

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

ADOPTION OF A MITIGATED NEGATIVE)
DECLARATION, AND APPROVAL OF)
CLASSIFIED CONDITIONAL USE PERMIT) RESOLUTION
NO. 3682 WITH FINDINGS AND)
CONDITIONS OF APPROVAL)

WHEREAS, Angelo Paolucci and Rosanna DiLallo made an application to the Fresno County Planning Commission (Planning Commission) for adoption of a Mitigated Negative Declaration based on Initial Study No. 7879, and approval of a Classified Conditional Use Permit No. 3682 to allow the expansion of soil amendments, warehousing, and distribution to an existing fertilizer manufacturing facility; and

WHEREAS, the subject parcels are located on the northwest corner of S. Peach Avenue and E. North Avenue, approximately 2,704 feet southeast of the nearest city limits of the City of Fresno, and

WHEREAS, on July 24, 2025, the Planning Commission recommended approval of Conditional Use Permit No. 3682 with corrections to the Mitigated Negative Declaration and Operational Statement as per staff recommendation subject to the Mitigation Measures and Conditions of Approval; and

WHEREAS, Pursuant to Chapter 842.5 of the County of Fresno Zoning Ordinance, in order for the Board to approve Classified Conditional Use Permit No. 3682, the Board must make the following four findings:

1. The site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Chapter, to adjust the use with land and uses in the neighborhood; and
2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and
3. The proposed use will have no adverse impact on abutting property and surrounding neighborhood or allowed use thereof; and

1 4. The proposed development is consistent with the General Plan; and

2 WHEREAS, after duly giving all required public notices, and an opportunity for the public to
3 speak and present evidence for and against the proposed expansion of soil amendments, warehousing,
4 and distribution to an existing fertilizer manufacturing facility and having complied with all applicable
5 requirements of the law, including the County Zoning Ordinance, the Board hereby resolves and takes
6 the following actions, including making the following findings.

7 NOW, THEREFORE Chapter 842.5050(B)(1) of the County of Fresno Zoning Ordinance
8 requires that the site for the proposed use is adequate in size and shape to accommodate the use and
9 all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this
10 Chapter, to adjust the use with land and uses in the neighborhood (Finding 1), and, in light of such
11 requirement, the Board hereby makes the following findings:

- 12 • Prior to issuance of any permits, a Property Line Adjustment shall be completed to ensure
13 the property lines do not conflict with the building locations or setbacks; and
- 14 • The proposed site for the expansion of the existing inorganic fertilizer facility for the
15 manufacturing of soil amendments, warehousing, and distribution is adequate in size and
16 shape; and
- 17 • Based on the foregoing facts, which this Board has found, the Application satisfies required
18 Finding No. 1.

19 NOW, THEREFORE, Chapter 842.5.050(B)(2) of the County of Fresno Zoning Ordinance
20 requires that the project site for the proposed use relates to streets and highways adequate in width
21 and pavement type to carry the quantity and kind of traffic generated by the proposed use (Finding 2),
22 and, in light of such requirement, the Board hereby makes the following findings:

- 23 • The applicant shall construct street improvements, including curb, gutter, and road widening
24 improvements across parcel frontages along E. North and S. Peach Avenues. And may be
25 required to relocate utilities and acquire additional right-of-way to accommodate such
26 improvements.; and
- 27 • A 30-foot by 30-foot corner cutoff shall be dedicated to the County of Fresno at the
28 intersection of E. North and S. Peach Avenues for visibility purposes; and

- Road improvements should be built to Fresno County A-4 Arterial standards. Pavement west of the westerly parcel fronting E. North Avenue should be adequately tapered to match existing pavement; and
- The driveway approaches should be limited to a maximum of 35-feet and must be setback 5 feet from side property lines; and
- Any setbacks should be based on the ultimate road right-of-way, no new facilities shall be constructed within the ultimate right-of-way.; and
- An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way of the County of Fresno; and
- Based on the foregoing facts, which this Board has found, the Application satisfies required Finding No. 2.

NOW, THEREFORE, Chapter 842.5.050(B)(3) of the County of Fresno Zoning Ordinance requires that the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof (Finding 3), and, in light of such requirement, the Board hereby makes the following findings:

- Prior to occupancy, the project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities in the surroundings of the proposed development; and
- An Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; and
- Any additional storm water runoff generated by the proposed development of the site cannot be drained across property lines or into the County Road right-of-way, and must be retained on-site, per County Standards unless FMFCD specifies otherwise; and
- Prior to the issuance of building permits for the proposed use 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; and

- Based on the foregoing facts, which this Board has found, the Application satisfies required Finding No. 3.

NOW, THEREFORE, Chapter 842.5050(B)(4) of the County of Fresno Zoning Ordinance requires that the proposed development is consistent with the General Plan; (Finding 4), and, in light of such requirement, the Board hereby makes the following findings:

- Policy LU-F.20 requires reduction in adverse impacts of noise, odor, vibration, smoke, noxious gases, heat and glare, dust on abutting properties.; and
- Policy LU-F-31 requires community sewer and water services for industrial development provided in accordance with the provisions of the Fresno County Ordinance. Prior to occupancy for development of the projects' Phase 1 and 2 the property shall connect to the City of Fresno sewer services by complying with the City connection requirements and paying applicable fees; and
- Regarding consistency with Policy LU-G.14, the project was referred to the City of Fresno for potential annexation but was release for processing by the County; and
- Regarding consistency with Policy TR-A.3, the project will generate 403 daily tripos which is less than the threshold of 500 daily trips for VMT (vehicle miles traveled) impact; and
- Based the foregoing fact, which this Board has found, the Application satisfies required Finding No. 4.

NOW, THEREFORE, IT IS ORDERED AND RESOLVED that the Notice of Determination Attached as EXHIBIT A, based on Initial Study No. 7879 is hereby adopted and County staff is directed to file said Notice of Determination with the County Clerk and the State Clearinghouse for Classified Conditional Use Permit No. 3682 to allow for the expansion of an existing inorganic fertilizer facility for the manufacturing of soil amendments, warehousing, and distribution, and that Classified Conditional Use Permit No. 3682 is hereby approved subject to the Mitigation Measures and Conditions of Approval in the Attached EXHIBIT B.

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1 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its
2 adoption by the Board.

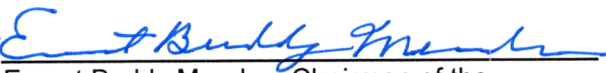
3 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
4 of the County of Fresno this 21st day of October, 2025, to wit:

5
6 AYES: Supervisors Bredefeld, Chavez, Magsig, Mendes, Pacheco

7 NOES: None

8 ABSENT: None

9 ABSTAINED: None

10
11 BY 
12 Ernest Buddy Mendes, Chairman of the
Board of Supervisors of the County of Fresno

13 **ATTEST:**
14 Bernice E. Seidel
15 Clerk of the Board of Supervisors
County of Fresno, State of California

16
17 BY 
18 Deputy

EXHIBIT A

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below for County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7879	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Alexander Pretzer, Planner	Area Code: 559	Telephone Number: 600-4205	Extension: N/A
Applicant (Name): Paolucci Angelo and Rosanna Dilallo		Project Title: Amendment Application No. 3842, Classified Conditional Use Permit Application No. 3682	
Project Description: Allow the rezone of a 3.46-acre, 0.5-acre parcel and a 19.65- acre parcel identified by APNs: 316-071-36, 38 & 75 respectively totaling 23.6 acres from the existing AL-20 (Limited Agricultural; 20-acre minimum parcel size) Zone District to the M-3 (c) (Heavy Industrial, Conditional) Zone District to allow limited industrial uses as requested by the applicant; allow the expansion of manufacturing of soil amendments, warehousing and distribution to an existing fertilizer manufacturing facility on a 4.12-acre parcel identified by APN 316-071-37 onto the subject 3.46-acre parcel and a 0.5-acre parcel not including 19.65-acre parcel for rezone; and allow a caretaker residence on the parcels. The subject parcels are located on the northwest corner of S. Peach and E. North Avenues approximately 2,704 feet southeast of the nearest city limits of the City of Fresno (APNs: 316-071-36, 37,38, 75) (2976 S. Peach Avenue) (Sup. Dist. 4).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7879) prepared for Amendment Application No. 3842 and Classified Conditional Use Permit Application No. 3682, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to mineral resources, population and housing, recreation, or wildfire. Potential impacts related to aesthetics, agricultural and forestry resources, biological resources, air quality, energy, geology and soils, greenhouse gas emission, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, tribal cultural resources, and utilities and service systems, have been determined to be less than significant. Potential impacts related to cultural resources and transportation have been determined to be less than significant with the included Mitigation Measure. The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – January 20, 2025		Review Date Deadline: Board of Supervisors – October 21, 2025	
Date: January 15, 2024	Type or Print Name: Tawanda Mtunga, Principal Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No. _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

AP:

G:\4360Devs&Pln\PROJSEC\PROJDOCS\AA\3800-3899\3842 - See CUP 3682\IS-CEQA\AA 3842 MND (proposed).docx

EXHIBIT B

**Mitigation Monitoring and Reporting Program
Initial Study No. 7879; Amendment Application No. 3842
Classified Conditional Use Permit Application No. 3682**

IS 7879 Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing 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.	Applicant	Applicant/ Fresno County Sheriff-Coroner	During construction
*2.	Transportation	Prior to the issuance of building permits for the uses allowed on M-3 zoned property or the expansion of an existing inorganic fertilizer manufacturing facility onto the 23.6-acre parcel, 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 improvement defined in items a., as noted below. a. Peach Avenue and Jensen Avenue intersection shall be improved. The project's percent fair share for intersection improvement cost is 0.65 percent or \$27,404.01 of the total construction cost of \$4,243,707.00. 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 annually adopt a Public Facilities Fee addressing the updated pro-rata	Applicant	Applicant/PWP	As noted

		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.			
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Mitigation Measure – Measure specifically applies to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended conditions for the project.

Conditions of Approval – Amendment Application No. 3842, Conditional Use Permit Application No. 3682	
1.	Development of the property with the proposed inorganic fertilizer manufacturing facility shall be in accordance with the Site Plan, Floor Plan, and Operational Statement approved by Planning Commission.
2.	The uses allowed on the property shall be limited to the following by-right M-3 uses listed in Chapter 816.2, Table 2-8 of Fresno County Zoning Ordinance, dated February 2024: • Jewelry Manufacturing • Leather Products Manufacturing • Textile Products Manufacturing • Chemical Products Manufacturing • Handcraft Industries, Small Scale Manufacturing • Laboratories • Monument and Tombstone Works • Advertising Structures
3.	The Malaga County Water District (MCWD) presently provides a fire service line to the existing inorganic fertilizer manufacturing facility on a 4.16-acre parcel. Prior to the occupancy granted for Phase 1 and/or Phase 2 development, the project proponent shall consult with the City of Fresno to determine if: the existing fire service line would remain in service and what would be new fire line demands for the expanded facilities and shall submit a request to MCWD to setup limits/restrictions relative to fire service capacity.
4.	The City of Fresno sanitary sewer facilities located in North Avenue are available to service the project site. Prior to occupancy granted for Phase 1 and/or Phase 2 development of the project, the property shall connect to the City of Fresno sewer service by complying with the City connection requirements and paying applicable fees.
5.	Prior to issuance of building permits, the project shall pay the project proponent shall be pay Traffic Signal Mitigation Impact (TSMI) Fee per the City's Master Plan Schedule, Fresno Major Street Impact (FMSI) Fee and Regional Transportation Mitigation Fee (RTMF) to the City of Fresno and shall provide proof of payment to the County.
6.	Prior to occupancy, the project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniencies and discomfort associated with normal farm activities in the surroundings of the proposed development.

7.	Prior to issuance of any permits, a property Line Adjustment shall be completed if needed to ensure the property lines do not conflict with building locations or setbacks.
8.	All Conditions of Approval for approved CUP No 3406 shall remain in full force and effect unless modified by this CUP 3682.
Project Notes – Amendment Application No. 3842, Site Plan Review Application No. 8299	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period in excess of two years.
2.	Prior to the issuance of building permits, a Site Plan Review application shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include but not limited to the design of parking and circulation areas, wall/fencing, access, on-site grading and drainage, right-of-way dedication, fire protection, landscaping, signage, and lighting.
3.	Plans, permits and inspections are required for the new addition, including but not limited to retaining walls and other site improvements. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for construction and/or remodel.
4.	To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division requires the following: • Within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan and site map: a) there is a 100% (percent) or more increase in the quantities of a previously disclosed material; b) the facility begins handling a previously undisclosed material at or above the HMBP threshold amounts; or c) changes to building structures and/or hazardous materials/wastes storage areas. • The business shall certify that a review of the business plan has been conducted once a year, any necessary changes were made and were submitted to the local agency. • Should any structures have an active rodent or insect infestation, the infestation shall be abated prior to demolition of the structures to prevent the spread of vectors to adjacent properties. • If asbestos containing materials and materials coated with lead-based paints are encountered, the contractor shall contact the San Joaquin Valley Air Pollution Control District. • If the structure(s) was constructed prior to 1979 or if lead-based paint is suspected to have been used in the structure(s), then prior to remodel/demolishing work the contractor shall contact the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, Region 9 and State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Services for current regulations and requirements. • To protect ground water, all abandoned water wells on the project site shall be properly destroyed by a licensed contractor.
5.	To address site development impact resulting from the project, the Fresno County Site Plan Unit requires the following: • Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of Landscape and Irrigation plans per Governors Drought Executive Order of 2015.

	• The Landscape and irrigation plans shall be submitted to the Department of Public Works and Planning, Zoning and Permits unit for review and approval prior to the issuance of Building Permits. • Any proposed signs require submittal to the Department of Public Works and Planning, Site Plan Review unit to verify compliance with the Zoning Ordinance. • The parking and circulation areas shall be graded, asphalt concrete surfaced, and striped. • All parking spaces for the physically disabled shall be paved, striped, and placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. Note: These requirements will be addressed through Site Plan Review.
6.	To address site development impacts resulting from the project, the Fresno County Development Engineering Section requires the following: • An Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. • A grading permit or voucher for any grading proposed with this application. • Any existing or proposed gate shall be setback a minimum of 20 feet from the ultimate road right-of-way line or the length of the longest truck entering the site and shall not swing outward. • 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. • Any proposed or existing driveway should be set back a minimum of 10' from the property line. • Any additional storm water runoff generated by the proposed development of a site cannot be drained across property lines or into the County road right-of-way, and must be retained on-site, per County Standards unless FMFCD specifies otherwise. • Any retention facilities greater than 18 inches in depth shall require fencing to preclude public access • On-site turnarounds are required for vehicles leaving the site to enter the arterial road in a forward motion, so that vehicles do not back out onto the roadway.
7.	To address impacts on the Fresno Metropolitan Flood Control District (FMFCD) improvements, FMFCD requires the following: • Pay drainage fees and service charge at the time of development • Provide a temporary water storage facility onsite until permanent FMFCD facilities becomes available, and drainage can be directed to the street • Do not interfere with FMFCD ability to operate and maintain the Wilder ditch that runs along the property line on the north side of the property. • Drainage and grading plans shall be approved by FMFCD prior to approval by the County • storm drainage patterns for the development shall conform to the District Master Plan and Master Plan facilities shall be constructed unless street improvements in North Avenue are deferred by County; • Construction activity shall secure a State National Pollutant Discharge Elimination System (NPDES) general permit for storm water discharge.
8.	To address impact on road improvements resulting from permitted uses on the property, the Fresno County Road Maintenance and Operations Division requires the following:

	• The applicant shall construct street improvements, including curb, gutter, and road widening improvements across parcel frontages along E North Avenue and S Peach Avenue. And may be required to relocate utilities and acquire additional right-of-way to accommodate such improvements. • A 30-foot by 30-foot corner cutoff shall be dedicated to the County of Fresno at the intersection of North Ave and Peach Ave for visibility purposes • Road improvements should be built to Fresno County A-4 Arterial standards. Pavement west of the westerly parcel fronting North Ave should be adequately tapered to match existing pavement. Plans for such improvements would be submitted during the site plan review process. • Due to the arterial classification of S Peach Ave, the applicant should be limited to one proposed drive approach fronting S Peach Ave. • The driveway approaches should be limited to a maximum of 35 feet and must be setback 5 feet from side property lines. • Any setbacks should be based on Ultimate right-of-way, no new facilities shall be constructed within the ultimate right-of-way. • An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way of County of Fresno
9.	Fresno Irrigation District (FID) Wilder Canal No. 289 runs westerly and crosses Peach Avenue and FID's active Washington Colony No. 15 runs southerly and crosses North Avenue approximately 536 feet east of the project site. Any plans for street and/or utility improvements along Peach Avenue, North Avenue, and/or in the vicinity of the canal shall require FID's review and approval. FID shall review grading and drainage plan to ensure that the proposed development will not endanger the structural integrity of the Canal/Pipeline or result in drainage patterns that could adversely affect FID.
10.	The project development shall be subject to the requirements of the current California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 14-Natural Resources and shall obtain CalFire conditions of approval for the project. when building permit or certificate of occupancy is sought.
11.	The project is subject to the San Joaquin Valley Air Pollution Control District Regulation VIII (Fugitive PM10 Prohibitions; District Rule 2010 (Permits Required); Rule 2201 ((New and Modified Stationary Source Review); District Rule 4002 ((National Emissions Standards for Hazardous Air Pollutants); and District Rule 4601 (Architectural coatings).
12.	The project applicant will need to file a Covenant with the City of Fresno waiving any opposition to future annexation of the parcels in order to comply with the City of Fresno's conditions for releasing the project to the County for processing.