



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 March 30, 2017

SUBJECT: Initial Study Application No. 7228, Unclassified Conditional Use Permit Application No. 3554

Allow a solid waste transfer facility as part of an existing septic waste servicing operation on a 3.64-acre parcel in the C-M (Commercial and Light Manufacturing) Zone District.

LOCATION: The project site is located approximately 345 feet south of the intersection of Auberry Road and Knob Knoll Lane in the unincorporated community of Auberry (31866 Auberry Road, Auberry) (Sup. Dist. 5) (APN 128-810-12).

OWNER: Robert E. Schoonover
APPLICANT: Central State, Inc.

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

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7228; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3554 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Measures, 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. 7228
8. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Mountain Urban in the Sierra-North Regional Plan	No change
Zoning	CM (Commercial and Light Manufacturing)	No change
Parcel Size	3.64 acres	No change
Project Site	<ul style="list-style-type: none"> • Three buildings • Office • Shop with canopy • Metal storage trailers • Water storage tanks • Septic tanks • Water well • Gas/diesel tanks 	Allow a solid waste transfer facility as part of an existing septic waste servicing operation on a 3.64-acre parcel in the C-M (Commercial and Light Manufacturing) Zone District.
Structural Improvements	<ul style="list-style-type: none"> • Three buildings • Office • Shop with canopy • Metal storage trailers • Water storage tanks 	Vehicle wash facility
Nearest Residence	20 feet from the south property line	No change
Surrounding Development	Commercial and industrial uses to the north and single-family residences to the east, south and west	No change

Criteria	Existing	Proposed
Operational Features	<ul style="list-style-type: none"> • The proposed facility involves a sewage pumping and collection and portable toilet supply to commercial and residential customers. • The company trucks remove sewage from septic systems and haul directly to the City of Fresno Wastewater Treatment Facility (WWTF). • Septic liquid from portable toilets collected in company trucks is kept on site in 7,500-gallon holding tanks with a regular transfer to the City of Fresno WWTF. 	Vehicle wash facility
Employees	Eight	No change
Customers/Visitors	None	No change
Traffic Trips	<ul style="list-style-type: none"> • Maximum 16 one-way vehicle trips (8 round trips) per day • Four one-way UPS vehicle trips (two round trips) per day • Two one-way large delivery truck trips (one round trip) per week 	No change
Lighting	Outdoor night lighting on buildings and exterior poles	No change
Hours of Operation	8 am to 5 pm Monday - Friday	No change

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

Yes. Violation File No. 16-101957: Operation of a solid waste transfer facility without an Unclassified Conditional Use Permit and a contractor's storage yard without a Site Plan Review.

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 included as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: February 24, 2017.

PUBLIC NOTICE:

Notices were sent to 32 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

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:

The subject proposal would allow continued operation of an existing solid waste transfer facility on a 3.64-acre parcel. Established in 2000, the facility involves sewage pumping and collection services and portable toilet supply to commercial and residential customers. The company's trucks remove sewage from septic systems and haul directly to the City of Fresno Wastewater Treatment Facility (WWTF). However, septic liquid from portable toilets collected in company trucks is kept on site in holding tanks with a regular transfer to the City of Fresno WWTF. The existing improvements on the property include three buildings, an office, a shop with canopy, two metal storage trailers, water storage tanks, septic tanks, water well, and gas/diesel tanks. Proposed improvements on the property include a future vehicle wash facility (Exhibit 5).

On February 24, 2016, a complaint was received from a private individual regarding the establishment of the subject use on the property. It was at that time the County staff learned about the facility and informed the Applicant that the use is categorized as a “solid waste transfer station” in the County Ordinance which requires approval of a land use application. This resulted in the establishment of a Violation case (File No. 16-101957) against the property and the filing for the subject land use application to remedy the violation and authorize the use. According to the Code Enforcement Section of the Fresno County Department of Public Works and Planning, compliance with all Conditions of Approval and mandatory requirements for CUP No. 3554 would be required in order for the Violation to be removed from the property.

ANALYSIS/DISCUSSION:

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: None (15 feet if property abuts a residential district) Sides: None (15 feet if property abuts a residential district) Rear: None (15 feet if	Front (west): 69 feet Side: (north): 20 feet (min.) Side (south): 85 feet Rear (east): 15 feet (min.)	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	property abuts a residential district)		
Parking	One (1) off-street parking space for each two (2) permanent employees	12 parking spaces for employees (minimum four required)	Yes
	One (1) parking space for each company-owned truck	17 parking spaces for company-owned trucks (minimum 11 required)	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	No requirement	N/A	N/A
Wall Requirements	Six-foot-high wall between industrial- and residential-zoned properties	Six-foot-high solid masonry wall required along the north, east and south property lines	The property is enclosed by a six-foot tall slatted cyclone fence. Construction of wall will be deferred with the recordation of a covenant
Septic Replacement Area	100 percent of the existing system	100 percent	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change. The project will utilize the existing on-site water well	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Department of Public Works and Planning: The proposed improvements meet the setback requirements of the M-1 (Light Manufacturing) Zone District. Completion of a Site Plan Review is required for the project.

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

Analysis:

Staff review of the Site Plan demonstrates that the proposed improvements exceed the minimum building setback requirements of the M-1 (Light Manufacturing) Zone District. (The C-

M Zoning, provisions of the "M-1" District, Section 843.5-E.1, 2 and 3 relating to building setbacks, shall apply to this proposal.)

The existing improvements set back approximately 69 feet from the west property line (35 feet required), 20 feet from the north property line (15 feet required), 85 feet from the south property line (15 feet required), and 15 feet from the east property line (15 feet required). In regard to off-street parking for the proposed solid waste transfer facility, the Zoning Ordinance requires one off-street parking space for each two (2) permanent employees and one parking space for each company-owned truck. The project provides 12 parking spaces for employees (minimum of 4 required) and 17 parking spaces for company-owned trucks (minimum 11 required), which meets the requirement.

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

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	N/A
Public Road Frontage	Yes	Auberry Road; good condition	No change
Direct Access to Public Road	Yes	Auberry Road; good condition	No change
Road ADT		3,400	No change
Road Classification		Arterial	No change
Road Width		27.8 feet	No change
Road Surface		Paved	No change
Traffic Trips		<ul style="list-style-type: none"> • Maximum 16 one-way vehicle trips (8 round trips) per day • Four one-way UPS vehicle trips (two round trips) per day 	No change

		Existing Conditions	Proposed Operation
		<ul style="list-style-type: none"> Two one-way large delivery truck trips (one round trip) per week 	
Traffic Impact Study (TIS) Prepared	No	N/A	No Traffic Impact Study required by the California Department of Transportation or Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		State Route 168 (Auberry Road); good condition	No change

Reviewing Agency/Department Comments:

Development Services Division of the Department of Public Works and Planning: A 10'x10' corner cutoff shall be provided for any gate to promote site visibility onto Auberry Road. On-site turnarounds shall be required for vehicles leaving the site to enter Auberry Road in a forward motion.

Road Maintenance and Operations Division (RMO) of the Fresno County Department of Public Works and Planning: The existing drive approach off of Auberry Road shall be paved for the first 100 feet from the edge of the road right-of-way and tied into the existing pavement on Auberry Road. The drive approach shall be constructed with adequate turning radii to accommodate the size of truck used in the transfer operation. Any work done within the road right-of-way shall require an encroachment permit from RMO.

California Department of Transportation (Caltrans); Design Division of the Fresno County Department of Public Works and Planning: No concerns.

Analysis:

The project site gains access from Auberry Road. The proposal is to allow a solid waste transfer facility established in 2000 which involves sewage pumping and collection and portable toilet supply to commercial and residential customers. Except for a future vehicle wash facility on the property, no other improvements are proposed.

The California Department of Transportation and Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns with the proposal nor required a traffic Impact study.

Based on the above information and adherence to the Project Notes, staff believes that State Route 168 (Auberry Road) at the project site can accommodate the proposed use.

Recommended Conditions of Approval:

None

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will not be detrimental to the character of the development in the immediate neighborhood or the public health, safety, and general welfare

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	2.11 acres	Single-Family Residence	RR	57 feet
South	5.11 acres	Single-Family Residence	RR	20 feet
East	2.08 acres	Single-Family Residence	RR	115 feet
West	1.22 acres	Commercial development	CM	None

Reviewing Agency/Department Comments:

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any additional runoff generated by the proposal cannot be drained across property line and shall be retained or disposed of per County Standards. A Grading Permit or Voucher may be required for this application.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Any unpermitted structure on the property shall require a permit and inspection.

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

The aforementioned requirements have been included as Project Notes.

Fresno County Department of Public Health, Environmental Health Division; San Joaquin Valley Air Pollution Control District; California Regional Water Quality Control Board; State Water Resources Control Board, Division of Drinking Water; Table Mountain Rancheria; California Department of Fish and Wildlife; U.S. Fish and Wildlife Service: No concerns.

Analysis:

The project is to allow a solid waste transfer facility on a 3.64-acre parcel established in 2000 and involves sewage pumping and collection and portable toilet supply to commercial and residential customers. The company trucks remove sewage from septic systems and haul directly to the City of Fresno Wastewater Treatment Facility (WWTF). However, septic liquid from portable toilets collected in company trucks is kept on site in underground storage tanks with a regular transfer to the City of Fresno WWTF.

The existing improvements on the property include three buildings, an office, a shop with canopy, two metal storage trailers, water storage tanks, septic tanks, water well, and gas/diesel tanks. A gravel access drive connects the property with Auberry Road. Except for future

construction of an on-site vehicle wash facility, no other improvements are proposed by this application.

Although, the project area is somewhat scenic in nature due to vegetation and rolling landscape, no scenic vistas or scenic resources have been identified in the vicinity of the project site. Surrounding areas consist of industrial, commercial and residential uses. Parcels to the north are improved with commercial and industrial uses and parcels to the east, south and west are improved with single-family residences. All existing improvements on the property are currently being utilized in the operation of the facility and are compatible in look, size and height with other commercial and industrial uses in the vicinity. As such, the project will have less than significant visual impacts on the surrounding area.

An Initial Study prepared for the project identified potential impacts to aesthetics and cultural resources. Regarding aesthetic impacts, all outdoor lighting will be required to be hooded and directed downward to avoid glare on adjoining properties. In regard to cultural resources, any cultural resources or human remains discovered during ground-disturbance activities will require all work to be stopped and findings be evaluated by an archeologist.

Regarding potential impacts related to geology and soils, and transportation/traffic, the project will: require any additional runoff to be retained on the property and a grading permit/voucher for any grading proposed with the application; and obtain Fresno County Fire Protection District's approval. Per the County Ordinance (Section 843.5-H.1), a solid masonry wall is required between the properties zoned for industrial and residential land uses. The subject property abuts RR (Rural Residential)-zoned properties to the north, south and east, and therefore, is subject to this requirement. As the property is currently enclosed with by a six-foot-tall slatted cyclone fence, a Condition of Approval would require that a deferment of construction agreement shall be executed between the Applicant and the County to defer construction of a six-foot-high solid masonry wall along north, south and east property lines of the subject property until such time as deemed appropriate by the County. These requirements will be addressed through mandatory Site Plan Review required for the proposal.

Based on the above information, and with adherence to the Mitigation Measures and mandatory Project Notes, staff believes that the proposal will not have adverse effects upon surrounding properties.

Recommended Conditions of Approval:

See Mitigation Measures, recommended Condition of Approval, and Project Notes attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
Policy 12.04-Commercial Policies (Mountain Urban) of the Sierra-North Regional Plan states that commercial development shall: 1) be served by a County water and sewer system or provide suitable alternatives; 2) be	This policy is met in that the subject facility is: served by an on-site individual septic system and water wells; secured by an existing eight-foot-tall slatted chain-link fence that separates the use from the

Relevant Policies:	Consistency/Considerations:
provided with on-site buffering measures to protect residential areas; 3) be provided with off-street parking sufficient for the proposed use; and 4) maintain a setback of 50 feet from the roadways.	adjacent residential properties; provided with an adequate number of on-site parking spaces to meet the demand of the proposal; and sits approximately 109 feet from Auberry Road.
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.	Water to the subject facility is provided by an existing on-site water well. No changes to the water consumption will occur from this proposal. The Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning expressed no concerns related to water supply adequacy or sustainability for the project. The proposal is consistent with this policy.

Reviewing Agency/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: Policy 12.04 - Commercial Policies (Mountain Urban) of the Sierra-North Regional Plan requires that commercial development shall be: served by a County water and sewer system or provide suitable alternatives, provided with on-site buffering measures to protect residential areas, provided with off-street parking sufficient for the proposed use, and maintain a setback of 50 feet from the roadways. Policy PF-C.17 requires evaluation of adequacy and sustainability of the water supply for the project.

Analysis:

The subject property is designated Mountain Urban in the County-adopted Sierra-North Regional Plan and is zoned C-M (Commercial and Light Manufacturing). The Zoning Compatibility Matrix for the Sierra-North Regional Plan indicates that the current C-M Zone District is conditionally compatible with the Mountain Urban designation of the Sierra-North Regional Plan. Other parcels in the immediate vicinity of the proposal designated Mountain Urban and zoned industrial (M-1, M-3) and commercial (C-M) has been developed with light and heavy industrial and commercial uses.

The project is consistent with Policy 12.04 - Commercial Policies (Mountain Urban) of the Sierra-North Regional Plan as discussed above. In regard to the consistency with this policy, the subject facility is served by an on-site individual septic system and water wells; secured by an existing eight-foot-tall slatted chain-link fence that separates the use from the adjacent residential properties; provided with an adequate number of on-site parking to meet the demand of the proposal; and sits approximately 109 feet from Auberry Road. In regard to consistency with Policy PF-C.17, the subject facility utilizes the existing on-site water well with no changes to the water consumption occurring from this proposal.

Based on the scope of the project and with adherence of Mitigation Measures and Conditions of Approval included as Exhibit 1 of this report, staff believes the proposed use remains compatible with the surrounding land uses and the policies of the Fresno County General Plan and Sierra-North Regional Plan.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

CONCLUSION:

Staff believes the required Findings for granting Unclassified Conditional Use Permit (CUP) No. 3554 can be made based on the factors cited in the Analysis, the recommended Conditions of Approval, and Project Notes regarding mandatory requirements. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3554 subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit (CUP) No. 3554, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit (CUP) No. 3554; 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.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7228/Classified Conditional Use Permit Application No. 3554
(Including Conditions of Approval and Project Notes)

EXHIBIT 1

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2*	Cultural Resources	In the event that cultural resources are unearthed during grading or construction activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted
Conditions of Approval					
1.	Development and operation of the use shall be conducted in accordance with the Site Plan and Operational Statement approved by the Commission.				
2.	Prior to issuance of a building permit, a Covenant running with the land between the County and the property owner shall be recorded requiring that construction of a six-foot-tall solid masonry wall along north, south and east property lines shall be deferred until such time as deemed appropriate by the County. The Department of Public Works and Planning will prepare the Covenant upon receipt of the standard fee which currently is \$243.50.				
*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.					
Project Notes					
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.					
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.				

Project Notes

2.	Plans, permits and inspections are required for any unpermitted structure on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	A Site Plan Review Application shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.
3.	<p>Per the Development Engineering Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • On-site turnarounds shall be required for vehicles leaving the site to enter Auberry Road in a forward motion. • Any additional runoff generated by the proposal cannot be drained across property line and shall be retained or disposed of per County Standards. • A Grading Permit or Voucher may be required for this application. • A 10'x10' corner cutoff shall be provided for any gate to promote site visibility onto Auberry Road.
4.	The proposal shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project. As part of Site Plan Review, the Applicant shall submit three sets of Site Plans stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Protection District for review and approval and install all the requirements mandated by the Fire District for fire safety apparatuses in the site lay out and also annex the property to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.
6.	<p>Per the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> • The existing drive approach off of Auberry Road shall be paved for the first 100 feet and tied into the existing pavement on Auberry Road. • The drive approach shall be constructed with adequate turning radii to accommodate the size of truck used in the transfer operation. Any work done within the road right-of-way shall require an encroachment permit from RMO.

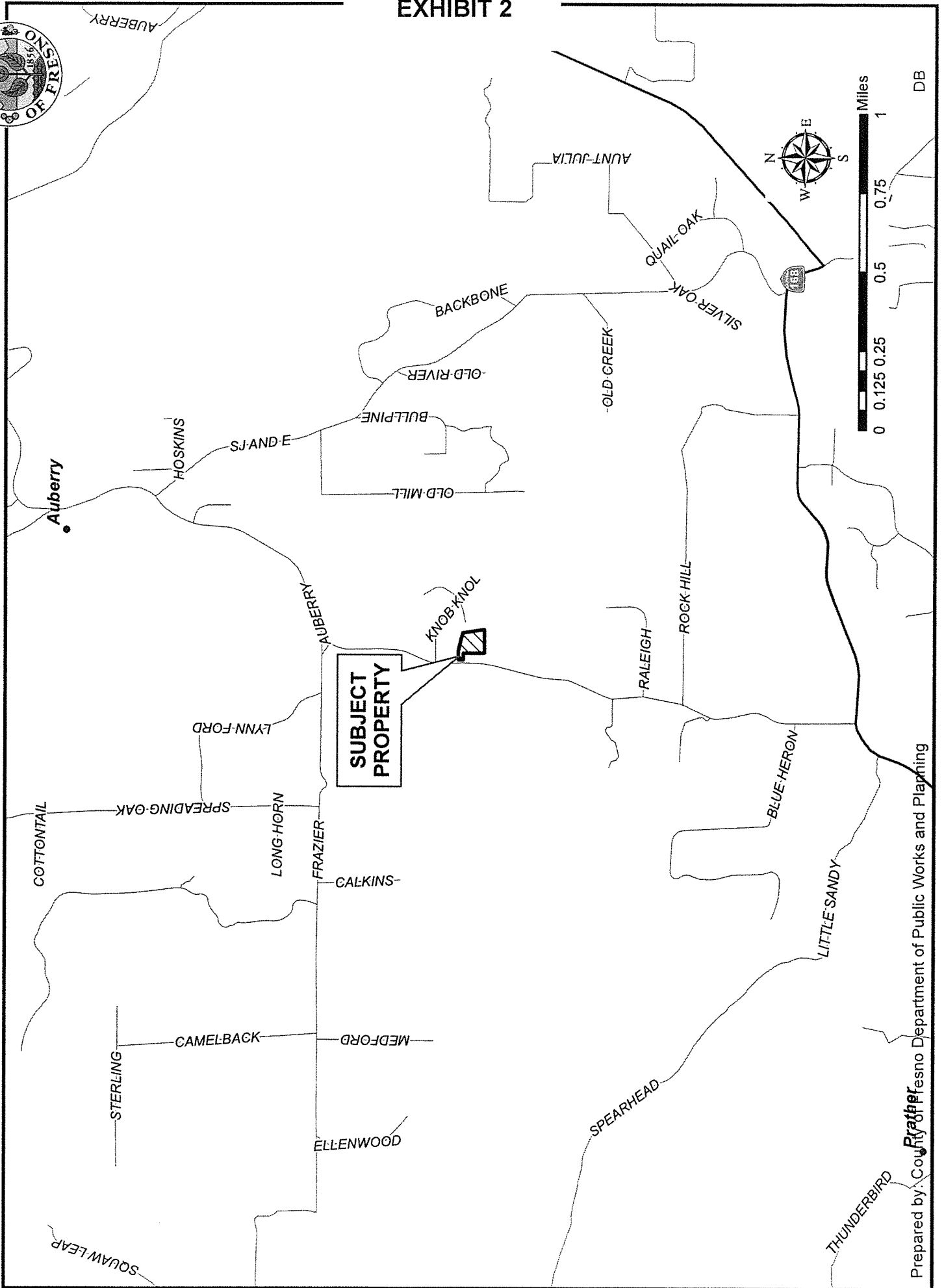
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LOCATION MAP

CUP 3554



EXHIBIT 2



EXISTING ZONING MAP



EXHIBIT 3

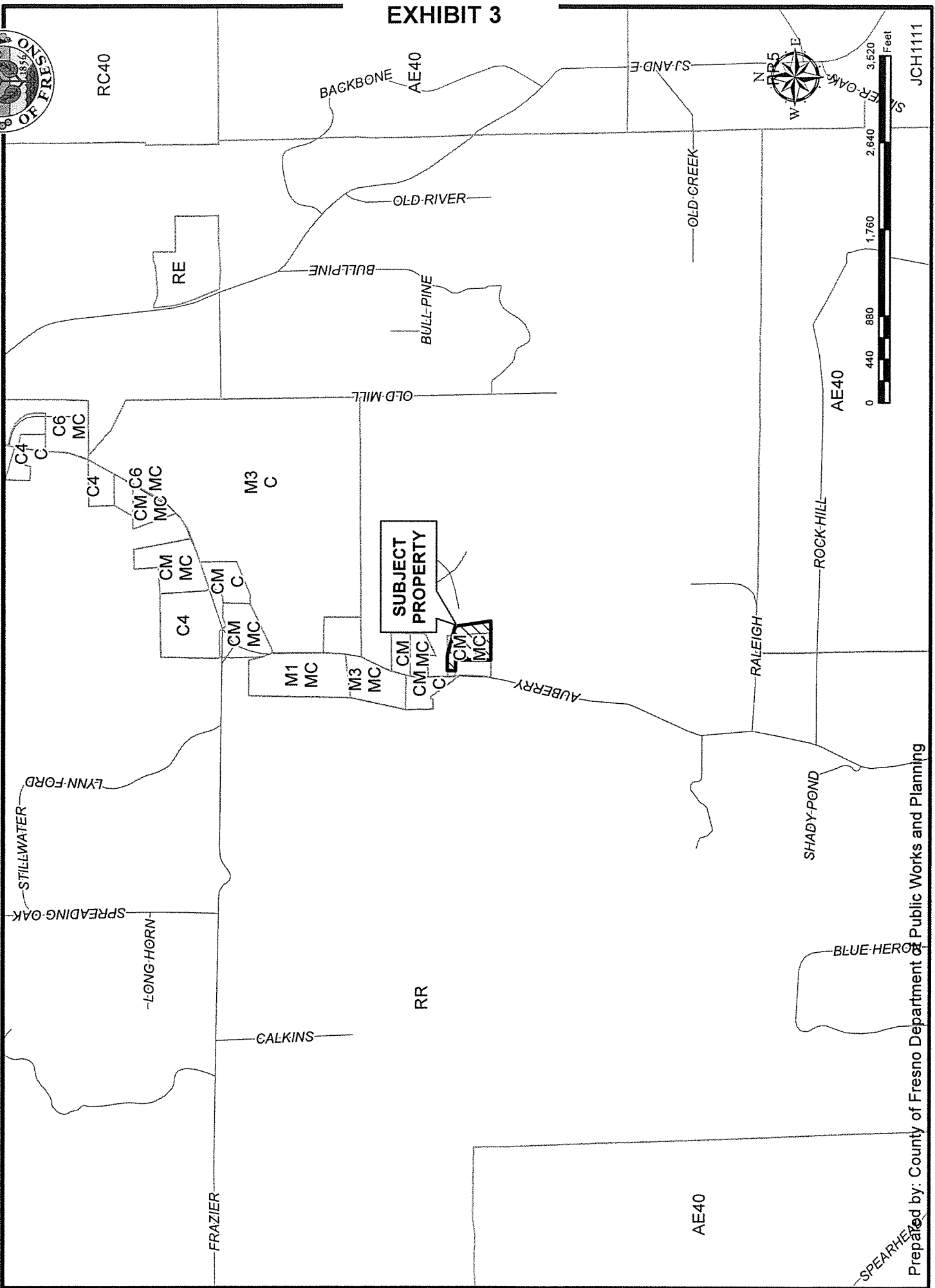
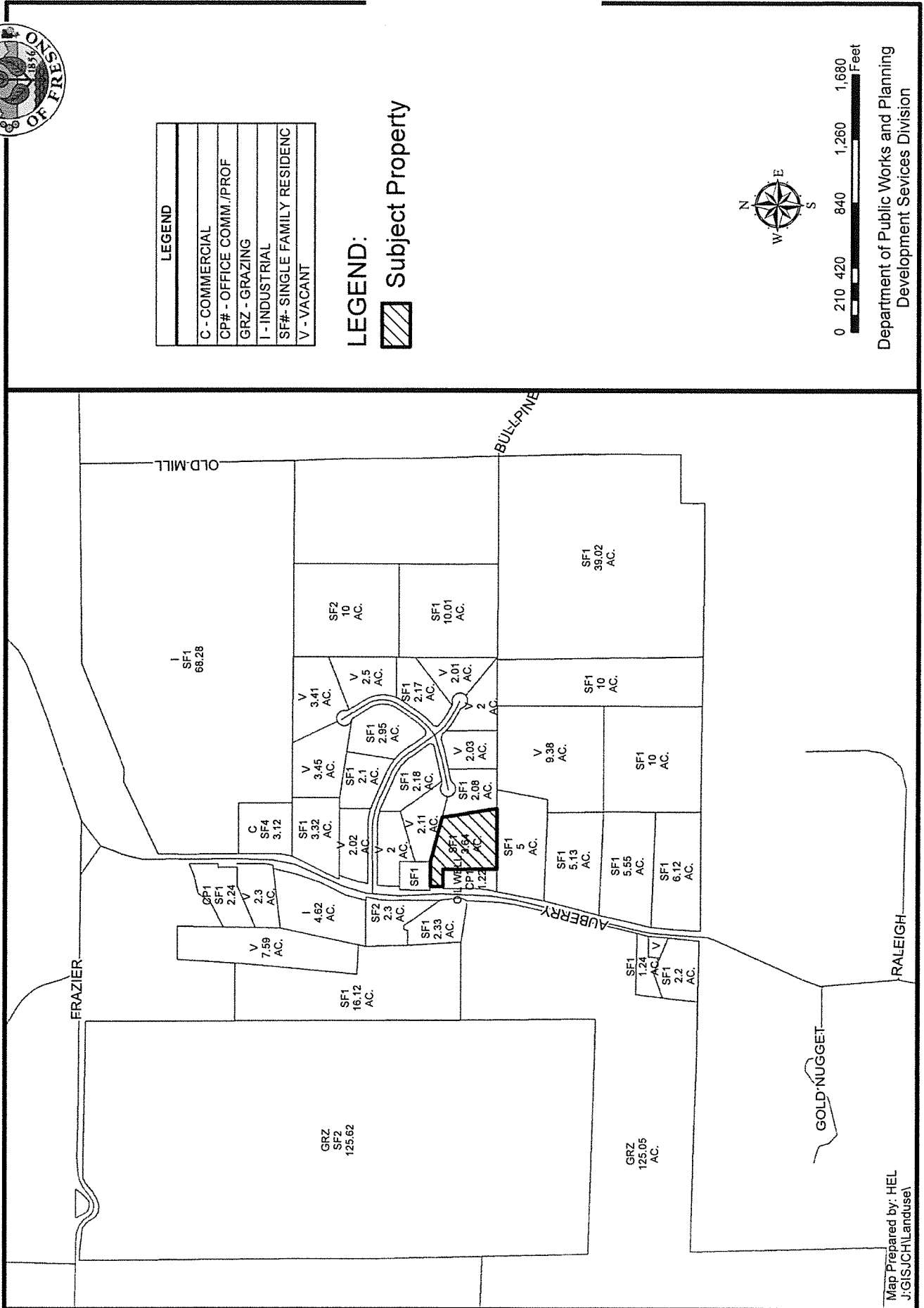


EXHIBIT 4



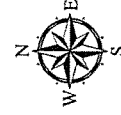
EXISTING LAND USE MAP

CUP 3554



LEGEND	
C - COMMERCIAL	
CP# - OFFICE COMM./PROF	
GRZ - GRAZING	
I - INDUSTRIAL	
SF# - SINGLE FAMILY RESIDENCE	
V - VACANT	

LEGEND:
 Subject Property

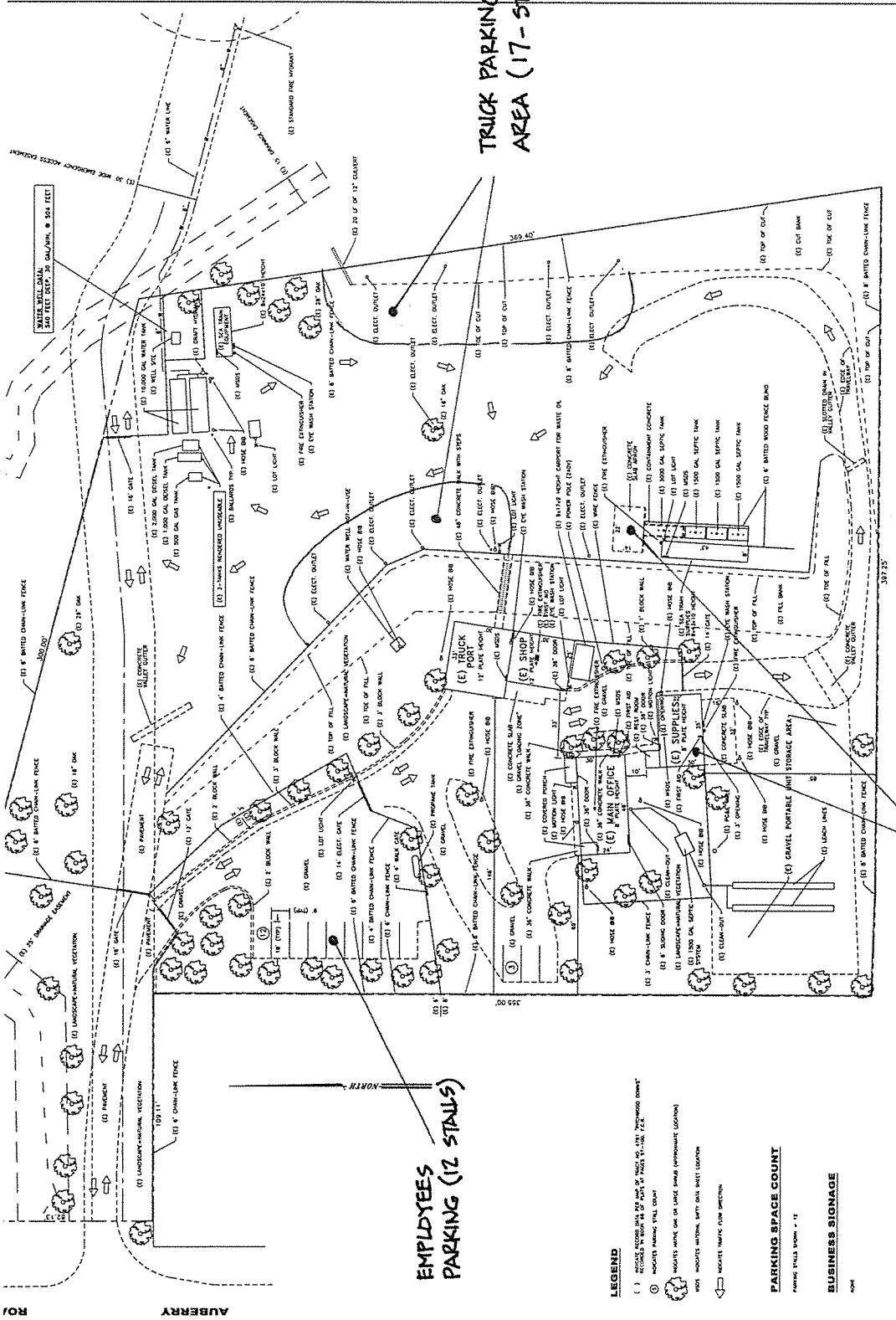


Department of Public Works and Planning
 Development Services Division

Map Prepared by: HEL
 J.GISJCH(Landuse)

EXHIBIT 5

TRUCK PARKING
AREA (17 - STALLS)



VEHICLE WASH FACILITY 1 or 2.

EMPLOYEES
PARKING (12 STALLS)

SITE PLAN

- LEGEND**
- 1. 1" = 10' SCALE
 - 2. 1" = 10' SCALE
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PARKING SPACE COUNT

PARKING SPACES SHOWN = 17

BUSINESS STORAGE

NONE

EXHIBIT 6

**Project Operational Statement
Central State, Inc. DBA Central State Sanitation
November 4, 2016**

Applicant: Central State, Inc. DBA Central State Sanitation

Property Owner: Robert E. Schoonover
PO Box 730
Auberry, CA 93602

Project Address: 31866 Auberry Road
Auberry, CA

Representative: Dirk Poeschel Land Development Services, Inc.
923 Van Ness Ave., Suite No. 200
Fresno, CA 93721

APN: 128-810-12

Zoning: C-M

Area: 3.86 +/- acres

Project:

CUP 3554

RECEIVED
COUNTY OF FRESNO

NOV 07 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

REQUEST:

The Applicant, Central State, Inc., (CSI), requests a Conditional Use Permit from the County of Fresno to operate a septic waste holding and transfer facility. The project will exclusively include sewage generated by CSI toilet rentals and services. No land fill disposal or composting will take place on this site. Reference is made to the project site plan prepared by the applicant dated September 19, 2016.

BACKGROUND/PROJECT JUSTIFICATION

A variety of benefits are derived from the project. A reduction in greenhouse gases (air pollution), reduced fossil fuels consumption, reduction in operating costs and less wear and tear on county roads will result with project approval. Without the project, all CSI toilet pumping trucks (4 trucks with an average size of 625 gallon capacity) would have to drive 90 miles round trip *each day* from the CSI facility in Auberry to the City of Fresno Wastewater Treatment Plant located on West Jensen Avenue which is the only approved receiving and dump facility.

The applicant operates a sewage pumping and collection and portable toilet supply and maintenance business in the Auberry area of the county. On request, company pumping trucks remove sewage from septic systems and provide portable toilets to commercial and residential customers.

For septic material that is collected from septic tanks the contract with the city of Fresno requires that that material be directly hauled to the city's wastewater treatment facility. The applicant complies with that contractual requirement. In contrast, septic liquid collected from the applicant's portable toilet customers is also collected in company vehicles but then transferred to a closed on-site to one of 4 holding tanks with a capacity of 7,500 gallons.

Each of the 4 holding tanks provide a safe, sealed environment and a conveniently located site to receive and hold waste until enough waste is accumulated to use a large tanker truck to pump out and dispose of said waste. As demand dictates, the collected waste is transported to the City of Fresno Waste Water Treatment Facility (WWTF) via a larger capacity company transfer truck of 3,500 +gallon capacity.

The proposed CUP would be limited for use by CSI, waste trucks only and would greatly reduce trucking costs and create a much smaller overall air emissions footprint for our county and state as well as a huge reduction in operating costs (which is passed to the community through lowered pricing). Reduced wear and tear on county roads will also be realized with the project.

1. NATURE OF THE OPERATION:

The applicant, CSI has been operating at the subject site since January 2000 providing necessary septic pumping and portable restroom service to the Fresno County Sierra foothills and mountain areaa.

The collection area includes a large concreted approach attached to a concrete containment vessel and a connection fitting for hose transference in or out of the underground septic material storage tank. A water hose and spigot are provided at the transfer area to address any incidental or accidental dripping during the course of connection from truck dump valve. After material transference, CSI staff detaches the connecting hose from the truck and the holding tank and rinses the hose out into holding tank for added cleanliness.

In the future, the applicant intends to construct a vehicle wash facility on-site. The purpose of this improvement is to provide an on-site location for the applicant to perform basic exterior vehicle wash downs. Said wash facility will be constructed in accordance with applicable Fresno county and related standards.

This facility is *not* open to the public. The proposed site is 3.86 acres located at 31866 Auberry Road (APN No. 128-810-12) which is on the east side of Auberry Road just south of Knob Knoll Rd. in the unincorporated community of Auberry.

The property is currently developed with 3 existing buildings; an office, shop with canopy a storage area and two metal storage trailers; 48'x 8' and 24'x 8'. The site is located over two

different topographic levels connected by two points of entry/exit with a third access gate available (although never used).

The surrounding land uses and zoning are:

- North: Rural residential home and Pitchwood Subdivision, unsold lot #13
- East: Pitchwood rural residential subdivision, Residential home lot #11
- South: Commercial, private fire-wood sales business
- West: Suburban Propane Company

Note: The Pitchwood residential project is situated between commercial lots on the north, east and west sides.

2. OPERATIONAL TIME LIMITS:

The CSI facility is not open to the public. Administrative, truck maintenance and the trucking functions operate 5 days per week, typically 8 am to 5 pm, Monday thru Friday. Hours vary slightly with staffing and time of year as necessitated by weather changes or special projects and may include working after those hours or through the weekend when working for Cal Fire or US Forest Service emergencies.

3. NUMBER OF CUSTOMERS/VISITORS:

The project is not open to the public. UPS type deliveries will occur at a rate of 2 a day.

4. EMPLOYEES:

CSI has a staff of 8 employees including management. 13 onsite parking stalls are provided.

Managers: Responsible for safety and compliance programs as well as all operations including training.

Office Personnel: Responsible for maintaining all pertinent customer accounts and dispatching drivers.

Equipment Maintenance: Responsible for repairs, maintenance and the California Highway Patrol BIT Program inspections.

Truck Drivers: Truck drivers will maintain a California Driver's License in good standing and in compliance with Commercial and Tank Endorsements.

Yard Personnel: Responsible for yard maintenance, housekeeping, landscaping, and other general duties.

5. SERVICE/DELIVERY VEHICLES:

As per California Highway Patrol, BIT program regulations a "Drivers daily report" is filled out for each vehicle and equipment used before and after use. These reports as well as all cleanliness of shop areas are addressed by the equipment maintenance employees, at all times. CSI

equipment maintenance consists of light duty only (i.e., BIT Program inspections, oil changes, tire repairs, etc.) within the existing shop building. Yard Maintenance keeps all areas of the facility clean and free of debris, at all times.

There are different shifts for all workers, arrival times vary as to work loads, and typically drivers and office staff are staggered from between 6 am to 9 am. Usually 3 to 5 trucks depart in the mornings and arrive back to yard approximately 8 hours later.

Only vehicles making large deliveries to Central State (average 1 per week) will be allowed in the "working area" of the yard. All other vehicles will be limited to the employees parking area located on the north west side of the facility (this area is separated from office and work areas by fences and locked gates).

CSI is a phone & e-mail facility only. Staff use cell phones for communication with customers and the CSI office.

6. ACCESS TO THE SITE:

The existing entrance to the site is a paved approach off Auberry Road. A paved road provides access onto both topographic site levels. Multiple gates are located on both levels and are well off of the approach from Auberry Road as to not inhibit flow of traffic.

7. NUMBER OF PARKING SPACES FOR EMPLOYEES:

13 onsite parking stalls are provided.

8. ARE ANY GOODS TO BE SOLD ON-SITE:

No goods are produced. CSI will re-sell products common to our operations, these products would be sold by Drivers during servicing or via shipping only.

9. EQUIPMENT USED:

The majority of CSI trucks are pumper trucks between 400 and 5,500 gallons each, thereby have pumping equipment on them as well as water and waste compartments. A water hose for filling toilets or related clean up are also on the trucks. CSI has mechanics that provide the typical light maintenance equipment in the facility shop. CSI also uses a pressure washer over a concreted area to rinse the dust and cobwebs off CSI toilets before they go out to customers.

10. SUPLLIES/MATERIALS:

CSI stocks product common to their operations such as risers for septic tanks or septic tank treatment or enzyme digestant. CSI also stocks paper and cleaning supplies for off-site toilet rental and services. Supplies are stored in a storage shed or stowed away on service trucks. No hazardous materials are stored onsite.

CSI toilet operations include the collection of sewage waste (95% from remote and semi remote Eastern Fresno County areas, over 100 average miles from the CSI yard) with a total of about 200 gallons per day. CSI annually process about 52,000 gallons of toilet waste annually.

11. DOES THE USE CAUSE AN UNSIGHTLY APPEARANCE, NOISE, GLARE, DUST or ODOR?

Septic odors are contained inside sealed tanks. Only during transference from truck to tank or tank to truck could there be some minor odors limited to the immediate area but such odors are limited because the transfer occurs through a closed hose system. It takes about 15 minutes to complete a transfer. As a courtesy to CSI customers and neighbors, CSI has installed "scent tanks" on our trucks; which emit a masking scent during pump/transfer operations.

No speakers of any kind are used at the facility. Identification and correction of potential nuisance and noise conditions will be under continual observation by all CSI facility staff and management. All requirements of the County of Fresno Noise Ordinance will be met. As stated earlier, cell phones are used for on-site communication.

Paved and graveled surfaces cover most of the facility. In other cases, where dust may be an issue; water emitters are utilized to spray down that surface but not so much as that runoff will occur.

12. LIST ANY SOLID/LIQUID WASTES TO BE PRODUCED:

Waste is limited to engine oil from CSI light duty shop maintenance and it is stored in an approved holding tank with appropriate secondary containment. Stored used oil is pumped out and hauled off by an approved vendor for disposal on a regular basis as required by EPA and CUPA.

It is estimated the facility generates ½ a cubic yard of waste per day of typical office/commercial materials such as paper, food wrappers, cardboard, etc. Waste generated by employees is placed in appropriate 3, 33 gallon capacity trash receptacles (separated by type of waste). Said waste is disposed of in county mandated trash receptacles for removal by Ponderosa Solid Waste Company.

13. ESTIMATED VOLUME OF WATER TO BE USED:

Water for landscaping irrigation, dust control, potable water, portable toilet & septic trucks and cleanup will be provided from the existing on-site water well (at approx. 540 foot in depth) with 30 gpm capacity. There is another well on property of unknown depth and gpm that is available but not currently in use. CSI uses 300 +/- gallons of water per day in winter usage and 600 +/- gallons of water for summer usage.

There are also 2 existing water storage tanks (10K gallons each) on site with fire hose connections for fire protection. There is also a fire hydrant to service the property. CSI are compliant with fire extinguishers (locations and quantities), as required by Fresno County Fire Departments as well as Fresno County Health Division (Certified Unified Program Agency).

14. DESCRIBE ANY PROPOSED ADVERTISING:

There is no business signage. Signs warning "no entry except for deliveries", is posted at gates into facility. Also all signage for safety, as per Cal Osha, CUPA, etc., (i.e., MSDS, fire extinguishers, watch your step, etc.) are posted, as required.

15. WILL EXISTING BUILDINGS BE USED OR WILL NEW BUILDINGS BE CONSTRUCTED?

All buildings exist. No new buildings are proposed.

16. EXPLAIN WHICH BUILDING/PORION OF BUILDINGS WILL BE USED IN THE OPERATION:

Please see the attached site plan and related site pictures.

17. WILL ANY OUTDOOR LIGHTING OR OUTDOOR SOUND AMPLIFICATION SYSTEM BY USED?

CSI uses 24 cameras covering the facility 24/7. The entire yard is divided into 4 separated areas by 4', 6' and 8' privacy fencing and locking gates. Night lighting consists of hooded fixtures downward on buildings and exterior poles.

18. LANDSCAPING/FENCING PROPOSED:

Rows of low water usage plants and trees exist adjacent to site fencing to both beautify and mitigate dust and any potential aesthetic impacts.

19. OTHER INFORMATION THAT WILL PROVIDE A CLEAR UNDERSTANING OF THE PROJECT/OPERATION:

CSI is the largest sewer waste hauler in the County of Fresno. In fact, the majority of wastes CSI hauls are for the County of Fresno, PGE, Southern Cal Edison Power and the City of Fresno.

CSI works hard to be a good neighbor and a Clean-Green company in all its activities.

Please refer to the attached site and related attachment pictures.

Surface drainage and runoff control:

Site and drainage occurs in accordance with County of Fresno requirements. No changes to site grading will occur as a result of the project.

Employee training:

Employees training logs are retained corresponding to assigned equipment. CSI also has a safety meeting every other week on pertinent subject for operations. Special emphasis is placed on general safety, housekeeping and emergency procedures.

Fuel storage:

Fuel is acquired off site. No fuel storage occurs on site.

Safety equipment:

Safety equipment is available to all personnel. Material Safety Data Sheets, Eye wash stations & first aid kits and fire extinguishers are located in all areas as well as on each truck. Employees are also equipped with the normal PPE (Personal Protective Equipment) such as the appropriate type of gloves, masks, hard hats, ear protection, goggles, reflective vest, fire retardant gear or other suit types, flash lights, as well as hand sanitizers and antibacterial soaps, etc. All employees are also trained how and when to use these products.

20. IDENTIFY ALL OWNERS, OFFICERS, AND/OR BOARD MEMBERS FOR EACH APPLICATION SUBMITTED:

EMERGENCY CONTACT LIST:

An emergency contact person is available 24/7. This staff member's contact numbers are also provided to and updated annually to all other concerned agencies (i.e., Fresno County Health CUPA, fire departments, medical and Sheriff, etc.)

- 1.) Bob Schoonover/Owner: (559) 341-2326 mobile & text (559) 863-0455 home
(559) 855-2532 work
bobspace@hotmail.com Residence: 30752 Sentinel Ln.,
Coarsegold, CA 93614

- 2.) Cari Cotton/Manager: (559) 907-0428 mobile & text (559) 907-6631 mobile
(559) 855-2532 work
hemibean@gmail.com Residence: 33325 Frazier Rd.,
Auberry, CA 9360



EXHIBIT 7

County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Central State Inc.
- APPLICATION NOS.:** Initial Study Application No. 7228 and Unclassified Conditional Use Permit Application No. 3554
- DESCRIPTION:** Allow a solid waste transfer facility as part of an existing septic waste servicing operation on a 3.64-acre parcel in the C-M (Commercial and Light Manufacturing) Zone District.
- LOCATION:** The project is located approximately 345 feet south of the intersection of Auberry Road and Knob Knoll Lane in the unincorporated community of Auberry (31866 Auberry Road, Auberry) (SUP. DIST.: 5) (APN: 128-810-12).

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:

The project is to allow a solid waste transfer facility on a 3.64-acre parcel. The facility was established in 2000 and involves a sewage pumping and collection and portable toilet supply to commercial and residential customers. The company trucks remove sewage from septic systems and haul directly to the City of Fresno Wastewater Treatment Facility (WWTF). However, septic liquid from portable toilets collected in company trucks is kept on site in underground storage tanks with a regular transfer to the City of Fresno WWTF. Except for future construction of a vehicle wash facility on the property, no other improvements are proposed by this application.

The existing improvements on the property include three buildings, an office, a shop with canopy, two metal storage trailers, water storage tanks, septic tanks, water well, and gas/diesel tanks. The existing improvements are served by a gravel access off of Auberry Road.

Although, the project area is somewhat scenic in nature due to vegetation and rolling landscape, no scenic vistas or scenic resources have been identified in the vicinity of the project site. Surrounding areas consist of industrial, commercial and residential uses. Parcels to the north are improved with commercial and industrial uses and parcels to the east, south and west are improved with single-family residences. The nearest residence is located approximately 25 feet south of the subject property. All improvements on the property are existing and are currently being utilized in the operation of the facility.

Auberry Road is identified as a Scenic Drive in the County General Plan. General Plan Policy OS-L.3 requires that development on a Scenic Roadway shall adhere to a 200-foot setback of natural open space. However, the policy provides for flexibility if the development proposal involves expansion of an existing facility or an existing concentration of uses. The subject site is an existing septic waste holding and transfer facility. The facility was established in 2000 and sits approximately 109 feet east of Auberry Road. Besides future construction of a vehicle wash facility on the property, no other improvements are proposed by this application. The vehicle wash facility will be located a minimum of 200 feet from Auberry Road.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the Applicant's Operational Statement, the project site has outdoor night lighting consisting of hooded fixtures directed downward on building and exterior poles. To minimize lighting impacts in the area resulting from any new outdoor lighting, a mitigation measure would require that all lighting shall be hooded and directed downward so as to not shine toward adjacent property and public streets.

* **Mitigation Measure**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; 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 project site is not located on prime farmland or forest land. The site is designated as Rural Residential Land on the 2014 Fresno County Important Farmland Map and is not subject to a Williamson Act Land Conservation Contract. Furthermore, the proposal does not conflict with the site's zoning designation of Commercial and Light Manufacturing and General Plan designation of Mountain Urban in the County-adopted Sierra North Regional Plan. No new improvements are proposed by this application except for a future vehicle wash facility. Given the minor improvement proposed by this application, the project will not bring any noticeable change to the existing farming character of the area.

III. AIR QUALITY

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

FINDING: NO IMPACT:

According to the San Joaquin Valley Air Pollution Control District the project will have no significant impact on air quality and is not subject to District Rule 9510 (Indirect Source Review).

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

FINDING: NO IMPACT:

According to the Applicant's Operational statement, septic odors are contained inside sealed underground septic material storage tanks. Only during transfer from truck to tank or tank to tank could there be the possibility of spread of minor odor to the immediate area. However, such odor is limited because the transfer occurs through a closed hose system.

San Joaquin Valley Air Pollution Control District reviewed the proposal and expressed no concerns related to odor.

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?

FINDING: NO IMPACT:

The project site is fully developed with the buildings, structures, parking and circulation areas being utilized in conjunction with the operation of the existing facility.

This proposal was referred to the U.S. Fish and Wildlife Service (USFWS), which did not identify any concerns related to the project. This proposal was also referred to the California Department of Fish and Wildlife (CDFW), which also did not identify any concerns. 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 CDFW or USFWS; 3) any 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 established native resident or migratory wildlife corridors, or impediment of the use of native wildlife nursery sites.

- 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: NO IMPACT:

The project will not conflict with any biological resources related to a tree preservation policy or any adopted Conservation Plans.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project is located in an area of high archeological sensitivity and was routed to the Southern San Joaquin Valley Information Center (SSJVIC) for review and comments. No concerns were expressed by SSJVIC. Although no new improvements are proposed by this application except for a future vehicle wash facility, a mitigation measure would require that in case of an archeological find during any ground disturbance, all work shall be halted until the proper authorities have been notified for further action.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during grading or construction activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.*

- 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 the implementation of the aforementioned mitigation measure, the project will have a less than significant impact on tribal cultural resources as defined in Public Resources Code Section 21074. This proposal was routed to Table Mountain Rancheria which expressed no concerns with the project.

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: NO IMPACT:

The project is not located within a fault zone. As such, it will not create a substantial risk or expose people or structures to earthquake rupture, strong seismic ground shaking, seismic-related ground failure, liquefaction or landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the proposal and requires that: 1) any additional runoff generated by the proposal shall be retained or disposed of per County Standards; 2) a Grading Permit or Voucher may be required for any grading proposed with this application. These requirements will be included as Project Notes.

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

The Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns related to soils condition.

- 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: NO IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and expressed no concerns with any wastewater disposal requirements related to this proposal.

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: NO IMPACT:

Comments received from the San Joaquin Valley Air Pollution Control District expressed no specific project-related concerns, supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

VIII. HAZARDS AND HAZARDOUS MATERIALS

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

FINDING: NO IMPACT:

The project does not involve transport, use, or disposal of hazardous materials. According to the Applicant's Operational Statement, septic tank treatment or enzyme digestants are stored on site for use during business operation.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns with the project.

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

FINDING: NO IMPACT:

The project will not create hazardous emissions or utilize hazardous materials, nor is it located on a hazardous materials site or within one quarter-mile of a school. The

nearest school, Auberry Elementary School, is approximately 1.3 mile north of the subject proposal.

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

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan area, two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Topham Ranch-Auberry Airport, is approximately 2.4 miles north of the proposal.

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

FINDING: NO IMPACT:

The project will not impair implementation or physically interfere with an adopted emergency response plan.

- 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: LESS THAN SIGNIFICANT IMPACT:

The property is located within State Responsibility Area (SRA) for fire protection and is subject to SRA standards as they relate to construction of driveways, display of street address, disposal of flammable vegetation, and such. Compliance with SRA standards will reduce exposure of people or structures to the risk of loss, injury, or death involving wildland fires to a less than significant level. SRA requirements will apply at the time building permits are issued prior to the start of new construction on the property.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils above. The Central Valley Regional Water Quality Control Board reviewed the proposal and expressed no concerns relating to the impact on groundwater quality.

- 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: NO IMPACT:

According to the Applicant's Operational Statement, the facility uses 300 gallons of water per day in winter and 600 gallons of water in summer. The water is used for landscape irrigation, dust control, portable toilets and septic trucks and cleanups. Water is provided by an existing well on the property.

Although, the project is located in a low-water area, no concerns relating to the availability and sustainability of groundwater for the facility were expressed by the Fresno County Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning.

- 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; or
- 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:

No streams or rivers are located on the project site that may be impacted by this proposal. As noted above in Section VI. B. Geology and Soils, any additional runoff generated by the proposed development will be retained or disposed of per County Standards and a Grading Permit or Voucher will be required for any grading proposed with this application.

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

FINDING: NO IMPACT:

See discussion in IX. A. above

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

FINDING: NO IMPACT:

No housing is proposed with this application.

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

FINDING: NO IMPACT:

Per the Federal Emergency Management Agency (FEMA) FIRM Panel 0700H the project site is not subject to flooding from the one percent (1%)-chance rain.

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 project site is not prone to hazards such as seiche, tsunami or mudflow, nor is the project exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community.

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 NO IMPACT:

The subject property is designated Mountain Urban in the County-adopted Sierra North Regional Plan and is zoned for C-M (Commercial and Light Manufacturing) uses. A solid waste transfer facility is a permitted use in the C-M Zone District with a discretionary land use approval. The project meets the following general plan policy.

Policy 12.04-Commercial Policies (Mountain Urban) of the Sierra North Regional Plan states that commercial development shall: 1) be served by a County water and sewer system or provide suitable alternatives; 2) be provided with on-site buffering measures to protect residential areas; 3) be provided with off-street parking sufficient for the proposed use; and 4) maintain a setback of 50 feet from the roadways.

In this instance, the subject facility is: 1) served by on-site individual septic system and water wells; 2) secured by an eight-foot-tall slatted chain-link fence that separates the use from the adjacent residential properties; 3) provided with an adequate number of on-site parking spaces to meet the demand of the proposal; and 4) sits approximately 109 feet from Auberry Road.

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

FINDING: NO IMPACT:

The proposal will not conflict with any Habitat Conservation or Natural Community Conservation Plans. 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 project site is not located in a mineral resources 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: NO IMPACT:

According to the Applicant's Operational Statement, no outdoor sound amplification equipment will be utilized as part of the project.

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and expressed no concerns related to noise.

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

FINDING: NO IMPACT:

The project site is not located near an airport or private airstrip to be impacted by this proposal. The nearest airport, Topham Ranch-Auberry Airport, is approximately 2.4 miles north of the site.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

The project will not result in an increase of housing, nor will it otherwise induce population growth.

XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Fresno County Fire Protection District's (CalFire) review of the project did not identify any concerns with the proposal. A Project Note will require that the project shall comply with California Code of Regulations Title 24 – Fire Code and a County-approved site plan shall be approved by CalFire prior to issuance of any building permits by the County. The project will also require annexation to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. These requirements will be included as Project Notes.

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

FINDING: NO IMPACT:

The project will not result in the need for additional public facilities and will not affect existing public services.

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:

According to the Applicant's Operational Statement, the current facility operates five days per week from 8 a.m. to 5 p.m., Monday through Friday. In regard to traffic, three to five trucks leave the site in the morning and return in the evening. Additionally, the site is visited by two UPS trucks a day and one large delivery truck per week.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns related to traffic nor required a Traffic Impact Study (TIS) for the project.

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

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No concerns related to traffic hazards were expressed by the Design Division of the Fresno County Department of Public Works and Planning.

The Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning reviewed the proposal and require that:

1) the existing drive approach off of Auberry Road shall be paved for the first 100 feet and tied into the existing pavement on Auberry Road; 2) the drive approach shall be constructed with adequate turning radii to accommodate the size of truck used in the transfer operation; and 3) any work done within the road right-of-way shall require an encroachment permit from RMO. These requirements will be included as Project Notes.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

The Fresno County Fire Protection District's review of the project did not identify any concerns regarding emergency access.

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

FINDING: NO IMPACT:

The project will not conflict with any adopted transportation plans

XVII. UTILITIES AND SERVICE SYSTEMS

A. Would the project exceed wastewater treatment requirements?

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: NO 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:

According to the Applicant's Operational Statement, the project will not create significant amount of solid waste to impact local landfill sites. The subject facility generates approximately one-half cubic yard of waste per day consisting of papers, food wrappers and cardboard. All solid waste goes to a local landfill through regular trash collection service.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would not degrade the quality of the environment; reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species. No impacts on biological resources were identified in the analysis. Impacts to cultural resources as identified in Section V. A. B. C. D. will be mitigated to a less than significant level.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has been analyzed for potential impacts, and appropriate project-specific mitigation measures have been developed to reduce project impacts to less than significant levels. The project is required to comply with applicable County policies and ordinances.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than aesthetics and cultural resources, which will be addressed with the Mitigation Measures discussed in Section I. D., and Section V. A. B.C. D.

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

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Conditional Use Permit Application No. 3554, 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 air quality, biological resources, greenhouse gas emissions, mineral resources, noise, population and housing, or recreation.

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

Potential impacts to aesthetics and cultural resources 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" Streets, Fresno, California.

EA:ksn
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EXHIBIT 8

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. <div style="text-align: center; font-size: small;">CLK-2046.00 E04-73 R00-00</div>		
Agency File No: IS 7228	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-	
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor		City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner		Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Central State Inc		Project Title: Unclassified Conditional Use Permit Application No. 3554		
Project Description: Allow a solid waste transfer facility as part of an existing septic waste servicing operation on a 3.64-acre parcel in the C-M (Commercial and Light Manufacturing) Zone District. The project site is located approximately 345 feet south of the intersection of Auberry Road and Knob Knoll Lane in the unincorporated community of Auberry (31866 Auberry Road, Auberry) (SUP. DIST.: 5) (APN: 128-810-12).				
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7228) prepared for Unclassified Conditional Use Permit Application No. 3554, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to air quality, biological resources, greenhouse gas emissions, mineral resources, noise, population and housing, or recreation. Potential impacts related to agricultural and forestry resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, transportation/traffic and utilities and service systems have been determined to be less than significant. Potential impacts related to aesthetics and cultural resources have been determined to be less than significant with the identified mitigation measures. The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.				
FINDING: The proposed project will not have a significant impact on the environment.				
Newspaper and Date of Publication: Fresno Business Journal – February 24 , 2017			Review Date Deadline: Planning Commission – March 30, 2017	
Date: February 22, 2017	Type or Print Name: Chris Motta, Principal Planner		Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION