

BEFORE THE BOARD OF SUPERVISORS
OF THE
COUNTY OF FRESNO, STATE OF CALIFORNIA

ADOPTION OF A MITIGATED NEGATIVE DECLARATION, AND)
APPROVAL OF DIRECTOR REVIEW AND APPROVAL) RESOLUTION
NO. 4660 WITH FINDING AND CONDITIONS OF APPROVAL)

WHEREAS, Amar Chohan Singh made an application to the Fresno County Planning Commission (Planning Commission) for adoption of a Mitigated Negative Declaration based on Initial Study No. 8065, and approval of Director Review and Approval Application (DRA) No. 4660 proposing to allow the maintenance and storage of trucks and trailers when such vehicles are devoted exclusively to the transportation of agricultural products on a 9.25-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District; and

WHEREAS, the site is located on the northwest corner of South Brawley Avenue and West California Avenue, approximately 2,100 feet south of the boundary of the City of Fresno, and

WHEREAS, on April 10, 2025, the Planning Commission denied the Application for DRA No. 4660; and

WHEREAS, an Appeal was made of the Planning Commission’s decision to deny DRA No. 4660 on April 25, 2025; and

WHEREAS, County Zoning Ordinance Chapter 876.6.020(C) requires that an appeal of the Planning Commission’s decision be heard by the Board of Supervisors (Board); and

WHEREAS, Pursuant to County Zoning Ordinance Chapter 865.5.060(B), in order for the Board to approve DRA No. 4660, the Board must make the following findings:

1. The site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces walls and fences, parking, loading, landscaping, and other features required by this chapter, to adjust the use with land and uses in the neighborhood;
2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
3. The proposed use will not be detrimental to the character of the development in the immediate neighborhood or the public health, safety, and general welfare; and

1 4. The proposed development is consistent with the General Plan

2 WHEREAS, on August 5, 2025, after duly giving all required public notices, and an opportunity for the
3 public to speak and present evidence for and against the proposed DRA No. 4660 and having
4 complied with all applicable requirements of the law, including the County Zoning Ordinance, the Board
5 hereby resolves and takes the following actions, including making the following findings.

6 NOW, THEREFORE Chapter 865.5.060(B) of the County Zoning Ordinance requires that the Site
7 for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces,
8 walls and fences, parking, loading, landscaping and other features required by this Division, to adjust
9 said use with land and uses in the neighborhood (Finding 1), and, in light of such requirement, the Board
10 hereby makes the following findings:

- 11 • The proposed development is compliant with the applicable development standards of
12 Chapter 808.2.040 of the Zoning Ordinance pertaining to the Agricultural Zone Districts,
13 and applicable off-street parking requirements.
- 14 • Based on the foregoing facts, which this Board has found, the Application satisfies
15 required Finding No. 1.

16 NOW, THEREFORE, Chapter 865.5.060(B) of the County Zoning Ordinance requires that the
17 Site for the proposed use relates to streets and highways adequate in width and pavement type to carry
18 the quantity and kind of traffic generated by the proposed use (Finding 2), and, in light of such
19 requirement, the Board hereby makes the following findings:

- 20 • With the proposed mitigation measures and conditions of approval for the project, the
21 County-maintained roadways that serve the parcel are adequate to support the proposed
22 use; and
- 23 • W. California Avenue (a County maintained road) is adequate in width and pavement
24 condition to serve the proposed use.
- 25 • S. Brawley Avenue (a County maintained road) is adequate in width and pavement
26 condition to serve the proposed use.
- 27 • Based on the foregoing facts, which this Board has found, the Application satisfies
28 required Finding No. 2.

1 NOW, THEREFORE, Chapter 865.5.060(B) of the County Zoning Ordinance requires that the
2 proposed use will have no adverse impact on abutting property and surrounding neighborhood or
3 permitted use thereof (Finding 3), and, in light of such requirement, the Board hereby makes the following
4 findings:

- 5 • The proposed project is consistent with uses allowed in an agricultural area with approval
6 of a Director Review and Approval Application and would therefore have no adverse effect
7 on the adjacent or surrounding property as conditioned.
- 8 • Based the foregoing fact, which this Board has found, the Application satisfies required
9 Finding No. 3.

10 NOW, THEREFORE, Chapter 865.5.060(B) of the County Zoning Ordinance requires that the
11 proposed development is consistent with the General Plan (Finding 4), and, in light of such requirement,
12 the Board hereby makes the following findings:

- 13 • The section of California Avenue serving the subject parcel has adequate right-of-way to
14 satisfy General Plan requirements.
- 15 • The section of Brawley Avenue serving the subject parcel has adequate right-of-way to
16 satisfy General Plan requirements.
- 17 • With compliance with the proposed Mitigation Measures, the project will not result in an
18 unacceptable level of service on the County roadway.
- 19 • That the proposed use is consistent with the requirements of the General Plan and Zoning
20 Ordinance.
- 21 • Based the foregoing fact, which this Board has found, the Application satisfies required
22 Finding No.4.

23 NOW, THEREFORE, IT IS ORDERED AND RESOLVED that the Mitigated Negative Declaration
24 Attached as EXHIBIT A, based on Initial Study No. 8065 is hereby adopted and DRA No. 4660 allow the
25 maintenance and storage of trucks and trailers when such vehicles are devoted exclusively to the
26 transportation of agricultural products on a 9.25-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre
27 minimum parcel size) Zone District, is hereby approved subject to the conditions of approval in the
28 Attached EXHIBIT B.

1 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption
2 by the Board.

3 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
4 of the County of Fresno this 5th day of August , 2025, to wit:

5
6 AYES: Supervisors Bredefeld, Chavez, Magsig, Mendes, Pacheco

7 NOES: None

8 ABSENT: None

9 ABSTAINED: None

10 BY _____
11 Ernest "Buddy" Mendes, Chairman of the
Board of Supervisors of the County of Fresno

12 **ATTEST:**
13 Bernice E. Seidel
14 Clerk of the Board of Supervisors
County of Fresno, State of California

15
16 BY _____
17 Deputy

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Exhibit A

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 8065	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION	County Clerk File No: E-202210000253	
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Alexander Pretzer	Area Code: 559	Telephone Number: 600-4205	Extension: N/A
Project Applicant/Sponsor (Name): Peter Moua	Project Title: Initial Study Application No. 8065 and Unclassified DRA No. 4660		
Project Description: Allow the maintenance and storage of trucks and trailers when such vehicles are devoted exclusively to the transportation of agricultural products, supplies, and equipment, on a 9.25 -acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Initial Study prepared for Director Review and Approval No. 4660, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Biological Resources, Energy, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Wildfire. Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, Land Use Planning, Noise, Greenhouse Gas Emissions, Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, and Tribal Cultural Resources have determined to be less than significant with compliance with implementation of recommended mitigation measures. A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 7, 2022 Date of Publication- September 14, 2022		Review Date Deadline: Planning Commission – March 27, 2025	
Date: March 27, 2025	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Alexander Pretzer Planner	

State 15083, 15085

County Clerk File No.: E-202210000253

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

Mitigation Monitoring and Reporting Program
Director Review and Approval No. 4660 & Initial Study No. 8065
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Outdoor lighting will be limited to building and covered parking security lighting, with controlled light sources by requiring all lighting to be hooded and directed downward as to not shine towards adjacent property and public streets.	Applicant	Applicant/PW&P	Continuous
2.	Cultural	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	Continuous
3.	Noise	"Noise Ordinance of the County of Fresno" states for commercial districts between 10 pm to 7 am shall not exceed 60 sound level decibels. Between 7 am to 10 pm, the sound level decibels shall not exceed 65. (Chapter 10-Regulations Regarding Public Nuisances and Real Property Conduct and Use. Article 1- Noise Regulations. Section 10-102 (b). No refrigeration trucks shall be operated onsite unless an amended DRA is applied for with an acoustical analysis of the operation and impacts on surrounding properties, and the amendment is subsequently approved.	Applicant	Applicant/PW&P and Code Enforcement	Continuous

4.	Noise	The applicant shall provide a continuous concrete block wall, no less than six feet in height, along the perimeter of the property line to reduce excessive noise to acceptable County of Fresno standards. Additional barriers may be required based on future noise studies required.	Applicant	Applicant/PW&P and Code Enforcement	Continuous
5.	Transportation	<p>Operation of the proposed project shall be in conformance with the Traffic Impact Study approved by the Fresno County Design Division and the Fresno County Road Maintenance and Operations Division dated March 25th, 2022.</p> <p>The project shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact (FMSI) Fee, a Traffic Signal Mitigation Impact (TSMI) Fee, and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.</p> <p>The County and Caltrans shall continue to monitor traffic operations at Brawley/SR 180 intersection and this intersection be modified to be a grade separated interchange, as needed.</p>	Applicant	Applicant/PW&P and Code Enforcement	Continuous

Conditions of Approval

1.	Development of the property shall be in substantial accordance with the Site Plan, Elevations and Operational Statement.
2.	Prior to the issuance of building permits, a Site Plan review application 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. Conditions of the Site Plan review may include but not limited to the design of parking and circulation areas, wall/fencing, access, on-site grading and drainage, right-of-way dedication, fire protection, landscaping, signage, and lighting.
3.	The applicant will need to dedicate appropriate road right-of-way across the parcel frontage to comply with the specific plan line prior to issuance of permits. This dedication shall be 28-feet from the section line on California Avenue to a point 400-feet north of the California Avenue section line and shall taper to a 22-foot dedication at a point 640-feet north of the California Avenue section line.
4.	S. Brawley Ave. shall be improved to include two 12-foot travel lanes across parcel frontage with a four-foot paved shoulder along the southbound lane.

5.	A 30-foot X 30-foot corner cutoff is needed at the intersection of W. California Ave. and S. Brawley Ave. for visibility setback purposes.
6.	Applicant will need to relocate any utilities if needed to accommodate such improvements.
7.	A Dust Control Plan identifies the fugitive dust sources at the construction site and describes all the dust control measures to be implemented before, during, and after any dust generating activity for the duration of the project. The District will review and approve, conditionally approve, or disapprove the Dust Control Plan within 30 days of submittal. Construction activities shall not commence until the Dust Control Plan has been approved or conditionally approved by the San Joaquin Valley Air Pollution Control District.
8.	The intersection of S. Brawley Ave. and W. California Ave. shall be improved to accommodate truck turning movements.
9.	Any existing or proposed entrance gate should 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.
10.	For unpaved or gravel surface access roads, the first 100 feet off the edge of the County Road right-of-way must be graded and asphalt concrete paved or treated with dust palliative.
11.	If not already present, a 10-foot X 10-foot corner cut-off should be improved for sight distance purposes at any proposed or existing driveway accessing Brawley Avenue or California Avenue.
12.	All expenses towards monitoring traffic operations at Brawley/SR 180 intersection conducted by County and Caltrans shall be paid for by the applicant/ property owner.
13.	Any conditions of approval of this permit (i.e. onsite operation of TRUs / truck idling), or that the permittee is operating in a manner that is inconsistent with or that is not in accordance with the approved statement of operations, or that such entitlement is being used for non-agricultural related trucking in a way that is injurious to the public health, safety, or welfare are grounds for permit revocation.
14.	A six-foot high masonry wall shall be constructed along the parameter of the subject parcel as to provide acoustical shielding intended on reducing noise levels from operational activities to adhere to the County of Fresno's Noise Ordinance Standards of less than 65 decibels.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended 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.	The driveway approaches should be limited to a maximum of 35 feet.

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2.	The proposed gates at the driveways shall be set back a minimum of 20 feet from the right-of-way or such other extra depth, to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate.
3.	Subject's parcel is within FMFCD boundaries, any permanent drainage improvements should be in accordance with FMFCD master plan.
4.	An engineered Grading and Drainage Plan is required to show how additional runoff is being handled and verify compliance with Fresno County's Ordinances. If community facilities are not installed or available, the applicant will be required to contain additional storm water runoff associated with development in on-site retention areas. Any retention facilities greater than 18 inches in depth will require fencing to preclude public access. Any road drainage improvements such as curb and gutter shall be deferred until FMFCD facilities are available.
5.	An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way of County of Fresno.
6.	The sewage disposal system shall be approved and installed under permit from the Department of Public Works and Planning, Building and Safety Section. The applicant's consultant shall contact the Department of Public Works and Planning Building and Safety Section at (559) 600-4540 for more information. Leach fields shall not be paved over or parked on top of to allow for treatment of effluent providing protection of piping and system integrity.
7.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/). For more information please contact the local Hazmat Compliance Program at (559) 600-3271. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.
8.	The proposed project shall comply with the Fresno County Noise Ordinance Codes. Due to the location of the proposed project near residential uses, all equipment shall be maintained according to the manufacturer's specifications, and that noise generating equipment be equipped with mufflers. Should the project change to include parking of refrigerated trucks or idling of trucks for prolonged periods, a noise study is recommended that can offer mitigation measures.
9.	At such time the applicant or property owner(s) decides to construct a water well, (following approval of the engineered design septic system for the parcel) the water well contractor selected by the applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Community Health, Environmental Health Division. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 600-3357.
10.	The applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management,

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	Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers and facilities, will require the Owner/Operator to obtain a Tire Program Identification Number (TPID) and possibly a waste and used tire hauler permit from the California Department of Resources Recycling and Recovery (CalRecycle). Contact the local Tire Enforcement Agency at (559) 600-3271 for additional information.
11.	Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines or into the County road right-of-way, and must be retained on-site, per County Standards unless FMFCD specifies otherwise.
12.	According to the site plan, additional impervious surface appears to be created and a ponding basin is to be used for storage of storm water runoff. Therefore, an Engineered Grading and Drainage Plan is required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. The grading and drainage plan should provide calculations of the required basin storage capacity and the basin design storage capacity.
13.	A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) are required to be filed with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area. Copies of completed NOI with WDID # and SWPPP shall be provided to Development Engineering prior to any grading work.
14.	Any existing or proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards. Any proposed handicap accessible parking stalls and curb ramps shall be in compliance with ADA standards and the maximum surface slope within the disabled parking space(s) and adjacent access aisle(s) shall not exceed 2% in any direction.
15.	Any proposed or existing driveway should be set back a minimum of 10 feet from the property line.
16.	Any work done within the County road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
17.	A grading permit or voucher is required for any grading proposed with this application.
18.	Although the construction-related emissions are expected to have a less than significant impact, the San Joaquin Valley Air Control District suggests that the County advise project proponents with construction-related exhaust emissions and activities resulting in less than significant impact on air quality to utilize the cleanest reasonably available off-road construction fleets and practices (i.e. eliminating unnecessary idling) to further reduce impacts from construction-related exhaust emissions and activities.
19.	Construct site frontage improvements along S. Brawley Avenue which include, road widening, sidewalk, and street lighting.

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20.	Provide adequate wayfinding, signage, and illumination on-site to optimize safety and to reduce conflicts among delivery trucks, motorists, cyclists, and pedestrians.
21.	Provide adequate ingress and egress to and from the project site as represented in the Site Plan with driveways.
22.	Provide onsite bike racks/bike lockers and pedestrian accessibility to all proposed buildings and offsite sidewalk.
23.	"Noise Ordinance of the County of Fresno" states for commercial districts between 10 pm to 7 am shall not exceed 65 sound level decibels. Between 7 am to 10 pm, the sound level decibels shall not exceed 65. Chapter 10- Regulations Regarding Public Nuisances and Real Property Conduct and Use. Article 1- Noise Regulations. Section 10-102 (b).

AP:jp

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