



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 6 July 26, 2018

SUBJECT: Initial Study Application No. 7215 and Classified Conditional Use Permit Application No. 3547

Allow a Solid Waste Processing Facility for the recovery of materials from construction waste and demolition waste on a 9.04-acre parcel in the M-3 (Heavy Industrial) Zone District.

LOCATION: The subject parcel is located on the east side of Cedar Avenue, between American and Malaga Avenues, approximately 1,673 feet south of the nearest city limits of the City of Fresno (4664 S. Cedar Avenue) (Sup. Dist. 3) (APN 330-211-08).

OWNER: Daniel Bowen
APPLICANT: Bowen Engineering and Environmental

STAFF CONTACT: Derek Chambers, Planner
(559) 600-4205

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) No. 7215; and
- Approve Classified Conditional Use Permit (CUP) No. 3547 with recommended Findings, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Elevation Drawings
7. Applicant’s Operational Statement
8. Summary of Initial Study Application No. 7215
9. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	General Industrial in the County-adopted Roosevelt Community plan	No change
Zoning	M-3 (Heavy Industrial)	No change
Parcel Size	9.04 acres	No change
Project Site	9.04-acre parcel; Contractor’s Storage Yard authorized by Site Plan Review (SPR) No. 7049; 7,460 square-foot warehouse with office space and septic system; Liquefied Petroleum Gas (LPG) tank; water well; five water storage tanks (54,000 gallon collective capacity); stormwater retention basin; paved parking lot with two paved driveways accessing Cedar Avenue; 80-foot wide railroad easement (Atchison, Topeka and Santa Fe Railway) along eastern boundary of subject parcel (deeded to the State of California for High-Speed Rail purposes on July 20, 2016); private irrigation pipeline identified as Viau South Branch No. 232 along western boundary of subject parcel	<p>Solid Waste Processing Facility to recover concrete, asphalt concrete, wood and metal from construction waste and demolition waste; recovered materials will be sorted, processed and stockpiled at the subject parcel in order to be sold as usable materials.</p> <p>Proposed improvements to be utilized: 9,000 square-foot storage building; truck scale; portable crusher registered with the San Joaquin Valley Air Pollution Control District (Air District); permanent crusher may be installed on the subject parcel in the future.</p>

Criteria	Existing	Proposed
Structural Improvements	7,460 square-foot warehouse with office space and septic system	No change
Nearest Residence	Approximately 20 feet south of the subject parcel	No change
Surrounding Development	Mixed agricultural, residential and industrial land uses; State Route (SR) 99 approximately one and a quarter-mile east of the subject parcel	No change
Operational Features	N/A	See discussion below under the Background Information section
Employees	N/A	Approximately 10
Customers	N/A	No on-site sales
Traffic Trips	N/A	Approximately 30 one-way truck trips (15 round trips) per day, seven days per week, year-round; Approximately 20 one-way employee trips (10 round trips) per day, seven days per week, year-round.
Lighting	N/A	Outdoor lighting on site and building exterior
Hours of Operation	N/A	6:00am until 6:00pm, seven days per week, year-round; Use of crushing equipment limited to 7:00am until 3:30pm, seven days per week, year-round.

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: No

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has

determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: June 15, 2018

PUBLIC NOTICE:

Notices were sent to 31 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Classified Conditional Use Permit (CUP) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on a Classified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

This proposal entails authorization of a Solid Waste Processing Facility on a 9.04-acre parcel in the M-3 (Heavy Industrial) Zone District. According to the Operational Statement submitted for this proposal, the proposed Solid Waste Processing Facility will recover concrete, asphalt concrete, wood and metal from construction waste, and demolition waste. Further, the recovered materials will be sorted, processed and stockpiled at the subject parcel in order to be sold as usable materials.

The proposed Solid Waste Processing Facility will be operational from 6:00am until 6:00pm, seven days per week year-round; however, use of crushing equipment will be limited to 7:00am until 3:30pm. Further, the proposed facility will process approximately 15 truckloads of waste per day with approximately 20 tons of waste per truckload.

It is noted by Staff that the subject parcel is currently utilized by the Applicant as a Contractor's Storage Yard, as authorized by Site Plan Review (SPR) No. 7049, which was approved on May 8, 2000. Further, the existing Contractor's Storage Yard use will continue with the operation of the proposed Solid Waste Processing Facility. Existing improvements located on the subject parcel include a 7,460 square-foot warehouse with office space and septic system; Liquefied Petroleum Gas (LPG) tank; water well; five water storage tanks (54,000 gallon collective capacity); stormwater retention basin; and paved parking lot with two paved driveways accessing Cedar Avenue. Additionally, the subject parcel has an existing 80-foot wide railroad easement (Atchison, Topeka and Santa Fe Railway) along its eastern boundary that was deeded to the State of California for High-Speed Rail purposes on July 20, 2016. Further, an unlined Fresno Irrigation District (FID) canal identified as Viau Canal No. 25 is northerly adjacent to the northern property line of the subject parcel, and a private irrigation pipeline identified as Viau South Branch No. 232 traverses the western boundary of the subject parcel.

New improvements to be utilized with the proposed Solid Waste Processing Facility include a 9,000 square-foot storage building and a truck scale. Additionally, a portable crusher registered with the San Joaquin Valley Unified Air Pollution Control District (Air District) will be utilized with the proposed Solid Waste Processing Facility, and a permanent crusher may be installed on the subject parcel in the future.

Finding 1: *That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.*

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	None (not adjacent to residentially-zoned property)	N/A	N/A
Parking	<p><u>Solid Waste Processing Facility:</u> One standard parking space for each two permanent employees; one standard parking space for each truck operated by the facility</p> <p><u>California Building Code:</u> At least one parking space for the physically handicapped per every 25 parking spaces at a facility</p>	Paved parking area with 10 standard parking spaces and one parking space for the physically handicapped	Yes
Lot Coverage	No requirement	N/A	N/A
Space Between Buildings	Six feet minimum (75 feet minimum between human habitations and structures utilized to house animals)	No change	Yes
Wall Requirements	None (not adjacent to residentially-zoned property)	N/A	N/A
Septic Replacement Area	100 percent	No change	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: Existing and proposed improvements satisfy the development standards of the M-3 (Heavy Industrial) Zone District. Completion of a mandatory Site Plan Review will ensure adequate area for parking and circulation.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis:

Staff review of the Site Plan demonstrates that the subject parcel is adequate to accommodate the proposed use.

With regard to off-street parking, Solid Waste Processing Facilities are required to provide at least one standard parking space for each two permanent employees, and at least one standard parking space for each truck operated by the facility. Further, California Building Code requires the provision of at least one parking space for the physically handicapped per every 25 parking spaces at a facility. Regarding the subject proposal, the proposed Solid Waste Processing Facility will have approximately 10 employees and will operate three trucks. As such, the proposed Solid Waste Processing Facility needs to have at least eight standard parking spaces and at least one parking space for the physically handicapped. In this case, the subject parcel has an existing paved parking area with 10 standard parking spaces and one parking space for the physically handicapped.

Based on the above information, and with adherence to a Site Plan Review (SPR), which is a mandatory requirement for any new land use in the M-3 (Heavy Industrial) Zone District, staff believes the subject parcel will be adequate to accommodate the proposed use, vehicle circulation, and ingress/egress. Requirements of the SPR may include design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting, and right-of-way dedication.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 1 can be made.

Finding 2: *That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the*

proposed use.

		Existing Conditions	Proposed Operation
Private Road	No	N/A	No change
Public Road Frontage	Yes	Cedar Avenue: Very poor condition	No change
Direct Access to Public Road	Yes	Cedar Avenue: Two paved driveways	No change
Road ADT		Cedar Avenue: 1,500	Less than significant traffic increase
Road Classification		Cedar Avenue: Arterial	No change
Road Width		Cedar Avenue: 60-foot total existing right-of-way	See recommended Conditions of Approval attached as Exhibit 1
Road Surface		Cedar Avenue: Paved (pavement width: 28.7 feet)	No change
Traffic Trips		N/A	Approximately 30 one-way truck trips (15 round trips) per day, seven days per week, year-round; Approximately 20 one-way employee trips (10 round trips) per day, seven days per week, year-round.
Traffic Impact Study (TIS) Prepared	No	N/A	None required, as the proposal will have a less than significant impact on traffic
Road Improvements Required		N/A	None required

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

City of Fresno Public Works Department: The Applicant should be required to provide the following at the subject parcel: 1) concrete curb, gutter, and sidewalk along the Cedar Avenue frontage, constructed in compliance with City of Fresno Public Works Department Standard P-5 development criteria; 2) underground all existing overhead utilities.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Development Engineering Section of the Fresno County Department of Public Works and Planning: A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Cedar Avenue. An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the County right-of-way. These mandatory requirements have been included as Project Notes.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Cedar Avenue is a County-maintained road classified as an Arterial road. The minimum total width for an Arterial road right-of-way is 106 feet. Cedar Avenue has a total existing right-of-way of 60 feet at the subject parcel, with 30 feet east and 30 feet west of the section line. The County has adopted a Plan Line for Cedar Avenue that prescribes the 106-foot ultimate right-of-way for Cedar Avenue to be distributed as 76 feet east and 30 feet west of the section line. Therefore, the Applicant shall irrevocably offer an additional 46 feet of the subject parcel as future right-of-way for Cedar Avenue. This requirement has been included as a Condition of Approval.

The subject parcel is located within the City of Fresno sphere-of-influence and is also located within a Fresno Metropolitan Flood Control District (FMFCD) Storm Drainage and Flood Control Master Plan. Therefore, the Applicant should be required to provide curb, gutter and sidewalk along the frontage of the subject parcel pursuant to City of Fresno development standards, and the County may enter into a Deferment Agreement for construction of these off-site improvements.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis:

The subject parcel has two existing paved driveways accessing Cedar Avenue, which will be utilized by the proposed Solid Waste Processing Facility. No additional driveways are being requested with this proposal.

With regard to traffic, the proposed Solid Waste Processing Facility will generate approximately 30 one-way truck trips (15 round trips) per day, seven days per week, year-round. Additionally, the proposed Solid Waste Processing Facility will also generate approximately 20 one-way employee trips (10 round trips) per day, seven days per week, year-round.

This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which did not require a Traffic Impact Study (TIS) for the proposed use. Further, traffic to be generated by the proposed use does not exceed the threshold of 100 daily trips, which would require preparation of a TIS.

With regard to right-of-way, Cedar Avenue is a County-maintained road classified as an Arterial road. The minimum total width for an Arterial road right-of-way is 106 feet, which would typically require Cedar Avenue to have an ultimate right-of-way distributed as 53 feet east and 53 feet west of the section line. However, in this instance, the County has adopted a Plan Line for Cedar Avenue that prescribes the 106-foot ultimate right-of-way to be distributed as 76 feet east and 30 feet west of the section line. Cedar Avenue has a total existing right-of-way of 60 feet at the subject parcel, with 30 feet east and 30 feet west of the section line. As such, the Applicant shall irrevocably offer an additional 46 feet of the subject parcel as future right-of-way for Cedar Avenue. This requirement has been included as a Condition of Approval.

The City of Fresno Public Works Department reviewed this proposal and commented that the Applicant should be required to provide a concrete curb, gutter and sidewalk along the Cedar Avenue frontage of the subject parcel, constructed in compliance with City of Fresno Public Works Department Standard P-5 development criteria. The Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning supported this request because the subject parcel is located within the City's sphere-of-influence and is also located within a Fresno Metropolitan Flood Control District (FMFCD) Storm Drainage and Flood Control Master Plan. However, no traffic hazard or emergency access issues were identified by the reviewing agencies to require such improvements. Further, the portions of Cedar Avenue that are contiguous with the subject parcel do not have any existing curbs, gutters or sidewalks.

The City of Fresno Public Works Department also requested that the Applicant be required to underground all existing overhead utilities within the boundaries of the subject parcel. Staff does not believe there exists a nexus for such requirement.

Based on the above information, and with adherence to the recommended Conditions of Approval and mandatory Project Notes described above, staff believes that the surrounding roads serving the subject parcel will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: *That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	7.35 acres	Warehouses	M-3	None
South	4.00 acres	Single-family residence	AL-20	20 feet south
	9.55 acres	Vacant	AL-20	None
East	16.44 acres	Vacant	M-3	None
West	20.00 acres	Single-family residence Vineyard	AL-20	180 feet west

Reviewing Agency/Department Comments:

California Regional Water Quality Control Board (Water Board): The proposed Solid Waste Processing Facility requires coverage under the 2014-0057-DWQ Storm Water Industrial General Permit (IGP). The industrial activity to occur at the proposed facility qualifies for Standard Industrial Classification (SIC) Code No. 5093 Scrap and Waste Materials, which

requires coverage under the IGP. The Applicant shall submit a Notice of Intent, Storm Water Pollution Prevention Plan (SWPPP), and Facility Site Plan to the Water Board for inclusion in the Storm Water Multiple Application and Report Tracking System (SMARTS). These mandatory requirements have been included as Project Notes.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 2125H, the project site is not subject to flooding from the 1%-chance storm (100-year storm). A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal. This mandatory requirement has been included as a Project Note.

Fresno County Department of Public Health, Environmental Health Division: Prior to commencing proposed operations, the facility operator shall obtain a Solid Waste Facility Transfer / Processing Facility permit from the Fresno County Department of Public Health as required by Public Resources Code, California Code of Regulations (CCR) Title 14 and Title 27. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the CCR, Title 22, Division 4.5. Any business that handles hazardous materials or hazardous waste above the following State reporting thresholds may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances. All hazardous waste shall be handled in accordance with requirements set forth in the CCR, Title 22, Division 4.5, which addresses proper labeling, storage and handling of hazardous wastes. These mandatory requirements have been included as Project Notes.

The Acoustical Analysis prepared for this proposal by WJV Acoustics, Inc. indicates that the proposed Solid Waste Processing Facility will comply with the Fresno County Noise Ordinance if project operations adhere to the mitigation measures described in the Acoustical Analysis. Therefore, the following Mitigation Measures have been included to reduce adverse noise-related impacts to a less than significant level: 1) Noise exposure from crusher and grinder operations at dwellings located west of the subject parcel shall be reduced by locating stockpiles of raw or processed materials onsite, between the crusher and grinder equipment and neighboring dwellings located west of the subject parcel; and 2) Stockpiles of raw or processed materials utilized as acoustic barriers shall be at least 15 feet tall to sufficiently shield noise from crusher operations, and at least 22 feet tall to sufficiently shield noise from grinder operations.

Fresno Metropolitan Flood Control District (FMFCD): If construction associated with this proposal disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity will be required. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the Applicant must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These mandatory requirements have been included as Project Notes. Due to the subject parcel being located within FMFCD Drainage Area CE, project development will require payment of an approximately \$135,238.00 FMFCD Drainage Fee. This mandatory

requirement has been included as a Project Note. FMFCD Drainage Fees are calculated by FMFCD and are re-evaluated by FMFCD on an annual basis each February.

Outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into storm drain systems. This requirement has been included as a Mitigation Measure to reduce potential impacts to water quality to a less than significant level.

Fresno County Fire Protection District (Fire District): The proposal shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved plans for the project shall be approved by the Fire District prior to issuance of permits by the County. Further, the subject parcel shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. These mandatory requirements have been included as Project Notes.

San Joaquin Valley Air Pollution Control District (Air District): This proposal is expected to have no significant adverse impact on air quality. This proposal may be subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits required). Projects subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits required) are exempt from Air District Rule 9510 (Indirect Source Review). This proposal may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal as the subject parcel is not located in a designated Water-Short area.

Resources Division of the Fresno County Department of Public Works and Planning: Operation of the proposed Solid Waste Processing Facility shall be in compliance with California Assembly Bill (AB) 341, which requires businesses generating four cubic yards or more of commercial solid waste per week to arrange for recycling services, and California AB 1826, which requires businesses generating four cubic yards or more of organic waste per week to arrange for organic waste recycling services. With regard to California AB 1826, organic waste refers to food waste, green waste, landscaping and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed with food waste.

Per California Code of Regulations (CCR) Title 14, the operator of the proposed Solid Waste Processing Facility shall submit quarterly reports to the Resources Division of the Fresno County Department of Public Works and Planning regarding all tonnages processed through the Solid Waste Processing Facility. Additionally, Fresno County Ordinance Code Section 8:23 (Recycling Haulers) requires those businesses that provide recycling services throughout Fresno County to register as a Recycling Hauler with the Resources Division of the Fresno County Department of Public Works and Planning. These mandatory requirements have been included as Project Notes.

Fresno County Sheriff's Department: The proposed use would have a negligible impact on law enforcement operations.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

The subject parcel is located in an area of mixed agricultural, residential and industrial land uses, and State Route (SR) 99 is located approximately one and a quarter-mile to the east. As previously stated, the subject parcel is zoned M-3 (Heavy Industrial) and is currently utilized as a Contractor’s Storage Yard in accordance with SPR No. 7049. Further, the neighboring parcel to the north of the subject parcel is also zoned M-3 (Heavy Industrial) and has been improved with numerous warehouse buildings. Additionally, neighboring parcels to the east of the subject parcel are also zoned M-3 (Heavy Industrial), and numerous properties further to the east are zoned M-3 (Heavy Industrial) and are being utilized for a range of industrial activities including warehousing, solid waste processing and automotive recycling.

Neighboring parcels located to the south of the subject parcel are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and have been improved with residences, the closest of which is located approximately 20 feet south of the subject parcel. Additionally, neighboring parcels located to the west of the subject parcel are also zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and have also been improved with residences, the closest of which is located approximately 150 feet southwest of the subject parcel. Although neighboring parcels adjacently located to the south and west of the subject parcel have been improved with residential land uses, said properties are designated General Industrial in the County-adopted Roosevelt Community Plan. Further, said properties are also located within the City of Fresno Sphere-of-Influence (SOI) and are designated Heavy Industrial in the City of Fresno General Plan.

Based on the above information, and with adherence to the Mitigation Measures, recommended Conditions of Approval, and mandatory Project Notes identified in the Initial Study (IS) prepared for this project and discussed in this Staff Report, staff finds that the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: *That the proposed development is consistent with the General Plan.*

Relevant Policies:	Consistency/Considerations:
General Plan Policy LU-F.29: County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors: a) Operational measures or specialized equipment to protect public health, safety and welfare, and to reduce adverse impacts of noise, odor, vibration, smoke, noxious gasses, heat and glare, dust and dirt,	With regard to Criteria “a”, an Initial Study (IS) was prepared for this proposal, which analyzed the potential environmental impacts resultant of the use, and found such impacts to be less than significant with the included Mitigation Measures. With regard to Criteria “b”, Solid Waste Processing Facilities are required to provide at least one standard parking space for each two permanent employees, and at least one

Relevant Policies:	Consistency/Considerations:
<p>combustibles, and other pollutants on abutting properties; b) Provisions for adequate off-street parking to handle maximum number of company vehicles, salespersons, and customers/visitors; c) Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties; d) Limitations on the industry's size, time of operation, or length of permit.</p>	<p>standard parking space for each truck operated by the facility. Further, California Building Code requires the provision of at least one parking space for the physically handicapped per every 25 parking spaces at a facility. Regarding the subject proposal, the proposed Solid Waste Processing Facility will have approximately 10 employees and will operate three trucks. Therefore, the proposed Solid Waste Processing Facility needs to have at least eight standard parking spaces and at least one parking space for the physically handicapped. In this case, the subject parcel has an existing paved parking area with 10 standard parking spaces and one parking spaces for the physically handicapped.</p> <p>With regard to Criteria "c", the subject parcel is located in an area of mixed agricultural, residential and industrial land uses. The neighboring parcel to the north of the subject parcel is zoned M-3 (Heavy Industrial) and has been improved with numerous warehouse buildings. Neighboring parcels to the east of the subject parcel are also zoned M-3 (Heavy Industrial), and numerous properties further to the east are zoned M-3 (Heavy Industrial) and are being utilized for a range of industrial activities including warehousing, solid waste processing and automotive recycling.</p> <p>Neighboring parcels located to the south of the subject parcel are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and have been improved with residences, the closest of which is located approximately 20 feet south of the subject parcel. Additionally, neighboring parcels located to the west of the subject parcel are also zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and have also been improved with residences, the closest of which is located approximately 150 feet southwest of the subject parcel. Although neighboring parcels adjacently located to the south and west of the subject parcel have been improved with residential land uses, said properties are designated General Industrial in the County-adopted Roosevelt Community Plan. Further, said properties are also located within the City of Fresno Sphere-of-Influence (SOI) and are designated Heavy Industrial in</p>

Relevant Policies:	Consistency/Considerations:
	<p>the City of Fresno General Plan.</p> <p>With regard to Criteria “d”, a Condition of Approval has been included, which requires the operation to abide by the plans and operational statement approved by the Planning Commission.</p> <p>Staff believes the proposal is consistent with this Policy.</p>
<p>General Plan Policy LU-F.30: County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.</p>	<p>The subject parcel utilizes an on-site water well and septic system in lieu of community water and sewer services. However, five water storage tanks with an aggregate capacity of 54,000 gallons have been installed on the subject parcel. Further, community water and sewer service connection was not required with the approval of Site Plan Review (SPR) No. 7049, which authorized the existing Contractor’s Storage Yard operation on the subject parcel.</p> <p>Staff believes the proposal is consistent with this Policy.</p>
<p>General Plan Policy LU-G.1: County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.</p>	<p>The City of Fresno Public Works Department reviewed this proposal and commented that the Applicant should be required to provide a concrete curb, gutter and sidewalk along the Cedar Avenue frontage of the subject parcel, constructed in compliance with City of Fresno Public Works Department Standard P-5 development criteria. However, no traffic hazard or emergency access issues were identified by reviewing agencies to require such improvements. Further, the portions of Cedar Avenue that are contiguous with the subject parcel do not have any existing curbs, gutters or sidewalks.</p> <p>The City of Fresno Public Works Department also requested that the Applicant be required to underground all existing overhead utilities within the boundaries of the subject parcel. Staff does not believe there exists a nexus for such requirement.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation prior to consideration of any discretionary project</p>	<p>This proposal was reviewed by the Water and Natural Resources Division of the Fresno County Department of Public Works and</p>

Relevant Policies:	Consistency/Considerations:
<p>related to land use. The evaluation shall include the following:</p> <ul style="list-style-type: none"> a. Determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question; b. Determination of the impact that use of the proposed water supply will have on other water users in Fresno County; c. Determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. 	<p>Planning, which did not identify any concerns with the project, as the subject parcel is not located in a designated Water-Short area.</p> <p>Staff believes the proposal is consistent with this Policy.</p>
<p>General Plan Policy PF-F.2: County shall locate all new solid waste facilities including disposal sites, resource recovery facilities, transfer facilities, processing facilities, composting facilities, and other similar facilities in areas where potential environmental impacts can be mitigated and the facilities are compatible with surrounding land uses. Site selection for solid waste facilities shall be guided by the following criteria: a) Solid waste facility sites shall not be located within the conical surface, as defined by Federal Aviation Regulations, Part 77, of a public use airport, except for enclosed facilities; b) Solid waste facilities shall not be sited on productive agricultural land if less productive lands are available; c) Solid waste facilities shall be located in areas of low concentrations of people and dwellings; d) Solid waste facilities shall be located along or close to major road systems. Facility traffic through residential neighborhoods should not be permitted. It is preferable that the roadways used for solid waste transfer conform to approved truck routes; e) Solid waste facilities shall not be located adjacent to rivers, reservoirs, canals, lakes, or other waterways.</p>	<p>With regard to Criteria “a”, the subject parcel is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.</p> <p>With regard to Criteria “b”, the subject parcel is not utilized for agricultural cultivation, the western half of the subject parcel is classified as Urban and Built-Up Land on the Fresno County Important Farmland Map (2014), and the eastern half of the subject parcel is designated as Vacant or Disturbed Land on the Fresno County Important Farmland Map (2014). Thus, there will be no impact to productive farmland.</p> <p>With regard to Criteria “c”, the subject parcel is located in an area of mixed agricultural, residential and industrial land uses. Although neighboring parcels adjacently located to the south and west of the subject parcel have been improved with residential land uses, said properties are designated General Industrial in the County-adopted Roosevelt Community Plan. Further, said properties are also located within the City of Fresno Sphere-of-Influence (SOI) and are designated Heavy Industrial in the City of Fresno General Plan.</p> <p>With regard to Criteria “d”, the subject parcel has frontage on Cedar Avenue, which is classified as an Arterial road.</p> <p>With regard to Criteria “e”, no canals, streams</p>

Relevant Policies:	Consistency/Considerations:
	<p>or rivers are located within the boundaries of the subject parcel.</p> <p>Staff believes the proposal is consistent with this Policy.</p>
<p>General Plan Policy PF-F.6: County shall impose site development and operational conditions on new solid waste facilities in order to mitigate potential environmental impacts on existing and planned land uses in the area.</p>	<p>With adherence to the Conditions of Approval, Mitigation Measures and Project Notes identified in the Initial Study (IS) prepared for this project and discussed in this Staff Report, staff believes the proposal will not have a detrimental impact on properties within the area of the proposal.</p> <p>Staff believes the proposal is consistent with this Policy.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated as General Industrial in the County-adopted Roosevelt Community Plan.

According to General Plan Policy LU-F.29, the County may approve rezoning requests and discretionary permits for new industrial development or expansion of existing industrial uses subject to conditions concerning the following criteria or other conditions adopted by the Board of Supervisors: a) Operational measures or specialized equipment to protect public health, safety and welfare, and to reduce adverse impacts of noise, odor, vibration, smoke, noxious gasses, heat and glare, dust and dirt, combustibles, and other pollutants on abutting properties; b) Provisions for adequate off-street parking to handle maximum number of company vehicles, salespersons, and customers/visitors; c) Mandatory maintenance of non-objectionable use areas adjacent to or surrounding the use in order to isolate the use from abutting properties; d) Limitations on the industry’s size, time of operation, or length of permit.

According to General Plan Policy LU-F.30, the County shall generally require community sewer and water services for industrial development. Such services shall be provided in accordance with the provisions of the Fresno County Ordinance, or as determined by the State Water Quality Control Board.

According to General Plan Policy LU-G.1, the County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence. According to General Plan Policy PF-C.17, the County shall undertake a water supply evaluation prior to consideration of any discretionary project related to land use. The evaluation shall include the following:

- a. Determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question;
- b. Determination of the impact that use of the proposed water supply will have on other water users in Fresno County;

- c. Determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability.

According to General Plan Policy PF-F.2, the County shall locate all new solid waste facilities including disposal sites, resource recovery facilities, transfer facilities, processing facilities, composting facilities, and other similar facilities in areas where potential environmental impacts can be mitigated and the facilities are compatible with surrounding land uses. Site selection for solid waste facilities shall be guided by the following criteria: a) Solid waste facility sites shall not be located within the conical surface, as defined by Federal Aviation Regulations, Part 77, of a public use airport, except for enclosed facilities; b) Solid waste facilities shall not be sited on productive agricultural land if less productive lands are available; c) Solid waste facilities shall be located in areas of low concentrations of people and dwellings; d) Solid waste facilities shall be located along or close to major road systems. Facility traffic through residential neighborhoods should not be permitted. It is preferable that the roadways used for solid waste transfer conform to approved truck routes; e) Solid waste facilities shall not be located adjacent to rivers, reservoirs, canals, lakes, or other waterways.

According to General Plan Policy PF-F.6, the County shall impose site development and operational conditions on new solid waste facilities in order to mitigate potential environmental impacts on existing and planned land uses in the area.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

Based on the analysis provided above, staff believes the project is consistent with the Fresno County-adopted Roosevelt Community Plan. Applicable Policies regarding siting and use were reviewed for this proposal and found to be consistent.

Noteworthy Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Classified Conditional Use Permit can be made. Staff therefore recommends approval of Classified Conditional Use Permit No. 3547, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study No. 7215; and

- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3547 subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit No. 3547; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

DC:

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**Mitigation Monitoring and Reporting Program
Initial Study No. 7215 / Classified Conditional Use Permit No. 3547
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Prior to operation of the solid waste processing facility, all outdoor lighting shall be hooded, directed and permanently maintained as to not shine towards adjacent properties and roads.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
2.	Hydrology and Water Quality	Outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into the storm drain system.	Applicant	Applicant/Fresno Metropolitan Flood Control District (FMFCD)	Ongoing
3.	Hydrology and Water Quality	Prior to operation of the Solid Waste Processing Facility, debris fencing (e.g. cloth or plastic addition to existing fencing) shall be provided along the northern boundary of the subject parcel in order to protect Viau Canal No. 25 from potential contaminants.	Applicant	Applicant/FMFCD	Ongoing
4.	Noise	Noise exposure from crusher and grinder operations at dwellings located west of the subject parcel shall be reduced by locating stockpiles of raw or processed materials onsite, between the crusher and grinder equipment and neighboring dwellings located west of the subject parcel.	Applicant	Applicant/Fresno County Department of Public Health	Ongoing
5.	Noise	Stockpiles of raw or processed materials utilized as acoustic barriers shall be at least 15 feet tall to sufficiently shield noise from crusher operations, and at least 22 feet tall to sufficiently shield noise from grinder operations.	Applicant	Applicant/Fresno County Department of Public Health	Ongoing
Conditions of Approval					
1.	Development and operation shall be in substantial conformance with the approved Site Plan, Elevation Drawings and Operational Statement, except as modified by the Conditions of Approval and Site Plan Review (SPR).				
2.	The owners of the subject parcel shall record a document irrevocably offering 46 feet of the subject parcel to the County of Fresno as future right-of-way for Cedar Avenue (30 feet existing). The eastern line of said offer shall establish the building setback line for				

EXHIBIT 1

	<p>future development.</p> <p>Note: A preliminary title report or lot book guarantee may be required before the irrevocable offer of dedication can be processed. The property owners are advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer. The County will prepare the irrevocable offer of dedication free of charge.</p>
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*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference recommended Conditions for the project.

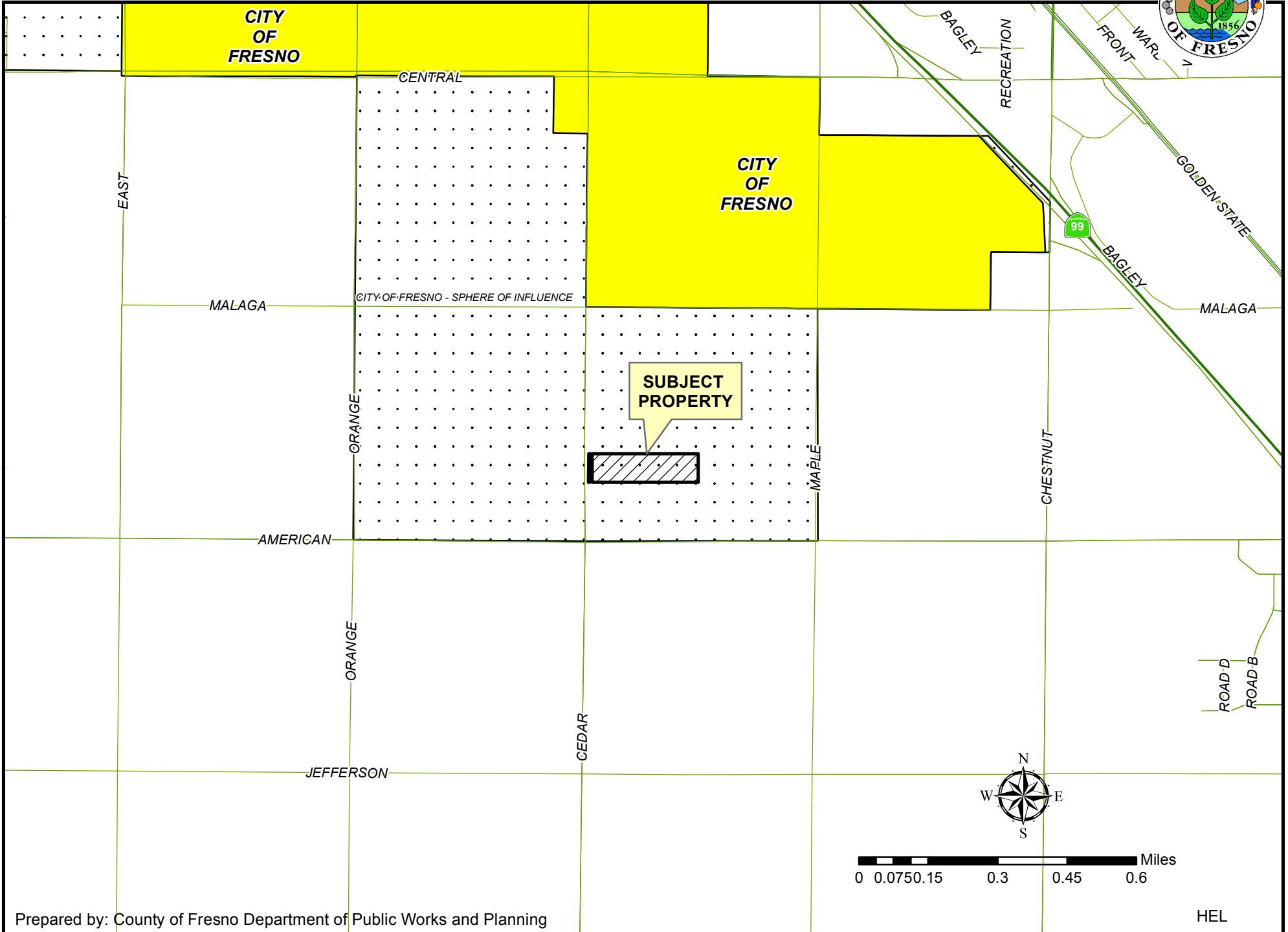
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Prior to the issuance of permits, a Site Plan Review (SPR) Application shall be submitted for review and approval by the Director of the Department of Public Works and Planning, in accordance with Section 874 of the Fresno County Zoning Ordinance. Items to be addressed under the SPR may include design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting, and right-of-way dedication.
2.	A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Cedar Avenue.
3.	An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the County right-of-way.
4.	<p>California Regional Water Quality Control Board: The proposed Solid Waste Processing Facility requires coverage under the 2014-0057-DWQ Storm Water Industrial General Permit (IGP). The industrial activity to occur at the proposed facility qualifies for Standard Industrial Classification (SIC) Code No. 5093 Scrap and Waste Materials, which requires coverage under the IGP. The Applicant shall submit a Notice of Intent, Storm Water Pollution Prevention Plan (SWPPP), and Facility Site Plan to the Water Board for inclusion in the Storm Water Multiple Application and Report Tracking System (SMARTS).</p>
5.	A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal.
6.	<p>Fresno County Department of Public Health, Environmental Health Division: Prior to commencing proposed operations, the facility operator shall obtain a Solid Waste Facility Transfer / Processing Facility permit from the Fresno County Department of Public Health as required by Public Resources Code, California Code of Regulations (CCR) Title 14 and Title 27. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the CCR, Title 22, Division 4.5. Any business that handles hazardous materials or hazardous waste above the following State reporting thresholds may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95:</p> <ol style="list-style-type: none"> 1) 55 gallons of liquid material 2) 500 pounds of solid material 3) 200 cubic feet of compressed gas 4) The threshold planning quantity for extremely hazardous substances. <p>All hazardous waste shall be handled in accordance with requirements set forth in the CCR, Title 22, Division 4.5, which addresses</p>

Notes	
	proper labeling, storage and handling of hazardous wastes.
7.	If construction associated with this proposal disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity will be required. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the Applicant must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.
8.	Due to the subject parcel being located within FMFCD Drainage Area CE, project development will require payment of an approximately \$135,238.00 FMFCD Drainage Fee. FMFCD Drainage Fees are calculated by FMFCD and are re-evaluated by FMFCD on an annual basis each February.
9.	The proposal shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved plans for the project shall be approved by the Fire District prior to issuance of permits by the County.
10.	The subject parcel shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.
11.	San Joaquin Valley Air Pollution Control District (Air District): This proposal may be subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required). This proposal may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
12.	Resources Division of the Fresno County Department of Public Works and Planning: Operation of the proposed Solid Waste Processing Facility shall be in compliance with California Assembly Bill (AB) 341, which requires businesses generating four cubic yards or more of commercial solid waste per week to arrange for recycling services, and California AB 1826, which requires businesses generating four cubic yards or more of organic waste per week to arrange for organic waste recycling services. With regard to California AB 1826, organic waste refers to food waste, green waste, landscaping and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed with food waste. Per California Code of Regulations (CCR) Title 14, the operator of the proposed Solid Waste Processing Facility shall submit quarterly reports to the Resources Division of the Fresno County Department of Public Works and Planning regarding all tonnages processed through the Solid Waste Processing Facility. Additionally, Fresno County Ordinance Code Section 8:23 (Recycling Haulers) requires those businesses that provide recycling services throughout Fresno County to register as a Recycling Hauler with the Resources Division of the Fresno County Department of Public Works and Planning.

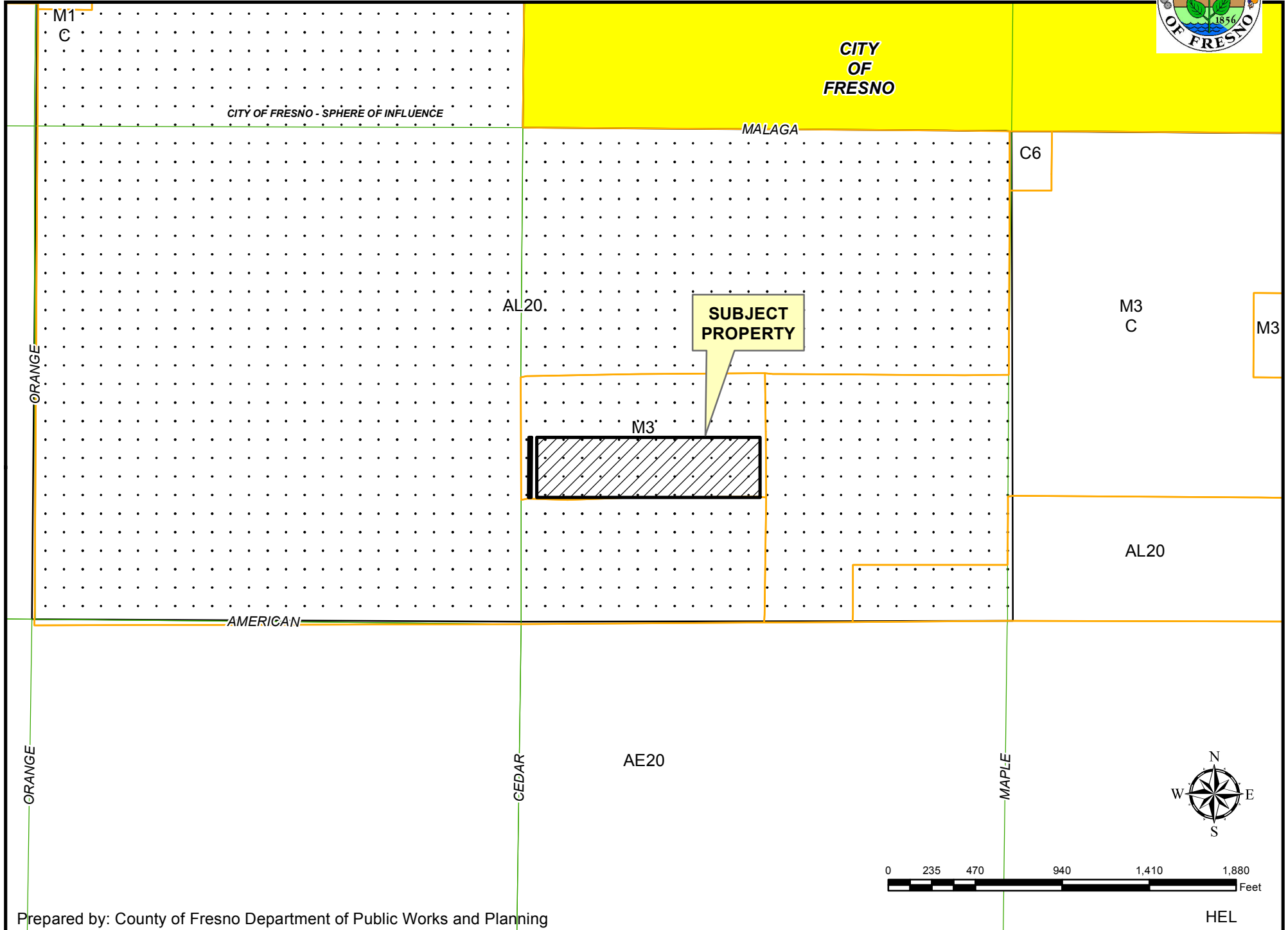
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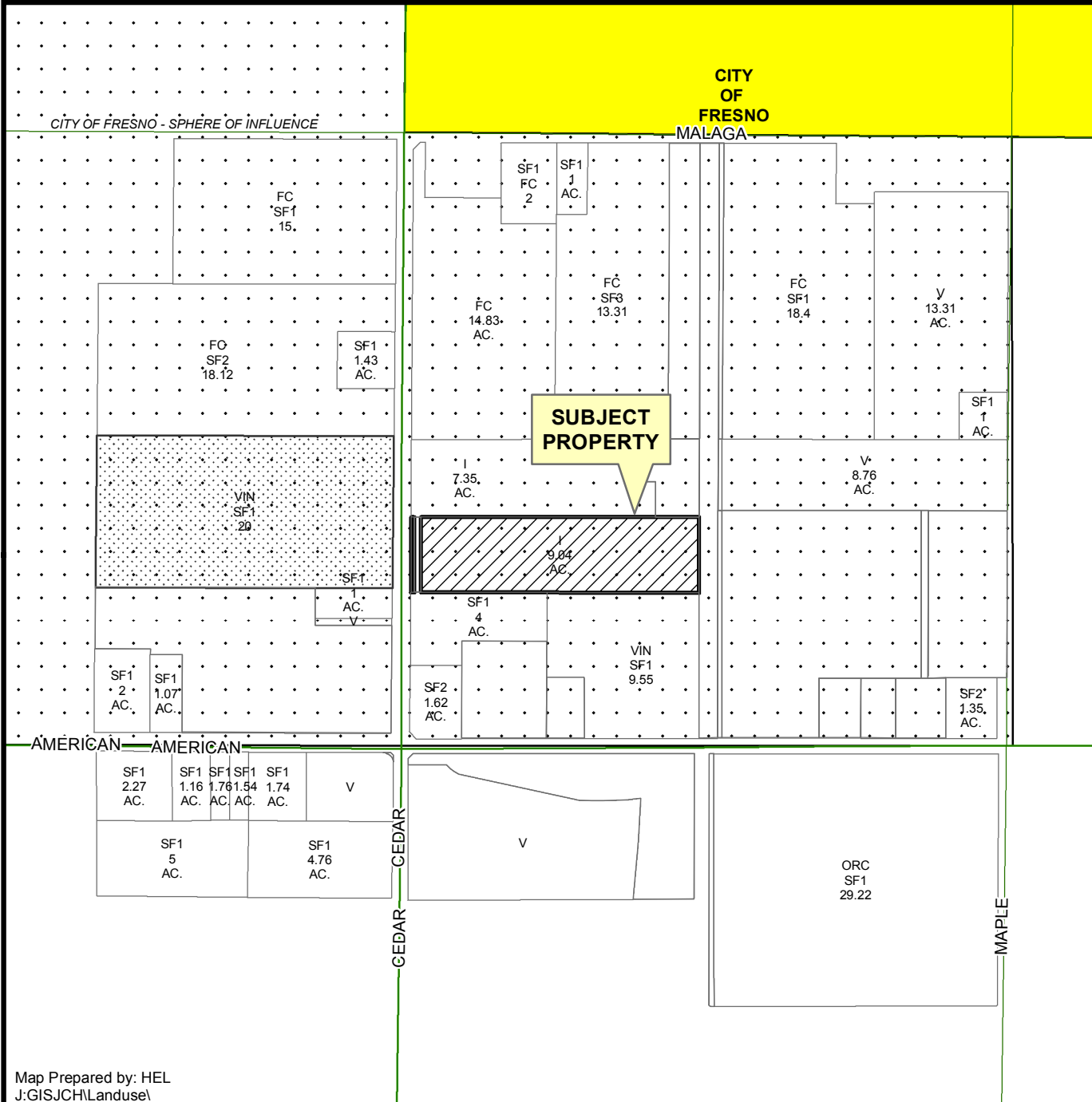
LOCATION MAP



EXISTING ZONING MAP



EXISTING LAND USE MAP

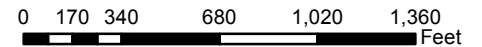


LEGEND

- FC - FIELD CROP
- I - INDUSTRIAL
- ORC - ORCHARD
- SF# - SINGLE FAMILY RESIDENC
- V - VACANT
- VIN - VINEYARD

LEGEND:

- Subject Property
- Ag Contract Land



Department of Public Works and Planning
Development Services Division

REVISIONS	BY

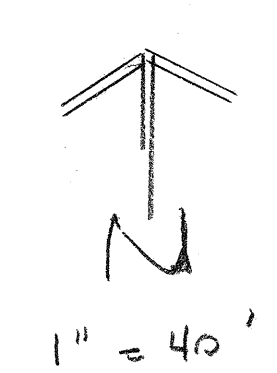
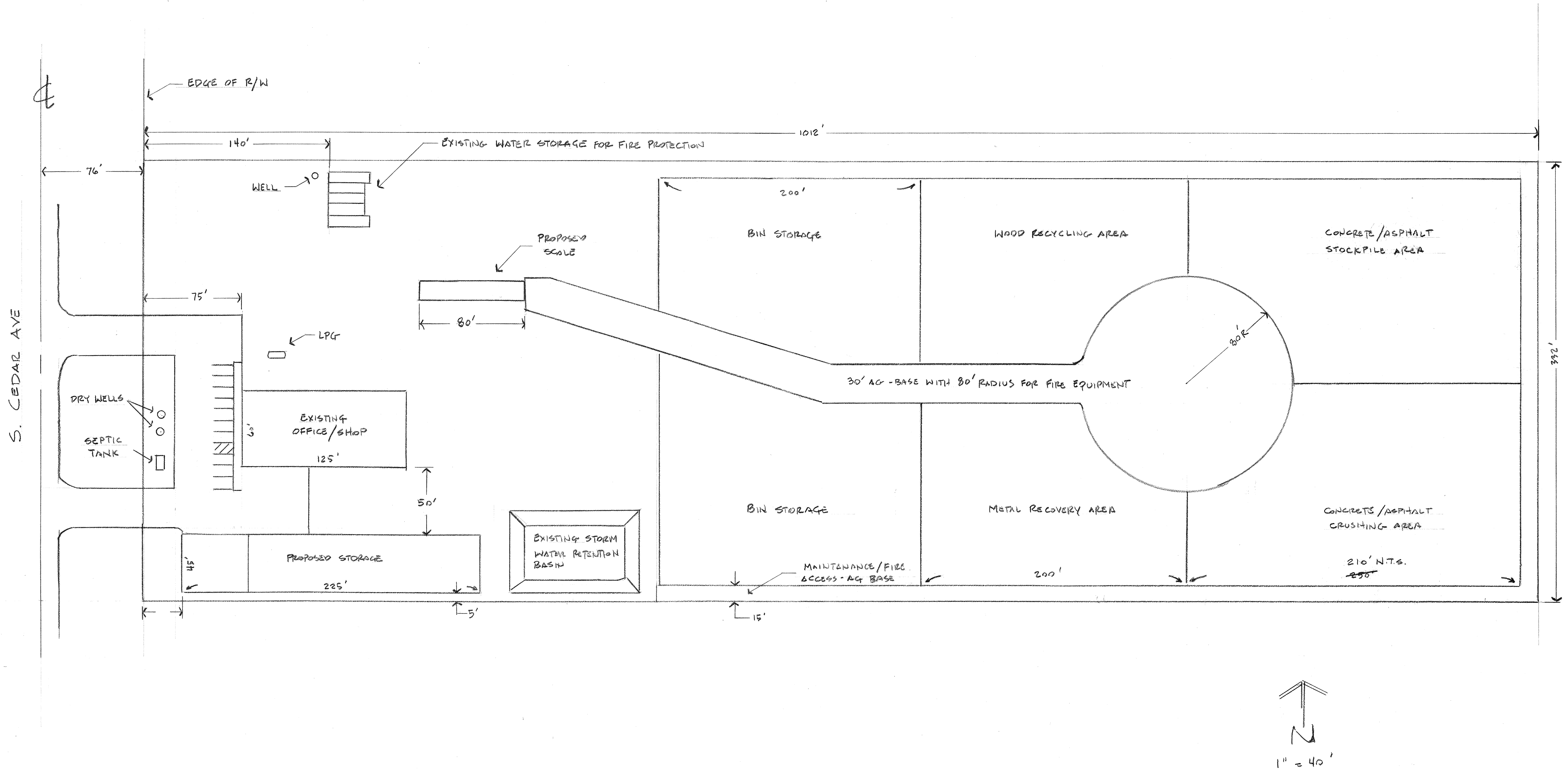
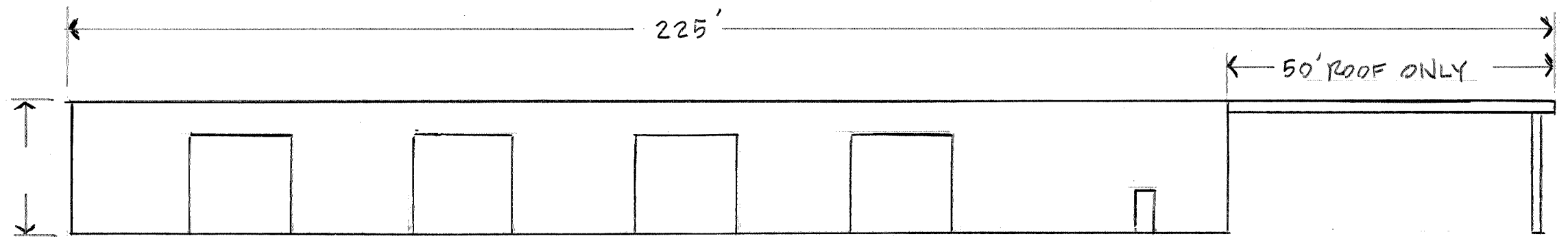


EXHIBIT 5

BOWEN ENGINEERING
 4664 S. CEDAR AVE

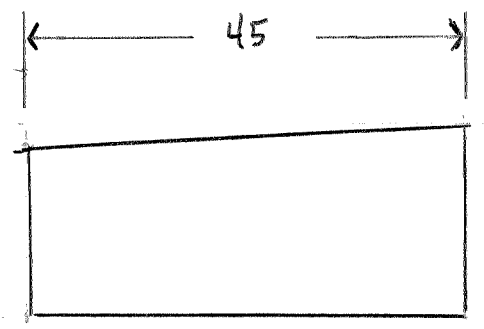
Date	9/27/16
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Job	
Sheet	1
Of	1 Sheets



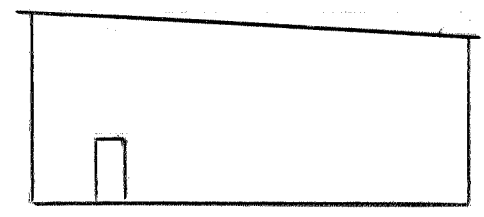
NORTH



SOUTH



EAST



WEST

EXHIBIT 6

OPERATIONAL STATEMENT

Project Location:

4664 S. Cedar Avenue
APN 330-211-08

CUP 3547
RECEIVED
COUNTY OF FRESNO

OCT 05 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Project Description:

Bowen Engineering and Environmental was established in 1993. It is a local, family owned business. Bowen specializes in asbestos/lead abatement, interior selective demolition, complete demolition, plant dismantling, hazardous soil removal/remediation, underground tank removal, and excavation to name a few.

Bowen established its' contractor's yard at the subject parcel in 2000. A 7,460 square foot building was constructed which serves as office, storage, and maintenance. There is ample paved parking existing. There are also three water storage tanks with a capacity of 54,000 gallons for fire protection. A 9000 square foot building for storage is proposed as an addition to contractor's yard activities. A scale is also proposed for the operation described below.

Bowen now desires to establish a construction and demolition waste recovery facility. Various materials including concrete, asphalt concrete, wood and metal will be sorted, stockpiled, processed, and resold as usable materials. Crushing equipment consists of a portable crusher that is registered with the SJVUAPCD. A permanent crusher may be installed at the site in the future.

Operational hours for the contractor's yard operations would be 7 days a week from 6:00 a.m. to 6 p.m. Crushing activities will be limited to the hours of 7:00 a.m. to 3:30 p.m. There are virtually no customers or visitors at the site. The site will be used for the current contractor's yard and the proposed waste recovery operation. There are 10 existing employees with no plans for any additional employees in the near future. There are 8 company vehicles and 20 pieces of heavy equipment.

Materials to be processed will be strictly limited to the materials created in the company's demolition activities. No other materials from other individuals or companies will be processed. Approximately fifteen (15) loads of 20 tons each are to be processed daily. The loads will arrive and get weighed, and then proceed to the processing area. Not more than one truck will be processed at a time. A turn around at the end of the access to the processing area with an 80 foot radius has been provided as requested by the Fresno County Fire Protection District. Concrete and asphalt concrete will be brought in crushed, stockpiled, and resold. The portable crusher will convey the crushed material to stockpiles not greater than 25 feet in height. Minimal processing is required for the metal recovery. Wood chipping, shredding, and processing will be

eventually be phased in. It is anticipated that approximately 2 to 5 percent of incoming material will be waste. No hazardous waste will be produced by this operation. Any waste needing special attention is identified and separated at the demolition site and placed in containers for proper disposal. Waste material from the proposed on-site operation will be stored in roll-off bins and taken to the landfill. No other waste is created in the crushing operation.

There is an existing private water well on-site. Water usage is limited to basically the restroom use of the 3 employees who work on-site and the portable crusher. The crusher has a built in dust control device that applies enough water to control dust created by the crushing. It uses approximately 300 gallons per hour. There is virtually no water runoff as all of the water stays on the crushed material and evaporates in the storage piles.

No additional signage is proposed. Additional site lighting will be provided. All lighting fixtures will be hooded and directed away from adjoining properties. There is an existing perimeter chain-link fence. No additional fencing is proposed.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Bowen Engineering and Environmental
- APPLICATION NOS.: Initial Study Application No. 7215 and Classified Conditional Use Permit Application No. 3547
- DESCRIPTION: Allow a Solid Waste Processing Facility for the recovery of materials from construction waste and demolition waste on a 9.04-acre parcel in the M-3 (Heavy Industrial) Zone District.
- LOCATION: The subject parcel is located on the east side of Cedar Avenue, between American and Malaga Avenues, approximately 1,673 feet south of the nearest city limits of the City of Fresno (4664 S. Cedar Avenue) (Sup. Dist. 3) (APN 330-211-08).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway; or
- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails authorization of a Solid Waste Processing Facility on a 9.04-acre parcel in the M-3 (Heavy Industrial) Zone District. According to the Operational Statement submitted for this proposal, the proposed Solid Waste Processing Facility will recover concrete, asphalt concrete, wood and metal from construction waste and demolition waste. Further, the recovered materials will be sorted, processed and stockpiled at the subject parcel in order to be sold as usable materials.

The proposed Solid Waste Processing Facility will be operational from 6:00am until 6:00pm, seven days per week year-round; however, use of crushing equipment will be limited to 7:00am until 3:30pm. Further, the proposed facility will process approximately 15 truck loads of waste per day with approximately 20 tons of waste per truck load.

It is noted by Staff that the subject parcel is currently utilized by the Applicant as a Contractor's Storage Yard, as authorized by Site Plan Review (SPR) No. 7049, which was approved on May 8, 2000. Further, the existing Contractor's Storage Yard use will continue with the operation of the proposed Solid Waste Processing Facility. Existing improvements located on the subject parcel include a 7,460 square-foot warehouse with office space and septic system; Liquefied Petroleum Gas (LPG) tank; water well; five water storage tanks (54,000 gallon collective capacity); stormwater retention basin; and paved parking lot with two paved driveways accessing Cedar Avenue. Additionally, the subject parcel has an existing 80-foot wide railroad easement (Atchison, Topeka and Santa Fe Railway) along its eastern boundary that was deeded to the State of California for High-Speed Rail purposes on July 20, 2016. Further, an unlined Fresno Irrigation District (FID) canal identified as Viau Canal No. 25 is northerly adjacent to the northern property line of the subject parcel, and a private irrigation pipeline identified as Viau South Branch No. 232 traverses the western boundary of the subject parcel.

New improvements to be utilized with the proposed Solid Waste Processing Facility include a 9,000 square-foot storage building and a truck scale. Additionally, a portable crusher registered with the San Joaquin Valley Unified Air Pollution Control District (Air District) will be utilized with the proposed Solid Waste Processing Facility, and a permanent crusher may be installed on the subject parcel in the future.

The subject parcel is located in an area of mixed agricultural, residential and industrial land uses, and State Route (SR) 99 is located approximately one and a quarter-mile to the east. As previously stated, the subject parcel is zoned M-3 (Heavy Industrial) and is currently utilized as a Contractor's Storage Yard in accordance with SPR No. 7049. Further, the neighboring parcel to the north of the subject parcel is also zoned M-3 (Heavy Industrial) and has been improved with numerous warehouse buildings. Additionally, neighboring parcels to the east of the subject parcel are also zoned M-3 (Heavy Industrial), and numerous properties further to the east are zoned M-3 (Heavy Industrial) and are being utilized for a range of industrial activities including warehousing, solid waste processing and automotive recycling.

Neighboring parcels located to the south of the subject parcel are zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and have been improved with residences, the closest of which is located approximately 20 feet south of the subject parcel. Additionally, neighboring parcels located to the west of the subject parcel are also zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size) and have also been improved with residences, the closest of which is located approximately 150 feet southwest of the subject parcel. Although neighboring parcels adjacently located to the south and west of the subject parcel have been improved with residential land uses, said properties are designated General Industrial in the County-adopted Roosevelt Community Plan. Further, said properties are also located within the City of Fresno Sphere-of-Influence (SOI) and are designated Heavy Industrial in the City of Fresno General Plan.

Considering that the subject parcel is not located along a designated Scenic Highway, that no scenic vistas or scenic resources were identified near the proposal, and the existing industrial land uses in the area of the subject parcel, this proposal will not

damage any scenic resource or degrade the visual character of the site or its surroundings.

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This proposal will utilize outdoor lighting which has the potential of generating light and glare in the area. As such, all outdoor lighting fixtures shall be required to be hooded and directed so as to not shine towards adjacent properties and roads. This requirement will be included as a Mitigation Measure.

* **Mitigation Measure**

1. *Prior to operation of the solid waste transfer facility, all outdoor lighting shall be hooded, directed and permanently maintained as to not shine towards adjacent properties and roads.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The western half of the subject parcel is classified as Urban and Built-Up Land on the Fresno County Important Farmland Map (2014), and the eastern half of the subject parcel is designated as Vacant or Disturbed Land on the Fresno County Important Farmland Map (2014). Further, the subject parcel is not enrolled under an Agricultural Land Conservation Contract (Williamson Act Contract), and is not located on forest land.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the San Joaquin Valley Unified Air Pollution Control District (Air District), which did not identify any concerns related to the proposed Solid Waste Processing Facility. However, this proposal may be subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required). Staff notes that projects subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required) are exempt from Air District Rule 9510 (Indirect Source Review). Additionally, this proposal may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Compliance with Air District Rules will reduce air quality impacts of the proposal to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or

- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in an area of mixed agricultural, residential and industrial land uses, and has been previously disturbed as said parcel has been historically utilized as a Contractor's Storage Yard. Further, neighboring parcels have been historically utilized for agricultural, residential and industrial land uses and, therefore, have also been previously disturbed. This proposal was reviewed by the California Department of Fish and Wildlife (CDFW), which did not identify any concerns related to the project. This proposal was also reviewed by the U.S. Fish and Wildlife Service (USFWS), which also did not identify any concerns related to the project. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; or 4.) The movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries; or
- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: NO IMPACT:

The subject parcel is not located in an area designated to be highly or moderately sensitive for archeological resources. Further, the subject parcel has been historically utilized as a Contractor's Storage Yard. Existing improvements located on the subject parcel that are utilized in conjunction with the Contractor's Storage Yard operation include a 7,460 square-foot warehouse with office space and septic system; Liquefied Petroleum Gas (LPG) tank; water well; five water storage tanks (54,000 gallon collective capacity); stormwater retention basin; and paved parking lot with two paved driveways accessing Cedar Avenue. Considering the existing use of the subject parcel as a Contractor's Storage Yard and the on-site improvements associated with said use, staff believes the subject parcel has been previously disturbed and no impacts to cultural resources are anticipated with the proposed Solid Waste Processing Facility.

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:
1. Rupture of a known earthquake; or
 2. Strong seismic ground shaking; or
 3. Seismic-related ground failure, including liquefaction; or
 4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The area where the subject parcel is located is designated as Seismic Design Category D in the California Geological Survey. As such, a Geotechnical Investigation shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits for the proposal. This mandatory requirement will be included as a Project Note.

- B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel has predominately flat topography, and limited grading activity is necessary for development of the proposed improvements. However, a Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal. This mandatory requirement will be included as a Project Note.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or

- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The subject parcel is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, collapse, or within an area of known expansive soils.

- E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Existing improvements located on the subject parcel include a 7,460 square-foot warehouse building with office space that utilize an existing on-site septic system; however, no new septic systems are being requested with the proposed Solid Waste Processing Facility. Further, this proposal was reviewed by the Environmental Health Division of the Fresno County Department of Public Health, which expressed no concerns regarding wastewater disposal.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Unified Air Pollution Control District (Air District) has reviewed this proposal and expressed no concerns related to greenhouse gas emissions. Further, compliance with Air District Rules and Regulations discussed in Section III (Air Quality) of this analysis will reduce air quality impacts from the subject proposal to a less than significant level.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails authorization of a Solid Waste Processing Facility to recover concrete, asphalt concrete, wood and metal from construction waste and demolition waste. Additionally, these recovered materials will be sorted, processed and stockpiled at the subject parcel in order to be sold as usable materials.

Per the Environmental Health Division of the Fresno County Department of Public Health, prior to commencing proposed operations, the facility operator shall obtain a Solid Waste Facility Transfer / Processing Facility permit from the Fresno County Department of Public Health as required by Public Resources Code, California Code of Regulations (CCR) Title 14 and Title 27. Additionally, facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the CCR, Title 22, Division 4.5. Further, any business that handles hazardous materials or hazardous waste above the following State reporting thresholds may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances. All hazardous waste shall be handled in accordance with requirements set forth in the CCR, Title 22, Division 4.5, which addresses proper labeling, storage and handling of hazardous wastes. These mandatory requirements will be included as Project Notes.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: NO IMPACT:

There are no schools located within one-quarter mile of the subject parcel.

- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

No hazardous materials sites are located within the boundaries of the subject parcel.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or

- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The subject parcel is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan. No such impacts were identified in the project analysis.

- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The subject parcel is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno Metropolitan Flood Control District (FMFCD), if construction associated with this proposal disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity will be required. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the Applicant must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These mandatory requirements will be included as Project Notes.

According to the California Regional Water Quality Control Board (Water Board), the proposed Solid Waste Processing Facility requires coverage under the 2014-0057-DWQ Storm Water Industrial General Permit (IGP). The industrial activity to occur at the proposed facility qualifies for Standard Industrial Classification (SIC) Code No. 5093 Scrap and Waste Materials, which requires coverage under the IGP. The Applicant shall submit a Notice of Intent, Storm Water Pollution Prevention Plan (SWPPP), and Facility Site Plan to the Water Board for inclusion in the Storm Water Multiple Application and Report Tracking System (SMARTS). These mandatory requirements will be included as Project Notes.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which did not identify any concerns related to the project. Further, the subject parcel is not located in a designated water-short area.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site?

FINDING: NO IMPACT:

No streams or rivers are located within the boundaries of the subject parcel.

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Permanent improvements associated with this proposal will not cause significant changes in absorption rates, drainage patterns or the rate and amount of surface run-off, with adherence to the Grading and Drainage Sections of the Fresno County Ordinance Code.

According to the Fresno Metropolitan Flood Control District (FMFCD), due to the subject parcel being located within FMFCD Drainage Area CE, project development will require payment of an approximately \$135,238.00 FMFCD Drainage Fee. This mandatory requirement will be included as a Project Note. FMFCD Drainage Fees are calculated by FMFCD and are re-evaluated by FMFCD on an annual basis each February.

Outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into storm drain systems. This requirement will be included as a Mitigation Measure to reduce potential impacts to water quality to a less than significant level.

* **Mitigation Measure**

1. *Outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into the storm drain system.*

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

An unlined Fresno Irrigation District (FID) canal identified as Viau Canal No. 25 is northerly adjacent to the northern property line of the subject parcel. In order to protect Viau Canal No. 25 from potential contaminants associated with the proposed use, debris fencing (e.g. cloth or plastic addition to existing fencing) shall be provided along the northern boundary of the subject parcel. This requirement will be included as a Mitigation Measure to reduce potential impacts to water quality to a less than significant level.

* **Mitigation Measure**

1. *Prior to operation of the Solid Waste Processing Facility, debris fencing (e.g. cloth or plastic addition to existing fencing) shall be provided along the northern boundary of the subject parcel in order to protect Viau Canal No. 25 from potential contaminants.*

G. Would the project place housing within a 100-year floodplain?

FINDING: NO IMPACT:

No new housing is being requested with this proposal.

H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

The project site is not subject to flooding from the 1% chance storm (100-year storm).

I. Would the project expose persons or structures to levee or dam failure; or

J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The subject parcel is not prone to seiche, tsunami or mudflow, nor is the subject parcel exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

This proposal will not physically divide a community. The subject parcel is located approximately 1,673 feet south of the nearest city limits of the City of Fresno.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located within an area designated General Industrial in the Fresno County-adopted Roosevelt Community Plan, which provides for a full range of manufacturing, processing and storage facilities. Further, the subject parcel is located within the City of Fresno Sphere-of-Influence (SOI) and is designated Heavy Industrial in the City of Fresno General Plan.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

This proposal will not conflict with any Land Use Plan or Habitat or Natural Community Conservation Plan. No such Plans were identified in the project analysis.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

No mineral resource impacts were identified in the project analysis. The subject parcel is not located in any mineral resource area identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or

- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The proposed Solid Waste Processing Facility will be operational from 6:00am until 6:00pm, seven days per week year-round, processing approximately 15 truck loads of waste per day with approximately 20 tons of waste per truck load. However, use of crushing equipment will be limited to 7:00am until 3:30pm. Further, the Applicant submitted an Acoustical Analysis for this proposal, which was prepared by WJV Acoustics, Inc.

According to the Environmental Health Division of the Fresno County Department of Public Health, the Acoustical Analysis prepared for this proposal by WJV Acoustics, Inc. indicates that the proposed Solid Waste Processing Facility use will comply with the Fresno County Noise Ordinance if project operations adhere to the mitigation measures described in the Acoustical Analysis. As such, the following Mitigation Measures will be included in order to reduce adverse noise-related impacts to a less than significant level:

* **Mitigation Measures**

1. *Noise exposure from crusher and grinder operations at dwellings located west of the subject parcel shall be reduced by locating stockpiles of raw or processed materials onsite, between the crusher and grinder equipment and neighboring dwellings located west of the subject parcel.*
2. *Stockpiles of raw or processed materials utilized as acoustic barriers shall be at least 15 feet tall to sufficiently shield noise from crusher operations, and at least 22 feet tall to sufficiently shield noise from grinder operations.*

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The subject parcel is not located in the vicinity of a public airport or private airstrip, and is not impacted by airport noise.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or

- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

This proposal will not construct or displace housing and will not otherwise induce population growth.

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Fresno County Fire Protection District (Fire District) which did not identify any concerns with the project. The proposal must comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved plans for the project must be approved by the Fire District prior to issuance of permits by the County. Further, the subject parcels must annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. These mandatory requirements will be included as Project Notes.

- 2. Police protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Fresno County Sheriff's Department, which did not identify any concerns related to the proposal.

- 3. Schools; or

- 4. Parks; or

- 5. Other public facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the City of Fresno Public Works Department, the Applicant should be required to provide a concrete curb, gutter, and sidewalk along the Cedar Avenue frontage of the subject parcel, constructed in compliance with the City of Fresno Public Works Department Standard P-5 development criteria. However, no substantial traffic hazard or substantial emergency access issue were identified by the City of Fresno to

require such improvements under the California Environmental Quality Act (CEQA). Further, the portions of Cedar Avenue that are contiguous with the subject parcel do not have any existing curbs, gutters or sidewalks.

XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks; or
- B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel has frontage on Cedar Avenue, which is a County-maintained roadway classified as an Arterial road. Cedar Avenue has a total existing right-of-way of 106 feet at the subject parcel, with 76 feet east and 30 feet west of the section line. The minimum total right-of-way for an Arterial road is 106 feet. As such, the total existing right-of-way for Cedar Avenue satisfies the minimum right-of-way standard for the Arterial road classification, and no additional right-of-way dedication for Cedar Avenue is required for the proposed Solid Waste Processing Facility. Further, the existing Contractor's Storage Yard operation located on the subject parcel has an existing paved parking area with two existing 30-foot-wide paved driveways accessing Cedar Avenue, which will be utilized by the proposed Solid Waste Processing Facility.

According to the Operational Statement submitted for this proposal, the proposed Solid Waste Processing Facility will process approximately 15 truck loads of waste per day year-round, with approximately 20 tons of waste per truck load. Further, the existing Contractor's Storage Yard operation located on the subject parcel has 10 employees, eight vehicles and 20 pieces of heavy equipment; however, no additional employees are being requested with the subject land use proposal.

According to the California Department of Transportation (Caltrans), operation of the proposed Solid Waste Processing Facility will generate approximately 58 one-way a.m. peak-hour trips (29 round trips) and approximately 38 one-way p.m. peak-hour trips (19 round trips), based upon Institute of Transportation Engineers (ITE) Trip Generation Land Use Code 120 (General Heavy Industrial). It is noted by staff that a.m. peak-hour

trips are defined as 7:00 a.m. to 9:00 a.m., and p.m. peak-hour trips are defined as 4:00 p.m. to 6:00 p.m.

This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which did not identify any concerns related to the proposed Solid Waste Processing Facility, nor did said agency require preparation of a Traffic Impact Study (TIS).

- C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns. No such impacts were identified in the project analysis.

- D. Would the project substantially increase traffic hazards due to design features; or

- E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the City of Fresno Public Works Department, the Applicant should be required to provide a concrete curb, gutter, and sidewalk along the Cedar Avenue frontage of the subject parcel, constructed in compliance with the City of Fresno Public Works Department Standard P-5 development criteria. However, no substantial traffic hazard or substantial emergency access issue were identified by the City of Fresno to require such improvements under the California Environmental Quality Act (CEQA). Further, the portions of Cedar Avenue that are contiguous with the subject parcel do not have any existing curbs, gutters or sidewalks.

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

This proposal will not conflict with any adopted alternative transportation plans. No such impacts were identified in the project analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or

- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

See discussion in Section IX.E Hydrology and Water Quality.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.B Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails authorization of a Solid Waste Processing Facility to recover concrete, asphalt concrete, wood and metal from construction waste and demolition waste. Additionally, these recovered materials will be sorted, processed and stockpiled at the subject parcel in order to be sold as usable materials.

Per the Resources Division of the Fresno County Department of Public Works and Planning, operation of the proposed Solid Waste Processing Facility shall be in compliance with California Assembly Bill (AB) 341, which requires businesses generating four cubic yards or more of commercial solid waste per week to arrange for recycling services, and California AB 1826, which requires businesses generating four cubic yards or more of organic waste per week to arrange for organic waste recycling services. With regard to California AB 1826, organic waste refers to food waste, green waste, landscaping and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed with food waste.

Per California Code of Regulations (CCR) Title 14, the operator of the proposed Solid Waste Processing Facility shall submit quarterly reports to the Resources Division of the Fresno County Department of Public Works and Planning regarding all tonnages

processed through the Solid Waste Processing Facility. Additionally, Fresno County Ordinance Code Section 8:23 (Recycling Haulers) requires those businesses that provide recycling services throughout Fresno County to register as a Recycling Hauler with the Resources Division of the Fresno County Department of Public Works and Planning.

These mandatory requirements will be included as Project Notes.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Pursuant to discussion in Section IV (Biological Resources), no such impacts on biological resources were identified in the project analysis.

Pursuant to discussion in Section V (Cultural Resources), no such impacts on archeological or cultural resources were identified in the project analysis.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the project analysis.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3547, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural and forestry resources, cultural resources, mineral resources, population and housing, or recreation.

Potential impacts related to air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, public services, and transportation and traffic have been determined to be less than significant.

Potential impacts relating to aesthetics, hydrology and water quality, noise, and utilities and service systems have been determined to be less than significant with the identified Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.

DC:

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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7215	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Derek Chambers, Planner	Area Code: 559	Telephone Number: 600-4205	Extension: N/A
Applicant (Name): Bowen Engineering and Environmental	Project Title: Classified Conditional Use Permit Application No. 3547		
Project Description: Allow a Solid Waste Processing Facility for the recovery of materials from construction waste and demolition waste on a 9.04-acre parcel in the M-3 (Heavy Industrial) Zone District. The subject parcel is located on the east side of Cedar Avenue, between American and Malaga Avenues, approximately 1,673 feet south of the nearest city limits of the City of Fresno (4664 S. Cedar Avenue) (Sup. Dist. 3) (APN 330-211-08).			
Justification for Negative Declaration: Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3547, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to agricultural and forestry resources, cultural resources, mineral resources, population and housing, or recreation. Potential impacts related to air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, public services, and transportation and traffic have been determined to be less than significant. Potential impacts relating to aesthetics, hydrology and water quality, noise, and utilities and service systems have been determined to be less than significant with the identified Mitigation Measures. The Initial Study and MND are available for review at 2220 Tulare Street, Suite A, Fresno, CA 93721.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – June 15, 2018		Review Date Deadline: July 16, 2018	
Date: June 6, 2018	Type or Print Signature: Marianne Mollring Senior Planner	Submitted by (Signature): Derek Chambers Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**