

Resource Management Agency Planning Department

Norman L. Allinder, AICP
Director

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MEMORANDUM

DATE: January 8, 2012

TO: Planning Commission

FROM: Norman L. Allinder, AICP, Planning Director *NCA*
Jerome Keene, Planner III

RE: CUP #2002-015 - Cobb Ranch - Review of compliance with standards – Informational Only

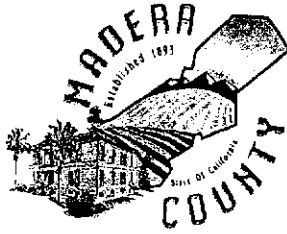
On July 5, 2011, the Planning Commission review the status of the project site. The new property owner, Jim Huelskamp, stated that he would comply with the restrictions placed on the white tent but would like to continue to have special events on the property. The Commission allowed for events to occur without use of the white tent due to its various code compliance issues.

Since the time of the last Planning Commission review in July 2011, there have not been any further compliance issues or violations at the project site. The project applicant has been working with the various County Departments to obtain needed permits to bring the site into compliance. Permits ranging from Elevation Certificates to Special Inspections for buildings on site such as the mobile office have been finalized by the departments.

The large white tent, to Staff's knowledge, has not been used for any activities that were of prior concern. The structure still remains unpermitted and cannot be used for anything other than storage at the property owner's risk due to the fact that it has not passed building code. However, the property owner has followed up on bringing other structures in line with required rules and statutes for occupancy.

Moreover, other uses have been removed for almond trees that are currently planted on site. Uses such as the prior corn maze, pizza farm, and many of the Christmas trees that were previously grown on-site have been removed and are no longer an issue in terms of compliance.

The property owner has been in touch with Staff regarding the ongoing condition of the site and timelines for moving forward with further compliance. Staff has no issues with the current progress that the property owner has made and is pleased with the condition of the site currently. However, Staff would like to recommend that continued monitoring be done and that the property owner work with Staff to develop a timeline for final resolution of the white tent.



RESOURCE MANAGEMENT AGENCY Planning Department

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PLANNING COMMISSION DATE: July 5, 2011 (Continued from June 7, 2011)

AGENDA ITEM: #3

CUP	#2002-015	Review of compliance with standards of Conditional Use Permit for outdoor recreational uses
APN	#049-085-019	Property Owner: Jim Huelskamp, BMX LLC

REQUEST:

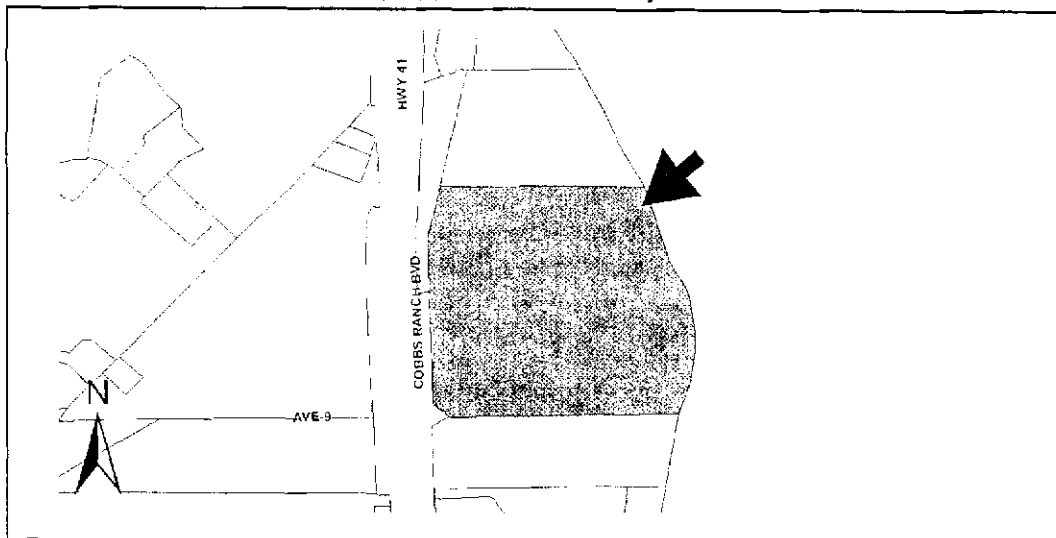
The timing of uses being conducted on the subject property appears to be have been in question for Conditional Use Permit #2002-015. Therefore, the Planning Commission has initiated a review in accordance with County Code §18.06.030 for compliance with relevant standards and regulations.

LOCATION:

The property is located on the east side of Cobb Ranch Boulevard, approximately 100 feet north of the intersection of Cobb Ranch Boulevard and Avenue 9 (no situs), Fresno.

ENVIRONMENTAL ASSESSMENT:

ND #2002-38 was previously approved and is subject to review and action.



RECOMMENDATION: Staff recommends requiring all items on attached compliance list (Exhibit I) be completed prior to December 31, 2012, quarterly status reports of progress to the Planning Commission by Staff, and expand the time limit of seasonal events to year round. If compliance is not obtained by the deadline, the item will be brought back to the Commission.

GENERAL PLAN/RIO MESA AREA PLAN DESIGNATIONS (Exhibit A-1, A-2):

SITE: A (Agriculture) and OS (Open Space) Designations

SURROUNDING: A (Agriculture), LDR (Low Density Residential) and OS (Open Space) Designations

ZONING (EXHIBIT B)

SITE ARV-20 (Agricultural, Rural, Valley - 20 Acre) District

SURROUNDING: ARV-20 (Agricultural, Rural, Valley - 20 Acre) and POS (Public Open Space) Districts

LAND USE:

SITE: Row crops, seasonal events, various other agriculturally oriented uses

SURROUNDING: North - Agriculture; south - Undeveloped; east - San Joaquin River and west - Highway 41 and Golf Course

SIZE OF PROPERTY (EXHIBIT C): 60.11 acres

ACCESS (EXHIBIT C):

Access to the parcel comes from Cobb Ranch Boulevard.

WILLIAMSON ACT:

The property involved in this proposal is not subject to a Williamson Act (Agricultural Preserve) contract.

BACKGROUND AND PRIOR ACTIONS:

On September 2, 2002, Conditional Use Permit #2002-015 was approved to allow a seasonal agricultural educational/recreational center which included a corn maze. It also recognized the non-conforming status of a Christmas tree farm which had been in existence on the property. The seasonal nature of the operation was limited to September and October for the corn maze and December for the Christmas Tree Farm under this entitlement.

March 16, 2004, an amendment to the conditional use permit, Conditional Use Permit #2003-001, was approved to include a "pizza farm" which would be used as a year round educational and special event center. This specific use was approved for year round use. It was held separately from the operation of the Christmas Tree Farm or the corn maze, which may only operate seasonally. This entitlement made no additional changes to any site or operating characteristics the corn maze or Christmas Tree Farm.

Since approval of both entitlements, the corn maze, pizza farm and associated uses have been removed from the property and replaced by orchards. Portions of the Christmas tree farm still remain and/or have been expanded to include new uses and structures. These expansions were not previously reviewed or approved under Conditional Use Permit #2002-015 or #2003-001.

PROJECT DESCRIPTION:

The original project was within the ARV-20 (Agricultural, Rural, Valley, 20-acre) zone district where outdoor recreational facilities were permitted with an approved conditional use permit. The proposal included a corn maze, pumpkin patch, on-site sales of produce and concessions, an animal farm, and wagon rides. The Christmas tree farm was noted

as being in existence prior to the Zoning Ordinance and therefore was allowed to remain as a non-conforming use.

ORDINANCES/POLICIES:

Madera County Code Section 18.62 outlines land uses regulations within the ARV-20 (Agricultural, Rural, Valley, 20-acre) zone district.

Madera County Code Section 18.86 outlines the land use regulations related to non-conforming uses.

Madera County General Plan Policy Document, page 7, outlines the definition of uses associated with the A (Agricultural) general plan designation.

Madera County General Plan Policy Document, page 65, outlines the policies and implementation measures for the Health and Safety Section.

Rio Mesa Area Plan Document, page 35, outlines the definition of uses associated with the A (Agriculture) area plan designation.

ANALYSIS:

The subject parcel has had most of the uses proposed by Conditional Use Permit #2002-015, the corn maze, pumpkin patch and most of the on-site concessions, removed by the original project applicant. In addition, ownership of the subject parcel has transferred to a new owner. The new owner has removed many of the non-conforming uses and has begun prepping the land for further agricultural cultivation. By removing these uses, if they are not re-established within six months, they must comply with current standards and, therefore, may not be reestablished without obtaining a conditional use permit through the Planning Department.

Moreover, structures which were not recognized or permitted through Conditional Use Permit #2002-015, have been used for activities which were not authorized through the entitlement process or recognized as non-conforming uses which had been ongoing since prior to the zoning ordinance. These structures, which include the white tent, restrooms, and the red barn structure that was converted to a single family dwelling, are currently being utilized for activities outside of any entitlements or permits approved for the property (Exhibit G). The applicant may utilize temporary structures or tents to conduct business on the property. Until proper permits have been approved and inspected, these buildings should not be occupied or utilized in any matter by the general public.

Staff does recognize the subject property as a historical place of significance for leisure and recreation to Madera County as well as Fresno residents. Seasonal or special events could still be conducted on the property through the use of temporary facilities, as stated previously. It is recommended that continued events be permitted on the property. The proprietor of the property may bring in outside food vendors to cater these events. Each vendor still must be registered, licensed and inspected by the Environmental Health Department. The use of vendor trailers is also permitted granted that the trailers are removed in accordance with the definition of temporary structures. Staff previously prepared a Compliance List, dated October 19, 2009, which outlines the items which need to be addressed by the proprietor of the property.

However, if the compliance list has not been satisfied and permits have not been applied for and approved by staff prior to December 31, 2012, it is recommended that the conditional use permit provisions which allow public events to the property be brought

back to the Commission for review, which include complying with all applicable building and fire codes for the permitting of structures.

GENERAL PLAN CONSISTENCY STATEMENT:

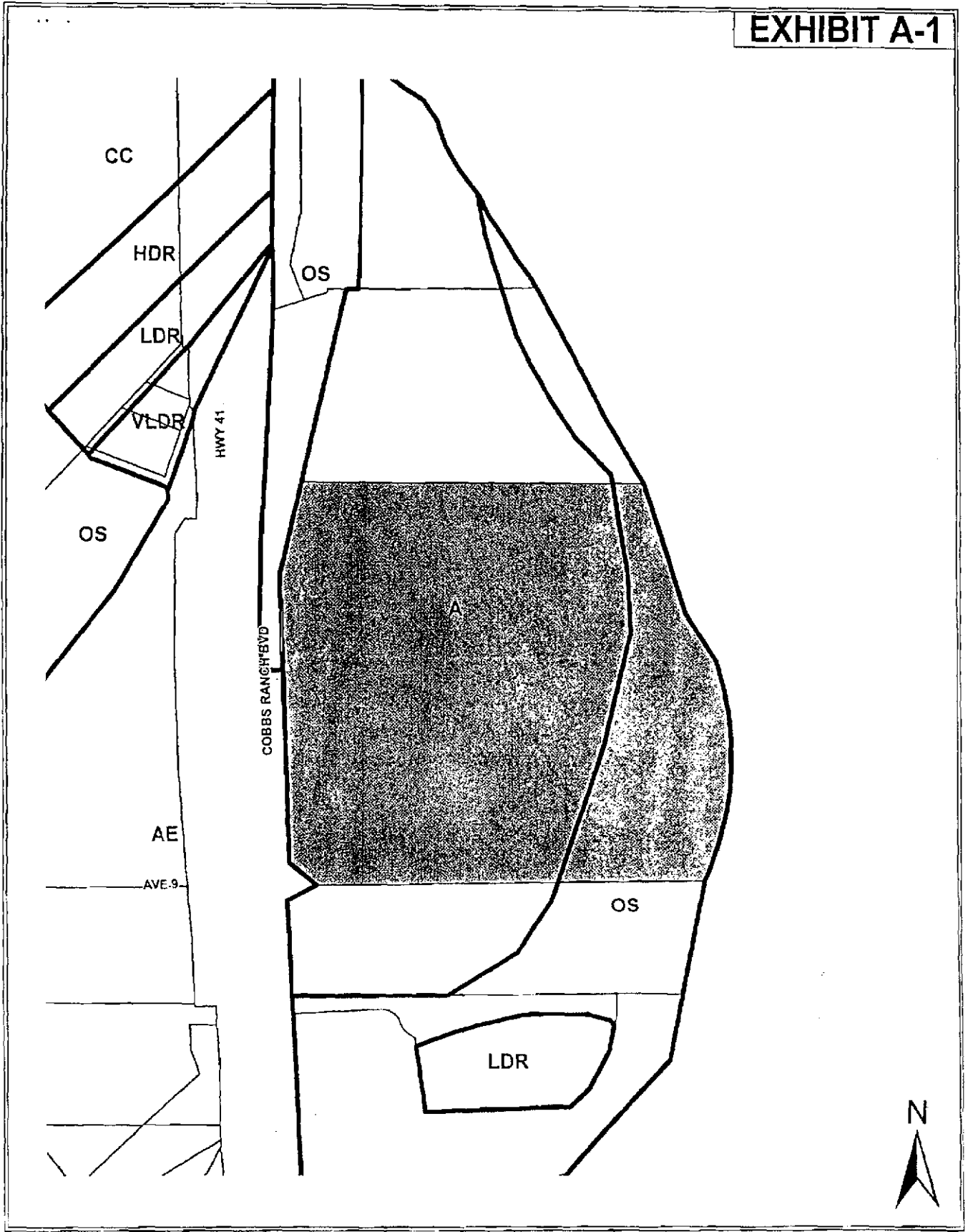
The activities being conducted and that were approved by the conditional use permit are consistent with the General Plan Designation of A (Agriculture). The General Plan also recommends encouragement of private recreational facilities, which this property has been used as in the recent past for fundraisers and other events. However, the continued use of the property in an unpermitted manner violates Section 6 of the General Plan which pertains to Health and Safety which requires that the County address concerns through either the entitlement or building permit process.

RECOMMENDATION:

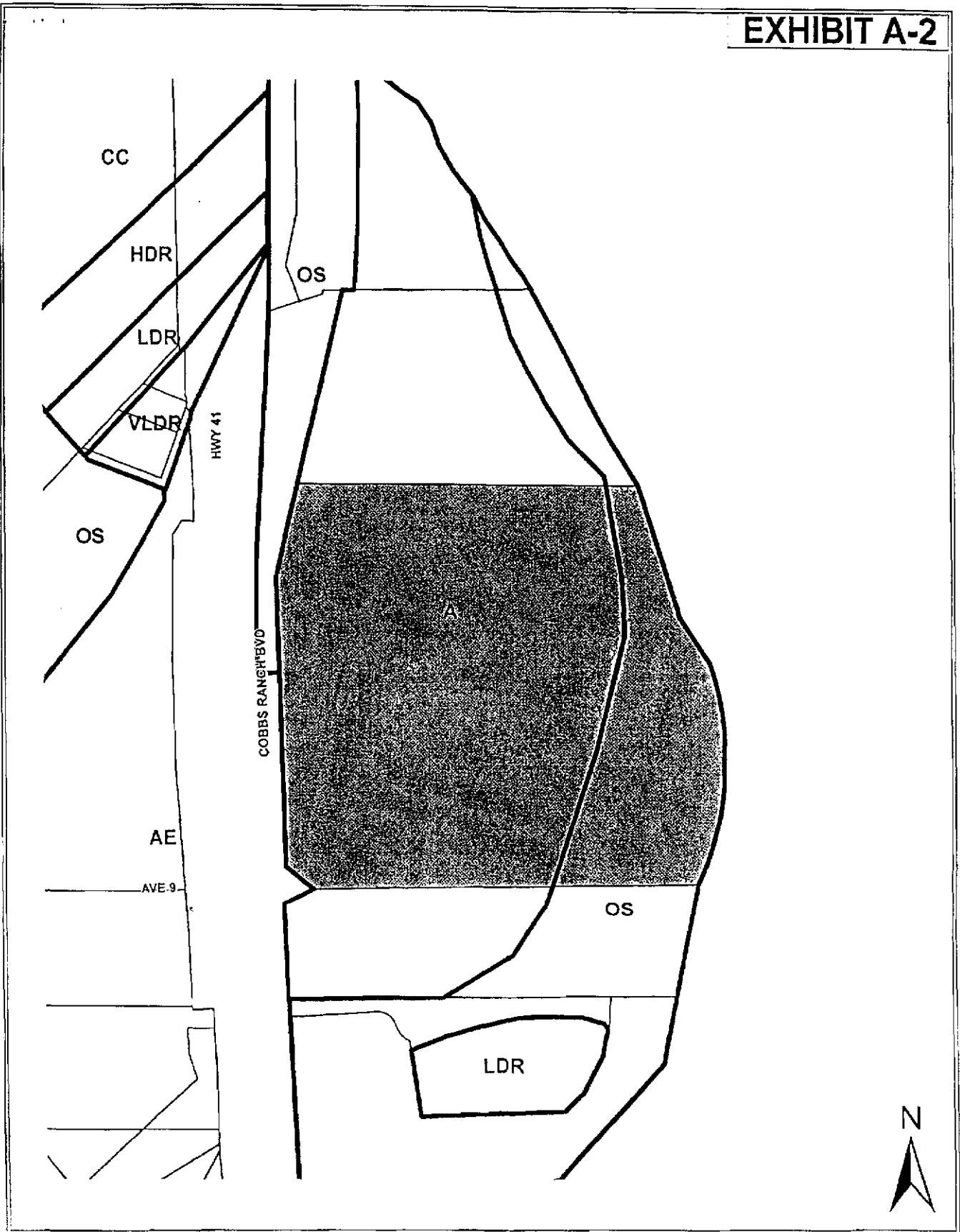
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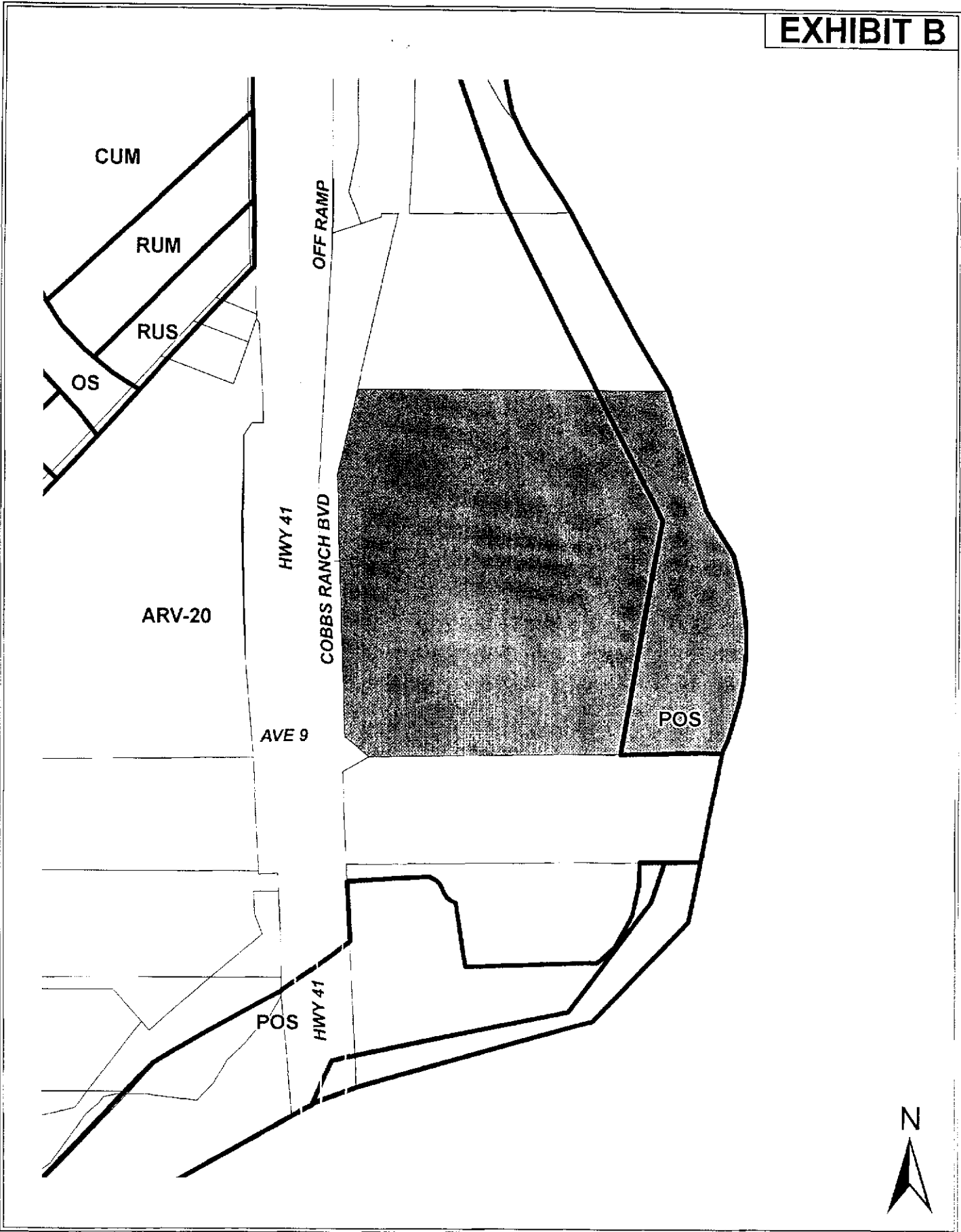
ATTACHMENTS:

1. EXHIBIT A-1, General Plan Map
2. EXHIBIT A-2, Area Plan
3. EXHIBIT B, Zoning Map
4. EXHIBIT C, Assessor's Map
5. EXHIBIT D, Site Plan
6. EXHIBIT E, Aerial Map
7. EXHIBIT F, Topographical Map
8. EXHIBIT G, Site Comparison 2005 to 2007 to 2009
9. EXHIBIT H, Minute Order #4299
10. EXHIBIT I, Compliance List dated October 19, 2009



GENERAL PLAN MAP





ZONING MAP

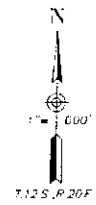
EXHIBIT C

ORIGINAL
IN BLUE

SEC. 16 & 17 T.12S. R20E. M.D.B.&M.

49-08
SHEET 4 of 4

Tax Area Code
65-000
65-008



SEE SHEET 2 OF 4

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

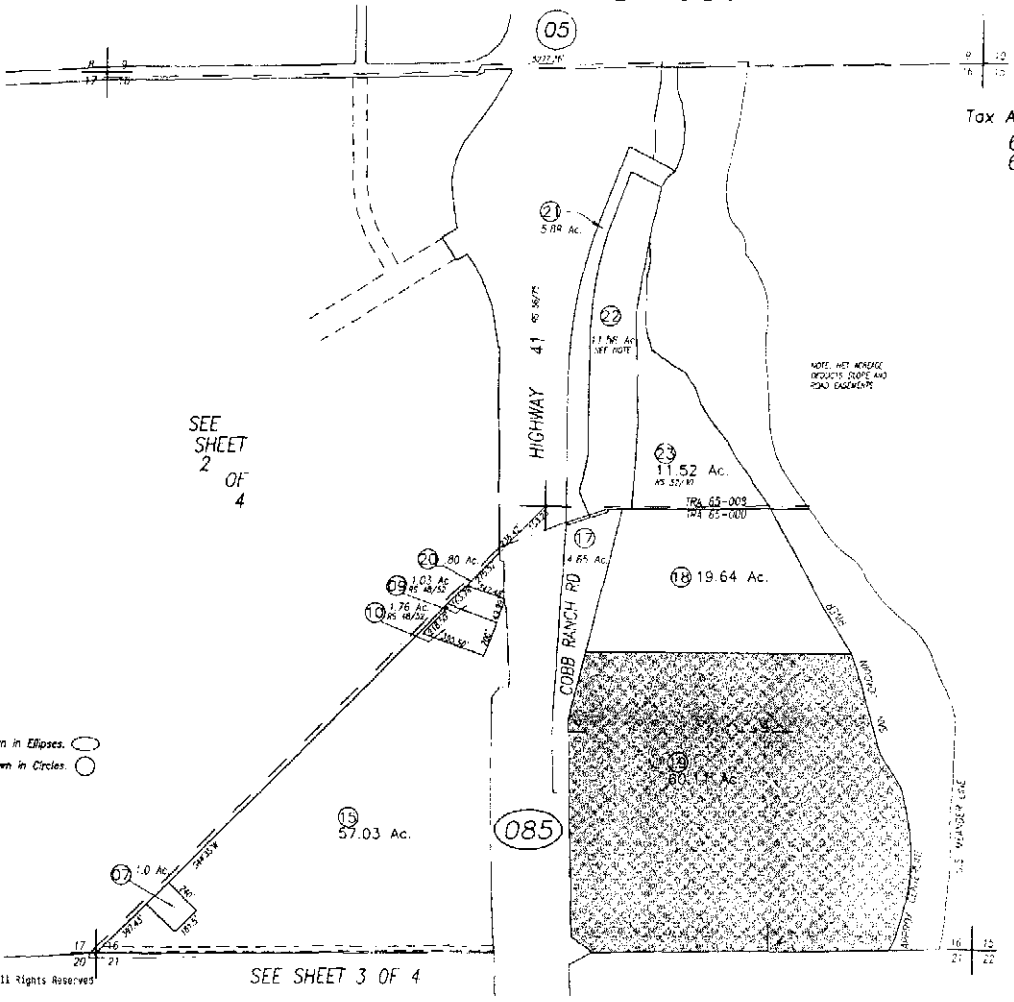
NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

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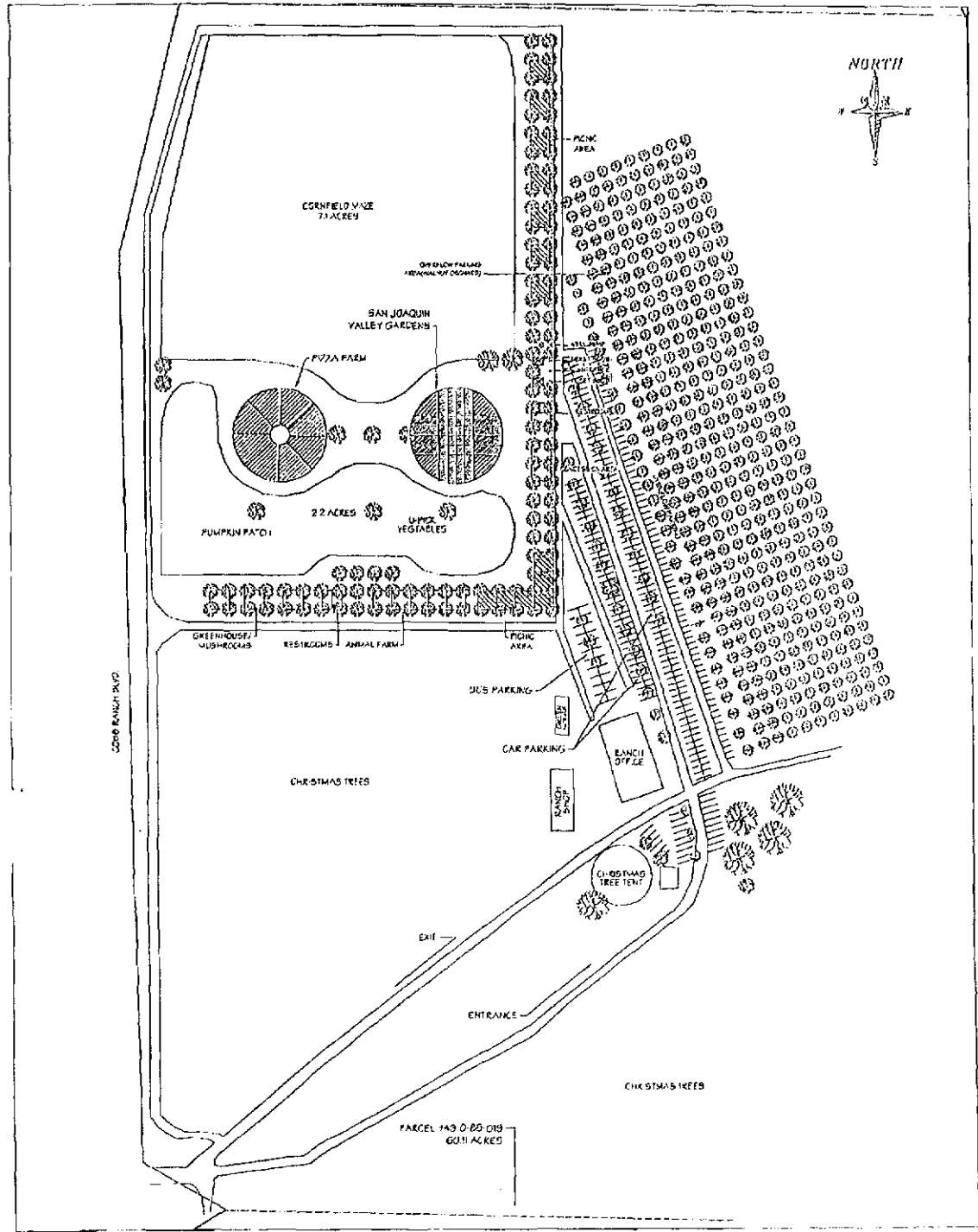
SEE SHEET 3 OF 4

Assessor's Map No. 49-08
Sheet 4 of 4
Golden Valley School District
County of Madera, Calif.
1957

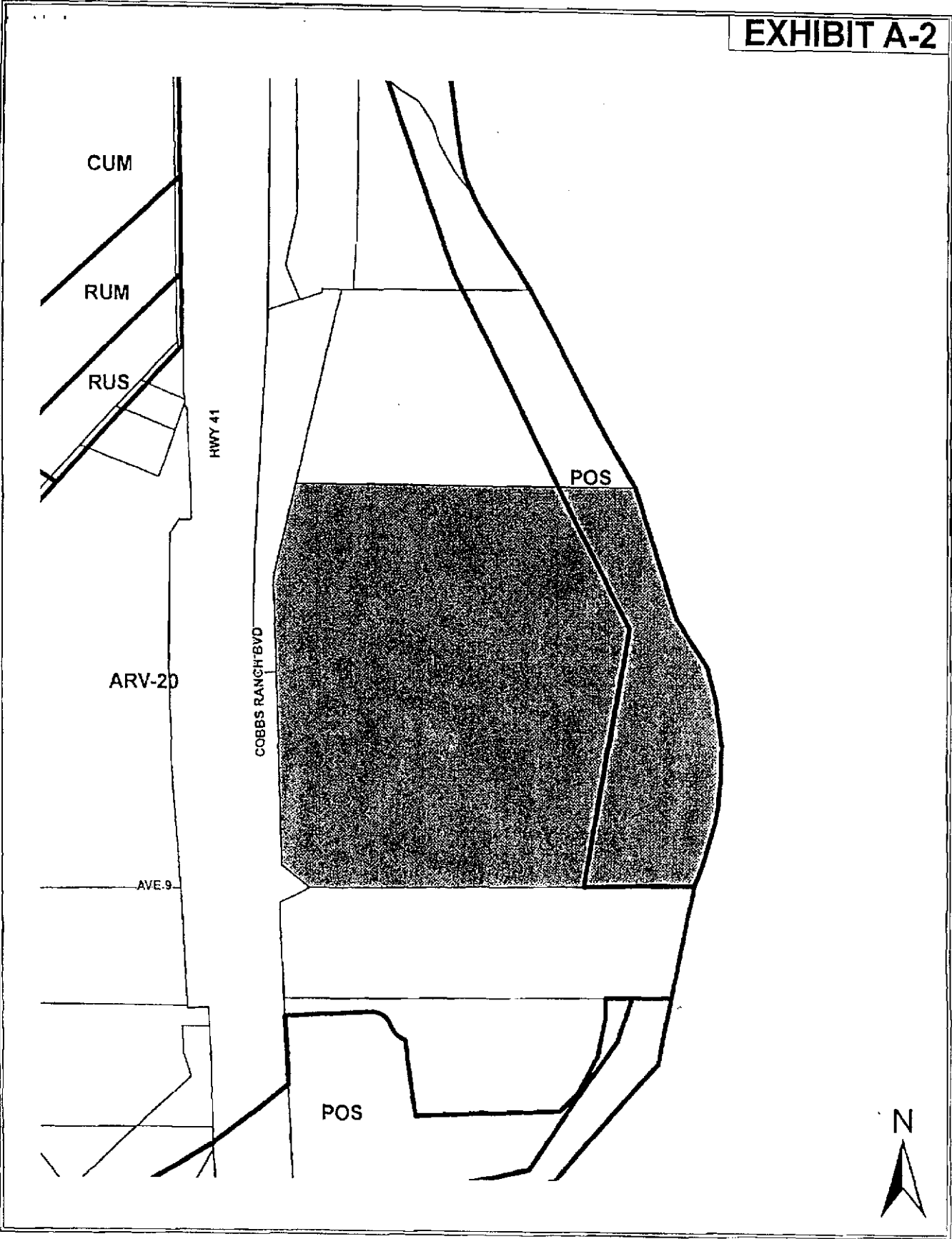


ASSESSOR'S MAP

EXHIBIT D



SITE PLAN



RIO MESA AREA PLAN

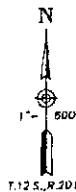
EXHIBIT D

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49-08
SHEET 4 of 4

Tax Area Code
65-000
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SEE SHEET
2
OF
4

NOTE - Assessor's Block Numbers Shown in Ovals
Assessor's Parcel Numbers Shown in Circles

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MCM:1-58 BLP

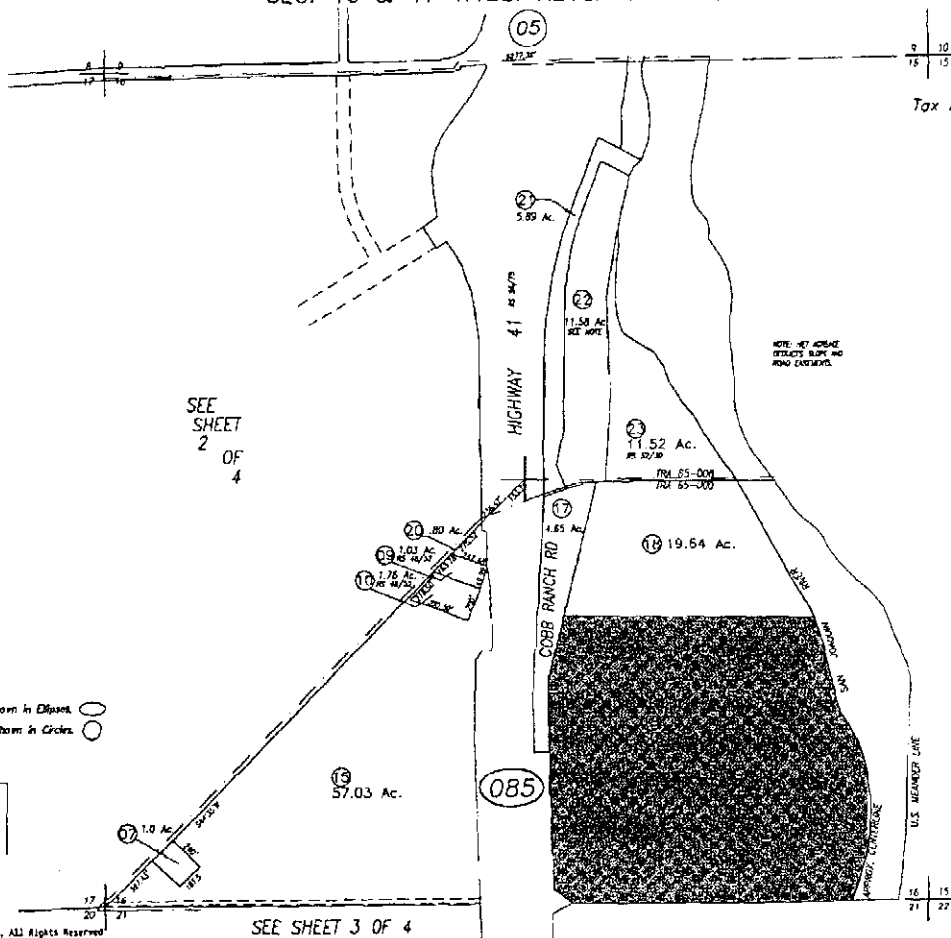
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SEE SHEET 3 OF 4

085

FRESNO COUNTY

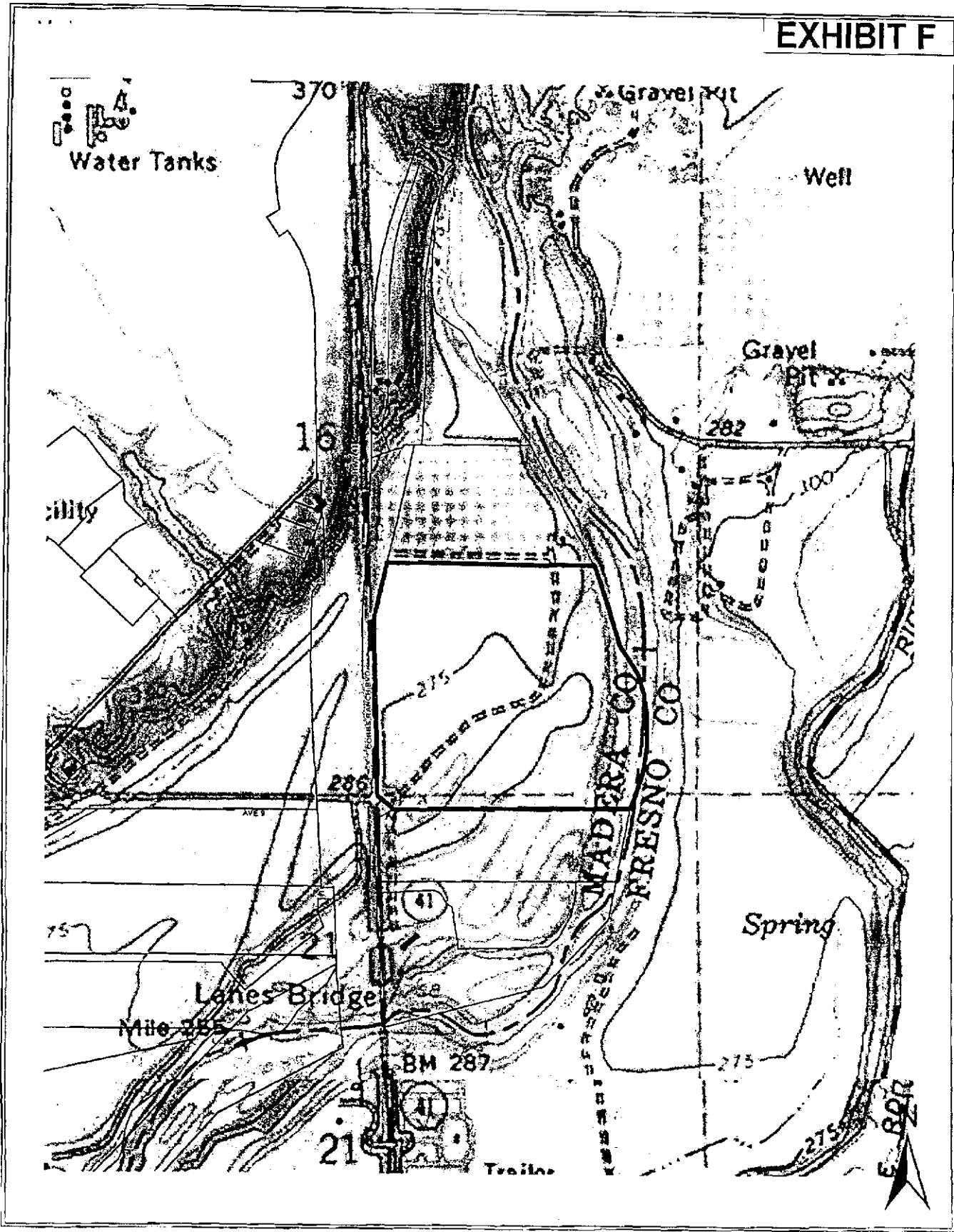
Assessor's Map No. 49-08
Sheet 4 of 4
Golden Valley School District
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SITE PLAN

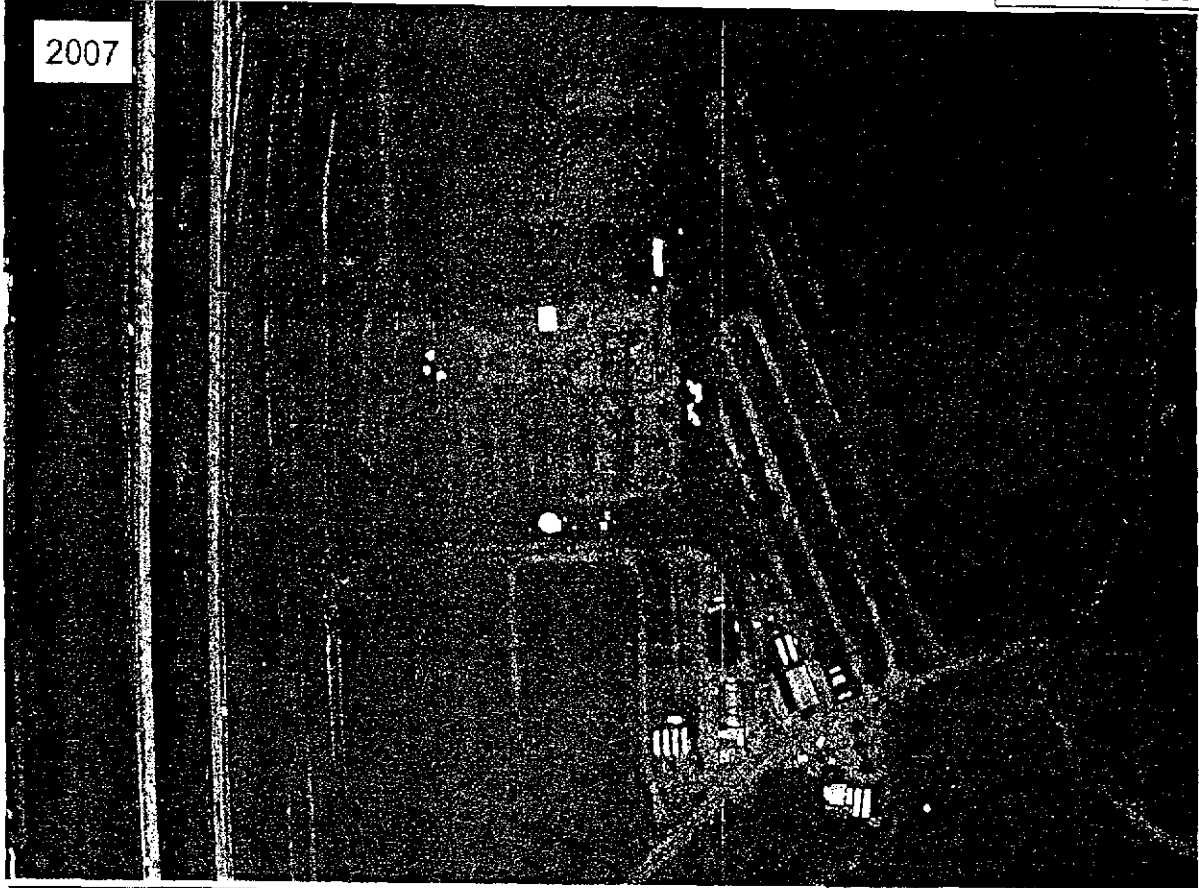
EXHIBIT E



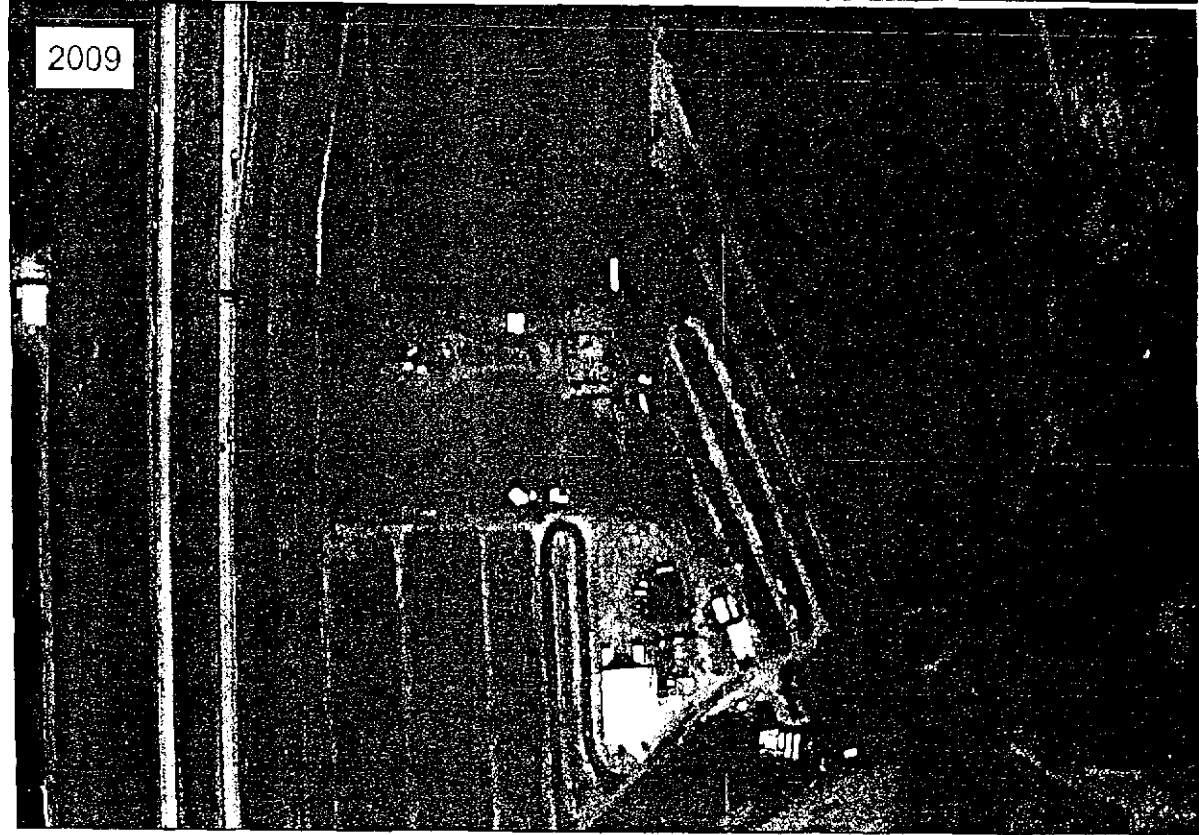


TOPOGRAPHICAL MAP

2007



2009



Aerial Photo Comparison - 2007 and 2009

1. **DARREN SCHMALL/LARRY HARVISON - CONDITIONAL USE PERMIT - MADERA**

Darren Schmall/Larry Harvison requested approval of a conditional use permit to allow a corn maze and pumpkin patch. The property is owned by Donald E. and Wilma Jean Cobb and the Donald and Wilma Jean Cobb Trust and is located on the east side of Cobb Ranch Boulevard, approximately 0.8 miles south of its intersection with Avenue 10, Madera. The present zone is ARV-20 (Agricultural, Rural, Valley, Twenty Acre) District. A draft Mitigated Negative Declaration (ND # 2002-38) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 60.11 acres. APN: 049-085-019.

David Merchen, Assistant Planning Director, presented the staff report for this project and recommended approval of the mitigated negative declaration and conditional use permit to allow an outdoor recreational facility consisting of a seasonal corn maze and pumpkin patch, subject to conditions.

No one spoke in favor or in opposition to the project.

Commissioner Ward questioned whether the application supersedes or replaces the conditional use permit for the site west of the proposed location. He was concerned that both properties could be utilized for the corn field maze. Chairman Kellner stated his concern that the corn field could be rotated between the two locations. Dave Herb stated that the applicant had not discussed the desire to rotate between or utilize the two sites simultaneously. Mr. Herb recommended that the Planning Commission direct staff to request Mr. Gunner, the owner of the property for the original conditional use permit, to agree to rescind the conditional use permit for the location west of the current project.

Commissioner Bautista stated that development of the location, for the corn maze, was in process prior to the Commission's hearing of the application. Mr. Merchen stated that the property is agriculturally zoned. The applicant is allowed to plant corn without having a permit. He stated that the actual use of the outdoor recreational facility is not allowable until a conditional use permit is issued.

Commissioner Bautista stated that the public's exposure to and storage of chemicals at this location was a concern. Chairman Kellner stated that a condition to secure the chemicals to the satisfaction of the Environmental Health Department should apply. Glenn Allen, Environmental Health Department, stated that his department does not have the right to dictate agricultural use and storage of chemicals and that the Agricultural Commissioner would have to address this condition. Mr. Merchen stated that the Fire Department and Environmental Health Department could place a condition that the chemicals be stored and secured from the public. He stated that the Planning Department would check conditions prior to operation. Commissioner Cosyns stated that the chemical he noted at the location was fertilizer and in order to have the maze at the proper height, a large amount of fertilizer is necessary. He stated that the amount stored, at the time the public will be accessing the property, would be minimal.

Chairman Kellner stated that the project is compatible with the area and is a positive community feature.

Minute Order #4299 On a motion by Commissioner Cosyns, seconded by Commissioner Bompreszi, and unanimously carried, it was ordered to approve, with conditions, the application of Darren Schmall/Larry Harvison for a conditional use permit to allow a corn maze and pumpkin patch. A Mitigated Negative Declaration was also approved. The motion passed with a vote of 5-0.

Planning Commission

1. All chemicals will be stored in a facility approved by the Fire Department and Environmental Health Departmental eliminating access to the public.

Environmental Committee

1. The conditional use permit for the proposed project will be reviewed by Staff on an annual basis to verify adherence to operational statement and required mitigation measures. (MND)

Engineering Department

1. The applicant must comply with the most current edition of the California Guidelines for Disabled Access. (MND)
2. The applicant shall obtain all necessary building permits prior to occupancy/construction. (MND)
3. The applicant shall obtain electrical permits from the Building Department for all generators larger than five (5) kilowatts. (MND)
4. The applicant shall provide stabilized entrance/exit to support heaviest vehicles and equipment. Establish all weather surfacing for onsite roads and parking area. (MND)

Road Department

1. Prior to any construction within Cobb Ranch public right-of-way, the applicant will submit a completed application and pay all fees for an encroachment permit at Caltrans or the Madera County Road Department (depending upon jurisdiction at that time). No construction will begin until the application is deemed complete and the permit issued. (MND)

Fire Department

1. The above referenced project is protected by the Madera County Fire Department. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection development requirements. All new construction shall comply with existing Uniform Fire Code requirements and all applicable statutes, codes, ordinance. (MND)
2. Fire apparatus access roads for this project shall meet Uniform Fire Code requirements (UFC 901 & 902). (MND)
3. Fire extinguishers are required in accordance with Uniform Fire Code Standard 10-1. (MND)
4. Exit doors, exit signs and elevator requirements are to be installed per UBC. (MND)
5. If used, generators shall be grounded and cords shall not be exposed as a tripping hazard. (MND)
6. No smoking signs shall be posted. (MND)
7. Site plan and details of corn maze and pumpkin patch shall be submitted for

further review prior to public opening. ((MND)

8. The requirements and conditions of approval noted above have been established based on the information submitted for review. Additional and/or modified conditions may be applied at such time as final development plans (including construction drawings for building permits) are submitted, or if any changes are made to the project. Please submit construction plans and final plot plans to ensure the proper application of codes. (MND)

Environmental Health Department

1. The applicant has submitted an application for a health permit to operate as a temporary event that will allow the operator to sell pre-packaged food and drinks from September 21, 2002 through November 3, 2002, not to exceed 22 non-consecutive days of operation. If the conditions of the temporary event permit are inaccurate and do not reflect the intended operation of the concession facilities the applicant must contact the Environmental Health Department and revise the health permit to accurately reflect the intended operations. Contact Wendylyn Burns, the food program manager for the Environmental Health Department, for specific requirements applicable to the project. (MND)
2. At such time the applicant provides drinking water to more than 25 people for more than 60 days a year, a permit to operate a water system shall be required. (MND)
3. Interim use of portable toilets and handwash facilities requires that the applicant provide the Environmental Health Department with a signed contract from a portable toilet service company that designates the number of toilets and maintenance frequencies. (MND)
4. Sufficient handwash facilities, as determined by the Environmental Health Department, shall be located adjacent to the proposed animal petting zoo. (MND)
5. The construction, maintenance, and use of subject portable toilets and handwash facilities must meet the acceptance of the Environmental Health Department at all times. (MND)
6. If the Environmental Health Department should determine that a problem or health concern exists as a result of the ongoing use of portable toilets, a requirement for permanent restroom facilities may be imposed upon the project applicant. (MND)
7. All noise generated from this operation must conform with the noise limitations in the State Model Community Noise Control Ordinance. (MND)

Planning Department

1. The project shall operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project. (MND)
2. All driveways, parking areas, and circulation paths shall be surfaced with gravel, crushed rock, or similar material approved by the Planning Department. (MND)
3. Any outdoor lighting installed for the facility shall be hooded and directed away

from surrounding properties and roadways. (MND)

4. All activities related to the proposal shall begin no earlier than September 1 and shall cease by the end of October.
5. Any significant changes in or relocation of the operation will require review and approval of a new conditional use permit.
6. A parking and circulation plan shall be submitted to the Planning Department for review and approval. This plan shall indicate circulation patterns, the location of the facility's entrance and entrance signage, and any other pertinent information related to the ingress and egress of traffic for the operation.
7. There shall be a minimum of 333 parking spaces and temporary chalk lines and/or wheel stops to define the parking spaces on the project site.

Department of Transportation (CALTRANS)

1. An encroachment permit must be obtained from this agency for any work within the State right-of-way. Engineered drawings of all work are to be submitted with the application and shall be prepared in both Metric and dual units (English and Metric). Proposed work planned with the State right-of-way will be performed to State standards and specifications at no cost to the State. Plans for said work must be submitted to the District encroachment permit office. All encroachment permit applications will be reviewed for environmental compliance and subject to functional unit reviews by other departments of Caltrans who may place additional conditions on the project prior to issuance of the permits. Work started by the permittee upon issuance of the permits constitutes full acceptance of the terms of the permits. Encroachments are subject to removal by the department in accordance with Section 673 and 720 of the Streets and Highways Code. (MND)
2. Advertising signs within the immediate area outside the State right-of-way need to be cleared through the Caltrans Right-of-Way Division. The project proponent must construct and maintain the advertising signs without access to the State Routes. (MND)
3. Any existing or proposed driveways accessing State right-of-way must meet current State standards. (MND)

San Joaquin Valley Unified Air Pollution Control District

1. The construction phase of the project is subject to Regulation VIII of the San Joaquin Valley Unified Air Pollution Control District. The Air District should be consulted regarding the implementation of this regulation. (MND)

DATE: September 3, 2002; REF: CUP #2002-15; FILE: #049-085-019



Product Comparison

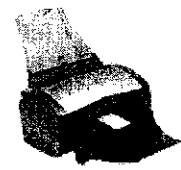
Compare by: Key Attributes



Xerox DocuMate 3115 Document Scanner



HP ScanJet 5000 Document Scanner



Xerox DocuMate 2621

Extranet Price
\$410.96

Extranet Price
\$733.15

Extranet Price
\$993.50

Availability	2-4 days	In Stock	In Stock
MFG Part #	XDM31155M-WU	L2715A#BGJ	XDM26215D-WU
CDW Part #	2092970	1682111	1411064
Brand	XEROX SCANNERS	Hewlett-Packard	XEROX SCANNERS
UNSPSC	43211711	43211711	43211711
Scanner Type	Sheetfed scanner	Sheetfed scanner	Document scanner, Sheetfed scanner
Interface Type	Hi-Speed USB	Hi-Speed USB	Hi-Speed USB
Max Scan Speed B/W (est)	15 ppm	-	38 ppm
Max Scan Speed Color (est)	15 ppm	-	37 ppm
Max H-Resolution	600 dpi	600 dpi	200 dpi, 600 dpi
Max V-Resolution	-	600 dpi	600 dpi
Color Depth	-	48-bit color	48-bit color
Warranty	1 year warranty	1 year warranty	1 year warranty

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Resource Management Agency
MADERA COUNTY CODE ENFORCEMENT
COMPLIANCE NOTICE

James E. Cobb
8805 Highway 41
Fresno, CA 93720

Location of Violation:
8805 Highway 41, Fresno
APN #049-085-019

Cobb Ranch Compliance Notice – October 19, 2009

This is a list compiled by the Resource Management Agency of all the known violations, issues, and unresolved problems located at Cobb Ranch which infringe on public health and safety as well as Local, State and Federal statutes. However, this does not prohibit the County from noting new violations which may have occurred since the last site inspection.

Acceptable methods of compliance are in **bold** for your consideration.

All on-site activities must meet compliance with state laws, regulations, and local ordinances:

Planning Department

1. A complete site plan showing all structures on the property must be submitted. Per the zoning ordinance, two (2) dwellings are allowed by right in the ARV-20 zone district. Multiple homes have been documented on the properties. **A detailed site plan of all existing structures and a detailed operational statement must be submitted in order to determine consistency of existing structures and uses on the property. Proper building permits and entitlements, where required, must be obtained for these dwellings.**
2. The Christmas tree lot has been expanded beyond what was previously recognized by Conditional Use Permit #2003-001. This includes, but is not limited to, the large tent structure, the bathroom, expanded sales area, and additional vendors. **An amended conditional use permit application must be submitted in order to legalize the expansion of the business. This includes the submittal of a detailed site plan of all existing structures and a detailed operational statement.**
3. Additional, non-agriculturally related businesses are not permitted on the property. The zone district only allows for agriculturally oriented services with the obtainment of a conditional use permit. **A detailed site plan of all existing structures and a detailed operational statement must be submitted in order to determine consistency of existing structures and uses on the property.**

must be submitted proving sewage system adequacy for the maximum number of people attending any single event. If the onsite sewage disposal system is not adequate, a proposed design report demonstrating adequate capacity must accompany the assessment and capacity report.

3. **Water System Compliance:** Public Water System data has been submitted and meets compliance of Section 116525 California Health and Safety Code. **However, in order to continue to operate this Public Water System, water sample results and ongoing water data must continue to be submitted to ensure ongoing compliance.**
4. **Food Operations:** Health Permits for an organizer and temporary food facilities have been obtained in compliance with Section 114381.1 & 2 of the California Health and Safety Code. **However, each event that involves food that is being distributed to the public will require a separate Organizer and Food Vending Permit for each event.** Permanent kitchen facilities for onsite food preparation operations other than stated in this Section are prohibited unless appropriate permits are first obtained.

Grading/Flood Department

1. All new structures must comply with FEMA regulations for the area. This includes, but is not limited to, the large tent structure, bathrooms, and the converted barn structure. **Please obtain a flood certificate or a Letter of Map Revision (LOMR) from FEMA for these structures. However, whether or not a flood certificate or a LOMR is obtained, grading permits are required for all structure in order to comply with County Codes 14.50 (Grading and Erosion Control) & 14.60 (Flood Control).**

Fire Department

1. The existing tent structure is an immediate safety concern as it is in violation of both the CFC and CCR Title 19 standards for assembly occupancies. The tent structure shall not be occupied until permits are received, and a Certificate of Occupancy has been issued by the Building Department. **Submittal of building permits will be needed for compliance.**
2. All temporary tent/membrane structures shall meet minimum CBC, CFC and CCR Title 19 standards. No tent structure shall be utilized for any purpose until permits have been received, and a Certificate of Occupancy has been issued by the Building Department. **Submittal of building permits will be needed for compliance.**
3. The existing electrical installation does not meet minimum code requirements and is an immediate hazard to life and property. Immediate

Resource Management Agency
MADERA COUNTY CODE ENFORCEMENT
COMPLIANCE NOTICE

James E. Cobb
8805 Highway 41
Fresno, CA 93720

Location of Violation:
8805 Highway 41, Fresno
APN #049-085-019

Cobb Ranch Compliance Notice – October 19, 2009

This is a list compiled by the Resource Management Agency of all the known violations, issues, and unresolved problems located at Cobb Ranch which infringe on public health and safety as well as Local, State and Federal statutes. However, this does not prohibit the County from noting new violations which may have occurred since the last site inspection.

Acceptable methods of compliance are in **bold** for your consideration.

All on-site activities must meet compliance with state laws, regulations, and local ordinances:

Planning Department

1. A complete site plan showing all structures on the property must be submitted. Per the zoning ordinance, two (2) dwellings are allowed by right in the ARV-20 zone district. Multiple homes have been documented on the properties. **A detailed site plan of all existing structures and a detailed operational statement must be submitted in order to determine consistency of existing structures and uses on the property. Proper building permits and entitlements, where required, must be obtained for these dwellings.**
2. The Christmas tree lot has been expanded beyond what was previously recognized by Conditional Use Permit #2003-001. This includes, but is not limited to, the large tent structure, the bathroom, expanded sales area, and additional vendors. **An amended conditional use permit application must be submitted in order to legalize the expansion of the business. This includes the submittal of a detailed site plan of all existing structures and a detailed operational statement.**
3. Additional, non-agriculturally related businesses are not permitted on the property. The zone district only allows for agriculturally oriented services with the obtainment of a conditional use permit. **A detailed site plan of all existing structures and a detailed operational statement must be submitted in order to determine consistency of existing structures and uses on the property.**

Building Department

1. An overall site plan of the entire Cobb Ranch property shall be submitted showing all improvements. **Each improvement will be reviewed separately to determine if permits were obtained. If permits are required, an application shall be submitted for review and comments prior to occupancy.** Otherwise, it is in direct violation of the 2007 California Building Codes.
2. The existing tent structure is an immediate safety concern as it is in violation of both the California Fire Code and the California Building, Mechanical, Plumbing and Electrical Codes. The tent structure shall not be occupied until permits are received, and a Certificate of Occupancy has been issued by the Building Department. Also, "seatrains" containers have been permanently attached to the tent structure with additional electrical and mechanical units. At this point it is unknown what this additional electrical is serving other than the mechanical units and lights within the tent structure. **In short, this tent structure is now considered an assembly occupancy which is subject to additional exiting, accessibility compliance, restrooms, parking requirements, as well as, an updated CUP and RMA department review prior to occupancy. Comply with the previous requirements of submittal of site plans, building permits and a conditional use permit in order to allow for this structure to be utilized.**

Environmental Health

1. CUPA Permits Required: Health & Safety Code Article I, Chapter 6.95 requires a Hazardous Materials Business Plan be submitted for all operations that store regulated hazardous materials/wastes on site. **Please submit a Hazardous Materials Business Plan that identifies the ongoing generation, storage and handling of all regulated hazardous materials/wastes on site.**
2. Onsite Sewage Disposal System Capacity Assessment and Verification Required: Madera County Code 13.57.030 Modification requires that any modification or expansion of existing facilities which materially alters the occupancy or sewage disposal requirements shall require prior approval and a permit. You have previously indicated that large gatherings with as many as 500 people are present during events you allow on the property. **A sewage disposal system assessment and capacity report performed by a qualified professional (Registered Environmental Health Specialist, Registered Engineer or Registered Geologist)**

EXHIBIT I

must be submitted proving sewage system adequacy for the maximum number of people attending any single event. If the onsite sewage disposal system is not adequate, a proposed design report demonstrating adequate capacity must accompany the assessment and capacity report.

3. Water System Compliance: Public Water System data has been submitted and meets compliance of Section 116525 California Health and Safety Code. **However, in order to continue to operate this Public Water System, water sample results and ongoing water data must continue to be submitted to ensure ongoing compliance.**
4. Food Operations: Health Permits for an organizer and temporary food facilities have been obtained in compliance with Section 114381.1 & 2 of the California Health and Safety Code. **However, each event that involves food that is being distributed to the public will require a separate Organizer and Food Vending Permit for each event.** Permanent kitchen facilities for onsite food preparation operations other than stated in this Section are prohibited unless appropriate permits are first obtained.

Grading/Flood Department

1. All new structures must comply with FEMA regulations for the area. This includes, but is not limited to, the large tent structure, bathrooms, and the converted barn structure. **Please obtain a flood certificate or a Letter of Map Revision (LOMR) from FEMA for these structures.** However, whether or not a flood certificate or a LOMR is obtained, grading permits are required for all structure in order to comply with County Codes 14.50 (Grading and Erosion Control) & 14.60 (Flood Control).

Fire Department

1. The existing tent structure is an immediate safety concern as it is in violation of both the CFC and CCR Title 19 standards for assembly occupancies. The tent structure shall not be occupied until permits are received, and a Certificate of Occupancy has been issued by the Building Department. **Submittal of building permits will be needed for compliance.**
2. All temporary tent/membrane structures shall meet minimum CBC, CFC and CCR Title 19 standards. No tent structure shall be utilized for any purpose until permits have been received, and a Certificate of Occupancy has been issued by the Building Department. **Submittal of building permits will be needed for compliance.**
3. The existing electrical installation does not meet minimum code requirements and is an immediate hazard to life and property. Immediate

EXHIBIT I

action shall be taken to bring the project site into compliance with Electrical Code requirements. **Submittal of building permits will be needed for compliance.**

4. Open flame devices of any kind in an assembly occupancy require an operational permit from the Madera County Fire Marshal. No use of open flame is permitted until a permit has been secured.
 5. Multiple Health and Safety Code violations exist project-wide. These violations pose a high safety hazard risk to employees and clients/guests. All unpermitted building are to remain unoccupied until a Certificate of Occupancy has been issued by the Building Department. **Submittal of building permits will be needed for compliance.**
 6. At the time of application for a Building Permit, an in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal.
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