



Inter Office Memo

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

DATE: May 20, 2021

TO: Board of Supervisors

FROM: Planning Commission

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

APPLICANT: Jeffrey T. Roberts

OWNER: Grantor Real Estate Investments, LLC

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

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

PLANNING COMMISSION ACTION:

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

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

RESOLUTION # 12881

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

This motion passed on the following vote:

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

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

By: 

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

WMK:cm:dr
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PC Resolution (Attachment A).doc

Attachments

EXHIBIT A

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

- Staff: The Fresno County Planning Commission considered the Staff Report dated May 20, 2021 and heard a summary presentation by staff.
- Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- We concur with staff's recommendations and accept all mitigation measures and conditions of approval for the project.
 - A fire station is needed in the Millerton area and will serve Friant, Tollhouse and Auberry area.
 - The proposed project site is a relocation of a site previously approved for a fire station in 1984 by the County Board of Supervisors.
 - The proposed site is superior due to its size for the current project and future expansion, and accessibility and visibility from Millerton Road.
 - We own the site and worked with the Fresno County Fire Protection District to process this application, and will build the facility to either lease out, or sell to the District.
 - A lot line adjustment required to create a 5.17-acre parcel for a fire station has been applied for and received approval.
 - The project design includes four bays of truck storage for long fire trucks, living quarters for fire personnel, and an office for staff.
 - The project is within a Zone of Benefits that is part of County Service Area 34 and will receive sewer and water from CSA 34.
 - We consulted with the California Fish & Wildlife for mitigation measures related to tiger salamander and other species; mitigation measures are included in the Initial Study for the project.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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

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

		and shall contain the same information as the Site Education Pamphlet.			
*5.	Biological Resources	The owner shall retain the biologist to conduct education "Discussions" with any contractor/subcontractor who will have more than 5 employees working on the site.	Applicant	Applicant/ CDFW	As noted
*6.	Biological Resources	The owner and/or biologist shall keep a daily log of all workdays and shall document and signs/sightings of the 5 species listed above.	Applicant	Applicant/ CDFW	As noted
*7.	Biological Resources	If a sighting of any of the species occurs during the course of construction, work shall be stopped, and the biologist shall be contacted, and State and federal protocols shall be followed for the removal of the species.	Applicant	Applicant/ CDFW	As noted
*8.	Biological Resources	The owner shall contact the California Department of Fish and Wildlife at the end of each month, provide that daily logs, and a summary of the month's activities on the site.	Applicant	Applicant/CDFW	As noted
*9.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	As noted
*10.	Energy	The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.	Applicant	Applicant/PWP	As noted

Conditions of Approval

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

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

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

Notes

	<ul style="list-style-type: none">• A 10-foot by 10-foot corner cut-off for sight distance purposes at any proposed or existing driveway accessing Millerton Road and Morningside Way.• An encroachment permit for any work done within the County right-of-way to construct a new driveway or improve an existing driveway.• An engineered grading and drainage plan to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.• A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) filed with State Water Resources Control Board before the commencement of any construction activities disturbing one-acre or more of area.• Copies of completed NOI and SWPPP provided to Development Engineering prior to any grading work.
4.	<p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:</p> <ul style="list-style-type: none">• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.• Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter 6.95.• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.• To protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed.• Apply and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work.• If any underground storage tank(s) are found during mining activities, the applicant shall apply for and secure an Underground Storage Tank Removal Permit.
5.	<p>To address public health impacts resulting from the project, the San Joaquin Valley Air Pollution Control District requires the following:</p> <ul style="list-style-type: none">• The project shall comply with District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review); District Regulation VIII (Fugitive PM10 Prohibitions) Rule 4102 (Nuisance); Rule 4601 (Agricultural Coatings) and Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations).• District Rule 9510 (Indirect Source Review) shall apply if the project will equal or exceed 10,000 square feet of government space and an AIA Application shall be filed with the District.• Prior to commencing construction on any permit-required equipment or process, a Authority to Construct (ATC) and a Permit to Operate (PTO) shall be obtained from the District.
6.	<p>The project shall comply with the California Code of Regulations Title 24 – Fire Code and obtain approval of County-approved site plans by the Fresno County Fire Protection District prior to the issuance of building permits. The project shall adhere to Water Flow Requirements, Fire Hydrants, Water Storage Requirements, Fire Sprinklers Systems, Fire Pumps, Fire Alarm Systems, Road Access, Premises Identification, Public Resources Code 4290, Title 15.60 County Ordinance, and California Code of Regulations: Title 14 Natural Resources 1272.00. Maintenance of Defensible Space Measures. The project may require joining Community Facilities District No. 2010-01 of the Fire District.</p>

EXHIBIT "C"

ATTACHMENT
TO
AGENDA ITEM

FISCAL IMPACT STATEMENT

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

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

Initial Study Application	\$ 5,151.00 ¹
General Plan Amendment Application	\$ 5,000.00 ²
Unclassified Conditional Use Permit Application	\$ 9,123.00 ²
Public Health Department Review	\$ 992.00 ³
Total Fees Collected	<u>\$ 20,266.00</u>

¹ Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.
² 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.
³ Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division.

EA:
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County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 MAY 20, 2021

SUBJECT: General Plan Amendment Application No. 564, Classified
Conditional Use Permit Application No. 3693; Initial Study No. 7980

Amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities to allow a Fire Station on the proposed parcel in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts.

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

OWNER: Grantor Real Estate Investments, LLC

APPLICANT: Jeffrey T. Roberts

STAFF CONTACT: Ejaz Ahmad, Planner
Initial Study/Amendment Application Information
(559) 600-4204

Derek Chambers, Planner
General Plan Amendment Application Information
(559) 600-4205

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study (IS) No. 7980; and
- Recommend that the Board of Supervisors approve General Plan Amendment (GPA) Application No. 564 amending the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities.

- Recommend that the Board of Supervisors approve Classified Conditional Use Permit with recommended findings and conditions to allow a fire station on a proposed 5.17-acre parcel.
- Direct the Secretary to prepare a Resolution to forward General Plan Amendment Application No. 564 and Classified Conditional Use Permit Application No. 3693 to the Board of Supervisors with a recommendation for approval, subject to the Conditions of Approval listed in the Staff Report.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval, and Project Notes
2. Vicinity Map
3. Location Map
4. Existing Zoning Map
5. Existing Land Use Map
6. Property Line Adjustment Map/MSP Land Use & Circulation Map
7. Overall Site Plan/Site Plan/Floor Plan/Elevations (Fire Station)
8. Applicant’s Operational Statement
9. Summary of Initial Study Application No. 7980
10. Proposed Mitigated Negative Declaration
11. Millerton Specific Plan, Mitigation Measures and Monitoring Program Matrix

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Open Space and Medium Density Residential in the County-adopted Millerton Specific Plan	Public Facilities
Zoning	O (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional)	No change
Parcel Size	41.29-acre (APN 300-021-27s) 24.06-acre (APN 300-340-13s)	A 5.17-acre parcel to be created from 41.29-acre and 24.06-acre parcels

Criteria	Existing	Proposed
Project Site	Vacant	Amendment to Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities to allow a Fire Station on the proposed parcel in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts.
Structural Improvements	None	12,000 square-foot Fire Station building
Nearest Residence	Approximately 1,195 feet to the east (Tract No. 4968)	No change
Surrounding Development	Single-family residences (Tract No. 4968) to the east	No change
Operational Features	N/A. The project site is undeveloped	The proposed fire station: <ul style="list-style-type: none"> • Will accommodate fire trucks, fire crew and administrative staff for a 24/7 operation • Will serve the planned community of Millerton, Table Mountain Rancheria, Friant, Millerton Lake, including those in the vicinity • Will be operated by Fresno County Fire Protection District
Employees	N/A	8 (4 administrative staff; 4 fire crew)
Visitors	N/A	10 to 15 per day
Traffic Trips	N/A	Per the <i>Millerton Fire Station Trip Generation Analysis</i> prepared for the project, the project will generate: <ul style="list-style-type: none"> • 36 daily trips (max) • Three (3) AM Peak Hour trips

Criteria	Existing	Proposed
		<ul style="list-style-type: none"> • Four (4) PM Peak Hour trips
Lighting	None	Lighting on building exterior and within parking area
Hours of Operation	N/A	24 hours a day

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

ENVIRONMENTAL ANALYSIS:

Initial Study No. 7980 was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 8.

Notice of Intent of Negative Declaration publication date: April 9, 2021.

PUBLIC NOTICE:

Notices were sent to 48 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

Should the Planning Commission recommend approval, a subsequent hearing date before the Board of Supervisors will be scheduled as close to the Commission’s action as practical to make the final decision on the General Plan Amendment and rezoning request. Information for that hearing will be provided under separate notice.

PROCEDURAL CONSIDERATIONS:

A General Plan Amendment is a legislative act requiring final action by the Board of Supervisors. A decision by the Planning Commission in support of General Plan Amendment a request is an advisory action requiring an affirmative vote of the majority of its total membership. A recommendation for approval is then forwarded to the Board of Supervisors for final action. A Planning Commission decision to deny a General Plan and rezoning, however, is final unless appealed to the Board of Supervisors.

The existing zoning is consistent with the proposed General Plan Amendment and requires no change.

A Classified Conditional Use Permit (CUP) Application may be approved only if five Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission on a CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

The CUP is dependent upon the subject General Plan Amendment and can only be approved if the General Plan Amendment is approved by the Planning Commission.

BACKGROUND INFORMATION:

The purpose of this proposal is to change designated location of a fire station to a different location within the Millerton Specific Plan area. The 1.95-acre site designated as Public Facilities for a fire station and a library was approved by CUP 3035 and is located on the north side of Lakeridge Drive approximately 280 feet west of Marina Drive. Over the years the site has remained undeveloped. The proposed new site located on the southwest corner of Millerton Road and Morningside Way was selected for better accessibility and visibility.

The change in fire station location requires amendment to the Land Use Element of the Millerton Specific Plan by re-designating 5.17 acres as "Public Facilities" to allow construction of a proposed Fire Station thereon. The proposed 5.17 acres is comprised of a portion of a 41.29-acre parcel (APN 300-021-27s) and a portion of a 24.06-acre parcel (APN 300-340-13s).

The 41.29-acre parcel has split zoning comprised of R-1 (Single Family Residential, 6,000 square-foot minimum parcel size) and O (Open Conservation). The R-1 zoned portion of the 41.29-acre parcel is currently designated as "Medium Density Residential" in the Millerton Specific Plan and the O zoned portion of said parcel is currently designated as "Open Space" in the Millerton Specific Plan. The 24.06-acre parcel also has split zoning comprised of R-1 and O. The R-1 zoned portion of the 24.06-acre parcel is currently designated as "Medium Density Residential" in the Millerton Specific Plan and the O zoned portion of said parcel is currently designated as "Open Space" in the Millerton Specific Plan.

To allow the subject proposal, the land use designation of a portion of a 41.29-acre parcel (APN 300-021-27s) will change from "Open Space" and "Medium Density Residential" to "Public Facilities" and the land use designation of a portion of a 24.06-acre parcel (APN 300-340-13s) will change from "Open Space" and "Medium Density Residential" to "Public Facilities". The total 5.17 acres to be designated as Public Facilities to allow a fire station thereon will be created as a separate parcel through a mapping application. The 5.17-acres parcel has split zoning comprised of R-1 and O. The R-1 zoned portion of it is currently designated as "Medium Density Residential" in the Millerton Specific Plan and the O zoned portion of it is currently designated as "Open Space" in the Millerton Specific Plan.

The proposed fire station will serve the planned community of Millerton, Table Mountain Rancheria, Friant, Millerton Lake, and other unincorporated communities in the area. The fire station will house four fire trucks, four administrative staff and four fire crew and will operate 24/7 by the Fresno County Fire Protection District.

ANALYSIS/DISCUSSION:

General Plan Amendment Application No. 564:

The subject proposal involves amending the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities to allow a Fire Station on the proposed parcel in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts.

By a way of background information, the planned community of Millerton is designed to accommodate a population of 8,000 to 10,000 incorporating the necessary housing, commercial and public facilities, recreation areas, and open space to provide for community residents. The Millerton Specific Plan is a set of regulations, conditions, programs, standards, and implementation measures necessary for the development of the planned community of

Millerton. The Specific Plan focuses on land use, public facilities, and environmental resources management. The Public, Semi-Public and Open Space land use section of the Specific Plan establishes the location for public facilities. The Objective Statement contained in this section along with specific policies related to public facilities are as below:

- Provide appropriate public facilities such as a school, sewage treatment; water treatment; storm drainage facilities; and government office space, which will allow the Millerton community to function as a service center.
- The government service center shall include government office space, a fire station, and sheriff sub-station as deemed appropriate by County service agencies (Millerton Specific Plan Policy SP1-P6)
- If a site designated for a public facility (other than a school) is deemed to be unnecessary by the Board of Supervisors, it may be designated for another use, to be determined at the time of a development proposal, on the nearest adjoining parcel (Millerton Specific Plan Policy SP1-P10)

As noted in the Background Information, a designated fire station site within Millerton Specific Plan area was previously approved near Lakeridge Drive and Marina, but to-date, the site has remained undeveloped. The new fire station site proposed by the subject applications is located at the southwest corner of Millerton Road and Morningside Way. The site was selected due to good visibility and good road access to serve planned community of Millerton, Table Mountain Rancheria, Friant, Millerton Lake, and others in the area.

In reviewing the subject proposal, staff has determined that the proposed GPA meets the objective of Millerton Specific Plan and is consistent with the Specific Plan and General Plan policies as noted above and discussed below in Finding 4 (Conditional Use Permit Application No. 3693) of this report.

Conditional Use Permit Application No. 3693

Finding 1: That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	'O' Zone District: Front: 35 feet Side: 20 feet Street Side: 35 feet Rear: 20 feet R-1(c) Zone District: Front: 20 feet Side: 5 feet Street Side: 10 feet Rear: 20 feet	<ul style="list-style-type: none"> • Front (Morningside Way; East property line): 35 feet • Street Side (North property line): 72 feet • Side (South property line): 63 feet • Rear (West Property line): 27 feet 	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Parking	'O' Zone District: One (1) parking space for each five (5) persons which the facility is intended or designed to serve	25 parking spaces provided (Two parking spaces required)	Yes
Lot Coverage	'O' (Open Conservation) Zone District: 10 percent (10%) of total lot area R-1(c) Zone District: Forty percent (40%) of total lot area	12,000 square-foot or 5.3 percent (5.3%) of lot area in 'O' and R-1 (c) zone districts	N/A
Separation Between Buildings	'O' Zone District: No requirement R-1(c) Zone District: Six feet (min)	N/A	N/A
Wall Requirements	'O' Zone District: <ul style="list-style-type: none"> • Along the perimeter of all areas designated by the Commission to be dangerous to the health, safety and general welfare R-1(c) Zone District: <ul style="list-style-type: none"> • 5 to 6-foot tall 	Not required	N/A
Septic Replacement Area	100 percent	100 percent	Yes
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A. The project will connect to CSA 34 water system	N/A

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvements meet the building setback requirements of the dual Zone Districts and a Site Plan Review is recommended prior to the issuance of a building permit.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis Finding 1:

Staff review of the Site Plan demonstrates that the project exceed the minimum setback requirements of the 'O' and R-1 Zone Districts. The proposed fire station building will be set back approximately 35 feet from the east property line (35 feet required), 72 feet from the north property line (35 feet required), 63 feet from the south property line (20 feet required), and 27 feet from the west property line (20 feet required).

The project will employ eight (8) full-time staff members requiring a minimum of eight parking spaces, including one handicap accessible space. The project Site Plan (Exhibit 5) depicts 25 parking spaces, including three handicap-accessible spaces which meets the parking requirements of 'O' and R-1 Zone Districts.

Recommended Conditions of Approval:

None.

Conclusion Finding 1:

Based on the above analysis, staff finds that the project site is adequate in size and shape to accommodate the proposal. Finding 1 can be made.

Finding 2: That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Millerton Road; good condition Morningside Way (under construction)	No change No change
Direct Access to Public Road	Yes	Millerton Road Morningside Way	Fire trucks will turn southbound into the site from Millerton Road Fire trucks will exit the site from Morningside Way.
Road ADT (Average Daily Traffic Per Day)		4000 (Millerton Road)	No change

		Existing Conditions	Proposed Operation
		Unknown (Morningside Way)	N/A
Road Classification		Arterial (Millerton Road) Collector (Morningside Way)	No change
Road Width		60 feet (Millerton Road; required 106 feet) Morningside Way (unknown)	An additional 23 feet in road right-of-way is required along Millerton Road No change
Road Surface		Millerton Road (Asphalt concrete paved; pavement width: 26.4 feet) Morningside Way (under construction)	No change Asphalt concrete
Traffic Trips		N/A	Per the <i>Millerton Fire Station Trip Generation Analysis</i> prepared for the project, the project will generate: <ul style="list-style-type: none"> • 36 daily trips (max) • Three (3) AM Peak Hour trips • Four (4) PM Peak Hour trips
Traffic Impact Study (TIS) Prepared	No	N/A	No TIS required. Instead a <i>Millerton Fire Station Trip Generation Analysis</i> was prepared and approved by the Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning.
Road Improvements Required		Millerton Road; good condition Morningside Way (under construction)	No improvements required Asphalt concrete

Reviewing Agency/Department Comments:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Millerton Road is classified as an Arterial in the County General Plan with an existing 30-foot right-of-way south of section line. The ultimate right-of-way width south of section line is 53 feet. An additional 23 feet right-of-way across the parcel frontage on Millerton

Road shall be provided with a 30-foot by 30-foot corner cut-off for visibility at the corner of Millerton Road and Morningside Way.

If the entrance to the project site off Millerton Road is not far enough west to avoid conflict with the future left-hand turn pocket onto north Morningside Road, the entrance shall be abandoned when the future road is constructed. A staging pocket for westbound fire trucks to wait to make the left turn into the driveway shall be provided to accommodate one of the largest vehicles (it is not intended as a deceleration lane). An "ENTRANCE ONLY" sign shall be posted at the entrance and centerline striping for the gores and left turn staging pocket will be double yellow except where a solid white line is appropriate; thus, making a right out a moving violation.

These requirements have been included as Conditions of Approval.

Development Engineering Section of the Fresno County Department of Public Works and Planning: A 10-foot by 10-foot corner cut-off shall be improved for sight distance purposes at any proposed driveway accessing Millerton Road and Morningside Way. An encroachment permit shall be obtained from Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning for any work done within the County right-of-way to construct a new driveway. These requirements have been included as Project Notes.

Design and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal including *Millerton Fire Station Trip Generation Analysis* prepared for the project.

California Department of Transportation: No concerns with the proposal

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis Finding 2:

The project site fronts on Millerton Road and Morningside Way. Millerton Road is an Arterial, maintained by the County, and is in good condition. Morningside Way is a Collector, currently under construction, and is not maintained by the County. The site will take ingress and egress from both throughfare.

The project will provide an additional 23 feet in road right-of-way for Millerton Road as per the County General Plan and will adhere to site access design requirements from the Road Maintenance and Operations Division as noted above.

Per the *Millerton Fire Station Trip Generation Analysis*, the project will generate a maximum of 36 daily trips including three (3) AM Peak Hour trips and Four (4) PM Peak Hour trips which are less than 100 daily trips and a less than 10 peak hour trips. The Design and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, and the California Department of Transportation concurred with the findings of *Millerton Fire Station Trip Generation Analysis*, expressed no concerns regarding the impact on County or State roadways, and required no Traffic Impact Study.

Recommended Conditions of Approval:

See recommended Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion Finding 2:

Based on the above information, staff believes Millerton Road and Morningside Way will remain adequate in width and pavement to accommodate the traffic generated by this proposal.

Finding 3: That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	41.29 acres (portion) 20.3 acres	Undeveloped	R-1 (c)	None
South	24 acres (portion) 41.1 acres	Undeveloped	R-1 (c) and AE-40	None
East	30.1 acres	Undeveloped	R-1 (c)	None
West	7.22 acres	Single-family residence	AE-40	20 feet from west property line.

Reviewing Agency/Department Comments:

California Department of Fish and Wildlife (CDFW): The project site is currently within the area covered by Incidental Take Permit (ITP) (ITP No. 2081-2014-079-04) that has been the location of recent burrow clearing and biological fencing as a part of the Morningside Way road project. Approximately two-third of the site is already cleared and fenced as per the requirements of the ITP. Prior to construction on the subject 5.17 acres, the balance of the site shall be checked, cleared, and fenced in accordance with the ITP.

A qualified biologist shall perform a “Pre- Construction Survey” of the site to check for the California Tiger Salamander (CTS), Western Pond Turtle (WPT), Western Spadefoot toad (WESP), American Badger (AMBA) and Burrowing Owl (BUOW) as listed in the CDFW letter dated February 1, 2021. If no species are found on the site, the next steps of the plan can occur. If species are located, a biologist shall follow State and Federal protocols for their removal from the 5.17-acre project site.

The biologist shall prepare a “Site Education Pamphlet” for distribution to all contractors and subcontractors that will be working on the site and shall work with the applicant/owner to have a notification sign placed on the site at the construction entrance. This sign shall be 4 feet by 8 feet in size and shall contain the same information as the Site Education Pamphlet.

The owner shall retain the biologist to conduct education “Discussions” with any contractor/subcontractor who will have more than 5 employees working on the site.

The owner and/or biologist shall keep a daily log of all workdays and shall document signs/sightings of the 5 species listed above.

If a sighting of any of the species occurs during the course of construction, work shall be stopped, and the biologist shall be contacted, and State and federal protocols shall be followed for the removal of the species.

The owner shall contact the California Department of Fish and Wildlife at the end of each month, provide daily logs, and a summary of the month's activities on the site.

These requirements have been included as Mitigation Measures

Resources Division of the Fresno County Department of Public Works and Planning: Prior to the issuance of a building permit, the applicant will enter into an agreement with the County to connect to the County Service Area (CSA) 34 Wastewater Treatment Facility at such time as determined by the Director of the Department of Public Works and Planning. Joining the CSA 34 water system would require an Engineer's Report and a determination of how the site would connect to the current system and pay for fees and assessments. This requirement has been included as a Condition of Approval.

Fresno County Department of Public Health, Environmental Health Division (Health Department): Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. To protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed. The applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work. If any underground storage tank(s) are found during ground disturbance, the applicant shall apply for and secure an Underground Storage Tank Removal Permit.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An engineered grading and drainage plan shall be provided and approved to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be filed with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing one-acre or more of area; and copies of completed NOI and SWPPP shall be provided to Development Engineering prior to any grading work.

San Joaquin Valley Air Pollution Control District: The Project may be subject to District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review); District Regulation VIII (Fugitive PM10 Prohibitions) Rule 4102 (Nuisance); Rule 4601 (Agricultural Coatings) and Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations). District Rule 9510 (Indirect Source Review) shall apply if the project will equal or exceed 10,000 square feet of government space and shall file an AIA Application with the district. Prior to commencing construction on any permit-required equipment or process, an Authority to Construct (ATC) shall be obtained from the District.

Fresno County Fire Protection District: The project shall comply with the California Code of Regulations Title 24 – Fire Code and obtain approval of County-approved site plans by the Fire District prior to the issuance of building permits. The project shall adhere to Water Flow Requirements, Fire Hydrants, Water Storage Requirements, Fire Sprinklers Systems, Fire Pumps, Fire Alarm Systems, Road Access, Premises Identification, Public Resources Code 4290, Title 15.60 County Ordinance, and California Code of Regulations: Title 14 Natural Resources 1272.00. Maintenance of Defensible Space Measures. The project may require joining Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.

The above-noted requirements have been included as Project Notes.

State Water Resources Control Board, Division of Drinking Water; U.S. Fish and Wildlife Service; Site Plan Review and Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Analysis Finding 3:

The project site is undeveloped and surrounded by land designated for approved residential tracts. Under construction single-family homes for Tract No. 4968 are located to the east of the site. The proposed development includes a 12,000 square-foot fire station building with parking and related improvements.

An Initial Study prepared for this project has identified potential impacts to aesthetics, biological resources, cultural resources, and energy. To mitigate aesthetics impact, all outdoor lighting will be hooded and be directed downward to avoid glare on adjoining properties. To mitigate biological impact, the project will adhere to mitigation measures identified by California Department of Fish & Wildlife. To mitigate Cultural Resources impact, all ground-disturbance activities will be stopped if resources are discovered and an archeologist will be called in to evaluate the find. To mitigate energy impact, during construction, idling of vehicles and equipment during project construction will be minimized to avoid wasteful or inefficient energy consumption. These requirements have been included as Mitigation Measures (Exhibit 1).

Potential impacts related to geology and soils, hazards and hazardous materials, hydrology and water quality, noise, and public services are less than significant. The project will connect to the County Service Area (CSA) 34 Wastewater Treatment Facility when deemed appropriate; handle hazardous materials according to local and state requirements; remove abandoned wells and tanks to protect groundwater quality per the FCHD protocol; adhere to County Noise Ordinance for construction-related noise; comply with the California Code of Regulations Title 24-Fire Code and receive Fire District's approval prior to the issuance of building permits.

Pursuant to Assembly Bill (AB) 52, the project was routed to Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. The Table Mountain Rancheria, however, requested to be informed in the unlikely event that cultural resources are identified on the property. With the Mitigation Measure included in Section V. Cultural Resources CULTURAL ANALYSIS of this report, any potential impact to tribal cultural resources as defined in Public Resources Code Section 21074, will be reduced to less than significant.

Recommended Conditions of Approval:

See Mitigation Measures, recommended Conditions of Approval, and Project Notes attached as Exhibit 1.

Conclusion Finding 3:

Based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval, and mandatory Project Notes, staff believes that the proposal will have no adverse effect upon surrounding properties.

Finding 4: *That the proposed development is consistent with the General Plan*

Relevant Policies:	Consistency/Considerations:
<p>Millerton Specific Plan Policy SP1-P6: The government service center shall include government office space, a fire station, and a sheriff sub-station as deemed appropriate by County service agencies</p>	<p>The subject proposal would allow a fire station on a proposed 5.17-acre site designated as Public Facilities within Millerton Specific Plan area. The fire station is necessitated by Fresno County Fire Protection District to serve the planned community of Millerton, Table Mountain Rancheria, Friant, Millerton Lake, and others in the vicinity. The proposal is consistent with this Policy.</p>
<p>Millerton Specific Plan Policy SP1-P10: If a site designated for a public facility (other than a school) is deemed to be unnecessary by the Board of Supervisors, it may be designated for another use, to be determined at the time of a development proposal on the nearest adjoining parcel</p>	<p>A 1.95-acre site designated as Public Facilities for a fire station and a library was approved by Conditional Use Permit No. 3035 and is located on the north side of Lakeridge Drive and west of Marina Drive within the Millerton Specific Plan boundary. The site remains undeveloped and could be designated for another use when an appropriate proposal is put forward before decision making body. The proposal is consistent with this Policy.</p>
<p>Millerton Specific Plan Policy SP1-P75: The water system shall provide sufficient supplies for domestic, commercial, and fire flow requirements. Operation and maintenance of the system shall be the responsibility of the County Service Area.</p>	<p>The County Service Area (CSA) 34 water system will deliver sufficient water to meet domestic and fire suppression needs of the project. The proposal is consistent with this Policy.</p>
<p>Millerton Specific Plan Policy SP1-P77: Prior to issuance of building permits, the project proponent shall construct the water infrastructure facilities required to serve the development.</p>	<p>The project will construct necessary water infrastructure facilities to connect with CSA 34 water system to serve the proposed fire station. The proposal is consistent with this Policy.</p>

Relevant Policies:	Consistency/Considerations:
<p>Millerton Specific Plan Policy SP1-P80: All development within the Specific Plan area shall utilize a community sewer system with treatment to a tertiary level allowing reuse of the effluent for irrigation purposes.</p> <p>Millerton Specific Plan Policy SP1-P82: The sewage collection and treatment facilities shall be operated and maintained by the County Service Area.</p>	<p>The project will temporarily connect to an onsite sewage disposal system before permanently connecting to the County Service Area (CSA) 34 Wastewater Treatment Facility. CSA 34 will operate and maintain sewer collection and treatment for the project. The proposal is consistent with this Policy.</p>
<p>General Plan Policy PF-C.14: the county shall require that water supplies serving new development meet EPA (Environmental Protection Agency) and California Dept of Health Services and other water quality and quantity standards</p>	<p>Water supply to the project through CSA 34 water system will adhere to public water supply standards for water quality and quantity administered by the State Water Resources Control Board, Division of Drinking Water. The proposal is consistent with this Policy.</p>
<p>General Plan Policy PF-H.2: New development in unincorporated areas of the County shall not be approved unless adequate fire protection facilities are provided.</p>	<p>The project will comply with the California Code of Regulations Title 24 – Fire Code and join Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The proposal is consistent with this Policy.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: Policy SP1-P9 requires the government service center to include a fire station as deemed appropriate by County service agencies. Policy SP1-P10 requires a site previously designated for a public facility re-designated for another use by the County Board at the time of a development proposal. Policy SP1-P75 requires water system be able to provide sufficient supplies to the project for domestic, commercial, and fire flow requirements. Policy SP1-P77 requires water infrastructure facilities be constructed prior to the issuance of building permits. Policy SP1-P80 requires all development within the Specific Plan area utilize a community sewer system. Policy SP1-P82 requires the sewage collection and treatment facilities be operated and maintained by the County Service Area. Policy PF-C.14: require water supplies serving new development meet EPA and California Dept of Health Services water quality and quantity standards. Policy PF-H.2 requires new development in unincorporated areas of the County be approved with adequate fire protection facilities.

Analysis Finding 4:

The project is consistent will all the policies discussed in Consistency/Consideration section above.

Regarding consistency with Policy SP1-P6, a fire station at the proposed location would adequately serve the planned community of Millerton and others in the vicinity; Regarding consistency with Policy SP1-P10, the original fire station site could be utilized for another use as

deemed appropriate by decision making bodies. Regarding consistency with Policy SP1-75, and SP1-77, the existing CSA 34 water system for Millerton Specific Plan will provide adequate water supply for domestic and fire needs of the project, and necessary infrastructure will be constructed to supply water to the project. Regarding consistency with Policy SP1-P80, and 82, the project will utilize CSA 34 Wastewater Treatment facility operated and maintained by CSA 34. Regarding consistency with Policy PF-C.14 and PF-H.2, the water supply to the project from CSA 34 water system meet the health standards and the project will be provided with adequate fire protection facilities.

Recommended Conditions of Approval:

See recommended Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion Finding 4:

Based on the above information, staff believes that the proposed General Plan Amendment and Classified Conditional Use Permit are consistent with the Millerton Specific Plan and General Plan. Finding 4 can be made.

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

Reviewing Agency/Department Comments:

Refer to the Reviewing Agency/Department Comments in Findings 1-4 of this report.

Analysis Finding 5:

The proposed mitigation measures and conditions of approval were developed based on studies and consultation with specifically qualified staff, consultants, and outside agencies. They were developed to address the specific impacts of the proposed project and were designed to address the public health, safety and welfare. Additional comments and projects notes have been included to assist in identifying existing non-discretionary regulations that also apply to the project. The applicant has signed an acknowledgment agreeing to the proposed mitigation measures and has not advised staff of any specific objection to the proposed conditions of approval.

Recommended Conditions of Approval:

None.

Conclusion Finding 5:

Based on the above information, the proposed mitigation measures and conditions of approval are necessary to protect the public health, safety, and general welfare. Finding 5 can be made.

PUBLIC COMMENT:

None.

SUMMARY CONCLUSION:

Staff believes that the proposed General Plan Amendment and Conditional Use Permit to allow a fire station on a proposed 5.17-acre parcel is consistent with the Millerton Specific Plan and the Fresno County General Plan and will have less than significant impacts on the surrounding properties.

SUMMARY RECOMMENDATION:

Based on the factors cited in the analysis, all the required Findings for granting the Classified Conditional Use Permit can be made. Staff therefore recommends adoption of Mitigated Negative Declaration prepared for Initial Study No. 7980, and approve General Plan Amendment Application No. 564 and Classified Conditional Use Permit No. 3693, subject to the recommended mitigation measures and conditions of approval.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes that amendment to the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities to allow a Fire Station on the proposed parcel in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts is consistent with the Millerton Specific Plan and the County General Plan. Staff also believes the required Findings for granting the Classified Conditional Use Permit Application can be made based on the factors cited in the analysis. Staff therefore recommends approval of the Mitigated Negative Declaration prepared for Initial Study No. 7980, General Plan Amendment Application No. 564 and Classified Conditional Use Permit Application No. 3693 subject to the Mitigation Measures, Conditions of Approval and Project Notes in the staff report.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration prepared for Initial Study No. 7980; and
- Recommend that the Board of Supervisors determine that the proposed General Plan Amendment No 564 to amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities is consistent with the Millerton Specific Plan and County General Plan, and
- Recommend that the Board of Supervisors approve General Plan Amendment and Conditional Use Permit with recommended findings and conditions to allow a Fire station on the proposed 5.17-acre parcel.
- Direct the Secretary to prepare a Resolution documenting the Commission's action and forwarding the above recommendation to the Board of Supervisors.

Alternative Motion (Denial Action)

- Determine that the proposed General Plan Amendment No. 564 to amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities is inconsistent with the County General Plan, and
- Move to determine that the required Findings cannot be made (state basis for not making Findings) and move to deny Classified Conditional Use Permit Application No. 3693.
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

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

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

		entrance. This sign shall be 4 feet by 8 feet in size and shall contain the same information as the Site Education Pamphlet.			
*5.	Biological Resources	The owner shall retain the biologist to conduct education "Discussions" with any contractor/subcontractor who will have more than 5 employees working on the site.	Applicant	Applicant/ CDFW	As noted
*6.	Biological Resources	The owner and/or biologist shall keep a daily log of all workdays and shall document and signs/sightings of the 5 species listed above.	Applicant	Applicant/ CDFW	As noted
*7.	Biological Resources	If a sighting of any of the species occurs during the course of construction, work shall be stopped, and the biologist shall be contacted, and State and federal protocols shall be followed for the removal of the species.	Applicant	Applicant/ CDFW	As noted
*8.	Biological Resources	The owner shall contact the California Department of Fish and Wildlife at the end of each month, provide that daily logs, and a summary of the month's activities on the site.	Applicant	Applicant/CDFW	As noted
*9.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	As noted
*10.	Energy	The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.	Applicant	Applicant/PWP	As noted

Conditions of Approval

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

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period more than two years.
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Notes

2.	Construction plans, building permits and inspections are required for all proposed improvements on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for plans, permits and inspections.
3.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • A 10-foot by 10-foot corner cut-off for sight distance purposes at any proposed or existing driveway accessing Millerton Road and Morningside Way. • An encroachment permit for any work done within the County right-of-way to construct a new driveway or improve an existing driveway. • An engineered grading and drainage plan to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. • A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) filed with State Water Resources Control Board before the commencement of any construction activities disturbing one-acre or more of area. • Copies of completed NOI and SWPPP provided to Development Engineering prior to any grading work.
4.	<p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:</p> <ul style="list-style-type: none"> • Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. • Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter 6.95. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. • To protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed. • Apply and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work. • If any underground storage tank(s) are found during mining activities, the applicant shall apply for and secure an Underground Storage Tank Removal Permit.
5.	<p>To address public health impacts resulting from the project, the San Joaquin Valley Air Pollution Control District requires the following:</p> <ul style="list-style-type: none"> • The project shall comply with District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review); District Regulation VIII (Fugitive PM10 Prohibitions) Rule 4102 (Nuisance); Rule 4601 (Agricultural Coatings) and Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations). • District Rule 9510 (Indirect Source Review) shall apply if the project will equal or exceed 10,000 square feet of government space and an AIA Application shall be filed with the District.

Notes	
	<ul style="list-style-type: none"> • Prior to commencing construction on any permit-required equipment or process, a Authority to Construct (ATC) and a Permit to Operate (PTO) shall be obtained from the District.
6.	<p>The project shall comply with the California Code of Regulations Title 24 – Fire Code and obtain approval of County-approved site plans by the Fresno County Fire Protection District prior to the issuance of building permits. The project shall adhere to Water Flow Requirements, Fire Hydrants, Water Storage Requirements, Fire Sprinklers Systems, Fire Pumps, Fire Alarm Systems, Road Access, Premises Identification, Public Resources Code 4290, Title 15.60 County Ordinance, and California Code of Regulations: Title 14 Natural Resources 1272.00. Maintenance of Defensible Space Measures. The project may require joining Community Facilities District No. 2010-01 of the Fire District.</p>

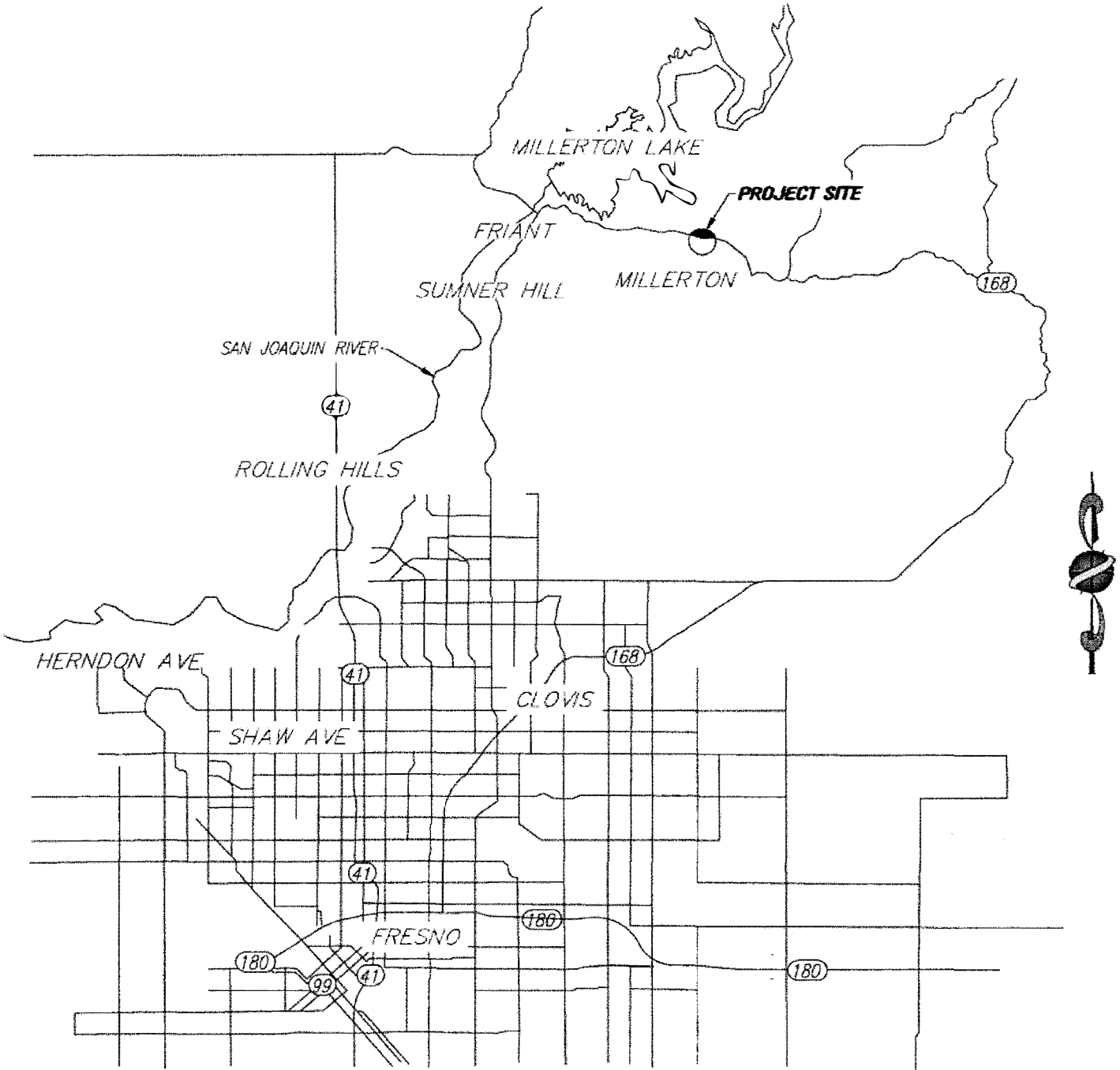
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.

EA:im

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3693 – See GPA 564\SR\CUP3693 MMRP Ex 1.docx

EXHIBIT 2

VICINITY MAP



LOCATION MAP

CUP 3693

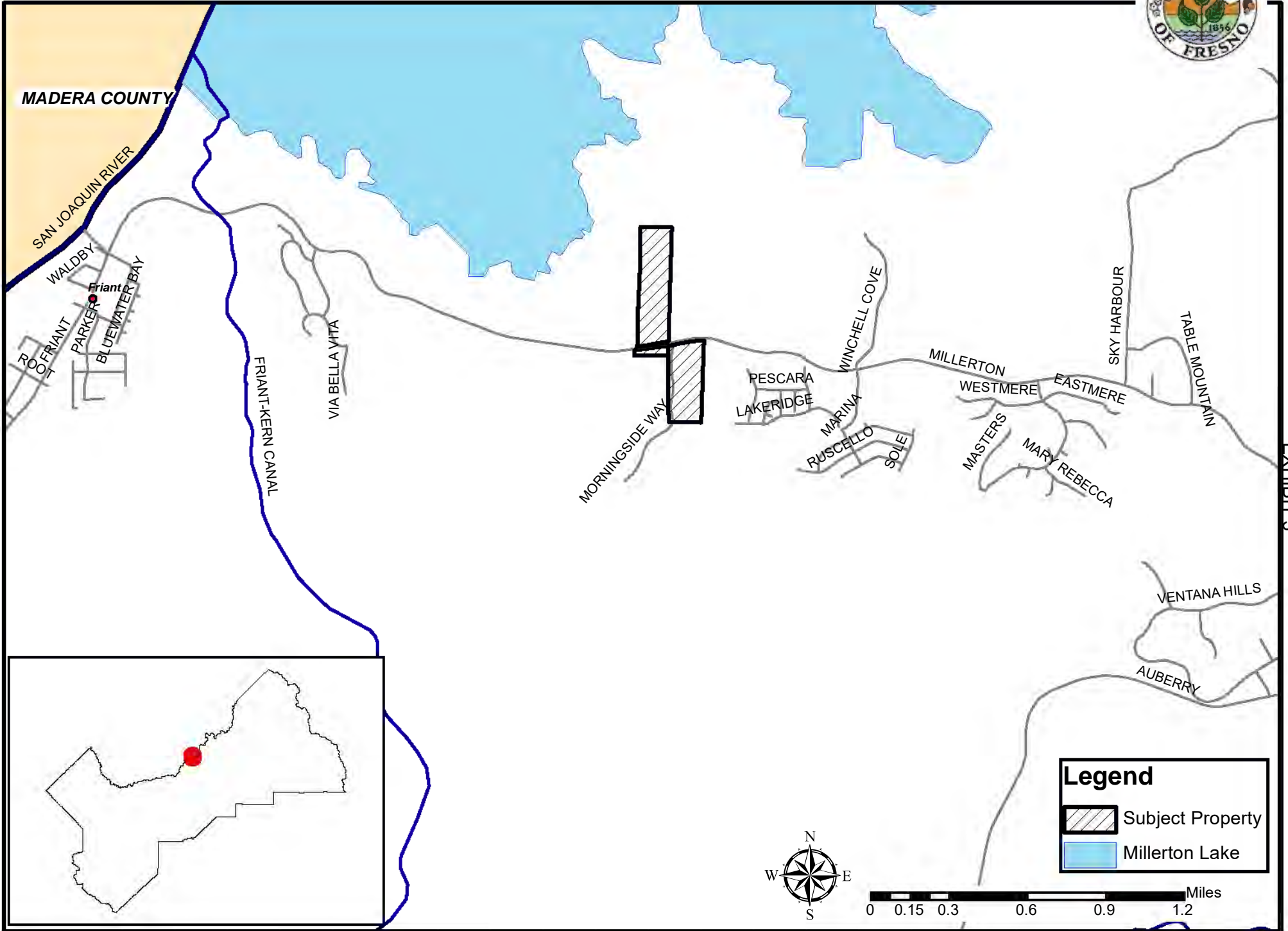


EXHIBIT 3

EXISTING ZONING MAP

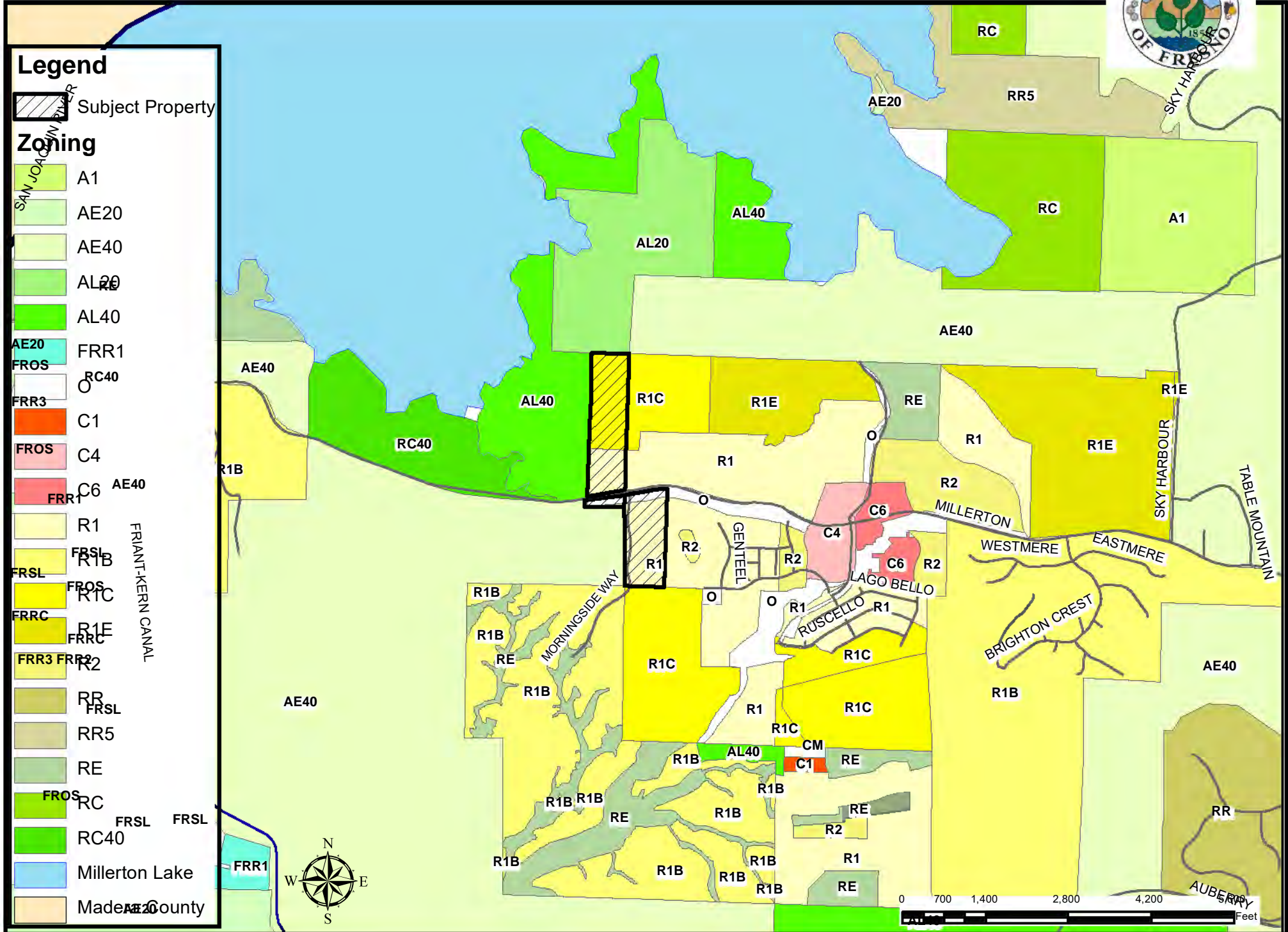
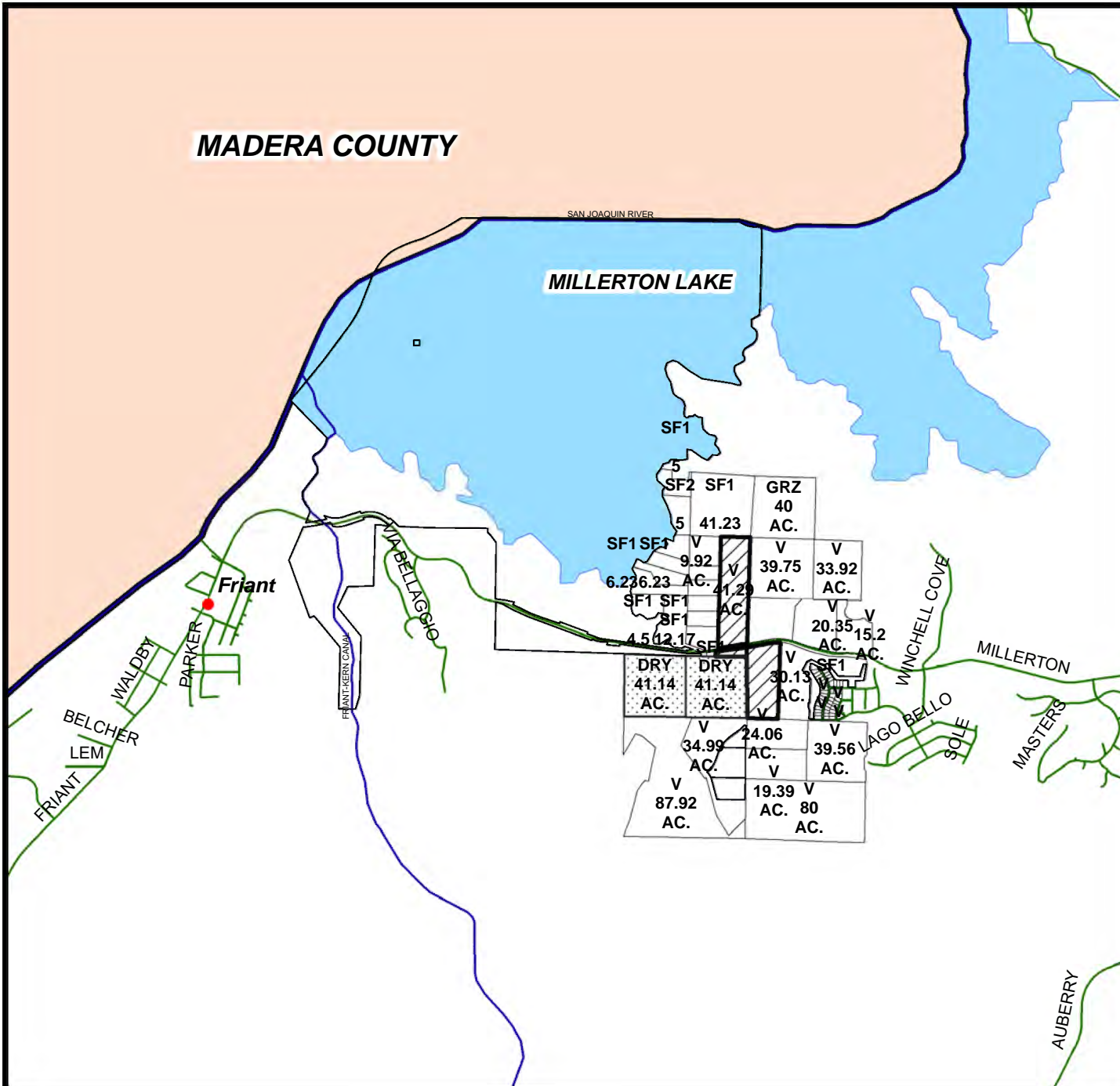


EXHIBIT 4

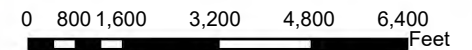
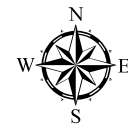
EXISTING LAND USE MAP



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

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division

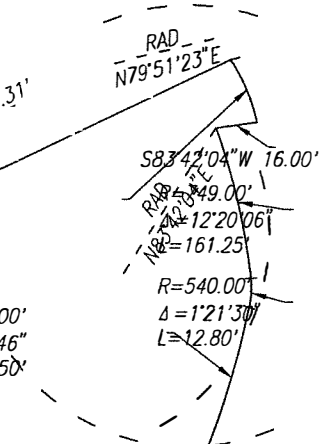
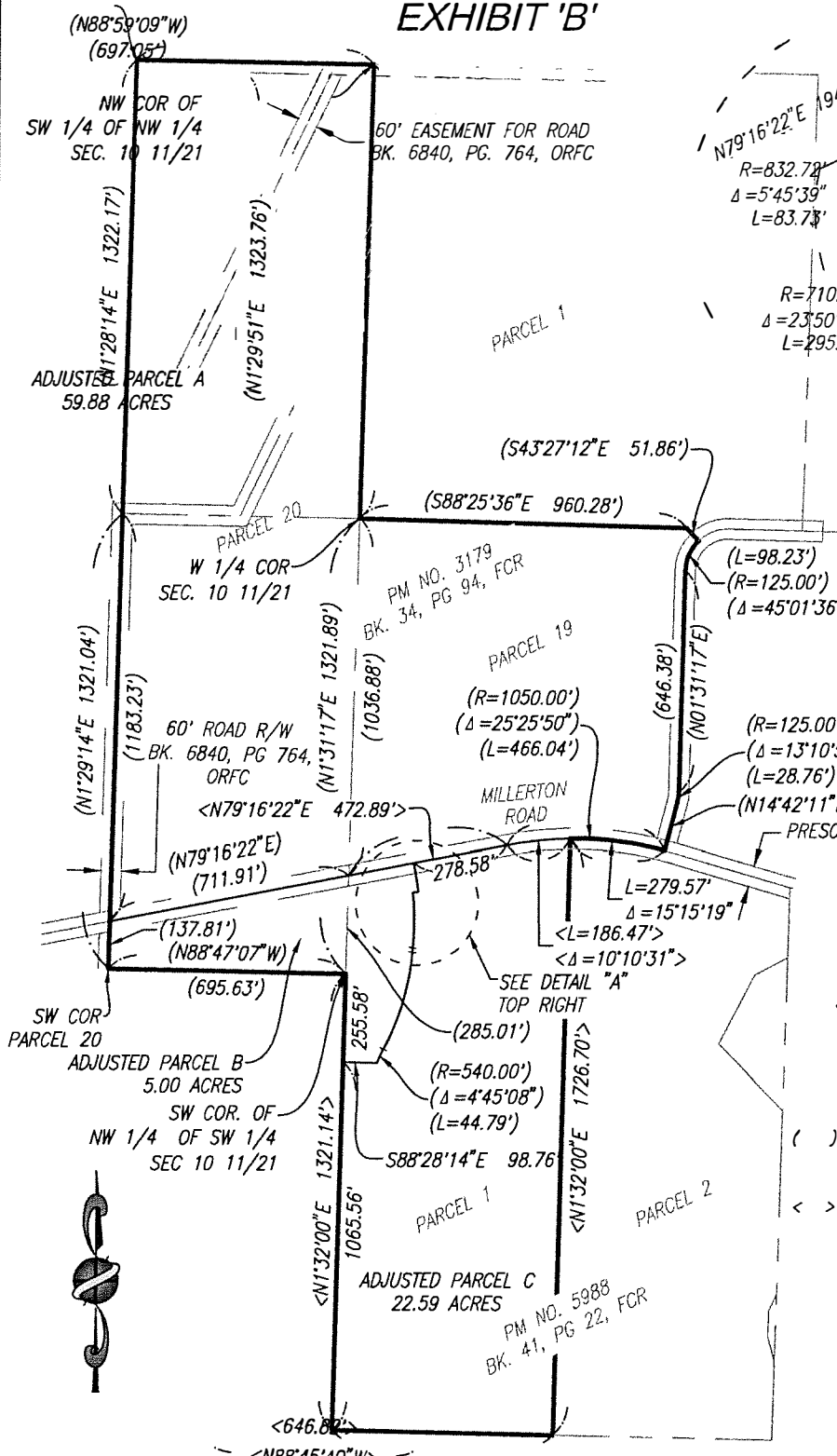
EXHIBIT 5

EXHIBIT 6

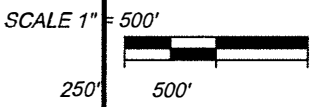
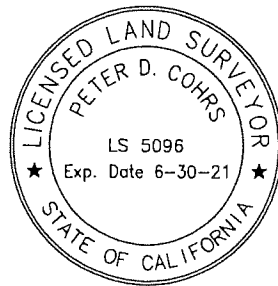
EXHIBIT 'B'

P:\CIVIL 3D PROJEC 9-0

75\2019\1 17\SURVEY AND MAPPING\SURVEY EXHIBITS\19-017 LLA.DWG



- LEGEND
- EXISTING ROAD RIGHT OF WAY
 - LOT LINE ADJUSTMENT BOUNDARY
 - EXISTING PARCEL
 - ADJUSTED PARCEL LINE
 - () RECORD OR CALCULATED DATA PER PM NO. 3179, PG 94, FCR
 - < > RECORD OR CALCULATED DATA PER PM NO. 5988, BK 41, PG 22, FCR



PLANNING • SURVEYING • CIVIL ENGINEERING
 53 W. FALLBROOK AVE, #101, FRESNO, CALIFORNIA 93711
 PHONE: (559) 449-4500 FAX: (559) 449-4515

PROJECT NAME:
 PROPERTY LINE ADJUSTMENT
 EXHIBIT B
 07-20-2020 19-017

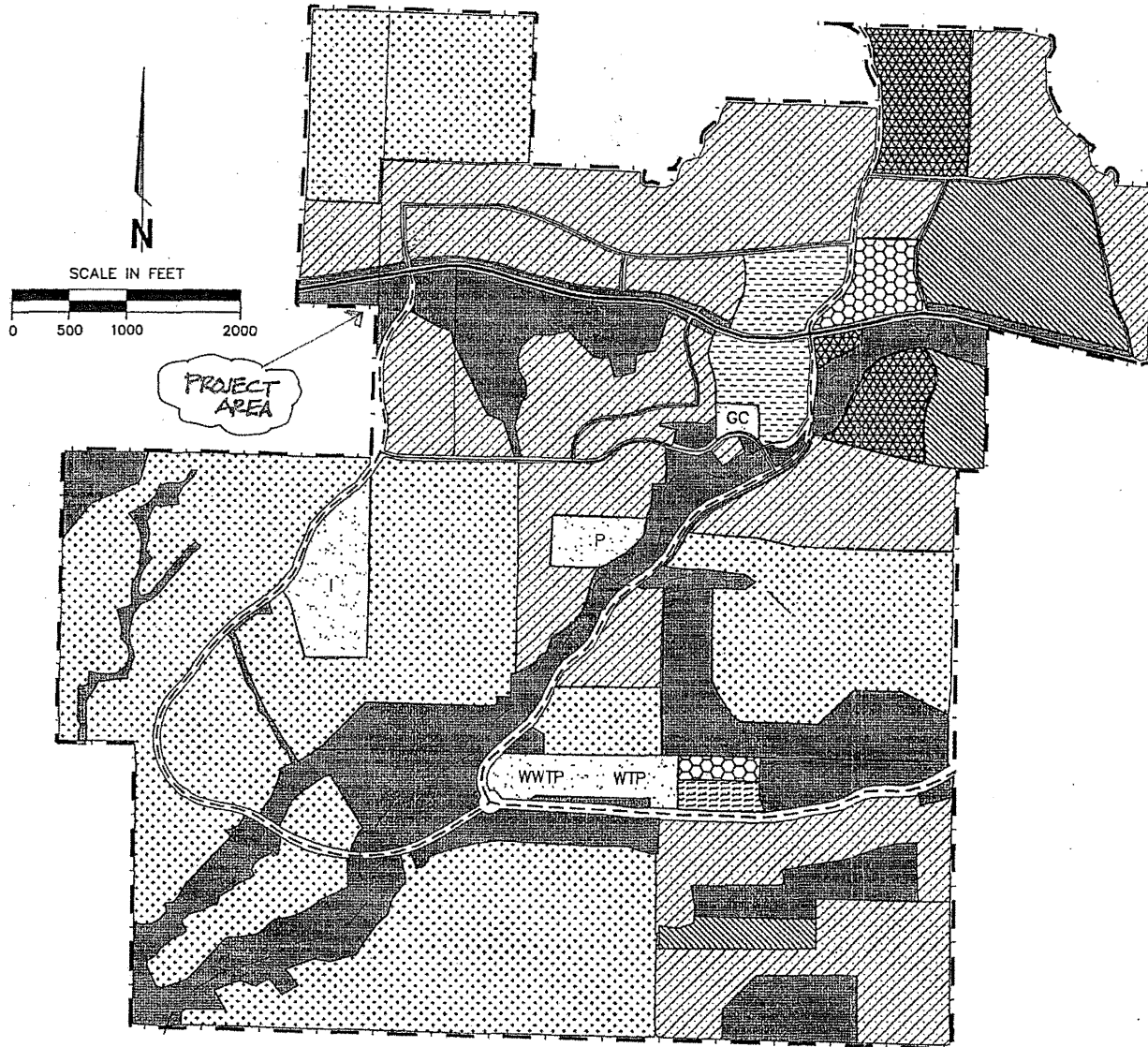















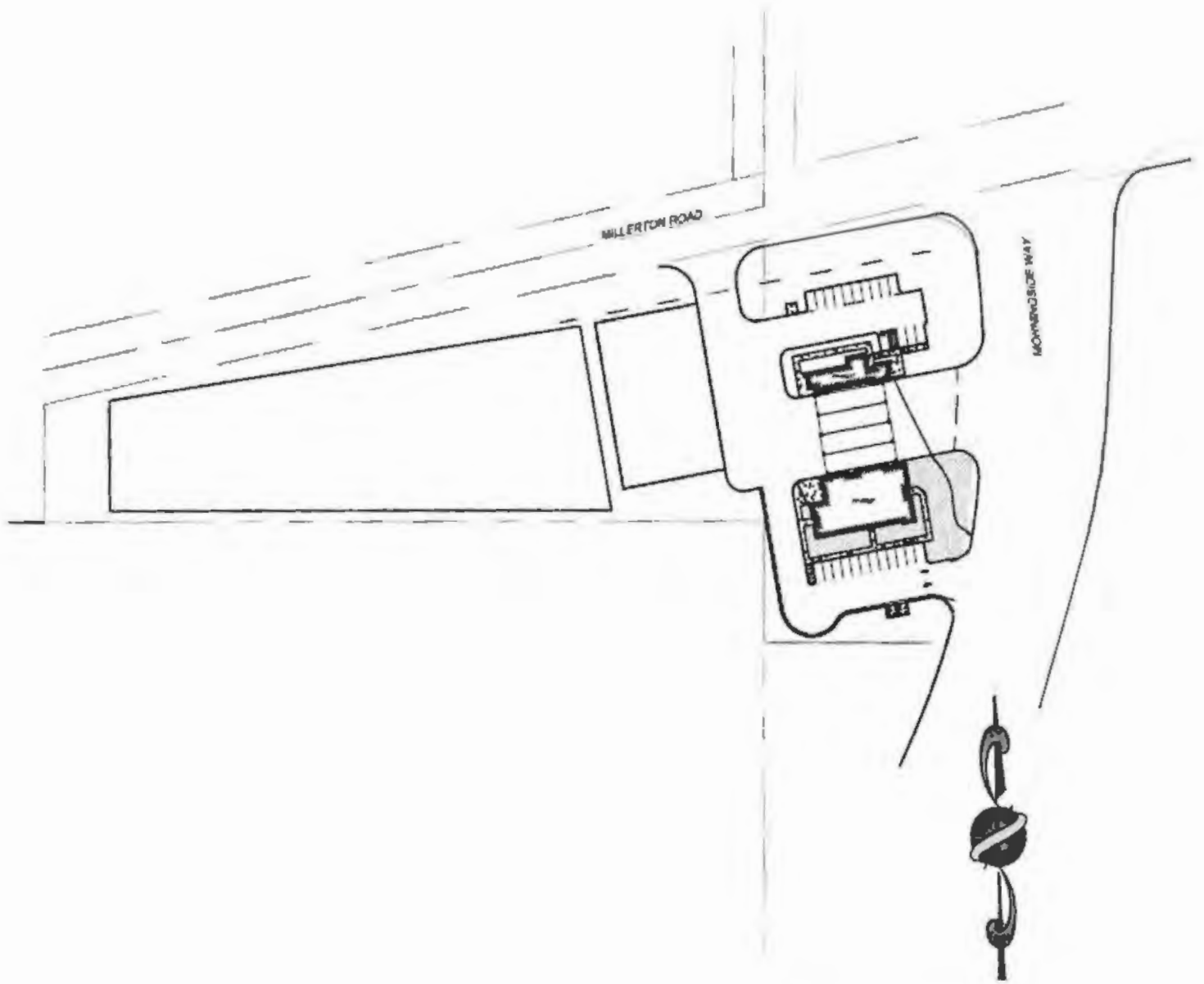


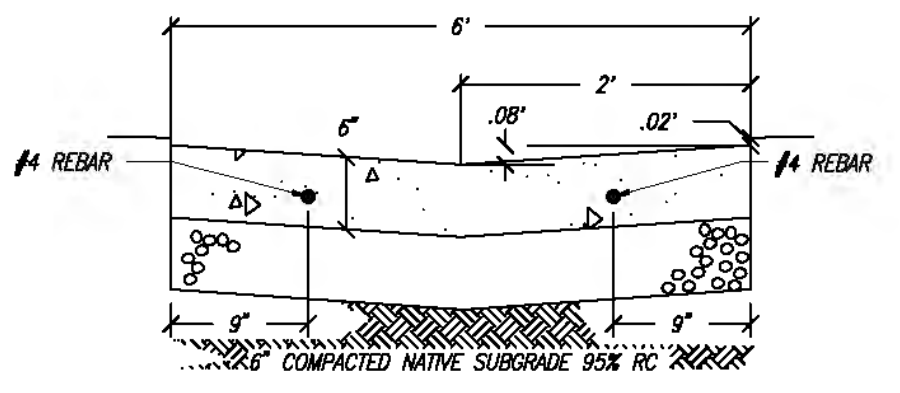
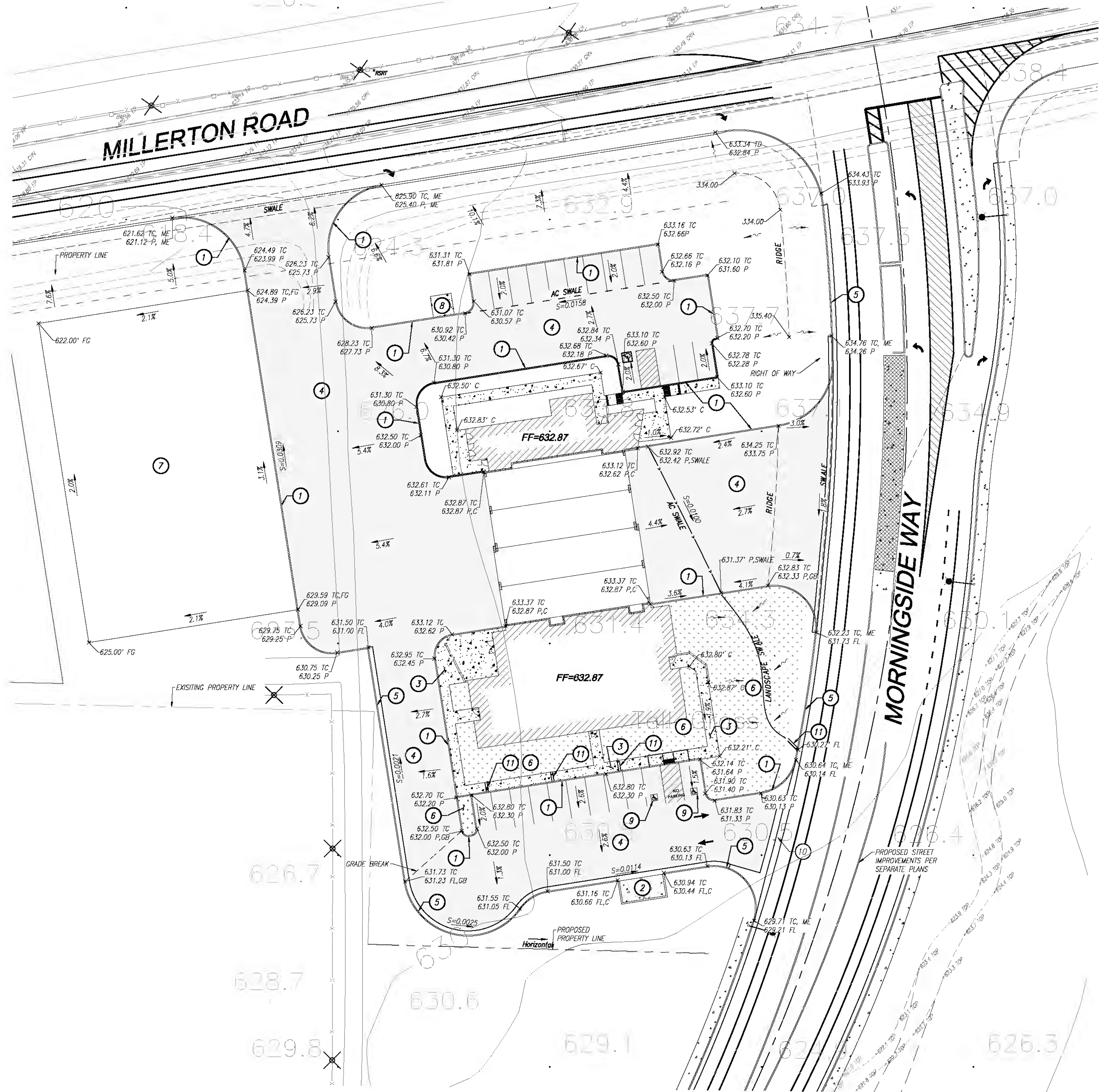
FIGURE SP1-4.
LAND USE AND CIRCULATION ELEMENTS
 MILLERTON NEW TOWN
 SPECIFIC PLAN

- OPEN SPACE 
- RESIDENTIAL
 - MEDIUM LOW DENSITY 
 - MEDIUM DENSITY 
 - MEDIUM HIGH DENSITY 
- COMMERCIAL
 - CENTRAL BUSINESS SERVICE 
 - SPECIAL NEIGHBORHOOD 
- PUBLIC FACILITIES
 - SCHOOL 
 - GOVERNMENT CENTER 
 - PARK 
 - WATER TREATMENT PLANT 
 - WASTEWATER TREATMENT PLANT 
- CIRCULATION
 - ARTERIAL 
 - COLLECTOR 
 - MINOR COLLECTOR 
 - PLAN AREA BOUNDARY 

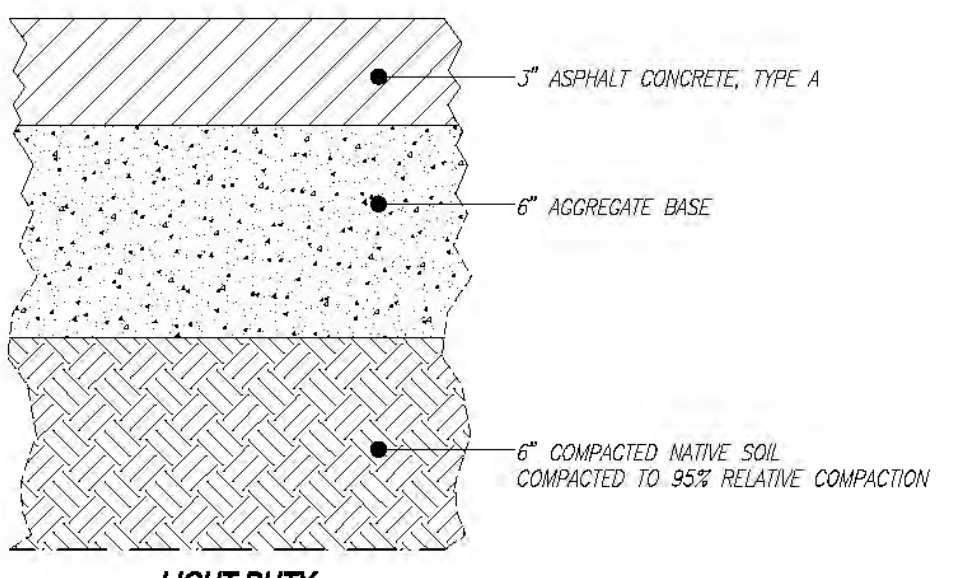
OVERALL SITE PLAN



NOT TO SCALE



A 6" VALLEY GUTTER DETAIL
NOT TO SCALE



B PAVEMENT STRUCTURAL SECTION
NOT TO SCALE

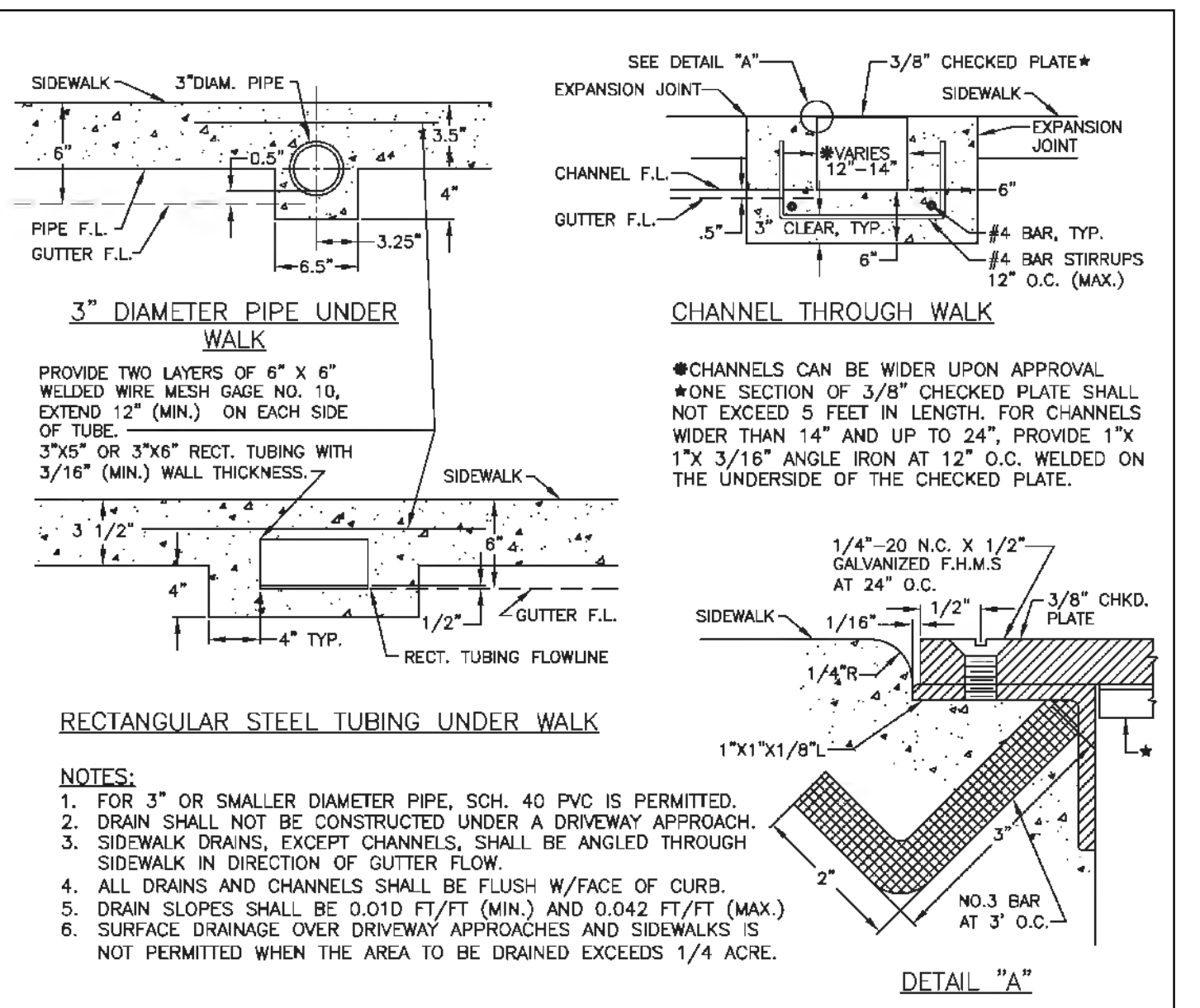
SECTION TO BE CONFIRMED WITH SOIL REPORT
T.I. = 5.0 R=XX

LEGEND:

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED RIGHT OF WAY
- EXISTING RIGHT OF WAY
- PROPOSED CURB AND GUTTER
- PROPOSED CONCRETE IMPROVEMENT
- PROPOSED AC PAVEMENT
- PROPOSED LANDSCAPE AREA

CONSTRUCTION NOTES

- 1) CONSTRUCT 6" CONCRETE CURB PER COUNTY OF FRESNO STANDARDS
- 2) CONSTRUCT TRASH ENCLOSURE PER COUNTY OF FRESNO STANDARDS
- 3) CONSTRUCT CONCRETE SIDEWALK PER COUNTY OF FRESNO STANDARDS
- 4) CONSTRUCT ASPHALT CONCRETE PER DETAIL 'B'
- 5) CONSTRUCT 6" CURB AND GUTTER PER COUNTY OF FRESNO STANDARDS
- 6) PROPOSED LANDSCAPED AREA
- 7) PROPOSED GRADED STAGING AREA
- 8) CONSTRUCT CONCRETE PAD EQUIPMENT AREA
- 9) PROPOSED ADA PARKING STALLS DETAILS A1, A2, A3 ON SITE PLAN SHEET 1
- 10) PROPOSED 6" WIDE VALLEY GUTTER SEE DETAIL 'A'
- 11) CONSTRUCT SIDEWALK DRAIN PER DETAIL 'C'



AREAS TO BE DRAINED FROM PRIVATE PROPERTY TO PUBLIC STREETS

SURFACE AREA	TYPE OF SURFACE	DRAIN AREA REQUIRED	SIZE & NO. OF PIPES OR RECTANGULAR STEEL TUBE	SIZE & NO. OF CHANNELS
2 ACRES	PAVED	100 SQ. IN.	2-3"Ø RECT. TUBES	2-4"X14"
200'X400'	GRASS	25 SQ. IN.		
1.5 ACRES	PAVED	75 SQ. IN.	1-3"Ø PIPE & 1-3"Ø RT.	2-3"X12"
200'X200'	GRASS	20 SQ. IN.		
1 ACRE	PAVED	50 SQ. IN.	1-3"Ø RECT. TUBE	1-4"X14"
200'X200'	GRASS	12 SQ. IN.		
0.75 ACRE	PAVED	40 SQ. IN.	3-3"Ø RECT. TUBE OR	1-4"X14"
150'X200'	GRASS	10 SQ. IN.	1-3"Ø RECT. TUBE OR	
0.5 ACRE	PAVED	30 SQ. IN.	2-3"Ø RECT. TUBE OR	1-3"X12"
100'X200'	GRASS	8 SQ. IN.	1-3"Ø PIPE	
0.25 ACRE	PAVED	16 SQ. IN.	1-3"Ø PIPE & 1-3"Ø RT.	
100'X100'	GRASS	3 SQ. IN.	1-3"Ø PIPE	

USE: 1 ACRE = 200'X200' OR 100'X400'
 AREA 3" DIA. PIPE = 7.1 SQ. IN. AREA 4"X14" CHANNEL = 96 SQ. IN.
 AREA 3"X5" RECT. TUBE = 12.3 SQ. IN. AREA 3"X12" CHANNEL = 36 SQ. IN.
 AREA 3"X6" RECT. TUBE = 14.9 SQ. IN.

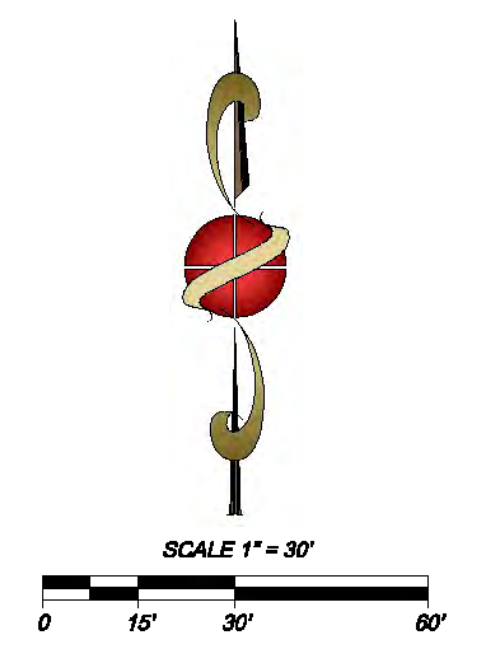
SIDEWALK DRAINS

REF. & REV. AUG., 2010

C

ABBREVIATIONS NOTES

- C CONCRETE
- FG FINISHED GRADE
- FL FLOWLINE
- GB GRADE BREAK
- ME MATCH EXISTING
- P PAVEMENT
- TC TOP OF CURB



FIRE STATION IMPROVEMENT PLANS
COUNTY OF FRESNO

PREPARED BY:

 1234 G STREET FRESNO, CA 93721 PH(559)449-4500 FAX(559)449-4515

MILLERTON - FIRE STATION
GRADING PLAN

DESIGN ENGINEER: NATHAN M. GLEAVES
 DATE: 10/30/2019 R.C.E. LICENSE NO. 67552

DATE REVISION				
APPROVAL				
APPROVED	DIRECTOR OF PUBLIC WORKS	C.E. NO.	DATE	
APPROVED REV.				

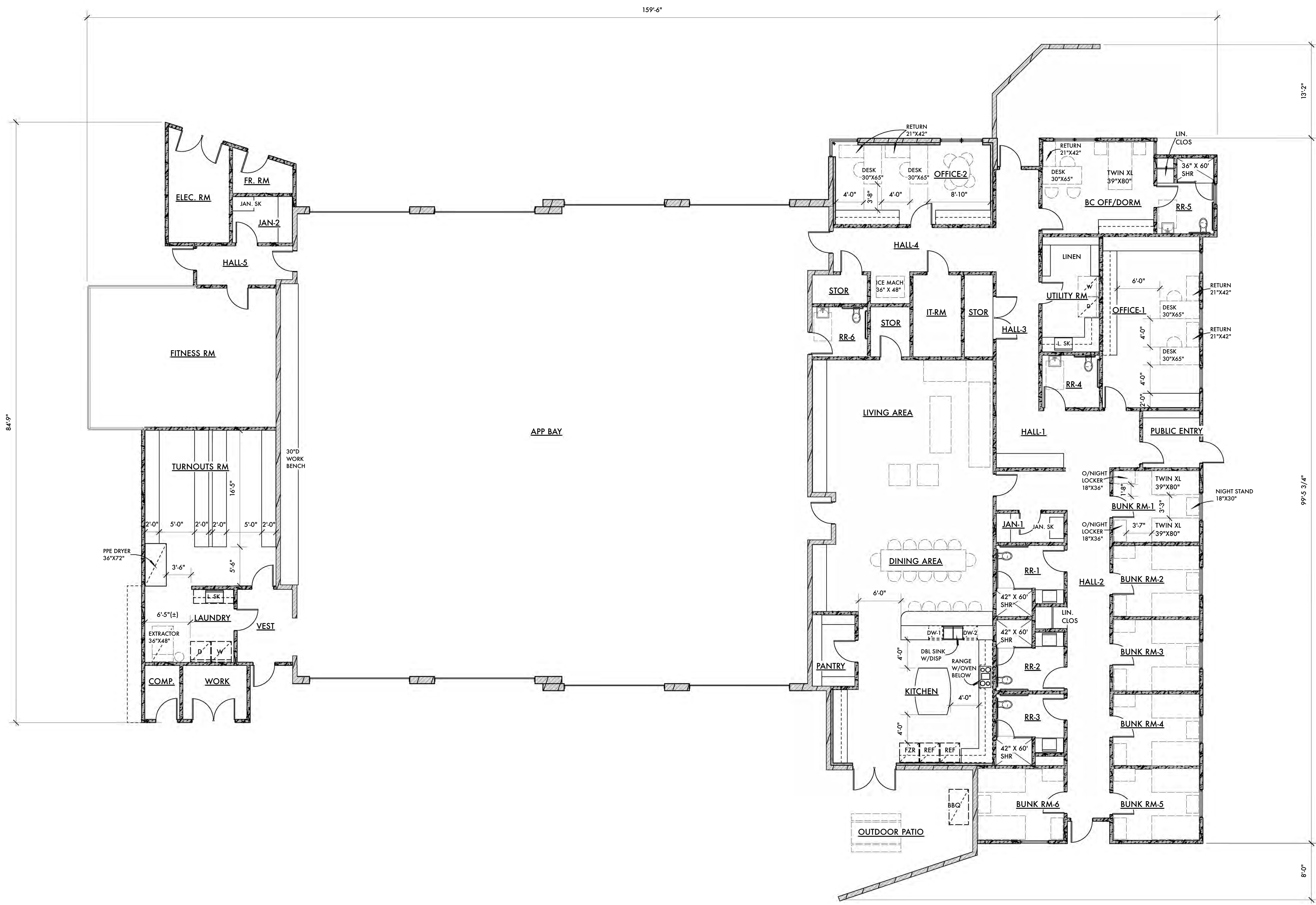
SCALE: HORIZ. 1" = 30'
 VERT. 1" = 12'

DRAWN BY: DSY
 REVISION:

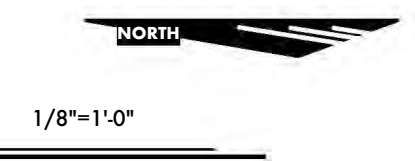
SHEET 2 OF 3 SHEETS



EXHIBIT 7 Page 3



1 PRELIMINARY FLOOR PLAN
A2.2



Plot: 11.10.05
Time: 6:02:52 PM
File name: 0_191407_20_wwx

PERMIT No.
R/C/L No.
SPR/CLIP No.

A_2.2

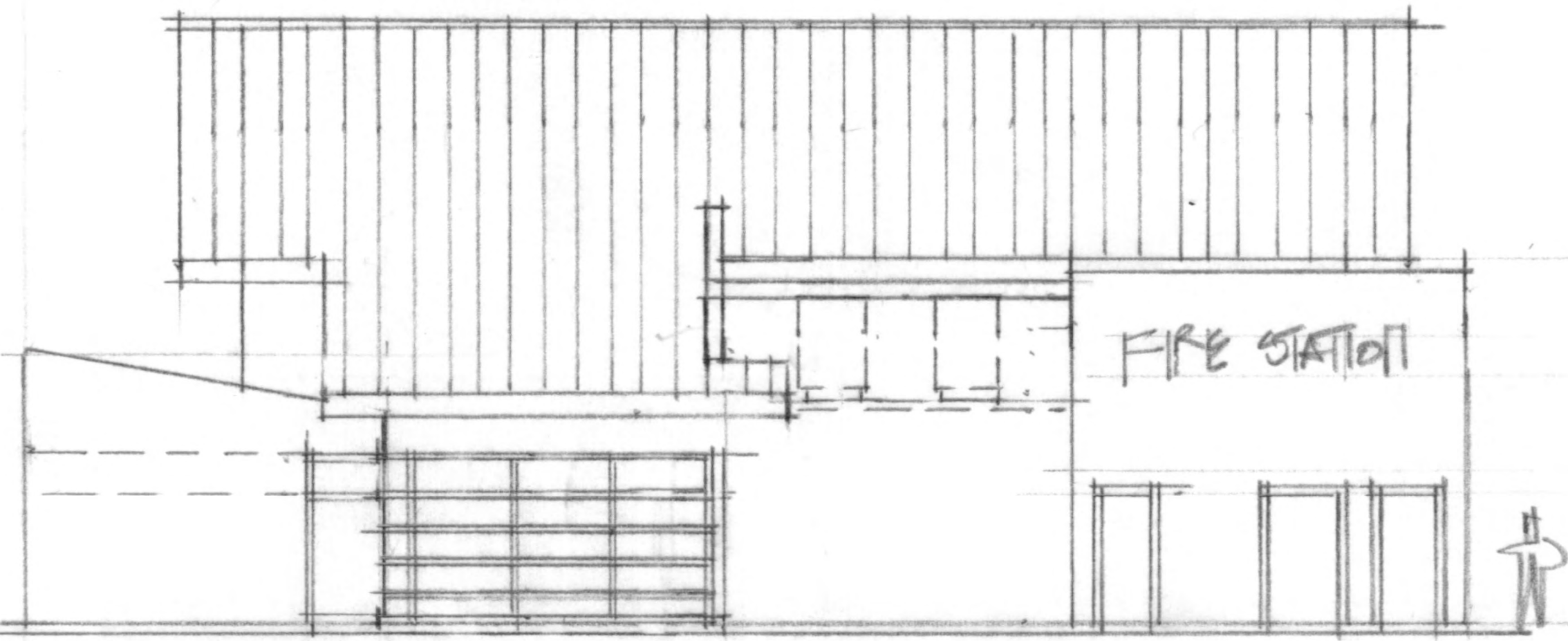
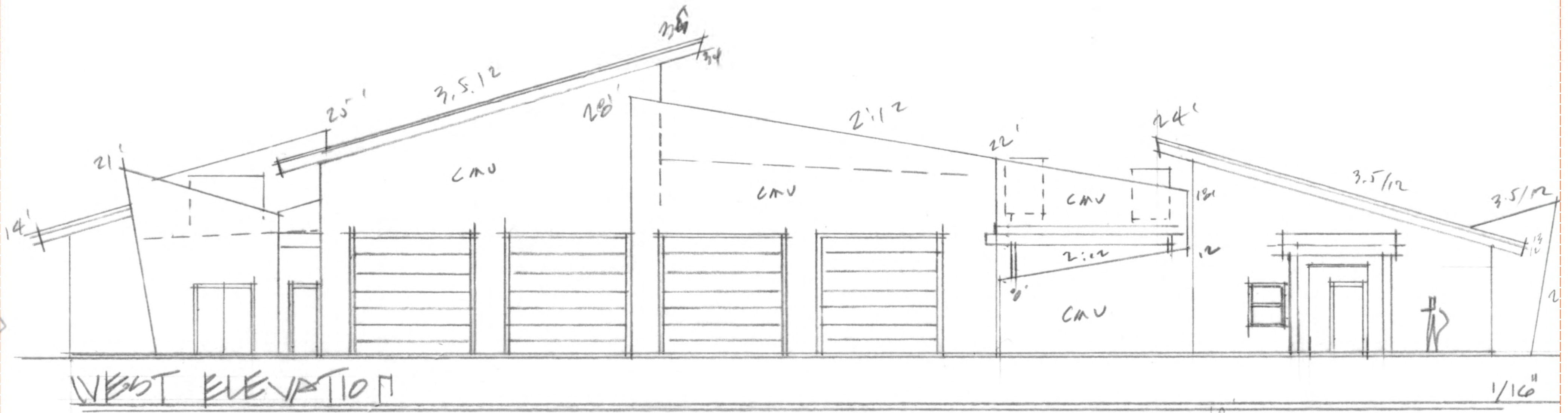
SHEET OF

JOB NUMBER
1914

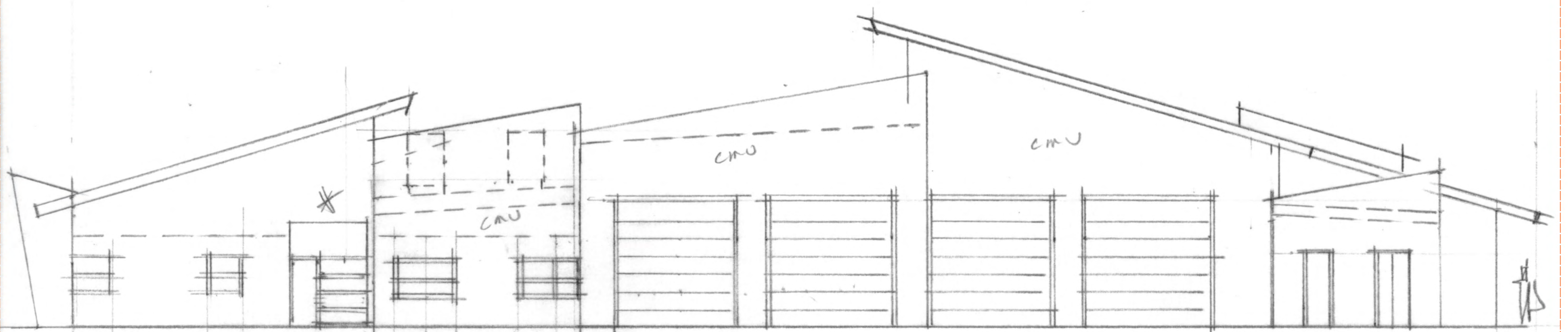
MILLERTON FIRE STATION
MILLERTON ROAD AT MORNINGSIDE WAY
FRESNO, CALIFORNIA 93726

ANTOYAN
ARCHITECTURE
2133 AMADOR ST. • FRESNO, CA • 93721-1102
5 5 9 • 4 9 7 • 6 9 4 2

© 2020 ANTOYAN ARCHITECTURE



NORTH ELEVATION - MILLERTON ROAD

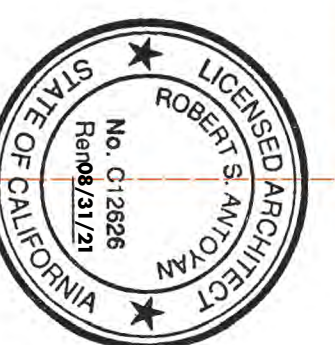


EAST ELEVATION - NORTH SIDE WAY



SOUTH ELEVATION

MILLERTON FIRE STATION - PROPOSED
ANTOYAN ARCHITECTURE - JOB 1914 12/00/19 SCH. 1.1



Jeff Roberts

Subject: Operational Statement: Proposed Fire Station Facility @ Millerton

Background:

The applicant is proposing to process a Specific Plan Amendment and Conditional Use Permit to provide for the construction and operation of a public Fire Station. The 5.17 acre project site is located at the southwest corner of Millerton Road and Morningside Way (under constriction). The proposed facility will be located within the Millerton Specific Plan but at a different location than the one envisioned when the plan was adopted in 1984. The location has good visibility, good road access, and is situated to provide service to the Millerton Specific Plan area, Table Mountain Rancheria, Friant, Millerton lake, and the unincorporated communities to the north and east. The facility will be operated by the Fresno County Fire Protection District. This "Operational Statement" outlines the project details and is filed as a component of the Conditional Use Permit application:

1. Hours of Operation: 24 hours per day
2. Operational Time Limits: None
3. Number of Visitors: Will vary with season, estimate 10 -15 per day
4. Number of Employees: Will vary with season, estimate: 8
5. Service and Delivery vehicles: estimate 5 – 10 per day
6. Access to the site: Via Millerton Road or Morningside Way
7. Number of parking spaces: 25 spaces on a paved surface
8. Goods sold on site: None
9. What equipment is used: Fire Trucks and associated maintenance tools and equipment
10. Storage of supplies: Food and domestic supplies stored inside the facility and maintenance supplies are stored in the truck bay/garage area
11. Unsightly appearance: No. there is noise associated with a fire station when the equipment is leaving the site
12. Liquid or solid waste: Domestic
13. Volume of water: NA
14. Advertising: None
15. All new construction is proposed for the fire station
16. The entire structure will be used for the fire station facility

GPA564; CUP 3693

RECEIVED
COUNTY OF FRESNO

NOV 02 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

17. Outdoor Lighting / Amplification: Yes, bot lighting and an amplified alarm system will be used
18. Landscaping: Yes on the north and east edges of the project, adjacent to the roadways
19. This is a unique use that will provide safety services to the residents of Fresno County. It is difficult/impossible to quantify how often many times the operators will need to leave the site or how long fire events will last
20. Applications: the property owners are listed as GREI, LLC and are represented by Jeffrey T. Roberts who works for the Assemi Group, Inc.



Jeffrey T. Roberts | Entitlement Director

T: (559) 440-8308 | M: (559)288-0688 | F: (559) 436-1659 | X:308

E: jroberts@assemigroup.com

W: www.assemigroup.com

1396 W. Hemdon Ave., Ste. 110, Fresno, CA 93711



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Jeffrey T. Roberts on behalf of Grantor Real Estate Investments, LLC
- APPLICATION NOS.:** General Plan Amendment Application No. 564, Unclassified
Conditional Use Permit Application No. 3693; Initial Study
Application No. 7980
- DESCRIPTION:** Amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities to allow a Fire Station with related improvements in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts.
- LOCATION:** The project is located within the Millerton Specific Plan boundary on the southwest corner of Millerton Road and Morningside Way approximately 1.9 miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN 300-021-27S; 300-340-13S).

DISCUSSION:

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 Millerton Specific Plan was adopted in December 1984. Several additional environmental studies have been prepared since the 1984 certification, the most recent being in December 2004.

This Initial Study has been prepared in part to determine if the existing EIR is adequate for the proposed project pursuant to Section 21166 of the Public Resources Code, which states that no subsequent or supplemental EIR shall be required for a project pursuant to Section 21000 *et seq.* of the Public Resources Code unless one or more of the following events has occurred:

- (a) Substantial changes are proposed in the project, which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c) New information which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

The subject project was routed to reviewing agencies initially in July of 2018 with mention of the previously adopted EIR and Specific Plan. Comments received at the completion of the routing cycle did not reveal any significant project-related impacts that could not be mitigated. Based on staff's review of comments received, it has been determined that the provisions of Section 15162 will be utilized in preparing the environmental document.

This Initial Study has been prepared pursuant to Section 15162 of the CEQA Guidelines, to determine if the existing EIR is adequate for the proposed project, or whether any of the three events noted above have taken place necessitating preparation of a new or supplemental EIR.

The Lead Agency may then determine if a subsequent Negative Declaration is appropriate. A determination to prepare a Mitigation Negative Declaration has been made based upon the fact that Mitigation Measures were identified in the Initial Study.

Based upon the comments received, which indicated that no significant impacts would occur, if the project is approved, a Mitigated Negative Declaration has been prepared.

As a project condition, the Applicant would be required to comply with all applicable Mitigation Measures contained in the Millerton Specific Plan - Mitigation Measures and Monitoring Program Matrix Program identified in the previously-certified EIR as well as those identified in Initial Study Application No. 7980 prepared for this project. The Mitigation Measures and Monitoring Program Matrix is attached to this document for reference purposes.

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT:

The project site fronts on Millerton Road and Morningside Way which are not designated as Scenic Highway or Scenic Drive in the County General Plan. There are no scenic vistas or scenic resources, including rock outcroppings, or historic buildings on or near the site that will be impacted by the proposed project (fire station).

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated for Open Space and Medium Density Residential within the Land Use and Circulation Elements of the Millerton Specific Plan. The site is surrounded by approved residential tracts. Though not built yet, Tract No. 5430 is located to the north and Tract No. 4968 is located to the east of the project site. The proposed single-story fire station building, will be compatible in height, design, and construction with future residential tract homes. The project is compatible with the physical characteristics of the area.

The project will adhere to Mitigation Measure No. 11. Visual Quality, listed in the Millerton Specific Plan, Mitigation Measures and Monitoring Program Matrix regarding the location of building sites on the property, submittal of a landscaping plan, and grading and erosion control to maintain visual quality of the site and its surroundings.

Based on the above information, the project is expected to have a less than significant impact on visual character or quality of the area.

- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project would generate new sources of light and glare in the form of outdoor lighting. To mitigate light and glare impacts on the adjacent properties, the project will adhere to the following Mitigation Measure.

* **Mitigation Measure:**

All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways.

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract; or

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project will be developed within the Millerton Specific Plan boundary, which does not contain any productive agricultural land nor is subject to a Williamson Act Contract. Per the 2016 Fresno County Important Farmland Map, the entire Millerton New Town Specific Plan is designated as “Grazing Land” consisting of residential dwelling units, and unimproved land for future residential, commercial, and public facilities uses. The project will have no impact on agricultural land.

In compliance with Assembly Bill (AB) 18, the Policy Planning Section of the Fresno County Department of Public Works and Planning conducted a 90-day tribal consultation for the subject General Plan Amendment (GPA) No. 564. The prescribed time will end on May 4, 2021.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report, dated January 21, 2021, was prepared for the project by Mitchell Air Quality Consulting, and provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for comments. Construction and operation of the project (light industrial uses) would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO_x), sulfur dioxide (SO₂), and particulate matter (PM₁₀ and PM_{2.5}).

As discussed in II. B below, emissions of ROG, NO_x, PM₁₀, and PM_{2.5} associated with the construction and operation of the project would not exceed the District’s significance thresholds. The project complies with all applicable rules and regulations from the applicable Air Quality Plan (AQP). Therefore, the impact would be less than significant. Furthermore, as discussed in III. C below, the project would not result in CO hotspot that would violate CO standards.

Per the San Joaquin Valley Air Pollution Control District, the proposed project would: 1) be subject to District Rule 9510 if equals or exceeds 10,000 square feet of governmental space and require filing of an Air Impact Assessment Application and paying any applicable off-site mitigation fees before issuance of first building permit. The project may also be subject to the Regulation VIII-Fugitive PM10 Prohibitions, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). These requirements will be addressed through recommended Site Plan Review.

The project will also adhere to Mitigation Measures No. 17.a – m. - Climate and Air Quality, listed in the Millerton Specific Plan, Mitigation Measures and Monitoring Program Matrix regarding bicycle circulation systems, installation of emission reduction devices on fireplaces, and reduction in PM-10 from wood burning.

- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The primary pollutants of concern during project construction and operation are ROG, NO_x, CO, PM₁₀, and PM_{2.5}. The San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing and Monitoring Air Quality Impacts (GAMAQI) adopted in 2015 contains threshold for CO, NO_x, ROG, SO_x PM₁₀ and PM_{2.5}. The SJVAPCD's annual emission significance thresholds used for the project, define the substantial contribution for both operational and construction emissions are 10 tons per year ROG, 10 tons per year NO_x, 100 tons per year CO, 27 tons per year SO_x, 15 tons per year PM₁₀ and 15 tons per year PM_{2.5}. The project does not contain sources that would produce substantial quantities of SO₂ emissions during construction and operation.

Per the *Air Quality and Greenhouse Gas Analysis Report*, the 2022 construction emissions (ton per year) associated with the project would be 0.35 for ROG, 2.40 for NO_x, 2.34 for CO, 0.31 for PM₁₀ and 0.17 for PM_{2.5} which are less than the threshold of significance. Likewise, the operational emission over the life of the project, primarily from energy use and mobile sources, would be 0.09 for ROG, 0.44 for NO_x, 0.14 for CO, 0.04 for PM₁₀ and 0.00 for PM_{2.5} which are less than the threshold of significance.

As discussed above, the regional analysis of the construction and operational emissions indicates that the project would not exceed the District's significance thresholds and is consistent with the applicable Air Quality Attainment Plan. Therefore, the project would not result in significant cumulative health impacts.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Sensitive receptors are defined as hospitals, residences, convalescent facilities, and schools. There are currently no sensitive receptors near the project; however, residences would likely be constructed in new neighborhoods planned near the project site.

Per the *Air Quality and Greenhouse Gas Analysis Report*, an analysis of maximum daily emissions during construction and operation of the project was conducted to determine if emissions would exceed 100 pounds per day for any pollutant of concern which include NO_x, CO, PM₁₀ or PM_{2.5}.

Per the *Report*, maximum daily construction emissions (pound per day) during 2022 would be 16.26 for ROG, 33.15 for NO_x, 20.49 for CO, 9.97 for PM₁₀ and 6.01 for PM_{2.5} and would not exceed SJVAPCD screening thresholds for any pollutant.

Operational emissions are generated on-site by area sources such as consumer products, landscape maintenance, energy use, and onsite motor vehicle operation at the project site. Most motor vehicle emissions would occur distant from the site and would not contribute to a violation of ambient air quality standards, making the analysis highly conservative. The Maximum daily air pollutant emissions (pound per day) during operations (2022) would be 0.49 for ROG, 2.40 for NO_x, 0.82 for CO, 1 for PM₁₀ and 0.07 for PM_{2.5} and would not exceed SJVAPCD screening thresholds for any pollutant.

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The project is in a rural location with no traffic congestion; therefore, no CO modeling is required. In addition, the highest background 8-hour average of carbon monoxide during the latest year CO was monitored is 2.06 ppm, which is 78 percent lower than the state ambient air quality standard of 9.0 ppm. Therefore, the project would not significantly contribute to an exceedance of state or federal CO standards.

The project construction would involve the use of diesel fueled vehicles and equipment that emit DPM (diesel particulate matter) which is considered a Toxic Air Contaminants (TAC). The SJVAPCD's latest threshold of significance for TAC emissions are an increase in cancer risk for the maximally exposed individual of 20 in a million. The SJVAPCD's 2015 GAMAQI currently focuses on projects with operational TAC emissions that would expose sensitive receptors over a typical lifetime of 70 years. Fire stations produce limited amounts of TAC emissions during operation and thus have not been subject to project TAC analysis. Most emissions from construction activities occur during the grading and site preparation phases that occur over the first three months of construction and do not overlap with project operations. Limited amounts of diesel equipment are used during ground-up building construction that occurs during most of the construction schedule. Construction equipment fleet operators are subject to Air Resources Board's (ARB) In Use Off-road Equipment Fleet Regulation, which requires the use of increasing amounts of lower-emitting equipment that will help to ensure that risk would not exceed SJVAPCD thresholds. The project is a potential source of TAC emissions from vehicle fueling, natural gas or

propane emergency generator operation and use of diesel fueled fire trucks. Gasoline dispensing equipment is a source of toxic air contaminant emissions from evaporated gasoline. The ARB identifies sources of TAC emissions that could potentially impact nearby sensitive receptors and provides recommended distance to avoid locating sensitive land uses. The project is relatively close to future residences. Regarding fuel dispensing equipment, ARB recommends avoiding new sensitive land uses within 300 feet of a large fueling station (a facility with a throughput of 3.6 million gallons per year or greater). The project would use approximately 4,500 gallons of diesel per year and 1,000 gallons of gasoline per year, which is a small fraction of the ARB screening level. Therefore, impacts from TAC emissions would be less than significant.

The project will use natural gas or propane fueled 30-kilowatt emergency generator which are not considered significant sources of TAC emissions and are operated for limited hours per year. The relatively small size of the generator would also contribute to very low TAC emissions.

The project includes four diesel-powered fire trucks that are sources of TAC emissions from DPM. The ARB recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day). Therefore, the four fire trucks are unlikely to result in insignificant TAC emissions.

In short, the project would not result in significant TAC emissions during project operations; therefore, impact from this source would be less than significant.

Valley fever (coccidioidomycosis), is an infection caused by inhalation of the spores of the fungus, *Coccidioides immitis* (*C. immitis*) which lives in soil. Construction activities, however, could generate fugitive dust that contain *C. immitis* spores. The project will comply with Regulation VIII Fugitive Dust Prohibitions that is expected to reduce fugitive dust produced during earth disturbing activities and thereby reduce exposure to the spores. Therefore, the potential impact would be reduced to less than significant. During operations, dust emissions are anticipated to be relatively small, because the project area would continue to be occupied by buildings, concrete, and asphalt pavement. This condition would lessen the possibility that the project would provide suitable habitat for *C. immitis* spores and generate fugitive dust that may contribute to Valley fever exposure. Impacts would be less than significant.

Per the U.S. Geological Survey 2011, the project area is outside of an area of naturally occurring asbestos in California. Therefore, development of the project is not anticipated to expose receptors to naturally occurring asbestos. Impacts would be less than significant.

In conclusion, localized impacts from criteria pollutant emissions would not exceed SJVAPCD screening thresholds. Project gasoline dispensing equipment, diesel fire trucks, and natural gas or propane generator would not result in a significant increase in cancer risk, chronic risk, and acute risk due to TAC emissions. Impacts from Valley fever exposure and naturally occurring asbestos would be less than significant.

- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, and schools. The project site is near future residences.

Per the SJVAPCD, the common odor producing land uses are landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. The project would not engage in any of these activities. Therefore, the project would not be considered a generator of objectionable odors during operations.

During construction, the various diesel-powered vehicles and equipment used on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the project's site boundaries. The potential for diesel odor impacts would therefore be less than significant.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject proposal is part of the Millerton Specific Plan for which the U.S. Fish and Wildlife Service issued a Biological Opinion (BO) on August 25, 2018. All development projects within the Millerton Specific Plan boundary, including the subject proposal, are required to comply with Avoidance and Minimization Measures noted in the BO memo.

The project was routed to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for comments. USFWS offered no comments during the comment review period. However, CDFW made several references regarding presence of special status species on or near the project site. A meeting between CDFW staff and the project applicant, resulted in mutual understanding of the following requirements to apply on the project. Implementation of these requirements as Mitigation Measures will reduce the impact to less than significant:

* **Mitigation Measures:**

1. *The project site is currently within the area covered by Incidental Take Permit (ITP) (ITP No. 2081-2014-079-04) that has been the location of recent burrow clearing and biological fencing as a part of the Morningside Way road project. Approximately two-third of the site is already cleared and fenced as per the requirements of the ITP. Prior to construction on the subject 5.17 acres, the balance of the site shall be checked, cleared, and fenced in accordance with the ITP.*
 2. *A qualified biologist shall perform a “Pre- Construction Survey” of the site to check for the California Tiger Salamander (CTS), Western Pond Turtle (WPT), Western Spadefoot toad (WESP), American Badger (AMBA) and Burrowing Owl (BUOW) as listed in the CDFW letter dated February 1, 2021. If no species are found on the site, the next steps of the plan can occur. If species are located, a biologist shall follow State and Federal protocols for their removal from the 5.17-acre project site.*
 3. *The biologist shall prepare a “Site Education Pamphlet” for distribution to all contractors and subcontractors that will be working on the site and shall work with the applicant/owner to have a notification sign placed on the site at the construction entrance. This sign shall be 4 feet by 8 feet in size and shall contain the same information as the Site Education Pamphlet.*
 4. *The owner shall retain the biologist to conduct education “Discussions” with any contractor/subcontractor who will have more than 5 employees working on the site.*
 5. *The owner and/or biologist shall keep a daily log of all workdays and shall document signs/sightings of the 5 species listed above.*
 6. *If a sighting of any of the species occurs during the course of construction, work shall be stopped, and the biologist shall be contacted, and State and federal protocols shall be followed for the removal of the species.*
 7. *The owner shall contact the California Department of Fish and Wildlife at the end of each month, provide daily logs, and a summary of the month’s activities on the site.*
- C. Have a substantial adverse effect on state- or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

The project site contains no state or federally protected wetlands (e.g. marsh, vernal pool, coastal, etc.). According to the National Wetland Inventory (NWI) the nearest Riverine habitat (Riverine System includes all wetlands and deep-water habitats

contained within a channel) is located approximately 475 feet northwest of the project site. The project will have no impact on Riverine habitat.

- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

Per the Millerton Specific Plan Policy SP1-P68, Habitat Preservation, an Open Space and Natural Resource Plan (OSNRP) has been established for the Millerton, Dry Creek and Sierra Foothill areas. The OSNRP will provide protection to sensitive resources by establishing key habitat areas, open and continuous wildlife corridors, ridge tops and view protection, native plant landscapes, and lighting restrictions on hilltops to mitigate glare.

The project site is unimproved with no vegetation. The project will not conflict with local policies or ordinances regarding a tree preservation policy or ordinance.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is in an area designated as highly sensitive for archeological Resources. A study entitled *Cultural Resources Inventory (CRI) Millerton New Town Specific Plan*, was prepared by Kristina Roper and dated April 21, 2014. While encompassing all properties within the Millerton New Town Specific Plan area, this study was used as the basis for preparing a Cultural Resources Management Plan for Millerton Specific Plan development projects.

Per the *Cultural Resources Inventory* (CRI), six archeological sites exist within the entire Millerton Specific Plan area that appear to meet the eligibility criteria for listing in the National Register of Historic Places and the California Register of Historic Resources. None of those sites are located within the project site. The nearest (MNT-16) located approximately 500 feet southeast of the project site on the western slope of a hill adjacent to a dirt road, is a moderately weathered granite boulder with a single saucer mortar. The edges of the milling surface are exfoliated. Given the project location, no impact on MNT-16 is expected from this proposal.

Although, Table Mountain Rancheria (TMR) declined participation in AB (Assembly Bill) 52 for the proposal but requested to be notified in the unlikely event that cultural resources are unearthed during ground disturbance. The project will adhere to the following mitigation measure to ensure that impacts to cultural resources remain less than significant. Mitigation Measure No. 12. c. - Historic/Cultural Resources listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix also reflects on this requirement.

* **Mitigation Measure:**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The construction and operation of the proposed project (fire station) is unlikely to result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. To minimize the potential for wasteful or inefficient consumption of energy resources, the project would require adherence to the following Mitigation Measure.

* **Mitigation Measure**

1. *The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.*

The project will be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen) to meet the goals of AB (Assembly Bill) 32 which established a comprehensive program of cost-effective reductions of greenhouse gases to 1990 levels by 2020.

The project will adhere to Mitigation Measure No. 18. a. - Energy Resources, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires reduction of energy consumption through building design requirements, solar access provisions, parking lot shading, requirement for project-level energy efficiency and evaluation, water conservation programs and more.

- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?
4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report, the project site is not in any identified landslide hazard area.

- B. Result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Any site grading and drainage associated with the construction of fire station will adhere to the Grading and Drainage Sections of the County Ordinance Code.

The project will adhere to Mitigation Measure 13.g, Geology and Soils, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires that the Applicant shall provide a detailed erosion and drainage control program for the project to control erosion, siltation, sedimentation and drainage.

- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: NO IMPACT:

Per Figure 9-6 of Fresno County General Plan Background Report, the subject parcel is not in an area at risk of landslides. Also, the project development involves no underground materials movement and therefore poses no risks related to subsidence.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

The Millerton Specific Plan identifies no potential soil problems. According to the Soils Analysis contained in the 1984 Environmental Impact Report (EIR) for Millerton Specific Plan, the predominant soil type in the area is not subject to shrink/swell. There is no geomorphic evidence of past landslides, slumps or mudslides on the site or adjacent property. The core area and surrounding region appears to be very stable.

- E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed fire station will temporarily use individual septic system. However, as noted by Resources Division of the Fresno County Department of Public Works and Planning, prior to the issuance of a building permit, the applicant will enter into an agreement with the County to connect to the CSA 34 Wastewater Treatment Facility at such time as determined by the Director of the Department of Public Works and Planning. Further, joining the CSA 34 water system would require an Engineer's Report and a determination of how the site would connect to the current system and pay for fees and assessments. This requirement will be included as a Condition of Approval for the project.

Additionally, a Project Note would require that new sewage disposal system shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section.

- E. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section V. CULTURAL RESOURCES above.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report (GHG Analysis) completed by Mitchell Air Quality Consulting, dated January 21, 2021, estimated project GHG emissions for construction and operation using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

The total GHG emission generated during all phases of construction for 2022 is 471.46 metric tons of CO₂ per year. However, to account for the construction emissions, amortization of the total emission generated during construction based on 30-year life of the development amounts to 15.72 metric tons of CO₂ per year which is less than significant.

The total GHG emission generated during operation of the project would be approximately 195.30 metric tons of CO_{2e} under Business as Usual (BAU) and 147.11 metric tons of CO₂ for year 2022. The project would achieve a reduction of 24.7 percent from BAU which is 3.0 percent beyond the 21.7 percent average reduction required by State from all sources to achieve Assembly Bill (AB) 32 targets (AB 32 requires GHGs emitted in California be reduced to 1990 levels by the year 2020). Likewise, the total GHG emission generated during operation of the project would be approximately 195.30 metric tons of CO_{2e} under Business as Usual (BAU) and 127.80 metric tons of CO₂ for year 2030. The project would achieve a reduction of 34.6 percent from BAU which is 12.9 percent beyond the 21.7 percent average reduction required by State from all sources to achieve AB 32 targets. The project is consistent with the 2017 Scoping Plan and will contribute a reasonable fair-share contribution (through compliance of Title 24 and CALGreen; regulations on energy production, fuels, and voluntary actions to improve energy efficiency in existing development) to achieving 2030 target.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Analysis Report*, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted Climate Action Plan cannot be applied to the project because it does not contain measures that are applicable to the project. Since no other local or regional Climate Action Plan is in place, the project is assessed for its consistency with Air Resources Board's (ARB) adopted Scoping Plan. This would be achieved with an assessment of the project's compliance with Assembly Bill (AB) 32 Scoping Plan measures.

Adopted in 2006, AB 32 focuses on reducing Greenhouse Gases to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan calls for reduction in California's GHG emissions, cutting approximately 30 percent (currently 21.7 percent) from BAU emission levels projected for 2020 to achieve AB 32 targets.

The Scoping Plan contains a variety of strategies to reduce the State's emissions. The project is consistent with most of the strategies contained in the Scoping Plan while others are not applicable to the project.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Public Health Department, Environmental Health Division (Health Department) reviewed the subject proposal and requires the following as Project Notes: 1) Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.; 2) Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter

6.95; and 3) All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

The nearest school, Foothill Elementary School, is approximately 8.7 miles northeast of the project site.

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

According to the search results of the CalEPA (Cortese List: Section 65962.5(a), the project site is not listed as a hazardous materials site. The project will not create hazards to the public or the environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility Plan Update* adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Fresno-Yosemite International Airport, is approximately 14 miles south of the project site. Given the distance, the airport will not result in a safety hazard or excessive noise for people residing or working in the project area.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT:

The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located within the State Responsibility Area (SRA) and requires Fresno County Fire Protection District approval for fire access roads, fuel breaks, and fuel modification zones. The County-adopted Millerton Specific Plan includes several measures to reduce fire protection impacts. The project will adhere to Fire Protection

Mitigation Measure 6.a-e., Fire Protection, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not violate any water quality standards. The existing surface water treatment facility located within Millerton New Town Specific Plan and operated by County Service Area (CSA) No. 34 will provide water to the project.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the proposal, the following shall be included as Project Notes: 1) In an effort to protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed; 2) the applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work; and 3) if any underground storage tank(s) are found during mining activities, the applicant shall apply for and secure an Underground Storage Tank Removal Permit.

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project will receive surface water from Millerton Lake. The water will be delivered to the proposed fire station through County Service Area (CSA) No. 34 facilities under an agreement between the Applicant, Fresno County and the Deer Creek and Tule River Authority. The Fresno County Board of Supervisors approved the agreement in December 1999 for the withdrawal of water from Millerton Lake, the conveyance of the raw water to the treatment plant, and treatment of the water supply for domestic use for all developments in the Millerton New town Specific Plan.

Per the comments provided by the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, the proposed source of water services provided by CSA 34 is an adequate source of water for the proposed parcels and offered no comments related to the proposal.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1. Result in substantial erosion or siltation on or off site; or
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development may cause changes in absorption rates, drainage patterns, and an increase in the rate and amount of surface runoff. This potential impact would result from construction and paving activities, which would compact and over cover the soil, thereby reducing the area available for infiltration of storm water.

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the project shall require: 1) an engineered grading and drainage plan to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; 2) filing of a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area; and 3) providing copies of completed NOI and SWPPP to Development Engineering prior to any grading work. These requirements will be included as Project Notes.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

Per Figure 9-7 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located in a 100 Year Flood Inundation Area and not subject to flooding from the 100-year storm per the Federal Emergency Management Agency (FEMA) FIRM Panel 1035H.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

The subject proposal would not conflict with any Water Quality Control Plan or sustainable groundwater management plan. Water to the project will be provided by County Service Area (CSA) 34.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is located within the boundaries of the Millerton New Town Specific Plan.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is designated Open Space and Medium-Density Residential in the County-adopted Millerton Specific Plan and zoned for 'O' (Open Conservation) and R-1(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional) in the County Zoning Ordinance.

An amendment to Land Use Element of the Millerton Specific Plan is required to re-designate the proposed 5.17-acre project site from Open Space and Medium-Density Residential to Public Facilities to allow a fire station in the 'O' and R-1 (c) Zone Districts. The project is not in conflict with any land use plan, policy, or regulation of any agency with jurisdiction over the project and complies with the following General Plan policies:

Regarding Millerton Specific Plan Policy SP1-P75, the project will be provided with a water system that will deliver sufficient water for domestic use and fire suppression.

Regarding Millerton Specific Plan Policy SP1-P77, the project will construct the necessary water infrastructure facilities required to serve the development.

Regarding Millerton Specific Plan Policy SP1-P80 and Policy SP1-P82, the project will temporarily connect to onsite septic system until it is allowed permanently connect to CSA 34 Wastewater Treatment Facility. County Service Area 34 will operate and maintain sewer collection and treatment for the project.

Regarding General Plan Policy PF-C.14, water supply to the project will adhere to public water supply standards for water quality and quantity administered by the State Water Resources Control Board, Division of Drinking Water.

Regarding General Plan Policy PF-H.2, the project will comply with the California Code of Regulations Title 24 – Fire Code and join Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is not located within a mineral-producing area of the County.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Noise from increased vehicular traffic on and around the project site due to the construction of fire station would be less than significant. Construction-related noises are expected to be short term and exempt from compliance with the Fresno County Noise Ordinance, provided construction activities occur between the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

The project will adhere to Mitigation Measure No. 19.a - Noise, listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires that projects adjacent to Millerton Road, shall provide shielding incorporated into the specific design of buildings in the form of noise barriers.

- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: NO IMPACT:

The construction or operation of the project would not result in ground-borne vibration or generate ground-borne noise levels.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

The project site is not near an airport to be subject to airport noise. The nearest airport, Topham Ranch-Auberry Airport, is approximately 11.5 miles northeast of the site.

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

A project like the proposed fire station is unrelated to population growth. The project would not induce population growth, displace housing, or displace a substantial number of people, necessitating the construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:
 - 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Fire Protection District, the project shall comply with the California Code of Regulations Title 24 – Fire Code and obtain approval of County-approved site plans by the Fire District prior to the issuance of building permits by the County. The project shall also adhere to Water Flow Requirements, Fire Hydrants, Water Storage Requirements, Fire Sprinklers Systems, Fire Pumps, Fire Alarm Systems, Road Access, Premises Identification, Public Resources Code 4290, Title 15.60 County Ordinance, and California Code of Regulations: Title 14 Natural Resources 1272.00. Maintenance of Defensible Space Measures. Additionally, the project may require joining Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. These requirements will be included as Project Notes.

The project will adhere to Fire Protection Mitigation Measures (No. 6.a - e) listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix. These measures relate to fee establishment for Fire Protection Benefit Assessment District for new fire station, costs support for fire protection services, road design to accommodate fire-fighting equipment, and site planning as it relates to fire protection measures incorporated into the project design.

2. Police protection?
3. Schools?
4. Parks?
5. Other public facilities?

FINDING: NO IMPACT:

The project will have no impact on police protection, parks, schools, or other public facilities.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project will not increase the use of existing neighborhood and regional parks or require construction or expansion of such facilities.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed fire station will employ up to eight (8) staff. Up to four (4) will be administrative staff and the remaining will be safety staff (fire crew).

The Design Division of the Fresno County Department of Public Works and Planning reviewed the subject proposal and required a trip generation and Vehicle Miles Traveled (VMT) screening analysis for the project. A *Millerton Fire Station Trip Generation Analysis* was prepared for the project by JLB Traffic Engineering, Inc and dated February 9, 2021. Per the *Analysis*, the proposed Project is estimated to generate a maximum of 36 daily trips, which is substantially lower than the 500 daily trip threshold for the preparation of a TIS and also lower than the 110 daily trip threshold for the preparation of a VMT analysis. The project is estimated to generate a maximum of 3 AM and 4 PM peak hour trips which is less than the 10 peak hour trip threshold at an intersection for the preparation of a TIS. As such, the proposed Project does not have the potential to affect either a State Highway facility or roadways within another jurisdiction and the preparation of a TIS should not be necessary.

Both the Design Division and Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning reviewed the *Analysis*, concurred with its findings, and expressed no concerns related to traffic. The Road Maintenance and Operations Division, however, indicated that Millerton Road is classified as an Arterial in the county general Plan with an existing 30-foot right-of-way south of section line. The ultimate right-of-way width south of section line is 53 feet. As such, a Condition of Approval would require that a 23-foot in additional right-of-way across the parcel frontage on Millerton Road shall be provided with a 30-foot by 30-foot corner cut-off for visibility at the corner of Millerton Road and Morningside way.

The California Department of Transportation also reviewed the subject proposal and determined that the project will have a less than significant impact to State routes.

B. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

FINDING: NO IMPACT:

Per the *Millerton Fire Station Trip Generation Analysis*, the project is estimated to yield fewer than 110 daily net new trips and will not lead to a significant VMT impact. As such, a VMT analysis is not warranted.

C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Road Maintenance & Operations division reviewed the proposal and requires the following: 1) if the entrance to the project site off Millerton Road is not far enough west to avoid conflict with the future left hand turn pocket onto north Morningside Road, the entrance shall be abandoned when the future road is constructed; 2) a staging pocket for westbound fire trucks to wait to make the left turn into the driveway shall be provided to accommodate two of the largest vehicles (it is not intended as a deceleration lane); and 3) an "ENTRANCE ONLY" sign shall be posted at the entrance and centerline striping for the gores and left turn staging pocket will be double yellow except where a solid white line is appropriate; thus making a right out a moving violation. Adherence to

these requirements as Conditions of Approval will minimize any traffic hazard related to road design and ingress/egress to the property.

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project would not result in inadequate emergency access. Design of the proposed fire station include adequate number of ingress and egress to the site from abutting roadways for regular and emergency uses.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is in an area designated as highly or moderately sensitive for archeological resources. Pursuant to Assembly Bill (AB) 52, the subject proposal was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, and Table Mountain Rancheria offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. No tribe requested consultation, resulting in no further action on the part of the County. The Table Mountain Rancheria, however, requested to be informed in the unlikely event that cultural resources are identified on the property. With the Mitigation Measure included in Section V. Cultural Resources CULTURAL ANALYSIS of this report any potential impact to tribal cultural resources as defined in Public Resources Code Section 21074 will be reduced to less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS and Section X. B. HYDROLOGY AND WATER QUALITY above. The construction of any new or expanded electric power, or natural gas to provide for the proposed fire station will be minimal to have any significant environmental effects.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section X. B. HYDROLOGY AND WATER QUALITY above.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS above.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or

- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

A local waste hauler designated to provide refuse and recyclable material removal as required by County Ordinance will serve the project site. Operation of the proposed fire station would generate less than significant amounts of solid waste to impact local landfill. As such, the impact would be a less than significant impact. The impact would be further reduced with the adherence to Mitigation Measure No. 8.a-c., Solid Waste Management, listed in the approved Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix, which requires community recycling centers and encourages solid waste recycling.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Although, the project is located within the State Responsibility Area (SRA), it would not impair any emergency response/evacuation plan, exacerbate wildfire risks due to slope, prevailing winds, and other factors to require installation or maintenance of associated infrastructure, or create risks related to downstream flooding due to drainage changes or landslides.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located within an area of wildlife and wetlands which were previously identified in the Environmental Impact Report certified for the Millerton Specific Plan approved in 1984. As indicated in the above analysis, the project will adhere to Mitigation Measures listed in the Monitoring Program Matrix, Avoidance and Minimization Measures noted in the Biological Opinion (BO) for Millerton Specific Plan, and listed in Section IV of this report.

Regarding impact to cultural resources, the project will adhere to Mitigation Measures listed in the Millerton Specific Plan Mitigation Measures and Monitoring Program Matrix and in Section V. A.B.C.D. of this report.

- B. Have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was analyzed for potential impacts, and appropriate project-specific Mitigation Measures have been developed to reduce project impacts to less than significant levels. The project is required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, the San Joaquin Air Pollution Control District, and the California Code of Regulations Fire Code. No cumulatively considerable impacts relating to Agricultural and Forestry Resources, Air Quality, or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Biological Resources, Cultural Resources, and Energy will be addressed with the Mitigation Measures discussed above in Section I, Section IV, Section V and Section VI.

- C. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon Initial Study No. 7980 prepared for General Plan Amendment Application No. 564; and Conditional Use Permit Application No. 3693, staff has concluded that the project will not have a significant effect on the environment. No potential impacts were identified related to agricultural and forestry resources, population and housing, recreation, and mineral resources.

Impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation, tribal cultural resources, utilities and service systems, and wild fire have been determined to be less than significant.

Impacts related to aesthetics, biological resources, cultural resources, and energy have been determined to be less than significant with adherence to the proposed Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Ste. "A", Fresno, CA.

EA:

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3693 - See GPA 564\CEQA\CUP 3693 IS wu.doc

EXHIBIT 10

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below for County Clerk Only. CLK-2046.00 E04-73 R00-00			
Agency File No: IS 7980		LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-	
Responsible Agency (Name): Fresno County		Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor		City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner			Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): Jeffrey T. Roberts on behalf of Grantor Real Estate Investments, LLC.			Project Title: General Plan Amendment Application No. 564, Unclassified Conditional Use Permit Application No. 3693		
Project Description: Allow amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities, to allow a Fire Station with related improvements in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts. The project is located within the Millerton Specific Plan boundary on the southwest corner of Millerton Road and Morningside Way approximately 1.9 miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN 300-021-27S; 300-340-13S).					
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7980) prepared for General Plan Amendment Application No. 564, Unclassified Conditional Use Permit Application No. 3693, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to agricultural and forestry resources, population and housing, recreation, and mineral resources. Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation, tribal cultural resources, utilities and service systems, and wild fire have been determined to be less than significant. Potential impacts related to aesthetics, biological resources, cultural resources, and energy have been determined to be less than significant with the included Mitigation Measure. The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.					
FINDING: The proposed project will not have a significant impact on the environment.					
Newspaper and Date of Publication: Fresno Business Journal – April 9, 2021			Review Date Deadline: Planning Commission – May 20, 2021		
Date: April 8, 2021	Type or Print Name: David Randall, Senior Planner		Submitted by (Signature):		

State 15083, 15085

County Clerk File No. _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

**Millerton Specific Plan
Mitigation Measures and Monitoring Program Matrix**

Mit. Meas. #	Mitigation Measures	Responsible Person/ Agency	Mitigation Phase	Frequency of:		Verification & Implementation	
				Monitoring	Reporting	Date Repts. Rec'd	Notes

LAND USE AND ZONING

1.a	From a land use standpoint, the key to ensuring that development is undertaken in an environmentally sensitive manner is to adopt standards in the Specific Plan (supplemented by mitigation measures in the EIR) and to require sound, comprehensive development conditions. The level of detail in the application should be sufficient to evaluate the consistency of the project with overall Specific Plan design.	PW&P	8	Once	Once		
1.b	Each area of the Millerton New Town Specific Plan shall be annexed to CSA No. 34 prior to Site Plan Review or recordation of Final Map or Parcel Map.	PW&P LAFCo	1, 2	Once	Once		
1.c	The location and number of units in the Specific Plan shall be restricted to 3499 units in the locations shown in Figure 5, Development Allocation Areas of the Specific Plan	PW&P	1	Once per phase	Once per phase		
1.d	Prior to recordation of a final map or approval of a site plan review for development which is within 300 feet of an AE or AL Zone District a Right-To-Farm Notice shall be recorded pursuant Fresno County Ordinance Code Section 17.04.100.	PW&P	1, 2	Once per phase	Once per phase		
1.e	Prior to recordation of a final map or approval of a site plan review, a notice shall be recorded to run with the land which discloses the presence, operation and noise generation of the Fresno Rifle and Pistol Club, operating under CUP #2344, located south of the Millerton Specific Plan area at 15687 Auberry Road.	PW&P	1, 2	Once per phase	Once per phase		

TRAFFIC AND CIRCULATION

2.a	Continue the standards of the Specific Plan which provide a safe and convenient circulation network at final development including a hierarchy of roadway designations, scenic roads, trails and bike paths.	PW&P	8	Once	N/A		
2.b	Develop Marina Drive (Winchell Cove Road) from Winchell Cove Marina to Auberry Road as a two lane roadway with left turn and right turn lanes at all intersections and one additional lane in each direction plus parking lanes adjacent to all non-residential land uses, and modify the intersection of Marina Drive and Millerton Road to form a more normal right angle intersection.	PW&P	2, 6	Once per phase	Once per phase		

Responsible Person/Agency

MM = Mitigation Monitor
 PW&P = Public Works & Planning. Dept.
 FCFPD = Fresno Co. Fire Protection Dist.
 FCSD = Fresno Co. Sheriff's Department
 LAFCo = Local Agency Formation Comm.
 FCEH = Fresno Co. Environmental Health
 CSA = County Service Area No. 34
 CALTRANS = CA Dept. of Transportation

Responsible Person/Agency, con't

WQCB = CA Regional Water Qual. Control Bd.
 APCD = San Joaquin Valley Unified Air Pollution Contrl. Dist.
 CUSD = Clovis Unified School District
 SUSD = Sierra Unified School District
 NRCS = Natural Resource Conserv. Serv., USDA
 F&G = Calif. State Dept. of Fish & Game
 FCRD = Fresno Co. Resource Div., DPW&P
 DOHS = CA Dept. of Health Services

Mitigation Phase Key

1 - Site Plan Review
 2 - Prior to Recording Final Map
 3 - Prior to Issuance of Bldg. Permit
 4 - Prior to Occupancy
 5 - During Grading Activity
 6 - During Construction
 7 - Other
 8 - SP/CUP/TM
 n/a - Not Applicable

Frequency

Once - One time during specified mitigation Phase
 Annual - Annually
 OGAP - Ongoing & periodic dep. on mitigation
 @BP - At each bldg. permit
 CDC - Continuous during construction
 @Occ - At occupancy

**Millerton Specific Plan
Mitigation Measures and Monitoring Program Matrix**

Mit. Meas. #	Mitigation Measures	Responsible Person/ Agency	Mitigation Phase	Frequency of:		Verification & Implementation	
				Monitoring	Reporting	Date Repts. Rec'd	Notes

TRAFFIC AND CIRCULATION, con't.

2.c	Install an eastbound left turn lane in Auberry Road at Marina Drive	PW&P	2, 6	Once per phase	Once per phase		
2.d	Widen Millerton Road to provide left and right turn lanes at all intersections within the project.	PW&P	2, 6	Once per phase	Once per phase		
2.e	Relinquish direct access to residential properties fronting on Millerton Road.	PW&P	2	Once per phase	Once per phase		
2.f	Install a raised median island barrier in Millerton Road adjacent to all non-residential land uses.	PW&P	1, 2, 6	Once per phase	Once per phase		
2.g	Agree to install a traffic signal at the intersection of Marina Drive and Millerton Road at the time that the County determines a traffic signal is warranted.	PW&P	1, 2	Once	Once		
2.h	<p>The project proponent shall pay the project's pro-rata share of the cost of improvements as described in the Traffic Impact Analysis, Millerton Specific Plan Amendment Clarksfield Project, Fresno County, prepared by Valley Research and Planning Associates for the following described traffic improvements that are to be provided as part of the Millerton Specific Plan:</p> <p>A. Marina Drive Extension to the south: i. Four-lane roadway: approximately one mile ii. Two-lane roadway: approximately two miles</p> <p>B. Auberry Road/Marina Drive Turn Lane</p> <p>The pro-rata share shall be established prior to recordation of the final map and payable at the time of issuance of a building permit. The fee shall be adjusted annually for inflation based on the Engineering News Record (ENR) 20 Cities Construction Cost Index.</p>	PW&P	2, 3	@BP	Annual		

EXHIBIT 11 Page 2

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Frequency

Once - One time during specified mitigation Phase
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**Millerton Specific Plan
Mitigation Measures and Monitoring Program Matrix**

Mit. Meas. #	Mitigation Measures	Responsible Person/ Agency	Mitigation Phase	Frequency of:		Verification & Implementation	
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TRAFFIC AND CIRCULATION, con't.

2.i	The project proponent shall pay the project's pro-rata share of the cost of improvements for four-lane roadway projects and traffic signal installation as described in the Traffic Impact Analysis, Millerton Specific Plan Amendment Clarksfield Project, Fresno County and the Supplemental Report (11/98), both prepared by Valley Research and Planning Associates. Unless and until traffic impact fees for the area are adopted by the County, each project proponent shall enter into an agreement with the County to provide for the funding of the traffic impact fees. The Traffic Impact Agreement between the County and a project proponent shall consider the Traffic Impact Analysis described above and any other relevant traffic analysis or information. The agreement may include provision for credit or reimbursement of the cost of the construction of prescribed improvements by a project proponent. Traffic related impact fees established on a per-unit basis as set forth in the Traffic Impact Analysis shall be payable at the time of issuance of a building permit. The fee shall be adjusted annually for inflation based on the Engineering News Record (ENR) 20 Cities Construction Cost Index. NOTE: Expenditures for improvements to Millerton Road will be prioritized pursuant to Board policy.	PW&P	2, 3	@BP	Annual		
2.j	The pro-rata share of \$310,000 for improvements at the State Route 41/Friant Road interchange shall be paid through an impact fee of \$390 for each of the 795 dwelling units reallocated to the 440 acre expanded Specific Plan area (Development Allocation Area G). The impact fee shall be paid prior to issuance of each building permit.	CALTRANS PW&P	2, 3	@BP	Annual		
2.k	Each phase of development shall be reviewed to determine the essential circulation system improvements to be installed both in terms of the local street system and the areawide improvements identified in the Traffic Analysis Studies prepared by Valley Research and Planning Associates.	PW&P	1, 2, 8	Once per phase	Once per phase		

WASTE WATER DISPOSAL

3.a	All development that occurs within the Specific Plan area must utilize a community sewer system with effluent treated to tertiary level.	PW&P WQCB	1, 2 7	Once per phase OGAP	Once OGAP		
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EXHIBIT 11 Page 3

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Responsible Person/Agency, con't

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**Millerton Specific Plan
Mitigation Measures and Monitoring Program Matrix**

Mit. Meas. #	Mitigation Measures	Responsible Person/ Agency	Mitigation Phase	Frequency of:		Verification & Implementation	
				Monitoring	Reporting	Date Repts. Rec'd	Notes
WASTE WATER DISPOSAL, con't							
3.b	Initial projects may be much smaller than the 100,000 gpd increment needed for phased construction of the treatment facility. In this case, interim disposal sites may be acceptable if it can be demonstrated that the proposed site has acceptable locational criteria for a package sewage treatment plant. In no case should the County consider use of an interim disposal site if the cumulative flows generated will exceed 100,000 gallons/day after a proposed project is added.	PW&P FCEH	1, 2	Once per phase	Once per phase		
3.c	The wastewater treatment and disposal facilities shall be operated by County Service Area No. 34 in accordance with the State Water Resources Control Board and the California Administrative Code.	PW&P CSA	7	OGAP By CSA	OGAP		
3.d	An effluent monitoring program will be established by the Regional Water Quality Control Board consistent with the Waste Discharge Requirements and State Health Wastewater Reclamation Criteria.	WQCB (CSA)	2, 7	OGAP	OGAP		The Waste Discharge Requirements (Order No. R5-2002-0193) contain a Monitoring and Reporting Program that is acceptable to the Regional Water Quality Control Board.
3.e	Reliability and design requirements for the treatment process shall adhere to established engineering standards for Department of Health criteria.	PW&P FCEH	1, 2	Once per phase	Once per phase		
3.f	Stormwater drainage shall be routed around the treatment plant and ponding site via improved or unimproved drainage courses.	PW&P	1, 2, 6	Once per phase	Once per phase		

EXHIBIT 11 Page 4

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**Millerton Specific Plan
Mitigation Measures and Monitoring Program Matrix**

Mit. Meas. #	Mitigation Measures	Responsible Person/ Agency	Mitigation Phase	Frequency of:		Verification & Implementation	
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WASTE WATER DISPOSAL, con't

3.g	The management plan for storing treated effluent consists of two operational modes – wet weather and intermittent storage. Toward the end of the irrigation season (typically September to October) the storage ponds will be emptied to provide maximum capacity for winter storage. Discharge to disposal would occur in the winter only if weather conditions and soil moisture were conducive to effluent disposal. The ponds would also provide intermittent effluent storage between irrigations during the growing season (March to October). Minimum water depths of three feet would be maintained in a pond whenever possible, thus reducing weed growth and potential habitats for breeding of mosquitoes. Effluent may be applied to cropland using normal farming practices. Personnel will be instructed on the character of the effluent and pertinent health and safety precautions	CSA RWCB	7	OGAP	Annual		
3.h	No final map, improvement plans associated with a final map, site plan, or building permit shall be issued unless the County has adopted the Infrastructure Plan for water, sewer and drainage.	PW&P FCRD	1, 2, 3	Once per phase	Once		Infrastructure Plan for water, sewer and drainage adopted by Bd. of Supervisors Dec. 2000
3.i	The sewage infrastructure facilities required to serve each phase of development shall be constructed prior to issuance of building permits in the respective development phase area.	PW&P	3	Once per phase	Once per phase		
3.j	To the greatest extent possible reclaimed water shall be reused for irrigation of golf courses and other landscaped areas.	CSA WQCB	7	OGAP	Annual		
3.k	The plan for reuse of reclaimed water and necessary infrastructure for implementation shall be made a part of the infrastructure plan.	PW&P	1, 2	Once	Once		Plan for reclaimed water included in Adopted Infrastructure Plan

EXHIBIT 11 Page 5

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3.1	For disposal to greenbelt areas, appropriate measures should be taken to ensure protection of public health. Typical measures include: a 50 foot setback from adjacent properties, irrigation at night, positive controls to avoid irrigation run-off, and appropriate cross-control requirements with respect to potable water.	WQCB FCEH	2, 7	OGAP	Annual		On October 18, 2002, the Regional Water Quality Control Board issued Waste Discharge Requirements (Order No. R5-2002-0193) for County Service Area No. 34- Millerton New Town. The Order allows the discharge of treated wastewater from the tertiary wastewater treatment plant to the effluent spray fields.
3.m	The wastewater treatment facility(ies) shall comply with the regulations and guidelines governing wastewater treatment and effluent reuse. The plans shall be approved by the Fresno County Public Works & Development Services Department, the Fresno County Department of Health, the California Regional Water Quality Control Board (RWQCB), and the State Department of Health Services (DOHS).	PW&P FCRD FCEH WQCB DOHS	1, 2	Once	Once		
3.n	A tertiary treatment facility shall be constructed in the southwesterly portion of the Specific Plan area in the vicinity of the temporary evaporation pond no.1 for the Brighton Crest development. It shall include subsurface concrete tankage with a building on top to provide odor and noise control, visual attractiveness and security and the perimeter of the entire treatment area shall be landscape based on the elevation drawings and preliminary landscape plans in the "Millerton New Town Plan Area, Wastewater Treatment System Site and Disposal Area, Report Update, October, 1998 by Allied Engineers, Inc.	PW&P WQCB FCEH	1, 2, 3	OGAP during construction	Once		CUP 2979 approved by Fresno Co. PC for construction of tertiary treatment facility and related landscape features
3.o	Areas for use of reclaimed water shall be constructed to allow for landscaping and golf course use, and protection of wetlands.	PW&P CSA	1, 2, 6	OGAP during construction	Once		

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WASTE WATER DISPOSAL, con't

3.p	Effluent shall not be applied to any permanent wetland areas that would result in a surface water discharge which would require a NPDES permit.	PW&P CSA	1, 2, 6	OGAP	Annual		
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COMMUNITY WATER

4.a	The Specific Plan area will be served with a community water system(s). As designed the systems will provide sufficient supplies for domestic, commercial and fire flow requirements.	PW&P FCEH	1, 2	Once per phase OGAP	Once per phase OGAP		
4.b	A domestic water delivery plan, including specifications for pumping and storage will guide planned New Town phasing.	PW&P FCEH	1, 2, 3	Once	Once		
4.c	Agreements between Fresno County and "Millerton Water Users" stipulate conditions which will mitigate water demand and community growth requirements.	PW&P	1, 2, 8	Once	Once		
4.d	Reliability and design requirements for water systems will adhere to established standards of the RWQCB and Department of Health Criteria.	PW&P FCEH	1, 2	Once per phase	Once per phase		
4.e	No final map, improvement plans associated with a final map, site plan, or building permit shall be issued unless the County has adopted the Infrastructure Plan for water sewer and drainage.	PW&P FCRD	1, 2, 3	Once	Once		Infrastructure Plan adopted by Bd. of Supervisors December 2000
4.f	Prior to the recordation of a final map or Site Plan Review approval, a finalized agreement shall have been completed whereby the project proponent provides an adequate water supply to CSA No. 34, with the acquisition costs to be borne by the project proponent.	PW&P CSA	1, 2	Once	Once		Water Agreements in place to provide adequate water supply to approved Projects
4.g	Each residential lot shall be required to have two water meters; one meter will serve the residence and the second will serve the landscape irrigation needs.	FCRD PW&P CSA	4	@Occ	Annual		

EXHIBIT 11 Page 7

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COMMUNITY WATER con't.							
4.h	Prior to recordation of a final map or site plan review, a tiered rate schedule for the irrigation service shall be adopted by the Governing Board of the County Service Area serving the project. The rate for irrigation services shall be significantly tiered to discourage the over-use of irrigation water. The tiered rate structure shall include procedures indicating when water meters will be read, payment of fees, notification of overuse, criteria for the disconnection of irrigation service due to overuse, an appeal process, and criteria for the recommendation of the water supply for irrigation services.	CSA	2	Once	Once		
4.i	Groundwater shall only be used in the Specific Plan Area for backup or emergency purposes, or for groundwater management.	CSA	2, 7	OGAP	Annual		
4.j	Water infrastructure facilities necessary to serve the development shall be constructed and operational prior to issuance of building permits.	PW&P FCRD	3	@Occ	Once per phase		Water treatment plant constructed and being operated by CSA-34
4.k	Water conservation, in accordance with approved conservation plans of Fresno County including adoption of pricing policies, best-management practices, education programs, and incentives for conservation, shall be implemented for the Clarksfield Company consistent with the contract with the Deer Creek and Tule River Water Authority. Where possible the developer is to promote reuse of reclaimed water.	PW&P CSA	7	OGAP	Annual		
4.l	Prior to recordation of a Final Tract Map or Site Plan Review, the developer shall provide evidence of adequate water supply to serve that development to include a volume of water to serve as a safety factor over and above the calculated demand.	PW&P CSA	1, 2	Once	Once		
LAW ENFORCEMENT							
5.a	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 the project.	FCSD	1	@BP	Once		

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LAW ENFORCEMENT, con't

5.b	Prior to recordation of a final map or site plan review a pro-rata fee shall be established for the cost of a Sheriff's substation in the government center. Said fee shall be paid prior to issuance of building permits. In establishing said fees provisions should be made for developer agreements wherein a developer might be reimbursed or receive credit for dedication of the land or for construction of the substation.	FCSD PW&P	1, 2	Once	Once		
5.c	Prior to recordation of a final map or approval of a site plan review, 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 support cost for sheriff's protection services to achieve a ratio of 2.0 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.	FCSD PW&P	1, 2	Once	Once		CFD being established for Sheriff Protection Services

FIRE PROTECTION

6.a	The Specific Plan includes several standards to reduce fire protection impacts: <ol style="list-style-type: none"> 1. Requirement for two points of access for each development 2. Design of water system with adequate fire flows, fire hydrant, and storage facilities. 3. Fire retardant construction. 4. Fuel modification zones around development. 5. Automatic fire sprinkling systems in commercial developments over 7,500 square feet. 6. A fire station location with an engine within the government center complex. 	PW&P	8, 1, 2, 3	Once in each processing phase	Once		
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EXHIBIT 11 Page 9

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FIRE PROTECTION, con't

6.b	Prior to recordation of a final map or approval of a site plan review, a fee shall be established through the Millerton New Town and Surrounding Area Fire Protection Benefit Assessment District CSA No. 34 for the cost of a new fire station in the Millerton New Town Specific Plan area and initial equipment for the station. Said fee shall be paid prior to issuance of building permits. In establishing said fees provisions should be made for developer agreements wherein a developer might be reimbursed or receive credit for dedication of the land or for construction of the fire station. The fire station and related initial equipment will be provided upon the construction of the 400th unit, unless otherwise agreed to by the Fresno County Fire Protection District, based on the current conditions and need.	PW&P CSA	1, 2	Once	Once		Fresno County Fire Protection District has established a fee to be subject to covenants being recorded on each Project providing for payment of fee at the time of Building Permit issuance.
6.c	Prior to recordation of a final map or approval of a site plan review, a Benefit Assessment (as defined in Article 3.6, commencing with Section 50078, of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code), shall be established by the Board of Directors of the Fresno County Fire Prevention District (FCFPD) to support on-going costs for fire protection services, when it can be shown that the funding will provide a greater level of fire protection service to the affected properties. In addition, the project proponents shall reimburse the FCFPD or pay for any required engineering study or report for establishment of the referenced Benefit Assessment.	PW&P CSA	1, 2	Once	Once		FCFPD has established Millerton New Town and Surrounding Area Fire Benefit Suppression Assessment District
6.d	All roads should be designed and constructed to accommodate fire-fighting equipment. Roadway design should consider pavement width, turn-around radii on dead-end or cul-de-sac roads, and maximum grades that can be negotiated by fire-fighting equipment.	PW&P FCFPD	2	Once per phase	Once per phase		
6.e	Detailed site planning of the project should be done in consultation with fire protection agencies to ensure that the mitigation measures and any other fire protection measures that may be necessary are incorporated into the overall project. The publication, <u>Fire Safe Guides for Residential Development in California</u> (1980), should be used in project site planning and design.	PW&P FCFPD	1	Once	Once		

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SCHOOLS								
7.a	Designation of a 10 acre elementary school site (to be purchased at fair market value by the appropriate district).	PW&P CUSD SUSD	8	Once	Once			CUSD has acquired 20-acre site within Specific Plan area south of Millerton Road
7.b	The County shall keep the Districts informed on the progress of the project, and especially, on approved time tables for project construction.	PW&P	7	Annual	Annual			
7.c	The developer shall pay adopted school impact fees. If there is a temporary unmet need temporary facilities fees or other fee structures satisfactory to all parties involved may be utilized.	CUSD SUSD	1, 2	Once	Once			
SOLID WASTE MANAGEMENT								
8.a	A community recycling center should be considered in overall project design.	FCRD PW&P	1, 2	Once	Once			
8.b	Solid waste collection areas for multi-family portions of the project should be designed to encourage recycling by providing adequate, well-marked containers for cans, glass and newspapers.	FCRD	1	Once	Once			
8.c	The Inn and Conference Center proposed under Conditional Use Permit No. 2865 shall have an active on-site recycling program which includes the collection and delivery of the recyclables to a recycling facility.	PW&P FCRD	1	Annual	Annual			
PARKS AND RECREATION								
9.	Additional facilities for improved open space should be planned north of Millerton Road both east and west of Winchell Cove Road (Marina Drive).	PW&P	8	Once	Once			
ELECTRICAL AND TELEPHONE SERVICES								
10.	Upon plan approval, proceedings should begin for placing the entire Specific Plan area within the service district of Pacific Bell as a logical extension of urban telephone service from the FCMA.	PW&P	1, 2	Once per phase	Once per phase			

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VISUAL QUALITY

11.	The degree of impact on the visual environment will be softened somewhat by standards within the Specific Plan, including: 1 Building sites located below or beside ridgelines, rather than on top, to preserve vistas. 2 Provisions calling for submittal of landscaping plans to the County for all planned developments or commercial site plans. 3 Establishment of a design review committee to make recommendations to the County on architectural style, building materials, lighting, fencing and signs. 4 Grading and erosion control requirements. 5 Scenic roadways along Millerton Road and Winchell Cover Road (Marina Drive). 6 Park development including White Fox Parkway.	PW&P	1, 2, 8	Once per processing phase	Once per processing phase		
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HISTORIC/CULTURAL RESOURCES

12.a	Archeological resources occurring Allocation Area E are potentially significant. Final design of the tentative tract map or other mapping should incorporate these features into the open space system. If such design is not possible, detailed investigation to determine significance shall be required prior to development entitlement and appropriate mitigation measures instituted.	PW&P	1, 2, 8	Once	Once		
12.b	Prior to recordation of a Final Tract Map or Site Plan Review (SPR) approval, Archeological Sites No. CA-FRE-2184 and CA-FRE-2185 shall be placed in open space easements. The legal description of the boundaries of these sites shall be based on the staking done by Donald G. Wren, Consulting Archeologist, as described in his report, "ARCHEOLOGICAL MITIGATION OF CULTURAL RESOURCES NEAR MILLERTON, CALIFORNIA", dated May 1997.	PW&P	1, 2	Once	Once		

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12.c	In the event cultural resources are unearthed during grading or construction all work shall be halted in the area of the find, and an archaeologist 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 made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Heritage Commission within 24 hours. This requirement shall be shown on the Waiver Certificate and on all approved parcel maps associated with the project site.	PW&P	5, 6	CDC	Once		
12.d	An Open Space Easement Indenture Agreement shall be executed between the County and the property owner to protect the two significant archaeological resources identified as P-10-002183 and P-10-002188 in the archaeological survey entitled, Twins Hills Project, A Resurvey of 160 Acres Fresno County, California prepared by Donald G. Wren, consulting Archaeologist, dated October 2002. This requirement shall be shown on all final maps associated with the project site.	PW&P	1, 2	Once	Once		

GEOLOGY AND SOILS

13.a	No disturbance on cut and fills on slopes over 30 percent shall be allowed without a geotechnical analysis.	PW&P	1, 2, 3	Once per phase	Once per phase		
13.b	Shallow (less than 2 feet) road cuts should be designed with slopes of 1:1.	PW&P	1, 2	Once per phase	Once per phase		
13.c	Fill slopes should be no steeper than 2:1.	PW&P	1, 2	Once per phase	Once per phase		
13.d	Road cuts greater than 6 feet should be designed with slopes of 2:1 and permanently stabilized.	PW&P	1, 2	Once per phase	Once per phase		
13.e	Implement the California Uniform Code for Seismic Zone 3.	PW&P	3	@BP	Once per phase		
13.f	Attention shall be given at time of construction to building pads and driveways in order to lessen erosion or similar problems.	PW&P	3	CDP	Annual		

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Frequency

Once - One time during specified mitigation Phase
 Annual - Annually
 OGAP - Ongoing & periodic dep. on mitigation
 @BP - At each bldg. permit
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EXHIBIT 11 Page 13

**Millerton Specific Plan
Mitigation Measures and Monitoring Program Matrix**

Mit. Meas. #	Mitigation Measures	Responsible Person/ Agency	Mitigation Phase	Frequency of:		Verification & Implementation	
				Monitoring	Reporting	Date Repts. Rec'd	Notes
GEOLOGY AND SOILS, con't.							
13.g	A detailed erosion and drainage control program shall be developed for the project to control erosion, siltation, sedimentation, and drainage. The control program shall: a. Provide drainage reports for each phase of development showing all tributary areas and information pertinent to erosion and grading control. b. Maintain and protect all natural streams and drainage corridors from development encroachment. Where possible, sites should be graded to provide for sheet flow rather than channeling the runoff. Where channeling is necessary, protection should be provided in the form of planting or rip-rap. Landscaping, walls, and other improvement should be placed so as to prevent blocking of natural drainage. c. Minimize disturbance or removal of existing vegetation, including trees, shrubs, and grasses, or other ground cover. d. Provide engineering plans with each phase of development demonstrating treatment and type of planting by area, for each soil type and slope required to stabilize cut and fill slopes. e. Maintain temporary erosion controls during construction. Improvement plans shall include a plan and implementation schedule of measures for the prevention and control of erosion, siltation and dust, until erosion control plantings become established.	PW&P	1, 2, 5	CDC	N/A		
HYDROLOGY							
14.a	The increase in imported water will stimulate riparian vegetation which if not managed properly will reduce the capacity of existing drainways and the White Fox Parkway. Proper drainage management should be provided by a County Service Area.	CSA	7	OGAP	Annual		
14.b	Groundwater shall only be used for backup or emergency purposes, or for groundwater management.	CSA	7	OGAP	Annual		
DRAINAGE AND FLOODING							
15.a	Natural drainage courses shall be preserved through density allocation and dedication of drainage easements.	PW&P	1, 2, 8	Once per phase	Once per phase		

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EXHIBIT 11 Page 14

**Millerton Community Plan
Mitigation Measures and Monitoring Program Matrix**

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DRAINAGE AND FLOODING, con't							
15.b	No final map, improvement plans associated with a final map, site plan, or building permit shall be issued unless the County has adopted the Infrastructure Plan for water, sewer and drainage.	PW&P	1, 2, 3	Once	Once		Infrastructure Plan adopted December 2000
15.c	Implementation of drainage control practices should be implemented so that incremental development completes component parts of a "master sub-basin drainage plan".	PW&P	2, 5	CDC	Once		
15.d	The County Service Area should implement the drainage plan, maintain drainage easements and facilities.	CSA	7	OGAP	Annual		
VEGETATION AND WILDLIFE							
16.a	Existing healthy oaks shall be preserved through setbacks and use restrictions within the drip line.	PW&P	1,2,3,5,6	CDC	OGAP		
16.b	Habitat will be enhanced through development of parkways and other urban landscape area.	PW&P	8	Once	N/A		
16.c	Select vegetation species for erosion control, aesthetic value and habitat improvement for parks, school areas, and scenic corridor.	PW&P CUSC	1, 2, 3	Once	Once		
16.d	"No shooting" and "jeash law" districts shall be established for the Millerton community in keeping with existing Fresno County policy in these areas. Prior to recordation of a final map or approval of a site plan review a funding mechanism shall be established to pay for the cost of the associated services.	PW&P	1, 2	Once	Once		
16.e	The Landscape Plan for the Inn and Conference Center proposed under Conditional Use Permit No. 2865 shall include the substantial use of native plant species.	PW&P	1	Once	Once		

EXHIBIT 11 Page 15

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16.f	<p>Prior to recordation of a Final Tract Map or Site Plan Review approval, a Wetland and Open Space Mitigation and Management Plan and a Monitoring Program shall be developed by the Project Proponent and approved by the County through consultation with the California Department of Fish & Game for all lands either containing delineated wetlands or adjacent to delineated wetlands as defined by the U. S. Army Corps of Engineers. The Wetland and Open Space Mitigation and Management Plan shall provide for on-site preservation, off-site preservation, or a combination of the two to ensure a no-net loss of wetland acreage or function, and shall restore native upland vegetation to non-wetland habitats in new open space areas adjacent to wetland habitat. It shall contain provision for the restoration or preservation activities for subject areas within the Plan Area with the short-term provision as agreed to by the California Department of Fish and Game, and also have a long-term Management and Monitoring Program. After the mitigation monitoring has been completed, the Wetland and Open Space Mitigation and Management Plan shall address long-term management issues of the recreational open space. Where required, the Wetland and Open Space Mitigation and Management Plan shall be submitted to the U.S. Army Corps of Engineers for review. Funds for the Wetland Management and Monitoring Plan shall be part of the CSA No. 34 budget. A Monitoring Program shall be approved that provides for the following:</p> <ol style="list-style-type: none"> 1 Restore native upland vegetation to non-wetland habitats by means of managed grazing and re-introduction of native grass species. 2 Address long-term management issues of the recreational open space after mitigation monitoring has been completed. 3 Where required, submit the mitigation and management plan to the U.S. Army Corps of Engineers for review and approval. 4 Funds for the Open Space Management Plan shall be part of the CSA No. 34 budget. 5 A Monitoring Program shall be approved that provides for the following: <ul style="list-style-type: none"> - Measurable mitigation objectives. - Measures which will result in the objectives being met. - Monitoring protocol for measuring the success of the plan which identifies: <ul style="list-style-type: none"> - When the monitoring shall occur - Survey method to be used. - Reporting requirements. 	<p>PW&P F&G NRCS CSA</p> <p>REQUIRES DEVELOPMENT OF A PLAN.</p>	1, 2	Annual	Annual		
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**Millerton Specific Plan
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VEGETATION AND WILDLIFE, con't

16f con't	6 The ongoing funding source shall be confirmed for the implementation of the Wetland and Open Space Mitigation and Management Plan.						
16.g	The project proponent shall participate in the formation of a Open Space and Natural Resource Plan (OSNRP) for the Millerton, Dry Creek, and Sierra Foothill areas. The OSNRP will provide protection of sensitive resources by establishing key habitat areas, open and continuous wildlife corridors, ridgetop and view protection, native plant landscapes, and lighting restrictions on hilltops to mitigate glare.	F&G	7	Once	Once		OSNRP has been formed
16.h	The project proponent shall pay a one-time fair share of the mitigation fees established by the OSNRP consistent with other projects within the OSNRP area, taking into account previous development commitments recognized in the Millerton Specific Plan adopted in 1984 and amended in 1999 and 2004, and the project conditions of approval that already include open space set-aside and other protection measures. The OSNRP mitigation fees consist of \$175 per residence and \$.10 per square foot of commercial space payable to Sierra Foothill Conservancy at the time of issuance of Building Permit with provision for future adjustment of these fees based upon the Engineering News Record Index.	F&G	1, 2, 3	TO BE DETERMINED BASED ON PLAN			Mitigation Fees have been adopted by the OSNRP for both residential and commercial projects

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VEGETATION AND WILDLIFE, con't

16.i Added 2-3-00 TT 4870	<p>Prior to recordation of a Final Tract Map or Site Plan Review (SPR) approval, a Wetland and Open Space Mitigation and Management Plan and a Monitoring Program shall be developed by the project proponent and approved by the County through consultation with the California Department of Fish & Game for those lands identified in Figure No. 3 of the Mitigation Plan, Westcal Project Site, Fresno County by Hartesveldt Ecological Consulting Services dated December 22, 1998. The Wetland and Open Space Mitigation and Management Plan shall be developed as outlined in the Hartesveldt Plan and at a minimum:</p> <p>a. Ensure no-net loss of wetland acreage or function. The plan shall provide for on-site preservation, off-site preservation, or a combination thereof.</p> <p>b. Preserve and enhance approximately 4.3 acres of emergent marsh/freshwater seep in an open space corridor along White Fox Creek and its principle tributary.</p> <p>c. Create approximately 3.9 acres of emergent marsh/freshwater seep from upland habitats adjacent to White Fox Creek.</p> <p>d. Preserve and enhance approximately 0.3 acres of vernal pools providing habitat suitable for a suite of plants and animals (including species of special status) endemic to them.</p> <p>e. Create two vernal pools that together will be approximately 0.01 acres in size.</p> <p>f. Establish native riparian vegetation (i.e., valley oaks, willows, and cottonwoods) along the margins of White Fox Creek and adjacent wetlands.</p> <p>g. Restore native upland vegetation to non-wetland habitats by means of managed grazing and re-introduction of native grass species.</p> <p>h. Address long-term management issues of the recreational open space after mitigation monitoring has been completed.</p> <p>i. The plan shall be submitted to the U.S. Army Corps of Engineers for review .</p> <p>j. Funds for the Open Space Management Plan shall be part of the CSA No. 34 budget.</p> <p>Con't next page.</p>	<p>P & RM F & G NRCS</p> <p>REQUIRES DEVELOPMENT OF A PLAN.</p>	1, 2	Annual	Annual		Revised Wetland Open Space Mitigation and Management Plan and Monitoring Program has been revised and submitted to Department of Fish and Game for review and approval
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EXHIBIT 11 Page 18

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VEGETATION AND WILDLIFE, con't

16.i con't.	k. The Monitoring Program shall at a minimum include: <ul style="list-style-type: none"> - Measurable mitigation objectives. - Measures which will result in objectives being met. - A monitoring protocol by which the success of the plan can be measured that identifies: <ul style="list-style-type: none"> - When monitoring will occur - Survey methods - Reporting requirements i. Confirmation of a funding source for plan implementation.						
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CLIMATE AND AIR QUALITY

17.a	The Specific Plan provides for pedestrian and bicycle pathways and bike lanes through the project which link residential areas to shopping and schools to reduce vehicular trips and associated air pollution emissions. To encourage the use of bicycles, commercial, recreational and school areas should be equipped with secure bike parking facilities. The bicycle circulation system should be linked to the Metropolitan Bikeways System and Fresno County Recreation Trail System.	PW&P	1, 2, 8	Once per phase	Once per phase		
17.b	A centralized location for a park and ride lot is established in the project within the central commercial area.	PW&P	1, 8	Once	Once		
17.c	To reduce particulate emissions during construction water spray or other dust palliatives should be used. This is particularly important adjacent to developed areas to avoid potential nuisance problems.	PW&P APCO	5, 6	CDC	N/A		
17.d	Installation of emission reduction catalyst devices on all fireplace flues is recommended; they are effective in reducing carbon monoxide and particulate emissions.	APCD PW&P	3	@BP	N/A		
17.e	Express bus service should be provided for commuters going to the FCMA.	FCRTA	7	Annual	N/A		
17.f	Any gas-fired appliances shall be low nitrogen oxide (Nox) emitting gas-fired appliances complying with California Nox Emission Rule # 1121.	PW&P	4	@ OCC	Annual		
17.g	All sidewalks and pedestrian paths shall be lined with trees that will develop a full canopy and provide shade during hot summer months.	PW&P	1, 2	Once	Once		

EXHIBIT 11 Page 19

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CLIMATE AND AIR QUALITY, con't

17.h	The San Joaquin Valley Unified Air Pollution Control District's Rule No. 4901- Residential Wood Burning, adopted July 15, 1993 to limit emissions of carbon monoxide and PM-10 from residential wood burning shall be applicable to this project.	APCD PW&P	3, 4	@BP	@BP		
17.i	Bicycle parking facilities shall be installed for employees and guest/visitors at the Inn, Conference Center, and Retail Site B.	PW&P	1, 4	@BP	@BP		
17.j	Direct pedestrian access from existing or potential public transit stops and the sidewalk to the main entrances of the Inn, Conference Center, and Retail Site B shall be provided. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.	PW&P	1, 4	@BP	@BP		
17.k	If fireplaces are used for the Inn or Conference Center, natural gas fireplaces or EPA certified wood burning inserts/stoves shall be installed (as opposed to conventional open-hearth fireplaces).	PW&P APCD	1, 4	@BP	@BP		

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17.1	<p>The following measures shall be implemented in Allocation Area H, the 160 acre Southeastern Expansion Area.</p> <ol style="list-style-type: none"> No wood-burning fireplaces, wood stoves, or chimneys shall be allowed within the Twin Hills Project Amendment Area. Natural gas, propane, electrical, or other EPA certified gas fireplaces or stoves shall be installed as opposed to conventional open-hearth wood-burning fireplaces. The Neighborhood Commercial Center shall provide space available for lease for development of a telecommunicating center for employment purposes. A park-and-ride facility shall be included in the Neighborhood Commercial Center. All homes shall be wired for telecommuting, computers, and electronic meter reading; and have outdoor electrical and propane hookups. A transit stop shall be located within the site, the location of which is to be coordinated with the regional transit provider. The Project design shall provide for pedestrian and bike facilities such as sidewalks or paths, street trees to shade walkways, bikeways/paths connecting to a bikeway system in accordance with the Millerton Specific Plan Circulation Element and bicycle parking. The Project shall be subject to Air Quality Mitigation Measures, both during Project construction and thereafter, as described in the Air Quality Impact Assessment for the Millerton Specific Plan dated December 11, 2003. The 207 residential units in Allocation Area H shall pay at time of Building Permit a one-time Air Quality Impact fee of \$500 per residence to Fresno County or as directed by Fresno County. This fee is not in lieu of any Indirect Source Fee adopted by the San Joaquin Valley Air Pollution Control District, but may be allowed as a credit toward such fee. All other conditions related to air quality currently found in the Millerton Specific Plan and Fresno County General Plan shall be applicable to the Twin Hills Project. 	PW&P APCD	1, 2, 3	OGAP	Annual		
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CLIMATE AND AIR QUALITY, con't

17.m	Each project will complete an Air Quality Impact Assessment under the guidelines of the San Joaquin Valley Air Pollution Control District and include in the Project Conditions, Air Quality Mitigation Measures, both during Project construction and thereafter, including any Indirect Source Fee as may be adopted and required by the San Joaquin Valley Air Pollution Control District or the County of Fresno. Project Proponents shall work with representatives of Fresno County and the San Joaquin Valley Air Pollution Control District to encourage any Indirect Source Fees imposed to be used within the Project and surrounding area to reduce emissions.	APCD PW&P	1, 2	Once	Once		
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ENERGY RESOURCES

18.a	The Specific Plan contains standards to reduce energy consumption including: 1. Public building design requirements; 2. Solar access provisions; 3. Parking lot shading; 4. Requirement for project level energy efficiency and evaluation; 5. Provisions for mixed land use and compact form; 6. A bikeways and pedestrian trail plan; 7. Proposal for a community recycling center; 8. Water conservation programs; 9. Requirement for bus, car, and van pooling facilities within the community core.	PW&P	1, 2, 8	Once per phase	Once per phase		
18.b	The designers, architects, and engineers for individual projects should select an optimum combination of energy conservation measures for inclusion in design. General types of measures that should be considered include building orientation, windows, insulation and weatherization, space heating and cooling, appliances, lighting and landscaping.	PW&P	1, 3	@BP	N/A		

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FCRD = Fresno Co. Resource Div., DPW&P
DOHS = CA Dept. of Health Services

Mitigation Phase Key

1 - Site Plan Review
2 - Prior to Recording Final Map
3 - Prior to Issuance of Bldg. Permit
4 - Prior to Occupancy
5 - During Grading Activity
6 - During Construction
7 - Other
8 - SP/CUP/TM
n/a - Not Applicable

Frequency

Once - One time during specified mitigation Phase
Annual - Annually
OGAP - Ongoing & periodic dep. on mitigation
@BP - At each bldg. permit
CDC - Continuous during construction
@Occ - At occupancy

**Millerton Specific Plan
Mitigation Measures and Monitoring Program Matrix**

Mit. Meas. #	Mitigation Measures	Responsible Person/ Agency	Mitigation Phase	Frequency of:		Verification & Implementation	
				Monitoring	Reporting	Date Repts. Rec'd	Notes

NOISE

19.a	Adjacent to Millerton Road, shielding should be incorporated into the specific design of buildings in the form of noise barriers (walls, berms, etc.) to protect outdoor activity areas. For multi-family dwellings to be located wholly or partially within the L _{dn} 60 dBA contour, interior noise levels may be mitigated by requiring an acoustical analysis in accordance with Title 25 of the California Administrative Code (Noise Insulation Standards) to ensure that proposed building facades will attenuate levels to L _{dn} 45 dBA or below.	PW&P	1, 2, 3	Once per phase	Once per phase		
19.b	Noise levels from commercial uses may be mitigated by requiring that delivery areas, loading docks, and refuse storage areas be located so that they are effectively shielded from adjacent sensitive uses. Air conditioning/ventilation equipment should be located on the roofs of commercial buildings or in such a way that equipment is effectively shielded. Parking lot noise may be mitigated by requiring masonry walls or other suitable barriers with an effective height of at least six feet between commercial and noise-sensitive uses.	PW&P	1, 3	@BP	Once per phase		
19.c	Construction noise impacts may be minimized by restricting hours of operation to between 6 a.m. and 9 p.m. on weekdays and 7 a.m. and 5 p.m. on Saturday and Sunday (Fresno County Noise Ordinance).	FCEH	5, 6	CDC	N/A		
19.d	Each commercial development shall be conditioned to require that under Site Plan Review there shall be verification that the development and use of the property will be in compliance with the County Noise Ordinance. Conditions of the SPR may include but are not limited to design features and operational controls.	FCEH	1	Once	Once		

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April 20, 1999

Rev. February 3, 2000

Adopted December 7, 2004

Responsible Person/Agency

MM = Mitigation Monitor
 PW&P = Public Works & Planning. Dept.
 FCFPD = Fresno Co. Fire Protection Dist.
 FCSD = Fresno Co. Sheriff's Department
 LAFCo = Local Agency Formation Comm.
 FCEH = Fresno Co. Environmental Health
 CSA = County Service Area No. 34
 CALTRANS = CA Dept. of Transportation

Responsible Person/Agency, con't

WQCB = CA Regional Water Qual. Control Bd.
 APCD = San Joaquin Valley Unified Air Pollution Contrl. Dist.
 CUSD = Clovis Unified School District
 SUSD = Sierra Unified School District
 NRCS = Natural Resource Conserv. Serv., USDA
 F&G = Calif. State Dept. of Fish & Game
 FCRD = Fresno Co. Resource Div., DPW&P
 DOHS = CA Dept. of Health Services

Mitigation Phase Key

1 - Site Plan Review
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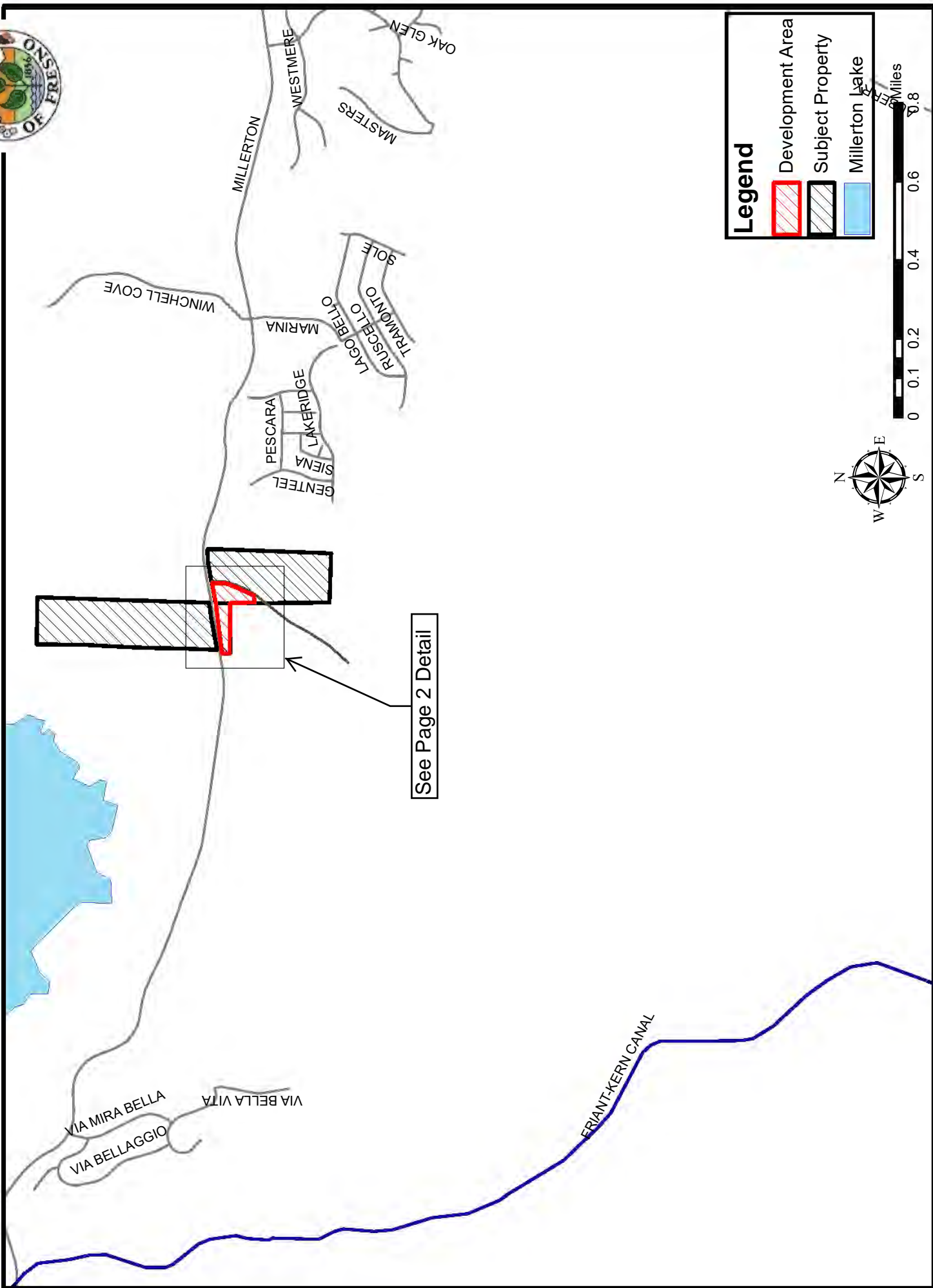
Frequency

Once - One time during specified mitigation Phase
 Annual - Annually
 OGAP - Ongoing & periodic dep. on mitigation
 @BP - At each bldg. permit
 CDC - Continuous during construction
 @Occ - At occupancy




LOCATION MAP



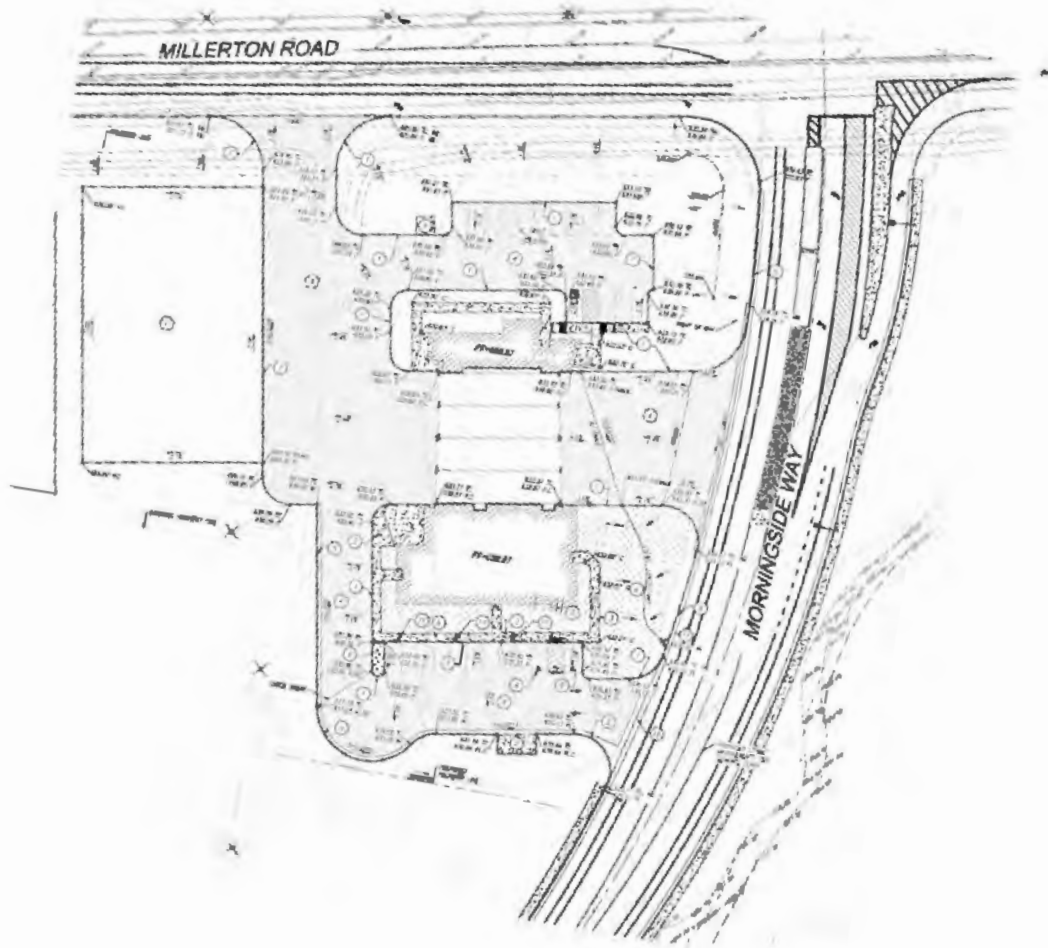
CUP 3693



Legend

-  Development Area
-  Subject Property
-  Millerton Lake





SITE PLAN DETAIL

ATTACHMENT D

Proposed Fire Station
GPA 564 / CUP 3693

FIGURE SP1 - 4
LAND USE AND CIRCULATION ELEMENTS
MILLERTON NEW TOWN
SPECIFIC PLAN

- OPEN SPACE
- RESIDENTIAL
 - MEDIUM LOW DENSITY
 - MEDIUM DENSITY
 - MEDIUM HIGH DENSITY
- COMMERCIAL
 - CENTRAL BUSINESS
 - SERVICE
 - SPECIAL
 - NEIGHBORHOOD
- PUBLIC FACILITIES
 - FIRE STATION
 - SCHOOL
 - GOVERNMENT CENTER
 - PARK
 - WATER TREATMENT PLANT
 - WASTEWATER TREATMENT PLANT
- CIRCULATION
 - ARTERIAL
 - COLLECTOR
 - MINOR COLLECTOR
 - PLAN AREA BOUNDARY



County of Fresno
Millerton Specific Plan



MILLERTON SPECIFIC PLAN

ATTACHMENT E

Millerton Specific Plan

shall be by the developer of the tract and with future maintenance under County Service Area No. 34.

- (5) Automatic fire sprinkler systems shall be provided in commercial buildings in conformance with Fresno County Fire Protection District standards.
- (6) A fire station to be located ~~within the government center~~ **at the southwesterly corner of Millerton Road and Morningside Way** shall be constructed and furnished with all necessary fire-fighting equipment when determined necessary by the Fresno County Fire Protection District. Any commercial, office, or multi-family development, to be constructed prior to completion of the fire station, shall be equipped with an approved fire sprinkler system.
- (7) Prior to recordation of a Final Map or Site Plan Review approval, a funding mechanism shall be established for County Service Area #34 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 properties. To satisfy this requirement, the Millerton New Town Fire Protection Benefit Assessment District has been formed and is now in place for ongoing maintenance and operation of the fire station equipment and staffing.
- (8) In addition, the Fresno County Fire Protection District has developed a one-time Impact Fee for the initial construction of a fire station and acquisition of equipment, payable at the time of issuance of a Building Permit on all residential and commercial projects within the Specific Plan area. This Impact Fee shall be implemented through recordation of a Covenant at the time of Final Map recordation or Site Plan approval.

F.4 SCHOOLS

It is estimated that Millerton, at full build-out, will result in student populations as shown in Table SP1-1.

A 20-acre site is designated south of Millerton Road and on the eastern boundary of Residential Development Allocation Area G. This site has been acquired by the Clovis Unified School District for an elementary school. The District anticipates the middle school and high school students will attend school(s) at the new Clovis campus on Willow Avenue near Copper Avenue.

F.4a Objective

Provide school facilities which meet expected enrollment.

F.4b Policies

SP1-P88 Residential development shall not be approved unless adequate public school facilities are, or will be, available to serve residential

ATTACHMENT F

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below for County Clerk Only. <div style="text-align: center; font-size: small;">CLK-2046.00 E04-73 R00-00</div>			
Agency File No: IS 7980		LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-	
Responsible Agency (Name): Fresno County		Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor		City: Fresno	
				Zip Code: 93721	
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner			Area Code: 559	Telephone Number: 600-4204	
				Extension: N/A	
Applicant (Name): Jeffrey T. Roberts on behalf of Grantor Real Estate Investments, LLC.			Project Title: General Plan Amendment Application No. 564, Unclassified Conditional Use Permit Application No. 3693		
Project Description: Allow amend the Land Use Element of the County-adopted Millerton Specific Plan to re-designate a proposed 5.17-acre parcel from Open Space and Medium Density Residential to Public Facilities, to allow a Fire Station with related improvements in the 'O' (Open Conservation) and R-1(c) (Single-Family Residential; 6,000 square-foot minimum parcel size, Conditional) Zone Districts. The project is located within the Millerton Specific Plan boundary on the southwest corner of Millerton Road and Morningside Way approximately 1.9 miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN 300-021-27S; 300-340-13S).					
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7980) prepared for General Plan Amendment Application No. 564, Unclassified Conditional Use Permit Application No. 3693, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to agricultural and forestry resources, population and housing, recreation, and mineral resources. Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation, tribal cultural resources, utilities and service systems, and wild fire have been determined to be less than significant. Potential impacts related to aesthetics, biological resources, cultural resources, and energy have been determined to be less than significant with the included Mitigation Measure. The Initial Study and Mitigated Negative Declaration (MND) is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.					
FINDING: The proposed project will not have a significant impact on the environment.					
Newspaper and Date of Publication: Fresno Business Journal – June 30, 2021			Review Date Deadline: Board of Supervisors – July 13, 2021		
Date: May 25, 2021		Type or Print Name: David Randall, Senior Planner		Submitted by (Signature):	

State 15083, 15085

County Clerk File No. _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION

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

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

		entrance. This sign shall be 4 feet by 8 feet in size and shall contain the same information as the Site Education Pamphlet.			
*5.	Biological Resources	The owner shall retain the biologist to conduct education "Discussions" with any contractor/subcontractor who will have more than 5 employees working on the site.	Applicant	Applicant/ CDFW	As noted
*6.	Biological Resources	The owner and/or biologist shall keep a daily log of all workdays and shall document and signs/sightings of the 5 species listed above.	Applicant	Applicant/ CDFW	As noted
*7.	Biological Resources	If a sighting of any of the species occurs during the course of construction, work shall be stopped, and the biologist shall be contacted, and State and federal protocols shall be followed for the removal of the species.	Applicant	Applicant/ CDFW	As noted
*8.	Biological Resources	The owner shall contact the California Department of Fish and Wildlife at the end of each month, provide that daily logs, and a summary of the month's activities on the site.	Applicant	Applicant/CDFW	As noted
*9.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	As noted
*10.	Energy	The idling of on-site vehicles and equipment will be avoided to the most extent possible to avoid wasteful or inefficient energy consumption during project construction.	Applicant	Applicant/PWP	As noted

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

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of this approval, or there has been a cessation of the use for a period more than two years.

Notes

2.	Construction plans, building permits and inspections are required for all proposed improvements on the property. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for plans, permits and inspections.
3.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none">• A 10-foot by 10-foot corner cut-off for sight distance purposes at any proposed or existing driveway accessing Millerton Road and Morningside Way.• An encroachment permit for any work done within the County right-of-way to construct a new driveway or improve an existing driveway.• An engineered grading and drainage plan to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.• A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) filed with State Water Resources Control Board before the commencement of any construction activities disturbing one-acre or more of area.• Copies of completed NOI and SWPPP provided to Development Engineering prior to any grading work.
4.	<p>To address public health impacts resulting from the project, Fresno County Department of Public Health, Environmental Health Division (Health Department) requires the following:</p> <ul style="list-style-type: none">• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.• Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan electronically pursuant to the HSC, Division 20, Chapter 6.95.• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.• To protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed.• Apply and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work.• If any underground storage tank(s) are found during mining activities, the applicant shall apply for and secure an Underground Storage Tank Removal Permit.
5.	<p>To address public health impacts resulting from the project, the San Joaquin Valley Air Pollution Control District requires the following:</p> <ul style="list-style-type: none">• The project shall comply with District Rule 2010 (Permits Required); Rule 2201 (New and Modified Stationary Source Review); District Regulation VIII (Fugitive PM10 Prohibitions) Rule 4102 (Nuisance); Rule 4601 (Agricultural Coatings) and Rule 4641 (Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations).• District Rule 9510 (Indirect Source Review) shall apply if the project will equal or exceed 10,000 square feet of government space and an AIA Application shall be filed with the District.

Notes	
	<ul style="list-style-type: none"> • Prior to commencing construction on any permit-required equipment or process, a Authority to Construct (ATC) and a Permit to Operate (PTO) shall be obtained from the District.
6.	<p>The project shall comply with the California Code of Regulations Title 24 – Fire Code and obtain approval of County-approved site plans by the Fresno County Fire Protection District prior to the issuance of building permits. The project shall adhere to Water Flow Requirements, Fire Hydrants, Water Storage Requirements, Fire Sprinklers Systems, Fire Pumps, Fire Alarm Systems, Road Access, Premises Identification, Public Resources Code 4290, Title 15.60 County Ordinance, and California Code of Regulations: Title 14 Natural Resources 1272.00. Maintenance of Defensible Space Measures. The project may require joining Community Facilities District No. 2010-01 of the Fire District.</p>

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.

EA:im
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