



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 2 January 14, 2016

SUBJECT: Initial Study Application No. 7025 and Classified Conditional Use Permit Application No. 3511

Allow a commercial establishment for the processing, storage, and sale of agricultural chemicals on a 9.3-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the north side of W. Shields Avenue approximately 654 feet east of its intersection with N. Howard Avenue and 1.3 miles south of the unincorporated community of Biola (12800 W. Shields Avenue, Kerman) (Sup. Dist. 1) (APN 016-370-14S).

OWNER: Shubin Family Property Management, LP
APPLICANT: Stanislaus Farm Supply Company

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4204

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7025; and
- Approve Classified Conditional Use Permit Application No. 3511 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval, and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan/Elevation
6. Applicant's Operational Statement
7. Summary of Initial Study Application No. 7025

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	9.3 acres	No change
Project Site	Warehouses with loading docks, open pole barn, office, truck scale, restrooms, water storage tank, storm water retention basin, parking, perimeter fencing	<p>A commercial establishment for the processing, storage, and sale of agricultural chemicals on a 9.3-acre parcel in the AE-20 Zone District. The proposed facility will:</p> <ul style="list-style-type: none"> • Use existing improvements on the property in conjunction with a new 4,000 square-foot tank farm with 21 tanks for storage of liquid agricultural chemicals totaling 622,000 gallons • Blend and/or pack agricultural chemicals • Combine liquid products within a mix tank and transfer combined materials for loading or packaging into various-sized containers, intermediate bulk containers, bulk transport, or directly into implements of husbandry for field application • Allow no manufacturing of any products on site • Employ 30 workers; 10 to 12 visitors a day

Criteria	Existing	Proposed
Structural Improvements	Warehouses, open pole barn, office, restrooms, water storage tank, perimeter fencing	4,000 square-foot tank farm with twenty-one (21) tanks for storage of liquid agricultural chemicals with total storage of 622,000 gallons
Nearest Residence	Approximately 410 feet from easterly property line	No change
Surrounding Development	Field crops, vineyards, orchards, single-family residences	No change
Operational Features	Buildings and related facilities previously used for processing and storage of agricultural products	See "Project Site" above
Employees	N/A	30
Customers	N/A	10 to 12 per day
Traffic Trips	N/A	<ul style="list-style-type: none"> • Approximately 60 one-way employee trips (30 round trips) per day • Up to 20 one-way delivery truck trips (10 round trips) per day
Lighting	Exterior lighting	No change
Hours of Operation	N/A	<ul style="list-style-type: none"> • 8:00 a.m. to 5:00 p.m., Monday through Friday • 8:00 a.m. to 12:00 p.m., Saturday

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: No

ENVIRONMENTAL DETERMINATION:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: December 11, 2015

PUBLIC NOTICE:

Notices were sent to 10 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County

Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Classified Conditional Use Permit (CUP) may be approved only if four Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on a Classified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

According to Fresno County records, the Fresno County Planning Commission approved Classified Conditional Use Permit No. 1289 on May 22, 1975 to authorize an existing non-conforming raisin processing plant and permit the use of an existing building as a fumigator on the subject 9.3-acre parcel. Subsequent to that, on April 29, 1991, Classified Conditional Use Permit Application No. 2514 was filed to allow expansion of the existing raisin processing plant. However, this application was withdrawn.

Under the current application (CUP No. 3511), the Applicant is proposing a commercial establishment for the processing, storage, and sale of agricultural chemicals on the subject parcel. The proposed facility will sell agricultural chemicals and general farm supplies used in commercial agriculture and crop production. Besides blending and/or packaging of agricultural chemicals, no on-site manufacturing of any products will occur on the property. Blending may include formulation such as combining liquid products within a mix tank and transfer of the combined materials for loading or packaging into various-sized containers, intermediate bulk containers, bulk transport, or directly into implements of husbandry for field application.

The existing improvements on the property include warehouses with loading docks, office building, open pole-barn shed, truck scale, water storage tank, parking, and paved entrances off of Shields Avenue. The proposed improvement on the property is a 4,000 square-foot tank farm with twenty-one 29,610-gallon 35-foot-tall storage tanks to be used for storage of liquid agricultural chemicals. Other than the tank farm, no new improvements are proposed by this application. The project will utilize all existing buildings and related facilities previously used for processing and storage of agricultural products on the property.

ANALYSIS/DISCUSSION:

Finding 1: The site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Street Side: 35 feet Side: 20 feet Rear: 20 feet	Front (southern property line): 30 feet (non-conforming) Side: (eastern property line): 9 feet (non-conforming) Side (western property line):	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
		78 feet Rear (northern property line): 9.5 feet (non-conforming)	
Parking	Two square feet of off-street parking for each one square foot of retail floor space	Per the Site Plan Review Section of Fresno County Department of Public Works and Planning, the site is developed with 80 parking stalls sufficient to meet the parking needs of the subject proposal	Yes
Lot Coverage	No requirement	No requirement	N/A
Separation Between Buildings	Six feet minimum	10 feet	Yes
Wall Requirements	No requirement	No requirement	N/A
Septic Replacement Area	100 percent	100 percent	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	Will use the existing well on the property	Yes

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvement satisfies the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

Analysis:

Staff review of the Site Plan demonstrates that the 9.3-acre project site can accommodate the proposed agricultural chemicals processing facility consisting of existing improvements (buildings and parking) and a new improvement (tank farm). Located approximately 332 feet from the southerly property line (35 feet required), 308 feet from the easterly property line (20 feet required); 242 feet from the westerly property line (20 feet required); and 200 feet from the northerly property line (20 feet required), the proposed tank farm conforms with the setback requirements of the AE-20 Zone District.

In regard to off-street parking, the Zoning Ordinance requires two square feet of off-street parking for each one square-foot of retail floor space, and the California Building Code requires at least one parking space for the disabled per every 25 parking spaces. According to the Site Plan Review Section of the Fresno County Department of Public Works and Planning, the site is developed with 80 paved parking stalls sufficient to meet the parking needs of the subject

proposal. A Project Note requires that three of these parking stalls be ADA (American Disability Act)-compliant, one of which shall be designated van accessible.

Based on the above information and with adherence to mandatory Project Notes, staff believes the project site is adequate to accommodate the proposed facility and all required features of that use.

Recommended Conditions of Approval:

None

Conclusion:

Finding 1 can be made.

Finding 2: The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Shields Avenue; Good condition	N/A
Direct Access to Public Road	Yes	Shields Avenue; Good condition	No change
Road ADT		1,200	No change
Road Classification		Arterial	No change
Road Width		Right-of-way width of 30 feet north of section line	No change
Road Surface		Shields Avenue: Paved (pavement width: 22 feet)	No change
Traffic Trips		N/A	<ul style="list-style-type: none"> • Approximately 60 one-way employee trips (30 round trips) per day • Up to 20 one-way delivery truck trips (10 round trips) per day
Traffic Impact Study (TIS) Prepared	No	N/A	None required by the Design Division of the Fresno County Department of Public Works and Planning

Road Improvements Required	Good condition	None required by the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning
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Reviewing Agency/Department Comments:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis:

The project site gains access from Shields Avenue, which is presently a two-lane road in good condition. Shields Avenue is classified as an Arterial by the Circulation Element of the County General Plan and requires 106 feet of road right-of-way (53 feet north of section line and 53 feet south of section line). Currently there is an existing 30 feet of right-of-way north of the section line along the parcel frontage. According to the project review by the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, no additional right-of-way or improvements are needed for Shields Avenue across the parcel frontage. However, a Condition of Approval would require that all new improvements on the property shall be set back from the ultimate right-of-way for Shields Avenue (53 feet north of section line) according to the zone district requirements.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and based on the total trips generated by the proposal, did not express any traffic-related concerns nor require a Traffic Impact Study for the project.

Based on the above information, and with adherence to the Condition of Approval, staff believes that Shields Avenue at the project site will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: The proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.

Surrounding Parcels				
Direction:	Size:	Use:	Zoning:	Nearest Residence:
North/West	50.7 acres	Vineyard	AE-20	None
South	317.5 acres	Orchard	AE-20	None
East	20 acres	Vineyard; Single-Family Residence	AE-20	410 feet

Reviewing Agency/Department Comments:

North Central Fire Protection District: All existing fire access, fire protection water supply, sprinkler and alarm systems shall be maintained fully operational and certified as required. Review for compliance with fire and life safety requirements for the building interior and its intended use shall be reviewed by the Fire District and the Fresno County Department of Public Works and Planning when a submittal for a building plan review by the architect or engineer of record for the building is made as required by the California Building Code. These requirements have been included as Conditions of Approval.

Fresno County 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 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. The Applicant should consider having the existing septic tanks pumped, and the tanks and drain fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: The gate(s) that provides initial access to the site shall be set back a minimum of 20 feet (or the length of the longest vehicle to enter the site, whichever is greater) from the edge of the ultimate road right-of-way. Forty-five degree corner cut-offs shall be maintained to allow clear visual view of vehicular traffic within the County right-of-way. 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. All proposed signs shall be submitted to the Department of Public Works and Planning, Permits Counter, to verify compliance with the Zoning Ordinance.

San Joaquin Valley Air Pollution Control District (Air District): The project shall be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review), and will require an Authority to Construct (ATC) prior to the start of construction. The Applicant shall also contact the Air District's Small Business Assistance (SBA) office to identify other District rules and regulations that may apply to the project.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any additional runoff generated by the proposed development cannot be drained across property lines and must be retained, or disposed of, per County Standards. An Engineered Grading and Drainage Plan may be required to show how additional storm water

runoff generated by the proposed improvements will be handled without adversely impacting adjacent properties. A Grading Permit or Voucher shall be required for any grading proposed with this application. On-site turn arounds shall be required for vehicles leaving the site to enter Shields Avenue in a forward motion. Any work done within the road right-of-way to construct a new driveway or improve an existing driveway shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

Fresno Irrigation District (FID): FID's Sycamore Canal No. 59 runs southerly along the west side of Howard Avenue and crosses Shields Avenue approximately 700 feet west of the subject property. All plans for any street and/or utility improvements along Shields Avenue or in the vicinity of the canal crossing shall be reviewed and approved by FID.

Zoning Section of the Fresno County Department of Public Works and Planning: All proposed improvements and new structures shall require plans, permits and inspections. A change of occupancy for the existing structures may also be required.

The aforementioned requirements have been included as Project Notes.

Design Division, Road Maintenance and Operations Division, and Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning; U.S. Department of Fish and Wildlife; Fresno County Department of Agriculture (Agricultural Commissioner's Office); Regional Water Quality Control Board, Central Valley Region: No concerns with the proposal.

Analysis:

Located in an agricultural area approximately 1.3 miles south of the unincorporated community of Biola, the project site is developed with buildings and parking previously used for processing and storage of agricultural products.

Existing improvements on the property include several warehouses with loading docks, an office building, open pole-barn shed, truck scale, water storage tank, parking, paved entrances off of Shields Avenue, and six-foot-tall perimeter fencing. Surrounding land uses include field crops, vineyards, and orchards, with one single-family residence.

The new improvement on the property is a 4,000 square-foot tank farm with twenty-one tanks for storage of liquid agricultural chemicals totaling 622,000 gallons for the proposed use in conjunction with the existing on-site improvements. The tanks are 35 feet tall and will be shielded from view by the buildings around them, thereby resulting in no significant impact on the visual character or quality of the site or its surroundings.

An Initial Study prepared for the project has identified a potential impact to aesthetics in regard to lighting and glare. To mitigate aesthetic impact, all outdoor lighting will be required to be hooded and directed downward to avoid glare on adjoining properties. This requirement has been included as a Mitigation Measure (Exhibit 1).

Potential impacts related to air quality, geology and soils, hazards and hazardous materials, and public services are considered to be less than significant. The Applicant will be required to follow the Air District Rules and obtain an Authority to Construct (ATC) prior to the start of construction; submit a Grading and Drainage Plan to ensure that the proposed development will not result in drainage patterns that could adversely affect surrounding properties; obtain a Grading Permit/Voucher; use, handle and store hazardous materials and/or wastes according to the requirements set forth in the California Health and Safety Code; and obtain the North Central Fire Protection District's approval prior to issuance of building permits and occupancy.

Based on the above information, and with adherence to the Mitigation Measure, Conditions of Approval, and mandatory Project Notes, staff believes that the proposal will not have adverse effects upon surrounding properties.

Recommended Conditions of Approval:

See Mitigation Measure and recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: The proposed development is consistent with the General Plan.

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3 allows agriculturally-related uses by discretionary permit, provided that they meet the following criteria:</p> <ul style="list-style-type: none"> a. Criteria LU-A.3.a. states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. b. Criteria LU-A.3.b. states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. c. Criteria LU-A.3.c. states that the use shall not have a detrimental impact on water resources. d. Criteria LU-A.3.d. states that a probable workforce should be located nearby or readily available. 	<p>With regard to Criteria "a", the proposed facility is an agricultural-related use. Its location in a predominantly agricultural area can better serve surrounding farming operations than in an urban area. With regard to Criteria "b", the project site is not productive farmland and is classified as Urban and Built-Up Land on the 2010 Fresno County Important Farmland Map. With regard to Criteria "c", the project is not located in a water-short area and due to limited water usage will not impact groundwater resources. With regard to Criteria "d", the project site is approximately 1.3 miles south of the unincorporated community of Biola and 3.2 miles north of the City of Kerman, either of which can provide an adequate workforce. The project meets this policy.</p>

Relevant Policies:	Consistency/Considerations:
<p>Policy LU-A.12 of the General Plan requires that agricultural activities be protected from encroachment of incompatible uses.</p> <p>Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> <p>Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation shall be required where appropriate.</p>	<p>The project site is not productive farmland and is developed with buildings and parking previously used for processing and storage of agricultural products. The entire site is secured by perimeter fencing separating the proposed use from adjoining farming operations. The project is consistent with these policies.</p>
<p>General Plan Policy PF-D.6: County shall permit individual on-site sewage disposal systems on such parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.</p>	<p>The project requires no new on-site sewage disposal system, utilizing the existing system. A Project Note would require that the Applicant should consider having the existing septic tanks pumped, and the tanks and drain fields evaluated by a licensed contractor if they have not been serviced and/or maintained within the last five years. The project meets this policy.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</p>	<p>The project is not located in a water-short area and due to limited water usage will not impact groundwater resources. Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns regarding adequacy of water for the proposed use.</p>
<p>General Plan Policy HS-B.1 requires identification of fire hazards to reduce the risk to life and property.</p>	<p>The project will comply with California Code of Regulations Title 24 – Fire Code, and would require the North Central Fire Protection District and Fresno County Department of Public Works and Planning review and approval at the time of issuance of building permits and prior to occupancy.</p>
<p>General Plan Policy HS-F.1: County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.</p>	<p>The project will adhere to state laws for handling of hazardous materials as discussed in Finding 3 of this report.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the County General Plan. Policy LU-A.3 allows agriculturally-related uses by discretionary permit provided that they meet certain criteria. Policy LU-A.12 requires protection of agricultural activities from encroachment of incompatible uses; Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations; and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land. Policy PF-D.6 requires individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality. Policy PF-C.17 requires evaluation of adequacy and sustainability of the water supply for the project. Policy HS-B.1 requires identification of fire hazards to reduce the risk to life and property. Policy HS-F.1 requires the project to handle hazardous materials or hazardous wastes in accordance with applicable management laws and regulations.

Analysis:

The project is consistent with the applicable General Plan Policies as discussed above. The project is agriculturally related and meets Policy LU-A.3. In regard to Policies LU-A.12, LU-A.13 and LU-A.14, the project is located on non-productive farmland, will utilize existing improvements on the property, and will be separated from the adjacent farmland by existing perimeter fencing. In regard to Policies PF-D.6 and PF-C.17, the project will not install a new on-site sewage disposal system to potentially impact groundwater quality, and will not use a significant amount of water to deplete groundwater resources. In regard to Policies HS-B.1 and HS-F.1., the project will require North Central Fire Protection District and Fresno County Department of Public Works and Planning review and approval at the time of issuance of building permits and prior to occupancy, and will adhere to state laws for handling of hazardous materials as discussed in Finding 3 of this report.

Based on the above information, staff believes the proposal is consistent with the Fresno County General Plan.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes the required Findings for granting the Classified Conditional Use Permit (CUP) can be made based on the factors cited in the Analysis, the required Mitigation Measure, recommended Conditions of Approval, and Project Notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Classified Conditional Use Permit No. 3511 subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7025; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3511, subject to the Mitigation Measure, Conditions of Approval, and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit No. 3511; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7025/Classified Conditional Use Permit Application No. 3511
(Including Conditions of Approval and Project Notes)

Mitigation Measure					
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 to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plan, and Operational Statement approved by the Commission.				
2.	All existing fire access, fire protection water supply, sprinkler and alarm systems shall be maintained fully operational and certified as required.				
3.	Compliance with fire and life safety requirements for the building interior and its intended use shall be reviewed by the North Central Fire Protection District and the Fresno County Department of Public Works and Planning when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.				
4.	All new improvements shall be set back from the ultimate right-of-way for Shields Avenue according to the setback requirements of the zone district.				
5.	Item 3 of the Conditions of Approval and Items 3, 4, 5 & 6 of the Project Notes shall be completed prior to issuance of building permits or prior to occupancy.				
*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.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval.				
2.	Plans, permits and inspections are required for all proposed improvements and new structures including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal. A change of occupancy for the existing structures may also be required. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 for permits and inspections.				

Notes

3.	<p>According to the Development Engineering Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • Any additional runoff generated by the proposed development cannot be drained across property lines and must be retained, or disposed of per County Standards. • An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed improvements will be handled without adversely impacting adjacent properties. • A Grading Permit or Voucher is required for any grading proposed with this application. • On-site turn arounds are required for vehicles leaving the site to enter Shields Avenue in a forward motion. • Any work done within the road right-of-way to construct a new driveway or improve an existing driveway shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.
4.	<p>According to the Fresno County Department of Public Health, Environmental Health Division:</p> <ul style="list-style-type: none"> • 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. • Records indicate existing septic systems were installed in 1974, 1976 and 1980. It is recommended that the Applicant consider having the existing septic tanks pumped, and having the tanks and drain fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. Such inspection may indicate possible repairs, additions, or require the proper destruction of the system
5.	<p>According to the San Joaquin Valley Air Pollution Control District (Air District):</p> <ul style="list-style-type: none"> • The project is subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). • An Authority to Construct (ATC) is required prior to the start of construction. • The Applicant shall contact the Air District's Small Business Assistance (SBA) office to identify other District rules and regulations that may apply to this project.
6.	<p>According to the Site Plan Review Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • The gate(s) that provides initial access to the site shall be set back a minimum of 20 feet (or the length of the longest vehicle to enter the site, whichever is greater) from the edge of the ultimate road right-of-way. • Forty-five degree corner cut-offs shall be maintained to allow clear visual view of vehicular traffic within the County right-of-way. • 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. • All proposed signs shall be submitted to the Department of Public Works and Planning, Permits Counter, to verify compliance with the Zoning Ordinance.

Notes

7.

According to the Fresno Irrigation District (FID):

- FID's Sycamore Canal No. 59 runs southerly along the west side of Howard Avenue and crosses Shields Avenue approximately 700 feet west of the subject property.
- All plans for any street and/or utility improvements along Shields Avenue or in the vicinity of the canal crossing will require FID's review and approval.

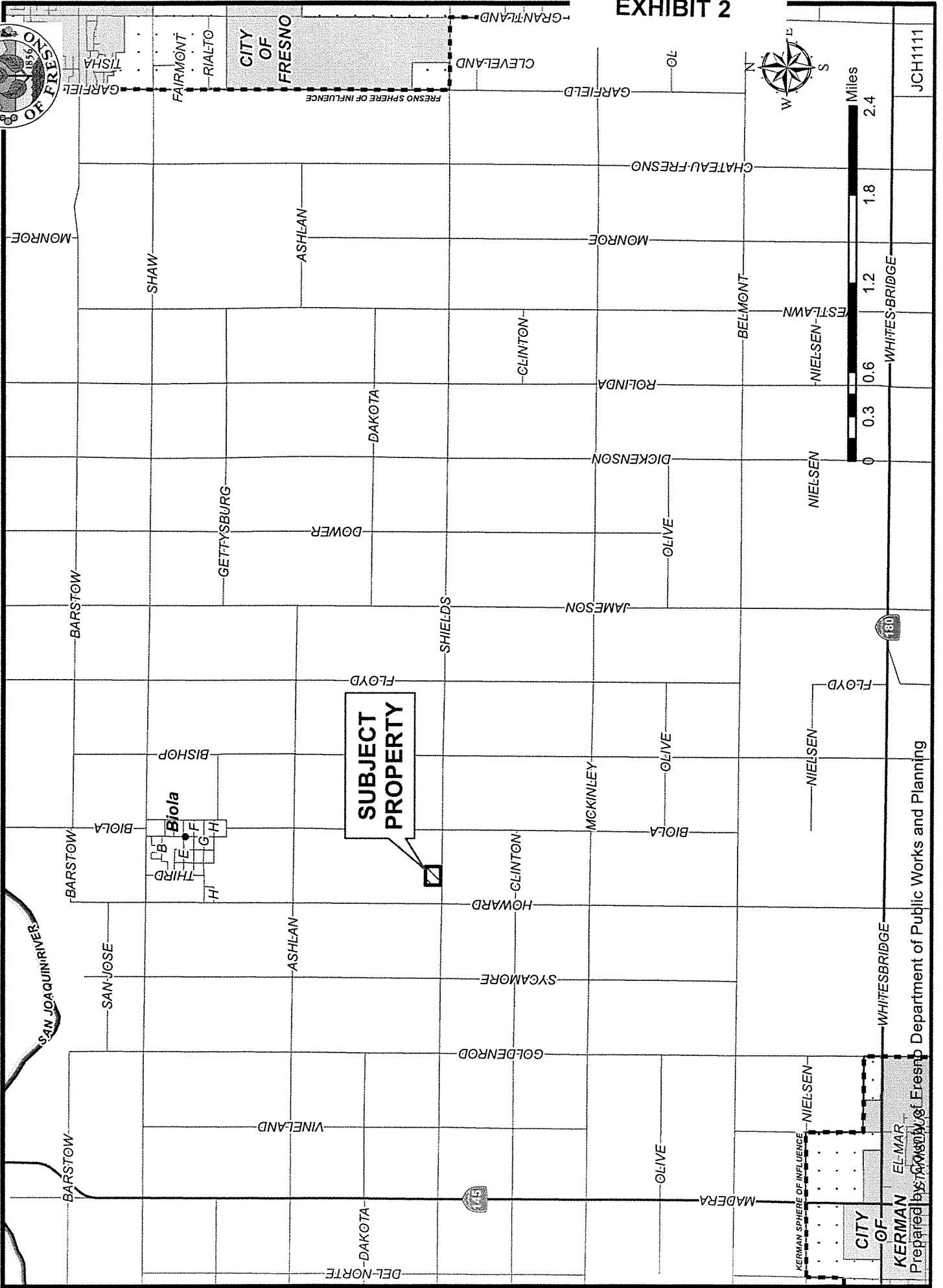
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LOCATION MAP

CUP 3511



EXHIBIT 2



EXISTING ZONING MAP



EXHIBIT 3

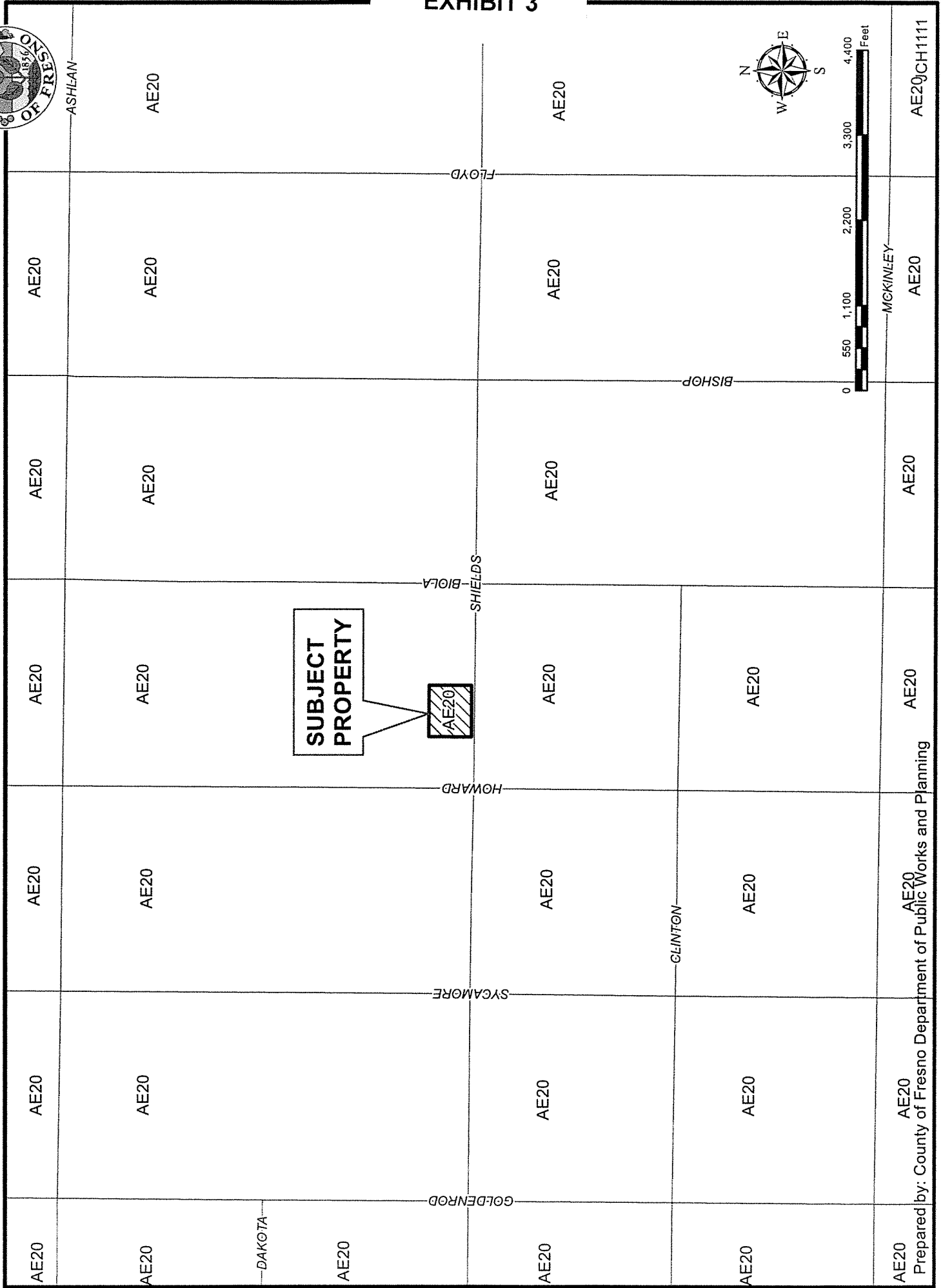




EXHIBIT 4

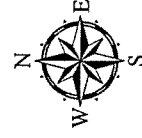


EXISTING LAND USE MAP

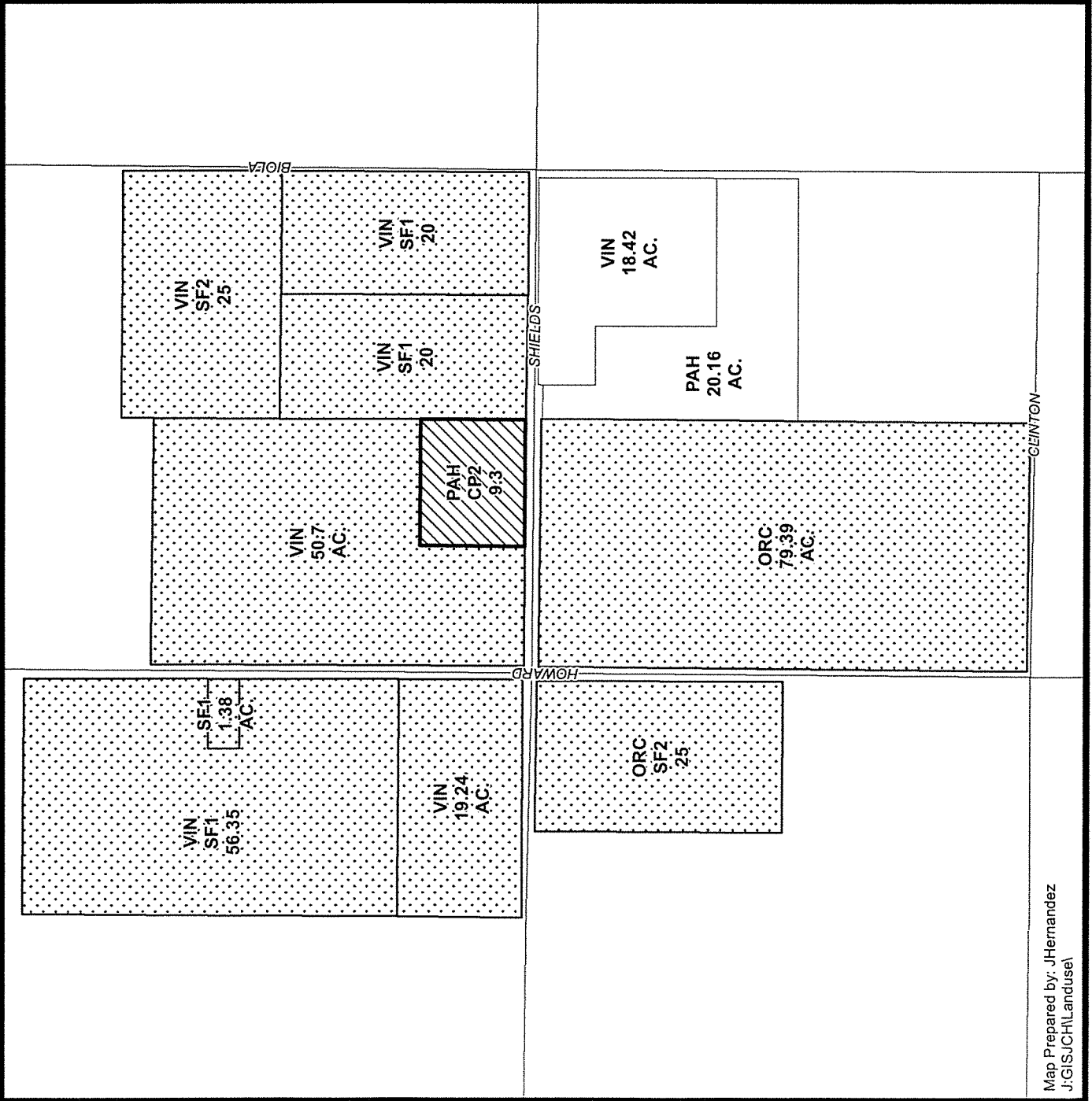
CUP 3511

LEGEND
 ORC - ORCHARD
 PAH - PACKING HOUSE
 SF# - SINGLE FAMILY RESIDENCE
 VIN - VINEYARD
 CP# - OFFICE COMM./PROF
 V - VACANT

LEGEND:
 Subject Property
 Ag Contract Land

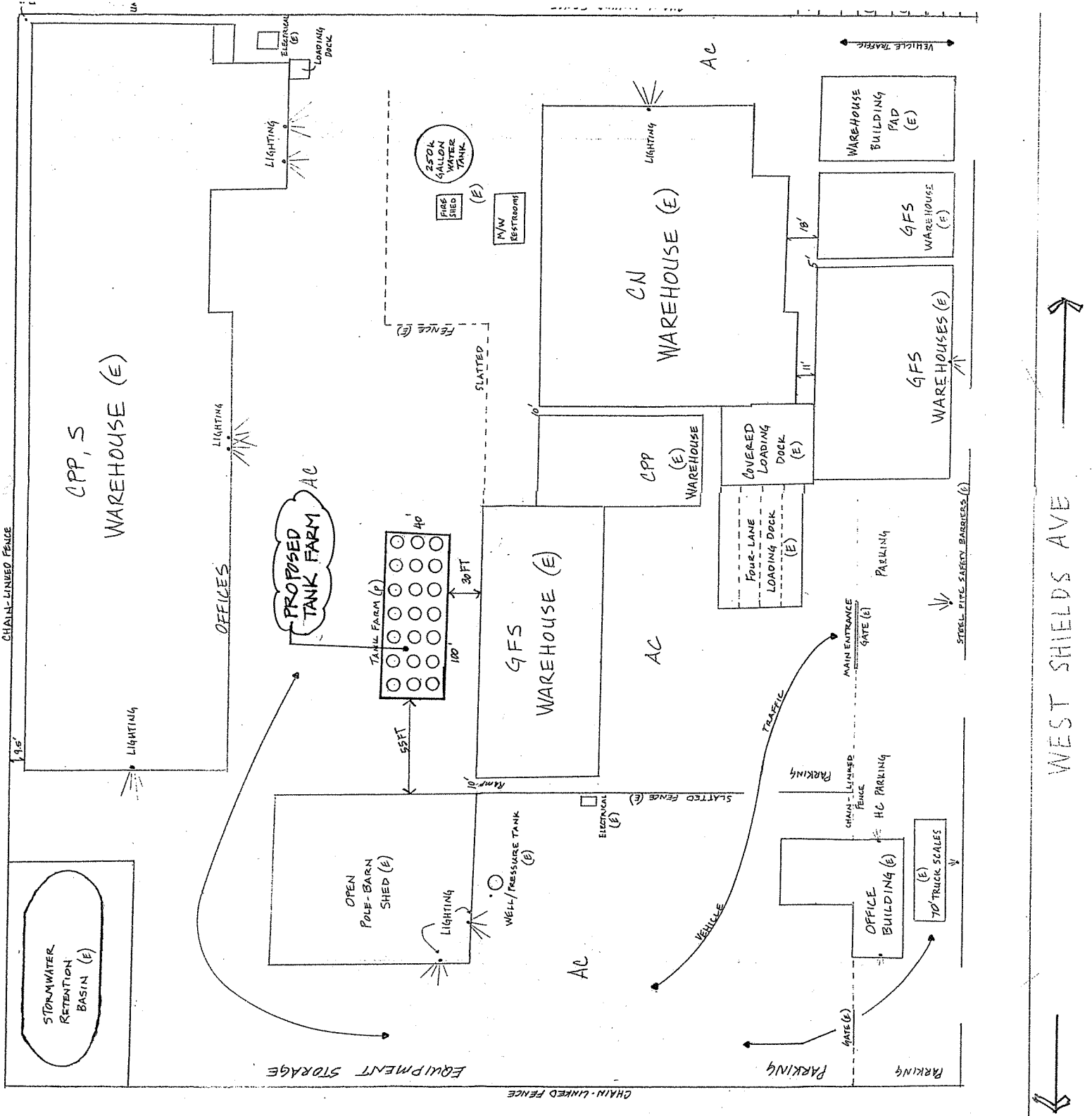
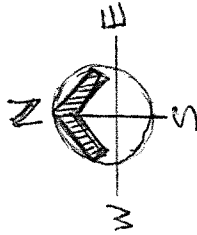


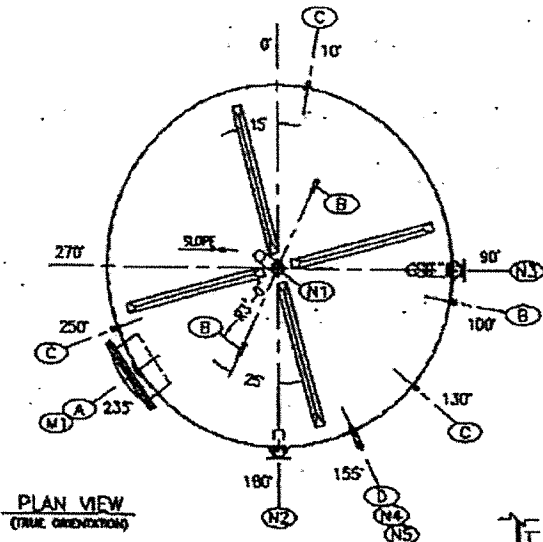
Department of Public Works and Planning
 Development Services Division



Map Prepared by: JHernandez
 J-GISJCH(Landuse)

EXHIBIT 5

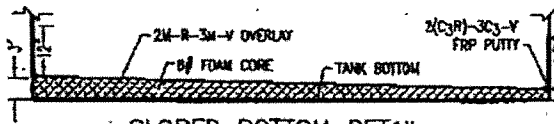




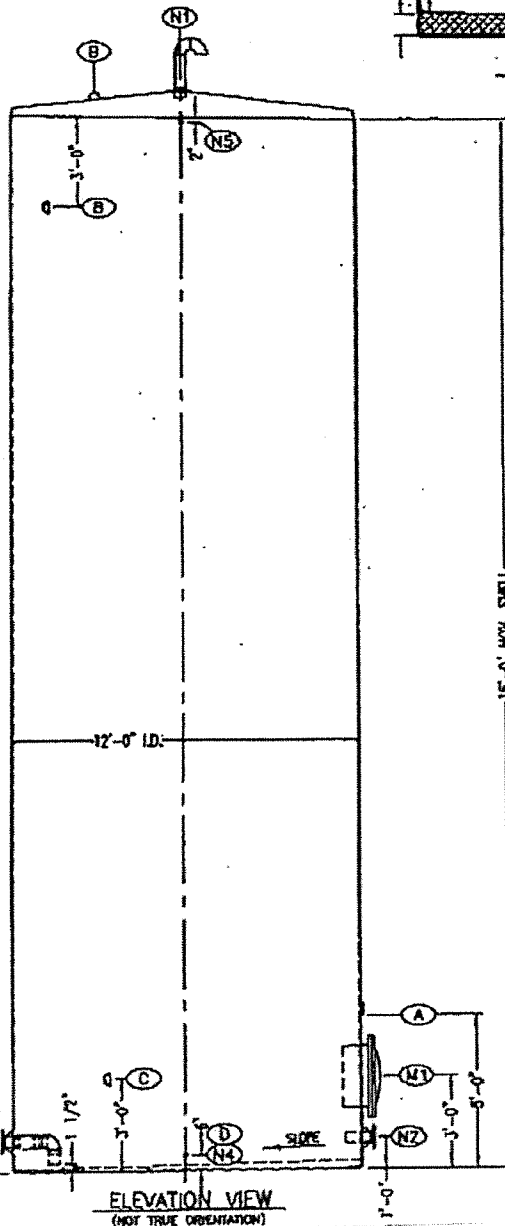
PLAN VIEW
 (TRUE ORIENTATION)

<h1>Palmer</h1>	
MFG. & TANK INC. BOX 1185 • 2814 WEST JONES • GARDEN CITY, MS. PHONE 662-275-2443 F-800-833-7428	
TANK NAME	FERTILIZER STORAGE TANK
TANK TAG NO.	STANISLAUS FARM SUPPLY
LINER RESIN	EPIKON 822
LINER MATL.	C-VEL
STRUC. RESIN	EPIKON 822
STRUC. MATL.	G-GLASS
CAPACITY, GAL.	28,610
TEMP.	AMR
S.G.	1.40
SIZE, DIA.	12
HEIGHT	35
LENGTH	
CONTENTS	KIS
PRESSURE (PSI)-DESIGN	ATMOS
WORKING	ATMOS
DATE OF MFR.	
SERIAL NO.	
CUSTOMER	MURRAY EQUIPMENT, INC.
CUSTOMER P.O.	793180

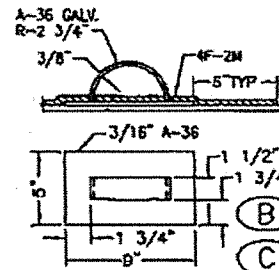
(A) VST NAMEPLATE
 NTS



SLOPED BOTTOM DETAIL
 N.T.S.



ELEVATION VIEW
 (NOT TRUE ORIENTATION)



#1 LIFT EYE/TIEDOWN DETAIL
 NTS

(LEFT SIDE)
 DRAWING NUMBER:
 23570

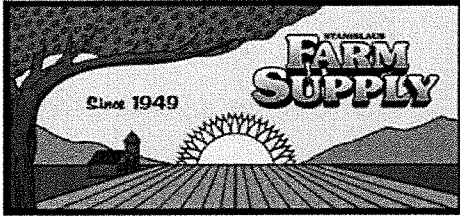


EXHIBIT 6

Stanislaus Farm Supply
624 E Service Rd.
Modesto, CA 95358
(209) 538-7070 (Phone)
(209) 541-3191 (Fax)

CUP 3511

RECEIVED
COUNTY OF FRESNO

JAN 06 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Operational Statement

12800 W. Shields Ave, Kerman, CA

- (1) Stanislaus Farm Supply, Inc. (SFS) is a full service agricultural supply company dealing in general farm supplies, agricultural chemicals, and the off-site application of various agricultural chemicals and other crop services to local farmers and ranchers. SFS is a farmer owned cooperative and has existing facilities in Modesto, CA. SFS would like to expand its' operations to the Fresno area. The existing site provides an excellent location for servicing the farming community.
- (2) SFS plans on operating year around. Normal operating hours are from 8:00 a.m. to 5 p.m. Monday through Friday and from 8:00 a.m. to 12 p.m. on Saturday.
- (3) Approximately 10-12 visitors will be on-site on a daily basis. Adequate on-site visitor parking exists.
- (4) SFS plans on having approximately 30 employees. Some employees will be working off-site, but all will be based out of the proposed site. Adequate on-site parking exists for employees.
- (5) Delivery vehicles used range in size from pick-up trucks to full sized commercial truck and trailers. It is anticipated that 8-10 deliveries will occur on a daily basis. We anticipate approximately 12 pickup trucks primarily used for outside sales staff and 4 commercial trucks utilized by CDL drivers.
- (6) Access to the site is from Shields Avenue a County maintained road.
- (7) Over 40 parking spaces including adequate handicapped spaces. Spaces are paved asphalt.
- (8) Goods sold on-site are limited and are primarily delivered to the customer's farm or ranch. All goods are manufactured or produced off site by outside vendors.
- (9) Equipment to be utilized on-site are liquid storage tanks within the proposed tank farm and typical warehousing equipment such as forklifts and other loading equipment. SFS will maintain and store a number of mobile tanks and equipment which are used for the off-site application of agricultural chemicals. The site plan indicates the proposed equipment storage area.
- (10) Inventory sold will be agricultural chemicals and general farm supplies used in commercial agriculture and crop production. Blending and/or packaging will occur on-site including the formulation of liquid products within mix tanks and loading or packaging into various sized containers, intermediate bulk containers, bulk vessels or implements of husbandry for direct field application. Pre-packaged and bulk product will arrive by truck.
- (11) On-site operations will not cause any noise, glare, dust or odor other than what is customary for agriculture which is consistent with the zoning and use for the surrounding area.
- (12) Human waste or sewage is disposed of in individual on-site septic systems. No waste water other than domestic sewage will be produced.

- (13) Water is provided by on-site wells. It is estimated that 10 gallons of water per employee per day may be used for restrooms. Bottled water will be used by employees for human consumption. Water used in operations of the facility will be approximately 50,000 gallons per month, primarily used in the blending and formulation of liquid products for sale.
- (14) A new sign will be needed. The size and location have not yet been determined, but signage will meet property development standards.
- (15) Existing buildings will be used. The only new construction proposed at this time will be a 622,000-gallon tank farm for liquid agricultural chemicals as indicated on the site plan. The tanks within the tank farm will have an elevation of approximately 35 feet tall. The tank farm will provide adequate containment should any spill event occur.
- (16) All buildings may be used in on-site operations including offices and warehouses. Storage and warehousing of agricultural chemicals and general farm supply products will be segregated by warehouse as indicated on the site plan provided.
- (17) Outdoor lighting is sufficient for operation and existing fixtures are located throughout the facility as indicated on the site plan. No sound equipment will be used in the operation.
- (18) No new landscaping or fencing is proposed at this time.
- (19) The site is developed and is in need of a tenant. The location is ideal for a farm related business. Stanislaus Farm Supply will be a compatible neighbor and will utilize the facility in a manner that will make it a vibrant and useful asset to the area, the local economy and the community.
- (20) Stanislaus Farm Supply, Inc. is a California cooperative formed in 1949 and is owned by thousands of member patrons. The cooperative is governed by a 9 member Board of Directors, listed below. The company is professionally managed by the appointed Officers listed below.

OFFICERS:

Nick Biscay	- President and CEO
Espiri Ixta	- Secretary and CFO
Tony Weatherred	- Vice President of Sales
Ed Tobler	- Vice President of Operations
Joey Gonsalves	- Assistant Secretary

DIRECTORS:

Dave Brown	- Chairman
Gordon Heinrich	- Vice Chairman
Ray Ratto	
Frank Azevedo II	
Dave Wheeler	
Rodger Smith	
Lane Menezes	
Dave Bryson	
John Barendelli	



EXHIBIT 7

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Stanislaus Farm Supply Company
- APPLICATION NOS.:** Initial Study Application No. 7025 and Classified Conditional Use Permit Application No. 3511
- DESCRIPTION:** Allow a commercial establishment for the processing, storage, and sale of agricultural chemicals on a 9.3-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION:** The subject property is located on the north side of W. Shields Avenue approximately 654 feet east of its intersection with N. Howard Avenue and 1.3 miles south of the unincorporated community of Biola (12800 W. Shields Avenue, Kerman) (Sup. Dist. 1) (APN 016-370-14S).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

The project site is located in an agricultural area and is currently developed with buildings and parking previously used for processing and storage of agricultural products. Surrounding land uses include field crops, vineyard, and orchards with single family residences. The site is not located along a designated scenic highway and no scenic vistas or scenic resources were identified on or near the property.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed improvements include a 4,000 square-foot tank farm. The tanks will be used for storage of liquid agricultural chemicals totaling 622,000 gallons for the proposed use in conjunction with the existing improvements on the property. The 35-

foot-tall tanks match in height to the existing improvements and will be shielded from view by buildings around them. As such, no significant impact on the visual character or quality of the surroundings will occur from this proposal.

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the applicant's Operational Statement, the existing outdoor lighting is sufficient for the proposed use. However, to minimize lighting impacts in the area, a mitigation measure would require that all lighting shall be hooded and directed downward so as to not shine toward adjacent property and public streets.

* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not farmland, forest land, or timberland. The project is not in conflict with Agriculture zoning on the property and is allowed on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. Classified as Urban and Built-Up Land on the 2010 Fresno County Important Farmland Map, the site is not subject to a Williamson Act Land Conservation Contract and is fully developed with improvements previously used for processing and storage of agricultural products. The project will not bring any noticeable change to the existing farming character of the area.

The Fresno County Agricultural Commissioner's Office reviewed the proposal and expressed no concerns with the project.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District, the project-specific criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG and 15 tons/year PM10. The project will not have significant adverse impact on air quality and is not subject to Air District Rule 9510.

However, the project will be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require permits from Air District and contact with the District's Small Business Assistance office regarding the requirements for an Authority to Construct (ATC) application to identify other District rules and regulations that apply to the project.

- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: NO IMPACT:

San Joaquin Valley Air Pollution Control District review of the application identified no concerns regarding odor potentially affecting people on and around the property.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or

- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

As noted above, the entire 9.3-acre project site is developed with buildings and paved parking. Given the property has been disturbed with the existing improvements and contains no riparian features, it does not provide suitable habitat for the state- and federally-listed species.

The project was routed to the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service for review and comments. No concerns were expressed by either agency.

- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: NO IMPACT:

The project shall not conflict with any biological resources related to tree preservation policy or any adopted Conservation Plans.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: NO IMPACT:

The project site is not within or near an area sensitive to historical, archeological or

paleontological resources. The project will not impact these resources.

- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: NO IMPACT:

The project will not impact tribal cultural resource as defined in Public Resources Code Section 21074.

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction; or
4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not located within a fault zone. As such, it will not create a substantial risk or expose people or structures to earthquake rupture, strong seismic ground shaking, seismic-related ground failure, liquefaction or landslides.

- B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning: 1) an Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposal will be handled without adversely impacting adjacent properties; 2) a Grading Permit or Voucher shall be required for any grading proposed with this application; and 3) any additional runoff generated by the proposed development shall be retained or disposed of per County Standards.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, or collapse, or within an area of known expansive soils.

- E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will utilize existing sewage disposal systems on the property.

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and recommends that the applicant consider having the existing septic tanks pumped, and have the tanks and drain fields evaluated by an appropriately licensed contractor if they have not been serviced and/or maintained within the last five years. Such inspection may indicate possible repairs, additions, or require the proper destruction of the system.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Comments received from the San Joaquin Valley Air Pollution Control District expressed no specific project-related concerns supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project will adhere to Air District Rules discussed above in Section III. A.B.C.D. Air Quality.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed facility will sell agricultural chemicals and general farm supplies used in commercial agriculture and crop production. Besides blending and/or packaging of agricultural chemicals, no on-site manufacturing of any products will occur on the

property. Blending may include formulation such as combining liquid products within a mix tank and transfer of the combined materials for loading or packaging into various sized containers, intermediate bulk containers, bulk transport, or directly into implements of husbandry for field application.

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and requires that 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. Further: 1) 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; and 2) all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed facility will be required to submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division, and handle all hazardous waste in accordance with the California Health and Safety Code regulations.

The project is not located within one quarter-mile of a school. The nearest school, Biola-Pershing Elementary School, is approximately 1.6 miles north of the subject proposal.

- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The project is not located on a hazardous materials site. No concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or

- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan area, two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airstrip, Bland Field, is approximately 4.6 miles south of the site.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or
- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project will not result in interference with any emergency response plan and is not within or adjacent to a wildlands fire area.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: NO IMPACT:

The project will utilize existing on-site sewage disposal systems, on-site well for non-potable water, and bottled water for facility employees.

The project was routed to the Central Valley Regional Water Quality Control Board (Region 5) for review and comments. No concerns in regards to impact on groundwater were expressed by that agency.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the applicant, an estimated 50,000 gallons of water per month will be used during operation of the proposed facility in addition to 10 to 20 gallons of water per day used per employee (300 to 600 gallons per day for 30 employees). Water will be provided by an on-site well.

The subject property is not in a water-short area. The Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal, and given the limited water usage, expressed no concerns with the project.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or

- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site; or
- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the United States Geological Survey (USGS) Quad maps, there are no natural drainage channels adjacent or running through the subject parcel. According to the Fresno Irrigation District (FID), FID Sycamore Canal No. 59 runs southerly along the west side of Howard Avenue and crosses Shields Avenue approximately 700 feet west of the subject property. FID requires that plans for any street and/or utility improvements along Shields Avenue or in the vicinity of canal crossing shall be reviewed and approved by the FID.

As noted above in Section VI. B. Geology and Soils, any additional runoff generated by the proposed development will be retained or disposed of, per County Standards and a Grading Permit or Voucher will be required for any grading proposed with this application.

- F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in IX. A. above

- G. Would the project place housing within a 100-year floodplain?

FINDING: NO IMPACT:

No housing is proposed with this project.

- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

Federal Emergency Management Agency (FEMA) FIRM Panel 1525H indicates that the subject property is not subject to flooding from the 1% chance storm.

- I. Would the project expose persons or structures to levee or dam failure; or

- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The project site is not prone to hazards such as seiche, tsunami or mudflow, nor is the project exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The nearest unincorporated community of Biola is approximately 1.3 miles north of the project site.

B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is designated for Agriculture in the Fresno County General Plan which allows certain non-agricultural uses such as the proposed use by discretionary land use approval provided the use meets General Plan Policy LU-A.3., criteria a. b. c. & d. and others policies as discussed below.

Criteria LU-A.3.a. requires that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available.

With regard to Criteria "a", the proposed facility is an agricultural-related use. Its location in a predominantly agricultural area can better serve surrounding farming operations than in an urban area. With regard to Criteria "b", the project site is not productive farmland and is classified as Urban and Built-Up Land on the 2010 Fresno County Important Farmland Map. With regard to Criteria "c", the project is not located in a water short area and due to limited water usage will not impact groundwater resources. With regard to Criteria "d", the project site is approximately 1.3 miles south of the unincorporated community of Biola and 3.2 miles north of City of Kerman and can provide an adequate workforce.

General Plan Policy LU-A.12 requires that agricultural activities be protected from encroachment of incompatible uses, Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations, and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation shall be required where appropriate. The project site is not active farmland and has been developed with buildings and paved parking previously used for processing and storage

of agricultural products. The entire site is secured by perimeter fencing separating the proposed use from adjoining farming operations.

General Plan Policy FP-D.6 requires that the County shall permit on-site sewage disposal systems on parcels that have the area, soils and other characteristics that permit installation of such systems without threatening groundwater quality or posing health hazards. The subject proposal does not require a new individual sewage disposal system on the property. As such no concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division except that the applicant consider having the existing septic tanks pumped, and the tanks and drain fields evaluated by a licensed contractor if they have not been serviced and/or maintained within the last five years.

General Plan Policy PF-C.17 requires a water supply evaluation to determine the adequacy of a water supply to meet the highest demand that could be permitted on the land in question. The subject proposal is not located in a water-short area. Water/ Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns regarding adequacy of water for the proposed facility.

General Plan Policy HS-B.1 requires identification of fire hazards to reduce the risk to life and property. In compliance of the California Code of Regulations Title 24 – Fire Code, the project will require North Central Fire Protection District and Fresno County Department of Public Works and Planning review and approval at the time of issuance of building permits and prior to occupancy.

General Plan Policy HS-F.1 requires that facilities handling hazardous materials or wastes shall be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations. The project will adhere to state laws for handling of hazardous materials as discussed in Section IX. A. of this report.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation or Natural Community Conservation Plans.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

No mineral resource impacts were identified in the analysis. The site is not located in a mineral resource area as identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project operation will not expose people to severe noise levels or create substantial increases in ambient noise levels. Except for loading and unloading of materials for deliveries, most project related activities will take place inside the existing buildings on the property.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to noise.

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project site is not located near an airport. The nearest airstrip, Bland Field, is approximately 4.6 miles south of the site.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

This proposal will not result in an increase of housing, nor will it otherwise induce population growth.

XIV. PUBLIC SERVICES

A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:

1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

North Central Fire District (NCFD) reviewed the proposal and required the following to be included as Conditions of Approval: 1) all existing fire access, fire protection water supply, sprinkler and alarm systems shall be maintained fully operational and certified as required; and 2) review for compliance with fire and life safety requirements for the building interior and its intended use shall be reviewed by both the Fire Department and the Fresno County Department of Public Works and Planning when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

2. Police protection; or

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will not result in the need for additional public facilities and will not affect existing public services.

XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No impacts on recreational resources were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the applicant's Operational Statement, the proposed facility will employ 30 employees; be visited by 10 to 12 visitors daily; and require 8 to 12 deliveries on a daily basis. Additionally, 12 pick-up trucks will be used by outside sales staff.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no traffic-related concerns with the project and no need for a traffic impact study.

- C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns.

- D. Would the project substantially increase traffic hazards due to design features?

FINDING: NO IMPACT:

The project site currently gains access from Shields Avenue.

Road Maintenance and Operations Division and Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the project and given the site is fully developed, did not express any concerns related to traffic hazard.

- E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted in Section XIV. A., the North Central Fire District (NCFD) requires all existing fire access to be maintained fully operational and certified as required.

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

The project will not conflict with any adopted transportation plans.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI. E. Geology and Soils.

- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: NO IMPACT:

See discussion in Section IX. A. Hydrology and Water Quality.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICATION IMPACT:

See discussion in Section IX.E Hydrology and Water Quality.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

Any solid waste generated by this proposal will be minimal and be collected through regular trash collection service.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: NO IMPACT:

No impacts on biological and cultural resources were identified in the project analysis.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than aesthetics, which will be addressed with the Mitigation Measures discussed in Section I.D.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study (IS 7025) prepared for Conditional Use Permit Application No. 3511, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to biological resources, cultural resources, mineral resources, noise, population and housing, or recreation.

Potential impacts related to agricultural and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation/traffic and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics have been determined to be less than significant with the identified Mitigation Measure.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southeast corner of Tulare and "M" Streets, Fresno, California.

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