



# Community and Economic Development Planning Division

- 200 W. 4<sup>th</sup> Street  
Suite 3100  
Madera, CA 93637
- (559) 675-7821
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Jamie Bax  
Director

**PLANNING COMMISSION DATE:**      **November 12, 2024**

**AGENDA ITEM:**      **#1**

<b>CUP</b>	<b>#2024-014</b>	<b>Conditional Use Permit to establish and operate a bulk liquid fertilizer mixing facility.</b>
<b>APN</b>	<b>027-202-049</b>	<b>Applicant/Owner: BRAVE FLOWERS, LLC</b>
<b>CEQA</b>	<b>Exempt</b>	<b>Section 15301 Existing Facilities and Section 15061 (b)(3) Review for Exemption</b>

**REQUEST:**

The applicant is requesting to establish and operate a bulk liquid fertilizer mixing facility, providing services to the Central Valley Growers.

**LOCATION:**

The subject property is located on the east side of Road 20, 455 feet south of its intersection of Avenue 22 (APN:027-202-049), Chowchilla.

**ENVIRONMENTAL ASSESSMENT:**

CEQA Exemption Section 15301 Existing Facilities consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures. Section 15061 (b)(3) Review for Exemption is covered by the commonsense exemption that CEQA applies only to projects that have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.



**RECOMMENDATION:** Adoption of a resolution approving Conditional Use Permit #2024-014 subject to conditions and concurrence with Findings of Fact.

**GENERAL PLAN DESIGNATION (EXHIBIT A):**

SITE: AR (Agricultural Residential) Designation

SURROUNDING: AR (Agricultural Residential) Designation  
AE (Agricultural Exclusive) Designation

**ZONING (EXHIBIT B)**

SITE: ARE-20 (Agricultural, Rural, Exclusive - Twenty Acre) District

SURROUNDING: ARE-20 (Agricultural, Rural, Exclusive - Twenty Acre) District  
AR-5 (Agricultural, Rural – Five Twenty Acre) District

**LAND USE:**

SITE: Agricultural

**SIZE OF PROPERTY:** 15.81 Total Acres

**ACCESS (EXHIBIT B):** Access to the site is via Road 20

**WILLIAMSON ACT:**

The subject property is not subject to a Williamson Act (Agricultural Preserve) contract.

**BACKGROUND AND PRIOR ACTIONS:**

In 1985, Conditional Use Permit #85-35 was approved to construct a 12,000 square foot building and operate an Almond Plant.

**PROJECT DESCRIPTION:**

The project proponent is proposing to establish and operate a bulk liquid fertilizer mixing facility. At this facility, dry fertilizer materials are dissolved in water using an agitator pump to circulate the contents and combined with other liquid fertilizer products to create custom blends. These liquid fertilizer formulations are then transferred into ball trailers or plastic tote tanks, where the finished product is transferred to the storage tanks on the client's farm. The project site is currently flat and zoned as ARE-20 (Agriculture, Rural, Exclusive 20-acre) District, with a land use designation of Agricultural Residential. Surrounding properties to the east, north, and west are zoned AR-5 (Agriculture, Rural, 5-acre) District, while those to the south are designated as Open Space (OS) District. Given the surrounding zoning, agricultural activities dominate operations in the area.

Located on the southwest side of the property is 3 existing structures (refer to Figure 2). The first structure is an 8,000-square-foot canopy; 45 feet to the north of the canopy is a 12,000-square-foot building and 45 feet to the second is another 12,000-square-foot building where the mixing tanks will be located, refer to figure 1 for the layout. Located on

SJR

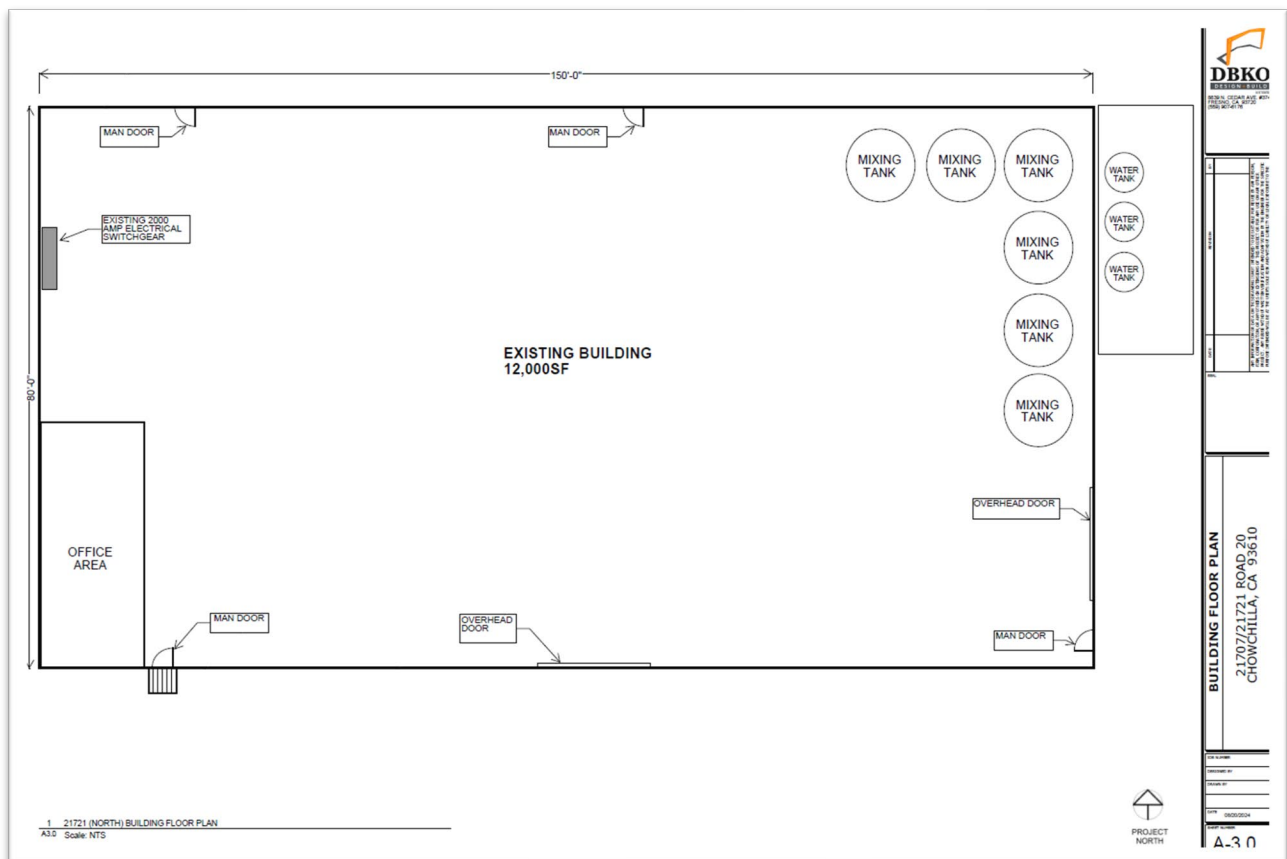
**CUP #2024-014**  
**STAFF REPORT**

**November 12, 2024**

the southeast side of the property is an existing stormwater basin. Access to the property will be from Road 20. The property is bordered by a 6-foot chain link fence that runs east to west and divides the property from the existing structures and storm basin. Located on the west side of the fence are two, 30-foot rolling gates and a 20-foot rolling gate on the fence dividing the property from north to south.

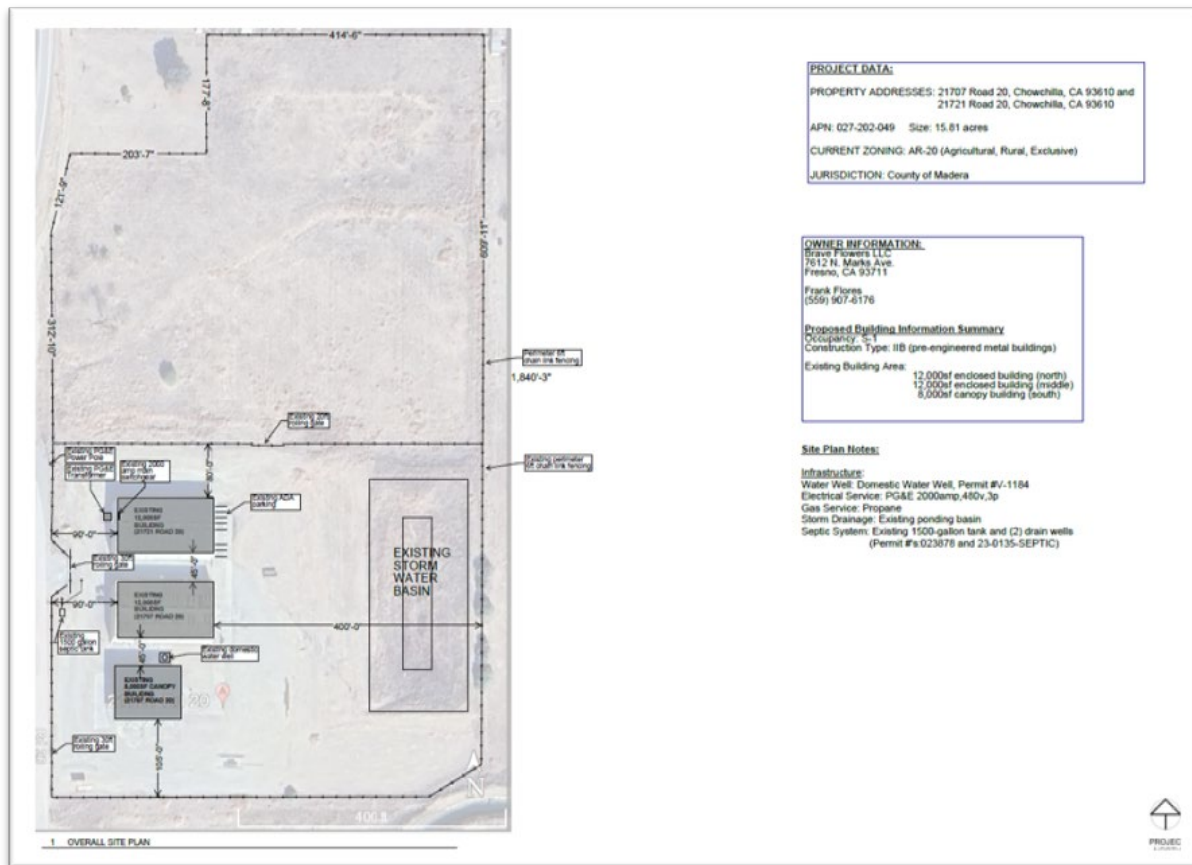
As previously stated, the project proponent proposes operating a fertilizer mixing facility. The project will operate 12 months out of the year, Monday through Saturday from 7:00 am to 5:00 pm. However, peak season is anticipated to be between February through September and increased operations are anticipated during the peak season. The products that are produced at the facility will be pumped into ball trailers and delivered to the customers using a Dodge Ram 3500 or similar type of vehicle with an estimated 2-3 deliveries per day during the peak season. Because the product will be delivered, customer traffic to the facility will be minimal, with a maximum of 2 customers daily. The project intends to start with 5 employees with a total of 10 that will work from 7:00 am to 5:00 pm. The average number of trips the project intends to generate is 12 to 18 trips during peak season; when not in peak season, it will be approximately 14 trips total. The project will utilize the 3 existing buildings on site and does not propose any new construction. Water for the project will be provided from an existing onsite private water well using less than 6 acre-feet of water per year.

Figure 1



SJR

Figure 2



**ORDINANCES/POLICIES:**

Chapter 18.56 of the Madera County Zoning Ordinance outlines the permitted uses within the ARE-20 (Agricultural, Rural, Exclusive – 20 Acre) District.

Section 18.92 of the Madera County Zoning Ordinance outlines the procedures for obtaining Conditional Use Permits.

Policy 5.A.11 The County shall facilitate agricultural production by allowing agricultural service uses (i.e., commercial and industrial uses) to locate in agriculturally designated areas if they relate to the primary agricultural activity in the area.

**ANALYSIS:**

Road 20 is currently classified as a prescriptive roadway and designated as a local road with a 60-foot-wide right-of-way, consisting of 30 feet on each side of the centerline. In accordance with this designation, the applicant is required to dedicate 30 feet of right-of-way along the project’s frontage, extending from the intersection with Fairmead Boulevard to the designated turnaround area. This dedication is

necessary to comply with the road classification requirements and ensure adequate space for future roadway improvements. The applicant must also upgrade the existing approaches to meet the County's current design standards for commercial use, following the specifications outlined in County Standard Details ST-25 or ST-26. Each approach is permitted to have a maximum width of 35 feet, or driveways may occupy no more than 50% of the project's frontage. A Public Works inspector will review the layout and installation to ensure compliance with these standards before approval is granted. Furthermore, all features such as fences and private signs must be placed outside the road right-of-way unless otherwise approved and permitted by the County. This requirement ensures that the right-of-way remains clear for public use and future road expansions or maintenance activities. This analysis ensures that the project is consistent with local roadway standards, supporting safe and efficient access to the site while preserving the necessary right-of-way for public infrastructure.

The proposed project is required to comply with Madera County Code Title 13, specifically addressing regulations for domestic water supply and onsite wastewater treatment systems. This ensures that all water and wastewater operations are consistent with local health and environmental standards. Additionally, the facility may be subject to oversight under the Hazardous Material Business Plan (HMBP) or classified as a Waste Generator, depending on the nature and quantity of hazardous materials present on-site. These determinations will be made in accordance with Article I, Chapter 6.95, of the California Health & Safety Code. The project must submit its HMBP electronically through the California Environmental Reporting System (CERS), a requirement for all Certified Unified Program Agency (CUPA) regulated businesses as of January 2013. A thorough compliance review of the proposed project will be conducted during the permitting phase, covering all relevant local, state, and federal regulations. This will ensure that the project meets the necessary legal requirements before receiving final approval from the county. The construction and operation phases of the project must be managed to prevent any public nuisances. Potential issues such as dust, odors, noise, lighting, vectors, or litter must be mitigated through the use of Best Management Practices (BMPs), in compliance with the County General Plan, county ordinances, and any applicable state or federal laws. The goal is to ensure that the project does not negatively impact surrounding properties or the community during both development and ongoing operation.

#### Conditional Use Permit Analysis

A conditional use permit is an administrative method of providing relief from the strict terms of a comprehensive zoning ordinance. Unlike the variance procedure, the Planning and Zoning Law is silent with respect to the proper criteria to evaluate whether a CUP should be issued. The CUP is well recognized by zoning administrators and the courts as a necessary and proper method to provide flexibility and alleviate hardship. The granting of use permits is a quasi-judicial administrative function. Use permits run with the land (*County of Imperial v.*

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*McDougal*, 19 Cal. 3d 505, 510 (1977)). Jurisdictions cannot condition a use permit on its' transfer (*Anza Parking Corp. v. City of Burlingame* 195 Cal. App. 3d 855, 860 (1987)). This basically means that if the facility were to be sold to a new owner, that new owner would have to abide by the conditions in place at time of sale. If the Conditional Use Permit were amended (increase in footprint of the site, new amenities, etc.), then new conditions can be applied dependent on what is being amended. The original conditions would remain in place and enforceable.

The Conditional Use Permit allows the jurisdiction to allow uses that are not typically seen on proposed sites with a series of conditions that would reduce (or eliminate) any potential impacts related to the project. In addition, should an applicant fail to adhere to any of the conditions of approval, having the CUP in place gives the County more leverage to enforce the conditions. This can include up to, and including, revocation of the CUP for failure to adhere to conditions. The county does not necessarily jump right to revocation hearings but goes through the steps of working with the applicant to come into compliance first. If failure to comply continues, then Staff has the standing to bring the CUP to a public hearing before the Planning Commission and to request revocation.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$50.00 to cover the Notice of Exemption (CEQA) filing at the Madera County Clerks' office. The County Clerk Fee is due within five days of approval of this permit at the Planning Commission.

**FINDINGS OF FACT:**

The following findings of fact must be made by the Planning Commission to make a finding of approval of the project. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following:

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance in that the applicant is requesting to establish and operate a bulk liquid fertilizer mixing facility. This proposal is in compliance with the underlying general plan of AR (Agricultural Residential), which provides for limited agricultural uses.*
2. *The proposed project is not contrary to the public health, safety, or general welfare. No activities from the proposed project will have a significant impact on the public's health, safety, or general welfare. Conditions have been placed that will minimize any harm to the surrounding environment.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors, in*

that the project must adhere to the conditions of approval. The proposal will not involve harmful factors to the surrounding environment. The proposed operation will not require new construction and will provide services to surrounding agricultural activities.

4. *The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties.* Due to the existing nature of the fertilizing mixing facility, the operation will not have a negative effect on surrounding properties.

**GENERAL PLAN CONSISTENCY:**

The General Plan is listed as AR (Agricultural Residential) which would allow for limited agricultural uses. The property is zoned ARE-20 (Agricultural, Rural, Exclusive) which is to accommodate a wide range of agricultural uses. The uses allowed are a reflection of the General Plan designation. The Zoning and General Plan are all consistent with the proposed use.

**RECOMMENDATION:**

The analysis provided in this report supports approval of the Conditional Use Permit (CUP #2024-014) and concurrence with the Findings of Fact supporting approval.

**CONDITIONS:**

See attached conditions of approval.

**ATTACHMENTS:**

1. Resolution
2. Exhibit A, General Plan Map
3. Exhibit B, Zoning Map
4. Exhibit C, Assessor's Map
5. Exhibit D, Site Plan
6. Exhibit D-1, Floor Plan
7. Exhibit E, Aerial Map
8. Exhibit F, Topographical Map
9. Exhibit G, Operational Statement/Application
10. Exhibit H, Environmental Health Comments
11. Exhibit I, Public Works

## CONDITIONS OF APPROVAL

<b>PROJECT NAME:</b>	CUP#2024-014
<b>PROJECT LOCATION:</b>	Located on the east side of Road 20, 455 feet south of its intersection of Avenue 22 (APN:027-202-049), Chowchilla.
<b>PROJECT DESCRIPTION:</b>	To establish and operate a bulk liquid fertilizer mixing facility providing services to the Central Vally Growers. .
<b>APPLICANT:</b>	Brave Flowers, LLC
<b>CONTACT PERSON/TELEPHONE NUMBER:</b>	Frank Flores 559-907-6176

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Environmental Health</b>					
1	This project shall comply with Madera County Code Title 13 as it relates to domestic water and onsite wastewater treatment systems.	EH			
2	The facility may be regulated under the Hazardous Material Business Plan and or Waste Generator depending on the type and/or amount of hazardous material on-site. (Article I, Chapter 6.95, of the California Health & Safety Code).	EH			
3	As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: <a href="http://www.cers.calepa.ca.go">www.cers.calepa.ca.go</a>	EH			
4	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.	EH			
5	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by Environmental Health	EH			
6	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.	EH			
<b>Public Works</b>					



No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
1	Road 20 is currently classified as a prescriptive roadway and designated as a Local road with a 60-foot-wide right-of-way, including 30 feet on each side of the centerline. The applicant is required to dedicate 30 feet of right-of-way along the project's frontage, from the intersection with Fairmead Boulevard to the turnaround, to comply with the road classification requirements.	Public Works			
2	The applicant is required to upgrade the existing approaches per the County's current design standards for commercial use, as specified in County Standard Details ST-25 or ST-26. Each approach may have a maximum width of 35 feet, or driveways may occupy no more than 50% of the frontage. A Public Works inspector will review the layout and installation for approval.	Public Works			
3	Unless otherwise approved and permitted by the County, all features, such as fences and private signs, must be placed outside the road right-of-way.	Public Works			
<b>Planning</b>					
1	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the conditions of approval required for the project.	Planning			
2	The project shall comply with the standardized conditions identified in the Application & Permit Madera County Planning Commission form.	Planning			
3	The project will comply with the Standard Conditions of Approval outlined in the Application & Permit form	Planning			
4	Sign requirement: A. Total sign area for signs visible from adjacent properties or streets shall not exceed two hundred forty square feet per parcel; B. An additional total sign area of thirty-two square feet per parcel for the display of campaign signs; C. No sign shall exceed two hundred forty square feet in sign area or be taller than ten feet above ground level; D. An additional total sign area of thirty-two square feet per parcel for display of "public announcement signs."	Planning			

BEFORE  
THE PLANNING COMMISSION  
OF THE COUNTY OF MADERA  
STATE OF CALIFORNIA

In the Matter of	)	Resolution No.: <u>PCR 2024-</u>
	)	
MATTER OF BRAVE FLOWERS, LLC	)	RESOLUTION APPROVING THE
CONDITIONAL USE PERMIT #2024-014	)	APPLICATION OF BRAVE FLOWERS, LLC,
	)	FOR A NOTICE OF EXEMPTION UNDER
	)	THE CALIFORNIA ENVIRONMENTAL
	)	QUALITY ACT (CEQA) AND A
_____	)	CONDITIONAL USE PERMIT

**WHEREAS**, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West 4th Street, Madera, California on Tuesday, November 12th, 2024 held a duly noticed public hearing to consider the application of Brave Flowers, LLC, for a Conditional Use Permit; and

**WHEREAS**, County staff has presented substantial factual information regarding the Conditional Use Permit; and

**WHEREAS**, the hearing was to consider the application of Brave Flowers, LLC, for a Conditional Use Permit (CUP #2024-014) to operate a bulk liquid fertilizer mixing facility providing services to the Central Valley Growers; and

**WHEREAS**, the property (APN: 027-202-049) is a 15.81 acre parcel located on the east side of Road 20, 455 feet south of its intersection of Avenue 22 (APN:027-202-049), Chowchilla; and

**WHEREAS**, the property is zoned ARE-20 (Agricultural, Rural, Exclusive - Twenty Acre District); and

**WHEREAS**, the proposed project was categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations,

Title 14, Division 6, Chapter 3), Article 13, Section 15061(b)(3) and Article 19, Section 15301, the proposed project is covered by the commonsense exemption and the categorical exemption for existing facilities; and

**WHEREAS**, the Planning Commission has considered all public testimony and information presented during the public hearing regarding this item.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission finds that:

1. The proposed use is consistent with the General Plan and Zoning Ordinance and any applicable Area Plan or Specific Plan. The General Plan designation for the property is AR (Agricultural Residential) Designation, which allows for a wide range of agricultural uses including agriculturally oriented services. The property is zoned AR which allows for uses that are consistent with the General Plan land use category applicable to the subject property. The Zoning and General Plan designations are consistent with the proposed use.

2. Any potentially significant negative impacts to environmental quality and natural resources have been properly evaluated. Under the provisions of the CEQA Guidelines, Sections 15061(b)(3) and 15301, the proposed project is exempt from CEQA by the commonsense exemption and the categorical exemption for existing facilities.

3. The proposed project does not violate the spirit or intent of the Zoning Ordinance. The applicant is requesting to establish and operate a bulk liquid fertilizer mixing facility providing services to the Central Valley Growers.

4. The request will not be contrary to the public health, safety, or general welfare of the citizens of Madera County. The project is not contrary to the health, safety

or welfare of the public. The project will adhere to the conditions of approval outlined by the Environmental Health Division, Planning Division, and Public Works Department.

5. The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding respective area. The property, as designed, will not have an adverse effect upon the property values and general desirability of the surrounding properties. Due to the agricultural services provided by the proposed project and agricultural activities surrounding the property the project will not have a negative effect on surrounding properties.

**BE IT FURTHER RESOLVED**, that as a result of Findings 1 – 5, the Conditional Use Permit is approved, subject to the applicable conditions.

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\* \* \* \* \*

The foregoing resolution was adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting held before the Madera County Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_ 2024 by the following vote:

COMMISSIONER MILES-MATTINGLY VOTED: \_\_\_\_\_  
COMMISSIONER DAL CERRO VOTED: \_\_\_\_\_  
COMMISSIONER BURDETTE VOTED: \_\_\_\_\_  
COMMISSIONER PALMER VOTED: \_\_\_\_\_  
COMMISSIONER ESTRADA VOTED: \_\_\_\_\_

\_\_\_\_\_  
Tom Burdette, Chairperson

ATTEST:

\_\_\_\_\_  
Secretary of the Planning Commission

Approved as to Legal Form:  
COUNTY COUNSEL

By: Amanda C. Savage  
Digitally signed by: Amanda C. Savage  
DN: CN = Amanda C. Savage  
email = asavage@lozanosmith.com  
C = US O = Lozano Smith  
Date: 2024.10.18 14:35:22 -0700

AVENUE 22 1/4

ROAD 20

AVENUE 22

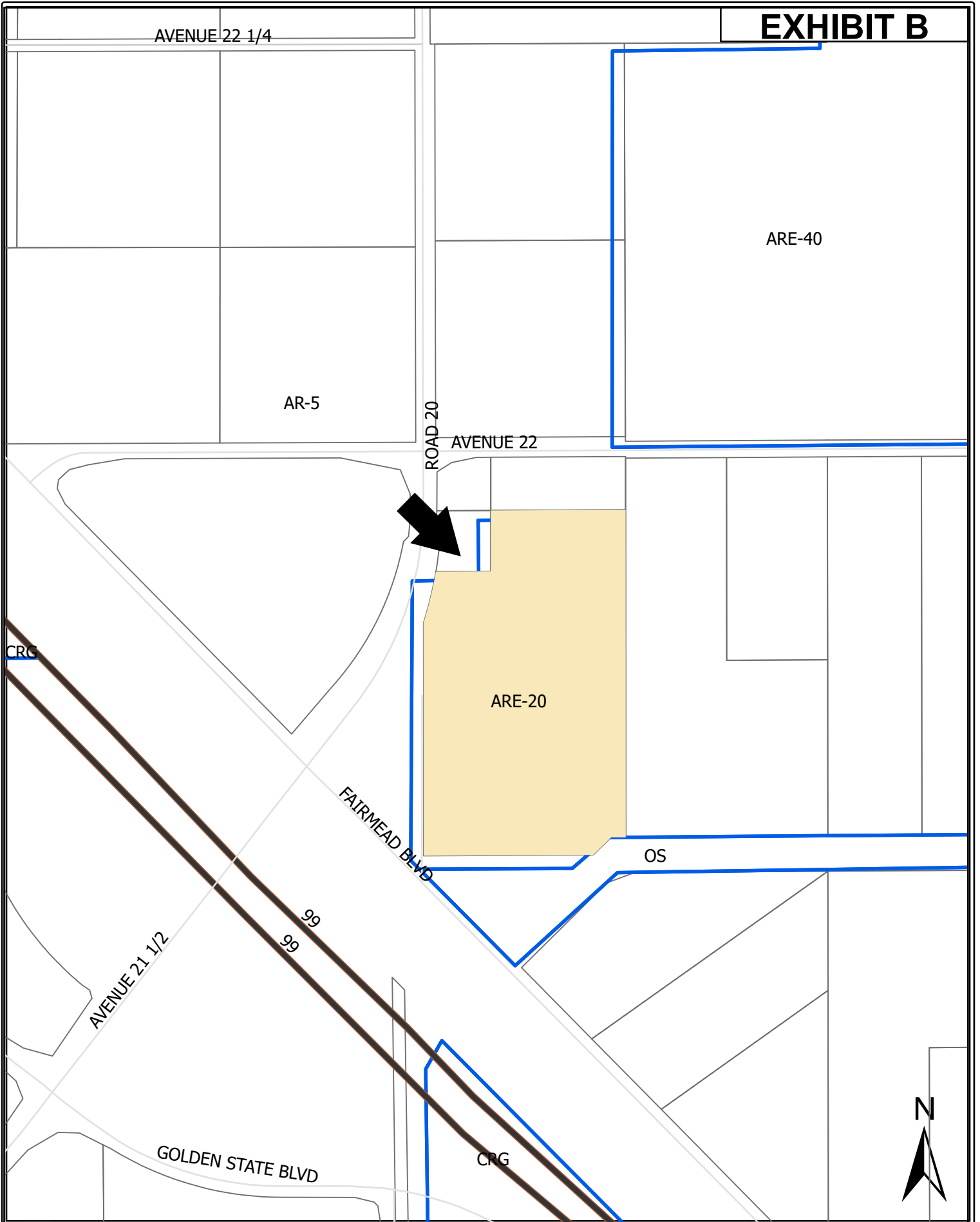
AR

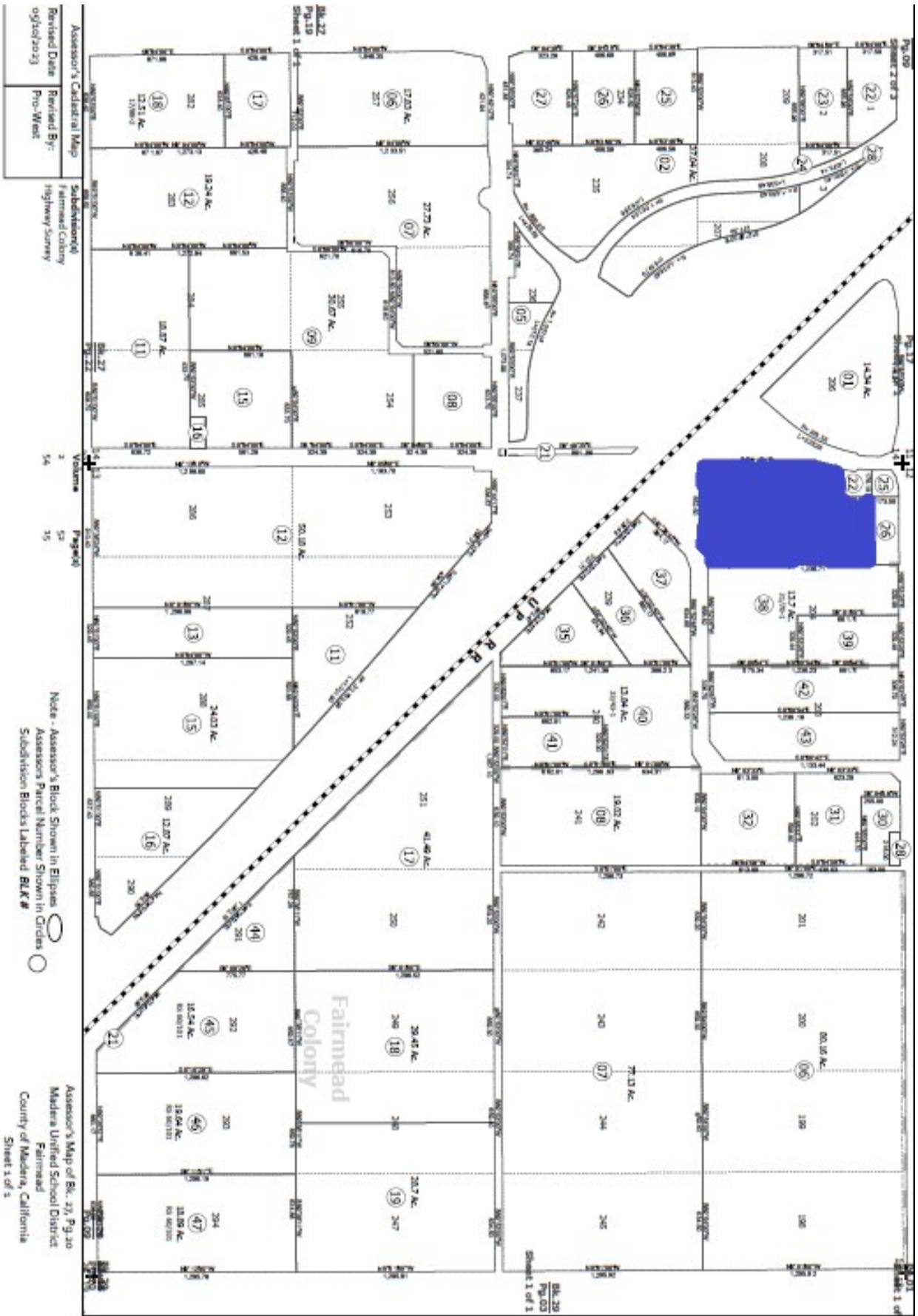
FAIRMEAD BLVD

AVENUE 21 1/2

GOLDEN STATE BLVD

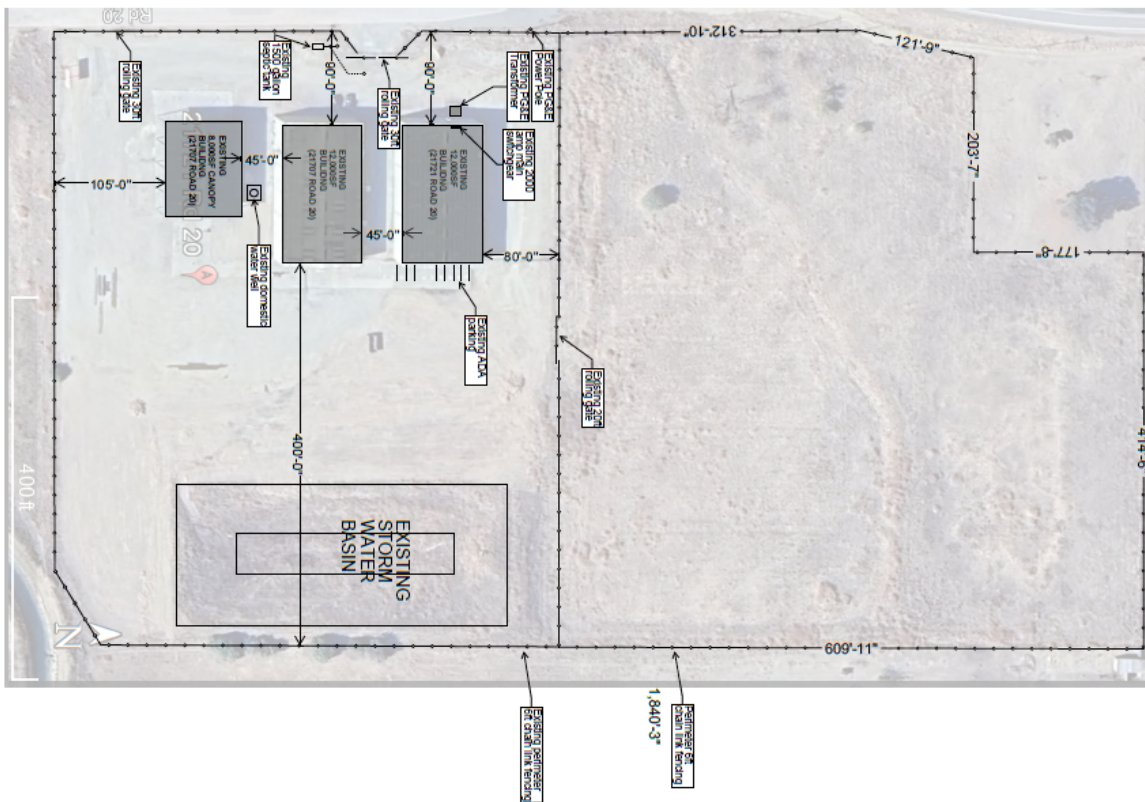








# EXHIBIT D



1 OVERALL SITE PLAN  
 A10 Scale: N15


**PROJECT DATA:**  
 PROPERTY ADDRESSES: 21707 Road 20, Chowchilla, CA 93610 and 21721 Road 20, Chowchilla, CA 93610  
 APN: 027-202-049 Size: 15.81 acres  
 CURRENT ZONING: AR-20 (Agricultural, Rural, Exclusive)  
 JURISDICTION: County of Madera

**OWNER INFORMATION:**  
 Brave Flowers LLC  
 7612 N. Marks Ave.  
 Fresno, CA 93711  
 Frank Flores  
 (559) 907-8776

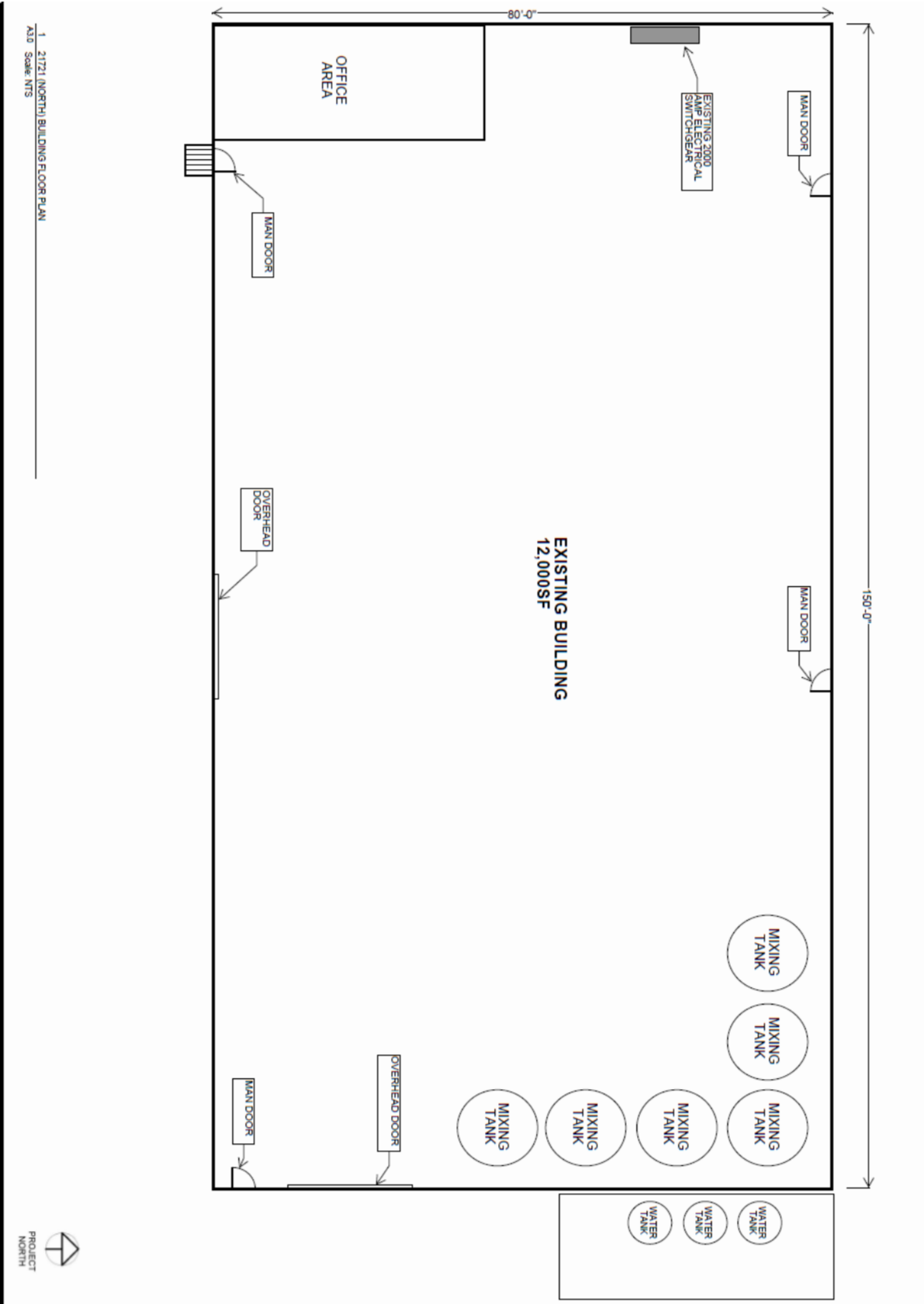
**Proposed Building Information Summary**  
 Occupancy: S-1  
 Construction Type: IIB (pre-engineered metal buildings)  
 Existing Building Area: 12,000sf enclosed building (north), 12,000sf enclosed building (middle), 8,000sf canopy building (south)

**Site Plan Notes:**  
**Infrastructure:**  
 Water Well: Domestic Water Well, Permit #-V-1184  
 Electrical Service: PG&E 2000amp, 480V, 3p  
 Gas Service: Propane  
 Storm Drainage: Existing ponding basin  
 Septic System: Existing 1500-gallon tank and (2) drain wells (Permit #-023878 and 23-0135-SEPTIC)



<b>OVERALL SITE PLAN</b>	21707 / 21721 ROAD 20 CHOWCHILLA, CA 93610	DATE: _____ PROJECT NO: _____	 DESIGN-BUILD CONSULTANTS 1700 N. MARKET STREET FRESNO, CA 93703
A-1.0			

## SITE PLAN



1. 21721 (NORTH) BUILDING FLOOR PLAN  
 A30 SAME NTS



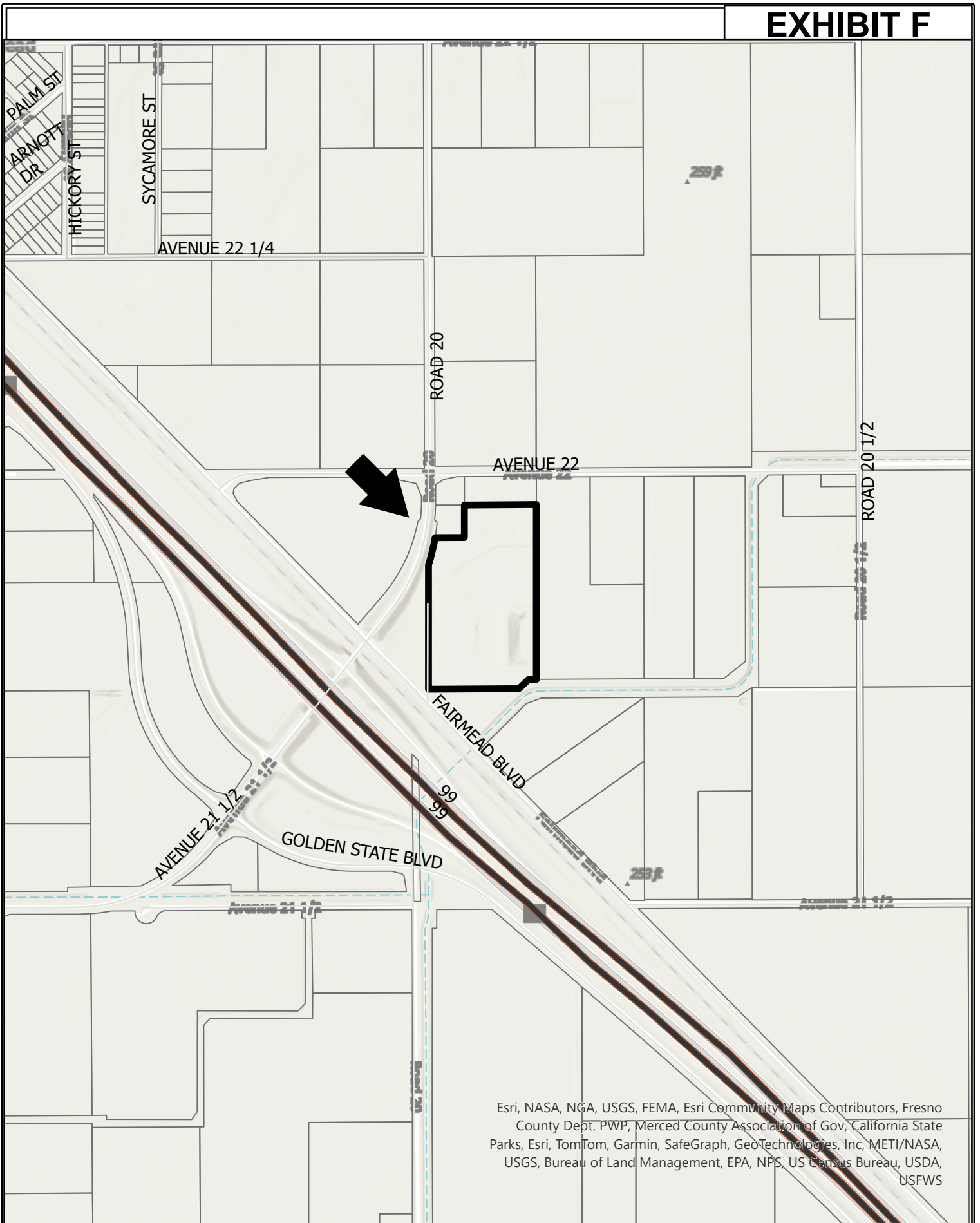
<p><b>A-3.0</b></p>	<p><b>BUILDING FLOOR PLAN</b></p> <p>21707/21721 ROAD 20          CHOWCHILLA, CA 93610</p>	<p>DATE: _____</p> <p>REVISION: _____</p>	





Maxar, Esri Community Maps Contributors, Fresno County Dept. PWP, Merced County Association of Gov, California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS







# Community and Economic Development Planning Division

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## **OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST**

**COMPLETED:  
09/05/2024**

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

**1. Please provide the following information:**

Assessor's Parcel Number: 027-202-049

Applicant's Name: Brave Flowers LLC

Address: 21707 & 21721 Road 20 , Chowchilla, California

Phone Number: 559-907-6176, Frank Flores, frankf@dbkompany.com

**2. Describe the nature of your proposal/operation.**

Our proposed operation will comprise of a bulk liquid fertilizer mixing facility where various dry fertilizer products are dissolved in water and mixed with other liquid fertilizer products. These liquid fertilizer products are pumped into ball trailers and delivered to growers in the valley.

**3. What is the existing use of the property?**

Property is currently zoned - Agriculture. There is a CUP registered for fumigation of export tree nuts.

**4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?**

Various liquid fertilizer products that will be produced onsite. We will deliver these products to various growers in the central valley.

**5. What are the proposed operational time limits?**

Months (if seasonal): This operation will continue throughout the year with peak period from February to September

Days per week: Monday to Saturday

Hours (from 7am-5pm to   ): Total Hours per day: Normally 10 hours per day with some exceptions in peak season time

**6. How many customers or visitors are expected?**

Average number per day: Customers rarely visit the premises. We deliver products to customers at their farm.

Maximum number per day: 1 or 2

What hours will customers/visitors be there? Anytime between 7am-5pm

**7. How many employees will there be?**

Current: 5 for the first 2-3 years

Future: 10

Hours they work: 7am-5pm

Do any live onsite? If so, in what capacity (i.e. caretaker)? No.

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

The equipment comprises of Stainless steel mixing tanks, plastic storage tanks, piping and pumps. Various dry and liquid fertilizer products are procured for use as raw materials in liquid fertilizer mixtures. These raw materials are stored under roof on pallets, in totes and plastic tanks.

9. Will there be any service and delivery vehicles? Yes, trucks will be used to deliver ball trailers filled with fertilizer to customers

Number: 6 delivery trucks.

Type: Dodge RAM 3500 or similar

Frequency: Each truck can do up to 2-3 deliveries per day during peak season time

10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.

8 Parking spaces for employees, customers and delivery vehicles. Existing parking area surface area is covered with a concrete slab.

11. How will access be provided to the property/project? (street name)

Property has a gated access with two rolling gates off of Road 20

12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.

The average number of vehicular trips per day is estimated to be around 12-18 trips per day.

This is for peak season. In off-season it will be less than 20% of that.

13. Describe any proposed advertising, including size, appearance, and placement.

In the future it is our intention to put up a full color advertising sign with company name. The size of the sign could be up to 30 feet wide and 10 feet high.

The sign will be placed on the side of one of the buildings

14. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable.

No new construction is proposed. The three existing buildings on site would be used.

15. Is there any landscaping or fencing proposed? Describe type and location.

The property is currently fenced in. No further landscaping or fencing is proposed.

16. What are the surrounding land uses to the north, south, east and west property boundaries?

The property is surrounded by agriculture uses on all four sides.

17. Will this operation or equipment used, generate noise above other existing parcels in the area?

No

18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).

It is estimated that the amount of water required will be a maximum of 5000 gallons per day during peak season.

Water supply is provided by an existing onsite private water well. Permit #V-1184

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?

The operation does not generate any waste water. Wash water and spilled water are re-used as make-up water for the liquid fertilizer.

The bathroom and kitchen waste water are discharged into the existing onsite septic system. (Permit #'s:023878 and 23-0135-SEPTIC)

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20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?

Solid waste in the form of empty bags are collected in a dumpster and collected and disposed of by a commercial vendor, Mid Valley Disposal. The

total amount of weekly solid waste/garbage would be between 200 and 500 pounds on average.

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21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

No grading is proposed.

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22. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.

No

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23. Locate and show all bodies of water on application plot plan or attached map.

n/a

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24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.

n/a

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25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?

No.

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26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)

Only general public services for a normal business would be required.

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27. How do you see this development impacting the surrounding area?

No adverse impact with regards to noise, pollution, light, etc. Positive impact with regards to job creation in the area. Positive impact with regards to supplying surrounding farmers with liquid fertilizer products.

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28. How do you see this development impacting schools, parks, fire and police protection or special districts?

No significant impact.

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29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s):-

Square feet of building area(s):-

Total number of employees:-

Building Heights:-

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**30.** If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

n/a

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**APPLICATION & PERMIT  
MADERA COUNTY PLANNING  
COMMISSION**

200 W. 4th Street, Suite 3100  
Madera, CA 93637-3593  
.(559) 675-7821.FAX (559) 675-6573

Email: [mc\\_planning@madera-county.com](mailto:mc_planning@madera-county.com)



<input checked="" type="checkbox"/> Conditional Use Permit (CUP)	<input type="checkbox"/> Zoning Permit
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Variance <input type="checkbox"/> Setback
<input type="checkbox"/> General Plan Text Amendment	<input type="checkbox"/> Sign Permit <input type="checkbox"/> Master
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Site Plan Review <input type="checkbox"/> Voluntary
<input type="checkbox"/> Zoning Text Amendment	<input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> Amendment
<input type="checkbox"/> Parcel Map	<input type="checkbox"/> Time Extension
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Ag. Preserve <input type="checkbox"/> New <input type="checkbox"/> Cancel	<input type="checkbox"/> Other

Number _____
Date _____
Fee _____
Penalty _____
Receipt No. _____
Staff Date of Action _____
<input type="checkbox"/> Approve <input type="checkbox"/> Denied
PC Date of Action _____
<input type="checkbox"/> Approve <input type="checkbox"/> Denied
M.O./Res. No. _____
B. of S. Date of Action _____
<input type="checkbox"/> Approve <input type="checkbox"/> Denied

PLEASE PRINT	PROPERTY INFORMATION
<b>Applicant:</b> Brave Flowers LLC	<b>Assessor's Parcel Number(s) (required)</b>
<b>Mailing Address:</b> 7612 N. Marks Ave.	027-202-049
<b>City:</b> Fresno <b>State:</b> CA <b>Zip:</b> 93711	<b>Site Address (if applicable)</b>
<b>Phone:</b> 559-907-6176	21707 and 21721 Road 20, Chowchilla, CA 93610
<b>Email:</b> frankf@dbkcompany.com; talper@mvloans.com	<b>Prior Permit Approvals (if applicable)</b>
<b>Property Owner</b>	CUP 85-35, 83-09, water V-1184
<b>Mailing Address</b>	<b>Intended Use (describe request clearly)</b>
<b>City:</b> <b>State:</b> <b>Zip:</b>	agricultural fertilizer mixing operation.
<b>Phone:</b>	see attached operational statement document.
<b>Email:</b>	
<input checked="" type="checkbox"/> Same as Applicant	

The forgoing information is true and correct to the best of my knowledge and belief. The applicant and property owner hereby acknowledge the requirements as set forth in the Madera County Code and agree to comply with all County and state Laws: (BOTH MUST SIGN)

09/05/2024

Signature of Applicant:  Signature of Property Owner: 

**DO NOT WRITE BELOW THIS LINE**

<input type="checkbox"/> Site Plan Attached	Existing Zone District: _____ P/A: _____
<input type="checkbox"/> Operational/Environmental Statement Attached	Proposed Zone District: _____ Acreage: _____
<input type="checkbox"/> Variance Findings of Fact Attached	Existing General Plan (Area Plan): _____
<input type="checkbox"/> CUP Findings of Fact Attached	Proposed General Plan (Area Plan): _____
<input type="checkbox"/> Map Attached <input type="checkbox"/> Parcel Map <input type="checkbox"/> Subdivision	Community Area Plan: _____
<input type="checkbox"/> Other Information:	

MITIGATION MONITORING AND CONDCTIONS OF APPROVAL:

**PRELIMINARY APPROVAL DATE:** \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**FINAL APPROVAL DATE:** \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

The preliminary approval date is the initial project approval by the governing body. All permits are not considered **complete** until all mitigation measures and conditions of approval, if required, have been met and confirmed by the Planning Department. Applicants should notify the Planning Department periodically to confirm that activity is ongoing for the proposed project or provide updates regarding scheduling for future activity.

The Madera County Standard Conditions of Approval for discretionary projects (SCs) are a set of regulations compiled from established Madera County standards, guidelines, specifications, practices, plans, policies, programs, and commonly applied mitigation measures. It's important to note that these Standard Conditions are in addition to any mitigation measures and any special conditions for the project. Not all conditions listed below may apply, but only the ones that are indicated by a check mark.

### Standard Conditions of Approval

- 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.
- Any existing violations shall be corrected prior to the issuance of any Permit.
- All parking facilities shall include handicap accessible parking spaces. The required number of spaces, as well as their size, location, and design shall conform to the provisions contained in the Americans with Disabilities Act (ADA) and as otherwise required by state and federal law. Handicap parking spaces shall be included in the required number of spaces for a project (i.e., ten spaces required—nine standard spaces and one handicap parking space can be provided).
- All signage shall be approved by the Planning Department prior to installation.
- A landscaping and irrigation plan shall be submitted to the Planning Department for review and approval prior to the release of the conditional use permit. The plan shall show the type of species to be planted, along with their size, location, spacing, etc. Sizing of plants and or trees shall be adequate so as to provide, where required, a fully functional screen within three years of normal growth. The landscaping shall be kept viable and free of weeds and debris.
- If archeological evidence is noted on the site prior to the start of construction, no work shall start without first notifying the Planning Department and completion of an archaeological study.
- Any graffiti on or within the facility must be removed within 72 hours of notice.
- All roadways and parking areas associated with this project must be covered and maintained with material sufficient to create a dust-free environment.
- Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.
- Conditions of approval in all previous Conditional Use Permits remain in effect unless otherwise noted.
- The applicant or applicant's successor in interest shall indemnify and defend and hold harmless the County of Madera, its agents, officers, and employees from any and all claims, actions, or proceedings against the County of Madera, its agents, officers, and employees to attack, set aside, void, or annul any approval by the County of Madera and its advisory agency, appeal board, or legislative body concerning, which action is brought within applicable statutes of limitations. The County of Madera shall promptly notify the applicant or applicant's successor in the interest of any claim or proceedings and shall cooperate fully in the defense. If the County fails to do so, the applicant or applicant's successor in interest shall not thereafter be responsible to defend, indemnify or hold the County harmless. This condition may be placed on any plans or other documents pertaining to the applicant's project.

Signature of Applicant:  Date: 9-6-2024



Community and Economic Development  
Environmental Health Division

Dexter Marr  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

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MEMORANDUM

TO: Sam Rashe  
FROM: Dexter Marr, Environmental Health Division  
DATE: September 17, 2024  
RE: Brave Flowers LLC - Conditional Use Permit - Chowchilla (027-202-049-000)

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Comments

TO: Planning Division  
FROM: Environmental Health Division  
DATE: September 12, 2024  
RE: Conditional Use Permit (CUP) #2024-14, Brave Flowers LLC,  
Chowchilla APN 027-202-049

The Environmental Health Division Comments:

This project shall comply with Madera County Code Title 13 as it relates to domestic water and onsite wastewater treatment systems.

The facility may be regulated under the Hazardous Material Business Plan and or Waste Generator depending on the type and/or amount of hazardous material on-site. (Article I, Chapter 6.95, of the California Health & Safety Code)

As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: [www.cers.calepa.ca.gov](http://www.cers.calepa.ca.gov)

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

If there are any questions or comments regarding these conditions, contact this Division at (559) 675-7823.

**COUNTY OF MADERA**  
**DEPARTMENT OF PUBLIC WORKS**

200 West 4th Street  
Madera, CA 93637-8720  
Main Line - (559) 675-7811  
Special districts - (559) 675-7820  
Fairmead Landfill - (559) 665-1310

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**MEMORANDUM**

**DATE:** September 17, 2024  
**TO:** Sam Rashe  
**FROM:** Phu Duong, Public Works  
**SUBJECT:** Brave Flowers LLC - Conditional Use Permit - Chowchilla (027-202-049-000)

**Comments**

Public Works Dept. Conditions of approval:

Road 20 is currently classified as a prescriptive roadway and designated as a Local road with a 60-foot-wide right-of-way, including 30 feet on each side of the centerline. The applicant is required to dedicate 30 feet of right-of-way along the project's frontage, from the intersection with Fairmead Boulevard to the turnaround, to comply with the road classification requirements.

The applicant is required to upgrade the existing approaches per the County's current design standards for commercial use, as specified in County Standard Details ST-25 or ST-26. Each approach may have a maximum width of 35 feet, or driveways may occupy no more than 50% of the frontage. A Public Works inspector will review the layout and installation for approval.

Unless otherwise approved and permitted by the County, all features, such as fences and private signs, must be placed outside the road right-of-way.