

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

RESOLUTION APPROVING ADOPTION OF A MITIGATED)
NEGATIVE DECLARATION, AND APPROVAL OF)
CLASSIFIED CONDITIONAL USE PERMIT NO. 3690 WITH)
FINDINGS AND CONDITIONS OF APPROVAL INCLUDING)
THE INCLUSION OF FOUR ADDITIONAL CONDITIONS AS)
ADDED BY THE BOARD AT ITS JUNE 7, 2022 HEARING)

RESOLUTION

WHEREAS, Chenguang Biotech America, LLC. (Applicant) made an application to the Fresno County Planning Commission (Planning Commission) for adoption of a Mitigated Negative Declaration based on Initial Study No. 7938, and approval of Classified Conditional Use Permit No. 3690 proposing to allow a value-added agricultural facility that will consist of a processing facility for raw agricultural materials including tomato pumice, grape seed, and industrial hemp for extraction of lycopene and CBD oil, and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District; and

WHEREAS, the site is located at the northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of the city limits of the City of Fresno; and

WHEREAS, on November 18, 2021 the Planning Commission could not pass motion to approve resulting in a technical denial of the Application for Classified Conditional Use Permit No. 3690; and

WHEREAS, an Appeal was made of the Planning Commission’s technical denial of CUP No. 3690 on December 2, 2021; and

WHEREAS, County Zoning Ordinance Section 873(G) requires that an appeal of the Planning Commission’s decision be heard by the Board of Supervisors (Board); and

WHEREAS, Pursuant to County Zoning Ordinance Section 873(F), in order for the Board to approve Classified CUP No. 3690, the Board must make the following findings:

- 1. That the Site for 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

1 features required by this Division to adjust said use with land and uses in the
2 neighborhood.

- 3 2. That the site for the proposed use relates to streets and highways adequate in width and
4 pavement type to carry the quantity and kind of traffic generated by the proposed use.
- 5 3. That the proposed use will have no adverse impact on abutting property and surrounding
6 neighborhood or permitted use thereof.
- 7 4. That the proposed development is consistent with the General Plan.
- 8 5. That the conditions stated in the resolution are deemed necessary to protect the public
9 health, safety, and general welfare; and

10 WHEREAS, after duly giving all required public notices, and an opportunity for the public to speak
11 and present evidence for and against the proposed value-added agricultural facility, and having complied
12 with all applicable requirements of the law, including the County Zoning Ordinance, the Board hereby
13 resolves and takes the following actions, including making the following findings and with the following
14 four additional conditions of approval as included by the Board at its June 7, 2022 hearing:

- 15 1. The Applicant shall enter into an agreement indemnifying the County for all legal costs
16 associated with its approval of IS No. 7938 and CUP No. 3690 and provide security in
17 an amount determined by the County for any such legal costs incurred. The agreement
18 and payment of security shall be due unless the litigation period has expired, in which
19 case the requirements for the indemnification agreement and security shall be
20 considered null and void.
- 21 2. An Odor Study/Odor Control Plan must be submitted to the Department for coordinated
22 review and must be deemed acceptable to the County prior to issuance of any permits.
- 23 3. A Truck Routing Plan must be submitted to the Department for coordinated review and
24 must be deemed acceptable to the County prior to issuance of any permits.
- 25 4. Hemp shall not be grown on the subject site.

26 NOW, THEREFORE Section 873(F) of the County Zoning Ordinance requires that the Site for the
27 proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and
28 fences, parking, loading, landscaping and other features required by this Division, to adjust said use with

1 land and uses in the neighborhood (Finding 1), and, in light of such requirement, the Board hereby makes
2 the following findings:

- 3 • The proposed development is compliant with the applicable development standards of
4 Section 816 and Section 855-N.36.5 of the Zoning Ordinance pertaining to applicable
5 development standards and special development standards for a value-added agricultural
6 facility.
- 7 • Based on the foregoing facts, which this Board has found, the Application satisfies Finding
8 1.

9 NOW, THEREFORE, Section 873(F) of the County Zoning Ordinance requires that the Site for
10 the proposed use relates to streets and highways adequate in width and pavement type to carry the
11 quantity and kind of traffic generated by the proposed use (Finding 2), and, in light of such requirement,
12 the Board hereby makes the following findings:

- 13 • The Traffic Impact Study prepared for the project by VRPA Technologies dated February
14 23, 2022. Determined that “all intersections in the traffic analysis study area are expected
15 to operate at target levels of service or better with or without the project in the existing and
16 all future scenarios. Therefore, no mitigation measures are needed.”
- 17 • N. Chateau Fresno Avenue and W. Shields Avenue (both County maintained roads) are
18 adequate in width and pavement condition to serve the proposed use.
- 19 • Based on the foregoing facts, which this Board has found, the Application satisfies Finding
20 2.

21 NOW, THEREFORE, Section 873(F) of the County Zoning Ordinance requires that the proposed
22 use will have no adverse impact on abutting property and surrounding neighborhood or permitted use
23 thereof (Finding 3), and, in light of such requirement, the Board hereby makes the following findings:

- 24 • The project’s compliance with regulatory requirements and mitigation measures, and
25 conditions of approval would ensure that the project does not have an adverse impact on
26 abutting property and the surrounding neighborhood.
- 27 • Based the foregoing fact, which this Board has found, the Application satisfies Finding 3.

28

1 NOW, THEREFORE, Section 873(F) of the County Zoning Ordinance requires that the proposed
2 development is consistent with the General Plan (Finding 4), and, in light of such requirement, the Board
3 hereby makes the following findings:

- 4 • That the proposed use is consistent with the requirements of the General Plan and Zoning
5 Ordinance.
- 6 • Based the foregoing fact, which this Board has found, the Application satisfies Finding 4.

7 NOW, THEREFORE, Section 873(F) of the County Zoning Ordinance requires that the conditions
8 stated in the resolution are deemed necessary to protect the public health, safety, and general welfare
9 (Finding 5), and, in light of such requirement, the Board hereby finds that the following conditions are
10 deemed necessary to protect the public health, safety, and general welfare:

- 11 • The proposed Mitigation Measures and Conditions of Approval were developed based on
12 studies and consultation with specifically qualified staff, consultants, and outside
13 agencies, in order to address the specific impacts of the proposed project and were
14 designed to address the public health, safety and welfare.

15 NOW, THEREFORE, IT IS ORDERED AND RESOLVED that the Mitigated Negative Declaration
16 Attached as EXHIBIT A, based on Initial Study No. 7938 is hereby adopted and Classified Conditional
17 Use Permit No. 3690 to allow for the development and operation value-added agricultural facility, is
18 hereby approved subject to the conditions of approval in the Attached EXHIBIT B.

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

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1 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
2 of the County of Fresno this 9th day of August, 2022, to wit:

- 3
- 4 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero
- 5 NOES: None
- 6 ABSENT: None
- 7 ABSTAINED: None



8
9 Brian Pacheco, Chairman of the
Board of Supervisors of the County of Fresno

10 **ATTEST:**
11 Bernice E. Seidel
12 Clerk of the Board of Supervisors
County of Fresno, State of California

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14 BY Hanana
Deputy

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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 7938	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): Thomas Kobayashi Planner	Area Code: 559	Telephone Number: 600-4224	Extension: N/A
Project Applicant/Sponsor (Name): Chenguang Biotech America	Project Title: Classified Conditional Use Permit Application No. 3690		
Project Description: Allow a value-added agricultural facility that will consist of a processing facility for raw agricultural materials including tomato pumice, grape see, and industrial hemp for extraction of lycopene and CBD oil, and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located at the northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of the city limits of the City of Fresno.			
Justification for Negative Declaration: It has been determined that there would be no impacts to Energy, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire. Potential impacts related to Agricultural and Forestry Resources, Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, 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 of recommended Mitigation Measures.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 3, 2021		Review Date Deadline: Board of Supervisors – June 7, 2022	
Date:	Type or Print Signature: Chris Motta Principal Planner	Submitted by (Signature): David Randall Senior Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

Mitigation Monitoring and Reporting Program
Initial Study No. 7938
Classified Conditional Use Permit Application No. 3690
(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/Department 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.	Development of the property shall be in substantial compliance with the Site Plans, Floor Plans, Elevations, and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permits, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance.				
3.	The Applicant shall enter into an agreement indemnifying the County for all legal costs associated with its approval of IS No. 7938 and CUP No. 3690 and provide security in an amount determined by the County for any such legal costs incurred. The agreement and payment of security shall be due unless the litigation period has expired, in which case the requirements for the indemnification agreement and security shall be considered null and void.				
4.	An Odor Study/Odor Control Plan must be submitted to the Department for coordinated review and must be deemed acceptable to the County prior to issuance of any permits.				
5.	A Truck Routing Plan must be submitted to the Department for coordinated review and must be deemed acceptable to the County prior to issuance of any permits.				
6.	Hemp shall not be grown on the subject site.				

*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.

The Site Plan Review Section provide the following comments:

- a. Internal access roads shall comply with required widths by the Fire District for emergency apparatus.
- b. A dust palliative should be required on all unpaved parking and circulation areas.
- c. The project shall comply with County parking requirements. A site plan should be submitted showing parking dimension, back-up space, width of isles, turn around radius, etc.
- d. Off-street parking requirements shall be one (1) parking space for every two (2) employees on site, for a total of 25 parking stalls including two (2) ADA stalls. One of which, shall be an ADA van accessible parking stall located as closes as possible to the main entrance of the main building.
- e. Parking stalls, including ADA stalls, shall be located near the main office entrance of new proposed development.
- f. All parking spaces for the physically disabled shall be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. A four (4) foot path of travel for disabled persons shall be constructed and striped in accordance with state standards.
- g. ADA stalls shall be concrete, or asphalt concrete paved and must be located on the shortest possible route to the main entrance so disabled persons do not cross driveway into parking lot.
- h. Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width as approved by the Road Maintenance and Operations Division. If only the driveway is to be paved, the first 100 feet of the edge of the ultimate right-of-way shall be concrete or asphalt.
- i. Any proposed gate that provides initial access to this site shall be setback from the edge of the road right-of-way a minimum of 20 feet or the length of the longest vehicle to enter the site, whichever is greater.
- j. 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 a Landscape and Irrigation Plan per Governor's Drought Executive Order of 2015. The Landscape and Irrigation Plan shall be submitted to the Department of Public Works and Planning, Site Plan Review (SPR) Unit for review and approval prior to the issuance of Building Permits.
- k. All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are expressly prohibited for commercial uses in the AE (Exclusive Agricultural) Zone District.
- l. Outdoor lighting should be hooded and directed away from adjoining streets and properties.

Notes

m. No building or structure erected in the AE-20 Zone District shall exceed 35 feet in height per Section 816.5.D of the Fresno County Zoning Ordinance.

n. The front yard shall not be less than thirty-five (35 feet from the ultimate right-of-way.

o. The side yard shall not be less than twenty (20) feet from the ultimate right-of-way.

2. The Development Engineering Section provide the following comments:

a. Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines, or into County road right-of-way, and must be retained on-site per County Standards.

b. If the proposed development does not increase the net impervious surface on-site and the existing drainage patterns are not changed, there will be no engineered grading and drainage plan required. However, according to the site plan, additional impervious surface appears to be created and the existing ponding basin is to be removed. Therefore, a grading and drainage plan and calculations will be required to verify the new drainage pattern and the adequacy of the new ponding basin.

c. Any proposed wastewater storage pond shall be constructed in accordance with the Design Specifications, Drawings, and Construction Quality Assurance (CQA) Plan approved by the California Regional Water Quality Control Board (CA RWQCB). CA RWQCB should be consulted for their requirements.

d. Any existing or proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards. Stalls should be 18 feet by 9 feet and backing distance must be a minimum of 29 feet for 90-degree parking stalls. Also 5 feet should be provided beyond the last stall in any row to provide for backing. 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.

e. Any proposed or existing driveway should be set back a minimum of 10 feet from the property line.

f. 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.

g. 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.

h. A grading permit or voucher is required for any grading proposed with this application.

i. Typically, in an arterial classification, if not already present, 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. Direct access to an arterial road is usually limited to one common point. No new access points are allowed without prior approval, and existing driveways shall be utilized.

3. The Fresno Irrigation District provide the following comments:

a. For information purposes, FID's active Silvia No. 47 runs southerly, crossing Shields Avenue approximately 660 feet east of the subject property and Chateau Fresno Avenue approximately 1,500 feet south of the subject property.

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Should this project include any street and/or utility improvements along Shields Avenue, Chateau Fresno Avenue or in the vicinity of this facility, FID requires it review and approve all plans.

b. For informational purposes, a private facility known as the Minor-Thornton A No. 459 runs westerly and traverses the northwest corner of the subject property. FID records indicate that this facility is active and should be treated as such. The Road Maintenance and Operations Division provide the following comments:

a. Shields Avenue is a County maintained road classified as an Arterial road with an existing 50 feet of road right-of-way and an ultimate right-of-way of 106 feet. Pavement width is 24.3 feet with dirt shoulders, ADT of 2,600 VPD , and PCI of 75.8. Roadway is in fair condition.

b. Chateau Fresno Avenue is a County maintained road classified as a Local road with an existing 60 feet of road right-of-way and an ultimate right-of-way of 60 feet. No additional right-of-way is required. Pavement width is 23.8 feet with dirt shoulders, ADT is 300 FPD, and a PCI of 51. The roadway is in fair condition.

c. Shields Avenue currently has 50 feet of road right-of-way. An additional 23 feet of right-of-way along the south frontage of the subject parcel is required to comply with the ultimate right-of-way of Shields Avenue.

d. Any setbacks for new construction should be based on the ultimate road right-of-way for Shields Avenue.

e. Driveway approach shall be limited to a maximum of 35 feet per Fresno County Improvement Standards D-3. The use of wide driveways may be acceptable if a high volume of trucks is expected to be used at the proposed facility.

f. An encroachment permit from the Road Maintenance and Operations Division is required for any work performed in the County road right-of-way.

5. The Department of Public Health, Environmental Health Division provide the following comments:

a. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.

b. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous waste.

c. It is recommended that the Applicant consider having the existing septic tank systems pumped and have the tanks and leach fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.

d. Should a new sewage disposal system be proposed, it shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section.

Notes

- e. If any underground storage tank(s) are found during construction, the Applicant shall apply for and secure and Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.
- f. As a measure to protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed. For those wells located in the unincorporated area of Fresno County, the Applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. The destruction and construction of wells can only be completed by a licensed C-57 contractor.
- g. The proposed project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications should require that all construction equipment be maintained according to manufacturers' specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating construction activities should be limited to daytime hours.
- h. State of California and local authority permitting and licensing for industrial hemp processing is required.
- i. Should the structures have an active rodent or insect infestation, the infestation should be abated prior to remodel of the structure in order to prevent the spread of vectors to adjacent properties.
- j. In the process of remodeling the existing structures, the contractor may encounter asbestos containing construction materials coated with lead-based paints. If asbestos containing materials are encountered, the San Joaquin Valley Air Pollution Control District should be contacted. If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work, the contractor should contact the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, the United States Environmental Protection Agency, Region 9, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service.

6.

The Regional Water Quality Control Board provide the following comments:

- a. The discharge of process wastewater to land is subject to regulation under individual WDRs or, if eligible, Central Valley Water Board Resolution R5-2020-0002 (Waiver of Waste Discharge Requirements for Small Food Processors, Wineries and Related Agricultural Processors within the Central Valley Region, or Waiver). The Waiver is structured to regulate food processing discharges on a tiered basis, based on the volume of waste discharged to land annually. In accordance with California Water Code Section 13260, if the project proponent proposes to discharge process wastewater to land, the project proponent is required to submit a Report of Waste Discharge (RWD) to apply for WDRs or coverage under the Waiver.
- b. If there is a discharge of process wastewater, the project proponent must also comply with the Basin Plan amendments adopted by the Central Valley Water Board in 2018, which created the new Central Valley-Wide Salt and Nitrate Control Programs. The new program were the result of a collaborative stakeholder initiative, known as Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS). The Salt and Nitrate Control Programs have specific requirements for both existing and new dischargers in the Central Valley. The Project Proponent would need to demonstrate compliance with these programs as part of the Report of Waste Discharge.

Notes

- c. The discharge of domestic wastewater is preferably conveyed to a community sewer and wastewater treatment system. Since it appears the discharge of domestic wastewater will be to an existing onsite septic system, the discharge of treated wastewater to land may be regulated by the Central Valley Water Board or Fresno County depending on the treatment method and discharge volume. Pursuant to the Waste Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs.
- d. All wastewater discharges must comply with the Antidegradation Policy and Tulare Lake Basin Plan. The antidegradation analysis is a mandatory element in the land discharge WDRs permitting process.
- e. Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order 2014-0057-DWQ.

7. A Preliminary Technical Report prepared by Quad Knopf Engineering, regarding the project was submitted to the State Water Resources Control Board on June 29, 2021. The State Water Board has reviewed the report and has found the Preliminary Technical Report to be complete. The proposed water system may move forward to submit full permit application materials to the State Water Resources Control Board for permitting of a Public Water System.

8.

The San Joaquin Valley Air Pollution Control District provide the following comments:

- a. Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT). The project may be subject to District Rule 2010 (Permits required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the project proponent by the District.
- b. 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.
- c. In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated.
- d. The project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to construction.
- e. The Project may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

Notes

9. The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety. Prior to received North Central Fire Protection District (NCFPD) conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno, Public Works and Planning for review. The Applicant must deliver a minimum of one set of plans to the NCFPD.

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