

ORDINANCE NO. R-162-3390

AN ORDINANCE TO CHANGE THE BOUNDARIES OF CERTAIN ZONES AND THE ZONING DISTRICT OF PROPERTY THEREBY AFFECTED IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING DIVISION OF THE ORDINANCE CODE OF THE COUNTY OF FRESNO, AND TO AMEND THE ZONE MAP ESTABLISHED BY SAID DIVISION ACCORDINGLY.

The Board of Supervisors of the County of Fresno do ordain as follows:

Section 1. All that portion of the unincorporated area of the County of Fresno described in Amendment Proposal No. 3390 heretofore classified AL-20-40 (Limited Agricultural) R-1-E(c) (Single Family Residential Estates) conditional per Sierra-North Regional, C-1 (Neighborhood Shopping Center), and R-E (Recreational)

District pursuant to the Zoning Division of the Ordinance Code of the County of Fresno, and more particularly described as:

AMENDMENT Proposal NO. 3390

(See attached map)

(NOTE: All new zoning as indicated on the attached map and described below is subject to all conditions specified in the Millerton Specific Plan.)

is hereby changed to O(c) Open Conservation, R-1-B(c) Single Family Residential, R-1-C(c) Single Family Residential, R-1 (c) Single Family Residential, R-2 (c) Low Denisty Multiple Family Residential, C-4 (c) Central Trading, C-6 (c) General Commercial, and R-E (c) Recreational

as set forth in said Zoning Division and the uses permitted, together with the regulations and restrictions imposed thereon in said District by said Zoning Division, are hereby declared to be in effect thereon; and the Zone Map established pursuant to said Division of the Ordinance Code is hereby amended accordingly.

Section 2. This Ordinance, designated as Ordinance No. R-162-3390, shall take effect from and after thirty days after its passage.

ADOPTED by the Board of Supervisors of Fresno County, California, on December 18, 19 84, by the following vote, to-wit:

AYES: Supervisors Ramacher, Koligian, Levy, Reich, Conrad  
NOES: None  
ABSENT: None

*Vernon Conrad*  
Vernon Conrad  
Chairman, Board of Supervisors

ATTEST:  
BRUCE W. SPAULDING  
Clerk of the Board of Supervisors  
By Elaine Kirchner  
Deputy

COPIES SENT TO  
[Signatures: Allamby, Ramacher, Koligian, Reich, Conrad, Bell]  
By [Signature]  
Date 1/1/85



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

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IN THE MATTER OF THE  
FRESNO COUNTY GENERAL PLAN

RESOLUTION TO AMEND THE FRESNO  
COUNTY GENERAL PLAN BY ADOPTING  
THE MILLERTON SPECIFIC PLAN AND  
TO CONDITIONALLY REZONE AREAS  
AFFECTED BY THE PLAN ACCORDINGLY  
- GPA 196 AND AP 3390

WHEREAS, on December 4, 1984, this Board considered amending the Sierra-North Regional Plan by adopting the Millerton Specific Plan, and conditionally rezoning the affected property in conformance with the Specific Plan; and

WHEREAS, the following testimony relevant to the proposal was considered:

- 1. Planning Department Staff Report dated November 1, 1984;
- 2. Recommendation by the Planning Commission as set forth by Resolution No. 9412;
- 3. Testimony by interested parties for and against; and

WHEREAS, this Board reviewed and considered the Millerton Specific Plan Environmental Impact Report (EIR); and

WHEREAS, Section 15091 of the State California Environmental Quality Act (CEQA) Guidelines requires that the public agency considering a project for which an EIR has been prepared shall not approve said project without making one or more of the following required findings for any significant effect:

- 1. That changes have been required in the project to avoid or substantially lessen the significant effect;
- 2. That another agency has responsibility to require appropriate changes and has or should require such changes;

////////////////////////////////////

1           3. That specific, economic, social, or other considerations make  
2           mitigation measures or project alternatives infeasible; and

3           WHEREAS, Section 15093 of the State CEQA Guidelines requires that where  
4           the decision of a public agency allows the occurrence of significant effects  
5           which are identified in the final EIR but are not at least substantially  
6           mitigated, the approval must contain a finding that the benefits of the  
7           project outweigh the unavoidable adverse environmental effects.

8           NOW, THEREFORE, BE IT RESOLVED that the final EIR prepared for the  
9           Millerton Specific Plan has been completed in compliance with CEQA and has  
10          been reviewed and considered and that all significant impacts identified in  
11          the final EIR have been addressed and that a finding is made that changes have  
12          been required in the project to avoid or substantially lessen the significant  
13          effects related to hydrology, drainage and flooding, energy resources, geology  
14          and soils, wastewater disposal, law enforcement, and historic/cultural  
15          resources.

16          BE IT FURTHER RESOLVED that the following positive social and economic  
17          factors associated with the project override each of the identified  
18          unavoidable environmental impacts related to land use and zoning, vegetation  
19          and wildlife, climate and air quality, noise, traffic and circulation, solid  
20          waste management, fire protection, and schools:

- 21           1. The Sierra-North Regional Plan identifies the area as a site for a  
22           new community.
- 23           2. The Millerton Specific Plan will provide for the development of  
24           intensive uses in compact centers and, as a result, encourage a  
25           shift in population away from productive agricultural lands that  
26           surround the Fresno-Clovis Metropolitan Area.
- 27           3. The project will provide a variety of housing and business  
28           opportunities in the foothill region.



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4. Development encouraged in the Plan will support employment in both the foothill region and the County.

5. The project will provide a wide range of development which will support expansion of utilities and services in a coordinated manner. This will benefit project and areawide residents.

BE IT FURTHER RESOLVED that the Millerton Specific Plan is hereby approved as set forth in Exhibit "A" to be formally adopted as a part of the Fresno County General Plan as part of the third amendment of 1984.

BE IT FURTHER RESOLVED that all property within the Millerton Specific Plan boundary is hereby conditionally rezoned in conformance with the provisions of the Millerton Specific Plan text and with the land use and zoning map shown as Figure 13 in the Plan document (Exhibit "A").

BE IT FURTHER RESOLVED that an amendment to the Fresno County General Plan and Zoning Ordinance to provide for Planned Commercial Development by special permit is hereby initiated.


DWC:mc  
3238C-5  
12/17/84

1  
2 THE FOREGOING was passed and adopted by the following  
3 vote of the Board of Supervisors of the County of Fresno this  
4 4th day of December , 1984, to-wit:

5 AYES: Supervisors Reich, Levy, Koligian, Ramacher, Conrad

6 NOES: None

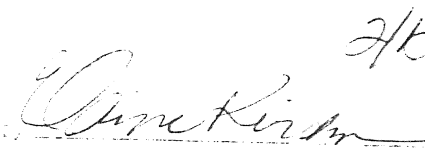
7 ABSENT: None

8  
9   
10 CHAIRMAN, Board of Supervisors

11 ATTEST:

12 DARLENE BLOOM, Clerk  
13 to the Board of Supervisors

14 By   
15 Deputy

16  
17  
18  
19 I, BRUCE W. SMITH, Clerk of the Board of Supervisors of the County of  
20 California, do hereby certify that the foregoing is a true and correct copy of  
21 the Resolution of the Board of Supervisors of the County of Fresno, California,  
22 passed on the 4th day of December, 1984.  
23  Clerk  
24

25  
26 File # 2505

27 Agenda # 10

28 Resolution #84- 611  
29  
30

RECEIVED

FEB 12 1985

FRESNO COUNTY  
PLANNING DEPARTMENT

EXHIBIT "A"

MILLERTON SPECIFIC PLAN

DECEMBER 4, 1984

MILLERTON SPECIFIC PLAN

TABLE OF CONTENTS

	Page
806 Millerton Specific Plan	1
1.00 Introduction	1
806-01 Land Use Element	3
1.00 Land Use Designations	3
2.00 Determinants of Change	4
3.00 Residential Land Use	8
4.00 Commercial Land Use	8
5.00 Public, Semi-Public, and Open Space Land Use	12
806-02 Transportation Element	13
1.00 Circulation System	13
2.00 Scenic Roadways	19
3.00 Trails System	19
4.00 Transit	20
806-03 Housing Element	22
1.00 Introduction	22
2.00 Objectives	22
3.00 Policies and Standards	23
806-04 Environmental Resources Management Element	23
1.00 Introduction	23
2.00 Land Resources	24
3.00 Flooding and Drainage	25
4.00 Open Space and Recreation	26
5.00 Recreation Corridors	27
6.00 Water Conservation	30
7.00 Energy Conservation	31
8.00 Archaeological Resources	32
9.00 Noise	32
806-05 Public Facilities Element	33
1.00 Community Water	33
2.00 Community Sewer	35
3.00 Fire Protection	37
4.00 Schools	38
806-06 Community Design Element	40
1.00 Objectives	41
2.00 Policies	41
3.00 Standards	42
807-07 Implementation	43
1.00 CEQA Compliance	43
2.00 Relationship with General Plan and Zoning Ordinance	44
3.00 Non-Residential Sub-Unit Plans	44
4.00 Amendments to the Specific Plan	46
5.00 Financing Mechanisms	46
6.00 Phasing Program	49
7.00 Zoning	60

1.00 INTRODUCTION

1.01 PURPOSE

The planned community of Millerton is designed to accommodate a population of 8,000 to 10,000. It incorporates the necessary housing (approximately 3,500 units), 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 town.

The Specific Plan is a refinement of the Sierra-North Regional Plan. It constitutes a statement of the location and extent of residential, commercial, recreation, open space, and public facilities, and describes the standards and implementation methods which will be used to develop the site.

1.02 PLAN BOUNDARIES

The project, shown in Figure 1, comprises 820 acres. It is located two miles east of the community of Friant along both sides of Millerton Road.

1.03 PLAN ORGANIZATION

The Specific Plan focuses on three major concerns: land use, public facilities, and environmental resources management. Separate sections of the Plan deal with each of these concerns and state the County's management objectives, policies, and standards.

1.04 GOALS

- a. Provide for a balanced community of mixed land uses, with a strong sense of community identity.
- b. Ensure that development will be sensitive to and enhance the area's gently rolling topography, small grassland valleys, and prominent knolls.
- c. Encourage development to reflect a higher level of community design than normally would be found in conventional development.
- d. Provide for a variety of dwelling types, including apartments, townhouses, single-family attached and detached dwellings, and mobile homes.
- e. Provide for the necessary facilities and services, to be made available at the time they are needed, to be paid for by those receiving the benefit.

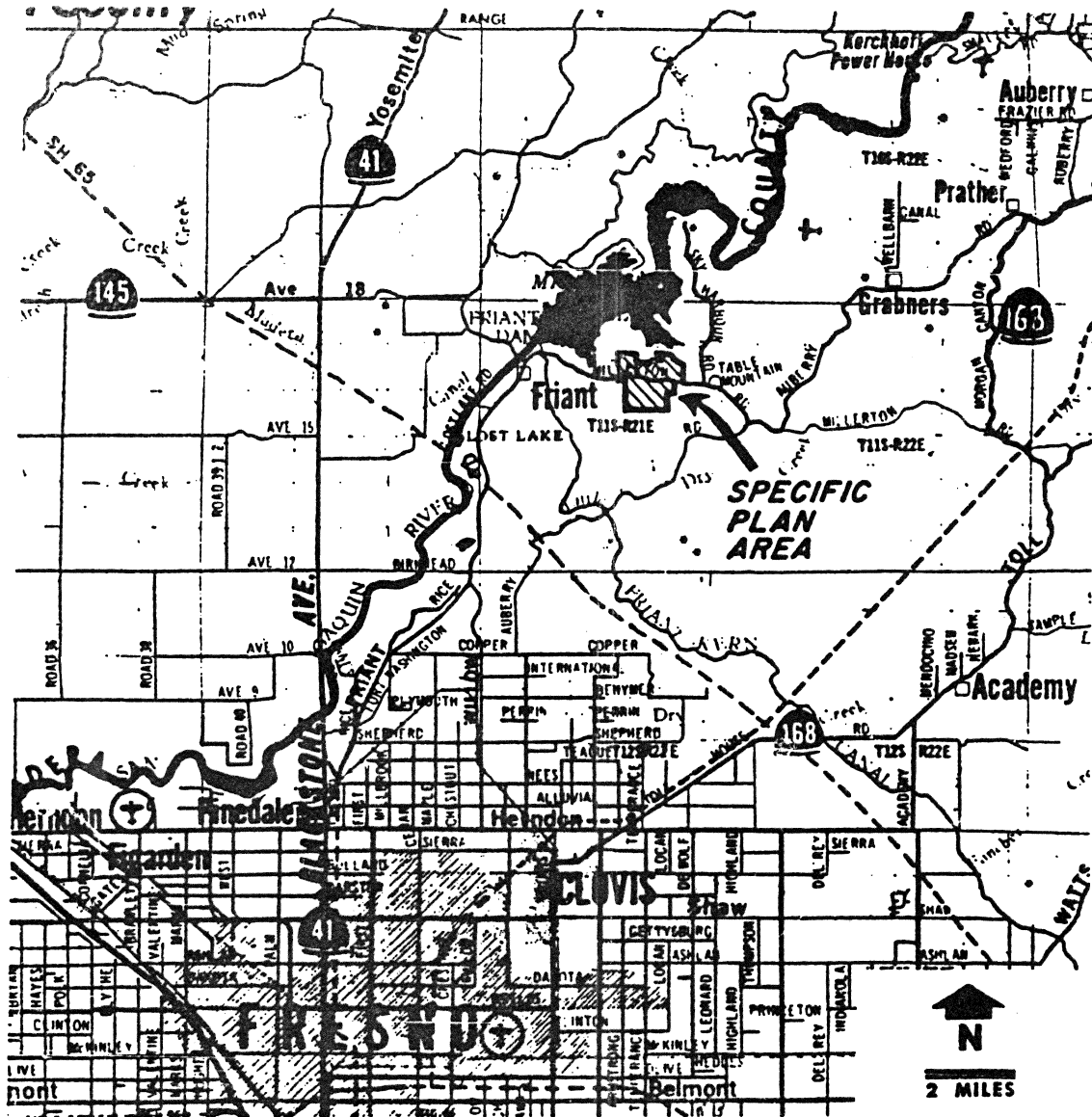


Figure 1  
Vicinity Map

806-01 LAND USE ELEMENT

1.00 LAND USE DESIGNATIONS

1.01 Open Space shall mean land or water areas which are essentially unimproved and planned to remain open in character. Typical uses include the preservation of natural resources, managed production of resources, parks, and recreation activities. These areas are often subject to flood, fire, or geologic hazards.

1.02 Residential

- a. Medium Low Density Residential shall mean land designated for residential development at a density not to exceed one dwelling unit per 10,000 square feet (net) or 3.5 units per acre (gross).
- b. Medium Density Residential shall mean land designated for residential development at a density not to exceed one dwelling unit per 6,000 square feet (net) or seven units per acre (gross).
- c. Medium High Density Residential shall mean land designated for residential development at a density not to exceed one dwelling unit per 2,400 square feet (net) or 10 units per acre (gross).

1.03 Commercial

- a. Central Business Commercial shall mean land designated for development of commercial centers where the full range of retail services and professional and governmental offices is concentrated in a location that is central to most community residents.
- b. Service Commercial shall mean land designated for general commercial activities which, due to space requirements or the distinctive nature of the operation, are not usually located within commercial centers.
- c. Special Commercial shall mean uses which generally do not fall within any other commercial designation and whose frequency of occurrence does not warrant establishment of additional commercial districts.

1.04 Public Facilities shall mean land designated for location of services and facilities which are necessary to the welfare of the community. Typical uses include liquid and solid waste disposal, ponding basins, parks, schools, civic centers, hospitals, and cemeteries.

1.05 Specific Plan Reserve shall mean land designated for Limited Agriculture with a potential future urban use if approved as part of a future specific plan.

Millerton Specific Plan

806-01:1.05



2.00 DETERMINANTS OF CHANGE

2.01 GROWTH INDICATORS

a. Population

With the exception of the Friant community, the Millerton area is sparsely populated. There are no dwellings in the Specific Plan area.

b. Land Availability

There are 820 acres within the Millerton Specific Plan area. Surrounding this area are 700 acres designated Low Density Residential and almost 2,000 acres designated Specific Plan Reserve. As with most of the foothills in Fresno County, these lands are primarily used for cattle grazing. Much of the land in the vicinity of the site is owned by the federal government or is under Williamson Act contract.

2.02 LIMITS OF DEVELOPMENT

a. Land Ownership

All land within the Specific Plan area is privately owned.

b. Land Form, Geology, and Soils

The majority of the site is below 700 feet in elevation and includes broad-sweeping valley areas and a few rounded hills. There are no unique geologic features. Rock exposures are confined to hillsides and isolated outcrops. Figure 2 delineates slope configurations on the site and approximate acreages.

The Specific Plan area and surrounding region appear to be very stable. The interlocking nature of the bedrock combined with gentle slopes makes the likelihood of landslides, slumps, or mudflows remote. There is no geomorphic evidence of past landslides or slumps on the site or on adjacent property.

Site soils are thin to moderately thick and are underlain by decomposed granite. Surface soils generally consist of sandy silt or silty sand. Some of the soils have moderate amounts of clay.

c. Hydrology

The Specific Plan area lies within a small drainage system, which is a tributary to Dry Creek. Its headwaters are near Table Mountain. The seasonal stream running south of Millerton Road is the primary drainage feature on the property. The Flood Insurance Rate Maps, prepared by the Federal Emergency Management Agency, show the area along this unnamed drainage to be a potential flood prone area. This flood prone area has a designation of "Zone A," indicating a 100-year flood boundary.

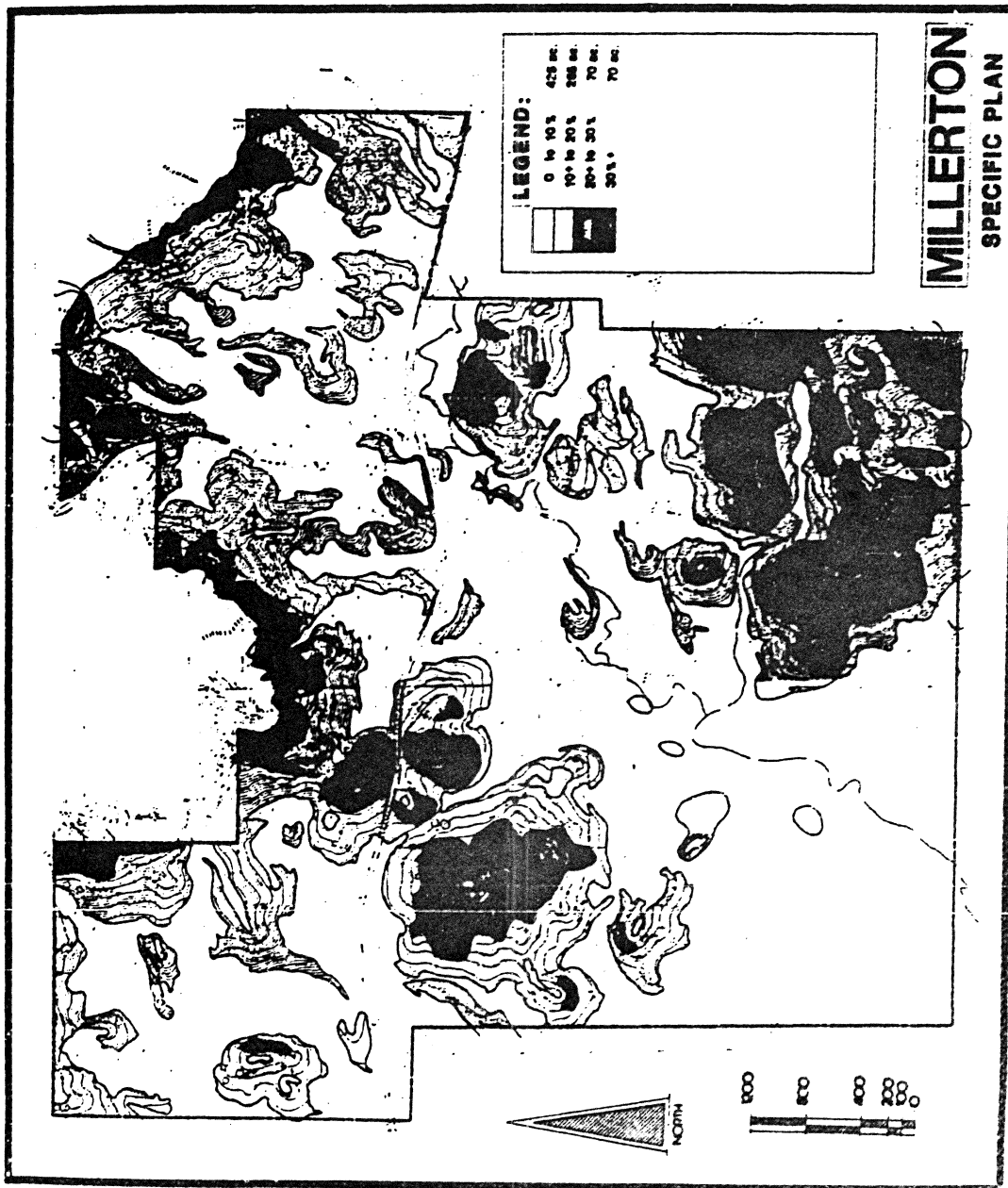


Figure 2  
Slope

The majority of the townsite is a broad, gently sloping valley with a weathered rock base 40 to 70 feet thick. This weathered rock has the potential for holding and transmitting substantial amounts of water. In the hilly areas surrounding the Specific Plan core area, the weathered granitic layer is thin and has a lower water holding potential than the valley areas.

Agreements have been approved between Fresno County and the project applicants (designated as the Millerton Water Users) to reserve a supplemental domestic water supply from Millerton Lake for the Specific Plan site and surrounding areas. The agreements will allow the Millerton Water Users to purchase up to 1,390 acre-feet per year to supplement groundwater. Assuming 2.5 persons per household and a consumption rate of 120 gallons per person per day for domestic use, the supplemental water agreements could provide a supply in excess of that required by Specific Plan area households.

As a further condition of the water agreements, the water can only be purchased and used by a public water agency. Upon formation by the Fresno County Board of Supervisors, the Millerton Water Users will pass their water rights to a public entity. Based on review of available information, it appears that the introduction of surface water would have a positive effect on the quantity of available groundwater. A geologic reconnaissance study prepared by Krahan (1983) pointed out that recharge to the weathered granitic layer comes only from precipitation. Imported surface water, especially if impounded, could alter this pattern. The potential recharge capability of the seasonal stream may be enhanced by a series of small check dams placed along the channel. These dams could also assist in future flood control.

d. Wildfire Hazard

Wildfire is a hazard in foothill areas. It becomes more serious with increases in population, accompanying residences, and other structures.

2.03 PUBLIC FACILITIES AND SERVICES

a. Law Enforcement

The project area is within the jurisdiction of the Fresno County Sheriff's Department, which has one deputy in the area on a call-and-complaint basis. During summer weekends, additional staff is assigned. The California Highway Patrol provides service when traffic flow warrants and manpower permits.

b. Fire Protection

The Mid Valley Fire Department, in cooperation with the California Division of Forestry (CDF), provides fire protection service for the project area. Fire stations able to dispatch equipment to the proposed project are:

- 1) The Millerton CDF Station, with an estimated response time of 10 minutes, can respond with two engines.
- 2) The Friant Volunteer Fire Department, with an estimated response time of 12 minutes, can respond with one engine.
- 3) The Hurley CDF Station, with an estimated response time of 12 minutes, can respond with one engine under aid agreements (Amador Plan).
- 4) The Blasingame CDF Station, with an estimated response time of 20 minutes, can respond with two engines under aid agreements (Amador Plan).

c. Schools

The project area is served by the Sierra Joint Union High School District and the Auberry and Friant Elementary School Districts. The Friant District covers 40 acres of the western portion of the Specific Plan area. Sierra Joint Union High School has a maximum capacity of 900 students, and the present enrollment is 856. The Auberry Elementary School has a present enrollment of 445 and can accommodate approximately 500 students. Friant Elementary School has a present enrollment of 60 and a capacity of 100 students.

d. Parks and Recreation

The Millerton Lake State Recreation Area is located to the north of the site, with access about one mile to the west on Millerton Road. The Lake offers boating, camping, fishing, picnicking facilities, and other recreational pursuits.

The nearest regional park is Lost Lake Park. It is administered by the County of Fresno and is located four miles to the south. The Cities of Fresno and Clovis operate the nearest neighborhood parks which provide gymnasiums, soccer fields, basketball courts, and softball diamonds.

The open foothill land offers existing residents with passive recreational opportunities such as hunting, hiking, photography, and nature study.

e. Solid Waste Disposal

The closest solid waste disposal site is the Rice Road Dump. It is located nine miles to the southwest and accepts only Class III waste (fill material, demolition waste, and other inert materials).

f. Utilities

Two telephone companies serve the subject property. The Ponderosa Telephone Company serves the northern 480 acres and the remaining 320 acres are served by Pacific Bell.

The Pacific Gas and Electric Company serves the project area with electricity. Natural gas is not available.

3.00 RESIDENTIAL LAND USE

3.01 OBJECTIVES

- a. Provide for development which is planned as a unified and integrated whole.
- b. Provide for development which incorporates outstanding design features and amenities.

3.02 POLICIES

- a. All residential development shall be implemented through the Planned Development process.
- b. Planned Development shall provide improved design features through increased flexibility in development siting, and preservation of open space and significant natural features.

3.03 STANDARDS AND CRITERIA

- a. A minimum of 3 percent of the area not over 30 percent slope (excluding the open space features shown in Figure 3 and the drainage easements shown in Figure 4) shall be left in natural open space.
- b. Units shall be clustered to allow natural surface drainage, preserve natural landscape, and to encourage development of a local recreation corridor system.

4.00 COMMERCIAL LAND USE

A 45.4 acre area, surrounding the intersection of Millerton Road and Marina Drive, is designated for commercial uses and appropriate government facilities.

The proposed commercial center will serve not only the 820-acre Specific Plan area, but the surrounding Low Density area and the foothill community. The Low Density area specifically excludes the possibility of commercial uses, so residents within that area will have to travel to the commercial center.

The Central Business Commercial designation is planned for the northwest and southwest quadrants of Millerton Road and Marina Drive. These parcels will accommodate a unified commercial development under a single theme and shall include the standard neighborhood/community commercial uses such as grocery, drug, clothing, and other retail stores.

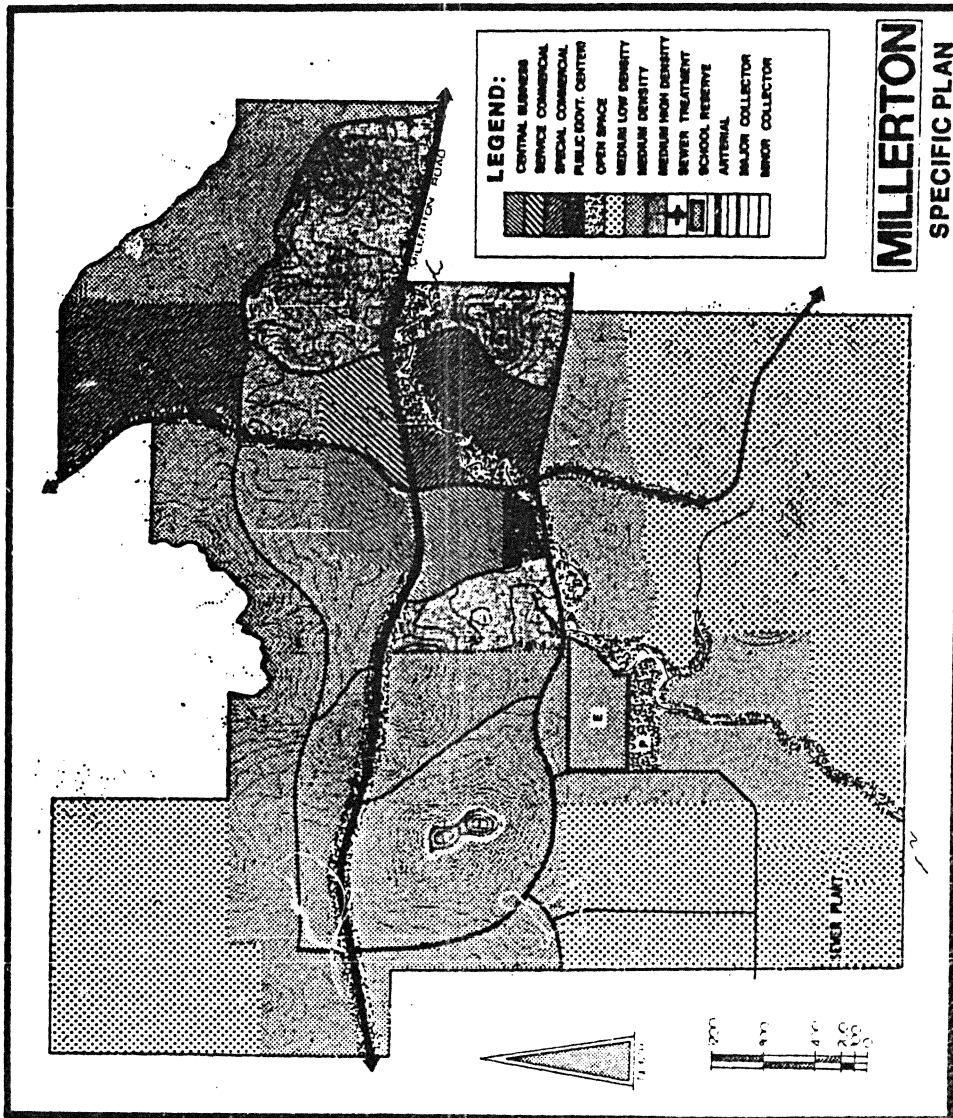
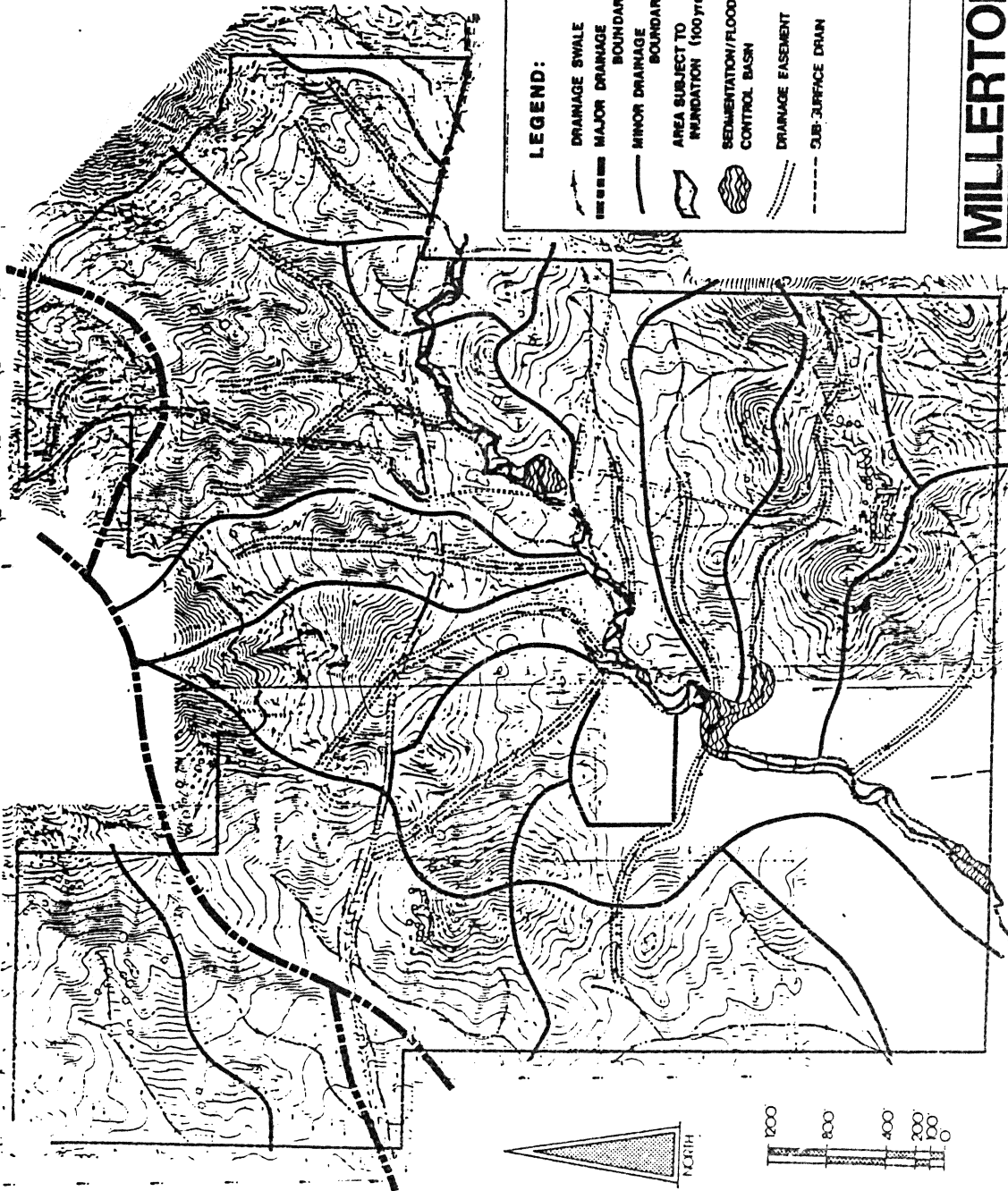


Figure 3  
Millerton Specific Plan

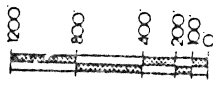
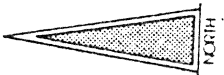


**LEGEND:**

- DRAINAGE SWALE
- MAJOR DRAINAGE BOUNDARY
- - - MINOR DRAINAGE BOUNDARY
- ▨ AREA SUBJECT TO FOUNDATION (100 yrs.)
- ◊ SEDIMENTATION/FLOOD CONTROL BASIN
- DRAINAGE EASEMENT
- - - D.B. SURFACE DRAIN

**MILLERTON**

SPECIFIC PL V





A Service Commercial designation is shown at the northeast quadrant of the intersection. It is intended to provide space for service commercial uses such as repair, rental, sales storage, general commercial, and overnight lodging which do not have large land requirements and which have functional relationships with each other. A small light industrial park may be acceptable in this area.

A Special Commercial designation is shown at two locations. Development at the southeast quadrant of Millerton Road and Marina Drive (included in the 45.5 acres in the core) may include professional offices and restaurant sites overlooking White Fox Parkway and a private recreation complex.

An additional 32.5 acres, located at the northern end of Marina Drive, is shown for a mobile home park/recreational vehicle park.

A total of 85 acres are designated for intensive commercial development, 45.5 acres of which is located in the commercial core. This is to serve a population of between 8,000 to 10,000 at full development, including the surrounding Low Density area.

At full development, 30 acres will be needed for commercial development. The balance of the commercial land can be used for light industrial/service commercial uses.

#### 4.01 OBJECTIVES

- a. Provide for a unified commercial center which will serve as the focal point of the community.
- b. Provide for development of a commercial core with a complete range of services, including retail and service commercial, office/professional, and public or quasi-public institutional uses and facilities.

#### 4.02 POLICIES

- a. Commercial development shall require a sub-unit development plan in accordance with Section 807-07:3.00. The commercial sub-unit development plan shall ensure that internal design is appropriate for the site, that street improvements and utilities are provided during initial project development, and that design proposals are compatible with adjacent properties.
- b. A sufficiently large concentration and mix of shops and services shall be established within the core in order to provide for, on a sustained basis, the needs of nearby residents. This will reduce the number and length of vehicular trips for daily services, thereby saving energy and adding to community cohesiveness.
- c. The northeast corner of Millerton Road and Marina Drive will initially be zoned to the C-6 District. However, if conditions warrant, it may later be zoned to a Commercial and Light Manufacturing or Light Manufacturing District to provide for the development of a small industrial park.

4.03 STANDARDS AND CRITERIA

- a. The uses listed below are essential to the growth of the commercial core. At least four of these uses shall be developed before additional uses, not on the list, are permitted.
  - 1) Small market
  - 2) Beauty/barber
  - 3) Drug
  - 4) Supermarket
  - 5) Restaurant
  - 6) Autoparts
  - 7) Professional offices
  - 8) Hardware/garden
  - 9) Bank
  - 10) Automobile service station
- b. Convenience commercial stores for the sale of groceries and other daily needs, including auto fuel may be permitted as part of Planned Residential Developments on projects of 20 acres or larger after the initial four commercial core uses have been established.
- c. The commercial center, shown at the southeast corner of Millerton Road and Marina Drive, may include a recreation complex, clubhouse, professional offices, hotel, convention facilities, and restaurants.

5.00 PUBLIC, SEMI-PUBLIC, AND OPEN SPACE LAND USE

The purpose of this section is to establish the location for public facilities. The Public Facilities Element and other sections of the Plan contain proposals for implementation, management, and infrastructure development.

The planned government center is a three-acre site just south of the commercial core and adjacent to White Fox Parkway. Its intended use is for County government office space and branch offices of other governmental entities, such as a post office. The village square-green space is to serve as a focal point for the community; it will be used for holiday celebrations, social gatherings, and outdoor recreation activities such as art shows or music festivals.

The waste water treatment facility will be located in the southwest corner of the site in order to best take advantage of gravity flow. Approximately 25 acres of the designated 40-acre site will be required, at full buildout, for the treatment and ponding facilities.

5.01 OBJECTIVE

Provide appropriate public facilities, such as a school, sewer treatment facilities and government office space, which will allow the Millerton community to function as a service center.

5.02 POLICIES

- a. The government service center shall include government office space, a fire station, sheriff sub-station, and town square.
- b. Millerton shall be served by a community water system and a community wastewater treatment and disposal facility.
- c. The elementary school site shall be offered for dedication to the Auberry Union School District. If the District determines the site is unnecessary, it may be designated for another use, to be determined at the time of a development proposal, on the nearest adjoining parcel.
- d. 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.

5.03 STANDARDS AND CRITERIA

See Section 806-05, Public Facilities Element.

806-02 TRANSPORTATION ELEMENT

While most transportation will continue to be by private automobile, alternative modes of transportation, including pedestrian trails and recreation trails, are provided for in the Plan.

1.00 CIRCULATION SYSTEM

A system of primary and secondary roads has been designed to carry local traffic within the townsite and to connect with the existing County road network. The internal road system will carry daily volumes estimated at 3,000 to 5,000 vehicles.

The Specific Plan shows the following designated roadways:

- a. Arterial - Millerton Road
- b. Collectors - Marina Drive, Lakeridge Drive, Sunset Drive, Morningside Way, Indian Hill Road, Arroyo Road, Brighton Avenue, and Foothill Road

Only Millerton Road and Marina Drive (Winchell Cove Road) are existing; all other roads must be constructed. Existing and proposed roads will be improved, in accordance with Fresno County Improvement Standards, unless otherwise specified in this Plan.

1.01 OBJECTIVES

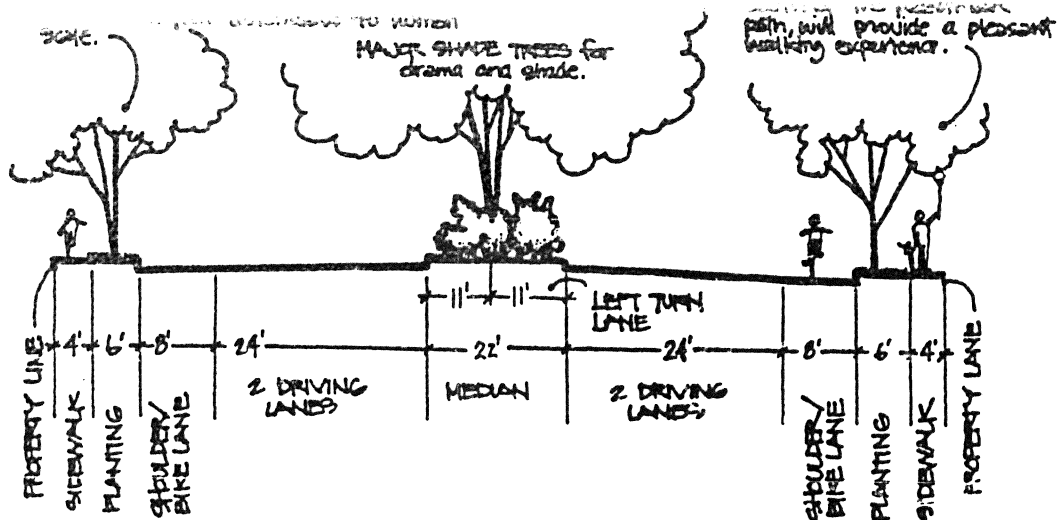
- a. Provide for a system of major roadways which will accommodate traffic volumes associated with projected land uses and densities.
- b. Establish design and improvement standards which will reduce visual impacts and maintain a semi-rural character.

1.02 POLICIES

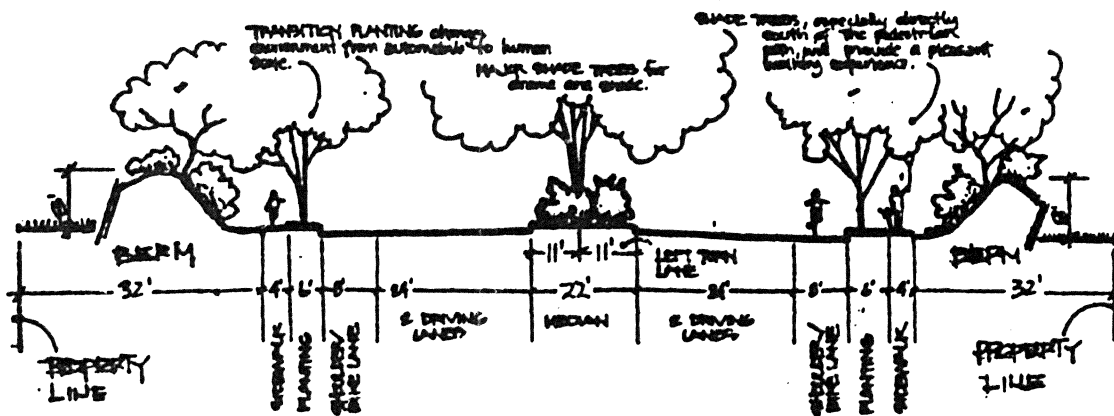
- a. All local roads shall be designed and constructed in accordance with specific design proposals at the subdivision stage.
- b. New roadways shall be designed to be compatible with the area's topographic features.
- c. The roadway network shall provide access to abutting properties.
- d. Park-and-ride locations and loading areas shall be provided at community activity areas.
- e. Bicycle and hiking trails shall be provided throughout the Plan area.
- f. Millerton Road and Marina Drive shall be developed in accordance with special standards, appropriate to their classification, as major roads and as entryways to the community.

1.03 STANDARDS AND CRITERIA

- a. Access from individual residences to arterials shall be prohibited.
- b. Millerton Road
  - 1) Millerton Road shall be developed as a four-lane divided road throughout the Specific Plan area when deemed necessary by the Public Works Department.
  - 2) Left-turn lanes shall be constructed on Millerton Road at all intersections within the Specific Plan area.
  - 3) A traffic signal shall be installed at the intersection of Millerton Road and Marina Drive prior to the occupancy of the 700th dwelling unit.
  - 4) Through the entire Specific Plan area, excluding the commercial area, Millerton Road shall be developed in accordance with Figure 5. It shall be developed on a 106 foot right-of-way, with a 32-foot landscaped easement on either side of the right-of-way. Sculptured earth berms, eight feet high, shall be provided in the easement for noise reduction. The berms may be omitted provided a 50-foot landscaped easement is included and other appropriate features are incorporated to lessen external noise from Millerton Road. The resultant exterior noise level shall be comparable to that achieved with the berm easement system.
  - 5) Through the commercial area, Millerton Road shall be on a 106 foot right-of-way in accordance with Figure 5.



MILLERTON ROAD THROUGH RESIDENTIAL DISTRICT



OR

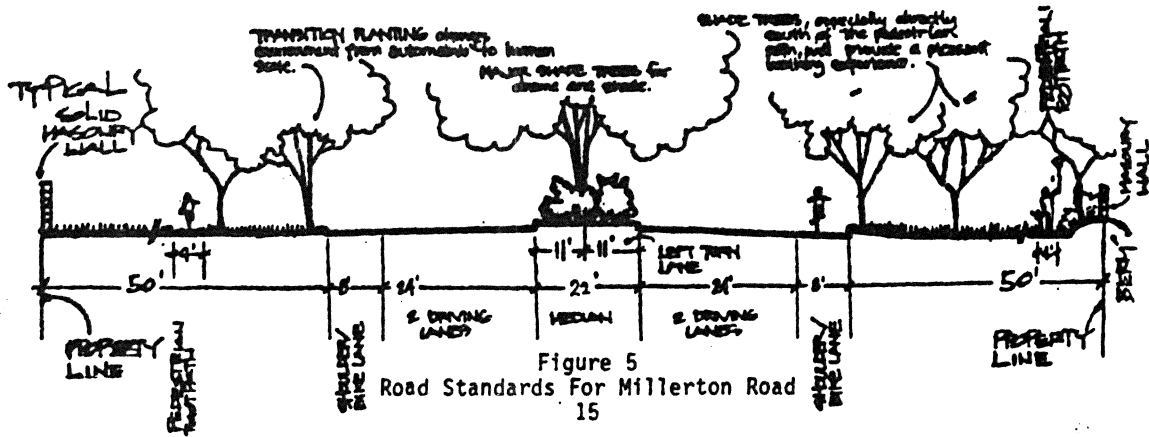


Figure 5  
Road Standards For Millerton Road  
15

c. Marina Drive

- 1) Marina Drive shall be developed as a four-lane divided roadway, in a 106 foot right-of-way, through the commercial area and government center. This shall be developed in accordance with Figure 6.
- 2) Left-turn lanes shall be provided on Marina Drive at all intersections.
- 3) North and south of the commercial area and government center, Marina Drive shall be constructed as a two-lane undivided road in an 84 foot right-of-way, with provisions for the future addition of two travel lanes when traffic volumes warrant.
- 4) Marina Drive shall be extended south to intersect with Auberry Road when traffic volumes or safety considerations warrant.
- 5) Marina Drive should be realigned to provide a right angle approach to Millerton Road. This shall take place prior to Site Plan approval for any commercial development in the core area.

d. Auberry Road

At the time Marina Drive is opened to Auberry Road, an eastbound left-turn lane shall be installed in Auberry Road.

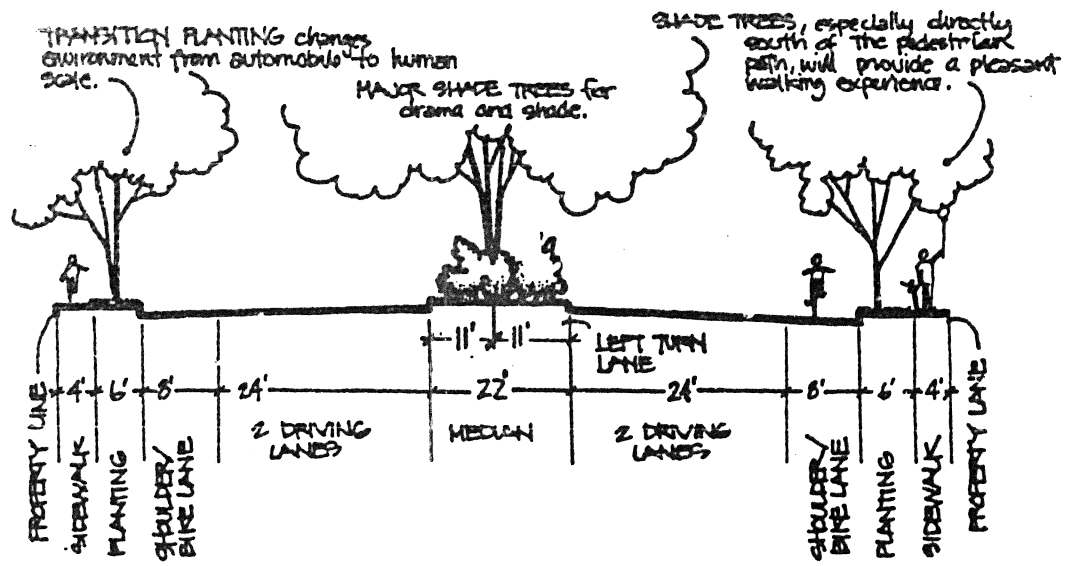
e. Collector Roads

- 1) Lakeridge Drive shall be a two-lane roadway within a 60 foot right-of-way, which will expand to a four-lane undivided roadway through the commercial area. Sidewalks shall be provided on Lakeridge Drive, with the exception of the area south of the roadway, adjacent to the White Fox Parkway.
- 2) Within a 60 foot right-of-way, all other collectors shall be developed as two-lane roadways. Sidewalks may or may not be required depending on areas served and topographical constraints.

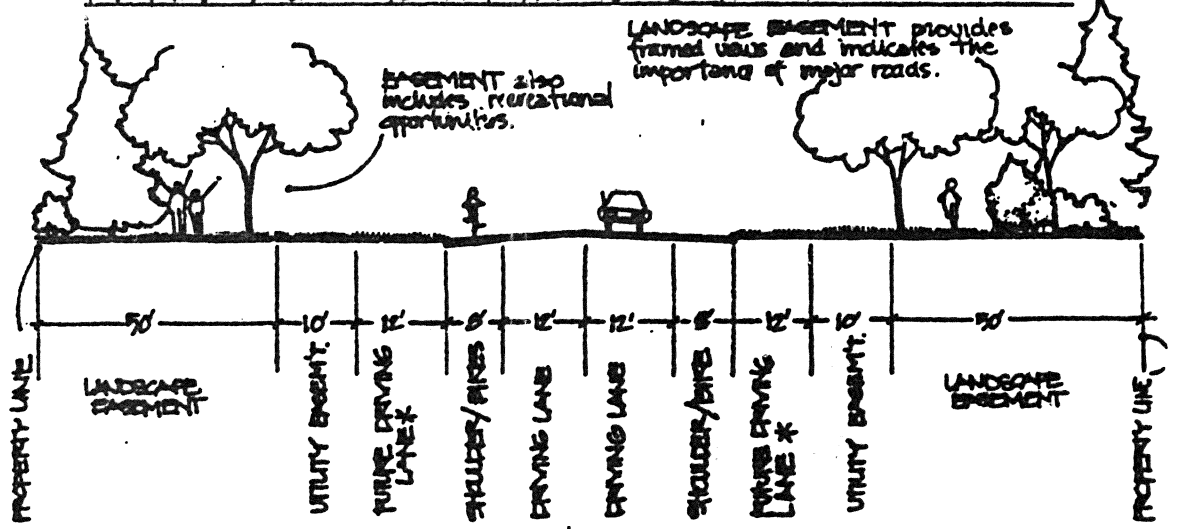
f. Local Roads

- 1) The design of local roads will depend on various factors, such as areas served and the number of units using the roadway. For roadways serving less than 11 units, a 40 foot right-of-way is acceptable as shown in Figure 7. For 11 or more units, a 50 foot right-of-way is acceptable as shown in Figure 7. Rolled curbs are encouraged on local streets where standard curbs are not required for drainage control. Split travel lanes for areas with steep slopes are also acceptable to reduce cuts and fills.
- 2) Private streets may be acceptable in large lot areas or within individual Planned Unit Developments. Private streets should be designed according to Fresno County Improvement Standards.

MARINA BOULEVARD THROUGH COMMERCIAL DISTRICT



MARINA BOULEVARD NORTH AND SOUTH OF COMMERCIAL

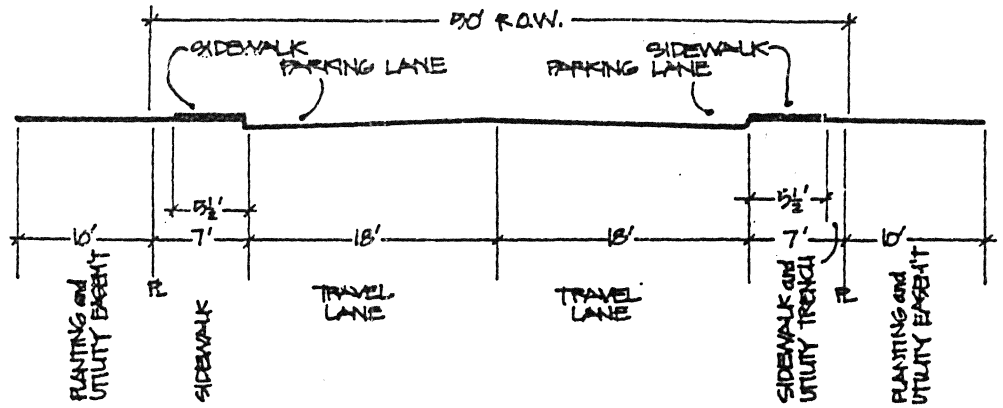


\*TURN ROAD IS ULTIMATELY BOUND TO 4 LANES, BIKE LANE WILL BE RELOCATED TO THE NEW SHOULDER.

Figure 6  
Road Standards For Marina Drive  
17



LOCAL RESIDENTIAL STREET - 50' R.O.W.  
SERVES 11 OR MORE UNITS



LOCAL RESIDENTIAL STREET - 40' R.O.W.  
SERVES 1 to 10 UNITS

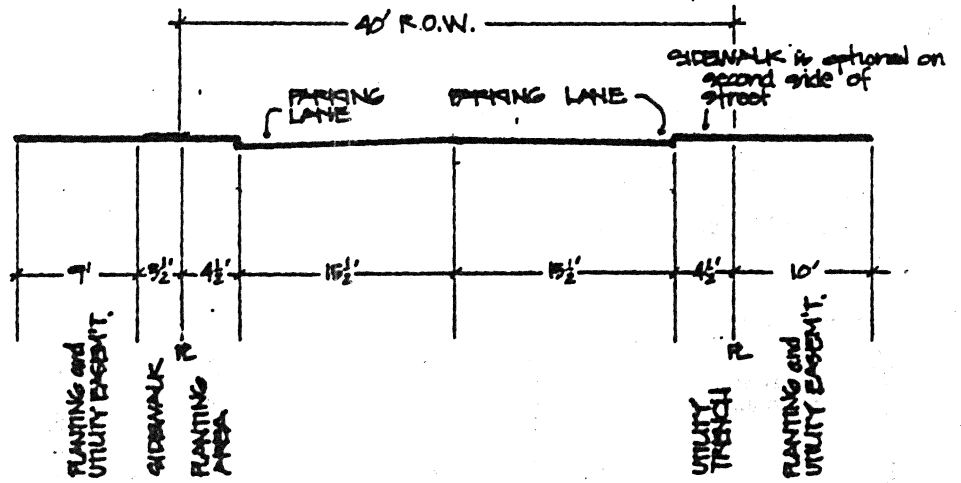


Figure 7  
Local Residential Street Standards

2.00 SCENIC ROADWAYS

Two routes are proposed as scenic roadways within the New Town. They are Millerton Road and Marina Drive.

2.01 OBJECTIVE

Preserve the scenic quality of the lands abutting major roads.

2.01 POLICIES, STANDARDS, AND CRITERIA

- a. No structures or advertising signs shall be allowed within the setback abutting roadways.
- b. Landscaping installation, trail development, and berm construction are the responsibility of the developer.
- c. Through the residential areas, 32 or 50-foot landscaped setbacks (see Section 806-02:1.03-b), from the edge of the right-of-way, shall be developed on both sides of Millerton Road. The major features within the setback shall be extensive landscaping on berms and a pedestrian trail; bike traffic is to be separated and limited to a Class II bike lane along Millerton Road. The purposes of the setback are to buffer residential areas from noise and dust and to create a visual entrance and setting to the community. A schematic representation of the setback and trail system is provided in Figure 5. The 32 or 50-foot setbacks shall extend east from the Specific Plan area to the eastern limits of the Low Density Residential area, as shown on the Sierra-North Regional Plan.
- d. Along Millerton Road, within the commercial area, the 32 or 50-foot setback shall transition to the linear landscape and sidewalk pattern of the divided roadway. The landscaping theme shall be carried out both in the 10-foot planted strip between the curb and sidewalk and in the 22-foot wide median island.
- e. Marina Drive shall have a 50-foot setback on both sides for a distance of one-quarter mile south of Lakeridge Drive and on both sides of the commercial area, north to Winchell Cove. The setbacks preclude structures, but would be retained as private yards within large single family home lots or Planned Unit Developments. Large street trees will be required to enhance visual quality. This concept is shown in Figure 6.

3.00 TRAILS SYSTEM

3.01 OBJECTIVE

Provide for personal transportation and recreation opportunities in a scenic environment.

### 3.02 POLICIES

- a. Figure 8 shows the trail system, which includes: (a) local hiking and equestrian trails, (b) community bicycle lanes which parallel major roads and provide the most direct route into and out of the community, and (c) recreation trails which are generally located in open space or landscaped areas and serve to provide the local pedestrian and bicycle circulation network. The path systems provide an alternative to automobile travel, link the community with commercial, cultural, and recreation facilities, and contribute to community identity.
- b. Standards for the design of the various classes of bicycle facilities shall be based upon the California Department of Transportation's Highway Design Manual. Widths for bikeways are discussed under the types of facilities, below. Most other geometric features of bikeways (design, speed, sight distance, horizontal alignment, etc.) are the same as the streets and highways of which these facilities are a part, and therefore are usually adequate. Where street and highway standards do not apply, particularly for Class I bikeways and sometimes for Class II and Class III bikeways, specific standards for these geometric features have been established. A detailed explanation of these standards is found in the Highway Design Manual.
- c. Pedestrian and bicycle pathways, not associated with roadways, are located to take advantage of natural drainage areas or areas of scenic quality. Hiking trails and pedestrian pathways should be a minimum of four feet in width and constructed of compacted natural material.

### 3.03 STANDARDS

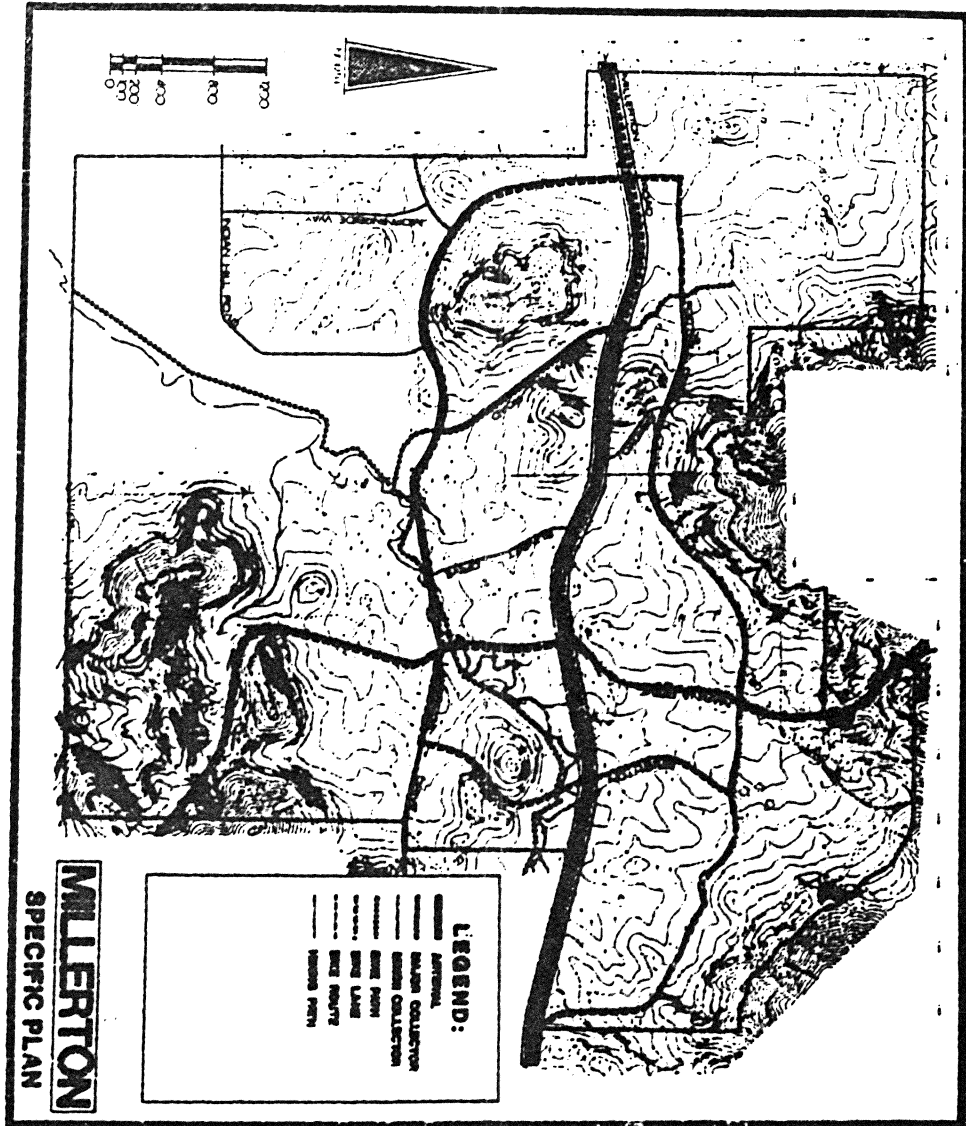
- a. Class I Bicycle Path (Bike Path) shall be exclusive right-of-way separated from other vehicles for the exclusive use of bicyclists and pedestrians. Class I paths should allow for two-way traffic with a paved width of eight feet, a 2 percent cross slope, and a 14 foot total graded area.
- b. Class II Bicycle Paths (Bike Lane) shall be striped lanes for preferential use by bicycles, within the paved area of a roadway. Class II paths are one way facilities with widths of eight to 10 feet.
- c. Class III Bicycle Paths (Bike Route) shall be routes within roadways, with appropriate signs designating the route. Bike routes are suitable for bicycle travel only if motor vehicle volumes are fairly light.

### 4.00 TRANSIT

#### 4.01 OBJECTIVE

Provide for alternative modes of motorized transportation.

Figure 8



4.02 POLICY

Development of the circulation system, which emphasizes the private automobile, includes provisions for alternative travel modes. The most efficient travel modes in the foreseeable future appear to be buses or van pools. Facilities for the operation of a bus line, as well as for car and van pooling, shall be required in the commercial area. These facilities shall consist of bus turnouts, bus shelters, and park-and-ride areas. In addition, bike storage facilities shall be provided in the core area, higher density housing areas, and at recreation facilities.

806-03 HOUSING ELEMENT

1.00 INTRODUCTION

The most challenging aspect of the housing issue is to provide affordable units to the wide range of income groups who make up the housing market. To succeed, Millerton must be committed to providing affordable housing. The following policies are designed to encourage housing that is diverse, attractive, and responsive to a wide range of economic segments of the community.

The Specific Plan will achieve this goal through voluntary actions. This is accommodated in the Specific Plan through designation of adequate lands for residential growth and providing a range of residential land use designations which allows for variation in housing types and densities.

A large proportion of the new residents are expected to be existing County residents who will relocate to the Millerton area as they move through the housing cycle, seek an alternative to metropolitan living, become first time buyers, or retire.

It is assumed that 500 Millerton households will be existing County residents who will relocate to the area. Millerton may be expected to absorb an estimated 5 percent of the future housing market, which is projected for Fresno County during the period 1985 to 2000.

2.00 OBJECTIVES

- a. To have Fresno County seek and encourage the use of federal, state, or locally-assisted housing programs which will provide for the needs of the local housing market, including programs which will permit low-to-moderate income groups to occupy housing at Millerton.
- b. To encourage housing areas which provide for the needs of senior citizens and ensures accessibility to activity centers and shopping areas.

- c. To encourage existing and future assisted housing programs to address the housing needs of the low and very-low income groups.
- d. To have developers of the Millerton New Town strive to provide market rate affordable housing to those of moderate income.
- e. To encourage 20 percent of all units to be affordable by moderate income households. Moderate income is defined as up to 120 percent of median County household income. Affordable housing would therefore be housing which can be purchased or placed for rent at levels affordable to moderate income households.

3.00 POLICIES AND STANDARDS

- a. Planned Development shall be the required approach to the design of housing.
- b. Mobile homes shall be located within mobile home parks or on individual lots greater than one acre.
- c. Mobile home parks shall incorporate high standards of development and maintenance, including open space and landscaping.
- d. Mobile homes shall be subject to the design standards established in the Community Design Element of the Specific Plan.
- e. All mobile home parks, whether to be leased or subdivided, are to be designed as Planned Developments with the underlying density shown on the Specific Plan map.
- f. All mobile home parks shall have access to an arterial or collector street.
- g. State housing law allows a 25 percent density bonus within individual projects if (a) 10 percent of the units within the project are priced for low-income households or (b) 25 percent of the units within the project are priced for moderate - to median-income households. Notwithstanding the density standards presented in the Land Use Element, such density bonuses may be allowed if the project is designed to conserve domestic water use to a level approximately 75 percent that of other residential projects in the community.

806-04 ENVIRONMENTAL RESOURCES MANAGEMENT ELEMENT

1.00 INTRODUCTION

The Environmental Resources Management Element combines policies mandated by several elements of the General Plan. This includes Open Space, Conservation, Noise, and Safety, and includes policies related to energy and recreation. Because the Millerton area is characterized by unique scenic resources, development should be guided so that the overall rural character is enhanced.

Policies which provide guidance for interpreting the Specific Plan are listed under sub-headings which relate to the various types of natural resources. Policies are intended to be mutually reinforcing with those of other elements such as Land Use, Transportation, and Housing.

2.00 LAND RESOURCES

Each hill or valley represents a unique set of conditions that should influence the approach to grading design. A grading concept that would be ideal for one site might be inappropriate for another. Ideally, grading standards and design guidelines would be developed for each site on an individual basis. The purpose of the following criteria is to provide direction to grading design.

2.01 OBJECTIVE

Give special attention to establishment and maintenance of wildlife habitat areas.

2.02 POLICIES

- a. Development shall be concentrated on the least sensitive wildlife habitat and geologic hazard areas.
- b. Development on slopes of greater than 6 percent shall be designed and constructed carefully with respect to road design, grading, structural foundations, excavation, and drainage.
- c. Natural open space outside of developed areas shall be preserved through restrictive land use designations.
- d. Existing healthy oak trees shall be preserved through setbacks and use restrictions within the drip line.

2.03 STANDARDS

- a. All development on slopes in excess of 20 percent shall require a detailed site plan, including the location of all structures, roads, drainage facilities, and open space. A grading plan showing the extent of grading both inside and outside the areas of immediate development shall be submitted. Prior to approval of any Planned Development, Conditional Use Permit, site plan, or Sub-unit plan. The site plan and grading plan shall be accompanied by geological and soils reports, prepared by qualified engineers, and shall incorporate all pertinent recommendations.
- b. To help achieve rural character, open space areas shall be enhanced and maintained by:
  - 1) Requiring 3 percent of each project to be used for open space purposes in addition to those areas shown in Figures 3 and 4 (e.g., open space or drainage easements).



- 2) Retaining natural drainage channels.
  - 3) Using open space as a buffer between development areas.
  - 4) Incorporating open space features in the Planned Developments.
- c. The following grading standards shall be met by all development projects:
- 1) The overall shape, height, and grade of any cut or fill slopes shall be designed to complement the existing natural contours and scale of the natural terrain of the site.
  - 2) The angle of graded slopes shall be gradually adjusted to the angle of the natural terrain.
  - 3) Sharp, angular forms shall be rounded and smoothed to blend with the natural terrain.
  - 4) Graded slopes shall be landscaped. Where appropriate, buildings should be sited to conceal graded slopes.
  - 5) During construction, measures shall be taken to control runoff from construction sites. Filter fabric fences, heavy plastic earth covers, gravel berms, or lines of straw bales are a few of the techniques which should be considered.
  - 6) Grading shall be phased so that prompt revegetation or construction can control erosion. Where possible, only those areas which will later be resurfaced, landscaped, or built on should be disturbed. Surfacing of parking lots and roadways should take place as soon as practicable.
  - 7) The toe and crest of any slope, in excess of 10-foot vertical height, should be rounded with vertical curves of radii no less than five feet and designed in proportion to the total height of the slope.
  - 8) Where cut or fill slopes over five feet in vertical height exceed 100 feet in horizontal length, the contours of the slope should be curved in a continuous, undulating fashion with varying radii to reflect the natural terrain.

### 3.00 FLOODING AND DRAINAGE

A drainage plan has been prepared and is shown in Figure 4. The plan shows major drainways, projected flow, easement locations, drainway realignments, and drainage and erosion control measures by sub-watershed.

3.01 POLICIES

- a. Natural drainage courses shall be preserved. Adequate building setbacks are preferred over undergrounding or open concrete-lined channels.
- b. At the time of development, drainage plans shall be prepared for the entire sub-watershed. Off-site control measures may be required to mitigate drainage impacts.

3.02 STANDARDS

- a. Stream banks shall be stabilized with landscaping, rock, or other materials that harmonize with the natural setting in order to contain flows and control erosion.
- b. Natural drainage courses shall be preserved through the dedication of drainage easements during initial phases of the development process.
- c. Off-site flows, measured in cubic feet per second, shall not exceed pre-development levels.
- d. Minimum design standards shall be based on a 25-year storm event.

4.00 OPEN SPACE AND RECREATION

Community or neighborhood facilities will include pedestrian and bike pathways, small neighborhood parks, and other commercial recreational facilities (e.g., athletic clubs and associated facilities provided by the private sector).

Components of the recreation system shall include a village green, community park, and recreation corridors.

4.01 OBJECTIVE

As an investment in the growth and well-being of the community, place a high priority on the development of recreation facilities.

4.02 POLICIES

- a. A public open space system shall be provided, including lands for active and passive recreation, that connects to the balance of the community through a recreation trail system.
- b. Natural water courses shall be maintained as components of the recreation corridor system. Pedestrian and bicycle trails shall be placed along their alignment and public access provided at frequent intervals.
- c. A system of publicly-owned park lands shall be developed through dedication of land during the initial phases of the development process.

- d. Each proposed Planned Development shall contain open space free of buildings, streets, driveways, or parking areas. The common open space shall be designed and located to be easily accessible to all occupants of the development and usable for open space and recreation uses.

4.03 STANDARDS

- a. The parks shall be linked by recreation corridors to provide a continuous outdoor recreation system.
- b. The following facilities shall be provided for public use in the developed park area:

- 1) Tot lot/children's playground
- 2) Volleyball facilities
- 3) Basketball courts
- 4) Tennis courts
- 5) Baseball diamonds
- 6) Football/soccer fields
- 7) Picnic areas

- c. The following facilities shall be provided in the open space corridors:

- 1) Hiking/bicycle trails
- 2) Jogging trails
- 3) Picnic areas

- d. Five acres of improved parkland per 1,000 population shall be designated (this will result in about 44 acres for the ultimate population of 8,856). This is allocated as follows:

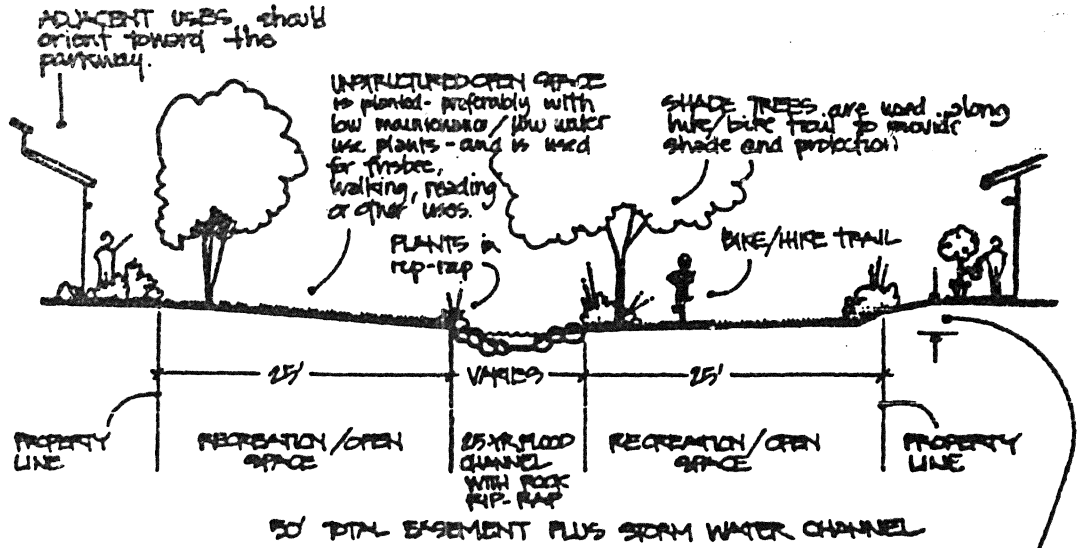
1) Community park	5.0 acres
2) Village green (government center)	3.0 acres
3) White Fox Parkway	6.5 acres
4) Millerton Road Parkway	8.3 acres
5) Other drainway corridors	20.0 acres
	<u>42.8 acres</u>

5.00 RECREATION CORRIDORS

Two types of recreation corridors are to be provided, both generally following existing drainways. They are the "community" corridor and the "local" corridor.

The community corridor follows White Fox Creek and will be a parkway on either side of the Creek. As the major recreation corridor within the community, White Fox Creek will contain a bike path and pedestrian trail in addition to picnic facilities and landscaping. A conceptual plan is shown in Figure 9.

50' TOTAL EASEMENT



WHITE FOX PARKWAY - ASYMMETRICAL ALTERNATIVE

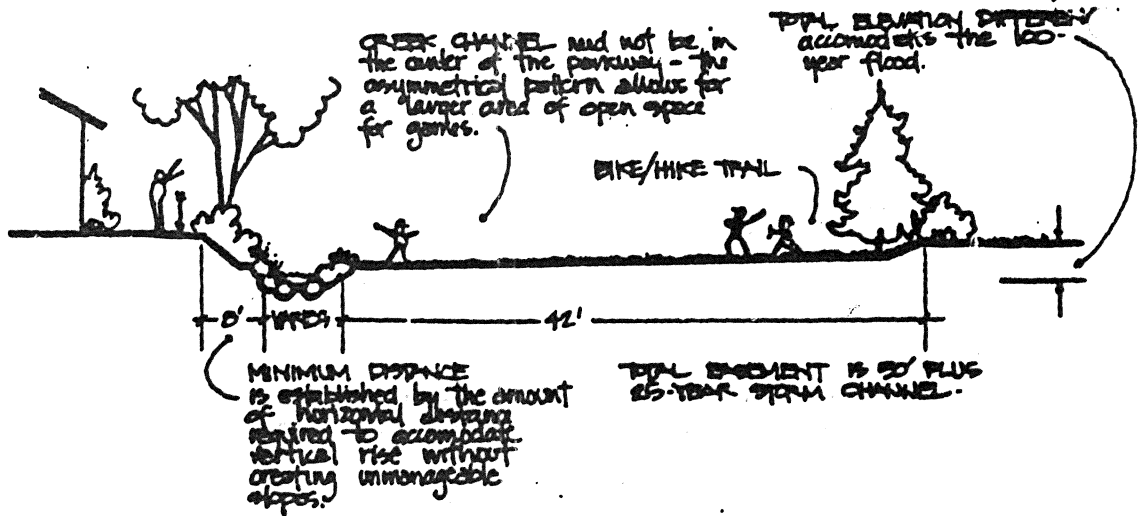


Figure 9

Conceptual Plan For White Fox Parkway

Recreation trails and open space corridors, which generally follow major drainways, are depicted on the Plan map (Figure 3). The primary corridor is White Fox Parkway, which is adjacent to the primary on-site intermittent stream. The Parkway, as the major amenity of the community, is intended to serve several functions including drainage, passive enjoyment, hiking, and bicycling.

Local recreation corridors are a refinement of the community corridor system. They will provide the linkages within neighborhoods to the community recreation corridor system. Their location will be fixed by the density and character of the population to be served. This will be determined during the process of development design, and their functions (other than that of a transportation linkage) will also vary.

To a considerable extent, local and community recreation corridors will provide space for a variety of facilities and activities which traditionally have been included in recreation parks. By utilizing corridors of varying width and design, recreation and cultural opportunities, which once were available only at centralized locations, can be dispersed throughout the community.

#### 5.01 POLICY

White Fox Parkway shall be integrated with the 10-acre school site (located along the Parkway) and the five-acre community-recreation park (planned just south of the school).

#### 5.02 STANDARDS

- a. The Parkway will be a minimum of 70 feet wide throughout its length.
- b. White Fox Creek will be "channelized" from Millerton Road on the northeast to the elementary school site on the southwest. Channelization will conform with standards and specifications of the Fresno County Public Works Department.
- c. A setback of 25 feet shall be required on either side of the drainway improvements. The setback is to be placed in an open space easement and dedicated to the County for parkway development; in no case should the total easement for drainage and parkway development be less than 70 feet.
- d. A specific engineering plan for the channelization shall be prepared prior to initial development. The engineering plan should depict a "plan line" for the channelization and associated drainage improvements. This will be required at crossings of major designated roadways.
- e. Local corridors within each project should follow drainways within open space easements. These shall be dedicated to the County and should incorporate a hiking trail.

6.00 WATER CONSERVATION

The proposed population, at full buildout, will require an annual water supply of approximately 1,320 acre-feet. It is estimated that the per person consumption rate of water within the study area will be 120 gallons per day for domestic use. Fresno County Development Standards indicate that foothill subdivisions require at least 100 gallons per day per person, but the landscaping coverage at Millerton is anticipated to be somewhat higher than a typical foothill subdivision. Many of the people moving to the community will come from urban areas and will have urban water consumption habits. Fresno County Standards state that urban subdivisions should calculate their water consumption based upon a rate of 150 gallons per person per day for domestic purposes, plus an additional amount for landscape irrigation.

Water re-use will play a significant role in cutting down consumption rates for public open space and landscaped areas. Since the sewer effluent will be treated to a tertiary level, the water can be used in a gray water irrigation system (see Public Facilities Element). It is anticipated this system will also be used in the landscaped setbacks and in landscaped medians.

6.01 OBJECTIVE

Reduce water consumption at Millerton to a level lower than 150 gallons per person per day.

6.02 POLICIES

- a. Methods shall be instituted for recycling wastewater. Reclaimed water shall be used for irrigation of large areas such as school grounds, greenbelts, and median landscaping when not precluded by health considerations.
- b. Drought-resistant landscaping shall be used in all public areas and will be required in residential projects where a comprehensive irrigation system is used.

6.03 STANDARDS

- a. Irrigation in new development shall utilize time flow control devices.
- b. Water meters shall be utilized on all new development.
- c. Water conservation devices shall be installed in residential development at the time of construction.
- d. All residential units shall be separately metered.
- e. All commercial and governmental facilities shall be metered.

- f. Landscape irrigation shall not be allowed between the hours of 10 a.m. and 6 p.m., in the months of May through October. This measure will reduce losses due to evapotranspiration.
- g. All residential projects, where a comprehensive irrigation system is installed, shall also install timing devices to reduce the potential for overwatering.
- h. All residential units shall have low flow showerheads and low water volume toilets.

7.00 ENERGY CONSERVATION

The Specific Plan provides a unique opportunity to create a new community with built-in energy efficiencies. Accordingly, land use and site planning strategies, designed to reduce energy consumption, have been incorporated into the Plan.

7.01 OBJECTIVE

Encourage the use of alternate energy sources and reduce consumption of conventional energy.

7.02 POLICIES

- a. Building energy consumption shall be reduced through site planning and building development standards.
- b. Initial cost and annual operating and maintenance costs shall be reduced by concentrating development in specified locations.
- c. For all public buildings, the developer shall be required to evaluate the use of alternative energy sources, with the goal of reducing consumption 50 percent below levels defined by Title 24 of the California Government Code.
- d. Adequate solar access shall be provided for new construction.
- e. Local public residential streets may be reduced in width in order to reduce construction energy, reduce ambient temperatures, and improve the potential for shading. The reduction in width shall be consistent with the number of units to be served and must consider standards for storm drainage, curb parking, emergency access, and the location and type of street trees to be planted.
- f. Site plans for all commercial and office projects shall include a tree planting and landscaping plan to provide substantial shading of paved areas.
- g. Emphasis of the street tree planting program should be on providing shade of pavement and/or structures without interfering with solar access. The street tree planting plan must be coordinated with solar access planning and the proposed location of structures and street width.

- h. As a part of the development review process, the County shall require an evaluation of the project by the developer which describes the efforts toward achieving energy efficiency in site planning and building design.
- i. Priority shall be given to transit measures which provide an alternative to the private automobile, including park and ride/express bus services and the inclusion of a local bus service.
- j. A program for the development of the bikeways system shall be instituted in an effort to encourage bicycle use as an alternative transportation mode.

7.03 STANDARD

Access shall be provided, within new single family construction, to roofs which are capable of accepting south-facing collectors and for south-facing walls. Within new attached single family, multi-family, and commercial uses, solar access shall be provided each unit (where possible) for roofs capable of accepting south-facing collectors.

8.00 ARCHAEOLOGICAL RESOURCES

Archaeological resources occurring near the proposed school site are potentially significant and should be protected.

8.01 OBJECTIVE

Protect significant archaeological resources.

8.02 POLICY

Final design of the project shall incorporate archaeological features into the open space system or protect them by other measures.

9.00 NOISE

Millerton Road will be the primary noise source in the community. At full development, and based on a projected flow of approximately 10,000 vehicles per day, the County standard of 55dBA could be exceeded. The berms or other features in the setback along Millerton Road will help alleviate this problem.

9.01 OBJECTIVE

Reduce noise levels, on sensitive receptors, to acceptable levels.

9.02 POLICIES

- a. Noise sensitive land uses should be located away from higher noise areas.



- b. Appropriate noise attenuation features should be included in the design of all facilities.

9.03 STANDARD

Within the Millerton Road corridor, there shall be a setback with sculptured earth berms (or other noise attenuation features) on both sides of the roadway so that residential uses are insulated from projected noise levels.

806-05 PUBLIC FACILITIES ELEMENT

The intent of the Specific Plan is to provide for adequate sites, services, and facilities necessary to meet the needs of the future population. Locations for public facilities are included in the Land Use Element; the Public Facilities Element addresses standards for providing community water and sewer systems, schools, and fire protection services.

1.00 COMMUNITY WATER

The Specific Plan area will be served with one or a series of community water systems. The source of water will be groundwater pumped from the underlying aquifer or surface water from Millerton Lake, or a combination of the two sources. The surrounding Low Density areas, zoned R-1-E, will also require community water systems to serve the allowed one unit per acre density.

The ultimate population of 8,856 will consume an estimated 120 gallons per person per day, or 3.26 acre-feet per day (1,190 acre-feet on an annual basis). This figure includes water for non-residential support uses, such as schools, commercial, and governmental uses, and for landscaping. Water use will increase in the summer months, with peaks of more than 150 gallons per person per day. During winter, usage will decline to as little as 70 gallons per day.

1.01 OBJECTIVES

- a. Provide for a sufficient amount of water for the community's needs.
- b. Provide for the necessary infrastructure financing, and a maintenance entity to ensure safe and reliable delivery of water.

1.02 POLICIES

- a. The water storage and distribution plan is shown in Figure 10. Water shall either be pumped from the underground aquifer from Millerton Lake for storage in two 350,000 gallon tanks (prior to storage, water from the Lake shall require treatment for domestic use). The 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. Initial projects may be allowed with lesser storage requirements in keeping with Fresno County Public Works Standards.



- b. Prior to the delivery of the majority of the surface water, the owners of the land shall determine the safe groundwater yield according to Fresno County Standards. The yield can then be supplemented with surface water to satisfy demand.

1.03 STANDARDS

- a. The community water system shall provide for the following residential densities:

<u>Residential Designation</u>	<u>Units/Acre</u>	<u>Persons/Unit</u>	<u>Persons/Acre</u>
Medium Low	3.5	2.8	7.00
Medium	7.0	2.5	16.25
Medium High	10.0	2.2	17.60

- b. The safe groundwater yield shall be determined no later than March 31, 1988, and in any event, prior to the delivery of all but 400 acre-feet of the reserved water. Up to 400 acre-feet may be delivered annually without any determination of the safe groundwater yield.

2.00 COMMUNITY SEWER

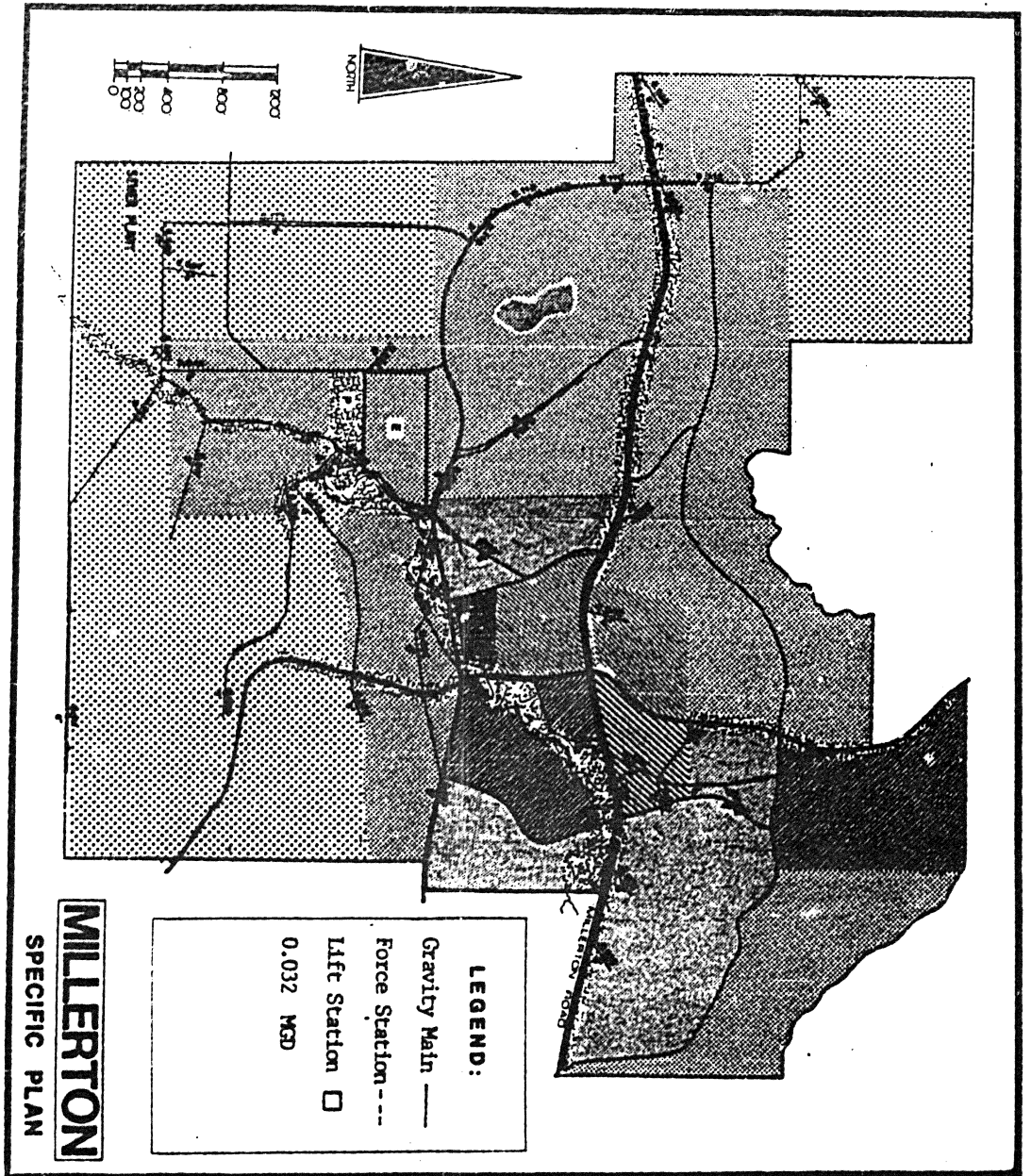
A study prepared by Barrett, Harris and Associates (1983) investigated several alternative locations and proposed design criteria for the sewage treatment facility. They concluded that 25 acres of land would be necessary to accommodate the plant and ponds. Five acres of the total would be needed for the plant itself.

The primary sewage collection plan, prepared by the project engineer, is shown in Figure 11. The collection lines generally follow topographical features or roads. Largely a gravity flow system, only four lift stations will be required to service the project. Three of the stations will be located in the extreme western portion of the Specific Plan area. Total flow is projected at 851,000 gallons per day at full buildout.

2.01 POLICIES

- a. All development within the Specific Plan area shall utilize a community sewer system. Preliminary soil tests indicate that the best location for a treatment plant and effluent ponds is in the southwest portion of the Plan area, adjacent to an area planned for Medium Low Density Residential use.
- b. The treatment facility shall be placed in a location that takes into consideration prevailing winds and downwind land uses. By doing so, odor problems will be minimized.
- c. The sewage collection and treatment facilities shall be operated and maintained by the County Service Area.

Figure 11  
Sewage Collection Plan



- d. Treated effluent may be disposed of in one of several ways. During the winter when the evapotranspiration rate is very low, effluent will flow into ponds for storage, seepage, and partial evaporation. During the warmer months, most of the treated effluent shall be used to irrigate the open space, recreation, and setback areas. The effluent may also be used to irrigate pasture or croplands.

## 2.02 STANDARDS

- a. The sewage treatment plant shall be constructed in increments of 100,000 gallons per day capacity (enough for a population of approximately 1,000 or 400 dwelling units) or larger.
- b. The plant shall be designed for relocation downstream if the Specific Plan Reserve area develops.
- c. Effluent shall be treated to a tertiary level.
- d. A minimum setback of 100 feet shall be required between the ponding area and the nearest residential unit(s). In addition, the exterior of the ponding area shall be bermed and landscaped to reduce land use conflicts.
- e. Initial projects may be much smaller than the 100,000 gallons per day increment needed for phased construction of the treatment facility. In Phase I, only interim disposal facilities may be acceptable to serve smaller projects up to a maximum of 300 units. This will be allowed if it can be demonstrated that the proposed site has acceptable locational criteria for a package sewage treatment plant.
- f. If an interim disposal site is approved, provision shall be made to connect the area served to the permanent facility and abandon the interim facility.

## 3.00 FIRE PROTECTION

The Millerton area is a high fire hazard area due to the topography and flammable vegetation. The introduction of residential development into this environment requires establishment of fire protection and development standards necessary to ensure the protection of people and property.

### 3.01 OBJECTIVE

Provide for construction of fire protection facilities and design standards to comply with accepted urban service level criteria.

### 3.02 POLICIES

- a. The fire protection policies are designed to reduce the risk of fire and will apply to all structures within the Specific Plan area.

- b. Construction and maintenance of greenbelts and fuelbreaks shall be required according to County Standards.

### 3.03 STANDARDS

- a. Each phase of development shall have two points of vehicular access for ingress and egress from existing or surrounding streets, one of which may be emergency only.
- b. As required by the Mid Valley Fire Protection District, water lines and fire hydrants shall be provided adjacent to structures.
- c. Roof covering shall be of fire retardant materials, as defined by the Uniform Building Code. Siding composed of fire retardant materials shall be used in apartments, condominiums, clustered housing, and townhouses.
- d. A fuel modification zone may be required around a development for fire protection purposes. The width of the zone shall depend upon slope accessibility and availability of water, but in no case shall be less than 100 feet. Mid Valley Fire Protection District, in conjunction with the County, shall determine the appropriate width.
- e. Automatic fire sprinkler systems shall be provided in commercial buildings which are 7,500 square feet or larger.
- f. A fire station, to be located within the government center, shall be constructed and furnished with all necessary fire-fighting equipment prior to the County of Fresno allowing occupancy of the 400th dwelling unit. 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.

### 4.00 SCHOOLS

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

The school site is adjacent to a designated five-acre community park site.

#### 4.01 OBJECTIVE

Provide school facilities which meet expected enrollment.

#### 4.02 POLICIES

- a. Residential development shall not be approved unless adequate public school facilities are, or will be, available to serve residential development. At the time of specific development proposals, the school districts will be asked to determine impact and development fees or land requirements.

TABLE 1

Millerton Student Population

<u>Land Use</u>	<u>Housing Type</u>		<u>K-8<sup>1</sup> Yield Factor</u>		<u>K-8 Total</u>	<u>9-12<sup>1</sup> Yield Factor</u>		<u>9-12 Total</u>
	SF	MF	SF	MF		SF	MF	
Med. Low Den.	1,000	---	.38	.20	380	.17	.09	170
Med. Den.	929	930	.38	.20	539	.17	.09	170
Med. High. Den.	---	640	.38	.20	128	.17	.09	58
					<u>1,047</u>			<u>470</u>

<sup>1</sup> Yield Factors from City of Fresno, Final EIR No. 10075, Amendments to the Bullard and Fresno High-Roeding Community Plans, 9/81, p. 79.

- b. Necessary school facilities may include site dedication, fees, or improvements for elementary or high school facilities.

#### 4.03 STANDARDS

- a. The school site shall be offered for dedication when school enrollment (from the Specific Plan area and the surrounding Low Density Residential area) reaches 200 elementary students.
- b. The elementary school site shall be a minimum of 10 acres in size, unless the school district(s) determines that a reduced acreage would be adequate.
- c. If a site other than that shown in the Specific Plan is selected, it shall meet the following criteria.
  - 1) School sites shall be located, whenever possible, so they are within walking distance of the student population.
  - 2) School sites shall be immediately adjacent to one or two streets.
  - 3) School sites shall be approximately rectangular in shape, with an approximate one-and-a half to one length-to-width ratio.
  - 4) School sites shall be located in areas with topography that allows for a maximum usable flat area. School sites proposed in hillside areas may be terraced into pads; usable pad areas must comprise a minimum of 80 percent of the required net site area.
- d. Prior to any development in Phase III, a determination shall be made whether there is a need for an additional elementary school site. If an additional site is determined to be necessary, it should be located north of Millerton Road. The specific site location and any needed redistribution of land uses shall be by amendment to the Specific Plan.
- e. If a second elementary school site is not necessary north of Millerton Road, a pedestrian overcrossing shall be provided prior to any development in Phase III.

#### 806-06 COMMUNITY DESIGN ELEMENT

Much of the identity and character of Millerton is derived from its setting and topographical forms. The Specific Plan emphasizes the enhancement of the natural features which contribute to the scenic qualities of the area. Many different parts of the Plan address this objective, including the Land Use, Transportation, and Environmental Resources Management Elements.

Architectural style is an important ingredient in establishing community identity. Most contemporary, western, or Spanish architectural themes are appropriate for Millerton as long as they are in harmony with the climate, natural features, and lifestyle of the region.



Components of the streetscape--lighting, fencing, signs--should reflect the highest quality of development. As a private entity made up of the land owners and design professionals, an Architectural Review Committee is proposed to review proposed projects prior to submittal to Fresno County. Comments are to be advisory to the County. Their work will ensure that the design of initial projects is in keeping with the quality of development envisioned for Millerton.

1.00 OBJECTIVES

- a. Preserve the visual quality of prominent ridgelines.
- b. Strengthen the individuality of and enhance overall community identity of Millerton by landscaping and design features.

2.00 POLICIES

- a. The scenic quality of the planning area shall be enhanced by undergrounding existing overhead telephone and electric lines and placing new lines underground.
- b. Billboards shall be prohibited throughout the Plan area.
- c. Landscaping shall be used to help establish community identity.
- d. Projects shall incorporate clustering, variable setbacks, and other site planning techniques to avoid the appearance of a solid line of development on ridgelines.
- e. Building sites should be located below or beside prominent knolls and, where possible, below the natural crest of the ridgeline.
- f. The form, mass, and profile of individual buildings shall be designed to blend with the terrain to preserve the natural character of ridgelines.
- g. All landscaping shall be done with drought-tolerant plants. These are defined as plants which, when established, require watering no more than once each two to three weeks. An exception is landscaped areas watered by reclaimed water.
- h. Grasses are permitted, especially for immediate and temporary erosion control; high maintenance water-demanding varieties should generally be limited to recreation areas.
- i. Street trees shall be long lived, deep rooted, and require little maintenance.

3.00 STANDARDS

- a. An Architectural Review Committee should be formed to establish and implement standards for architecture, lighting, fencing, and signage. If the Committee has not reviewed the project prior to its submission to the County for processing, a maximum of 30 days shall be allowed for such review if other legal time limits will not be exceeded. The responsibility of the Committee includes administration of the following standards.
  - 1) All structures, including residential, commercial, recreational and public, as well as walls, decks, and signs, should be reviewed for design considerations.
  - 2) Wherever used, fencing shall be appropriate to its function. Materials and colors shall blend with the surrounding terrain or adjacent development.
  - 3) Commercial signs shall reflect a high standard of design in keeping with the overall theme of new town development.
  - 4) Building materials and color schemes shall blend with the natural landscape. Treated wood or material of earthen tones, having the necessary fire retardant characteristics (stone, adobe, stucco), are encouraged for exterior surfaces. Visually obtrusive building materials shall be avoided.
  - 5) Metals used in exterior construction shall be limited to those which have an earthy appearance. Examples include weathered copper, galvanized iron, and anodized aluminum.
- b. All residential (with the exception of private residential yards), commercial, and public land uses shall include landscaping.
- c. Water-demanding plants may be used in areas that are to be irrigated by an approved reclaimed wastewater system.
- d. Prior to approval of a Planned Development or site plan, landscaping plans shall be approved by Fresno County.
- e. Specific planting, staking, watering, and replacement requirements shall be established by the County Service Area for any landscaping in public areas, including, but not limited to, street rights-of-way, parks, parkways, and drainways.
- f. Lighting is an important element in the design of the community. The location, type, intensity, and extent of street and security lighting shall be considered within each project so as to minimize excessive glare and visibility.
- g. Paths and trails, not included as a part of a roadway section, shall be landscaped with groundcover on both sides to 10 feet. Trees shall also be planted to provide summer shade.

- h. Deciduous trees shall be used in south-facing outdoor areas around buildings to provide solar access during winter and shade in summer.
- i. Trees and shrubs on west sides of buildings shall be concentrated to reduce heat buildup during hot afternoon hours.
- j. Landscaping and earth berms, or a combination of berms and low-profile fencing (rather than a solid fence), shall be used to separate land use districts.
- k. No rotating or flashing signs shall be permitted.
- l. One free-standing sign shall be permitted on each street frontage for commercial centers greater than five acres in size. The sign shall not exceed 15 feet in height or 50 square feet in area. The sign shall be of wood, stone, or other earthen-colored material.
- m. For commercial centers of less than five acres, or for individual businesses not a part of a center, free-standing signs shall not be permitted. A low level monument sign, not to exceed five feet in height or 40 square feet in area, shall be permitted on each street frontage. The sign shall be of wood, stone, or other earthen-colored material.
- n. For shopping center occupants or individual businesses, one wall sign or display sign shall be permitted at each entrance, not to exceed 20 square feet in area.

806-07 IMPLEMENTATION

1.00 CEQA COMPLIANCE

The proposed Specific Plan is a "project" that requires environmental review pursuant to the California Environmental Quality Act (CEQA).

Government Code, Title 7, Section 65453(b) provides that, notwithstanding any other provision of law, no EIR or Negative Declaration need be filed for any residential project, including any subdivision or zoning change, that is undertaken pursuant to and in conformity with a specific plan for which an EIR has been certified. Thus, in the absence of substantial change, as determined by an environmental assessment, the EIR certified for this Specific Plan will serve as a "master" EIR for all residential development.

Government Code, Section 65451, requires that a specific plan include regulations necessary or convenient for the implementation of the plan. This section is intended to satisfy the requirements by discussing existing and proposed regulatory functions or actions that will be required of Fresno County other agencies, or individual developers to make the policies and proposals of the Millerton Specific Plan a reality.

2.00 RELATIONSHIP WITH GENERAL PLAN AND ZONING ORDINANCE

- a. When the County General Plan is not specifically superseded by this Specific Plan, the provisions of the General Plan shall apply.
- b. No provisions of this Specific Plan shall be deemed to supersede the County Zoning Ordinance.

3.00 NON-RESIDENTIAL SUB-UNIT PLANS

- a. Purpose and Intent

Sub-unit plans shall be submitted for all non-residential development areas. Each area plan will cover at least one entire sub-unit planning area as indicated in the Millerton Specific Plan. Sub-unit plans shall be prepared for the entire town center, the entire commercial core, and for the special commercial core area.

Prior to or concurrent with the approval of the first tentative tract map or, site plan, the landowner shall obtain approval of a sub-unit plan.

The purpose of requiring a sub-unit plan is to provide an opportunity for public review of project proposals. It is important to be able to review the relationship of uses, one to the other. The sub-unit plan provides a method for review and comment from the community and governmental agencies on the relationships of uses and design within sub-unit areas.

A sub-unit plan may be approved which establishes alternative site development standards.

When a sub-unit plan proposes to establish alternative development standards, the burden of proof shall be on the project proponent to show how the project will better serve the public interest by the establishment of alternative development standards. Failure by the project proponent to prove that alternative development standards would result in a greater public benefit than would result from building the project in accordance with the baseline development standards contained in the appropriate land use designation shall result in denial of the sub-unit plan.

- b. Content and Procedures

- 1) Sub-unit plans shall be approved prior to approval of a tentative subdivision map or, site plan. Sub-unit plans shall be processed as Specific Plan amendments.

As indicated on the Specific Plan, the sub-unit plan shall cover at least one entire sub-unit. A sub-unit plan may be used to establish alternative development standards when the necessary findings can be made and the required criteria have been met.

- 2) A sub-unit plan may be processed concurrently with a site plan or tentative map(s). Final approval of any affected tentative map(s) shall follow approval of a sub-unit plan.
- 3) Each sub-unit plan shall contain the following information.
  - a) Location, acreage, and type of land use for each building site.
  - b) Public street/corridor layout and width.
  - c) Location and acreage of landscaping, natural open space, and recreation areas.
  - d) Park location and acreage.
  - e) Topography: existing and proposed (i.e., a concept grading plan).
  - f) Existing structures and development on adjacent parcels, to a minimum of 200 feet from the Plan boundary.
  - g) Location of bicycle, pedestrian, and equestrian trails.
  - h) Location and treatment of significant cultural/scientific resources.
  - i) Location of significant vegetation (oak trees) and an indication of the resources to be altered and the resources to be preserved.
  - j) Location and treatment of scenic roadways.
  - k) Location of extensions of off-site roads or utilities through a sub-unit area to serve adjacent areas.
  - l) A list of all pertinent programs, policies, and guidelines contained in the General Plan and Specific Plan, together with a description of how they are being implemented by the sub-unit plan.
  - m) An urban design component for the town center and commercial core which demonstrates implementation of the development criteria contained in the Specific Plan, town center and commercial core implementation programs.
  - n) Location and acreage of any proposed high-rise building sites.
  - o) Any additional background and supporting information the Planning Director or Planning Commission deems necessary.
  - p) Water conservation measures.
- 4) The General Plan and Zoning Ordinance should be amended to allow consideration of Planned Commercial Developments by special permit in the manner provided for in Planned Residential and Planned Office Developments. If the Zoning Ordinance has been amended prior to submittal of non-residential projects within the Specific Plan area, the Planned Commercial Development process may be utilized in lieu of the sub-unit plan process outlined above. A Planned Commercial Development process shall contain all the elements of the sub-unit plan, but will not require amendment to the Specific Plan.

4.00 AMENDMENTS TO THE SPECIFIC PLAN

Amendments to the Specific Plan shall be processed in accordance with Fresno County procedures.

- a. Changes to the community infrastructure (e.g., drainage systems, roads, water and sewer systems), which do not have the effect of increasing or decreasing capacity in the sub-unit beyond the specified density range nor increase primary infrastructure construction or maintenance costs, shall be allowed without a Specific Plan amendment.
- b. The following changes shall require an amendment to the Specific Plan:
  - 1) Changes in land use designations not based on site-specific information indicating an initial inaccurate location.
  - 2) Increase or decrease in dwelling unit allocation, by type, beyond the specific number of units in the sub-unit.
  - 3) Changes in infrastructure (e.g., drainage systems, roads, water and sewer systems) which have the effect of increasing or decreasing capacity beyond the specified density range in the project area and/or surrounding properties.
  - 4) Major changes in the alignment or location of the primary infrastructure system, including arterial and collector roads.
  - 5) Non-residential sub-unit plans.

5.00 FINANCING MECHANISMS

The community of Millerton is designed to be self-supporting. Its improvements and on-going maintenance will not be a financial burden on Fresno County or the other communities within the County. Developers shall not only have to pay for their respective on- and off-site infrastructure within the Specific Plan boundaries, but shall also contribute to a fund that will pay for improvements necessary as a result of the project on the impacted area outside the Specific Plan boundary.

A County Service Area, created for the approximately 1,400 acre Millerton Community, shall be responsible for assuring the construction of all infrastructure improvements, all off-site improvements, and the ongoing maintenance of the various systems within the community. The County Service Area will be funded exclusively by developer assessments generated within the service area boundaries, developer fees, and dedication of land and improvements. The County Service Area will have "zones" for the purpose of providing different levels of service. The property owners shall be assessed accordingly.

Three financing mechanisms are planned for the townsite: 1) developer dedication and improvement, 2) development fees, and 3) County Service Area assessments and fees.

#### 5.01 DEVELOPER DEDICATION AND IMPROVEMENT

The developer shall be responsible for the following:

- 1) Construction of on-site improvements.
- 2) Right-of-way dedication and construction of curb, gutter, and sidewalk improvements on major street frontages.
- 3) Extension of facilities from the proposed project to the nearest improved point of connection if existing facilities are not adequate to serve the project. This includes right-of-way dedication for streets, water and sewer lines, and construction of these facilities.

For roads, this means dedication of right-of-way and construction of two travel lanes to the nearest improved road (half of a four-lane collector or arterial and construction of the entire travel width of two-lane roads). As adjacent properties develop, each developer shall be responsible for construction of curb, gutter, and parking lane improvements and for reimbursement to the original developer of their fair share of the travel width improvements.

- 4) Construction of oversize sewer and water lines to nearest point of connection. First-in developers will have to install off-site oversized primary facilities to the nearest point of connection to serve a larger area than their own project. An agreement will be required between the subdivider and the County Service Area for future reimbursement to the subdivider for the extra cost of trunk line construction.
- 5) Dedication and improvement of drainways, recreation corridors, and open space.
- 6) Dedication of public facilities sites.
- 7) Dedication and improvement of bike lanes.
- 8) Dedication of right-of-way for outside travel lanes, median islands, and intersection improvements.
- 9) Construction of required berms and walls.

#### 5.02 DEVELOPMENT FEES

Development fees shall be collected at the time of final map or site plan approval.

Fees will be collected by the County Service Area and used to provide facilities. Fees may be required in lieu of, or in combination with, dedication and improvements. The need for most capital facilities, such as fire stations and road extensions, arises before the ultimate service population exists. In this case, it is necessary that first-in developments be assessed fees sufficient to initiate construction, or build the facilities, with future developers reimbursing the original developers on a pro rata basis.

Development fees shall be required for the following:

- a) Construction or expansion of collector and arterial roadways serving the entire community and the surrounding impacted area (Millerton Road, Marina Drive, Auberry Road, Friant Road, Lakeridge Drive, Morningside Way, Indian Hill Road, Arroyo Road, Brighton Avenue, and Foothill Road.)
- b) Acquisition of sites and construction of:
  - 1) Community parks, parkway and setback improvements.
  - 2) Off-site water, sewer, and drainage facilities.
  - 3) Governmental offices (including fire station).
  - 4) Traffic signals.
  - 5) Schools.
- c) Median island or public space landscaping.

5.03 COUNTY SERVICE AREA ASSESSMENTS AND FEES

As the initial step following Plan adoption, a County Service Area shall be formed prior to approval of any project by the County in the Specific Plan area. At the time that more detailed cost estimates are available for public improvements, a development fee system shall be established, as well as assessments required within the County Service area.

The County Service Area will collect fees and assessments for purchasing, improving, constructing and maintaining facilities and for providing services.

- a. The County Service Area is responsible for assuring the construction and providing the maintenance for the following:
  - 1) Water treatment plants.
  - 2) Sewer treatment plants.
  - 3) Water and sewer trunkline (maintenance only).
  - 4) Parks.
  - 5) Street lighting.
  - 6) Drainage easement (maintenance only).
  - 7) Landscaped easements (maintenance only).
- b. In addition, the County Service Area will provide the following services:
  - 1) Additional police protection.
  - 2) Fire protection.
  - 3) Recreation.
  - 4) Solid waste.
  - 5) Transit.

Private homeowners associations will also play an important role in the long-term maintenance of private open space and private road systems.



6.00 PHASING PROGRAM

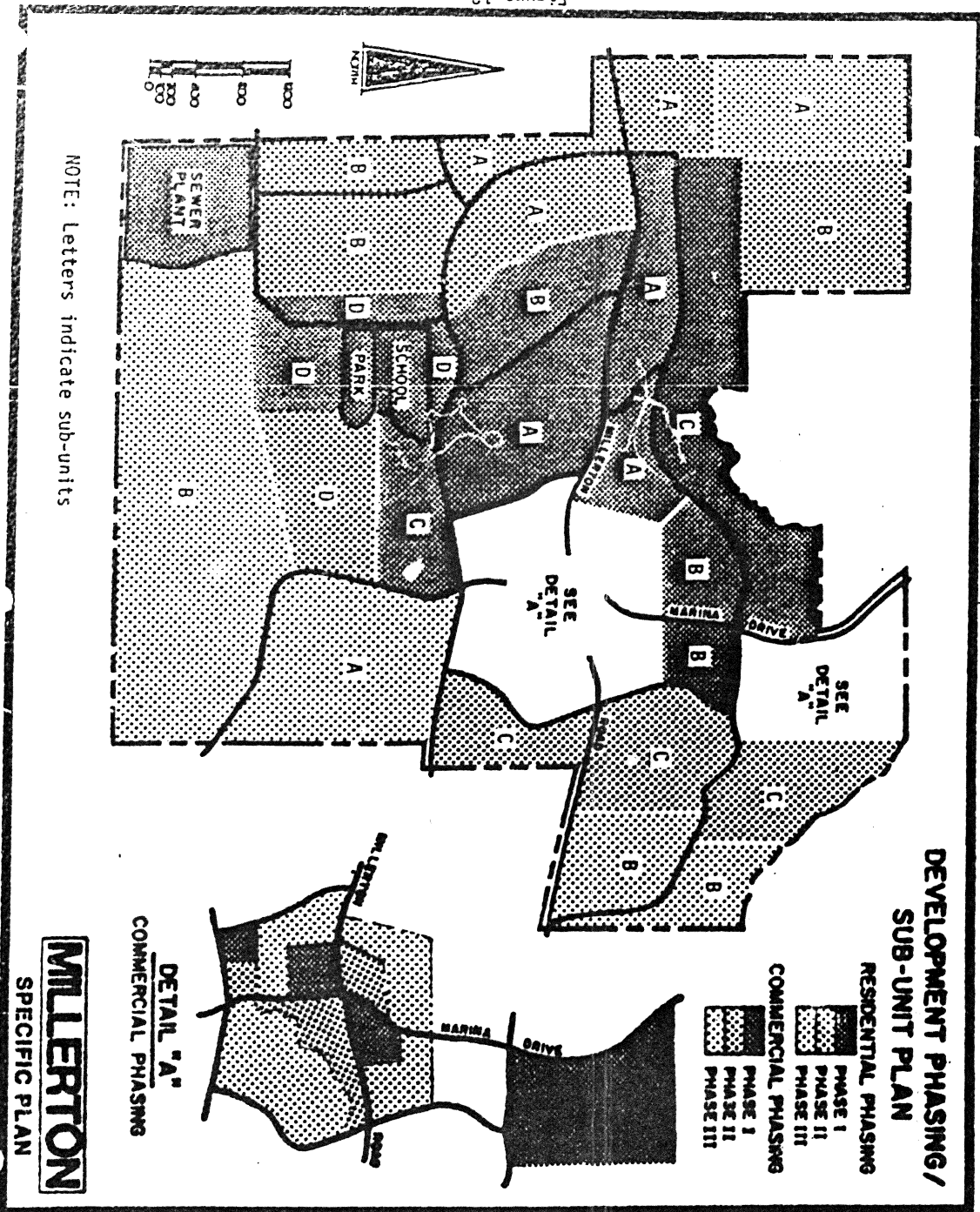
The 820-acre area is divided into three development phases. Within each phase are sub-units which are the smallest individual development components. The phasing program includes the following major services: designated roads, sewer and water facilities, public open space, and public facilities.

The following shall guide phasing implementation and any proposed amendment to the phasing program.

- a. The Millerton Specific Plan area is divided into three separate land use development phases, each with several residential sub-units which are geographical areas of contiguous lands generally surrounded by a major street system, natural features, or plan boundaries. Each phase represents a logical area for development of the community based upon other phases and the availability and/or extension of urban services. The relative size of each phase (acres, dwellings, and population) is based upon levels needed to justify and finance urban service expansion.

As depicted in Figure 12, there are 18 residential sub-units within the town site. They range in size from 12 acres to 75 acres and consist of 84 to 437 residential units. Sub-units are residential areas that can logically be developed as a project by different developers.

- b. Each phase has a program for the provision of urban services. These include the following primary facilities: sewer collection and treatment facilities; water pumps, storage and distribution mains; major streets, bikeways and trails; drainage facilities, parks and open space; schools and governmental facilities.
- c. In addition to providing facilities, the specific requirements in future phases, for which in-lieu fees shall be levied, are defined so that these facilities can be provided as required in the phasing plan.
- d. Development activity within the sub-units, including commercial sub-units, shall proceed in a consecutive fashion. However, a developer may proceed out of sequence if the next proposed sub-unit is contiguous to the sub-unit currently under development, and if the current sub-unit has received approval for a tentative subdivision map or site plan review for an area covering at least 75 percent of the area within the sub-unit.



To proceed out of sequence to a later phase, the developer has the following three options. Each option has a series of sequential requirements.

- 1) Final subdivision maps for at least 50 percent of the residential units, by type, must be approved for the current phase, site plan reviews for 50 percent of the commercial square footage for the current phase must be approved, and all primary infrastructure (including arterial and collector streets and sewer and water mains) must be constructed or an agreement for construction be executed.
  - 2) To move from Phase I to Phase II, at least 300 of the residential units must be constructed and a site plan review for 50 percent of the commercial square footage must be approved. Also, all primary infrastructure, including arterial and collector streets and sewer and water mains, must be constructed or an agreement for construction be executed. Before proceeding to the third phase, 400 additional residential units shall be constructed.
  - 3) Tentative subdivision maps for at least 50 percent of the residential units, by type, must be approved or site plan reviews for 50 percent of the commercial square footage must be approved for the current phase. In addition, a letter of credit or certificate of deposit shall be posted with the County of Fresno in the amount of all infrastructure improvement costs or the creation of an improvement district for all infrastructure for the entire current phase must be in place.
- e. Sub-unit phasing activity north of Millerton Road may take place concurrently with, or independent of, activity within each sub-unit south of Millerton Road.
- f. If development is proposed out of sequence in accordance with d., above, then the following shall be provided.
- 1) Services necessary for the proposed project, which ordinarily would have been provided by earlier phases/sub-units, shall be provided by the proposed project.
  - 2) The proposed project shall provide for payment of in-lieu fees for services required by its phase/sub-unit by the original phasing plan but not yet required by the community.
- g. A covenant shall run with the land within the Specific Plan stipulating that development must be in accordance with the Specific Plan and Phasing Program or any amendment thereto. The covenant shall further stipulate that the developer of any individual sub-unit shall be ultimately responsible for providing for services as described in the Phasing Program. Fresno County shall not be responsible, in any event, for financing public facilities within the Specific Plan area. In addition, a note shall appear on each tentative subdivision map that is approved within the Specific Plan area that states:

Development must occur according to the adopted Millerton Specific Plan and its elements. Conditions upon development may include, but are not limited to, minimum and maximum lots sizes, installation of sewer and water lines, installation of water systems, installation of sewage treatment facilities, installation of major roadways and provisions for hiking/biking trails and recreation facilities.

6.01 Phase I

Phase I is the most critical phase because major foundation services are required to eventually serve the entire community. Therefore, the number of dwellings and population must be sufficient to justify expenditures for capital improvements. Phase I is centered on Millerton Road to take advantage of the existing roadway and to provide community character by the first-in projects. The tributary south of Millerton Road (White Fox Creek) is also an important component of this Phase.

Phase I Land Use

1. Public (Government Center) 3  
 Residential 187  
 Commercial 10  
 Other (acreage for sewer treatment facility is about 10 acres)

Total Acres 210

2. Total Residential Units 1,387

3. Land Use

Commercial:

- Central Business 5 (convenience commercial/gasoline, fast food restaurant, limited retail, office)
- Service 5 (gasoline station, repair, storage, convenience commercial, service commercial)
- Special 32.5 (potential mobile home park).

Residential:

- Medium Low Density 0
- Medium Density 161
- Medium High Density 26

4. Phase I Residential Sub-units

<u>Sub-unit</u>	<u>Acres</u>	<u>Units</u>		<u>Total Du</u>	<u>Public Open Space (ac)</u>
		<u>SF</u>	<u>MF</u>		
<u>North of Millerton Road</u>					
A	27	94	95	189	.8
B	15	31	92	123	.45
C	42	147	147	294	1.25
<u>South of Millerton Road</u>					
A	38	70	250	320	1.15
B	19	59	80	139	.6
C	25	87	88	175	.75
D	21	74	73	147	.65
<b>TOTALS</b>	<b>187</b>	<b>562</b>	<b>825</b>	<b>1387</b>	<b>5.65</b>

<sup>1</sup> Public Open Space is that land in drainways and recreation corridors and is in addition to formal open space shown on the Plan map.

Designated Roadways<sup>2</sup>

Sub-Unit(s) Responsibilities  
N/o Millerton S/o Millerton

1. <u>Foothill</u> from Brighton to Lakeridge -- 5000'	A,B,C	---
2. <u>Arroyo</u> from Foothill to Millerton -- 600'	A,C,	---
3. <u>Lakeridge</u> from Foothill to Millerton -- 400'	A,C	---
4. <u>Marina</u> north to Foothill -- 1440'	B,C	---
5. <u>Marina</u> south to Auberry Road -- 8000'	(DF) <sup>3</sup>	C
6. <u>Indian Hill</u> from Millerton to sewer treatment plant -- 3200'	---	A,B,C
7. <u>Lakeridge</u> from Indian Hill to Marina -- 2400'	---	A,B,C,D
8. <u>Sunset</u> from Millerton to Lakeridge -- 1200'	---	A

NOTE: All bikeways are to be developed concurrently with roadway improvements

Sewer Facilities<sup>2</sup>

1. 1,600' of 14" line	(CSA) <sup>4</sup>	(CSA)
2. 800' of 12" line	(CSA)	(CSA)
3. 700' of 10" line	---	C
4. 9,200' of 6" line	A,B	A,B,C,D
5. 5,200' of 8" line	A,B,C,	---
6. 400' of 4" force main		
7. 1 lift station	A	---
8. Development of 400,000 gpd treatment and disposal facilities	(CSA)	(CSA)

<sup>2</sup> These figures are approximate, pending final design

<sup>3</sup>(DF) Extension of Marina Road funded through in lieu fees on all development

<sup>4</sup>(CSA) To be provided by County Service Area

Water Distribution<sup>2</sup>

Sub-Unit(s) Responsibilities  
N/o Millerton S/o Millerton

- |    |  |  |  |
|----|--|--|--|
| 1. | Construction of pumping plant and treatment facilities | (CSA <sup>4</sup> to install water system) |  |
| 2. | Construction of two 175,000 gallon storage tanks       |  |  |
| 3. | 8,800' of 12" line                                     |  |  |
| 4. | 10,400' of 10" line                                    |  |  |
| 5. | 9,500' of 8" line                                      |  |  |

Other Phase I Improvements

- |    |   |                    |       |
|----|---|--------------------|-------|
| 1. | Indian Hill bike path from Millerton Road to northern terminus                                    | A,C                | ---   |
| 2. | Indian Hill bike path from Lakeridge to Whitefox Parkway  | ---                | A     |
| 3. | Millerton Parkway from Lakeridge to Sunset  | A                  | A,B   |
| 4. | Whitefox Parkway from sewer treatment plant to Marina   | (CSA) <sup>4</sup> | (CSA) |
| 5. | Development of five-acre community park   | (CSA)              | (CSA) |
| 6. | Construction of community government center (community building, police substation, fire station) | (CSA)              | (CSA) |
- 6.02 PHASE II

Phase II properties expand on the "concentric ring" concept of community growth. Because major foundation sewer and water trunks have been provided in Phase I, Phase II will provide secondary sewer facilities, the near-completion of the major roadway network, and important public facilities such as the elementary school and community open space.

Phase II Land Use

1.	Public/School	10
	Government Center	2
	Residential	180.5
	Commercial	10
	Other (acreage for sewer treatment facility: about 7.5 acres)	
	Total Acres	210
2.	Total Residential Units	933
3.	Land Use	
	Commercial:	
	Central Business Service	5 (supermarket, hardware, retail, financial)
	Special	--
	Special	5 (restaurant, office, retail)
	Residential:	
	Medium Low Density	114.5
	Medium Density	42
	Medium High Density	24

4. Phase II Residential Sub-units

<u>Sub-unit</u>	<u>Acres</u>	<u>Units</u>		<u>Total Du</u>	<u>Public Open Space (ac)</u>
		<u>SF</u>	<u>MF</u>		
<u>North of Millerton Road</u>					
A	12	42	42	84	.35
B	37	130	--	130	1.10
C	18	28	128	256	.55
<u>South of Millerton Road</u>					
A	22	77	77	154	.65
B	47	164	7	171	1.4
C	14	--	140	140	.4
D	<u>30</u>	<u>105</u>	<u>--</u>	<u>105</u>	<u>.9</u>
TOTALS	180	546	394	940	5.35 acres

Millerton Specific Plan

806-07:6.02



Designated Roadways<sup>2</sup>

Sub-Unit(s) Responsibilities  
N/o Millerton S/o Millerton

1. <u>Brighton</u> from Foothill to Lakeridge -- 2800'	C	C
2. <u>Foothill</u> from Brighton to Phase III boundary -- 1000'	C	--
3. <u>Lakeridge</u> from Millerton to Indian Hill -- 2400'	---	A,B
4. <u>Morningside</u> from Lakeridge to Indian Hill -- 1680'	---	B
5. <u>Indian Hill</u> from sewer treatment plant to property line -- 1280'	---	B
6. <u>Lakeridge</u> from Marina to property line -- 1400'	---	C

Sewer Facilities<sup>2</sup>

1. 6400' of 6" line	A,B,C	C,D
2. 1 lift station	A	---
3. Development of 300,000 gpd treatment and disposal facilities	(CSA) <sup>4</sup>	(CSA)

Water Distribution<sup>2</sup>

1. 2800' of 10" line	---	B
2. 9500' of 8" line	C	C
3. Additional 170,000 gallons of storage gallons at each tank	(CSA)	(CSA)

Other Phase II Improvements

1. Whitefox Parkway from Marina to Brighton	(CSA)	(CSA)
2. Millerton Parkway from Lakeridge to western plan boundary	A	A
3. Development of elementary school	(DF) <sup>5</sup>	(DF)
4. Development of two-acre village green next to community government center	(CSA)	(CSA)

<sup>5</sup> School facilities will provided through assessment of in-lieu fees and dedication of sites

6.03 PHASE III

Phase III properties are on the periphery of the 820-acre area and will complete the community's infrastructure system. As with the first two phases, the last phase contains a mix of residential densities and supportive land uses.

Phase III Land Use

1. Public	--
Residential	245
Commercial	31
Other (appropriate acreage for sewer treatment facility: approximately 7.5 acres)	
Total Acres	183.5
2. Total Residential Units	1082
3. Land Use	
Commercial:	
Central Business Service	12 (office, community, retail)
Special	8 (service industries, service commercial)
	11 (health club, restaurant, offices)
Residential:	
Medium Low Density	200
Medium Density	23
Medium High Density	22

4. Phase III Residential Sub-units					
		Units		Total	Public Open
<u>Sub-unit</u>	<u>Acres</u>	<u>SF</u>	<u>MF</u>	<u>Du</u>	<u>Space (ac)</u>
<u>North of Millerton Road</u>					
A	35	122	--	122	1.05
B	30	28	248	276	.9
<u>South of Millerton Road</u>					
A	55	192	53	245	1.65
B	<u>125</u>	<u>437</u>	<u>--</u>	<u>437</u>	<u>3.75</u>
TOTALS	245	779	301	1080	7.35 acres

Designated Roadways<sup>2</sup>

Sub-Unit(s) Responsibilities  
N/o Millerton S/o Millerton

1. Foothill from Phase II boundary to Millerton -- 1600'

B ---

Sewer Facilities<sup>2</sup>

1. 5600' of 6" line
2. 1 lift station
3. Development of 200,000 gpd treatment disposal facilities

A,B A,B  
A ---  
(CSA)<sup>4</sup> (CSA)

Water Distribution

Water distribution facilities completed in Phase II.

Other Phase III improvement

1. Whitefox Parkway from Phase II boundary to property line

(CSA) (CSA)

7.00 ZONING

The property within the 820-acre Specific Plan area is proposed for rezoning in accordance with Figure 13.

The area covered by the Specific Plan was given a variety of designations upon adoption of the Sierra-North Regional Plan in May, 1982. These designations include: Specific Plan Reserve, Millerton New Town Reserve (for the anticipated "core" of the proposed new town), Low Density Residential, and three commercial sites reflecting previous County commitments. Accordingly, the site was zoned to the appropriate commercial, residential, and holding zones.

Upon adoption of the Specific Plan these, zones will be superseded by more precise zoning to implement the Plan policies.

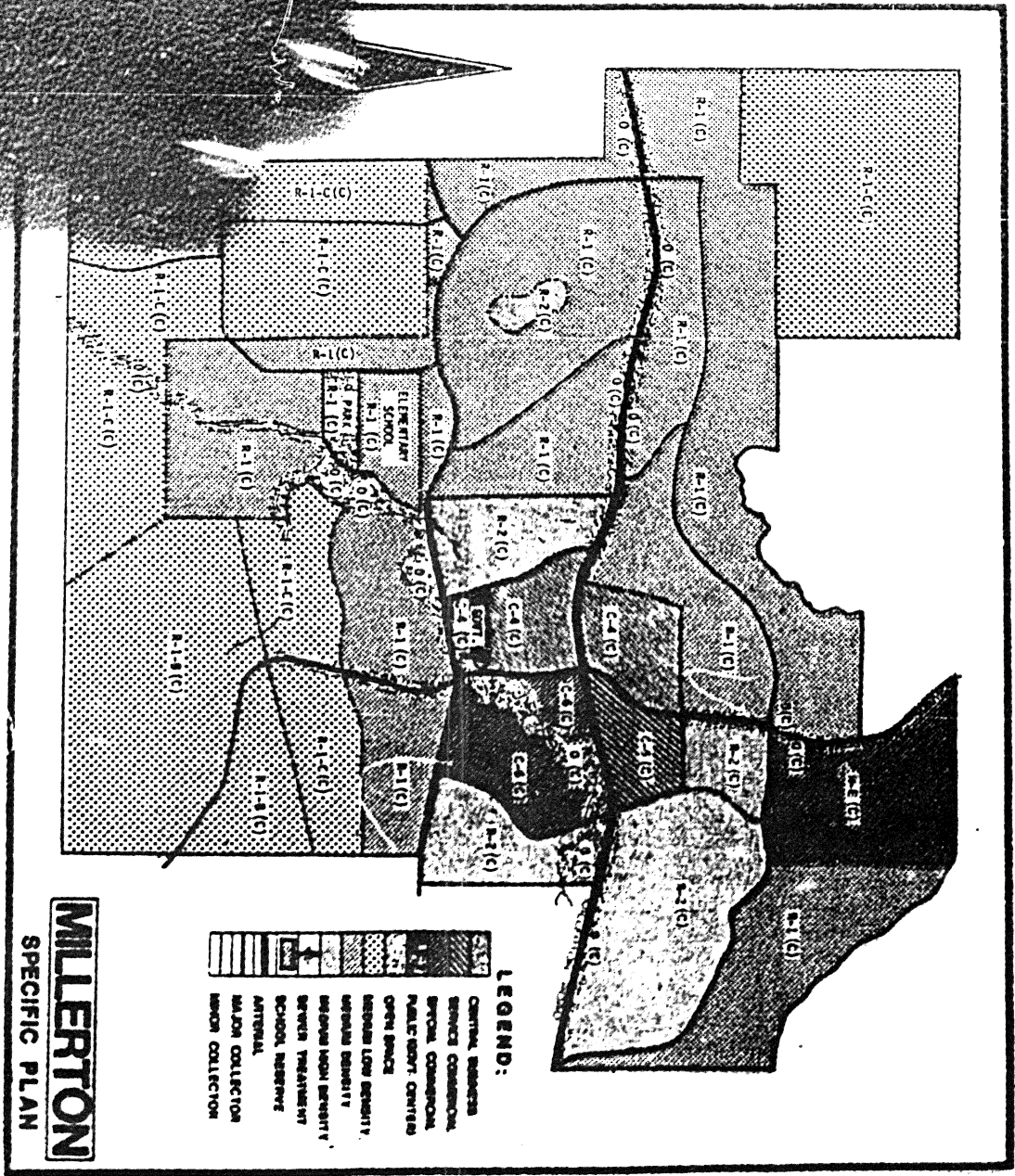
7.01 OBJECTIVES

- a. Implement the policies of the Specific Plan.
- b. Ensure that any future residents or potential future residents are aware of the land use, phasing, and zoning constraints placed upon adjacent or nearby properties. This will avoid many of the potential conflicts that arise with infill development.
- c. Enable the County to prepare more accurate estimates of service needs and costs when developing each component of the County Service Area.
- d. Enable environmental assessments of future tract maps, conditional use permits, etc., to be processed more efficiently because the number of units and/or the amount of square footage will be known in advance.
- e. Eliminate costly duplication of development programs, which would be passed onto the ultimate consumer.
- f. Protect property within the Specific Plan area from encroachment of incompatible land uses.

7.02 POLICIES

- a. All of the property within the Specific Plan area shall be rezoned through the broadscale rezoning process.
- b. Zoning shall be in conformance with, and conditioned upon, the Specific Plan text and land use map.
- c. A disclosure statement, which follows, shall be recorded by the owners immediately following adoption of the Specific Plan and rezoning of the 820-acre area.

Figure 13  
Zoning Plan  
63



This property lies within a geographical area that is controlled by an adopted Specific Plan. Development of any portion of this property must be done in accordance with the land use designations, policies, phasing plan, and implementing zone districts that have been approved by the Board of Supervisors. These documents are on file with the Fresno County Planning Department.

This notice shall appear in all Preliminary Title Reports that are prepared for all or any portion of the 820-acre new town core.

7.03 STANDARDS AND CRITERIA

- a. The Zoning Compatibility Matrix, shown on Table 2, is a method of defining consistency by comparing each zone district with land use categories set forth in the Plan. The Matrix illustrates the suitability of the specific zone districts with policies specified in the text of the Plan.
- b. The Matrix applies three degrees of compatibility to land use designations and zoning:
  - 1) Compatible  
Zones which specifically implement the policies specified in the General Plan.
  - 2) Conditionally Compatible  
Zones which may be compatible, depending on certain circumstances, with the policies of the General Plan.
  - 3) Not Compatible  
Zones which are inconsistent with the General Plan policies for a particular land use designation.
- c. Rezonings required to correct inaccuracies along undefined road alignments, easements, recreation corridors, etc. shall be processed concurrently at the time of specific project applications.

KLM:DC:ed  
2958C-16

TABLE 2

MILLERTON SPECIFIC PLAN  
ZONING COMPATIBILITY MATRIX

LAND USE DESIGNATIONS

<u>ZONE DISTRICTS*</u>	Open Space	Public Facilities	Medium Low Density	Medium Density	Medium High Density	Central Business Commercial	Service Commercial	Special Commercial
AL	0	●	0	0	0	0	0	0
RE	0							
O	0	0	0	0	0	0	0	0
R-1-B			●					
R-1-C			●					
R-1				●	0			
R-2				0	●			
T-P			0	0	0			
C-4						●		
C-6							●	0
C-1			0	0	0			
R-P			0	0	0	0		
C-P						0	0	0
C-M							0	
M-1							0	

0	Conditionally Compatible
●	Compatible
	Not Compatible

\* Initial zoning to implement the Specific Plan shall be conditioned upon conformity with all Plan policies, particularly the phasing criteria.



NOVEMBER 1, 1984

REPORT TO THE PLANNING COMMISSION  
MILLERTON SPECIFIC PLAN  
GENERAL PLAN NO. 196 AND AMENDMENT PROPOSAL NO. 3390

PROPOSAL

1. Amend the Sierra-North Regional Plan by adopting the Millerton Specific Plan for 820 acres located two miles east of the community of Friant along both sides of Millerton Road.
2. Rezone the property in conformance with the proposed Millerton Specific Plan.

FACTS

State law authorizes counties to adopt specific plans to implement the General Plan. A specific plan is a refinement of the County General Plan and must be consistent with the General Plan. It is a land use plan with a detailed service-delivery and infrastructure proposal. Specific plans are generally prepared for large development proposals, especially where more than one property owner is involved. Therefore, what would otherwise be uncoordinated, piecemeal development proposals can be administered efficiently as a unit. A specific plan should be of such clarity that it provides for all service, environmental, financial, and design needs without the need for administrative interpretation.

The land use plan governing the Millerton project area is the Sierra-North Regional Plan, which was adopted by the Board of Supervisors on May 4, 1982. This Plan identifies the project area as appropriate for a new town proposal.

The proposed Millerton Specific Plan is not the plan that was originally submitted by the applicants. That plan was written in a inconsistent format and contained a number of proposals that were unacceptable to County staff. In an effort to develop a more mutually acceptable proposal, the applicants and the County planning staff worked together to eliminate the concerns and differences. What has been distributed is the result of this negotiation process.

ANALYSIS

Millerton New Town is proposed to be a growth center capable of accommodating 8,000 to 10,000 persons. The site is located about 12 miles north of the Fresno-Clovis Metropolitan Area (FCMA), and is proposed to be provided with services by a County Service Area. The objective is to develop, over several years, a residential community with a wide range of housing types. Community retail and service commercial and recreation uses are proposed to be phased with the residential development and are intended to provide for the daily needs of the residents. Some employment opportunities in the retail, service, construction, and professional sectors may be available as the community grows, but Millerton will be dependent on the FCMA for most employment.



The Millerton Specific Plan is organized in a format common to all other components of the County's General Plan. As required by State law, the Specific Plan contains all the detailed regulations, conditions, programs, and proposed legislation which are necessary for the implementation of each of the nine required elements in the General Plan. These include: (1) the location of and standards for land uses and facilities; (2) the location of and standards for streets, roads, and other transportation facilities; (3) standards for population density and building intensity and provisions for supporting services; (4) standards for the conservation, development, and use of natural resources; and (5) provisions for implementing the Open-Space Element.

Also, the proposed Plan is to be a regulatory tool. Zoning is proposed as part of the Plan, but can only be activated if the phasing and timing criteria and other conditions pertaining to the development of public facilities and services have been met. The recommended zone districts are indicated on the Plan's zoning compatibility matrix (page 63 of the draft Plan) as most appropriate to implement the respective land use designations.

Once adopted, the Specific Plan will become the "blueprint" for the approval of subdivisions and capital facilities.

#### ENVIRONMENTAL ANALYSIS

The final Environmental Impact Report (EIR) for this project identifies the following significant effects.

##### 1. Land Use and Zoning

Development of the project's core area would result in the conversion of 820 acres of grazing land to a planned community with an estimated maximum population of 8,856 residents. The surrounding Low Density Residential designated land would, at full buildout, increase the community's population to nearly 10,000. The project would create the potential for adverse impacts on adjoining public and private lands. These impacts relate to natural resource degradation (see the following numbers below 2, 3, 4, 7, 9, and 12) and growth-inducing effects such as the cancellation of lands subject to Williamson Act Contract and the parcelization of grazing land. The creation of the potential for these impacts is unavoidable and would be proportional to the range of project development.

##### 2. Vegetation and Wildlife

The project would result in the conversion of existing wildlife habitat to urban uses. Construction of dwellings and other structures and development of the proposed road system would permanently remove a portion of existing wildlife habitat. Potential on- and off-site impacts include loss of food and habitat for wildlife, killing of wildlife by free-roaming pets and hunters, and use of off-road vehicles in previously undisturbed areas. It is not possible to develop the site without adversely affecting the natural vegetative and wildlife regime.

### 3. Climate and Air Quality

The project would result in increased air pollutants from both vehicular and stationary sources. While not significant on a regional scale, these emissions would constitute a cumulative impact on air quality. Air pollutants that would be generated on a long-term basis would include hydrocarbons (precursors to oxidants), carbon monoxide, and particulate emissions from sources of combustion. Temporary increases in particulates would result from the generation of dust during grading and other construction activities.

### 4. Noise

Development of the project would change the existing acoustical environment on the site. Sources of project-generated noise would be traffic on roadways and parking lots. Short-term noise impacts would occur during construction activities. The highest noise levels would occur within 100 feet from Millerton Road and it is predicted that, at maximum buildout, noise levels would reach 64dBA along the roadway. The Specific Plan contains a policy requiring a 50-foot setback and walls and berms along Millerton Road. It is anticipated that traffic-related noise levels are unavoidable.

### 5. Traffic and Circulation

Projected traffic volumes, plus anticipated cumulative traffic, indicate that two key intersections (Auberry Road and Copper Avenue and Millerton Road and Winchell Cove Road) would operate within a stable flow with little delay. These intersections should not be significantly impacted.

However, the addition of project traffic to the regional road system would result in a potentially congested condition (during peak hours) at the intersection of Millerton Road at Winchell Cove Road. Proposed intersection improvements such as turning pockets and additional lanes, median island barriers, and a traffic signal would reduce traffic congestion at this intersection.

The proposed internal circulation system would be adequate to serve project residents. Improvement of proposed roads to County standards should preclude any adverse impacts relating to on-site traffic circulation.

### 6. Hydrology

An adequate community water system will be constructed for residential, commercial, and public facility uses. The source of water will be groundwater or surface water from Millerton Lake or a combination of the two sources. The system will be designed and installed according to California Regional Water Quality Control Board and County Health Department standards. The operation and maintenance would be the responsibility of the County Service Area.

## 7. Drainage and Flooding

While some degradation of surface waters will occur, dilution of increased stormwater runoff through proposed erosion control measures and stormwater detention basins will reduce relative impact. Increased runoff is unavoidable due to development, but the Plan states that off-site flows shall not exceed predevelopment levels.

The areas along White Fox Creek are within a 100-year flood boundary. This area is proposed for open space.

## 8. Solid Waste Management

The project would generate increased volumes of solid waste and would place a greater demand upon landfills in the valley. This demand would be proportional to the level of project development. While the implementation of a communitywide recycling center will help alleviate this impact, the effect on landfills would be cumulative in nature and would result in a shorter life span for existing and any future landfill facilities.

## 9. Fire Protection

Due to topographical features and flammable vegetation, the project site is in a high fire hazard area. Consequently, the project would unavoidably result in the exposure of increased numbers of people and structures (both on and off site) to the potential effects of wildfires. The project provides for emergency access roads, spacing between residential units, fuel modification zones and fuelbreaks, water lines and fire hydrants, a fire station, fire sprinkler systems, and use of fire retardant materials in the construction of buildings. While these measures will reduce fire related impacts, increased risks related to off-site fire hazards are considered unavoidable.

## 10. Schools

The project would generate, at maximum buildout, 1,047 kindergarten to eighth grade students and 470 high school students. During Phase I, elementary-age students would either attend school in Friant or Auberry. Older students would attend Sierra Joint Union High School. Based on Specific Plan projections, more than one elementary school will be needed, either in the new town or nearby, to accommodate students from the project as well as from other potential development in the area. Accordingly, a 10-acre elementary school site has been designated on the site and is scheduled to be built during Phase II. Regarding information provided during the draft EIR public review period, the capacity of Sierra Joint Union High School will be reached with 900 students; the current enrollment is 856. The Plan requires that a development fee system be established for major capital facilities, such as schools. Area-wide high school facilities will, however, be significantly affected by project development. This impact will be proportional to the range of development.

#### 11. Energy Resources

The project would have primary and secondary impacts on energy consumption. Primary impacts would be from the use of electricity and propane in residential units, commercial buildings, and government facilities. Secondary impacts would be the consumption of fossil fuels during the construction phase and by the residents' use of vehicles. Energy use would not create significant adverse impacts on energy resources, but would constitute a cumulative reduction in non-renewable fossil fuels. The Pacific Gas and Electric Company has indicated that capacity does exist to provide electrical service to the project site. The impacts would be substantially reduced through implementation of energy conservation measures recommended in the Specific Plan.

#### 12. Geology and Soils

Development of the project would result in alterations to existing topographic features because of major earthwork that would be necessary during construction activities. Potential environmental effects include erosion and small landslides. Mitigation measures incorporated in the Plan include the requirement for drainage and erosion control plans to be prepared at the time of development.

#### 13. Wastewater Disposal

Suitable ponding areas are available in the southwest corner of the site, and a tertiary-level treatment facility is proposed to be located in this area. The plant will be built in increments of 100,000 gallons per day, with a total capacity of 885,000 gallons per day. Disposal will be by a combination of ponding or irrigation of crops and open space. Interim disposal sites may be used if cumulative flows are smaller than the 100,000 gallons per day increment needed for phased construction of the treatment facility. The wastewater disposal system would be installed according to California Regional Water Quality Control Board and County Health Department standards; operation and maintenance would be the responsibility of the County Service Area.

#### 14. Law Enforcement

The project area is within the jurisdiction of the Fresno County Sheriff's Department. The California Highway Patrol provides service when traffic flow warrants and manpower permits. The project would generate, at full buildout, a level of police service demand between 1.5 and 2.0 police workyears. This would result in 15 new staff members. Revenues for law enforcement would come from the County Service Area (via development fees) and from the County General Fund. The Specific Plan provides for construction of a sheriff's substation in the government center, which is to be developed during Phase I.

15. Historic/Cultural Resources

Two archaeological surveys, covering 1,462 acres, have been completed at the project site and surrounding areas. A total of 12 sites were identified. The two significant sites within the project area are incorporated within the open space system of the new town. The EIR recommends that, if archaeological resources are uncovered during construction activities, then these activities should be halted and the County Planning Department be notified.

The following are unavoidable significant effects of this project.

1. Land Use and Zoning

The project will result in the loss of 820 acres of grazing land. The project would create the potential for adverse impacts upon adjoining public and private lands.

2. Vegetation and Wildlife

Development of the project would unavoidably alter the existing vegetative regime and preclude the use of the site for grazing. The project would result in the conversion of existing wildlife habitat to urban uses. The extent of the alterations to the vegetative regime and to wildlife habitat would be proportional to the range of project development.

3. Climate and Air Quality

The project would result in increased air pollutants from both vehicular and stationary sources. These emissions would constitute a cumulative deterioration of ambient air quality.

4. Noise

Traffic-related noise is unavoidable.

5. Traffic and Circulation

The project would create increased traffic volumes.

6. Solid Waste Management

Project-generated solid waste would impact landfill facilities in the San Joaquin Valley.

7. Fire Protection

The project would increase the risks of off-site wildland fires.

8. Schools

Any enrollment increases resulting from the project would contribute to future capacity problems at existing high school facilities.

### Findings

Section 15091 of the State California Environmental Quality Act (CEQA) Guidelines requires that the public agency considering a project for which an EIR has been prepared shall not approve said project without making one or more of the findings listed in the Recommendations Section for any identified significant effect.

### Overriding Considerations

Section 15093 of the State CEQA Guidelines requires that where the decision of a public agency allows the occurrence of significant effects which are identified in the final EIR but are not at least substantially mitigated, the approval must contain a finding that the benefits of the project outweigh the unavoidable adverse environmental effects. These overriding considerations must be fully explained in the record of approval of the project.

### CONCLUSIONS

1. The proposed Specific Plan and EIR meet State General Plan and CEQA requirements.
2. The proposed new town site is an appropriate location for this type of development and carries out the County's goal of establishing urban living areas outside of productive agricultural areas.
3. The proposed Specific Plan provides the necessary controls to ensure that development occurs in a logical progression. It also includes the provisions of all off-site and on-site facilities and infrastructure required for development.

### RECOMMENDATIONS

1. Adopt a statement that the final EIR has been completed in compliance with CEQA and has been reviewed and considered.
2. Address all significant impacts identified in the final EIR and make one or more of the following findings:
  - a. That changes have been required in the project to avoid or substantially lessen the significant effect.
  - b. That another agency has responsibility to require appropriate changes and has or should require such changes.
  - c. That specific, economic, social or other considerations make mitigation measures or project alternatives infeasible.
3. Adopt a statement of overriding considerations for those significant effects which are not substantially mitigated.
4. Approve the Millerton Specific Plan, by resolution, for later adoption as part of the third General Plan Amendment of 1984.

5. Approve rezoning of all property within the Specific Plan boundaries in conformance with the proposed Millerion Specific Plan.
6. Initiate an amendment to the General Plan and Zoning Ordinance to provide for Planned Commercial Developments by special permit.

ALTERNATIVES

1. The proposed Plan could be denied and the land use designations and policies of the Sierra-North Regional Plan would continue.
2. The proposed Plan could be approved, but without granting the zoning. This would require that individual rezoning applications be considered as each development project is proposed.

SOURCES CONSULTED

The final EIR contains a notification list of persons and agencies contacted, copies of agency and citizen comments on the Plan and EIR, and responses to the issues raised in the comment letters.

RAS:DC:mc  
3054C-52  
11/19/84

AFFIDAVIT OF MAILING

I declare that on October 22, 1984, at the request of the Fresno County Board of Supervisors, I mailed a notice like the one hereto attached:

with reference to General Plan Amendment No. 196 & Amendment Proposal No. 3390

by depositing in the United States Post Office at Fresno, California, a copy of said notice enclosed in an envelope with postage prepaid, addressed to each of the owners at their addresses, all as shown on the current Fresno County Assessment Roll and as shown on the property list compiled from said rolls and in the file of the case.

This declaration is made under penalty of perjury.

Fresno Daily Legal (10/22/84)

DC:ed  
11/19/84



Elaine Duran, S.O.A. II



## NOTICE OF PUBLIC HEARINGS

FRESNO COUNTY  
PLANNING COMMISSION AND BOARD OF SUPERVISORS  
GENERAL PLAN AMENDMENT NO. 196

Public hearings will be held to consider an amendment to the Fresno County General Plan.

Proposal: Consider amending the Sierra-North Regional Plan by adopting the Millerton New Town Specific Plan and concurrent rezoning to implement the Plan.

Any of the following zone districts may be considered:

O (Open Conservation), AL (Limited Agriculture 20 acre minimum), R-1-B (Single Family Residential), R-1-C (Single Family Residential), R-1 (Single Family Residential), R-2 (Low Density Multiple Family Residential), T-P (Trailer Park Residential), R-P (Residential and Professional Office), C-P (Administrative and Professional Office), C-1 (Neighborhood Shopping Center), C-4 (Central Trading), C-6 (General Commercial), and R-E (Recreational).

Applicant: A.B. Ewell and Norman L. Christensen

The Planning Commission hearing will be held at 8:50 a.m.\* on November 1, 1984, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno, California.

The Board of Supervisors hearing will be held at 2:00 p.m.\* on December 4, 1984, at the above location.

Anyone interested may testify. For information please contact Don Chapin, Fresno County Planning Department, 4475 E. Kings Canyon Road, Fresno, California 93702; phone 453-5010 (when calling from Fresno County phones outside the Fresno-Clovis Metropolitan area call toll-free by dialing 1-800-742-1011 then ask for the Planning Department, 453-5010).

**NOTE:** IF YOUR PROPERTY LIES WITHIN THE SPECIFIC PLAN AREA, IT MAY BE REZONED AT THE SAME TIME ACTION IS TAKEN ON THIS GENERAL PLAN AMENDMENT. State law requires that zoning be consistent with the adopted General Plan.

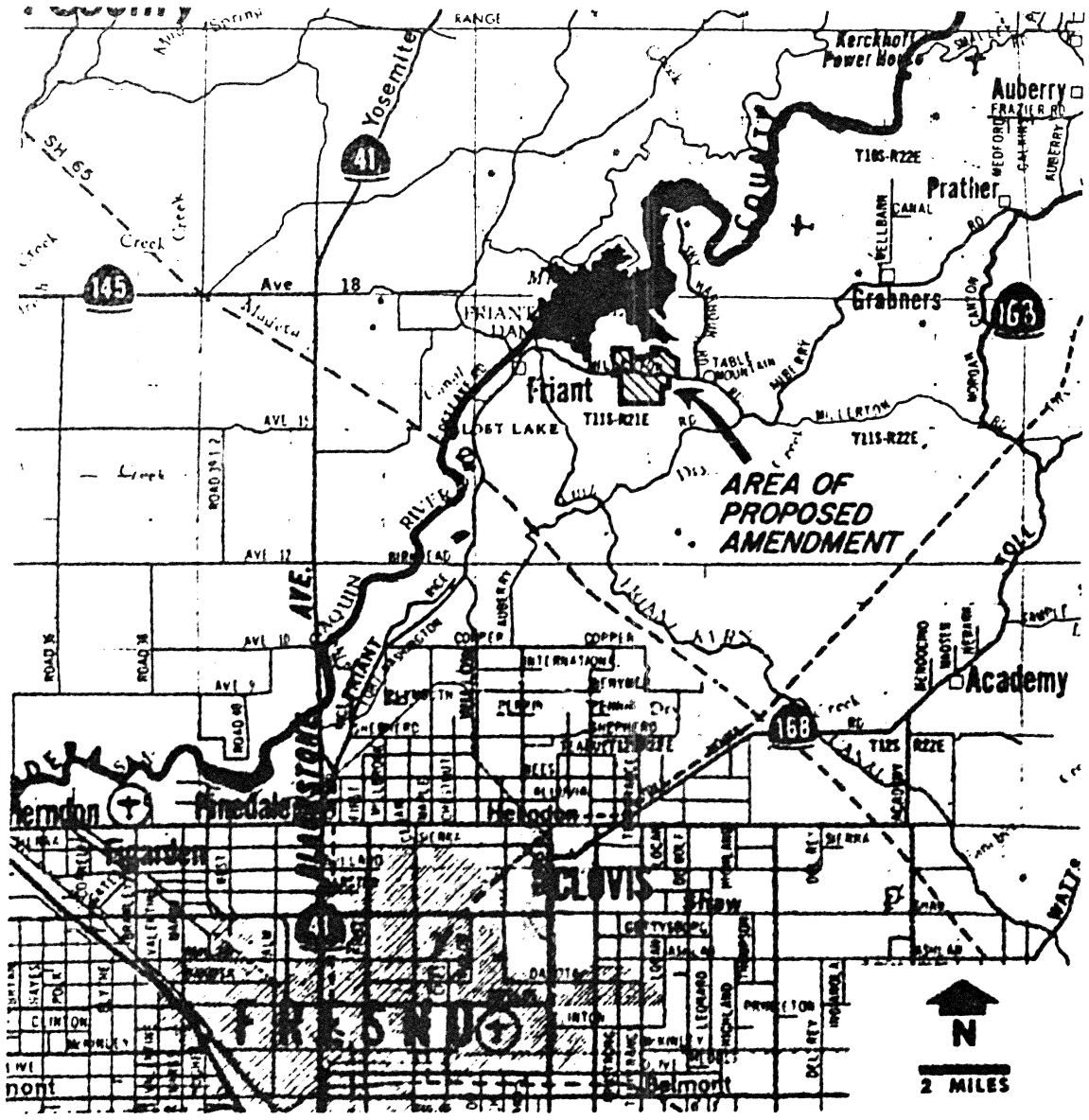
**THIS IS THE ONLY NOTICE YOU WILL RECEIVE REGARDING THIS PROPOSED GENERAL PLAN AMENDMENT.**

\*or as soon thereafter as possible

DC:mc/2873C-14  
9/6/84

SEE MAP ON REVERSE SIDE

# GENERAL PLAN AMENDMENT APPLICATION No. 196



RECEIVED  
NOV 30 1984

CLERK OF THE BOARD

47560 Pintail Lane  
Squaw Valley, Ca  
Nov. 29, 1984

Board of Supervisors  
Hall of Records  
Fresno, California

I can't be at the meeting but I would like to register my opposition to a town site being developed in the Millerton area. Please read my letter into the record.

When I served on the committee for the South Sierra General Plan, we circulated questionnaires relevant to development in the county.

The overwhelming response was in opposition to development except in already established town sites. I would remind the Board of its obligation to its constituency.

My general position is against government regulation. I favor a landowner doing what he wants with his property. However this current proposal provides for large scale development with too great a magnitude. The same factors which influenced the Board to limit property divisions to 160 acres are still with us.

We have the opportunity to enjoy a recreational area in a rural environment. Should we have anything less for our grandchildren?

Sincerely,  
*Maynard Wilson*  
Maynard Wilson