



County of Fresno

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

Planning Commission Staff Report Consent Agenda Item No. 1 September 14, 2023

SUBJECT: Unclassified Conditional Use Permit No. 3693 – First One-Year Time Extension

Grant a first one-year time extension to exercise Unclassified Conditional Use Permit No. 3693 which allows a Fire Station in the O (Open Space) and R-1 (Single-Family Residential) Zone Districts.

LOCATION: The project is comprised of two parcels located North and South of Millerton Rd, approximately 0.60-miles west from the intersection of Millerton Rd. and Marina Dr., and approximately 1.9 miles east of the unincorporated community of Friant (APN: 300-021-27S; 300-340-13S) (Sup. Dist. 5).

OWNER: Fresno County Fire Protection District

APPLICANT: Jeffrey T. Roberts

STAFF CONTACT: Alyce Alvarez, Planner
(559) 600-9669

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Approve a first one-year Time Extension for Unclassified Conditional Use Permit No. 3693; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution dated May 20, 2021, and Board of Supervisors Resolution dated July 13, 2021
5. Applicant's correspondence requesting a one-year Time Extension

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

A Mitigated Negative Declaration (MND) prepared for Initial Study No. 7980 was adopted by the Board of Supervisors in accordance with the California Environmental Quality Act (CEQA) with approval of Classified Conditional Use Permit (CUP) No. 3693 on July 13, 2021.

According to Section 15162(a) of the CEQA Guidelines, when an MND is adopted for a project, no subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows either of the following: (A) the project will have one or more significant effects not discussed in the previous MND; or (B) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

This Time Extension request does not propose changes to the approved project, nor is there evidence of the circumstances noted in Conditions 1, 2 or 3 above. Therefore, a subsequent/supplemental environmental document is not required.

PUBLIC NOTICE:

Notices were sent to 71 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:

The Fresno County Zoning Ordinance requires that a Conditional Use Permit shall become void when substantial development has not occurred within two (2) years after approval of the Permit. The Zoning Ordinance authorizes the Planning Commission to grant a maximum of four (4) one (1)-year Time Extensions when it can be demonstrated that circumstances beyond the control of the Applicant have caused delays which do not permit compliance with the original time limitation. The request for extension must be filed prior to the expiration of the Conditional Use Permit. The decision of the Planning Commission regarding an Unclassified Conditional Use Permit Time Extension is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

Unclassified Conditional Use Permit (CUP) No. 3693 was recommended for approval by the Planning Commission on May 21, 2021 and hereafter approved concurrently with General Plan Amendment No. 564 by the Board of Supervisors on July 13, 2021 (Exhibit 4).

The Applicant filed the subject time extension request on May 1, 2023, within the time limit noted above. If this first-time extension request is granted, the Applicant will have until July 13, 2024, to achieve substantial development.

ANALYSIS/DISCUSSION:

Approval of a time extension request for a Classified Conditional Use Permit is appropriate if circumstances beyond the control of the Applicant have caused delays which do not permit compliance within the two-year time limit established by the Zoning Ordinance. It should be noted that the Planning Commission’s jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional year to exercise the Classified Conditional Use Permit as approved.

According to the Applicant’s letter describing the Time Extension request (Exhibit 5), the Applicant needs additional time to complete several modifications to the site plan and associated grading and infrastructure plans prior to its formal submittal to the County of Fresno. Those modifications are currently underway and the district’s engineer, architect, and prospective builder are all actively participating in the changes.

This Time Extension application was routed to the same agencies that reviewed Unclassified Conditional Use Permit Application No. 3693 in December of 2020. None of those agencies identified any change in circumstances, or the need for additional Conditions, or expressed any concerns with the proposed extension of time.

SUMMARY CONCLUSION:

The first one-year Time Extension for Unclassified Conditional Use Permit No. 3693 should be approved, based on the factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to July 13, 2024.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to approve the first one-year Time Extension for Unclassified Conditional Use Permit No. 3693; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.


Alternative Motion (Denial Action)

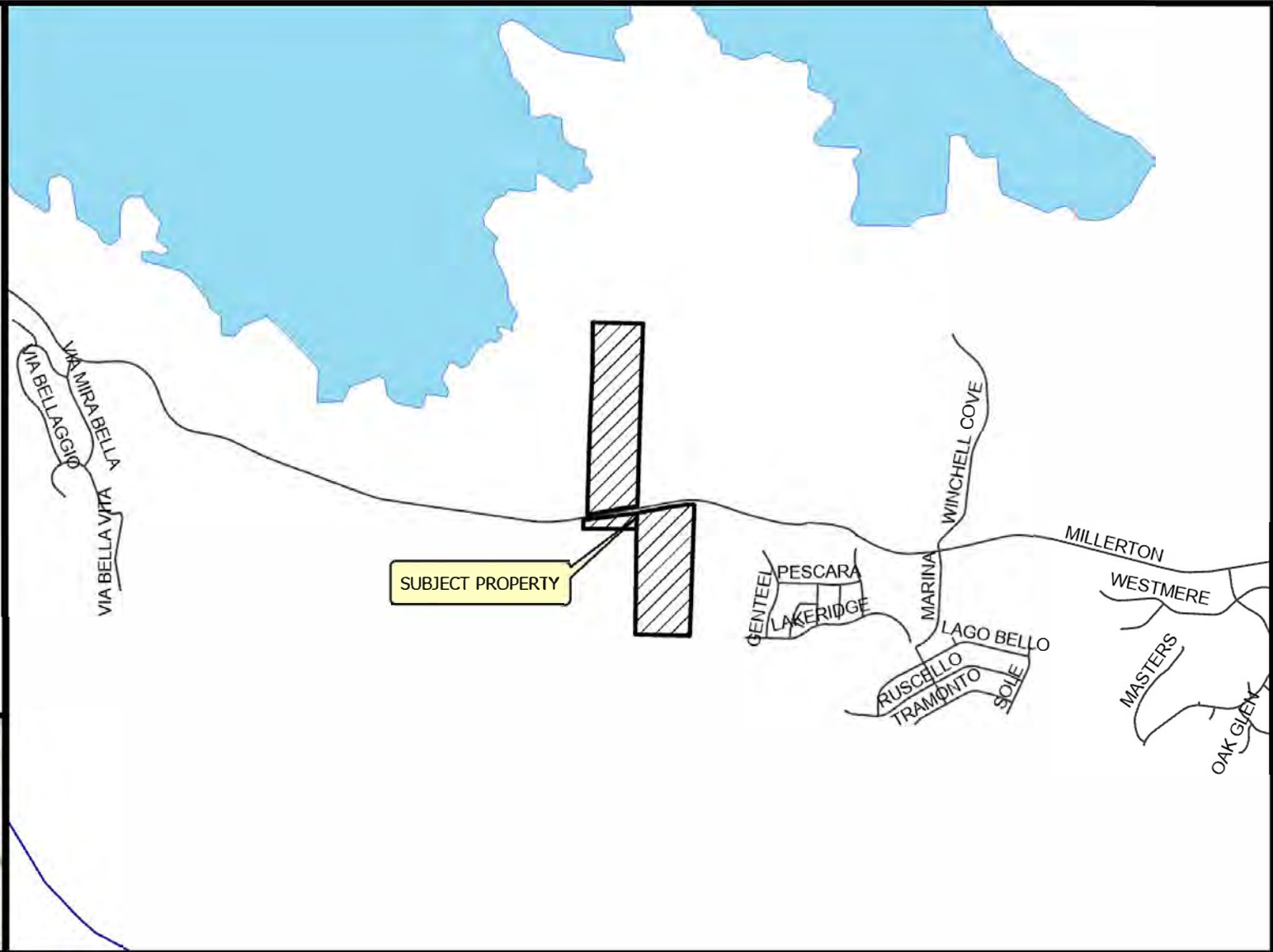
- Move to deny the first one-year Time Extension for Unclassified Conditional Use Permit No. 3693 stating the reason for denial; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

AA:jp

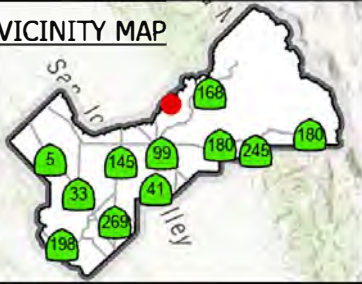
G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3693 - See GPA 564\TIME EXT 1\Staff Report\SR CUP 3693 TIME EXT 1.docx

Legend

 SubjectProperty



VICINITY MAP



LOCATION MAP

CUP3693 EXT 1

2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuang
 On Date : 5/15/2023

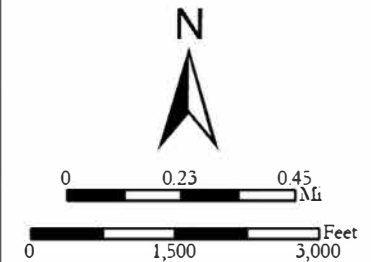


EXHIBIT 1

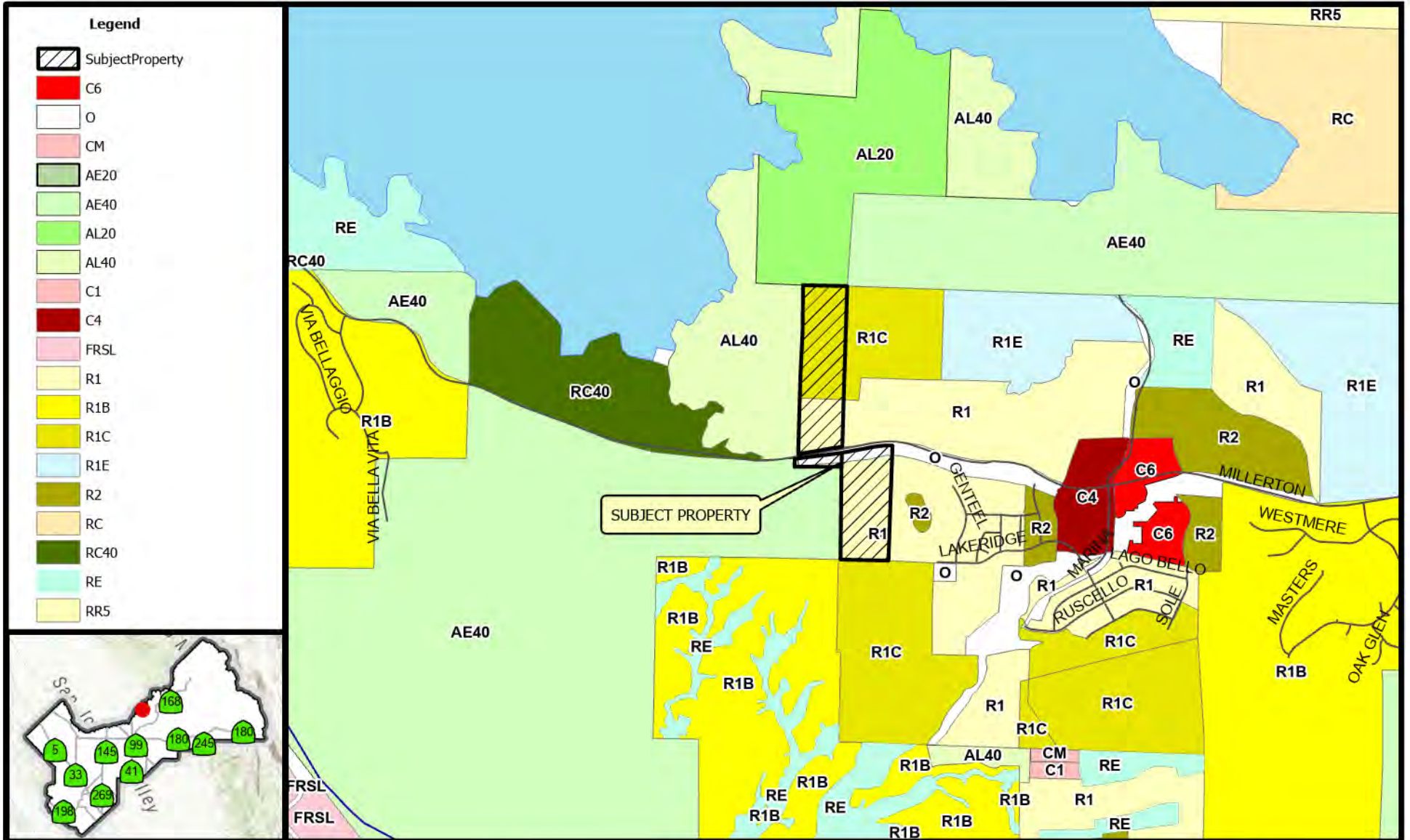
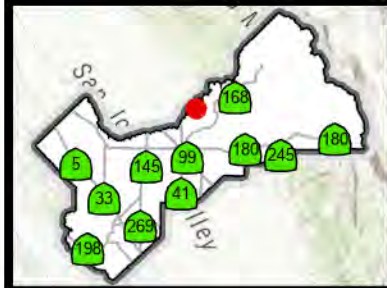
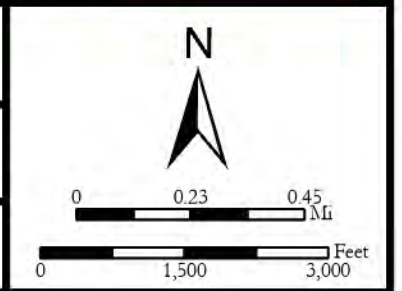


EXHIBIT 2





Existing Zoning Map

CUP3694 EXT 1 STR 9 - 11/21	2023
Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division Person Prepared by : chuang On Date : 5/15/2023	



LEGEND:

-  Subject Property
-  Ag Contract Land

LEGEND
DRY - DRY FARMING
GRZ - GRAZING
SF#- SINGLE FAMILY RESIDENCE
V - VACANT

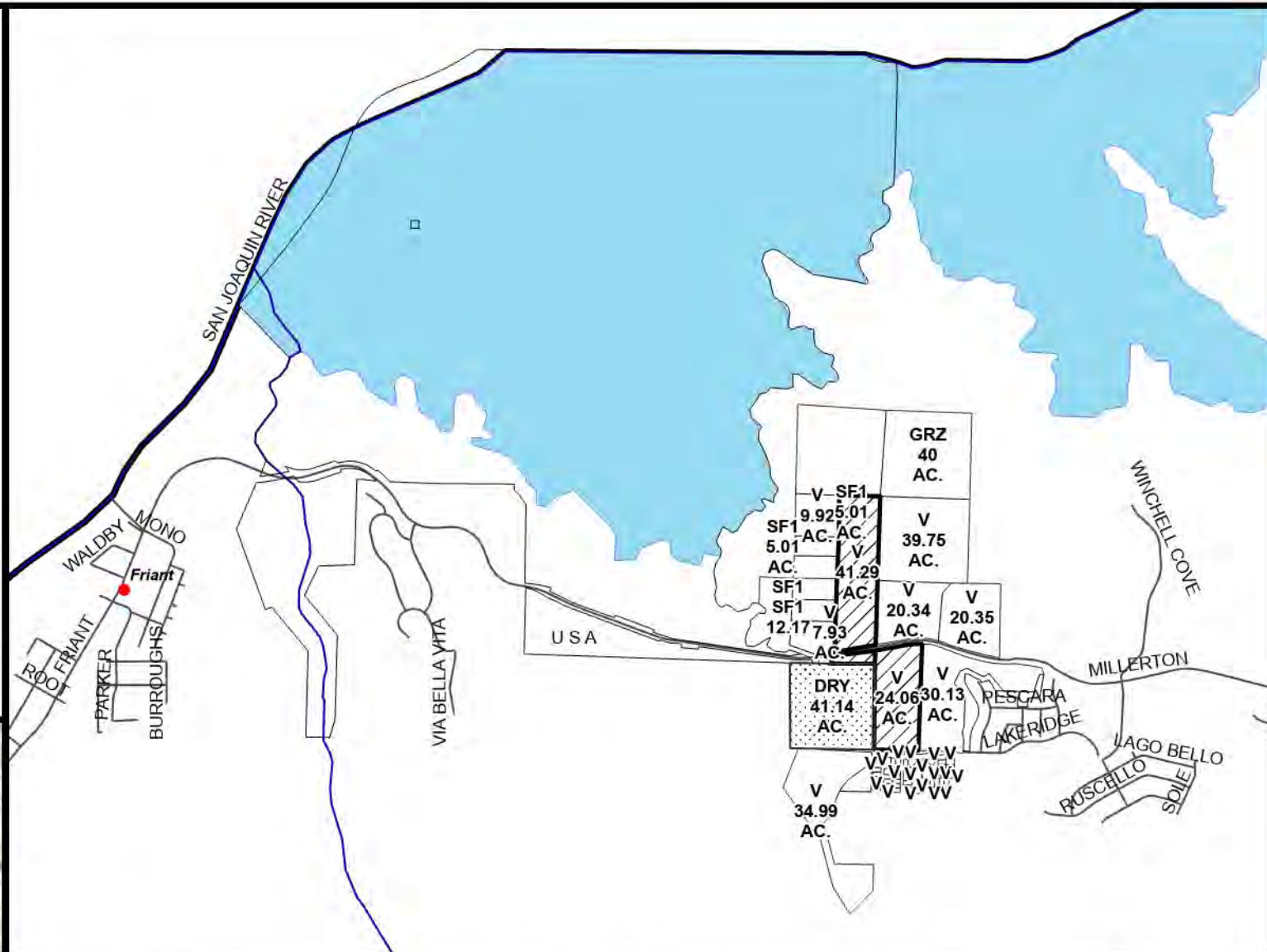
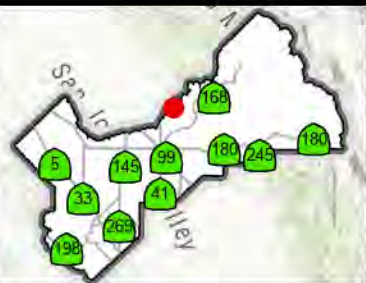


EXHIBIT 3



Existing Land Use Map

CUP3694 EXT 1 | 2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuang
 On Date : 5/15/2023

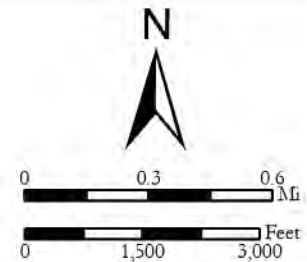


EXHIBIT 4
ATTACHMENT A



Inter Office Memo

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

DATE: May 20, 2021

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: Resolution No. 12881 - Initial Study No. 7980, General Plan Amendment Application No. 564, and Unclassified Conditional Use Permit Application No. 3693

APPLICANT: Jeffrey T. Roberts

OWNER: Grantor Real Estate Investments, LLC

REQUEST: Amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space to Public Facilities and approve Conditional Use Permit No 3693 to allow development of a Fire Station on the proposed parcel in the O(c) (Open Conservation conditional) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts.

LOCATION: The project is located within the Millerton Specific Plan boundary on the southwest corner of Millerton Road and Morningside Way approximately 1.9 miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN 300-021-27S; 300-340-13S).

PLANNING COMMISSION ACTION:

At its hearing of May 20, 2021, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Hill and seconded by Commissioner Eubanks to recommend adoption of the Mitigated Negative Declaration prepared for the project; find that the the proposed General Plan Amendment No 564 to amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities is consistent with the Millerton Specific Plan

RESOLUTION # 12881

and County General Plan; and recommend approval of General Plan Amendment Application No 564 and Conditional Use Permit Application No. 3693, subject to the Mitigation Measures, Conditions of Approval, and Project Notes listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Hill, Eubanks, Abrahamian, Carver, Chatha, Ede, Wolf
	No:	None
	Absent:	Commissioners Burgess, Ewell
	Abstain:	None

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

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

WMK:cm:dr
G:\4360Devs&Pln\ADMIN\BOARD\Board Items\2020-2029\2021\7-13-21\GPA 564; CUP 3693\Attachment A\GPA 564; CUP 3693
PC Resolution (Attachment A).doc

Attachments

EXHIBIT A

Initial Study Application No. 7980
General Plan Amendment Application No. 564
Conditional Use Permit Application No. 3693

Staff: The Fresno County Planning Commission considered the Staff Report dated May 20, 2021 and heard a summary presentation by staff.

Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- We concur with staff's recommendations and accept all mitigation measures and conditions of approval for the project.
- A fire station is needed in the Millerton area and will serve Friant, Tollhouse and Auberry area.
- The proposed project site is a relocation of a site previously approved for a fire station in 1984 by the County Board of Supervisors.
- The proposed site is superior due to its size for the current project and future expansion, and accessibility and visibility from Millerton Road.
- We own the site and worked with the Fresno County Fire Protection District to process this application, and will build the facility to either lease out, or sell to the District.
- A lot line adjustment required to create a 5.17-acre parcel for a fire station has been applied for and received approval.
- The project design includes four bays of truck storage for long fire trucks, living quarters for fire personnel, and an office for staff.
- The project is within a Zone of Benefits that is part of County Service Area 34 and will receive sewer and water from CSA 34.
- We consulted with the California Fish & Wildlife for mitigation measures related to tiger salamander and other species; mitigation measures are included in the Initial Study for the project.

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.

**Mitigation Monitoring and Reporting Program
 General Plan Amendment Application No. 564
 Unclassified Conditional Use Permit Application No. 3693
 Initial Study Application No. 7980**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PWP)	On-going; for duration of the project
*2.	Biological Resources	The project site is currently within the area covered by Incidental Take Permit (ITP) (ITP No. 2081-2014-079-04) that has been the location of recent burrow clearing and biological fencing as a part of the Morningside Way road project. Approximately two-third of the site is already cleared and fenced as per the requirements of the ITP. Prior to construction on the subject 5.17 acres, the balance of the site shall be checked, cleared, and fenced in accordance with the ITP.	Applicant	Applicant/California Department of Fish and Wildlife (CDFW)	Prior to the construction
*3.	Biological Resources	A qualified biologist shall perform a “Pre-Construction Survey” of the site to check for the California Tiger Salamander (CTS), Western Pond Turtle (WPT), Western Spadefoot toad (WESP), American Badger (AMBA) and Burrowing Owl (BUOW) as listed in the CDFW letter dated February 1, 2021. If no species are found on the site, the next steps of the plan can occur. If species are located, a biologist shall follow State and Federal protocols for their removal from the 5.17-acre project site.	Applicant	Applicant/ CDFW	Prior to the construction
*4.	Biological Resources	The biologist shall prepare a “Site Education Pamphlet” for distribution to all contractors and subcontractors that will be working on the site and shall work with the applicant/owner to have a notification sign placed on the site at the construction entrance. This sign shall be 4 feet by 8 feet in size	Applicant	Applicant/ CDFW	As noted

		and shall contain the same information as the Site Education Pamphlet.			
*5.	Biological Resources	The owner shall retain the biologist to conduct education "Discussions" with any contractor/subcontractor who will have more than 5 employees working on the site.	Applicant	Applicant/ CDFW	As noted
*6.	Biological Resources	The owner and/or biologist shall keep a daily log of all workdays and shall document and signs/sightings of the 5 species listed above.	Applicant	Applicant/ CDFW	As noted
*7.	Biological Resources	If a sighting of any of the species occurs during the course of construction, work shall be stopped, and the biologist shall be contacted, and State and federal protocols shall be followed for the removal of the species.	Applicant	Applicant/ CDFW	As noted
*8.	Biological Resources	The owner shall contact the California Department of Fish and Wildlife at the end of each month, provide that daily logs, and a summary of the month's activities on the site.	Applicant	Applicant/CDFW	As noted
*9.	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 should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	As noted
*10.	Energy	The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.	Applicant	Applicant/PWP	As noted
Conditions of Approval					
1.	Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plan, Elevation Drawings and Operational Statement.				

2.	Prior to issuance of building permits, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include but are not limited to design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.
3.	<p>The segment of Millerton Road fronting the project site has existing right-of-way of 30 feet south of section line. Millerton is classified as an Arterial requiring an ultimate road right of way of 53 feet south of the section line. The owner of the property shall record a document irrevocably offering the 23 feet as future right-of-way from the northern side of the subject parcel which abuts Millerton Road.</p> <p>Note: A Preliminary Title Report or Lot Book Guarantee is required before the irrevocable offer of dedication can be processed. The owner is advised that where deeds of trust or any other type of monetary liens exist on the property, the cost of obtaining a partial reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer.</p>
4.	<p>At the time Site Plan Review is submitted, the Fire Department shall coordinate with the Road Maintenance & Operations Division of Fresno County Department of Public Works and Planning for the following:</p> <ul style="list-style-type: none"> • Entrance to the project site off Millerton Road shall be far enough west to avoid conflict with the future left-hand turn pocket onto north Morningside Road; otherwise, the entrance shall be abandoned when the future road is constructed. • A staging pocket for westbound fire trucks to wait to make the left turn into the driveway shall be provided to accommodate one of the largest vehicles (it is not intended as a deceleration lane). • An “ENTRANCE ONLY” sign shall be posted at the facility’s entrance and centerline striping for the gores and left turn staging pocket will be double yellow line except where a solid white line is appropriate; thus, making a right out a moving violation.
5.	Prior to the issuance of a building permit, the applicant will enter into an agreement with the County to connect to the County Service Area (CSA) 34 Wastewater Treatment Facility at such time as determined by the Director of the Department of Public Works and Planning. Joining the CSA 34 water system would require an Engineer’s Report and a determination of how the site would connect to the current system and pay for fees and assessments.

*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.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period more than two years.
2.	Construction plans, building permits and inspections are required for all proposed improvements on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for plans, permits and inspections.
3.	To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:

Notes	
	<ul style="list-style-type: none"> • A 10-foot by 10-foot corner cut-off for sight distance purposes at any proposed or existing driveway accessing Millerton Road and Morningside Way. • An encroachment permit for any work done within the County right-of-way to construct a new driveway or improve an existing driveway. • An engineered grading and drainage plan to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. • A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) filed with State Water Resources Control Board before the commencement of any construction activities disturbing one-acre or more of area. • Copies of completed NOI and SWPPP provided to Development Engineering prior to any grading work.
4.	<p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:</p> <ul style="list-style-type: none"> • 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. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. • To protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed. • Apply and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work. • If any underground storage tank(s) are found during mining activities, the applicant shall apply for and secure an Underground Storage Tank Removal Permit.
5.	<p>To address public health impacts resulting from the project, the San Joaquin Valley Air Pollution Control District requires the following:</p> <ul style="list-style-type: none"> • The project shall comply with District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review); District Regulation VIII (Fugitive PM10 Prohibitions) Rule 4102 (Nuisance); Rule 4601 (Agricultural Coatings) and Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations). • District Rule 9510 (Indirect Source Review) shall apply if the project will equal or exceed 10,000 square feet of government space and an AIA Application shall be filed with the District. • Prior to commencing construction on any permit-required equipment or process, a Authority to Construct (ATC) and a Permit to Operate (PTO) shall be obtained from the District.
6.	<p>The project shall comply with the California Code of Regulations Title 24 – Fire Code and obtain approval of County-approved site plans by the Fresno County Fire Protection District prior to the issuance of building permits. The project shall adhere to Water Flow Requirements, Fire Hydrants, Water Storage Requirements, Fire Sprinklers Systems, Fire Pumps, Fire Alarm Systems, Road Access, Premises Identification, Public Resources Code 4290, Title 15.60 County Ordinance, and California Code of Regulations: Title 14 Natural Resources 1272.00. Maintenance of Defensible Space Measures. The project may require joining Community Facilities District No. 2010-01 of the Fire District.</p>

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

		RESOLUTION APPROVING GENERAL)
		PLAN AMENDMENT APPLICATION)
5	IN THE MATTER OF THE FRESNO)	NO. 564, AMENDING THE)
6	COUNTY GENERAL PLAN)	MILLERTON SPECIFIC PLAN AND)
7	AMENDMENT NO. 564 AND)	UNCLASSIFIED CONDITIONAL USE)
	UNCLASSIFIED CONDITIONAL USE)	NO. 3693)
	PERMIT NO. 3693)		

WHEREAS, Jeffery T. Roberts (Applicant) submitted an application for General Plan Amendment (GPA) Application No. 564 to the Fresno County for an amendment to the Millerton Specific Plan to change the land use designation of a 5.17-acre site to "Public Facilities" and Unclassified Conditional Use Permit Application No. 3693 to allow the development of a fire station at said site; and

WHEREAS, the project site is located on the southwest corner of Millerton Road and Morningside Way, approximately 1.9 miles east of the unincorporated community of Friant; and

WHEREAS, Initial Study No. 7980 was prepared, duly processed, and noticed for said project; and

WHEREAS, the Fresno County Planning Commission, on May 20, 2021 held a duly noticed public hearing and considered GPA Application No. 564, amending the Millerton Specific Plan, and its associated Conditional Use Permit Application No. 3693; and

WHEREAS, at the conclusion of the public hearing, the Fresno County Planning Commission recommended approval of GPA No. 564, Conditional Use Permit No. 3693, and a Negative Declaration prepared for the project based on Initial Study 7980; and

WHEREAS, the Board duly fixed July 13, 2021, for a public hearing on the aforementioned amendment of the County General Plan and Unclassified Conditional Use Permit, and was held thereon in the manner prescribed by law; and

///

///

1
2 WHEREAS, the Board considered the Agenda Item with attachments including the Planning
3 Commission Staff Report, the proposed Conditional Use Permit 3693, and the Planning Commission's
4 resolution; and

5 WHEREAS, the Board heard and considered additional verbal and/or written public testimony
6 on the proposed amendment; and

7 WHEREAS, the amendment to the Millerton Specific Plan consists of re-designating the land
8 use of a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public
9 Facilities to allow a fire station on the proposed parcel in the O(c) (Open Conservation Conditional) and
10 R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts.;
11 and

12 WHEREAS, the proposed Conditional Use Permit No. 3693 is to allow the development of a
13 Fire Station and related facilities; and

14 WHEREAS, on the basis of the whole record before the Board of Supervisors, including any
15 comments received, there is no substantial evidence that the amendment to the Land Use Element of
16 the Millerton Specific Plan and Conditional Use Permit No.3693 will have a significant effect on the
17 environment.

18 WHEREAS, Pursuant to County Zoning Ordinance Section 873(F), in order for the Board to
19 approve CUP No. 3693, the Board must make the following findings:

- 20 1. That the Site for the proposed use is adequate in size and shape to accommodate said
21 use and all yards, spaces, walls and fences, parking, loading, landscaping and other
22 features required by this Division to adjust said use with land and uses in the
23 neighborhood.
- 24 2. That the Site for the proposed use relates to streets and highways adequate in width and
25 pavement type to carry the quantity and kind of traffic generated by the proposed use.
- 26 3. That the proposed use will have no adverse impact on abutting property and surrounding
27 neighborhood or permitted use thereof.
- 28 4. That the proposed development is consistent with the General Plan.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. That the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare; and

WHEREAS, after duly giving all required public notices, and an opportunity for the public to speak and present evidence for and against the proposed Fire Station, and having complied with all applicable requirements of the law, including the County Zoning Ordinance, the Board hereby resolves and takes the following actions, including making the following findings.


NOW, THEREFORE IT IS HEREBY RESOLVED that the Fresno County Board of Supervisors hereby adopts this Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project based on Initial Study No. 7980; and

Does further hereby the Fresno County General Plan as proposed by GPA No. 564; and

Does further approve Unclassified Conditional Use Permit No.3693.

THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno the 13th day of July, 2021, to wit:

- AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero
- NOES: None
- ABSENT: None
- ABSTAINED: None



 Steve Brandau, Chairman of the Board of Supervisors of the County of Fresno

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


By  _____
 Deputy

EXHIBIT 5



5260 N. Palm Avenue, Suite 421, Mail Stop A
Fresno, CA 93704

May 1, 2023

Steven E. White, Director
Department of Public Works and Planning
County of Fresno
2220 Tulare Street, Sixth Floor
Fresno, CA 93721

Re: Request for Extension of Time - Conditional Use Permit No. 3693
Fire Station – Millerton, CA

Dear Mr. White,

I am writing to you to request for an extension of time related to the Conditional Use Permit approved on May 20, 2021 by the Fresno County Planning Commission and on July 13, 2021 by the Fresno County Board of Supervisors. The Fresno County Fire Protection District, now the owner of the 5.17-acre Fire Station site, needs additional time to complete several modifications to the site plan and associated grading and infrastructure plans prior to its formal submittal to the County of Fresno. Those modifications are currently underway and the District's engineer, architect, and prospective builder are all actively participating in the changes to the referenced documents.

By way of background, the County of Fresno staff was supportive of this use permit and associated County of Fresno General Plan Amendment No. 564, with this location for a Fire Station deemed to be superior to the location selected in 1984 when the Millerton Specific Plan was originally adopted by the County of Fresno.

Please feel free to contact me if you have any questions regarding this request for an extension of time associated with Conditional Use Permit No. 3693.

In the meantime, I look forward to the County's reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey T. Roberts", is written over a large, stylized circular scribble.

Jeffrey T. Roberts, Entitlement Director
Office: (559)440-8308 / Cell: (559)288-0688 / Fax: (559)436-1659
E-Mail: jroberts@assemigroup.com
Website: www.assemigroup.com