



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 2 October 8, 2015

SUBJECT: Initial Study Application No. 6966 and Classified Conditional Use Permit Application No. 3496

Allow a commercial meat (poultry) processing operation (includes on-site chicken raising and retail sale of slaughtered chickens) with related facilities on an approximately 13,000 square-foot portion of a 10-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of S. Bethel Avenue approximately 620 feet north of E. Manning Avenue and 1,505 feet northwest of the nearest city limits of the City of Parlier (8816 S. Bethel Avenue, Selma) (Sup. Dist. 4) (APN 353-061-40).

OWNER: Javier SanChez Ramirez
APPLICANT: Javier SanChez Ramirez

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

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6966; and
- Approve Classified Conditional Use Permit Application No. 3496 with recommended Findings and Conditions; 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 Plans
6. Floor Plans/Elevations
7. Applicant’s Operational Statement/ Management Plan
8. Summary of Initial Study Application No. 6966

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	10 acres	No change
Project Site	<ul style="list-style-type: none"> • 1,280 square-foot single-family residence • 972 square-foot detached garage • 240 square-foot shed • 320 square-foot shed • 1,120 square-foot chicken pen • 190-foot-long asphalt concrete paved access from Bethel Avenue 	Allow a commercial meat (poultry) processing operation (includes on-site chicken delivery and retail sale of slaughtered chickens) with related facilities on an approximately 13,000 square-foot portion of a 10-acre parcel.
Structural Improvements	<ul style="list-style-type: none"> • 1,280 square-foot single-family residence • 972 square-foot detached garage • 240 square-foot shed • 320 square-foot shed • 1,120 square-foot chicken pen 	<ul style="list-style-type: none"> • 576 square-foot chicken-processing building (office/food preparation area/bird killing/de-feathering/restroom) • 560 square-foot enclosed chicken pen

Criteria	Existing	Proposed
Nearest Residence	Approximately 190 feet to the south	No change
Surrounding Development	Orchards, vineyards, and field crops with single-family residences	No change
Operational Features	A single family residence with related improvements	<p>A commercial meat (poultry) processing operation with related facilities on an approximately 13,000 square-foot portion of a 10-acre parcel. The project will:</p> <ul style="list-style-type: none"> • Allow on-site delivery of live chickens and retail sale of slaughtered chickens. • Construct a 576 square-foot chicken-processing building (office/food preparation area/bird killing/de-feathering/restroom), 560 square-foot enclosed chicken pen, individual sewage disposal system, and parking. • Require the existing chicken pen demolished and replaced with a new totally confined and environmentally-controlled pen. • Allow a maximum of 450 live chickens on site at any one time, and up to four family members to run the facility. • Allow a maximum of 20 to 30 customers per day. • Operate from 8:00 a.m. to 4:00 p.m. seven days a week, 365 days per year.
Employees	N/A	Four
Customers	N/A	30 (daily)
Traffic Trips	Residential traffic	<ul style="list-style-type: none"> • 60 one-way trips (30 round trips) by customers • Eight one-way trips (four round

Criteria	Existing	Proposed
		trips) by service vehicles
Lighting	Building exteriors	No change
Hours of Operation	N/A	8:00 a.m. to 4:00 p.m., seven days per week, year-round

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: None

ENVIRONMENTAL DETERMINATION:

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 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: August 31, 2015

PUBLIC NOTICE:

Notices were sent to 11 property owners within a quarter mile (1,320 feet) of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

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

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

BACKGROUND INFORMATION:

The Applicant proposes a commercial meat (poultry) processing operation which includes on-site delivery of live chickens and retail sale of slaughtered chickens on an approximately 13,000 square-foot portion of a 10-acre parcel. The proposal will allow live chickens to be delivered on the property, kept on site for a short period of time, and then slaughtered for sale. Customers will visit the property and will be able to select their own chicken for slaughtering. The proposed improvements include a 576 square-foot chicken-processing building (office/food preparation area, bird killing/de-feathering, and restroom), 560 square-foot enclosed chicken pen, individual sewage disposal system, and parking.

The subject property is zoned AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) and is designated as Agriculture in the County General Plan. Section 868 of the County Zoning Ordinance allows new poultry facilities by-right in the AE-20 Zone District provided that Siting Standards listed in Section 868.C.3 of the Ordinance are met. However, if the Siting Standards cannot be met, poultry facilities may be subject to the provisions of discretionary land use approvals. The subject proposal does not meet the Siting Standards and therefore is subject to a Conditional Use Permit Application. Section 868.C.3 of the Ordinance also states that a

poultry facility shall not be allowed when an established fruit orchard, vineyard or vegetable farm are located within the wind shed area specified in the County Zoning Ordinance (Diagram “A”) without complete enclosure and climate control of the chicken pen. The proposed facility is surrounded by vineyards and farming operations within Diagram A and is therefore required to be “Totally Confined” and “Environmentally Controlled” in accordance with Section 868.C.3 and Section 868.B.3 & 4, of the Zoning Ordinance. The term “Totally Confined” for chicken pen would mean confinement of all elements that might be detrimental to the surrounding environment (*i.e.*, sounds, odors, feathers). As such, an enclosed building (required to confine sounds, odors, and feathers) would require the interior space to be conditioned (heated and/or cooled) which would be a form of environmental control of the interior space. Construction of such building (proposed chicken pen) will require complete construction plans prepared by a California licensed design professional and approval by the Building and Safety Section of the Department of Public Works and Planning prior to issuance of building permits.

The proposed facility will also require a permit and inspection by the County Department of Public Health, Environmental Health Division (Health Department) as a retail food facility under established codes and procedures. Furthermore, the facility will be required to operate under license and inspections by the California Department of Food and Agriculture if approval of this application is granted.

ANALYSIS/DISCUSSION:

Finding 1: 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 Side: 20 feet Rear: 20 feet	Front (west property line): 485 feet Side (north property line): 125 feet Side (south property line): 135 feet Rear (east property line): 570 feet	Yes
Parking	Two (2) square feet of off-street parking area for each one (1) square-foot of retail floor space	Six standard parking spaces (minimum two required), including one ADA compliant	Yes
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Six feet minimum	20 feet	N/A
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	100 percent	100 percent	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	On-site sewage disposal system for new restroom facility	Yes

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvements satisfy the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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

Analysis:

The Site Plan demonstrates that the proposed improvements satisfy the minimum setback requirements of AE-20 Zone District. As such, the 13,000 square-foot portion of the 10-acre site is adequate in size to accommodate the proposed 576 square-foot chicken-processing building, 560 square-foot chicken pen, individual sewage disposal system, and parking for the project.

In regard to parking, the Zoning Ordinance requires two (2) square feet of off-street parking area for each one (1) square-foot of retail floor space, and the California Building Code requires one parking space for the physically handicapped per every 25 parking spaces for a proposed facility. As the facility will employ four employees, a minimum of two parking spaces, including one for the physically handicapped, are required. The proposal for the facility has six standard parking spaces, one of which is ADA compliant.

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

Recommended Conditions of Approval:

None

Conclusion:

Finding 1 can be made.

Finding 2: *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	Bethel Avenue	No change
Direct Access to Public Road	Yes	Bethel Avenue	No change

		Existing Conditions	Proposed Operation
Road ADT		1,200	No change
Road Classification		Bethel Avenue: Arterial	No change
Road Width		40 feet prescriptive right-of-way along Bethel Avenue (20 feet east and 20 feet west of section line)	No change
Road Surface		Asphalt paved: pavement width 25.2 feet	No change
Traffic Trips		Residential Traffic	<ul style="list-style-type: none"> • 60 one-way trips (30 round trips) by customers • Eight one-way trips (four round trips) by service vehicles
Traffic Impact Study (TIS) Prepared	No	Residential Traffic	No TIS required by the Design Division of the Fresno County Department of Public Works and Planning.
Road Improvements Required		Bethel Avenue: Fair condition	No change

Reviewing Agency/Department Comments:

Road Maintenance and Operations and Design Divisions of the Fresno County Department of Public Works and Planning: Bethel Avenue is classified as an arterial road in the General Plan requiring an ultimate right-of-way of 106 feet (53 feet east and 53 feet west of the section line). Currently there is a 40-foot prescriptive right of way (20 feet east and 20 feet west of the section line) along Bethel Avenue. All new improvements shall be set back from the ultimate right-of-way line for Bethel Avenue according to the setback requirements of the Zone District. This requirement has been included as a Condition of approval.

Access to the property shall be improved to include an asphalt concrete paved driveway from the County road to the existing concrete pavement on site. Any improvements constructed within the County road right-of-way shall require an encroachment permit from Road Maintenance and Operations Division. The drive approach shall include paved returns of sufficient radius to accommodate truck traffic that enters the site, and line of site for exiting vehicles shall be provided via 20-foot by 20-foot corner cutoffs. On-site turnaround facilities shall be provided to preclude any vehicle or trucks from having to back out into the County road right of way.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: Two-way driveway approaches (off of Bethel Avenue) shall be 24 to 35 feet in width. The driveway (minimum of 24 feet required) and the first 100 feet of driveway off of the edge of the

ultimate right-of-way shall be concrete or asphalt concrete. Any access gate that provides initial access to this site shall be set back a minimum of 20 feet (or the length of the longest vehicle to enter the site) from the edge of the ultimate road right-of-way.

The aforementioned requirements have been included as Project Notes.

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

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

Analysis:

The subject property gains access from Bethel Avenue. According to County records, the section of Bethel Avenue at the property is in fair condition, asphalt concrete paved, has an average pavement width of 25.2 feet, and carries an Average Daily Traffic (ADT) of 1,200.

As noted above, Bethel Avenue is classified as an Arterial in the County General Plan with an existing prescriptive right of way of 40 feet. The ultimate road right-of-way for Bethel Avenue is 106 feet. No additional right-of-way is required for this proposal. However, a Condition of approval would require that all new improvements on the property shall set back from the ultimate right-of-way for Bethel Avenue according to the zone district setback requirements. The proposed improvements are approximately 400 feet east of the existing right-of-way for Bethel Avenue.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and based on the total trips generated by the facility operation, did not express any concerns, nor require a Traffic Impact Study for the project.

Based on the above information and with adherence to the Project Notes, staff believes that Bethel Avenue will remain adequate to accommodate the proposal.

Recommended Conditions of Approval:

See Project Notes attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: *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	10 acres	Single-Family Residence with vineyard	AE-20	190 feet
South	18.3 acres	Single-Family Residence with vineyard	AE-20	685 feet

Surrounding Parcels				
East	38.3 acres	Vineyard	AE-20	None
West	17.5 acres 1.4 acres	Single-Family Residence with vineyard	AE-20	640 feet

Reviewing Agency/Department Comments:

Fresno County Department of Public Health, Environmental Health Division: The water well has a treatment system on it to improve water quality (Titan 1800 commercial reverse osmosis system). The water treatment system shall be maintained in accordance with manufacturer specifications. No blood from the preparation of chickens shall be allowed in the septic system. Separate containers shall be maintained for chicken blood, feathers, chicken parts and mortality. The contents of the containers shall be removed by appropriately-licensed haulers and taken to appropriately-licensed facilities. These requirements have been included as Mitigation Measures.

As per the Operational Statement, no eggs shall be sold at the facility. Prior to issuance of building permits, the Applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operation, the Applicant shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. These requirements have been included as Project Notes.

Fresno County Department of Agriculture (Agricultural Commissioner's Office): The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the project.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: A dust palliative shall be required for all parking and circulation areas that are not asphalt concrete or concrete to prevent the creation of dust by vehicles.

The aforementioned requirements have been included as Conditions of Approval.

All parking spaces for the physically disabled shall be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked.

California Department of Food and Agriculture (CDFA): Prior to applying for a license to operate a poultry slaughter or processing facility, the Applicant shall complete and return State Form 79-025 to the Meat, Poultry, and Egg Safety (MPES) branch of CDFA and request a survey of the project site.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan shall be required for the proposed development to show ingress and egress of driveway, and parking requirements, and to demonstrate how drainage will be handled without adversely impacting adjacent properties. Any additional run-off generated by the proposed development shall be retained or disposed of per County Standards.

Fresno County Fire Protection District (Fire District): The project shall comply with the California Code of Regulations Title 24. Subsequent to County approval, copies of the approved Site Plan shall be submitted to the Fire District for review and approval.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for all structures, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

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

Central Valley Water Board: Procedures for on-site disposal of animal mortalities shall follow individual Waste Discharge Requirements, pursuant to prescriptive Title 27 regulations.

Zoning Section of the Fresno County Department of Public Works and Planning: Building permits shall be required for the proposed improvements as well as the existing residence and structures, if constructed after March 1, 1958.

The aforementioned requirements have been included as Project Notes.

U.S. Fish and Wildlife Service; U.S. Department of Agriculture; California Department of Fish and Wildlife; Consolidated Irrigation District; City of Parlier; Design Division and Water/Geology/Natural Resources Section of the Development Services Division: No concerns with the proposal.

Analysis:

The subject property is located in an agricultural area. Surrounding land uses include orchards, vineyards, and field crops with single-family homes on parcels ranging from 1.43 acre to 38.3 acres in size. The nearest residence is located approximately 190 feet north of the proposal.

Under the subject proposal, the Applicant proposes to allow a commercial meat (poultry) processing operation (includes on-site delivery of live chickens and retail sale of slaughtered chickens) with related facilities on an approximately 13,000 square-foot portion of a 10-acre parcel. The proposed improvements (includes chicken-processing building and a chicken pen) are similar in look, size, and height to the existing improvements (includes a single-family residence, detached garage, sheds, and a chicken pen). As such, the project will not have significant visual impact on the surrounding area.

An Initial Study prepared for the project has identified aesthetics, hydrology and water quality, and utilities and service systems as potential impacts. Regarding aesthetics, all new lighting on the property will be hooded and directed downward to avoid glare on the adjoining properties. Regarding hydrology and water quality, the existing water treatment system on the on-site well will be maintained in accordance with manufacturer specifications, and no blood from the preparation of chickens will be allowed in the septic system. Regarding utilities and service systems, separate containers will be maintained for chicken blood, feathers, chicken parts and

mortality, and be removed by appropriately-licensed haulers and taken to appropriately-licensed facilities. These requirements have been included as Mitigation Measures (Exhibit 1).

Potential impacts related to agricultural and forestry resources, air quality, geology and soils, hazards and hazardous materials, and public services are considered to be less than significant.

The Applicant will be required to acknowledge the Fresno County Right-to-Farm Ordinance regarding inconveniences and discomfort associated with normal farm activities that occur surrounding the proposed facility; follow Air District Rule and regulations for the proposed development; submit a Grading and Drainage Plan to ensure that the proposed development will not result in drainage patterns that could adversely affect surrounding properties; obtain a license from the Meat, Poultry and Egg Safety (MPES) branch of California Department of Food and Agriculture to operate the facility; and acquire Fresno County Fire Protection District approval on the Site Plan. Additionally, the project will adhere to the Applicant-submitted Management Plan to control nuisances such as flies, feathers, dust and odors (Exhibit 7) and the proposed chicken pen will be “Totally Confined” and “Environmentally Controlled” in accordance with Section 868 of the Zoning Ordinance to avoid any impact on nearby farming operations. These requirements have been included as a Condition of Approval and Project Note in Exhibit 1 of this report.

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

Recommended Conditions of Approval:

See Mitigation Measure, recommended Conditions of Approval, and Project Notes attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.3: County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to following criteria: a) Use shall provide a needed service to surrounding agricultural area, which cannot be provided within urban areas; b) Use shall not be sited on productive agricultural lands if less productive lands available; c) Use shall not have a detrimental impact on water resources or the use or management of surrounding properties within 1/4 mile radius; d) Probable workforce located nearby or readily available; and f) service requirements of the use and the capability and</p>	<p>With regard to Criteria “a”, the proposed commercial meat (poultry) processing facility is suited to be located in an agricultural area rather than an urban area due to its Operational Characteristics. With regard to Criteria “b”, no farmland lesser in soils quality than the Prime Farmland were found in the area of the proposal. The proposal will utilize only a small portion (13,000 square feet of a 10-acre parcel) of Prime Farmland. With regard to Criteria “c”, the project is not in a water-short area of Fresno County and due to limited water usage, will have a less than significant impact on groundwater resources. With regard to Criteria “d”, the project is located approximately 1,500 feet northwest of</p>

Relevant Policies:	Consistency/Considerations:
capacity of cities and unincorporated communities to provide the required services should be considered.	the nearest city limits of the City of Parlier, which has the ability to provide an adequate workforce. With regard to Criteria “f” no community sewer and water services are currently available to the property. The project will utilize an on-site domestic well and individual sewage disposal system. The proposal is consistent with this policy.
General Plan Policy FP-D.6 requires that the County shall permit individual on-site sewage disposal systems on parcels that have the area, soils and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards.	The project will install a new individual sewage disposal system. Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and identified no threat to groundwater quality resulting from the installation of such a system on the property. The proposal is consistent with this policy.
General Plan Policy PF-C.17 states that the County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include a determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.	The subject proposal is not located in a water-short area. No concerns regarding adequacy of water for the project were expressed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning. The proposal is consistent with this policy.
Policy LU-G.1 states that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provisions of urban services within their sphere of influence.	The subject property is within City of Parlier Sphere of Influence (SOI). Pursuant to the Memorandum of Understanding (MOU) between the City of Parlier and the County, the subject proposal is not referable for annexation, but was routed to the City for comments. The City offered no comments on the proposal.
Policy HS-G.1 requires that all proposed development shall incorporate design elements necessary to minimize adverse noise impacts on surrounding land uses.	The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and identified no noise impacts.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the General Plan. Policy LU-A.3 allows value-added processing facilities (such as the subject facility) by means of a discretionary use permit. Policy FP-D.6 allows individual on-site sewage disposal systems on parcels that have the area, soils and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality. Policy PF-C.17 requires the evaluation for adequacy and sustainability of a water supply for the project. Policy LU-G.1 makes cities as responsible agencies for planning within their LAFCo-adopted Spheres of Influence (SOI) and providing urban services within their SOI. Policy HS-G.1 requires the proposed development to incorporate design elements necessary to minimize adverse noise impacts on surrounding land uses. The project site is not subject to an Agricultural Land Conservation Contract.

Analysis:

The subject parcel is designated Agriculture in the Fresno County General Plan. The general objective of the Agricultural policies is to encourage continued agricultural use of the land and to minimize the amount of land converted to non-agricultural uses. The proposal is allowed in the areas designated Agriculture in Fresno County, and meets Policy LU-A.3 criteria a, b, c, d, and f, as discussed above.

The proposal also meets Policy FP-D.6 and Policy PF-C.17 in that no threat to groundwater quality will result from the individual septic system on the property and the project is not located in a water-short area where groundwater usage by other water users could be compromised. Likewise, Policy LU-G.1 and Policy HS-G.1 are met in that the proposal is non-referable pursuant to the Memorandum of Understanding (MOU) between the City of Parlier and the County, and no noise impacts were identified by the Fresno County Department of Public Health, Environmental Health Division.

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

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

Staff has not received any public comments for this item. One neighbor has contacted County Environmental Health with concerns regarding a chicken-processing facility near his vineyard.

CONCLUSION:

Staff believes the required Findings for granting the Classified CUP Application can be made based on the factors cited in the analysis in conjunction with the recommended Mitigation Measures, Conditions of Approval, and Project Notes regarding mandatory requirements. Staff

therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Classified Conditional Use Permit Application No. 3496 subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study No. 6966; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit Application No. 3496, subject to the Mitigation Measures, Conditions of Approval, and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit Application No. 3496; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measure, Recommended Condition of Approval and Project Notes:

See attached Exhibit 1.

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EXHIBIT 1

**Initial Study (IS) Application No. 6966/Classified Conditional Use Permit (CUP) Application No. 3496
Mitigation Monitoring and Reporting Program
(Including Conditions of Approval and Project Notes)**

Mitigation Measure					
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 not to shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
*2.	Hydrology and Water Quality	The water well has a treatment system on it to improve water quality (Titan 1800 commercial reverse osmosis system). The water treatment system shall be maintained in accordance with manufacturer specifications.	Applicant	Applicant/Fresno County Department of Public Health, Environmental Health Division (Health Department)	Ongoing
*3.	Hydrology and Water Quality	No blood from the preparation of chickens shall be allowed in the septic system.	Applicant	Applicant/Health Department	Ongoing
*4.	Utilities and Service Systems	Separate containers shall be maintained for chicken blood, feathers, chicken parts and mortality. The contents of the containers shall be removed by appropriately-licensed haulers and taken to appropriately-licensed facilities.	Applicant	Applicant/Health Department	Ongoing
Conditions of Approval					
1.	Development and operation of the commercial meat processing facility shall be in substantial conformance with the Site Plan, Floor Plans, Building Elevations, and Operational Statement, approved by the Planning Commission.				
2.	Operation of the facility shall adhere to the Management Plan made part of this application.				
3.	A dust palliative shall be required for all parking and circulation areas that are not asphalt concrete or concrete to prevent the creation of dust by vehicles.				
4.	Prior to occupancy, the project proponent shall enter into an agreement with Fresno County, incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities that surround the proposed development.				

5.	All new improvements shall be set back from the ultimate right-of-way for Bethel Avenue according to the setback requirements of the zone district.
6.	To control rodent population, poison baits shall be placed in containers/dispensers in and around the facility to exclude entry of wild birds and mammals.
7.	Items 2, 3, 4, 5, 6, 7, and 10 of the Project Notes shall be completed prior to issuance of building permits or prior to occupancy.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document and 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.	Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for all structures, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal. Contact the Building and Safety Section of the Department of Public Works and Planning at (559) 600-4540 for information.
2.	The proposed chicken pen shall be "Totally Confined" and Environmentally Controlled" in accordance with the Section 868.C. 3 and Section 868. B. 3 & 4. of the Zoning Ordinance.
3.	According to the Development Engineering Section of the Fresno County Department of Public Works and Planning: <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan shall be required for the proposed development to show ingress and egress of driveway, and parking requirements, and to demonstrate how drainage will be handled without adversely impacting adjacent properties. • Any additional run-off generated by the proposed development must be retained or disposed of per County Standards.
4.	According to the Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning: <ul style="list-style-type: none"> • Access to the property shall be improved to include a paved (with asphalt concrete) driveway from the County road to the existing concrete pavement on site. • Any improvements constructed within the County road right-of-way will require an encroachment permit from the RMO Division. • The drive approach should include paved returns of sufficient radius to accommodate truck traffic that enters the site, and line of site for exiting vehicles shall be provided via 20-foot by 20-foot corner cutoffs. • On-site turnaround facilities shall be provided to preclude any vehicle or truck from having to back out into the County road right-of-way.
5.	According to the Site Plan Review Section of the Fresno County Department of Public Works and Planning: <ul style="list-style-type: none"> • Two-way driveway approaches (off of Bethel Avenue) shall be 24 to 35 feet in width. • The driveway (minimum of 24 feet required) and the first 100 feet of driveway off of the edge of the ultimate right-of-way shall be concrete or asphalt concrete.

Project Notes

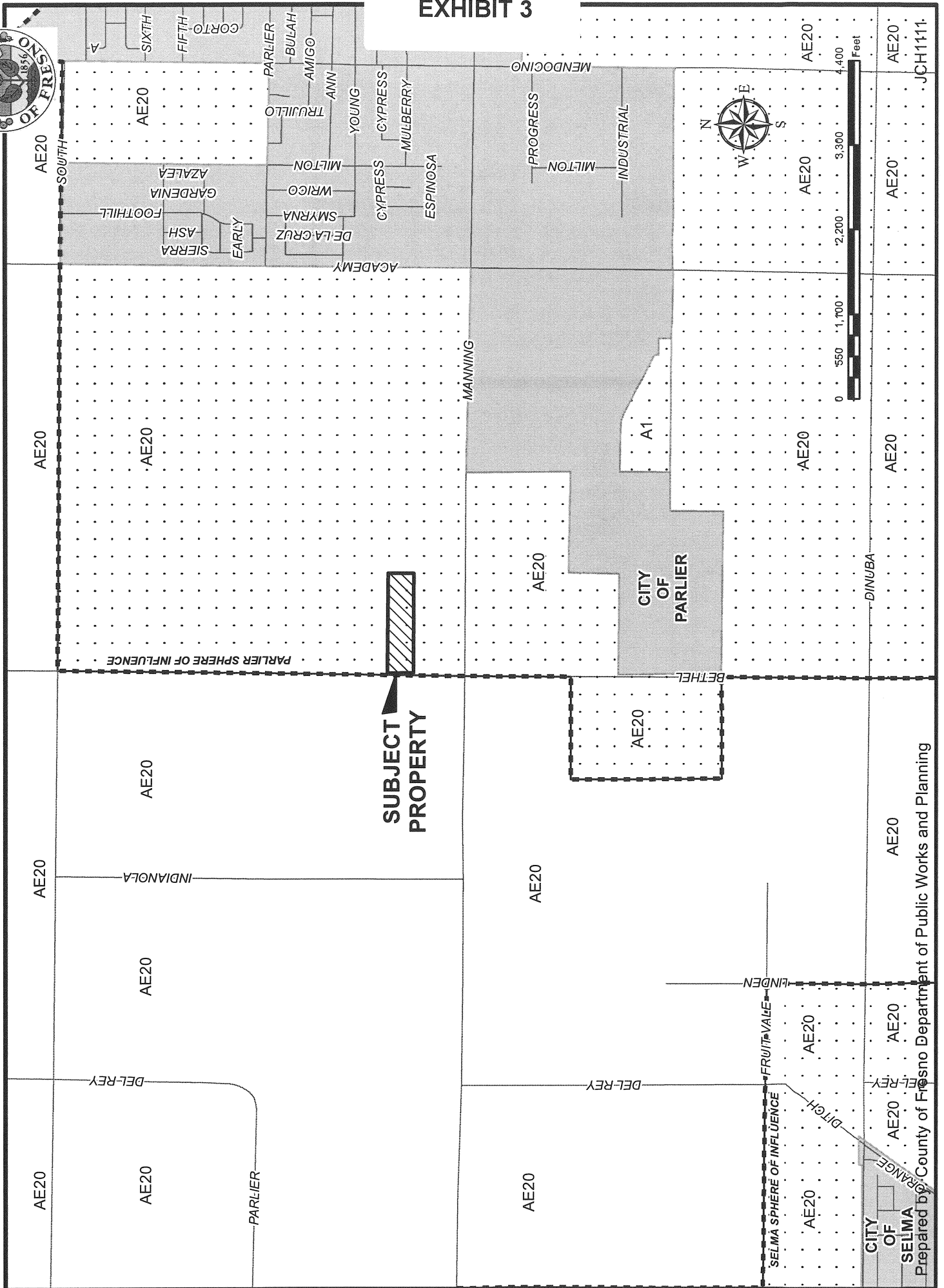
<ul style="list-style-type: none"> Any access gate that provides initial access to this site should be setback a minimum of 20 feet (or the length of the longest vehicle to enter the site) from the edge of the road right-of-way. All parking spaces for the physically disabled shall be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. 	
<p>According to the Fresno County Department of Public Health, Environmental Health Division:</p> <ul style="list-style-type: none"> As per the Operational Statement, no eggs shall be sold at the facility. Prior to issuance of building permits, the Applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operation, the Applicant shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. 	6.
<p>Prior to applying for a license to operate a poultry slaughter or processing facility, the Applicant shall complete and return State Form 79-025 to the Meat, Poultry, and Egg Safety (MPES) branch of California Department of Food and Agriculture (CDFA) and request for a survey of the project site.</p>	7.
<p>The project shall be subject to the San Joaquin Valley Air Pollution Control District (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) in the event an existing building will be renovated, partially demolished, or removed.</p>	8.
<p>According to the Central Valley Water Board, procedures for on-site disposal of animal mortalities shall follow individual Waste Discharge Requirements, pursuant to prescriptive Title 27 regulations.</p>	9.
<p>The proposal shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three 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. The Applicant shall submit evidence that their Plans were approved by the Fresno County Fire Protection District, and all fire protection improvements shall be installed prior to occupancy being granted for the use.</p>	10.
<p>According to the Zoning Section of the Fresno County Department of Public Works and Planning, building permits shall be required for the proposed improvements as well as the existing residence and structures, if constructed after March 1, 1958.</p>	11.

EA:\ksn
G:\4360\Devs&Plan\PROJ\SEI\PROJ\DOCS\CUP\3400-3499\3496\SR\CUP3496 MMRP (Ex 1).docx

EXISTING ZONING MAP



EXHIBIT 3







EXISTING LAND USE MAP

EXHIBIT 4

LEGEND

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

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division

CUP 3496

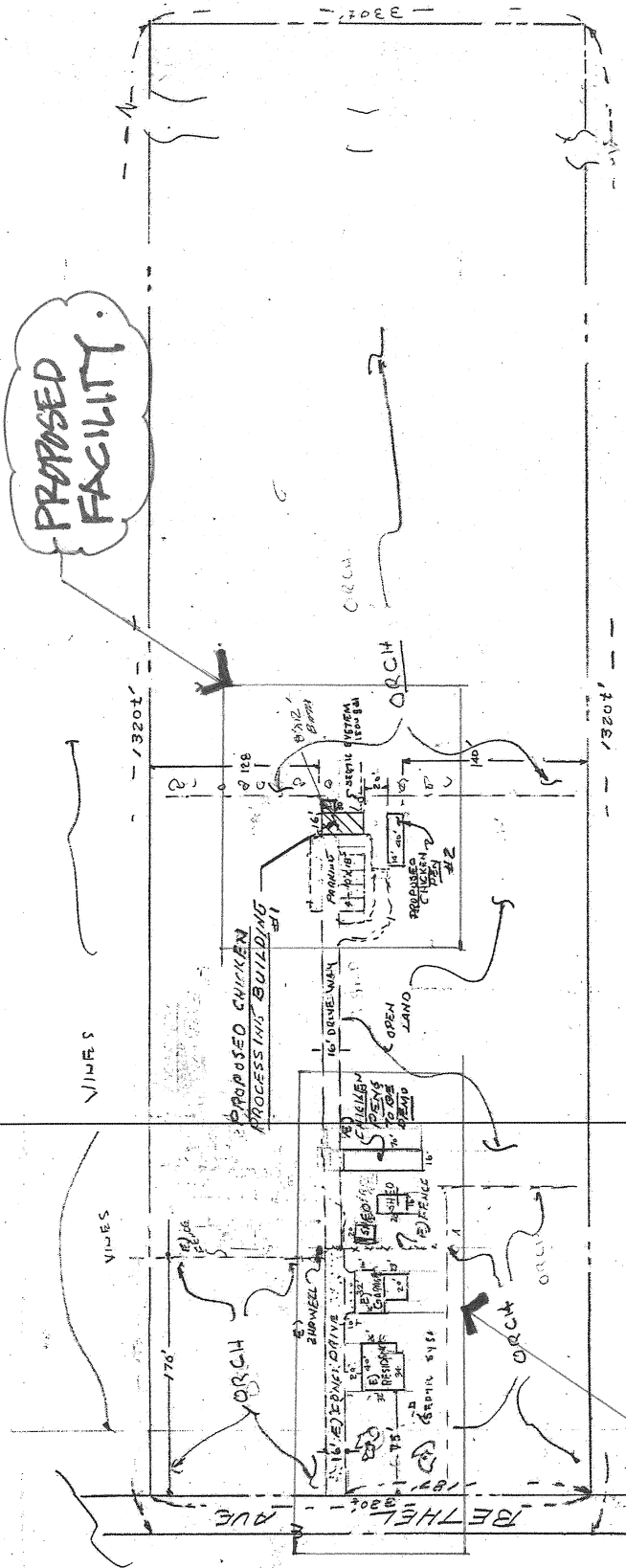
Map Prepared by: J.Hernandez
J:GISJCH\Landuse1



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SANTA FE COUNTY
JUL 13 2015
ENVIRONMENTAL SERVICES DIVISION

CUP3196
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JUL 13 2015
ENVIRONMENTAL SERVICES DIVISION
CRUSED SITE PLAN

APN 1-2-15
10-28-14
14-41



OPERATIONAL STATEMENT (Javier Sanchez)

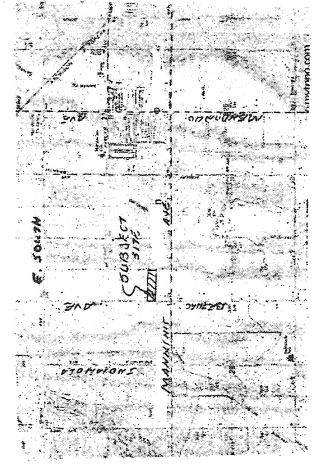
- The Customer will pick the bird for the owner that will kill and de-feather the bird and package the bird for the customer to take. The proposed project will consist of de-feathering the chicken that are raised on the project site. The proposed 16'X30' building will be the area where the chickens will be processed and sold on site to the customers.
 - Operational time limits: 24/7, 365 days per year open for customers 8:00 am - 4:00pm except holidays.
 - Number of customers or visitors: 20-30 per day.
 - Number of employees: 4 family members to be employed.
 - Services vehicles 2 to 4 times per week.
 - Access to the site: Is provided by a 16' concrete driveway via Bethel Ave. and with decompose granite to the new building.
 - Parking: per Fresno County Standards six parking spaces for customers and on site for family members with service parking provided for at the service area.
 - Are any goods to be sold on-site? De-feathered Chickens are to be sold on site which are grown on the site.
 - What equipment is used? General ranch equipment (rakes, shovels, etc.) De-feather, sealed storage containers.
 - The storage to be on site: Only be the de-feathered chickens in a cold box
 - There be no noise, glare, dust or odor on the site due to the processing is within the building and the chicken that are already being raised within the pens.
 - Blood will not be allowed in the septic system and will be put in a container to be pick up the haulers.
 - The estimated volume of water to be used will be about 100 gallons per day.
 - A sign will be located in the entrance to the site and will be 5'X6'.
 - A 16'X30' building is to be constructed on the site to be used for the office and the de-feather of the chickens. Attached are plans for the proposed building.
 - A 10'X18' area is to be used for the office and the remaining area to be used for the de-feathering the chickens.
 - No landscaping is proposed at this time since the site is surrounded by orchards and vines.
- The birds onsite will be up to 450 live birds at any one time. The chickens will be purchased from a breeder ranch which are 12 weeks old and will take approximately 3 week to maturity. The Birds will be purchased by the Customers between 21 to 57 days. At 57 days if bird are still at the site, they will be processed (packaged) and frozen for sale to customers.

SITE PLAN SCALE: 1" = 60'
APN 353-061-40

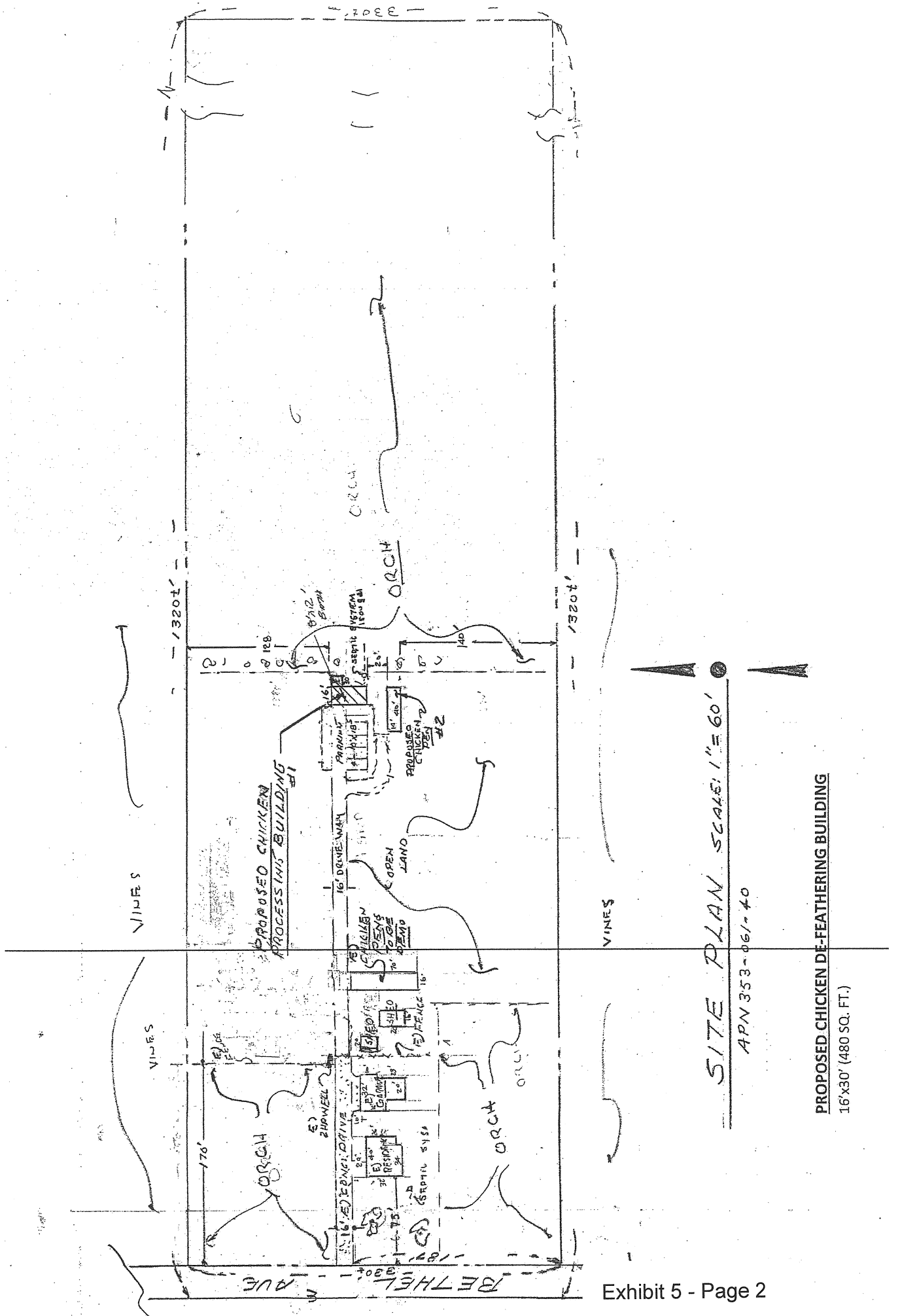
PROPOSED CHICKEN DE-FEATHERING BUILDING
16'X30' (480 SQ. FT.)

OWNER: JAVIER SANCHEZ
8816 S. BETHEL AVE.
SELMA, CA 93662
(651) 775-8457
APN 353-061-40

DESIGNER:
J. FRANK GOMEZ
452 BATES AVENUE
DINUBA, CA 93618
(559) 591-3550



VICINITY MAP N.T.S.



SITE PLAN SCALE: 1" = 60'

APN 353-061-40

PROPOSED CHICKEN DE-FEATHERING BUILDING
16'x30' (480 SQ. FT.)

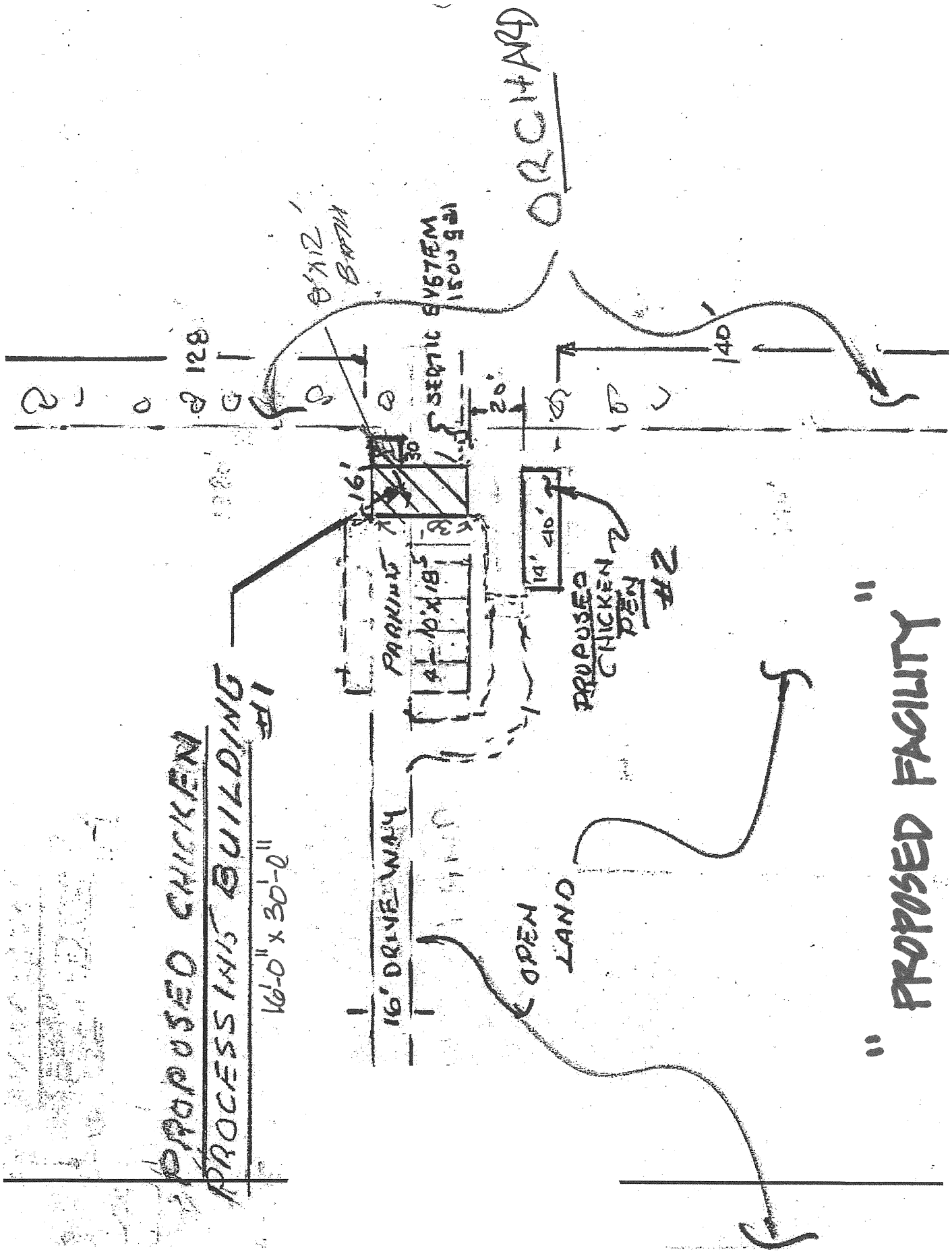
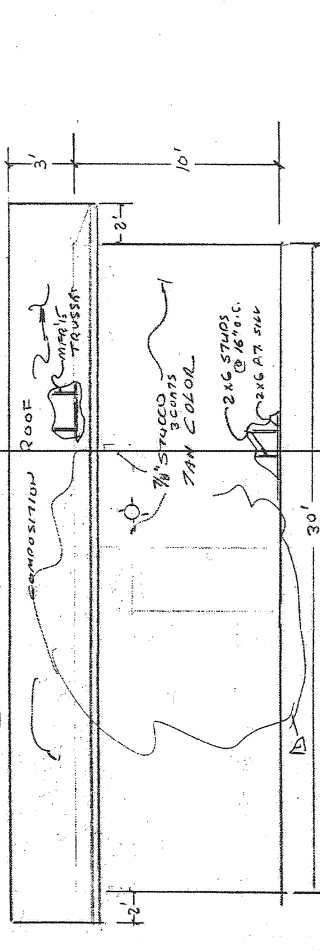
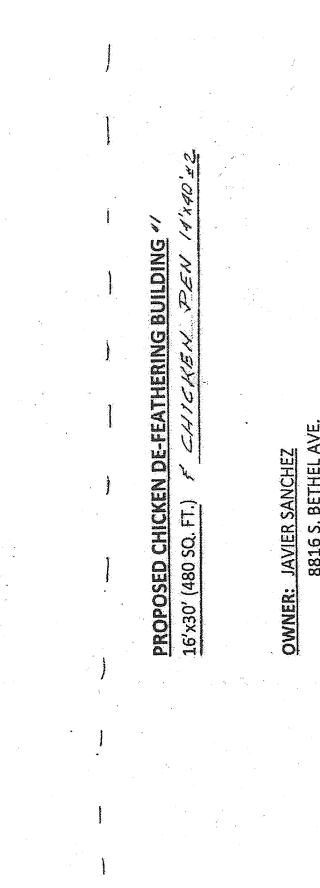
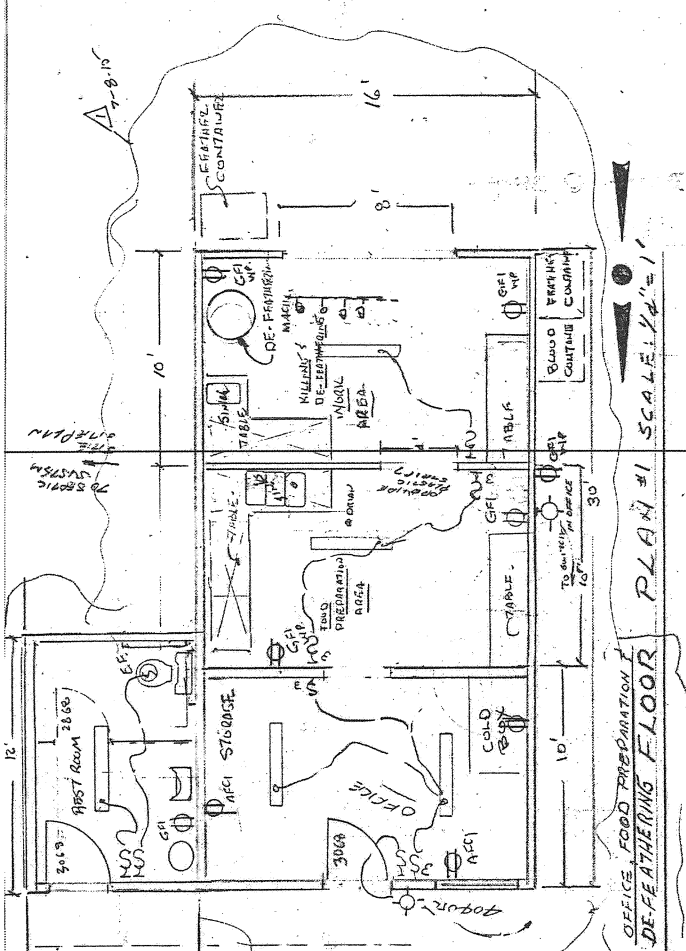
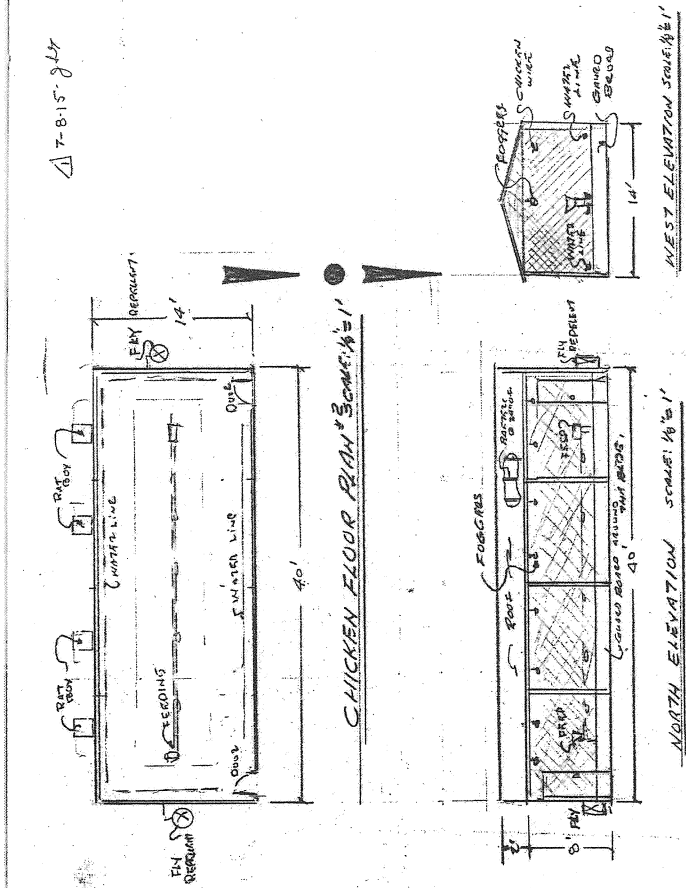


EXHIBIT 6



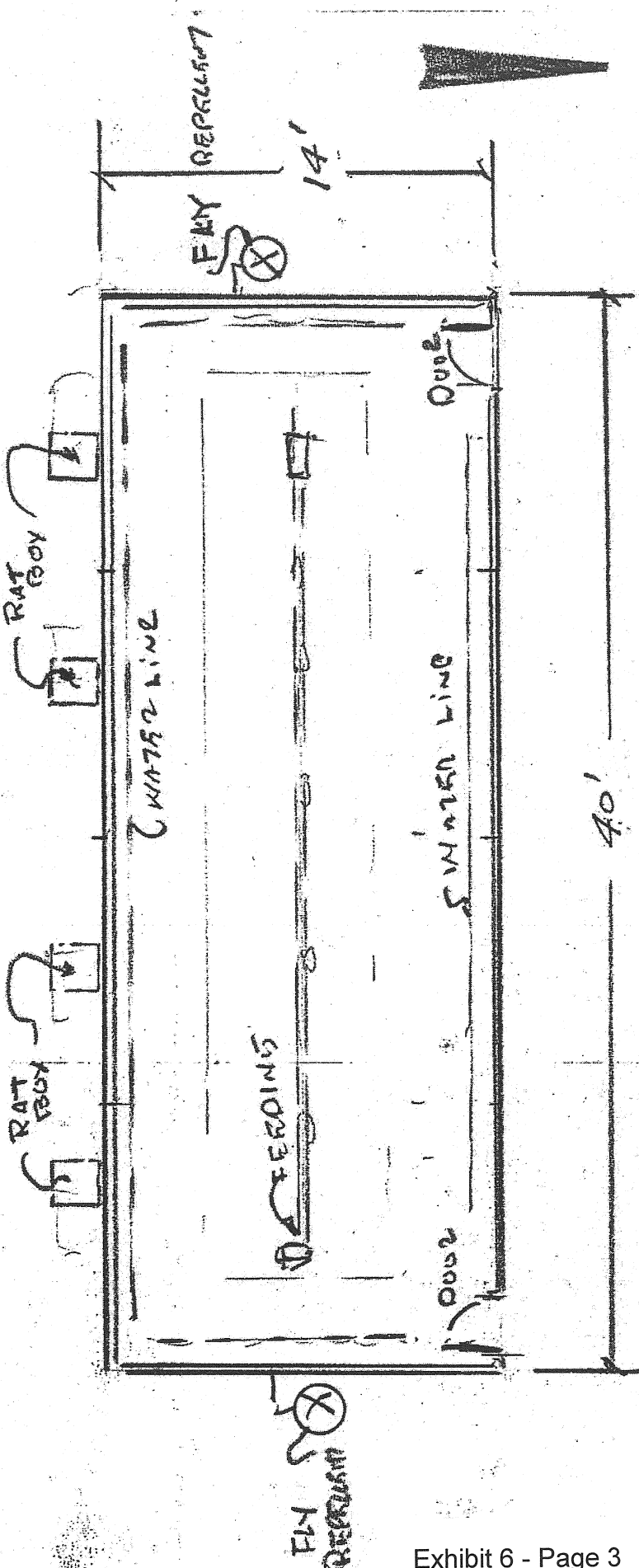
PROPOSED CHICKEN DE-FEATHERING BUILDING 11
 16'x30' (480 SQ. FT.) CHICKEN PEN 14'x40'x2

OWNER: JAVIER SANCHEZ
 8816 S. BETHEL AVE.
 SELMA, CA 93662
 (551) 775-8457
 APN 359-061-40

DESIGNER:
 J. FRANK GOMEZ
 452 BATES AVENUE
 DINUBA, CA 93618
 (559) 591-3550

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 JUL 13 2015
 COUNTY OF BUTTE
 PLANNING AND ZONING DEPARTMENT
 REVISED
 SITE PLAN

10-21
 7-8-15



CHICKEN FLOOR PLAN * SCALE: 1/8" = 1'

EXHIBIT 7

OPERATIONAL STATEMENT (Javier Sanchez)

1. The customer will pick the chicken for the owner who will kill, de-feather and package the chicken for the customer to take home. The proposed 16' X 30" building will be the area where the chickens will be processed and sold on site to the customers.
2. Operational time limits: 7 days a week, 365 days per year open for customers 8:00 am – 4:00 pm except holidays.
3. Number of customers or visitors: 20-30 per day.
4. Number of employees: 4 family members to be employed.
5. Services vehicles 2 to 4 times per week
6. Access to the site: Is provided by a 16' concrete driveway via Bethel Ave. and with decompose granite to the new building.
7. Parking: per Fresno County Standards six parking spaces for customers and on site for family members with service parking provided for at the service area.
8. Are any goods to be sold on site? : De-feathered chickens are to be sold on site; However, no eggs will be sold on the property.
9. What equipment is used? General ranch equipment (rakes, shovels, etc.) De-feathering, sealed storage containers.
10. The storage to be on site: Only be the de-feathered chickens in a cold box.
11. There be no noise, glare, dust or odor on the site due to the processing is within the building and the chicken that are already being kept within the pen.
12. Blood will not be allowed in the septic system and will be put in a container to be picked up by the haulers. Blood, feathers, and dead chickens will all be kept separate from each other.
13. The estimated volume of water to be used will be about 100 gallons per day.
14. A sign will be located at the entrance to the site and will be 5' X 6'
15. A 16' X 30' building with attached restroom is to be constructed on the site to be used for the office and the de-feathering of the chickens.
16. A 10' x 16' area is to be used for the office and the remaining area to be used for bird killing, de-feathering, and food preparation.
17. No landscaping s proposed at this time since the site is surrounded by orchards and vines.

The chicken's onsite will be up to 450 live birds at any one time. The chickens will be purchased from a breeder ranch which are 12 weeks old and will take approximately 3 week to maturity. The chickens will be purchased by the customers between 21 to 57 days. At 57 days if chickens are at still at the site, they will be processed (packaged) and frozen for sale to customers.

CUP3496

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COUNTY OF FRESNO

SEP 25 2015

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

(REVISED)

Management Plan (CUP 3496)

1. Control of Feathers

Coming from the Chickens pens and from the live chickens. The feathers of the Chickens will be placed in bags located in a bin to be recycled for pickup by Sunset Waste management to their recycle facilities on a weekly basis.

2. Control of Dust within the Facilities.

The dust from the chicken housing facilities will be control with foggers when required and essential. The dust in the facilities a concrete driveway and the around the buildings must be control by dust palliatives.

3. How to Control dust to the entrance to the Facilities:

The entrances to the facilities has a concrete driveway and the driveway to the building will be control with decompose granite and water down when needed.

4. How are Flies to be Control:

The house flies and farms flies will be control by keeping the litter manure from not allowing moisture to sweep in to manure, and feed. Also by keeping it dry and tilled so it can be removed or covered with plastic or other material to prevent the production of flies. Also bait station for adult flies will be provides along a plan for spraying adult flies during the growing season and larva in special cases like a water spill. Any dead chicken shall be placed in air tight pits called "Utah Cookers" where the water table allow or haul to a rendering facility.

5. Control the Odor:

The floors of the building will be kept clean inside and other outside of the buildings. The chicken pens shall be kept clean by tilling the ground rows of the pens every 3 days. The main building shall be kept clean daily by wash down the floors.

6. Rodent Control Program.

The chicken houses will be fence off on the lower side with wooden siding and plastics on the lower side of the pens. Traps will also be provided on the facilities.

7. Control the Noise:

The chicken house will be located away from any residences and chicken will be well fed and water maintained so they will not create noises. The facilities is located next the orchard which creates a noise barrier within the property.

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COUNTY OF FRESNO

APR 27 2015

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Javier Sanchez Ramirez
- APPLICATION NOS.:** Initial Study Application No. 6966 and Classified Conditional Use Permit Application No. 3496
- DESCRIPTION:** Allow a commercial meat (poultry) processing operation (includes on-site chicken delivery and retail sale of slaughtered chickens) with related facilities on an approximately 13,000 square-foot portion of a 10-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION:** The project site is located on the east side of S. Bethel Avenue approximately 620 feet north of E. Manning Avenue and 1,505 feet northwest of the nearest city limits of the City of Parlier (8816 S. Bethel Ave., Selma) (Sup. Dist.: 4) (APN: 353-061-40).

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?

FINDING: NO IMPACT:

The project site is located in an agricultural area. Surrounding land uses include orchards, vineyards, and field crops with single-family homes on parcels ranging from 1.43 acre to 38.3 acres in size. The site is not located along a designated Scenic Highway and no scenic vistas or scenic resources were identified in the analysis.

- 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 a commercial meat (poultry) processing operation on a 10-acre parcel currently planted in orchard and developed with a 1,280 square-foot single-family residence, 972 square-foot detached garage, 240 square-foot shed, 320 square-foot

shed, and a 1,120 square-foot chicken pen. The existing improvements are served by a 16-foot-wide and a 190-foot-long asphalt concrete paved access from Bethel Avenue.

The proposed improvements will be located over 400 feet east of Bethel Avenue within an un-farmed portion of the property. The improvements include a 576 square-foot chicken processing building (office/food preparation area/bird killing/de-feathering/restroom), 560 square-foot chicken pen (will replace the existing 1,120 square-foot chicken pen), individual sewage disposal system, and parking. The access from Bethel Avenue will be extended eastwardly to serve the proposed improvements. The proposal will not encroach upon or impact the orchard on the property.

The proposed improvements are similar in look, size, and height to the existing improvements and as such will have a less than significant impact on the visual character or quality of the site and its surroundings.

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

The proposed facility will have limited use of outdoor lighting. To minimize lighting impacts in the area, 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 is not in conflict with the existing agricultural zoning and is an allowed use on land designated for agriculture with discretionary approval. The subject 10-acre property is classified as Prime Farmland on the 2010 Fresno County Important Farmland Map and is not enrolled under a Williamson Act Land Conservation Contract. This proposal will occupy only a 13,000 square-foot un-farmed portion of a 10-acre parcel. As such, loss of Prime Farmland would be less than significant. Further, the proposal will not impact or disturb the farming activities related to an existing orchard on the property.

The Fresno County Agricultural Commissioners' Office reviewed the project and requests that the Applicant acknowledge the Fresno County Right-to-Farm Ordinance regarding inconveniences and discomfort associated with normal farm activities that occur surrounding the proposed project. Although, the project's impact to farmland is less than significant, this requirement will be included as a Condition of Approval for the Conditional Use Permit.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the San Joaquin Valley Air Pollution Control District (Air District) which commented that the project-specific criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG and 15 tons/year PM10. Therefore, the project-specific criteria pollutant emissions would have no significant impact on air quality. Also, the project is not subject to District Rule 9510 (Indirect Source Review).

Other Air District Rules that may apply to this proposal include Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished, or removed.

Further, the project will comply with the Management Plan (Management of the Operational Facilities) submitted by the Applicant for control of dust.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project may be subject to District Rule 4102 (Nuisance) which applies to any source operation (including odor) which may emit air contaminants or other materials.

Further, the project will comply with the Management Plan (Management of the Operational Facilities) submitted by the Applicant for control of 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:

Located in an agricultural area, the project site contains an orchard with a single-family residence and related improvements. Neighboring properties contain vineyards and are also developed with single-family homes. Both the subject property and the neighboring properties have been disturbed and utilized for agricultural cultivation.

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:

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?

FINDING: NO IMPACT:

The subject site is not located in an archeological sensitivity area for archeological artifacts and has been disturbed with an orchard. No impact on historical, archeological, or paleontological resources is expected from this proposal.

- 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:

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?
 - 2. Strong seismic ground shaking?
 - 3. Seismic-related ground failure, including liquefaction?

4. Landslides?

FINDING: NO IMPACT:

The project site is not located within a fault zone or area of known landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will result in compaction and over covering of soil due to construction of buildings, parking, and circulation areas. Changes in topography and erosion could result from grading activities associated with this proposal.

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning: 1) any additional runoff generated by the proposed development must be retained or disposed of per County Standards; 2) an Engineered Grading and Drainage Plan shall be required for the proposed development to show ingress and egress of driveway, parking requirements, and to demonstrate how drainage will be handled without adversely impacting adjacent properties; and 3) a Grading Permit or Voucher may be required for any grading proposed with this application.

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. No concerns related to soils suitability for the proposed development were expressed by the Development Engineering Section of the Fresno County Department of Public Works and Planning.

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:

This proposal will install an individual sewage disposal system for the proposed 96 square-foot restroom facility. The restroom will serve the proposed 480 square-foot chicken processing building comprised of an office, food preparation area, and bird killing/de-feathering area.

Fresno County Department of Public Health, Environmental Health Division, reviewed the proposal and expressed no concerns with the soils capabilities for the proposed sewage disposal system.

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Comments received from the 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 that may have a significant impact on the environment. The project emission will adhere to the Air District requirements as noted in Section III. A.B.C.D. Air Quality of this report.

VIII. HAZARDS AND HAZARDOUS MATERIALS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not involve transport, use, or disposal of hazardous materials.

The California Department of Food and Agriculture (CDFA) reviewed the proposal and required that upon land use approval of the project, the Applicant shall complete and return State Form 79-025 for license to the Meat, Poultry, and Egg Safety (MPES) branch of CDFA as well as request for a survey of the project site. This requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

The project will not create hazardous emissions, utilize hazardous materials, nor is it located on a hazardous materials site. Additionally, no school is located within one

quarter-mile of the project site. The nearest school, John C. Martinez Junior High, is approximately 4,950 feet (0.9 mile) to the east of the proposal.

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

FINDING: NO IMPACT:

The project site is not located within an airport land use plan area, within two miles of a public use airport, or in the vicinity of a private airstrip. The nearest, Del Rey Juice Airstrip, is approximately 2.8 miles north of the site.

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

FINDING: NO IMPACT:

The 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: NO IMPACT:

The project site is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The subject proposal will utilize an on-site domestic well and will install a sewage disposal system for wastewater discharge as discussed in Section VI.E. Geology and Soils.

According to the Fresno County Department of Public Health, Environmental Health Division review of the proposal, the existing water treatment system on the well shall be maintained in accordance with manufacturer specifications and no blood from the

preparation of chickens shall be allowed in the septic system. These requirements will be included as Mitigation Measures.

* **Mitigation Measures**

1. *The water well has a treatment system on it to improve water quality (Titan 1800 commercial reverse osmosis system). The water treatment system shall be maintained in accordance with manufacturer specifications.*
2. *No blood from the preparation of chickens shall be allowed in the septic system.*

The Central Valley Water Board also reviewed the project and stated that on-site disposal of animal mortalities would require individual Waste Discharge Requirements pursuant to prescriptive Title 27 regulations. This requirement will be included as a Project Note.

With adherence to the aforementioned requirements, the project will not degrade water quality standards as it relates to groundwater resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project will use approximately 100 gallons of water a day. Water will be provided by an on-site well.

The subject property is not in a low-water area. The Fresno County Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no water-related concerns with the project. The project will have a less than significant impact on groundwater resources.

- 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 were identified on or near the project site to be impacted by this proposal. As noted above in Section VI. B. Geology and Soils, any additional runoff generated by the subject proposal will be retained or disposed of per County Standards.

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 additional 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:

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the latest FEMA FIRM Panel 2145H indicates that the project site is not subject to flooding from a 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:

No such impacts were identified in the project analysis.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide a community. The project site is within the Sphere of Influence (SOI) but outside the boundaries of the City of Parlier. The nearest city boundary is approximately 1,505 feet southeast of the site.

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 project site is designated Agriculture in the Fresno County General Plan. Policy LU-A.3 of the General Plan provides that certain non-agricultural uses may be allowed in the areas designated Agriculture 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 area which cannot be provided more effectively 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. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available. Criteria LU-A.3.f states that service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services should be considered.

With regard to Criteria "a", the proposed commercial meat (poultry) processing facility is suited to be located in an agricultural area rather than an urban area due to its operational characteristics. With regard to Criteria "b", no farmland lesser in soils quality than the Prime Farmland were found in the area to be used by this proposal. The proposal will utilize a small portion (13,000 square feet of a 10-acre parcel) of Prime Farmland. With regard to Criteria "c", the project is not in a water-short area of Fresno County and uses little water, therefore, will have a less than significant impact on groundwater resources. With regard to Criteria "d", the project is located approximately 1,505 feet northwest of the nearest city limits of the City of Parlier, which has the ability to provide an adequate workforce. With regard to Criteria "f" no community sewer and water services are currently available to the property. The project will utilize an on-site domestic well and individual sewage disposal system.

Policy PF-C.17 requires a water supply evaluation to determine adequacy of water supply to meet the highest demand that could be permitted on the land in question. As noted above, the subject proposal is not located in a water-short area of Fresno County. The Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no water-related concerns with the project.

Policy PF-D.6 requires that the County shall permit on-site sewage disposal systems on parcels that have the area, soils and other characteristics that permit installation of such systems without threatening groundwater quality or posing a health hazard. The project will install a new individual sewage disposal system. Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and identified no threat to groundwater quality resulting from the installation of such a system on the property.

Policy LU-G.1 states that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provisions of urban services within their sphere of influence. The subject property is within City of Parlier Sphere of Influence (SOI). Under the Memorandum of Understanding between the City of Parlier and the County, the

subject proposal is not referable for annexation, but was routed to the City for comments. The City reviewed the proposal and offered no comments.

Policy HS-G.1 requires that all proposed development shall incorporate design elements necessary to minimize adverse noise impacts on surrounding land uses. The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and identified no noise impacts.

- 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:

No outdoor sound amplification equipment will be installed as part of this proposal and any chicken noise emitting from the pen is not expected to impact nearby sensitive noise receptors. The nearest single-family residence is over 300 feet north of this proposal and is surrounded by vineyards. Both the vineyard and the orchard on the subject property will also lessen the noise.

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and identified no concerns in regards 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. The nearest Del Rey Juice Airstrip is approximately 2.8 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:

This proposal was reviewed by the Fresno County Fire Protection District (CalFire) which did not express any concerns with the project. A Project Note will require that the project shall comply with California Code of Regulations Title 24 – Fire Code and County-approved site plan shall be approved by CalFire prior to issuance of building permits by the County.

- 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, up to 30 customers a day are expected to visit the proposed facility, generating 60 one-way traffic trips (30 round trips). In addition, up to four times a week, service vehicles are expected to visit the project site generating eight one-way traffic trips (four round trips). Four members of the Applicant's family will operate the facility which will be opened for customers from 8:00 a.m. to 4:00 p.m., 24 hours a day, seven days per week, year-round.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and did not express any traffic-related concerns 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; or

FINDING: NO IMPACT:

The project will use the existing paved access from Bethel Avenue. The Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning reviewed the project and expressed no concerns relating to increased traffic hazards due to design features.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

Review of this proposal by the Fresno County Fire Protection District identified no concerns regarding inadequate emergency access for the project.

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; or

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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: 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 WITH MITIGATION
INCORPORATED

According to the Fresno County Department of Public Health, Environmental Health Division, the solid and liquid wastes generated during the operation of the facility shall be hauled to licensed facilities by licensed haulers. This requirement will be included as a Mitigation Measure.

* **Mitigation Measure**

1. *Separate containers shall be maintained for chicken blood, feathers, chicken parts and mortality. The contents of the containers shall be removed by appropriately-licensed haulers and taken to appropriately-licensed facilities.*

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: NO IMPACT:

No impacts on biological and cultural resources were identified in the project analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project 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, hydrology and water quality, and utilities and service systems which will be addressed with the Mitigation Measures discussed in Section I.D., Section IX.A., and Section XVII. F.G.

- 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. 3496, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to biological resources, cultural resources, mineral resources, noise, population and housing, or recreation.

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

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

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

EA:

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