



Inter Office Memo

DATE: July 21, 2016
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12585 - INITIAL STUDY APPLICATION NO. 7062 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3521

APPLICANT/
OWNER: City of Sanger

REQUEST: Allow a moderate-intensity park on four parcels with a total area of 58 acres in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) and O (Open Space) Zone Districts.

LOCATION: The project site is located on the west side of the Kings River between Channel Road and Goodfellow Avenue, approximately 70 feet southeast of the nearest city limits of the City of Sanger (Sup. Dist. 4) (APNs 332-071-33, 32; 332-210-02T, 03).

PLANNING COMMISSION ACTION:

At its hearing of July 21, 2016, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Borba and seconded by Commissioner Woolf to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended findings of fact as stated in the Staff Report, and approve Unclassified Conditional Use Permit No. 3521, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12585

This motion passed on the following vote:

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

Initial Study Application No. 7062
Unclassified Conditional Use Permit Application No. 3521

Staff: The Fresno County Planning Commission considered the Staff Report dated July 21, 2016, and heard a summary presentation by staff. Staff also clarified that the project area is located within the City of Sanger's Sphere of Influence.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. Staff of the Applicant (City of Sanger) and the Applicant's representative (Kings River Conservancy) presented the following information to clarify the intended use:

- The Applicant has obtained necessary permits to access and build in the area of the Kings River adjacent to the proposal.
- The area below the proposed parking lot and boat launch area will be left undeveloped and fenced off.
- Staff from the City of Sanger consulted with the Fresno County Sheriff's Department in preparation for the park to ensure that it will be monitored and patrolled.
- The park would be a piece of a greater plan called the "Ribbon of Gems" that encompasses land along the Kings River.
- The access road will be fenced along its entire length, and there will be no other access points.
- The park would be operated and maintained per an agreement between the City of Sanger and the Kings River Conservancy, and the Kings River Conservancy's responsibilities under the agreement would include opening and closing the gate daily and pumping the toilets twice a year.

Others: One individual presented information in opposition to the application, stating:

- The Kings River Conservancy has problems maintaining the existing park facilities for which it is responsible – including problems with trash, cleaning and pumping restroom facilities, making sure park gates are opened and closed at appropriate times, and closing parks when they should be open.
- More work needs to be done to ensure there was proper noticing of Native American tribes pursuant to AB 52.

RESOLUTION NO. 12585

- The evaluation of potential impacts from the project on wildlife habitat in the project area is inadequate.

Correspondence: Three letters submitted by neighboring property owners were presented to the Planning Commission in opposition to the application. The letters indicated a series of concerns with the proposal, including misuse by the public, potential fire hazards, and increased graffiti and trash. No letters were submitted in support of the application.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7062 and Unclassified Conditional Use Permit Application No. 3521
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	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	Applicant/Public Works and Planning	Ongoing during construction
Conditions of Approval					
1.		Development of the property shall be in accordance with the Site Plan, Elevations, Operational Statement, and other application materials 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, lighting and right-of-way dedication.			
3.		At the time of submittal for Site Plan Review, the Applicant shall submit to the Zoning Section of the Department of Public Works and Planning a Determination of Merger for APNs 332-071-32, 33 and 332-210-03.			
4.		The Applicant/operator shall follow the recommended start-up procedures for the vault toilet as documented by the manufacturer. A high-water-level alarm shall be installed as part of the installation of the vault toilet. The level shall be checked monthly through the months of May through September and bi-monthly for the balance of the year.			
5.		Liquid hand sanitizer dispensers shall be installed on the interior wall of each toilet stall. The liquid sanitizer shall be checked monthly through the months of May through September and bi-monthly for the balance of the year.			
6.		The hours of operation shall be limited from 7:00am to sunset during the months of September through April.			

*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.	A separate mapping procedure may be required depending on the status of the parcels.
2.	An Elevation Certification, pre- and post-construction, is required for each structure when building within a flood zone. All structures and/or equipment installed within the flood zone must be elevated per the County Ordinance or flood-proofed (certification and calculations would be required).
3.	The floodway must be kept free of encroachment so that the one-percent annual chance flood can be carried out without substantial increases in flood heights, per FEMA FIRM legend. Any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance.
4.	Any work in or near the river requires written permission from the channel owner.
5.	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.
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.	30-foot by 30-foot corner cutoffs are required to be improved for sight distance at the proposed driveway onto Channel Road.
8.	The proposal will be required to comply with California Code of Regulations Title 24 – Fire Code.
9.	If approved, plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.



County of Fresno

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

August 8, 2016

City of Sanger
1700 7th Street
Sanger CA 93657

Dear Applicant:

Subject: Resolution No. 12585 - Initial Study Application No. 7062 and Unclassified
Conditional Use Permit Application No. 3521

On July 21, 2016, the Fresno County Planning Commission approved your application 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