



## Inter Office Memo

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**ATTENTION: FOR FINAL ACTION OR  
MODIFICATION TO OR ADDITION OF  
CONDITIONS, SEE FINAL BOARD OF  
SUPERVISORS' ACTION SUMMARY  
MINUTES.**

DATE: October 27, 2022  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12969 - INITIAL STUDY NO. 8045; AMENDMENT  
APPLICATION NO. 3846; SITE PLAN REVIEW APPLICATION NO. 8226.

OWNER: Jagir Gill Singh

APPLICANT: Art Lancaster

REQUEST: To allow the rezoning of a 19.98-acre parcel from the existing AL-20 (Limited Agricultural; 20-acre minimum parcel size) Zone District to the M-2 (General Industrial) Zone District and approve a Site Plan Review for a commercial truck maintenance facility with related improvements on a 2.12-acre portion of the subject parcel.

LOCATION: The subject parcel located on the northeast corner of South Maple Avenue and East American Avenue approximately one-half mile south of the City of Fresno (APN: 330-212-38) (4780 S. Maple Avenue) (Sup. Dist. 3).

### PLANNING COMMISSION ACTION:

At its hearing of October 27, 2022, the Commission considered the Staff Report and testimony (summarized in Exhibit A).


A motion was made by Commissioner Woolf and seconded by Commissioner Arabian to recommend adoption of the Mitigated Negative Declaration prepared for the project; find that the proposed rezone is consistent with the County General Plan and Roosevelt Community Plan; and recommend approval of Amendment Application No. 3846 and Site Plan Review Application No. 8226, subject to the Mitigation Measures, Conditions of Approval, and Project Notes listed in Exhibit B.

RESOLUTION # 12969

This motion passed on the following vote:

VOTING:      Yes:            Commissioners Woolf, Arabian, Abrahamian, Carver, and Hill  
                  No:            Commissioner Chatha  
                  Absent:        Commissioners Ewell and Zante  
                  Abstain:       None

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

By:   
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William M. Kettler, Manager  
Development Services and Capital Projects Division

WMK:  
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Attachments

EXHIBIT A

Initial Study No. 8045  
Amendment Application No. 3815  
Site Plan Review Application No. 8226

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 27, 2022 and heard a summary presentation by staff.
- Applicant: The owner'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:
- We desired rezone of the property with limited uses in the M-2 zone district to strategies environmental studies for the project; however, due to change in zoning rules, we settled with a full M-2 zone district.
  - We applied for a Site Plan Review with a designate use (truck maintenance facility) mainly to avoid issues related to rezoning without a designated use.
  - There is a high demand for truck maintenance facility in the project area.
  - Upon approval of rezone, we will file a parcel map or a tentative map to show intended uses on the parcels; our goal is to build satellite stations for small and medium size trucking companies.
- Others: One individual presented information in support of the application citing that a truck maintenance facility will be a good fit for the site due to growing demand for such facilities in the area.
- No individuals presented information in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

EXHIBIT B

Initial Study Application No. 8045; Amendment Application No. 3846; Site Plan Review Application No. 8226  
 Mitigation Monitoring and Reporting Program  
 IS 8045 Mitigation Measures

EXHIBIT B

Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting associated with the development of industrial uses on the property shall be hooded and directed downward so as to not shine toward adjacent property and public streets.	Applicant	Applicant/Fresno County Dept. of Public Works and Planning	At time of construction until project lasts.
2.	Cultural Resources	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/ Fresno County Sheriff-Coroner	During construction
3.	Transportation	<p>Prior to the issuance of building permits for the uses allowed on M-2 zoned property, the Applicant shall enter into a Traffic Mitigation Agreement (TMA) with California Department of Transportation agreeing to participate in the funding of future off-site traffic improvements as defined in item 'a' below and pay for the funding deemed appropriate by Caltrans based on the following pro-rata share.</p> <p>a. The project will impact the northbound SR 99 and Chestnut Avenue offramp. The cost-per-trip to place a turn lane at the SR 99 and Chestnut</p>	Applicant	Applicant/PWP	As noted

		Avenue exit ramp would be \$1,670 (one trip x \$1,670/trip) fair share for the improvement of the northbound exit ramp.	
Mitigation Measure – Measure specifically applies to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended conditions for the project.			
<b>Conditions of Approval – Amendment Application No. 3846</b>			
1.	Development of a commercial truck maintenance facility shall be in accordance with the Site Plan, Floor Plan, Elevations, and Operational Statement approved by the Board of Supervisors.		
2.	At the time of development of the proposed commercial truck maintenance facility, the applicant shall consult with Malaga County Water District (MCWD) for the site to connect and utilize sewer and water services from MCWD, if available adjacent to and within 150 feet of the property. If available, the property owner shall construct water and sewer mains across the frontage of the property, connect to MCWD water and sewer systems, and destroy existing on-site systems in accordance with the Fresno County and Environmental Health Department.		
3.	In order to protect sensitive noise receptors on the adjacent parcels, no operation of refrigerated truck or other equipment that operate continuously and has the potential to generate noise above 60db shall be allowed on the property unless a Noise Study prepared by a certified sound consultant is submitted to and approved by Fresno County Health Department, Environmental Health Division.		
4.	Prior to issuance of any occupancy or operations the northbound lane of Maple Avenue shall be improved with a 6-foot paved shoulder across the proposed two (2) acre development for commercial truck maintenance facility. At this time the improvements can be limited to the frontage of the developed property. If the remainder of the parcel is developed, these conditions shall apply to the entire parcel frontage.		
5.	Prior to issuance of any occupancy or operations, the westbound lane of American Avenue shall be expanded from the existing 10-foot paved travel lane to a 12-foot paved travel lane and be improved with a 6-foot paved shoulder across the proposed two (2) acre development for commercial truck maintenance facility. At this time the improvements can be limited to the frontage of the developed property. If the remainder of the parcel is developed, these conditions shall apply to the entire parcel frontage.		
6.	Prior to issuance of any occupancy or operations the applicant shall relocate existing utilities within the road right-of-way to the correct alignment and grade affected by the development of the proposed commercial truck maintenance facility.		
7.	A dust palliative shall be required to be applied regularly to all non-paved parking and circulation areas to control dust from leaving the site.		
8.	The project shall adhere to Mitigation Measures, Conditions of Approval and Project Notes prepared for Amendment Application No. 3846 and Conditions of Approval and Project Notes prepared for Site Plan Review Application No. 8226.		

**Project Notes – Amendment Application No. 3846**

<p>1.</p>	<p>To address impact on public health resulting from permitted uses on the property, the Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Any business that handles a hazardous material or hazardous waste may require submittal of a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95, Section 25507.</li> <li>• The sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section. Leach fields shall not be paved over nor parking of vehicles to allow for treatment of effluent and protection of piping.</li> <li>• Any underground storage tank found during construction shall be removed by obtaining an Underground Storage Tank Removal permit from the Health Department.</li> <li>• Permits shall be applied for and obtained from Health Department to construct a water well on the property.</li> <li>• All abandoned water wells and septic systems on the property shall be properly destroyed by an appropriately licensed contractor.</li> <li>• Noise impacts associated with construction activities shall be subject to the County Noise Ordinance.</li> <li>• Per the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers and facilities, the owner/operator shall 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).</li> </ul>
<p>2.</p>	<p>To address impacts on the Fresno Irrigation District (FID) facilities resulting from permitted uses on the property, FID requires the following:</p> <ul style="list-style-type: none"> <li>• FID's Washington Colony No. 15 runs southwesterly, crosses American Avenue approximately 1,950 feet east of the subject property, crosses Chestnut Avenue approximately 1,460 feet southeast of the subject property, and crosses Maple Avenue approximately 1,196 feet south of the subject property. Any street and/or utility improvements along American Avenue, Chestnut Avenue, Maple Avenue, or in the vicinity, shall require FID's review and approval of all plans.</li> </ul>

	<ul style="list-style-type: none"> <li>• FID's Oleander No. 16 runs southwesterly, crosses American Avenue approximately 2,911 feet east of the subject property. Any street and/or utility improvements along American Avenue, or in the vicinity shall require FID's review and approval of all plans.</li> <li>• FID's Viaw No. 25 runs southerly then westerly along the west side of Maple Avenue approximately 400 feet north of the subject property. Any street and/or utility improvements along Maple Avenue, or in the vicinity shall require FID's review and approval of all plans.</li> <li>• A private facility known as the Peterson Br. No. 524 runs westerly and traverses the subject property. This pipeline is active and shall be treated as such.</li> </ul>
3.	<p>To address impacts on the Fresno Metropolitan Flood Control District (FMFCD) facilities resulting from permitted uses on the property, the FMFCD requires the following:</p> <ul style="list-style-type: none"> <li>• The project shall pay drainage fees at the time of development based on the fee rates in effect at that time.</li> <li>• Storm drainage patterns for the development shall conform to the District Master Plan.</li> <li>• All improvement plans for any proposed construction of curb and gutter or storm drainage facilities shall be reviewed and approved by FMFCD for conformance to the District Master Plan within the project area.</li> <li>• Temporary storm drainage facility shall be provided on the property until permanent service becomes available.</li> <li>• Construction activity shall secure a storm water discharge permit.</li> </ul>
4.	<p>A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be filed with State Water Resources Control Board before the commencement of any construction activities disturbing 1.0 acre or more of area. Copies of completed NOI and SWPPP shall be provided to Development Engineering prior to any grading work</p>
5.	<p>To address impacts on county roadways resulting from the permitted uses on the property, the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"> <li>• A 20-foot by 20-foot corner cutoff shall be provided at the intersection of S Maple Avenue and E American Avenue for visibility purposes.</li> <li>• 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, in order to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate.</li> <li>• Development of the property in accordance with the proposed change in zoning will necessitate that the applicant shall construct street improvements, possibly including curb, gutter, and sidewalk across the parcel frontages. Plans for such</li> </ul>



	<p>improvements shall be submitted during the Site Plan Review process.</p> <ul style="list-style-type: none"> <li>Any permanent drainage improvements shall be in accordance with FMFCD Master Plan. Any road drainage improvements such as curb and gutter shall be deferred until FMFCD facilities are available.</li> <li>An encroachment permit shall be obtained from the Road Maintenance and Operations Division prior to any work completed within the road right-of-way of Fresno County.</li> </ul>
6.	<p>The permitted uses on the property shall be subject to the following San Joaquin Valley Air Pollution Control District (District) Rules:</p> <ul style="list-style-type: none"> <li>District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review): Prior to construction, an Authority to Construct (ATC) application shall be filed with the District.</li> <li>District Rule 9510 (Indirect Source Review): An Air Impact Assessment (AIA) application shall be filed with the District.</li> <li>Regulation VIII (Fugitive PM10 Prohibitions); Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities); Rule 4601 (Architectural Coating); Rule 4102 (Nuisance); and Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations).</li> </ul> <p>To address impacts on air quality resulting from the permitted uses on the property, the San Joaquin Valley Air Pollution Control District (District) requires the following:</p> <ul style="list-style-type: none"> <li>Fleets associated with operational activities utilize the cleanest available Heavy Heavy-Duty (HHD) trucks, including zero and near-zero (0.02 g/bhp-hr NOx) technologies.</li> <li>All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.</li> <li>Idling of Heavy Heavy-Duty (HHD) truck near sensitive receptors be limited to a 3-minute idling and shall require appropriate signage and enforcement of idling restrictions.</li> <li>The electric vehicle chargers should be installed at the project site at strategic locations.</li> </ul>
<b>Project Notes – Site Plan Review Application No. 8226</b>	
1.	<p>A Grading and Drainage Plan shall be prepared by a Registered Civil Engineer and submitted to the Department of Public Works and Planning in accordance with Section 6731 of the California Business and Professions Code. The Plan shall have an Engineer's Certificate indicating that the grading and drainage will have no adverse effect on the adjoining properties. A Grading</p>



	<p>and Drainage Plan Submittal Checklist has been attached. Contact the Grading Engineer for Grading and Drainage Plan requirements at (559) 600-4022.</p> <p>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.</p> <p>A grading permit or voucher may be required for any grading proposed with this application.</p>
2.	<p>Fire protection improvements shall be in place and inspected by the Fresno County Fire Protection District prior to occupancy. Contact the District at (559) 493-4359 to arrange for an inspection. Allow 14 to 21 days for the District to complete the inspection.</p>
3.	<p>The Civil Engineer who prepares the on-site improvement plans shall inspect construction of the facilities and shall certify to the Department of Public Works and Planning that the work conforms to approved plans and specifications. The Fresno County Grading Engineering Section requires the submittal of an As-Built Grading and Drainage Plan. Contact Grading Engineering at (559) 600-4022 for more information.</p>
4.	<p>A Regional Transportation Mitigation Fee (RTMF) shall be paid to the RTMF Joint Powers Agency prior to occupancy. The required form will be supplied during the building plan check process. Contact the RTMF Joint Powers Agency at (559) 233-4148 for more information.</p>
5.	<p>All driveways and parking areas to be used by motor vehicles shall be designed by an architect or civil engineer in accordance with Fresno County Standards. Engineered plans for construction, including a complete listing of materials, costs, and quantities in place, shall be submitted to this Department for approval. A fee, based upon construction costs, will be assessed in accordance with Section 879 of the Fresno County Zoning Ordinance and must be collected with the submittal of the Grading and Drainage Plan.</p>
6.	<p>Owner shall design and install fire protection measures as required by the Fresno County Fire Protection District, which may include but are not limited to water flow requirements, water storage, fire pumps, fire hydrants, fire sprinkler systems, fire alarm systems and road access. All structures and other applicable facilities shall comply with California Code of Regulations Title 24 – Fire Code. Comments by Fresno County Fire Protection District are attached. Your project/development shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The project/development also will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought. Prior to plan submittal to the FCFPD please visit the District's website at <a href="http://www.fresnocountyfire.org">www.fresnocountyfire.org</a> and fill out the Fire Permit Application to submit with your plans. In addition to the required construction plans submitted for building plan check, three (3) sets of construction plans shall be submitted to the Site Plan Review section and date stamped prior to Fire District review. These plans will be forwarded to the Fresno County Fire Protection District for their review. It will be the responsibility of the Owner to contact the Fire Protection District for required fire protection improvements. Contact the District at (559) 493-4359 for information.</p>

7.	The Fresno Unified School District, in which you are proposing construction, has adopted a resolution requiring the payment of a Development Impact Fee. The County, in accordance with State law, which authorizes the fee, will not issue a building permit without certification from the school district that the fee has been paid. An official certification form will be provided by the County when application is made for a building permit.
8.	Prior to building permits, the applicant shall obtain a demolition permit for the residence permitted in 2005. Please contact the Zoning and Permits department at (559) 600-4540 for more information.
9.	The parking and circulation areas shall be graded, asphalt concrete surfaced, and striped. Off-street parking spaces shall be provided as shown on the approved plan.
10.	ADA stall(s) shall be provided for the physically disabled and shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. ADA stalls shall be concrete, or asphalt concrete paved and must be located on the shortest possible route to the main entrance, so the disabled person does not cross the driveway into the parking lot.
11.	A 45-degree (45°) corner cut-off of 10-foot by 10-foot shall be maintained to allow clear visual view of vehicular traffic from the driveway within the County right-of-way.
12.	All conditions of approval for AA 3846 shall remain in full force and effect.
13.	Permits for structural, electrical, and plumbing work shall be obtained from the Department of Public Works and Planning, Permits Counter, prior to any construction.
14.	All proposed signs shall be submitted to the Department of Public Works and Planning, Permits Counter to verify compliance with the Zoning Ordinance.
15.	If the use of this property should ever change, it is important that the owner or operator verify that the new use would be allowed by all applicable building codes and ordinances of Fresno County. Contact the Fresno County Department of Public Works and Planning, Permits Counter at (559) 600-4540 for information on applicable codes and ordinances.
16.	Required site improvements may be bonded in accordance with the provisions of Section 874-C-2 of the Fresno County Zoning Ordinance.
17.	This Site Plan Review approval shall expire in two years from the date of approval unless substantial development has commenced.

EXHIBIT C

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study No. 8045  
Amendment Application No. 3846  
Site Plan Review Application No. 8226

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Initial Study Application Amendment	\$ 3,901.00 <sup>1</sup>
Application	\$ 6,214.00 <sup>2</sup>
Public Health Department Review	\$ 721.00 <sup>3</sup>
Agricultural Commissioners Review	\$ 42.00 <sup>3</sup>
Site Plan Review Application	\$ 6,052.00 <sup>4</sup>

**Total Fees Collected**

**\$ 16,930.00**

<sup>1</sup> Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.

<sup>2</sup> Review and research, engaging with reviewing departments and multiple agencies, staff's analysis, Staff Report and Board Agenda Item preparation, public hearings before County Planning Commission and County Board of Supervisors.

<sup>3</sup> Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division and Agricultural Commissioners Review.

<sup>4</sup> Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Site Plan Review approval letter.

EA:

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