



# County of Fresno

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

## Planning Commission Staff Report Consent Agenda Item No. 2 October 11, 2018

**SUBJECT:** Vesting Tentative Tract Map No. 4934 - Time Extension

Allow a sixth and final one-year discretionary time extension to exercise Vesting Tentative Tract Map No. 4934, which authorizes the division of 77.80 acres into 200 lots with a minimum lot size of 7,260 square feet in the R-1-C(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional) and O(c) (Open Conservation, Conditional) Zone Districts.

**LOCATION:** The subject site is located within the Millerton Specific Plan area, south of Millerton Road between Winchell Cove Drive and the Friant-Kern Canal, approximately two miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN 300-542-13).

**OWNER/APPLICANT** JPJ, Inc.

**STAFF CONTACT:** Jeremy Shaw, Planner  
(559) 600-4207

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Approve a sixth and final one-year time extension for Vesting Tentative Tract Map No. 4934; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### EXHIBITS:

1. Location Map
2. Existing Land Use Map
3. Existing Zoning Map
4. Planning Commission Resolution and Staff Report dated September 7, 2000
5. Applicant's letter requesting the one-year time extension

## **ENVIRONMENTAL DETERMINATION:**

The subject property is located within the boundaries of the Millerton New Town Specific Plan. An Environmental Impact Report (EIR) and Mitigation Measures & Monitoring Program Matrix was certified as having been prepared and considered by the decision-making body in accordance with the California Environmental Quality Act (CEQA) when the Specific Plan was adopted in 1984. Several additional environmental studies have been prepared in the interim.

An Environmental Assessment/Initial Study (Environmental Assessment No. 4610) was prepared for Vesting Tentative Tract Map No. 4934 under the provisions of CEQA, resulting in the determination that the previously-certified EIR and Addendum for the Millerton New Town Specific Plan remain adequate for the project. Section 15162(b) of the CEQA Guidelines states that once an EIR and/or Mitigated Negative Declaration has been certified for a project, no subsequent EIR or Mitigated Negative Declaration shall be prepared unless: 1) substantial changes are proposed to the project; 2) substantial changes occur with respect to the circumstances under which the project is undertaken; or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted. This project was routed to all those agencies who reviewed the original project and no agency provided comments or information that the circumstances noted in the above Conditions are present. Therefore, it has been determined that no further CEQA documentation is required for the subject proposal.

## **PUBLIC NOTICE:**

Notices were sent to 52 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

## **PROCEDURAL CONSIDERATIONS:**

The State Subdivision Map Act provides that prior to the expiration of a Tentative Map, a subdivider is entitled to file a "Final Map" for recording with the County if it conforms to the approved Tentative Map and certain mandatory requirements. Except for special circumstances specified in the Map Act, a Tentative Map expires two years after its approval unless extensions are granted by the local agency. Such extensions may not exceed a total of six years. Under the terms of the Fresno County Subdivision Ordinance, time extensions may be granted by the Planning Commission upon application by the subdivider prior to the expiration date.

Starting in 2008, the State of California passed five separate Bills to give subdividers time extensions for Tentative Maps that met certain criteria. These Bills are: a) Senate Bill (SB) 1185 (approved 2008; Map Act Section 66452.21) which granted an automatic one-year time extension; b) Assembly Bill (AB) 333 (approved 2009; Map Act Section 66452.22) which granted an automatic two-year time extension; c) Assembly Bill (AB) 208 (approved 2011; Map Act Section 66452.23) which granted an automatic two-year time extension; d) Assembly Bill (AB) 116 (approved 2013; Map Act Section 66452.24) which granted an automatic two-year time extension; and e) Assembly Bill (AB) 1303 (approved 2015; Map Act Section 66452.25) which granted a two-year time extension. Projects in Fresno County are eligible for time extensions under AB 1303 based on the County's annual mean income, annual non-seasonal unemployment, and poverty status statistics compared to statewide averages.

Granting an extension of a Tentative Map is discretionary, although the Planning Commission's discretion is limited to questions of time. The Commission cannot Condition the grant of extension unless the Applicant agrees to such additional Conditions. If the Applicant does not agree to such additional Conditions, the Commission may deny the extension if it finds, based on the evidence, that the project will be injurious to public health, safety or general welfare if the additional Conditions are not imposed.

### **BACKGROUND INFORMATION:**

On September 7, 2000, the Planning Commission approved Vesting Tentative Tract Map No. 4934, Classified Conditional Use Permit No. 2935, and Site Plan Review No 7044, authorizing the development of a 77.8-acre planned residential development consisting of 200 single-family residential lots with a minimum lot size of 7,260 square feet.

The first one-year time extension for Vesting Tentative Tract Map No. 4934 (beyond the initial two years) was approved by the Planning Commission on October 24, 2002, and extended the expiration date to September 7, 2003. On December 16, 2003, the Board of Supervisors upheld the Planning Commission's approval of a second one-year time extension, extending the expiration date to September 7, 2004. On December 16, 2004, the Planning Commission approved the third one-year time extension, subject to a condition that required establishment of a funding mechanism to support the cost for sheriff's protection services to achieve a ratio of two sworn officers per 1,000 residents for the affected properties. The approval extended the expiration date to September 7, 2005. The fourth one-year time extension was approved on November 3, 2005 and extended the expiration date to September 7, 2006. However, as review of the surface water allotments to Millerton New Town conducted by the U.S. Bureau of Reclamation constituted a moratorium from the period of February 4, 2005 until February 25, 2007, staff determined that the tentative map would expire on September 26, 2008.

Subsequent to staff's determination that the Tentative Map would expire on September 26, 2008, Senate Bill (SB) 1185, effective July 15, 2008, granted an automatic one-year time extension for the Tentative Map, resulting in a new expiration date of September 26, 2009; Assembly Bill (AB) 333, effective July 15, 2009, granted an automatic two-year time extension for the Tentative Map, resulting in a new expiration date of September 26, 2011; Assembly Bill (AB) 208, effective July 15, 2011, granted another automatic two-year time extension for the Tentative Map resulting in a new expiration date of September 26, 2013; and Assembly Bill (AB) 116, effective July 11, 2013, granted an automatic two-year time extension for the Tentative Map resulting in a new expiration date of September 26, 2015. The previous application for a fifth one-year extension was granted by the Planning Commission and extended the expiration date to September 26, 2016. AB 1303, effective October 10, 2015, automatically granted a two-year time extension, extending the expiration date to September 26, 2018. This current sixth and final one-year time extension request was filed by the Applicant on August 1, 2018, and if approved will extend the Vesting Tentative Tract Map No. 4934 expiration date to September 26, 2019.

The Commission may impose conditions when approving a time extension request for a vesting tentative tract, or may deny such a request only if such conditions could have been lawfully imposed as a condition to the approval of the map and it determines either of the following: (1) a failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both; or (2) the condition or denial is required in order to comply with state or federal law.

The State Subdivision Map Act provides up to six discretionary one-year time extensions. The subject application has been approved five times under these provisions with this one discretionary time extension remaining.

#### **ANALYSIS/DISCUSSION:**

Tentative Tract Map No. 4934 was originally approved in on September 7, 2000 concurrently with Conditional Use Permit (CUP) No. 2956 and Site Plan Review No. 7044 based on a determination that the required CUP findings could be made. Attached is a copy of the original Staff Report and Planning Commission Resolution dated September 7, 2000 (Exhibit 4). According to the Applicant, the subject request is necessary in working with the County, U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife to allow the project to proceed to Final map. Further, the Applicant has participated in completing the surface water treatment plant to serve the subject tract, obtained a fee schedule for County Service Area (SCA) 34C, participated in the construction of a tertiary wastewater treatment plant, and is working on procedures and operation regarding use of reclaimed water for the tract (Exhibit 5).

The current time extension request was routed to the same agencies that reviewed the original project and previous time extensions. None of those agencies identified any change in circumstances or the need for additional conditions, and did not express any concerns with the proposed extension of time.

The existing zoning on the parcel is R-1(c), R-1-C(c) (Single-Family Residential, 9,000 square-foot minimum parcel size, Conditional), and O(c) (Open Conservation, Conditional). The portion of the proposed subdivision east of Marina Drive is designated Medium-Density Residential and is zoned R-1(c). The portion of the proposed subdivision west of Marina Drive is designated Medium-Low-Density Residential and zoned R-1-C(c). The R-1 and R-1-C zoning districts are consistent with the Medium-Density Residential and Medium-Low-Density Residential land use designations, respectively.

The Specific Plan indicates that areas designated Medium-Density Residential (east of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 6,000 square feet (net) or seven units per acre (gross). In addition, the Plan indicates that areas designated Medium-Low-Density Residential (west of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 10,000 square feet (net) or 3.5 units per acre (gross). The approved project includes 87 residential lots on approximately 23 acres that are designated Medium-Density Residential and 113 lots on approximately 33 acres that are designated Medium Low Density Residential. The resulting densities would be 3.5 and 3.4 units per gross acre for the Medium-Density Residential and Medium-Low-Density Residential designation, respectively, which is consistent with the Specific Plan.

The Plan also requires that a minimum of three percent of the area not over 30 percent slope shall be left in natural open space. The approved project includes five outlots totaling 21.26 acres to remain as open space, which comprises approximately 27.3 percent of the project site. Previous staff analysis determined that these outlots, in combination with the proposed 50-foot landscaping buffer and developed access to community-wide open space areas, meet the intent of the General Plan, and found that the proposal was consistent with that policy. Since the initial approval, there have been no significant changes to the project site or project description that would invalidate that determination.

**PUBLIC COMMENT:**

None.

**CONCLUSION:**

Staff believes the sixth and final one-year time extension for Vesting Tentative Tract Map No. 4934 should be approved, based on the factors cited in the analysis above. Approval of this time extension will extend the expiration date to September 26, 2019.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to approve the sixth and final one-year time extension request for Vesting Tentative Tract Map No. 4934; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

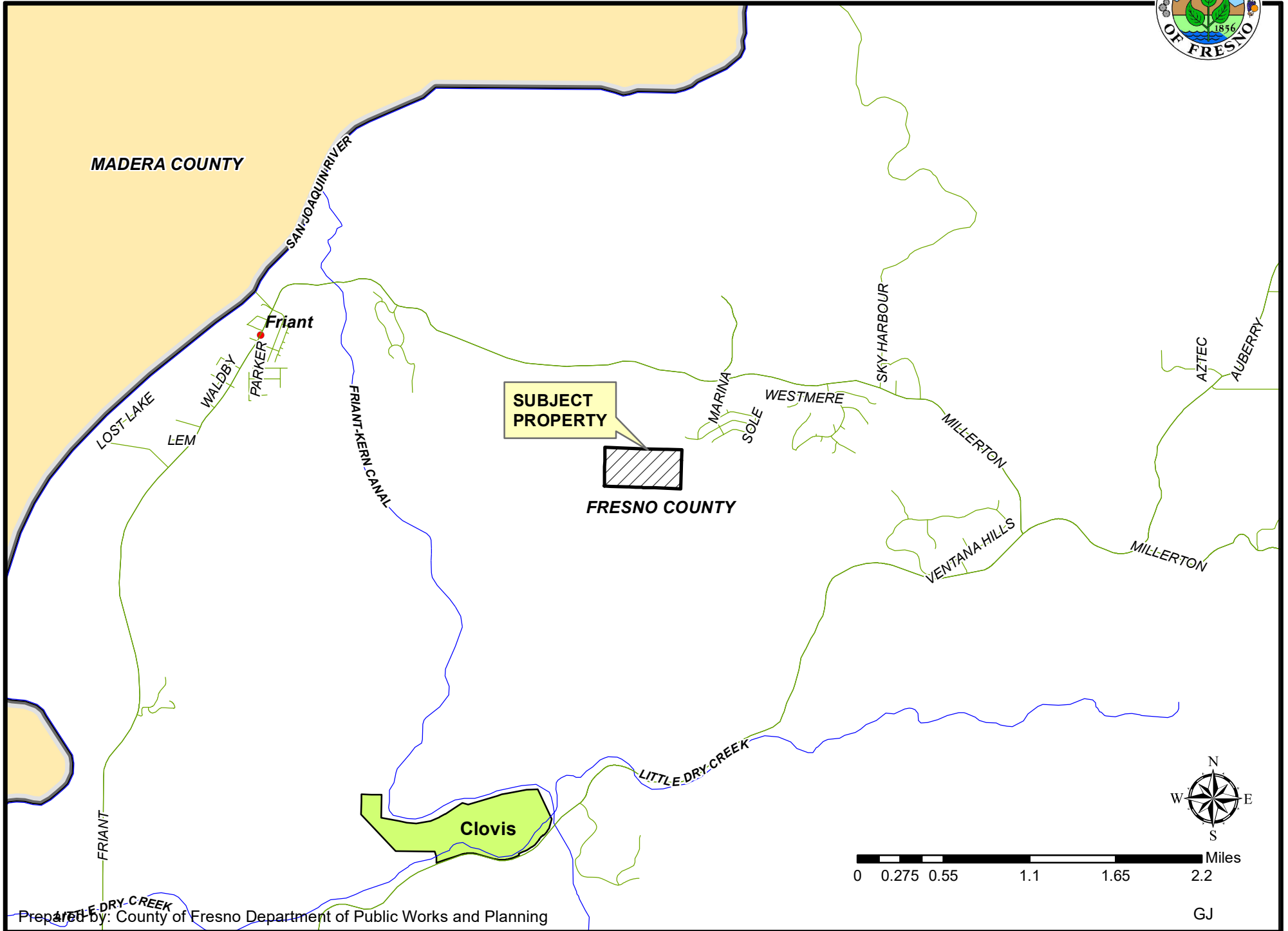
**Alternative Motion** (Denial Action)

- Move to deny the two-year time extension request for Vesting Tentative Tract Map No. 4934 (state reasons how approval of the time extension request would pose a health and safety issue to the residents of the subdivision or the immediate community of both; or state how denial of the time extension request is required in order to comply with State or Federal law); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

JS:ksn

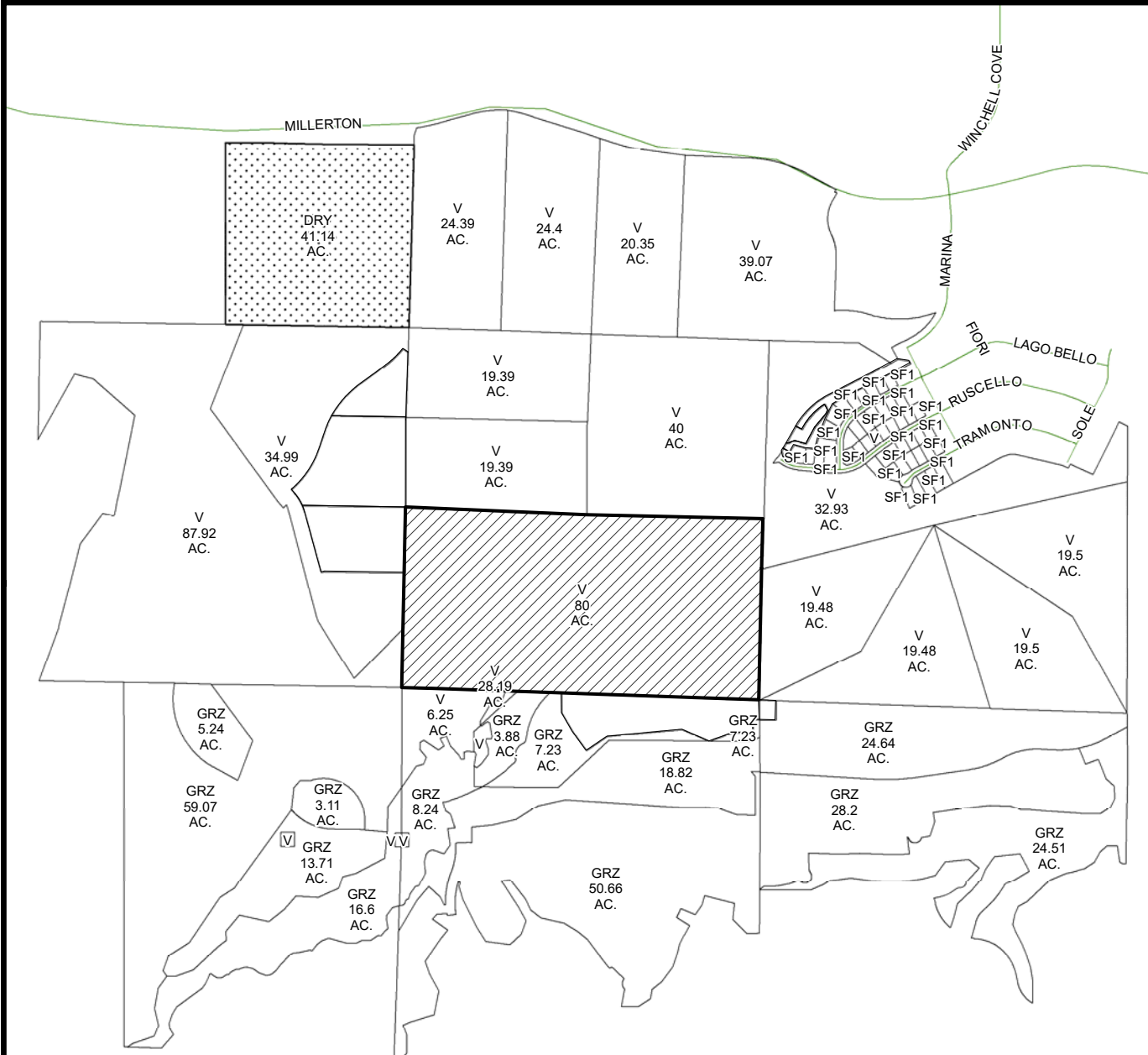
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# LOCATION MAP



Prepared by: County of Fresno Department of Public Works and Planning

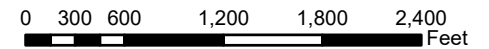
# EXISTING LAND USE MAP



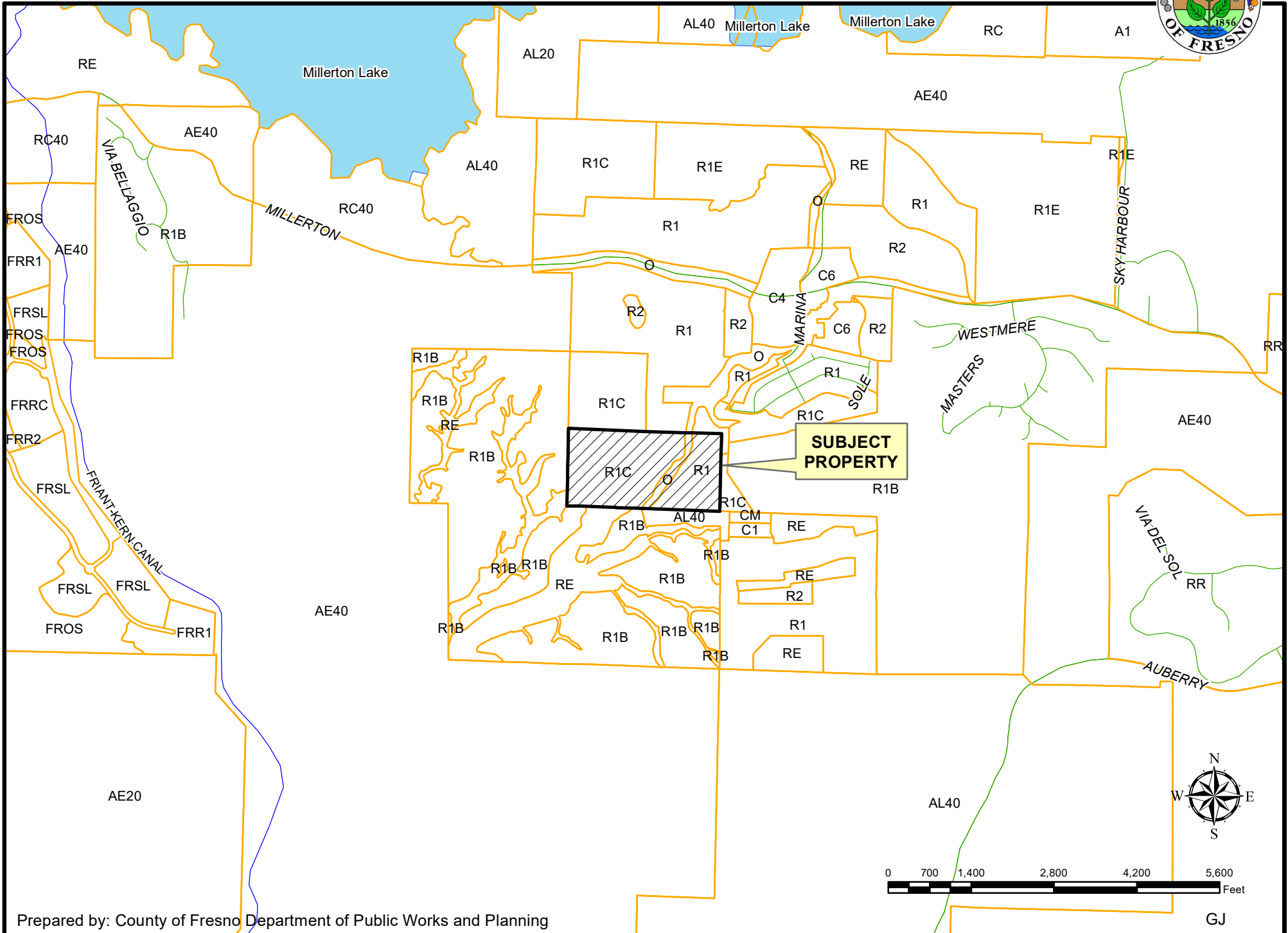
LEGEND
V - VACANT
SF# - SINGLE FAMILY RESIDENC
GRZ - GRAZING
DRY - DRY FARMING

**LEGEND:**

-  Subject Property
-  Ag Contract Land



# EXISTING ZONING MAP







## Inter Office Memo

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DATE: September 7, 2000

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 11697 – ENVIRONMENTAL ASSESSMENT APPLICATION NO. 4610, CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 2935, VESTING TENTATIVE SUBDIVISION MAP NO. 4934 AND SITE PLAN REVIEW APPLICATION NO. 7044

APPLICANT: The Clarksfield Company, Inc.

REQUEST: Allow a planned residential development consisting of 200 single-family homesites on a 77.80-acre parcel in the R-1-C(c), R-1(c) and the "O"(c) Districts.

LOCATION: The subject property is located within the Millerton Specific Plan on south side of Millerton Road, between the Brighton Crest Subdivision and the Friant-Kern Canal, approximately 2.5 miles east of the unincorporated community of Friant (APN: 300-061-04) (SUP. DIST.: 5)

### PLANNING COMMISSION ACTION:

At its hearing of September 7, 2000, the Commission considered the Staff Report, the Subdivision Review Committee Report, and testimony (summarized on Exhibit "A").

A motion was made by Commissioner King and seconded by Commissioner Eaton to determine that the previously certified Final Environmental Impact Report for the Millerton Specific Plan is adequate for the project under the provisions of Section 15162 of the CEQA Guidelines, adopt the recommended findings of fact in the Staff Report and Subdivision Review Committee Report, and approve Classified Conditional Use Permit Application No. 2935, Vesting Tentative Subdivision Map No. 4934, and Site Plan Review Application No. 7044, subject to the conditions listed in Exhibit "B".

This motion passed on the following vote:


VOTING: Yes: Commissioners King, Eaton, Ferguson, Johnson, Molen, Moore,  
Peters, Price, Tokmakian

No: None

Absent: None

CAROLINA JIMENEZ-HOGG, Director  
Planning & Resource Management Department  
Secretary-Fresno County Planning Commission

By:

  
Leona Franke James, Manager  
Development Services Division

- NOTES:
1. The Planning Commission action is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.
  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 Planning & Resource Management Department before the expiration of the Vesting Tentative Tract Map

EXHIBIT "A"

Staff: The Fresno County Planning Commission accepted the Staff Report and the Subdivision Review Committee Report dated September 7, 2000.

Applicant: The applicant's representative presented information in support of the project as summarized below:

- Since the last time I was before the Commission, Tentative Tract Map No. 4870 for 165 lots has been approved.
- We are in agreement with the staff report and conditions.
- All water for this project has been secured through a contract with the Deer Creek & Tule Creek Water Authority.
- The Wetland and Open Space Mitigation and Management Plan and the Monitoring Plan [WOSMMP] have been approved by the Army Corp of Engineers and the Department of Fish and Game. The subdivision has been designed around the existing wetlands.
- The White Fox Creek is preserved in an open space easement, which incorporates pedestrian trails and bike paths. The road crossing Fox Creek will be a culvert type bridge.
- This tract incorporates a combination of both curvilinear streets and neighborhoods with the traditional lot and block design.

Others: No other persons presented information in support of or in opposition to the proposal.

Correspondence: Three letters were received in support of the request.

EXHIBIT "B"

Conditions of Approval  
Environmental Assessment Application No. 4610  
Classified Conditional Use Permit Application No. 2935  
Vesting Tentative Subdivision Map No. 4934  
Site Plan Review Application No. 7044

**Classified Conditional Use Permit Application No. 2935**

1. Development shall be in accordance with the site plan and project description as it pertains to property development standards, landscaping, fencing, lighting, circulation, grading, infrastructure, except as may be modified below.
2. The conditions of the Subdivision Review Committee Report for Tentative Tract Map No. 4934 shall be complied with.
3. This Conditional Use Permit shall be tied to Tentative Tract Map No. 4934; if the tract is denied or expires, the Conditional Use Permit shall also be denied or expire.

NOTE: In accordance with Section 873 – I of the Zoning Ordinance, a conditional use permit to authorize a tentative subdivision map automatically assumes the life span of the tract map.

4. For those areas zoned R-1-C, the property development standards of the R-1-C shall apply except for lot size as described in the table labeled "Residential Development Standards" on page 5 of the operational statement.
5. All mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR (Exhibit 6) 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 CEQA (Public Resources Code Section 21081.6). These costs shall include, but are not limited to, staff and consultant services.
6. 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. All appropriate infrastructures required for this project by the approved Infrastructure Plan shall be constructed and accepted by County Service Area No. 34 prior to issuance of building permits.

7. South of the commercial area and government center, Marina Drive shall be constructed as a two-lane undivided road in an 84-foot right-of-way with provisions for the future addition of two travel lanes when traffic volumes warrant. Development of Marina shall be in accordance with Figure 7 of the Millerton Specific Plan.
8. Left-turn lanes shall be provided on Marina Drive at all intersections.
9. The grading standards specified in Section 806-04:2.03d of the Millerton Specific Plan shall be met.
10. Prior to approval of a Final Map, drainage plans shall demonstrate compatibility with adjacent properties in the sub-watershed. Off-site control measures may be required to mitigate drainage impacts. The drainage standards specified in Section 806-04:3.02a, b, and c shall be complied with.
11. The water conservation standards specified in Section 806-04:6.03a-d and g-j of the Millerton Specific Plan shall be met.
12. Fire protection measures and facilities shall be provided as required by Section 806-05:3.03 of the Millerton Specific Plan, subject to a determination of applicability by the fire district having jurisdiction of the area.
13. Traffic and Circulation standards shall be provided as required by Section 806-02:1.03 of the Millerton Specific Plan and as set forth in the Mitigation Matrix as item 2a through 2i and 2k.

#### **Vesting Tentative Subdivision Map No. 4934**

##### 1. SEWER AND WATER:

- a. Sewer and water services shall be provided by a community system designed in accordance with County standards and the applicable mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR.
- b. Prior to issuance of any building permit, the wastewater and water facilities required to serve this project shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

##### 2. ROADS

- a. MARINA DRIVE:

1. Marina Drive shall be constructed to a 45 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan, (two travel lanes with shoulder/bike lanes to connect to Millerton Road; 40 feet of base and pavement).
2. Right-of-way, utility easements, and landscape easements shall be provided along Marina Drive in accordance with the Millerton Specific Plan.
3. Marina Drive shall be intersected by all roads as near to right angles as practicable in accordance with the County Improvement Standards.
4. Thirty foot by thirty-foot corner cutoffs shall be provided at all intersections.
5. A temporary turnaround at the south end of the Marina Drive shall be provided.
6. Relinquishment of direct access for all abutting lots along Marina Drive shall be provided.
7. A non-access barrier acceptable to the Director of the Department of Public Works shall be provided.
8. Class III Bicycle path (Bike Route) shall be signed along Marina Drive.

b. INTERIOR ROADS:

1. Interior Roads shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan (36 feet of base and pavement between curbs).
2. Interior Roads shall provide right-of-way, utility easements and landscape easements in accordance with the Millerton Specific Plan.
3. A County Standard B-2 rural residential cul-de-sac shall be provided at the end of each road.
4. Interior Roads shall provide proposed County Improvement Standard A-26 knuckles for Avenues K - L and D - F.

5. Interior Roads shall intersect as near to right angles as practicable in accordance with the County Improvement Standards.
6. Interior Roads shall provide adequate sight distance at all intersections together with necessary property corner cutoff rights-of-way (20 foot by 20 foot minimum).
7. Offset road intersections shall have a minimum separation of 125 feet between roads.
8. Interior Roads shall provide one foot restricted access strips at the end of the stub roads.

c. **ROADS GENERAL:**

1. All slope easements shall be provided outside of the right-of-way where necessary.
2. Asphalt dikes shall be provided where necessary for erosion control.
3. Warning signs, markers, guardrails, and barricades shall be included in the design in accordance with County Improvement Standards.

3. **STREET NAMES:**

The internal roads within the subdivision shall be named. The subdivider shall submit a name to the Street Names Committee for review and approval prior to the final map approval.

4. **DRAINAGE AND EROSION CONTROL:**

- a. Hydrologic and hydraulic analyses shall be prepared and submitted for approval in accordance with standard engineering practices to demonstrate that the proposed tract will not result in any increase in flood levels or significantly change the existing drainage characteristics of those parcels adjacent to the development.
- b. All storm water run-off generated by the proposed development shall be retained on-site within drainage ponds or other facilities acceptable to the Director of Public Works. Any detention facilities within the natural drainage courses will be required to be reviewed and approved by California State Department of Fish and Game and State Water Resources Control Board.
- c. Ponds in excess of eighteen inches in depth shall be fenced.

- d. Provide erosion control measures to all exposed slopes in accordance with County Improvement Standards.
- e. If natural drainage swales are piped, easements for the pipelines and a maintenance organization to maintain the pipelines will be required.
- f. Perennial streams traverse the subject property according to the USGS QUAD maps. Drainage control measures shall be provided to collect and divert runoff to prevent erosion and siltation of natural drainage channels in such a manner as to maintain natural drainage characteristics down stream of the project.

5. FLOOD PRONE AREAS:

- a. The tract lies partially within a flood hazard area. Any development within the areas identified as flood prone shall be in accordance with Fresno County Flood Hazard Ordinance.
- b. Property subject to inundation from the 1% flood shall be identified by the hydrologic study and shall be indicated on an additional map sheet of the final map.
- c. Lots or portions thereof within the limits of inundation shall be provided with a minimum of 3,000 square feet of building area above the Base Flood elevation prior to recordation of the final map.

6. MANTENANCE:

- a. A Zone of Benefit in County Service Area 34 or other method acceptable to the Director of the Department of Public Works shall be provided for the maintenance of the new roads and drainage facilities.
- b. The subdivider will be required to secure the maintenance of the new roads for a period of two years after the acceptance thereof.

7. FIRE PROTECTION:

- a. 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 Public Works after consideration of the recommendations of the fire district having jurisdiction of the area.

8. EMERGENCY ACCESS ROADS (If required):

- a. Emergency Access Roads shall be contained within easements and shall connect to public roads.



- b. Emergency Access Roads shall be improved to a standard to provide traversability for emergency equipment as determined by the Director of the Public Works Department after consideration of the recommendations of the fire district having jurisdiction of the area.
- c. Crash gates shall be provided at both ends of the easements.

9. OUTLOTS:

- a. The use of all Outlots shall be designated on the recorded map.
- b. Ownership of all Outlots shall be by CSA 34 for the benefit of all owners, as an undivided interest by all the lot owners, or by other method approved by the Director. No Outlot shall be developed, except as allowed by the Fresno County Zoning Ordinance, nor shall any Outlot be divided or be encumbered by a mortgage or other lien as security for a debt without the prior written consent of the Board of Supervisors, and 66-2/3 percent of the owners and mortgagees. The County is the intended beneficiary of this provision and shall have the right to enforce this provision by all available remedies, legal and equitable. This condition shall be included in a recorded covenant to run with the land.

10. UTILITIES:

- a. All utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance.
- b. Any existing utilities within or adjacent to this tract not in conformance with these requirements shall be removed or placed underground.

11. OTHER IMPROVEMENTS:

All other improvements shall be in accordance with the County standards.

12. OTHER CONDITIONS:

- a. All conditions of Classified Conditional Use Permit Application No. 2935 shall be complied with.
- b. All mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR (Exhibit 6) 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 CEQA (Public Resources Code Section 21081.6). These costs shall include, but are not limited to, staff and consultant services.

- c. Prior to recordation of the final map, a zone of benefit within County Service Area 34 shall be established for the project.
- d. Prior to recordation of the final map, an agreement between the developer and 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.
- e. Prior to recordation of the final map, all services proposed to be provided by the CSA and the level of each service shall be identified in a Service Plan prepared by an engineer.
- f. 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 the 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.
- g. 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.
- h. The water and wastewater facilities shall be designed and constructed in accordance with the approved Infrastructure Plans.
- i. Prior to issuance of any building permit, the wastewater and water facilities shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

NOTE: If the Brighton Crest Wastewater treatment facility is to be utilized, the approval of a conditional use permit will be required.

**AGENDA ITEM NO. 3**

**SUBDIVISION REVIEW COMMITTEE REPORT  
TO  
THE FRESNO COUNTY PLANNING COMMISSION  
Vesting Tentative Subdivision Map No. 4934  
Environmental Assessment Application No. 4610  
September 7, 2000**

**Project Analyst: David Deel (559) 262-4321**

Date Filed: March 20, 2000

Date of Subdivision Review Committee Meeting: August 18, 2000

Subdivider: The Clarksfield Company, Inc.

Engineer: Mark W. Greenwood

Location: South side of Millerton Road between the Brighton Crest Subdivision and the Friant-Kern Canal within the Millerton Specific Plan

Nearest City Limits: The unincorporated community of Friant is located approximately 2.5 miles to the west.

Number of Acres: 77.80-acres

Number of Lots: 200

Minimum Lot Size: 7,260 square feet

Proposed Source of Water: Community water system (County Service Area No. 34)

Proposed Means of Sewage Disposal: Community sewer system (County Service Area No. 34)

Drainage: Extended detention basins to natural channels (White Fox Creek)

Zoning on Subject Property: R-1-C(c) (Single-Family Residential, 9,000 square-foot minimum parcel size, conditional), R-1(c)(Single-Family Residential, 6,000 square-foot minimum parcel size, conditional), O(c) (Open Conservation, conditional) Districts

Proposed Zoning: None

Surrounding Zoning: AE-40, O(c), R-1-B(c), R-1-C(c), R-1(c), R-2(c)

Proposed Use: Single-family residences

Land Use on Subject Property: Vacant

Surrounding Land Use: Grazing, rural homesites, single-family residences, golf course, Lake Millerton State Park, casino

## **BACKGROUND**

Vesting Tentative Subdivision Map No. 4934 is being considered concurrently with Classified Conditional Use Permit Application No. 2935, which proposes to allow the subject property to be developed as a planned residential development consisting of a maximum of 200 single-family residential lots with a minimum lot size of 7,260 square feet. The tentative subdivision map may only be approved if the above-referenced conditional use permit application is also approved.

## **ENVIRONMENTAL ANALYSIS**

An Environmental Impact Report (EIR) and Mitigation Measures & Monitoring Program Matrix (See Exhibit 6) was certified as having been prepared and considered by the decision-making body in accordance with the California Environmental Quality Act (CEQA) when the Specific Plan was adopted in 1984. Several additional environmental studies have been prepared in the interim; the most recent being in December 1999.

Section 15162 of the CEQA Guidelines provides that a new EIR is not required for a project unless specified events have occurred.

An Environmental Assessment/Initial Study (Environmental Assessment No. 4610) was prepared for the project under the provisions of CEQA to determine if the existing EIR is adequate for the current project. In accordance with Sections 15162 and 15183 of the Guidelines, the purpose of the Initial Study was to identify environmental effects peculiar to the parcel or project which were not addressed as significant effects in the EIR or provide substantial new information showing that these effects would be more significant than described in the EIR. Within the context of the review, the Initial Study did not identify any significant effects nor was any new information submitted showing the previously identified effects to be more significant. Based on this assessment, the

Environmental Analysis Staff has concluded that preparation of a subsequent EIR, supplement or addendum to the Millerton Specific Plan EIR is not required and that the existing EIR is adequate for the project.

### **STAFF ANALYSIS OF REQUIRED FINDINGS**

#### **Finding 1: General Plan Consistency**

The subject property is 77.80 acres in size and is located within the Millerton Specific Plan. Under this request, the applicant is proposing to subdivide the subject property into 200 residential lots having a minimum parcel size of 7,260 square feet. The tentative map proposes five Outlots ("A", "B", "C", "D" & "E"), totaling 21.26-acres to remain as open space. The portion of the proposed subdivision east of Marina Drive is designated Medium Density Residential and is zoned R-1(c). The portion of the proposed subdivision west of Marina Drive is designated Medium Low Density Residential and zoned R-1-C(c). The R-1 and R-1-C zoning districts are consistent with the Medium Density Residential and Medium Low Density Residential land use designations, respectively.

The Millerton Specific Plan contains policies, standards and criteria that must be addressed through the design of the subdivision or through conditions of approval and mitigation measures. These policies, standards and criteria are addressed in the following discussion:

#### **Land Use Element**

The Specific Plan indicates that areas designated Medium Density Residential (east of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 6,000 square feet (net) or seven units per acre (gross). In addition the Plan indicates that areas designated Medium Low Density Residential (west of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 10,000 square feet (net) or 3.5 units per acre (gross). Under this request, the applicant is proposing 87 residential lots on approximately 23-acres that are designated Medium Density Residential and 113 lots on approximately 33-acres that are designated Medium Low Density Residential. The resulting densities would be 3.5 and 3.4 units per gross acre for the Medium Density Residential and Medium Low Density Residential designation, respectively, which is consistent with the Specific Plan.

The Plan also requires that a minimum of three percent of the area not over 30 percent slope shall be left in natural open space. As previously noted, the project proposes five Outlots, totaling 21.26-acres to remain as open space, which comprises approximately 27.3 percent of the project site. The applicant has also incorporated a 50-foot landscape buffer (Outlot "B") along the west side of White Fox Creek. In addition, as part of the Specific Plan, the residents of this project will also have access to the community-wide open space and recreation areas that will be developed for the Millerton Specific Plan. Staff believes this meets the intent of this standard.

## Transportation Element

The standards and criteria of the Transportation Element set specific design standards for the interior roads within the subdivision, as well as the system of primary and secondary roads designed to carry local traffic within the Millerton townsite and to connect with the existing County road network. The Plan requires that all road improvements be constructed in accordance with Fresno County Improvement Standards, except if modified by the Plan. The Plan has established special standards for Marina Drive appropriate to its classification as a collector that have been incorporated into the proposed project or have been recommended as conditions of approval. All interior roads of the subdivision will be constructed to County public road standards in accordance with the Specific Plan and provision made for their maintenance.

As discussed in Finding 2 of the Staff Report for Classified Conditional Use Permit No. 2935, the increased traffic generated by the proposed development will have an impact on the circulation system outside the project boundary. In order to address the impact, mitigation measures specified in the EIR for the Millerton Specific Plan will be applied to this development requiring that prior to recordation of a final map, the project will be reviewed to determine the essential circulation system improvements to be installed both in terms of the local street system and the area wide improvements. In addition, the developer will be required to participate on a pro-rata basis in the funding for future improvements of Millerton Road, Marina Drive extensions, and Auberry Road.

## Environmental Resources Management Element

The Environmental Resources Management Element of the Millerton Specific Plan addresses land resources, flooding and drainage, open space and recreation, recreation corridors, water conservation, energy conservation, archaeological resources, habitat preservation, and air quality. The policies, standards, and criteria relating to these topics provide guidance in developing the community's overall semi-rural character and are intended to reinforce those other elements of the Specific Plan such as Land Use, Transportation, Community Design, and Public Facilities. The policies, standards, and criteria in this section of the Plan that are applicable to the proposed subdivision have either been addressed by being incorporated in the project design, recommended as conditions of approval, or are mitigation measures of the EIR.

The policies and standards relating to land resources ensure that there will be a proper grading design by requiring that a detailed erosion and drainage control program be developed and that certain grading standards be met. Flooding and drainage policies require that prior to recordation of a final map, drainage plans be submitted that demonstrate compatibility with adjacent properties within the sub-watershed. Open space and recreation policies require that each proposed planned development contain open space free of buildings, streets, driveways, or parking areas. As previously noted, in addition to individual lot yard area, open space will be provided by five outlots and

through a 50-foot wide buffer area along White Fox Creek. Policies, standards, and mitigation measures relating to water and energy conservation, in part, will require that water conservation devices be used and water meters be provided for all residences and that site planning and building design provide for solar access and a street tree planting program. Wildlife habitat and resources occur in the project area that are potentially significant and should be protected. A mitigation measure requires that prior to recordation of a final map, a wetland and open space mitigation and management plan and monitoring program be prepared by the developer and approved by the County in consultation with the California Department of Fish and Game for those areas identified in a report by Hartesvelt Ecological Consulting Services dated September 16, 1998. Mitigation measures for the Specific Plan also have been imposed which will address air quality impacts.

### Public Facilities Element

The proposed project will require community facilities and services including a community water system, a community sewer system, fire protection, schools, and law enforcement. The Specific Plan requires that urban services and related infrastructure be implemented in accordance with an approved infrastructure plan to be financed by property owners within its boundaries.

Although projects such as the proposed subdivision can be initially approved, the Specific Plan requires that an infrastructure plan for water, sewer, and drainage be adopted before a final tract map is recorded or a building permit is issued. Currently, an infrastructure plan has been completed and submitted to the County for review, but has not been adopted. Although a site for the wastewater treatment and water treatment facilities has been designated and facilities do exist, they have only been designed to serve the adjacent Brighton Crest subdivision to the east. It should be noted that in order to expand these facilities to serve the proposed residential development, or to construct a new facility, a conditional use permit will need to be approved. In order to ensure that the infrastructure requirements of the Specific Plan are met, staff is recommending that a condition be imposed on concurrent Classified Conditional Use Permit No. 2935 requiring that an infrastructure plan in accordance with the policies of the Specific Plan, be adopted prior to recordation of a final map and the appropriate infrastructure required for this project be constructed prior to issuance of building permits. In addition, the policies, standards, and EIR mitigation measures relating to the community water and sewer facilities ensure that the facilities will be adequately designed, operated, and maintained. The water and sewer facilities will be required to be designed and operated in accordance with state and local standards. Both systems will be required to be operated and maintained by County Service Area No. 34.

Fire protection services for the proposed development will be provided by the Fresno County Protection District. The District has indicated that the proposed project will increase demand on fire protection resources in the area and that funding for the construction of a new fire station, maintenance and replacement costs for the station and equipment, and for staffing need to be addressed. Various fire protection measures

specified in the Specific Plan will be required as condition of approval. In addition, a mitigation measure of the Millerton Specific Plan EIR requires that prior to recordation of a final map a funding mechanism be established for the maintenance and replacement of fire equipment and staffing of the Millerton New Town Fire Station when it can be shown that the funding will provide a greater level of fire protection service to the affected property.

The standards and criteria regarding police protection indicate that the Sheriff's Department should be consulted during site planning and building design to ensure that adequate provisions for police protection and burglary prevention are designed into projects. Mitigation measures of the EIR also require that prior to recordation of a final map, a pro-rata fee be established for the cost of a Sheriff's substation in the government center; that this fee be paid prior to issuance of building permits; and that a funding mechanism be established through CSA No. 34 to support on-going costs for sheriff's protection services, when it can be shown that the funding will provide extended police protection service to the affected properties.

### Community Design Element

The policies and standards regarding the community design are intended to help enhance the natural features which contribute to the scenic qualities of the Plan area, including preserving the visual quality of prominent ridgelines; and to strengthen the individuality of and enhance overall community identity of Millerton New Town. The policies and standards specifically require site planning and building design that will preserve the natural character of ridgelines and that an Architectural Review Committee be formed to establish and implement standards for architecture, lighting, fencing, and signage. The Community Design Element also includes policies and standards relating to undergrounding of utilities, landscaping, use of drought resistant trees and plants, lighting, signage, and structure characteristics.

The tentative map submitted by the applicant indicates that the project has been designed so that the proposed lots will be located in a relatively level area on either side of the White Fox Creek. The project description submitted by the applicant indicates that the homes proposed for the development will have a contemporary theme, which the Plan deems appropriate for Millerton New Town. Residential units will be oriented with living spaces, porches, windows and entries towards the street. Exterior wall materials with stone accents will reflect the character of the region. Exterior wall colors will be subdued with brighter accent colors to accentuate architectural details. Provided the development occurs as specified in the project description, the proposed project will be consistent with policies and standards of the Community Design Element.

### Finding 2: Suitability of Site

The subject property is located within the low foothills just south of Millerton Lake at elevations ranging from approximately 610 to 720 feet above sea level. Physical features for the subject property include a small drainage course with a seasonal stream



(White Fox Creek) running through the center of the property. The area proposed to be subdivided generally has gentle slopes with only a few areas of moderately steep incline. According to the EIR prepared for the Millerton Specific Plan, there are possible geological, grading, and erosion impacts associated with development that could occur on the project site. Mitigation measures have been imposed, which will address slope stability, erosion, and other potential geologic hazards.

According to the FEMA maps, a portion of the proposed subdivision will be located within the 100-year floodplain that coincides with White Fox Creek. Increased runoff is unavoidable due to the proposed development, however, the Specific Plan states that off-site flows shall not exceed predevelopment levels. There is one minor drainage course running through the property. To ensure that this channel is preserved and that maintenance is provided, the Development Engineering Section of the Public Works Department is recommending that provisions be made to maintain the natural drainage throughout the development in a manner that will not significantly change the existing drainage characteristics of those parcels adjacent to the development. Provisions must also be made to retain all stormwater generated from this tract on-site. To ensure this will occur, Development Engineering is recommending that a condition be imposed requiring that all additional runoff generated from this development be retained within drainage ponds or other acceptable facilities. In addition, the Specific Plan requires that before initial residential or commercial development occurs, an Infrastructure Plan that includes a drainage element must be approved, the infrastructure be in place, and County Service Area No. 34 be ready to provided service.

The proposed project and the rest of the Millerton Specific Plan area will be served by a community water system. The source of water will be surface water from Millerton Lake with groundwater as an emergency back-up source. The area has basic water allocations from Millerton Lake and additional surface water allocations through contracts which will avoid significant impacts particularly those related to draw down of groundwater. Hydrological impacts will be further reduced with the implementation of mitigation measures which include the adoption of an Infrastructure Plan that includes a water element, the construction of water infrastructure facilities necessary to serve the development, the completion of finalized agreements whereby the project proponent provides an adequate water supply to CSA No. 34, and the adoption of various water conservation measures.

Based on the above factors, the project site can be considered suitable for the proposed development.

**Finding 3: Environmental Effects**

The Subdivision Ordinance requires that a tentative map be denied if a finding is made that the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

The project site is located in a foothill setting within the Millerton Specific Plan. Millerton Lake is located approximately a mile and a half north of the subject property. Surrounding parcels range in size from under five acres to over 100 acres in size. The subject property is vacant as is property to the north. Surrounding land uses to the west and south includes grazing. To the east is the developing Brighton Crest Subdivision and Golf Course. Farther to the east, approximately three fourths of a mile from the project site, is Table Mountain Casino.

An Environmental Impact Report was originally prepared for the Millerton Specific Plan and was certified by the Board of Supervisors at the time the Specific Plan was approved in 1984. More recently in April 1999, an Addendum to the EIR was approved for amendments to the Specific Plan to include the subject property and additional land (440-acres) to the west and south

An extensive list of mitigation measures was incorporated into the EIR to address the environmental impacts resulting from development within the Specific Plan. The mitigation measures of the EIR have been incorporated into the project and will be imposed as conditions of approval. Based on this, the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat. For further discussion of the environmental effects refer to Findings 2 and 3 of the staff report for Classified Conditional Use Permit Application No. 2935.

**Finding 4: Public Utilities and Easements**

The Subdivision Ordinance requires that a finding be made that the design of the subdivision and the type of improvements proposed by this project will not conflict with any easements required by the public at large for access through or use of the property. There are no known public easements traversing the subject property. All proposed utilities will be required to be placed underground in accordance with County requirements and easements for these utilities will be required as a condition of this map.

**Finding 5: Public Health**

Neither the design of the subdivision nor the type of improvements that are proposed are likely to cause any serious health problems. Both community water and sewer facilities will be provided for in this development. These facilities will be designed and constructed in accordance with County requirements, and will be owned and operated by a County Service Area or other public entity acceptable to the County. Fire protection facilities will be required according to Fresno County standards based on the recommendations of the Fresno County Fire Protection District. Specific requirements are also included in the Millerton Specific Plan and as mitigation measures in the EIR prepared for the Specific Plan. Additional discussion concerning these facilities is included in the staff report for Classified Conditional Use Permit Application No. 2935.

## **STAFF RECOMMENDATION**

Staff recommends approval of Vesting Tentative Subdivision Map No. 4934, subject to the following conditions:

### 1. **SEWER AND WATER:**

- a. Sewer and water services shall be provided by a community system designed in accordance with County standards and the applicable mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR.
- b. Prior to issuance of any building permit, the wastewater and water facilities required to serve this project shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

### 2. **ROADS**

#### a. **MARINA DRIVE:**

1. Marina Drive shall be constructed to a 45 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan, (two travel lanes with shoulder/bike lanes to connect to Millerton Road; 40 feet of base and pavement).
2. Right-of-way, utility easements, and landscape easements shall be provided along Marina Drive in accordance with the Millerton Specific Plan.
3. Marina Drive shall be intersected by all roads as near to right angles as practicable in accordance with the County Improvement Standards.
4. Thirty foot by thirty-foot corner cutoffs shall be provided at all intersections.
5. A temporary turnaround at the south end of the Marina Drive shall be provided.
6. Relinquishment of direct access for all abutting lots along Marina Drive shall be provided.
7. A non-access barrier acceptable to the Director of the Department of Public Works shall be provided.

8. Class III Bicycle path (Bike Route) shall be signed along Marina Drive.

b. INTERIOR ROADS:

1. Interior Roads shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan (36 feet of base and pavement between curbs).
2. Interior Roads shall provide right-of-way, utility easements and landscape easements in accordance with the Millerton Specific Plan.
3. A County Standard B-2 rural residential cul-de-sac shall be provided at the end of each road.
4. Interior Roads shall provide proposed County Improvement Standard A-26 knuckles for Avenues K - L and D - F.
5. Interior Roads shall intersect as near to right angles as practicable in accordance with the County Improvement Standards.
6. Interior Roads shall provide adequate sight distance at all intersections together with necessary property corner cutoff rights-of-way (20 foot by 20 foot minimum).
7. Offset road intersections shall have a minimum separation of 125 feet between roads.
8. Interior Roads shall provide one foot restricted access strips at the end of the stub roads.

c. ROADS GENERAL:

1. All slope easements shall be provided outside of the right-of-way where necessary.
2. Asphalt dikes shall be provided where necessary for erosion control.
3. Warning signs, markers, guardrails, and barricades shall be included in the design in accordance with County Improvement Standards.

3. STREET NAMES:

The internal roads within the subdivision shall be named. The subdivider shall submit a name to the Street Names Committee for review and approval prior to the final map approval.

4. DRAINAGE AND EROSION CONTROL:

- a. Hydrologic and hydraulic analyses shall be prepared and submitted for approval in accordance with standard engineering practices to demonstrate that the proposed tract will not result in any increase in flood levels or significantly change the existing drainage characteristics of those parcels adjacent to the development.
- b. All storm water run-off generated by the proposed development shall be retained on-site within drainage ponds or other facilities acceptable to the Director of Public Works. Any detention facilities within the natural drainage courses will be required to be reviewed and approved by California State Department of Fish and Game and State Water Resources Control Board.
- c. Ponds in excess of eighteen inches in depth shall be fenced.
- d. Provide erosion control measures to all exposed slopes in accordance with County Improvement Standards.
- e. If natural drainage swales are piped, easements for the pipelines and a maintenance organization to maintain the pipelines will be required.
- f. Perennial streams traverse the subject property according to the USGS QUAD maps. Drainage control measures shall be provided to collect and divert runoff to prevent erosion and siltation of natural drainage channels in such a manner as to maintain natural drainage characteristics down stream of the project.

5. FLOOD PRONE AREAS:

- a. The tract lies partially within a flood hazard area. Any development within the areas identified as flood prone shall be in accordance with Fresno County Flood Hazard Ordinance.
- b. Property subject to inundation from the 1% flood shall be identified by the hydrologic study and shall be indicated on an additional map sheet of the final map.

- c. Lots or portions thereof within the limits of inundation shall be provided with a minimum of 3,000 square feet of building area above the Base Flood elevation prior to recordation of the final map.

6. MANTENANCE:

- a. A Zone of Benefit in County Service Area 34 or other method acceptable to the Director of the Department of Public Works shall be provided for the maintenance of the new roads and drainage facilities.
- b. The subdivider will be required to secure the maintenance of the new roads for a period of two years after the acceptance thereof.

7. FIRE PROTECTION:

- a. 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 Public Works after consideration of the recommendations of the fire district having jurisdiction of the area.

8. EMERGENCY ACCESS ROADS (If required):

- a. Emergency Access Roads shall be contained within easements and shall connect to public roads.
- b. Emergency Access Roads shall be improved to a standard to provide traversability for emergency equipment as determined by the Director of the Public Works Department after consideration of the recommendations of the fire district having jurisdiction of the area.
- c. Crash gates shall be provided at both ends of the easements.

9. OUTLOTS:

- a. The use of all Outlots shall be designated on the recorded map.
- b. Ownership of all Outlots shall be by CSA 34 for the benefit of all owners, as an undivided interest by all the lot owners, or by other method approved by the Director. No Outlot shall be developed, except as allowed by the Fresno County Zoning Ordinance, nor shall any Outlot be divided or be encumbered by a mortgage or other lien as security for a debt without the prior written consent of the Board of Supervisors, and 66-2/3 percent of the owners and mortgagees. The County is the intended beneficiary of this provision and shall have the right to enforce this provision by all available

remedies, legal and equitable. This condition shall be included in a recorded covenant to run with the land.

10. UTILITIES:

- a. All utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance.
- b. Any existing utilities within or adjacent to this tract not in conformance with these requirements shall be removed or placed underground.

11. OTHER IMPROVEMENTS:

All other improvements shall be in accordance with the County standards.

12. OTHER CONDITIONS:

- a. All conditions of Classified Conditional Use Permit Application No. 2935 shall be complied with.
- b. All mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR (Exhibit 6) 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 CEQA (Public Resources Code Section 21081.6). These costs shall include, but are not limited to, staff and consultant services.
- c. Prior to recordation of the final map, a zone of benefit within County Service Area 34 shall be established for the project.
- d. Prior to recordation of the final map, an agreement between the developer and 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.
- e. Prior to recordation of the final map, all services proposed to be provided by the CSA and the level of each service shall be identified in a Service Plan prepared by an engineer.

- f. 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 the 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.
- g. 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.
- h. The water and wastewater facilities shall be designed and constructed in accordance with the approved Infrastructure Plans.
- i. Prior to issuance of any building permit, the wastewater and water facilities shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

NOTE: If the Brighton Crest Wastewater treatment facility is to be utilized, the approval of a conditional use permit will be required.

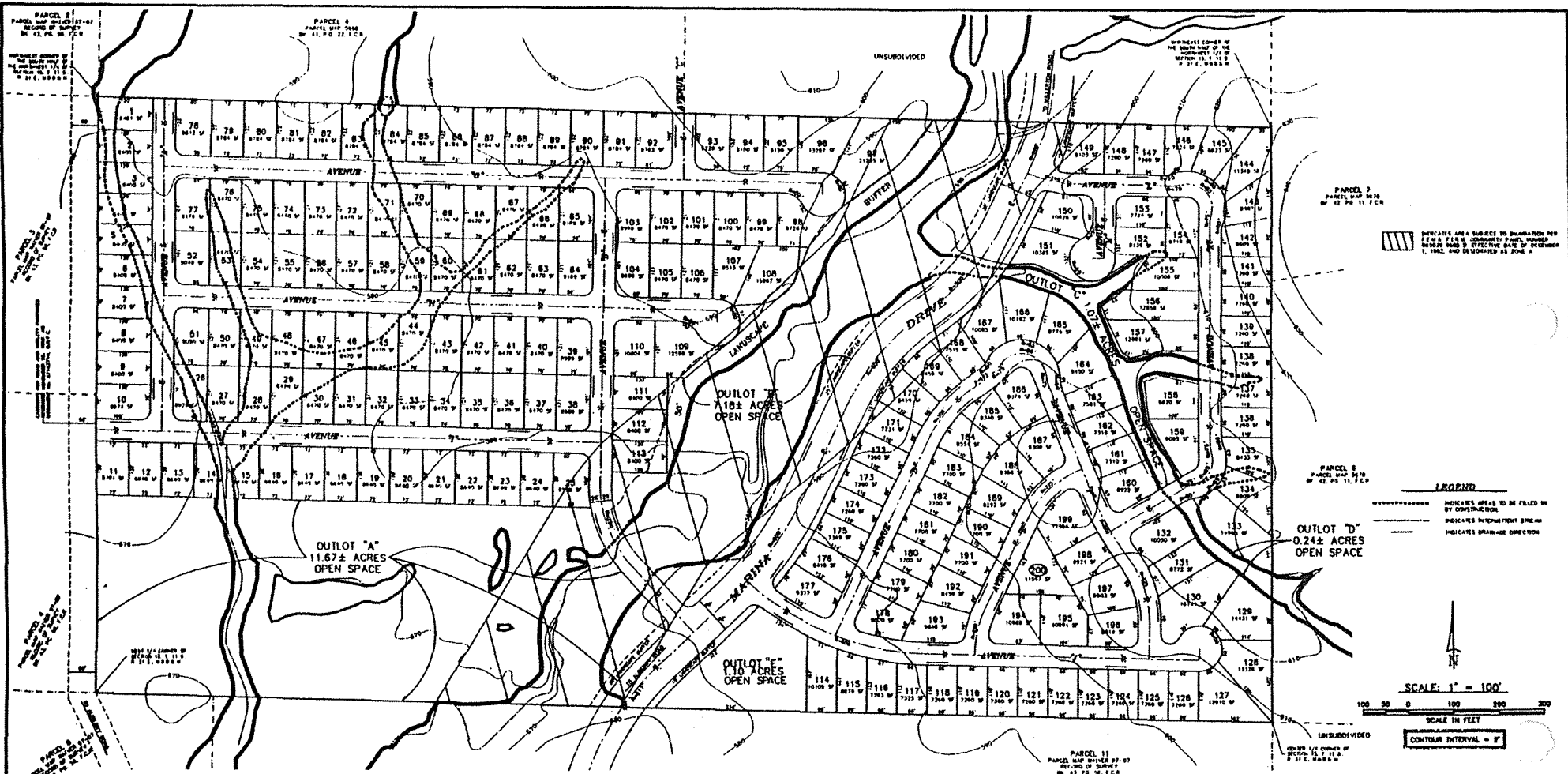
**NOTES:**

**The following note(s) reference various mandatory requirements of Fresno County or other agencies and is provided as information to the project applicant if approved.**

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.

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INDICATE ARE SUBJECT TO DEDICATION FOR  
 PUBLIC USE BY THE COUNTY PUBLIC WORKS  
 DEPARTMENT AND BY THE STATE OF CALIFORNIA  
 IN 1941 AND REVERTED AS PER A

PARCEL 2  
 PARCEL MAP 5024  
 W. 42, PG. 11, 12, 13

PARCEL 8  
 PARCEL MAP 5024  
 W. 42, PG. 11, 12, 13

PARCEL 11  
 PARCEL MAP 5024  
 W. 42, PG. 11, 12, 13

**LEGEND**  
 - - - - - INDICATES AREAS TO BE FILLED IN  
 BY CONSTRUCTION  
 - - - - - INDICATES IMPROVEMENT LINE  
 - - - - - INDICATES DRAINAGE DIRECTION

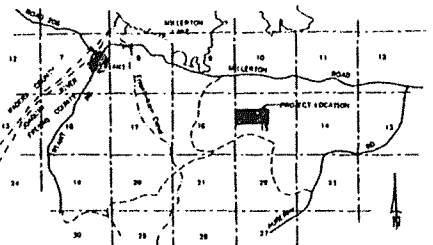
**SCALE: 1" = 100'**  
 SCALE IN FEET  
 100 50 0 100 200 300  
**CONTOUR INTERVAL = 5'**

**SUBDIVIDER'S STATEMENT**  
 I hereby apply for approval of the attached tentative tract map.  
 The average of this tract is 71.56 acres. There is to be 300 lots in this tract with a minimum lot size of 700 square feet.  
 The existing use of the property is AGRICULTURE.  
 The proposed use of the property is RESIDENTIAL.  
 The existing zoning on this property is R-1 (SINGLE-FAMILY RESIDENTIAL).  
 The proposed zoning on this property is R-1 (SINGLE-FAMILY RESIDENTIAL).  
 The existing easements on this property include 50' EASEMENT.  
 All improvements will conform to County Standards with the following exceptions:  
 Type of street front to be planned on OUTLET "A" THROUGH "E" SHALL BE  
 The width of these lanes will be 40'.  
 The proposed design, load, water, sewer and storm water, drainage to INFILTRATION, MOTIFILES, EXTENDED DETENTION BASINS INTO WHITE FOX CREEK.  
**NOTE:**  
 THIS SUBDIVISION WILL PROCEED TO THE EXTENT FEASIBLE FOR THE OPTIMUM USE OF PAVEMENT AND OTHER HEALTHY AND SOUND AND OTHER MEASURES THAT COVERING WORK NEARLY COMPLETELY SHOWN ON THIS MAP AND ARE OPEN TO FACE NORTH OR SOUTH.

The proposed hydraulic and water flow will conform to County Standards. The hydrants will be installed at intervals of 300 feet.  
 The proposed source of water supply is FRESNO COUNTY SERVICE AREA #31.  
 The proposed method of sewage disposal is FRESNO COUNTY SERVICE AREA #31.  
 The following utilities are to be provided SEWERAGE, WATER, GAS & CABLE.  
 Plans to be attached hereto a copy of the resolution documents to be recorded.  
 Plans to be attached hereto a copy of the resolution documents to be recorded.  
 Signature of Subdivider: [Signature]  
 Signature of Agent: [Signature]  
 Name: THE CLARKSFIELD CO., INC. Name: BANK R. GREENWOOD  
 Address: 410 N. PALMBOSS BL., #101 Address: 3848 S. BAKER AVE.  
 City: FRESNO, CALIF. 93701 City: FRESNO, CALIF. 93701



**OWNER'S CERTIFICATE**  
 I, BANK R. GREENWOOD, hereby certify that I (and the related owner of) THE CLARKSFIELD CO., INC. have examined the map and certify that it is correct in all respects and that I have consented to its submission to the Fresno County Planning Commission for consideration.  
 Signature: [Signature]  
 Name: The Clarksfeld Company, Inc.  
 Address: 410 N. Palmboss & Ave #101  
 City: Fresno, Calif. 93711



**LEGAL DESCRIPTION**  
 THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 11 EAST, MERIDIAN 12N, IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS.  
**VESTING**  
**TENTATIVE SUBDIVISION**  
**TRACT No. 4934**  
**WHITE FOX MEADOWS**  
 IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA  
 PREPARED FOR  
**THE CLARKSFIELD COMPANY, INC.**

**R. W. Greenwood Associates, Inc.**  
 CIVIL ENGINEERING - LAND SURVEYING  
 2140 E. LINCOLN AVE. Fresno, California 93701 Tel: (514) 288-7321  
 Date: NOVEMBER 11, 1981  
 Drawn by: [Signature]  
 Checked by: [Signature]  
 Project No. 4078-E

# JPJ, INCORPORATED

7030 No. Fruit Avenue, Suite #101  
Fresno, California 93711

August 1, 2018

Mr. Chris Motta  
Fresno County Development Services Department  
2220 Tulare Street, Sixth Floor  
Fresno, CA 93721

Re: Extension for Tentative Tract 4934

Dear Chris:

This letter constitutes the request of the undersigned owner and developer, JPJ, Incorporated, a California corporation, for an extension of Tentative Tract Map 4934. This map was originally approved on or about September 7, 2000 for 200 single-family lots within the Millerton New Town Specific Plan. JPJ, Incorporated has been working diligently since the original approval date and last extension to comply with the requirements of the Millerton Specific Plan in order to develop the subject property. The completed actions are as follows:

1. JPJ, Incorporated has been working diligently with the County of Fresno and the U.S. Bureau of Reclamation, USFWS and CDFW to allow this project to proceed to final map.
2. JPJ, Incorporated has participated in the completion of the surface water treatment plant to serve the Millerton New Town area, which includes Tract 4934.
3. JPJ, Incorporated has obtained the approval of a fee schedule for the CSA-34 C adjacent tract, which will be applicable to the subject Tract 4934.
4. JPJ, Incorporated has participated in the construction of a tertiary wastewater treatment plant required to serve Tract 4934 and other tracts in the Specific Plan area which has been completed.
5. JPJ, Incorporated is working with consultants and the County of Fresno to establish a procedure and operation for reclaimed water usage for Tract 4934 and related tracts.

The approvals, documentation, and mitigation measures that JPJ, Incorporated has been working diligently to obtain, provide, and complete has taken an unforeseen amount of time due to variables beyond our control. Therefore, the undersigned owner and developer respectfully requests a one-year discretionary extension. Should you have any questions, please do not hesitate to contact me. I thank you in advance for your consideration of this request.

Regards,

A handwritten signature in black ink, appearing to read 'D. Pryor', with a stylized flourish at the end.

Dean H. Pryor  
Chief Financial Officer  
JPJ, Incorporated,  
a California corporation

cc: Mr. John Bonadelle  
Mr. Rick Heyman