



## Inter Office Memo

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DATE: January 12, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12616 - VARIANCE APPLICATION NO. 3985-R

APPLICANT: S & W Seed Company

OWNER: Seed Holding LLC

REQUEST: Allow a property line adjustment between two properties which would result in a 125.8-acre parcel and a 7.01-acre parcel (20 acres required) in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located east of South Butte Avenue and south of West Jeffrey Avenue, approximately 10.7 miles northeast of the nearest city limits of the City of Huron (SUP. DIST. 4) (APNs 060-100-80S, -79S, and -85S).

### PLANNING COMMISSION ACTION:

At its hearing of November 10, 2016, the Applicant's representative requested a continuance to the January 12, 2017 Planning Commission hearing to address a concern with the ownership of one of the parcels involved in the proposed property line adjustment.

A motion was made by Commissioner Borba and seconded by Commissioner Eubanks to grant the continuance to January 12, 2017.

This motion passed on the following vote:

VOTING: Yes: Commissioners Borba, Eubanks, Abrahamian, Chatha, Egan, Lawson, Mendes, Pagel, Woolf

No: None

Absent: None

Abstain: None

RESOLUTION NO. 12616

At its hearing of January 12, 2017, the Commission considered the revised project as described in the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Borba to adopt the required Findings for approval of a Variance, stating that Findings one and two could be made based on the fact that the seed processing facility has been in operation for more than sixty years and is a unique feature of the area, and approve Variance No. 3985-R, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Borba, Chatha, Eubanks, Lawson, Mendes, Pagel, Woolf
	No:	None
	Absent:	None
	Abstain:	None

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

By:   
William M. Kettler, Manager  
Development Services Division

WMK:ksn  
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NOTE: The approval of this project will expire one year 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 Variance.

Attachments

EXHIBIT A

Variance Application No. 3985-R

Staff: The Fresno County Planning Commission considered the Staff Report dated January 12, 2017, and heard a summary presentation by staff, which described the revised proposal as a property line adjustment between APNs 060-100-79S, -80S, and -85S where the original proposal was between APNs 060-100-79S, -80S, and -83S.

Applicant: The Applicant's representative did not concur with the Staff Report and Staff's recommendation. He described the project and offered the following information to clarify the intended use:

- The purpose of this variance is to split the seed processing facility and associated improvements from the agricultural operations.
- It is not feasible for the Applicant to maintain the acreage currently associated with the facility, and the neighboring parcel owners desire to farm it.
- The proposed property lines align with a fence on the property that currently separates the seed processing facility from the farming operation.
- The Applicant does not intend to add a home to either parcel.
- The existing use of the property as a seed processing facility is an exceptional circumstance.

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. 3985-R  
Conditions of Approval and Project Notes**

EXHIBIT B

<b>Conditions of Approval</b>	
1.	Development of the property shall be in accordance with the Site Plan approved by the Planning Commission to allow the property line adjustment resulting in a 7.01-acre parcel and a 125.8-acre parcel.

Conditions of Approval reference required Conditions for the project.

<b>Notes</b>	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. A Property Line Adjustment Application shall be filed to create a 7.01-acre parcel and a 125.8-acre parcel.
2.	Plans, permits, and inspections are required, including site development, based upon the California Codes in effect at the time of plan check submittal.
3.	According to FEMA, FIRM Panel 3075H, portions of the subject property are in shaded Flood Zone X which is subject to flooding from the 1%-chance storm.
4.	A grading permit or voucher is required for grading proposed with this application.



# County of Fresno

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

January 30, 2017

S & W Seed Company  
7108 N. Fresno Street  
Fresno CA 93720

Dear Applicant:

Subject: Resolution No. 12616 - Variance Application No. 3985-R

On January 12, 2017, 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 [cmonfette@co.fresno.ca.us](mailto:cmonfette@co.fresno.ca.us) or 559-600-4245.

Sincerely,

Christina Monfette, Planner  
Development Services Division

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Enclosure