

County of Fresno

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

Planning Commission Staff Report Agenda Item No. 4 August 11, 2022

SUBJECT: Conditional Use Permit Application No. 3724, Variance Application

No. 4135, and Initial Study No. 8151

Conditional Use Permit allow a commercial fruit cold

storage/packing facility, and to consider approving a Variance to allow a height improvement from the 35 feet maximum to 41 feet 8.875 inches on a 76.22-acre parcel in the AE-20 (Exclusive Agriculture 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northeast corner of E. McKenzie

and N. Oliver Avenue approximately 9.2 miles east of the City of

Fresno (APN: 333-082-01) (Sup. Dist. 5).

OWNER: David F. Hines

APPLICANT: Jerry Mele

STAFF CONTACT: Ricky Vang, Planner

(559) 600-4224

David Randall. Senior Planner

(559) 600-4052

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared based on Initial Study (IS) No. 8151 and
- Approve Conditional Use Permit Application No. 3724 and Variance No. 4135 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

- 1. Mitigation Monitoring, Conditions of Approval and Project Notes
- 2. Location Map

- 3. Existing Zoning Map
- 4. Existing Land Use Map
- 5. Site Plans
- 6. Elevations
- 7. Site Photos
- 8. Applicant's Operational Statement
- 9. Applicant's Variance Findings
- 10. Summary of Initial Study Application No. 8151

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	333-082-01	No change
Parcel Size	76.22 acres	No change
Project Site	Citrus tree orchard with 2 wells	Construct the proposed and future buildings as a new commercial fruit cold storage/packing facility serving farmers throughout the Central Valley.
Structural Improvements	N/A	Construction of a 206,946 square feet fruit packing and cold storage facility. A 10,000 square feet shop building with a 3,125 square feet canopy for a total of 13,125 square feet A 256 sq. ft fire pump house and a 336 square feet guard shack. The installation of eight (8) cull bins.

Criteria	Existing	Proposed
Nearest Residence	Approximately 100 feet west	No change
Surrounding Development	Farmland; single-family residences. State Route (SR) 180 approximately 0.82 miles south.	No change
Operational Features	N/A	Construction of commercial cold storage and packing operation, stone fruit, citrus and grape operations.
Employees	1 employee	Anticipate the addition of 80 employees.
Customers	No on-site sales	No change
Traffic Trips	N/A	May through September (stone fruit season): Average of 40 truck trips per day. Up to 172 one-way employee trips per day October through July (citrus fruit season): Average of 40 truck trips per day. Up to 172 one-way employee trips per day (252 total trips per day) July through October (grape season): Average of 40 truck trips per day. Up to 172 one-way employee trips per day (252 total trips per day)
Lighting	No outdoor lighting or outdoor sound amplification systems.	Outdoor lighting proposed
Hours of Operation	N/A	Hours of operation will be year-round, 7 days a week, 24 hours a day.

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

Initial Study No. 8151 was prepared for the subject application by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: June 29, 2022

PUBLIC NOTICE:

Notices were sent to 12 property owners within 1,320 Feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Classified Conditional Use Permit may be approved only if the five 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 Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

The subject property is currently developed with a citrus orchard and two wells. The implementation of the citrus packing and cold storage facility would require development of:

- 206,946 square feet fruit packing and cold storage facility,
- 10,000 square feet shop building
- 3,125 square feet canopy
- 256 sq. ft fire pump house
- 336 square feet guard shack
- Eight (8) cull bins (each steel container can contain 20-24 bins of fruit).
- 211 parking spaces located to the north, south and east of the proposed facility.

Additionally, the project includes an application for a Variance to allow an increase in height from 35 feet to 41 feet 8.875 inches.

CONDITIONAL USE PERMIT (CUP) APPLICATION NO. 3724

<u>Finding 1:</u>
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	Front: 35 feet	Front: 35 feet	Yes
	Side: 20 feet	Side: 20 feet	
	Rear: 20 feet	Rear: 20 feet	

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Parking	One standard parking space for every two permanent employees; one parking space for the disabled for every 40 standard parking spaces required		Yes
Lot Coverage	No requirement	N/A	N/A
Space Between Buildings	Six feet minimum	120 feet	Yes
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	100 percent	No change	Yes
Water Well Separation	Septic tank: 50 feet	Septic tank: 50 feet	Yes
	Disposal field: 100 feet	Disposal field: 100 feet	
	Seepage pit: 150 feet	Seepage pit: 150 feet	

Reviewing Agency/Department Comments Regarding Site Adequacy:

Comments were received from the Zoning and Development Engineering Sections which included regulatory process issues. No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Finding 1 Analysis:

A review of the site plan demonstrates that all proposed structures meet minimum building setback requirements of the AE-20 Zone District. The site is adequate in size and shape to accommodate the proposed use, including on-site parking, circulation, and ingress/egress.

Detailed review of parking, circulation and related improvements will be addressed during the recommended site plan review. This has been included as a condition of approval.

Recommended Conditions of Approval:

Per the TIS prepared for the project and approved by Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning, the project will pay its percentage fair share cost for future installation of traffic signals and right-of-way acquisition at three intersections at OliverAvenue. The project will also pay Traffic Signal Mitigation Impact Fee and Fresno Major Street Impact Fee to the City of Fresno, including Regional Transportation Mitigation Fee to Fresno County Office of Government (COG), included in Exhibit 1.

Finding 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	Oliver and Belmont Avenues	No change
Direct Access to Public Road	Yes	Oliver and Belmont Avenues – Good condition	No change
Road ADT		1800	No change
Road Classification		Oliver Avenue is classified as a local road. Belmont Avenue is classified as a collector road.	No change
Road Width		Oliver Avenue is classified as a local road with an existing 50 feet of road right-of-way and an ultimate right-of-way of 60 feet per the Fresno County General Plan. Belmont Avenue is classified as a collector road with an existing 80 feet of road right-of-way and an ultimate right-of-way of 84 feet per the Fresno County General Plan.	No change
Road Surface		Asphalt concrete paved.	No change
Traffic Trips		N/A	Per the Traffic Impact Study (TIS) prepared for the project by VRPA Technologies and dated April 22, 2022. Peak-hour trip generation:

		Existing Conditions	Proposed Operation
			 41 AM peak-hour trips (one-way trips: 36 in, 5 out) 26 PM peak-hour trips (one-way trips: 4 in, 22 out) Daily project trip generation:
			49 trips from employees, delivery, etc. (one-way trips: 30 in, 19 out)
Prepared	Yes	N/A	Per the TIS prepared for the project and approved by Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning, the project will pay its percentage fair share cost for future installation of traffic signals and right-of-way acquisition at three intersections at Oliver Avenue. The project will also pay Traffic Signal Mitigation Impact Fee and Fresno Major Street Impact Fee to the City of Fresno, including Regional Transportation Mitigation Fee to Fresno County Office of Government (COG).
Road Improvements Requi	red	Oliver and Belmont Avenues – Good condition	Oliver Avenue currently has 50 feet of road right-of-way and an ultimate right-of-way of 60 feet per the Fresno County General Plan. An additional 5 feet of road right-of-way along the parcel frontage must be

Existing Conditions	Proposed Operation
	dedicated to meet the ultimate road right-of-way for Oliver Avenue.
	Proposed drive approach shall be limited to a maximum width of 35 feet per Fresno County Improvement Standard D-3.

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

Comments were received from the Road Maintenance and Operations Division of the Department of Public Works and Planning which included regulatory process issues. No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Finding 2 Analysis:

Per the applicant's operational statement, the fruit packing facility will use a maximum of 80 employees during the peak months of operation. The Site Plan Review Section of the Department of Public Works and Planning indicates that a minimum of 175 parking spaces, in addition to any required parking for company vehicles and salespersons, is required. With the proposed 204 parking spaces, the project site will have sufficient parking to accommodate the existing and proposed uses.

According to the applicant, the proposed citrus packing operation would run year-round, however employee work hours will depend on the fruit they will be packing. The operation anticipates 40 trucks visiting the site every day, totaling in 80 daily trips. The company is also expecting 172 trips from employees and visitors. The company plans to have 1 service and delivery truck that will be stored on-site. A Traffic Impact study was conducted by VRPA Technologies, the needed mitigation and conditions to address the impacts on streets are reflected in the project conditions of approval. No concerns were expressed related to any increase in traffic congestion or impacts upon the carrying capacity of the adjoining roadways.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Finding 2 Conclusion:

Based upon the above information, staff believes N. Oliver Avenue is adequate in size and condition to accommodate the daily traffic associated with the existing and proposed use. Therefore, Finding 2 can be made.

<u>Finding 3</u>: 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	142.5 acres	Agricultural	AE-20	N/A
	108.13 acres	Agricultural	AE-20	N/A
South	144.15 acres	Agricultural	AE-20	N/A
East	38.52 acres	Agricultural	AE-20	N/A
West	1.28 acres	Single Family Residence	AE-20	94.5 feet
	30.7 acres	Agricultural		

Reviewing Agency/Department Comments:

Comments were received from the San Joaquin Valley Air Pollution Control District and the Department of Public Health, Environmental Health Division of the Department of Public Works and Planning which included regulatory process issues. No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Finding 3 Analysis:

The subject 76.22-acre project site is located in an agricultural area with surrounding parcels ranging in size from less than one-acre to 125.73 acres. Surrounding parcels contain orchards and vineyards with scattered single-family residences. The nearest residence is located approximately 100 feet west of the property line. The residence will be separated by 984 feet total. The project was considered by Environmental Health Division of the Department of Public Works and Planning. The review was based on the operational statement and project description, there were no noise concerns.

According to the applicant's operational statement, citrus packing will be added as a new operation on the property. As noted earlier, in addition to new parking, the proposed operation will require construction of a packing building and a canopy. Further, restrooms and office facilities will be provided within the proposed areas.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Finding 3 Conclusion:

Finding 3 can be made, based on the above information, the proposed use should not have an adverse impact on the surrounding neighborhood provided the proposed use operates in accordance with the operational statement, site plan, and conditions of approval.

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

Relevant Policies:

General Plan Policy LU-A.13:

The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.

Consistency/Considerations:

There are approximately 984 feet between the sensitive receptor and the cold storage/packing building. Oliver Avenue separates the subject parcel from the residence. The Environmental Health Division did not require any additional studies to be completed.

General Plan Policy LU-A.14:

The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

Review of the project's impact on agricultural land was conducted in the prepared Initial Study and through analysis by the Policy Planning Section. The Initial Study determined that a less than significant impact would occur on agricultural land as the proposed facility will be sited on portion of land and would not impact the feasibility or operations of the existing agricultural operation.

General Plan Policy PF-C.17:

The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:

- a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made "firm" by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.
- b. A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of

The County of Fresno Water and Natural Resources Division reviewed the project proposal and determined that the proposal will have a less than significant impact on the existing water levels in the area. In addition, The Fresno Irrigation District expressed no concern with the irrigation facility that transects the corner of the property.

Relevant Policies:	Consistency/Considerations:
limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated. c. A determination of the impact that use of the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.	
General Plan Policy HS-B.1: The County shall review project proposals to identify potential fire hazards and to evaluate the effectiveness of preventative measures to reduce the risk to life and property.	The project proposal was reviewed by the Fresno County Fire Protection District with additional review occurring during the building permit process for the subject facility.
General Plan Policy HS-F.1: The County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.	Per the Fresno County Department of Public Health, Environmental Health Division, the project is subject to regulatory permit and oversight. Additional regulatory requirements including the preparation and submittal of a Hazardous Materials Business Plan is required by the Environmental Health Division.
General Plan Policy HS-F.2: The County shall require that applications for discretionary development projects that will use hazardous materials or generate hazardous waste in large quantities include detailed information concerning hazardous waste reduction, recycling, and storage.	As noted, there are additional regulatory requirements anticipated for this project in addition to County conditions of approval. Regulatory agencies including the Department of Public Health, the Regional Water Quality Control Board, and the San Joaquin Valley Air Pollution Control District will require further compliance with State and local requirements for the handling and disposal of hazardous materials/wastes.

Reviewing Agency Comments:

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

Finding 4 Analysis:

The project is located within an area designated as Agriculture in the Fresno County General Plan and is zoned for Exclusive Agriculture in the County Zoning Ordinance. Table LU-3 of the General Plan lists subject use as permitted in areas designated agriculture subject to approval of a discretionary permit provided that: (a) the use provides needed service to surrounding agricultural areas; (b) is not located on productive agricultural land; (c) does not affect water resources and will not have impact on the management of surrounding properties; and (4) have probable work force readily available nearby.

Staff believes that above criteria is met, in that:

- (a) The proposed use provides service to surrounding farming operations and it is unlikely that service could be provided more efficiently within an urban center.
- (b) The proposal is located on a land classified as Urban and Built-Up Land in the Fresno County Important Farmland Map 2006 and is suitable for non-agricultural uses. Given the project is not located in a low water area, large sizes of surrounding parcels.
- (c) The proposed expansion and resulting limited increase in water usage will not have a significant impact on the valley aquifer water supply within one-quarter mile radius.
- (d) The project site is 3.7 miles north of the City of Sanger. A probable work force is available from communities surrounding the existing fruit packing facility.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Finding 4 Conclusion:

Based on these factors, the proposed use can be considered consistent with the agricultural policies of the General Plan.

<u>Finding 5:</u> That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.

Analysis Finding 5:

The proposed mitigation measures and conditions of approval were developed based on studies and consultation with specifically qualified staff, consultants, and outside agencies. They were developed to address the specific impacts of the proposed project and were designed to address the public health, safety, and welfare. Additional comments and project notes have been included to assist in identifying existing non-discretionary regulations that also apply to the project. The Applicant has signed an acknowledgement agreeing to the proposed mitigation

measures and has not advised staff of any specific objection to the proposed conditions of approval.

Finding 5 Conclusion:

Finding 5 can be made based on staff's analysis. The conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

VARIANCE (VA) APPLICATION NO. 4135

<u>Finding 1:</u>
There are exceptional or extraordinary circumstances or conditions applicable to the property involve which do not apply generally to other property in the vicinity having the identical zoning classification.

Reviewing Agency/Department Comments:

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

Finding 1 Analysis:

In support of Finding 1, the applicant states there are exceptional circumstances applicable to the property involved. The project site located in a predominately agricultural area will require equipment relating to the agricultural nature of the operation. Large platforms are hoisted in air with boxing machines. This allows for boxes to be put together and sent to the pack station easily. The proposed height of the fruit packing facility is 41 feet 83.875 inches.

With regard to Finding 1, the building height is relative to the use and to ensure equipment performs efficiently in the proposed facility. The only alternative would be to eliminate the use from the proposal. The platform allows for the facility to easily transport the boxes once they have been constructed. Therefore, staff believes the inclusion of a 41 feet 8.875 inches portion of the building is an appropriate option to accommodate the functionality of the use.

Recommended Conditions of Approval:

None.

Finding 1 Conclusion:

Finding 1 can be made as there are extraordinary circumstances relating to the property that do apply to other properties in the same zone classification.

<u>Finding 2:</u> Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

Finding 2 Analysis:

In support of Finding 2, the applicant states that the findings can be made due to this being an extraordinary circumstance. To compete with market demands and to meet their future clients'

needs, the company needs to install equipment in a structure that exceeds the 35 feet maximum height for structures allowed within the AE-20 zone according to the County zoning ordinance.

With regard to Finding 2, as maintaining certain height for indoor equipment is a function of the use, a lesser height that is currently required will make the use unfeasible. Given the above discussion and the fact that no viable options are available to the Applicant, staff believes that the 41 feet 8.875 inches height as proposed by this application is necessary and acceptable

Recommended Conditions of Approval:

None.

Finding 2 Conclusion:

Finding 2 can be made based on the above analysis as the height requirement of the type of use does in this circumstance create a situation where it creates a loss of a substantial property right of the applicant, which right is possessed by other property owners under like conditions.

<u>Finding 3:</u> The granting of a variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

Reviewing Agency/Department Comments:

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

Finding 3 Analysis:

In support of Finding 3, the Applicant's Findings, the company's proposed fruit packing/cold storage facility will help to support the farming community throughout Fresno County by their services. The company also is subject to and has obtained or is obtaining permits from the Air Control District, the State Water Board, and all other regulatory agencies that work to ensure that the company will not cause any issues that this finding would address. As such, the granting of the requested variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity of the project site.

In regard to Finding 3, it is the intention of the Applicant to support the farming community. While the intrusion into the height requirement may have some erosion of purpose of the setback requirement the impact is not demonstrative or pervasive so as to be materially detrimental to public welfare of the area.

Recommended Conditions of Approval:

None.

Finding 3 Conclusion:

Finding 3 can be made as granting the variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

<u>Finding 4:</u> The granting of such a variance will not be contrary to the objectives of the General Plan.

Reviewing Agency Comments:

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

Finding 4 Analysis:

In support of Finding 4, the Applicant states that the granting of the requested variance would not be contrary to the objectives of the Fresno County general plan as the project will enable the company to operate according to an approved use granted through the CUP process. The nature of the company and the proposed equipment and facilities is a supporting use to the agricultural base on which the economy of the County heavily depends; and granting the variance will help to ensure the viability of the company, which also will bolster the strength of the County's economy and help to provide new job opportunities for the county's residents. In regard to Finding 4, there are no General Plan Policies that relate to the Variance proposal.

Finding 4 Conclusion:

As there are no identified General Plan Policies that conflict with the subject proposal, staff can make Finding 4.

Recommended Conditions of Approval:

None.

PUBLIC COMMENT:

No public comment was received as of the date of preparation of this report.

SUMMARY CONCLUSION:

Based on the factors cited in the analysis the required Findings for granting the Conditional Use Permit can be made and based on the Initial Study prepared for the project adoption of the Mitigated Negative Declaration is appropriate with Mitigation Measures and Conditions of Approval. Staff therefore recommends approval of Conditional Use Permit No. 3724 and Variance Application No. 4135, 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. 8151 and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use No. 3724, Variance Application 4135; 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. 3724, Variance Application No. 4135; 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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XHIBIT

Mitigation Monitoring and Reporting Program Initial Study No. 8151

Classified Conditional Use Permit Application No. 3724 and Variance Application No. 4135 (Including Conditions of Approval and Project Notes)

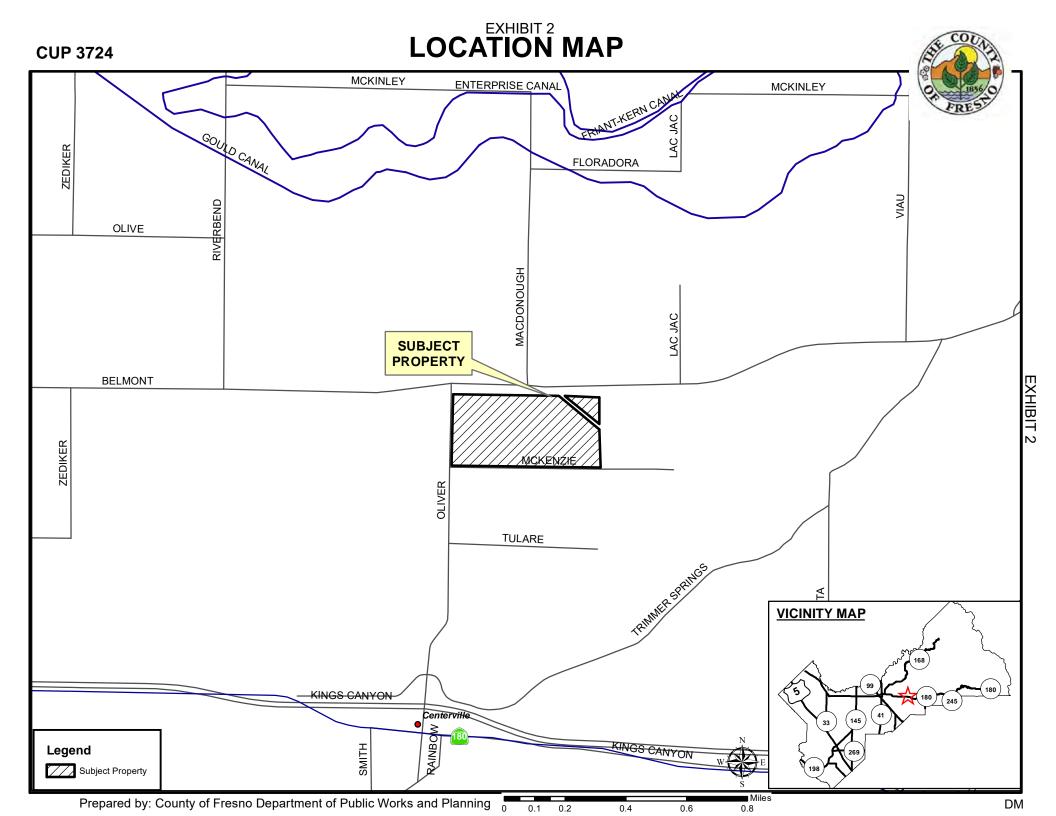
		Mitigation Measures			
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.	Applicant	Applicant/Depart ment of Public Works and Planning (PW&P)	Ongoing
2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground- disturbing activities.
		Conditions of Approval			
1.		nt shall be in substantial compliance with the Site Plan, Floor the Planning Commission.	or Plan, Elevation	s, and Operational S	tatement as
2.	A Site Plan Review is required to allow for additional clearance.				
3.	Per the TIS prepared for the project and approved by Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning, the project will pay its percentage fair share cost for future installation of traffic signals and right-of-way acquisition at three intersections at Oliver Avenue. The project will also pay Traffic Signal Mitigation Impact Fee and Fresno Major Street Impact Fee to the City of Fresno, including Regional Transportation Mitigation Fee to Fresno County Office of Government (COG).				

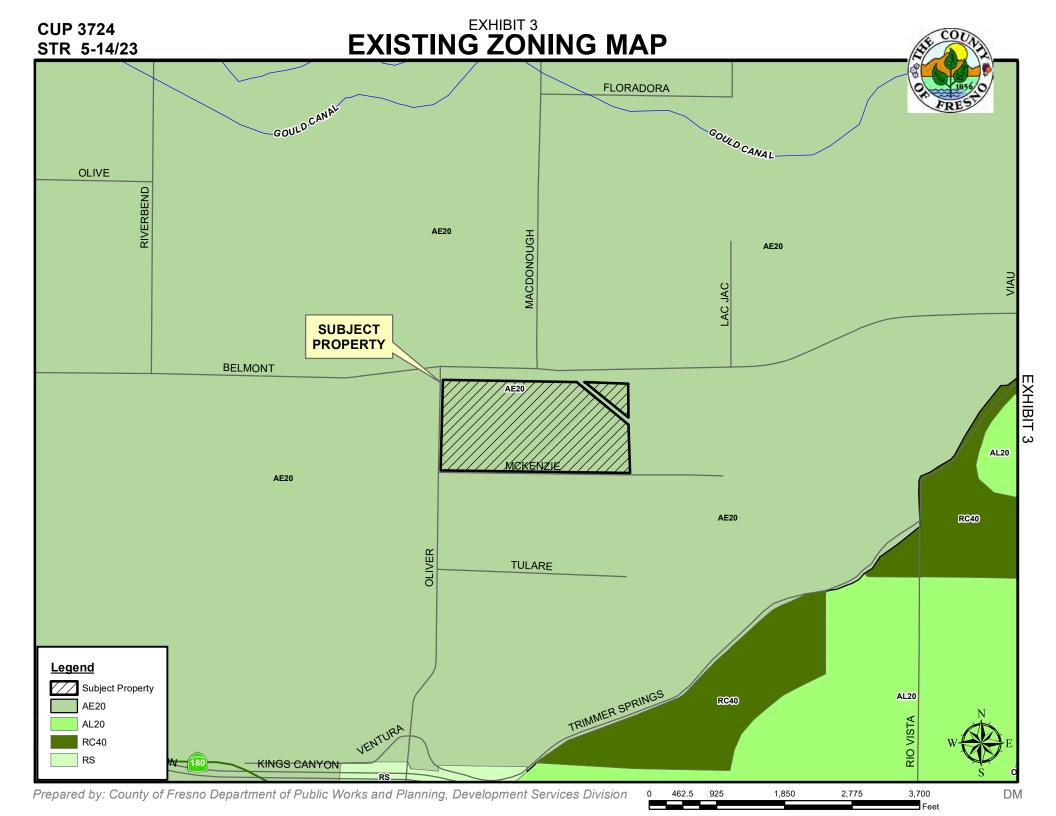
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

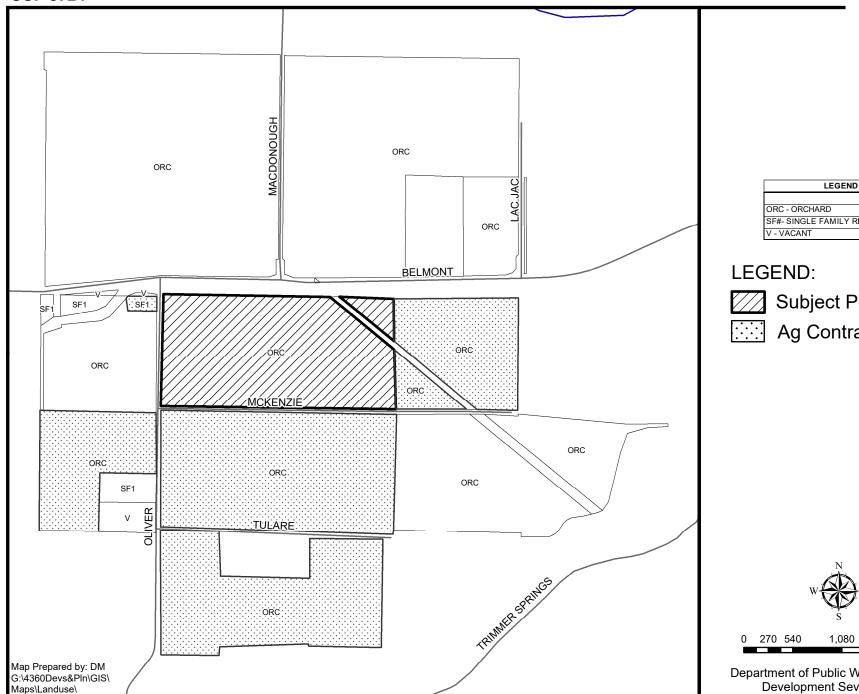
	Notes
The	following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.
1.	All proposed structures and buildings will require a building permit.
2.	The Department of Public Health, Environmental Health Division provides the following comments:
	 a. The application indicates a proposed cold storage facility. The application does not indicate if anhydrous ammonia will be used as a refrigerant for the cold storage facility. If anhydrous ammonia will be used, depending on the quantity handled, this facility may have to comply with either the California Accidental Release Prevention (Cal-ARP) Program or the Federal Risk Management Plan (RMP). Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. b. New sewage disposal systems shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. Contact Department of Public Works and Planning at (559) 600-4540 for more information. Disposal fields, piping trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting possible evaporation or sewer effluent and to prevent potential damage to the system.
	c. Please provide a copy of project routing to the Central Valley Regional Water Quality Control Board (RWQCB) for comments regarding sewage disposal and onsite retention basins.
	d. The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the Noise Elements of the County Ordinance Code.
	e. The applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers and facilities, will require the Owner/Operator to obtain a Tire Program Identification Number (TPID) and possibly a waste and used tire hauler permit from the California Department of Resources Recycling and Recovery (CalRecycle). Contact the local Tire Enforcement Agency at (559) 600-3271 for additional information.
	f. The water well contractor selected by the applicant or future property owner will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Public Health, Environmental Health Division. The proposed water well shall meet minimum setbacks as defined by the California Plumbing

		Notes Notes
		f. An engineered grading and drainage plan should be required to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.
		g. A Notice of Intent (NOi) and Storm Water Pollution Prevention Plan (SWPPP) are required to be filed with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area. Copies of completed NOi with WDID # and SWPPP shall be provided to Development Engineering prior to any grading work.
		h. Any existing or proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards and/or and current industry standards. Any proposed handicap accessible parking stalls and curb ramps shall be in compliance with ADA standards and the maximum surface slope within the disabled parking space(s) and adjacent access aisle(s) shall not exceed 2% in any direction.
ı		i. Any existing or proposed driveway should be set back a minimum of 10 feet from the property line.
		j. Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
		k. For unpaved or gravel surface access roads, the first 100 feet off of the edge of the road right-of-way must be graded and asphalt concrete paved or treated with dust palliative.
		 If not already present, a 10 foot x 10 foot corner cut-off should be improved for sight distance purposes at any existing or proposed driveway accessing Oliver Avenue, Belmont Avenue or McKenzie Avenue.
		m. Any work done within the County Road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
		n. A grading permit/voucher is required for any grading proposed with this application.
	5.	The Fresno Irrigation District provides the following comments:
		 a. FID does not own, operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.
		b. For informational purposes, a Consolidated Irrigation District (CID) owned canal known as the Fowler Switch No. 907 traverses the northern side of the subject property, and crosses Oliver Avenue approximately 60 feet northwest of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this canal. FID recommends the applicant contact CID to discuss any right-of-way issues that may affect said canal.

		Notes
		c. For informational purposes, a Consolidated Irrigation District (CID) owned canal known as the Lone Tree No. 4 runs southerly, and crosses Belmont Avenue approximately 1,200 feet northwest of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this canal. FID recommends the applicant contact CID to discuss any right-of-way issues that may affect said canal/pipeline.
		d. For informational purposes, a Consolidated Irrigation District (CID) owned canal known as the C&K No. 903 runs southwesterly approximately 1,300 feet southeast of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this canal. FID recommends the applicant contact CID to discuss any right-of-way issues that may affect said canal.
ΕV		e. For informational purposes, a Freewater County Water District owned canal known as the Freewater-Graveyard No. 162 traverses the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this canal. FID recommends the applicant contact Freewater County Water District to discuss any right-of-way issues that may affect said pipeline.
тібіп	6.	California Department of Transportation provides the following comments:
T 1 Dogo #		 The operational statement indicated the project anticipates 172 daily trips from employees/visitors and 80 daily truck trips for a total of 252 daily trips.
		 Caltrans anticipates the project related trips will utilize the State Highway system (SHS), particularly the SR 180/Oliver Avenue intersection. Therefore, Caltrans recommends the Project pay into the Fresno County Regional Traffic Mitigation Fee or RTMF for on-going development in the vicinity.
		 Caltrans commends the project for considering staggered work schedules around peak hour periods in an effort to reduce peak hour congestion to an already exacerbated corridor.
		d. The proposed project may induce Vehicle Miles Traveled (VMT). Caltrans recommends the project proponent(s) conduct a VMT study. Pedestrian and bicycle facilities within the project site should be considered in this study. The project proponents should also consider coordinating with nearby planned bike networks for a larger active transportation network.
		e. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.







SF#- SINGLE FAMILY RESIDENCE

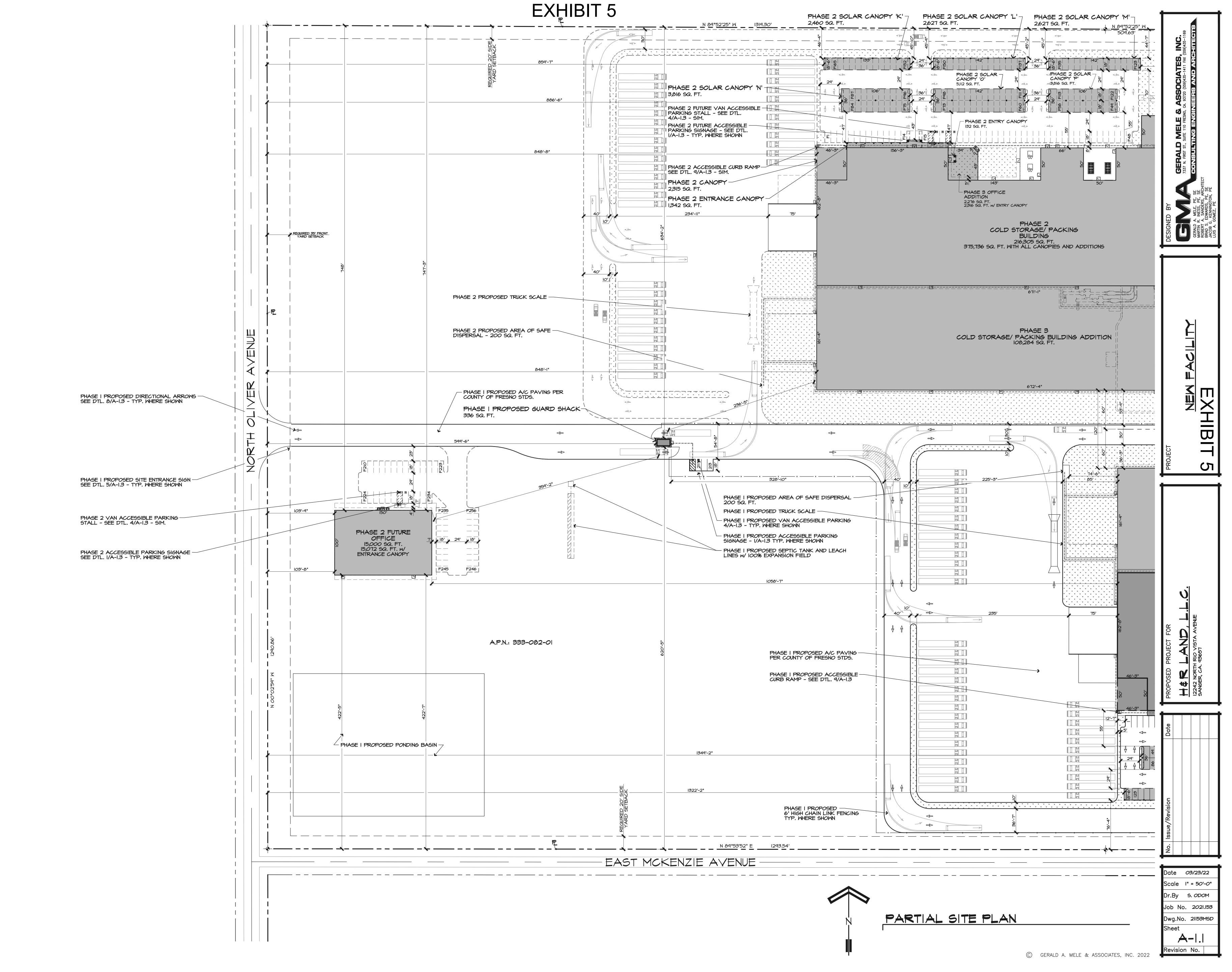
Subject Property

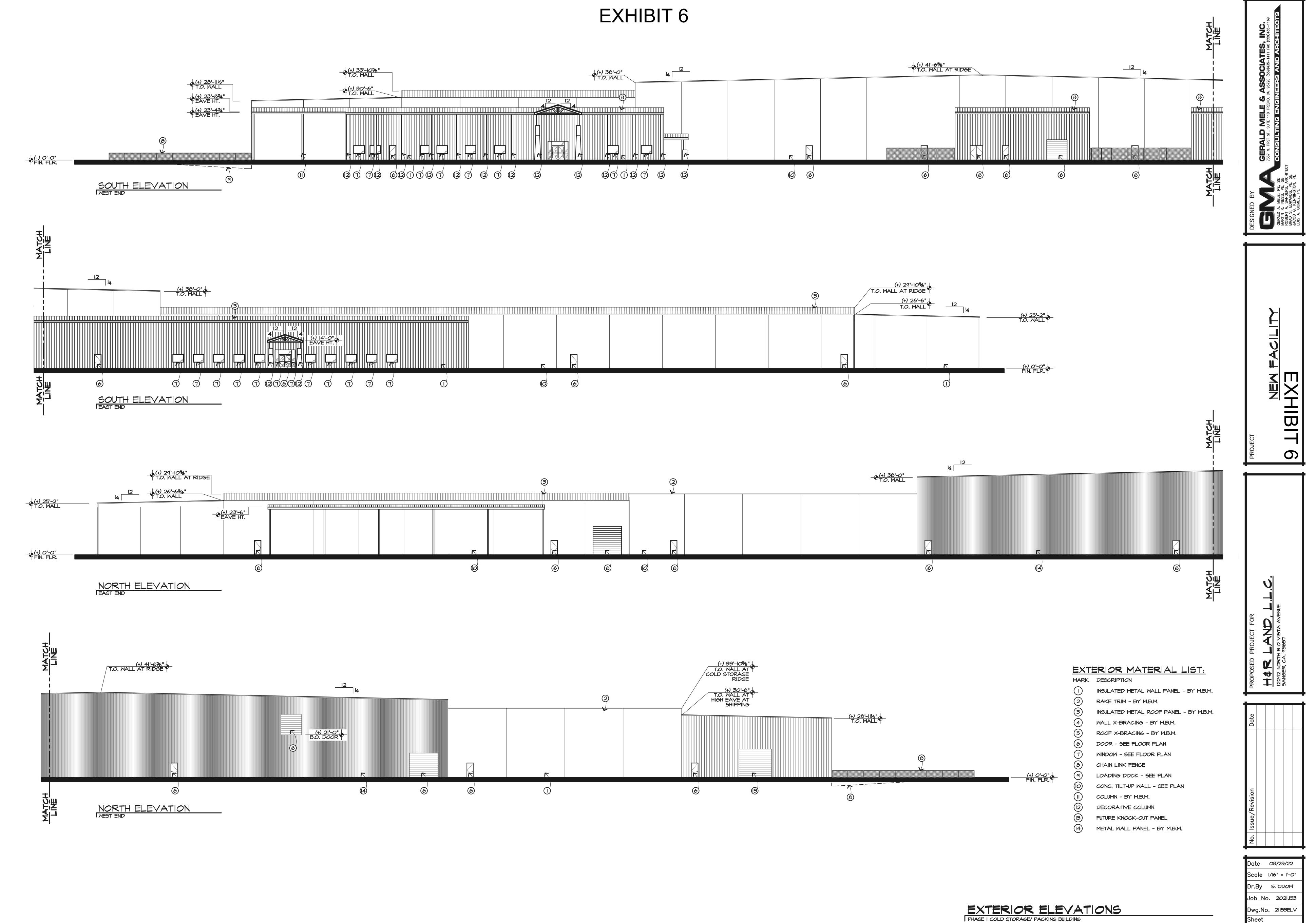
Ag Contract Land



2,160

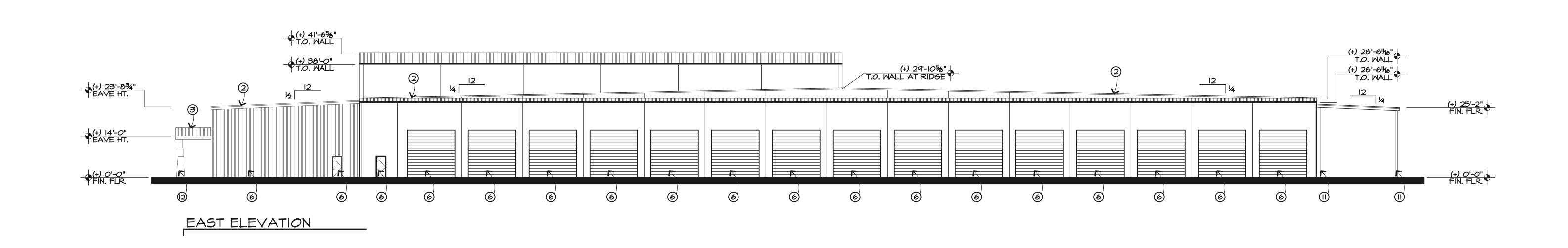
Department of Public Works and Planning **Development Sevices Division**

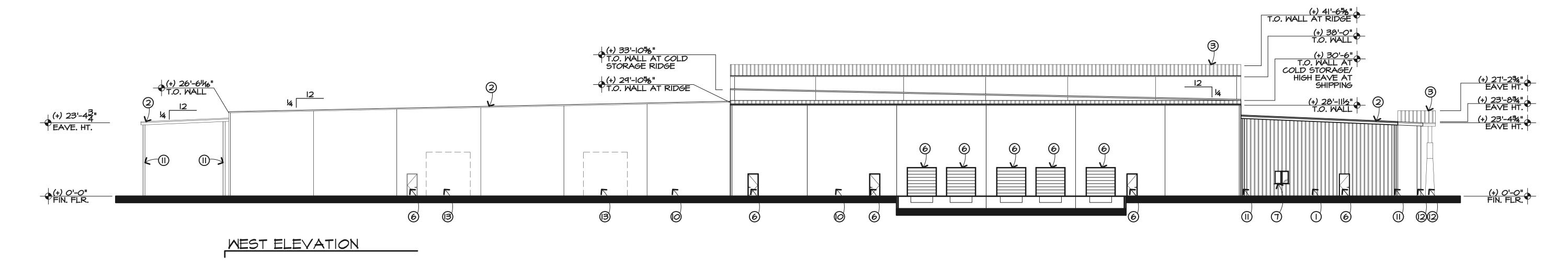




Sheet **A-3.0**a

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EXTERIOR MATERIAL LIST:

MARK DESCRIPTION

- INSULATED METAL WALL PANEL BY M.B.M.
- RAKE TRIM BY M.B.M.
- (3) INSULATED METAL ROOF PANEL BY M.B.M.
 (4) WALL X-BRACING BY M.B.M.
- ROOF X-BRACING BY M.B.M.
- 6) DOOR SEE FLOOR PLAN
- MINDOW SEE FLOOR PLAN
- CHAIN LINK FENCE
- (9) LOADING DOCK SEE PLAN
- O CONC. TILT-UP WALL SEE PLAN
-) COLUMN BY M.B.M.
- DECORATIVE COLUMN

0

S

EXTERIOR ELEVATIONS

PHASE 2 COLD STORAGE/ PACKING BUILDING ADDITION

Date *03/23/22*

Scale 1/16" = 1'-0"

Dr.By S. ODOM

Dwg.No. 21153ELV

EXHIB

0

No. Issue/Revision

Date

PROPOSED PROJECT FO

H & R L AND

I2242 NORTH RIO VISTA AN SANGER, CA. 43651

Date *03/23/22*

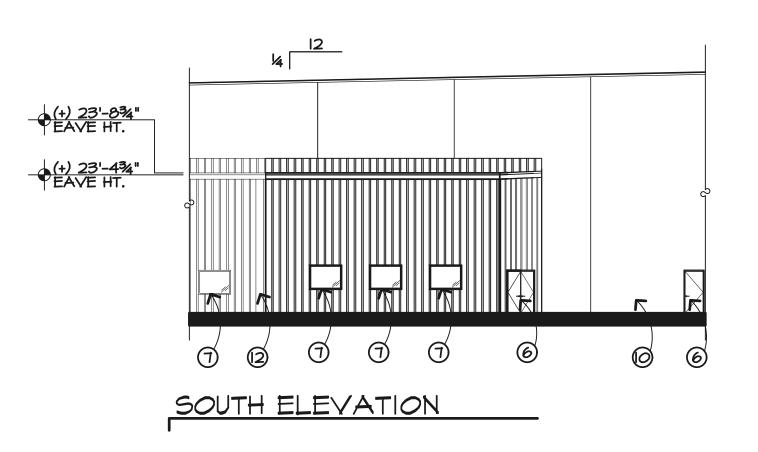
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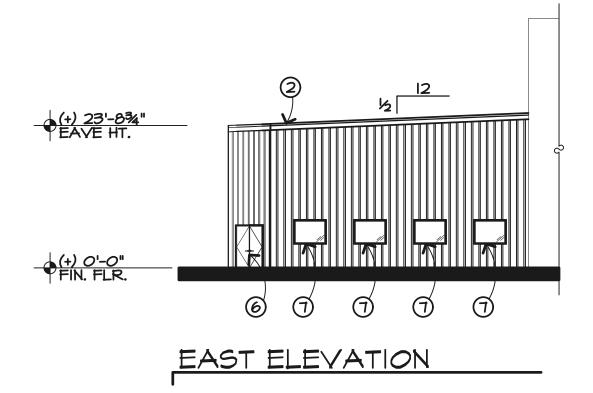
Dr.By S. ODOM

Dwg.No. 21153ELV

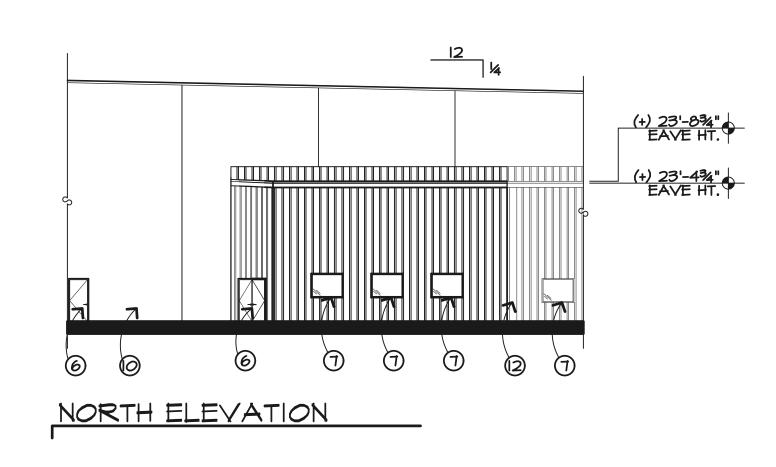
EXTERIOR ELEVATIONS

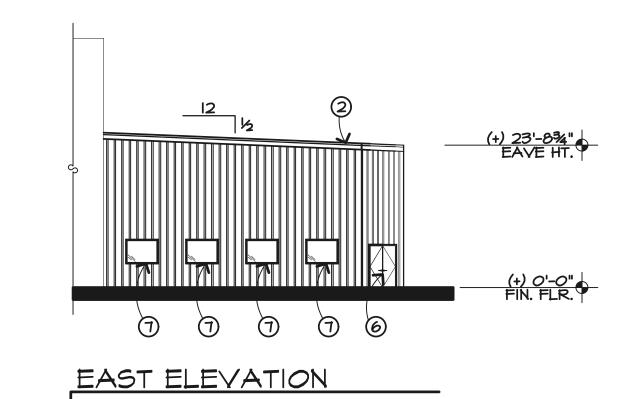
PHASE 3 COLD STORAGE/ PACKING BUILDING ADDITION

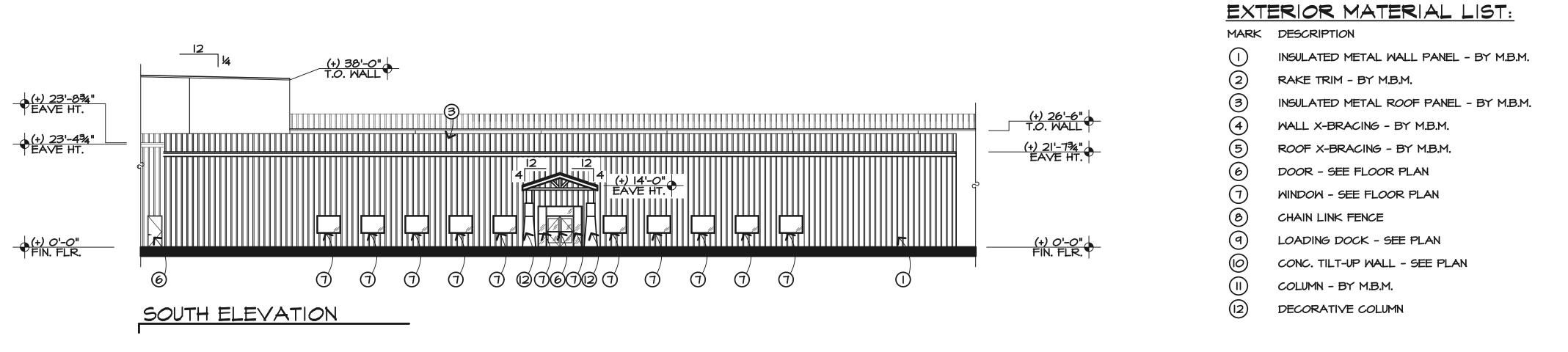


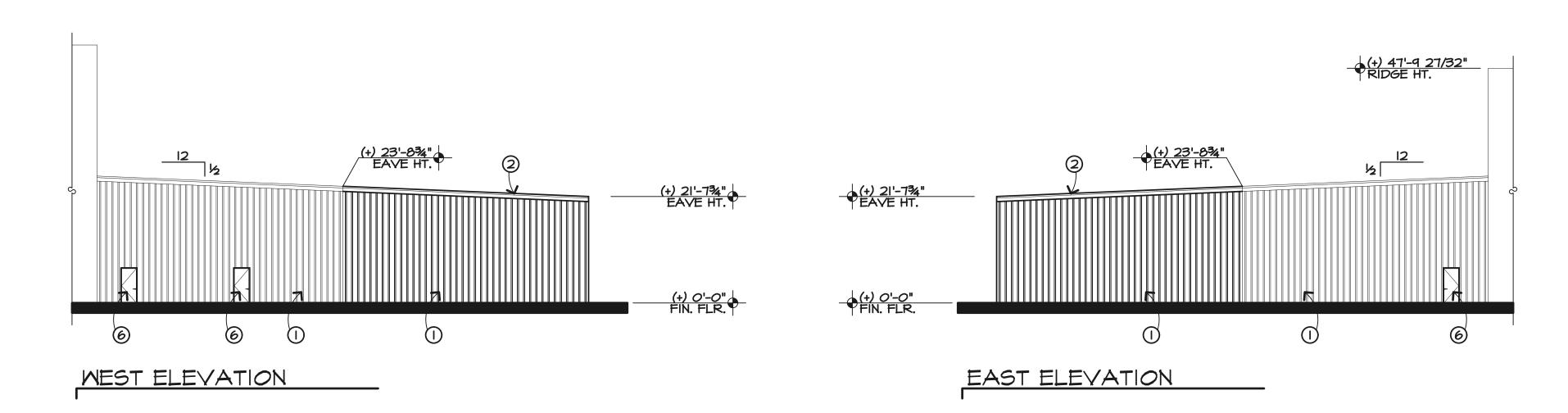


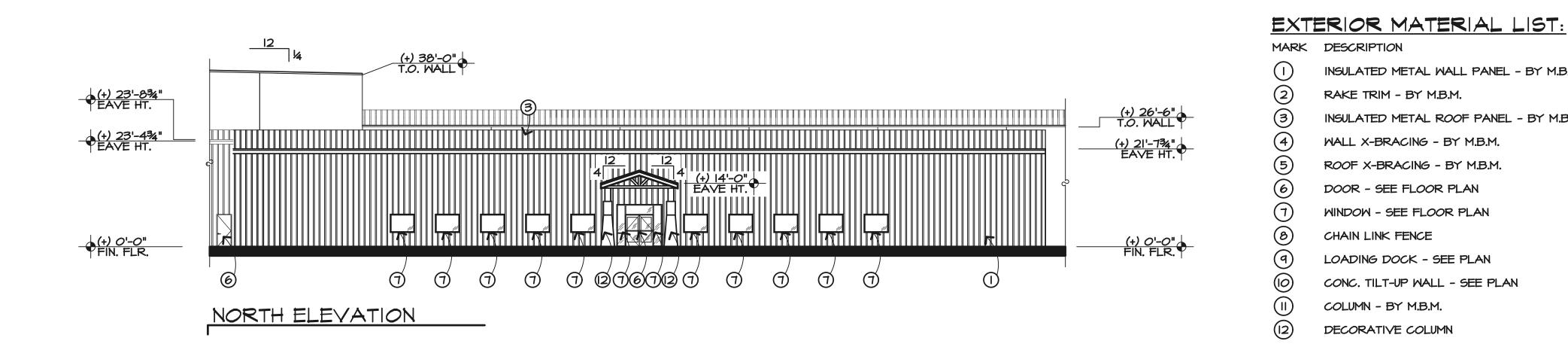
EXTERIOR ELEVATIONS
PHASE 2 OFFICE ADDITION

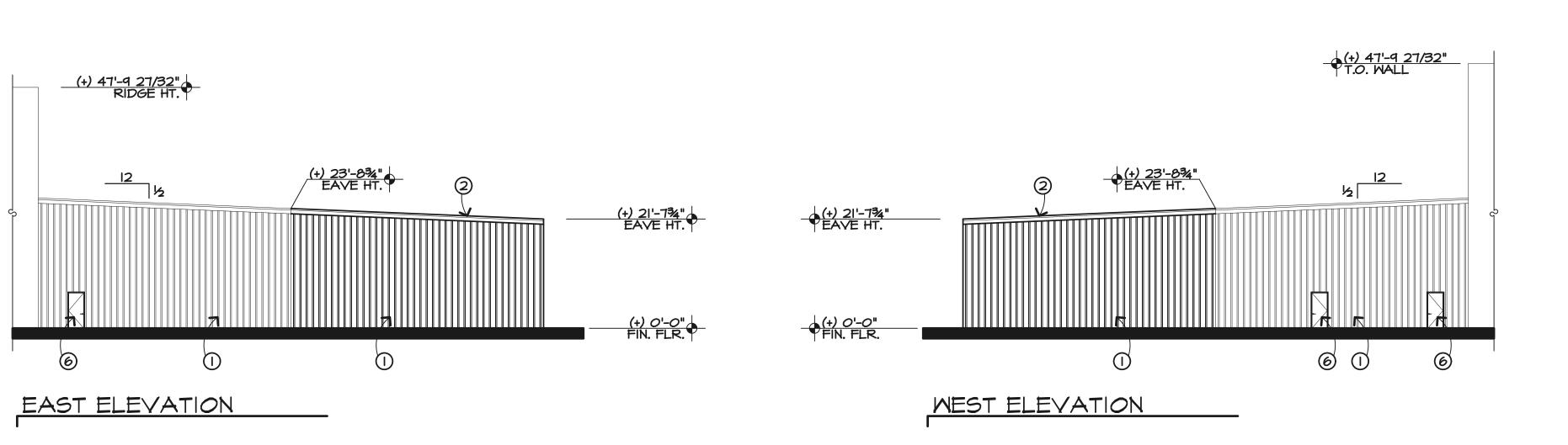












INSULATED METAL WALL PANEL - BY M.B.M.

INSULATED METAL ROOF PANEL - BY M.B.M.

RAKE TRIM - BY M.B.M.

WALL X-BRACING - BY M.B.M.

ROOF X-BRACING - BY M.B.M.

DOOR - SEE FLOOR PLAN

CHAIN LINK FENCE

COLUMN - BY M.B.M.

DECORATIVE COLUMN

WINDOW - SEE FLOOR PLAN

LOADING DOCK - SEE PLAN

CONC. TILT-UP WALL - SEE PLAN

Date 03/23/22

Scale 1/16" = 1'-0"

Dr.By 5. 0D0M

Job No. 2021.153

Dwg.No. 21153ELV

Sheet

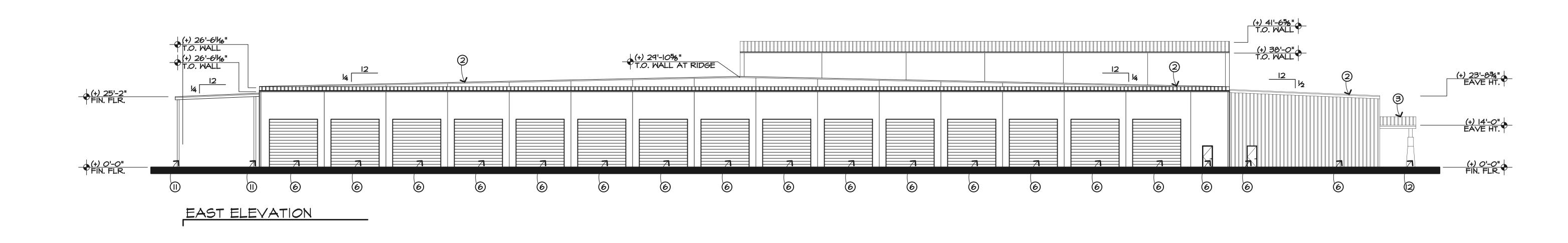
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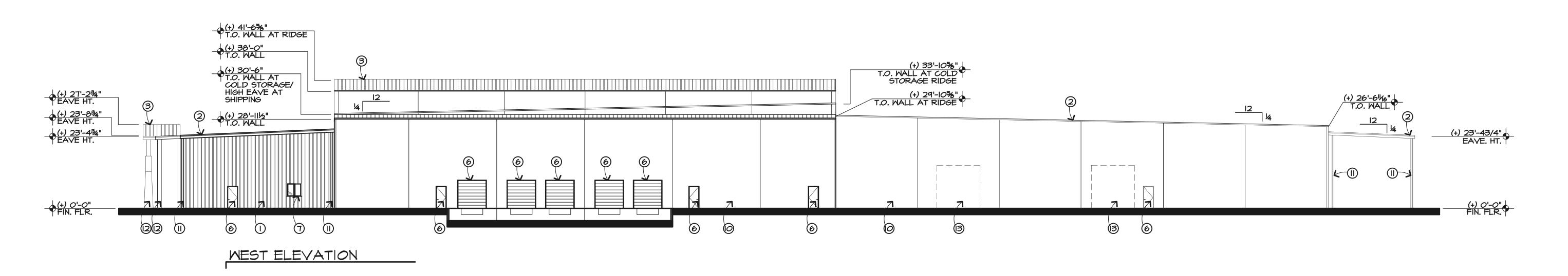
Revision No.

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EXTERIOR ELEVATIONS

PHASE 2 COLD STORAGE/ PACKING BUILDING





EXTERIOR MATERIAL LIST:

MARK DESCRIPTION

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- DOOR SEE FLOOR PLAN
- WINDOW SEE FLOOR PLAN
- CHAIN LINK FENCE
- CONC. TILT-UP WALL SEE PLAN

LOADING DOCK - SEE PLAN

- COLUMN BY M.B.M.
- DECORATIVE COLUMN

XHIBIT 7 Page 2





7337 N. FIRST ST., SUITE 110 FRESNO, CA. 93720 (559)435-1411 FAX (559)435-1169

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ROBERT A. SANDERS, ARCHITECT
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JACOB G. KENNINGTON, PE
LUIS A. GOMEZ, PE

County of Fresno Planning Department

2220 Tulare St. Fresno, CA 93721

H&R Land Company – New Facility Operational Statement

To whom it may concern,

The project will be located on the lot with the Assessor's Parcel Number of 333-082-01. The parcel has a current zoning of AE-20 — Exclusive Agricultural. The operational statement information for the above mentioned parcel is as follows:

1. Nature of the operation:

The company desires to construct the proposed and future buildings as a new commercial fruit cold storage/ packing facility serving farmers throughout the Central Valley.

2. Operational time limits:

The company plans on operating year-round, 7 days a week, 24 hours a day. The company anticipates packing citrus from October to July, stone fruit from May to September, and grapes from July to October.

3. Number of customers or visitors:

They anticipate 4 to 6 visitors to the site daily. Total daily trips for employees and visitors is 172 daily trips.

4. Number of employees:

The company currently has 1 employee and they anticipate adding 80 employees with the proposed construction. There are no caretakers living on-site.

Anticipated employee working hours will depend on the fruit they will be packing. The hour breakdown is as follows:

Citrus: 5 to 6 days a week during the season in two shifts working 8 to 10 hours a day. The first shift will work from 4 a.m. to 12:30 p.m. and the second shift will work from 1:00 p.m. to 9:30 p.m.

Stone Fruit and Grapes: 6 to 7 days a week during the season working in two shifts for 8 to 10 hours a day, depending on the fruit they are receiving. The first shift will work from 10:00 a.m. to 6:00 p.m. with the second shift working from 7:00 p.m. to 3:00 a.m.

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LUIS A. GOMEZ, PE

5. Service and Delivery vehicles:

The company anticipates 40 trucks coming to the site every day, for a total of 80 trips daily.

The total daily number of trips to the site are as follows:

172 trips – employees and visitors

80 trips – trucks

252 total trips

The company will have 1 service/ delivery truck that they will store onsite.

6. Access to the site:

Access to the site is provided off North Oliver Avenue by way of a paved drive.

7. Number of parking stalls for employees, customers, and service/delivery vehicles:

The number of parking stalls for employees and visitors are as follows:

8. Are any good sold on-site?

No.

9. What equipment will be used?

The company will utilize typical cold storage and fruit cleaning, degreening, sorting, and packing equipment, including but not limited to, forklifts, conveyors, sorting machines, condensers, cull hoppers and racking.

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

The company will utilize the typical materials that are used in operations similar to this one which exist all over the county. They will be stored according to industry and FDA standards and requirements.

11. Does the use cause any unsightly appearance?

Noise? – No.

Glare? - No

Dust? – No.

Odor? – No.

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

The wastes that the company anticipates is as follows:

Water – The company anticipates approximately 40,000 gallons of water per day waste in the form of wash water which will be piped to the onsite ponding basin. Other waste water will be typical toilet water consistent with this type of facility, which will be directed into the proposed septic systems.

Solid wastes – The company anticipates solid wastes in the form of rot fruit, with the company estimating approximately 2,000,000 lbs. of rot fruit per month. Rot fruit will be sold to farmers as cattle feed and will be hauled off daily. Any other typical trash and recycling will be handled by a private trash service and will be in volumes consistent with the operation s of similar facilities throughout the county. Typical trash and recycling will be hauled off normally weekly according to the normal operating schedule of the private trash service.

13. Estimated volumes of water to be used (volumes per day):

The company anticipates approximately 40,000 gallons of water per day. The water will come from the existing on-site irrigation well. Drinking water will be provided through the new drinking water well that the company is planning on drilling.

14. Describe any proposed advertising:

The company anticipates one monument size approximately 3'X8' located at the entrance to the facility.

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

The project will consist of all new construction occurring in multiple phases. The proposed construction and phases are as follows:

GERALD MELE & ASSOCIATES, INC. 7337 N. FIRST ST., SUITE 110 FRESNO, CA. 93720 (559)435-1411 FAX (559)435-1169

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JACOB G. KENNINGTON, PE
LUIS A. GOMEZ, PE

Phase 1

Cold storage/ packing building -	216,305 sq. ft.
Entry canopy at main office –	1,342 sq. ft.
2 nd Entry canopy at main office –	132 sq. ft.
Canopy -	2,315 sq. ft.
Entry canopy at breakroom -	204 sq. ft.
Guard shack-	336 sq. ft.
Shop Building -	10,000 sq. ft.
Shop Canopy -	3,125 sq. ft.
Total -	233,759 sq. ft.

Phase 9

Phase 2	
Cold storage/ packing addition -	108,284 sq. ft.
Break room addition -	9,000 sq. ft.
Office addition -	2,316 sq. ft.
Canopy addition -	16,125 sq. ft.
Degreening rooms addition -	20,049 sq. ft.
Shop building addition -	10,000 sq. ft.
Shop Canopy -	3,125 sq. ft.
Solar canopy 'A' -	3,816 sq. ft.
Solar canopy 'B' -	2,460 sq. ft.
Solar canopy 'C' -	5,112 sq. ft.
Solar canopy 'D' -	2,627 sq. ft.
Solar canopy 'E' -	3,816 sq. ft.
Solar canopy 'F' -	2,627 sq. ft.
Solar canopy 'G' -	962 sq. ft.
Solar canopy 'H' -	3,816 sq. ft.
Solar canopy 'J' -	962 sq. ft.
Solar canopy 'K' -	2,460 sq. ft.
Solar canopy 'L' -	2,627 sq. ft.
Solar canopy 'M' -	2,627 sq. ft.
Solar canopy 'N' -	3,816 sq. ft.
Solar canopy 'O' -	5,112 sq. ft.
Solar canopy 'P' -	3,816 sq. ft.
Solar canopy 'Q' -	962 sq. ft.
Solar canopy 'R' -	962 sq. ft.
Solar canopy 'S' -	3,816 sq. ft.
Cold storage/ packing building -	216,305 sq. ft.
Entry canopy at main office –	1,342 sq. ft.
2 nd Entry canopy at main office –	132 sq. ft.
Canopy -	2,315 sq. ft.
	-

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JACOB G. KENNINGTON, PE
LUIS A. GOMEZ, PE

Entry canopy at breakroom -	204 sq. ft.
Office -	15,000 sq. ft.
Guard shack-	336 sq. ft.
Shop Building -	10,000 sq. ft.
Shop Canopy -	3,125 sq. ft.
Total -	470,054 sq. ft.

Phase 3

Cold storage/ packing addition -	108,284 sq. ft.
Break room addition -	9,000 sq. ft.
Office addition -	2,316 sq. ft.
Canopy addition -	16,125 sq. ft.
Degreening rooms addition -	20,049 sq. ft.
Total -	155,774 sq. ft.

16. Explain which buildings or portions of buildings will be used in this operation:

All of them.

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

No.

18. Landscaping or fencing proposed:

The project will be fenced around the perimeter of the facilities with 6'-0" high chain link fencing. Landscaping will be provided within the parking lot and around the buildings.

19. Any additional information:

None



CONSULTING ENGINEERS AND ARCHITECTS

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BRAD S. EDWARDS, PE, SE
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LUIS A. GOMEZ, PE

20. Identify all owners, etc.:

See company's operational agreement.

Respectfully submitted,

Sean Odom Gerald Mele & Associates, Inc.



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County of Fresno Planning Department

2220 Tulare St. Fresno, CA 93721

H&R Land Co. – New Fruit Packing and Cold Storage Facility Statement of variance findings

To whom it may concern,

The project will be located on the lot with the Assessor's Parcel Number of 333-082-01. The parcel has a current zoning of AE-20 — Exclusive Agricultural. The project will consist of the construction of the following structures in the following phases:

Phase 1

Cold storage/ packing building -	216,305 sq. ft.
Entry canopy at main office –	1,342 sq. ft.
2 nd Entry canopy at main office –	132 sq. ft.
Canopy -	2,315 sq. ft.
Entry canopy at breakroom -	204 sq. ft.
Guard shack-	336 sq. ft.
Shop Building -	10,000 sq. ft.
Shop Canopy -	3,125 sq. ft.
Total -	233,759 sq. ft.

Phase 2

Cold storage/ packing addition -	108,284 sq. ft.
Break room addition -	9,000 sq. ft.
Office addition -	2,316 sq. ft.
Canopy addition -	16,125 sq. ft.
Degreening rooms addition -	20,049 sq. ft.
Shop building addition -	10,000 sq. ft.
Shop Canopy -	3,125 sq. ft.
Solar canopy 'A' -	3,816 sq. ft.
Solar canopy 'B' -	2,460 sq. ft.
Solar canopy 'C' -	5,112 sq. ft.
Solar canopy 'D' -	2,627 sq. ft.
Solar canopy 'E' -	3,816 sq. ft.
Solar canopy 'F' -	2,627 sq. ft.
Solar canopy 'G' -	962 sq. ft.
Solar canopy 'H' -	3,816 sq. ft.
Solar canopy 'J' -	962 sq. ft.
Solar canopy 'K' -	2,460 sq. ft.

GMA

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Solar canopy 'L' -	2,627 sq. ft.
Solar canopy 'M' -	2,627 sq. ft.
Solar canopy 'N' -	3,816 sq. ft.
Solar canopy 'O' -	5,112 sq. ft.
Solar canopy 'P' -	3,816 sq. ft.
Solar canopy 'Q' -	962 sq. ft.
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Total -	470,054 sq. ft.

Phase 3

Cold storage/ packing addition -	108,284 sq. ft.
Break room addition -	9,000 sq. ft.
Office addition -	2,316 sq. ft.
Canopy addition -	16,125 sq. ft.
Degreening rooms addition -	20,049 sq. ft.
Total -	155,774 sq. ft.

The Phase 1 and Phase 2 Cold Storage/ Packing buildings will exceed the maximum height allowed under zone AE-20, as they will have a max. height of 41'- 6 5/8"

Therefore, in order to secure continued use of all of the company's rights of ownership to the aforementioned property, it understands that a variance is required. As such, the required four findings for the approval of a variance are as follows:

1. Finding number one: As the company will service the agricultural community throughout the central valley through fruit packing services, they need to house equipment which requires a building with a height in excess of the maximum allowed height in the AE-20 zone according to the County zoning ordinance. Therefore, there are extraordinary circumstances applicable to the property in question that do not generally apply.

GMA

GERALD MELE & ASSOCIATES, INC.

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2 Finding number two: In order to compete with market demands and to meet their future clients' needs, the company needs to install equipment in a structure that exceeds the 35' maximum height for structures allowed within the AE-20 zone according to the County zoning ordinance. Therefore, in order to properly comply with the County's zoning ordinance that they might preserve their enjoyment of their property rights, which are available to all such entities who obtain the proper CUP's from the County, the company seeks the requested variance.

3. Finding number three: As previously mentioned, the company's proposed fruit packing/cold storage facility will help to support the farming community throughout Fresno County by their services. The company also is subject to and has obtained or is obtaining permits from the Air Control District, the State Water Board, and all other regulatory agencies that work to ensure that the company will not cause any issues that this finding would address. As such, the granting of the requested variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity of the project site.

Finding number four: The granting of the requested variance would not be contrary to the objectives of the Fresno County general plan as the project will enable the company to operate according to an approved use granted through the CUP process. The nature of the company and the proposed equipment and facilities is a supporting use to the agricultural base on which the economy of the County heavily depends; and granting the variance will help to ensure the viability of the company, which also will bolster the strength of the County's economy and help to provide new job opportunities for the county's residents.

The company hereby asks that this variance be granted.

Respectfully submitted,

Sean Odom Gerald Mele & Associates, Inc.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: H&R Land Co., David F. Hines

APPLICATION NOS.: Conditional Use Permit Application No. 3724 & Initial Study

Application No. 8151

DESCRIPTION: Conditional Use Permit allow a commercial fruit cold

storage/packing facility on a 76.22-acre parcel in the AE-20 (Exclusive Agriculture; 20-acre minimum parcel size) Zone

District.

LOCATION: The project site is located on the northeast corner of E.

McKenzie and N. Oliver Avenue approximately 9.2 miles east of the City of Fresno (APN: 333-082-01) (Sup. Dist. 5).

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

A. Have a substantial adverse effect on a scenic vista: or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject site is located in a predominantly agricultural area with rural single-family residential uses pocketed throughout the region. Images of the subject site depict views of the nearby foothill range located east and northeast of the subject site. Underlying development standards established by the Zone District will regulate construction of the structure to a maximum height of 35 feet. In considering the project will be in compliance with development standards of the underlying zone district and that no scenic vista would be negatively impacted by the project, a less than significant impact can be seen.

B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or

FINDING: NO IMPACT:

According to Figure OS-2 of the Fresno County General Plan, the project site does not front any identified scenic roadway. There were not identified scenic tree, rock,

outcropping, or historic building within a state scenic highway that would be affected by the project proposal.

C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in an agricultural area, currently occupied with citrus trees and orchards. The placement and construction of the project would create a cold storage and fruit packing facility on the project site that would change the existing visual character, however, this change is not expected to result in a significant impact where public views and the existing visual character would be substantially degraded.

D. 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 INCORPORTATED:

Review of the Applicant's Operational Statement indicates that outdoor lighting is planned to be utilized on the property for security purposes. Due to the utilization of outdoor lighting, this new source of light and glare would adversely affect nighttime views of the area. Mitigation in the form of design and placement of outdoor lighting will be implemented to ensure less than significant impact on adjacent properties and right-of-way due to the new sources of light and glare.

* Mitigation Measure(s)

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

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of the 2016 Important Farmland Map indicates that the project site is designated Farmland of Statewide Importance. The underlying AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District allows the proposed use subject to approval of a Conditional Use Permit. In addition to the proposed use being allowed subject to approval of a CUP, the use can be considered supportive of agricultural operations. The subject parcel is not under Williamson Act Contract. In considering the proposed agricultural supportive use and size of the conversion, a less than significant impact is expected.

- C. Conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or

FINDING: NO IMPACT:

The project site is not situated in forest land or timberland and would not result in the loss of forest land or conversion of forest land to non-forest use.

E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

The project would result in the conversion of a portion of the subject parcel to accommodate the proposed operation. The proposed operation is supportive of agriculture but would convert a portion of the site from productive farmland. Outside of any expansion of the proposed use on the proposed parcel, which is still subject review under the CUP, conversion of farmland outside of the subject parcel is not likely to occur as the underlying zone district of the area will be unchanged.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or

B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) were notified of the subject application. No concerns were expressed by the SJVAPCD to indicate that the project would result in conflict with an applicable Air Quality Plan or result in cumulatively considerable net increases of a criteria pollutant. All applicable SJVAPCD rules and regulations for the permitting and operation of the proposed facility are expected as regulatory requirements. Therefore, with required compliance of all applicable rules and regulations enforced by the SJVAPCD, the project will have a less than significant impact.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No expressed concerns were produced by the SJVAPCD. The nearest sensitive receptor is a single-family residence located approximately 85 feet west of the subject parcel. The proposed operation does not include manufacturing of their equipment and plans to only store the equipment until shipment to customers occurs. Construction of the proposed structure and improvements could increase pollutant concentrations or emissions, but this increase would be temporary. Based on the provided Operation Statement, detailing the proposed operation, pollutant concentrations and other emissions resulting from the operation are not expected to be generated in large enough quantities to have a significant impact on sensitive receptors in the area.

IV. BIOLOGICAL RESOURCES

Would the project:

A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or

FINDING: NO IMPACT:

The subject site is located in a mainly agricultural region with rural single-family residences sited throughout the area. The subject parcel is currently utilized for agricultural production indicating human disturbance. Review of the California Natural Diversity Database (CNDDB) indicates that there are no reported occurrences of a special-status species in the vicinity of the project site. The California Department of

Fish and Wildlife and the U.S. Fish and Wildlife Service did not express concern with the project proposal. In considering the human disturbance existing on site due to the agricultural operation and no evidence of a special-status species on the site, the project will not have a substantial adverse effect on special-status species.

- B. 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 or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or

FINDING: NO IMPACT:

The subject parcel is located in a mainly agricultural area. There is no riparian habitat or other sensitive natural community identified on the subject parcel. Per the National Wetlands Inventory, the subject property is not located on or near an identified wetland.

D. 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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to construct a warehouse and office building for the proposed use. In considering the existing agricultural operation, the proposed improvements would change the conditions of the site where movement of any native residence or wildlife species would be affected. However, movement of a resident or wildlife species would not be completely interrupted where a significant impact through total obstruction would occur. There are no wildlife corridors of native wildlife nursery sites identified on the subject parcel.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

Departmental and Agency review of the project did not provide evidence of a conflict with the project and any local policy, ordinance, adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORTATED:

The subject property is currently utilized for agricultural production indicating past and ongoing ground disturbance. As no historical or archaeological resource was identified on the subject property from past ground disturbing activities, minimal chances of a cultural resource occurring on the site is seen. In considering the high unlikelihood of a cultural resource being present on the subject site, a mitigation measure will be implemented to address cultural resources in the event they are unearthed during ground disturbing activities related to project construction.

* Mitigation Measure(s)

1. In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project is not anticipated to result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. Project construction will be required to comply with the applicable building code related to energy efficiency, and Air Resources Board regulations pertaining to off-road compression-ignition (diesel) engines and equipment and compliance with idling engine restrictions.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 2. Strong seismic ground shaking?
 - 3. Seismic-related ground failure, including liquefaction?
 - 4. Landslides?

FINDING: NO IMPACT:

According to Figures 9-4 & 9-5 of the Fresno County General Plan Background Report (FCGPBR) and the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is not located on or near identified earthquake hazard zone areas. The area of the proposed project is not identified as an area which by nature is subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Construction of the proposed project will be subject to seismic design standards.

B. Result in substantial soil erosion or loss of topsoil; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would result in the addition of impervious surface which would change existing runoff patterns of the subject parcel. Due to this change, the loss of topsoil would occur and soil erosion patterns due to runoff would be altered. The subject site is located in flat agricultural land with no large changes in slope being present that could adversely affect the parcel as a result soil erosion after project construction. Therefore, a less than significant impact is seen due to the loss of topsoil and no adverse effect on soil erosion.

C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or

FINDING: NO IMPACT:

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief (slopes of no more than three percent), which precludes the possibility of land sliding on-site.

The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil. The project site is not in an area identified by Fresno County as being susceptible to liquefaction. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on-site.

The San Joaquin Valley in which Fresno County is located is known to experience subsidence. However, the Water, Geology, and Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the project and expressed no concerns to the proposed project.

D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property; or

FINDING: NO IMPACT:

Per Figure 7-1 of the FCGPBR, Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils.

E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or

FINDING: NO IMPACT:

The project proposes to construct a private septic system to service the proposed office and warehouse. The proposed septic system will be subject to the development standards established by the Fresno County Local Area Management Program (LAMP). Further review during building permit phases will be required. Review of the project did not reveal any incompatibilities of the site with the proposed septic system.

F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: NO IMPACT:

The parcel on which the proposed project will be sited is not located within proximity of any area designated to be moderately or highly sensitive for archeological resources. No historical or paleontological resources, unique geological features, or evidence of possible human remains were identified in this analysis. As such, no impact on historical, archeological, or paleontological resources would result from this proposal. A mitigation measure will be implemented to address cultural resources in the unlikely event that they are unearthed during ground-disturbing activities related to the project.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Greenhouse gas emissions associated with the project would occur over the short-term from construction activities, as stated by Johnson, Johnson and Miller Air Quality Consulting Services in the Air Quality and Greenhouse Gas. Analysis dated June 6, 2022. Review of this application by the Air District indicated that this project, with adherence to the mitigation measure proposed by the Air District, would be in compliance with their policies and regulations adopted for the purpose of reducing the emissions of greenhouse gases. These requirements provide oversight for the project to ensure that standards continue to be met. As they do not address any specific impacts, they will be included as conditions of approval to the Conditional Use Permit associated with this Initial Study. The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions. Adherence to the Air District's regulations will ensure less than significant impacts on the release of greenhouse gases.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or

B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has commented that the project is subject to State and local regulations and standards for using and store hazardous materials and/or hazardous waste. These regulations and standards including preparation of submittal of a Hazardous Materials Business Plan and compliance with California Code of Regulations (CCR), Title 22, Division 4.5. With the projects required compliance of State and local regulations for reporting and handling of hazardous materials and/or waste, the project would have a less than significant impact on the surrounding area.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or
- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; or

FINDING: NO IMPACT:

The subject parcel is not located within one-quarter mile of a school. The proposed project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no listed sites located within a half-mile radius of the proposed project site.

E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area; or

FINDING: NO IMPACT:

The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. For reference, the Reedley Municipal Airport is located approximately 5.24 miles south of the project site and would not affect the project stie or its employees.

F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the Fresno County General Plan, Oliver Avenue is a County maintained road classified as a local road with an existing 50' of road right-of-way and an ultimate right-of-way of 60' per the Fresno County General Plan. Belmont Avenue is a County

maintained road classified as a collector road with an existing 80' of road right-of-way and an ultimate right-of-way of 84' per the Fresno County General Plan. McKenzie Avenue is not a County maintained road. In addition, the Fresno County Department of Public Health, Environmental Health Division which administers the Office of Emergency Services to coordinate planning and preparedness, response and recovery efforts for disasters did not express any concerns regarding emergency response or evacuation plans.

G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Agency and Department review of the subject application did not result in a finding that the project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Water and Natural Resources Division and the State Water Resources Control Board have reviewed the project proposal and did not express concern with the application to indicate that the project would result in the violation of water quality or waste discharge requirements nor result in decreased groundwater supplies or interfere substantially with groundwater recharge. The Water and Natural Resources Division indicated in their analysis of the project that the subject parcel is not located within a water short area and will have a less than significant impact on water resources.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - 1. Result in substantial erosion or siltation on or off site?
 - 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

- 3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
- 4. Impede or redirect flood flows?

FINDING: No Impact:

Per FEMA FIRM Panel C2200H, the project site is not located within a flood hazard area and would not affect flood flows.

D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or

FINDING: NO IMPACT:

Per FEMA FIRM Panel C2200H, the project site is not located within a flood hazard area and would not be affected by flood flows. In addition to not be affected by flood hazards, the project site is not located near a body of water where an increased risk from tsunami or seiche would occur.

E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The State Water Resources Control Board and the Water and Natural Resources Division has reviewed the subject application and did not express concern with the project to indicate that a conflict or obstruction for implementation of a water quality control plan or sustainable groundwater management plan exists or would occur as a result of the project.

XI. LAND USE AND PLANNING

Would the project:

A. Physically divide an established community; or

FINDING: NO IMPACT:

The project site is located on the northeast corner of E. McKenzie and N. Oliver Avenue approximately 9.2 miles east of the City of Fresno. The subject site does not block access of the public right-of-way and does not physically divide an established community.

B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is designated Agriculture in the Fresno County General Plan with development required to be consistent with the General Plan. Goal LU-A reads "To promote the long-term conservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the County' economic development goals." This goal relates to the environmental impacts of the loss of productive farmland.

As noted in previous discussion, the subject parcel is currently utilized for agriculture production. General Plan Policies LU-A.3, LU-A.13, and LU-A.14 were identified by the Policy Planning Unit and are deemed relevant for consideration when addressing the subject application.

Review of these relevant General Plan Policies indicate that certain uses subject to discretionary permit shall be considered with additional criteria being included. Criteria includes efficiency of the subject location when compared to more urban locations, operational and physical characteristics of the use in relation to available water resources, and consideration of buffers between non-agricultural uses and agricultural uses.

Through review of applicable General Plan Policies, the conversion of a portion of agricultural productive land to the proposed use is considered less than significant as the proposed use is supportive of agricultural operations and would convert only a portion of the subject parcel with the remainder still being actively farmed.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

Per Figure 7-7 and 7-8 of the Fresno County General Plan Background Report (FCGPBR) the subject site is not located on an identified mineral resource location or principal mineral producing location.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels; or
- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the project and commented that the project proposal will be subject to the provisions of the County of Fresno Noise Ordinance. Review of the proposed operation indicate the elevated noise levels would most likely occur from the listed equipment usage and regular delivery. The noise generation is not expected to result in excessive noise levels or deviate from noise normal for the surrounding agricultural area. The project site is not located within two miles of a public airport or public use airport. Therefore, although an increase in noise generation would occur as a result of the project, the noise generation is not expected to exceed thresholds established by the Fresno County Noise Ordinance and would not negatively affect surrounding property owners.

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?; or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project will not induce substantial unplanned population growth in the area and does not displace people or housing, necessitating construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

Would the project:

A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental

impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

1. Fire protection;

FINDING: NO IMPACT:

The Fresno County Fire Protection District has reviewed the project proposal and did not express concern with the project to indicate impacts to service ratios, response times, or other performance objectives would occur as a result of the project.

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project to indicate that impacts to service ratios, response times, or other performance objectives would occur as a result of the project.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project would not result in the increased use of existing neighborhood and regional parks or other recreational facilities and does not include or require construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b); or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Fresno County Road Maintenance and Operations Division reviewed the proposal and determined that a Traffic Impact Study (TIS) with a Vehicle Miles Traveled) VMT Analysis would be required. VRPA Technologies prepared a Transportation Impact Study which addressed both the TIS and the VMT on April 22, 2022.

The VMT report showcases that the project proposes to have a maximum of 81 employees for the operation. In addition to their employee count, 40 delivery trucks are expected to make deliveries to the site every day. In considering the traffic generation resulting from the project and no concerns expressed by reviewing agencies and departments, it has been determined that a less than significant impact would occur.

Additionally, no conflict pertaining to CEQA Guidelines Section 15064.3 subdivision (b) (Determining the Significance of Transportation Impacts) was identified.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The Design Division of the Fresno County Department of Public Works and Planning and the California Department of Transportation (Caltrans) reviewed the subject proposal and required that a Traffic Impact Study (TIS) be prepared to determine impact on County roadway and intersections.

A Traffic Impact Study (TIS) was prepared for the project by VRPA Technologies and dated April 22, 2022. According to the TIS, the project contributes to future year 2042 levels of service below the target Level of Service (LOS), as well as excessive queuing, and will be responsible for payment of an equitable share of the cost of the future improvements at McKenzie and Oliver Avenues.

The Project will cause no increase in the Traffic Index (TI) on the study road segments, and a left-turn lane at the site access driveway is not warranted.

The County Design Division and the Road Maintenance and Operations Division reviewed the TIS and the following mitigation measure, pro-rata share percentage and estimated cost identified by the County Design Division shall apply to the project to ensure potential traffic impacts are mitigated /addressed to less than significant levels:

* Mitigation Measures:

- 1. Prior to the issuance of building permits for the uses allowed on AE-20 zoned property, the applicant shall enter into an agreement with the County of Fresno agreeing to participate on a pro-rata basis per acreage developed in the funding of future off-site traffic improvements defined in items 'a' below. The traffic improvements and the project's maximum pro-rata share based on 76.22 acres of the associated costs are as follows:
 - a. The project's maximum share for the 2042 scenario is \$763,155 (includes 15% of the total cost of construction,15% preliminary engineering, and 15% construction engineering)

The County shall update cost estimates for the above specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
 - 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORTATED:

The subject site has been previously developed for citrus orchards and surrounds areas zoned for Agricultural uses, suggesting minimal chance of a cultural resources occurring on the project site. Under the provisions of Assembly Bill 52 (AB 52), participating

California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County on addressing potential tribal cultural resources. No concerns were expressed by notified California Native American Tribes and no consultation request was received. Therefore, mitigation will be implemented to address tribal cultural resources in the unlikely event they are unearthed during ground-disturbing activities related to the project.

* <u>Mitigation Measure(s)</u>

1. See Section V. Cultural Resources A., B., and C. Mitigation Measure #1

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or

FINDING: NO IMPACT:

The project does not require or result in the relocation or construction or new or expanded public services. The project will be expected to connect to existing services if available and construct private facilities that comply with State and local standards.

B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Water and Natural Resources Division and the State Water Resources Control Board did not express concern with the project's potential impact on water supplies. The Water and Natural Resources Division determined that the project would have a less than significant impact on water resources in the area. Therefore, water supplies have been determined to be sufficient and the project would have a less than significant impact.

C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; or

FINDING: NO IMPACT:

The project proposes to construct a private septic system to service the proposed operation. The septic system will be subject to local standards and regulations for development of a private septic system established under the Fresno County Local Area Management Program (LAMP). This would include review and permitting of the septic system. Therefore, in considering the additional review and permitting of a

private septic system, the project would have no impact in terms of wastewater treatment availability.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Reviewing agencies and departments did not provide concern with the project in terms of solid waste production. As no concerns were expressed and based on the estimated solid waste generation from the proposed operation, the project is expected to generate a less than significant amount of solid waste and would comply with federal, state and local management and reduction statutes for solid waste.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

Based on the 2007 Fresno County Fire Hazard Severity Zones in the LRA Map, the project site is not located in a State Responsibility Area or lands classified as very high fire hazard severity zones.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

A. Have the potential to substantially 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, substantially 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 history or prehistory; or

FINDING: NO IMPACT:

The subject property is located in a mainly agricultural and rural residential area. Due to the amount of disturbance associated with the project site and absence of any reported occurrences of a species on the site per the California Natural Diversity Database, the project will not have an impact that could substantially degrade the quality of the environment or reduce the number of an animal/plant community.

B. Have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects); or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Aesthetics, Cultural Resources and Tribal Cultural Resources were determined to have a less than significant impact with Mitigation Measures implemented. Discussion of the projects impacts on their respective resources could be considered cumulative, but as noted, with the implementation of mitigation measures, would reduce the project's impact to a less than significant level.

C. Have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?

FINDING: NO IMPACT:

Analysis of the project has determined that environmental effects resulting from the project would not cause substantial adverse effects on human beings.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Conditional Use Permit Application No. 3724, 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 Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Biological Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential

impacts relating to Aesthetics, Cultural Resources, and Tribal Cultural Resources have determined to be less than significant with compliance with recommended mitigation measures.

A Mitigated Negative Declaration/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 southwest corner of Tulare and "M" Street, Fresno, California.

MP

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