



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 October 10, 2024

**SUBJECT:** Variance Application No. 4173

Allow an increase in maximum height allowance for a proposed modernized flake grain mill, including a 115' Receiving Tower, a 95' Bin Fill Bridge/Support Tower, 90' Grain Silos, and a 72'-7" Cleaner Service Platform ranging from 60 ft to 115ft in height, located in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

**LOCATION:** The subject parcel is located on the north side of interchange of Interstate 5 and Fresno Coalinga Rd., approximately 9.53 miles northeast from the City of Coalinga (APN: 065-020-16S) (29475 Fresno Coalinga Rd.) (Sup. Dist. 4).

**OWNER/  
APPLICANT** Harris Ranch Feed Company

**REPRESENTATIVE:** Rafael Sanchez, Provost and Pritchard

**STAFF CONTACT:** Alexander Pretzer, Planner  
(559) 600-4205

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Move to determine that based on the analysis in the Staff Report the required Findings can be made and move to approve Variance Application No. 4173; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans and Detail Drawings
6. Applicant's Variance Findings
7. Photos

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agricultural	No change
Zoning	AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.	No change
Parcel Size	61.39 acres	No Change
Project Site	The site has existing feed lots and additional structures for storage.	Construction of a new modernized flake grain mill to replace existing mill located on APN 065-020-66S
Structural Improvements	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	115' Receiving Tower 95' Bin Fill Bridge/Support Tower 90' Grain Silos 72'-7" Cleaner Service Platform
Nearest Residence	3 miles to the south of the project site	No change
Surrounding Development	Orchards, Grazing, and Feed Lots	No change

**EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N****ENVIRONMENTAL ANALYSIS:**

It has been determined pursuant to Article 5: Review for Exemption, Section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines: The activity is covered by the common-sense exemption that CEQA applies only to projects which have the 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, the activity is not subject to CEQA.

**PUBLIC NOTICE:**

Notices were sent to 47 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PUBLIC COMMENT:**

No public comment was received as of the date of preparation of this report.

**PROCEDURAL CONSIDERATIONS:**

A Variance Application may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Article 5 Chapter 860.5.060.D are made by the Planning Commission.

The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

**BACKGROUND INFORMATION:**

The subject Variance application requests waiver of the maximum height standards for the AE-40 Zone District from 60 feet to 115 feet for a proposed modernized flake grain mill, including a 115’ Receiving Tower, a 95’ Bin Fill Bridge/Support Tower, a 90’ Grain Silos, a 72’-7” Cleaner Service Platform, a 57’-5” Steamer Chest Fill Platform, and supporting equipment to replace an existing flake grain mill located on a parcel identified as APN 065-020-66S. The existing flake grain mill located on APN 065-020-66S will be demolished once construction of the proposed flake grain mill is completed.

The subject parcel is not enrolled under a Williamson Act Contract.

Within one mile of the subject property there are no variances on record that is relevant to the height allowance in the AE Zone District.

	<b>Current Standard:</b>	<b>Proposed Configuration:</b>	<b>Is Standard Met (y/n):</b>
Setbacks	<u>AE-40</u> Front: 35 feet Side: 20 feet Rear: 20 feet	No changes	Yes
Parking	N/A	N/A	N/A
Lot Coverage	No requirement	N/A	N/A

	<b>Current Standard:</b>	<b>Proposed Configuration:</b>	<b>Is Standard Met (y/n):</b>
Separation Between Buildings	No requirement for residential or accessory structures, excepting those used to house animals which must be located a minimum of 40 feet from any human-occupied building.	No changes	Yes
Wall Requirements	N/A	N/A	N/A
Septic Replacement Area	100 percent of the existing system.	No change	N/A
Water Well Separation	Building sewer/ septic tank: 50 feet Disposal field: 100 feet Seepage pit/cesspool: 150 feet	No Change	Yes
Maximum Height	60ft	115 ft	No

**Finding 1:** **There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.**

**Reviewing Agency/Department Comments:**

No comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

**Finding 1 Analysis:**

In support of Finding 1, the Applicant's finding states that to construct a modernized flake grain mill, the proposed 115-foot-tall mill, silos, receiving tower, support tower, and other supporting equipment that exceed the 60-foot height limitation are the most efficient way to utilize space and maximize storage capacity for the flake grain. Furthermore, the proposed modernized flake grain mill will replace the existing mill of similar height that is planned to be demolished once the proposed flake grain mill completes construction.

The project site is currently utilized as a feedlot. Staff has determined after reviewing the aerial imagery of the site that increasing the mill height to increase capacity may be preferable to expanding horizontally by adding more silos on the ground. This approach would maintain the current agricultural use and would not conflict with the character of the surrounding agricultural

area. The Applicant's Finding merit the requested 115-foot height for the modernized flake grain mill and as such support meeting Finding 1.

**Recommended Conditions of Approval:**

None.

**Finding 1 Conclusion:**

Finding 1 can be made due to extraordinary circumstances relating to the need to minimize the amount of agricultural land being used by the grain mill.

**Finding 2:** **Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.**

**Reviewing Agencies/Department Comments related to Finding 2:**

No comments specific to the preservation of a substantial property right were expressed by reviewing Agencies or Departments.

**Finding 2 Analysis:**

In support of Finding 2, the Applicant's finding states that as the applicant owns much of the surrounding area and that the grain produced at the existing and proposed mill goes directly to feeding cattle owned by Harris Ranch. The proposed mill is intended to replace an existing mill of similar size and height. Additionally, the construction of taller structures would enable the mill to optimize space, thereby freeing up more land for storage that could be effectively utilized for agricultural production.

Silos typically are an integral part of processing facilities and similar agricultural uses. Staff was unable to confirm silos height in the area as noted by the applicant but acknowledges that as the proposed height is a function of the use, 115-foot-tall silos will provide greater storage capacity which would otherwise require many 60-foot-tall silos covering a large portion of farmland the project site consists of.

**Recommended Conditions of Approval:**

None.

**Finding 2 Conclusion:**

Finding 2 can be made based on the above analysis.

**Finding 3:** **The granting of a variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.**

**Surrounding Parcels**

	<b>Size:</b>	<b>Use:</b>	<b>Zoning:</b>	<b>Nearest Residence:</b>
North	79.42-acres	Feedlot	AE-40	N/A

	<b>Size:</b>	<b>Use:</b>	<b>Zoning:</b>	<b>Nearest Residence:</b>
South	17.92-acres	Feedlot	AE-40	N/A
East	301.57-acres	Feedlot	AE-40	N/A
West	110.03-acres	Grazing	AE-40	N/A

**Reviewing Agency/Department Comments:**

No comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

**Finding 3 Analysis:**

In support of Finding 3, the Applicant’s Finding state that granting the Variance to allow the proposed flake grain mill will not be detrimental to the surrounding properties in that the subject property is 61.39-acres in size, there are no single-family residences nearby, the proposed mill will replace an existing mill of similar size that previously operated for over 60 years and the majority of surrounding parcels are owned by the applicant. Furthermore, as the height appears to diminish over distance, the silos will not have significant visual impact on the surrounding area.

Building height regulations in the agricultural districts address several considerations, including community aesthetic standards, fire protection capabilities, and agricultural practices such as crop dusting.

The area of the proposed agricultural use (grain mill facility) is predominantly agricultural, consisting of a large feedlot and sparse agriculture-related uses. Staff notes that although the proposed flake grain mill would be 55 feet higher in elevation than the 60 feet allowed, they would be compatible in height with similar structures in the area and from a distance would not necessarily create substantial visual impacts to the area.

In reference to fire protection capabilities, the Fresno County Fire Protection District reviewed the variance application and determined that the site can adequately be provided with fire protection services.

**Recommended Conditions of Approval:**

*Prior to permits being issued, Property Line Adjustment Application 24-19 shall be finalized by the applicant.*

**Finding 3 Conclusion:**

Finding 3 can be made as the project as conditioned will not have any material detrimental impacts to the public or surrounding area.

**Finding 4:** **The granting of such a variance will not be contrary to the objectives of the General Plan.**

**Reviewing Agency Comments:**

<p><b>General Plan Policy PF-C.16:</b> The County shall, prior to consideration of any discretionary project related to land use, require a water supply evaluation shall be conducted. The evaluation shall include the following:</p> <ul style="list-style-type: none"> <li>a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</li> <li>b. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</li> <li>c. A determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</li> </ul>	<p>The proposed flake grain mill will replace an existing flake grain mill located on APN 065-020-66S. The existing flake grain mill will be demolished once construction of the proposed flake grain mill is completed resulting in no change to the water usage.</p>
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No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

**Finding 4 Analysis:**

Finding states that the subject request is consistent with the Fresno County General Plan in that as the proposed agricultural use (flake grain mill) is consistent with the AE-40 Zone District, the proposed mill will allow for increased site productivity while following the goal of the Fresno County General Plan to support agriculture.

The subject property is designated Westside Rangeland in the Fresno County adopted Coaling Regional Plan. The policies in the Regional Plan and General Plan do not specifically address building height. Therefore, approval of the Variance would not conflict with the agricultural policies of the General Plan.

**Recommended Conditions of Approval:**

None.

**Finding 4 Conclusion:**

Finding 4 can be made as there are no identified conflicts with the General Plan.

**SUMMARY CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Variance Application can be made. Staff therefore recommends approval of Variance Application No. 4173

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to determine that the required Findings can be made based on the analysis in the staff report and move to approve Variance Application No. 4173; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Alternative Motion** (Denial Action)

- Move to determine the required Findings cannot be made (state basis for not making the Findings) and move to deny Variance No. 4173; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

AP

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EXHIBIT 1

Variance Application (VA) No. 4173  
 Conditions of Approval and Project Notes

Conditions of Approval	
1.	Construction of the proposed flake grain mill shall be in substantial accordance with the site plan (Exhibit 5) as approved by the Planning Commission.
2.	Building permits for the proposed flake grain mill shall not be issued until the Property Line Application No. 24-19 is finalized.
3.	Prior to the issuance of building permits for the Flake Grain Mill and Variance No. 4173, a Site Plan Review (SPR) shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 854.5 of the Fresno County Zoning Ordinance. Items to be addressed under SPR process may include but not limited to design of parking and circulation areas, driveway, access, grading and drainage, fire protection, landscaping, signage, and lighting.

Conditions of Approval reference recommended Conditions for the project.

Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	<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 (<a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>):</p> <ol style="list-style-type: none"> <li>1. There is a 100% or more increase in the quantities of a previously disclosed material;</li> <li>2. The facility begins handling a previously undisclosed material at or above the HMBP threshold amounts.</li> <li>3. Change in site map or hazardous material/waste storage locations.</li> </ol> <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 Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.</p>
2.	Any new sewage disposal system proposal shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. Contact Department of Public Works and Planning at (559) 600-4540 for more information. It is the responsibility of the property owner, the property buyer, the engineer, and/or the sewage disposal system contractor to confirm required setbacks, separations, and other special requirements or conditions which may affect the placement, location, and construction of the sewage disposal system.
3.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
4.	If any abandoned underground storage tank(s) are found within the project area, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.

EXHIBIT 1

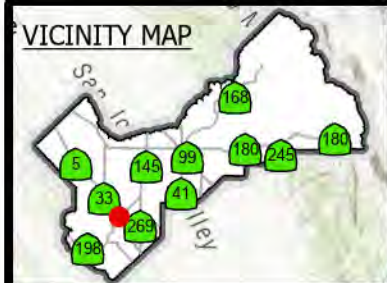
**Notes**

	Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
5.	A minimum of 10' x 10' corner cut-off should be improved for sight distance purposes at any existing or future driveway accessing Amador Avenue and Ford Avenue if not already present.
6.	Any work done within the Caltrans state highway right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit/Clearance from Caltrans.
7.	PG&E operates a high-pressure gas transmission line within an easement on the subject property. The plans do not show the easement boundaries. No structures or buildings are allowed in the 50' wide easement.

AP

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# Exhibit 2

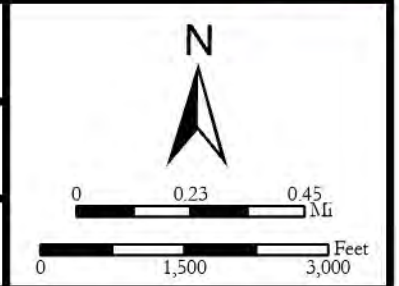


## LOCATION MAP

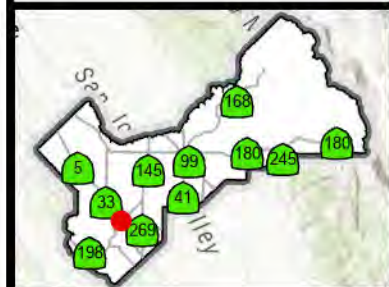
VA4173

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
Person Prepared by : mdo  
On Date : 8/12/2024



# Exhibit 3

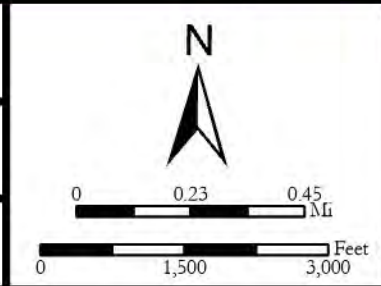


## Existing Zoning Map

VA4173  
STR 5 - 19S / 16E



2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
Person Prepared by : mdo  
On Date : 8/12/2024



# Exhibit 4

## LEGEND:

-  Subject Property
-  Ag Contract Land

LEGEND
FEE - FEED LOT
GRZ - GRAZING
FC - FIELD CROP
ORC - ORCHARD
V - VACANT
SF#- SINGLE FAMILY RESIDENCE

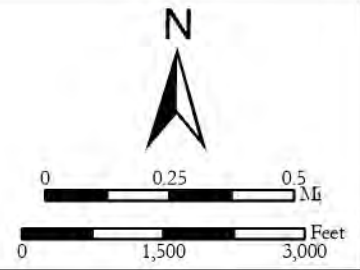


## Existing Land Use Map

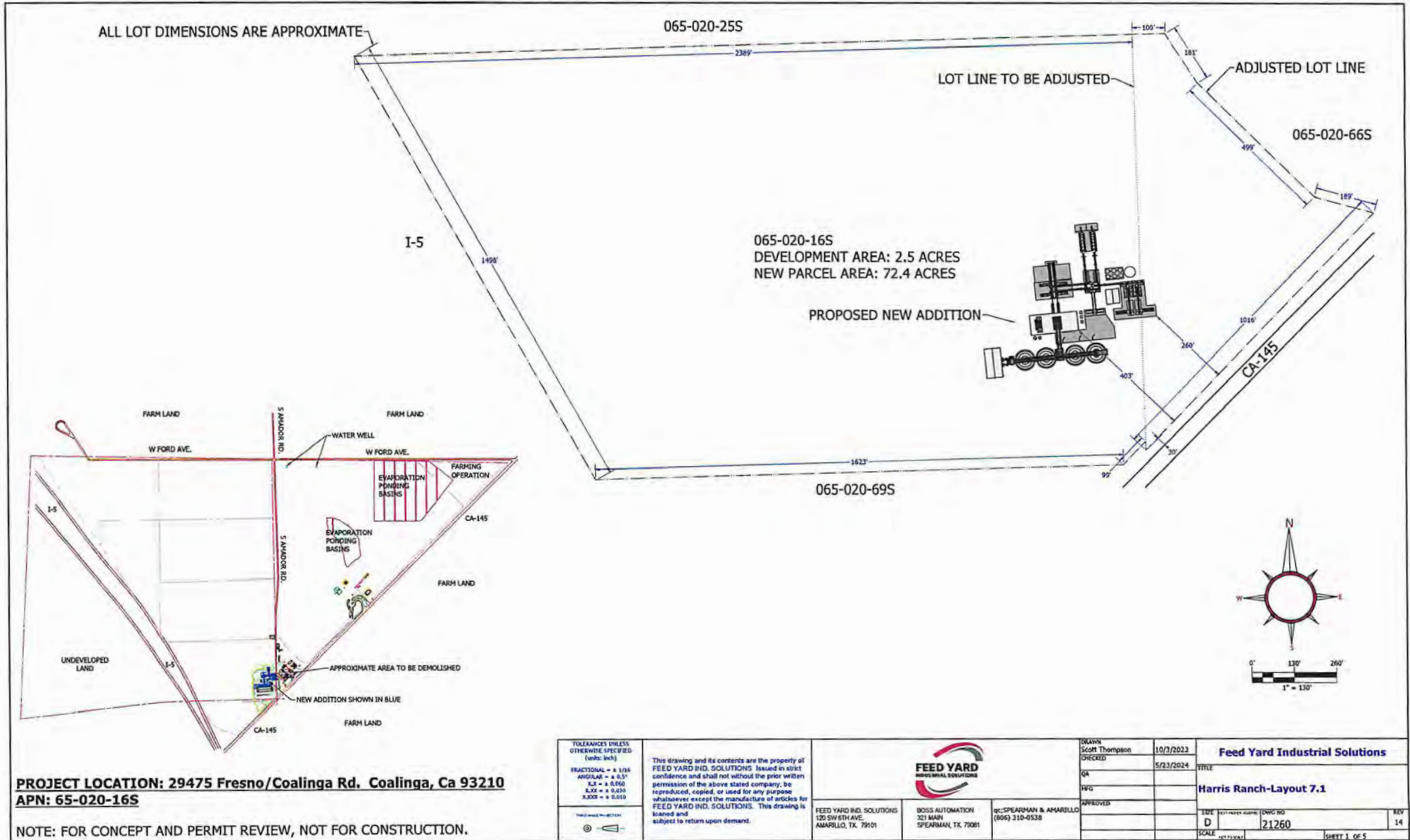
# VA4173

# 2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : mdo  
 On Date : 8/12/2024



# Exhibit 5

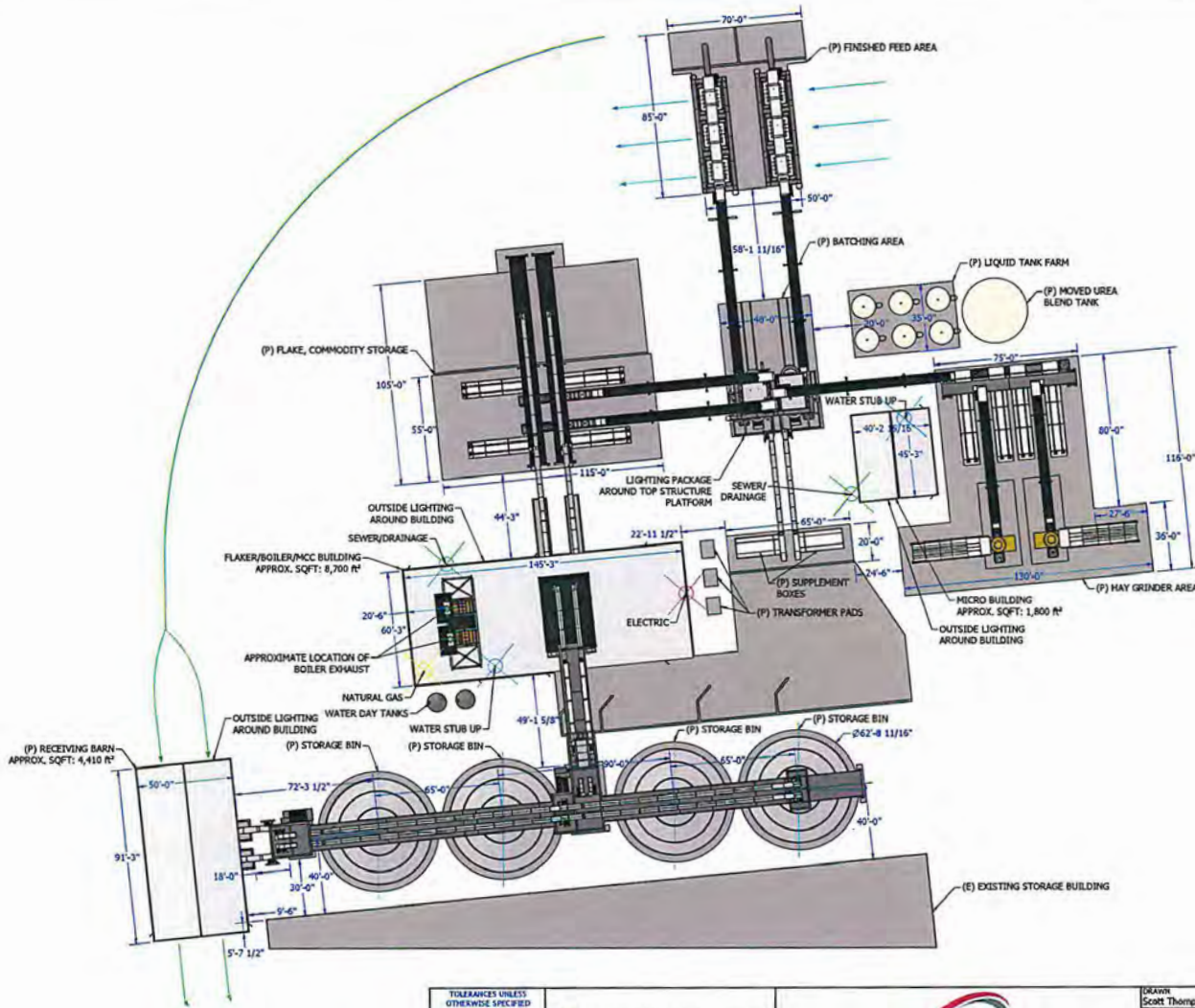


**PROJECT LOCATION: 29475 Fresno/Coalinga Rd. Coalinga, Ca 93210**  
**APN: 65-020-16S**

NOTE: FOR CONCEPT AND PERMIT REVIEW, NOT FOR CONSTRUCTION.

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			CHECKED QA NFG APPROVED	5/23/2024	TITLE <b>Harris Ranch-Layout 7.1</b>
FEED YARD IND. SOLUTIONS 120 SW 6TH AVE. AMARILLO, TX. 79101	BOSS AUTOMATION 321 MAIN SPEARMAN, TX. 75081	GC: SPEARMAN & AMARILLO (806) 310-0538	SHEET NO. <b>D</b>	SHEET TOTAL <b>14</b>	SCALE <b>1" = 130'</b>

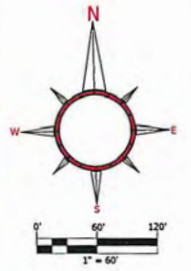
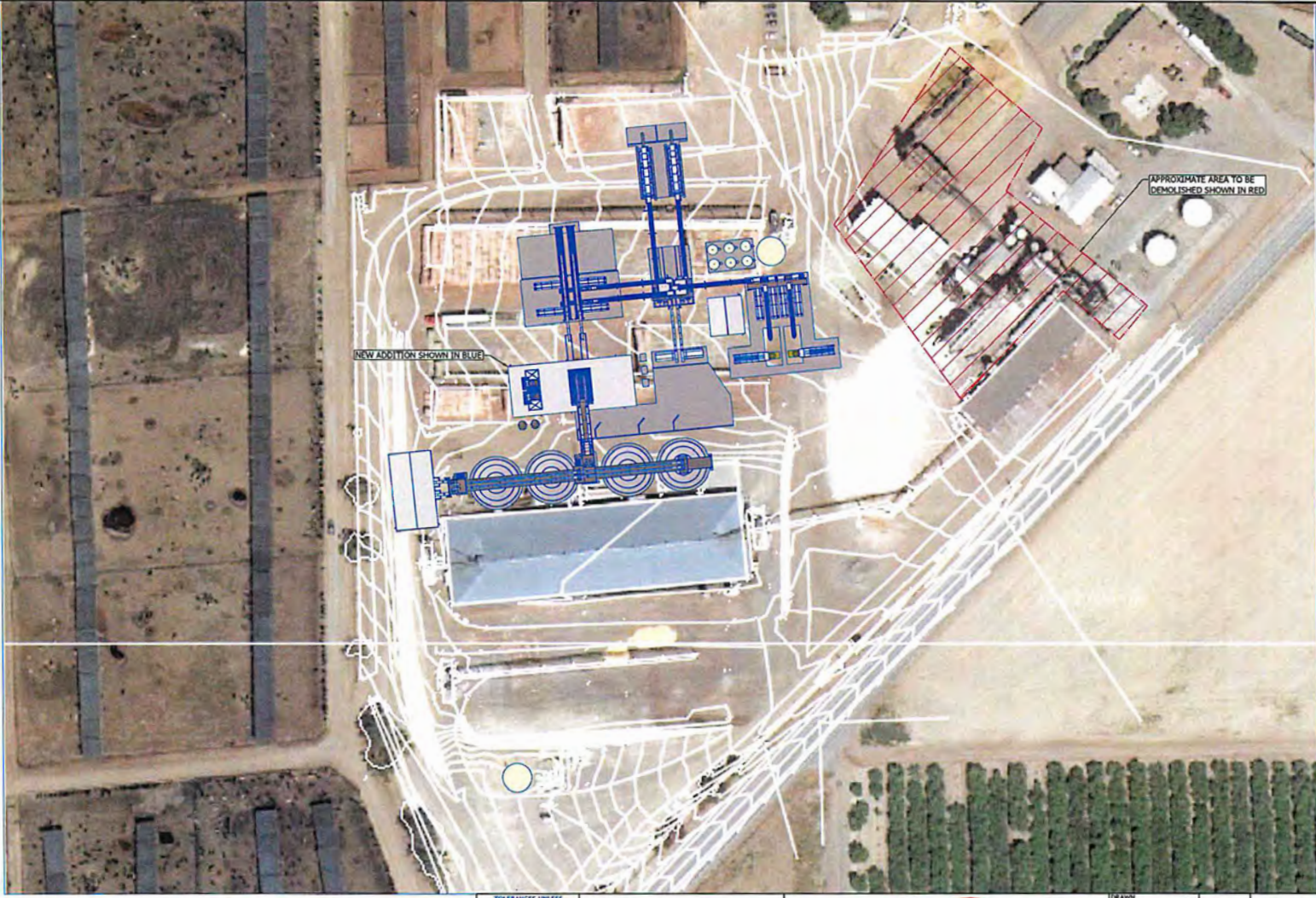
# Exhibit 5 Page 2



**PROJECT LOCATION: 29475 Fresno/Coalinga Rd. Coalinga, Ca 93210**  
**APN: 65-020-16S**

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			FEED YARD IND. SOLUTIONS 120 SW 6TH AVE AMARILLO, TX. 79101		BOSS AUTOMATION 321 MAIN SPEARMAN, TX 79081	
TITLE: <b>Harris Ranch-Layout 7.1</b>			SIZE: 21260 SCALE: 1" = 30'		SHEET 2 OF 5	



**PROJECT LOCATION: 29475 Fresno/Coalinga Rd. Coalinga, Ca 93210**  
**APN: 65-020-16S**

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 X.X = ± 0.050  
 X.XX = ± 0.020  
 X.XXX = ± 0.010

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 AMARILLO, TX. 79101

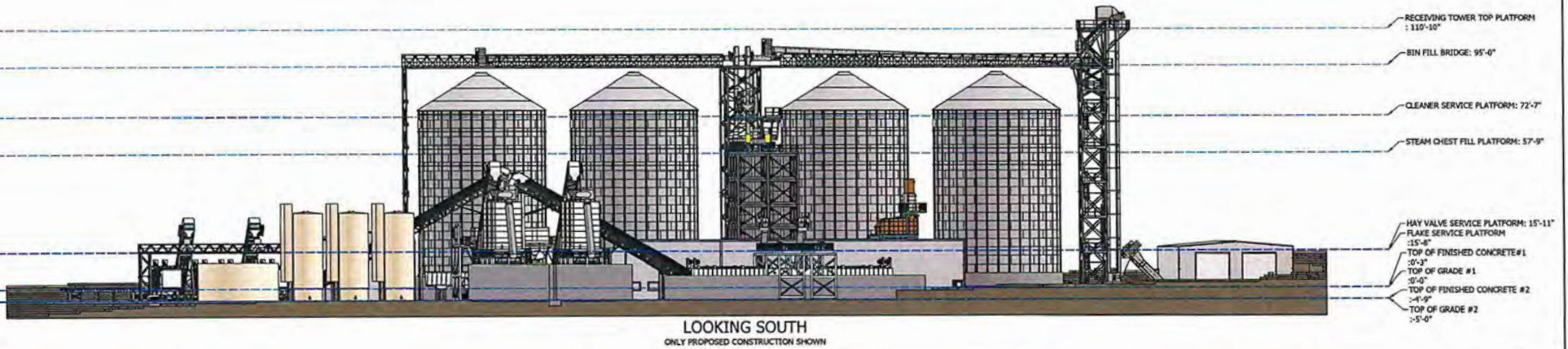
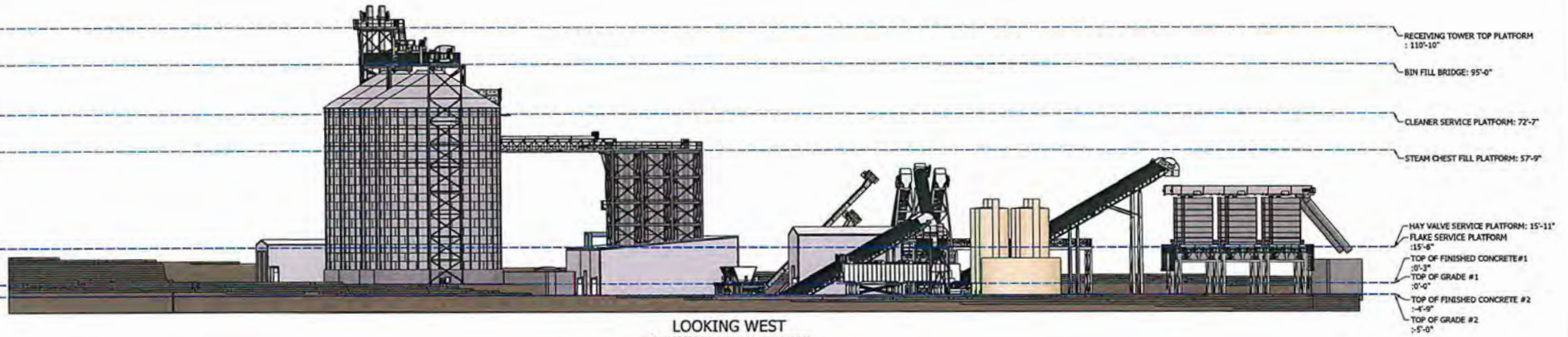
BOSS AUTOMATION  
 321 MAIN  
 SPEARMAN, TX. 79081

DC SPEARMAN & AMARILLO  
 (806) 310-0538

DESIGN	Scott Thompson	10/3/2023
CHECKED		5/23/2024
QA		
PIG		
APPROVED		

<b>Feed Yard Industrial Solutions</b>		
<b>Harris Ranch-Layout 7.1</b>		
SIZE	D	DWG NO 21260
SCALE	AS SHOWN	REV 14
SHEET 3 OF 5		





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			<p>CHECKED:</p>	<p>5/23/2024</p>		<p>TITLE:</p>
			<p>QA:</p>		<p><b>Harris Ranch-Layout 7.1</b></p>	
			<p>FIG:</p>			
			<p>APPROVED:</p>			
		<p>FEED YARD IND. SOLUTIONS 120 SW 6TH AVE. AMARILLO, TX 79101</p>	<p>BOSS AUTOMATION 321 MAIN SPEARMAN, TX 76081</p>	<p>Q: SPEARMAN &amp; AMARELLO (806) 310-0538</p>	<p>SIZE: 11x17 (OVER SIZE) DWG NO: 21260 SCALE: 1/8" = 1'-0"</p>	<p>REV: 14 SHEET 4 OF 5</p>



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**APN: 65-020-16S**

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 X.XX = ± 0.020  
 X.XXX = ± 0.010

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 SPEARMAN, TX. 79081

QC: SPEARMAN & AMARILLO  
 (806) 310-0538

DRAWN Scott Thompson	10/3/2023	<b>Feed Yard Industrial Solutions</b>	
CHECKED	5/23/2024	TITLE	
QA		<b>Harris Ranch-Layout 7.1</b>	
RFG		REV	
APPROVED		SIZE D	21260
		SCALE	SHEET 5 OF 5

# Exhibit 6

## Statement of Variance Findings:

*There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties in the vicinity having the identical zoning classification;*

Harris Feeding Company (HFC) proposes to replace its existing grain feed mill with a modernized, more efficient grain mill. HFC constructed the original mill in the 1960's, and it became operational at that time. The land is zoned AE-20 and is surrounded by undeveloped and in-use agricultural land (zoned AE-20 and AE-40), and the land use would remain agricultural. While the height of the proposed mill (110 feet) exceeds the maximum allowance for land zoned AE-20 (35 feet), this height would be the same as the existing mill. The proposed mill would be constructed immediately adjacent to the existing mill and would not cause a substantial visual change for passersby as a result. There are not any residences within the immediate vicinity and only a small number of rural residences in the surrounding area.

*Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification;*

Much of the immediate surrounding property is owned by Harris Feeding Company (HFC). The feed produced at the existing grain mill and that which would be produced at the proposed mill goes directly to feeding Harris Ranch's cattle. Mill operations began in the 1960's and have become a common expectation for the surrounding area, as well as a critical operational process for the larger Harris Ranch operations. By maintaining this property right, Harris Feeding Company can provide its cattle with feed efficiently and without unnecessary additional vehicle miles traveled for feed transportation.

*The granting of the variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located;*

Approximately 60 years after beginning mill operations on site, HFC proposes to construct a modernized mill that would operate almost completely automatically, be right next to the existing mill, and enable HFC to produce fresher feed in less time with fewer staff. HFC would be able to continue its grain feed mill operations but with less impact and more cost-effective operations. For instance, operational time for the grain mill is estimated to be reduced from 20 hours per day to 10 hours per day, and there would be no new on-site staff or truck trips while maintaining the same overall production. As such, potential environmental impacts from the existing mill would be substantially minimized by the proposed mill. The proposed Project would also not require new access roads or driveways as HFC already has established circulation on site. Additionally, the proposed mill would not be any taller than the existing mill and would update its overall appearance to be more aesthetically pleasing to passersby. There are not any sensitive receptors near the site as the surrounding parcels are used mostly for cattle and cattle grazing, as well as other agricultural land uses.

## Exhibit 6 Page 2

*The granting of such variance will not be contrary to the objectives of the Fresno County General Plan.*

The Fresno County General Plan defines agriculture land use as providing “for the production of crops and livestock, and for location of necessary agriculture commercial centers, agricultural processing facilities, and certain nonagricultural activities.” HFC was approved for a Conditional Use Permit (CUP 2570) in 1992 for the Project site to serve as an Agriculture Processing Facility and is therefore in line with the County’s General Plan land use allowance for agricultural land uses. Additionally, as a result of some of the aforementioned factors (such as the consistency in land use and zoning, production quantity and decreased production hours, consistent height and resulting aesthetics, surrounding land uses, no changes to site access, and fewer vehicle trips due to decreased employee counts) the granting of a Variance for mill height will not be contrary to the objectives of the Fresno County General Plan.

# Exhibit 7



Exhibit 7 Page 2



Exhibit 7 Page 3







Exhibit 7 Page 5



Exhibit 7 Page 6





Exhibit 7 Page 8







