AGENDA
KINGSBURG PLANNING COMMISSION
FEBRUARY 13, 2020
6:00 P.M.
KINGSBURG CITY COUNCIL CHAMBER
1401 DRAPER STREET

1. Call to order - Reminder for all Commissioners and Staff to speak clearly and loudly into the microphones to ensure that a quality recording is made of tonight's meeting. We ask that all those attending this meeting please turn off pagers and wireless phones.

NEXT RESOLUTION 2020-01

2. APPROVAL of the December 12, 2019 minutes as mailed or corrected.

3. PUBLIC COMMENTS - Any person may directly address the Commission at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Commission. A maximum of five minutes is allowed for each speaker.

4. PUBLIC HEARING – TO CONSIDER AN AMENDMENT TO THE LIST OF CONDITIONAL USES IN THE LIGHT INDUSTRIAL (LI) ZONE DISTRICT, ADDING LIMITED MATERIAL RECYCLING TO SAID CONDITIONAL USE LIST.
   A. Open Public Hearing scheduled for 6:00 P.M.
   B. Presentation by Consulting Planning Director Greg Collins.
   C. Commission Discussion
   D. Open for Public Comment
   E. Close Public Comment
   F. Continued Commission Discussion
   G. Close Public Hearing
   H. Possible Actions: Adopt/Deny/Modify resolution

5. PUBLIC HEARING – CUP-2020-01 TO CONSIDER ISSUANCE OF A CONDITIONAL USE FOR A LIMITED MATERIAL RECYCLING OPERATION ON 27.72 ACRES LOCATED ON THE WEST SIDE OF GOLDEN STATE BOULEVARD AND NORTH OF KAMM AVENUE IN KINGSBURG (APN 393-112-35) APPLICANT DON BERRY CONSTRUCTION
   A. Open Public Hearing scheduled for 6:00 P.M.
   B. Presentation by Consulting Planning Director Greg Collins.
   C. Commission Discussion
   D. Open for Public Comment
   E. Close Public Comment
F. Continued Commission Discussion
G. Close Public Hearing
H. Possible Actions:
   1. Decisions regarding Environmental Document
   2. Adopt/Deny/Modify Resolution.

6. FUTURE ITEMS

7. ADJOURN TO THE JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING WORKSHOP.
AGENDA

KINGSBURG CITY COUNCIL and the PLANNING COMMISSION

WORKSHOP

Council Chamber, 1401 Draper Street, Kingsburg, CA 93631 (559) 897-5821
www.cityofkingsburg-ca.gov

February 13, 2020
6:30 pm

6:30 P.M. KINGSBURG CITY COUNCIL AND PLANNING COMMISSION WORKSHOP

I. Call to order and roll call –

II. Public Comments – Any person may directly address the Council at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Council. A maximum of five minutes is allowed for each speaker.

III. Kingsburg Area Community Plan in Tulare County – Presentations by City and Tulare County staff.

IV. Adjourn Kingsburg City Council and the Planning Commission Workshop

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk’s office, during normal business hours. In addition, such writings and documents may be posted on the City’s website at www.cityofkingsburg-ca.gov.
Call to order – At 6:05PM the Kingsburg Planning Commission meeting was called to order.

COMMISSIONERS PRESENT – Kinney, Carlson, Brock, Blayney Cozbey and Rountree

COMMISSIONERS ABSENT – Kruper

STAFF PRESENT – Planning Director Greg Collins, Planning Secretary Mary Colby and Building Official Edward Jakubowski.

OTHERS PRESENT – Amy Corgiat, Derek Corgiat, George Alves, Kyle Dunn, Dan Dorval, Don Berry, Janet Berry and Bill Berry

APPROVAL - Commissioner Carlson made a motion, seconded by Commissioner Cozbey to approve the minutes of the October 10, 2019 meeting as mailed. The motion carried by unanimous vote of those Commissioners present.

PUBLIC COMMENTS – There were no citizens present who wished to comment at this time.

PUBLIC HEARING – CHANGE OF ZONE FROM LIGHT INDUSTRIAL TO HEAVY INDUSTRIAL TO ACCOMMODATE EXISTING USE, LOCATION 11700 GOLDEN STATE BLVD. DON BERRY CONSTRUCTION

Open Public Hearing at 6:07
Planning Director Greg Collins gave a brief description of this project stating that it utilizes 3 planning documents, the General Plan, the North Kingsburg Specific Plan and the Zoning Ordinance. The property has only been in the City Limits for a few years and was zoned Light Industrial in the county also. He stated that there are three options for consideration:
- Maintain Zoning and General Plan as it or deny the application.
- Rezone site to Heavy Industrial to permit certain uses.
- Leave zoning as Light Industrial but add rock crushing to the conditional use permit process.

A letter was received from the managers of the Viking RV Park stating their concerns if the zone were to be changed.

Open for Public Comment at 6:23PM

Gerald Mell 7337 N First St #110 is the architect that filed the paperwork. An existing operation has been running for many years before the property was annexed. Operation is grinding up concrete not crushing rock.
Don Berry, owner of this property, stated that it is more of a recycling operation than rock crushing. Local contractors drop off concrete which we crush and redistribute. Have permits from air board to operate this equipment.

- Discussed noise level and location of machinery.
- Hours of use.
- Use of the pond on the property.
- Distance between stock and RV park is a good 1000 feet.

Amy Corgiat manager of the Viking RV Park at 501 W Kamm Avenue stated that historically the rock crushing has not been a problem, if it moves closer to us it could be a problem. Or if the use changes in 10 years.

Close Public Comment at 6:46PM

Commissioner Blayney stated that this operation has been ongoing for many years, there is limited heavy industrial. Could we amend the classification of light industrial to include this type of operation?

Planning Director Collins stated that we could amend the uses in the Light Industrial zone to add this type of operation as a conditional use permit, this way we could add in conditions as needed. Staff could bring back to the commission for consideration not a change of zone but add this limited operation as a conditional use permit and conditions could be set to include rules of operation. This would keep heavy industrial uses out of this area.

Commissioner Kinney suggested that we call the operation recycling instead of rock crushing.

Close Public Hearing at 6:58PM

Commissioner Blayney made a motion, seconded by Commissioner Brock to instruct staff to make an Amendment to the Light Industrial zoning list of uses to add concrete recycling of construction material as a conditional use and bring language back for Commission review. The motion carried by unanimous vote of those Commissioners present.

Commissioner Blayney made a motion, seconded by Commissioner Brock to accept the resignation of Mr. Cozbey with regret and thank him for his 4 years of service. The motion carried by unanimous vote of those Commissioners present.

**FUTURE ITEMS**

**ADJOURN** - At 7:01PM the Kingsburg Planning Commission meeting was adjourned.

Submitted by

Mary Colby
Planning Secretary
PLANNING COMMISSION MEETING STAFF REPORT

REPORT TO: Site Plan Review Committee

REPORT FROM: Greg Collins, Contract Planner

REVIEWED BY: 

AGENDA ITEM: Berry, Zoning Ordinance Amendment 2020-01 and Conditional Use Permit 2020-01

ACTION REQUESTED: _X_ Resolution  ____Ordinance     ____Motion     ___Receive/File

RECOMMENDATIONS

A. Pass Resolution 2020-_____. approving Zoning Ordinance Amendment 2020-01, adding "limited material recycling" to the conditional use list of the Light Industrial district.

B. Pass Resolution 2020-_____. approving Conditional Use Permit 2020-01 subject to the following conditions:

**General:**

1. That all proposals of the applicant be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.

2. That the applicant pays all fees as required by existing ordinances and schedules. The fees to be paid shall be those in effect at the time of payment.

**Others:**

1. All interior roadways shall be watered when the trucking of materials is occurring on the subject site. Further, Golden State Boulevard shall also be periodically watered (washed) so that no material builds up on this roadway.

2. A permit from the San Joaquin Valley Air Pollution Control District shall be secured and remain in effect for all rock crushing machinery operating on the subject site.

3. The applicant shall extend Lampman Park Avenue improvements (street pavement, curb and gutter, and lighting) from its current edge of pavement approximately 150 feet into the property.

4. The applicant shall comply with all National Pollutant Discharge Elimination System (NPDES) regulations.
5. The Granite Construction portion of CUP 2020-01 shall terminate one year after it commences with the excavation of lanes along State Highway 99. All equipment, recycled material associated with the Highway 99 project and vehicles shall be removed from the subject site. Granite Construction shall ensure all state and local permits, including the Air District and NPDES permits, are current and complied with.

6. Granite Construction shall periodically water all travel routes within the subject site to ensure potential dust problems are mitigated. Further, any material that falls onto Golden State Boulevard shall be cleaned from the paved surface of this roadway.

7. Granite Construction shall periodically water all travel routes within the subject site to ensure potential dust problems are mitigated. Further, any material that falls onto Golden State Boulevard shall be cleaned from the paved surface of this roadway.

8. Granite Construction limit the hours of operation of the mobile rock crushing machine to the hours of 7:00 am to 10 pm.

9. Other than the trucking portion of Granite’s operation all stock piling and crushing of material shall be restricted to the northwest quadrant of the 28-acre subject site.

10. The Berry portion of CUP 2020-01, which shall be ongoing once the Granite Construction contract with CALTRANS has lapsed, shall limit its operation of rock crushing machinery to 60 days per year. Further, days of operation shall be limited to Monday through Friday, and hours from 7 am to 6 pm.

11. The Berry portion of CUP 2020-01 other than the trucking portion of the material recycling operation shall be restricted to the northerly half of the 28-acre subject site.

12. The Berry portion of CUP 2020-01 shall maintain enforce all state and local permits including Air District and NPDES permits.

13. Separate domestic, fire and landscape services (if applicable) shall be developed into the site. Each service shall include a City approved water meter and reduced pressure backflow preventer and approved by Public Works prior to occupancy. If utilizing existing services, verify and upgrade with Public Works as necessary.

14. A Grading and Site Improvement Plan for the proposed on-site improvements shall be submitted for review and approval by the City Engineer. Applicant shall obtain a Grading and Site Improvement Permit once plans are approved.

15. Parking areas and all travel ways shall be either paved or covered with some type of road base.

EXECUTIVE SUMMARY

Two planning applications are up for consideration by the Planning Commission: 1) Zoning Ordinance Amendment 2020-01, adding limited material recycling to the conditional use permit list to the Light Industrial district, and 2) Conditional Use Permit 2020-01 for a limited material recycling operation on a 28-acre site located on the west side of Golden State Highway between Bethel and Mountain View streets in Kingsburg.
Zoning Ordinance Amendment 2020-01

The addition of a limited material recycling use to the conditional use permit (CUP) list of Kingsburg’s Light Industrial district allows for property owners in this zone district to make an application for a CUP for limited material recycling use. Because use permits are a discretionary decision, the Planning Commission can weigh the need for this type of land use against the potential impacts it may cause on the immediate neighborhood as well as on the city as a whole. The Commission has three options when considering a use permit for this type of land use – deny, approve or approve with conditions. A decision at the Planning Commission can be appealed to the City Council.

Conditional Use Permit 2020-01, Berry

Conditional Use Permit 2020-01 is proposed for a 28-acre site located on the west side of Golden State Highway between Bethel and Mountain View Streets in Kingsburg. It involves a limited material recycling operation that encompasses two parts – a short-term operation that will last for one year (see Exhibit A – Granite Construction) and a long-term operation that will be ongoing operated by the applicant Don Berry. Each involves a series of smaller operations including transporting (e.g. trucking) material to and from the subject site, stockpiling the material on the subject site and finally crushing the material into smaller bits so that it can be used for road base, roadbed or as an ingredient in asphalt mix. A limited material recycling operation will be subject to time limits – number of days per year, number of hours per day, specific days of the week and specific hours of the day. Other conditions of approval that might be applied to a limited material recycling operation include dust and noise mitigation, screening, connection to city services (e.g. water) and cleaning of access streets in order to keep them free of material that might spill from trucks entering or leaving the property.

The first segment of this recycling operation will be a short-term use - less than one year. It will involve Granite Construction who has a contract with CALTRANS to reconstruct portions of State Highway 99. The contractor, Granite Construction, will be rebuilding lanes 2 and 3 of Highway 99 from Sierra Street in Kingsburg to Fowler. The contractor will remove from lanes 2 and 3 of State Highway 99 concrete and road base, transport the material to the subject site for stock piling and crushing. Once the material is crushed, it will be transported back to Highway 99 for use as subbase. The material under the Highway 99 roadbed, which is composed of dirt, will also be excavated and will be transported to nearby properties to be used to fill in low-lying areas on these lands.

Granite Construction will establish a mobile rock crushing machine on the subject site. Once Granite Construction has completed its contract with Caltrans all material, machinery and waste will be removed from the subject property. Granite Construction will provide for dust control using water trucks. All water runoff from the operation will be contained in a basin and will be eventually removed from the site consistent with the National Pollutant Discharge Elimination System (NPDES) regulations. Further, the machinery on the site will comply with the San Joaquin Valley Air Pollution Control District. The mobile
rock crusher will be under permit from the Air District. All roadways will be watered daily to keep dust to a minimum.

The long-term use of the subject property also involves a limited material recycling operation; however, this portion of the use permit will be significantly restricted in terms of days and hours of operation. Further, other conditions of approval will be applied to this use permit so as to ensure that the long-term operation of this use does not have an adverse impact on the community – visual, degrading city roads, noise and air quality.

The applicant, Don Berry, is requesting the issuance of a conditional use permit for an ongoing limited material recycling operation on 27.72 acres located on the west side of Golden State Boulevard and north of Kamm Avenue in Kingsburg. The term “limited material recycling” is defined as follows: the temporary stock piling of material used solely for road surfaces, parking lots, streets, roadway shoulders and farm roads including asphalt, gravel, sand, used concrete and dirt.

**DISCUSSION**

Originally the applicant, Don Berry, had requested an amendment to the Kingsburg General Plan and Zoning Ordinance. The amendment involved a request to redesignate the subject site from light industrial to heavy industrial and reclassify the subject site from the IL (light industry) to IH (heavy industry) district. A rock-crushing operation and its associated uses would be a permitted use in the IH district.

After considering public input on these requests, the Kingsburg Planning Commission directed planning staff to take a different approach on the amendment requests – maintain the current light industrial designation and zoning on the subject site and use the conditional use permit process to potentially provide for the proposed recycling operation. In short, the Commission was concerned that by redesignating and reclassifying the subject site to heavy industrial the door would be opened to very heavy commercial uses that might have a long-term adverse impact on the immediate neighborhood and the larger community. In other words, the Commission opened the door slightly to potentially allow for a limited material recycling operation on the subject site but with the understanding that the operation of said use would be strictly regulated through the conditional use permit process.

A number of land use and environmental issues were discussed in the mitigated negative declaration (MND) prepared on the project. These issues involved air quality, noise, aesthetics and roadway maintenance. The MND recommended a number of mitigation measures to reduce these impacts to an insignificant level. Subject to these mitigation measures, which are formalized as conditions of approval, staff is recommending approval of Conditional Use Permit 2020-01. Further, staff is also recommending approval of Zoning Ordinance Amendment 2020, adding the use, limited material recycling, to the conditional use permit of the light industrial district.
BACKGROUND

Applicant: Don Berry Construction

Subject Site: A 27-acre site situated on the west side of Golden State Boulevard just north of Kamm Avenue.

The 27-acre subject site currently contains the Don Berry Construction building, however, other uses have move onto the site over the last couple of years including an electrical contractor’s yard, Cupertino Electric, and a bulk materials storage yard (Note the piles of material on the north portion of the subject site).
The Don Berry Construction building with sand being stored just north of the office building.

Looking west from Golden State Boulevard into the Don Berry property, containing 27 acres. The access road into the site is known as Lampman Park Avenue.

Request: An amendment to the Kingsburg Zoning Ordinance and a conditional use permit for a limited material recycling operation.

Zoning: light industrial (IL)

General Plan: Light Industrial

Access: Lampman Park Avenue via Golden State Boulevard.
Land Use: Contractors Yard with outdoor storage of material including concrete, asphalt, sand, dirt, and gravel. Also, a second contractors yard operated by Cupertino Electric occupies the subject site. Surrounding land uses are as follows:

North: lumber yard and vacant land  
South: trailer park  
West: State Highway 99  
East: Sunmaid plant

An aerial of the subject site shows the Sunmaid plant north and east of the site and a small trailer park south and east of the Don Berry office. A lumber yard exists just north of the site while State Highway 99 forms the western border of the site.

Sewer: septic tank  
Water: City of Kingsburg  
Storm Drainage: on-site disposal

History: The subject property was annexed into the city when the Sunmaid plant was brought into the city. The subject property was zoned light industrial by Fresno County
prior to annexation. Upon annexation it was zoned to Kingsburg’s light industrial district.

Recently, Berry has requested site plan review for the addition of an office and shop to his existing construction yard. Staff is still waiting for a revised site plan that accurately reflects the uses that currently exist on the site.

RECOMMENDED ACTION BY THE PLANNING COMMISSION

Pass Resolution 2020- , approving Zoning Ordinance Amendment 2020-01, adding “limited material recycling” to the conditional use list of the Light Industrial district.

Pass Resolution 2020- , approving Conditional Use Permit 2020-01 subject to conditions.

FINANCIAL INFORMATION

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<tr>
<td>1. Is There A Fiscal Impact?</td>
<td>No</td>
</tr>
<tr>
<td>2. Is it Currently Budgeted?</td>
<td>NA</td>
</tr>
<tr>
<td>3. If Budgeted, Which Line?</td>
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</table>

PRIOR ACTION/REVIEW

A site plan permit was submitted in 2019 for the Berry office and shop, however, said site plan is being revised and will be resubmitted in the near future.

Environmental Review:

A mitigated negative declaration has been prepared on the "project".

EXHIBITS:

A. Granite Construction Proposal
B. Berry Limited Material Recycling Site Plan
C. Resolution 2020- , approving Zoning Ordinance Amendment 2020-01, adding “limited material recycling” to the conditional use list of the Light Industrial district.
D. Resolution 2020- approving Conditional Use Permit 2020-01 subject to conditions.
E. Mitigated Negative Declaration
Exhibit A
Granite Construction Proposal

RE: Granite Construction - SR 99 Kingsburg Project

Dear Mr. Collins,

Granite Construction has been awarded a contract with the California Department of Transportation to reconstruct SR 99 from just North of McCall Ave in Selma to Sierra Street in Kingsburg. The project will consist of reconstructing lanes #2 and #3 for the entire length of the job, reconstructing all on and off ramps along the length of the job and correcting vertical clearance underneath Bethel Ave and Mountain View overcrossings. Granite is currently slated to begin work on the project at the start of April 2020. As part of the project, Granite is looking to erect a temporary concrete batch plant along the Caltrans right of way fence on Don Berry’s property located at 13701 Golden State Blvd Kingsburg, CA 93631. This plant will produce concrete only for the project. Further details on the project are laid out below.

Procedure of Work

As mentioned above, Granite will be reconstructing lane #2 and #3 from Selma to Kingsburg, correcting vertical clearance underneath Bethel Ave and Mountain View Ave overcrossings and reconstructing all on and off ramps within the project limits. To do this, the project is being broken into six segments which are explained below:

1. Remove and replace NB #2 and #3 lanes from just North of Bethel Ave to McCall Ave including reconstructing NB on and off ramps to Mountain View. Ramps will be closed for duration of this work. During this work, NB traffic will be split between the existing SB and NB lane #1. SB traffic will be left in the existing SB lane #2 and #3. Traffic will be separated by K-rail. Approximate duration is 3 months.

2. Remove and replace SB #2 and #3 lanes from just North of Bethel Ave to McCall Ave including reconstructing SB on and off ramps to Mountain View. Ramps will be closed for duration of this work. During this work, SB traffic will be split between the existing SB and NB lane #1. NB traffic will be left in the new NB lane #2 and #3. Traffic will be separated by K-rail. Approximate duration is 3 months.

3. While segments #1 and #2 are being constructed, Granite will also be removing and replacing lane #1 and the median barrier in both directions under Bethel Ave overcrossing. During this work, lane #1 in each direction will be closed in the vicinity of Bethel Ave.

4. Remove and replace SB #2 and #3 lanes from just North of Bethel Ave to Sierra Street including reconstructing SB on and off ramps to Bethel Ave and the off ramp to Sierra Street. Ramps will be closed for duration of this work. During this work, SB traffic will be split between the existing SB and NB lane #1. NB traffic will be left in the existing NB lane #2 and #3. Traffic will be separated by K-rail. Approximate duration is 3 months.
5. Remove and replace NB #2 and #3 lanes from just North of Bethel Ave to Sierra Street including reconstructing NB on and off ramps to Bethel Ave and the on ramp from Sierra Street. Ramps will be closed for duration of this work. During this work, NB traffic will be split between the existing SB and NB lane #1. SB traffic will be left in the existing NB lane #2 and #3. Traffic will be separated by K-rail. Approximate duration is 3 months.

6. While segments #4 and #5 are being constructed, Granite will also be removing and replacing lane #1 and the median barrier in both directions under Mountain View Ave overcrossing. During this work, lane #1 in each direction will be closed in the vicinity of Mountain View Ave.

Schedule and Work Hours

Granite currently plans on starting this work in April 2020 and completing this project in April 2021. Most of the work on the project is planned to be performed during the day Monday to Friday. There are some scopes of work though that can only take place at night, and these will occur Sunday thru Friday nights. Due to some schedule constraints, some work may be performed on Saturdays as needed. Work hours are as follows:

- Daytime work hours
  - Winter- 0700-1800
Summer- 0600-1500

- Nighttime work hours

Excavation Plan

During the project different materials will be excavated or removed from the project starting off with removal of the existing concrete. Granite will break up the concrete and haul it in demo trucks to Don Berry’s property. Granite currently plans on crushing up to 12,000 CY of concrete to produce aggregate base for the project and give Don Berry the remaining demoed concrete. Granite will also be grinding out the asphalt on the on and off ramps and hauling this material to Don Berry’s property. Truck routes for this work are shown in Attachment A. The quantities of the separate material that will be trucked is shown below:

- Concrete demo: 51,100 CY (5,700 truck loads)
- Roadway Excavation: 40,000 CY (3,300 truck loads)

As for the soil that will be excavated out of the highway, Granite has already located a couple property owners that are interested in taking the project export. These property locations include two locations within the City of Kingsburg limits which are below with the remaining material going to locations within the City of Selma. Granite will have agreements in place with property owners and make sure proper permits are in place before hauling dirt to these locations.

- G&L Enterprises (13281 Golden State Kingsburg)
- Parcel just North of Kingsburg Truck Center

Granite will haul material to these locations via either haul trucks or scrapers depending on how close the parcel is to the work. If Granite is hauling with scrapers, the scrapers will utilize a haul road within Caltrans right of way and access the parcel through the right of way fence. If the dirt is hauled in trucks than most of the material will be moved via the same haul road in Caltrans right of way.
Temporary Concrete Plant

Noise Levels

The project requires that a temporary concrete batch plant be brought onsite and erected. Granite plans on bringing out a Rexcon Mobile 12 batch plant which is pictured above. The plant will be run mainly during the day and will be located on the Northwest corner of Don Berry’s property approximately 1,500’ from the Viking RV Park. Per the Construction Noise Handbook from the
U.S. Department of Transportation a typical batch plant creates 83 dB when measured at 50 ft from the plant which is comparable to a garbage disposal. With the distance of 1,500’, the plant noise should drop down to around 53 dB which is comparable to a household refrigerator.

Plant Setup

Prior to erecting the concrete plant, Granite will have to pour a foundation to set the mobile plant on. The foundation consists of a 65’ X 18’ X 14” pad that will be demoed and removed once the plant is removed. The plant does require that Granite tie into the City water main with a minimum 4” line. Granite will pothole the line and develop a plan to send over to the City for approval prior to performing the work. As for power for the plant, a temporary generator will be used to power the plant and will be removed when the plant is hauled off at the end of the project. The plant also does not produce any waste other than the washout at the end of shift. This material will be allowed to dry and will be added to the recycled concrete pile. The layout for the plant is shown in Attachment B.

As for the materials that will be mixed in the plant to produce concrete, Granite will create a temporary stockpile area next to the plant. Aggregate trucks will be brought in per the truck routes shown in Attachment A. The quantity of material being brought in is shown below:

- 105,000 tons of aggregate
- 14,500 tons of cement

Proper measures will be taken to protect the environment and any stormwater. All cement will be stored in sealed containers and proper BMPs per Granite’s SWPPP plan will be in place and checked by Granite and Caltrans weekly. All proper permits will be in place with the local Air Boards and Water Districts prior to producing any material out of the plant.

Project Team

If there are any other questions or concerns, please don’t hesitate to reach out to Granite at any time. The project teams contact information is:

- Project Manager: Jonathan Johnson 559-351-4456 - Engineers:
  - Greg Gillenwaters 916-347-8789
  - Scott Diele 559-493-8039
- Project Superintendent: Nathan Hayes 559-318-6211

Sincerely,
GRANITE CONSTRUCTION COMPANY

Jonathan Johnson
Attachment A - Truck Routes

<table>
<thead>
<tr>
<th></th>
<th>Wet Batch Concrete Haul (Red)</th>
<th>Concrete Aggregates Haul (Green)</th>
<th>Demolition Haul (Blue)</th>
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<tr>
<td>60,230 CY</td>
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<td></td>
<td>1,600 TNs/DY</td>
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<td>2400 CY/DY</td>
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Attachment B - Rexcon Mobile 12 Plant Layout
RESOLUTION NO. 2020 -

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KINGSBURG AMENDING THE KINGSBURG ZONING ORDINANCE, ADDING LIMITED MATERIAL RECYCLING TO THE CONDITIONAL USE LIST OF THE LIGHT INDUSTRIAL (LI) DISTRICT

WHEREAS, the Kingsburg Planning Commission did consider during its regular meeting on February 13, 2020, a request by Don Berry to add limited material recycling as a conditional use in Kingsburg’s Light Industrial district, and

WHEREAS, the applicant, Don Berry, wishes to operate a limited material recycling operation on 27.72 acres located on the west side of Golden State Boulevard and north of Kamm Avenue in Kingsburg, and

WHEREAS, “limited material recycling” shall be defined as follows: the temporary stock piling of material used solely for road surfaces, parking lots, streets, roadway shoulders and farm roads including asphalt, gravel, sand, used concrete and dirt. Crushing of said material shall be restricted to the operating hours of 7:00 am to 5:00 pm each day, Monday through Friday, and

WHEREAS, the Planning Department has prepared a staff report on said Amendment and made the finding that the project is categorically exempt under CEQA, Section 15061 (b) (3), General Exemption, and

WHEREAS, persons within 300 feet of the subject site were notified of the meeting and a public hearing notice was published ten (10) days prior to the Planning Commission’s meeting of February 13, 2020, and

WHEREAS, the Planning Commission held a public hearing on this Amendment, accepted testimony and voted to recommend approval of said Amendment to the Kingsburg City Council.

BE IT RESOLVED that the Planning Commission, after considering information provided in the staff report, determined the following information was relevant in the Commission’s consideration of these amendments:

1. The Amendment is categorically exempt under CEQA.

2. The Amendment will not have an adverse impact on the health, safety or welfare on the City of Kingsburg.
3. The approval of said Amendment will potentially serve to implement certain goals and policies in Kingsburg’s General Plan.

BE IT FURTHER RESOLVED that the Planning Commission hereby finds that the addition of “limited material recycling” to the conditional use list of the Light Industrial district of the Kingsburg Zoning Ordinance has been processed consistent with Section 17.60.010 of the Kingsburg Zoning Ordinance and the findings listed below:

1. That the addition of the use to the list of permitted uses will be in accordance with the purposes of the district in which the use is proposed.
2. That the use has the same basic characteristics as the uses permitted in the district.
3. That the use reasonably can be expected to conform with the required conditions for the district.
4. That the use will not be detrimental to the public health, safety or welfare, or Adversely affect the character of any district in which it would be located.
5. That the use will not create more vehicular traffic than the volume normally created by the uses permitted in the district.
6. That the use will not create more odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the other uses permitted in the district.
7. That the use will not create any greater hazard of fire or explosion than the hazards normally created by any of the uses permitted in the district.

The foregoing resolution was adopted at a regular meeting of the Kingsburg Planning Commission on the 13th day of February 2020, by the following role call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary _________________________
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KINGSBURG APPROVING CONDITIONAL USE PERMIT 2020-01 FOR A LIMITED RECYCLING OPERATION LOCATED ON A 27.72-ACRE SITE SITUATED ON THE WEST SIDE OF GOLDEN STATE HIGHWAY NORTH OF KAMM AVENUE IN KINGSBURG

WHEREAS, the applicant, Don Berry, wishes to operate a limited material recycling operation on 27.72 acres located on the west side of Golden State Boulevard and north of Kamm Avenue in Kingsburg, and

WHEREAS, “limited material recycling” shall be defined as follows: the temporary stock piling of material used solely for road surfaces, parking lots, streets, roadway shoulders and farm roads including asphalt, gravel, sand, used concrete and dirt. Crushing of said material shall be restricted to the operating hours of 7:00 am to 5:00 pm each day, Monday through Friday, and

WHEREAS, the proposed material recycling use is proposed to operate in two phases. Phase One will involve Granite Construction and their contract with Caltrans for the reconstruction of segments of State Highway 99 between Sierra Avenue in Kingsburg and the city of Fowler. This phase of the proposed recycling operation will last one year. Phase Two of the material recycling operation will be ongoing. The applicant, Don Berry who owns the subject site, will operate a material recycling operation for limited period in any given year, not to exceed 60 days per year, and

WHEREAS, the Planning Department has prepared a staff report on Conditional Use Permit 2020-01 and made the finding that the project may have a significant impact on the environment and for that reason a mitigated negative declaration has been prepared on the use permit, and

WHEREAS, the impacts detailed in the mitigated negative declaration can all be reduced to an insignificant level subject to mitigation measures, which are formalized as conditions of approval for Conditional Use Permit 2020-01, and

WHEREAS, persons within 300 feet of the subject site were notified of the meeting and a public hearing notice was published ten (10) days prior to the Planning Commission’s meeting of February 13, 2020, and

WHEREAS, the Planning Commission held a public hearing on this conditional use permit, reviewed the staff report and mitigated negative declaration, and accepted public testimony.

NOW THEREFORE BE IT RESOLVED that the Planning Commission, after considering information provided in the staff report, determined the
following information was relevant in the Commission’s consideration of this conditional use permit.

1. The conditional use permit (the project) requires a mitigated negative declaration under CEQA. The mitigated negative declaration requires mitigation measures in order to reduce the identified impacts to an insignificant level. These mitigation measures will be implemented as conditions of approval under Conditional Use Permit 2020-01.

2. Conditional Use Permit 2020-01 subject to conditions of approval will not have an adverse impact on the health, safety or welfare on the City of Kingsburg.

3. The approval of Conditional Use Permit 2020-01 will potentially serve to implement certain goals and policies in Kingsburg’s General Plan.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Conditional Use Permit 2020-01 subject to the following conditions:

**General:**

1. That all proposals of the applicant be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.

2. That the applicant pays all fees as required by existing ordinances and schedules. The fees to be paid shall be those in effect at the time of payment.

**Others:**

1. All interior roadways shall be watered when the trucking of materials is occurring on the subject site. Further, Golden State Boulevard shall also be periodically watered (washed) so that no material builds up on this roadway.

2. A permit from the San Joaquin Valley Air Pollution Control District shall be secured and remain in effect for all rock crushing machinery operating on the subject site.

3. The applicant shall extend Lampman Park Avenue improvements (street pavement, curb and gutter, and lighting) from its current edge of pavement approximately 150 feet into the property.

4. The applicant shall comply with all National Pollutant Discharge Elimination System (NPDES) regulations.

5. The Granite Construction portion of CUP 2020-01 shall terminate one year after it commences with the excavation of lanes along State Highway 99. All equipment, recycled material associated with the Highway 99 project and vehicles shall be removed from the subject site. Granite Construction shall ensure all state and local permits, including the Air District and NPDES permits, are current and complied with.

6. Granite Construction shall periodically water all travel routes within the subject site to ensure potential dust problems are mitigated. Further, any
material that falls onto Golden State Boulevard shall be cleaned from the paved surface of this roadway.

7. Granite Construction limit the hours of operation of the mobile rock crushing machine to the hours of 7:00 am to 10pm.

8. Other than the trucking portion of Granite's operation all stock piling and crushing of material shall be restricted to the northwest quadrant of the 28-acre subject site.

9. The Berry portion of CUP 2020-01, which shall be ongoing once the Granite Construction contract with CALTRANS has lapsed, shall limit its operation of rock crushing machinery to 60 days per year. Further, days of operation shall be limited to Monday through Friday, and hours from 7am to 6pm.

10. The Berry portion of CUP 2020-01 other than the trucking portion of the material recycling operation shall be restricted to the northerly half of the 28-acre subject site.

11. The Berry portion of CUP 2020-01 shall maintain enforce all state and local permits including Air District and NPDES permits.

12. Separate domestic, fire and landscape services (if applicable) shall be developed into the site. Each service shall include a City approved water meter and reduced pressure backflow preventer and approved by Public Works prior to occupancy. If utilizing existing services, verify and upgrade with Public Works as necessary.

13. A Grading and Site Improvement Plan for the proposed on-site improvements shall be submitted for review and approval by the City Engineer. Applicant shall obtain a Grading and Site Improvement Permit once plans are approved.

14. Parking areas and all travel ways shall be either paved or covered with some type of road base.

The foregoing resolution was adopted at a regular meeting of the Kingsburg Planning Commission on the 13th day of February 2020, by the following role call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary ________________________
The Tulare County Board of Supervisors passed Resolution 2019-0884 on October 15, 2019, approving the General Plan Initiation No. GPI 19-004 to authorize a General Plan Amendment No. GPA 20-001 for the Kingsburg Area Community Plan, to update the Tulare County General Plan.

The proposed Kingsburg Area Community Plan is identified within the City of Kingsburg sphere of influence and Tulare County adopted Kingsburg Urban Development Boundary (UDB) located along the Tulare County/Fresno County line (adjacent to Kingsburg), north of Avenue 390, west of Road 20, and south of State Highway 201.

The County of Tulare and the City of Kingsburg will be conducting an outreach program to provide citizens information about the proposed Kingsburg Area Community Plan and invite you to give us input to create an area community plan. We want your thoughts on Land Use/Zoning, Roads, Pedestrian and Bike facilities, Sewer, Water, Water Quality & Quantity, Storm Water Drainage, Fire, and Access to Transportation, Housing, Schools, Libraries, Parks, Access to Healthy Foods and Shopping Opportunities, Access to Medical Facilities, Internet Access and more.

The public outreach will be held in Kingsburg at a joint workshop with Tulare County, Kingsburg City Council, and Kingsburg Planning Commission on Thursday, February 13, 2020 at 6:30 p.m. in the City Council Chambers, 1401 Draper Street, Kingsburg, CA. This will be the first in a series of public outreach meetings. All members of the public are invited to attend, please come join us.

For more information contact: Susan Simon at 559-624-7126 or (Spanish) Jose Saenz 559-624-7102.