



# County of Fresno

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

DATE: April 17, 2024

TO: Department of Public Works and Planning, Attn: Steven E. White, Director  
Department of Public Works and Planning, Attn: Bernard Jimenez,  
Planning and Resource Management Officer  
Development Services and Capital Projects, Attn: William M. Kettler,  
Deputy Director  
Development Services and Capital Projects, Attn: Chris Motta, Division Manager  
Development Services and Capital Projects, Attn: Tawanda Mtunga,  
Principal Planner  
Development Services and Capital Projects, Attn: Attn: James Anders,  
Principal Planner  
Development Services and Capital Projects, Current/Environmental  
Planning, Attn: David Randall, Senior Planner  
Development Services and Capital Projects, Policy Planning, Attn:  
Mohammad Khorsand, Senior Planner  
Development Services and Capital Projects, Zoning & Permit Review,  
Attn: Daniel Gutierrez, Senior Planner  
Development Services and Capital Projects, Development Engineering,  
Attn: Laurie Kennedy, Office Assistant III  
Water and Natural Resources Division, Attn: Augustine Ramirez, Division  
Manager  
Water and Natural Resources Division, Attn: Roy Jimenez, Senior Planner  
Water and Natural Resources Division, Transportation Planning, Attn:  
Hector Luna, Senior Planner/Darren Findley, Senior Engineering  
Technician/Brody Hines, Planner  
Water and Natural Resources Division, Community Development, Attn:  
Yvette Quiroga, Principal Planner  
Design Division, Attn: Mohammad Alimi, Division Manager;  
Erin Haagenon, Principal Staff Analyst  
Resources Division, Attn: Daniel Amann, Interim Division Manger  
Resources Division, Special Districts, Attn: Christopher Bump, Principal  
Staff Analyst,  
Road Maintenance and Operations Division, Attn: Wendy Nakagawa,  
Supervising Engineer  
Department of Public Health, Environmental Health Division, Attn: Deep  
Sidhu, Supervising Environmental Health Specialist; Kevin Tsuda,  
Environmental Health Specialist;  
Agricultural Commissioner, Attn: Melissa Cregan  
Sheriff's Office, Attn: Captain Ryan Hushaw, Lt. Brandon Pursell, Lt. Kathy Curtice  
U.S. Fish and Wildlife Service, San Joaquin Valley Division, Attn Matthew Nelson  
CA Department of Fish and Wildlife, Attn: R4CEQA@wildlife.ca.gov  
CA Regional Water Quality Control Board, Attn:  
centralvalleyfresno@waterboards.ca.gov  
State Water Resources Control Board, Division of Drinking Water, Attn: Cinthia Reyes  
Sierra Resource Conservation District, Attn: Kelly Kucharski

Fresno County Fire Protection District, Attn: FKU.Prevention-Planning@fire.ca.gov  
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division)  
Attn: Michael Corder, Senior Air Quality Specialist, Patia Siong, Air Quality Specialist  
Pacific Gas & Electric Company, Attn: pgeplanreview@pge.com  
Fresno Local Agency Formation Commission (LAFCO), Attn: Brian Spaunhurst  
Clovis Unified School District; Attn: Corrine Folmer, Superintendent, Michael Johnston, Associate  
Superintendent, Admin Services  
AT&T, Attn: Lon Downer

FROM: Alyce Alvarez, Planner  
Development Services and Capital Projects Division

SUBJECT: Vesting Tentative Tract Map No. 5771, Fifth One-Year Time Extension

APPLICANT: Jeffrey T. Roberts

DUE DATE: **May 2, 2024**

The Department of Public Works and Planning, Development Services Division is reviewing the subject application proposing to grant a fifth one-year time extension to exercise Vesting Tentative Tract Map No. 5771 which authorized a planned residential development consisting of 79 single-family residential lots and a remainder lot totaling approximately 37.24-acres in the R-1( c) (Single-Family Residential, Conditional, 6,000 square-foot minimum parcel size) and R-2 ( c) (Low Density Multiple-Family Residential, Conditional, 6,600 square-foot minimum parcel size) Zone Districts.

The subject property is located within the Millerton New Town Specific Plan area, south of Marina Drive between the Brighton Crest subdivision and the Friant-Kern Canal, approximately 2.5 miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN Nos. 300-542-19, 300-542-21).

Approval of a time extension request is appropriate if circumstances pertaining to the mandatory findings have not changed since the date of the original approval. **It is important, therefore, that you limit your review to identifying any circumstances or factors that may have changed since the original approval.** We cannot request new conditions of approval unless there are significant changes to the project's circumstances that would affect public Health and or safety and warrant amending the conditions of approval.

We must have your comments by **May 2, 2024**.

**If you do not have comments, please provide a "no comment" response to our office by the above deadline (e-mail is also acceptable, see email address below).**

Please address any correspondence or questions to Alyce Alvarez, Planner, Current Planning Unit, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or contact me at (559) 600-9669, or email [alyalvarez@fresnocountyca.gov](mailto:alyalvarez@fresnocountyca.gov).

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Fresno County Department of Public Works and Planning

Date Received: [ ] (Application No.)

MAILING ADDRESS: Department of Public Works and Planning Development Services Division 2220 Tulare St., 6th Floor Fresno, Ca. 93721

LOCATION: Southwest corner of Tulare & "M" Streets, Suite A Street Level Fresno Phone: (559) 600-4497 Toll Free: 1-800-742-1011 Ext. 0-4497

APPLICATION FOR:

- Pre-Application (Type)
Amendment Application
Amendment to Text
Conditional Use Permit
Variance (Class )/Minor Variance
Site Plan Review/Occupancy Permit
No Shoot/Dog Leash Law Boundary
General Plan Amendment/Specific Plan/SP Amendment

- Director Review and Approval
for 2nd Residence
Determination of Merger
Agreements
ALCC/RLCC
Other

Time Extension for Tentative Tract No. 5771

DESCRIPTION OF PROPOSED USE OR REQUEST:

[Empty box for description of proposed use or request]

CEQA DOCUMENTATION: Initial Study PER N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. Attach Copy of Deed, including Legal Description.

LOCATION OF PROPERTY: SOUTH side of Millerton Road and Marina Dr. between and

Street address:

APN: 300-542-19,21 Parcel size: 37.24Ac Section(s)-Twp/Rg: S - T S/R E

ADDITIONAL APN(s):

I, [Signature] (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

Assemi Group Inc. / 104 Investments, LLC
Owner (Print or Type) Address City Zip Phone

Jeffrey T. Roberts
Applicant (Print or Type) Address City Zip Phone

Jeffrey T. Roberts, 5260 N. Palm #421, Fresno, Ca. 93704
Representative (Print or Type) Address City Zip Phone

CONTACT EMAIL: jroberts@assemigroup.com (559) 440-8308/28-0688

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Table with columns for Application Type / No., Fee, Received By, Invoice No., and TOTAL.

UTILITIES AVAILABLE:

WATER: Yes [ ] / No [ ]
Agency:
SEWER: Yes [ ] / No [ ]
Agency:

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Related Application(s):
Zone District:
Parcel Size:

Sect-Twp/Rg: - T S/R E
APN # - -
APN # - -
APN # - -
APN # - -

## Jeff Roberts

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**Subject:** Tentative Tract No. 5771 ( Time Extension Request )

Request for Time Extension:

The owners of the property known at Tentative Tract No. 5771 request an extension of time. The main factor causing the request is the condition of the housing market in Fresno County. The high interest rates affect the future home buyers ability to qualify for home mortgages and this has affected the entire County and State of California.



Jeffrey T. Roberts | Entitlement Director

**T:** [\(559\) 440-8308](tel:(559)440-8308) | **M:** [\(559\)288-0688](tel:(559)288-0688) | **F:** [\(559\) 436-1659](tel:(559)436-1659) | **X:**308

**E:** [jroberts@assemigroup.com](mailto:jroberts@assemigroup.com)

**W:** [www.assemigroup.com](http://www.assemigroup.com)

5260 N. Palm Ave., Ste. 421, Fresno, CA 93704



## Inter Office Memo

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DATE: March 23, 2023

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12985 – FOURTH ONE-YEAR TIME EXTENSION FOR VESTING TENTATIVE TRACT MAP NO. 5771

APPLICANT: Jeffrey T. Roberts

OWNER: Assemi Group

REQUEST: Grant a one-year time extension to exercise Vesting Tentative Tract Map No. 5771, which authorizes a planned residential development consisting of 79 single-family residential lots and a 10.14-acre remainder lot totaling approximately 37.24-acres in the R-1(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional) and R-2(c) (Low-Density Multiple-Family Residential, 6,600 square-foot minimum parcel size, Conditional) Zone Districts.

LOCATION: The subject property is located south of Marina Drive within the Millerton New Town Specific Plan, between the Brighton Crest Subdivision and the Friant-Kern Canal, approximately 2.5 miles east of the unincorporated community of Friant (APNs: 300-542-19, 20) (Sup. Dist. 5).

### PLANNING COMMISSION ACTION:


At its hearing of March 23, 2023, the Commission, as part of its Consent Agenda, considered the Staff Report and determined that the requested one-year time extension was warranted.

A motion was made by Commissioner Chatha and seconded by Vice-Chair Hill to approve the requested one-year time extension for Vesting Tentative Tract No. 5771.

This motion passed on the following vote:

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

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NOTE: Approval of this time extension will extend the expiration date of Vesting Tentative Tract No. 5771 to March 8, 2024. If circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Tentative Tract Map.



# Inter Office Memo

12

DATE: July 17, 2012

TO: Board of Supervisors

FROM: Alan Weaver, Director  
Department of Public Works and Planning

SUBJECT: Appeal of Planning Commission's March 8, 2012 approval of Initial Study Application No. 5709, Vesting Tentative Tract Map Application No. 5771, Classified Conditional Use Permit Application No. 3193, and Site Plan Review Application No. 7787 filed The Clarksfield Company, Inc.

Appellant: Radley Reep

## RECOMMENDED ACTION

**Consider and take action on appeal filed by Mr. Radley Reep of the Planning Commission's approval of Initial Study Application No. 5709, Vesting Tentative Tract Map Application No. 5771, Classified Conditional Use Permit Application No. 3193, and Site Plan Review Application No. 7787 to allow a planned residential development consisting of 79 single-family residential lots and a 10.14-acre remainder lot totaling approximately 37.24 acres in the R-1(c) and R-2(c) Zone Districts (Continued from May 22, 2012).**

The subject property is located south of Marina Drive within the Millerton New Town Specific Plan, between the Brighton Crest Subdivision and the Friant-Kern Canal, approximately 2.5 miles east of the unincorporated community of Friant (Sup: District: 5) (APNs: 300-541-38, 43, and 44).

## BACKGROUND / DISCUSSION

This item was continued from the May 22, 2012, hearing by your Board as requested by the Appellant and Applicant in order to allow time for both parties to meet and potentially resolve issues raised by the Appellant.

Originally approved by the Planning Commission at its regularly-scheduled March 8, 2012 hearing, the applications were subject to a 15-day appeal period from date of approval. On March 23, 2012, an appeal was filed by Mr. Reep indicating that the Initial Study prepared for the project together with proposed Mitigation Measures related to wildlife habitat and biological resources were unsatisfactory and unenforceable.

At the Planning Commission hearing of March 8th, Mr. Reep expressed the same concerns; however, after considering the Staff Report and testimony, including testimony from staff, the Applicant and Mr. Reep, a motion was made and seconded to approve the project. This motion passed unanimously on a vote of nine to zero (9 to 0).

Since the continuance of May 22, 2012, the Appellant has reviewed the project files on several occasions. Staff has not been advised of any resolution related to the appeal by either the Appellant or Applicant.

If your Board determines to uphold the Planning Commission's approval of the project, a simple denial motion denying the appeal would be appropriate. If your Board determines that the Initial Study is insufficient and/or any of the required Tract Map Findings or Classified Conditional Use Permit Findings cannot be made for the following reasons (state which finding(s) and reasons), and move to deny the project.

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# Agenda Item 12

DATE: July 17, 2012  
 TO: Board of Supervisors  
 FROM: Planning Commission  
 SUBJECT: RESOLUTION NO. 12285 – INITIAL STUDY APPLICATION NO. 5709, VESTING TENTATIVE TRACT MAP APPLICATION NO. 5771, CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3193, AND SITE PLAN REVIEW APPLICATION NO. 7787

APPLICANT: The Clarksfield Company, Inc.

REQUEST: Allow a planned residential development consisting of 79 single-family residential lots and a 10.14-acre remainder lot totaling approximately 37.24 acres in the R-1(c) (Single-Family Residential, Conditional, 6,000 square-foot minimum parcel size) and R-2(c) (Low Density Multiple-Family Residential, Conditional, 6,600 square-foot minimum parcel size) Zone Districts.

LOCATION: The subject property is located south of Marina Drive within the Millerton New Town Specific Plan, between the Brighton Crest Subdivision and the Friant-Kern Canal, approximately 2.5 miles east of the unincorporated community of Friant (Sup. District: 5) (APNos.: 300-541-38, 43, and 44).

### PLANNING COMMISSION ACTION:

At its hearing of March 8, 2012, the Commission considered the Subdivision Review Committee Report and Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Rocca and seconded by Commissioner Ferguson to adopt the Mitigated Negative Declaration prepared for the project; adopt the recommended Findings of Fact in the Subdivision Review Committee Report and Staff Report; and approve Vesting Tentative Tract Application No. 5771 and associated Site Plan Review Application No. 7787; and approve Classified Conditional Use Permit Application No. 3193, subject to the Conditions listed in Exhibit "B".

ADMINISTRATIVE OFFICE REVIEW

BOARD ACTION: DATE July 17, 2012 APPROVED AS RECOMMENDED *[Signature]* Page 3 of 123  
 OTHER X



Official Action of Board of Supervisors

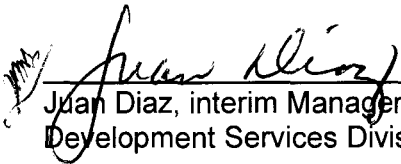
**DELETED**

Deputy  
 UNANIMOUS X ANDERSON \_\_\_\_\_ CASE \_\_\_\_\_ LARSON \_\_\_\_\_ PEREA \_\_\_\_\_ POOCHIGIAN \_\_\_\_\_

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Rocca, Ferguson, Bath, Borba, Goodman, Mendes, Niswander, Riojas, Yates
	No:	None
	Absent:	None
	Abstain:	None

ALAN WEAVER, DIRECTOR  
Department of Public Works and Planning  
Secretary-Fresno County Planning Commission

By:   
Juan Diaz, interim Manager  
Development Services Division

JD:RJ:mac  
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- NOTES:
1. The approval of Classified Conditional Use Permit No. 3193 and Site Plan Review Application No. 7787 are tied to Tentative Tract No. 5771 and will expire upon expiration of the Tentative Tract Map. Provision is made that the Classified Conditional Use Permit may be extended in conjunction with an extension request of the Tentative Tract Map.
  2. The approval of this project will expire two years from the date of approval unless a Final Map is recorded. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Tentative Tract Map.

Attachments

EXHIBIT "A"

Initial Study Application No. 5709  
Vesting Tentative Tract Map Application No. 5771  
Classified Conditional Use Permit Application No. 3193  
Site Plan Review Application No. 7787

- Staff: The Fresno County Planning Commission considered the Subdivision Review Committee Report and Staff Report dated March 8, 2012, and heard a summary presentation by staff.
- Applicant: The Applicant concurred with the Subdivision Review Committee Report and Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- The proposed tract is located within Allocation Area H of the Millerton Specific Plan and is approximately 160 acres in size.
  - The adopted Infrastructure Plan and proposed Mitigation Measures require pro-rata share costs for traffic improvements both within the Millerton Specific Plan area and outside the Plan area.
  - There are architectural guidelines within the Specific Plan and an Architectural Review Committee will be formed to insure there is consistency for new construction with the Specific Plan.
  - The maintenance and repair of the roads will be overseen by the County Service Area No. 34; prior to recordation of Final Map, the County will assess the project and require funding for maintenance and repair for roads whenever it becomes necessary.
  - The existing sewer and water treatment facilities include a tertiary-level waste water treatment facility which will provide irrigation water for the Millerton Specific Plan area.
- Others: One individual spoke in opposition to the project's Initial Study Application, specifically regarding the Biological Resources section and proposed biological mitigations.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

**Mitigation Monitoring and Reporting Program  
(Including Conditions of Approval and Project Notes)**

**Initial Study Application No. 5709, Vesting Tentative Tract Map Application No. 5771,  
Classified Conditional Use Permit Application No. 3193 and Site Plan Review Application No. 7787**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
1	Aesthetics	All lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County	Once; during Construction Phase
2	Biological	<p>The Applicant shall comply with the State and Federal Endangered Species Act and shall avoid any protected species. Where avoidance is not possible, the Applicant shall consult with the appropriate Responsible Trustee Agencies and if deemed necessary by said Agencies the Applicant shall complete and submit a Biological Assessment and resulting Biological Opinion, as well as an Incidental Take Permit (ITP) or Consistency Determination from which shall include Mitigation and Avoidance Measures for plants and animals as acceptable to the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS).</p> <p>Examples of said Measures are but are not limited to:            a) Nesting Birds: If appropriate and unavoidable, the construction activities or tree removal must occur during the breeding season (February through Mid-September); surveys for active nests should be conducted by a qualified Biologist no more than 15 days prior to the start of construction. A minimum no-disturbance buffer of 250 feet (or an agreed to distance) should be delineated around active nests until the breeding season has ended or until a qualified Biologist has determined that the birds have fledged and</p>	Applicant	Applicant/CDFG/USFWS	Once; during specified Mitigation Phase

**EXHIBIT 'B'**

**Mitigation Measures**

<b>Mitigation Measure No.</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
		<p>are no longer reliant upon the nest or parental care for survival. Should a nest of a listed species or a fully protected species such as the Swainson's Hawk, White-Tailed Kite, Bald Eagle, or Golden Eagle be discovered, all work shall be postponed until after consultation with the appropriate responsible agency.</p> <p>b) Streams and Wetlands: If appropriate and unavoidable, all jurisdictional watercourses shall be protected with a no-disturbance buffer of at least 250 feet (or an agreed to distance) as measured from the top of each bank or the outer canopy of riparian vegetation, whichever is greater.</p> <p>c) California Tiger Salamander (CTS): If appropriate and unavoidable, prior to construction activities, the Applicant shall apply for an ITP or if applicable a Consistency Determination with the CDFG. A Habitat Conservation Plan shall be prepared and identify measures to avoid and minimize the take of State-listed species and fully mitigate the impact of that take such as: delineation of construction sites; take avoidance measures tailored to the affected species; preconstruction notification of the Department; employee education programs; reporting procedures when an animal is killed, injured or trapped; compliance inspections and reports; acquisition and transfer of habitat management lands; and associated funding (including money for document processing and for initial protection (e.g., fencing, posting, clean-up), and endowments for management of the lands in perpetuity.</p> <p>d) Burrowing Owl: If appropriate and unavoidable, no disturbance should occur</p>			

**Mitigation Measures**

Mitigation Measure No.	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
		<p>within 160 feet (or an agreed to distance) of occupied burrows during the non-breeding season of September 1 through January 31 or within 250 feet (or an agreed to distance) during the breeding season of February 1 through August 31. Avoidance also may require that a minimum of 6.5 contiguous acres (or an agreed to amount) of foraging habitat be preserved with occupied burrow sites for each pair of breeding Burrowing Owls (with or without dependent young) or single unpaired resident bird.</p> <p>e) Listed Plant Species: If State, Federally, and California Rare Plant-Rank listed plant species are discovered and unavoidable, the Applicant, where applicable, shall consult with the appropriate responsible agency to discuss potential "take" under the California Endangered Species Act (CESA). This may result in preparation of a focused Biological Survey conducted by a qualified Botanist during the appropriate floristic period(s) in order to adequately assess the potential project related impacts to special status plant species.</p>			
3	Biological	The proposal shall comply with the Clean Water Act, including any required wetland delineation and verifications, permitting and avoidance and mitigation requirements of the U.S. Army Corps of Engineers.	Applicant	Applicant/US Army Corps of Engineers	Once; during specified Mitigation Phase
4	Cultural Resources	In the event that cultural resources are unearthed during grading or construction activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has	Applicant	Applicant/Fresno County Coroner/Native American Commission	Once; during specified Mitigation Phase

**Mitigation Measures**

<b>Mitigation Measure No.</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
		made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.			
5	Noise	A Mitigation Measure is included limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided construction activity occurs between these hours.	Applicant	Applicant/Fresno County Department of Public Health	Once; during specified Mitigation Phase
6	Public Facilities	Prior to recordation of a Final Map, a funding mechanism shall be established through a Community Facilities District or Districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of two sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.	Applicant	Applicant/Fresno County Department of Public Works and Planning/Fresno County Sheriff	Prior to Recordation of Final Map
7	Traffic	Prior to issuance of Building Permits, the Applicant shall enter into a Traffic Mitigation Agreement with Caltrans in the amount of \$17,700.00 for this project's impacts to future traffic to state facilities and to accommodate funding for future improvements; fair share amounts as related to the Traffic Mitigation Agreement shall be determined prior to recordation of a Final Map.	Applicant	Applicant/Caltrans	Prior to Issuance of Building Permit

\*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document, Conditions reference recommended Conditions for the project, and project Notes reference mandatory requirements of Fresno County for the project

**Conditions of Approval**

1	<p>Conditional Use Permit (CUP) No. 3193 shall be tied to Vesting Tentative Subdivision Map No. 5771; if the Tract is denied or expires, the CUP shall also expire.</p> <p>NOTE: In accordance with Section 873 – I of the Zoning Ordinance, a CUP to authorize a Tentative Subdivision Map automatically assumes the life span of the Tract Map.</p>
2	<p>All Mitigation Measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR (Exhibit 8) that are applicable to the proposed development shall be complied with unless the Fresno County Ordinance Code or Improvement Standards requires a higher standard, in which case the higher standard shall be met. Prior to any development, the Applicant shall enter into an agreement with Fresno County for the purpose of reimbursing the County for all costs incurred by the County in complying with the mitigation and monitoring requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21081.6). These costs shall include, but are not limited to, staff and consultant services.</p>
3	<p>Prior to recordation of the Final Map, a Zone of Benefit within County Service Area (CSA) No. 34 shall be established for the project.</p>
4	<p>The project shall comply with all the applicable provisions of Specific Plan related to Land Use, Transportation, Housing, Environmental Resources Management, Public Facilities, Community Design Elements and implementation.</p>
5	<p>Prior to recordation of the Final Map, an agreement between the developer and the CSA shall be entered in which the developer is responsible for all costs associated with the operation, maintenance, and administration of the CSA until such time as these costs can be met by the CSA through assessments or fees. This agreement shall be recorded.</p>
6	<p>Prior to recordation of the Final Map, all services proposed to be provided by the CSA, the level of each service and the proposed rate of each service shall be identified in a Service Plan prepared by an Engineer. In the case of the provision of water and sewer services an analysis, certified by an Engineer, shall be provided demonstrating adequacy of infrastructure for these services.</p> <p>NOTE: In order to discourage the over use of water, a tiered rate structure must be included for review and approval. The tiered rate structure must be significantly tiered to encourage water conservation.</p>
7	<p>Prior to recordation of the Final Map, the tiered rate structures for the use of water for domestic and landscape/irrigation purposes shall be submitted for review and approval. The tiered rate structure for landscape/irrigation water shall be significantly tiered to discourage over-use of landscape/irrigation water and shall also outline when the landscape/irrigation water shall be disconnected and the procedures to be implemented for disconnection and enforcement.</p>
8	<p>Prior to recordation of the Final Map, a preliminary budget shall be completed for the operation and maintenance of the CSA including contingencies and reserves. An estimate of these costs shall be prepared by the developer's Engineer and will be subject to review by the County.</p>
9	<p>The water and wastewater facilities shall be designed and constructed in accordance with the approved Infrastructure Plans.</p>

10



**Conditions of Approval**

10	An Infrastructure Plan for water, sewer, and drainage that addresses the Policies in Sections 806-07:5.01, 5.02, 5.03, and 5.04 of the Millerton Specific Plan, together with the terms of the Use and Allocation of Capacities and Reimbursement Agreement dated January 29, 1991, shall be adopted by Fresno County prior to approval of a Final Map. Prior to issuance of any Building Permit, all appropriate infrastructures required for this project by the approved Infrastructure Plan including the wastewater and water facilities shall be completed and accepted by the Resources Division of the Department of Public Works and Planning.
11	All rights to groundwater beneath the subdivision shall be dedicated to the CSA subject to development by the subdivider or his assignee.
12	All existing Property Development Standards of the R-1 (c) and R-2 (c) Zone Districts listed in the Zoning Ordinance, shall apply except for the following deviation: Parcels with dual zoning shall have a minimum lot depth of 100 feet.
13	Marina Drive shall be developed as four-lane divided roadway, in a 106-foot right-of-way, through the commercial area and government center. South of the commercial area and government center, Marina Drive shall be constructed as a two-lane undivided 35 mph design speed public road in an 84-foot right-of-way with provisions for the future addition of two travel lanes when traffic volumes warrant.
14	All interior roads shall be developed in accordance with the Millerton Specific Plan.
15	All local roads shall be constructed to a 25 mph local residential street standard as shown in Figure SP1-8 of the Millerton Specific Plan. The 25 mph design speed requires the interior roads to have a minimum centerline curve radius of 230 feet.
16	Twenty-foot by twenty-foot corner cut-offs shall be provided at all intersections of all interior roads. Adequate sight distance shall be provided at all intersections based upon a 25 mph design speed for the interior streets.
17	Roads shall intersect at approximately 90-degree angles.
18	A County Standard B-2 cul-de-sac shall be provided at the end of all cul-de-sac roads.
19	All cul-de-sac streets from 300 to 500 feet in length require a fire hydrant installed at the end of the street.
20	Street and regulatory signs and markings shall be included in the design in accordance with County Standards.
21	Engineered Plans for the road improvements shall be submitted to the County of Fresno for review and approval. The initial submittal shall include a Soils Report which shall identify a recommended traffic index, R-value, and pavement structural section. If significant cuts and fills are involved, subsequent R-values shall be obtained for sub-grade after completion of earthwork operations.
22	Direct access to each lot shall be certified by a licensed Civil Engineer.
23	Provisions shall be made to maintain natural drainage throughout the development in a manner that will not significantly change the existing drainage characteristics of those parcels adjacent to the development.
24	Additional run-off generated by the development including full residential build-out of the subdivision shall be retained on-site within drainage ponds or approved pipe storage systems or other facilities acceptable to the Director of the Department of Public Works and Planning. Fresno County shall review and approve the Grading and Drainage Plan for the project.

**Conditions of Approval**

25	A Drainage Study inclusive of both hydrology specific to the area (rational method will most likely not be appropriate due to excessive topography) and hydraulics will be needed to determine sizes and locations of culverts and/or relocated drainage channels.
26	Proposed basins in excess of eighteen inches in depth shall be fenced. Type of fencing shall be chain-link or other form that would discourage public access.
27	If natural drainage swales are piped or rerouted, easements for the pipelines and/or channels and a maintenance organization to maintain them will be required. Said work will require that the Applicant obtain a Stream Bed Alteration Agreement with the State Department of Fish and Game, and/or a Section 404 Permit from the US Army Corps of Engineers.
28	Liberal drainage easements and building setbacks shall be provided for all natural watercourses.
29	The centerline of all natural watercourses, dimensioned at the lot lines, shall be indicated on an additional map sheet.
30	The Applicant shall obtain a National Pollutant Discharge Elimination System (NPDES) Permit prior to construction or grading activities. A Notice of Intent (NOI) shall be filed with the Regional Water Quality Control Board. A copy of this Notice shall be provided to the County prior to commencement of any grading activities.
31	The Applicant shall develop a Storm Water Pollution Prevention Plan (SWPPP) and incorporate the Plan into the Construction Improvement Plans. The Plan shall be submitted to the County prior to commencement of any grading activities.
32	Design of individual building pads with specific areas of grading for each lot shall be provided as part of the Drainage Improvement Plans submitted for this development.
33	A Zone of Benefit in CSA No. 34 or other method acceptable to the Director of the Department of Public Works and Planning shall be provided for the maintenance of the new roads.
34	The subdivider will be required to secure the maintenance of the new roads for a period of two years after the acceptance thereof.
35	The design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Department of Public Works and Planning after consideration of the recommendations of the fire district having jurisdiction of the area.
36	The development shall be served by CSA No. 34 community water system. A "will serve" letter from the supplying District will be required prior to recordation of a Final Map. A Project Implementation Agreement shall be entered into by the Applicant to fund the review of the request to be served and any other coordination activities necessary to process, finalize and approve the proposed water connections. An evaluation of the surface water treatment facility will be done in conjunction with the request to be served to determine whether available treatment capacity exists to serve this proposed development. If sufficient capacity is not available, the Applicant will be required to construct additional infrastructure to provide capacity consistent with the Millerton New Town Infrastructure Plan and Implementation Procedures. Allotment of staff time to address the request to be served will commence upon execution of the Agreement and initial deposit of funds to cover staff costs.
37	All water facility improvements shall be constructed in accordance with Fresno County Improvement Standards and must be completed and accepted by the County prior to the issuance of Building Permits for residential construction.

<b>Conditions of Approval</b>	
38	Prior to Final Map recordation, the Applicant shall form a Zone of Benefit within CSA No. 34 or annex to the existing CSA No. 34 Zone C in order to be provided for water services. All fees associated with formation or annexation will be paid for by the Applicant.
39	The development shall be served by the CSA No. 34 community sewer system. A "will serve" letter from the supplying District will be required prior to recordation of a Final Map. A Project Implementation Agreement shall be entered into by the Applicant to fund the review of the request to be served and any other coordination activities necessary to process, finalize and approve the proposed water connections. An evaluation of the tertiary wastewater treatment facility will be done in conjunction with the request to be served to determine whether available treatment capacity exists to serve this proposed development. If sufficient capacity is not available, the Applicant will be required to construct additional infrastructure to provide capacity consistent with the Millerton New Town Infrastructure Plan and Implementation Procedures. Allotment of staff time to address the request to be served will commence upon execution of the Agreement and initial deposit of funds to cover staff costs.
40	All sewer facility improvements shall be constructed in accordance with Fresno County Improvement Standards and must be completed and accepted by the County prior to the issuance of Building Permits for residential construction. If a sewer lift station is required, a back-up power supply shall be provided for automatic transfer of power in the event of a disruption in electrical service.
	Prior to Final Map recordation, the Applicant shall form a Zone of Benefit within CSA No. 34 or annex to the existing CSA No. 34 Zone C in order to be provided for sewer service. All fees associated with formation or annexation will be paid for by the Applicant.
41	The internal roads within the subdivision shall be named. The subdivider shall obtain approval of names from the Street Names Committee prior to the Final Map approval.
42	Road grades shall be designed to comply with Fresno County Improvements Standards.
43	Emergency access roads shall be improved to a standard to provide year-round traversability for emergency equipment as determined by the Director of the Department of Public Works and Planning after consideration of the recommendations of the fire district having jurisdiction of the area.
44	Crash gates shall be provided at both ends of the easement.
45	A Soils Investigation Report prepared in accordance with the County's Improvement Standards (Section II-H) shall be required with the submittal of the Final Map.
<b>Notes</b>	
1	The Clovis Unified School District in which you are proposing construction has adopted a Resolution requiring the payment of a Construction Fee. The County, in accordance with State Law, which authorizes the Fee, may not issue a Building Permit without certification from the School District that the Fee has been paid. The County will provide an official certification form when application is made for a Building Permit.
2	The Fresno County Fire Protection District has performed a preliminary review of the project and did not identify any significant concerns with the overall proposal with compliance with California Code of Regulations Title 24 – Fire Code. A Condition of Approval has been included requiring adherence to said Regulations.

**Notes**

3

Maximum water use within the proposed development must be consistent with that noted in the January 2010 Report titled "Water Supply Assessment for Tract 5430, 'Lakeridge Communities' Millerton New Town", which identifies the available water supply for tentative tracts throughout the Millerton New Town Area.

fr

EXHIBIT "C"

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study Application No. 5709  
 Vesting Tentative Tract Map Application No. 5771  
 Classified Conditional Use Permit Application No. 3193  
 Site Plan Review Application No. 7787

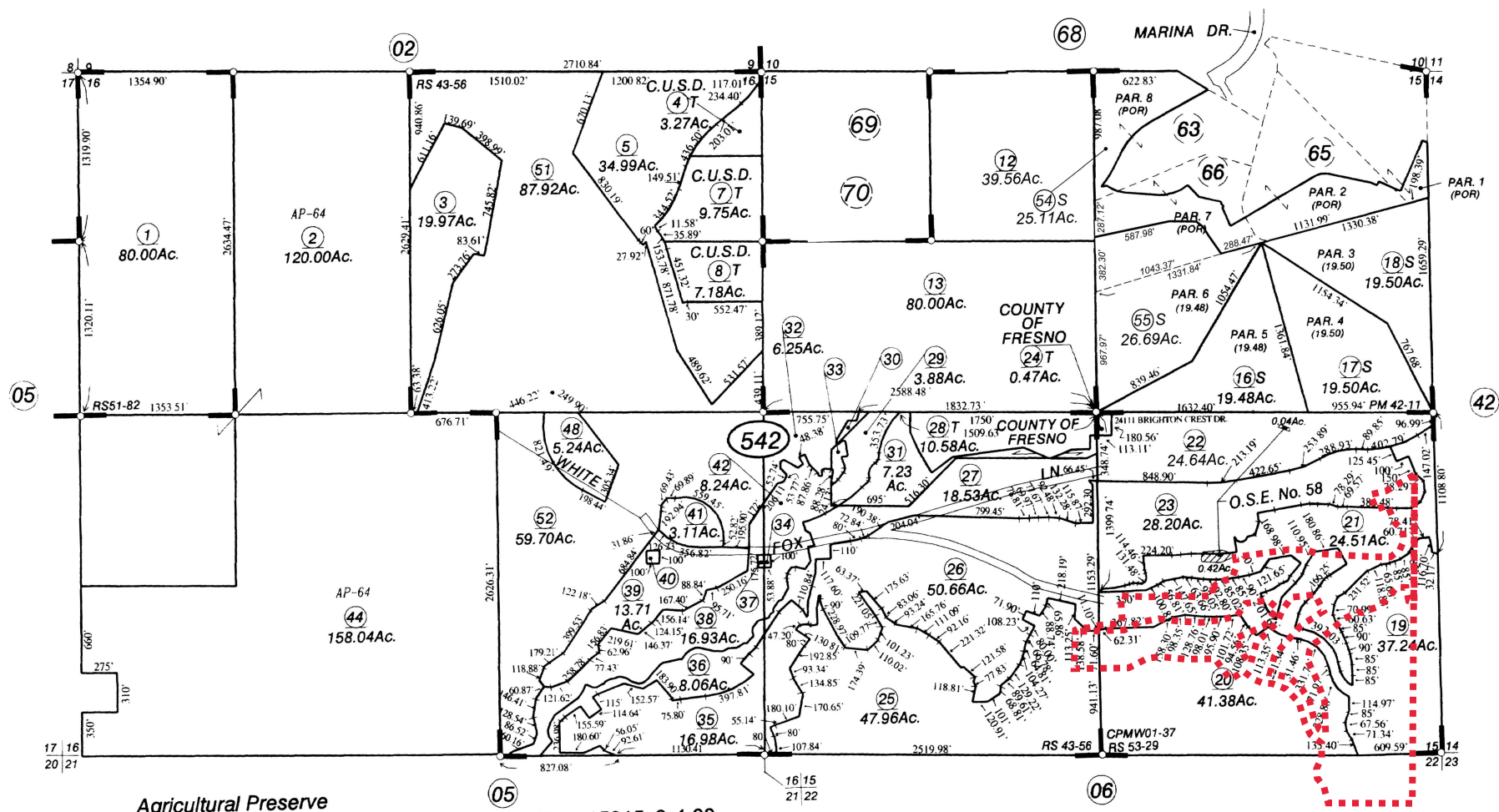
Listed below are the fees collected for the land use applications involved in this Agenda Item:

Initial Study Application:	\$ 2,895.00 <sup>1</sup>
Vesting Tentative Tract Map Application:	\$23,186.00 <sup>2</sup>
Classified Conditional Use Permit Application:	\$ 3,207.00 <sup>3</sup>
Site Plan Review Application:	\$ 705.00 <sup>4</sup>
Health Department Review:	\$ <u>1,591.00<sup>5</sup></u>
<b>Total Fees Collected</b>	<b>\$ <u>31,584.00</u></b>

Fee Description
<sup>1</sup> Includes project routing, coordination with reviewing agencies, preparation of environmental documents, circulation and incorporate analysis into Staff Report.
<sup>2</sup> Agency coordination, review of agency and departmental comments related to map, conducting Subdivision Review Committee meeting, preparation of Subdivision Review Committee Report, review and finalizing Conditions of Approval, and public hearings before the County Planning Commission and County Board of Supervisors.
<sup>3</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>4</sup> Agency coordination, review of agency and departmental comments related to site compliance and conformity.
<sup>5</sup> Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division and provide comments.

Tax Rate Area	
76-068	76-096
76-073	76-097
76-094	199-002

--- NOTE ---  
 This map is for Assessment purposes only.  
 It is not to be construed as portraying  
 legal ownership or divisions of land for  
 purposes of zoning or subdivision law.

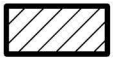


Agricultural Preserve  
 Certificate of Parcel Map Waiver No. 01-37, Doc. 15915, 2-4-08  
 Parcel Map No. 5988 - Bk. 41, Pg. 22  
 Parcel Map No. 5768 - Bk. 42, Pg. 11  
 Record of Survey - Bk. 43, Pgs. 56  
 Record of Survey - Bk. 51, Pgs. 82-88  
 Record of Survey - Bk. 53, Pg. 29

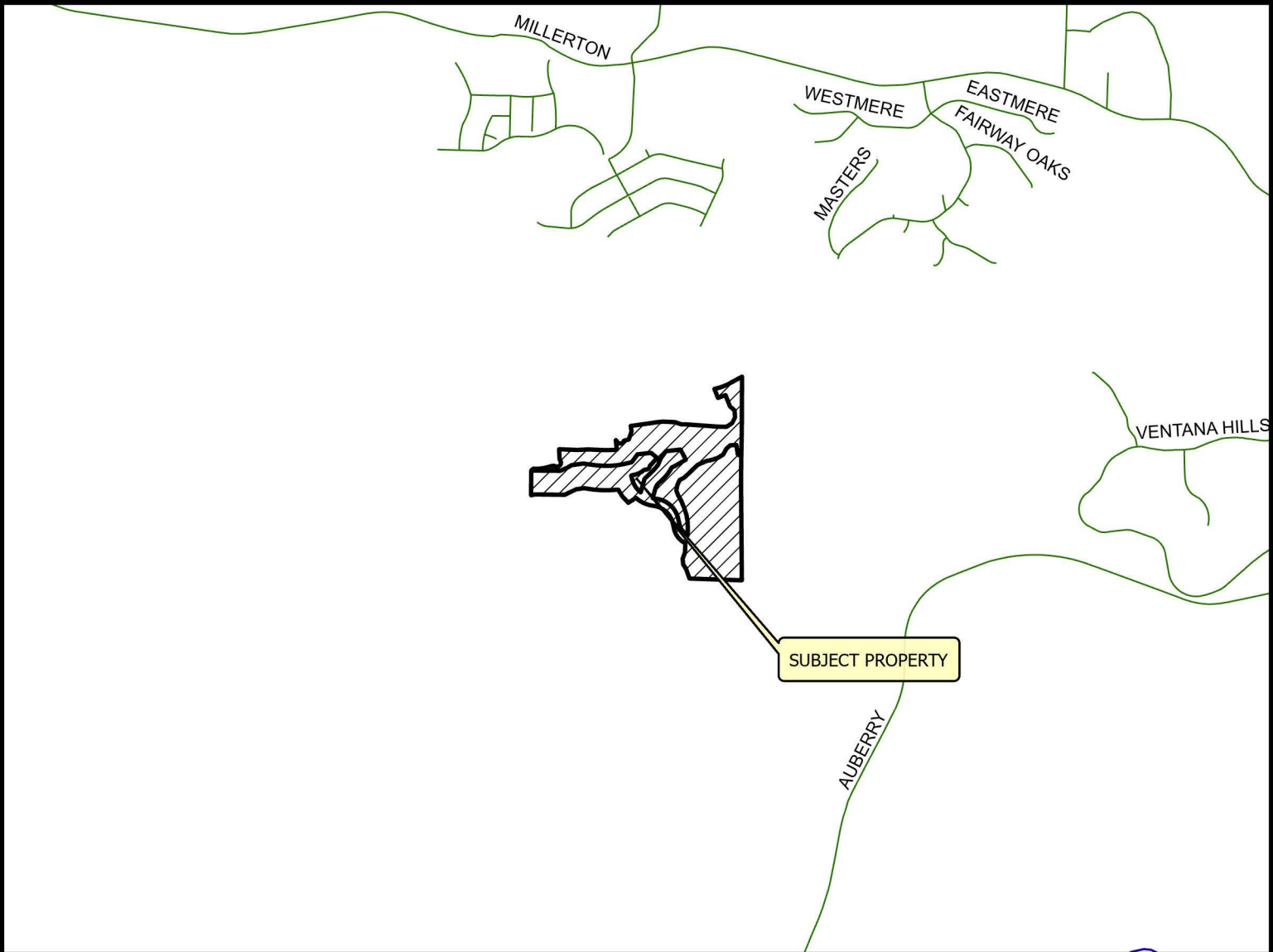
Assessor's Map Bk. 300 - Pg. 54  
 County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.

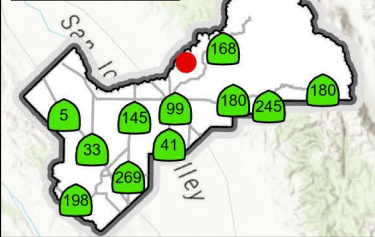
**Legend**



Subject Property



**VICINITY MAP**

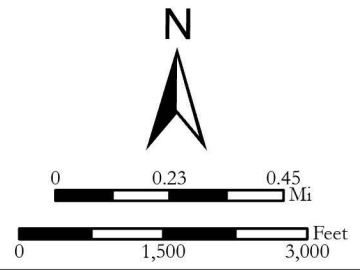


# LOCATION MAP

## TT 5571 EXT 5

## 2024

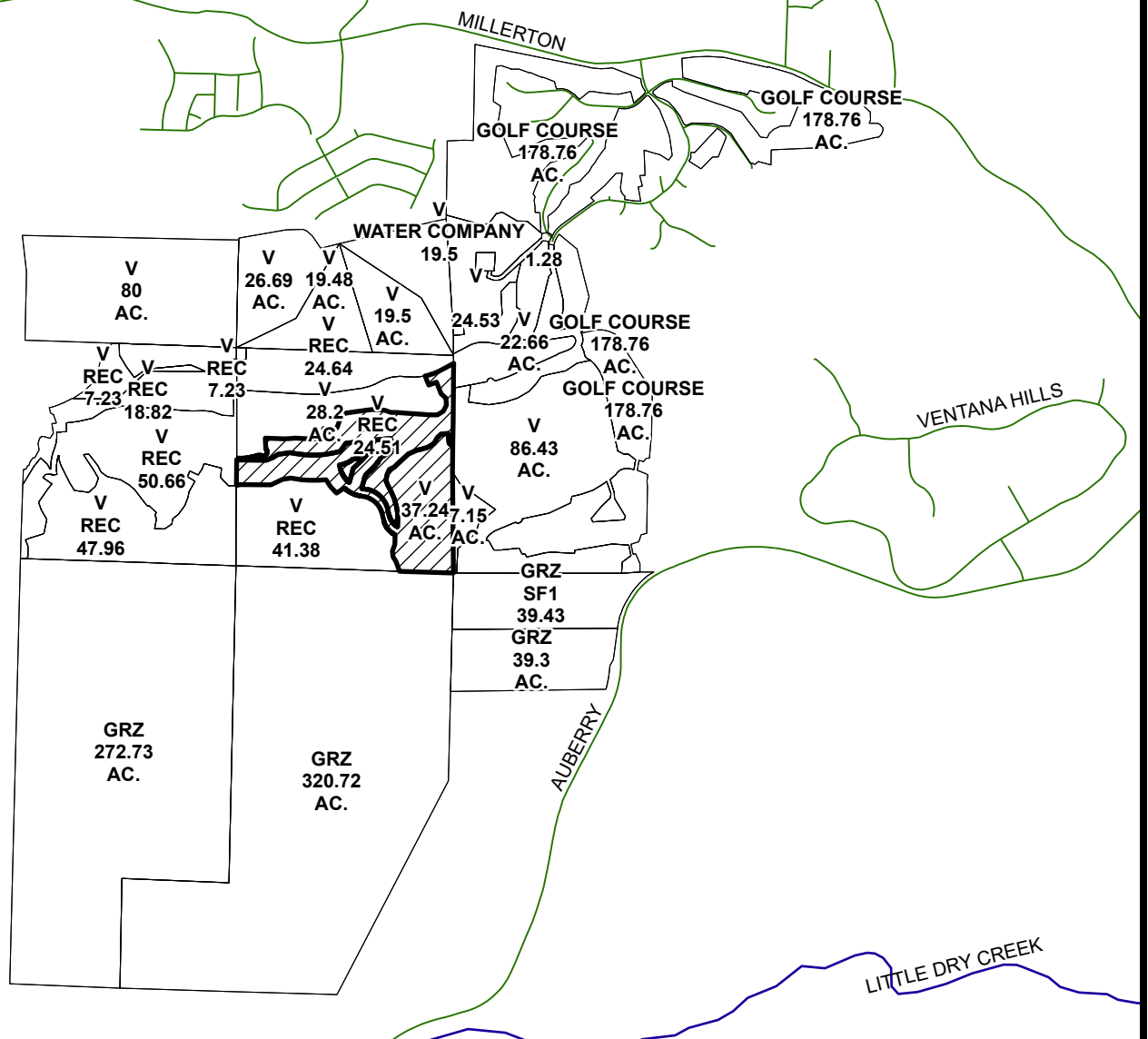
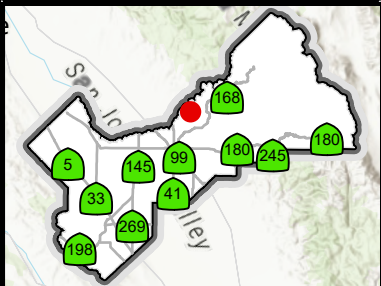
Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
Person Prepared by : mayang  
On Date : 4/16/2024



**LEGEND:**

 Subject Property

LEGEND
GRZ - GRAZING
V - VACANT
SF#- SINGLE FAMILY RESIDENCE
REC - RECREATION

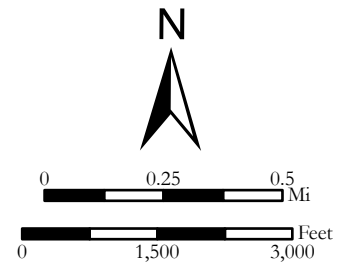


# Existing Land Use Map

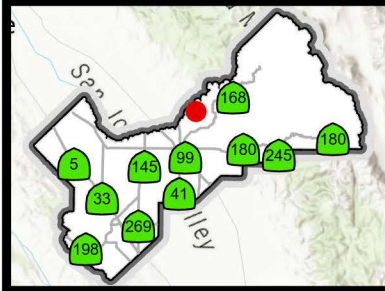
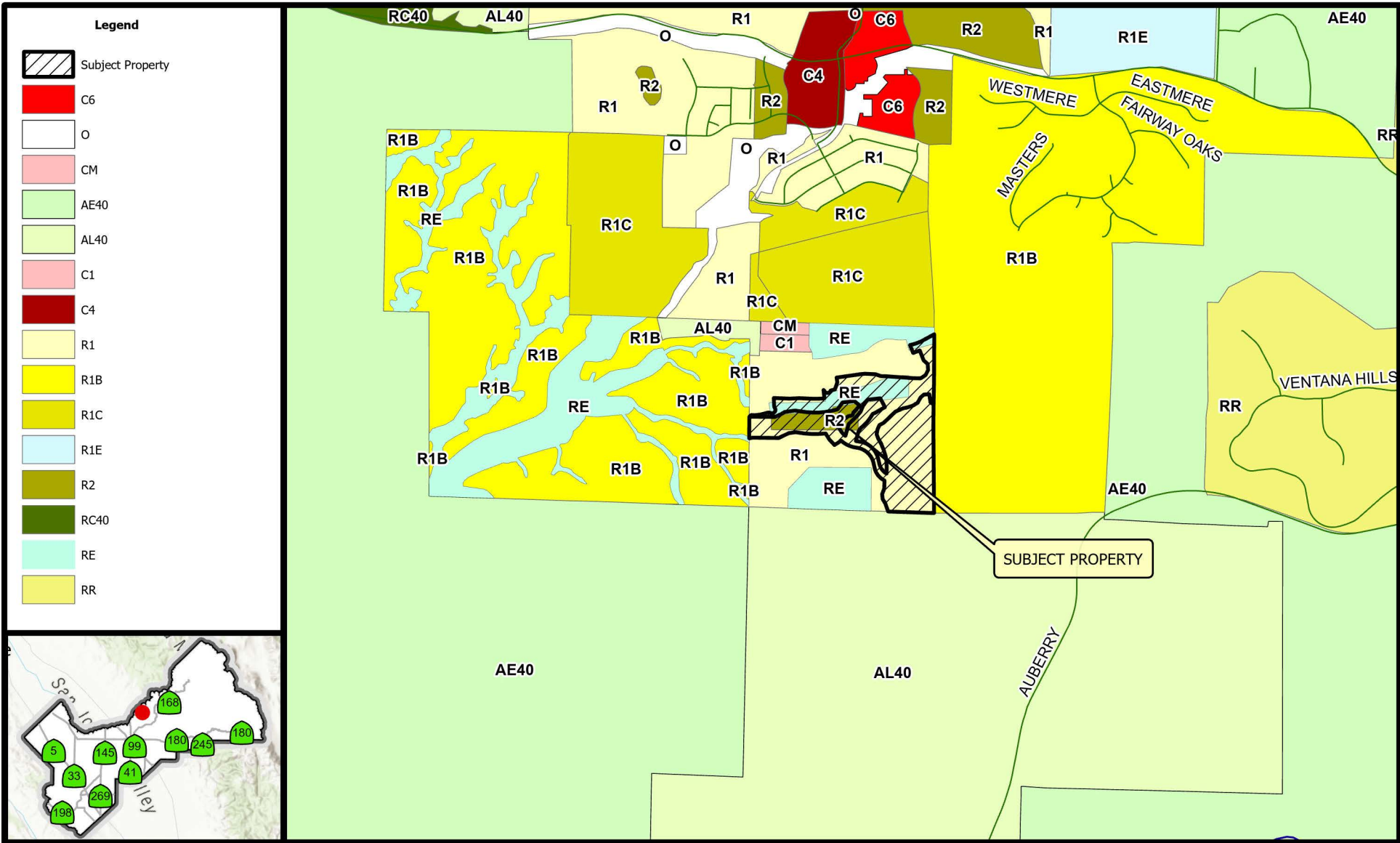
## TT 5571 EXT 5

## 2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : mayang  
 On Date : 4/16/2024







# Existing Zoning Map

TT 5571 EXT 5  
STR 15 - 11S / 21E

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : mayang  
 On Date : 4/16/2024

