



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 August 23, 2018

SUBJECT: Initial Study Application No. 7373, Classified Conditional Use Permit Application No. 3593, Variance Application No. 4049

Allow expansion of an existing cattle slaughtering and meat processing plant on five contiguous parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to include:

1. A 33,491 square-foot, 36.9-foot-tall finished goods warehouse distribution center (maximum 35 feet allowed) with truck docks, 54,907 square-foot processing building, 7,500 square-foot processing building, employee and truck parking, 180,000 square-foot anaerobic pond, and a secondary wastewater treatment facility with related improvements on two parcels totaling 59.9 acres (APN 393-141-09S & 10S);
2. A 19.28-acre treated wastewater retention basin on a 20-acre parcel (APN 393-141-08S); and
3. Application of treated wastewater from the facility onto 77.99 and 78.79 acres of farmland (APN 393-141-06 & 13).

LOCATION: The project site is located on the west side of S. McCall Avenue between E. Clarkson and E. Elkhorn Avenues approximately 2.1 miles southwest of the nearest city limits of the City of Kingsburg (16277 S. McCall Avenue, Selma) (SUP. DIST. 4) (APN 393-141-06, 08S, 09S, 10S & 13).

OWNER: Harris Ranch Beef Company (HRBC)
APPLICANT: Michael Oliver, HRBC

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4204

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7373; and
- Approve Classified Conditional Use Permit No. 3593 with recommended Findings and Conditions; and
- Approve Variance No. 4049; 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/Floor Plans/Elevations
6. Applicant’s Operational Statement
7. Applicants’ Statement of Variance Findings
8. Summary of Initial Study (IS) Application No. 7373
9. Conditions of Approval for CUP No. 2855, 2297, 2251, 2061, 1666, 1474, 674 and 145
10. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	<ul style="list-style-type: none">• 59.9 acres (APN 393-141-09S &10S)• 20-acre (APN 393-141-08S)• 77.99 and 78.79 acres (APN 393-141-06 & 13)	No change
Project Site	<ul style="list-style-type: none">• Guard-shack• Cattle holding pens• Boiler and refrigeration rooms	Expansion of an existing cattle slaughtering and meat processing plant on five contiguous parcels in the AE-20 (Exclusive Agricultural,

Criteria	Existing	Proposed
	<ul style="list-style-type: none"> • Employee welfare facilities • Truck maintenance and truck-wash facility • Meat processing and cold storage facility • Administrative offices • Processing buildings • Dry storage building • Fueling stations • Truck docks • Fire apparatus and water storage tank • Wastewater treatment lagoons • Storm water retention basins • Truck and employee parking 	<p>20-acre minimum parcel size) Zone District to include:</p> <ol style="list-style-type: none"> 1. A 33,491 square-foot, 36.9-foot-tall finished goods warehouse distribution center (maximum 35 feet allowed) with truck docks, 54,907 square-foot processing building, 7,500 square-foot processing building, employee and truck parking, 180,000 square-foot anaerobic pond, and a secondary wastewater treatment facility with related improvements on two parcels totaling 59.9 acres (APN 393-141-09S &10S) 2. A 19.28-acre treated wastewater retention basin on a 20-acre parcel (APN 393-141-08S) 3. Application of treated wastewater from the facility onto 77.99 and 78.79 acres of farmland (APN 393-141-06 & 13) to grow Sudan grass and winter forage
Structural Improvements	<ul style="list-style-type: none"> • Guard-shack • Cattle holding pens • Boiler and refrigeration rooms • Employee welfare facilities • Truck maintenance and truck-wash facility • Meat processing and cold storage facility • Administrative offices • Processing buildings • Dry storage building • Fueling stations • Truck docks • Fire apparatus and water storage tank • Truck and employee parking 	<ul style="list-style-type: none"> • 33,491 square-foot finished goods warehouse distribution center • 54,907 square-foot processing building • 7,500 square-foot processing building • Wastewater treatment facility with related improvements
Nearest Residence	30 feet south of the project site	None

Criteria	Existing	Proposed
Surrounding Development	Farmlands with sparse single-family residences to the north, south, and east of the project site	No change
Operational Features	Cattle slaughtering and meat processing facility	See above "Project Site"
Employees	1,000	No change
Customers	None. The existing facility is a wholesale operation	N/A
Traffic Trips	<p>Per the Traffic Impact Study prepared for the project by Peters Engineering Group and dated June 5, 2018:</p> <p>Vehicles entering the site per 24 hours:</p> <ul style="list-style-type: none"> 1,000 passenger vehicles; 11 two-axle; 6 three-axle; 90 five-axle <p>Vehicles exiting the site per 24 hours:</p> <ul style="list-style-type: none"> 1,016 passenger vehicles; 10 two-axle; 7 three-axle; 3 four-axle; 90 five-axle <p>Trip Generation</p> <ul style="list-style-type: none"> 388 project peak-hour trips from 5:15 a.m. to 6:15 a.m. (one-way trips 353 in and 35 out, including 2.3 percent truck trips) 111 AM peak-hour trips from 7:15 a.m. to 8:15 a.m. (one-way trips 84 in and 27 out, including 17 percent truck trips) 313 PM peak-hour trips from 4:45 p.m. to 5:45 p.m. (one-way trips 31 in and 282 out, including 2 percent truck trips) 	<p>Per the Traffic Impact Study (TIS) prepared for the project by Peters Engineering Group, the project generates more truck trips than previously identified in Conditional Use Permit No. 2855, causing a significant pavement impact on McCall Avenue by increasing the TI (Traffic Index) by 0.5. To mitigate the impact, the TIS recommended that the project should make monetary contribution toward improvement of McCall Avenue. The Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning approved Mitigation Measures (Exhibit 1) would require the project to pay its pro-rata share toward roadway structural section improvement for McCall Avenue (overlay with 0.15' Hot Mix Asphalt thickness) from E. Clarkson to the project site access and from the project site access to E. Elkhorn Avenue</p>
Lighting	Outdoor lighting around existing improvements and for on-site parking	Outdoor lighting to provide for the safety and security of the facility

Criteria	Existing	Proposed
Hours of Operation	<ul style="list-style-type: none"> • Year-round, seven days a week, 24 hours a day with trucks going to and from the facility • Employees work 8-hour shifts between 6am and 5pm, 5 days a week 	No change

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

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: July 13, 2018

PUBLIC NOTICE:

Notices were sent to 19 property owners within 1320 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 Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission on a CUP Application is final unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

A Variance (VA) may be approved only if four findings specified in the Zoning Ordinance, Section 877 are made by the Planning Commission.

Both Applications (CUP and VA) before the Commission for consideration represent an interrelated request for a single project. However, the subject CUP Application and the concurrent VA Application shall be considered separately. Denial of the CUP will also deny the VA; the denial of the VA will not automatically deny the CUP, but would require modifications to the project’s design. The CUP may still be approved subject to meeting four Findings.

BACKGROUND INFORMATION:

The subject cattle slaughtering and meat processing facility, originally known as Selma Beef, was established on the property in the early 1900s. Harris Ranch Beef Company bought the facility in 1976 and has owned and operated it since.

On March 30, 1953, the Planning Commission approved Special Use Permit No. 145 to establish the use as a conforming use and allow the expansion of the facility to add beef coolers for storage of edible products. In later years, the Planning Commission approved Conditional

Use Permit Nos. 674, 1474, 1666, 2061, 2251, 2297 and 2855 (including VA No. 3607) on January 6, 1966, December 16, 1977, December 19, 1979, April 19, 1984, December 18, 1986, September 10, 1987 and May 21, 1998, respectively, to allow further expansion of the facility. This included animal slaughtering, meat processing and packaging, dead animal and offal reduction for tallow, chiller and refrigerated warehouse, hide processing room, truck garage, lunch room, maintenance area, office building, restrooms, locker rooms, employee parking, and paved circulation drive. Fresno County also approved multiple Site Plan Reviews over the years.

The current applications (CUP No. 3593 and VA No. 4049) propose to allow a 33,491 square-foot, 36.9-foot-tall, finished goods warehouse distribution center (maximum 35 feet allowed) with truck docks. Additional improvements include a 54,907 square-foot processing building, 7,500 square-foot processing building, employee and truck parking, 180,000 square-foot anaerobic pond, secondary wastewater treatment facility with related improvements, and a 19.28-acre treated wastewater retention basin. The project also proposes to allow irrigation of 77.99 and 78.79 acres of farmland with treated wastewater from the facility to grow Sudan Grass and winter forage as cattle feed.

The project will be constructed in four phases. Phase 1 of the project includes a secondary wastewater treatment facility with related improvements (includes operation building/structures, storage tanks, elevated walkway, aeration basins, pumps, etc.), 180,000 square-foot anaerobic pond, and a 19.28-acre treated wastewater retention basin. Phase 2 of the project includes a 33,491 square-foot finished goods warehouse distribution center. Phase 3 of the project includes a 54,907 square-foot processing building, employee and truck parking, and all-weather fire lane. Phase 4 includes a 7,500 square-foot processing building.

THE FOLLOWING ANALYSIS ADDRESSES CONDITIONAL USE PERMIT APPLICATION NO. 3593:

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:	Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (McCall Avenue; east property line): 600 feet Side (north property line): 430 feet Side (south property line): 370 feet Rear (west property line): 1,056 feet	Yes
Parking	<ul style="list-style-type: none"> One parking space for every two permanent employees 	<ul style="list-style-type: none"> 1,177 parking spaces (937 existing; 240 proposed) for 1,000 employees/sales persons (maximum 	Yes

	Current Standard:	Proposed Operation:	Standard Met (y/n)
	<ul style="list-style-type: none"> • One parking space for each company sales person • One parking space for each company vehicle 	500 parking spaces required) <ul style="list-style-type: none"> • 15 truck parking spaces 	
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	40 feet between animal shelter and building for human occupancy	1,545 feet	Yes
Wall Requirements	Per Section 855-H.2 of the County Ordinance Code The property is enclosed by an eight-foot-tall chain-link fence	No change	N/A
Septic Replacement Area	100 percent for existing system	Evaluation and approval of the existing sewage disposal system is required by the Fresno County Department of Public Works and Planning and the Regional Water Quality Control Board.	Yes
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	No changes to the existing wells and no new wells are to be drilled. The facility will continue to operate as a non-transient non-community water system per the approval granted by the California Department of Public Health, Division of Drinking Water.	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvements meet the setback requirements of the AE-20 Zone District. Completion of a Site Plan Review is recommended as a Condition of Approval for the project.

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 proposed improvements exceed the minimum building setback requirements of the AE-20 Zone District. The improvements will be set back approximately 600 feet from the east property line (35 feet required), 430 feet from the north property line (20 feet required), 370 feet from the south property line (20 feet required) and 1,056 feet from the west property line (20 feet required).

Concerning off-street parking for the proposal, the Zoning Ordinance requires parking standards of the AE Zone District, which is one parking space for every two permanent employees, one parking space for each company sales person and one parking space for each company vehicle. Based on the existing 1,000 employees/sales persons, the project requires 500 parking spaces. As shown on the Site Plan (Exhibit 5), the project provides for 1,177 parking spaces (937 existing; 240 proposed), which meets the requirement.

Based on the above information and with adherence to Site Plan Review, included as a Condition of Approval to address design of parking and circulation areas, access, on-site grading and drainage, fire protection, signage and lighting, staff believes the site is adequate in size and shape to accommodate the proposal.

Recommended Conditions of Approval:

See Mitigation Measures and recommended Conditions of Approval attached as Exhibit 1.

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	N/A
Public Road Frontage	Yes	McCall Avenue; Fair condition	The project will pay its fair share towards roadway structural section improvement for McCall Avenue
		Clarkson Avenue; Fair condition	No change

		Existing Conditions	Proposed Operation
Direct Access to Public Road	Yes	McCall Avenue; Fair condition	See above
Road ADT (Average Daily Traffic)		900 (McCall Avenue) 3600 (Clarkson Avenue)	No change No change
Road Classification		Local (McCall Avenue) Local (Clarkson Avenue)	No change No change
Road Width		<ul style="list-style-type: none"> 30-foot right-of-way west of section line (McCall Avenue) 20-foot right-of-way south of section line (Clarkson Avenue) 	No change No change
Road Surface		Asphalt concrete paved (McCall and Clarkson Avenues)	No change
Traffic Trips		<p>Per the Traffic Impact Study prepared for the project by Peters Engineering Group and dated June 5, 2018:</p> <p>Vehicles entering the site per 24 hours:</p> <ul style="list-style-type: none"> 1,000 passenger vehicles; 11 two-axle; 6 three-axle; 90 five-axle <p>Vehicles exiting the site per 24 hours:</p> <ul style="list-style-type: none"> 1,016 passenger vehicles; 10 two-axle; 7 three-axle; 3 four-axle; 90 five-axle <p>Trip Generation</p> <ul style="list-style-type: none"> 388 Project peak-hour trips from 5:15 a.m. to 6:15 a.m. (one-way trips 353 in and 35 out, including 2.3 percent truck trips) 111 AM peak-hour trips from 7:15 a.m. to 8:15 a.m. (one-way trips 84 in and 27 out, including 17 percent truck trips) 	<p>Per the Traffic Impact Study prepared for the project by Peters Engineering Group, the project generates more truck trips than previously identified in Conditional Use Permit No. 2855, causing a significant pavement impact on McCall Avenue by increasing the TI (Traffic Index) by 0.5. To mitigate the impact, the TIS recommended that the project should make monetary contribution toward improvement of McCall Avenue. The Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning approved Mitigation Measures (Exhibit 1) would require the project to pay its pro-rata share toward roadway structural section improvement for McCall Avenue (overlay with 0.15' Hot Mix Asphalt thickness) from E. Clarkson to the project site access and from the project site access to E. Elkhorn Avenue</p>

		Existing Conditions	Proposed Operation
		<ul style="list-style-type: none"> 313 PM peak-hour trips from 4:45 p.m. to 5:45 p.m. (one-way trips 31 in and 282 out, including 2 percent truck trips) 	
Traffic Impact Study (TIS) Prepared	Yes	See above "Traffic Trips"	Per the Traffic Impact Study prepared, the project will participate in the pro-rata share costs to pay for roadway improvements (McCall Avenue). This requirement has been included in Mitigation Measures in Exhibit 1 of this report.
Road Improvements Required		McCall Avenue; Fair condition	The project would require McCall Avenue overlay with 0.15' Hot Mix Asphalt thickness from E. Clarkson to the project site access and from the project site access to E. Elkhorn Avenue.

Reviewing Agency/Department Comments:

Design Division of the Fresno County Department of Public Works and Planning: Prior to the issuance of building permits for the project, the Applicant shall enter into an agreement with the County of Fresno to participate in pro-rata share costs toward roadway structural section improvement for McCall Avenue. Details of the required improvements and pro-rata shares have been included as a Mitigation Measure in Exhibit 1 of this report.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any work done within the right-of-way to construct a new driveway or improve an existing driveway shall require an encroachment permit from the Road Maintenance and Operations Division. A 10-foot by 10-foot corner cutoff should be improved for sight distance purposes at the existing driveway onto McCall Avenue. Any access driveway shall be set back a minimum of 10 feet from the property line. These requirements have been included as Project Notes.

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

Analysis:

The project site fronts McCall and Clarkson Avenues which are Local roads in fair condition, and are maintained by the County. No new site access is proposed by this application. The existing paved access off McCall Avenue located at the northeast corner of the project site will continue to provide main access to the property. However, the current dirt access off McCall Avenue, located at the southeast corner of the property, will be improved to an all-weather base fire access road.

According to the Applicant’s Operational Statement (Exhibit 6), CUP No. 2855 was approved in 1998 for 520 employees and the following daily truck trips: 17 cattle trucks, 31 trucks exporting finished products and by-products, and two visitors daily (50 trucks, 100 trips). In addition, according to the Operational Statement, the facility currently has 1,000 employees and generates 217 daily truck trips (combined entering and exiting the site) and will not increase the number of employees or trucks trips as a result of the expansion proposed by this application.

The Traffic Impact Study (TIS) prepared for the project by Peters Engineering and dated June 5, 2018 evaluated the impacts of the project based on the Applicant’s existing operation authorized by CUP No. 2855. The TIS analyzed five intersections, including the project’s site access for A.M. and P.M. peak-hour traffic impacts, and also performed a Traffic Index (TI) analysis. The analysis showed that all of the five studied intersections are and will be operating at acceptable Level of Service (LOS) C or better in all study scenarios. Given that LOS C or better is acceptable for Fresno County when the facility is outside of the Spheres of Influence of the City of Fresno and City of Clovis, no mitigation was required for the project. However, the TI analysis showed the project’s truck traffic will have a significant impact to the roadway of McCall Avenue between Clarkson Avenue and Elkhorn Road. The project’s truck traffic will have increased the TI of the roadway by 0.5, which is considered a significant impact. To mitigate the impact, the TIS recommended the project’s monetary contribution toward pavement maintenance on McCall Avenue. The Design and Road Maintenance and Operations Divisions of the Department of Public Works and Planning, and California Department of Transportation concurred with the TIS finding and a pro-rata share cost estimate was prepared as a Mitigation Measure for off-site improvements to mitigate the project’s impact to McCall Avenue. The Applicant has accepted the Mitigation Measures and they are listed in Exhibit 1 of this report.

Based on the above information, and with adherence to the Mitigation Measures and Project Notes as described above, staff believes McCall Avenue at the project site can accommodate the traffic generated by this proposal.

Recommended Conditions of Approval:

None.

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	63.25 acres 4.68 acres	Single-Family Residence; fruit orchard	AE-20	None
South	19.93 acres 83.28 acres 163.9 acres	Single-Family Residences; fruit orchard	AE-20	30 feet

Surrounding Parcels				
East	19.55 acres	Fruit orchard	AE-20	937 feet
West	212.4 acres	Fruit orchard	AE-20	None

Reviewing Agency/Department Comments:

The Fresno County Department of Public Works and Planning, Building and Safety Section: Pursuant to the Fresno County Local Agency Management Plan (LAMP), where the quantity or quality of the sewage is in excess of 3,500 gallons per day design flow, the method of sewage treatment and dispersal shall be first approved and permit issued by the Regional Water Quality Control Board.

This requirement has been included as a Condition of Approval.

Within 30 days of the occurrence of any of the following events the Applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) There is a 100 percent or more increase in the quantities of a previously-disclosed material; and 2) The facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts. The business shall certify that a review of the business plan has been conducted at least once every year and that any necessary changes were made and that the changes were submitted to the local agency. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, and Division 4.5. Per the California Plumbing Code Appendix H, access to septic tanks shall be maintained; and Section 6.9 Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent.

The facility shall update and resubmit the Risk Management Plan (RMP) within six months if there is a significant change to the regulated process. RMP's must be updated at least once every five years. The RMP shall be submitted sooner than the five-year anniversary date if any of the changes specified in 40 CFR (Code of Federal Regulations) 68.190(b) occur.

In an effort to protect groundwater it is required that all water wells (not intended for use by the project or for future use) and septic systems that have been abandoned within the project area shall be properly destroyed by an appropriately-licensed contractor. For water wells located in the unincorporated area of Fresno County, permits for destruction and construction shall be obtained from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work.

The aforementioned requirements have been included as Project Notes.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: A dust palliative should be required on all un-paved parking and circulation areas. A Site Plan Review should be conditioned to ensure all zoning requirements, policies, mitigation measures/conditions of land use approval, lighting, ADA, public welfare, and circulation requirements, are satisfied. These requirements have been included as Conditions of Approval.

The driveways shall be concrete or asphalt concrete paved a minimum of 24 feet for the first 100 feet off the edge of the road right-of-way. Any additional entrance shall be asphalt concrete

driveway approach 24 to 35 feet in width, as approved by the Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning. ADA (Americans with Disabilities Act) stalls for the physically disabled shall conform to state standards and be located as close as possible to the main entrance of buildings where employees work. All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.

Consolidated Irrigation District (CID): The Consolidated Irrigation District (CID) Hatch Ditch pipeline runs south along the west side of McCall Avenue from just south of Clarkson Avenue and terminates at the northeast corner of the parcel identified by APN 393-141-10S. The Consolidated Irrigation District shall be consulted for any development near the pipeline.

The Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan may be required to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties. A Grading Permit or Voucher may be required for any grading proposed with this application. Any additional run-off generated by the proposed development of the site cannot be drained across property lines and must be retained or disposed of per County Standards.

Fresno County Fire Protection District: The project shall comply with the latest California Code of Regulations Title 24 – Fire Code, and County-approved site plans shall be approved by the Fire District prior to issuance of building permits by the County. The project shall annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.

San Joaquin Valley Air Pollution Control District (Air District): The following Air District rules may apply to the project: 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) in the event an existing building will be renovated, partially demolished or removed.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for all proposed improvements on the property.

The aforementioned requirements have been included as Project Notes.

Dumna Wo Wah Tribal Government: A consultation between the Tribe and the County (per Assembly Bill 52) has concluded and the archeological research conducted for the project found no evidence of Tribal Cultural Resources on the project site (see the following analysis).

Central Valley Regional Water Quality Control Board; Water and Natural Resources Division of the Fresno County Department of Public Works and Planning; Fresno County Sheriff-Coroner; Table Mountain Rancheria, Tribal Government Office; Santa Rosa Rancheria Tachi Yokut Tribe: No concerns with the proposal.

Analysis:

The project site is currently developed with various buildings/structures, ponding basins and parking and circulation areas related to an existing cattle meat processing/packaging facility. The adjacent farmland to the north and west of the site contains field crops, and farmland to the south and east of the site contains orchard. Sparse single-family residences are also located on

the surrounding farmland.

As noted earlier, the existing cattle slaughtering and meat processing facility has been operating on the property since 1900. Special Use Permit No. 145 was approved in 1953 to recognize the use and allow the facility expansion. Between 1966 and 1998, six Conditional Use Permits were approved to allow further expansion of the facility to include animal slaughtering, meat processing and packaging, dead animal and offal reduction for tallow, chiller and refrigerated warehouse, hide processing room, truck garage, lunch room, maintenance area, office building, restrooms and locker rooms, and employee parking and paved circulation drive.

The subject application (CUP No. 3593) entails the addition of a finished goods warehouse distribution center with truck docks, processing buildings, employee and truck parking, anaerobic pond, secondary wastewater treatment facility, and a treated wastewater retention basin, including irrigation of farmland with treated wastewater from the facility. As noted by the Applicant, the proposed expansion is for an automated beef processing system to increase product and packaging efficiency.

The Initial Study prepared for this project identified potential impacts related to aesthetics, and transportation/traffic. Regarding aesthetics, all outdoor lighting would be required to be hooded and directed downward so as not to shine upon adjacent roads and properties. Regarding transportation/traffic, the project would be required to pay its pro-rata share in the funding of off-site road improvement (McCall Avenue). These requirements have been included as Mitigation Measures.

Potential Impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality; and public services have been determined to be less than significant. The project will comply with the Air District Rule 9510 and permitting requirements; require an Engineered Grading and Drainage Plan to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties; obtain a Grading Permit or Voucher; require sewage treatment and dispersal according to the requirements of the Fresno County Local Agency Management Plan (LAMP) administered by Fresno County Department of Public Works and Planning, Building and Safety Section; handle hazardous materials/wastes according to the requirements of the California Health and Safety Code (HSC) and submit a Hazardous Materials Business Plan; require abandonment of all water wells within the project area; comply with the current Fire Code and Building Code; and annex the property to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. These requirements have been included as a Condition of Approval and Project Notes and will be addressed through Site Plan Review.

According to the San Joaquin Valley Air Pollution Control District (Air District), the project would comply with the Health Impact Assessments (HRA) prepared by the Applicant if the nearest residential receptor to the project site is demolished and not rebuilt. This requirement has been included as a Condition of Approval.

According to the Central Valley Regional Water Quality Control Board (RWQCB) review of the proposal, the proposed secondary wastewater treatment (WWT) facility will improve the wastewater treatment capabilities for the wastewater at the current facility and will discharge water to the land in accordance with and in compliance with applicable water quality objectives of the region. As such, RWQCB expressed no concerns regarding the use of treated wastewater onto the 77.99-acre and 78.79-acre farmland to grow crops.

The project site is not within any area designated as moderately or highly sensitive to

archeological finds. Pursuant to AB (Assembly Bill) 52, County staff routed the project to the Dumna Wo Wah Tribal Government; Table Mountain Rancheria, Tribal Government Office; and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No request for consultation was received by any tribe except the Dumna Wo Wah Tribe. Staff initiated consultation with the Tribe to determine the project’s potential impact to Tribal Cultural Resources (TCRs). As part of this process, an Archaeological Records Search for the site from the Southern San Joaquin Valley Information Center reported no cultural resources on the property and a Sacred Lands Search from the Native American Heritage Commission was negative for any sacred sites on the property. The Tribe was consulted for the identification of any TCRs on the property that establishes the existence of resources which satisfy the criteria of Public Resources Code section 21074(a)(2). However, with no evidence provided, staff concluded that the project will have no significant effects on TCRs and there is no need to impose Mitigation Measures on the project relative to TCRs.

Based on the above information and with adherence to the Mitigation Measures, recommended Conditions of Approval, 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 an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See Mitigation Measures and 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:
<p>General Plan Policy LU-A.3: County may allow by discretionary permit in areas designated Agriculture certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to the following Criteria: a) Use shall provide a needed service to surrounding agricultural area which cannot be provided within urban areas; b) Use shall not be sited on productive agricultural lands if less productive lands are available; c) Use shall not have a detrimental impact on water resources or the use or management of surrounding properties within ¼-mile radius; d) Probable workforce located nearby or readily available.</p>	<p>With regard to Criteria “a”, the project entails expansion of an existing cattle slaughtering and meat processing facility authorized by discretionary land use approvals. With regard to Criteria “b”, the 59.9-acre project site is classified as “Urban and Built-Up Land” on the 2014 Fresno County Important Farmland Map and is pre-disturbed with improvements related to the existing facility. With regard to Criteria “c”, the project will have no impact on groundwater resources due to no additional water usage. With regard to Criteria “d”, the project site is adjacent to the City of Kingsburg, which can provide workforce for the facility.</p>
<p>General Plan Policy LU-A.12: County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p>	<p>As discussed above in Policy LU-A.3, the subject proposal is a compatible use with agriculture. The proposed improvements will be confined within a 59.9-acre pre-disturbed,</p>

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.13: County shall require buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> <p>Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation shall be required where appropriate.</p>	<p>non-agricultural land, secured by eight (8)-foot-tall chain-link perimeter fencing. No impact would occur on the adjacent farming operations. The project meets these policies.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</p>	<p>The project site is not located in a water-short area of Fresno County. Water currently used by the existing cattle slaughtering and meat processing facility comes from on-site wells. The subject proposal will not consume additional water to impact groundwater resources. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns with the project. The project meets this policy.</p>
<p>Policy HS-B.1: County shall review project proposals to identify potential fire hazards and to evaluate the effectiveness of preventive measures to reduce the risk to life and property.</p>	<p>The project will comply with the California Code of Regulations Title 24 - Fire Code and require the Fresno County Fire Protection District's approval prior to the issuance of building permits. The project meets this policy.</p>
<p>Policy HS-F.1: County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.</p>	<p>The proposal will handle all hazardous waste in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5 and discussed in this report. The project meets this policy.</p>

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the Fresno County General Plan. Policy LU-A.3 states that agriculturally-related activities and value-added processing facilities may be allowed by discretionary permit in areas designated agriculture, subject to meeting a number of specific criteria. Policy LU-A.12 requires that agricultural activities be protected from encroachment of incompatible uses; Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations; Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and mitigation measures where appropriate; Policy PF-C.17 requires a sustainable water supply for the project; and Policy HS-B.1 requires identification of potential fire hazards and evaluation of the effectiveness of preventive measures to reduce the risk to life and property. Policy HS-F.1 requires that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.

Analysis:

The project meets the intent of Policy LU-A.3 as discussed above in General Plan Consistency/ Consideration. Concerning this policy, the existing slaughtering and meat processing facility established in the early 1900s has received several land use entitlements that were granted between 1953 and 1998 to allow for the expansion of the facility as described in the “Background Information.” All previous Conditional Use Permits processed after 1976 (when Policy LU-A.3, Criteria a, b, c, and d were adopted) resulted in the determination that the use met the above-specified criteria. The current proposal, which seeks to expand the use by adding facilities in support of the existing use, will not change the basic nature of the operation or result in a significantly more intense use.

Concerning consistency with Policy LU-A.12, Policy LU-A.13, and Policy LU-A.14, the project is a compatible use pursuant to Policy LU-A.3, will be secured by the existing perimeter fencing, and will maintain adequate distance from adjacent farming operations.

Concerning consistency with Policy PF-C.17, Policy HS-B.1, and Policy HS-F.1, the project will not increase water consumption, will comply with the California Code of Regulations Title 24 – Fire Code, will obtain Fresno County Fire Protection District’s approval prior to the issuance of building permits, and will adhere to state laws regarding the handling of hazardous materials.

Based on the above information, staff believes the proposal is consistent with the Fresno County General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

THE FOLLOWING ANALYSIS ADDRESSES VARIANCE APPLICATION NO. 4049:

Staff research indicates that no other building height-related Variance applications were filed within one mile of the subject property. However, the Planning Commission approved Variance No. 3607 on May 21, 1998, which allowed a 42-foot-high meat processing and refrigerated warehouse on the project site.

Findings 1: *There are exceptional or Extraordinary Circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.*

Findings 2: *Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.*

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The AE-20 Zone District requires a 35-foot building height. A Variance Application is required to waive the requirements to allow a 36.9-foot building height.

No other comments specific to the building height were expressed by reviewing Agencies or Departments.

Analysis:

This Variance proposal entails a request to allow a maximum height of 36.9 feet for the proposed finished goods warehouse distribution center proposed by Conditional Use Permit Application No. 3593. The maximum height allowed in the AE-20 Zone District is 35 feet.

In order to make Findings 1 and 2 of the “Findings Necessary for the Granting of a Variance” (Exhibit 7) a determination must be made that the property is subject to an exceptional or extraordinary circumstance that does not apply to other properties in the same zoning district, and that a substantial property right shared by other property owners must be demonstrated.

In support of Finding 1, the Applicant states that the proposed 36.9-foot-tall building will match with the height of the existing building on the property. Further, the building will store pallets of finished goods to be moved by forklift to attached shipping docks for distribution, necessitating the additional height.

In support of Finding 2, the Applicant states that an additional shipping dock (proposed by CUP No. 3593) will allow loading of more trailers at once instead of moving trailers to parking lot and swapping them out.

The proposed 36.9-foot-high goods warehouse distribution center will connect to the existing meat processing and cold storage facility and is an essential part of the facility operations. Staff review of the Site Plan and aerial photographs show that the proposed building area is limited in space due to the surrounding structures. Thus, space restriction and the use of the building to store pallets of finished goods, which requires greater height, justifies a building design with a higher elevation. Staff concurs with the Applicant regarding the other similar height building on the property. There is a 42-foot-tall meat processing and refrigerated warehouse on the property authorized by Variance No. 3607.

A consideration in addressing Findings 1 and 2 is whether there are alternatives that would avoid the need for the Variance. As the proposed building height directly relates to the function of the building, the only alternative would be to either reduce the building height, which may result in less efficient use of the building, or eliminate the use from the proposal. Given both options are undesirable by the Applicant, staff believes a building height of 36.9 feet is acceptable and would fit to the use of the building. Based on this discussion, staff believes Findings 1 and 2 can be made.

Recommended Conditions of Approval:

None.

Conclusion:

Findings 1 and 2 can be made.

Finding 3: *The proposal will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity in which the property is located.*

Analysis:

The primary purpose of the height requirement for building structures is to protect the aesthetic character of the neighborhood. Without building height standards, extreme height variations can occur between buildings on adjacent properties, which can negatively affect the appearance along streets.

Building height regulations in the agricultural districts address a number of considerations, including community aesthetic standards, fire protection capabilities, and agricultural practices such as crop dusting.

The project site is developed with buildings/structures, ponding basins and parking and circulation areas related to an existing cattle slaughtering and meat processing facility. The site is located in an agricultural area comprised of field crops with sparse single-family residences.

In support of Finding 3, the Applicant states that granting of a height variance of 1.9 feet will not be detrimental to the public in the vicinity.

The proposed 36.9-foot-tall building will be set back approximately 430 feet to the north, 370 feet to the south and 600 feet to the east of the adjacent properties. Staff notes that the building is 5.3 feet shorter than the existing 42-foot-high meat processing and refrigerated warehouse on the property approved by Variance No. 3607. For that reason, staff concurs with the Applicant that granting of a height variance of 1.9 feet over the maximum 35 feet allowed in the AE Zone District would not necessarily create substantial visual impacts to the neighborhood. In addition, the building height will have no impact on crop dusting operation in the area and has not raised any concerns from the Fresno County Fire Protection District. The project will adhere to the fire protection requirements as noted in Exhibit 1 of this report.

Given the above discussion, staff believes that Finding 3 can be made

Recommended Conditions of Approval:

None.

Conclusion:

Finding 3 can be made.

Finding 4: Granting of this variance will not be contrary to the objectives of the General Plan Consistency.

Analysis:

The subject property is designated Agricultural in the Fresno County General Plan. The General Plan policies do not specifically address building height. Therefore, approval of the Variance would not be in conflict with the Agricultural Policies of the General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

CONCLUSION:

Staff believes the required findings can be made for Classified Conditional Use Permit Application No. 3593 based on the factors cited in the analysis and the recommended Conditions of Approval and Notes regarding mandatory requirements. Staff also believes the required findings can be made for Variance Application No. 4049 based on the factors cited in the analysis. Therefore, staff recommends adoption of the Mitigated Negative Declaration prepared for this project and approval of Classified Conditional Use Permit No. 3593 and Variance No. 4049, subject to the recommended conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7373; and
- Determine that the required findings can be made and approve Classified Conditional Use Permit No. 3593, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1; and
- Determine that the required findings can be made and approve Variance No. 4049; subject to the Conditions of Approval and Project Notes attached as 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. 3593; and
- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Variance No. 4049; 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.

EA:ksn

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7373/Classified Conditional Use Permit Application No. 3593/Variance Application No. 4049
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2.	Transportation/ Traffic	<p>Prior to the issuance of building permits for the proposed project (expansion of the existing cattle slaughtering and meat processing facility) the Applicant shall enter into an agreement with the County of Fresno agreeing to participate in pro-rata shares developed in the funding of off-site road improvements as defined in items a and b below.</p> <p>a. The Applicant shall pay their pro-rata share of \$26,124.00 toward roadway structural section improvement for S. McCall Avenue (overlay with 0.15' HMA thickness) from E. Clarkson to the Project site access.</p> <p>b. The Applicant shall pay their pro-rata share of \$73,316.00 toward roadway structural section improvement for S. McCall Avenue (overlay with 0.15' HMA thickness) from the Project site access to E. Elkhorn Avenue.</p> <p>The County shall update cost estimates for the above-specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.</p>	Applicant	Applicant/PW&P	As noted

EXHIBIT 1

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Elevations and Operational Statement approved by the Planning Commission.
2.	All Conditions of Conditional Use Permit No. 2855, 2297, 2251, 2061, 1666, 1474, 674 and 145 shall remain in full force and effect except where superseded by this application.
3.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.
4.	A dust palliative shall be required on all unpaved parking and circulation areas.
5.	Pursuant to the Fresno County Local Agency Management Plan (LAMP), where the quantity or quality of the sewage is in excess of 3,500 gallons per day design flow, the method of sewage treatment and dispersal shall be first approved and permit issued by the Regional Water Quality Control Board.
6.	For the project to be in compliance with Health Risk Assessments approved by the San Joaquin Valley Air Pollution Control District, the Applicant-owned single-family residence at 16481 S. McCall Avenue, Selma, CA (Assessor's Parcel Number: 393-141-12) shall be demolished and not be replaced by another house. Prior to demolition, the Applicant shall obtain a demolition permit from the Fresno County Department of Public Works and Planning.

*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.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Construction plans, building permits and inspections will be required for all improvements on the property. Contact the Building and Safety Section of the Development Services and Capital Projects Division at (559) 600-4540 for plans, permits and inspections.
3.	<p>To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none"> • Within 30 days of the occurrence of any of the following events the Applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) There is a 100 percent or more increase in the quantities of a previously-disclosed material; and 2) The facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts. The business shall certify that a review of the business plan has been conducted at least once every year and that any necessary changes were made and that the changes were submitted to the local agency. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, and Division 4.5. • Per California Plumbing Code Appendix H, access to septic tanks shall be maintained and Section 6.9 Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible

Notes

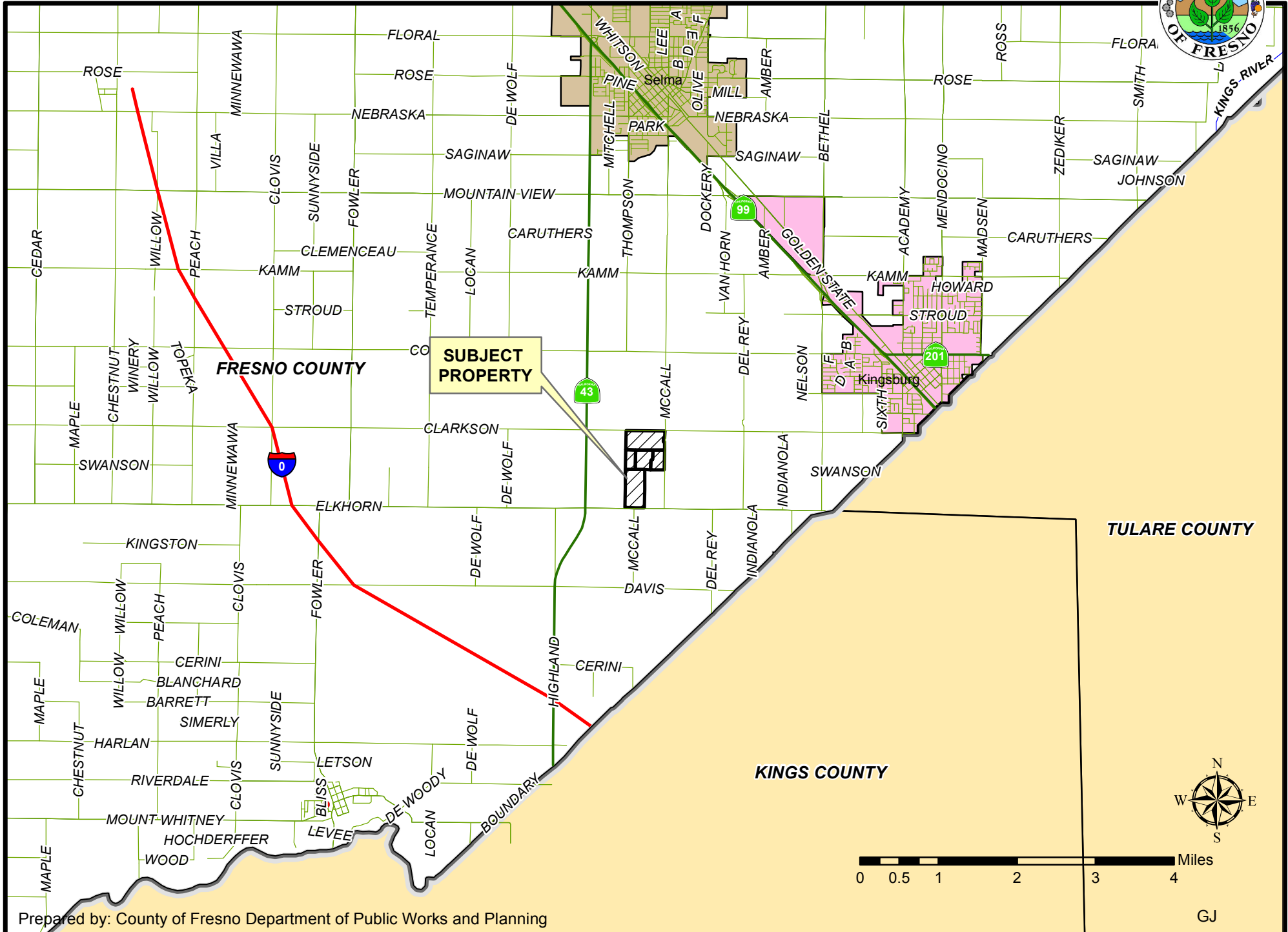
	<p>evaporation of sewer effluent.</p> <ul style="list-style-type: none">• The facility shall update and resubmit the Risk Management Plan (RMP) within six months if there is a significant change to the regulated process. RMP's must be updated at least once every five years.• The RMP shall be submitted sooner than the five-year anniversary date if any of the changes specified in 40 CFR (Code of Federal Regulations) 68.190(b) occur.• In an effort to protect groundwater it is required that all water wells (not intended for use by the project or for future use) and septic systems that have been abandoned within the project area shall be properly destroyed by an appropriately-licensed contractor.• For water wells located in the unincorporated area of Fresno County, permits for destruction and construction shall be obtained from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work.
4.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none">• Any work done within the right-of-way to construct a new driveway or improve an existing driveway shall require an encroachment permit from the Road Maintenance and Operations Division.• A 10-foot by 10-foot corner cutoff should be improved for sight distance purposes at the existing driveway onto McCall Avenue.• Any access driveway shall be set back a minimum of 10 feet from the property line.• An Engineered Grading and Drainage Plan to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties.• A grading permit or voucher for any grading proposed with this application.• Any additional run-off generated by the proposed development of the site cannot be drained across property lines and must be retained or disposed of per County Standards.
5.	<p>To address air quality impacts resulting from the project, the project may be subject to the following San Joaquin Valley Air Pollution Control District rules:</p> <ul style="list-style-type: none">• District Regulation VIII (Fugitive PM10 Prohibitions)• Rule 4601 (Architectural Coatings)• Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations)• Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed• Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials
6.	<p>To address site development impacts resulting from the project, the Site Plan Review Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none">• The driveways shall be concrete or asphalt concrete paved a minimum of 24 feet from the first 100 feet off the edge of the road right-of-way.• Any additional entrance shall be asphalt concrete driveway approach 24 to 35 feet in width, as approved by the Road Maintenance and Operations (RMO) Division.• ADA stalls for the physically disabled shall conform to state standards and be located as close as possible to the main entrance of buildings where employees work.

Notes	
	<ul style="list-style-type: none"> • All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. <p>Note: These requirements will be addressed through Site Plan Review.</p>
7.	The project shall comply with the latest California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fresno County Fire Protection District prior to issuance of building permits by the County. The property shall annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.
8.	The Consolidated Irrigation District (CID) Hatch Ditch pipeline runs south along the west side of McCall Avenue from just south of Clarkson Avenue and terminates at the northeast corner of the parcel identified by APN 393-141-10S. The Consolidated Irrigation District shall be consulted for any development near the pipeline.

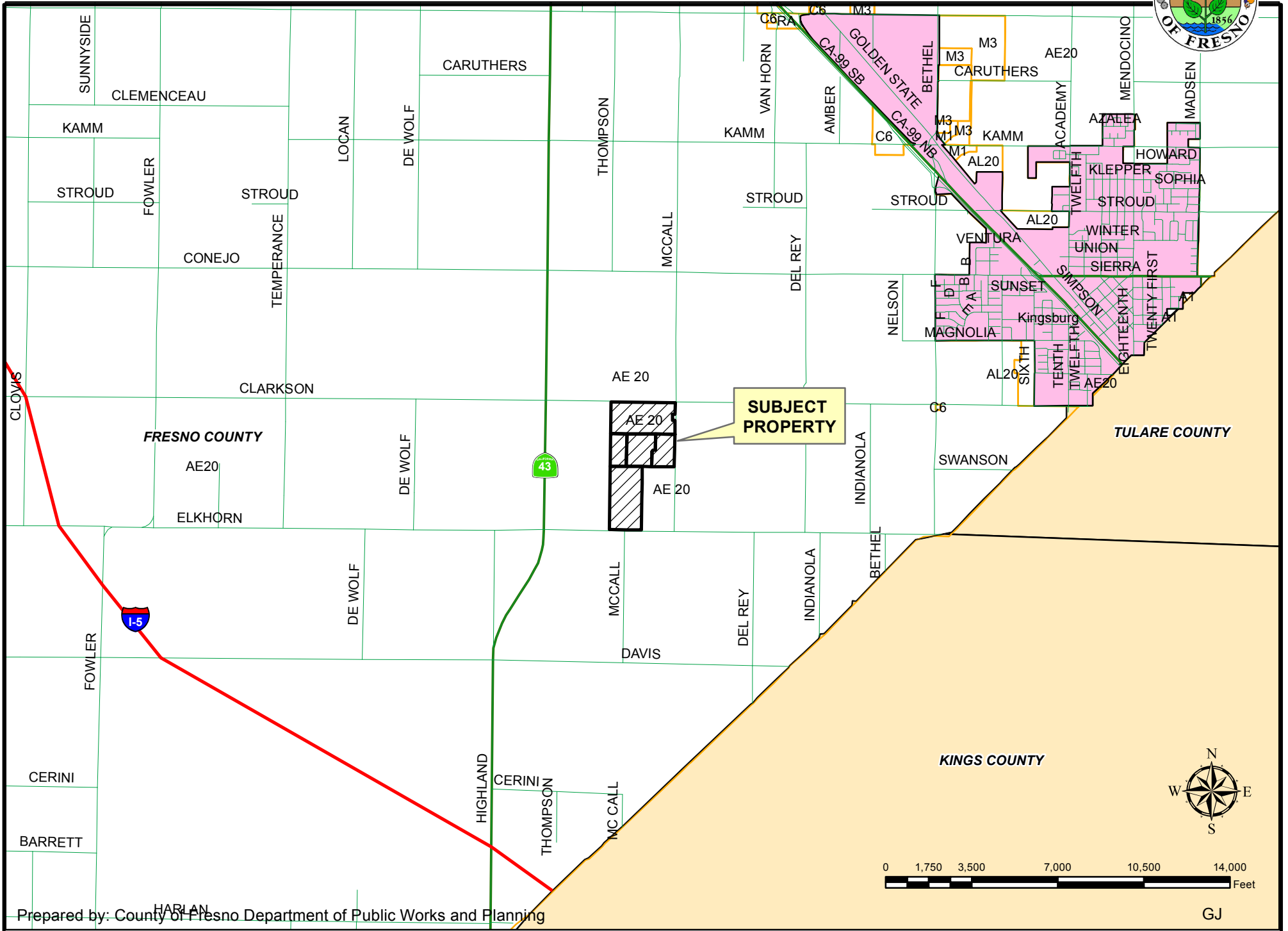
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LOCATION MAP



EXISTING ZONING MAP



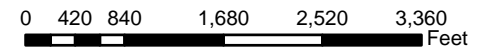
EXISTING LAND USE MAP



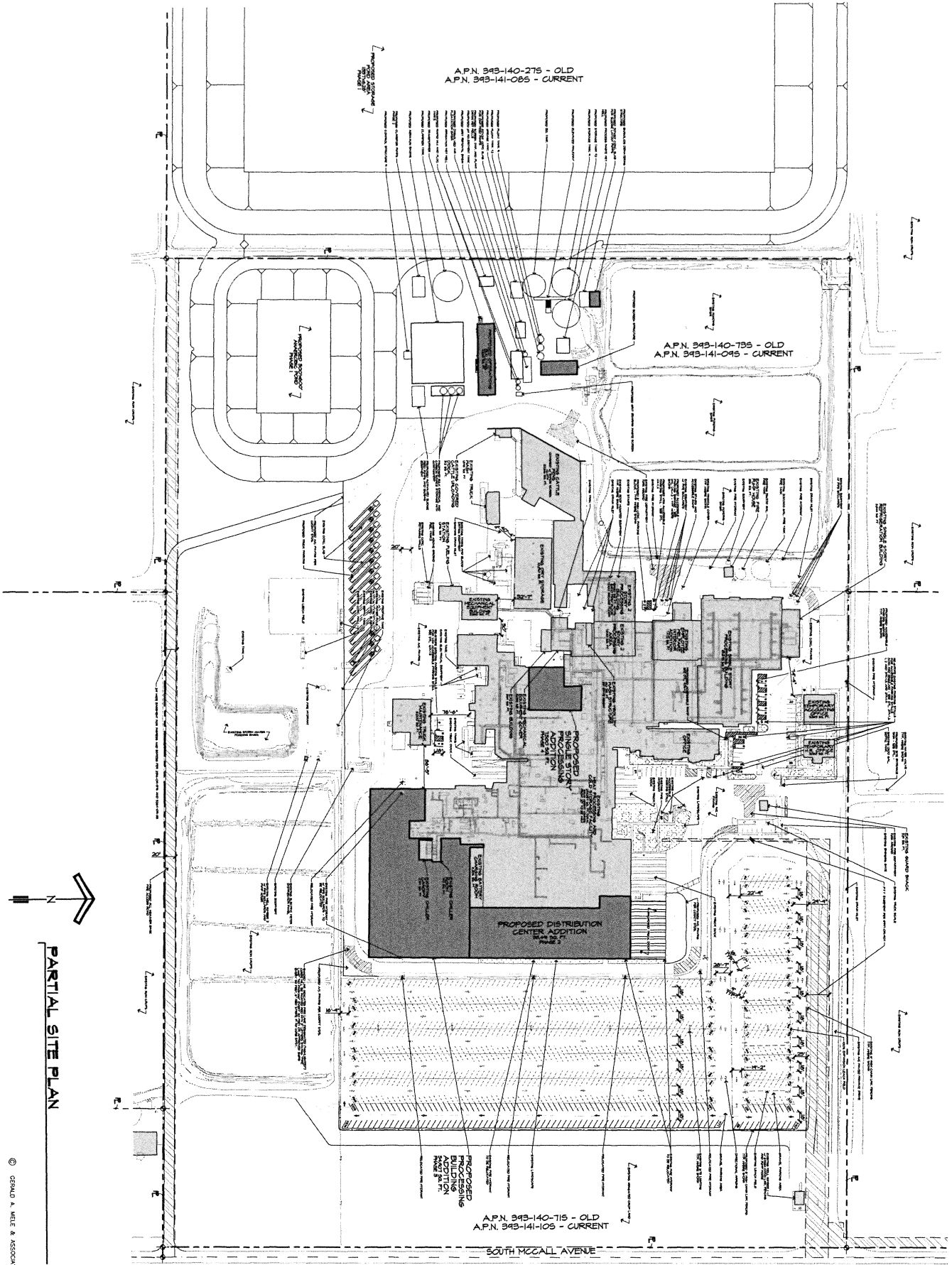
LEGEND	
V - VACANT	
FC - FIELD CROP	
ORC - ORCHARD	
SF#- SINGLE FAMILY RESIDENCE	
VIN - VINEYARD	

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division



PARTIAL SITE PLAN

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Date	04/18/18
Scale	1" = 60'-0"
Dr. By	S. COON
Job No.	2017124
Draw. No.	1728-80
Sheet	A-1.1
Revision No.	2

No.	Issue/Revision	Date/By

PROPOSED PROJECT FOR

HARRIS

BREP COMPANY

1477 80th St. SE
Burien, WA 98148

PROJECT

2017 C.U.P.

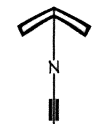
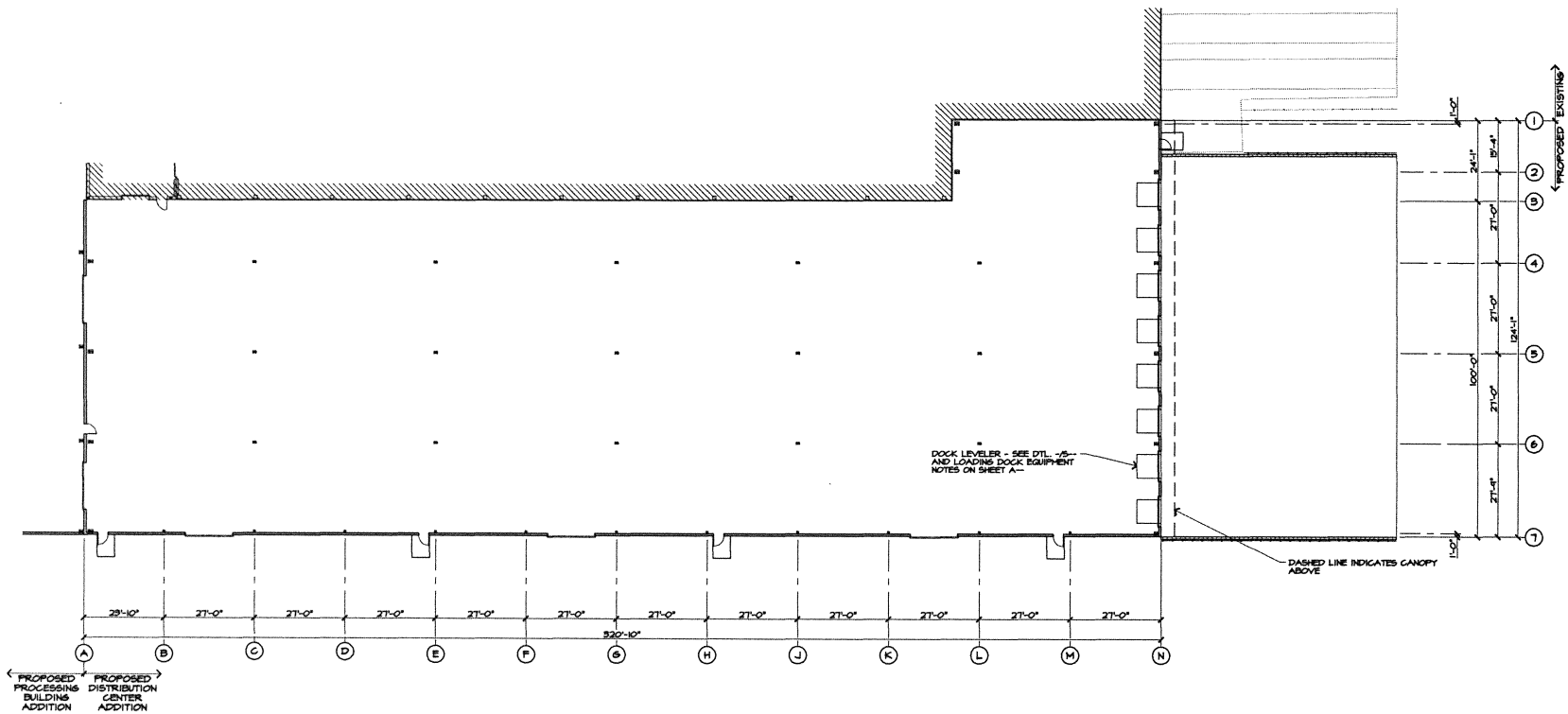
DESIGNED BY

GMA GERALD MELE & ASSOCIATES, INC.

7337 N. FIRST ST., SUITE 110 FRENDA, CA 95726 (916)442-1111 FAX (916)442-1110

CONSULTING ENGINEERS AND ARCHITECTS

GERALD A. MELE, P.E., SE
 MARTIN R. MELE, P.E., SE
 ROBERT A. SANDERS, ARCHITECT
 BRIG S. EDWARDS, P.E., SE
 JACOB G. KENNEDY, P.E.



BUILDING COORDINATION PLAN
DISTRIBUTION CENTER ADDITION - PHASE 2

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WAREHOUSE DISTRIBUTION CENTER

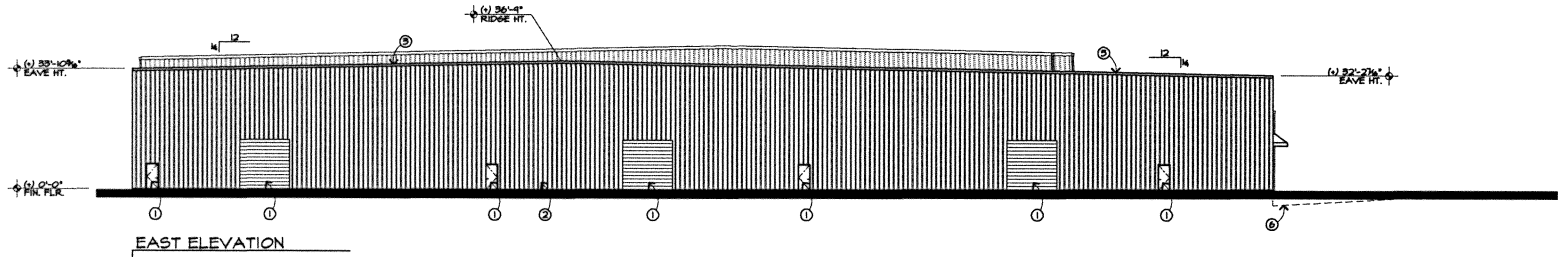
DESIGNED BY
GMA
GERALD A. MELE & ASSOCIATES, INC.
CONSULTING ENGINEERS AND ARCHITECTS
707 N. 10TH ST., SUITE 1100, MILWAUKEE, WI 53233-1117
PHONE: 414.333.8888
WWW.GMA-ARCHITECTS.COM

PROJECT
2017 CUP

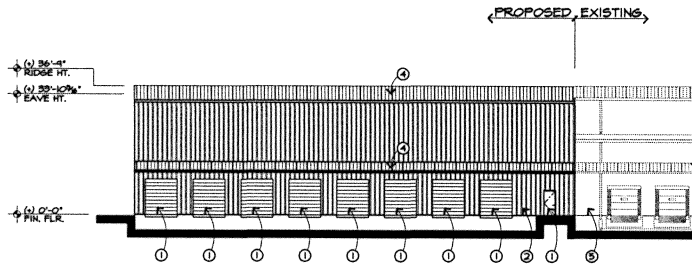
PROPOSED PROJECT FOR
HARRIS
HARRIS CORPORATION
10000 W. WISCONSIN AVENUE
MILWAUKEE, WI 53226-3000

No.	Issue/Revision	Date/By

Date	09/20/17
Scale	1/8" = 1'-0"
Dr. By	S. ODOM
Job No.	2017124
Dwg. No.	1122B/C/P
Sheet	A-2.2
Revision No.	



EAST ELEVATION



NORTH ELEVATION

EXTERIOR MATERIAL LIST:

- MARK DESCRIPTION
- ① DOOR - SEE FLOOR PLAN
 - ② INSULATED METAL PANEL - BY M.B.M.
 - ③ RAKE TRIM - BY M.B.M.
 - ④ METAL ROOFING - BY M.B.M.
 - ⑤ EXISTING BUILDING
 - ⑥ TRUCK DOCK

DESIGNED BY
GMA
 GERALD MELE & ASSOCIATES, INC.
 737 N. 10TH ST., SUITE 110, DENVER, CO. 80202 (303)333-1111 FAX (303)333-1118
 GERALD A. MELE, P.E., S.E.
 ROBERT A. WARDEN, P.E., ARCHITECT
 BRUCE L. SANDERS, P.E.

PROJECT
 2017 C.U.P.

PROPOSED PROJECT FOR
HARRIS
 3111 W. 10TH AVENUE, SUITE 110
 DENVER, CO. 80202

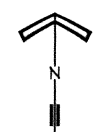
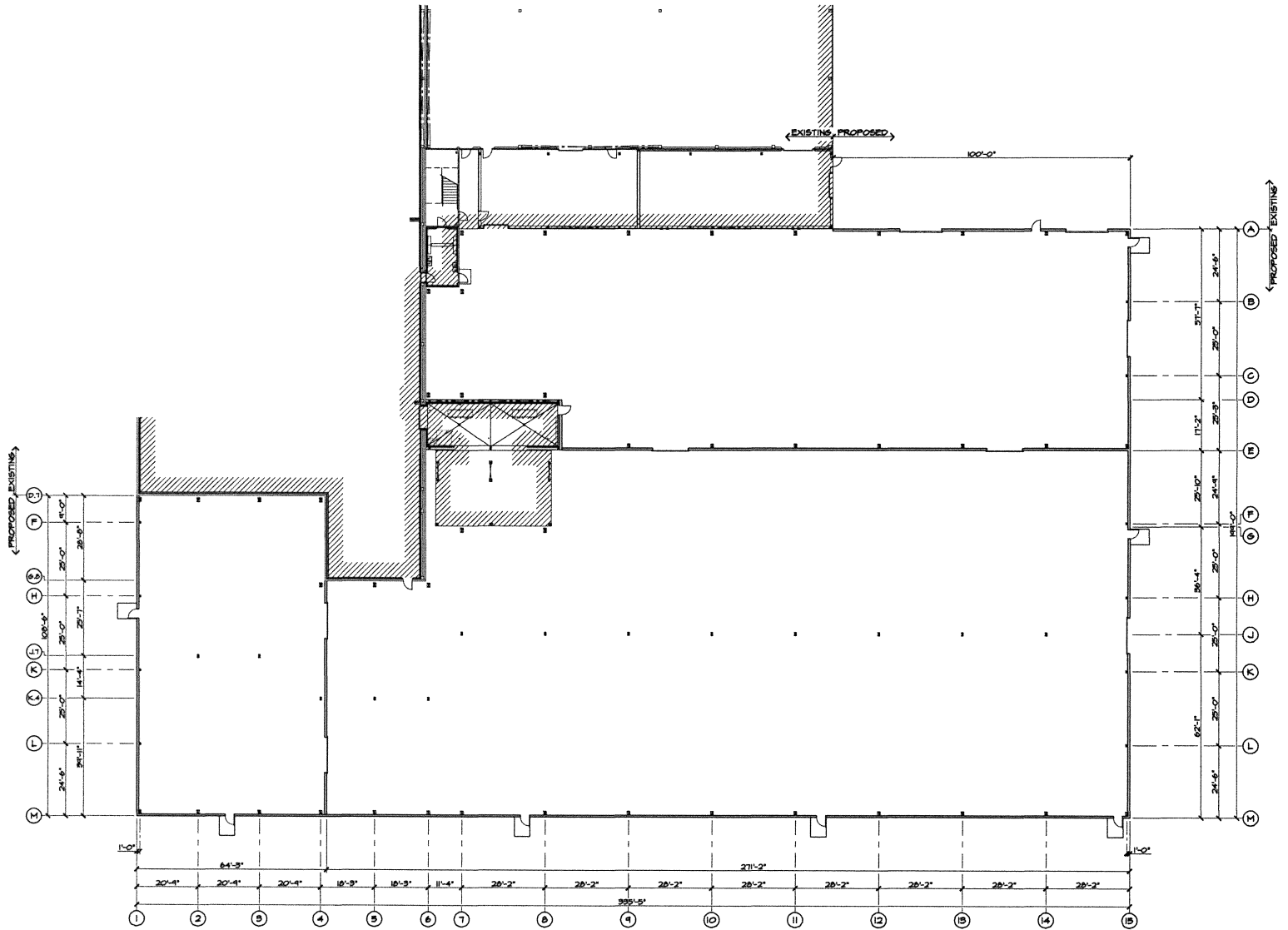
No.	Issue/Revision	Date/By

Date	09/20/17
Scale	1/8" = 1'-0"
Dr. By	S. ODDM
Job No.	2017124
Dwg. No.	1122MELV
Sheet	A-3.2
Revision No.	1

EXTERIOR ELEVATIONS
 DISTRIBUTION CENTER ADDITION - PHASE 2

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WAREHOUSE DISTRIBUTION CENTER
BUILD'G HEIGHT: 36'-9"



BUILDING COORDINATION PLAN
 PROCESS ADDITION - PHASE 3

PROCESSING BUILD'G

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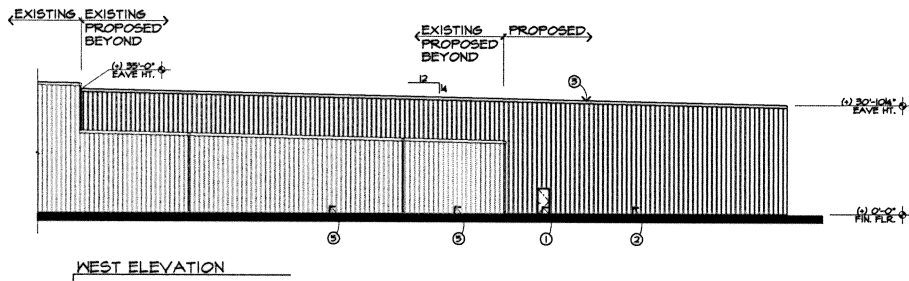
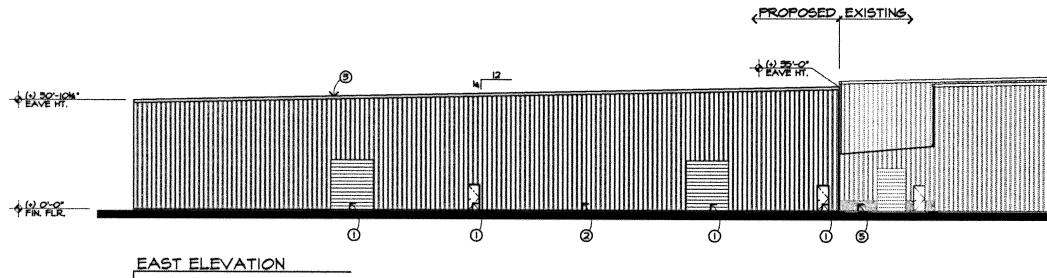
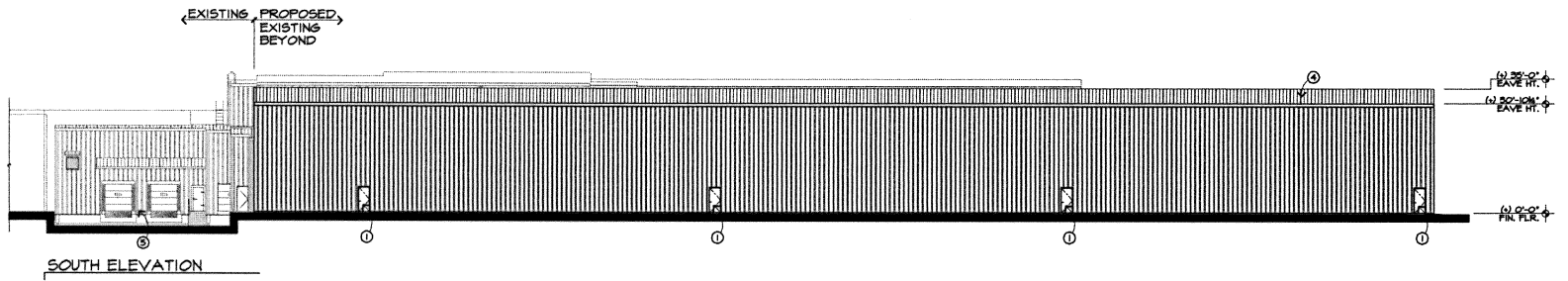
DESIGNED BY
GMA
 GERALD A. MELE & ASSOCIATES, INC.
 CONSULTING ENGINEER AND ARCHITECT
 707 N. 10TH ST., SUITE 110 WENDELL, GA 30258-0903-1111 (706) 864-1116
 GERALD A. MELE, P.E., S.E.
 ROBERT A. WOODRUFF, P.E., ARCHITECT
 JAMES S. LINDSEY, P.E., E.C.

PROJECT
2017 C.U.P.

PROPOSED PROJECT FOR
HARRIS
 811 N. 10TH ST., SUITE 111
 WENDELL, GA 30258

No.	Name/Revision	Date/By

Date	04/20/17
Scale	1/8" = 1'-0"
Dr. By	S. GDDM
Job No.	2017124
Dwg. No.	112PBCP
Sheet	A-2.1
Revision No.	



EXTERIOR MATERIAL LIST:

- | MARK | DESCRIPTION |
|------|-----------------------------------|
| ① | DOOR - SEE FLOOR PLAN |
| ② | INSULATED METAL PANEL - BY M.B.M. |
| ③ | RAKE TRIM - BY M.B.M. |
| ④ | METAL ROOFING - BY M.B.M. |
| ⑤ | EXISTING BUILDING |

EXTERIOR ELEVATIONS
PROCESS ADDITION - PHASE 3

PROCESSING BUILD'G

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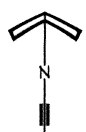
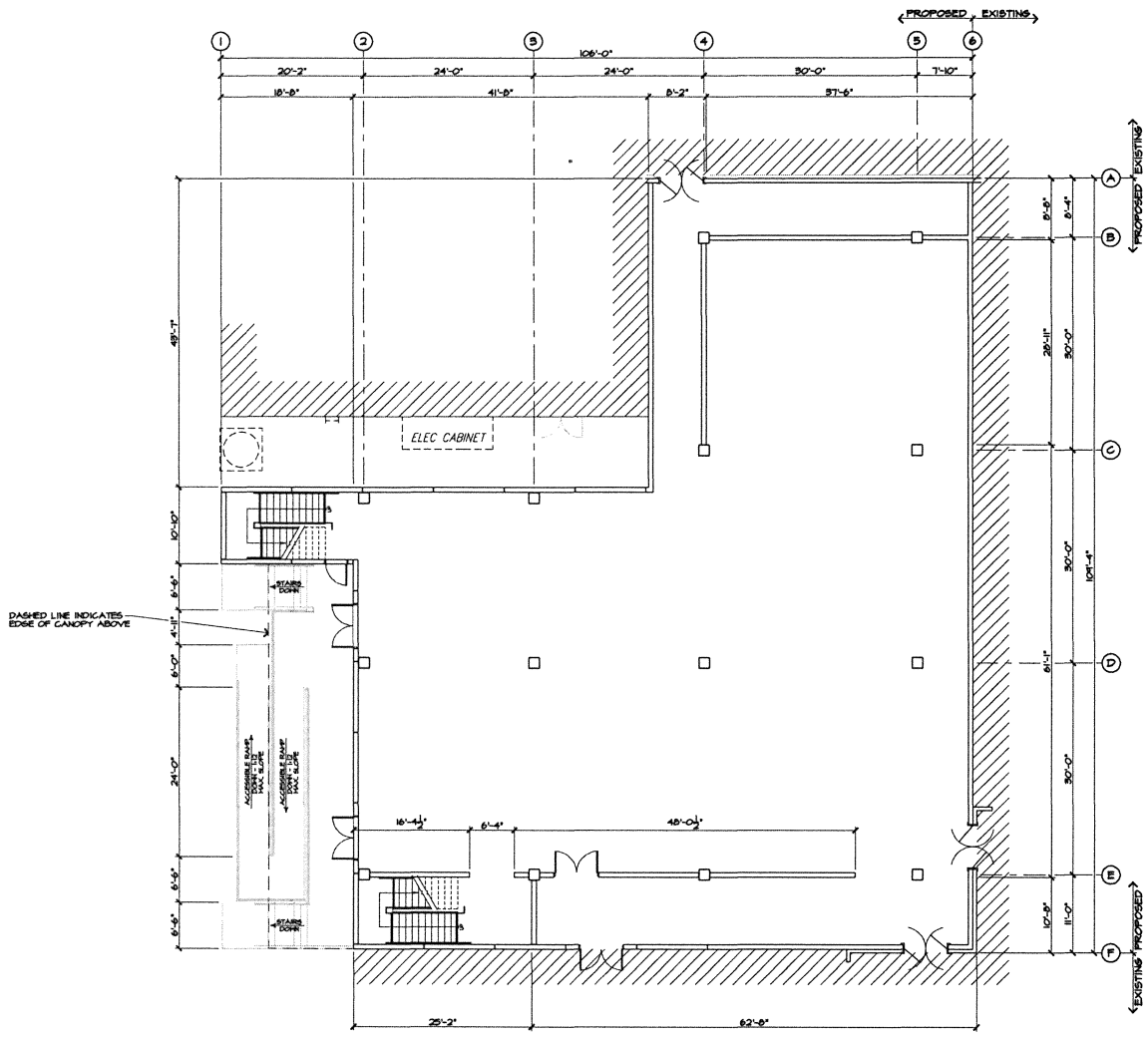
DESIGNED BY
GMA
GERALD MELE & ASSOCIATES, INC.
CONSULTING ENGINEER AND ARCHITECT
207 N. FIRST ST., SUITE 110, IRVINE, CA 92714 (949) 261-1111 FAX (949) 261-1118
WWW.GMA-CA.COM
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PROJECT
2017 C.U.P.

PROPOSED PROJECT FOR
HARRIS
BARRY COMPANY
14275 55th ST. DALY, CA 94588

No.	Issue/Revision	Date/By

Date	04/2017
Scale	1/8" = 1'-0"
Dr. By	S. ODOM
Job No.	2017124
Dwg. No.	1122MELV
Sheet	A-3.1
Revision No.	

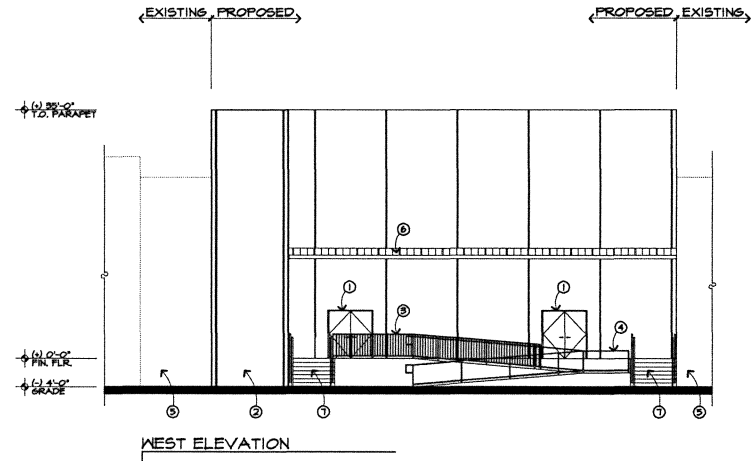


BUILDING COORDINATION PLAN
PROCESS ADDITION - PHASE 4

PROCESSING BUILD'G

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DESIGNED BY	GERALD MELE & ASSOCIATES, INC. 707 N. PEARL ST., SUITE 110 MEMPHIS, TN 38102-1111 TEL: (901) 521-1116		
	GMA CONSULTING ENGINEER AND ARCHITECT DAVID L. GARDNER, P.E., ARCHITECT		
PROJECT	2017 C.U.P.		
PROPOSED PROJECT FOR	HARRIS A THERMO FISHING COMPANY 3111 W. WINDYBROOK DR., SUITE 200 MEMPHIS, TN 38114		
No. Issued/Revision	Date/By		
Date	04/20/17		
Scale	1/8" = 1'-0"		
Dr./By	S. OGDEN		
Job No.	2017124		
Dwg. No.	1124BCP		
Sheet	A-2		
Revision No.			



EXTERIOR MATERIAL LIST:

- | MARK | DESCRIPTION |
|------|-------------------------|
| ① | DOOR - SEE FLOOR PLAN |
| ② | PRECAST CONC. WALL |
| ③ | GUARD RAIL |
| ④ | HANDRAIL |
| ⑤ | EXISTING BUILDING |
| ⑥ | METAL ROOFING - BY MEH. |
| ⑦ | STAIRS |

EXTERIOR ELEVATIONS
PROCESS ADDITION - PHASE 4

PROCESSING BUILD'G

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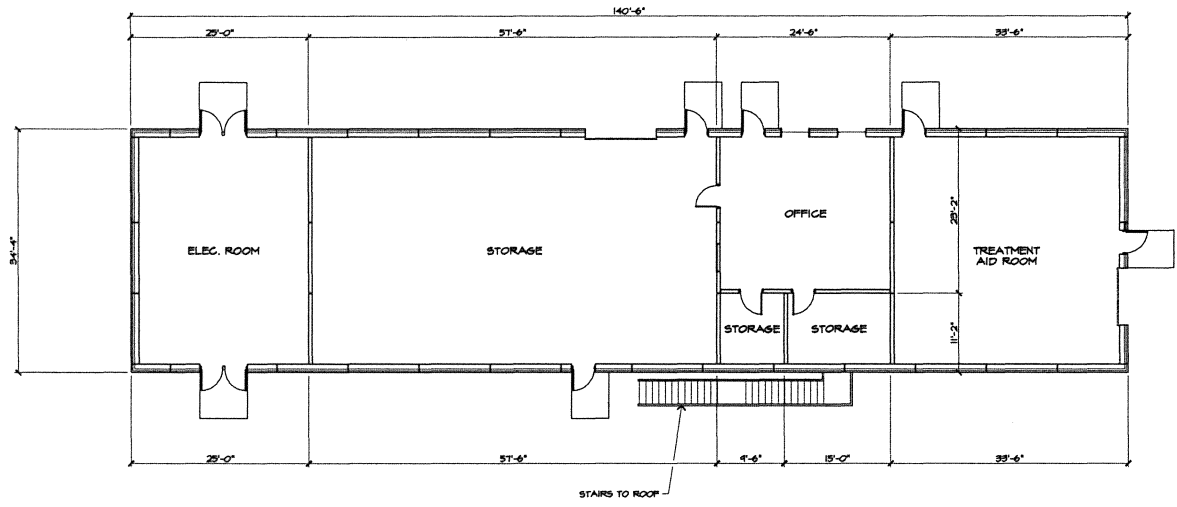
DESIGNED BY
GERALD MELE & ASSOCIATES, INC.
 2027 N. WEST ST. SUITE 110 DENVER, CO 80202
GMA
 CONSULTING ENGINEERS AND ARCHITECTS
 GERALD A. MELE, P.E., S.E.
 JAMES J. CONNOR, P.E., S.E.
 DENVER, CO

PROJECT
2017 C.U.P.

PROPOSED PROJECT FOR
HARRIS
 HARRIS CONSULTING & ENGINEERING
 1117 S. W. 10TH AVENUE
 DENVER, CO 80202

No.	Name/Revision	Date/By

Date	04/20/17
Scale	1/8" = 1'-0"
Dr. By	S. ODOM
Job No.	2017124
Dwg. No.	1124ELEV
Sheet	A-3
Revision No.	



BUILDING COORDINATION PLAN
 PROPOSED OPERATIONS BUILDING - PHASE I

OPERATION BUILD'G (WWTF)

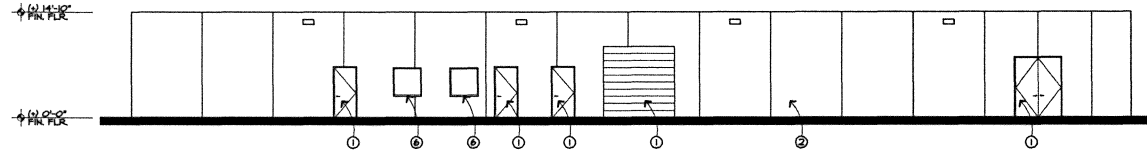
DESIGNED BY
GMA
 GERALD MELE & ASSOCIATES, INC.
 CONSULTING ENGINEERS AND ARCHITECTS
 GERALD A. MELE, P.E., P.E.
 BRUCE S. LINDROCK, P.E.

PROJECT
2017 C.U.P.

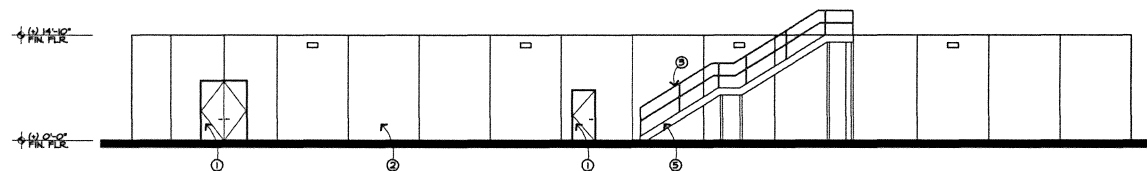
PROPOSED PROJECT FOR
HARRIS
 HARRIS COMPANY
 1802 S.E. 10TH AVE.

No.	Issue/Revision	Date/By

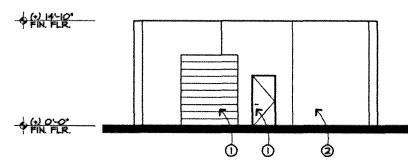
Date	06/11/18
Scale	1/8" = 1'-0"
Dr. By	S. ODOM
Job No.	2017124
Dwg. No.	1124BCP
Sheet	A-2.3
Revision No.	



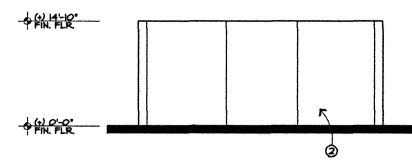
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

EXTERIOR MATERIAL LIST:

- | MARK | DESCRIPTION |
|------|-------------------------|
| ① | DOOR - SEE FLOOR PLAN |
| ② | CONC. WALL |
| ③ | GUARD RAIL |
| ④ | HANDRAIL |
| ⑤ | STAIRS |
| ⑥ | WINDOW - SEE FLOOR PLAN |

DESIGNED BY
GMA
 CONSULTING ENGINEERS AND ARCHITECTS
 100 N. WEST ST. SUITE 100
 WINTER KENNESAW, GA 30157
 770.426.1100

PROJECT
2017 C.I.P.

PROPOSED PROJECT FOR
HARRIS
 BEEF COMPANY
 1000 W. BERRY ST. SUITE 100
 KENNESAW, GA 30144

No.	Issue/Revision	Date/By

Date	06/19/18
Scale	1/4" = 1'-0"
Dr. By	S. ODOM
Job No.	2017129
Dwg. No.	11.12.18LV
Sheet	A-3.3
Revision No.	

EXTERIOR ELEVATIONS
 PROPOSED OPERATIONS BUILDING - PHASE I

OPERATION BUILD'G.

Harris Ranch Beef Company New CUP, August 24, 2017 (Revised July 2018)
Operational Statement Checklist
Fresno County Development Services Division

Michael Oliver
Harris Ranch Beef Company
PO Box 220
16277 S. McCall Avenue
Selma, CA 93662

CUP3593

RECEIVED
COUNTY OF FRESNO

JUL 12 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

(Revised)

1. Nature of Operation:

This facility has been operated by Selma Beef Dressers and then Diamond Meats since before 1953. Harris Ranch Beef Company (HRBC) has owned and operated the facility since 1976. The facility is located on APN's 393-140-71S, and 73S which is comprised of approximately 60 acres. Conditional Use Permits (CUP) applications include: 145, 674, 1474, 1666, 2061, 2251, 2297, and 2855. Several Site Plan Reviews (SPR's) have been processed by Fresno County for the facility as well.

The facility consists of a guard-shack, cattle holding pens, harvest floor, holding coolers, production/processing areas, a warehouse and distribution facility, boiler and refrigeration rooms, employee welfare facilities, maintenance buildings, parts and supply warehouse, truck-wash facility, wastewater treatment lagoons, stormwater retention basin, farmland, administrative offices, truck parking, and employee parking. Averages of 800-900 head of cattle are processed per day (This has not changed since the approval of CUP 2855 in 1998 and is not proposed to change).

The proposed project includes 33,491 ft² Finished Goods Warehouse Distribution Center, (Phase II) a 54,907 ft² Processing Building addition (Phase III) , a 7,500 ft² for a Single-story Processing addition, (Phase IV) 1,177 total parking spaces (937 existing and 240 proposed), additional paved truck parking area (15 spaces), and a secondary fire access road to the facility from South McCall Avenue along southern property line as a part of Phase III.

The Finished Goods Warehouse Distribution Center currently has six (6) existing loading docks, and the addition will add eight (8) for a total of 14 loading docks. There will be the same amount of trucks and same amount of meat being processed. It is more efficient to have more open shipping docks as it will allow the loading of more trailers at once instead of moving trailers to parking lot and swapping them out. The construction of additional square footage will not increase number of employees or truck trips because this expansion is for an automated beef processing system for beef to increase product and packaging efficiency.

As part of Phase I, the project includes a 4,824 ft² wastewater treatment building with a lab, electrical room, chemical storage, tanks and associated infrastructure including a covered 300 ft by 600 ft anaerobic pond. The proposed project also includes 19.28 acres of treated wastewater retention basin(s) on APN 393-141-08S and 156.78 acres of land application area on APN 393-141-063 and 393-141-13. The retention basin(s) and additional land application area will comply with WDRs r5-2017-0021.

The existing site access from South McCall Avenue will be maintained.

2. – 4.

CUP 2855 (1998) was approved for 520 employees. (butchers, loaders, truck drivers, office personnel, sales personnel, management, cleaning and maintenance crews, security)

Truck Trips: 17 cattle trucks, 31 trucks exporting finished products and by-products, 2 visitors daily (50 trucks, 100 trips)

Currently 1,000 employees. (butchers, loaders, truck drivers, office personnel, sales personnel, management, cleaning and maintenance crews, security)

Truck Trips: Delivery Trucks, cattle trucks, cold product trucks, dry goods trucks, trash, plant maintenance: (109 trucks) 217 truck trips.

Hours of operation: HRBC operates year around, seven days a week, 24 hours a day with trucks going to and from the plant. The employees work 8 hour shifts between 6am and 5pm, 5 days a week. There are no special activities or events. During 6am and 5pm there are on average two visitors a day for maintenance. There are no onsite caretakers however there is 24 hour security.

Future: There will be no additional employees, or truck trips as result of the proposed additional expansion of the square footage of buildings. The Plant expansion is for an automated beef processing process which will increase product and packaging efficiency. Hours of operation will remain the same.

6. Current access to the site McCall Ave and Proposed 2nd access off McCall for all weather fire access road.
7. Number of existing parking spaces for employees, costumers, service/delivery vehicles: 1,177 total employee parking stalls and parking for cattle trucks, refrigerated trucks, utility trucks
8. Are any goods sold on site? No. All goods are sold to jobbers or wholesalers.
9. What equipment is used? USDA slaughtering and deboning equipment, hand tools, special cutting equipment
10. What supplies or material are used and how are they stored? Cleaning chemicals and supplies are kept in dry storage areas inside the main building.

11. Does the expansion of the use cause an unsightly appearance? The exterior finish and design will complement the existing facilities. The walls are constructed of insulated metal panels. The roofing will be single ply roofing and floors are concrete epoxy finish or sealed concrete. No proposed structures will be over 2-stories.
12. The project will comply with the Waste Discharge Requirements (WDR's) adopted by the Regional Water Quality Control Board (WDR r5-2017-0021).
13. Current volume of water used daily vs. proposed: The water is provided by on-site wells and a capacity of 1,500 gpm each. This will remain the same.
14. Current advertising and proposed: There is an 8x8 foot sign at the entrance to the facility. There is advertising on the cattle delivery trucks that reads "Harris Ranch Beef Company." This will not change.
15. Existing buildings include: harvest floor, processing and coolers along with support facilities such as offices, maintenance buildings, cold storage, refrigeration equipment rooms, employee welfare facilities, truck wash/fuel station, oven room, boiler room, stormwater basin, , electric equipment mezzanine, trolley wash mezzanine.
16. Proposed expansions: The proposed project includes 33,491 ft² Finished Goods Warehouse Distribution Center, 54,907 ft² Processing Building addition , 7,500 ft² for a Single-story Processing addition. 1,177 total parking spaces (937 existing and 240 proposed), additional paved truck parking area (15 spaces), and a secondary fire access road to the facility from South McCall Avenue along the southern property line. The project includes a 4,824 ft² wastewater treatment building with a lab, electrical room, chemical storage, tanks and associated infrastructure including a covered 300 ft by 600 ft anaerobic pond. The proposed project also includes treated wastewater retention basin(s) on APN 393-141-08S and 156.78 acres of land application area on APN 393-141-06 and 393-141-13. The retention basin(s) and additional land application area will- comply with WDRs r5-2017-0021.
17. Lighting: At dusk hooded floodlights activate and deactivate at dawn.
18. Fencing: There is some existing landscaping along entrance of the main office. There is an approximately eight (8) foot high chain link fence around the property with three strands of barbed wire on top.

Odor isn't an issue as the cattle are only on site for a few hours at the most in the corrals. The corrals are enclosed with metal steel tubers and have a concrete floor with drains where the cattle are periodically sprayed to be kept clean and moist. The cattle are not kept on site permanently and there is no on-site feeding facility.

HRBC is an existing U.S.D.A approved facility. The surrounding parcels are nut trees and other agricultural land uses. Rural residences are scattered in the vicinity. The facility employs many of the nearby residence workers.

Pre-treatment of wastewater currently exists of screening of solids from the waste stream using a bar screen prior to the discharge of wastewater to a sump on the southern side of three 1.38 acre unlined wastewater retention ponds for further settling

and decomposition. Wastewater from the sump is routed through a shaker for additional solids removal, prior to being discharged to an unlined 1.38 acre facultative pond (West Pond). Solids from the screening process are contained in dumpsters and sent to a company owned composting operation for disposal. Wastewater from the East Pond is used to flood irrigate the land application areas. The land application areas will be planted with Sudan grass in the summer and winter forage crops such as wheat and triticale grown in the winter to remove nitrogen from the ground.

HARRIS RANCH BEEF COMPANY – Expansion

Variance Findings for Distribution Center Addition (Phase II) of 33,491 sq. ft.

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.

The height of the existing building is 35.9 feet tall and we are proposing to expand the structure at the same height. This is a refrigerated warehouse for pallets of finished goods that are moved by forklift to the attached shipping docks for distribution.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

The Distribution Center currently has six (6) existing loading docks, and the addition will add eight (8) for a total of 14 loading docks. There will be the same amount of trucks and same amount of meat being processed. It is more efficient to have more open shipping docks as it will allow the loading of more trailers at once instead of moving trailers to parking lot and swapping them out.

3. The granting of a variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

Harris Ranch owns the surrounding property which is currently comprised of approximately 449 acres and the Plant has been in operation since 1953. Granting of a height variance of 1.9 feet for an addition to an existing structure at this facility will not be detrimental to the public in the vicinity.

4. The granting of such variance will not be contrary to the objectives of the General Plan.

The land is zoned AE-20 and with a Conditional Use Permit, commercial meat processing plants are allowed. Allowing this minor height variance for an expansion of an existing structure of this height won't be contrary to Fresno County General Plan objectives.

VA 4049

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COUNTY OF FRESNO

MAY 03 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Michael Oliver, HRBC
- APPLICATION NOS.: Initial Study Application No. 7373; Classified Conditional Use Permit Application No. 3593; Variance Application No. 4049
- DESCRIPTION: Allow expansion of an existing cattle slaughtering and meat processing plant on five contiguous parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to include:
1. A 33,491 square-foot, 36.9-foot-tall finished goods warehouse distribution center (maximum 35 feet allowed) with truck docks, 54,907 square-foot processing building, 7,500 square-foot processing building, employee and truck parking, 180,000 square-foot anaerobic pond, and a secondary wastewater treatment facility with related improvements on two parcels totaling 59.9 acres (APN 393-141-09S & 10S);
 2. A 19.28-acre treated wastewater retention basin on a 20-acre parcel (APN 393-141-08S);
 3. Application of treated wastewater from the facility onto 77.99 and 78.79 acres of farmland (APN 393-141-06 & 13).

LOCATION: The project site is located on the west side of S. McCall Avenue between E. Clarkson and E. Elkhorn Avenues approximately 2.1 miles southwest of the nearest city limits of the City of Kingsburg (16277 S. McCall Ave., Selma) (SUP. DIST. 4) (APN 393-141-06; 08S; 09S; 10S & 13).

I. AESTHETICS

A. Would the project have a substantial adverse effect on a scenic vista?

FINDING: NO IMPACT:

The proposed project would allow for the expansion of an existing cattle slaughtering/meat processing facility. The visual characteristics of the project site and the surrounding areas include agricultural uses with sparse single-family residences.

The project site itself does not provide any visual resources that would be considered a scenic vista because it primarily consists of existing structures related to the existing facility, and other agricultural/residential uses that are relatively common in other areas of the County and are not unique to the surrounding visual setting. Neither the project area nor any surrounding land use contain features typically associated with scenic vistas (e.g., ridgelines, peaks, overlooks) to be impacted by this proposal. The project will have no impact on scenic vistas.

- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

The project is located in a farming area comprised of field crops with sparse single-family residences. The project site is developed with buildings/structures, ponding basins and parking and circulation areas related to an existing cattle meat processing/packaging facility. No trees and no rock outcropping exist on the site of the existing facility or on the adjacent farmland related to this proposal. Further, neither McCall Avenue, which fronts the property, nor any other streets near the proposal, are designated as scenic highways in the County General Plan. The project will have no impact on scenic resources.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project site has been developed with various buildings/structures, ponding basins and parking and circulation areas related to the existing cattle slaughtering/meat processing facility. The adjacent farmland to the north and west of the site contains field crops, and farmland to the south and east of the site contain orchard.

The project would allow for the construction of new buildings, ponding basins, and parking and circulation areas on the property. The proposed new buildings will be located within the central portion of the property adjacent to the existing on-site improvements away from McCall Avenue and surrounding farmlands. Further, they would be similar in design and construction to the existing improvements on the property. Likewise, the 36.9-foot-tall finished goods warehouse distribution center building proposed by Variance Application No. 4049 would be similar in height to the existing 42-foot-tall meat processing and refrigerated warehouse on the property authorized by Variance No. 3607. As such, visual impact of the proposed improvements on the surrounding area would be less than significant.

- 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:

According to the applicant's Operational Statement, outdoor lighting will be installed to provide illumination as necessary to ensure the safety and security of the facility. Potential light and glare impacts are not expected to be significant in that a Mitigation Measure would require all lighting to be hooded and directed as to not shine toward adjacent properties and public streets.

* **Mitigation Measure:**

1. *All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.*

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The expansion to the existing meat processing facility is not in conflict with agricultural zoning and is an allowed use on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. The project site is classified as Urban and Built-Up Land and Prime Farmland on the 2014 Fresno County Important Farmland Map. All existing and proposed improvements proposed by this application are located on the parcels identified by APN 393-141-09S and 10S, which are designated as Urban and Built-Up Land. The proposed secondary wastewater treatment facility will be located on a 20-acre Prime Farmland area, and the proposed additional parking will be located on approximately 8.4 acres of an unfarmed portion of a Prime Farmland. However, the loss of Prime Farmland resulting from this proposal (total 28.4 acres) would be permanent but less than significant in comparison to the total 188 acres of Prime Farmland land involved in this proposal. The total 156.78 acres of Prime farmland to receive wastewater from the facility for farming purposes will remain unaffected by this proposal.

The 77.99-acre parcel identified by APN 393-141-06 and 78.79-acre parcel identified by APN 393-141-13 are subject to the application of wastewater from the facility and are also encumbered by Williamson Act Land Conservation Contracts No. AP-7330 and AP 5756, respectively. The applicant has submitted a Statement of Intended Use to the Policy Planning Section of the Fresno County Department of Public Works and Planning. The Statement indicates that the wastewater generated by the existing slaughterhouse and the meat processing facility will be used to irrigate winter and summer forage crops (wheat, oats, triticale, barley, Sudan grass) grown and harvested on the subject parcels and transported as feed for their cattle kept near Coalinga. The

Policy Planning Section reviewed the Statement and expressed no concerns related to the use of parcels restricted by the Contract.

- 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: LESS THAN SIGNIFICANT IMPACT:

According to the County Zoning Ordinance, the project site is currently zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size). The proposed development does not conflict with the existing zoning and the project site does not contain any active forestland or support trees that may be commercially harvested. The project area is dominated by agricultural fields with limited improvements. The proposed expansion to the existing meat processing facility would be considered appropriate for an agricultural zone and is not expected to bring any significant changes to the area beyond that which currently exist.

The Fresno County Agricultural Commissioner's Office reviewed the proposal and expressed no concerns with the project.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and determined that the project is not subject to District Rule 9510 (Indirect Source Review) and, due to no modification to any of the existing permits or addition of new equipment, is not subject to an Authority to Construct (ATC) or a Permit to Operate (PTO).

The Air District also determined that a Health Impact Assessment would be required for the project, which is an evaluation to determine the effects of toxic air contaminants (TACs) from the project on the surrounding public.

A Health Risk Assessment for Project Construction and Health Risk Assessment for Project Operation were prepared for the project by Yorke Engineering, LLC and dated April 27, 2018 and May 10, 2018, respectively. Findings of the *Health Risk Assessments* indicate that construction mobile source and operation mobile source Health Risk Assessment (HRA) for the project would be below the Air District risk threshold.

The Air District reviewed the *Health Risk Assessments*, and upon confirmation from the applicant that the applicant-owned residential receptor on the southwest corner of the project site will be demolished and not replaced by another house, expressed no concerns with the project. The Air District determined that the project-related health impacts would be less than significant.

The project may be subject to District 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) in the event an existing building will be renovated, partially demolished or removed. These requirements will be included as Project Notes.

- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not create objectionable odors to affect people on or around the proposed facility. According to the applicant's Operational Statement, the project will have no impact related to odor. This is because cattle are only on site for a few hours at the most in the corrals enclosed with metal steel tubers and have a concrete floor with drains where they periodically are sprayed to be kept clean and moist. The cattle are not kept on site permanently and there is no on-site feeding facility.

The Air District reviewed the project and did not express specific concerns related to odor except that the project may be subject to District Rule 4102 (Nuisance). This Rule applies to any source operation which may emit air contaminants (including odor) or other materials.

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?

FINDING: NO IMPACT:

The project is located in an agricultural area and has been developed with buildings/structures and related facilities for a cattle meat processing/packaging facility. All buildings/structures proposed by this application will be confined within the existing pre-disturbed area of development on the property. The site and the neighboring parcels have also been pre-disturbed with farming operations and as such do not provide habitat for state or federally-listed species. Additionally, the site does not contain any riparian features, wetlands, or waters under the jurisdiction of the United States.

The project application was routed to the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) for review and comments. No concerns were expressed by either agency.

- 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?

FINDING: NO IMPACT:

The project site is farmland developed with a cattle slaughtering/meat processing facility. No wildlife or fish movement features (e.g., waterways, arroyos, ridgelines) or any wildlife nursery sites are present on the property. The project will not impact these resources.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

The project site contains no trees and therefore is not subject to the county tree preservation policy or ordinance. No other ordinances or policies of this nature are applicable to this site.

- 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: NO IMPACT:

The project site is not within the boundaries of a Habitat Conservation Plan or Natural Community Conservation Plan. The project will not conflict with the provisions of such a 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 a 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?

FINDING: NO IMPACT:

The project site is not located within an area designated to be highly- or moderately-sensitive for archeological resources and has been developed with a cattle slaughtering/meat processing facility with related improvements.

An Archeological Records Search requested for the project from Southern San Joaquin Valley Information Center (SSJVIC) and received on November 6, 2017 indicated that no cultural resources studies were conducted within the project area and it is unknown if any cultural resources are present on the site of the project. Likewise, a Sacred Lands Search requested for the project from the Native American Heritage Commission (NAHC) reported negative results on November 27, 2018 in its search for any sacred sites on the project site.

Given these studies and the fact that the project site is outside of an area of cultural sensitivity, the project will have no impact on historical, archeological, or paleontological resources.

- 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 project will have no impact on Tribal Cultural Resources (TCRs) and was routed to the Dumna Wo Wah Tribal Government, Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, and Table Mountain Rancheria in accordance with Public Resources Code Section 21080.3.1 (b).

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?

FINDING: NO IMPACT:

The project site does not contain any active earthquake faults, nor is it located within a designated Alquist-Priolo Earthquake Fault Zone.

2. Strong seismic ground shaking; or

3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is in an area of low probability for exposure to strong ground shaking. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on site.

No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. Construction of the project will be subject to the Seismic Zone 3 Standards.

4. Landslides?

FINDING: NO IMPACT:

The project site contains naturally flat relief which precludes the possibility of landslides on site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Compaction and over covering of soil will result due to the construction of buildings and structures for the project. Changes in topography and erosion could also result from site grading.

The Development Engineering Section of the Development Services and Capital Projects Division reviewed the proposal and requires the following: 1) any additional run-off generated by the proposed development of the site cannot be drained across property lines and must be retained or disposed of per County Standards; 2) an Engineered Grading and Drainage Plan may be required to show how additional storm water run-off generated by the proposed development will be handled without

adversely impacting adjacent properties; and 3) a Grading Permit or Voucher may be required for any grading proposed with this application. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

- 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: LESS THAN SIGNIFICANT IMPACT:

As discussed earlier, the project site's liquefaction and landslide potential is low. The development of the project would implement all applicable requirements of the most recent California Building Standards Code and as such would not expose persons to hazards associated with seismic design of buildings and shrinking and swelling of 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:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires the following: 1) An evaluation of the existing sewage disposal systems' capacity to serve the proposed expansion and increase of employees from 520 to 1,000 shall be completed and submitted to the Fresno County Department of Public Works and Planning and the Regional Water Quality Control Board; 2) In accordance with the State Water Resources Control Board Order WQ 2014-0153-DWQ, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems B.1.g., "For systems with a design flow rate greater than 3,500 gpd, the technical report required as part of the ROWD shall be prepared by a California licensed professional civil engineer, and for systems with a design flow rate less than 3,500 gpd, the technical report shall be prepared by a California licensed professional engineer or other appropriately-licensed professional."; and 3) If new sewage disposal systems are required, then the applicant/owner shall submit an engineered sewage disposal system design to the Fresno County Department of Public Works and Planning for review and approval. These requirements will be included as Conditions of Approval.

Further, per California Plumbing Code Appendix H, access to septic tanks shall be maintained; and Section 6.9 Disposal fields, trenches, and leaching beds shall not be paved over or covered by concrete or a material that is capable of reducing or inhibiting a possible evaporation of sewer effluent. This requirement will be included as a Project Note.

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:

Comments received from the Air District expressed no specific project-related concerns, supporting the determination that the project will not generate greenhouse gas emissions that may have a significant impact on the environment. The project emission will adhere to the Air District requirements as noted in Section III. A.B.C.D. Air Quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and requires that within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) There is a 100 percent or more increase in the quantities of a previously-disclosed material; and 2) The facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts. Further: 1) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.; 2) The facility shall update and resubmit the Risk Management Plan (RMP) within six months if there is a significant change to the regulated process; and 3) RMP shall be submitted sooner than the five-year anniversary date if any of the changes specified in 40 CFR (Code of Federal Regulations) 68.190(b) occur. These requirements will be included as Project Notes.

The project is not located within one quarter-mile of a school. The nearest school, Washington Elementary School, is approximately 3.3 miles northeast of the project site.

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

FINDING: NO IMPACT:

The project is not located on a hazardous materials site. No concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division.

- 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 project site is not located within an airport land use plan area, within two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Central Valley Aviation Incorporated Airport, is approximately 2.9 miles northwest of the site.

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

FINDING: NO IMPACT:

The proposed project is located in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

- 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 project site is near the City of Kingsburg and outside of any wildland fire area. The project will not expose persons or structures to wildland fire hazards.

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:

See discussion above in Section VI. E. Geology and Soils for waste discharge associated with this proposal.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and in an effort to protect groundwater requires that all water wells (not intended for use by the project or for future use) and septic systems that have been abandoned within the project area shall be properly destroyed by an appropriately-licensed contractor. Further, for water wells located in the unincorporated area of Fresno County, permits for destruction and construction shall be obtained from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. These requirements will be included as Project Notes.

According to the California Department of Public Health (CDPH), Office of Drinking Water (DDW), CDPH-DDW regulates the existing cattle slaughtering/meat processing facility as a non-transient non-community water system and will continue to do so for this proposal.

According to the Central Valley Regional Water Quality Control District (RWQCB), past beef processing wastewater discharges from the existing cattle slaughtering/beef processing facility have degraded the underlying groundwater quality and the agency has issued Waste Discharge Requirements Order R5-2017-0021 to regulate the discharge and Cease and Desist Order R5-2017-0012 to address current and future groundwater quality. However, the proposed secondary wastewater treatment (WWT) facility on the parcel identified by APN 393-141-09S is intended to, and will improve the wastewater treatment capabilities for the wastewater at the current facility and will discharge water to the land in accordance with and in compliance with applicable water quality objectives of the region. With that, the SWRCB-DDW expressed no concerns regarding the proposed application of wastewater onto 77.99-acre and 78.79 acres farmlands to grow Sudan grass and winter forage as feed for cattle.

- 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:

According to the applicant's Operational Statement letter, on-site wells with a capacity of 1,500 gallons per minute currently provide water to the existing cattle slaughtering/meat processing facility. The subject proposal will not increase the water consumption.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and given the project site is outside the County's water-short area expressed no concerns related to water needs or sustainability for the project.

- 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: LESS THAN SIGNIFICANT IMPACT:

There are no existing natural drainage channels adjacent to or running through the project site. The Consolidated Irrigation District (CID) Hatch Ditch pipeline runs south along the west side of McCall Avenue from just south of Clarkson Avenue and terminates at the northeast corner of the parcel identified by APN 393-141-10S. Although the pipeline may not be affected by this proposal, a Project Note would require that Consolidated Irrigation District shall be consulted for any development near the pipeline.

- 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:

As noted above, a grading permit or voucher may be required for any grading proposed with this application, and any additional runoff generated due to site development must be retained or disposed of per County Standard. These requirements will be included as Project Notes.

- F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in IX. A. above.

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

FINDING: NO IMPACT:

No housing is proposed with this application. According to the Federal Emergency Management Authority (FEMA) FIRM Panel 2675H, the project site is not subject to flooding from the 100-year storm.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

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

FINDING: NO IMPACT:

The project would not be inundated by seiche, tsunami, or mudflow because the project site does not contain nor is close to water features that could create seiche, tsunami, or mudflow conditions. No impact would occur.

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 and no impact would occur. The project site is approximately 2.1 miles southwest of the nearest city limits of the City of Kingsburg.

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 property is designated Agriculture in the Fresno County General Plan and outside of the Sphere of Influence (SOI) of a city. As such, the subject proposal will not be in conflict with any land use plan, policy, or regulation of an agency with jurisdiction (other than County) over the project.

The County General Plan allows commercial meat processing plants in an agriculturally-zoned area as 'Agriculturally-Related Uses' by discretionary land use approval provided the use meets applicable General Plan policies. The project meets the following General Plan policies:

Regarding Policy LU-A.3, Criteria a. b. c. d., the project entails expansion of an established cattle slaughtering/meat processing facility previously authorized by discretionary land use approval. The project is located on Urban and Built-Up Land, will not consume additional water to affect the groundwater table, and can be provided with adequate workforce from the nearest City of Kingsburg.

Regarding Policy LU-A.12, Policy LU-A.13 and Policy LU-A.14, the project is a compatible use pursuant to Policy LU-A.3, and all proposed improvements will maintain adequate distance from the adjacent farming operations.

Regarding Policy PF-C.17 and Policy PF-D.6, the project will not utilize additional groundwater to affect the surrounding land uses and will require evaluation of the existing sewage disposal systems.

Regarding Policy HS-B.1 and Policy HS-F.1, the project will comply with the California Code of Regulations Title 24 – Fire Code and will require Fresno County Fire Protection District approval prior to the issuance of building permits. Additionally, the

project will adhere to state laws for the handling of hazardous materials as discussed in Section IX. A. of this report.

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

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation or Natural Community Conservation Plans.

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 analysis. The site is not located in a mineral resource area as 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: NO IMPACT:

The project operation will not expose people to severe noise levels or create substantial increases in ambient noise levels. The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to noise.

- 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 project site is not located near an airport. The nearest airport, Central Valley Aviation Incorporated Airport, is approximately 2.9 miles northwest of the site.

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 result in an increase of housing, nor will it 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:

Fresno County Fire Protection District (CalFire) reviewed the proposal and requires the project compliance with the California Code of Regulations Title 24 – Fire Code and approval of County-approved site plans by the Fire District prior to issuance of building permits by the County. The District also requires the property annexation to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. These requirements will be included as Project Notes and addressed through mandatory Site Plan Review.

- 2. Police protection?

FINDING: NO IMPACT:

The Fresno County Sheriff's Department reviewed the proposal and expressed no concerns with the project.

- 3. Schools; or
- 4. Parks; or
- 5. Other public facilities?

FINDING: NO IMPACT:

The project will not impact school enrollment due to increase in population growth and will not result in need for new or expanded park facilities, or other public facilities.

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:

The project will not impact neighborhood or regional parks or would result in the need for new or expanded recreational facilities.

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 WITH MITIGATIONS
INCORPORATED:

The Design Division (DD) and Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning reviewed the project and required a Traffic Impact Study (TIS) to analyze project's impact on County and state roadways. A TIS prepared for the project by Peters Engineering Group and dated June 5, 2018 was circulated to DD, RMO and the California Department of Transportation for review and comments.

According to the TIS, the study intersections are currently operating at acceptable levels of service and are expected to continue to operate at acceptable levels of service through the year 2038 with the Project. Therefore, the Project will not cause a significant traffic impact based on intersection operations (levels of service and queuing). The Project generates more truck trips than previously identified in Conditional Use Permit No. 2855, and the additional truck trips cause a significant pavement impact on McCall Avenue between Elkhorn and Clarkson Avenues by increasing the TI (Traffic Index) by 0.5. The TIS suggests that the Project contribute to pavement maintenance on McCall Avenue between Elkhorn and Clarkson Avenues to mitigate the significant impact. The TIS also indicated that a left-turn lane on McCall Avenue at the site access driveway is not required.

The Design Division reviewed the TIS, agreed with the findings of the TIS, and required that the project proponent shall mitigate the impact by paying a fair-share fee based on the increase in the equivalent single axial load (ESAL) from existing and existing with project. The project proponent's fair-share percentage for McCall Avenue segments listed below will be included as Mitigation Measures for the project.

* **Mitigation Measures:**

1. *Prior to the issuance of building permits for the proposed project (expansion of the existing cattle slaughtering and meat processing facility) the Applicant shall enter into an agreement with the County of Fresno agreeing to participate in pro-rata shares developed in the funding of off-site road improvements as defined in items a and b below.*
 - a. *The Applicant shall pay their pro-rata share of \$26,124.00 towards roadway structural section improvement for S. McCall Avenue (overlay with 0.15' HMA thickness) from E. Clarkson to the Project site access.*
 - b. *The Applicant shall pay their pro-rata share of \$73,316.00 towards roadway structural section improvement for S. McCall Avenue (overlay with 0.15' HMA thickness) from the Project site access to E. Elkhorn Avenue.*

The County shall update cost estimates for the above-specified improvements prior to execution of the agreement. The Board of Supervisors pursuant to Ordinance Code Section 17.88 shall adopt a Public Facilities Fee addressing the updated pro-rata costs. The Public Facilities Fee shall be related to off-site road improvements, plus costs required for inflation based on the Engineering New Record (ENR) 20 Cities Construction Cost Index.

The Road Maintenance and Operations (RMO) Division reviewed the TIS, concurred with its findings and the pro-rata share calculated by the Design Division, and expressed no concerns with the project. Likewise, the California Department of Transportation (Caltrans) expressed no concerns with the project relating to impact on state roadway based on the trip distribution and conclusions made in the TIS.

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

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns. The project site is approximately 2.9 miles southeast of the nearest airport (Central Valley Aviation Incorporated Airport). The tallest building proposed on the property is 39 feet six inches in height. The building height eliminates the possibility of the proposed project altering air traffic patterns.

D. Would the project substantially increase traffic hazards due to design features?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not propose to alter existing roadway designs within the project area, which has been designed in accordance with Fresno County roadway standards to avoid roadway hazards and other traffic-related hazardous features. The Road Maintenance and Operations Division expressed no concerns in regard to traffic hazard.

According to the Development Engineering Section of the Department of Public Works and Planning: 1) any work done within the right-of-way to construct a new driveway or improve an existing driveway shall require an encroachment permit from the Road Maintenance and Operations Division; and 2) a 10-foot by 10-foot corner cutoff should be improved for sight distance purposes at the existing driveway onto McCall Avenue. These requirements will be included as Project Notes and addressed during Site Plan Review.

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

FINDING: NO IMPACT:

The project site gains access from McCall Avenue via an existing paved road at the northeast corner of the property. The facility uses this as a primary fire access road. The subject proposal will add a secondary all-weather surface fire access road for emergencies at the southeast corner of the property. Further review of emergency access will occur at the time the Fresno County Fire Protection District reviews the project during the Site Plan Review recommended as a Condition of Approval and prior to issuance of building permits.

- 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:

The project will not conflict with any adopted transportation plans. As such, no impacts associated with public transit or pedestrian and bicycle hazards are expected from this proposal.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI. E. Geology and Soils.

- 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 IX. A. Hydrology and Water Quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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: NO IMPACT:

The project will generate small amounts of additional commercial waste which will be sent to the local landfill as it currently has been. The waste disposal will be through regular trash collection service.

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: NO IMPACT:

The project would not degrade the quality of the environment; 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 an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. No impacts on biological or cultural resources were identified in the project analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has been analyzed for potential impacts, and appropriate project-specific mitigation measures have been developed to reduce project impacts to less than significant levels. The project is required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, the San Joaquin Air Pollution Control District, and the California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than Aesthetics, and Transportation/Traffic, which will be addressed with the mitigation measures discussed in Section I. D., and Section XVI. A. B above.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project would not cause direct or indirect substantial adverse effects on human beings. Air quality, hazardous materials, hydrology and water quality, and noise would have the only potential effects through which the project could have a substantial effect on human beings. However, all potential effects of the proposed project related to air quality, hazardous materials and hydrology and water quality are identified as less than significant or no impact. The impact analysis included in this report indicates that for all other resource areas, the proposed project would either have no impact, less than significant impact, or for impacts that would not affect human beings, less than significant impact with mitigation incorporated.

CONCLUSION/SUMMARY

Based upon the Initial Study (No. 7373) prepared for Classified Conditional Use Permit Application No. 3593 and Variance Application No. 4049, 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 biological resources, cultural resources, mineral resources, noise, population and housing, or recreation.

Potential impacts related to agricultural and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality,

land use and planning, public services, and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics and transportation/traffic 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 southwest corner of Tulare and "M" Streets, Fresno, California.

EA:

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EXHIBIT 9
Conditions of Approval
Harris Ranch Beef Company

Conditional Use Permit No. 2855

1. Development and operation of the facility shall be in substantial accordance with the site plan, elevations, and operational statement approved by the Planning Commission.
2. A Site Plan Review Application shall be submitted for review and approval by the Director of the Public Works & Development Services Department in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to, access control, on-site circulation, parking, grading and drainage, fire protection, and lighting.
3. All conditions of Special Use Permit 145, Conditional Use Permit No. 674, Conditional Use Permit No. 1474, Conditional Use Permit No. 1666, Conditional Use Permit No. 2061, and Conditional Use Permit No. 2251 shall remain in full force and effect, except where superseded by current Federal, State or Local regulations.

Conditional Use Permit No. 2297

1. Development and operation of the facility shall be in accordance with the site plan and operational statement approved by the Planning Commission.
2. All other conditions of Conditional Use Permit Nos. 145, 674, 1474, 1666, and 2061 and 2251 shall remain in full force and effect.
3. A Site Plan Review shall be submitted to, and approved by, the Director of the Public Works & Development Services Department in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance.

Conditional Use Permit No. 2251

1. Development and operation of the facility shall be in accordance with the site plan and operational statement approved by the Planning Commission.
2. All other conditions of Conditional Use Permit Nos. 145, 674, 1474, 1666, and 2061 shall remain in full force and effect.
3. A Site Plan Review shall be submitted to and approved by the Director of the Public Works & Development Services Department in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance.

Conditional Use Permit No. 2061

1. Development and operation of the facility shall be in accordance with the plan and operational statement approved by the Planning Commission.

Conditional Use Permit No. 1666

1. A Site Plan Review shall be required in accordance with Section 874 of the Zoning Ordinance.
2. Development shall be in accordance with the plan approved by the Planning Commission.

Conditional Use Permit No. 1474

1. A Site Plan Review shall be required in accordance with Section 874 of the Zoning Ordinance.
2. Development shall be in accordance with the plan approved by the Planning Commission.

Conditional Use Permit No. 674

1. Development shall be in accordance with the site plan to be approved by the Department of Planning subject to its compliance with all conditions established by the Commission and with all applicable zoning regulations.
2. The parking area shall be treated with a dust palliative approved by the Fresno County Public Works Department.
3. The future pond area shall be located no less than twenty (20) feet from any abutting property lines and shall be maintained in accordance with recommendations of the County Health Department and Mosquito Abatement District.
4. Necessary building and street improvements permits shall be obtained from the Building and Safety and Permits Divisions of the Fresno County public Works Department.

Conditional Use Permit No. 145

1. That the proposed expansion be in accordance with the plot plan attached hereto and made a part hereof.

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: Initial Study No. 7373	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): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Michael Oliver, HRBC	Project Title: Classified Conditional Use Permit Application No 3593; Variance Application No. 4049		
Project Description: Allow expansion of an existing cattle slaughtering and meat processing plant on five contiguous parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to include a 33,491 square-foot, 36.9-foot-tall finished goods warehouse distribution center (maximum 35 feet allowed) with truck docks, 54,907 square-foot processing building, 7,500 square-foot processing building, employee and truck parking, 180,000 square-foot anaerobic pond, and a secondary wastewater treatment facility with related improvements on two parcels totaling 59.9 acres (APN 393-141-09S & 10S); a 19.28-acre treated wastewater retention basin on a 20-acre parcel (APN 393-141-08S); and application of treated wastewater from the facility onto 77.99 and 78.79 acres of farmland (APN 393-141-06 & 13). The project site is located on the west side of S. McCall Avenue between E. Clarkson and E. Elkhorn Avenues approximately 2.1 miles southwest of the nearest city limits of the City of Kingsburg (16277 S. McCall Ave., Selma) (SUP. DIST. 4) (APN 393-141-06; 08S; 09S; 10S & 13).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7373) prepared for Classified Conditional Use Application No. 3593 and Variance Application No. 4049, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to biological resources, cultural resources, mineral resources, noise, population and housing, or recreation. Potential impacts related to agricultural and forestry resources, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, and utilities and service systems have been determined to be less than significant. Potential impact related to aesthetics and transportation/traffic has been determined to be less than significant with the identified mitigation measure. The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – July 13, 2018		Review Date Deadline: August 13, 2018	
Date: July 9, 2018	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

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EXHIBIT 10