



Community and Economic Development  
Planning Division

Jamie Bax  
Director *JB*

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**PLANNING COMMISSION DATE:** September 6, 2022

**AGENDA ITEM:** #1

|             |                    |                                                                                                                                                                                                       |
|-------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CUP</b>  | <b>#2022-014</b>   | <b>Conditional Use Permit to allow for the construction of three 468' x 140' loafing barns for animal comfort and to change the breed of cow from primarily Jersey to 80% Holstein and 20% Jersey</b> |
| <b>APN</b>  | <b>025-100-024</b> | <b>Applicant: Kyle Parreira – 4Creeks, Inc.<br/>Owner: JMJ Troost LLC</b>                                                                                                                             |
| <b>CEQA</b> | <b>Exempt</b>      | <b>15061 (b)(3) Review for Exemption</b>                                                                                                                                                              |

**REQUEST:**

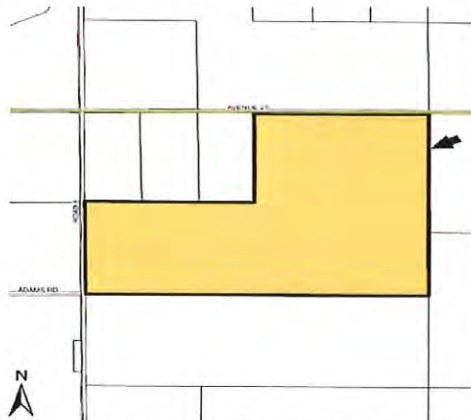
To amend CUP #2014-006 and allow construction of three 468' x 140' loafing barns for animal comfort and change the breed of cow on site from primarily Jersey to 80% Holstein and 20% Jersey.

**LOCATION:**

The subject property is located on the east side of Road 8 at its intersection with Avenue 24 1/2 (8503 Avenue 24 1/2), Chowchilla.

**ENVIRONMENTAL ASSESSMENT:**

Per section 15061 Review For Exemption (b)(3), the activity is covered by the common sense exemption that California Environment Quality Act (CEQA) applies only to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.



**RECOMMENDATION:** Staff recommends approval of Conditional Use Permit #2022-014 subject to conditions, CEQA exemption 15061 Review for for Exemption (b)(3) and concurrence with the Findings of Fact supporting approval.

**CUP #2022-0014**

**STAFF REPORT**

**September 6, 2022**

**GENERAL PLAN DESIGNATION (Exhibit A):**

**SITE:** AE (Agriculture Exclusive) Designation

**ZONING (Exhibit B):**

**SITE:** ARE-40 (Agricultural, Rural, Exclusive) District

**SURROUNDING:** ARE-40 (Agricultural, Rural, Exclusive) District; ARE-20 (Agricultural, Rural, Exclusive)

**LAND USE:**

**SITE:** Agricultural

**SURROUNDING:** Agricultural

**SIZE OF PROPERTY:** 178.44 Acres

**ACCESS (Exhibit A):** Access to the site is via Avenue 25 and Road 9

**PROJECT DESCRIPTION:**

The project site is topographically flat and consists of constructing three loafing barns (refer to figure1). Each loafing barn will be approximately 140' x 468' and will be placed over existing open lot corrals to improve the quality of life for the existing livestock on the project site. Currently, the project site has three wastewater retention ponds and three hay barns located along the south side of the project site. Located north of the wastewater retention ponds and hay barns from the west side of the property to the east side of the property are seven free-stall barns, a milk barn, an office, and an existing loafing barn. The project will also change its livestock from primarily raising Jersey cows to raising 80% Holstein and 20% Jersey cows.

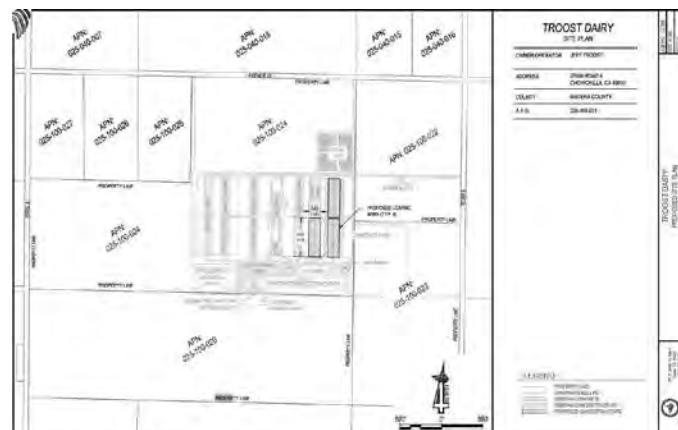


Figure 1

**ORDINANCES/POLICIES:**

SJR

Section 18.58.010: The Madera County Zoning Ordinance outlines the permitted uses within the ARE-40 (Agricultural, Rural, Exclusive, Forty Acre) District.

Chapter 18.92: The Madera County Zoning Ordinance outlines the procedures for the processing of conditional use permits.

Chapter 18.04.030: The Madera County Zoning Ordinance provides the definition of Agriculture.

Part 1: The Madera County General Plan outlines the purpose of the AE (Agriculture Exclusive) Land Use Designation.

Madera County Dairy Element: The purpose of the Madera County Dairy Element is to guide future growth of this key County asset while protecting the public and the environmental conditions of Madera County.

**ANALYSIS:**

On July 1, 2014, the Planning Commission approved CUP #2014-006 and Mitigated Negative Declaration #2014-14 to acknowledge an existing dairy, allow for the expansion of the dairy facility to include free stall barns, heifer corrals and to increase the herd size from 2,200 to 3,000 head of milking cows. On July 6, 2021 the Planning Commission approved CUP #2021-004 and Mitigated Negative Declaration #2021-10 to allow for the installation of a double wastewater pond, which would be covered and used as an anaerobic lagoon digester to capture methane; to install low-pressure (7-20psi), underground biogas pipeline on private property for transmission of biogas to a centralized cleanup hub facility.

The project proponent is requesting to change the breed of cows from primarily Jersey cows to raising 80% Holstein and 20% Jersey cows. The project proponent is also requesting to construct three loafing barns which will be placed over existing open lot corrals. Loafing barns provide cows access to feed and water and a larger dry area for cows to rest. Currently, the project site has three wastewater retention ponds and three hay barns located along the south side of the project site. Located north of the wastewater retention ponds and hay barns from the west side of the property to the east side of the property are seven free-stall barns, a milk barn, an office, an existing loafing barn, and open lot corrals where the newly constructed loafing barns will be built. The location of the project has a land use designation of AE (Agriculture Exclusive). AE provides for agricultural uses and limited agricultural support services such as barns, animal feed facilities, and stables. The project is also located in an ARE-40 (Agricultural, Rural, Exclusive) District. One of the permitted uses in the ARE-40 zone is agricultural services. The definition of Agriculture according to the Madera County Zoning Ordinance is the tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying and/or animal husbandry, including all, uses customarily incidental thereto but not including slaughterhouses, fertilizer yards, bone yards or plants for the reduction of

animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust or fumes. As previously stated, the project proponent is requesting to add additional loafing barns to provide the livestock on the property access to feed, water, a place to rest, and a change in the breed of cows. As a result, the activity is covered by the commonsense exemption that CEQA applies only to projects which have potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conditional Use Permit Analysis

An administrative method of providing relief from the strict terms of a comprehensive zoning ordinance is a conditional use permit. Unlike the variance procedure, the Planning and Zoning Law is silent with respect to the proper criteria to evaluate whether a CUP should be issued. The CUP is well recognized by zoning administrators and the courts as a necessary and proper method to provide flexibility and alleviate hardship. The granting of use permits is a quasi-judicial administrative function. Use permits run with the land (*County of Imperial v. McDougal*, 19 Cal. 3d 505, 510 (1977)). Jurisdictions cannot condition a use permit on its' transfer (*Anza Parking Corp. v. City of Burlingame* 195 Cal. App. 3d 855,860 (1987)). This basically means that if the facility were to be sold to a new owner, that new owner would have to abide by the conditions in place at time of sale. If the Conditional Use Permit were amended (increase in footprint of the site, new amenities, etc.), then new conditions can be applied dependent on what is being amended. The original conditions would remain in place and enforceable.

The Conditional Use Permit allows the jurisdiction to allow uses that are not typically seen on proposed sites with a series of conditions that would reduce (or eliminate) any potential impacts related to the project. In addition, should an applicant fail to adhere to any of the conditions of approval, having the CUP in place gives the County more leverage to enforce the conditions. This can include up to, and including, revocation of the CUP for failure to adhere to conditions. The county does not necessarily jump right to revocation hearings but goes through the steps of working with the applicant to come into compliance first. If failure to comply continues, then Staff has the standing to bring the CUP to a public hearing before the Planning Commission and to request revocation.

The project was circulated to County Departments, if this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$50.00 to cover the Notice of Exemption (CEQA) filing at the Madera County Clerks' office.

**FINDINGS OF FACT:**

The following findings of fact must be made by the Planning Commission to make a finding of approval of the project. Should the Planning Commission vote to approve the project, staff recommends that the Planning Commission concurs with the following:

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance.*

The ARE-40 zone district does allow for all kinds of agricultural uses, which best describes this project.

The definition of agriculture:

*"Means the tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying and/or animal husbandry, including all uses customarily incidental thereto but not including slaughterhouses, fertilizer yards, bone yards or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust or fumes".*

2. *The proposed project is not contrary to the public health, safety, or general welfare.*

The project is not contrary to the public's health, safety, or welfare, and the project will adhere to the conditions of approval outlined by the Environmental Health Department.

3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors*

The project must adhere to the conditions of approval. While there are odors, some dust, some noise, and related factors associated with dairies, they are built and operated far from populated areas. The dairies are also regulated by local level environmental health and agricultural commission departments and state-level air and water regulatory agencies.

4. *The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties.*

The facility has been operating as a dairy for several years without affecting local land values or desirability.

**GENERAL PLAN CONSISTENCY:**

**CUP #2022-0014****STAFF REPORT****September 6, 2022**

The General Plan designation for the property is AE (Agricultural Exclusive) Designation which allows for agricultural-oriented businesses. The property is zoned ARE-40 (Agricultural, Rural, Exclusive – 40 Acre) District, which allows for dairies with a Conditional Use Permit. The Zoning and General Plan designations are compatible with the proposed use.

**RECOMMENDATION:**

The analysis provided in this report supports approval of the Conditional Use Permit (CUP #2022-014), CEQA exemption 15061 Review for Exemption (b)(3) and concurrence with the Findings of Fact supporting approval.

Should the Planning Commission vote to approve the project, staff recommends that the Commission approve the Conditions of Approval associated with this project.

**CONDITIONS**

See attached.

**ATTACHMENTS:**

1. Conditions of Approval
2. Resolution
3. Exhibit A, General Plan Map
4. Exhibit B, Zoning Map
5. Exhibit C, Assessor's Map
6. Exhibit D-1 Site Plan
7. Exhibit D-2, Elevation
8. Exhibit E, Aerial Map
9. Exhibit F, Topographical Map
10. Exhibit G, Operational Statement
11. Exhibit H, Environmental Health Comments

## CONDITIONS OF APPROVAL

**PROJECT NAME:** CUP#2022-014 Three 468' x 140' loafing barns

**PROJECT LOCATION:** The subject property is located at its intersection on the east side of Road 8 and Avenue 24 1/2 (8503 Avenue 24 1/2), Chowchilla.

**PROJECT DESCRIPTION:** Construction of three 468' x 140' loafing barns for animal comfort and to change the breed of cow from primarily Jersey to 80% Holstein and 20% Jersey.

**APPLICANT:** 4Creeks, Inc.

**CONTACT PERSON/TELEPHONE NUMBER:** Kyle Parreira (559) 802-3052

| No.                         | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Department/Agency | Verification of Compliance |      |         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------|------|---------|
|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   | Initials                   | Date | Remarks |
| <b>Environmental Health</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                            |      |         |
| 1                           | Applicant must comply with current San Joaquin Valley Air Pollution Control District and Regional Water Quality Control Board permitting requirements.                                                                                                                                                                                                                                                                                                                                                                  | EH                |                            |      |         |
| 2                           | Provide and updated Pest (vector) Management Plan. The Pest (vector) Management Plan must go into detail of how each known vector will be identified, tracked, eliminated, or significantly reduced and how this program will be implemented. This Pest Management Plan must be provided for review and approval by this division prior to approving of this CUP to ensure that vector(s) are handled on site to effectively prevent them or at a minimum significantly reduce them from becoming an off-site nuisance. | EH                |                            |      |         |
| 3                           | Provide updated Odor and Waste Management Plans. The Management Plans must go into detail in describing how odor and animal waste will be managed and implemented. The Odor and Waste Management Plans must be provided for review and approval by this division prior to approval of this CUP to ensure that each known nuisance(s) is handled on site to effectively prevent them from moving off-site creating a nuisance.                                                                                           |                   |                            |      |         |
| 4                           | During the application process for required County permits, a more detailed review of the proposed compliance with all current local, state & federal requirements will be reviewed by this department.                                                                                                                                                                                                                                                                                                                 | EH                |                            |      |         |
| 5                           | The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.                                                         | EH                |                            |      |         |
| <b>Planning</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |                            |      |         |

| No. | Condition                                                                                                                                                                                                                     | Department/Agency | Verification of Compliance |      |         |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------|------|---------|
|     |                                                                                                                                                                                                                               |                   | Initials                   | Date | Remarks |
| 1   | The project shall operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project. | Planning          |                            |      |         |
|     |                                                                                                                                                                                                                               |                   |                            |      |         |



BEFORE THE PLANNING COMMISSION OF THE COUNTY OF MADERA  
STATE OF CALIFORNIA

RESOLUTION: PCR

IN THE MATTER OF 4Creeks, Inc. FOR A  
CONDITIONAL USE PERMIT

WHEREAS, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West Fourth Street, Madera, California, on Tuesday, September 6, 2022, held a duly noticed public hearing to consider the application of 4Creeks, Inc. for a Conditional Use Permit,

WHEREAS, County staff has presented substantial factual information regarding the Conditional Use Permit; and

WHEREAS, the hearing was to consider the application of 4Creeks, Inc. a conditional use permit (CUP #2022-014) to allow the construction of three 468' x 140' loafing barns; and

WHEREAS, the property (025-100-024) is a 178.44 acre parcel located at its intersection on the east side of Road 8 and Avenue 24 1/2 (8503 Avenue 24 1/2), Chowchilla; and

WHEREAS, the property is zoned ARE-40 (Agricultural, Rural, Exclusive) District; and

WHEREAS, Per section 15061 Review For Exemption (b)(3), the activity is covered by the common sense exemption that; and

WHEREAS, the Planning Commission has considered all public testimony and information presented during the public hearing regarding this item; and

NOW THEREFORE, be it resolved that the Planning Commission finds that:

1. The Commission found that the proposed use is consistent with the General Plan and Zoning Ordinance, and any applicable Area Plan or Specific Plan.

The General Plan designation for the property is AE (Agricultural Exclusive) Designation which allows for agricultural-oriented businesses. The property is zoned ARE-40 (Agricultural, Rural, Exclusive – 40 Acre) District, which allows for dairies with a Conditional Use Permit. The Zoning and General Plan designations are compatible with the proposed use.

2. The Commission found that Per section 15061 Review For Exemption (b)(3), the activity is covered by the common sense exemption that California Environment Quality Act (CEQA)

3. The Commission found that the proposed project does not violate the spirit or intent of the zoning ordinance.

The ARE-40 zone district does allow for all kinds of agricultural uses, which best describes this project.

The definition of agriculture:

"means the tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying and/or animal husbandry, including all uses customarily incidental thereto but not including slaughterhouses, fertilizer yards, bone yards or plants for the

reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust or fumes".

4. The Commission found that the request will not be contrary to the public health, safety, or general welfare of the citizens of Madera County.

The project is not contrary to the public's health, safety, or welfare, and the project will adhere to the conditions of approval outlined by the Environmental Health Department.

5. The Commission found that the proposed project will not be hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors.

The project must adhere to the conditions of approval. While there are odors, some dust, some noise, and related factors associated with dairies, they are built and operated far from populated areas. The dairies are also regulated by local level environmental health and agricultural commission departments and state-level air and water regulatory agencies.

6. The Commission found that the proposed project will not, for any reason, cause a substantial, adverse effect upon the property values and general desirability of the neighborhood.

The facility has been operating as a dairy for several years without affecting local land values or desirability.

BE IT FURTHER RESOLVED, that this Commission adopts Resolution No. \_\_\_\_\_ subject to the attached conditions and mitigation monitoring program.

The foregoing resolution was adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commission \_\_\_\_\_, at a regular meeting held before the Madera County Planning Commission on this 6th day of September by the following vote:

COMMISSIONER MILES-MATTINGLY VOTED: \_\_\_\_\_

COMMISSIONER HURST VOTED: \_\_\_\_\_

COMMISSIONER BURDETTE VOTED: \_\_\_\_\_

COMMISSIONER NIJJAR VOTED: \_\_\_\_\_

COMMISSIONER DAL CERRO VOTED: \_\_\_\_\_

MADERA COUNTY PLANNING COMMISSION

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Thomas Hurst, Chairperson

Approved as to Legal Form:  
COUNTY COUNSEL

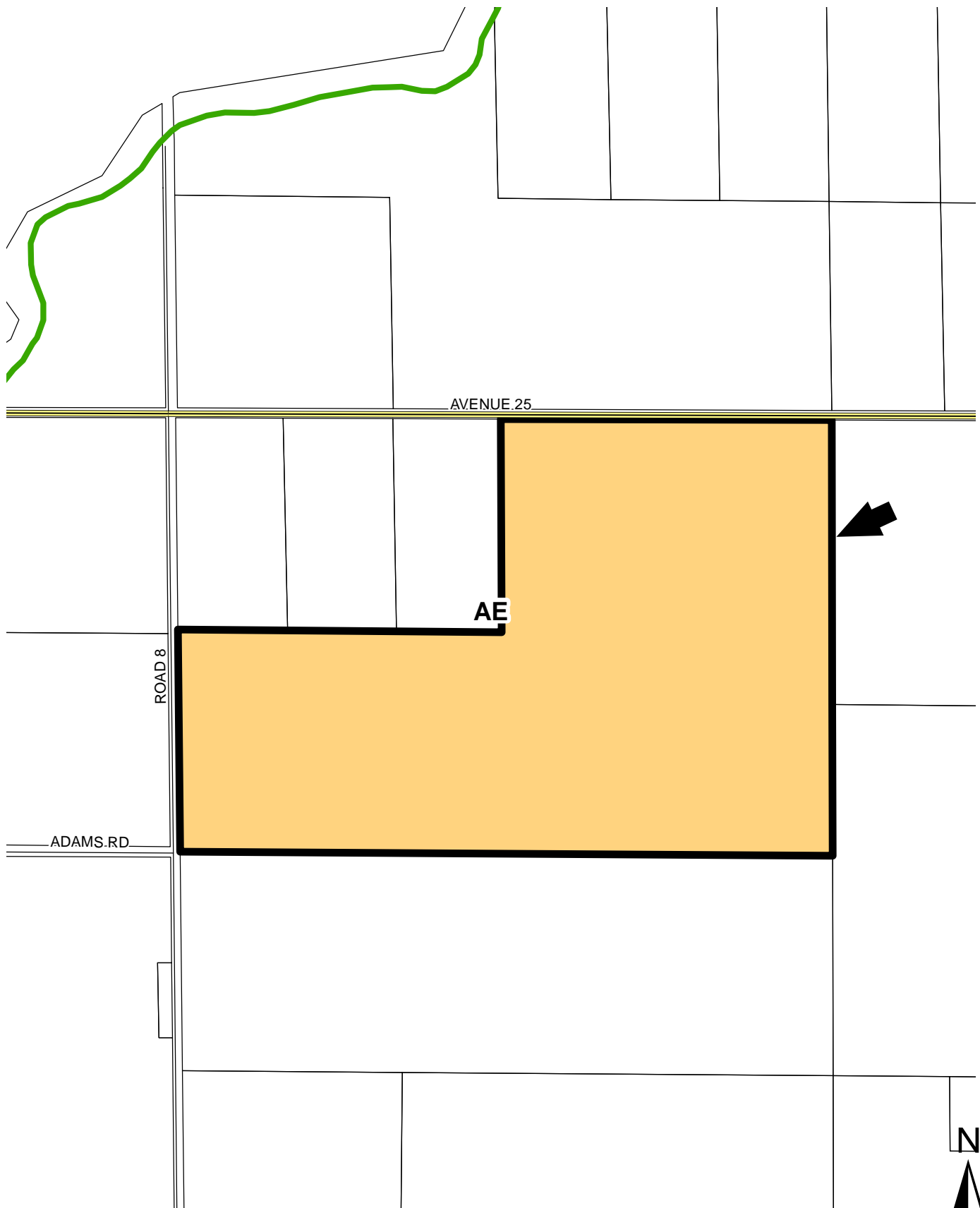
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WITNESS, my hand this \_\_\_\_ day of \_\_\_\_\_

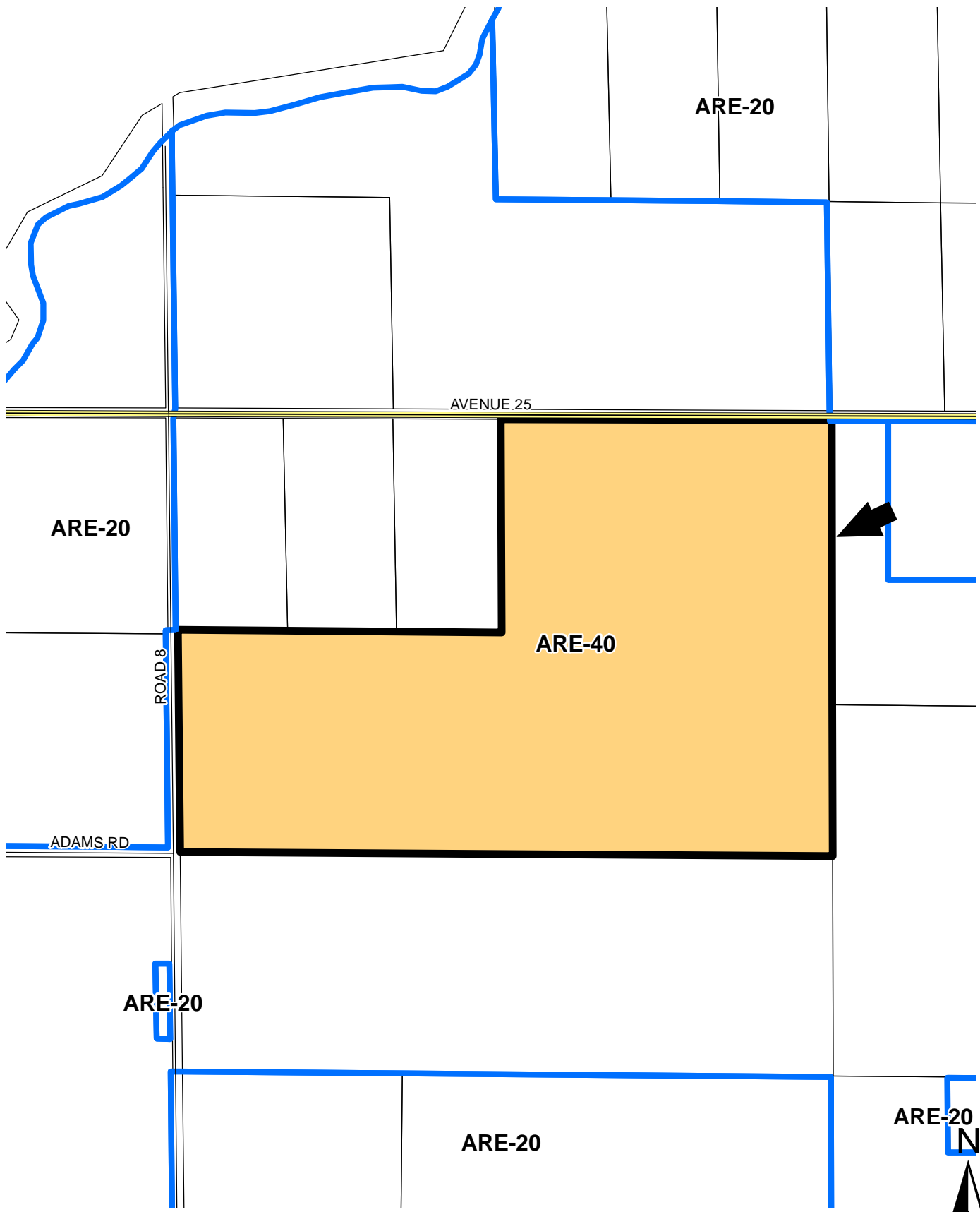
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Matthew Treber  
Secretary to the Commission

REF: 18.08/



**GENERAL PLAN MAP**

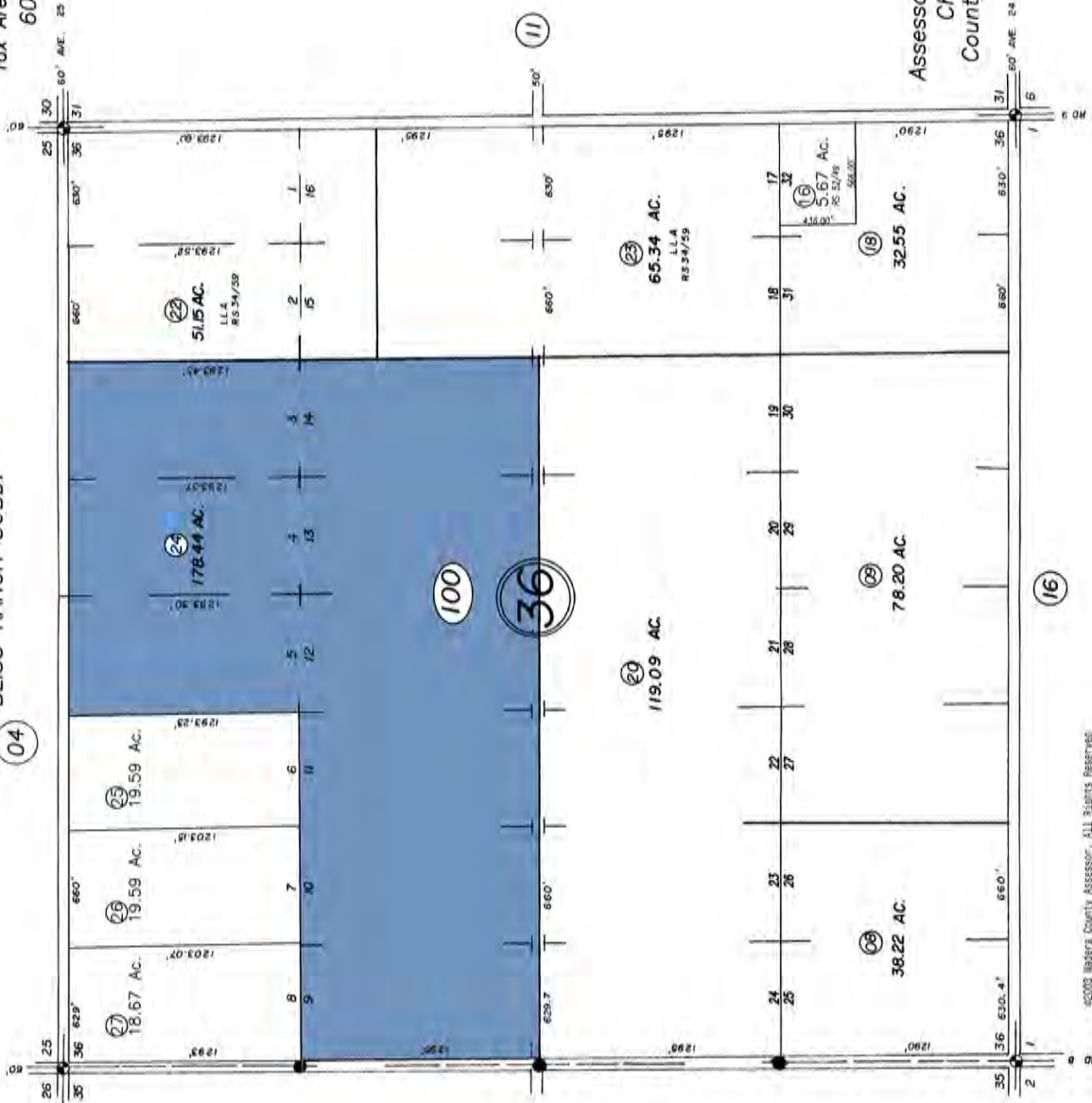


**ZONING MAP**

Tax Area Code 25-10  
60-000

BLISS RANCH SUBD.

04

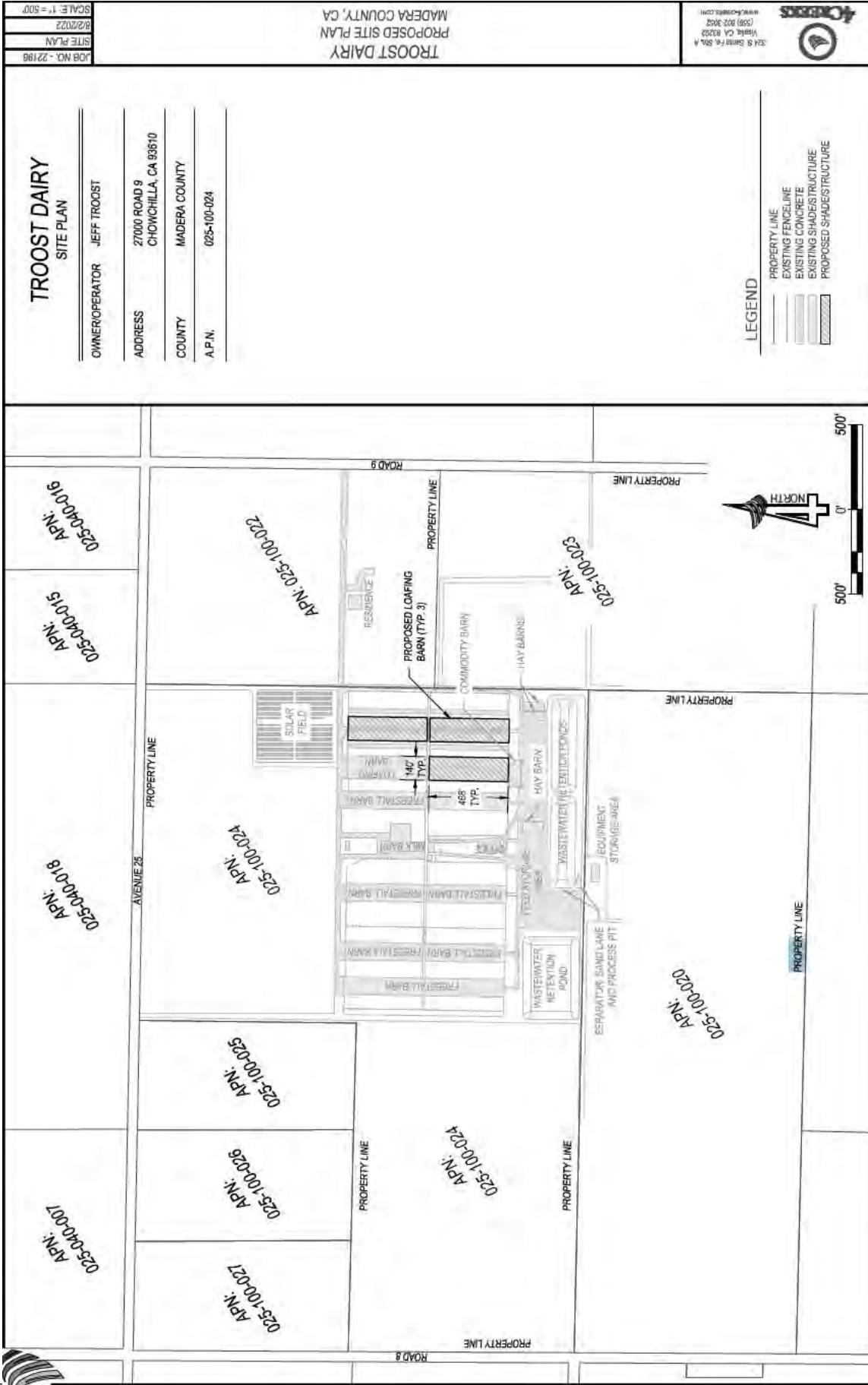


Assessor's Map No. 25-10  
Chowchilla Outside  
County of Madera, Calif.  
1954

IN BLUE ORIGINAL

NOTE: This map is for assessment purposes only and is not for the purpose of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

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**TROOST DAIRY**  
SITE PLAN

OWNER/OPERATOR: JEFF TROOST

ADDRESS: 27000 ROAD 9  
CHOWCHILLA, CA 93610

COUNTY: MADERA COUNTY

A.P.N.: 025-100-024

SCALE: 1" = 500'

8/2/2022

SITE PLAN

JOB NO. - 22196

TROOST DAIRY  
PROPOSED SITE PLAN  
MADERA COUNTY, CA

324 S. SERRA FLORES ST., A  
MADERA, CA 93622  
(562) 902-3022  
WWW.HORNBILL.COM

**LEGEND**

- PROPERTY LINE
- EXISTING FENCE LINE
- EXISTING CONCRETE
- EXISTING SHADE STRUCTURE
- PROPOSED SHADE STRUCTURE

**SITE PLAN MAP**

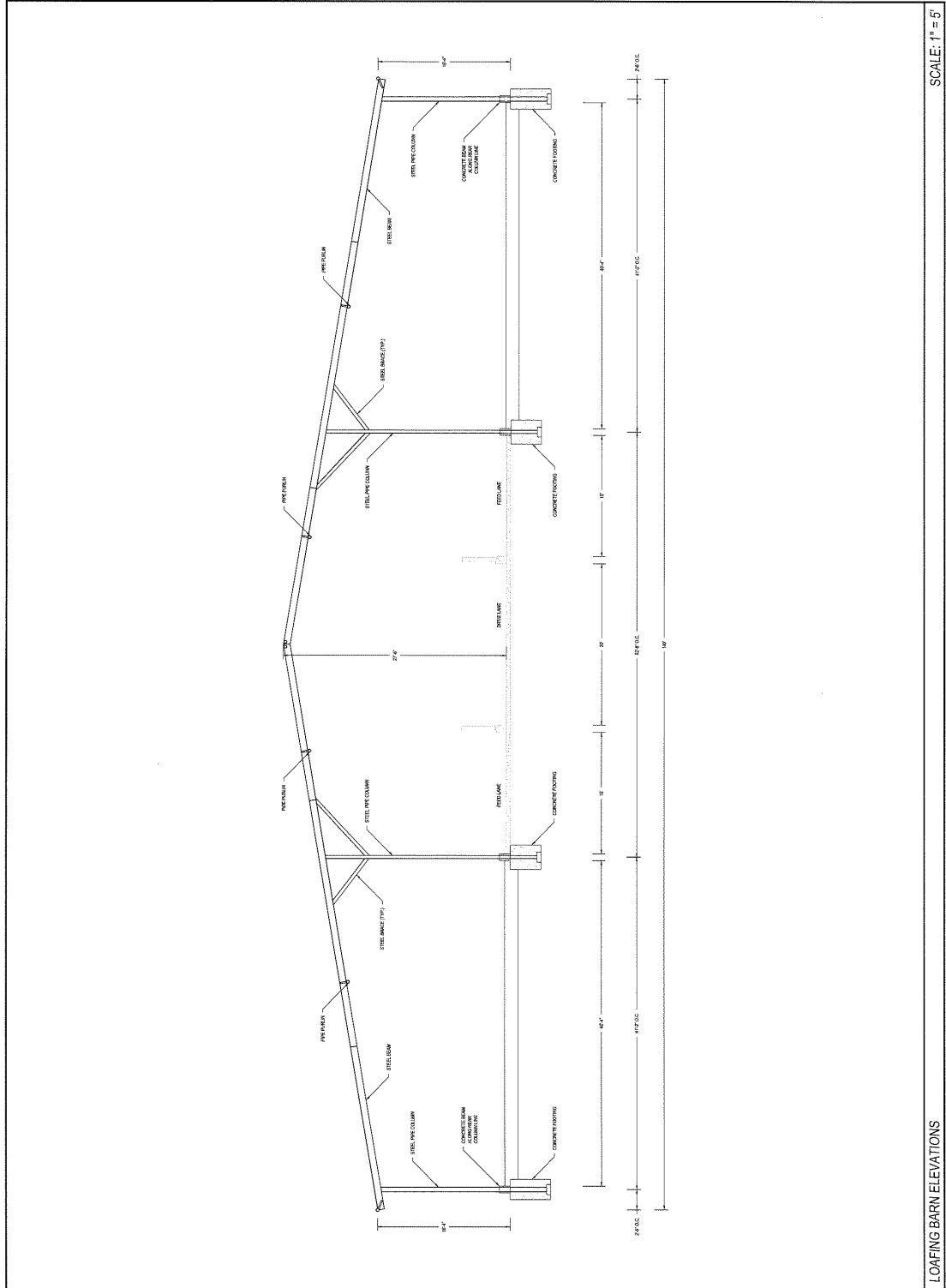
| NO. | REVISION | DATE |
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**CREEKS**  
 ENGINEERING  
 1215 MARKET STREET  
 SUITE 200  
 CHICAGO, IL 60607  
 (773) 327-1000  
 WWW.CREEKSENG.COM

PROJECT NO. 2020-001  
 DATE: 07/2020  
 DRAWING NO. 2020-001-001  
 SHEET NO. 001 OF 001

PROJECT: DAIRY FACILITY MODIFICATIONS  
 CLIENT: TROOST DAIRY  
 27000 ROAD 10  
 CHICAGO, IL 60607



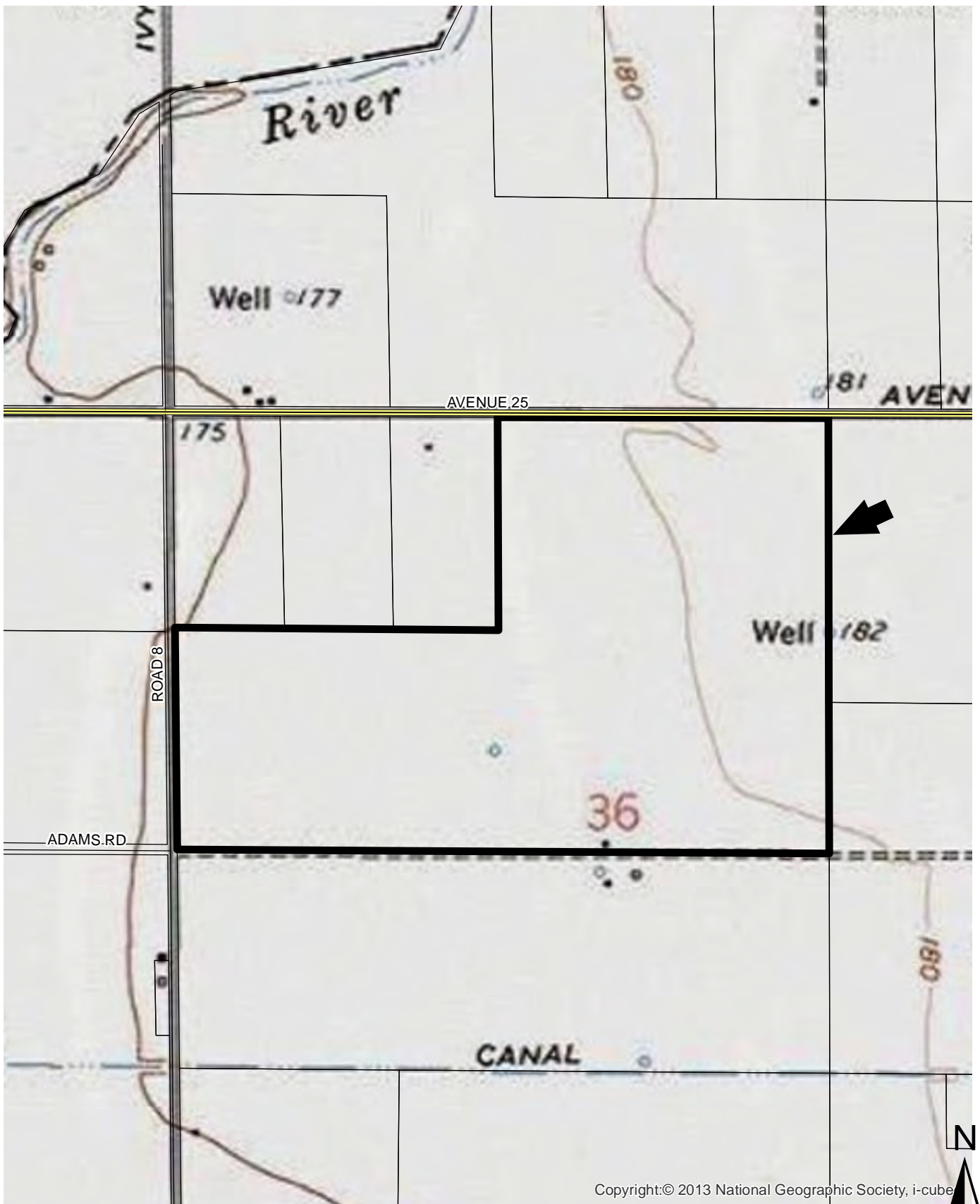
SCALE: 1" = 5'

LOADING BARN ELEVATIONS





AERIAL MAP



Copyright:© 2013 National Geographic Society, i-cube

TOPOGRAPHICAL MAP



## Community and Economic Development Planning Division

- 200 W 4<sup>th</sup> Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
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- mc\_planning@madera-county.com

### **OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST**

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information:

Assessor's Parcel Number: 025-100-024

Applicant's Name: Kyle Parreira, PE - 4Creeks, Inc.

Address: 324 S. Santa Fe Street, Suite A, Visalia, CA 93292

Phone Number: (559) 802-3052

2. Describe the nature of your proposal/operation.

Proposing to construct three (3) loafing barns for animal comfort. The facility is also proposing to alter the breed of cows on site from primarily Jersey cows to Holstein.

3. What is the existing use of the property?

Existing dairy facility

4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?

The dairy facility will continue to produce milk, per the facility's current operations. All milk is produced onsite and sold to the local creamery. No additional products will be produced following completion of the project.

5. What are the proposed operational time limits?

Months (if seasonal): Same as current, year round.

Days per week: Same as current, 7 days per week.

Hours (from \_\_\_ to \_\_\_): Total Hours per day: Same as current, 24 hours per day.

6. How many customers or visitors are expected?

Average number per day: See attached.

Maximum number per day: \_\_\_\_\_

What hours will customers/visitors be there? \_\_\_\_\_

7. How many employees will there be?

Current: Approximately 21

Future: Same as current

Hours they work: Varies due to operations of the dairy facility, 8 hour shifts.

Do any live onsite? If so, in what capacity (i.e. caretaker)? The owner lives on-site.

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

Same as current. The facility uses various hydraulic equipment to feed animals, maintain corrals, and process the facility's manure. Medication is also kept onsite, and is used for the animals on an as-needed basis. No additional equipment or supplies will be used following completion of the project.

9. Will there be any service and delivery vehicles? See answer to number 6, attached.

Number: \_\_\_\_\_

Type: \_\_\_\_\_

Frequency: \_\_\_\_\_

10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.

East side of Milk Barn, decomposed granite, 8 parking stalls; on the west side of milk barn, decomposed granite, 8 parking stalls

11. How will access be provided to the property/project? (street name)

There are 2 access points from Avenue 25 and 2 access points from Road 9.

12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.

See attached.

13. Describe any proposed advertising, including size, appearance, and placement.

None.

14. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable.

All existing buildings will continue to be utilized as currently operated. Existing major structures consist of the following: one (1) milk barn, seven (7) freestall barns, one (1) loafing barn, four (4) corral shades, one (1) commodity barn, and three (3) hay barns.

As part of the proposed project, three (3) proposed loafing barns (140' W x 468' L) will be placed over existing open lot corrals. Please refer to the attached plans for additional info regarding the proposed structures.

15. Is there any landscaping or fencing proposed? Describe type and location.

None

16. What are the surrounding land uses to the north, south, east and west property boundaries?

Row Crop Farming in each direction

17. Will this operation or equipment used, generate noise above other existing parcels in the area?

No

18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).

None in addition to current operations. All manure generated in the proposed loafing barns will be scraped and stored for drying.

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?

None in addition to current operations. All manure generated in the proposed loafing barns will be scraped and stored for drying.

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20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?

None in addition to current operations

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21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

Minimal grading will be required for the proposed loafing barns to ensure proper drainage, as they will be built over existing open lot corrals.

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22. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.

None known

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23. Locate and show all bodies of water on application plot plan or attached map.

N/A

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24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.

N/A

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25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?

No

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26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)

No

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27. How do you see this development impacting the surrounding area?

No negative impact anticipated to the surrounding area.

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28. How do you see this development impacting schools, parks, fire and police protection or special districts?

No impacts anticipated.

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29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s): Loafing Barn is constructed for increased animal comfort on the facility.

Square feet of building area(s): 196,560 sq. ft.

Total number of employees: 21

Building Heights: Loafing Barns 27'-6"

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**30.** If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

N/A

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## 6. How many customers or visitors are expected?

The dairy facility does not experience visits from “customers”, per say, but does experience visits by delivery and service vehicles, due to the nature of the business. Visits to the dairy facility include feed deliveries, fuel deliveries, visits by service vehicles, and trips from the creamery via milk truck to pick up the dairy facility’s milk. The number of visits to the dairy facility will not increase or decrease as a result of the project being proposed. The number of visits that take place at the dairy facility per existing operations is summarized as follows:

Feed deliveries don’t always occur each day, but rather, occur on a weekly basis. On average, feed deliveries consist of 2 trips per day, with a maximum number of 4 trips occurring each day, depending on the dairy facility’s needs at any given time.

Fuel deliveries are a more seldom occurrence, and sometimes don’t take place for over a week or more, depending on the dairy facility’s needs at any given time. On average, fuel deliveries consist of 2 trips per month, with a maximum number of 4 trips per month.

Utility trucks and other service vehicles visit the dairy facility for maintenance/upkeep of the dairy’s infrastructure and equipment. The maximum number of trips to the dairy facility by utility trucks and service vehicles is 3 trips per day.

Milk pick-ups at the facility are a consistent occurrence and take place twice per day.

In total, if all necessary deliveries to the facility were to take place on the same day, the facility would experience a maximum number of 10 trips to the facility per day. Note that this does not include trips to the dairy facility by the facility’s employees.

## 12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.

No additional vehicular trips per day will be generated by the proposed development.

In addition to the maximum of 10 trips to the facility that take place per day by delivery and service vehicles, an additional trip to the facility is taken each day by each of the facility’s 21 employees. In total, a maximum of 31 trips to the facility occur each day. Note that this number only includes trips to the facility, and the same number of trips would also take place each day for vehicles leaving the facility.



# Community and Economic Development Environmental Health Division

Dexter Marr  
Deputy Director

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## MEMORANDUM

TO: Sam Rashe  
FROM: Dexter Marr, Environmental Health Division  
DATE: August 8, 2022  
RE: 4Creeks, Inc. - Conditional Use Permit - Chowchilla (025-100-024-000)

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### Comments

TO: Planning Division  
FROM: Environmental Health Division  
DATE: August 3, 2022  
RE: Conditional Use Permit (CUP) #2022-014, 4Creeks, Inc, Chowchilla APN 025-100-024

The Environmental Health Division Comments:

Applicant must comply with current San Joaquin Valley Air Pollution Control District and Regional Water Quality Control Board permitting requirements.

Provide and updated Pest (vector) Management Plan. The Pest (vector) Management Plan must go into detail of how each known vector will be identified, tracked, eliminated, or significantly reduced and how this program will be implemented. This Pest Management Plan must be provided for review and approval by this division prior to approving of this CUP to ensure that vector(s) are handled on site to effectively prevent them or at a minimum significantly reduce them from becoming an off-site nuisance.

Provide updated Odor and Waste Management Plans. The Management Plans must go into detail in describing how odor and animal waste will be managed and implemented. The Odor and Waste Management Plans must be provided for review and approval by this division prior to approval of this CUP to ensure that each known nuisance(s) is handled on site to effectively prevent them from moving off-site creating a nuisance.

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this department.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

For any questions contact Environmental Health at 559-675-7823.



