

8/23/2016

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BALD MOUNTAIN FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

Gloria Sprague Joe Weirick Don Ashbrook Clint Nichols Ricardo Ramirez
President Secretary

August 18, 2016

Fresno County Board of Supervisors
2281 Tulare St. Room 301, Hall of Records
Fresno, CA. 93721

Please be advised that the Board of Directors of the Bald Mountain Fire Protection District unanimously request to go on record at your public hearing on Tuesday, the 23rd day of August 2016 in favor of the AMENDMENT TO TEXT APPLICATION NO. 373 as stated in your letter of August 3, 2016 regarding "various sections of the Fresno County Zoning Ordinance to add Temporary Mill/Chipping Facilities as a matter of right in the Resource Conservation, Timberland Preserve, and Exclusive Agriculture Districts, subject to certain standards and limited in duration to the declared local state of emergency due to tree mortality and degraded forest conditions, plus an additional 180 consecutive days thereafter".

We definitely appreciate any and all efforts in the process of reducing the fire threat to our forest that we are currently facing in our community.

Sincerely,

Board of Directors of the Bald Mountain Fire Protection District
Gloria Sprague, Joe Weirick, Don Ashbrook, Clint Nichols, and Ricardo Ramirez

BALD MOUNTAIN FIRE PROTECTION DISTRICT - 41967 Auberry Road, Auberry, CA. 93602



DEPARTMENT of PUBLIC WORKS and PLANNING DEVELOPMENT SERVICES DIVISION

AT 373



EXHIBIT 1

AMENDMENT TO TEXT APPLICATION NO. 373

The subject application proposes to add Temporary Mill/Chipping Facilities as a matter of right in the RC (Resource Conservation) District, TPZ (Timberland Preserve) District and the AE (Exclusive Agricultural) District, subject to certain standards and limited in duration to the declared tree mortality State of Emergency.

Sections 813.1-K., 814.1-I., 816.1-U. will be added as follows:

813.1

K. Temporary Mill/Chipping Facilities subject to the provisions of Section 855-N.34.5.

814.1

I. Temporary Mill/Chipping Facilities subject to the provisions of Section 855-N.34.5.

816.1

U. Temporary Mill/Chipping Facilities subject to the provisions of Section 855-N.34.5.

EXHIBIT 2

SECTION 855

PROPERTY DEVELOPMENT STANDARDS

SECTION 855-N. PROPERTY DEVELOPMENT STANDARDS – SPECIAL STANDARDS OF PRACTICE AND REGULATIONS

34.5. Temporary, portable Saw Mills and Planing Mills, Chipping and Grinding Operations (hereafter collectively referred to as “Temporary Mill/Chipping Facilities”)

Temporary Mill/Chipping Facilities shall be allowed as a matter of right in those Zone Districts specified in Sections 813.1, 814.1, and 816.1, provided that they comply with the requirements of this Section 855-N.34.

1. Operational Life

Temporary Mill/Chipping Facilities shall be allowed during any period of time when a resolution proclaiming a local state of emergency due to tree mortality and degraded forest conditions (“Proclamation”) approved by the Board of Supervisors is effective, plus an additional 180 days after the Proclamation expires, to allow for final processing, removal and site clearing.

Prior to commencement of operation of a Temporary Mill/Chipping Facility, the applicant and owner shall execute a written acknowledgement, in a form acceptable to the Director of the Department of Public Works and Planning, or designee, which specifies the limitation on the operational life of the Temporary Mill/Chipping Facility, as set forth in Section 855-N.34.1.a, and notifies the applicant and owner that all equipment and material associated with the Temporary Mill/Chipping Facility shall be removed by the applicant and owner within 180 days of the termination of the Proclamation.

2. Removal of Temporary Mill/Chipping Facility

Within not more than 180 days after the termination of a Proclamation, the applicant and owner shall remove all equipment and material associated with the Temporary Mill/Chipping Facility.

3. Parcel Size

The minimum parcel size for these uses shall be 20 acres so as to provide for the following related activities: adequate setbacks, staging area for equipment and raw/finished materials, truck parking and circulation, and employee parking.

4. Wastewater

Evidence submitted during the Site Plan Review process governed by Section 874 (hereafter referred to as “Site Plan Review”), shall establish that the proposed Temporary Mill/Chipping Facility would

- a. Discharge no industrial or process wastewater, or**
- b. Have a will-serve commitment from a community sewer system (e.g., County Service Area, Water Works District, etc.), and will lawfully discharge wastewater to that community sewer system, or**
- c. Lawfully discharge wastewater into a treatment and disposal facility that meets all applicable wastewater discharge requirements, or**
- d. Discharge process wastewater, but obtain or possess a waiver of report of wastewater discharge or wastewater discharge requirements pursuant to California Water Code Section 13269, or**
- e. Have wastewater removed from the site pursuant to a contract with a licensed/certified wastewater transport service for disposal at a licensed facility.**

5. Air Pollution

Evidence shall be submitted during the Site Plan Review, which establishes that:

- a. An air pollution “Authority to Construct” permit is not required from the San Joaquin Valley Air Pollution Control District (SJVAPCD), or**
- b. Facility possesses an air pollution “Authority to Construct” permit.**
- c. All Applicable SJVAPCD permits are obtained prior to operation via the required Site Plan Review.**

6. Traffic

Evidence shall be submitted during the Site Plan Review, which establishes that:

The facility does not generate more than 100 total trips per day, or that, with acceptable ride sharing plan, trips will be reduced to no more than 100 trips per day.

7. Fire Protection

Evidence shall be submitted during the Site Plan Review, which establishes that the applicant has or will satisfy all applicable fire protection measures of the Fire District with jurisdiction over the parcel on which the Temporary Mill/Chipping Facility will be established.

8. Noise

a. Operating hours shall be limited between sunrise and sunset.

b. Evidence shall be submitted during the Site Plan Review, which establishes that the Temporary Mill/Chipping Facility will not be located less than one-quarter mile from residential uses/structures unless it can be demonstrated to the satisfaction of the Director of the Department of Public Works and Planning, or designee, that measures will be implemented by the applicant that will address any potential noise concerns.

9. Site Plan Review Application Required/On-site and Off-site Improvements

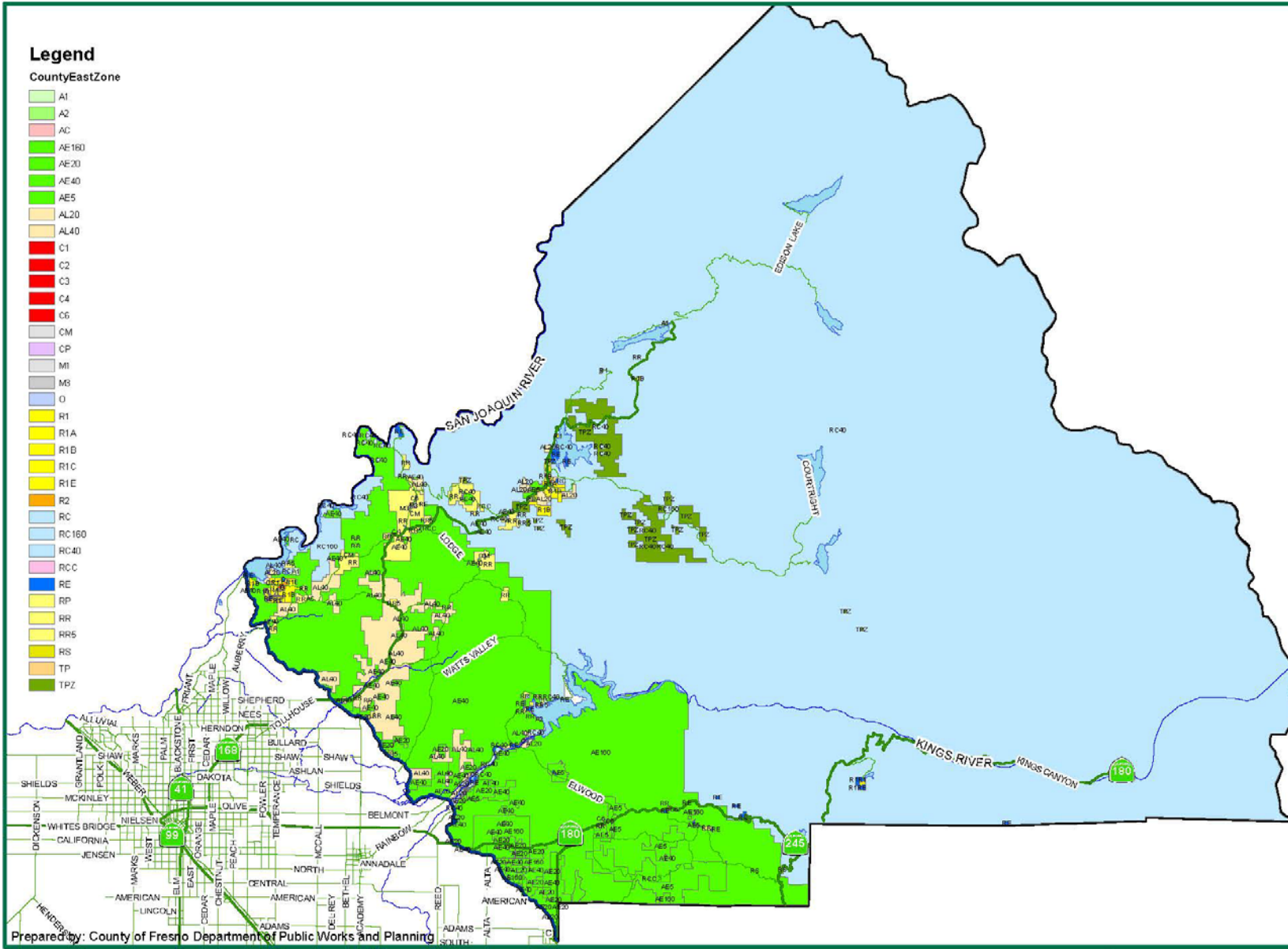
Prior to commencement of any operations of a Temporary Mill/Chipping Facility, a Site Plan Review Application shall have been submitted by the applicant and owner and approved by the Director of the Department of Public Works and Planning, pursuant to the provisions of Section 874.

(Subsection 34 added by Ord. No. _____, Adopted _____)

Legend

CountyEastZone

- A1
- A2
- AC
- AE160
- AE20
- AE40
- AE5
- AL20
- AL40
- C1
- C2
- C3
- C4
- C6
- CM
- CP
- M1
- M3
- O
- R1
- R1A
- R1B
- R1C
- R1E
- R2
- RC
- RC160
- RC40
- RCC
- RE
- RP
- RR
- RR5
- RS
- TP
- TPZ



Prepared by: County of Fresno Department of Public Works and Planning



East County Zoning



Department of Public Works and Planning
Development Services Division

0 2 4 8 12 16
Miles

Map Prepared by: JHernandez
J:\GIS\CH\projects\2016\EastCountyZone.mxd



DEPARTMENT of PUBLIC WORKS and PLANNING DEVELOPMENT SERVICES DIVISION

AT 373





County of Fresno

BOARD OF SUPERVISORS

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Clerk

A public hearing will be held on **AMENDMENT TO TEXT APPLICATION NO. 373**, filed and prepared by **COUNTY OF FRESNO** pursuant to Board of Supervisors' direction.

Notice is hereby given that the Board of Supervisors of the County of Fresno has set this hearing for **Tuesday**, the **23rd day of August, 2016**, at the hour of 9:00 AM or as soon thereafter, in the **Board of Supervisors Chambers**, Room 301, Hall of Records, 2281 Tulare St., Fresno, California, as the time and place for holding a public hearing on the following matter:

Amend various sections of the Fresno County Zoning Ordinance to add Temporary Mill/Chipping Facilities as a matter of right in the RC (Resource Conservation), TPZ (Timberland Preserve), and AE (Exclusive Agricultural) Districts, subject to certain standards and limited in duration to the declared local state of emergency due to tree mortality and degraded forest conditions, plus an additional 180 consecutive days thereafter.

For more information contact **Will Kettler**, Department of Public Works and Planning, 2220 Tulare Street (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4497**, email **wkettler@co.fresno.ca.us**.

The Agenda and Staff Reports will be on the Fresno County web site
<https://fresnocounty.legistar.com/Calendar.aspx>
by Wednesday, August 17, 2016 by 6:00 p.m.

NOTES:

- Anyone may testify, please share this notice with your neighbors or anyone you feel may be interested.
- The Board of Supervisors will also accept written testimony such as letters, petitions, and statements. In order to provide adequate review time for the Board of Supervisors, please submit these documents to the Clerk to Board prior to the hearing date.
- If at some later date you challenge the final action on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

DATED: August 3, 2016

BERNICE E. SEIDEL
Board of Supervisors

By , Deputy



County of Fresno

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Clerk

AFFIDAVIT OF MAILING

I declare that on **August 3, 2016**, at the request of the Fresno County Board of Supervisors, I mailed a notice like the one hereto attached with reference to:

Notice of hearing before the Board of Supervisors of the County of Fresno on **AMENDMENT TO TEXT APPLICATION NO. 373**, filed and prepared by **COUNTY OF FRESNO** pursuant to Board of Supervisors' direction.

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by depositing in the United States Post Office at Fresno, California, a copy of said notice enclosed in an envelope with postage prepaid, addressed to each of the owners at their addresses, all as shown on the current Fresno County Assessment Roll and shown on the property list compiled from said rolls and in the file of the case.

This declaration is made under penalty of perjury.

By
Deputy

Notice of Public Hearing

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Ernest Buddy Mendes, Chairman
Board of Supervisors
ATTEST:
BERNICE E. SEIDEL
Clerk, Board of Supervisors