



Inter Office Memo

DATE: January 12, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12619 - INITIAL STUDY APPLICATION NO. 7183 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3540

APPLICANT/
OWNER: Susan Hardin

REQUEST: Allow a high-intensity park to be used as a wedding and special events venue on a 17.61-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the west side of Highland Avenue between Central and American Avenues, approximately 1.8 miles northwest of the unincorporated community of Del Rey (Address: 4219 S. Highland Avenue) (Sup. Dist. 4) (APN 331-061-72)

PLANNING COMMISSION ACTION:

At its hearing of January 12, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Borba and seconded by Commissioner Pagel to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3540, subject to the Conditions listed in Exhibit B, with removal of a condition requiring an irrevocable offer of ten feet of right-of-way along the parcel frontage.

RESOLUTION NO. 12619

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Borba, Pagel, Abrahamian, Chatha, Eubanks, Lawson, Mendes, Woolf
	No:	None
	Absent:	None
	Abstain:	None

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

By: 
William M. Kettler, Manager
Development Services 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 Unclassified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7183
Unclassified Conditional Use Permit Application No. 3540

Staff: The Fresno County Planning Commission considered the Staff Report dated January 12, 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:

- The properties that are located closest to the site of the barn are owned by the Applicant's adult children.
- The Applicant is currently working to bring the building into compliance with the Building Code and Fire Code to meet the standards required for a special event venue, including installation of fire sprinklers.
- There will not be an on-site kitchen at the venue; events will utilize outside catering for food.
- Alcohol will be served at the venue, which will be done by outside bartenders licensed by the California Department of Alcoholic Beverage Control.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: Three letters in support of the application were presented to the Planning Commission as exhibits in the Staff Report.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7183 and Unclassified Conditional Use Permit Application No. 3540
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics, Lighting	All existing and future outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets or roadways.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing; for duration of project
*2.	Geology and Soils	The project shall adhere to the Sewage Feasibility Study ("Study") prepared by OST Systems, Inc. dated November 2, 2016. Adherence to the Study includes either replacement of the existing septic tank with a minimum 3,000-gallon tank or, alternatively, installation of a minimum 2,000-gallon tank in addition to the existing 1,500-gallon tank as part of a two-tank configuration. Tank installation shall occur prior to the issuance of occupancy permits.	Applicant	Applicant/PW&P/ Fresno County Department of Public Health, Environmental Health Division	As noted
*3.	Transportation/Traffic	The project shall adhere to the Grace Barn Traffic Management Plan as submitted by the Applicant and dated September 6, 2016.	Applicant	Applicant /PW&P	Ongoing; for duration of project
Conditions of Approval					
1.	Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plan, Elevation Drawings, and Operational Statement approved by the Planning Commission.				
2.	Prior to issuance of building permits, a Site Plan Review 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. Conditions of the Site Plan Review may include, but are not limited to, design of parking and circulation, access, grading and drainage, fire protection, signage, and control of lighting.				
3.	A Covenant Running with the Land Regarding Right to Farm Notice shall be executed by the Owner/Operator and recorded with the Fresno County Recorder's Office prior to Site Plan Review approval.				
4.	The first 30 feet of driveway shall be reconstructed to better define the driveway, minimize track-out, and mitigate impacts to the existing road structural section at the edge of pavement.				
5.	The use of amplified sound and/or music for events held at the project site shall cease by 10:00pm.				

*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 Conditional Use Permit will become void unless there has been substantial development within two years of the effective date of this approval.
2.	A change of occupancy permit will be required for the barn structure. Any structural, plumbing, mechanical, and electrical modifications to the barn will also need to be reviewed and will require permits.
3.	Food and beverages served at the event venue will need to be provided by a caterer permitted by the Fresno County Department of Public Health, Environmental Health Division. Contact the Consumer Food Protection Program at (559) 600-3357 for more information. The Applicant should contact the California Alcoholic Beverage Control Department at (559) 225-6334 for information concerning service of alcohol at events.
4.	The Applicant should acknowledge the need to control weeds and rodents within the project area to prevent this project from becoming a nuisance to neighboring properties.
5.	The project/development will be subject to requirements of the current Fire Code and Building code when a building permit or certificate of occupancy is sought. The project developer should also contact the Fresno County Fire Protection District regarding Community Facilities District No. 2010-01.
6.	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.
7.	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.
8.	A grading permit or voucher may be required for this application.
9.	The ultimate right-of-way along Highland Avenue west of centerline is 30 feet. This measurement should be used as the building setback line for future development.



County of Fresno

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

January 30, 2017

Susan Hardin
4219 S. Highland
Del Rey CA 93616

Dear Applicant:

Subject: Resolution No. 12619 - Initial Study Application No. 7183 and Unclassified
Conditional Use Permit Application No. 3540

On January 12, 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 dbrannick@co.fresno.ca.us or 559-600-4297.

Sincerely,

Daniel Brannick, Planner
Development Services Division

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Enclosure