



County of Fresno

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

January 7, 2019

Michael E. Kelley
8325 S. Madera Avenue
Kerman Ca 93630

Dear Applicant:

Subject: Resolution No. 12751 - Variance Application No. 4062

On December 6, 2018, 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 one year from the date of approval. 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 Variance.

If you have any questions regarding the information in this letter please contact me at dacrider@fresnocountyca.gov or 559-600-9669.

Sincerely,

Danielle Crider, Planner
Development Services and Capital Projects Division

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Enclosure



Inter Office Memo

DATE: December 6, 2018

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12751 - VARIANCE APPLICATION NO. 4062

APPLICANT: Michael E. Kelley

OWNER: Central California Almond Growers Association

REQUEST: Allow a building height of 66 feet (35-foot maximum height permitted) for the construction of two baghouses on a 39.60-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the west side of Madera Avenue approximately 0.5 miles north of its intersection with Manning Avenue, approximately 6.2 miles east of the nearest city limits of the City of San Joaquin (8325 S. Madera Avenue) (SUP. DIST. 1) (APN 030-070-67S).

PLANNING COMMISSION ACTION:

At its hearing of December 6, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Vallis and seconded by Commissioner Eubanks to adopt the required Findings of Fact for approval of a Variance, and approve Variance No. 4062, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Variance Application No. 4062

- Staff: The Fresno County Planning Commission considered the Staff Report dated December 6, 2018, and heard a summary presentation by staff.
- Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- The baghouses will filter the dust produced during almond-shelling activities out of the air.
 - Baghouses are not a necessary part of almond processing facilities, but they are often used in non-attainment areas in California to reduce air quality impacts and to comply with local regulations.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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**Variance Application No. 4062
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in substantial compliance with the site plan, as approved by the Planning Commission.
2.	Site Plan Review No. 7362 was required to ensure that the facility approved by CUP No. 3075 adhered to all requirements and standards. A Site Plan Review Revision is required for the proposed improvements.

Conditions of Approval reference required 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.	
1.	Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.
2.	A grading permit or voucher shall be required for any grading that has been done without a permit and any grading proposed with this application.
3.	<p>Within 30 days of the occurrence of any of the following events, the Applicant/operators shall update their online Hazardous Materials Business Plan and site map (https://www.fresnocupa.com/ or http://cers.calepa.ca.gov/):</p> <ul style="list-style-type: none"> • There is a 100% or more increase in the quantities of a previously-disclosed material; • The facility begins handling a previously-undisclosed material at or above the HMBP threshold amounts; • Change in site map. <p>The business shall certify that a review of the business plan has been conducted at least once a year, and that any necessary changes were made and that the changes were submitted to the local agency. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.</p> <p>All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.</p>
4.	Plan approval from the Fresno County Fire Protection District will be required prior to the acquisition of permits. Additionally, the property must be annexed into the Community Facilities District (CFD).