



Inter Office Memo

DATE: November 19, 2020
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12855 - INITIAL STUDY APPLICATION NO. 7808 and
CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3670

APPLICANT/
OWNER: Baker Commodities, Inc.

REQUEST: Allow a cooker, condenser and a hopper within the proposed 870 square-foot expansion to an existing building, temporary storage of meat and bone meal, and increase in the raw material processing throughput rates at an existing animal rendering facility on a 39.10-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the southeast corner of Jensen and Lassen Avenues approximately one mile southwest of the nearest city limits of the City of Kerman (16801 W. Jensen Ave., Kerman) (SUP. DIST.: 1) (APN No. 020-042-03S).

PLANNING COMMISSION ACTION:

At its hearing of November 19, 2020, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Woolf and seconded by Commissioner Abrahamian to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings of Fact for approval of a Conditional Use Permit, and approve Classified Conditional Use Permit No. 3670, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12855

This motion passed on the following vote:

- VOTING: Yes: Commissioners Woolf, Abrahamian, Burgess, Carver, Chatha, Ede and Hill
- No: Commissioner Lawson
- Absent: Commissioner Eubanks
- Abstain: None

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

By: 
 William M. Kettler, Manager
 Development Services and Capital Projects Division

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

Attachments

EXHIBIT A

Initial Study Application No. 7808
Classified Conditional Use Permit Application No. 3670

- Staff: The Fresno County Planning Commission considered the Staff Report dated November 19, 2020 and heard a summary presentation by staff.
- Applicant: The Applicant and his representative concurred with the Staff Report and the recommended Conditions. They described the project and offered the following information to clarify the intended use:
- We process deadstock, including slaughtering house material received from various locations.
 - The addition of a 4th cooker will provide 25 percent more cooking capacity and increase throughput as permitted.
 - The cooker will help minimize equipment break downs which stop production, create public emergency declarations, increases stock piling of deadstock and odor risks, and forces disposal to landfill sites.
 - We will comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) 18-hour turn around verses 24-hour turn around for throughput; the facility is using an Odor Management Plan since the summer of 2020.
 - We have replaced old incinerators with new incinerators to help minimize odor during the processing of deadstock.
 - The SJVAPCD has visited the site for one complaint received this year; the complaint was dismissed.
 - Our peak production is 500 tons per day during 30-40 days in winter, and in the summer, production goes up to 600 tons per day.
 - The facility operates under SJVAPCD permit and Federal Title V operating permit and is inspected for broken equipment, stockpiles, permit limits, and standing water at the facility.
 - All cookers run separately; this allows each cooker to be taken offline separately for repair while others continue operating.
 - We have no emergency generators at the facility; in case of a blackout, deadstock will be shipped out of the area.
- Others: No other individuals presented information in support of or in opposition to the application.

RESOLUTION # 12855

Correspondence: No letters were presented to the Planning Commission in support of the application.

One letter from the City of Kerman was presented to the Planning commission citing concerns on not receiving a notice of the hearing and expressing need for the project to adhere to their Odor Management Plan.

Two letters (emails) were presented to the Planning Commission in opposition to the application citing that odor emitting from the rendering facility is affecting the everyday life of the residents in the area.

One letter from the San Joaquín Valley Air Pollution Control District was presented to the Planning Commission suggesting that the County should review and approve the Odor Management Plan and that the Mitigated Negative Declaration should be revised to specify the role of the County in reviewing and approving the Odor Management Plan as part of the mitigation monitoring and reporting program.

EA:im

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EXHIBIT B

**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7808; Classified Conditional Use Permit Application No. 3670
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PWP)	On-going; for duration of the project
2.	Air Quality	The project shall adhere to the Odor Management Plan prepared by Montrose Environmental dated October 2020 and approved by the San Joaquin Valley Air Pollution Control District.	Applicant	Applicant/San Joaquin Valley Air Pollution Control District	On-going; for duration of the project
3.	Energy	The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.	Applicant	Applicant/PWP	During project construction
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Elevations, and Operational Statement approved by the Planning Commission.				
2.	All Conditions of Conditional Use Permit Nos. 567 and 1459 shall remain in full force and effect except where superseded by this application.				
3.	Report of Waste Discharge shall be provided to the Regional Water Quality Control Board if the project results in a material change in the character, location, or volume of discharge authorized in Waste Discharge Requirements Order R5-2014-0062.				
4.	Items 3 and 5 from "Project Note" shall be completed prior to the issuance of building permit or granting of occupancy for the use.				

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference approved Conditions for the project.

Notes
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

EXHIBIT B

Notes

1.	<p>This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period in excess of two years.</p>
2.	<p>Construction plans, building permits and inspections are required for all proposed improvements on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for plans, permits and inspections.</p>
3.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. • A grading permit or voucher for any grading proposed with this application. • An encroachment permit from Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning for any work done within the County right-of-way to construct a new driveway or improve an existing driveway. • If not already present, a 10-foot by 10-foot corner cut-off shall be improved for sight distance purposes at the existing driveway onto Jensen Avenue. • Any additional runoff generated by the proposed development of the site cannot be drained across property line and must be retained on-site per County standards. • Any existing or proposed gate shall be setback a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
4.	<p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following requirements:</p> <ul style="list-style-type: none"> • Within 30 days of the occurrence of any of the following events the applicant/operators shall update their online Hazardous Materials Business Plan (HMBP) and site map: 1) there is a 100 percent or more increase in the quantities of a previously-disclosed material; or 2) the facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5 • If any underground storage tank is found during construction, an Underground Storage Tank Removal Permit shall be obtained from the Health Department to remove the tank.
5.	<p>The project shall comply with California Code of Regulations Title 24 - Fire Code and California Code of Regulations Title 19. Prior to receiving North Central District (NCFPD) conditions of approval for the project; construction plans shall be submitted to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of one set of plans to NCFPD.</p>



County of Fresno

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

February 10, 2021

Baker Commodities, Inc.
16801 W. Jensen Avenue
Kerman, CA 93630

Dear Applicant:

Subject: Resolution No. 12855 - Initial Study Application No. 7808 and Classified
Conditional Use Permit Application No. 3670

On November 19, 2020, the Fresno County Planning Commission approved your above-referenced project with Conditions. A copy of the Planning Commission Resolution is enclosed.

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

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

If you have any questions regarding the information in this letter, please contact me at eahmad@fresnocountyca.gov or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner
Development Services and Capital Projects Division

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Enclosure