



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 2 December 17, 2015

SUBJECT: Initial Study Application No. 7004 and Classified Conditional Use Permit Application No. 3506

Allow expansion of an existing cold storage and packing operation partially located on five parcels totaling 83.97 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Expansion of the existing operation within the boundaries of the five parcels totaling 83.97 acres includes: 302,000 square-foot cold storage/packing building with 35,000 square-foot canopy; 27,500 square-foot packing building addition; 4,600 square-foot canopy addition; 12,000 square-foot cold storage building with 13,400 square-foot canopy; and cull hopper. The existing cold storage and packing operation will also be expanded onto a southerly adjacent 4.33-acre parcel in the RS (Rural Settlement) Zone District with the construction of a parking lot and a 15,000 square-foot box building.

LOCATION: The project site is located on the east side of S. Cedar Avenue, between E. Manning Avenue and E. South Avenue, approximately three miles southwest of the nearest city limits of the City of Fowler (SUP. DIST. 4) (APNs 335-140-31; 335-140-30; 335-170-19; 335-170-23; 335-170-32; 335-220-31).

OWNER/APPLICANT: Cedar Avenue Properties, Ltd.
REPRESENTATIVE: Ross & Sons

STAFF CONTACT: Derek Chambers, Planner
(559) 600-4205

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7004; and
- Approve Classified Conditional Use Permit (CUP) Application No. 3506 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Conditions of Approval for Classified Conditional Use Permit Nos. 3359, 3254, 2922, 2781, 2635, 2368 and 1260
3. Location Map
4. Existing Zoning Map
5. Existing Land Use Map
6. Assessor's Parcel Maps
7. Site Plan
8. Elevations
9. Applicant's Operational Statement
10. Summary of Initial Study Application No. 7004
11. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	<u>APNs 335-140-30, 335-140-31, 335-170-19, 335-170-23, 335-170-32:</u> AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) <u>APN 335-220-31:</u> RS(Rural Settlement)	No change
Parcel Size	<u>APN 335-140-30:</u> 1.29 acres <u>APN 335-140-31:</u> 17.17 acres <u>APN 335-170-19:</u> 7.23 acres <u>APN 335-170-23:</u> 22.35 acres	No change

Criteria	Existing	Proposed
	<p data-bbox="578 264 805 327"><u>APN 335-170-32:</u> 35.93 acres</p> <p data-bbox="578 369 805 432"><u>APN 335-220-31:</u> 4.33 acres</p>	
Project Site	Existing cold storage and fruit packing operation partially located on five parcels totaling 83.97 acres	<p data-bbox="1065 474 1430 600"><u>APN 335-170-23:</u> 302,000 square-foot cold storage building; 35,000 square-foot canopy</p> <p data-bbox="1065 642 1430 873"><u>APN 335-170-32:</u> Cull Hopper; 12,000 square-foot cold storage building; 13,400 square-foot canopy; 4,600 square-foot canopy addition; 27,500 square-foot packing building</p> <p data-bbox="1065 915 1430 999"><u>APN 335-220-31:</u> 15,000 square-foot box building; parking lot</p>
Structural Improvements	Approximately 16.3 acres (710,264 square feet) of aggregate structural improvements	<p data-bbox="1065 1041 1430 1167"><u>APN 335-170-23:</u> 302,000 square-foot cold storage building; 35,000 square-foot canopy</p> <p data-bbox="1065 1209 1430 1440"><u>APN 335-170-32:</u> Cull Hopper; 12,000 square-foot cold storage building; 13,400 square-foot canopy; 4,600 square-foot canopy addition; 27,500 square-foot packing building</p> <p data-bbox="1065 1482 1430 1566"><u>APN 335-220-31:</u> 15,000 square-foot box building; parking lot</p>
Nearest Residence	Approximately 20 feet east of APN 335-220-31	No change
Surrounding Development	Farmland; single-family residences; the Atchison Topeka & Santa Fe Railroad line abuts the eastern boundary of the project site; State Route (SR) 41 approximately one and three quarter-miles to the west; SR 99 approximately four and a	No change

Criteria	Existing	Proposed
	half-miles to the east; the City of Fowler approximately three miles to the northeast	
Operational Features	Commercial cold storage and packing operation for stone fruit, grapes, and citrus fruit	Expansion of commercial cold storage and packing operation; stone fruit operations discontinued in favor of citrus fruit operations
Employees	<u>May through November (stone fruit season):</u> Up to 350 <u>November through April (citrus fruit season):</u> Up to 175	Decrease in employees due to stone fruit operations being discontinued in favor of citrus fruit operations
Customers	No on-site sales	No change
Traffic Trips	<u>May through November (stone fruit season):</u> Average of 32 one-way truck trips per day (16 round trips per day); Up to 700 one-way employee trips per day (350 round trips per day) <u>November through April (citrus fruit season):</u> Average of 50 one-way truck trips per day (25 round trips per day); Up to 350 one-way employee trips per day (175 round trips per day)	Decrease in truck trips and employee trips due to stone fruit operations being discontinued in favor of citrus fruit operations
Lighting	Building exteriors	Additional lighting for proposed building exteriors
Hours of Operation	<u>May through November (stone fruit season):</u> 8:00am – 7:00pm daily, year-round for Packing; 8:00am – 12:00am (midnight) daily, year-round for Shipping <u>November through April (citrus fruit season):</u> 7:00am – 6:00pm daily, year-round for Packing; 8:00am – 12:00am (midnight) daily, year-round for Shipping	<u>October through May (adjusted citrus fruit season):</u> 7:00am – 6:00pm daily, year-round for Packing; 8:00am – 12:00am (midnight) daily, year-round for Shipping

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: None

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 10.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: November 27, 2015

PUBLIC NOTICE:

Notices were sent to 54 property owners within 1,320 feet of the project site, 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 the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

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

BACKGROUND INFORMATION:

This proposal entails the expansion of an existing cold storage and packing operation partially located on five parcels totaling 83.97 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The existing operation was originally authorized by Classified Conditional Use Permit (CUP) No. 1260, which was approved by the Planning Commission in 1974. Subsequently, the operation was expanded under CUP No. 2368, which was approved by the Planning Commission in 1989, CUP No. 2635, which was approved by the Planning Commission in 1994, CUP No. 2781, which was approved by the Planning Commission in 1996, CUP No. 2922, which was approved by the Planning Commission in 1999, CUP No. 3254, which was approved by the Planning Commission in 2009, and CUP No. 3359, which was approved by the Planning Commission in 2012 authorizing development of a photovoltaic solar power generation facility to supply electricity to the existing cold storage and packing operation.

Expansion of the existing operation within the boundaries of the five parcels totaling 83.97 acres includes: 302,000 square-foot cold storage/packing building with 35,000 square-foot canopy; 27,500 square-foot packing building addition; 4,600 square-foot canopy addition; 12,000 square-foot cold storage building with 13,400 square-foot canopy; and cull hopper. The existing cold storage and packing operation will also be expanded onto a southerly adjacent 4.33-acre parcel in the RS (Rural Settlement) Zone District with the construction of a parking lot and a 15,000 square-foot box building.

Finding 1: That 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	<p>APNs 335-140-30, 335-140-31, 335-170-19, 335-170-23, 335-170-32 (AE-20 Zone District): Front: 35 feet Side: 20 feet Rear: 20 feet</p> <p>APN 335-220-31 (RS Zone District): Front: 35 feet Side: 10 feet Rear: 20 feet</p>	<p>APNs 335-140-30, 335-140-31, 335-170-19, 335-170-23, 335-170-32 (AE-20 Zone District): Front (west property line): 120 feet Side (north property line): 130 feet Side (south property line): 490 feet Rear (east property line): 20 feet</p> <p>APN 335-220-31 (RS Zone District): Front (south property line): 75 feet Side (east property line): 90 feet Side (west property line): 187 feet Rear (north property line): none</p>	Yes (with adherence to Condition of Approval requiring a 20-foot minimum rear yard setback for the proposed 15,000 square-foot box building to be located on the RS zoned property identified as APN 335-220-31
Parking	One standard parking space for every two permanent employees; one parking space for the disabled for every 40 standard parking spaces required	245 existing standard parking spaces; six existing parking spaces for the disabled; 120 proposed standard parking spaces	Yes
Lot Coverage	No requirement	N/A	N/A
Space Between Buildings	Six feet minimum (75 feet minimum between human habitations and structures utilized to house animals)	No change	Yes
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	100 percent	No change	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed 15,000 square-foot box building to be located on the RS (Rural Settlement)-zoned property identified as APN 335-220-31 needs to be set back at least 20 feet from the northern property line of said parcel in order to satisfy the minimum rear yard setback requirement of the RS Zone District. Otherwise, the existing and proposed improvements satisfy the minimum setback requirements of the AE-20 Zone District. Completion of a Site Plan Review (SPR) is recommended to ensure adequate area for parking and circulation.

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

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 the proposed 15,000 square-foot box building to be located on the RS (Rural Settlement)-zoned property identified as APN 335-220-31 must be set back at least 20 feet from the northern property line of said parcel in order to satisfy the minimum rear yard setback requirement of the RS Zone District. As such, a Condition of Approval has been included to require the proposed 15,000 square-foot box building to satisfy applicable setback requirements of the RS Zone District.

With regard to off-street parking, the Zoning Ordinance requires one parking space to be provided for every two permanent employees and at least one parking space to be provided for the disabled for every 40 standard parking spaces required. As the subject cold storage and packing operation will retain up to 175 employees, 88 standard parking spaces and three parking spaces for the disabled are required for the operation. However, the subject cold storage and packing operation currently has 245 existing standard parking spaces and six existing parking spaces for the disabled. Further, an additional 120 standard parking spaces are proposed with this expansion project. Based on the above information and with adherence to a Site Plan Review (SPR), which shall be required as a Condition of Approval, staff believes the site is adequate to accommodate the proposed use, vehicle circulation, and ingress/egress.

Staff finds that the proposed use is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

See Recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

Finding 2: *That 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	Cedar Avenue: Fair condition	No change
Direct Access to Public Road	Yes	Cedar Avenue	Two additional access points from Cedar Avenue
Road ADT		Cedar Avenue: 1,400	Less than significant change
Road Classification		Cedar Avenue: Arterial	No change
Road Width		Cedar Avenue: 106-foot total existing right-of-way	No change
Road Surface		Cedar Avenue: Paved (pavement width: 24 feet)	No change
Traffic Trips		<p><u>May through November (stone fruit season):</u> Average of 32 one-way truck trips per day (16 round trips per day); Up to 700 one-way employee trips per day (350 round trips per day)</p> <p><u>November through April (citrus fruit season):</u> Average of 50 one-way truck trips per day (25 round trips per day); Up to 350 one-way employee trips per day (175 round trips per day)</p>	Decrease in truck trips and employee trips due to stone fruit operations being discontinued in favor of citrus fruit operations
Traffic Impact Study (TIS) Prepared	No	N/A	Not required by County Design Division or Caltrans
Road Improvements Required		N/A	None required

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

California Department of Transportation (Caltrans): No concerns with the proposal.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal, as the expansion project will not result in additional traffic being generated by operations.

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

Development Engineering Section of the Fresno County Department of Public Works and Planning: Cedar Avenue is a County-maintained road which is classified as an Arterial. The minimum total width for an Arterial right-of-way is 106 feet. Cedar Avenue has a total existing right-of-way of 106 feet at the project site, with 53 feet east and 53 feet west of the section line.

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

Analysis:

Access to the existing cold storage and packing operation is provided by Cedar Avenue via four existing driveways, and two additional access points from Cedar Avenue are proposed with this expansion project. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, Cedar Avenue is County-maintained and classified as an Arterial, which requires a minimum total right-of-way of 106 feet. As Cedar Avenue has a total existing right-of-way of 106 feet at the project site, with 53 feet east and 53 feet west of the section line, no additional right-of-way is required for this expansion project.

The existing cold storage and packing operation processes stone fruit from May through November. During this time, the facility generates an average of 32 one-way truck trips per day (16 round trips per day), and up to 700 one-way employee trips per day (350 round trips per day). Additionally, the existing cold storage and packing operation processes citrus fruit from November through April. During this time, the facility generates an average of 50 one-way truck trips per day (25 round trips per day), and up to 350 one-way employee trips per day (175 round trips per day). According to the Operational Statement prepared for this proposal, the processing of citrus fruit at the existing cold storage and packing operation is replacing the stone fruit processing previously conducted at the facility. Further, as stone fruit processing requires more labor than citrus fruit processing, this expansion project will result in an overall decrease in employee trips generated by the operation.

Based on the above information, staff finds that the surrounding streets serving the project site will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 2 can be made.

Finding 3: *That 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	19.00 acres	Single-family residence field crops	AE-20	593 feet
South	Multiple 12,000 square-foot residential parcels	Single-family residence	RS	43 feet
East	37.39 acres	Single-family residence vineyard	AE-20	1,190 feet
	28.02 acres	Single-family residence vineyard	AE-20	1,140 feet
	26.55 acres	Vineyard	AE-20	None
	19.75 acres	Single-family residence vineyard	AE-20	1,235 feet
West	20.00 acres	Single-family residence vineyard	AE-20	370 feet
	116.83 acres	Single-family residence field crops	AE-20	1,500 feet

Reviewing Agency/Department Comments:

Fresno County Fire Protection District (Fire District): The proposal shall comply with the 2007 California Code of Regulations Title 24 – Fire Code, and County-approved Site Plans shall be submitted to the Fire District for review and approval prior to issuance of Building Permits. This requirement has been included as a Project Note.

Fresno County Department of Public Health, Environmental Health Division: Per 2013 California Plumbing Code Appendix H Section 5, access to septic tanks must be maintained. Per 2013 California Plumbing Code Appendix H Section 6.9, disposal fields, trenches, and leaching beds must not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent. Within 30 days of the occurrence of any of the following events, the Applicant must update their Hazardous Materials Business Plan (HMBP) and Site Map on file with the Fresno County Department of Public Health: 1) There is a 100% or more increase in the quantities of a previously disclosed material; or 2) The facility begins

handling a previously undisclosed material at or above the HMBP threshold amounts. Further, the Applicant must certify that a review of the HMBP has been conducted at least once every three years and that any necessary changes were made and that the changes were submitted to the Fresno County Department of Public Health. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. In an effort to protect groundwater, all abandoned water wells (not intended for use or future use) within the project site shall be properly destroyed by an appropriately licensed contractor under permits from the Fresno County Department of Public Health. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction. The oil-contaminated water removed from the well must be handled in accordance with federal, state and local government requirements. These requirements have been included as Project Notes.

Fresno County Department of Agriculture (Agricultural Commissioner's Office): This proposal is a valuable asset for agriculture.

Consolidated Irrigation District (CID): CID has no facilities located in the area of the proposal.

San Joaquin Valley Unified Air Pollution Control District (Air District): This proposal is expected to have no significant adverse impact on air quality, and may be subject to the following Air District Rules and Regulations: Rule 2201 (New and Modified Stationary Source Review) or Rule 2010 (Permits Required); Regulation VIII (Fugitive PM10 Prohibitions); Rule 4002 (National Emission Standards for Hazardous Air Pollutants); Rule 4102 (Nuisance); Rule 4601 (Architectural Coatings); and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). An Authority to Construct (ATC) Permit may also be required for this proposal. These potential requirements have been included as Project Notes.

State Water Resources Control Board, Division of Drinking Water: The source of domestic water used at the existing cold storage and packing operation has a documented violation of the dibromochloropropane (DBCP) maximum contaminant level. As an interim solution to resolve this violation, the Division of Drinking Water approved the installation of two on-site point of use (POU) treatment systems, which treat only enough water to provide potable drinking water at two locations on the project site. As such, the Applicant shall be required to construct a replacement water well that meets Division of Drinking Water Standards so that the interim use of POU treatment systems is no longer needed. This requirement has been included as a Mitigation Measure.

Central Valley Water Board: The existing cold storage and packing operation currently has Waste Discharge Requirements (WDRs) issued by the Central Valley Water Board for the discharge of process wastewater from packing and storage of stone fruit and grapes to two on-site evaporation/percolation ponds. These WDRs must be updated with the Central Valley Water Board for the proposed expansion. The Applicant must submit a revised Report of Waste Discharge to the Central Valley Water Board in order to update WDRs on-file with said agency. This requirement has been included as a Project Note.

Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal, as the project site is not located in a designated water-short area.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

This proposal entails the expansion of an existing cold storage and packing operation partially located on five parcels totaling 83.97 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Expansion of the existing operation within the boundaries of the five parcels totaling 83.97 acres includes: 302,000 square-foot cold storage/packing building with 35,000 square-foot canopy; 27,500 square-foot packing building addition; 4,600 square-foot canopy addition; 12,000 square-foot cold storage building with 13,400 square-foot canopy; and cull hopper. The existing cold storage and packing operation will also be expanded onto a southerly adjacent 4.33-acre parcel in the RS (Rural Settlement) Zone District with the construction of a parking lot and a 15,000 square-foot box building.

The project site is located in a predominately agricultural area with residential land uses dispersed throughout. The Atchison Topeka & Santa Fe Railroad line abuts the eastern boundary of the project site, State Route (SR) 41 is located approximately one and three quarter-miles west of the project site, and SR 99 is located approximately four and a half-miles to the east. The project site is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the project analysis.

Based on the above information and with adherence to the recommended Conditions of Approval, Mitigation Measures and Project Notes identified in the Initial Study (IS) prepared for this project and discussed in this Staff Report, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See Recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3: County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to following Criteria: a) Use shall provide a needed service to surrounding agricultural area which cannot be provided within urban areas; b) Use shall not be sited on productive agricultural lands if less productive lands available; c) Use shall not have a detrimental impact on water resources or the use or management of surrounding properties within ¼-mile radius; d) Probable</p>	<p>With regard to Criteria "a", Criteria "b", and Criteria "h", this proposal entails the expansion of an existing commercial cold storage and packing operation that has been serving the agricultural community surrounding the project site since 1974. With regard to Criteria "c", this proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the proposal as the project site is not located in a designated water-short area. Further, with adherence to the Conditions of Approval,</p>

Relevant Policies:	Consistency/Considerations:
workforce located nearby or readily available; h) Evaluation under Criteria LU-A.3.b is not required for existing commercial uses.	Mitigation Measures and mandatory requirements identified in this Initial Study, staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties. With regard to Criteria "d", the project site is located approximately three miles southwest of the nearest city limits of the City of Fowler, which has the ability to provide an adequate workforce. As such, the proposed use is conditionally compatible with the Agriculture General Plan designation.
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.	This proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which did not identify any concerns with the project. Further, the project site is not located in a designated water-short area.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The project site is designated Agriculture in the General Plan. According to General Plan Policy LU-A.3, agriculturally-related uses such as commercial fruit packing may be allowed by means of a discretionary use permit. The project site is not enrolled under Williamson Act Contract.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

This proposal entails the expansion of an existing commercial cold storage and packing operation that has been serving the agricultural community surrounding the project site since 1974. Based on the analysis provided above, staff believes the proposal is consistent with the Fresno County General Plan. Applicable policies regarding siting and water supply evaluation were reviewed for this proposal and found to be consistent.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Classified Conditional Use Permit Application can be made. Staff therefore recommends approval of Classified Conditional Use Permit Application No. 3506, 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. 7004; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit Application No. 3506, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit Application No. 3506; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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**Mitigation Monitoring and Reporting Program
Initial Study (IS) No. 7004/Classified Conditional Use Permit (CUP) No. 3506
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*	Aesthetics	All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
2*	Cultural Resources	In the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	Ongoing
3*	Hydrology and Water Quality	Prior to occupancy being granted for the proposed expansion, the Applicant shall construct a new water well to provide drinking water for the facility. The Applicant shall demonstrate to the State Water Resources Control Board, Division of Drinking Water, that this new water well meets Division of Drinking Water Standards.	Applicant	Applicant/State Water Resources Control Board, Division of Drinking Water	Ongoing

Conditions of Approval

1.	Development of the property shall be in accordance with the Site Plan, Elevations, and Operational Statement approved by the Commission.
2.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.
3.	The proposed 15,000 square-foot box building must satisfy applicable setback requirements of the RS Zone District.

*MITIGATION MEASURE – Measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.

Notes

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

1.	This Conditional Use Permit (CUP) will become void, unless there has been substantial development within two years of the effective date of the CUP approval.
2.	The proposal shall comply with 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 Public Works and Planning to the Fresno County Fire Protection District (Fire District) for their review and approval. The Applicant shall submit evidence that their Plan was approved by the Fire District, and all fire protection improvements shall be installed prior to occupancy being granted to the use.
3.	Per 2013 California Plumbing Code Appendix H Section 5, access to septic tanks must be maintained.
4.	Per 2013 California Plumbing Code Appendix H Section 6.9, disposal fields, trenches, and leaching beds must not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent.
5.	Within 30 days of the occurrence of any of the following events, the Applicant must update their Hazardous Materials Business Plan (HMBP) and Site Map on file with the Fresno County Department of Public Health: 1) There is a 100% or more increase in the quantities of a previously disclosed material; or 2) The facility begins handling a previously undisclosed material at or above the HMBP threshold amounts. Further, the Applicant must certify that a review of the HMBP has been conducted at least once every three years and that any necessary changes were made and that the changes were submitted to the Fresno County Department of Public Health.
6.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
7.	In an effort to protect groundwater, all abandoned water wells (not intended for use or future use) within the project site shall be properly destroyed by an appropriately licensed contractor under permits from the Fresno County Department of Public Health. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction. The oil-contaminated water removed from the well must be handled in accordance with federal, state and local government requirements.
8.	This project may be subject to the following San Joaquin Valley Unified Air Pollution Control District (Air District) Rules and Regulations: A. Regulation VIII (Fugitive PM10 Prohibitions) B. Rule 4102 (Nuisance) C. Rule 4601 (Architectural Coatings) D. Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) E. Authority to Construct (ATC) Permit F. Rule 2201 (New and Modified Stationary Source Review) or Rule 2010 (Permits Required)
9.	The existing cold storage and packing operation currently has Waste Discharge Requirements (WDRs) issued by the Central Valley Water Board for the discharge of process wastewater from packing and storage of stone fruit and grapes to two on-site evaporation/percolation ponds. These WDRs must be updated with the Central Valley Water Board for the proposed expansion. The Applicant must submit a revised Report of Waste Discharge to the Central Valley Water Board in order to update WDRs on-file with said agency.

EXHIBIT 2

Conditions of Approval Previously-Approved CUP Nos. 3359, 3254, 2922, 2781, 2635, 2368, 1260

CUP 3359

- *1. All lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets or roadways.
- *2. In the event that cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.
3. Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission.
4. The Applicant shall utilize the Pest Management Plan required for Classified Conditional Use Permit No. 2781 which permitted the existing cold storage and packing operation to be made applicable to the photovoltaic solar power generation facility.

CUP 3254

1. Development and operations of the citrus packing shall be conducted in substantial conformance with the site plan, floor plan, elevation drawings, and operational statement approved by the Planning Commission.
2. A Site Plan Review application 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. Items to be addressed under the site plan review may include but not limited to, design of parking and circulation, driveways, access, grading and drainage, fire protection, and lighting.
3. All conditions of prior Conditional Use Permit Application Nos. 2922, 2781, 2635 and 2368 shall remain in full force and effect.
- *4. All lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets or roadways.

CUP 2922

1. Development and operation of the fruit packing facility shall be in substantial compliance with the site plan, floor plan, elevation drawing, and operational statement approved by the Commission.
2. A Site Plan Review Application shall be submitted for review and approval by the Director of the Planning & Resource Management Department, in accordance with Section 874 of the County Zoning Ordinance. Issues to be addressed under

Site Plan Review may include, but are not necessarily limited to, on-site circulation, parking lot design, grading and drainage requirements, fire protection measures, and wastewater disposal.

3. Fire protection measures shall be provided as required by the Planning & Resource Management Department (Development Services Division) based on the recommendations of the County Fire Protection District. This determination shall be made during the Site Plan Review process.
4. All conditions of prior Conditional Use Permit Application Nos. 2368, 2635, and 2781 shall remain in full force and effect.

CUP 2781

1. Development and operation of the facility shall be in substantial conformance with the site plan, floor plan, elevations and operational statement as approved by the Commission.
2. A revised Site Plan Review Application shall be submitted for approval by the Director of the Public Works & Development Services Department in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance. Items to be addressed under the Site Plan Review shall include, but are not limited to, on-site circulation, grading and drainage, and fire protection measures.
3. Vehicular access acceptable to the Consolidated Mosquito Abatement District shall be provided around the perimeter of all ponding basins and the interior slopes and bottoms of all basins shall be kept free of vegetation.
4. All conditions of prior Classified Conditional Use Permit Application No. 2635 shall remain in full force and effect.

CUP 2635

1. Development and operation of the facility shall be in substantial conformance with the site plan, floor plan, elevations and operational statement as approved by the Commission.
2. A Site Plan Review Application shall be submitted to and approved by the Director of the Public Works & Development Services Department in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance. Items to be addressed under the Site Plan Review shall include, but are not limited to, access control, on-site circulation, parking, grading and drainage, noise control and fire protection measures.
3. Appropriate conditions shall be required under the Site Plan review process, as deemed necessary by the Health Department, to ensure that development and operation of the facility will be in compliance with the Noise Ordinance. These conditions may include, but are not limited to, design features and operational control.
4. Only one common access point on Cedar avenue shall be [permitted for the four proposed future office buildings.
5. Direct access to Manning Avenue, as depicted on the site plan, shall be allowed only on a temporary basis. Access shall be abandoned at such time that the

roadway is improved to an expressway standard and/or an overpass of the railroad tracks adjoining the property to the east is constructed. Access control measures acceptable to the County shall be provided during the period that direct access is maintained. These limitations shall be recorded as a covenant and agreement running with the land.

CUP 2368

1. Development and operation shall be in conformance with the site plan and operational statement approved by the Commission.
2. A Site Plan Review Application shall be submitted for approval in accordance with provisions of Section 874 of the Fresno County Zoning Ordinance.
3. A Report of Waste Discharge shall be filed with the Regional Water Quality Control Board.
4. A Fresno County Industrial Waste Discharge Permit shall be obtained from the Health Department.

CUP 1260

1. A Site Plan Review shall be required in accordance with Section 874 of the Fresno County Zoning Ordinance. The parking, fences, signs, circulation, drainage, access, lighting, street dedication and improvements will be reviewed.
2. All existing fruit trees shall be preserved to the maximum extent possible.
3. The Applicant shall submit to the County Health Department a solid waste disposal plan which states exact methods of collection and disposal of solid waste from the site. This plan shall include the location of an approved solid waste disposal site to be utilized. Evidence of Health Department approval of such plan shall be submitted at the time of Site Plan Review.
4. The Applicant shall submit to the County Health Department for review and approval a detailed liquid waste disposal plan which states exact methods of liquid waste disposal. Such plan shall insure that no material odor problem occurs.
5. Fire hydrants and appurtenant facilities shall be installed in accordance with the requirements of the Mid-Valley Fire District.

***MITIGATION MEASURE – Measures specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.**

DC:
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3500-3599\3506\SR\Conditions CUPs 3359 3254 2922 2781 2635 2368 1260.doc

LOCATION MAP

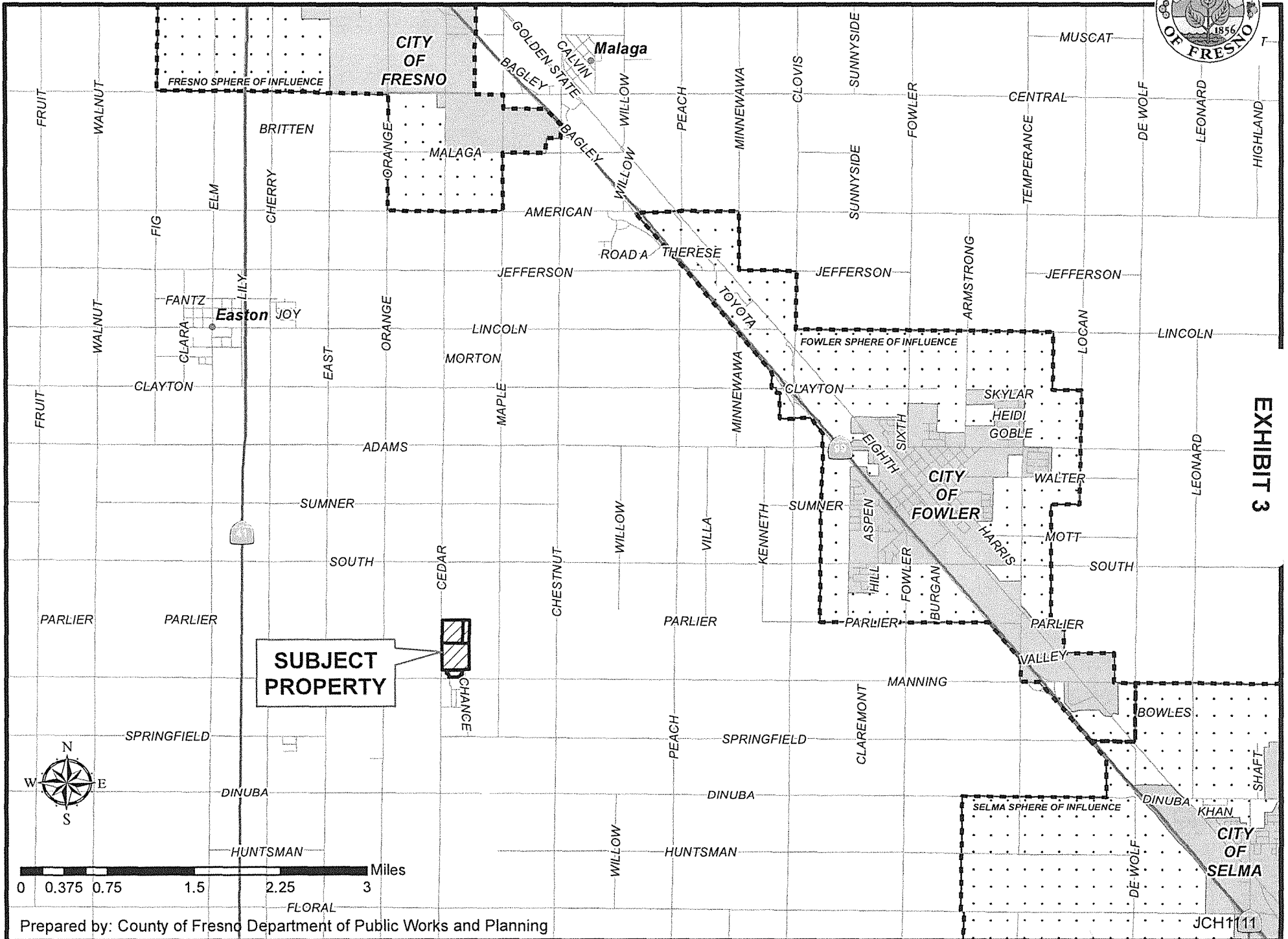


EXHIBIT 3

EXISTING ZONING MAP

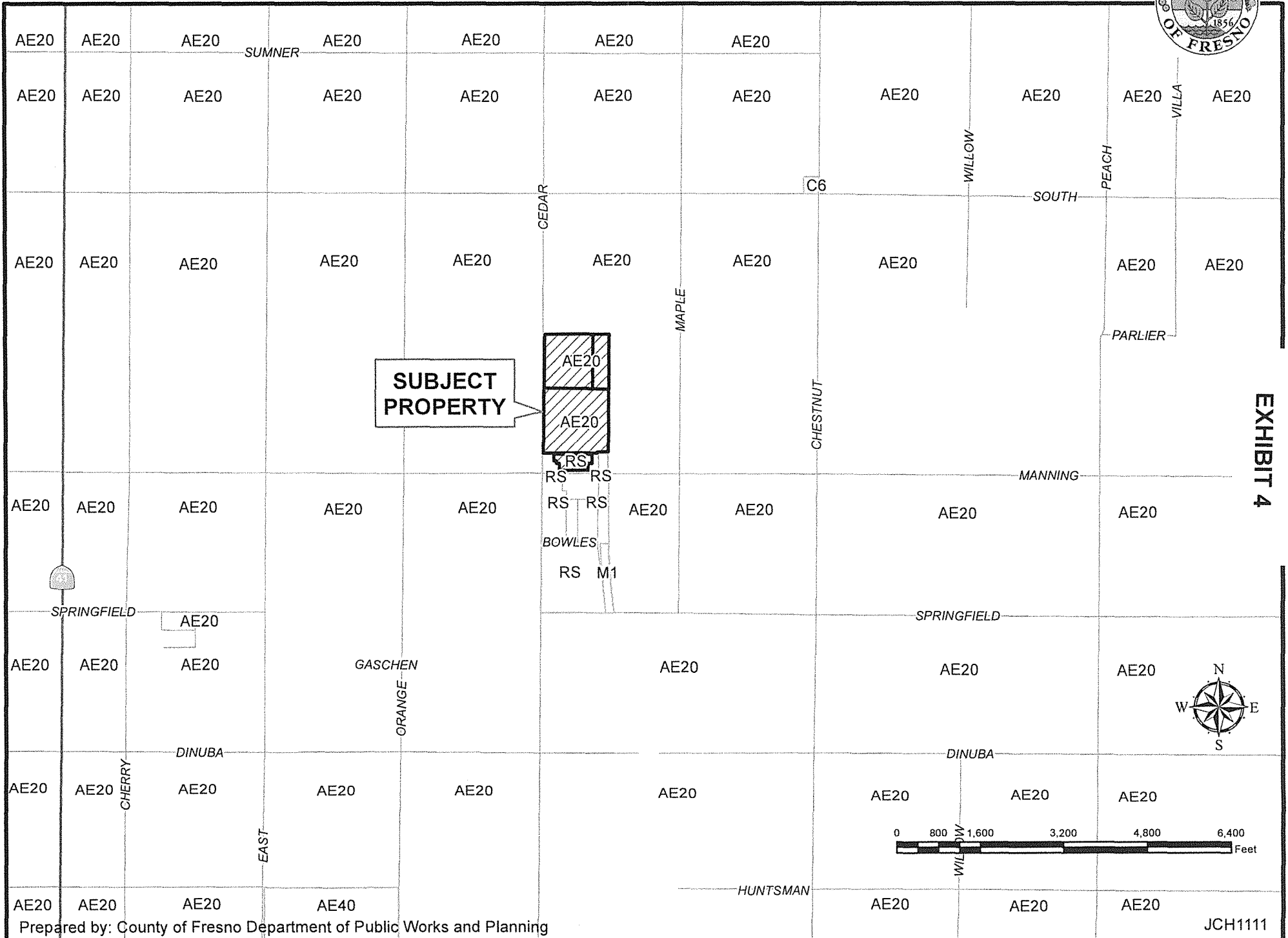
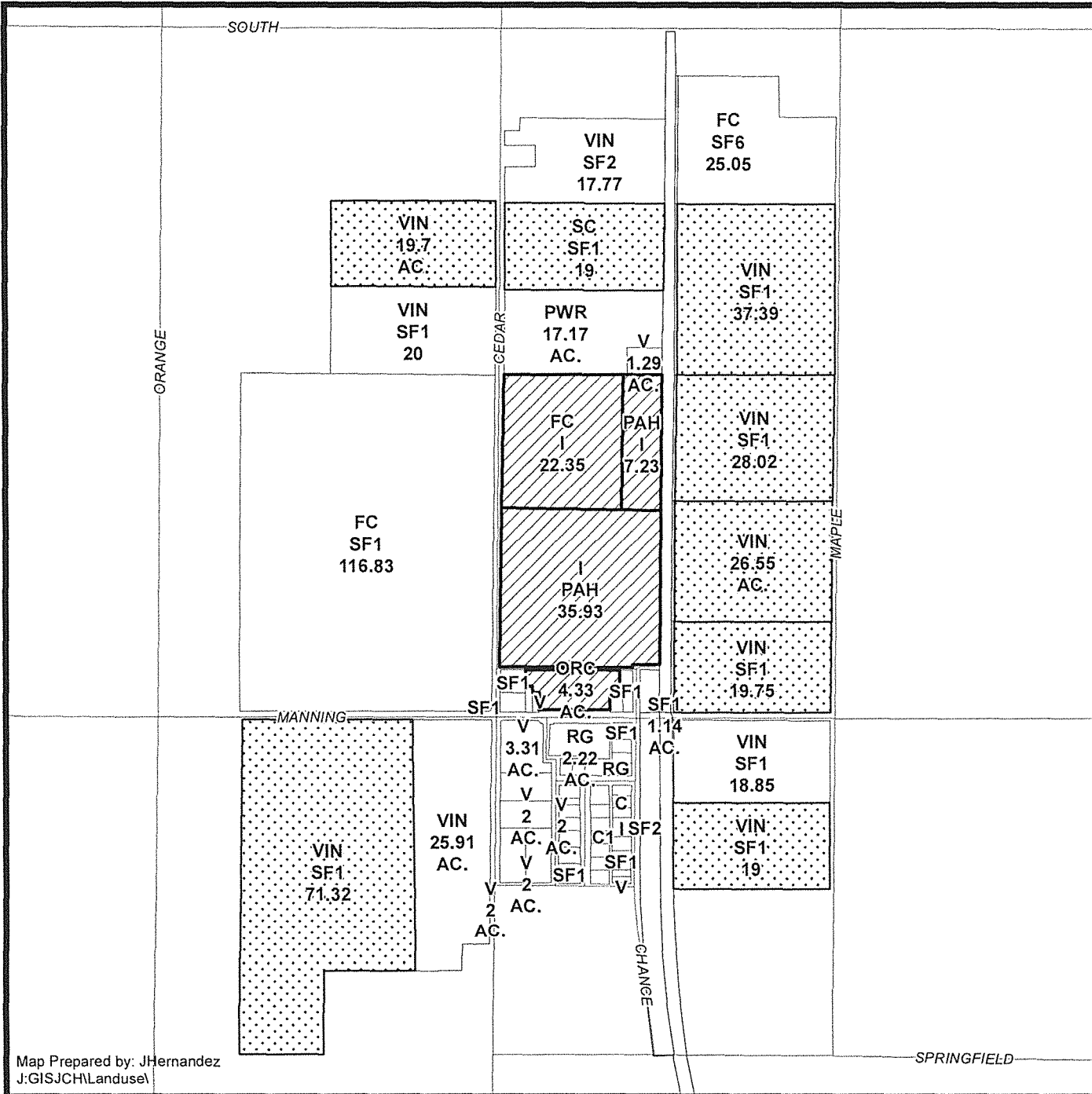


EXHIBIT 4

EXISTING LAND USE MAP



LEGEND

- C - COMMERCIAL
- C# - COMMERCIAL
- FC - FIELD CROP
- I - INDUSTRIAL
- ORC - ORCHARD
- PAH - PACKING HOUSE
- PWR - POWER GENERATION SITE
- RG - RESIDENTIAL GROUP FACIL
- SC - SEASONAL CROP
- SF#- SINGLE FAMILY RESIDENCE
- V - VACANT
- VIN - VINEYARD

LEGEND:



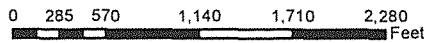
-  Subject Property
-  Ag Contract Land

EXHIBIT 5



Map Prepared by: JHernandez
J:GISJCHLanduse\

— NOTE —
This map is for Assessment purposes only.
It is not to be construed as portraying legal
ownership or divisions of land for purposes
of zoning or subdivision law.

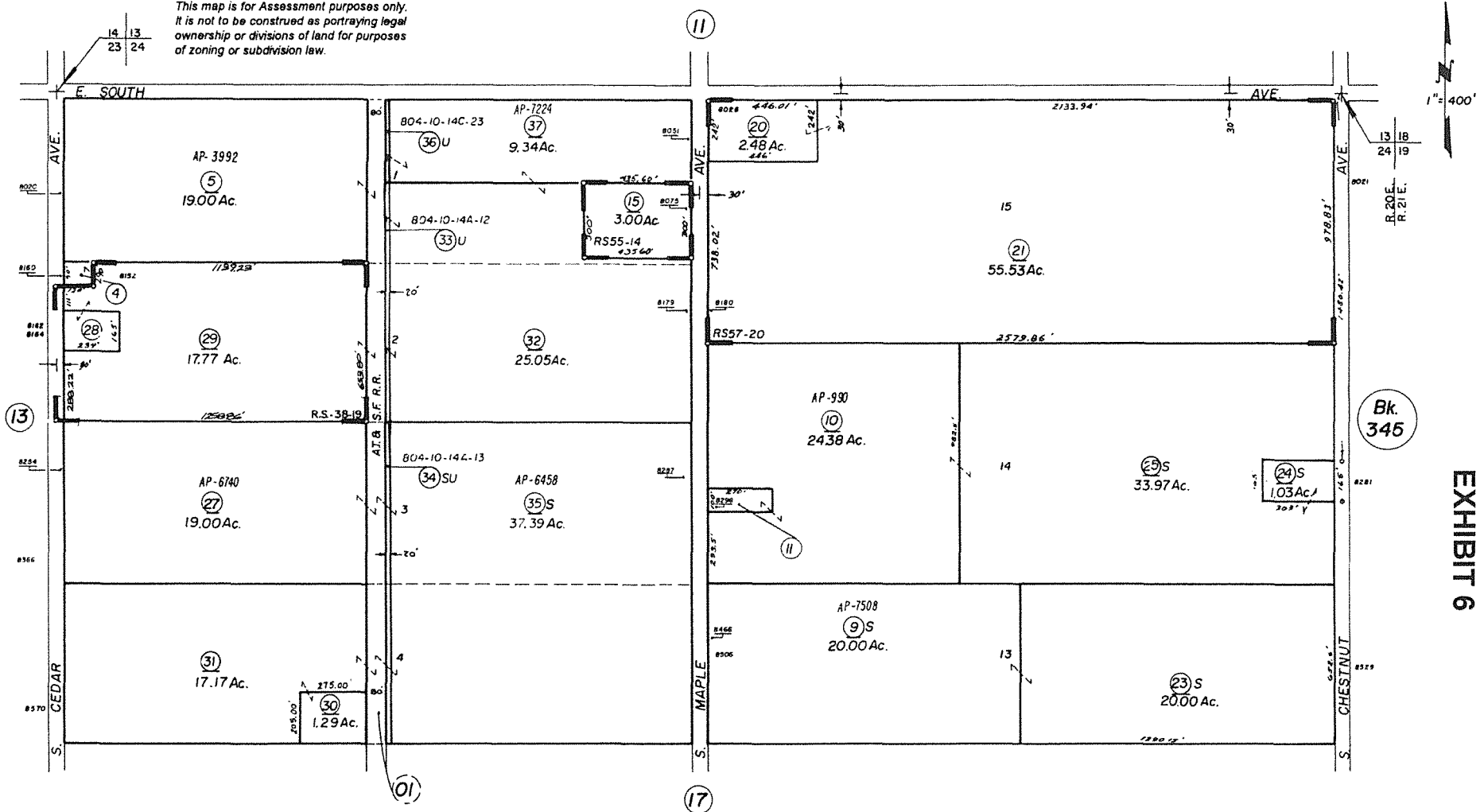


Exhibit 6 - Page 1

EXHIBIT 6

Agricultural Preserve
Wittram Colony - Plat Bk. 2, Pg. 15
Record of Survey - Bk. 38, Pg. 19
Record of Survey - Bk. 55, Pg. 14
Record of Survey - Bk. 57, Pg. 20

Assessor's Map Bk. 335 - Pg. 14
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

... NOTE ...

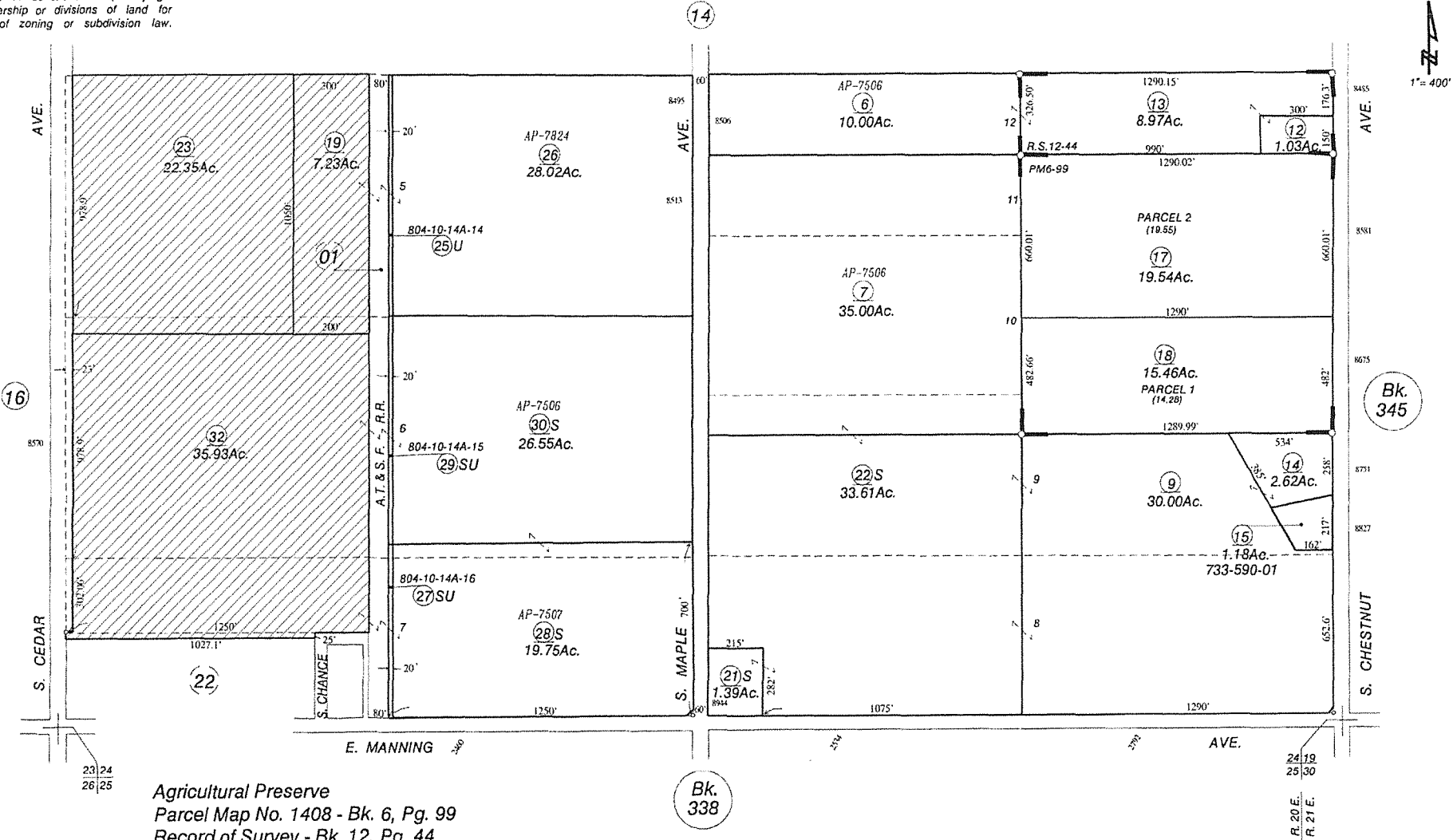
This map is for Assessment purposes only.
It is not to be construed as portraying
legal ownership or divisions of land for
purposes of zoning or subdivision law.

SUBDIVIDED LAND IN POR. SEC. 24, T. 15 S., R. 20 E., M.D.B. & M.

Tax Rate Area
157-000

335-17

Exhibit 6 - Page 2



Agricultural Preserve
Parcel Map No. 1408 - Bk. 6, Pg. 99
Record of Survey - Bk. 12, Pg. 44
Wittram Colony - Plat Bk. 2, Pg. 15

Assessor's Map Bk. 335 - Pg. 17
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

--- NOTE ---

This map is for Assessment purposes only.
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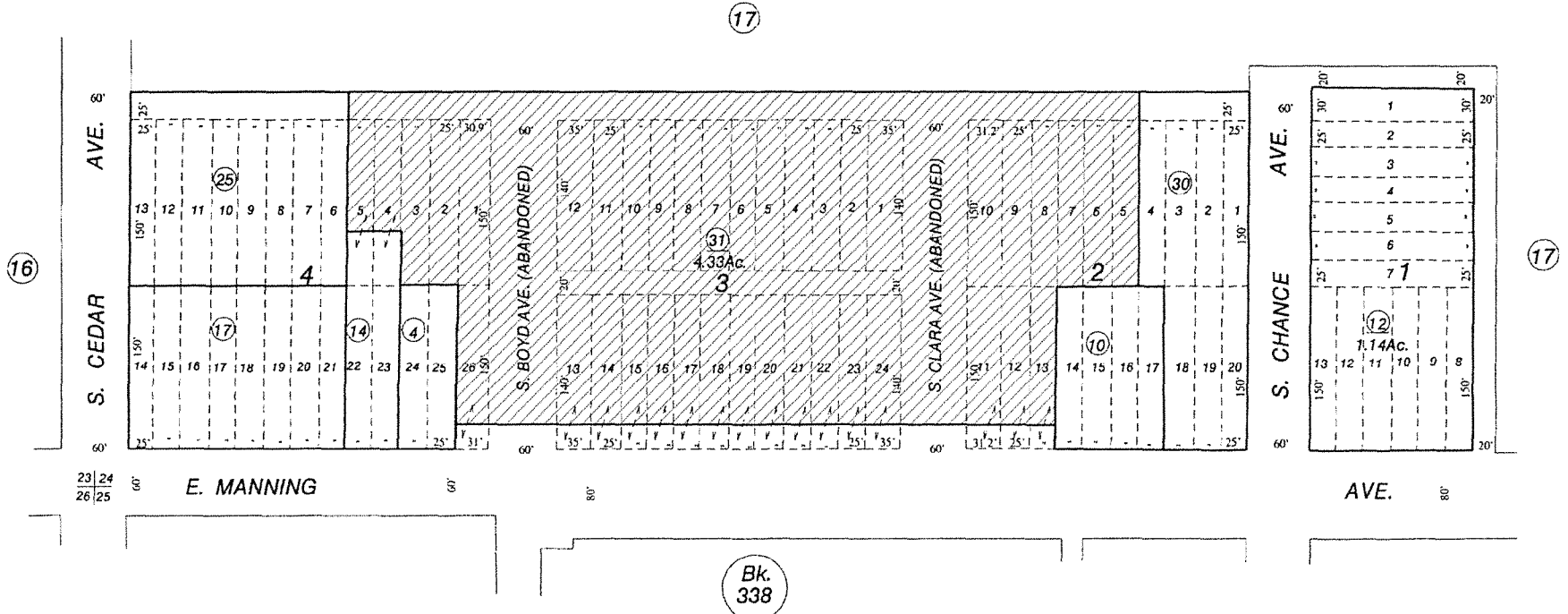
SUBDIVIDED LAND IN SEC. 24, T. 15 S., R. 20 E., M.D.B. & M.

Tax Rate Area
157-001

335-22



Exhibit 6 - Page 3



Agricultural Preserve
Lewis Addition to Town of Bowles - R.S. Bk. 8, Pg.24

Assessor's Map Bk. 335 - Pg. 22
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.



SOUTH CEDAR AVENUE

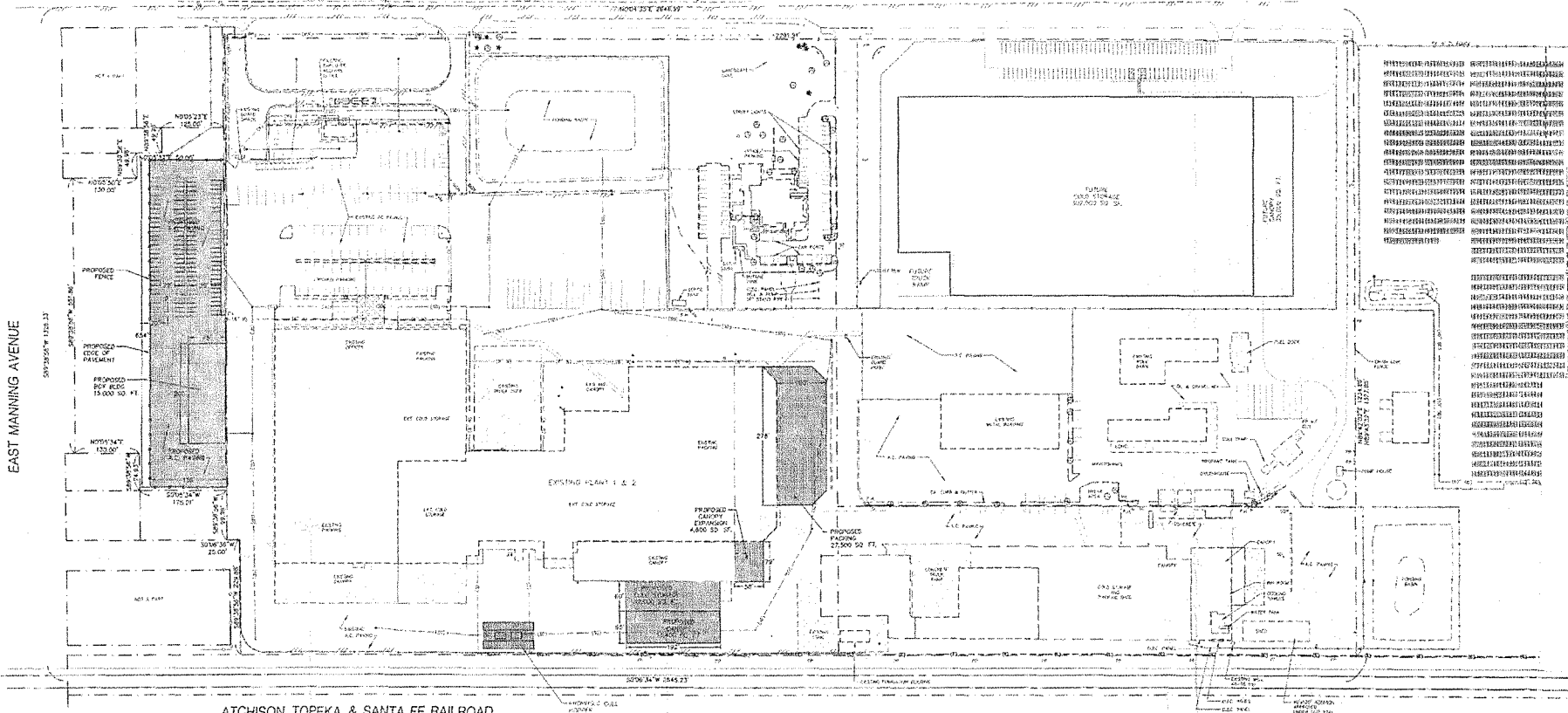


EXHIBIT 7

ATCHISON, TOPEKA, & SANTA FE RAILROAD

LEGEND

---	EXISTING SECTION LINE	---	EXISTING TREE	CC	ASPHALT CONCRETE	FF	POWER POLE
---	EXISTING CENTER LINE	---	EXISTING HANDICAP RAMP	CP	ANGLE POINT	FR	PORT OF ANCHOR CURVATURE
---	EXISTING PROPERTY LINE	---	EXISTING DRIVE APPROACH	CC	SEWERAGE OF CLAY	RD	ROAD
---	EXISTING RIGHT-OF-WAY LINE	---	EXISTING DRIVE APPROACH	CC	GRAVEL	RET	RETAIN
---	EXISTING CURB & GUTTER	---	EXISTING DRIVE APPROACH	CC	CONCRETE	R/W	RIGHT-OF-WAY LINE
---	EXISTING EDGE OF PAVEMENT	---	EXISTING DRIVE APPROACH	C	SHALE TOLERANT	S	SLOPE
---	EXISTING WATER LINE	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SDM	STONE DRAIN MANHOLE
---	EXISTING SEWER LINE	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING HOISTING LINE	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING WATER MAIN	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING LINE HOIST	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING WATER METER	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING SANITARY SEWER MANHOLE	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING STREET LIGHT	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING STREET POLE	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING TRANSFORMER POLE	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN
---	EXISTING POWER POLE	---	EXISTING DRIVE APPROACH	CC	SHALE TOLERANT	SD	STONE DRAIN

SITE NOTES

- MINIMUM 2% SLOPE FOR A MINIMUM 10' IS FOR DRAINAGE AWAY FROM BUILDING.
- NO WATER SHALL DRAIN TO ADJACENT PROPERTY WITH NO ON-SITE WATER RETENTION.
- CONSTRUCTION PERMIT SHALL BE PREPARED BY AN APPROVED TESTING AGENCY UPON COMPLETION OF GRADING.
- ALL GRADING SHALL COMPLY WITH SECTION 2514-C OF THE 2013 CALIFORNIA BUILDING CODE.
- PROVIDE SOIL COMPACTION FROM AN APPROVED TESTING LAB FOR ALL AREAS WHERE LOOSE FILL IS USED OR WHERE BUILDING FOOTING WILL OCCUR.
- ANY SURVEY MONUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A REGISTERED ENGINEER OR LICENSED LAND SURVEYOR.
- LIGHTING WHERE PROVIDED TO ILLUMINATE PARKING STALLS OR DISPLAY AREAS SHALL BE PROVIDED AND CONTROLLED SO AS NOT TO CAUSE A DISTURBANCE TO NEIGHBORHOOD TRAFFIC OR TO THE ENVIRONMENT. THE AMOUNT OF LIGHT SHALL BE PROVIDED ACCORDING TO THE STANDARDS OF THE DEPARTMENT OF PUBLIC WORKS.
- INSTALL STREET ADDRESS NUMBERS AT LEAST FOUR INCHES HIGH NON-REFLECTIVE SIGNAGE MOUNTED ON A CONTRASTING BACKGROUND CLEARLY VISIBLE FROM THE STREET (SEE 5013).
- A CHEMICAL TOILET IS REQUIRED TO BE ON-SITE DURING CONSTRUCTION.
- FINISH FLOOR ELEVATION TO BE 8" ABOVE THE CROWN OF THE STREET.
- CONCRETE AND MASONRY WORK SHALL HAVE A MAXIMUM SLOPE OF 1/8" PER FOOT. THIS SLOPE MAY BE PROVIDED IN A MANNER OF JOBS FOR PAVED SURFACES.

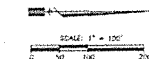
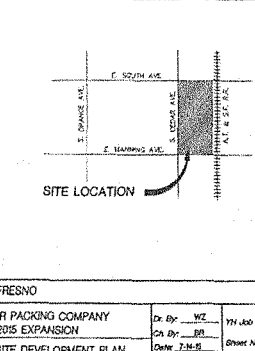
FIRE NOTES

THIS PERMIT DOES NOT INCLUDE FIRE SPRINKLERS.
 LAYOUT AND DETAILS OF THE FIRE SPRINKLER SYSTEM SHALL BE SUBMITTED TO AND APPROVED BY THE APPLICABLE FIRE MARSHAL PRIOR TO SUBMITTING TO PERMITS. THE FIRE MARSHAL SHALL BE NOTIFIED OF ANY CHANGES TO THE SYSTEM PRIOR TO CONSTRUCTION.
 THE SPRINKLER SYSTEM SHALL BE INSTALLED, PROTECTED AND APPROVED BY THE FIRE MARSHAL PRIOR TO ISSUANCE OF OCCUPANCY PERMIT.
 THIS PROJECT HAS BEEN DESIGNED WITH A UNIFORM LOAD OF 10 PSF/150 PSF TO SUPPORT THE FIRE SPRINKLER SYSTEM. THEREFORE, WE HAVE DESIGNER'S MARK SUPPORT MEMBERS (PLANKS, FRAMES, JOIST ETC.) TO SUPPORT CONCENTRATED LOADS OF LARGER SPANNER UNITS.

HANDICAP ACCESSIBILITY NOTES

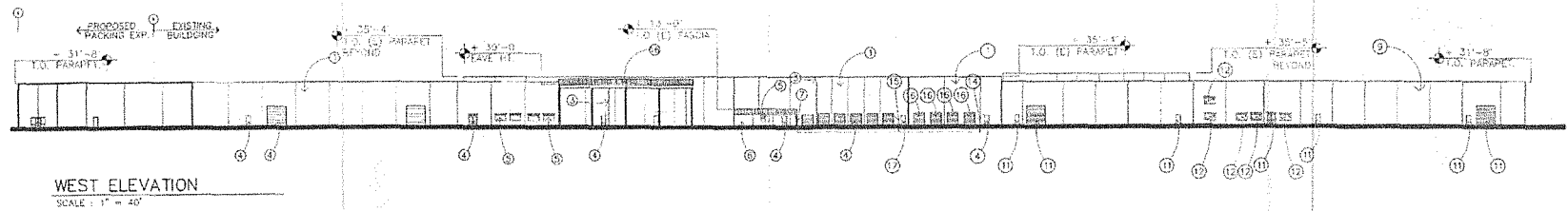
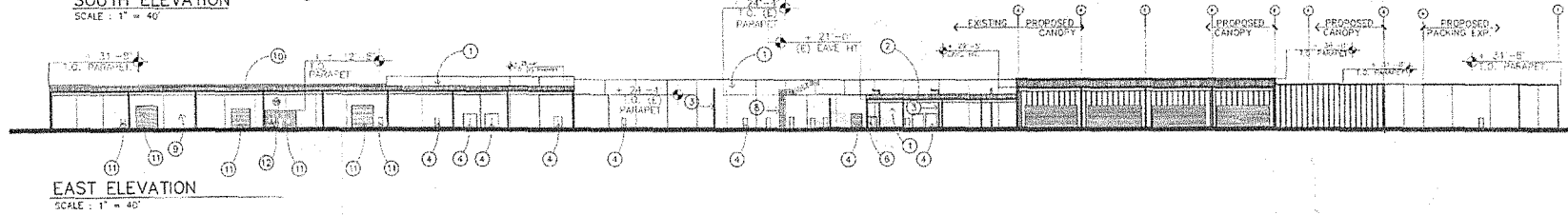
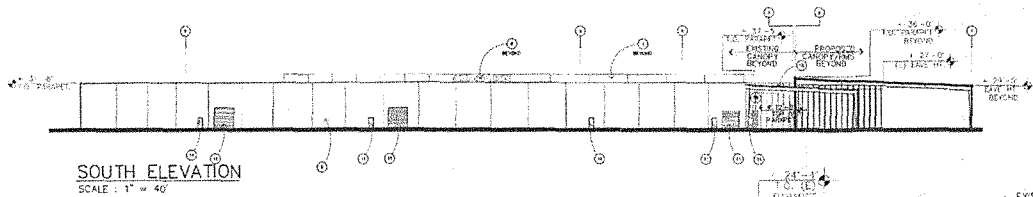
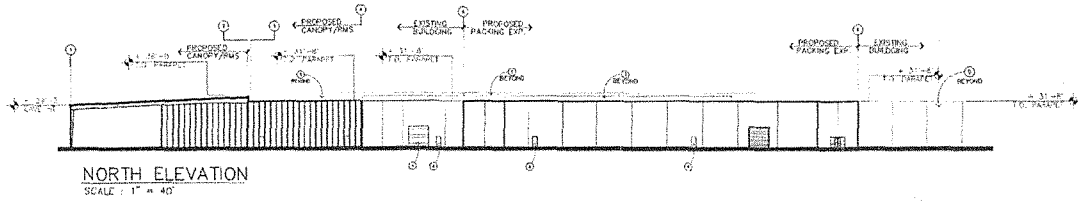
- THERE SHALL BE NO VERTICAL OFFSET ALONG A PATH OF TRAVEL INTO THE BUILDING OR REVERSE OF MORE THAN 1/2" HIGH.
- PROVIDE ACCESSIBLE PARKING WITH PROPER SIGNS AND SURFACES. ALL ACCESSIBLE PARKING SHALL BE PROVIDED AND DESIGNATED FOR HANDICAP USE.
- ALL STALLS SHALL BE MARKED WITH THE INTERNATIONAL SYMBOL OF ACCESS AND A WARNING THAT VEHICLES IN VIOLATION OF SYMBOL INDENT BY THE MARKING SHALL BE FINED. THE INTERNATIONAL SYMBOL AND WARNING MARKING SHALL BE POSTED CONSPICUOUSLY ON 7-FOOT POLES.
- ALL HANDICAP PARKING STALLS SHALL BE PLACED ADJACENT TO ACCESSIBLE CURBS OR RAMP OR IN STRAIGHT AREAS WHERE THE HANDICAP SHALL NOT HAVE TO WALK OR BEAR THROUGH PARKING SPACES WHILE TRAVELING TO OR FROM HANDICAP PARKING STALLS AND RAMP.
- PROVIDE THE FOLLOWING INFORMATION FOR HANDICAP PARKING:
 - APPROXIMATE LOCATION TO BE PROVIDED IN CONSPICUOUS PLACE AT EACH ENTRANCE TO THE OFF-STREET PARKING.
 - APPROXIMATE LOCATION TO BE PROVIDED IN CONSPICUOUS PLACE AT EACH ENTRANCE TO THE OFF-STREET PARKING.
 - APPROXIMATE LOCATION TO BE PROVIDED IN CONSPICUOUS PLACE AT EACH ENTRANCE TO THE OFF-STREET PARKING.
 - APPROXIMATE LOCATION TO BE PROVIDED IN CONSPICUOUS PLACE AT EACH ENTRANCE TO THE OFF-STREET PARKING.

VICINITY MAP



YAMABE & HORN ENGINEERING INC.
 2000 N. BLOSS AVENUE
 SUITE 101
 FRESNO, CA 93727
 TEL: (559) 244-3183
 FAX: (559) 244-3180

Rev. & Rev.	COUNTY OF FRESNO	Dr. By: <u>WZ</u>	YH 100 No. <u>1-231</u>
	PROJECT NO. <u>2015 EXPANSION</u>	Sheets No. <u>1</u>	
	MASTER SITE DEVELOPMENT PLAN	Scale: As Shown	of <u>4</u> Sheets

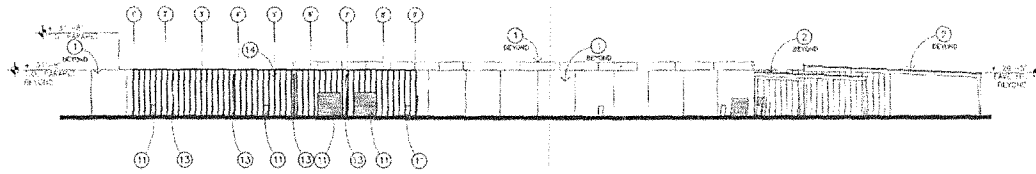


EXTERIOR MATERIAL LIST

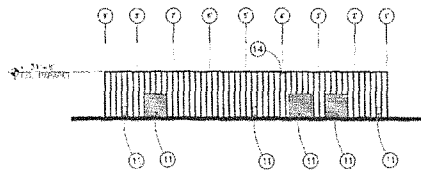
- | | |
|---|---|
| ① EXISTING CONCRETE FULL-FRAME PANEL | ⑭ METAL ROLLING CANOPY - BY M.W.M. |
| ② EXISTING METAL BUILDING CANOPY | ⑮ DOOR - SEE PLAN |
| ③ EXISTING DOWNPOINT | ⑯ WINDOW - SEE PLAN |
| ④ EXISTING DOOR | ⑰ DOWNPOINT - SEE PLAN |
| ⑤ EXISTING WINDOW | ⑱ RELOCATED GUARD RAIL - SEE PLAN |
| ⑥ EXISTING WOOD WALL WITH STUCCO FINISH | ⑳ EXISTING GUARD RAIL TO BE RELOCATED |
| ⑦ EXISTING GUARD RAIL | ㉑ REMOVE EXISTING WINDOW-OUT PANEL FOR NEW DOOR |
| ⑧ EXISTING ROOF ACCESS STAIRS w/ GUARD RAIL | ㉒ EXISTING DOOR TO BE REMOVED - SEE PLAN |
| ⑨ CONCRETE TIE-UP PANEL | ㉓ 11-12 SIZES OF PAINT |

<p>YAMABE & HORN ENGINEERING INC.</p> <p>3940 N. BIRLE AVENUE SUITE 101 FRESNO, CA 93727</p> <p>TEL: (559) 244-1100 FAX: (559) 244-1100</p>	<p>Ref. & Rev.</p>	<p>COUNTY OF FRESNO</p> <p>PROJECT NO. 205 FOWLER PACKING EXPANSION 2015 EXPANSION</p> <p>DATE/ISSUE NO. EXTERIOR ELEVATIONS PLANT 1 & 2</p>	<p>DR. BY: _____</p> <p>CHK. BY: _____</p> <p>DATE: _____</p> <p>SCALE AS NOTED</p>	<p>171 Job No. 5381</p> <p>Sheet No. <u>2</u></p> <p>of <u>4</u> Sheets</p>
	<p>DATE: _____</p>		<p>SCALE AS NOTED</p>	

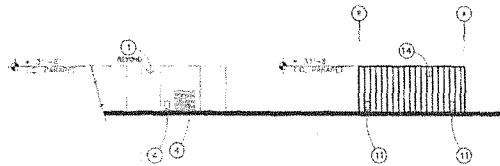
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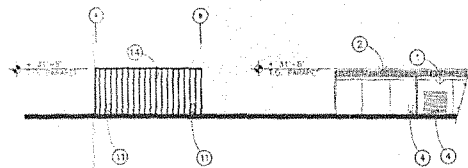
SOUTH ELEVATION
SCALE: 1" = 40'



NORTH ELEVATION
SCALE: 1" = 40'



WEST ELEVATION
SCALE: 1" = 40'

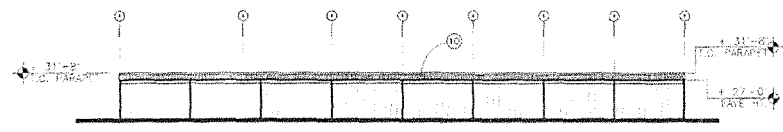


EAST ELEVATION
SCALE: 1" = 40'

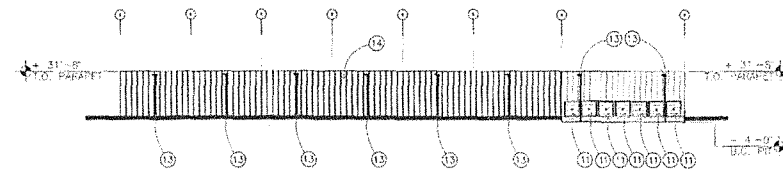
EXTERIOR MATERIAL LIST

- | | |
|------------------------------------|-------------------------|
| ① EXISTING CONCRETE SILT-SIP PANEL | ⑩ NOT USED |
| ② EXISTING METAL BUILDING CANOPY | ⑪ DOOR - SEE PLAN |
| ③ NEW USED | ⑫ NOT USED |
| ④ EXISTING DOOR | ⑬ DOWN-SLOPE - SEE PLAN |
| ⑤ NOT USED | ⑭ SIP PANEL |
| ⑥ NOT USED | ⑮ NOT USED |
| ⑦ NOT USED | ⑯ NOT USED |
| ⑧ NOT USED | ⑰ NOT USED |
| ⑨ NOT USED | ⑱ NOT USED |

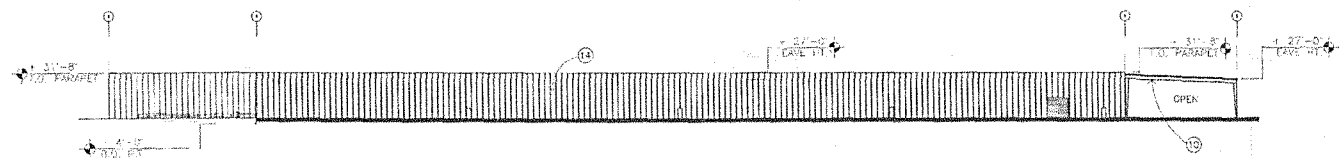
 YAMABE & HORN ENGINEERING INC. <small>2005 N. ELISE AVENUE SUITE 101 FRESNO, CA 93727</small>	<small>TEL: (559) 244-2141 FAX: (559) 244-0120</small>	Ref. & Row: COUNTY OF FRESNO	
		PROJECT NO: 2015 FOWLER PACKING EXPANSION 2015 EXPANSION	
		DR. BY: _____ DATE: _____	HW Job No. 5881 SHEET NO. 3 SHEET AS NOTED OF 4 SHEETS
EXTERIOR ELEVATIONS BOX BUILDING			



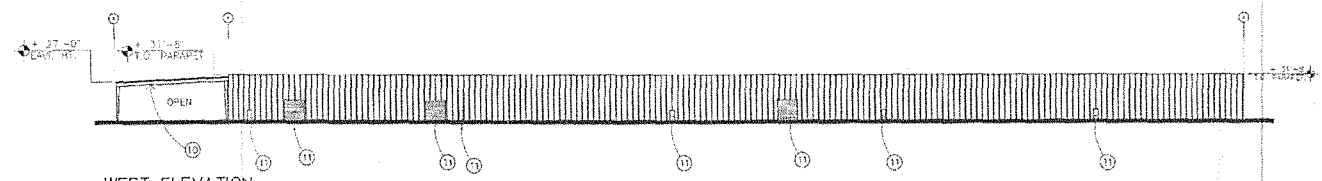
NORTH ELEVATION
SCALE : 1" = 40'



SOUTH ELEVATION
SCALE : 1" = 40'



EAST ELEVATION
SCALE : 1" = 40'



WEST ELEVATION
SCALE : 1" = 40'

EXTERIOR MATERIAL LIST

1 NOT USED	10 METAL BUILDING CANOPY
2 NOT USED	11 DECAL - SEE PLAN
3 NOT USED	12 NOT USED
4 EXISTING DOOR	13 DOWNSPOUT - SEE PLAN
5 NOT USED	14 IMP. PANEL
6 NOT USED	15 NOT USED
7 NOT USED	16 NOT USED
8 NOT USED	17 NOT USED
9 NOT USED	18 NOT USED

<p>YAMABE & HORN ENGINEERING INC.</p> <p>2000 N. BUREAU AVENUE SUITE 104 FRESNO, CA 93702</p> <p>TEL (559) 241-3172 FAX (559) 241-9153</p>	<p>Ref. & Rev.</p>	<p>COUNTY OF FRESNO</p>	
		<p>2015 FOWLER PACKING EXPANSION 2015 EXPANSION</p>	
<p>PROJECT DESCRIPTION</p> <p>EXTERIOR ELEVATIONS COLD STORAGE FACILITY</p>		<p>771.000 Pkg. 35.00L</p> <p>Sheet No. 3</p> <p>Of 4 Sheets</p>	

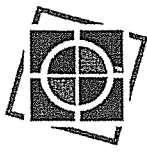


EXHIBIT 9

Project Narrative for:

FOWLER PACKING EXPANSION

July 23, 2015

Operational Statement

This project is the expansion of an existing fruit packing, cooling, shipping and marketing facility. The existing facility has been in operation since 1976 under the original CUP. Since that time multiple expansions have occurred. (CUP's: 2635, 2781, 2922, and 3254) This expansion is another in the evolution of the uses on this site.

The proposed expansion consists of a 160,000 sq. ft. packing facility, 35,000 sq. ft. attached canopy and 142,000 sq. ft. cold storage, 27,500 sq. ft. packing facility, 15,000 sq. ft. box building and parking lot, 12,000 sq. ft. of additional cold storage and 18,000 sq. ft. of canopies for receiving fruit. All square footages are approximate.

The main fruits being handled, under the current CUP, were stone fruits (peaches, plums and nectarines) and grapes. Additionally, some small volumes of other miscellaneous fruits are handled at the facility. The proposed expansion is to expand the packing area and the cold storage area to facilitate marketing of oranges on the site.

The orange packing operations has replaced the stone fruit operations. The season will run from October 15th through May 15th. The proposed facility will be sized to handle a peak volume of 1,000 bins of oranges per day. This is the peak volume of fruit and it is not anticipated to have fruit at this high of a volume for the entire season. The first and last months of the season will see lower volumes.

Based on the volume of 1,000 bins per day there will 18 to 19 trucks per day delivering fruit to the plant for packing. The delivery trucks are fully loaded open trailers. The outgoing refrigerated trucks will not be full loads and there will be between 16 to 32 loads a day. Most of the truck traffic will occur between 1:00 pm and 9:00 pm. This is based on a peak season day at full capacity.

At full capacity, there will be approximately 175 employees on-site for the handling of the citrus. This is roughly one half of the number of employees employed during the stone fruit season. Thus the traffic generated for doing citrus will be much less than what was required to do the stone fruit therefore the existing facilities will be adequate for parking.

This expansion includes a packing building, dual purpose de-greening and precooling rooms and additional cold storage. Additionally there will be an area used to store the packed grapes.

Currently all table grapes are field packed and then brought to the facility to be cooled. In the future a limited amount will be plant packed before cooling. This will not result in an increase in number of trucks for receiving or shipping. This will take place during the middle to end of the season July — October.

Except for minor amounts of cardboard that will be handled by a private carrier, the only waste from this use will be cull fruit and clean water. The cull fruit will be kept in a "juice fruit bin". It will be sold to the citrus juice market. The clean water will consist of small amounts of wash water and larger amounts of defrost water from the cold storage facility. The existing ponding basin will be expanded to handle any increase in flows from this expansion.

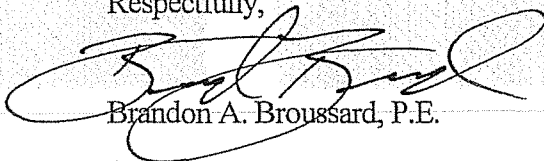
Reasons for Granting the Conditional Use Permit

The proposed use is an allowed use in the AE-20 district. The use is to be controlled with a Conditional Use Permit (CUP) provided the necessary findings could be made. Yamabe & Horn Engineering Inc. suggests that the findings can be made based on the following: The site plan shows the site is adequate in size to accommodate the proposed use. The site was previously in use during stone fruit season and accommodated more than double the amount of employees and traffic that is now being proposed. The proposed expansion easily fits within the existing site and does not negatively impact the surrounding areas. The entrance to the facility is located on South Cedar Avenue just north of Manning Avenue. Both roads are well kept and adequate to carry the proposed traffic.

Except for the rural residential neighbors directly to the south, the surrounding area is agricultural; mostly in trees or vines, this use will not affect these areas (they are a compliment to these areas). The main activity on the Fowler Packing site occurs deep within its boundaries. Any noise from traffic or equipment does not adversely affect the neighbors. This facility has been in this location for 39 years and has been good neighbors to the rural residential neighbors to the south.

This is an allowed use (with CUP) in this zone district. Having the packing facility located close to the fruit helps keep the traffic within the County agricultural areas, and not traveling into an City. This, along with the general plan designation, shows that the proposed expansion is consistent with the General Plan.

Respectfully,



Brandon A. Broussard, P.E.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

- APPLICANT: Cedar Avenue Properties LTD.
- APPLICATION NOS.: Initial Study Application No. 7004 and Classified Conditional Use Perimt Application No. 3506
- DESCRIPTION: Allow expansion of an existing cold storage and packing operation partially located on five parcels totaling 83.97 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Expansion of the existing operation within the boundaries of the five parcels totaling 83.97 acres includes: 302,000 square-foot cold storage/packing building with 35,000 square-foot canopy; 27,500 square-foot packing building addition; 4,600 square-foot canopy addition; 12,000 square-foot cold storage building with 13,400 square-foot canopy; and cull hopper. The existing cold storage and packing operation will also be expanded onto a southerly adjacent 4.33-acre parcel in the RS (Rural Settlement) Zone District with the construction of a parking lot and a 15,000 square-foot box building.
- LOCATION: The project site is located on the east side of S. Cedar Avenue, between E. Manning Avenue and E. South Avenue, approximately three miles southwest of the nearest city limits of the City of Fowler (SUP. DIST. 4) (APNs 335-140-31; 335-140-30; 335-170-19; 335-170-23; 335-170-32; 335-220-31).

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails the expansion of an existing cold storage and packing operation partially located on five parcels totaling 83.97 acres in the AE-20 (Exclusive Agricultural,

20-acre minimum parcel size) Zone District. The existing operation was originally authorized by Classified Conditional Use Permit (CUP) No. 1260, which was approved by the Planning Commission in 1974. Subsequently, the operation was expanded under CUP No. 2368, which was approved by the Planning Commission in 1989, CUP No. 2635, which was approved by the Planning Commission in 1994, CUP No. 2781, which was approved by the Planning Commission in 1996, CUP No. 2922, which was approved by the Planning Commission in 1999, CUP No. 3254, which was approved by the Planning Commission in 2009, and CUP No. 3359, which was approved by the Planning Commission in 2012 authorizing development of a photovoltaic solar power generation facility to supply electricity to the existing cold storage and packing operation.

Expansion of the existing operation within the boundaries of the five parcels totaling 83.97 acres includes: 302,000 square-foot cold storage/packing building with 35,000 square-foot canopy; 27,500 square-foot packing building addition; 4,600 square-foot canopy addition; 12,000 square-foot cold storage building with 13,400 square-foot canopy; and cull hopper. The existing cold storage and packing operation will also be expanded onto a southerly adjacent 4.33-acre parcel in the RS (Rural Settlement) Zone District with the construction of a parking lot and a 15,000 square-foot box building.

The project site is located in a predominately agricultural area with residential land uses dispersed throughout. The Atchison Topeka & Santa Fe Railroad line abuts the eastern boundary of the project site, State Route (SR) 41 is located approximately one and three quarter-miles west of the project site, and SR 99 is located approximately four and a half-miles to the east. The project site is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the project analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This proposal may utilize outdoor security lighting which has the potential of generating new sources of light and glare in the area. As such, all outdoor lighting fixtures shall be required to be hooded and directed so as to not shine towards adjacent properties and public streets. This requirement will be included as a Mitigation Measure.

* **Mitigation Measure**

1. All outdoor lighting shall be hooded and directed 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 state-wide importance to non-agricultural use; or

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

FINDING: NO IMPACT:

The project site is not located on forest land, is not enrolled under an Agricultural Land Conservation Contract, and is classified as Urban and Built-Up Land on the Fresno County Important Farmland Map (2012). Further, this proposal entails a use that will serve a commercial enterprise supportive of agriculture which stores agricultural products.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the San Joaquin Valley Unified Air Pollution Control District (Air District) which commented that the project is expected to have no significant adverse impact on air quality. However, this proposal may be subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required). Staff notes that projects subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required) are exempt from Air District Rule 9510 (Indirect Source Review). Additionally, this proposal may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4002 (National Emission Standards for Hazardous Air Pollutants),

Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Further, an Authority to Construct (ATC) Permit may also be required for this proposal. Compliance with Air District Rules and Regulations will reduce air quality impacts from the subject proposal to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- 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: LESS THAN SIGNIFICANT IMPACT:

The project site is located in an agricultural area and has been previously disturbed as said property has been historically utilized for commercial fruit packing and agricultural cultivation. Additionally, neighboring properties have been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed. This proposal was referred to the U.S. Fish and Wildlife Service (USFWS), which did not identify any concerns related to the project. This proposal was also referred to the California Department of Fish and Wildlife (CDFW), which also did not identify any concerns. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; and 4.) 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. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat

Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located in an area designated to be highly or moderately sensitive for archeological resources. However, in the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be contacted to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The Mitigation Measure will reduce potential impacts to cultural resources to a less than significant level.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.*

VI. GEOLOGY AND SOILS

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

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

FINDING: NO IMPACT:

The area where the project site is located is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns related to ground shaking, ground failure, liquefaction or landslides. Development of the project will be subject to the Seismic Design Category C Standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site has predominately flat topography and while changes in topography and erosion may result from grading activities associated with this proposal, it is not likely. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the Applicant must obtain a Grading Permit or Grading Voucher for any grading associated with this proposal.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The existing cold storage and packing operation utilizes on-site septic systems for wastewater disposal, and additional on-site septic systems may be needed in order to accommodate the proposed expansion. According to the Fresno County Department of Public Health, Environmental Health Division, per 2013 California Plumbing Code Appendix H Section 5, access to septic tanks must be maintained. Further, per 2013 California Plumbing Code Appendix H Section 6.9, disposal fields, trenches, and leaching beds must not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent.

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Unified Air Pollution Control District (Air District) has reviewed this proposal and expressed no concerns related to greenhouse gas emissions. Further, compliance with Air District Rules and Regulations discussed in Section III (Air Quality) of this analysis will reduce air quality impacts from the subject proposal to a less than significant level.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Department of Public Health, Environmental Health Division, within 30 days of the occurrence of any of the following events, the Applicant must update their Hazardous Materials Business Plan (HMBP) and Site Map on file with the Fresno County Department of Public Health: 1) There is a 100% or more increase in the quantities of a previously disclosed material; or 2) The facility begins handling a previously undisclosed material at or above the HMBP threshold amounts. Further, the Applicant must certify that a review of the HMBP has been conducted at least once every three years and that any necessary changes were made and that the changes were submitted to the Fresno County Department of Public Health.

The Fresno County Department of Public Health, Environmental Health Division, also identified the following additional mandatory requirements for the project: 1) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5; 2) In an effort to protect groundwater, all abandoned water wells (not intended for use or future use) within the project site shall be properly destroyed by an appropriately licensed contractor under permits from the Fresno County Department of Public Health. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction. The oil-contaminated water removed from the well must be handled in accordance with federal, state and local government requirements.

There are no schools located within one-quarter mile of the project site.

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

FINDING: NO IMPACT:

No hazardous materials sites are located within the boundaries of the project site.

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

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

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.

G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan. No such impacts were identified in the project analysis.

H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project site is not located within a wildland 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 WITH MITIGATION INCORPORATED:

The existing cold storage and packing operation utilizes on-site septic systems for wastewater disposal, and additional on-site septic systems may be needed in order to accommodate the proposed expansion. According to the Fresno County Department of Public Health, Environmental Health Division, per 2013 California Plumbing Code Appendix H Section 5, access to septic tanks must be maintained. Further, per 2013 California Plumbing Code Appendix H Section 6.9, disposal fields, trenches, and leaching beds must not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent.

According to the Central Valley Water Board, the existing cold storage and packing operation currently has Waste Discharge Requirements (WDRs) issued by the Central Valley Water Board for the discharge of process wastewater from packing and storage of stone fruit and grapes to two on-site evaporation/percolation ponds. These WDRs must be updated with the Central Valley Water Board for the proposed expansion. As such, the Applicant must submit a revised Report of Waste Discharge to the Central Valley Water Board in order to update WDRs on-file with said agency.

According to the State Water Resources Control Board, Division of Drinking Water, the source of domestic water used at the existing cold storage and packing operation has a documented violation of the dibromochloropropane (DBCP) maximum contaminant level. As an interim solution to resolve this violation, the Division of Drinking Water approved the installation of two on-site point of use (POU) treatment systems, which treat only enough water to provide potable drinking water at two locations on the project site. As such, a Mitigation Measure will be included requiring the Applicant to construct a replacement water well that meets Division of Drinking Water Standards so that the interim use of POU treatment systems is no longer needed.

* **Mitigation Measure**

- 1. Prior to occupancy being granted for the proposed expansion, the Applicant shall construct a new water well to provide drinking water for the facility. The Applicant shall demonstrate to the State Water Resources Control Board, Division of Drinking Water, that this new water well meets Division of Drinking Water Standards.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which did not identify any concerns related to the project. Further, the project site is not located in a designated water-short area.

- 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?

FINDING: NO IMPACT:

No streams or rivers are located within the boundaries of the project site.

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As construction of this proposal will disturb more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity will be required. Before construction begins, the Applicant shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.

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

FINDING: NO IMPACT:

No additional water quality impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

No housing is proposed with this project.

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

FINDING: NO IMPACT:

According to FEMA FIRM Panel 2625H, the project site is not subject to flooding from the 100-year storm.

- I. Would the project expose persons or structures to levee or dam failure; or
J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

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

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

This proposal will not physically divide a community. The City of Fowler is located approximately three miles to the northeast of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated Agriculture in the Fresno County General Plan. Provisions for value-added agricultural uses such as the proposed use have been provided for in the Fresno County Zoning Ordinance and General Plan. Policy LU-A.3 of the General Plan provides that the commercial packing and processing of crops may be allowed by discretionary permit subject to a number of specific criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within a one quarter-mile radius. Criteria LU-A.3.d states that a

probable workforce should be located nearby or readily available. Criteria LU-A.3.h states that the evaluation under Criteria LU-A.3.b is not required for existing commercial uses.

With regard to Criteria "a", Criteria "b", and Criteria "h", this proposal entails the expansion of an existing commercial cold storage and packing operation that has been serving the agricultural community surrounding the project site since 1974. With regard to Criteria "c", this proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the proposal as the project site is not located in a designated water-short area. Further, with adherence to the Conditions of Approval, Mitigation Measures and mandatory requirements identified in this Initial Study, staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties. With regard to Criteria "d", the project site is located approximately three miles southwest of the nearest city limits of the City of Fowler, which has the ability to provide an adequate workforce. As such, the proposed use is conditionally compatible with the Agriculture General Plan designation.

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

FINDING: NO IMPACT:

This proposal will not conflict with any Land Use Plan or habitat or Natural Community Conservation Plan. No such Plans were identified in the project analysis.

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 project analysis. The subject parcel 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 levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division, reviewed this proposal and did not identify any potential noise-related impacts. However, development of the proposal must comply with the Fresno County Noise Ordinance related to construction noise, limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday, thereby minimizing noise impacts to less than significant.

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

FINDING: NO IMPACT:

The subject parcel is not located in the vicinity of a public airport or private airstrip, and is not impacted by airport 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:

This proposal will not construct or displace housing and will not otherwise induce population growth.

XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Fresno County Fire Protection District, which did not express any concerns with the project. Additionally, any development associated with this proposal must comply with the California Code of Regulations Title 24 – Fire Code.

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

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the project analysis.

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 such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Access to the existing cold storage and packing operation is provided by Cedar Avenue via four existing driveways, and two additional access points from Cedar Avenue are proposed with this expansion project.

The existing cold storage and packing operation processes stone fruit from May through November. During this time, the facility generates an average of 32 one-way truck trips per day (16 round trips per day), and up to 700 one-way employee trips per day (350 round trips per day). Additionally, the existing cold storage and packing operation processes citrus fruit from November through April. During this time, the facility generates an average of 50 one-way truck trips per day (25 round trips per day), and up to 350 one-way employee trips per day (175 round trips per day). According to the

Operational Statement prepared for this proposal, the processing of citrus fruit at the existing cold storage and packing operation is replacing the stone fruit processing previously conducted at the facility. Further, as stone fruit processing requires more labor than citrus fruit processing, this expansion project will result in an overall decrease in employee trips generated by the operation.

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, Cedar Avenue is County-maintained and classified as Arterial, which requires a minimum total right-of-way of 106 feet. Cedar Avenue has a total existing right-of-way of 106 feet at the project site, with 53 feet east and 53 feet west of the section line.

This proposal was reviewed by the California Department of Transportation (Caltrans), which expressed no traffic-related concerns with the project. Further, this proposal was also reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which expressed no traffic-related concerns with the project as the expansion will not result in additional traffic being generated by operations, nor did said agency require a Traffic Impact Study (TIS).

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

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns. No such impacts were identified in the project analysis.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning which expressed no traffic related concerns regarding the project, nor did said agency require a Traffic Impact Study (TIS).

- 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:

This proposal will not conflict with any adopted alternative transportation plans. No such impacts were identified in the project analysis.

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 new water or wastewater treatment facilities?

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

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

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Pursuant to discussion in Section IV (Biological Resources), no such impacts on biological resources were identified in the project analysis. Development of the project may impact cultural resources. The included Mitigation Measure in Section V (Cultural Resources) will minimize such impacts to a less than significant level.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the project analysis.

- 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 adverse impacts on human beings were identified in the project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3506, 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 agricultural and forestry resources, mineral resources, population and housing, and recreation.

Potential impacts related to air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, transportation and traffic, and utilities and service systems have been determined to be less than significant. Potential impacts relating to aesthetics, cultural resources, and hydrology and water quality have been determined to be less than significant with the identified Mitigation Measures.

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" Street, Fresno, California.

DC:

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EXHIBIT 11

File original and one copy with:		Only.		
Fresno County Clerk 2221 Kern Street Fresno, California 93721		<small>CLK-2046.00 E04-73 R00-00</small>		
Agency File No: IS 7004	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION	County Clerk File No: E-		
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721	
Agency Contact Person (Name and Title): Derek Chambers, Planner	Area Code: 559	Telephone Number: 600-4205	Extension: N/A	
Applicant (Name): Cedar Avenue Properties Ltd.	Project Title: Classified Conditional Use Permit Application No. 3506			
Project Description: Allow expansion of an existing cold storage and packing operation partially located on five parcels totaling 83.97 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Expansion of the existing operation within the boundaries of the five parcels totaling 83.97 acres includes: 302,000 square-foot cold storage/packing building with 35,000 square-foot canopy; 27,500 square-foot packing building addition; 4,600 square-foot canopy addition; 12,000 square-foot cold storage building with 13,400 square-foot canopy; and cull hopper. The existing cold storage and packing operation will also be expanded onto a southerly adjacent 4.33-acre parcel in the RS (Rural Settlement) Zone District with the construction of a parking lot and a 15,000 square-foot box building. The project site is located on the east side of S. Cedar Avenue, between E. Manning Avenue and E. South Avenue, approximately three miles southwest of the nearest city limits of the City of Fowler (SUP. DIST. 4) (APNs 335-140-31; 335-140-30; 335-170-19; 335-170-23; 335-170-32; 335-220-31).				
Justification for Negative Declaration: Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3506, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to agricultural and forestry resources, mineral resources, population and housing, or recreation. Potential impacts related to air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, transportation and traffic, and utilities and service systems have been determined to be less than significant. Potential impacts related to aesthetics, cultural resources, and hydrology and water quality have been determined to be less than significant with the identified mitigation measures. The Initial Study and MND are available for review at 2220 Tulare Street, Suite A, Fresno, CA 93721.				
FINDING: The proposed project will not have a significant impact on the environment.				
Newspaper and Date of Publication: Fresno Business Journal – November 27, 2015		Review Date Deadline: Planning Commission – December 17, 2015		
Date: November 27, 2015	Type or Print Signature: Eric VonBerg Senior Planner	Submitted by (Signature): Derek Chambers Planner		

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION