



Inter Office Memo

DATE: March 30, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12638 - INITIAL STUDY APPLICATION NO. 7228 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3554

APPLICANT: Central State, Inc.

OWNER: Robert E. Schoonover

REQUEST: 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).

PLANNING COMMISSION ACTION:

At its hearing of March 30, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Lawson and seconded by Commissioner Eubanks to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3554, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12638

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Lawson, Eubanks, Abrahamian, Borba, Chatha, Hill and Mendes
	No:	None
	Absent:	Commissioner Woolf
	Abstain:	None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 
William M. Kettler, Manager
Development Services Division

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NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7228
Unclassified Conditional Use Permit Application No. 3554

Staff: The Fresno County Planning Commission considered the Staff Report dated March 30, 2017, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- The subject facility has been in operation since 2000 and utilizes existing improvements on the property.
- The request is to allow continued operation of the facility and secure permits from the County.
- Liquid waste is brought to the site for temporary storage and transport to an outside solid waste handling facility by truck; supplying and servicing of portable toilets for California Edison, PG&E and Caltrans is under contract.
- The proposed concrete wash area will be used for washing of trucks and portable toilets, with permits secured from the Fresno County Health Department and California Regional Water Quality Control Board.
- With regard to Finding No. 2, the project generates low traffic and has a paved entrance from Auberry Road.
- With regard to Finding No. 3, the project site is equipped with security cameras and has low visibility from Auberry Road; there are no customer visits to the site.
- With regard to Finding No. 4, fewer traffic trips generated by the proposal will reduce the potential for accidents and wear and tear on County roadways.
- The project provides needed services to the community.
- All septic holding tanks for liquid waste are underground and no neighbor has filed a complaint regarding odor.
- We have 63 signed letters of support from the neighbors.

Others: No other individuals presented information in support of or in opposition to the application.

RESOLUTION NO. 12638

Correspondence: Sixty-three (63) letters were presented to the Planning Commission in support of the application. These letters from the neighboring property owners cited no concerns with the proposal.

No letters were provided in opposition to the application.

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

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*	Aesthetics	All outdoor lighting shall be hooded and directed 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 ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should 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 should 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/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 required 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.
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.
4.	<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.
5.	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 (RMO) 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.



County of Fresno

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

June 8, 2017

Central State, Inc.
PO Box 730
Auberry CA 93602

Dear Applicant:

Subject: Resolution No. 12638 - Initial Study Application No. 7228 and Unclassified
Conditional Use Permit Application No. 3554

On March 30, 2017, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at eahmad@co.fresno.ca.us or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner
Development Services Division

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Enclosure