - Waste Management: Chapter 16 - Waste Tires, and Chapter 19 - Tire Hauler Registration, which may require the Owner/Operator to obtain a permit from the

	California Department of Resources Recycling and Recovery (CalRecycle). Contact the Local Waste Tire Enforcement Unit, Fresno County Department of Public Health, Environmental Health Division at (559) 600-3271 for additional information.
8.	The use shall comply with the Noise Element of the Fresno County General Plan and Fresno County Noise Ordinance.
9.	Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.
10.	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.
11.	Westlands Water District (District) Project Notes: <ul style="list-style-type: none"> • The District's distribution system is not present on the Project site. • The District recommends that Underground Service Alert be notified prior to construction for verification. • If the Applicant's water usage is expected to exceed their annual water allocation, the Applicant must submit a supplemental Municipal and Industrial Water Application to the District. • The Applicant must comply with the District's Backflow Prevention guidelines for this connection to the water system.
12.	This permit will become void unless there has been substantial development within two years of the effective date of approval.

DTC:ksn

G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3600-3699\3613\RESOLUTION\CUP 3613 MMRP (Ex B).docx