



Inter Office Memo

DATE: October 26, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12677 - UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NOS. 3586 and 3587

APPLICANT: Great Valley Solar 4, LLC

OWNER: Westlands Water District

REQUEST: Amend Unclassified Conditional Use Permit (UCUP) Nos. 3452 and 3453 for the Great Valley Solar 4 Project, formerly RE Tranquillity 2 and 3 LLC, by removing parcels APN 038-320-02T, 038-320-29ST, 038-320-37ST, and 038-320-38ST from the project boundaries, resulting in a total reduction of project area by 120 acres, in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The Project sites are located approximately seven miles southwest of the community of Tranquillity, 5.5 miles east of Interstate 5, and five miles north of the community of Three Rocks; are comprised of approximately 323.5 acres in western unincorporated Fresno County, and encompass 12 parcels located south of West Manning, north of West Nebraska Avenue, east of South San Bernardino Avenue, and west of South San Benito Avenue. (SUP. DIST. 1)

PLANNING COMMISSION ACTION:

At its hearing of October 26, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Lawson to adopt the recommended Findings of Fact in the Staff Report, and approve Unclassified Conditional Use Permit Application Nos. 3586 and 3587, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Lawson, Borba, Chatha, Delahay, Ede, Eubanks and Woolf
	No:	None
	Absent:	Commisisoner Vallis
	Abstain:	None

STEVEN E. WHITE, DIRECTOR
 Department of Public Works and Planning
 Secretary-Fresno County Planning Commission

By:
 W.M.K.
 Chatter



William M. Kettler, Manager
 Development Services Division

WMK:ksn
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- NOTE:
1. The Commission's action is final unless an appeal is filed with the Clerk to the Board of Supervisors within 15 days of the Planning Commission's action.
 2. 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 Unclassified Conditional Use Permit.

Attachments

EXHIBIT A

Unclassified Conditional Use Permit Application Nos. 3586 and 3587

Staff: The Fresno County Planning Commission considered the Staff Report dated October 26, 2017, and heard a summary presentation by staff.

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

- The project is substantially complete and Great Valley Solar 4 is about to energize the project.
- This request is only to remove land from the boundaries of the project on which development is no longer planned.
- The Mitigation Monitoring and Reporting Program for Environmental Impact Report No. 6730 is being followed.

Opposition: An individual, representing the Dumna Wo Wah Tribal Government, spoke against the approval of the application. He offered information on the Tribal Cultural Resources consultation process and stated that the Tribe did not receive a notice of the opportunity to consult on this project.

Note: Staff clarified, this proposal was not subject to consultation as it was exempt from review under California Environmental Quality Act Section 15162.

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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**Unclassified Conditional Use Permit No. 3586
Conditions of Approval**

Conditions of Approval	
1.	Development shall be in substantial compliance with the site plan, elevations, and revised Operational Statement as approved by the Planning Commission.
2.	All prior Mitigation Measures, Conditions of Approval, and Project Notes applicable to UCUP No. 3452 shall remain in full force and effect for the subject project boundary modification.

**Unclassified Conditional Use Permit No. 3587
Conditions of Approval**

Conditions of Approval	
1.	Development shall be in substantial compliance with the site plan, elevations, and revised Operational Statement as approved by the Planning Commission.
2.	All prior Mitigation Measures, Conditions of Approval, and Project Notes applicable to UCUP No. 3453 shall remain in full force and effect for the subject project boundary modification.

Conditions of Approval reference required Conditions for the project.

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County of Fresno

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

November 13, 2017

Great Valley Solar 4, LLC
488 Eighth Avenue
San Diego CA 92101

Dear Applicant:

Subject: Resolution No. 12677 – Unclassified Conditional Use Permit Application Nos. 3586 and 3587

On October 26, 2017, the Fresno County Planning Commission approved your Unclassified 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 Unclassified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at mmollring@co.fresno.ca.us or 559-600-4569.

Sincerely,

Marianne Mollring, Senior Planner
Development Services Division

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Enclosure