



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 July 20, 2017

SUBJECT: Initial Study Application No. 7176 and Unclassified Conditional Use Permit Application No. 3536

Allow a Solid Waste Transfer Facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the south side of E. Clayton Avenue, between S. Crawford and S. Wakefield Avenues, approximately 2.7 miles northwest of the nearest city limits of the City of Orange Cove and approximately 3.8 miles northeast of the nearest city limits of the City of Reedley (23191, 23205, 23241 and 23243 E. Clayton Avenue) (SUP. DIST. 4) (APNs 373-280-24, 28 and 29).

OWNER: Jacob Heibert
APPLICANT: TCD&S, LLC

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

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Deny Unclassified Conditional Use Permit (CUP) No. 3536; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Applicant’s Operational Statement
7. Summary of Initial Study Application No. 7176
8. 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	APN 373-280-24: 2.27 acres APN 373-280-28: 2.27 acres APN 373-280-29: 2.43 acres	No change
Project Site	APN 373-280-24: 2.27-acre parcel; mobile home with septic system; 253 square-foot storage building (identified as “Existing Wood/Tin Shed” on Site Plan); 224 square-foot storage building (identified as “Existing Tin Shed” on Site Plan); 90 square-foot storage building (identified as “Wood Shed” on Site Plan); 6,000 square-foot steel building with office space and septic system; 570 square-foot storage building; paved parking area with paved driveway accessing Clayton Avenue APN 373-280-28: 2.27-acre parcel; single-family residence with septic system; 3,600 square-foot shop building; 7,900 square-foot steel	Solid Waste Transfer Facility to be partially located on the subject 2.27-acre parcels and the subject 2.43-acre parcel Existing improvements to be utilized: 3,600 square-foot shop building; 6,000 square-foot steel building with office space and septic system; 7,900 square-foot steel building; 16,800 square-foot warehouse; two water storage tanks; paved parking areas with paved driveways accessing Clayton Avenue

Criteria	Existing	Proposed
	<p>building; water storage tank; paved parking area with paved driveway accessing Clayton Avenue</p> <p>APN 373-280-29: 2.43-acre parcel; mobile home with septic system; single-family residence with septic system; 16,800 square-foot warehouse; water storage tank; paved parking area with paved driveway accessing Clayton Avenue</p>	Proposed improvements to be utilized: 8,000 gallon above-ground fuel storage tank; 3,840 square-foot concrete pad with closed loop self-contained wash rack system
Structural Improvements	See discussion above under the Project Site section	No change
Nearest Residence	Approximately 40 feet south of the southern property line of APN 373-280-24	No change
Surrounding Development	Agricultural area with residential land uses dispersed throughout	No change
Operational Features	N/A	See discussion below under the Background Information section
Employees	N/A	Up to 30
Customers	N/A	No on-site sales
Traffic Trips	N/A	<p>Up to 20 one-way truck trips (10 round trips) between 5:30am and 6:00am on Monday through Friday, year-round;</p> <p>Up to 20 one-way truck trips (10 round trips) between 1:30pm and 3:30pm on Monday through Friday, year-round;</p> <p>Up to 60 one-way employee trips (30 round trips) between 5:30am and 4:30pm on Monday through Friday, year-round</p>
Lighting	N/A	Outdoor lighting on building exteriors

Criteria	Existing	Proposed
Hours of Operation	N/A	5:30am until 4:30pm on Monday through Friday, year-round

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

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: June 14, 2017

PUBLIC NOTICE:

Notices were sent to 29 property owners within 1,320 feet of the project site, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

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

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

BACKGROUND INFORMATION:

This proposal entails authorization of a Solid Waste Transfer Facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. According to the Operational Statement submitted for this proposal, the proposed facility will be operated in accordance with State of California regulations for Limited Volume Transfer Operation, which allows a facility to receive and transfer up to 60 cubic yards or 15 tons of solid waste per day with no processing or disposal of waste materials on site. Additionally, waste transfer operations will occur within enclosed buildings, and hazardous wastes and recyclables will not be accepted or processed at the proposed Solid Waste Transfer Facility.

It is noted by staff that the subject 2.27-acre parcel identified as Assessor's Parcel Number (APN) 373-280-28 (23205 E. Clayton Avenue) was previously utilized for agricultural equipment sales, distribution, storage and maintenance as authorized by Classified Conditional Use Permit (CUP) No. 2068, which was approved by the Planning Commission on June 21, 1984. Further, the subject 2.43-acre parcel identified as APN 373-280-29 (23241 E. Clayton Avenue, and 23243 E. Clayton Avenue) was previously utilized for agricultural equipment storage, repair, maintenance and sales as authorized by CUP No. 2125, which was approved by the Planning Commission on December 20, 1984, and CUP No. 2546, which was approved by the Planning Commission on May 21, 1992. Additionally, the subject 2.27-acre parcel identified as APN 373-

280-24 (23191 E. Clayton Avenue) was previously utilized for the assembly of fruit dryers and dehydrating equipment with related sales, maintenance and storage as authorized by CUP No. 2751, which was approved by the Planning Commission on August 22, 1996.

With regard to traffic, the land uses previously authorized on the subject parcels by means of the aforementioned CUPs generated up to eight one-way customer trips (four round trips) per week, year-round; up to 50 one-way employee trips (25 round trips) between 7:00am and 5:00pm on Monday through Friday and between 7:00am and 12:00pm (noon) on Saturdays, year-round; up to eight one-way truck trips (four round trips) on Monday through Friday, year-round; and up to 24 one-way sales/service trips (12 round trips) per week, year-round.

Existing improvements located on the subject parcels include two mobile homes with septic systems; two single-family residences with septic systems; 253 square-foot storage building (identified as “Existing Wood/Tin Shed” on the Site Plan provided for the subject proposal); 224 square-foot storage building (identified as “Existing Tin Shed” on the Site Plan provided for the subject proposal); 90 square-foot storage building (identified as “Wood Shed” on the Site Plan provided for the subject proposal); 570 square-foot storage building; 3,600 square-foot shop building; 6,000 square-foot steel building with office space and septic system; 7,900 square-foot steel building; 16,800 square-foot warehouse; two water storage tanks; and paved parking areas with paved driveways accessing Clayton Avenue.

With regard to building permits, there are no permit records for the 570 square-foot storage building located on the subject 2.27-acre parcel identified as APN 373-280-24 (23191 E. Clayton Avenue).

Existing improvements to be utilized with the proposed Solid Waste Transfer Facility include the 3,600 square-foot shop building; 6,000 square-foot steel building with office space and septic system; 7,900 square-foot steel building; 16,800 square-foot warehouse; two water storage tanks; and paved parking areas with paved driveways accessing Clayton Avenue.

New improvements to be utilized with the proposed Solid Waste Transfer Facility include an 8,000 gallon above-ground fuel storage tank, and a 3,840 square-foot concrete pad with closed loop self-contained wash rack system.

With regard to scheduled operations, waste collection trucks will depart the proposed Solid Waste Transfer Facility between 5:30am and 6:00am, and will return with collected waste between 1:30pm and 3:30pm, Monday through Friday year-round. Further, the waste collection trucks will be serviced and repaired at the proposed Solid Waste Transfer Facility from 7:00am until 3:30pm, Monday through Thursday year-round, and 6:00am until 2:30pm on Fridays year-round. Additionally, office functions at the proposed Solid Waste Transfer Facility will occur from 8:00am until 4:30pm, Monday through Friday year-round. Further, the proposed Solid Waste Transfer Facility may operate waste collection trucks or engage in emergency repairs on weekends; however, according to the Applicant, such occurrences would be rare.

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

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet	APN 373-280-24:	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	Side: 20 feet Rear: 20 feet	Front (north property line): 80 feet Side (east property line): 30 feet Side (west property line): 20 feet Rear (south property line): 380 feet <u>APN 373-280-28:</u> Front (north property line): 45 feet Side (east property line): 20 feet Side (west property line): 25 feet Rear (south property line): 85 feet <u>APN 373-280-29:</u> Front (north property line): 35 feet Side (east property line): 20 feet Side (west property line): 20 feet Rear (south property line): 150 feet	
Parking	<u>Solid Waste Transfer Facility:</u> One standard parking space for each two permanent employees; one standard parking space for each truck operated by the facility <u>California Building Code:</u> At least one parking space for the physically handicapped per every 25 parking spaces at a facility	Paved parking areas with 50 standard parking spaces and four parking spaces for the physically handicapped	Yes
Lot Coverage	No requirement	No requirement	N/A
Space Between Buildings	Six feet minimum (75 feet minimum between human habitations and structures utilized to house animals)	No change	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Wall Requirements	No requirement	No requirement	N/A
Septic Replacement Area	100 percent	No change	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: The existing and proposed improvements satisfy the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The Applicant shall obtain Building Permits for the 570 square-foot storage building located on the 2.27-acre parcel identified as APN 373-280-24 (23191 E. Clayton Avenue), as this structure was constructed without Building Permits. This mandatory requirement has been included as a Project Note.

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 existing and proposed improvements satisfy the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

With regard to off-street parking, Solid Waste Transfer Facilities are required to provide at least one standard parking space for each two permanent employees, and at least one standard parking space for each truck operated by the facility. Further, California Building Code requires the provision of at least one parking space for the physically handicapped per every 25 parking spaces at a facility. Regarding the subject proposal, the proposed Solid Waste Transfer Facility will have up to 30 employees and will operate 18 trucks. As such, the proposed Solid Waste Transfer Facility needs to have at least 33 standard parking spaces and at least two parking spaces for the physically handicapped. In this case, the subject parcels have existing paved parking areas with 50 total standard parking spaces and four total parking spaces for the physically handicapped.

Based on the above information, staff finds that the project site is adequate in size and shape to accommodate the proposed use.

Noteworthy Recommended Conditions of Approval:

None.

Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	No	N/A	No change
Public Road Frontage	Yes	Clayton Avenue: Very poor condition	No change
Direct Access to Public Road	Yes	Clayton Avenue: Three paved driveways	No change
Road ADT		Clayton Avenue: 200	Less than significant traffic increase
Road Classification		Clayton Avenue: Local	No change
Road Width		Clayton Avenue: 40-foot total existing right-of-way	No change
Road Surface		Clayton Avenue: Paved (pavement width: 13.6 feet)	No change
Traffic Trips		N/A	Up to 20 one-way truck trips (10 round trips) between 5:30am and 6:00am on Monday through Friday, year-round; Up to 20 one-way truck trips (10 round trips) between 1:30pm and 3:30pm on Monday through Friday, year-round; Up to 60 one-way employee trips (30 round trips) between 5:30am and 4:30pm on Monday through Friday, year-round
Traffic Impact Study (TIS) Prepared	No	N/A	Not required by the Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		N/A	See recommended Conditions of Approval attached as Exhibit 1.

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

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

Development Engineering Section of the Fresno County Department of Public Works and Planning: A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Clayton Avenue. This mandatory requirement has been included as a Project Note.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Clayton Avenue is a County-maintained road classified as a Local road. The minimum total width for a Local road right-of-way is 60 feet. Clayton Avenue has a total existing right-of-way of 40 feet at the project site, with all 40 feet of right-of-way being south of the center line. An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the County right-of-way. This mandatory requirement has been included as a Project Note. Clayton Avenue is in poor condition, and vehicular line-of-site issues are anticipated at the intersection of Clayton Avenue and Crawford Avenue. The following Mitigation Measures have been included to address road improvements needed to reduce adverse transportation impacts to a less than significant level:

- Prior to commencement of operations (opening day), Clayton Avenue shall be improved to a Traffic Index (TI) of 7.5 from the intersection of Clayton and Crawford Avenues up to and including the entire frontage of the Applicant's project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29].
- Prior to commencement of operations (opening day), Clayton Avenue shall be widened from the intersection of Clayton and Crawford Avenues up to and including the entire frontage of the Applicant's project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29]. The widened road geometric cross section shall be a minimum total pavement width of 24 feet (creating two 12-foot travel lanes). Shoulders shall not contain any relocated improvements. Although no additional right-of-way has been required for the subject proposal, the Applicant shall be aware of the following with regard to road widening:
 - a) It may be necessary for existing improvements (poles, mail boxes, and other improvements) to be relocated by the Applicant. Such relocation shall be initiated by the Applicant, coordinated with staff of the County Department of Public Works and Planning and affected property owners, and shall be performed at the Applicant's expense.
 - b) Prior to relocating any mail boxes, the Applicant shall consult the United States Postal Service Postmaster with jurisdiction over the area for placement and proper notification of affected property owners.
 - c) It may be necessary for the Applicant to widen Clayton Avenue at the intersection of Clayton and Crawford Avenues in order to ensure sight safety visibility for waste trucks.
- Waste Trucks shall be restricted to accessing and leaving the project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29] via the Applicant's improved Clayton Avenue roadway and the Applicant's improved Clayton Avenue

driveway approach. Waste Trucks utilizing the subject facility shall be discouraged from taking alternate routes to the project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29].

To ensure adequate site distance for traffic at the intersection of Clayton Avenue and Crawford Avenue, the Operator shall comply with the following Mitigation Measures in accordance with the findings of the Line of Site Study prepared by Peters Engineering Group dated January 24, 2017:

- Prior to commencement of operations, the Operator shall coordinate with staff of the County Department of Public Works and Planning and affected property owners to achieve the trimming of existing shrubs and movement of existing fencing with the property owner of property located at the southeast corner of Clayton and Crawford Avenues, to ensure that required corner site distance for westbound traffic on Clayton Avenue at Crawford Avenue is maintained.
- Prior to commencement of operations, the Operator shall coordinate with staff of the County Department of Public Works and Planning, affected property owners and utilities to achieve relocation of an existing utility pole at the northwest corner of Clayton Avenue and Crawford Avenue to achieve required corner site distance and eliminate a blind spot for eastbound traffic at this intersection.

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

Analysis:

Each of the subject parcels has existing paved driveway access from Clayton Avenue, and the proposed Solid Waste Transfer Facility will utilize these existing paved driveways for the proposed use. Additionally, each of the subject parcels also has existing paved parking areas, which the proposed Solid Waste Transfer Facility will also utilize for the proposed use.

With regard to traffic, the proposed Solid Waste Transfer Facility will generate up to 60 one-way employee trips (30 round trips) between 5:30am and 4:30pm on Monday through Friday, year-round. Additionally, the proposed Solid Waste Transfer Facility will also generate up to 20 one-way truck trips (10 round trips) between 5:30am and 6:00am on Monday through Friday, year-round for waste collection; and up to 20 one-way truck trips (10 round trips) between 1:30pm and 3:30pm on Monday through Friday, year-round to deposit waste at the project site. This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, which did not require a Traffic Impact Study (TIS) for the proposed use. Further, traffic to be generated by the proposed use does not exceed the threshold of 100 daily trips or ten peak hour trips which would require preparation of a TIS. Peak traffic hours are defined as 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.

With regard to right-of-way, Clayton Avenue is a County-maintained road classified as Local road. The minimum total width for a Local road right-of-way is 60 feet, which would require Clayton Avenue to have at least 30 feet of right-of-way south of the center line. In this case, Clayton Avenue has a total existing right-of-way of 40 feet at the project site, with all 40 feet of right-of-way being south of the center line. As such, the minimum Local road right-of-way standard has been satisfied along the project site's Clayton Avenue frontage, and no additional right-of-way dedication is required for this proposal.

This proposal was reviewed by the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, which commented that Clayton Avenue has a narrow pavement width, Clayton Avenue is in poor condition, and line-of-site issues are anticipated at the intersection of Clayton Avenue and Crawford Avenue. The Road Maintenance and Operations Division also commented that deficiencies at the intersection of Clayton Avenue and Crawford Avenue needed to be addressed through a Line-of-Site Study. Such a study was completed for this proposal by Peters Engineering Group and was submitted to the County for review in January of 2017. The study made specific suggestions to improve visibility at the intersection of Clayton Avenue and Crawford Avenue, which have been included as Mitigation Measures to reduce adverse traffic hazard impacts to a less than significant level. Further, Mitigation Measures requiring pavement widening and road improvements for Clayton Avenue have also been included to reduce adverse transportation impacts to a less than significant level.

Based on the above information, and with adherence to the Mitigation Measures and mandatory Project Notes described above, staff finds that the surrounding streets serving the project site will be adequate to accommodate the proposed use.

Noteworthy Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

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

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	3.00 acres	Single-family residence	AE-20	130 feet north
	2.79 acres	Single-family residence mobile home	AE-20	77 feet north
	2.75 acres	Single-family residence mobile home	AE-20	119 feet north
	4.12 acres	Single-family residence	AE-20	204 feet north
	3.26 acres	Vacant	AE-20	None
South	4.25 acres	Two single-family residences	AE-20	40 feet south
East	14.14 acres	Field crops	AE-20	None
West	6.47 acres	Orchard	AE-20	None
	2.25 acres	Two mobile homes	AE-20	548 feet west
	2.25 acres	Two mobile homes	AE-20	331 feet west

Surrounding Parcels				
	2.25 acres	Single-family residence	AE-20	650 feet west
	3.37 acres	Single-family residence	AE-20	763 feet west

Reviewing Agency/Department Comments:

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans related to construction and development of the project prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections. This mandatory requirement has been included as a Project Note.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 2200H, the project site is not subject to flooding from the 1%-chance storm (100-year storm). Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards. A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal. These mandatory requirements have been included as Project Notes.

Fresno County Department of Agriculture (Agricultural Commissioner’s Office): The subject parcels are located in an area of agricultural land uses. As such, prior to occupancy, the owner of the subject parcels shall acknowledge the inconveniencies and discomforts associated with agricultural land uses. This requirement has been included as a Condition of Approval, and shall be satisfied by the owner of the subject parcels entering into a Covenant with the County of Fresno acknowledging that the property owner is aware of the Fresno County Right-to-Farm Notice (Fresno County Ordinance Code Sections 17.04.100 and 17.72.075).

Fresno County Department of Public Health, Environmental Health Division: Prior to commencing proposed operations, the facility operator shall submit a Solid Waste Facility Limited Volume Transfer Facility Notification Form to the Fresno County Department of Public Health as required by Public Resources Code, California Code of Regulations (CCR) Title 14. Additionally, facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the CCR, Title 22, Division 4.5. Further, any business that handles hazardous materials or hazardous waste above the following State reporting thresholds may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances. All hazardous waste shall be handled in accordance with requirements set forth in the CCR, Title 22, Division 4.5, which addresses proper labeling, storage and handling of hazardous wastes. These mandatory requirements have been included as Project Notes. The Acoustical Analysis prepared for this proposal by Bollard Acoustical Consultants, Inc. indicates that the proposed Solid Waste Transfer Facility use will comply with the Fresno County Noise Ordinance if project operations occur in the manner described in the Applicant’s Operational Statement and as analyzed in the Acoustical Analysis prepared by Bollard Acoustical Consultants, Inc. The following Mitigation Measure has been included to reduce adverse noise-related impacts to a less than significant level: In concurrence with the Applicant’s Operational Statement, and to ensure that the findings of the Acoustical Analysis prepared by Bollard

Acoustical Consultants, Inc., dated September 30, 2016 remain applicable, the Operator shall limit primary transfer truck operations (departure and arrivals) to the hours of 5:00am to 3:30pm, and truck types shall be limited to refuse collection and transport vehicles. These limitations exclude employee arrival and departure in personal vehicles, fuel deliveries, and infrequent emergency events which may occur outside this time limitation. Fuel delivery and emergency occurrences shall not involve truck traffic beyond 6:00pm.

Alta Irrigation District: No concerns with the proposal.

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

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

State Water Resources Control Board, Division of Drinking Water: This proposal requires a public water system classified as a Non-Transient Non-Community Water System which requires permitting by the State Water Resources Control Board, Division of Drinking Water. The Applicant shall submit a permit application, technical report, and application fee to the State Water Resources Control Board, Division of Drinking Water prior to construction and operation of the required water system. As a public water system, the Applicant must be able to demonstrate adequate technical, managerial and financial capacity to operate and maintain the water system in compliance with all State and federal regulations. An assessment of the technical, managerial and financial capacity of the proposed water system shall be included with the permit application submitted to the State Water Resources Control Board, Division of Drinking Water. The Applicant shall also demonstrate to the State Water Resources Control Board, Division of Drinking Water that the well proposed to provide drinking water meets drinking water standards. Further, the existing well(s) planned for use as a domestic source of water must be demonstrated to meet drinking water standards and the Applicant shall conduct water quality testing of the proposed wells in accordance with the requirements for a Non-Transient Non-Community Water System. Where water quality standards are not met, treatment or an alternative solution must be proposed as part of the permit application. These mandatory requirements have been included as Project Notes.

Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning: The subject parcels are located in a designated Water-Short Area; however, there are no water-related concerns, as the proposed operation will utilize existing on-site improvements.

Resources Division of the Fresno County Department of Public Works and Planning: Should the subject proposal be approved, the Resources Division of the Fresno County Department of Public Works and Planning will present the Solid Waste Transfer Facility operation to the Local

939 Task Force so that it can be added to the Non-Disposal Facility Element for Fresno County.

Fresno County Sheriff's Department: No concerns with the proposal.

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

Analysis:

This proposal entails authorization of a Solid Waste Transfer Facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel in a predominately agricultural area with residential land uses dispersed throughout. Dwellings have been established on the north side of Clayton Avenue in proximity to the subject parcels, and dwellings have also been established on several of the parcels that abut the subject parcels.

Visibility of the subject parcels from neighboring properties would not change with the implementation of the proposed Solid Waste Transfer Facility, as the proposed operations would be conducted within existing buildings that were established through previous discretionary approvals (i.e., CUP Nos. 2068, 2125, 2546 and 2751). Further, no additional structures are being requested through the subject proposal, and existing landscaping exists along the northern boundaries of the subject parcels, which front Clayton Avenue.

Although agriculturally-related industrial uses were previously approved on the subject parcels, the use currently proposed is of considerably different nature, as it entails receiving refuse for transport to off-site landfill as opposed to the sale and maintenance of agricultural equipment. Additionally, the previously-authorized agriculturally-related industrial uses were conducted from 7:00am until 5:00pm on Monday through Friday, year-round; whereas the proposed Solid Waste Transfer Facility would be operational from 5:30am until 4:30pm on Monday through Friday, year-round. Further, as discussed under the **Background Information** section of this Staff Report, the previously-authorized agriculturally-related industrial uses generated approximately 64 one-way vehicular trips (32 round trips) per weekday, year-round; whereas the proposed Solid Waste Transfer Facility would generate approximately 100 one-way vehicular trips (50 round trips) per weekday, year-round. Additionally, the location of the proposed Solid Waste Transfer Facility also has siting issues that are further discussed under the **Finding 4** section of this Staff Report.

Based on the above information, staff believes the proposed Solid Waste Transfer Facility use would have an adverse effect upon surrounding properties.

Noteworthy Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 cannot be made.

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

Relevant Policies:	Consistency/Considerations:
General Plan Policy LU-A.3: County may allow by discretionary permit in areas	With regard to Criteria "a", this proposal entails authorization of a Solid Waste Transfer Facility utilizing existing structures on approximately seven acres of land in the AE-20 (Exclusive

Relevant Policies:	Consistency/Considerations:
<p>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 the surrounding area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics; b) Use should not be sited on productive agricultural lands if less productive land is available in the vicinity; c) Use shall not have a detrimental impact on water resources or the use or management of surrounding properties within a one quarter-mile radius; d) a probable workforce should be located nearby or readily available.</p>	<p>Agricultural, 20-acre minimum parcel size) Zone District. Regarding scheduled operations, waste collection trucks will depart the facility between 5:30am and 6:00am, and will return with collected waste between 1:30pm and 3:30pm, Monday through Friday year-round. Further, the waste collection trucks will be serviced and repaired at the facility from 7:00am until 3:30pm, Monday through Thursday year-round, and 6:00am until 2:30pm on Fridays year-round. Additionally, office functions at the facility will occur from 8:00am until 4:30pm, Monday through Friday year-round. Further, the proposed solid waste transfer facility may operate waste collections trucks or engage in emergency repairs on weekends; however, according to the Applicant, such occurrences would be rare.</p> <p>With regard to Criteria “b”, the subject parcels are classified as Rural Residential lands on the Fresno County Important Farmland Map (2014). Regarding agricultural cultivation, the site has been disturbed, improved and not in agricultural production for in excess of 25 years, thus there will be no impact to productive farmland. Further, the proposed Solid Waste Transfer Facility will utilize existing structures and existing improvements such as paved parking and circulation areas.</p> <p>With regard to Criteria “c”, this proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which stated that although the subject parcels are located in a designated Water-Short Area, no water concerns were identified because on-site development is pre-existing. Further, the nature of the proposed operation did not raise any water quantity/water use concerns in consideration of prior commercial operations that have occurred on the subject parcels.</p> <p>With regard to Criteria “d”, the subject parcels are located approximately three miles northwest of the nearest city limits of the City of Orange Cove, and approximately four miles northeast of the City of Reedley, which have the ability to provide an adequate workforce.</p> <p>The proposal is consistent with this Policy.</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>This proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which stated that although the subject parcels are located in a designated Water-Short Area, no water concerns were identified because on-site development is pre-existing. Further, the nature of the proposed operation did not raise any water quantity/water use concerns in consideration of prior commercial operations that have occurred on the subject</p>

Relevant Policies:	Consistency/Considerations:
	<p>parcels.</p> <p>The proposal is consistent with this Policy.</p>
<p>General Plan Policy PF-F.2: County shall locate all new solid waste facilities including disposal sites, resource recovery facilities, transfer facilities, processing facilities, composting facilities, and other similar facilities in areas where potential environmental impacts can be mitigated and the facilities are compatible with surrounding land uses. Site selection for solid waste facilities shall be guided by the following criteria: a) Solid waste facility sites shall not be located within the conical surface, as defined by Federal Aviation Regulations, Part 77, of a public use airport, except for enclosed facilities; b) Solid waste facilities shall not be sited on productive agricultural land if less productive lands are available; c) Solid waste facilities shall be located in areas of low concentrations of people and dwellings; d) Solid waste facilities shall be located along or close to major road systems. Facility traffic through residential neighborhoods should not be permitted. It is preferable that the roadways used for solid waste transfer conform to approved truck routes; e) Solid waste facilities shall not be located adjacent to rivers, reservoirs, canals, lakes, or other waterways.</p>	<p>With regard to Criteria “a”, the subject parcels are not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.</p> <p>With regard to Criteria “b”, the subject parcels are classified as Rural Residential lands on the Fresno County Important Farmland Map (2014). Regarding agricultural cultivation, the site has been disturbed, improved and not in agricultural production for in excess of 25 years, thus there will be no impact to productive farmland. Further, the proposed Solid Waste Transfer Facility will utilize existing structures and existing improvements such as paved parking and circulation areas.</p> <p>With regard to Criteria “c”, the subject parcels are located in a predominately agricultural area with residential land uses dispersed throughout. Dwellings have been established on the north side of Clayton Avenue in proximity to the subject proposal. Further, dwellings have also been established on several of the parcels that abut the subject proposal.</p> <p>With regard to Criteria “d”, the subject parcels are located on the south side of E. Clayton Avenue, which is a Local road with a 13.6-foot pavement width. Further, dwellings have been established on the north side of Clayton Avenue in proximity to the subject proposal.</p> <p>With regard to Criteria “e”, no canals, streams or rivers are located within the boundaries of the subject parcels; however, an irrigation canal is located approximately 574 feet to the south.</p> <p>The proposal is not consistent with Criteria “c”, “d” and “e” of this Policy.</p>
<p>General Plan Policy PF-F.6: County shall impose site development and operational conditions on new solid waste facilities in order to mitigate potential environmental</p>	<p>With adherence to the Conditions of Approval, Mitigation Measures and Project Notes identified in the Initial Study (IS) prepared for this project and discussed in this Staff Report, staff believes the proposal will not have a detrimental impact on properties within the area of the proposal.</p>

Relevant Policies:	Consistency/Considerations:
impacts on existing and planned land uses in the area.	The proposal is consistent with this Policy.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcels are designated Agriculture in the Fresno County General Plan, and are not enrolled under an Agricultural Land Conservation Contract (Williamson Act Contract). According to General Plan Policy LU-A.3, non-agricultural uses such as the proposed Solid Waste Transfer Facility may be allowed by means of a discretionary use permit subject to a number of specific criteria. According to General Plan Policy PF-C.17, the County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability. According to General Plan Policy PF-F.2, the County shall locate all new solid waste facilities including disposal sites, resource recovery facilities, transfer facilities, processing facilities, composting facilities, and other similar facilities in areas where potential environmental impacts can be mitigated and the facilities are compatible with surrounding land uses. Site selection for solid waste facilities shall be guided by the following criteria: a) Solid waste facility sites shall not be located within the conical surface, as defined by Federal Aviation Regulations, Part 77, of a public use airport, except for enclosed facilities; b) Solid waste facilities shall not be sited on productive agricultural land if less productive lands are available; c) Solid waste facilities shall be located in areas of low concentrations of people and dwellings; d) Solid waste facilities shall be located along or close to major road systems. Facility traffic through residential neighborhoods should not be permitted. It is preferable that the roadways used for solid waste transfer conform to approved truck routes; e) Solid waste facilities shall not be located adjacent to rivers, reservoirs, canals, lakes, or other waterways. According to General Plan Policy PF-F.6, the County shall impose site development and operational conditions on new solid waste facilities in order to mitigate potential environmental impacts on existing and planned land uses in the area.

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

Analysis:

This proposal entails authorization of a Solid Waste Transfer Facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel that are designated Agriculture in the Fresno County General Plan. As such, General Plan Policy PF-F.2 is applicable, which requires location of a new solid waste transfer facility to be in an area where potential environmental impacts can be mitigated and where the facility is compatible with surrounding land uses. Additionally, site selection for solid waste facilities shall be guided by the following criteria: a) Solid waste facility sites shall not be located within the conical surface, as defined by Federal Aviation Regulations, Part 77, of a public use airport, except for enclosed facilities; b) Solid waste facilities shall not be sited on productive agricultural land if less productive lands are available; c) Solid waste facilities shall be located in areas of low concentrations of people and dwellings; d) Solid waste facilities shall be located along or close to major road systems. Facility traffic through residential neighborhoods should not be permitted. It is preferable that the roadways used for solid waste transfer conform to approved truck routes; e) Solid waste facilities shall not be located adjacent to rivers, reservoirs, canals, lakes, or other waterways.

The subject parcels are located in a predominately agricultural area with residential land uses dispersed throughout. Dwellings have been established on the north side of Clayton Avenue in

proximity to the subject proposal, and dwellings have also been established on several of the parcels that abut the subject parcels. Although zoned AE-20, many of the neighboring properties developed with dwellings are approximately three acres in size, which makes the neighborhood surrounding the proposal more rural residential in nature than agricultural. Additionally, the subject parcels are located on the south side of E. Clayton Avenue, which is a Local road with a 13.6-foot pavement width. Further, no canals, streams or rivers are located within the boundaries of the subject parcels; however, an irrigation canal is located approximately 574 feet to the south. Therefore, the proposed Solid Waste Transfer Facility is not compatible with Criteria “c”, “d” and “e” of General Plan Policy PF-F.2.

Based on the above information, the proposed Solid Waste Transfer Facility use is not consistent with the General Plan.

Noteworthy Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 cannot be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit cannot be made. Staff therefore recommends denial of Unclassified Conditional Use Permit No. 3536.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Move to determine that the required Findings cannot be made and move to deny Unclassified Conditional Use Permit No. 3536; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

Alternative Motion (Approval Action)

- Move to determine that the required Findings can be made (state basis for making the Findings) and move to approve Unclassified Conditional Use Permit No. 3536; 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.

EXHIBIT 1

**Mitigation Monitoring and Reporting Program
Initial Study (IS) Application No. 7176 / Unclassified Conditional Use Permit (CUP) Application No. 3536
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	Prior to operation of the Solid Waste Transfer Facility, all outdoor lighting shall be hooded, directed and permanently maintained as to not shine toward adjacent properties and roads.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
*2.	Cultural Resources	In the event that cultural resources are unearthed during ground disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	During ground-disturbing activities
*3.	Noise	In concurrence with the Applicant's Operational Statement, and to ensure that the findings of the Acoustical Analysis prepared by Bollard Acoustical Consultants, Inc., dated September 30, 2016 remain applicable, the Operator shall limit primary transfer truck operations (departure and arrivals) to the hours of 5:00am to 3:30pm, and truck types shall be limited to refuse collection and transport vehicles. These limitations exclude employee arrival and departure in personal vehicles, fuel deliveries, and infrequent emergency events which may occur outside this time limitation. Fuel delivery and emergency occurrences shall not involve truck traffic beyond 6:00pm.	Applicant	Applicant/PW&P/ Fresno County Department of Public Health	Ongoing
*4.	Transportation/ Traffic	Prior to commencement of operations (opening day), Clayton Avenue shall be improved to a Traffic Index (TI) of 7.5 from the intersection of Clayton and Crawford Avenues up to and including the entire frontage of the Applicant's project site [Assessor's Parcel Numbers (APNs) 373-280-	Applicant	Applicant/PW&P	Ongoing

		<p>24, 373-280-28 and 373-280-29].</p>			
*5.	Transportation/ Traffic	<p>Prior to commencement of operations (opening day), Clayton Avenue shall be widened from the intersection of Clayton and Crawford Avenues up to and including the entire frontage of the Applicant's project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29]. The widened road geometric cross section shall be a minimum total pavement width of 24-feet (creating two 12-foot travel lanes). Shoulders shall not contain any relocated improvements. Although no additional right-of-way will be required for the subject Application, the Applicant shall be aware of the following with regard to road widening:</p> <ol style="list-style-type: none"> It may be necessary for existing improvements (poles, mail boxes, and other improvements) to be relocated by the Applicant. Such relocation shall be initiated by the Applicant, coordinated with staff of the County Department of Public Works and Planning and affected property owners, and shall be performed at the Applicant's expense. Prior to relocating any mail boxes, the Applicant shall consult the United States Postal Service Postmaster with jurisdiction over the area for placement and proper notification of affected property owners. It may be necessary for the Applicant to widen Clayton Avenue at the intersection of Clayton and Crawford Avenues in order to ensure sight safety visibility for waste trucks. 	Applicant	Applicant/PW&P	Ongoing
*6.	Transportation/ Traffic	<p>Waste Trucks shall be restricted to accessing and leaving the project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29] via the Applicant's improved Clayton Avenue roadway and the Applicant's improved Clayton Avenue driveway approach. Waste Trucks utilizing the subject facility shall be discouraged from taking alternate routes to the project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29].</p>	Applicant	Applicant/PW&P	Ongoing
*7.	Transportation/ Traffic	<p>To ensure adequate site distance for traffic at the intersection of Clayton Avenue and Crawford Avenue, the Operator shall comply with the following in accordance with the findings of the Line of Site Study prepared by Peters Engineering Group dated January 24, 2017:</p>	Applicant	Applicant/PW&P	Ongoing

		<p>a. Prior to commencement of operations, the Operator shall coordinate with staff of the County Department of Public Works and Planning and affected property owners to achieve the trimming of existing shrubs and movement of existing fencing with the property owner of property located at the southeast corner of Clayton and Crawford Avenues, to ensure that required corner site distance for westbound traffic on Clayton Avenue at Crawford Avenue is maintained.</p> <p>b. Prior to commencement of operations, the Operator shall coordinate with staff of the County Department of Public Works and Planning, affected property owners and utilities to achieve relocation of an existing utility pole at the northwest corner of Clayton Avenue and Crawford Avenue to achieve required corner site distance and eliminate a blind spot for eastbound traffic at this intersection.</p>		
Conditions of Approval				
1.		Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plan, Elevation Drawings and Operational Statement, except as modified by the Conditions of Approval.		
2.		Prior to issuance of Building Permits, the owner of the subject property shall enter into a Covenant with the County of Fresno acknowledging that the property owner is aware of the Fresno County Right-to-Farm Notice (Fresno County Ordinance Code Sections 17.04.100 and 17.72.075).		
*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.		The Applicant shall obtain Building Permits for the 570 square-foot storage building located on the 2.27-acre parcel identified as APN 373-280-24 (23191 E. Clayton Avenue), as this structure was constructed without Building Permits.		
2.		A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Clayton Avenue.		
3.		An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the County right-of-way.		
4.		Plans related to construction and development of the project prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in		

Notes

order to acquire building and installation permits, and necessary inspections.

5. Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards.

6. A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal.

7. Prior to commencing proposed operations, the facility operator shall submit a Solid Waste Facility Limited Volume Transfer Facility Notification Form to the Fresno County Department of Public Health as required by Public Resources Code, California Code of Regulations (CCR) Title 14.

8. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles hazardous materials or hazardous waste above the following State reporting thresholds may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances.

9. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which addresses proper labeling, storage and handling of hazardous wastes.

10. The proposal shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project shall be approved by the Fire District prior to issuance of Building Permits by the County.

11. The subject parcels shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.

12. This proposal may be subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required). Projects subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required) are exempt from Air District Rule 9510 (Indirect Source Review). This proposal may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

13. This proposal requires a public water system classified as a Non-Transient Non-Community Water System which requires permitting by the State Water Resources Control Board, Division of Drinking Water. The Applicant shall submit a permit application, technical report, and application fee to the State Water Resources Control Board, Division of Drinking Water prior to construction and operation of the required water system. As a public water system, the Applicant must be able to demonstrate adequate technical, managerial and financial capacity to operate and maintain the water system in compliance with all State and federal regulations. An assessment of the technical, managerial and financial capacity of the proposed water system shall be included with the permit application submitted to the State Water Resources Control Board, Division of Drinking Water. The Applicant shall also demonstrate to the State Water Resources Control Board, Division of Drinking Water that the well proposed to provide drinking water meets drinking water standards. Further, the existing well(s) planned for use as a domestic source of water must be demonstrated to meet drinking water standards and the Applicant shall conduct water quality testing of the proposed wells in accordance with the requirements for a Non-

Notes

Transient Non-Community Water System. Where water quality standards are not met, treatment or an alternative solution must be proposed as part of the permit application.

DC:ksn
G:\4360Devs&P\m\PROJSEC\PROJDOCS\CUP\3500-3599\3536\SR\CUP\3536 MMRP (Ex 1).docx



LOCATION MAP

CUP 3536

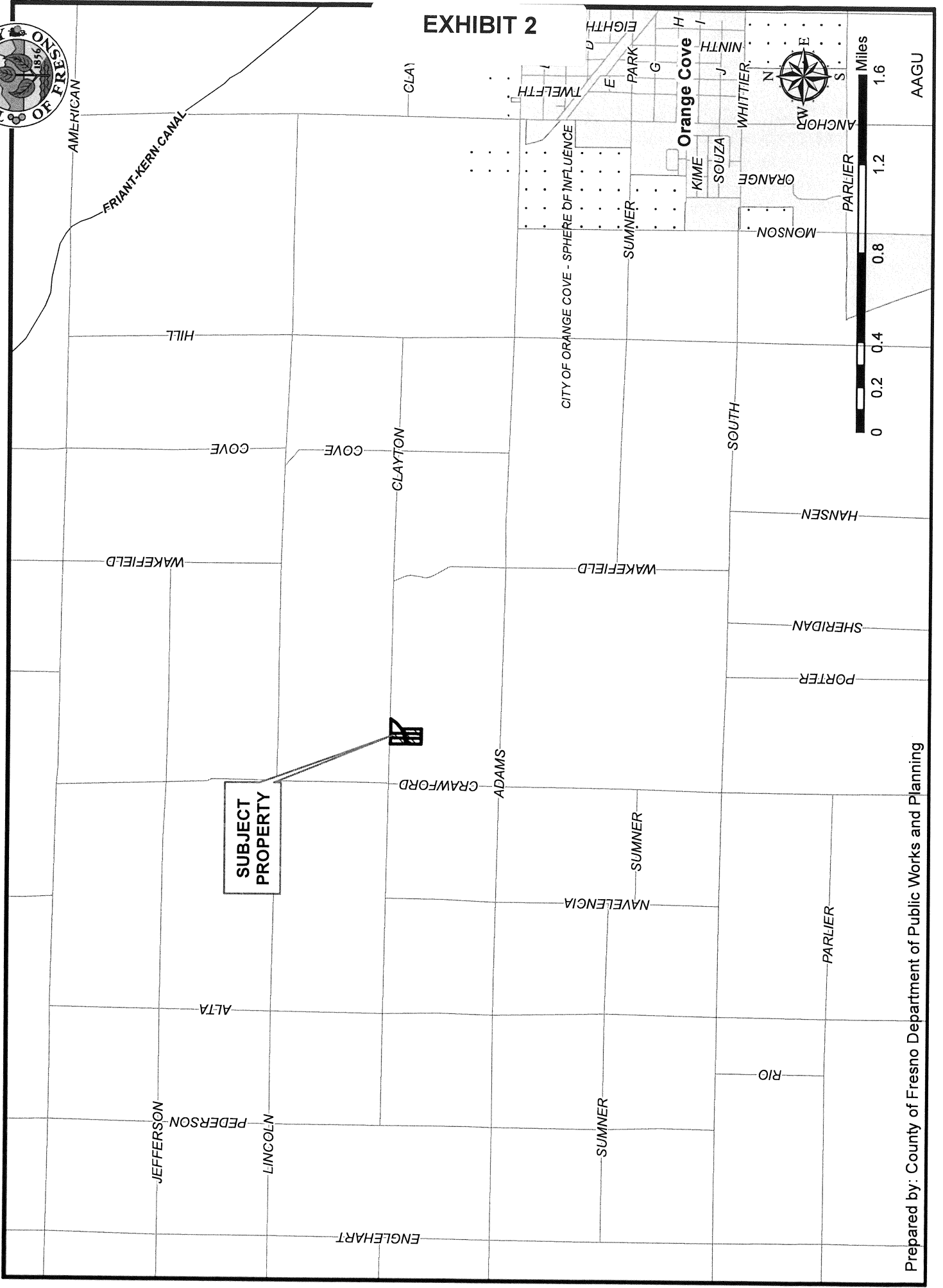


EXHIBIT 2

CUP 3536

STR 9 - 15/24

EXISTING ZONING MAP



EXHIBIT 3

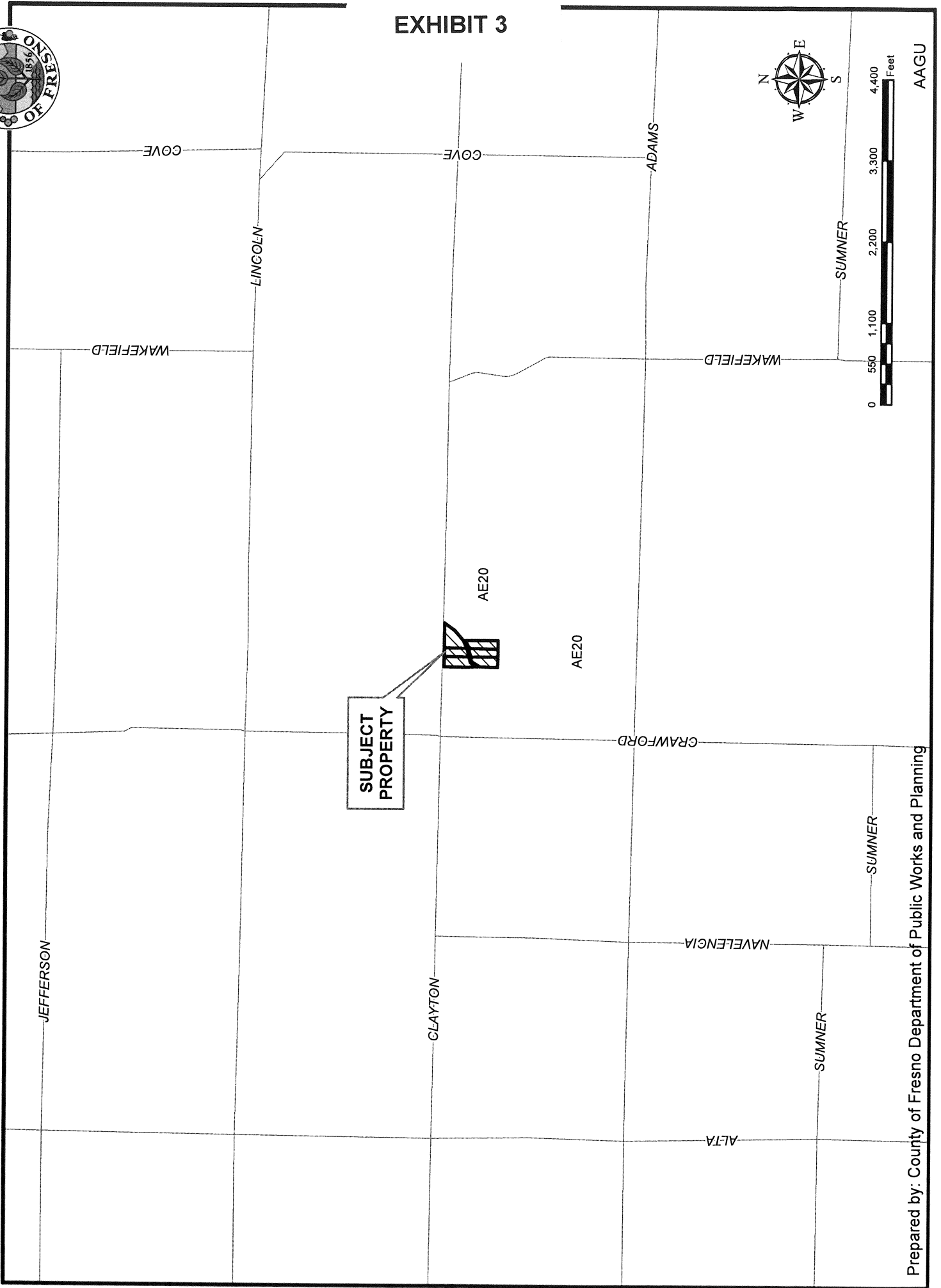


EXHIBIT 6

OPERATIONAL STATEMENT
PROPOSED
MIRAMONTE SANITATION, INC.
23243 E. CLAYTON AVENUE
REEDLEY, CA 93654
APN 373-280-24, 28 AND 29
Revised
April 2017

OWNER

Jake Heibert
2323 E. Clayton Avenue
Reedley, CA 93654

APPLICANT

TCD&S, LLC.
P.O. Box 129
Reedley, CA 93654
miramontesanitation@yahoo.com
559-595-1313

REPRESENTATIVE

Mr. Joe Guagliardo
Comprehensive Planning
Associates, Inc.
5414 E. Pitt
Fresno, CA 93727
Joe.guagliardo@comcast.net
559-259-5000

REQUEST

As provided in §853.B.21 of the Fresno County Zoning Ordinance (Zoning Ordinance) TCD&S, LLC. is requesting an Unclassified Conditional Use Permit (CUP) to allow Miramonte Sanitation, Inc. to operate a Limited Volume Transfer Operation on a portion of a 6.97 acre parcel commonly referred to as 23243 E. Clayton Avenue. As defined by CalRecycle such an operation will receive and transfer less than 60 cubic yards or 15 tons per day with no processing or disposal of waste materials. The site will also be used for the following:

1. Parking
 - a. Miramonte Sanitation, Inc. vehicles will be parked on the site.
 - i. Approximately 18 trucks used in the Miramonte Sanitation, Inc. operations will be parked at the site.
 1. These trucks will be parked inside of building when not in use.
 - b. Employee parking will be provided on the site and is depicted in the attached site plan.
2. Offices
 - a. The administrative offices of The Miramonte Sanitation, Inc. will be located in Building 3 shown on the attached site plan.
3. Repair Shop
 - a. Repairs to Miramonte Sanitation, Inc. vehicles and equipment will take place in Buildings 3 and 4.
 - b. All repairs will be done inside Buildings.
4. Storage
 - a. Clean empty roll off bins will be stored on-site .
 - b. Clean empty refuse cans will be stored at the site inside buildings.

5. Fuel Storage
 - a. A 8,000 gallon above ground fuel storage tank will be located on the site
 - i. The location of the fuel storage facility is shown on the attached site plan.
 - ii. The fuel storage tank will be within a concrete confinement area designed to trap any spillage or leakage.
6. Water storage tanks
 - a. There are two existing water storage tanks
 - i. One tank is 5,000 gallons in size
 - ii. One tank is 3,000 gallons in size
 - b. The tanks are fitted with fire hose couplings so they may be accessed by the fire department if necessary.
7. Wash Rack
 - a. A wash rack, consisting of a cover, sump pump and closed loop self-contained cleaning system will be installed.

SITE

The proposed site is irregularly shaped and consists of three (3) parcels. The combined area of the three (3) parcels is 6.97 +/- acres and is located on the south side of E. Clayton Avenue approximately 950 feet east of S. Crawford Avenue. The site was formally used as an industrial facility manufacturing fruit packing equipment.

There is an existing 30 access easement running south from E. Clayton Avenue to serve the property to the south. This easement is within an existing paved driveway area and will be maintained. Gates will be constructed at each of each of the driveways serving the property. The gates will be setback a minimum of 40' from the E. Clayton Avenue right-of-way. The gates will be equipped with emergency bypass locks keyed for access by the Fresno County Sherriff's Department and Cal Fire. This gate will be operable in both a timer mode and manual mode. Gates will open automatically at 5:45 am and close at 5:00 pm.

The residents of the property to the south will also be provided with access to the gates. A means to allow the residents in the property to the south to open the gates for guests will be provided through either a key pad or other automated gate opening means.

The site is developed with the following improvements:

SITE PLAN SYMBOL	DESCRIPTION
1	Existing single family residence (mobile home)
2	Existing 60' X 100' Metal building Truck Parking and Offices
3	Existing 79' x 100' Metal Building Shop and Offices Offices for Miramonte Sanitation will be located in this building
4	Existing 60' x 280' Metal Building Truck Parking Transfer Facility
5	Existing single family residence
6	Existing single family residence (mobile home)
7	Existing single family residence
8	Existing 60' x 60' Building Truck parking

OPERATIONS

TRANSFER OPERATIONS

All transfer operations will take place with an existing building. Transfer operations will be very limited with transfer activities taking place from bins to trucks with no material being transferred on the floor. Nonetheless, the floor of the transfer building will be cleaned daily. Material transferred will be hauled off in Miramonte Sanitation, Inc. vehicles to appropriate landfill operations. Transfer materials will be removed from the site within 24 hours.

NO MATERIALS WILL BE ACCEPTED FROM ANY SOURCE OTHER THAN MIRAMONTE SANITATION VEHICLES.

NO RECYCLING MATERIALS WILL BE RECEIVED OR PROCESSED AT THE SITE.

NO HAZARDOUS MATERIALS WILL BE ACCEPTED AT THE SITE.

DIESEL FUEL STORAGE TANK

The company proposes to fuel its vehicles from an above ground tank. The tank will be within a containment enclosure designed to contain any spillage. The installation and operation of the diesel storage tank will meet a required Cal Fire, Fresno County and OSHA requirements.

It is anticipated that the fuel tank would typically be refilled about twice a month. Refilling would take place during regular operational hours.

TRUCK OPERATIONS

Miramonte Sanitation, Inc. currently owns 18 trucks. But, only 10 trucks are used on a daily basis. It is possible that additional trucks may be added to meet market demand. However, no more than 20 trucks are anticipated to operate from the facility. The drivers would arrive on site between 5:30 am and 6:00 am. The trucks then leave for their routes by 6:00 am. The trucks return between 1:30 pm and 3:30 pm. The trucks operate Monday through Friday. Occasionally, as necessary, some trucks may operate on Saturdays. The Saturday use of the trucks is on an on demand service and is a rare occurrence.

The trucks are subject to annual inspections by the California Highway Patrol.

SHOP OPERATIONS

The shop only provides repair services to the vehicles of Miramonte Sanitation, Inc. Repairs will be done inside buildings 3 and 4. The shop would operate from 7:00 am to 3:30 pm Monday through Thursday and from 6:00 am to 2:30 pm on Fridays. On rare occasions the shop may need to work on weekends. It is anticipated that there would be three (3) mechanics and two (2) managers working out of the shop building. In the future, it is possible that 2 additional mechanics may be added to the staff.

OFFICE

The offices for Miramonte Sanitation, Inc. will be located in Building 3. The office handles the billing for the business, as well as other administrative functions. The office currently has two (2) full time and two (2) part time employees, as well as a manager. In the future, the office may add 2 additional employees. On rare occasions, clients may come to the office to pay their bills.

The office operates from 8:00 am to 4:30 pm Monday through Friday.

OPERATIONAL STATEMENT
TCD&S, LLC.
Miramonte Sanitation, Inc.
April 2017
Page 5

CONCLUSION

The proposed use will provide a viable use in an empty set of buildings. In addition, the proposed use will result in the introduction of approximately 30 jobs into Fresno County.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

APPLICANT: TCD&S, LLC

APPLICATION NOS.: Initial Study Application No. 7176 and Unclassified
Conditional Use Permit Application No. 3536

DESCRIPTION: Allow a Solid Waste Transfer Facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the south side of E. Clayton Avenue, between S. Crawford and S. Wakefield Avenues, approximately 2.7 miles northwest of the nearest city limits of the City of Orange Cove and approximately 3.8 miles northeast of the nearest city limits of the City of Reedley (23191, 23205, 23241 and 23243 E. Clayton Avenue) (SUP. DIST. 4) (APNs 373-280-24, 28 and 29).

I. AESTHETICS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails authorization of a solid waste transfer facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. According to the Operational Statement submitted for this proposal, the proposed facility will be operated in accordance with State of California regulations for Limited Volume Transfer Operation, which allows a facility to receive and transfer up to 60 cubic yards or 15 tons of solid waste per day with no processing or disposal of waste materials on site.

It is noted by staff that the subject 2.27-acre parcel identified as Assessor's Parcel Number (APN) 373-280-28 (23205 E. Clayton Avenue) was previously utilized for agricultural equipment sales, distribution, storage and maintenance as authorized by

Classified Conditional Use Permit (CUP) No. 2068, which was approved by the Planning Commission on June 21, 1984. Further, the subject 2.43-acre parcel identified as APN 373-280-29 (23241 E. Clayton Avenue, 23243 E. Clayton Avenue) was previously utilized for agricultural equipment storage, repair, maintenance and sales as authorized by CUP No. 2125, which was approved by the Planning Commission on December 20, 1984, and CUP No. 2546, which was approved by the Planning Commission on May 21, 1992. Additionally, the subject 2.27-acre parcel identified as APN 373-280-24 (23191 E. Clayton Avenue) was previously utilized for the assembly of fruit dryers and dehydrating equipment with related sales, maintenance and storage as authorized by CUP No. 2751, which was approved by the Planning Commission on August 22, 1996.

Existing improvements located on the subject parcels include two Mobile Homes with septic systems; two single-family residences with septic systems; 253 square-foot storage building (identified as "Existing Wood/Tin Shed" on Site Plan provided for subject proposal); 224 square-foot storage building (identified as "Existing Tin Shed" on Site Plan provided for subject proposal); 90 square-foot storage building (identified as "Wood Shed" on Site Plan provided for subject proposal); 570 square-foot storage building; 3,600 square-foot shop building; 6,000 square-foot steel building with office space and septic system; 7,900 square-foot steel building; 16,800 square-foot warehouse; two water storage tanks; and paved parking areas with paved driveways accessing Clayton Avenue.

With regard to building permits, there are no permit records for the 570 square-foot storage building located on the subject 2.27-acre parcel identified as APN 373-280-24 (23191 E. Clayton Avenue).

Existing improvements to be utilized with the proposed solid waste transfer facility include the 3,600 square-foot shop building; 6,000 square-foot steel building with office space and septic system; 7,900 square-foot steel building; 16,800 square-foot warehouse; two water storage tanks; and paved parking areas with paved driveways accessing Clayton Avenue.

New improvements to be utilized with the proposed solid waste transfer facility include an 8,000 gallon above-ground fuel storage tank, and a 3,840 square-foot concrete pad with closed loop self-contained wash rack system.

With regard to scheduled operations, waste collection trucks will depart the proposed solid waste transfer facility between 5:30am and 6:00am, and will return with collected waste between 1:30pm and 3:30pm, Monday through Friday year-round. Further, the waste collection trucks will be serviced and repaired at the proposed solid waste transfer facility from 7:00am until 3:30pm, Monday through Thursday year-round, and 6:00am until 2:30pm on Fridays year-round. Additionally, office functions at the proposed solid waste transfer facility will occur from 8:00am until 4:30pm, Monday through Friday year-round. Further, the proposed solid waste transfer facility may operate waste collections trucks or engage in emergency repairs on weekends; however, according to the Applicant, such occurrences would be rare.

The subject parcels are located in a predominately agricultural area with residential land uses dispersed throughout, and residential land uses align the north side of Clayton Avenue in proximity to the proposed solid waste transfer facility. The City of Orange Cove is located approximately three miles southeast of the subject parcels, and the City of Reedley is located approximately four miles to the southwest. The subject parcels are not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the project analysis.

Visibility of the subject parcels from neighboring properties will not change with the implementation of the proposed solid waste transfer facility, as the proposed operations will be conducted within existing buildings that were established through previous discretionary approvals (i.e. CUP Nos. 2068, 2125, 2546 and 2751). Further, no additional structures are being requested through the subject proposal, and existing landscaping exists along the northern boundaries of the subject parcels which front Clayton Avenue.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

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

* **Mitigation Measure**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or

- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcels are not located on forest land, are classified as Rural Residential Land on the Fresno County Important Farmland Map (2014), and are not enrolled under an Agricultural Land Conservation Contract (Williamson Act Contract).

The subject parcels are located in an area of agricultural land uses. As such, prior to occupancy, the owner(s) of the subject parcels shall acknowledge the inconveniences and discomforts associated with agricultural land uses. This requirement will be included as a Condition of Approval, and shall be satisfied by the owner(s) of the subject parcels entering into a Covenant with the County of Fresno acknowledging that the property owner(s) are aware of the Fresno County Right-to-Farm Notice (Fresno County Ordinance Code Sections 17.04.100 and 17.72.075).

III. AIR QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal, including a Health Risk Assessment prepared for the proposed use by LSA Associates, Inc., was reviewed by the San Joaquin Valley Unified Air Pollution Control District (Air District) which commented that the project is expected to have no significant adverse impact on air quality. However, this proposal may be subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required). Staff notes that projects subject to Air District Rule 2201 (New and Modified Stationary Source Review) or Air District Rule 2010 (Permits Required) are exempt from Air District Rule 9510 (Indirect Source Review). Additionally, this proposal may also be subject to the following Air District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for

Hazardous Air Pollutants). Compliance with Air District Rules will reduce air quality impacts of the proposal to a less than significant level.

Based on review of the Health Risk Assessment prepared for the proposed use by LSA Associates, Inc., no concerns were expressed by the Air District regarding nuisance or odors. It is noted by staff that waste transfer operations will occur within an enclosed building, and hazardous wastes and recyclables will not be accepted or processed at the proposed solid waste transfer facility.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcels are located in a predominately agricultural area with residential land uses dispersed throughout, and have been previously disturbed as said properties have been historically utilized for agricultural equipment manufacturing and sales that utilized multiple structural improvements and on-site paving in conjunction with those operations. Further, neighboring properties have been historically utilized for residential land uses and agricultural cultivation and, therefore, have also been previously disturbed. This proposal was reviewed by the California Department of Fish and Wildlife (CDFW), which did not identify any concerns related to the project. This proposal was also reviewed by the U.S. Fish and Wildlife Service (USFWS), which also did not identify any concerns related to the project. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans,

policies, regulations, or by the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; or 4.) The movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcels are not located in an area designated to be highly or moderately sensitive for archeological resources. Further, said parcels have been heavily disturbed due to the previous agricultural equipment manufacturing and sales operations authorized thereon. However, in the event that cultural resources are unearthed during ground disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photographs, reports and video. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The Mitigation Measure will reduce potential impacts to cultural resources to a less than significant level.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation*

recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports and video. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.

VI. GEOLOGY AND SOILS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcels are located in an area designated as Seismic Design Category C in the California Geological Survey. As such, a Geotechnical Investigation is not required to be submitted for review and approval in order to acquire building and installation permits. Further, no agency expressed concerns related to ground shaking, ground failure, liquefaction or landslides. Any construction associated with this proposal will be subject to the Seismic Design Category C Standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcels have predominately flat topography, and limited grading activity is being proposed due to the developed nature of the site. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the Applicant must obtain a Grading Permit or Grading Voucher for any grading associated with this proposal. This mandatory requirement will be included as a Project Note.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Each of the existing structures located on the subject parcels that have plumbing improvements utilize existing independent septic systems. As this proposal will make use of the existing structures on the subject parcels, any impacts related to the use of septic systems are anticipated to be less than significant. This proposal was reviewed by the Environmental Health Division of the Fresno County Department of Public Health, which expressed no concerns regarding wastewater disposal.

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

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

This proposal entails authorization of a solid waste transfer facility to be operated in accordance with State of California regulations for Limited Volume Transfer Operation, which allows a facility to receive and transfer up to 60 cubic yards or 15 tons of solid

waste per day with no processing or disposal of waste materials on site. Further, according to the Operational Statement provided for the subject proposal, waste transfer operations will occur within enclosed buildings, and hazardous wastes and recyclables will not be accepted or processed at the proposed solid waste transfer facility. Additionally, there are no schools located within one-quarter mile of the subject parcels.

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

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

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan. No such impacts were identified in the project analysis. Both the Fresno County Sheriff's Department and the Fresno County Fire Protection District reviewed this proposal, and neither agency expressed any concerns regarding hazards or emergency response. Staff has included additional discussion regarding traffic and road improvements that will result in specific mitigation measures as analyzed in Section XVI Transportation/Traffic.

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

FINDING: NO IMPACT:

The subject parcels are not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed operations will be conducted within existing buildings that were established through previous discretionary approvals (i.e. CUP Nos. 2068, 2125, 2546 and 2751), and no additional structures are being requested through the subject proposal. Further, hazardous wastes and recyclables will not be accepted or processed at the proposed solid waste transfer facility. Additionally, each of the existing structures located on the subject parcels that have plumbing improvements utilize existing independent septic systems, and no additional septic systems are being requested through the subject proposal. Further, this proposal was reviewed by the California Regional Water Quality Control Board, which expressed no concerns with the proposed use.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which stated that although the subject parcels are located in a low water area, no water concerns were identified because on-site development is pre-existing. Further, the nature of the proposed operation did not raise any water quantity/water use concerns in consideration of prior commercial operations that have occurred on the subject parcels.

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

FINDING: NO IMPACT:

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

- 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:

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, any additional runoff generated by development of the proposal cannot be drained across property lines and must be retained on site per County Standards. This mandatory requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

No additional water quality impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

No new housing is proposed with this project.

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

FINDING: NO IMPACT:

According to FEMA FIRM Panel 2200H, the subject parcels are not subject to flooding from the 1% chance storm (100-year storm).

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

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

FINDING: NO IMPACT:

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

X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

This proposal will not physically divide a community. The City of Orange Cove is located approximately three miles southeast of the subject parcels, and the City of Reedley is located approximately four miles to the southwest.

- 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 parcels are designated Agriculture in the Fresno County General Plan. Provisions for non-agricultural uses such as the proposed solid waste transfer facility in agricultural areas have been provided for in the Fresno County Zoning Ordinance and General Plan. Policy LU-A.3 of the General Plan provides that non-agricultural uses may be allowed by discretionary permit subject to a number of specific criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within a one quarter-mile radius. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available.

With regard to Criteria "a", this proposal entails authorization of a solid waste transfer facility utilizing existing structures on approximately seven (7) acres of land in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Regarding scheduled operations, waste collection trucks will depart the facility between 5:30am and 6:00am, and will return with collected waste between 1:30pm and 3:30pm, Monday through Friday year-round. Further, the waste collection trucks will be serviced and repaired at the facility from 7:00am until 3:30pm, Monday through Thursday year-round, and 6:00am until 2:30pm on Fridays year-round. Additionally, office functions at the facility will occur from 8:00am until 4:30pm, Monday through Friday year-round. Further, the proposed solid waste transfer facility may operate waste collections trucks or engage in emergency repairs on weekends; however, according to the Applicant, such occurrences would be rare.

With regard to Criteria "b", the subject parcels are classified as Rural Residential lands on the Fresno County Important Farmland Map (2014). Regarding agricultural

cultivation, the site has been disturbed, improved and not in agricultural production for in excess of 25 years, thus there will be no impact to loss of farm land. Further, the proposed solid waste transfer facility will utilize existing structures and existing improvements such as paved parking and circulation areas.

With regard to Criteria "c", this proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which stated that although the subject parcels are located in a low water area, no water concerns were identified because on-site development is pre-existing. Further, the nature of the proposed operation did not raise any water quantity/water use concerns in consideration of prior commercial operations that have occurred on the subject parcels.

With regard to Criteria "d", the subject parcels are located approximately three miles northwest of the nearest city limits of the City of Orange Cove, and approximately four miles northeast of the City of Reedley, which have the ability to provide an adequate workforce.

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

FINDING: NO IMPACT:

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

XI. MINERAL RESOURCES

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

FINDING: NO IMPACT:

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

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The proposed solid waste transfer facility use includes the utilization of diesel trucks for waste transfer operations which will operate daily within proximity to existing single-family residences. Additionally, the Applicant submitted an Acoustical Analysis for this proposal which was prepared by Bollard Acoustical Consultants, Inc.

According to the Environmental Health Division of the Fresno County Department of Public Health, the Acoustical Analysis prepared for this proposal by Bollard Acoustical Consultants, Inc. indicates that the proposed solid waste transfer facility use will comply with the Fresno County Noise Ordinance if project operations occur in the manner described in the operational statement and as analyzed in the Acoustical Analysis prepared by Bollard Acoustical Consultants, Inc. As such, the following Mitigation Measure will be included in order to reduce adverse noise-related impacts to a less than significant level:

* **Mitigation Measure**

- 1. In concurrence with the Applicant's Operational Statement, and to ensure that the findings of the Acoustical Analysis prepared by Bollard Acoustical Consultants, Inc., dated September 30, 2016 remain applicable, the Operator shall limit primary transfer truck operations (departure and arrivals) to the hours of 5:00am to 3:30pm, and truck types shall be limited to refuse collection and transport vehicles. These limitations exclude employee arrival and departure in personal vehicles, fuel deliveries, and infrequent emergency events which may occur outside this time limitation. Fuel delivery and emergency occurrences shall not involve truck traffic beyond 6:00pm.*

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

FINDING: NO IMPACT:

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

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or

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

FINDING: NO IMPACT:

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

XIV. PUBLIC SERVICES

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

- 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

- 2. Police protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the Fresno County Sheriff's Department, which acknowledged that instances of theft or scavenging will be reduced by the solid waste transfer facility not accepting or processing recyclable materials.

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

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the project analysis.

XV. RECREATION

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

FINDING: NO IMPACT:

No such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcels have frontage on Clayton Avenue, and the proposed solid waste transfer facility will utilize existing paved driveways from this County-maintained roadway. Additionally, this proposal includes utilization of existing paved parking lots with existing parking spaces.

With regard to scheduled operations, up to ten waste collection trucks will depart the proposed solid waste transfer facility between 5:30am and 6:00am, and will return with collected waste between 1:30pm and 3:30pm, Monday through Friday year-round. Further, the waste collection trucks will be serviced and repaired at the proposed solid waste transfer facility from 7:00am until 3:30pm, Monday through Thursday year-round, and 6:00am until 2:30pm on Fridays year-round. Additionally, office functions at the proposed solid waste transfer facility will occur from 8:00am until 4:30pm, Monday through Friday year-round. Further, the proposed solid waste transfer facility may operate waste collections trucks or engage in emergency repairs on weekends; however, according to the Applicant, such occurrences would be rare.

This proposal was reviewed by both the Design Division and the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, which commented that Clayton Avenue is a narrow roadway in poor condition, and line-of-site issues are anticipated at the intersection of Clayton Avenue and Crawford Avenue.

Due to the existing condition of Clayton Avenue, the condition of the intersection of Clayton and Crawford Avenues, the proximity of existing residences, and the general increase in traffic from the proposed use, the following mitigation measures will be included to address road improvements needed to reduce transportation impacts to a less than significant level:

* **Mitigation Measures**

1. *Prior to commencement of operations (opening day), Clayton Avenue shall be improved to a Traffic Index (TI) of 7.5 from the intersection of Clayton and*

Crawford Avenues up to and including the entire frontage of the Applicant's project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29].

2. *Prior to commencement of operations (opening day), Clayton Avenue shall be widened from the intersection of Clayton and Crawford Avenues up to and including the entire frontage of the Applicant's project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29]. The widened road geometric cross section shall be a minimum total pavement width of 24-feet (creating two 12-foot travel lanes). Shoulders shall not contain any relocated improvements. Although no additional right-of-way will be required for the subject Application, the Applicant shall be aware of the following with regard to road widening:*
 - a. *It may be necessary for existing improvements (poles, mail boxes, and other improvements) to be relocated by the Applicant. Such relocation shall be initiated by the Applicant, coordinated with staff of the County Department of Public Works and Planning and affected property owners, and shall be performed at the Applicant's expense.*
 - b. *Prior to relocating any mail boxes, the Applicant shall consult the United States Postal Service Postmaster with jurisdiction over the area for placement and proper notification of affected property owners.*
 - c. *It may be necessary for the Applicant to widen Clayton Avenue at the intersection of Clayton and Crawford Avenues in order to ensure sight safety visibility for waste trucks.*
3. *Waste Trucks shall be restricted to accessing and leaving the project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29] via the Applicant's improved Clayton Avenue roadway and the Applicant's improved Clayton Avenue driveway approach. Waste Trucks utilizing the subject facility shall be discouraged from taking alternate routes to the project site [Assessor's Parcel Numbers (APNs) 373-280-24, 373-280-28 and 373-280-29].*

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

FINDING: NO IMPACT:

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

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

E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, deficiencies at the intersection of Clayton Avenue and Crawford Avenue need to be addressed through a Line-of-Site Study. Such a study was completed for this proposal by Peters Engineering Group and was submitted to the County for review in January of 2017. The study made specific suggestions to improve visibility at the intersection which have been included as mitigation to reduce impacts related to traffic hazards and inadequate emergency access to less than significant levels.

* **Mitigation Measure**

1. *To ensure adequate site distance for traffic at the intersection of Clayton Avenue and Crawford Avenue, the Operator shall comply with the following in accordance with the findings of the Line of Site Study prepared by Peters Engineering Group dated January 24, 2017:*
 - a. *Prior to commencement of operations, the Operator shall coordinate with staff of the County Department of Public Works and Planning and affected property owners to achieve the trimming of existing shrubs and movement of existing fencing with the property owner of property located at the southeast corner of Clayton and Crawford Avenues, to ensure that required corner site distance for westbound traffic on Clayton Avenue at Crawford Avenue is maintained.*
 - b. *Prior to commencement of operations, the Operator shall coordinate with staff of the County Department of Public Works and Planning, affected property owners and utilities to achieve relocation of an existing utility pole at the northwest corner of Clayton Avenue and Crawford Avenue to achieve required corner site distance and eliminate a blind spot for eastbound traffic at this intersection.*

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

FINDING: NO IMPACT:

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

XVII. UTILITIES AND SERVICE SYSTEMS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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:

According to the State Water Resources Control Board, Division of Drinking Water, this proposal requires a public water system classified as a Non-Transient Non-community Water System which requires permitting by the State Water Resources Control Board, Division of Drinking Water. The Applicant shall submit a permit application, technical report, and application fee to the State Water Resources Control Board, Division of Drinking Water prior to construction and operation of the required water system. As a public water system, the Applicant must be able to demonstrate adequate technical, managerial and financial capacity to operate and maintain the water system in compliance with all State and federal regulations. An assessment of the technical, managerial and financial capacity of the proposed water system shall be included with the permit application submitted to the State Water Resources Control Board, Division of Drinking Water. The Applicant shall also demonstrate to the State Water Resources Control Board, Division of Drinking Water that the well proposed to provide drinking water meets drinking water standards. Further, the existing well(s) planned for use as a domestic source of water must be demonstrated to meet drinking water standards and the Applicant shall conduct water quality testing of the proposed wells in accordance with the requirements for a Non-Transient Non-Community Water System. Where water quality standards are not met, treatment or an alternative solution must be proposed as part of the permit application. These mandatory requirements will be included as Project Notes.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.E Geology and Soils.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails authorization of a solid waste transfer facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. According to the Operational Statement submitted for this proposal, the proposed facility will be operated in accordance with State of California regulations for Limited Volume Transfer Operation, which allows a facility to receive and transfer up to 60 cubic yards or 15 tons of solid waste per day with no processing or disposal of waste materials on site.

As a solid waste limited transfer station, the facility will serve communities and transfer volumes of non-hazardous solid waste to approved disposal facilities. According to the Resources Division of the Fresno County Department of Public Works and Planning, should the project be approved, the facility will be presented to the Local 939 Task Force so that it can be added to the Non-Disposal Facility Element for Fresno County.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Pursuant to discussion in Section IV (Biological Resources), no such impacts on biological resources were identified in the project analysis. Pursuant to discussion in Section V (Cultural Resources), this proposal may have impacts on cultural resources; however, the Mitigation Measure included in Section V (Cultural Resources) will reduce such impacts to a less than significant level.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the project analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Pursuant to discussion in Section XVI (Transportation/Traffic), this proposal may have impacts on traffic and roadways; however, the Mitigation Measures included in Section XVI (Transportation/Traffic) will reduce such impacts to a less than significant level. Further, pursuant to discussion in Section XII (Noise), this proposal may have noise impacts; however, the Mitigation Measure included in Section XII (Noise) will reduce such impacts to a less than significant level.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3536, 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 mineral resources, population and housing, or recreation.

Potential impacts related to agricultural and forestry resources, air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, geology and soils, utilities and service systems, land use and planning, and public services have been determined to be less than significant.

Potential impacts relating to aesthetics, cultural resources, noise, and transportation and 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 southeast corner of Tulare and "M" Street, Fresno, California.

DC:

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3500-3599\3536\IS-CEQA\CUP3536 IS wu REVISED.docx

EXHIBIT 8

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		ark Only.	
Agency File No: IS 7176		LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION	
Responsible Agency (Name): Fresno County		County Clerk File No: E	
Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor		City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Derek Chambers, Planner		Area Code: 559	Telephone Number: 600-4205
Extension: N/A		Project Title: Unclassified Conditional Use Permit Application No. 3536	
Applicant (Name): TCD&S, LLC			
Project Description: Allow a Solid Waste Transfer Facility to be partially located on two 2.27-acre parcels and a 2.43-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the south side of E. Clayton Avenue, between S. Crawford and S. Wakefield Avenues, approximately 2.7 miles northwest of the nearest city limits of the City of Orange Cove and approximately 3.8 miles northeast of the nearest city limits of the City of Reedley (23191, 23205, 23241 and 23243 E. Clayton Avenue) (SUP. DIST. 4) (APNs 373-280-24, 28 and 29).			
Justification for Negative Declaration: Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3536, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to mineral resources, population and housing, or recreation. Potential impacts related to agricultural and forestry resources, air quality, biological resources, 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 relating to aesthetics, cultural resources, noise, and transportation and traffic have been determined to be less than significant with the identified Mitigation Measures. The Initial Study and MND are available for review at 2220 Tulare Street, Suite A, Fresno, CA 93721.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – June 14, 2017		Review Date Deadline: July 14, 2017	
Date: June 12, 2017	Type or Print Signature: Chris Motta Principal Planner	Submitted by (Signature): Derek Chambers Planner	

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION