



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Consent Agenda Item No. 1 November 19, 2015

SUBJECT: Initial Study No. 6694 and Classified Conditional Use Permit No. 3406 – Time Extension

Grant a first one-year time extension to exercise Conditional Use Permit No. 3406 which authorizes an inorganic fertilizer manufacturing, storage, and sales facility with a caretaker residence on a 4.12-acre parcel in the M-3 (Heavy Industrial) Zone District.

LOCATION: The project site is located on the northwest corner of S. Peach and E. North Avenues approximately 3,845 feet northwest of the nearest city limits of the City of Fresno (2976 S. Peach Avenue) (SUP. DIST. 4) (APN 316-071-37).

Applicant/Owner: Angelo Paolucci
Representative: Al Solis

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

Eric VonBerg, Principal Planner
(559) 600-4569

RECOMMENDATION:

- Approve a first one-year time extension for Classified Conditional Use Permit No. 3406; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Land Use Map
3. Existing Zoning Map
4. Planning Commission Resolution and Staff Report dated October 10, 2013
5. Applicant's letter requesting a first one-year time extension

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration prepared for Initial Study Application No. 6694 was approved by the Planning Commission in accordance with the California Environmental Quality Act (CEQA) with approval of Classified Conditional Use Permit Application No. 3406 on October 10, 2013.

Section 15162(b) of the CEQA Guidelines states that once a Mitigated Negative Declaration has been adopted for a project, no subsequent Environmental Impact Report (EIR) or Mitigated Negative Declaration shall be prepared unless: 1) substantial changes are proposed to the project; 2) substantial changes occur with respect to the circumstances under which the project is undertaken; or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted. This time extension request does not propose changes to the approved project, nor is there evidence of the circumstances noted in conditions 1, 2 or 3 above. Therefore, a subsequent/supplemental environmental document is not required.

PUBLIC NOTICE:

Notices were sent to 33 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:

The Fresno County Zoning Ordinance requires that a Conditional Use Permit shall become void when substantial development has not occurred within two years after approval of the permit. Zoning Ordinance Section 873-I.3 authorizes the Planning Commission to grant a maximum of two (2) one (1)-year time extensions when it can be demonstrated that circumstances beyond the control of the Applicant cause delays which do not permit compliance with the time limitation established in Section 873-I.1. However, this time limit has been extended due to a recent Zoning Ordinance Text Amendment (Ordinance No. T-087-366) approved by the County Board of Supervisors on December 6, 2011. Effective January 5, 2012, the Ordinance allows the Planning Commission to grant two additional one-year extensions in addition to the extensions currently allowed in Section 873-I.3 provided that the request for extension is filed prior to the expiration of the permit for a possible total of four (4) extensions.

BACKGROUND INFORMATION:

Classified Conditional Use Permit Application No. 3406 was approved by the Planning Commission on October 10, 2013. The subject first one-year time extension application was filed by the Applicant on October 7, 2015. If this time extension is granted, the Applicant will have an additional year (until October 10, 2016) to achieve substantial development of the subject inorganic fertilizer manufacturing facility.

ANALYSIS/DISCUSSION:

Classified Conditional Use Permit (CUP) Application No. 3406 was originally approved on October 10, 2013 concurrently with Initial Study Application No. 6694 based on a determination that the required findings could be made. Attached is a copy of the Planning Commission's Resolution and Staff Report (Exhibit 4) documenting Conditions imposed on the project.

It should be noted that the Planning Commission's jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional one year to exercise the CUP as originally approved. In a letter submitted by the Applicant's representative, the primary justification for requesting another extension to the CUP approval is to allow additional time to complete sewer and water services to the project. The subject time extension will allow the Applicant additional time until October 10, 2016 to complete the project (Exhibit 5).

The current time extension was routed to the same agencies that reviewed this project in May 6, 2013. None of those agencies identified any change in circumstances or the need for additional conditions. However, the Fresno County Health Department, Environmental Health Division, recommended replacement of their prior comment with a new comment in light of changes in State law regarding the handling of the hazardous materials/wastes. The revised comments have been provided to the applicant.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes the first one-year time extension for Classified Conditional Use Permit No. 3406 should be approved, based on factors cited in the analysis above. Approval of this time extension will extend the expiration date to October 10, 2016.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to approve the first one-year time extension for Classified Conditional Use Permit No. 3406; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to deny the first one-year time extension request for Classified Conditional Use Permit No. 3406 (state reasons for denial); and

- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EJ:

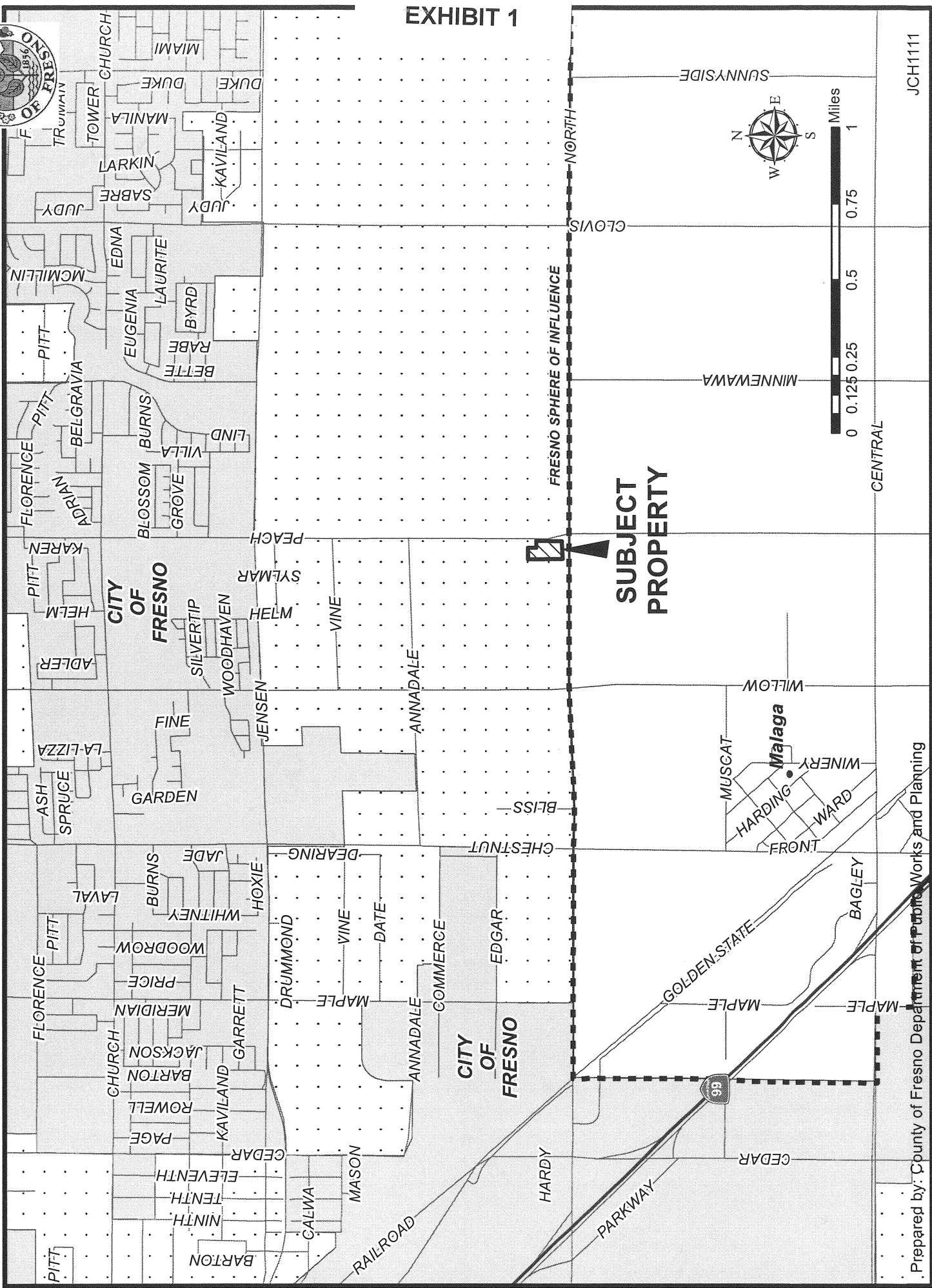
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LOCATION MAP

EXHIBIT 1

CUP 3406



JCH1111

Prepared by: County of Fresno Department of Public Works and Planning

EXISTING ZONING MAP



EXHIBIT 3

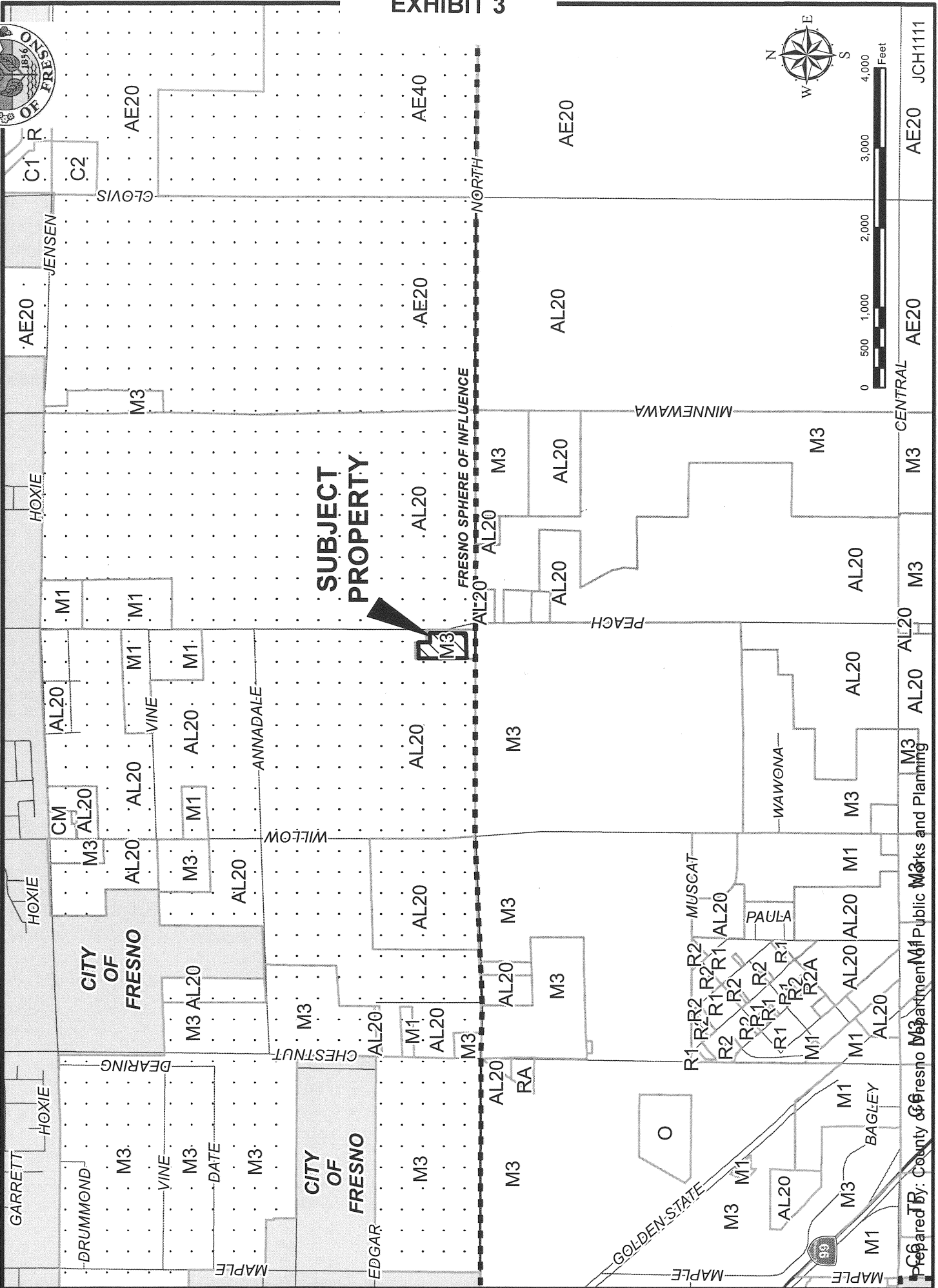




EXHIBIT 4

Inter Office Memo

DATE: October 10, 2013

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12387 - INITIAL STUDY APPLICATION NO. 6694
AND CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO.
3406

APPLICANT: Bill Bogdanov

OWNER: Novagris, LLC

REQUEST: Allow an inorganic fertilizer manufacturing, storage, and sales facility with a caretaker residence on a 4.12-acre parcel in the M-3 (Heavy Industrial) Zone District.

LOCATION: The project site is located on the northwest corner of S. Peach and E. North Avenues approximately 3,845 feet northwest of the nearest city limit of the City of Fresno in Fresno County (2976 S. Peach Avenue) (SUP. DIST.: 4) (APN: 316-071-37).

PLANNING COMMISSION ACTION:

At its hearing of October 10, 2013, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Borba and seconded by Commissioner Yates to adopt the Mitigated Negative Declaration prepared for the project; adopt the recommended Findings of Fact in the Staff Report; and approve Classified Conditional Use Permit Application No. 3406, subject to modified Conditions of Approval as listed in Exhibit "B" (Mitigation Monitoring and Reporting Program) eliminating the dedication of road right-of-way for the property.

EXHIBIT "A"

Initial Study Application No. 6694
Classified Conditional Use Permit Application No. 3406

Staff: The Fresno County Planning Commission considered the Staff Report dated October 10, 2013, and heard a summary presentation by staff.

Applicant: The Applicant’s representative and the property owner concurred with the Staff Report and the recommended Conditions. They described the project and offered the following information to clarify the intended use:

- The project site is in the City of Fresno Sphere of Influence and currently zoned M-3 (Heavy Industrial) in the County Ordinance.
- The project area is designated for future industrial uses in the City and the County general plans; no residential developments will occur around the subject property.
- We will submit a Hazardous Material Plan to the Fresno County Health Department and comply with the Fresno County Fire Protection District requirements.
- We are in contact with the City of Fresno to connect the property with the city sewer service.
- We are also working with the Malaga County Water District and the Local Agency Formation Commission (LAFCo) to obtain an out-of-district water service for the use.
- All fertilizers will be stored onsite in accordance with the County Fire Protection District requirements.
- All existing and proposed buildings will be equipped with fire sprinkler systems.

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

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

EA:
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Exhibit B
Mitigation Monitoring and Reporting Program
Initial Study (IS) No. 6694/Classified Conditional Use Permit (CUP) No. 3406
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project last
2*	Geology and Soils	Prior to occupancy, the property shall connect to the City of Fresno sewer service which will require installation of a sewer house branch to be constructed from the newly constructed/required S-2 manhole.	Applicant	Applicant/PW&P/City of Fresno	As noted
	Geology and Soils	Prior to occupancy, all existing on-site private sanitary sewer system(s) shall be abandoned in accordance with City of Fresno standards, specifications, and policies.		Applicant/ PW&P/City of Fresno	As noted
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans and Operational Statement approved by the Commission.				
2.	Prior to occupancy, the project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities in the surroundings of the proposed development.				

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document and 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.	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, and control of lighting.

Notes

3.	<p>Plans, permits and inspections are required for the new addition, including but not limited to retaining walls and other site improvements. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for construction and/or remodel.</p>
4.	<p>According to the Malaga County Water District (MCWD), to acquire out-of-district water service from MCWD, the applicant shall:</p> <ul style="list-style-type: none"> • Destroy existing well on the property according to the Fresno County Department of Public Health, Environmental Health Division • Bear the cost incurred by the MCWD for the preparation of a resolution for an out-of-district water service to the property • Bear the cost of preparation of an application to the Local Agency Formation Commission (LAFCo) and pay the fees charged by LAFCo.
5.	<p>According to the Development Engineering Section:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan may be required to show how the additional storm water run-off generated by the proposed development will be handled without adversely impacting the adjoining parcels. • A Grading Permit or Voucher is required for any grading proposed with this application. • 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. • The first 100 feet off of the edge of the road right-of-way shall be graded and asphalt/concrete paved or treated with dust palliative.
6.	<p>According to the Fresno County Department of Public Health Environmental Health Division (Health Department):</p> <ul style="list-style-type: none"> • Fresno County Ordinance 14.12.030 A & B requires mandatory sewer connection if sewer service is available to the property. If the property connects, the existing sewage disposal system consisting of a septic system tank and leach field line on the property shall be properly destroyed under permits and inspections in accordance with Fresno County Ordinance. • Prior to occupancy, the applicant shall complete the online hazardous materials Business Plan submittal (http://www.fresnocupa.com/ or http://cers.calepa.ca.gov/). • All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5. • The applicant shall apply for and secure an Underground Storage Tank Removal Permit to remove any abandoned underground petroleum storage tank(s) to be found on the premises. • Prior to demolition of an existing structure, any active rodent or insect infestation shall be abated in order to prevent the spread of vectors to adjacent properties. • During demolition and/or remodel work and upon encountering asbestos material, San Joaquin Valley Air Pollution Control District shall be contacted. Upon encountering lead-based paints used in the structures constructed prior to 1979, California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted. • Any construction materials deemed hazardous as identified in the demolition process shall be characterized and disposed of in accordance with current federal, state, and local requirements. • As a measure to protect groundwater, any water wells that exist or that have been abandoned within the project area not intended for the use by the project shall be properly destroyed by applying and obtaining a permit to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work.
7.	<p>According to the San Joaquin Valley Air Pollution Control District (Air District):</p>

Notes

	<ul style="list-style-type: none"> The proposal may be subject to the District Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed.
8.	<p>According to the Fresno Metropolitan Flood Control District (FMFCD) a temporary on-site storm water storage facility shall be required for any additional development and street improvements. Such facility should be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street.</p>
9.	<p>According to the Road Maintenance and Operations Divisions (RM&O):</p> <ul style="list-style-type: none"> The existing gates at Peach Avenue shall set back 20 feet from the ultimate road right-of-way line to preclude any vehicles from encroaching into the right-of-way if stopped to open the gate. A 10' x 10' corner cut-off shall be provided to improve line of sight for vehicles exiting the facility. An encroachment permit shall be obtained for any improvements within the County right-of-way for the driveway approaches.
10.	<p>According to the Fresno Irrigation District (FID):</p> <ul style="list-style-type: none"> FID's Washington Colony No. 15 canal crosses North Avenue 500 feet east of the subject property. Any street and/or utility improvements along North Avenue and in the vicinity of canal crossing will require approval of all plans by the FID. FID's Wilder No. 289 canal crosses Peach Avenue 800 feet north of the subject property. Any street and/or utility improvements along Peach Avenue and in the vicinity of canal crossing will require approval of all plans by the FID.
11.	<p>According to the Fresno County Fire Protection District, the project shall comply with the latest California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans, stamped "reviewed" or "approved" from the Fresno County Department of Works and Planning to the Fresno County Fire Department for their review and approval. The Applicant shall submit evidence that their Plan was approved by the Fire Department, and all fire protection improvements shall be installed prior to occupancy granted to the use.</p>



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

Planning Commission Staff Report Agenda Item No. 5 October 10, 2013

SUBJECT: Initial Study Application No. 6694
Classified Conditional Use Permit Application No. 3406

Allow an inorganic fertilizer manufacturing, storage, and sales facility with a caretaker residence on a 4.12-acre parcel in the M-3 (Heavy Industrial) Zone District.

LOCATION: The project site is located on the northwest corner of S. Peach and E. North Avenues approximately 3,845 feet northwest of the nearest city limit of the City of Fresno in Fresno County (2976 S. Peach Avenue) (SUP. DIST.: 4) (APN: 316-071-37).

Applicant: Bill Bogdanov
Owner: Novagris, LLC

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

Bill Carlson, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6694; and
- Approve Classified Conditional Use Permit (CUP) Application No. 3406 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

The Commission’s action will have a limited effect on job creation. Short-term jobs associated with construction activity could occur as the result of this proposal.

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/Floor Plans/Elevations
6. Applicant’s Submitted Operational Statement
7. Summary of Initial Study Application No. 6694

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Limited Industrial in the County-adopted Roosevelt Community Plan	N/A
Zoning	M-3 (Heavy Industrial)	N/A
Parcel Size	4.12 acres	N/A
Project Site	<ul style="list-style-type: none"> • 7,498 square-foot building (Building B, formally used as a warehouse/ cabinet shop) • 9,600 square-foot building (Building C, formally used as a storage building) • 2,358 square-foot single-family residence (Building A) • 2,000-gallon water storage tank, paved parking and circulation areas; perimeter 	<ul style="list-style-type: none"> • An inorganic fertilizer manufacturing, storage, and sales facility with a caretaker residence on a 4.12-acre parcel. • The proposal includes two fertilizer manufacturing blending lines: one for liquids and another for powders. • Raw material will be dissolved and blended with liquid; other materials will be blended and remain in a dry form inside the proposed 9,600 square-foot metal building (Building D).

Criteria	Existing	Proposed
	fencing.	<ul style="list-style-type: none"> Raw and finished product will be stored inside the existing Building B and Building C. The property will connect to the City of Fresno and Malaga County Water District for sewer and water services. The facility will operate year round (Monday to Friday from 8 am to 5 pm).
Structural Improvements	<ul style="list-style-type: none"> 7,498 square-foot building (Building B, formally used as a warehouse/ cabinet shop) 9,600 square-foot building (Building C, formally used as a storage building) 2,358 square-foot single-family residence (Building A) 	9,600 square-foot building (Building D)
Nearest Residence	10 feet from west property line	None
Surrounding Development	Farmland planted in field crops, single-family residences and various industrial uses	No change
Operational Features	N/A	See "Project Site" above
Employees	N/A	10 to 12 (8 hours per day shift)
Customers	N/A	Average one (1) per month
Traffic Trips	N/A	<ul style="list-style-type: none"> 12 trips per day by employees One trip per month by customers/visitors One trip per day in the off season, six (6) trips per day in the peak season by shipment/delivery vehicles
Lighting	N/A	Outdoor lighting

Criteria	Existing	Proposed
Hours of Operation	N/A	Monday through Friday; 8:00 am to 5:00 pm (Year round)

EXISTING VIOLATION AND NATURE OF VIOLATION: No Violation

ENVIRONMENTAL ANALYSIS:

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 below and included as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: August 19, 2013.

PUBLIC NOTICE:

Notices were sent to 34 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) Application 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 CUP Application is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

According to County zoning records, the subject property was zoned R-A (Single-Family Residential Agricultural District) on June 8, 1960. The zoning on the property changed from the R-A Zone District to M-3 (Heavy Industrial) Zone District on August 17, 1965. The property currently holds M-3 zoning.

According to the County permit records, Site Plan Review (SPR) Application No. 5942 was approved on March 23, 1987 which allowed construction of a 9,600 square-foot warehouse/cabinet shop (Exhibit 5, Building C) and an existing single family dwelling (Exhibit 5, Building A) on the property to be used as a caretaker residence. SPR 5942 also allowed conversion of a 2,064 square-foot residence and a 1,800 square-foot residence on the property into storage facilities for a cabinet shop with a Change of Occupancy permit issued on January 14, 1987.

The subject proposal is to allow establishment of an inorganic fertilizer manufacturing, storage, and sales facility with a caretaker residence on the property. The project will construct a 9,600 square-foot metal building (Exhibit 5, Building D) to house blending operations and use the existing 7,498 square-foot building (Building B) and 9,600 square-foot building (Building C) for storage of raw and finished products. The project will also utilize all the existing improvements on the property, including but not limited to driveway access, parking and circulation areas.

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: None (15 feet if property abuts a residential district) Sides: None (15 feet if property abuts a residential district) Rear: None (15 feet if property abuts a residential district)	Front: None (15 feet if property abuts a residential district) Sides: None (15 feet if property abuts a residential district) Rear: None (15 feet if property abuts a residential district)	Yes
Parking	<ul style="list-style-type: none"> • One parking space for each two permanent employees • One parking space for sales person • One parking space for each company owned truck 	Adequate area on the property to accommodate required number of parking	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	No requirement	N/A	N/A
Wall Requirements	Six-foot-high wall between industrial and residential properties	None required. The property abuts non-residential properties	N/A
Septic Replacement Area	100 percent	None required. The project will connect to the City of Fresno for sewer services	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	Not required. The project will connect to Malaga County Water District for water services	N/A

Reviewing Agency/Department Comments regarding Site Adequacy:

Zoning Section, Development Services Division: The proposed improvements meet the setback requirements of the M-3 (Heavy Industrial) Zone District.

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

Analysis:

Staff review of the Site Plan demonstrates that all existing and proposed improvements exceed building setback requirements of the M-3 (Heavy Industrial) Zone District. At a minimum all buildings/structures will be set back approximately 48 feet from the north property line (zero feet required), 168 feet from the south property line (zero feet required), 100 feet from the east property line abutting Peach Avenue (zero feet required) and 37 feet from the west property line (zero feet required). The subject property is adequate in size to accommodate all proposed buildings/structures and on-site parking and circulation areas required for the use.

Based on the above information and with adherence to a mandatory Site Plan Review for design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting, staff believes the site is adequate in size to accommodate the proposed 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	<ul style="list-style-type: none"> • Peach Avenue; Fair condition • North Avenue; Good condition 	No change
Direct Access to Public Road	Yes	<ul style="list-style-type: none"> • Peach Avenue; Fair condition • North Avenue; Good condition 	No change
Road ADT (Average Daily Traffic)		<ul style="list-style-type: none"> • 900 (Peach Avenue) • 3300 (North Avenue) 	Insignificant traffic increase during facility operation
Road Classification		<ul style="list-style-type: none"> • Arterial Road (Peach 	No change

		Existing Conditions	Proposed Operation
		<p>Avenue)</p> <ul style="list-style-type: none"> • Arterial Road (North Avenue) 	
Road Width		<ul style="list-style-type: none"> • 30 feet west of section line (Peach Avenue) • 54 to 84 feet north of section line (North Avenue) 	<ul style="list-style-type: none"> • Additional six feet of right-of-way west of center line (48 feet west of Plane Line centerline) required for Peach Avenue according to the County Precise Plan No. 48 (Peach Avenue) • Additional six feet of right-of-way north of centerline (48 feet north of Plane Line centerline) required for North Avenue according to the County Precise Plan No. 62 (North Avenue).
Road Surface		<ul style="list-style-type: none"> • Asphalt concrete paved (Peach Avenue); 25.7 feet pavement width • Asphalt concrete paved (North Avenue); 35.7 feet pavement width 	<p>No change</p> <p>No change</p>
Traffic Trips		N/A. No business activities on the property	<ul style="list-style-type: none"> • 12 new trips per day by employees • One trip per month by customers/visitors • One trip per day in the off season and six (6) trips per day in the peak season by shipment/delivery vehicles
Traffic Impact Study (TIS) Prepared	No	N/A	No TIS required by County Design Division
Road Improvements Required		Fair to Good	None required

Reviewing Agency/Department Comments:

Design Division: No concerns with the proposal related to vehicular traffic; no Traffic Impact Study required.

Development Engineering Section of the Department of Public Works and Planning: No concerns related to traffic hazards.

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

Analysis:

Staff notes that any increase in vehicular traffic in the area, resulting from the project operations will be insignificant. According to information provided by the Applicant, the project will generate 12 trips per day by employees, one trip per month by customers/visitors, and one trip per day in the off season and six (6) trips per day in the peak season by shipment/delivery vehicles. The project was reviewed by County Design Division of the Fresno County Department of Public Works and Planning who expressed no traffic-related concerns with the proposal and did not require a Traffic Impact Study.

Based on the above information, staff believes Peach and North Avenues will remain adequate to accommodate the traffic generated by the proposed use.

Recommended Conditions of Approval:

None.

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				
	Size:	Use:	Zoning:	Nearest Residence:
North	10.3 acres	Agriculture (Single-family residence)	AE-20	290 feet from north property line
South	18.2 acres	Industrial (vacant)	M-3	None
East	One acre	Agriculture (Single-family residence)	AE-20	175 feet from east property line
West	3.5 acres	Agriculture (farmed with single-family residence)	AE-20	10 feet from west property line

Reviewing Agency/Department Comments:

City of Fresno Utilities Department: City sanitary sewer facilities are available to provide sewer service to the subject property. Prior to occupancy, the property shall connect to the City of Fresno sewer service which will require installation of a sewer house branch to be constructed

from the newly constructed/required S-2 manhole. Prior to occupancy, all existing on-site private sanitary sewer system(s) shall be abandoned in accordance with City of Fresno standards, specifications, and policies. These requirements have been included as Mitigation Measures.

City of Fresno Traffic and Engineering Division: According to City standards both North and Peach Avenues are Industrial Arterials with ultimate road right-of-way of 96 feet (48 feet from centerline on each side). Ultimate right-of-way shall be established through centerline of North Avenue and Peach Avenue per County Precise Plan Line No. 62 and 48.

Fresno County Agricultural Commissioner's Office (Ag Commissioner): An agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall be entered into with Fresno County, acknowledging the presence of surrounding agricultural operations and their related activities.

The aforementioned requirements have been included as Conditions of Approval. The following requirements have been included as Project Notes.

Malaga County Water District (MCWD): No water services are available to the property at this time except through an out-of-district service approval which will require filing of an application to Local Area Formation Commission (LAFCo). The applicant shall destroy any existing wells on the property according to the Fresno County Department of Public Health, Environmental Health Division; bear the cost incurred by the MCWD for the preparation of a resolution for an out-of-district water service to the property; bear the cost of preparation of an application to LAFCo; and pay the fees charged by the LAFCo.

San Joaquin Valley Air Pollution Control District (Air District): The proposal may be subject to the District Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed.

Development Engineering Section of the Development Services Division: An Engineered Grading and Drainage Plan shall be required to show how the additional storm water run-off generated by the proposed development will be handled without adversely impacting the adjoining properties. A Grading Permit or Voucher shall be required for any grading proposed with this application. Any work done within the 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. The first 100 feet off of the edge of the road right-of-way shall be graded and asphalt concrete paved or treated with dust palliative.

Peach Avenue is classified as an arterial road with an existing right-of-way of 30 feet west of the section line along the parcel frontage per Plat Book. According to the Precise Plan Line Serial No. 48, the ultimate right-of-way width west of the section line along the parcel frontage varies with a minimum width of 84 feet. North Avenue is classified as an arterial road with an existing right-of-way width north of the section line between Willow and Peach Avenues ranging from 54 feet to 84 feet per Plat Book. According to the Precise Plan Line Serial No. 62, the ultimate right-of-way width north of the section line between Willow and Peach Avenues also ranges from 54 feet to 84 feet.

Fresno County Department of Public Health, Environmental Health Division (Health Department): Fresno County Ordinance 14.12.030 A. & B. requires mandatory sewer connection if sewer service is available to the property. If the property connects, the existing on-site sewage disposal system consisting of a septic system tank and leach field line shall be properly destroyed under permits and inspections in accordance with Fresno County Ordinance. Prior to occupancy: the applicant shall complete the online hazardous materials Business Plan submittal; handle all hazardous waste in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5; and apply for and secure an Underground Storage Tank Removal Permit to remove any abandoned underground petroleum storage tank(s) to be found on the premises.

Prior to demolition of an existing structure, any active rodent or insect infestation shall be abated in order to prevent the spread of vectors to adjacent properties. Likewise, during demolition and/or remodel work: 1) upon encountering asbestos material, San Joaquin Valley Air Pollution Control District shall be contacted; and 2) upon encountering lead-based paints used in the structures constructed prior to 1979, California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted. Any construction materials deemed hazardous as identified in the demolition process shall be characterized and disposed of in accordance with current federal, state, and local requirements.

As a measure to protect groundwater, any water wells that exist or that have been abandoned within the project area not intended for the use by the project shall be properly destroyed by applying and obtaining a permit to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work.

Fresno County Fire Protection District: The project shall comply with the latest approved California Code of Regulations Title 24 – Fire Code. After county approval of the project and prior to issuance of building permits, copies of approved Site Plans shall be submitted to the District's office to receive District's Condition of Approval for the project.

Fresno Metropolitan Flood Control District (FMFCD): A temporary on-site storm water storage facility shall be required for any additional development and street improvements. Such facility should be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street.

Road Maintenance and Operations Divisions (RM&O): The existing gates at Peach Avenue shall set back 20 feet from the ultimate road right-of-way line to preclude any vehicles from encroaching into the right-of-way if stopped to open the gate. A 10' x 10' corner cut-off shall be provided to improve line of sight for vehicles exiting the facility. An encroachment permit shall be obtained for any improvements within the County right-of-way for the driveway approaches.

Fresno Irrigation District (FID): FID's Washington Colony No. 15 canal crosses North Avenue 500 feet east of the subject property. Any street and/or utility improvements along North Avenue and in the vicinity of canal crossing shall require approval of all plans by the FID. Likewise, FID's Wilder No. 289 canal crosses Peach Avenue 800 feet north of the subject property. Any street and/or utility improvements along Peach Avenue and in the vicinity of canal crossing shall require approval of all plans by the FID.

Building and Safety Sections of the Development Services Division: If approved, plans, permits and inspections are required for the new addition, including but not limited to retaining walls and other site improvements.

California Department of Fish & Wildlife, U.S. Fish and Wildlife Service, Design Division, Water/Geology/Natural Resources Section of the Development Services Division: No concerns with the proposal.

Analysis:

The subject 4.12-acre property is located on the northwest corner of Peach and North Avenues approximately 3,845 feet northwest of the nearest city limit of the City of Fresno. The existing improvements on the property include a 7,498 square-foot building (formally used as a warehouse/cabinet shop), a 9,600 square-foot building (formally used as a storage building), a 2,358 square-foot single-family residence, a water storage tank, driveway approaches, parking and circulation areas, and perimeter fencing. Adjoining properties to the north, east and west contain field crops with single-family residences, and the properties to the south have been developed with industrial uses.

The project involves limited new construction on the property. Except for a new 9,600 square-foot building (Building D), the project will utilize all the existing buildings and improvements on the property, including a single-family dwelling to be used as a caretaker residence. The project development will result in limited physical changes to the property and as such will not degrade the visual character of the site or its surroundings. Also, staff expects no impacts to surrounding farmland or the industrial development in the area.

Based on the above information and with the adherence to mitigation measures, including: all outdoor lighting be hooded; recommended conditions of approval, including dedication of right-of-way along Peach and North Avenues; required Site Plan Review for design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting; and Project Notes including handling of any hazardous waste on the property according to the State law, identified in the Initial Study (IS) prepared for this project and discussed in this Report, staff believes the project will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

- See *Mitigation Measures 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:
General Plan Policy LU-F.30: requires community sewer and water services for industrial development in accordance with the provisions of the Fresno County Ordinance.	The property will connect to the City of Fresno sewer facilities and the Malaga County Water District (MCWD) water facilities for the fire and domestic water. The project meets this policy.

Relevant Policies:	Consistency/Considerations:
General Plan Policy HS-B.1: County shall require identification of fire hazard to reduce the risk to life and property.	The project will comply with latest California Code of Regulations Title 24 – Fire Code and will require Fresno County Fire Protection District’s approval prior to issuance of building permits for any improvements on the property.
General Plan Policy HS-F.1 2: County shall require that facilities handling hazardous materials or wastes shall be designed, constructed and operated in accordance with applicable hazardous materials and waste management laws and regulation.	The project will handle all hazardous waste in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5, and will complete and submit on-line Hazardous Materials Business Plan with the Fresno County Department of Public Health, Environmental Health Division.
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.	The project will connect to the City of Fresno and Malaga County Water District sewer and water services and is not located in a water-short area as noted by the Water-Geology-Natural Resources Section of the Development Services Division.
General Plan Policy TR-A.5: County shall require dedication of right-of-way and road improvements as a Condition of land development, and require analysis of traffic impacts from land development projects.	The property is within City of Fresno Sphere of Influence (SOI). Given the City’s standards for 96 feet ultimate right-of-way verses County standard for 84 feet ultimate right-of-way, a condition would require the property owner to irrevocably offer the easterly six feet of the property (48 feet west of Plane Line centerline) in road right of-way for Peach Avenue according to the County Precise Plan No. 48 (Peach Avenue) and the southerly six feet of the property (48 feet north of Plane Line centerline) in road right of-way for North Avenue according to the County Precise Plan No. 62 (North Avenue). With the dedication, the project meets this policy.
Roosevelt Community Plan – Policy 6.02.f. requires permanent on-site parking facilities sufficient to serve all employees and no employee parking on street and in unimproved areas be permitted.	The 4.12-acre project site is adequate in size to accommodate the required parking needed for the use in the M-3 Zone District. Parking requirements will be further analyzed during mandatory Site Plan Review.

Reviewing Agency/Department Comments:

Policy Planning Section of the Development Services Division: The property is designated for Limited Industrial in the County-adopted Roosevelt Community Plan. Policy LU-F.30 requires community sewer and water services for industrial development in accordance with the

provisions of the Fresno County Ordinance. Policy HS-B.1 requires identification of fire hazard, and Policies HS-F.1, 2, and 3 discuss handling of hazardous material information, hazardous material, hazardous wastes, and response to hazardous materials incidents. Policy PF-C.17 requires evaluation of adequacy and sustainability of water supply, and Policy TR-A.5 requires dedication of right-of-way and road improvements and analysis of traffic impacts from land development projects. Roosevelt Community Plan Policy 6.02.f. requires sufficient on-site permanent parking facilities to meet the project need. The property is not subject to Agricultural Land Conservation Contract.

Analysis:

The project is consistent with the applicable General Plan Policies as discussed above. The project will meet Policy LU-F.30 by connecting with community sewer and water services provided by the City of Fresno and Malaga County Water District. The project also meets Policy HS-B.1 and Policy HS-F.1 and 2, in that the proposed facility will be inspected and approved by the Fresno County Fire Protection district prior to occupancy; will require handling of all hazardous waste in accordance with the requirements set forth in the California Health and Safety Code; and will file a Hazardous Materials Business Plan with the Fresno County Department of Public Health, Environmental Health Division. The project will not impact groundwater resources by utilizing community sewer and water services, and meets Policy PF-C.17. Regarding policy TR-A.5, additional road right-of-way will be required per the County and the City of Fresno review of the project. Further, the project will meet the required parking for the use as required by Policy 6.02.f of the Roosevelt Community Plan.

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

Recommended Conditions of Approval:

- See *Mitigation Measures and recommended Conditions of approval attached as Exhibit 1.*

Conclusion:

Finding 4 can be made.

CONCLUSION:

Staff believes the required Findings for granting the Classified Conditional Use Permit (CUP) Application can be made based on the factors cited in the Analysis, the Mitigation Measure, and 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 Application No. 3406 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. 6694; and

- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit Application No. 3406, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as 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 Application No. 3406; 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.

EJ:ksn
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Exhibit 1
Mitigation Monitoring and Reporting Program
Initial Study (IS) No. 6694/Classified Conditional Use Permit (CUP) No. 3406
(Including Conditions of Approval and Project Notes)

EXHIBIT 1

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2*	Geology and Soils	Prior to occupancy, the property shall connect to the City of Fresno sewer service which will require installation of a sewer house branch to be constructed from the newly constructed/required S-2 manhole.	Applicant	Applicant/PW&P/City of Fresno	As noted
	Geology and Soils	Prior to occupancy, all existing on-site private sanitary sewer system(s) shall be abandoned in accordance with City of Fresno standards, specifications, and policies.		Applicant/ PW&P/City of Fresno	As noted
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans and Operational Statement approved by the Commission.				
2.	Prior to occupancy, the project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities in the surroundings of the proposed development.				
3.	The property owner shall irrevocably offer the easterly six feet of the property (48 feet west of Plane Line centerline) in road right-of-way for Peach Avenue according to the County Precise Plan No. 48 (Peach Avenue) and southerly six feet of the property (48 feet north of Plane Line centerline) in road right-of-way for North Avenue according to the County Precise Plan No. 62 (North Avenue).				

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document and Conditions of Approval reference recommended Conditions for the project.

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

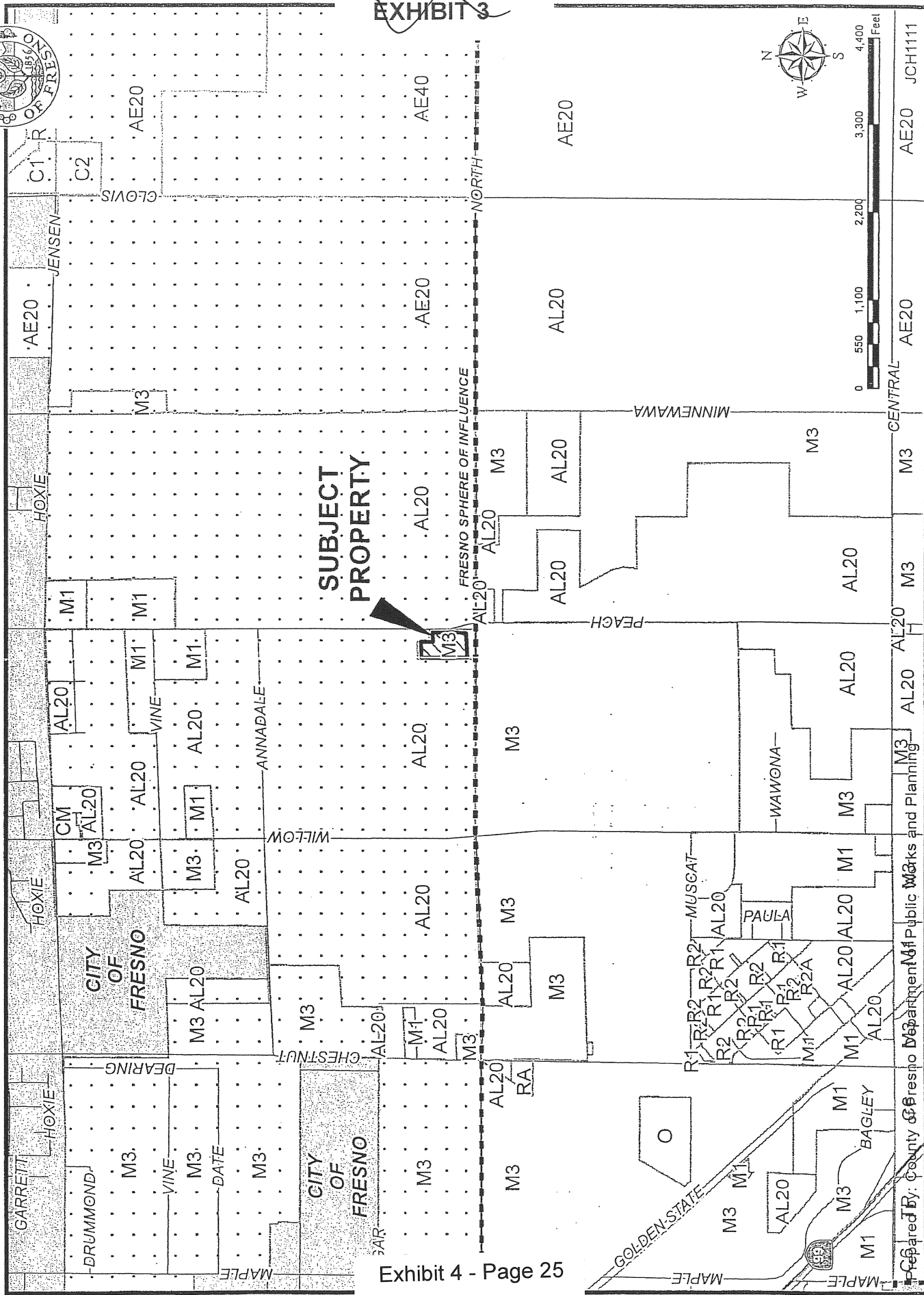
1. This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval.

	<p>2. 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, and control of lighting.</p>
	<p>3. Plans, permits and inspections are required for the new addition, including but not limited to retaining walls and other site improvements. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for construction and/or remodel.</p>
	<p>4. According to the Malaga County Water District (MCWD), to acquire out-of-district water service from MCWD, the applicant shall:</p> <ul style="list-style-type: none"> • Destroy existing well on the property according to the Fresno County Department of Public Health, Environmental Health Division • Bear the cost incurred by the MCWD for the preparation of a resolution for an out-of-district water service to the property • Bear the cost of preparation of an application to the Local Agency Formation Commission (LAFCo) and pay the fees charged by LAFCo.
	<p>5. According to the Development Engineering Section:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan may be required to show how the additional storm water run-off generated by the proposed development will be handled without adversely impacting the adjoining parcels. • A Grading Permit or Voucher is required for any grading proposed with this application. • 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. • The first 100 feet off of the edge of the road right-of-way shall be graded and asphalt/concrete paved or treated with dust palliative.
	<p>6. According to the Fresno County Department of Public Health Environmental Health Division (Health Department):</p> <ul style="list-style-type: none"> • Fresno County Ordinance 14.12.030 A & B requires mandatory sewer connection if sewer service is available to the property. If the property connects, the existing sewage disposal system consisting of a septic system tank and leach field line on the property shall be properly destroyed under permits and inspections in accordance with Fresno County Ordinance. • Prior to occupancy, the applicant shall complete the online hazardous materials Business Plan submittal (http://www.fresnocupa.com/ or http://cers.calepa.ca.gov/). • All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5. • The applicant shall apply for and secure an Underground Storage Tank Removal Permit to remove any abandoned underground petroleum storage tank(s) to be found on the premises. • Prior to demolition of an existing structure, any active rodent or insect infestation shall be abated in order to prevent the spread of vectors to adjacent properties. • During demolition and/or remodel work and upon encountering asbestos material, San Joaquin Valley Air Pollution Control District shall be contacted. Upon encountering lead-based paints used in the structures constructed prior to 1979, California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted. • Any construction materials deemed hazardous as identified in the demolition process shall be characterized and disposed of in accordance with current federal, state, and local requirements. • As a measure to protect groundwater, any water wells that exist or that have been abandoned within the project area not intended for the use by the project shall be properly destroyed by applying and obtaining a permit to destroy water well(s) from the Fresno County

	Department of Public Health, Environmental Health Division prior to commencement of work.
7.	<p>According to the San Joaquin Valley Air Pollution Control District (Air District):</p> <ul style="list-style-type: none"> The proposal may be subject to the District Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed.
8.	<p>According to the Fresno Metropolitan Flood Control District (FMFCD) a temporary on-site storm water storage facility shall be required for any additional development and street improvements. Such facility should be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street.</p>
9.	<p>According to the Road Maintenance and Operations Divisions (RM&O):</p> <ul style="list-style-type: none"> The existing gates at Peach Avenue shall set back 20 feet from the ultimate road right-of-way line to preclude any vehicles from encroaching into the right-of-way if stopped to open the gate. A 10' x 10' corner cut-off shall be provided to improve line of sight for vehicles exiting the facility. An encroachment permit shall be obtained for any improvements within the County right-of-way for the driveway approaches.
10.	<p>According to the Fresno Irrigation District (FID):</p> <ul style="list-style-type: none"> FID's Washington Colony No. 15 canal crosses North Avenue 500 feet east of the subject property. Any street and/or utility improvements along North Avenue and in the vicinity of canal crossing will require approval of all plans by the FID. FID's Wilder No. 289 canal crosses Peach Avenue 800 feet north of the subject property. Any street and/or utility improvements along Peach Avenue and in the vicinity of canal crossing will require approval of all plans by the FID.
11.	<p>According to the Fresno County Fire Protection District, the project shall comply with the latest California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans, stamped "reviewed" or "approved" from the Fresno County Department of Works and Planning to the Fresno County Fire Department for their review and approval. The Applicant shall submit evidence that their Plan was approved by the Fire Department, and all fire protection improvements shall be installed prior to occupancy granted to the use.</p>

EXISTING ZONING MAP

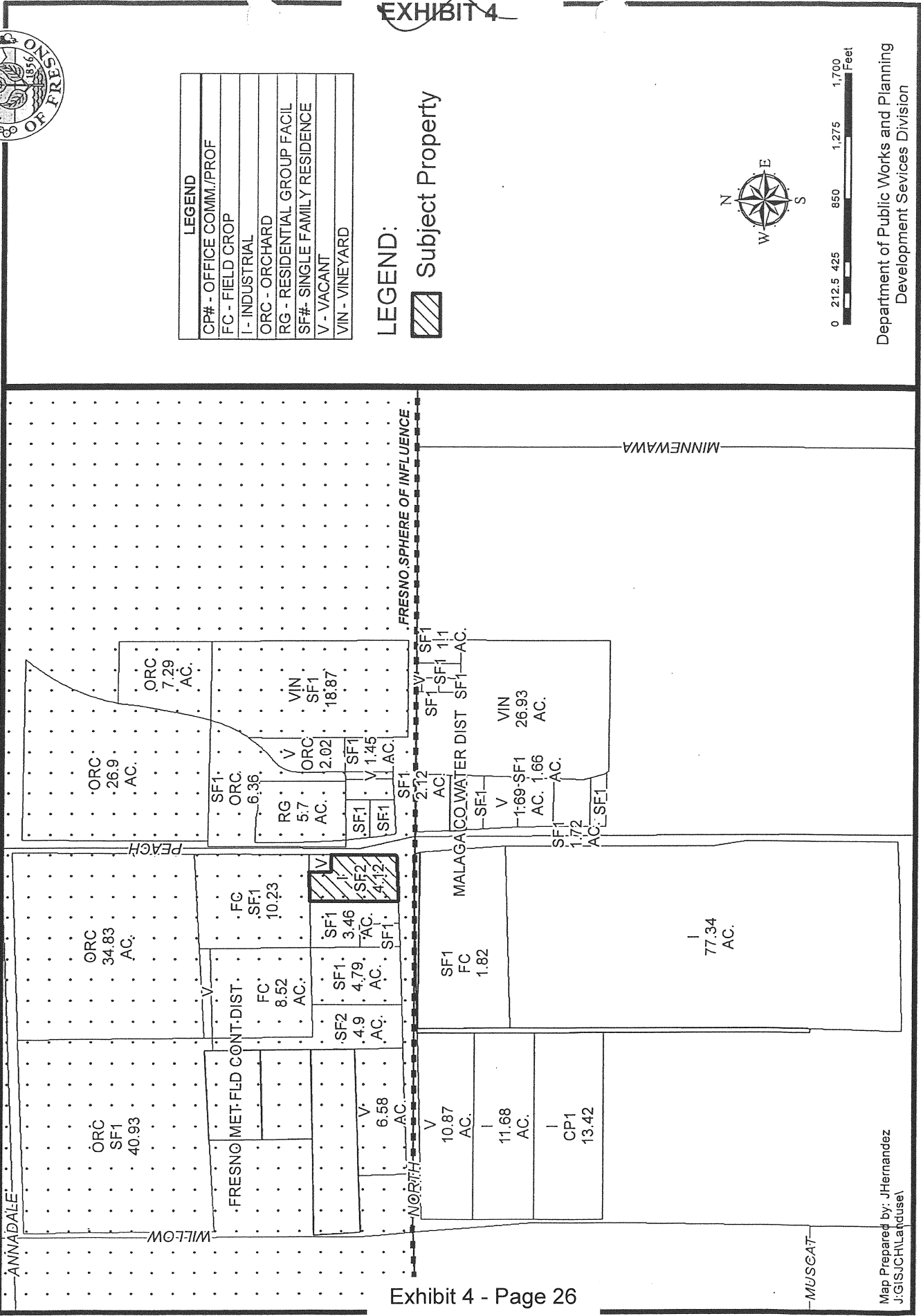
EXHIBIT 3





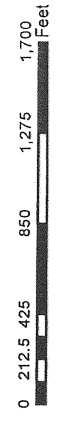
EXISTING LAND USE MAP

DRA 3406



LEGEND	
CP# - OFFICE COMM./PROF	
FC - FIELD CROP	
I - INDUSTRIAL	
ORC - ORCHARD	
RG - RESIDENTIAL GROUP FACIL	
SF# - SINGLE FAMILY RESIDENCE	
V - VACANT	
VIN - VINEYARD	

LEGEND:
 Subject Property



Department of Public Works and Planning
 Development Services Division

Revised

SHEET INDEX

SHEET #	SHEET DESCRIPTION
A-1	FLOOR PLAN
A-2	EXTERIOR ELEV.
A-3	SECTION AND FRAMING DETAILS
A-4	ELECTRICAL
T-24	TITLE 24

SITE NOTES

- DRIVEWAYS TO RESIDENTIAL GARAGES SHALL HAVE A MAXIMUM SLOPE OF 12% FOR A MINIMUM DISTANCE OF 20' FROM THE GARAGE. NO PORTION OF THE DRIVEWAY SHALL EXCEED A GRADE OF 18%.
- THE EXISTING DRIVEWAY SHALL BE MAINTAINED TO THE CENTERLINE OF THE STREET AS PER CODE. VERIFY VACUITY OF PAVING PRIOR TO START OF WORK.
- LOT DRAINAGE:
 - PROVIDE A 2% SLOPE AWAY FROM THE BUILDING FOR A MINIMUM OF 5'.
 - GRADE DIFFERENTIALS GREATER THAN 12" SHALL BE SUPPORTED BY AN APPROVED RETAINING WALL.
- ANY SURVEY MONUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE REPAIRED OR RESET BY A REGISTERED CIVIL ENGINEER OR A LICENSED LAND SURVEYOR.
- REPAIR ALL DAMAGED AND/OR OFF GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- TWO WORKING DAYS BEFORE COMMENCING EXCAVATION OPERATIONS WITHIN THE STREET RIGHT-OF-WAY AND/OR UTILITY EASEMENTS, ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY THE UNDERGROUND UTILITY LOCATOR. ANY UTILITIES REQUIRING RELOCATION SHALL BE THE RESPONSIBILITY AT THE EXPENSE OF THE DEVELOPER. CONTACT TRAFFIC ENGINEER FOR TRAFFIC SIGNAL FACILITIES. THE HYDRAUSIC RELIABILITY OF THE RELOCATED STANDARDS.
- SITE GRADING AND DRAINAGE:
 - DRAIN LOT TO STREET OR OTHER APPROVED DRAINAGE EASEMENT OR PONDING AREA.
 - MINIMUM FINISH GRADE TO BE NOT LESS THAN 10'.
 - TOP OF SLAB TO BE NOT LESS THAN 4" ABOVE THE BUILDING PAD. SLOPE EARTH AWAY FROM THE BUILDING PAD 2% FOR THE FIRST 5', EXCEPT AT A 5' SIDEYARD SETBACK WHERE SLOPE WILL BE 3" TO A NATURAL DRAINAGE.
 - CHEMICAL TOILETS REQUIRED ON-SITE DURING CONSTRUCTION.
- CHANGES FROM THE APPROVED PLANS DURING THE COURSE OF CONSTRUCTION SHALL CAUSE CONSTRUCTION TO BE SUSPENDED UNTIL SUCH TIME AS THE CHANGES ARE APPROVED BY THE COUNTY ENGINEER AND SUBMITTED TO THE COUNTY FOR REVIEW AND APPROVAL. (SEE APPENDIX 1003.)

SITE DATA

SITE ADDRESS: 2976 S. PEACH
 ASSESSOR'S PARCEL #: 316-071-37
 LEGAL DESCRIPTION: SE 1/4 OF SE 1/4 SEC 19 T14R21
 PROPERTY ZONE: M-3
 OCCUPANCY CLASS: SFR & GARAGE/STORAGE BUILDINGS
 TOTAL LOT AREA: 4.12 ACRES
 COVERED/FLOOR AREAS:

BUILDING 'A'	Building area = 1,728 sq. ft. (1.0 acre) (see Appendix 2, 200 sq. ft.)
BUILDING 'B'	total = 4,153 sq. ft.
BUILDING 'C'	= 7,498 sq. ft.
BUILDING 'D'	= 9,600 sq. ft.
TOTAL COVERED AREA	= 30,851 sq. ft.
LOT COVERAGE	= 17.2 %
LOT SIZE:	4.12 ACRES, = 179,467.2 SQ. FT.

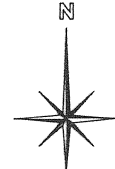
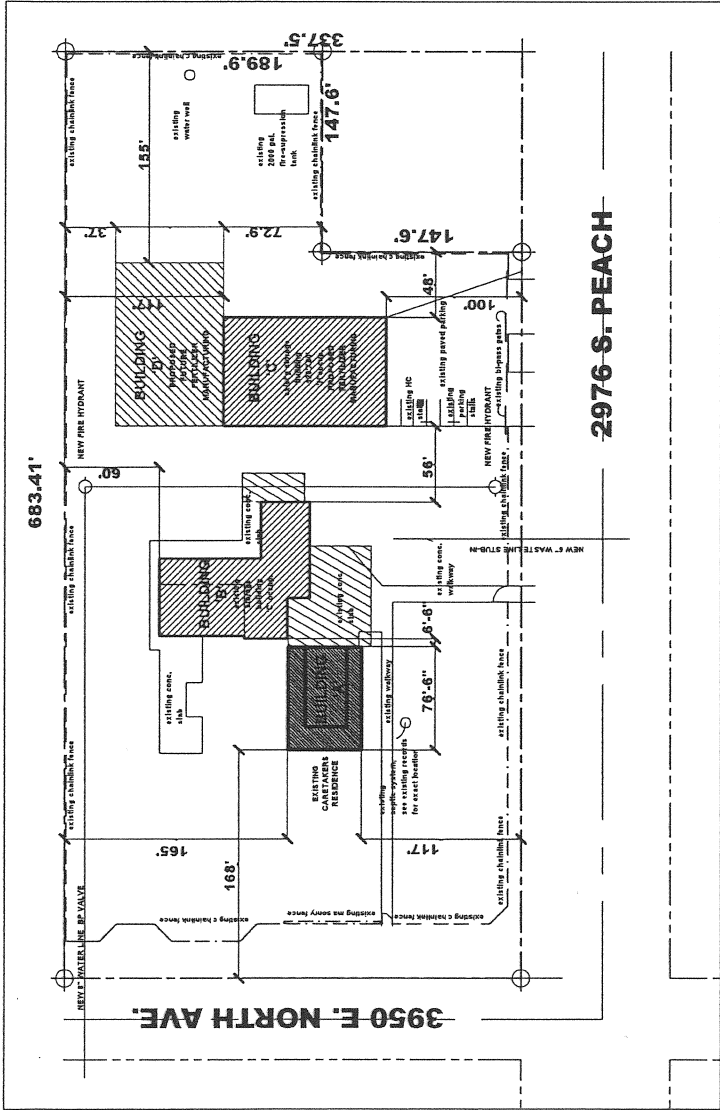
SITE PLAN

Job Address:
2976 S. Peach

OWNER:
Agro Plantae Inc.
1865 Herndon Ave.
Suite K321
Clovis, CA, 93611
PH#559-322-2044

DATE: 03/08/13
SCALE: 1" = 40'-0"
DRAWN BY: b.p.
SHEET NO.

SITE

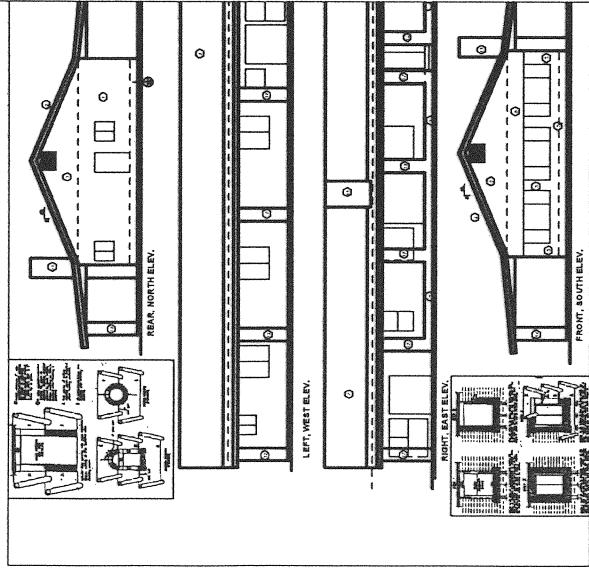


BUILDING 'C':
 1) PROPOSED OCCUPANCY REVISION FROM ORGANIC FERTILIZER STORAGE AND SALES TO FERTILIZER MANUFACTURING, 9600 SQ.FT.

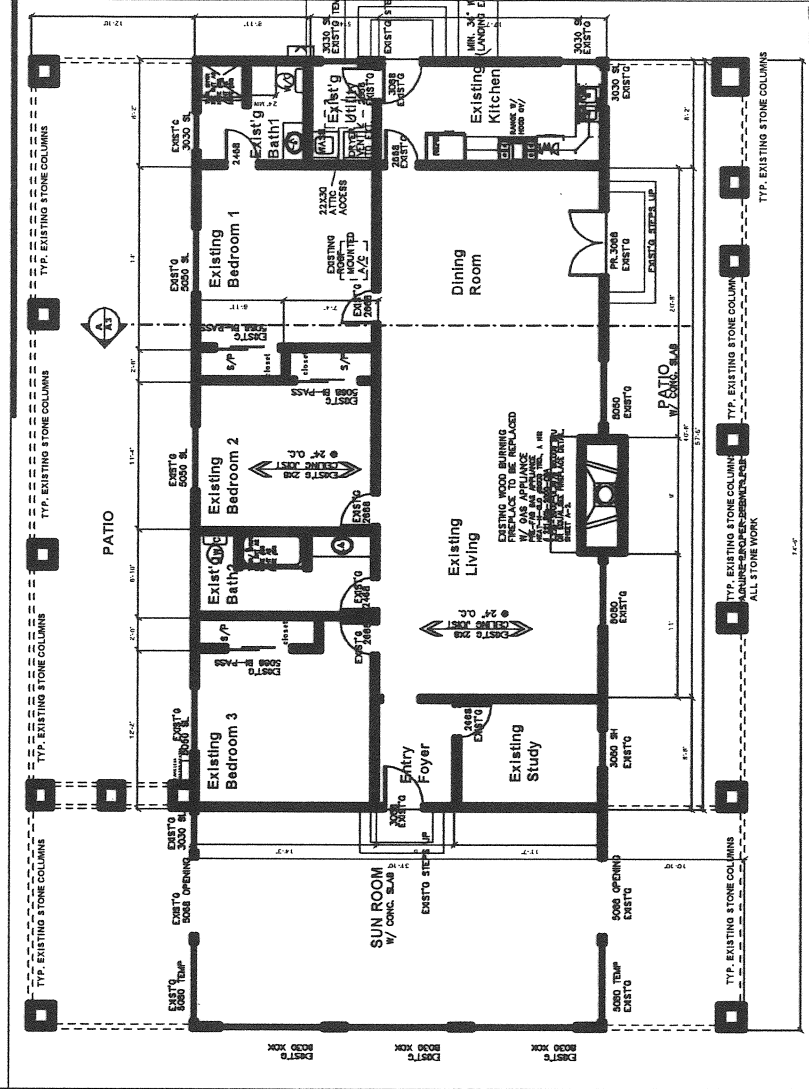
BUILDING 'D':
 2) PROPOSED FUTURE FERTILIZER MANUFACTURE, 9600 SQ.FT.

REVISIONS

- ELEVATION NOTES**
- 1. FINISH MATERIALS TO BE DETERMINED BY THE ARCHITECT
 - 2. UNLESS OTHERWISE NOTED, ALL FINISHES TO BE AS SHOWN
 - 3. ALL FINISHES TO BE MATCHED TO EXISTING
 - 4. FINISHES TO BE MATCHED TO EXISTING
 - 5. FINISHES TO BE MATCHED TO EXISTING
 - 6. FINISHES TO BE MATCHED TO EXISTING
 - 7. FINISHES TO BE MATCHED TO EXISTING
 - 8. FINISHES TO BE MATCHED TO EXISTING
 - 9. FINISHES TO BE MATCHED TO EXISTING
 - 10. FINISHES TO BE MATCHED TO EXISTING



EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"



REPAIR AND SCOPE OF WORK

FLOOR PLAN BUILDING 'A'
SCALE: 1/4" = 1'-0"

OWNER:
Agro Plantae Inc
1865 Herndon Ave.
Suite K321
Clovis, CA, 93611
PH#559-322-2044

Job Address:
2979 S. Peach

Bill Bogdanov & Assoc.
224 E. Spring
Fresno, CA 93720
P#559-271-1146

FLOOR PLAN, ELEVATIONS
DRAWN BY: b.b.
SCALE: AS NOTED
DATE: 04/08/13

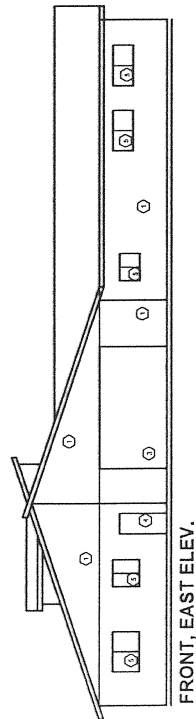
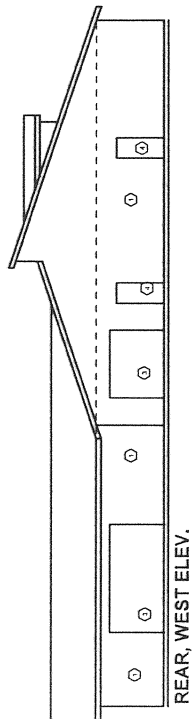
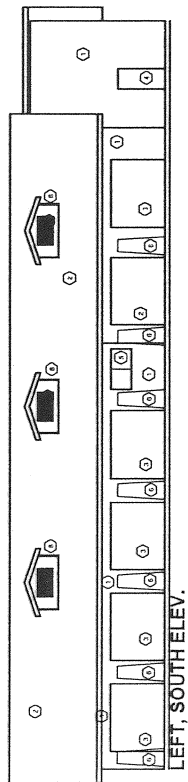
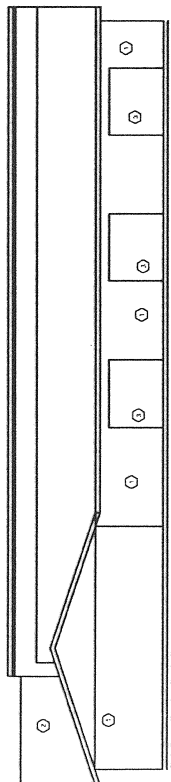
STAMP

SHEET NO.
A-1

REVISION

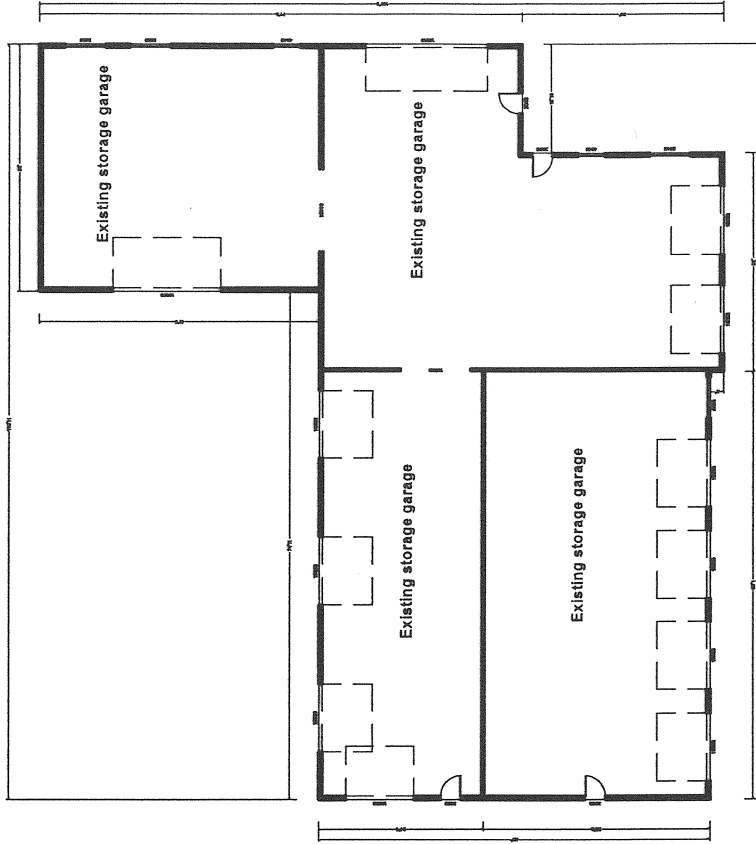
ELEVATION NOTES

- ① SHIMS
- ② METAL BRACKETS
- ③ METAL ANCHOR BOLTS
- ④ METAL TELESTEEL BRACKETS
- ⑤ WINDOW
- ⑥ STONE VENTILATORS
- ⑦ GABLE END VENT
- ⑧ DOWNGUT IN GUTS



EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"



FLOOR PLAN BUILDING 'B' :

SCALE: 1/8" = 1'-0"

Floor area = 7554 sq.ft.

Bill Bogdanov
& ASSOC.

1821 E. Herndon
Fresno, CA 93720
T 559-271-1146

OWNER:
Agro Plantae Inc.
1865 Herndon Ave.
Suite K321
Clovis, CA, 93611
ph# 559-322-2044

floor plan, elevations
BUILDING 'B'
Job Address:
2979 S. Peach

STAMP

DRAWN BY: b.p.
SCALE: AS NOTED
DATE: 04/08/13

SHEET NO.

B-1

Revis

Bill Bogdanov
& Assoc.
824 E. Seventh St.
Cleveland, OH
T: 559-271-1146

OWNER:
Agro Plantae Inc
1865 Herndon Ave.
Suite K321
Cleveland, CA 93611
ph: 559-322-2044

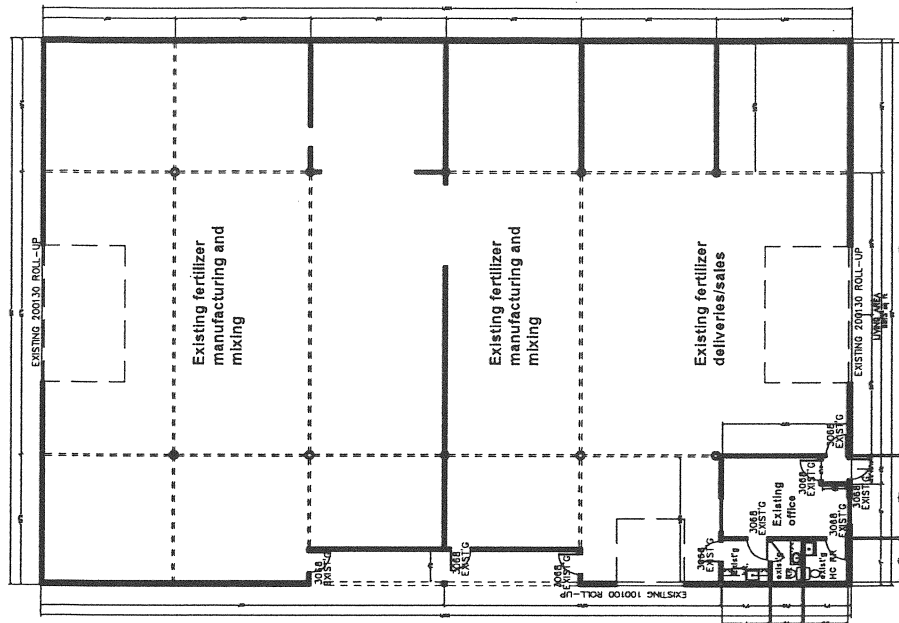
floor plan, elevations
BUILDING 'C'
Job Address:
2979 S. Peach

STAMP

DATE: 04/08/13
SCALE: AS NOTED
DRAWN BY: b.p.

SHEET NO.

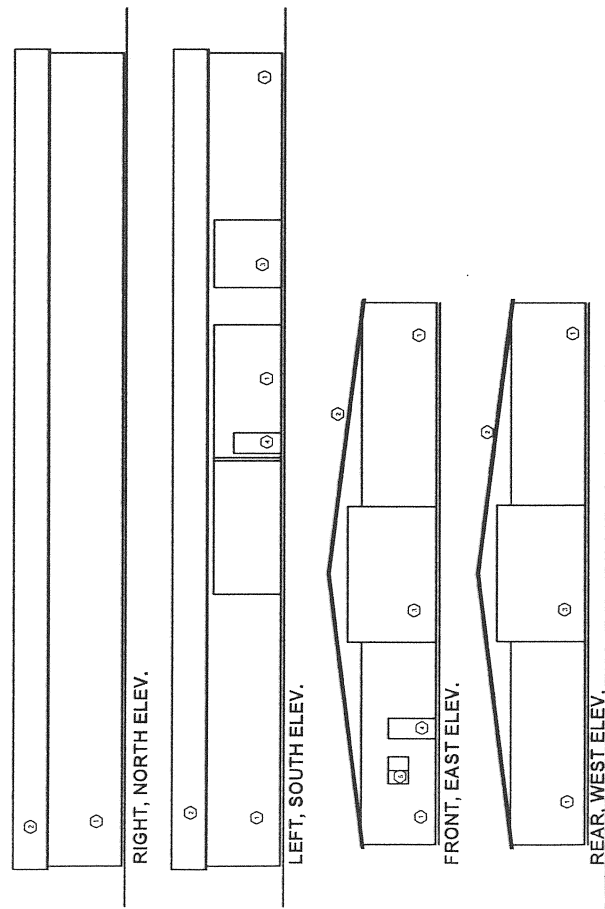
C-1



FLOOR PLAN BUILDING 'C' :
SCALE: 1/8"= 1'-0"

ELEVATION NOTES


- ① EXISTING FINISH WORK
- ② EXISTING FINISH WORK
- ③ EXISTING FINISH WORK
- ④ EXISTING FINISH WORK
- ⑤ FINISH WORK
- ⑥ EXISTING FINISH WORK

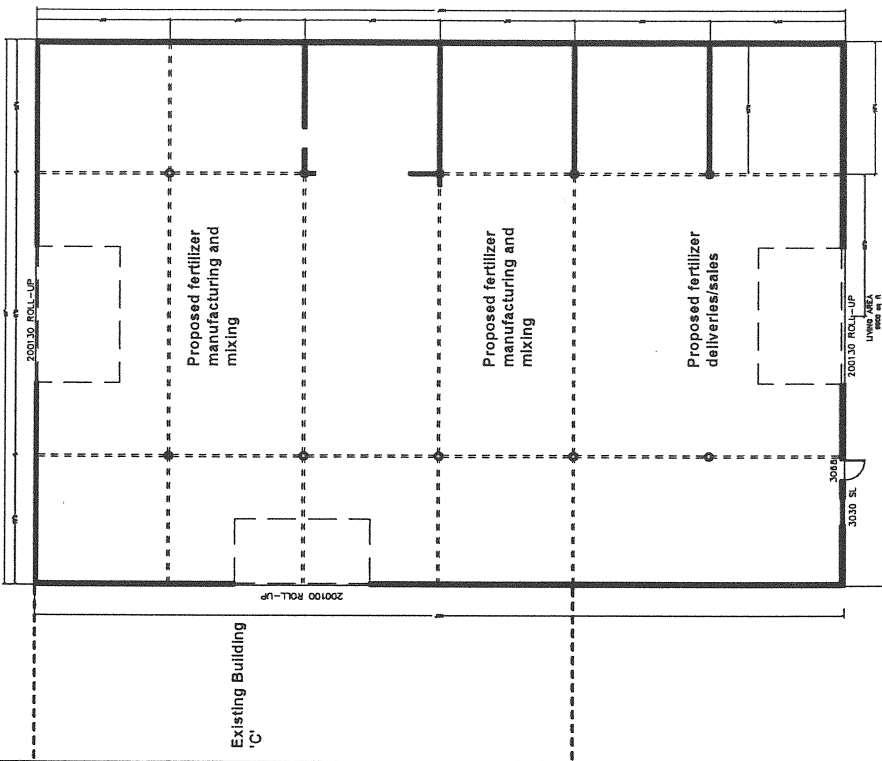


EXTERIOR ELEVATIONS

SCALE: 1/8"= 1'-0"

Revised

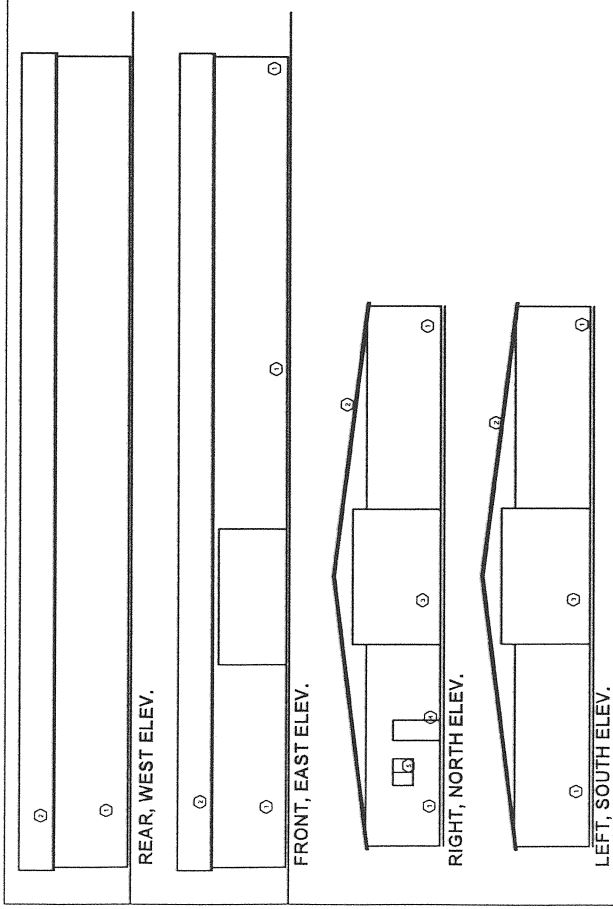
 <p>Bill Bogdanov & Assoc. 1311 E. Santa Ana Fremont, CA 94720 T 559-271-1146</p>	<p>OWNER: Agro Plantae Inc. 1865 Herndon Ave. Suite K321 Clovis, CA, 93611 ph#559-322-2044</p>	<p>Job Address: 2979 S. Peach</p>	<p>DATE: 04/08/13</p>
	<p>STAMP</p>	<p>DRAWN BY: b.b.</p>	<p>SCALE: AS NOTED</p>



FLOOR PLAN BUILDING 'D' :
SCALE: 1/8" = 1'-0"

ELEVATION NOTES

- ① NEW SKINS
- ② NEW SKIN
- ③ NEW SKIN
- ④ NEW SKIN
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EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

County of Fresno

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COUNTY OF FRESNO

Classified Conditional Use Permit Application No. 3406
Initial Study Application No. 6694

JUN 08 2013

Operational Statement

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

(REVISED)

AgroPlantae, Inc.
2976 S. Peach Avenue, Fresno

1. **Nature of the operation--what do you propose to do? Describe in detail.**

The proposed business operations for AgroPlantae, Inc. at the above location will include buildings for the manufacturing of inorganic fertilizer products, storage of raw materials, storage and shipping of finished products, administration and a residence for a caretaker.

The primary operation will consist of two fertilizer manufacture blending lines; one for liquids and another for powders. All liquid raw materials will be purchased from producers and delivered in bulk containers such as 4200 gallon tanks, 265 gallon totes and 55 gallon drums. Dry materials will be delivered in large 1 ton sacks and 55 lb. bags. Based upon specific formulas, some dry materials will be dissolved and blended with liquids and others will be blended and remain in a dry form. Liquid products are mainly sold in 2.5 gallon jugs in boxes of 2 and 265 gallon totes. Powders are mainly sold in 5 lb. and 25 lb. bags.

2. **Operational time limits:**

The company will operate year round with a peak season from February through July. Daily business hours will be from Monday to Friday, 8 am to 5 pm, 8 hours per day. All activities will be conducted indoors.

3. **Number of customers or visitors:**

Typical customers are medium and large distributors that are usually contacted through site visits and sales calls. Customer visits to the plant would be exceptional occasions at an average rate of approximately 1 per month. Shipments and deliveries will be performed from 8:00 am to 4.30 pm at rate of approximately 1 per day in the off-season and a maximum of 6 per day in the peak season.

4. **Number of employees:**

When the plant is operational, the number of employees will be 10-12, 8 hours per day from 8:00 am to 5.00 pm. One employee may live on site as a caretaker in the existing house.

5. **Service and delivery vehicles:**

Material deliveries will be made with 40 ft. container trucks and some smaller trucks from local suppliers.

6. **Access to the site:**

Access to the site will be from South Peach Avenue which is a paved public road currently maintained by Fresno County.

7. **Number of parking spaces for employees, customers, and service/delivery vehicles.**

Total paved parking spaces on site will be 16; including 12 for employees and 2 for visitors/customers, 2 additional.

8. **Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location?**

No goods or products will be sold directly on-site. Company sales representatives will contact distributors at their main headquarters and branches to make sales. These are typically a manufacturing and shipping facility location.

9. **What equipment is used?**

Equipment used for liquids are 500-6000 gallon stainless and polypropylene tanks mostly containing agitation devices for blending. Tanks containing raw materials are connected to a piping system which pumps the required quantity into 500-1000 gallon blender tanks with agitation. The tanks with agitation will also be connected to a hot water heater to allow faster solution blending of certain dry soluble raw materials. Once the final solution is obtained, most of the products will be packaged in 2.5 gallon jugs in boxes of two, stacked on pallets of 36 boxes (180 gallons) and shrink wrapped for shipping. Some products will be packaged in 265 gallon totes and occasionally, if to be sold in bulk, would be pumped into a 4000 gallon tank truck.

For the powder products, raw materials in 55 lb. sacks or large sacks of 2000 lb. are dosed and loaded into a ribbon blender and when properly blended will be packaged in 5 to 25 lb. bags. The majority of these products will be packaged in 25 lb. bags stacked on pallets of 80 bags (2000 lbs.) and shrink wrapped for shipping.

Finished goods will be stored in dedicated areas inside a building and when readied for shipping will be loaded with forklifts into trucks.

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

10. What supplies or materials are used and how are they stored?

All raw materials used in production of products will be secured inside buildings on the fenced site in quantities legally allowed by the DHS (Department of Homeland Security), and stored per a HMBP (Hazardous Materials Business Plan) per Fresno County and CalFire requirements. The existing main building has a sprinkler system and wireless fire alarm system connected to the fire department. This building also has the alarm system connected 24/7 to SAFECO Alarm Company. It is also monitored with video cameras viewed from inside the office and from any remote company PC and Smart Phone.

Materials used are: Amino Acids, Ammonium Molibdate, Ammonium Nitrate, Boric Acid, Calcium Chloride, Calcium EDTA, Calcium Lignosulphonate, Calcium Nitrate, Citric Acid, Copper Chloride, Copper EDTA, Copper Nitrate, Copper Sulfate, Di-Ammonium Phosphate, Humic Acids, Iron Chloride, Iron DTPA, Iron EDDHA, Iron EDTA, Iron Sulfate, Magnesium EDTA, Magnesium Nitrate, Magnesium Sulfate, Manganese EDTA, Manganese Nitrate, Manganese Sulfate, Monoammonium Phosphate, Monopotassium Phosphate, Phosphoric Acid, Phosphorous Acid, Potassium Carbonate, Potassium Chloride, Potassium Hydroxide, Potassium Nitrate, Seaweed, Urea, Urea low Biuret, Zinc Chloride, Zinc EDTA, Zinc Nitrate, Zinc Sulfate.

11. Does the use cause an unsightly appearance?

All production activities will take place inside buildings and will develop no outdoor noise, glare, dust or odor. All raw materials and finished products will be contained inside buildings.

12. List any solid or liquid wastes to be produced.

There will be 1-2 tons per year of dry waste stored in sacks and 1000 to 2000 gallons of liquid waste stored in 265 gallons totes. Removal will be done semi-annually under contract with an appropriate disposal company.

Groundwater Pollution will be prevented by reducing, reusing and recycling practices. Feed stock, final products and waste materials will be stored inside the buildings in approved containers. The blending process will basically avoid handling materials which generate by-product waste through the purchase and utilization of semi-finished raw products which have already been processed. Best practices will be applied to generate the least amount of rinse water possible which will then be reutilized entirely to make the next batch of the same product. Operational procedures will include taking necessary steps to avoid any product spillage coming in contact with the soil by the design and installation of containment basins with curbs inside the buildings in specific areas with permanent tanks and by providing ramps for forklifts over the curbs. Some of larger tanks will have double containment to retain any spillage. In addition to all raw materials and finished products being stored inside buildings, areas surrounding the buildings will be paved to further prevent any raw materials, finished products and waste materials from coming in contact with the soil.

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

GROPLANTAE INC. - 1865 Herndon Ave Suite K321-Clovis CA 93611
Tel 559 322 2044 - Fax 559 314 6064 - info@agroplantae.com

AgroPlantae, Inc

13. Estimated volume of water to be used (gallons per day).

Water utilized will be 2000-4000 gallons per day from the water well currently available on the property.

14. Describe any proposed advertising including size, appearance, and placement.

Signage will be a 4 ft. x 8 ft. company logo attached to the building.

15. Will existing buildings be used or will new buildings be constructed?

The two existing buildings will be used as storage for raw materials and finished packaged products. A new metal building will be built to house all blending operations.

16. Explain which buildings or what portion of buildings will be used in the operation.

The existing larger building with fire sprinklers will be used for storage of raw materials and finished products. The existing smaller building will be used as storage for plastic jugs, totes and other packaging materials. The office will be utilized for administration. The existing house on the property will be utilized for a caretaker. The new metal building to be constructed will be utilized for manufacturing.

17. Will any outdoor lighting or an outdoor sound amplification system be used?

There will be outdoor security lights and no outdoor amplification system will be used.

18. Landscaping or fencing proposed? Describe type and location.

Fencing will be metal chain-link surrounding the entire property.

19. Any other information that will provide a clear understanding of the project or operation.

None at this time

20. Identify all Owners, Officers and/or Board Members for each application submitted.

Angelo Paolucci (President-CEO), Rosanna Di Lallo (CFO)

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



EXHIBIT 7

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Bill Bogdanov

APPLICATION NOS.: Initial Study Application No. 6694, Conditional Use Permit Application No. 3406

DESCRIPTION: Allow an inorganic fertilizer manufacturing, storage, and sales facility with a caretaker residence on a 4.12-acre parcel in the M-3 (Heavy Industrial) Zone District.

LOCATION: The project site is located on the northwest corner of S. Peach and E. North Avenues approximately 3,845 feet northwest of the nearest city limit of the City of Fresno in the Fresno County (2976 S. Peach Avenue, Fresno) (SUP. DIST.: 4) (APN: 316-071-37).

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 is located in an area comprised of farmland containing field crops with single family residences and industrial uses. No scenic vistas or scenic resources were identified near the property and as such the project will not affect these resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing improvements on the property include a 7,498 square feet building (formally used as a warehouse/cabinet shop), a 9,600 square feet building (formally used as a storage building), a 2,358 square feet single family residence, a water storage tank, paved parking and circulation areas and perimeter fencing.

According to the applicant's Operational Statement, the proposal consists of two fertilizer manufacturing blending lines; one for liquids and another for powders. Raw material delivered

DEVELOPMENT SERVICES DIVISION

to the property will be dissolved and blended with liquids and others will be blended and remain in a dry form. A 9,600 square feet metal building will be constructed to house all blending operations whereas raw and finished product will be stored inside the existing buildings on the property.

With the exception of a new building, no other improvements are proposed on the property. The project will not result in any major physical changes to the property, and will not substantially degrade the visual character of the site or its surroundings consist of active farmland with single family residences and various industrial uses.

- 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 MITIGATIONS INCORPORATED:

According to the applicant's Operational Statement, the project will install outdoor lights that have the potential of generating glare in the area. To minimize such impacts, a mitigation measure would require that all lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.

**Mitigation Measure:*

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

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide 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 is not in conflict with industrial zoning and is an allowed use on land designated for industrial with discretionary approval and adherence to the applicable General Plan Policies. The subject property is classified by the state as Rural Residential Land on 2010 Fresno County Important Farmland Map and is not subject to a Williamson Act Land Conservation

Contract. Parcels adjoining to the north, east and west of the property are active farmland with single family residences and the parcels to the south include industrial developments. The project will utilize existing improvements on the property which includes a single family residence and two non-residential buildings with related improvements.

The Fresno County Agricultural Commissioners' Office reviewed the project and requires that the applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities in the surrounding of the proposed development. This requirement will be included as a Condition of Approval.

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 (Air District) the project specific criteria pollutant are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/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.

Other Air District Rules that may apply to this proposal include: District Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed. Adherence to these Rules will reduce project's impact on air quality less than significant and will be included as Project Notes.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not create objectionable odors to people. All production activities related to this proposal, including storing of raw material and finished products, will take place inside the existing buildings and a new building to be constructed.

The San Joaquin Valley Air Pollution Control District did not express specific concerns related to odor except that the project may be subject to District Rule 4102 (Nuisance). This Rule

applies to any source operation (including odor) which may emit air contaminants or other materials.

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 (DFW) or the United States 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?
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a Tree Preservation Policy or Ordinance; or

FINDING: NO IMPACT:

The project site has been disturbed with the existing improvements on the property. This include two buildings formally used as a warehouse/cabinet shop and storage building, a single family residence, a water storage tank, and paved parking and circulation areas. The site contains no riparian features or trees and as such does not provide suitable habitat for the state and federally listed species.

The project was routed to the California Department of Fish and Wildlife (DFW) and U.S. Fish and Wildlife Service (FWLS) 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 cultural resources.

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:
 - (a) Rupture of a known earthquake; or
 - (b) Strong seismic ground shaking; or
 - (c) Seismic-related ground failure, including liquefaction; or
 - (d) Landslides?

FINDING: NO IMPACT:

The property is not located within or near a fault zone. The project will not create a 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:

The project will not result in substantial erosion or loss of top soil. With the exception of a 9,600 square feet building to be constructed to house fertilizer making operations, all existing improvements will remain intact and be used by the proposed development.

According to the Development Engineering Section of the Development Services Division: 1) an Engineered Grading and Drainage Plan is required to show how the additional storm water run-off generated by the proposed development will be handled without adversely impacting

the adjoining parcels; and 2) a Grading Permit or Voucher is required for any grading proposed with this application. These requirements will be included as Project Notes.

- 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, liquifaction, 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 WITH MITIGATION INCORPORATED:

All existing improvements on the property are currently hooked up to on-site sewage disposal system. The project was routed to the City of Fresno Utilities Department and Fresno County Department of Public Health, Environmental Health Division for review and comments.

Per the City of Fresno Utilities Department, city sanitary sewer facilities are available to provide sewer service to the subject property. Therefore, the City require: 1) installation of a sewer house branch from the newly constructed/required S-2 manhole within Peach Avenue; and 2) abandonment of all existing on-site private sanitary sewer system (s) in accordance with city standards, specifications, and policies. These will be included as mitigation measures.

*Mitigation Measures:

- *1. *Prior to occupancy, the property shall connect to the City of Fresno sewer service which will require installation of a sewer house branch to be constructed from the newly constructed /required S-2 manhole.*
- *2. *Prior to occupancy, all existing on-site private sanitary sewer system (s) shall be abandoned in accordance with City of Fresno standards, specifications, and policies.*

According to the Fresno County Department of Public Health, Environmental Health Division, Fresno County Ordinance 14.12.030 A & B. requires mandatory sewer connection if sewer service is available to the property. Per the mitigation measures noted above, the property will connect to the City of Fresno sewer service.

The Environmental Health Division also requires that the existing sewage disposal system consisting of a septic system tank and leach field line on the property shall be properly destroyed under permits and inspections in accordance with Fresno County Ordinance. This will be included as a Project Note.

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 an 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 noted in Section III. A.B.C.D. (Air Quality) above.

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:

Materials used in making of the fertilizers involve Amino Acids, Ammonium Molibdate, Ammonium Nitrate, Boric Acid, Calcium Chloride, Calcium EDTA, Calcium Lignosulphonate, Calcium Nitrate, Citric Acid, Copper Chloride, Copper EDTA, Copper Nitrate, Copper Sulfate, Di-Ammonium Phosphate, Humic Acids, Iron Chloride, Iron DTPA, Iron EDDHA, Iron EDTA, Iron Sulfate, Magnesium EDTA, Magnesium Nitrate, Magnesium Sulfate, Manganese EDTA, Manganese Nitrate, Manganese Sulfate, Monoammonium Phosphate, Monopotassium Phosphate, Phosphoric Acid, Phosphorous Acid, Potassium Carbonate, Potassium Chloride, Potassium Hydroxide, Potassium Nitrate, Seaweed, Urea, Urea low Biuret, Zinc Chloride, Zinc EDTA, Zinc Nitrate, and Zinc Sulfate.

According to the applicant's Operational Statement, equipment used for making of liquid fertilizer include 500-6000 gallon stainless and polypropylene tanks containing agitation devices for blending. Tanks containing raw materials are connected to a piping system which pumps the required quantity into 500-1000 gallon blender tanks with agitation. The tanks with agitation will also be connected to a hot water heater to allow faster solution blending of certain dry soluble raw materials. Finished product will be packaged in 2.5 gallon jugs in boxes of two, in 265 gallon totes and if to be sold in bulk, would be pumped into a 4000 gallon tank truck. Making of powder fertilizer involves raw materials loaded into a ribbon blender and when properly blended will be packaged in five (5) to 25 pound bags. Blending operations will take place inside the proposed 9,600 square feet building and all raw materials and finished products will be stored inside the existing buildings on the property.

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and requires that prior to occupancy: 1) the applicant shall

complete the online hazardous materials Business Plan submittal (<http://www.fresnocupa.com/> or <http://cers.calepa.ca.gov/>); 2) handle all hazardous waste in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5; and 3); apply for and secure an Underground Storage Tank Removal Permit to remove any abandoned underground petroleum storage tank(s) to be found on the premises.

The Health Department also requires that prior to demolition of an existing structure, any active rodent or insect infestation shall be abated in order to prevent the spread of vectors to adjacent properties. Likewise, during demolition and/or remodel work: 1) upon encountering asbestos material, San Joaquin Valley Air Pollution Control District shall be contacted, and; 2) upon encountering lead based paints used in the structures constructed prior to 1979, California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted. Additionally, any construction materials deemed hazardous as identified in the demolition process shall be characterized and disposed of in accordance with current federal, state, and local requirements. These requirements will be included as Project Notes.

- C. Would the project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school; or
- D. Would the project be located on a hazardous materials site; or

FINDING: NO IMPACT:

The project is not located on a hazardous materials site or within one-quarter mile of a school. Making of liquid and power fertilizers (blending, packaging and storage) involves no hazardous emissions in the air. All activities will be confined within the existing and proposed buildings on the property.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is approximately one mile south of Turner Field Airport. Being an improved site and previously used for non-residential activities, air traffic has not and will not result in a safety hazard for people living and working on the property. Such impacts would be less than significant.

- G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

- H. 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 proposed development 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: LESS THAN SIGNIFICANT IMPACT:

The existing improvements on the property are connected to an on-site well.

The project was routed to the Malaga County Water District (MCWD) and Fresno County Health Department, Environmental Health Division for review and comments. According to the Malaga County Water District (MCWD), the property is outside of MCWD boundaries and Sphere of Influence. No sewer and water services are available to the property at this time except through an out-of-district service approval which will require filing of an application to Local Area Formation Commission (LAFCo). As noted in MCWD July 26, 2013 letter, the applicant has submitted application and plans for a domestic water service for the proposed facility. According to MCWD, the applicant shall: 1) destroy existing well on the property according to the Fresno County Department of Public Health, Environmental Health Division; 2) bear the cost incurred by the MCWD for the preparation of a resolution for an out-of-district water service to the property; and 3) bear the cost of preparation of an application to LAFCo and pay the fees charged by the LAFCo. These requirements will be included as Project Notes.

According to the Fresno County Health Department, Environmental Health Division, as a measure to protect groundwater, any water wells that exist or that have been abandoned within the project area not intended for the use by the project shall be properly destroy by applying and obtaining a permit to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. This requirement will be included as a Project Note.

The California Regional Water Quality Control Board (RWQCB) also reviewed the project and required the applicant to provide additional information on how feed stocks, final products, and wastes will be stored on the property to prevent leachate generation and impacts to underlying groundwater. A revised Operational Statement containing the information was provided by the applicant to the agency. No additional concerns were expressed by RWQCB.

- 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: NO IMPACT:

According to the applicant's Operational Statement, the project will use an approximately 2,000 to 4,000 gallons of water per day. The project will not use groundwater resources in that it will connect to the community water service provided by the Malaga County Water District.

The Water-Geology-Natural Resources Section of the Fresno County Department of Public Works and Planning, Development Services Division reviewed the project and expressed no concerns with the proposal.

- 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 runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No streams or river exists on or near the project site. As noted in Section VI. B. Geology and Soils, any changes to the existing drainage pattern resulting from this proposal will require approval of an Engineered Grading and Drainage Plan and a Grading Permit or Voucher from the Development Engineering Section of the Development Services Division.

The Fresno Metropolitan Flood Control District (FMFCD) review of the project requires a temporary on-site storm water storage facility for additional development and street improvements. Per FMFCD such facility should be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street. These requirements will be included as Project Notes and will be addressed through Site Plan Review recommended as a Condition of Approval.

- 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; or

FINDING: NO IMPACT:

No new housing is proposed with this application. The existing single family residence on the property will be used as a caretaker's residence for the proposed facility.

- 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 2130H, indicates that the parcel is not subject to flooding from the 100-year storm.

- I. Would the project expose persons or structures to levee or dam failure?
J. Would the project 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. It is approximately 3,845 feet southeast of the nearest city limits of the City of Fresno.

- 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 Limited Industrial in the County-adopted Roosevelt Community Plan.

The proposed development would allow an inorganic fertilizer manufacturing, storage, and sales facility with a caretaker residence on the property. The proposal meets the following General Plan policies.

General Plan Policy LU-F.30: requires community sewer and water services for industrial development in accordance with the provisions of the Fresno County Ordinance. The property will connect to the City of Fresno sewer service and Malaga County Water District (MCWD) water service for water for fire and domestic use.

General Plan Policy PF-C.17 requires water supply evaluation to determine adequacy of water supply to meet the highest demand that could be permitted on the land in question. Water-Geology-Natural Resources Unit of the Development Services Division reviewed the project and expressed no concerns with the proposal. The property will connect to community water service provided by Malaga County Water District.

General Plan Policy HS-B.1 requires identification of fire hazardous to reduce the risk to life and property. The project will comply with latest California Code of Regulations Title 24 – Fire Code. County approved site plans will require Fresno County Fire Protection District's approval prior to issuance of building permits for any improvements on the property.

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 regulation. Likewise, Policy HS-F.2 requires that projects that will include hazardous materials or generate hazardous waste in large quantities include detail information concerning hazardous waste reduction, recycling, and storage. The project will handle all hazardous waste in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5 and will complete and submit on-line Hazardous Materials Business Plan with the Fresno County Department of Public Health, Environmental Health Division.

Roosevelt Community Plan – Policy 6.02.f. requires permanent on-site parking facilities sufficient to serve all employees and no employee parking on street and in unimproved areas be permitted. Adequate on-site parking is provided for the project. Parking requirements will be further analyzed during Site Plan Review recommended as a Project Note.

- 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 an identified mineral resource area 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 level; 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: NO IMPACT:

The project will not expose people to severe noise levels or create substantial increases in ambient noise levels. All activities related to fertilizer making, packing and storage will occur inside the existing and proposed buildings.

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and expressed no noise-related concerns with this proposal.

- 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:

A privately owned Turner Field Airport is approximately one mile south of the project site. At that distance, the project will not be impacted by any excessive aircraft noise.

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:

The project will not result in an increase of housing, nor will it otherwise induce population growth. The existing residence on the property will be used as a caretaker residence for the proposed facility.

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:

Fresno County Fire Protection District (CalFire) review of the project did not identify any concerns with the proposal. The project will comply with the latest California Code of Regulations Title 24 – Fire Code and requires County approved site plans to be approved by the Fire District prior to issuance of building permits by the County. This requirement will be included as a Project Note and be addressed through mandatory Site Plan Review.

2. Police protection; or
3. Schools; or
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

The project will not require additional public services and will not affect the 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 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, on an average, one customer per month will visit the proposed facility. Shipments and delivery will be one (1) per day during off-season (February through July) and a maximum of six (6) per day during peak season. Ten to 12 employees will work 8 a.m. to 5 p.m. per day at the facility.

The County Design Division, Department of Public Works and Planning reviewed the project and expressed no traffic related concerns with the proposal and did not require a traffic impact

study. The project is located within the City of Fresno Sphere of Influence (SOI) and was also routed to Development Engineering Division of the Department of Public Works and Planning and the City of Fresno Traffic and Engineering Division for review and comments.

The Development Engineering Division of the Department of Public Works and Planning review of the project indicates that Peach Avenue is classified as an arterial road with an existing right-of-way of 30 feet west of the section line along the parcel frontage per Plat Book. According to the Precise Plan Line Serial No. 48, the ultimate right-of-way width west of the section line along the parcel frontage varies with a minimum width of 84 feet. Likewise, North Avenue is classified as an arterial road with an existing right-of-way width north of the section line between Willow and Peach Avenues ranging from 54 feet to 84 feet per Plat Book. According to the Precise Plan Line Serial No. 62, the ultimate right-of-way width north of the section line between Willow and Peach Avenues also ranges from 54 feet to 84 feet.

According to the City of Fresno, Traffic and Engineering Division comments on the project both North Avenue and Peach Avenue are Industrial Arterials per the City standards with ultimate road right-of-way of 96 feet (48 feet from centerline on each side) and that ultimate right-of-way shall be established through centerline of North Avenue and Peach Avenue per County Precise Plan Line No. 62 and 48. Also, concrete curb, gutter, sidewalk driveway approach, and pavement tie, street lighting shall be constructed along North Avenue and Peach Avenue frontage of the property according to the City's standards.

The subject property is within the City of Fresno Sphere of Influence (SOI) and can be annexed to the City in the future. According to the Road Maintenance and Operations Division of Department of Public Works and Planning, the property would require deferment to the City's standards for road right-of-way. Given the City's standards for 96 feet ultimate right-of-way verses County standard for 84 feet ultimate right-of-way, a condition would require that the property owner shall irrevocably offer easterly six feet of the property (48 feet west of Plane Line centerline) in road right of-way for Peach Avenue according to the County Precise Plan No. 48 (Peach Avenue) and southerly six feet of the property (48 feet north of Plane Line centerline) in road right of-way for North Avenue according to the County Precise Plan No. 62 (North Avenue).

The request for off-site improvements, signing of property annexation agreement, and payment of public safety and facility fees were made by the City of Fresno. Staff will evaluate the nexus of any off-site improvements requirements and applicable fees when comments are received as possible Conditions of Approval from the City. These possible improvements are not going to affect this environmental document. Consistent with past practices, the County will not require the signing of annexation agreement by the applicant as a condition of approval.

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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing paved driveway off Peach Avenue will provide access to the proposed facility.

According to Road Maintenance and Operations Divisions (RM&O): 1) the existing gates at peach Avenue shall set back 20 feet from the ultimate road right-of-way line to preclude any vehicles from encroaching into the right-of-way if stopped to open the gate; 2) a 10' x 10' corner cut-off to improve line of sight for vehicles exiting the facility; and 3) an encroachment permit shall be obtained for any improvements within the County right-of-way for the driveway approaches. These requirements will be included as Project Notes.

Development Engineering Section of the Department of Public Works and Planning review of the project identified no concerns related to traffic hazards due to design feature.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

Initial review of the project by the Fresno County Fire Protection District did not identify any concerns regarding emergency access. Emergency access requirements for the project will be analyzed by the Fire District during mandatory Site Plan Review.

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; or

B. Would the project require construction of or the expansion of a new water or wastewater treatment facilities; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E. Geology and Soils

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

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; or

FINDING: NO 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 SIGNIFICATION 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: LESS THAN SIGNIFICANT IMPACT:

The project will comply with federal, state and local statutes and regulations related to handling and disposal of solid wastes.

According to the applicant's Operational Statement, the proposed facility will generate one to two tons per year of dry waste stored in sacks and 1000 to 2000 gallons of liquid waste stored in 265 gallons totes. All wastes will be removed from the property semi-annually under contract with an appropriate disposal company.

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 analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was evaluated to assess potential cumulative impacts by Fresno County and public agencies. All appropriate project specific mitigation measures were developed to reduce the project's impacts and potential cumulative impacts to less than significant levels.

Potential cumulative impacts related to aesthetics and Geology & Soils are discussed in Section I.D and Section VI. E of this analysis. Cumulative impacts on aesthetics are considered to be less than significant with all lighting required to be hooded and directed downward. Likewise, cumulative effects on Geology and Soil are considered less than significant with the property to connect with community water system from City of Fresno. The project operation will not impact groundwater quality or quantity as determined by the county staff and Regional Water Quality Control Board and will comply with federal, state and local statutes and regulations relating to handling and disposal of solid wastes. Given these considerations, the project will not have cumulative considerable impacts on the environment.

- 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 prepared for Conditional Use Permit Application No. 3406, 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, and recreation.

Potential impacts related to agricultural and forestry resources, air quality, 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 and geology and soils, 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.

EA:
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Entitlements • Planning • Processing • Consulting • Representation • Public Relations

October 7, 2015

Ejaz Ahmad
Fresno County Department of Public Works and Planning
2220 Tulare Street
Fresno, CA 93721

CUP 3406
RECEIVED
COUNTY OF FRESNO
OCT 07 2015
DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

RE: CUP 3406
Time Extension

Initial Study Application #6694 and Classified Conditional Use Permit Application #3406 were approved by the Fresno County Planning Commission on October 10, 2013. The expiration date of the approved project is October 10, 2015.

The approved project is a proposed inorganic fertilizer plant on the NW corner of South Peach and East North Avenues (APN #316-071-37).

Since the approval, the applicant has been negotiating with the City of Fresno, the Malaga County Water District and the Fresno County Local Agency Formation Commission on steps to be taken to provide sewer and water services to the project. Also, a site plan has been submitted to Fresno County and Cal Fire and a sewer permit has been pulled for the project.

As we work through these final steps we are taking your advice of September 16, 2015, and are filing this time extension application and have enclosed an Agroplanta, Inc. check for \$1,142.25 (check #1734) dated September 30, 2015.

Please advise us if any other information is needed to process this request.

Very Truly Yours,

Al Solis - AICP,
Principal

Enclosures/
Time Extension Application
Agroplanta Check

AS/rl