



Inter Office Memo

DATE: January 26, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12623 - INITIAL STUDY APPLICATION NO. 7169 and
CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3534

APPLICANT: Associated Design & Engineering

OWNER: CalWest Rain

REQUEST: Allow the expansion of an existing agricultural pump and irrigation sales facility on a 16.45-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the southwestern corner of the intersection of North Madera Avenue (SR 145) and West Shaw Avenue, approximately 4.6 miles north of the city limits of the City of Kerman (4865 N. Madera Avenue, Kerman, CA 93630) (Sup. Dist. 1) (APN 015-340-81).

PLANNING COMMISSION ACTION:

At its hearing of January 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 Chatha to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings for approval of a Conditional Use Permit, and approve Classified Conditional Use Permit No. 3534, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12623

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Chatha, Borba, Eubanks, Hill, Lawson, Mendes, and Pagel
	No:	None
	Absent:	None
	Abstain:	None
	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 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. 7169
Classified Conditional Use Permit Application No. 3534

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

Applicant: The Applicant'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:

- CalWest Rain has recently acquired the deed to this parcel, which gives them the opportunity to build permanent facilities.
- The parcel map, which will create a separate legal parcel around the existing homesite has been filed, deemed complete, and is ready to record.
- There is no change to the number of employees.
- All of the existing improvements, except for one building, will be demolished as part of the improvements proposed with this Conditional Use Permit.

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
Conditional Use Permit Application No. 3434
(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 as not to shine toward adjacent properties and public streets.	Applicant	County of Fresno Department of Public Works and Planning	Ongoing
*2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	County of Fresno Department of Public Works and Planning	During all ground-disturbing activities
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations and Operational Statement approved by the Commission.				
2.	Prior to occupancy, 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, on-site grading and drainage, fire protection, landscaping, signage and lighting.				

EXHIBIT B

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference recommended 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.	All Conditions of Approval for any previous applications shall be implemented, if not already place.
2.	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.
3.	A grading permit or voucher is required for any grading proposed with this application.

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4.	FID's active Herndon No. 39 Canal runs westerly along the north side of Shaw Avenue and crosses Madera Avenue approximately 70 feet north of the subject property. FID's active H-1 No. 63 Pipeline crosses Shaw Avenue and runs westerly along the south side of Shaw Avenue approximately 30 feet west of the subject property. Should this project include any improvements along Shaw Avenue, Madera Avenue or in the vicinity of the canal or the pipeline, FID requires it review and approve all plans.
5.	Per Assessor records, it appears that the 50-foot by 80-foot Steel Building is the only structure with building permits (Ag Exempt in 1987). There is no permit history for the other structures. The site plan for the new expansion shows that all buildings will be replaced except the 50-foot by 80-foot Steel Building and a small shed on the South side of that building. If the shed is larger than 120 square feet, it will need a permit.
6.	Any work done within the right-of-way along Shaw Avenue to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. Any work done within the right-of-way along Madera Avenue to construct a new driveway or improve an existing driveway will require an Encroachment Permit from Caltrans.
7.	<p>The following will be addressed as part of the Site Plan Review Process:</p> <ul style="list-style-type: none"> • An asphalt concrete driveway approach 24 to 35 feet in width should be provided where the access road ties into the public road serving this site. If just the driveway is to be paved, the driveway should be concrete or asphalt concrete paved a minimum width of 24 feet for the first 100 feet off the edge of the road right-of-way. • Parking spaces should be a minimum of 9 feet by 18 feet with 29 feet of clear backing. Two feet of overhang can be "credited" to the 18-foot depth if it overhangs landscaping strips and walkways, provided the walkways have a minimum of 4 feet clear walking area if utilized for disabled access. All parking spaces for the physically disabled shall be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. The required parking for the physically disabled shall be shown on the Grading and Drainage Plan. • A dust palliative should be required for all parking and circulation areas not paved to prevent the creation of dust by vehicles. Forty-five degree (45°) corner cut-offs shall be maintained to allow clear visual view of vehicular traffic accessing the County right-of-way. • The gate(s) that provide(s) initial access to the site should be set back a minimum of 20 feet (or the length of the longest vehicle to initially enter the site, whichever is greater) from the edge of the ultimate right-of-way. • Site Plan Review Section: The Applicant should consult with the Fire District to incorporate all the requirements mandated by the Fire District for fire safety apparatuses in the site layout, <i>i.e.</i>, on-site road widths, points of entry, water suppression requirements, etc. • Should landscape area(s) total 500 square feet or more, Landscaping plans shall be designed by a Landscape Architect, or licensed landscaping contractor. The irrigation system shall be designed by a certified irrigation designer or other licensed or certified professional in a related field in accordance with Fresno County Standards. • All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are not allowed for commercial uses in the AE-20 Zone District.
8.	<p>San Joaquin Valley Air Pollution Control District Requirements:</p> <ul style="list-style-type: none"> • For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the Air District

Notes

	<p>a summary report of the construction start and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the Air District a summary report of the construction start and end dates within 30-days of the end of each phase of construction.</p> <ul style="list-style-type: none">• For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.• For each project phase, the Applicant shall maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.
9.	<p>Hazardous Materials Requirements:</p> <p>Department of Public Health, Environmental Health Division: 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 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> <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>
10.	<p>State Water Resources Control Board Requirements:</p> <ul style="list-style-type: none">• The CalWest Rain facility must be permitted by the State Water Resources Control Board's Division of Drinking Water (SWRCB-DDW) as a public water system. SWRCB-DDW must also review the plans for any proposed well construction and water distribution system prior to construction. A Domestic Water Supply permit application shall be submitted to SWRCB-DDW (Fresno District) prior to Site Plan Review approval. All of the permit application forms may be obtained from the SWRCB office.• An assessment of the Technical, Managerial and Financial (TMF) capacity of the proposed water system must be completed and submitted to the Division with the permit application.• The location of the well must be shown on the site plan prior to approval of the Site Plan Review. The Applicant must be able to document the construction features of the well by submittal of the Well Completion Report or Well Driller's Report. Specific requirements for the well may be obtained by the SWRCB office.• The Applicant shall conduct water quality testing of the proposed wells in accordance with the requirements for a nontransient noncommunity water system. Where water quality standards are not met, treatment or an alternative solution must be proposed.



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

February 15, 2017

Associated Design & Engineering
351 W. Cromwell #108
Fresno CA 93711

Dear Applicant:

Subject: Resolution No. 12623 - Initial Study Application No. 7169 and Classified
Conditional Use Permit Application No. 3534

On January 26, 2017, 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 cmorfette@co.fresno.ca.us or 559-600-4245.

Sincerely,

Christina Monfette, Planner
Development Services Division

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Enclosure