



## Inter Office Memo

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DATE: January 28, 2016  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12554 - CLASSIFIED CONDITIONAL USE PERMIT  
APPLICATION NO. 3523

APPLICANT/  
OWNER: True Organic Products

REQUEST: Allow increase in liquid fertilizer storage capacity with 50-foot-tall storage tanks for an existing agricultural fertilizer processing operation authorized by Conditional Use Permit No. 3340 on a 68.67-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the southwest corner of W. Kamm Avenue and the S. Butte Avenue alignment, approximately three miles west of the unincorporated community of Helm (20225 W. Kamm Avenue, Helm) (Sup. Dist. 1) (APN 040-080-40S).

### PLANNING COMMISSION ACTION:

At its hearing of January 28, 2016, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Rocca and seconded by Commissioner Egan to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings in the staff report, and approve Classified Conditional Use Permit Application No. 3523, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12554

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Rocca, Egan, Borba, Chatha, Lawson, Mendes, Woolf, Zadourian
	No:	None
	Absent:	Commissioner Abrahamian
	Abstain:	None

**BERNARD JIMENEZ, INTERIM DIRECTOR**  
Department of Public Works and Planning  
Secretary-Fresno County Planning Commission

By:   
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 William M. Kettler, Manager  
 Development Services Division

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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 Classified Conditional Use Permit.

Attachments

EXHIBIT A

Classified Conditional Use Permit Application No. 3523

- Staff: The Fresno County Planning Commission considered the Staff Report dated January 28, 2016, and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- Britz Chemicals sold the subject facility to the current owner; the project site is fully graded and has no issue with flooding.
  - The subject application will allow replacement of the existing storage tanks on the property with new and larger tanks up to 50 feet in height.
  - New tanks of various size, height, and volume are needed for storage of fish material, bone meal and chicken manure.
  - Stored materials are blended on site according to the orders placed by the customers.
  - Land for right-of-way (ROW) has been dedicated and the fees have been paid through prior Use Permit and Site Plan Review.
  - The dedication cost us approximately \$10,000, not including the value of the land dedicated.
- 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.

**Classified Conditional Use Permit (CUP) No. 3523  
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, Elevations and Operational Statement approved by the Planning Commission.
2.	All Conditions of Conditional Use Permit No. 3340 shall remain in full force and effect except where superseded by this application or by current Federal, State or local regulations.
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 (HMBP) and site map with the Fresno County Department of Public Health, Environmental Health Division (Health Department):</p> <p>a) There is a 100% or more increase in the quantities of a previously disclosed material.</p> <p>b) The facility begins handling a previously undisclosed material at or above the HMBP threshold amounts.</p>
4.	The business shall certify to the Fresno County Department of Public Health, Environmental Health Division, that a review of the business plan has been conducted at least once every three years and that any necessary changes were made and that the changes were submitted to the local agency.
5.	If the piles of compostable materials exceed 122 degrees Fahrenheit, the Applicant shall submit an application to the Fresno County Department of Public Health, Environmental Health Division, to operate a Solid Waste Facility.
6.	All outdoor lighting shall be hooded and directed downward so as not to shine toward public roads or the surrounding properties.
Conditions of Approval reference required Conditions for the project.	
<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval.
2.	Plans, permits and inspections are required for the proposed structures (tanks), including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 for permits and inspections.
3.	<p>According to the Development Engineering Section of the Development Services Division:</p> <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan shall be provided to Development Engineering staff for review and approval.</li> <li>• Grading Permit or Voucher shall be obtained for any grading activity resultant of this proposal.</li> <li>• On-site turnarounds shall be provided for vehicles leaving the site to enter the roadway in a forward motion.</li> </ul>

**Notes**

- An Encroachment Permit shall be obtained from the Road Maintenance and Operations Division for any work performed within the County right-of-way.
  - A 20-foot by 20-foot corner cutoff shall be maintained for sight distance purposes at all driveways accessing Kamm Avenue.
  - According to FEMA FIRM Panel 2550H, the northerly, easterly and northwestern portions of the property are in Flood Zone A, subject to flooding from the 100-year storm. Any work performed within the Flood Zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance.
  - Any additional run-off generated by development must be retained on site per County Standards.
  - Any existing or proposed entrance shall be set back 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. The Applicant shall contact San Joaquin Valley Air Pollution Control District's Small Business Assistance Office to ensure that the facility is current on District permits.
5. The project shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three sets of Site Plans stamped "Reviewed" or "Approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Department for their review and approval. The Applicant shall submit evidence that their Plan was approved by the Fire Department, and all fire protection improvements shall be installed prior to granting occupancy for the use.

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# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
BERNARD JIMENEZ, INTERIM DIRECTOR

March 7, 2016

True Organic Products  
20225 W. Kamm Avenue  
Helm CA 93627

Dear Applicant:

Subject: Resolution No. 12554 – Classified Conditional Use Permit Application No. 3523

On January 28, 2016, the Fresno County Planning Commission approved your application 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 Classified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at [eahmad@co.fresno.ca.us](mailto:eahmad@co.fresno.ca.us) or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner  
Development Services Division

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Enclosure