

County of Fresno

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

DATE: March 11, 2020

TO:

- * Development Services and Capital Projects, Attn: William M. Kettler, Division Manager
- * Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
- * Development Services and Capital Projects, Current Planning, Attn: Marianne Mollring, Senior Planner
- * Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand, Senior Planner
- * Development Services and Capital Projects, Zoning & Permit Review, Attn: Daniel Guiterrez/James Anders, Senior Planners
- * Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna
- * Development Services and Capital Projects, Building & Safety/Plan Check, Attn: Dan Mather, Chief Building Inspector
- * Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
- * Road Maintenance and Operations, Attn: Wendy Nakagawa/Nadia Lopez
- * Design Division, Transportation Planning, Attn: Brian Spaunhurst/Gloria Hensley
- * Water and Natural Resources Division, Attn: Glenn Allen, Division Manager; Roy Jimenez
- * Department of Public Health, Environmental Health Division, Attn: Deep Sidhu/ Steven Rhodes
 - Agricultural Commissioner, Attn: Rusty Lantsberger
 - County Counsel, Attn: Alison Samarin, Deputy County Counsel
- * U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn: Matthew Nelson, Biologist
- * CA Department of Fish and Wildlife, Attn: Craig Bailey, Environmental Scientist & R4CEQA@wildlife.ca.gov
 - State Water Resources Control Board, Division of Drinking Water, Fresno District, Attn: Jose Robledo/Caitlin Juarez
 - Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Chris Acree, Cultural Resources Analyst
 - Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey/Cultural Resources Director
 - Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman/ Hector Franco, Director/Shana Powers, Cultural Specialist II
- Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director
- * San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor
- * Fresno Irrigation District, Attn: Engr-Review@fresnoirrigation.com
- * North King GSA, Attn: Kassy D. Chauhan
- * North Central Fire Protection District, Attn: George Mavrikis, Fire Marshall

FROM:

Eiaz Ahmad, Planner

Development Services and Capital Projects Division

SUBJECT: Initial Study Application No. 7814, Classified Conditional Use Permit Application No.

3672

APPLICANT: Riverside Nursery

DUE DATE: March 25, 2020

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow horticulture and landscaping services in conjunction with a horticulture wholesale nursery on a 18.51-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The Department is also reviewing for environmental effects, as mandated by the California Environmental Quality Act (CEQA) and for conformity with plans and policies of the County.

Based upon this review, a determination will be made regarding conditions to be imposed on the project, including necessary on-site and off-site improvements.

We must have your comments by **March 25, 2020.** Any comments received after this date may not be used.

NOTE - THIS WILL BE OUR ONLY REQUEST FOR WRITTEN COMMENTS. If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Ejaz Ahmad, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4204, or email eahmad@fresnocountyca.gov.

EA:

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Activity Code (Internal Review): 2381

Enclosures

Fresno County Department of Public Works and Planning

03-09-2020 CUP 3672

(Application No.)

MAILING ADDRESS:

Department of Public Works and Planning **Development Services Division** 2220 Tulare St., 6th Floor

LOCATION:

Date Received:

Southwest corner of Tulare & "M" Streets, Suite A

Street Level

Fresno Phone: (559) 600-4497

Fresno, Ca. 93721	Toll Free: 1-800-742-1011 Ext. 0-4497
APPLICATION FOR:	DESCRIPTION OF PROPOSED USE OR REQUEST:
Pre-Application (Type)	Allow horticulture and landscaping
☐ Amendment Application ☐ Director Review and	이 있다. 사람들은 이 사람들은 아이들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람
☐ Amendment to Text ☐ for 2 nd Residence	전시 경기 전신 시간 시간 시간 <mark>문학생활을 발표를 하고 있다. 남소 원환경 원환경</mark> 원환경 전략 전략 전략 시간
Conditional Use Permit	: 18 B.
☐ Variance (Class)/Minor Variance ☐ Agreements	
	이 있는 사람들이 되는 것을 하는 것을 받는 것 같은 것을 받는
	. 하시마 : 100mm,
☐ No Shoot/Dog Leash Law Boundary ☐ Other	(1) 16 16 17 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
☐ General Plan Amendment/Specific Plan/SP Amendment)	
☐ Time Extension for	등 보통하는 경기 (1985년 - 1985년 - 198
CEQA DOCUMENTATION: Initial Study PER N/A	에 있다는 사람들이 되는 사람들은 사람들이 되는 것이다. 그런
	uestions completely. Attach required site plans, forms, statements,
and deeds as specified on the Pre-Application Review. Attach C	opy of Deed, including Legal Description.
OCATION OF PROPERTY: north side of Shaw Ave	∍nue
between Chateau Fresno	and Garfield (NE corner of Chateau Fresno and Shaw)
Street address: 7864 W. Shaw Avenu	ue, Fresno, CA 93722
APN: 505-050-19 Parcel size: 18.5 acs	Section(s)-Twp/Rg: S 8 T 13 _ S/R 19 _ E
	Section(3) Twp/ng. 3
ADDITIONAL APN(s):	
s / January declare	that I am the owner, or authorized representative of the owner, of
Anowledge. The foregoing declaration is made under penalty of Address Tamily Tusk 1763 (2). Sp. Dwner (Print or Type)	경화 강경 하는 사람이 있는데 아니는 아니는 아니는 아니는 아니는 사람들이 되었다. 그리고 아니는 그런 사람들이 살아 없는데 그렇게 되었다.
Knowide Wisery 4763W. Some	e#111 Fresso 93722 559-994-78
pplicant (Print or Type) Address	City Zip Phone
Froy T. Ewell, Esq. 265 E. River Park Cir, Representative (Print or Type) Address	Ste 310 Fresno 93720 559-233-4800 City Zip Phone
CONTACT EMAIL: tewell@wjhattorneys.com; jhutcheson@riversidenursery.com	
CONTACT EMAIL: Considery, latter by Section 1, fraction of the contact of the con	가입니다. 그리고 생각하는 것을 받는 것이 있는 것이 되었다. 그는 것이 되었다. 그것은 사람들은 생각하는 기가 있는 것이 있는 것이 없는 것이 없는 것이 되었다.
OFFICE USE ONLY (PRINT FORM ON GREEN PAF	PER) <u>UTILITIES AVAILABLE:</u>
Application Type / No.: CUP 3672 - Fe	ee: \$ 4,569
Application Type / No.:	
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	ee:\$
	ee:\$ 3,90 SEWER: Yes / No
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	LL:\$ 9,308.00
TAFF DETERMINATION: This permit is sought under Ordinan	ce Section: Sect-Twp/Rg: TS/RE
그 문제 그런 이루나의 그리 하는 항목으로 바꾸게	APN#
Related Application(s): CUP 3527	APN#
one District: AE-20	APN#
	APN #



Rev 12/3/19

Document1

Development Services and Capital Projects Division

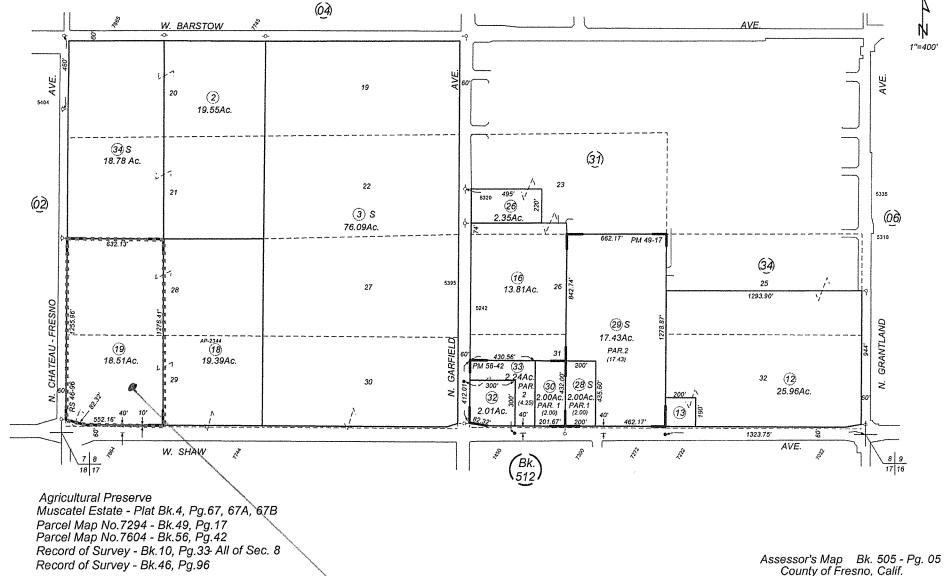
Pre-Application Review

Department of Public Works and Planning

/ WID DIO	Ministra	NUMBE	R: <u>19-109464</u>
ME	Division		ANT: <u>RIVERSIDE NURSERY</u>
		PHONE	:(559) 275-1891 (Fxt- 1).
	ON: 7864 W. SHAW AVENUE		
APN: <u>505</u> - <u>05</u>	<u>io - 19</u> ALCC: No <u>X</u> Ye:	;# VIOLATION NO.	<u>19-103819</u>
	(level) LOW WATER: No		
	<u>E-20 ;</u> SRA: No <u> X Y</u> es	HOMESITE DECLAR	ATION REQ'D.: No X_Yes
LOT STATUS:			
Zoning: (X) Conforms; () Legal Non-(conforming lot; () Deed Re	eview Reg'a (see Form #236)
y ny jiwerger: iwa	y be subject to merger: No		nitiated In process ; () Deeds Req'd (see Form #236)
COUCON FFEE No. 1	LOT OT REC. Wap; () Un 12	rolls; (X) Other <u>PERWITS</u>	; () Deeds Req a (see roim #236)
MECD EED ADEA	C resDISTRICT <u>CEN</u>	TRAL UNIFIED FLOOD	PERMIT JACKET: NoYes
POPOSED NI	() Outside () District N	NOSCAPING SERVICES IN	CONJUCTION WITH A HORTICULTU
	RY WITHIN THE AE-20 ZONE		CONSCINENT WITH A HEALT COLLEC
COMMENTS:	NI WITHIN THE AL-20 ZONE	<u>DIGITALOT:</u>	
ORD. SECTION(S):	816.3 K BY	ALBERT AGUILAR D	ATE: 1/7/20
	 		
SENERAL PLAN POL			URES AND FEES:
AND THE CONTRACTOR OF THE PROPERTY OF THE PROP	TION: AGRICULTURE.	()GPA:	_ ()MINOR VA:
COMMUNITY PLAN:		()AA: (√)CUP: \$4,569.0°	(√)HD: # 992.00 ∠ (√)AG COMM: # 98.00
EGIONAL PLAN: PECIFIC PLAN:			
PECIAL POLICIES:		()DRA:	_ ()ALCC: (\subsection 15 3.901 • 90
PHERE OF INFLUEN	Mari	()AT:	()Viol. (35%):
NNEX REFERRAL (I	7-27-28-37-32-32-32-32-32-32-32-32-32-32-32-32-32-	()TT:	_ ()Other:
	-9-9,7,111997	Company of the compan	g Fee: \$ 9,555. %
COMMENTS:	-None-	Pre-Application	
			ling Fee: # 9.308. "L
ILING REQUIREMEN	<u>ITS:</u>	OTHER FILING FEES:	
√) Land Use Applic	cations and Fees () Archaeological Inventory	Fee: \$75 at time of filing
This Pre-Applic			n San Joaquin Valley Info. Center)
Copy of Deed /) CA Dept. of Fish & Wildli	
Photographs			County Clerk for pass-thru to CDFW.
) Letter Verifying	Deed Review		sure and prior to setting hearing date.)
IS Application a	nd Fees* * Upon review of p	oroject materials, an Initial S	tudy (IS) with fees may be required
√) Site Plans - 4 cc	pies (folded to 8.5"X11") + 1	- 8.5"x11" reduction	
	evations - 4 copies (folded to	8.5"X11") + 1 - 8.5"x11" red	uction
🗸), Floor Plan & Ele	tion / Operational Statement	Typed)	
		- 교육화학자 원리 생활하다 국민 가는 사람들은 생각 생각 사람들이 되었다. 그 그 그 사람은 사람들은 불다 사람들이 없다.	.U#113 Fee: \$247.00
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Tax Rate Area 5-356 62-009 62-028

505-05



6/12/2019

SUBJ. Prop.

Note - Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles

OPERATIONAL STATEMENT

1. Riverside Nursery operated a commercial nursery on Golden State Avenue just north of Shaw for over 35 years. Unfortunately, the California High Speed Rail (CHSR) condemned the Golden State nursery site and forced Riverside to close its business. Riverside also operated a grow yard on the northeast corner of Shaw and Chateau Fresno and used the grow yard to store excess inventory and propagate plants for sale at the nursery. During the negotiation with the CHSR, Riverside explored the possibility of moving the nursery operation to the grow yard site and acquired a CUP (CUP 3527) from the County based on a full scale transition of the business. CHSR had indicated that it would pay for the majority of the required site improvements (estimated to be in seven figures), so the economic risk to Riverside in moving was relatively low. However, CHSR at some point determined that it was unwilling or unable to pay for the improvements as previously indicated it would making the full scale move of the nursery site economically infeasible based on the remote location of the grow yard and the uncertainty whether customers would travel to the new site. Despite Riverside's decision to not move the business to the grow yard site, CHSR did not purchase all of Riverside's inventory existing at the Golden State or grow yard site. So, Riverside transported the inventory to the grow yard for storage.

Riverside now plans to drastically reduce the intensity of its intended operations at the grow yard site. Riverside now plans to utilize a small portion of land, approximately 2 acres of the 18.5 acre site, and current infrastructure of the growing grounds as a sales yard for the inventory left from the displacement and future products it produces. The scope of business will be significantly less than what was originally proposed. The main focus of the business will be to sell plants currently produced on site (both retail and wholesale) along with a small category of complimentary products, such as planter mixes and fertilizers.

- 2. Riverside will be open to the public from 7:30 am to 4:00 pm Monday through Friday and weekends seasonally, with exceptions for major Holidays.
- 3. Riverside's daily customer count averages around 10 to 30 customers per day. However, in the peak growing seasons, there may be more customers (up to 50) on a weekend day.
- 4. Riverside employs between 3 and 6 employees, depending on the season. Most employees work from 7:30 am 4:00 pm. One family member will live on-site as a caretaker.
- 5. Riverside has approximately 3 service and delivery vehicles that will be used some days.

- 6. Presently, access to the existing house on the site is off Shaw Avenue, and access to the remainder of the site is through a driveway entering from Chateau Fresno on the western border of the property. For the proposed operation, Riverside will need to access the site from Chateau Fresno.
- 7. Riverside would need approximately 20 informal parking stalls for employees and customers. All of the stalls will be unpaved on a large open gravel area.
- 8. Riverside will be operated as a wholesale Nursery open to the public. Approximately 85 percent of the products sold will be produced on-site; the balance of products (including bulk soils, bark, fertilizers,) will be purchased from outside sources.
- 9. Riverside uses tractors and skip loaders to load bulk products.
- 10. Other than the plant material grown on site, Riverside stores a small amount of outdoor landscape items, including, fertilizers, potting soil, pest control products etc. These items are stored in the normal course of inventory predominantly in the packaging provided from the manufacturer.
- 11. The operation of the nursery and storage of inventory do not cause an unsightly appearance, glare or odor. However, certain activities such as the loading of bulk products may produce minimal dust.
- 12. The only wastes produced would be recyclable green waste.
- 13. The quantity of water is not more than what is currently being used. Presently, the site is utilized for a wholesale grow yard, which is serviced by an on-site well with a 3,000 gallon storage tank. The water from this well will only be used to water plants and provide water to flush the portable toilets provided on-site. No water from the well will be used to provide water to any member of the public. It is estimated that approximately 3,000 gallons/day is used to water the plants on-site, depending on the time of year. An additional 50-100 gallons/day is used by the portable toilet. Riverside will establish a station with hand sanitizer for members of the public to use after using the portable toilets. Drinking water is supplied for employees only through a water cooler with 5-gallon water bottles located inside the business trailer, which is not accessible by the public.
- 14. A small 4' x 8' marquee sign is already installed along Shaw Avenue and should be sufficient for future advertising.

- 15. We currently have a 55' x 100' metal shop building on-site which we use for storage, not accessible to the public. We also have a 40' x 12' temporary portable trailer that we will use for a sales office.
- 16. Riverside will use the portable trailer as a sales office.
- 17. Riverside will have outdoor lighting for security at night.
- 18. A chain link fence currently surrounds the property, which will be kept for security purposes.
- 19. See #1 above.
- 20. Mitch Hutcheson, James Hutcheson, Angela Hutcheson



County of Fresno

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

INITIAL STUDY APPLICATION

INSTRUCTIONS

Answer all questions completely. An incomplete form may delay processing of your application. Use additional paper if necessary and attach any supplemental information to this form. Attach an operational statement if appropriate. This application will be distributed to several agencies and persons to determine the potential environmental effects of your proposal. Please complete the form in a legible and reproducible manner (i.e., USE BLACK INK OR TYPE).

	OFFICE	USE	ONLY
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IS No. 7814

Project No(s). CUP 3672

Application Rec'd.: 03-09-2020

GENERAL INFORMATION

<i>1</i> .	Property Owner: Mitchel L. Hutcheson and Angola Hutcher	son bay Just Phone/Fax 55	9-994-7872
	Mailing Address: 4763 W. Sorve Are # 111	Tresno	CA 93722 State/Zip
<i>2</i> .	Applicant: Riverside Nursery: Landscape, Inc	. Phone/Fax: 55	9-994-7872
	Mailing Address: 4763W. Spruce Are #111 Street	_	CA 93722 State/Zip
<i>3</i> .	7.6.17	Phone/Fax: 55	
	Address: 265 E. River Park Circle, Suite 3	310 Fesho CA 95°	State/Zip
4.	Proposed Project: Allow hortzulture and land with a hortzulture Wholesale nurs		conjunction
5.	Project Location: Wortheast corner of Si	naw Avenue ? Ch	Heav Fresho
6.	Project Address: 7864 U. Shaw Aven.	se, Fresno, CA	
7.	Section/Township/Range: 8 / 135/ 19E	8. Parcel Size: \8.5 P	ocs (2ac projects:te)
9.	Assessor's Parcel No. 505-050-19		

10.	Land Conservation Contract No. (If applicable): 10 10
11.	What other agencies will you need to get permits or authorization from: None
	LAFCo (annexation or extension of services) CALTRANS CALTRANS CALTRANS CALTRANS CALTRANS CALTRANS CALTRANS CALTRANS CONTROL Department of Energy Control Board Cother Control District Airport Land Use Commission Cother
12.	Will the project utilize Federal funds or require other Federal authorization subject to the provisions of the National Environmental Policy Act (NEPA) of 1969? Yes No
	If so, please provide a copy of all related grant and/or funding documents, related information and environmental review requirements.
13.	Existing Zone District ¹ : AE-20
14.	Existing General Plan Land Use Designation ¹ : Aq
<u>EN</u>	VIRONMENTAL INFORMATION
<i>15</i> .	Present land use: Crow yard, Sterage Sie for landscaping equipment, Open ground Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements: Single family residence, metal building, submersible pumpt water to k
	Describe the major vegetative cover: None
	Any perennial or intermittent water courses? If so, show on map: 1000
	Is property in a flood-prone area? Describe:
16.	Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):
	North: Agricultural
	South: Agricultural
	East: Agree 14 rol
	West: Agricultural

Who	at land us	se(s) in the area may impact your project?: Unne
Trai	asportatio	on:
NO'		information below will be used in determining traffic impacts from this project. The also show the need for a Traffic Impact Study (TIS) for the project.
A.	Will ad	ditional driveways from the proposed project site be necessary to access public roads? YesNo
В.	Daily tr	raffic generation:
	I.	Residential - Number of Units Lot Size Single Family Apartments
	II.	Commercial - Number of Employees Number of Salesmen Number of Delivery Trucks Total Square Footage of Building
	III.	Describe and quantify other traffic generation activities: 10-30 custowers of
		day are anxi pated to usit the project (Monday through
		Friday (7:30-4:00) and seasonally on were kends
Describe any source(s) of noise from your project that may affect the surrounding area: 10 on		
Desc	ribe any	source(s) of noise in the area that may affect your project:Wone
Dosc	ribe the 1	probable source(s) of air pollution from your project:None

24.	Anticipated volume of water to be used (gallons per day)2: No additional water - Water scale
25.	Proposed method of liquid waste disposal: (×) septic system/individual () community system³-name
26.	Estimated volume of liquid waste (gallons per day)2: Done (Portable toilets)
27.	Anticipated type(s) of liquid waste: None
28.	Anticipated type(s) of hazardous wastes ² :
29.	Anticipated volume of hazardous wastes ² : None
<i>30</i> .	Proposed method of hazardous waste disposal ² : WA
<i>31</i> .	Anticipated type(s) of solid waste: Recycloble green solid waste
	Anticipated amount of solid waste (tons or cubic yards per day): Varies by season
	Anticipated amount of waste that will be recycled (tons or cubic yards per day):
<i>34</i> .	Proposed method of solid waste disposal: Mulching
<i>35</i> .	Fire protection district(s) serving this area: \(\lambda \CN \rac{12}{} \)
<i>36</i> .	Has a previous application been processed on this site? If so, list title and date: Cut 3527
<i>37</i> .	Do you have any underground storage tanks (except septic tanks)? Yes NoX
38.	If yes, are they currently in use? Yes No
То 1	THE BEST OF MY KNOWLEDGE, THE FOREGOING INFORMATION IS TRUE.
<u></u>	Witchel Hutcheson 3-4-2020
SIC	DATE DATE

¹Refer to Development Services Conference Checklist ²For assistance, contact Environmental Health System, (559) 600-3357 ³For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259

NOTICE AND ACKNOWLEDGMENT

INDEMNIFICATION AND DEFENSE

The Board of Supervisors has adopted a policy that applicants should be made aware that they may be responsible for participating in the defense of the County in the event a lawsuit is filed resulting from the County's action on your project. You may be required to enter into an agreement to indemnify and defend the County if it appears likely that litigation could result from the County's action. The agreement would require that you deposit an appropriate security upon notice that a lawsuit has been filed. In the event that you fail to comply with the provisions of the agreement, the County may rescind its approval of the project.

STATE FISH AND WILDLIFE FEE

State law requires that specified fees (effective January 1, 2017: \$3,078.25 for an EIR; \$2,216.25 for a (Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

- 1. All projects statutorily exempt from the provisions of CEQA (California Environmental Quality Act).
- 2. All projects categorically exempt by regulations of the Secretary of Resources (State of California) from the requirement to prepare environmental documents.

A fee exemption may be issued by CDFW for eligible projects determined by that agency to have "no effect on wildlife." That determination must be provided in advance from CDFG to the County at the request of the applicant. You may wish to call the local office of CDFG at (559) 222-3761 if you need more information.

Upon completion of the Initial Study you will be notified of the applicable fee. Payment of the fee will be required before your project will be forwarded to the project analyst for scheduling of any required hearings and final processing. The fee will be refunded if the project should be denied by the County.

Applicant's Signature

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Riverside Landscaping

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