

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

	RESOLUTION ADOPTION OF A MITIGATED)
	NEGATIVE DECLARATION, AND APPROVAL)
IN THE MATTER OF FRESNO COUNTY)	OF TENTATIVE TRACT MAP NO. 6420 AND)
TENTATIVE TRACT MAP NO. 6420 AND)	VARIANCE APPLICATION NO. 4140 WITH)
VARIANCE APPLICATION NO. 4140)	FINDINGS AND CONDITIONS OF APPROVAL)

WHEREAS, Elegante Estates LLC made an application to the Fresno County Planning Commission (Planning Commission) for adoption of a Mitigated Negative Declaration based on Initial Study No. 8307, and approval of a Tentative Tract Map No 6420 for the creation of a 16-lot residential development with an exception for private road width and minimum centerline road curve radius per County Ordinance Code 17.72.333-A on a 15.24-acre parcel and a 21.18-acre parcel in the RR (Rural Residential) Zone District and approval of Variance No. 4140 proposing to waive public road frontage requirement and the 4 to 1 lot depth to lot width ratio requirement for the proposed 16-unit single-family residential development on a 15.24-acre parcel and a 21.18-acre parcel in the RR (Rural Residential) Zone District; and

WHEREAS, The subject parcels are located on the southeast corner of Friant Road and Willow Avenue, approximately 1,870 feet north of the City of Fresno boundary, and

WHEREAS, on July 18, 2024, the Planning Commission denied the Application for Tentative Tract Map No 6420 on technical grounds with a vote of 4 to 3 falling short of the five necessary affirmative votes to recommend approval of the General Plan Amendment and rezoning to the Board of Supervisors and by extension technically denying the other applications associated with the project consisting of the Tentative Tract Map and Variance Application; and

WHEREAS, on July 24, 2024, an appeal was filed by the Applicant with the County Board of Supervisors (Board) of the Planning Commission's denial.; and

WHEREAS, Pursuant to Section 66474 of the Subdivision Map Act and Title 17, Chapter 17.20.020 of the County Subdivision Ordinance, in order for the Board to approve Tentative Tract Map

1 No. 6420, the Board must make the following five findings:

- 2 1. That the proposed map and the design improvement of the proposed subdivision are
3 consistent with the General Plan and any applicable Specific Plans; and
- 4 2. That the project site is physically suitable for the type and density of development
5 proposed; and
- 6 3. That the design of the proposed subdivision or the proposed improvements are not likely
7 to cause substantial environmental damage or substantially and avoidably injure fish or
8 wildlife or their habitat; and
- 9 4. That the design of the subdivision or types of improvements are not likely to cause serious
10 public health problems; and
- 11 5. That the design of the subdivision or types of improvements will not conflict with
12 easements, acquired by the public at large, for access through or use of the property within
13 the proposed subdivision.

14 WHEREAS, after duly giving all required public notices, and an opportunity for the public to speak
15 and present evidence for and against the proposed single-family residential subdivision and having
16 complied with all applicable requirements of the law, including the County Zoning Ordinance, the Board
17 hereby resolves and takes the following actions, including making the following findings.

18 NOW, THEREFORE Section 66474 of the Subdivision Map Act and Title 17, Chapter 17.20.020
19 of the County Subdivision Ordinance requires that the proposed residential subdivision and the design
20 improvement of the subdivision are consistent with the General Plan and any applicable Specific Plans
21 (Finding 1), and, in light of such requirement, the Board hereby makes the following findings:

- 22 • The proposed subdivision and related improvements are consistent with the County General
23 Plan; and
- 24 • Based on the foregoing facts, which this Board has found, the Application satisfies required
25 Finding No. 1.

26 NOW, THEREFORE, Section 66474 of the Subdivision Map Act and Title 17, Chapter 17.20.020
27 of the County Subdivision Ordinance requires that the project site is physically suitable for the type and
28 density of development proposed (Finding 2), and, in light of such requirement, the Board hereby makes

1 the following findings:

- 2 • The project site is suitable in size to accommodate the proposed 16-lot subdivision within the
3 project site in the RR Zone District to be provided with individual on-site sewer and water
4 systems and related amenities; and
- 5 • Based on the foregoing facts, which this Board has found, the Application satisfies required
6 Finding No. 2.

7 NOW, THEREFORE, Section 66474 of the Subdivision Map Act and Title 17, Chapter 17.20.020
8 of the County Subdivision Ordinance requires that the design of the proposed subdivision or the proposed
9 improvements are not likely to cause substantial environmental damage or substantially and avoidably
10 injure fish or wildlife or their habitat (Finding 3), and, in light of such requirement, the Board hereby makes
11 the following findings:

- 12 • The project will have no or a less than significant impact on the environment, special-status
13 species, riparian habitats, fish and wildlife, and their habitat with the implementation of
14 Mitigation Measures included in Initial Study No. 8307; and
- 15 • Based on the foregoing facts, which this Board has found, the Application satisfies required
16 Finding No. 3.

17 NOW, THEREFORE, Section 66474 of the Subdivision Map Act and Title 17, Chapter 17.20.020
18 of the County Subdivision Ordinance requires that the design of the subdivision or types of improvements
19 are not likely to cause serious public health problems; (Finding 4), and, in light of such requirement, the
20 Board hereby makes the following findings:

- 21 • That the development of the proposed residential subdivision is unlikely to cause serious
22 public health problems; and
- 23 • Based the foregoing fact, which this Board has found, the Application satisfies required
24 Finding No. 4.

25 NOW, THEREFORE, Section 66474 of the Subdivision Map Act and Title 17, Chapter 17.20.020
26 of the County Subdivision Ordinance requires that the design of the subdivision or types of improvements
27 will not conflict with easements, acquired by the public at large, for access through or use of the property
28 within the proposed subdivision (Finding 5), and, in light of such requirement, the Board hereby makes

1 the following findings:

- 2 • That there are no known public easements traversing the subject property and the project will
- 3 not be in conflict with easements acquired by public at large; and
- 4 • Based the foregoing fact, which this Board has found, the Application satisfies required
- 5 Finding No. 5.

6 WHEREAS, regarding Variance No. 4140 pursuant to County Zoning Ordinance Section
7 860.5.060, in order for the Board to approve Variance No. 4140, the Board must make the following four
8 findings:

- 9 1. That there are exceptional or extraordinary circumstances or conditions applicable to the
- 10 property involved which do not apply generally to other property in the vicinity having the
- 11 identical zoning classification.
- 12 2. That such Variance is necessary for the preservation and enjoyment of a substantial
- 13 property right of the applicant, which right is possessed by other property owners under
- 14 like conditions in the vicinity having the identical zoning classification.
- 15 3. That the granting of a variance will not be materially detrimental to the public welfare or
- 16 injurious to property and improvement in the vicinity in which the property is located.
- 17 4. That the granting of such a variance will not be contrary to the objectives of the General
- 18 Plan; and

19 WHEREAS, after duly giving all required public notices, and an opportunity for the public to speak
20 and present evidence for and against the proposed single-family residential subdivision and having
21 complied with all applicable requirements of the law, including the County Zoning Ordinance, the Board
22 hereby resolves and takes the following actions, including making the following findings.

23 NOW, THEREFORE Chapter 860.5.060-D of the County Zoning Ordinance requires that there
24 are exceptional or extraordinary circumstances or conditions applicable to the property involved which
25 do not apply generally to other property in the vicinity having the identical zoning classification (Finding
26 1), and, in light of such requirement, the Board hereby makes the following findings:

- 27 • The Applicant's Finding merit the request for a single access private road secured by gated entry
- 28 to serve all lots within the tract and given the project site's topographical constraints, minimizing

1 damage to the geological features of the site with less cuts and grading activities in order to place
2 road access in feasible locations on the site is an exceptional circumstance for the waiving of the
3 lot depth to lot ratio.

- 4 • Based on the foregoing facts, which this Board has found, the Application satisfies required
5 Finding No. 1.

6 NOW, THEREFORE, Chapter 860.5.060-D of the County Zoning Ordinance requires that such
7 Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant,
8 which right is possessed by other property owners under like conditions in the vicinity having the identical
9 zoning classification, (Finding 2), and, in light of such requirement, the Board hereby makes the following
10 findings:

- 11 • The site's unique feature (bluff) warrants the granting of a variance for waiving the street
12 frontage requirement for the proposed parcels and waiving the 4:1 lot depth to lot width ratio,
13 so the property enjoys the ability to be developed as other properties that do not have this
14 unique feature.; and
- 15 • Based on the foregoing facts, which this Board has found, the Application satisfies required
16 Finding No. 2.

17 NOW, THEREFORE, Chapter 860.5.060-D of the County Zoning Ordinance requires that the granting of
18 a Variance will not be materially detrimental to the public welfare or injurious to property and improvement
19 in the vicinity in which the property is located (Finding 3), and, in light of such requirement, the Board
20 hereby makes the following findings:

- 21 • Waiving the road frontage and the lot depth to lot width ratio requirements will not be materially
22 detrimental to public health and welfare, as the project is a single cohesive development that
23 will not directly impact the adjacent properties or public at large; and
- 24 • Based the foregoing fact, which this Board has found, the Application satisfies required
25 Finding No. 3.

26 NOW, THEREFORE, Chapter 860.5.060-D of the County Zoning Ordinance requires that the
27 granting of such a variance will not be contrary to the objectives of the General Plan (Finding 4), and, in
28 light of such requirement, the Board hereby makes the following findings:

- 1 • That the granting of the Variance would not be contrary to the objectives of the General Plan;
2 and
- 3 • Based the foregoing fact, which this Board has found, the Application satisfies required
4 Finding No. 4.

5 NOW, THEREFORE, IT IS ORDERED AND RESOLVED that the Variance Application No. 4170
6 is approved, and the Board adopt the Resolution on file with the Clerk by:

- 7 a) Determining the Mitigated Negative Declaration (MND) prepared for Variance No. 4170 was
8 presented to, reviewed, and considered by the Board of Supervisors;
- 9 b) Approving Variance No. 4140, with Mitigation Measures, Conditions of Approval and
10 Project Notes.

11 NOW, THEREFORE, IT IS ORDERED AND RESOLVED that the Tentative Tract Map No. 6420
12 is approved, and the Board adopt the Resolution on file with the Clerk by:

- 13 a) Determining the Mitigated Negative Declaration (MND) prepared for the Tentative Tract Map
14 No. 6420 was presented to, reviewed, and considered by the Board of Supervisors;
- 15 b) Certifying that the MND prepared under Tract Map Application as complete and adequate in
16 conformance with the California Environmental Quality Act;
- 17 c) Approving Tract Map No. 6420, with Mitigation Measures, Conditions of Approval and
18 Project Notes.

19 NOW, THEREFORE, IT IS ORDERED AND RESOLVED that the Notice of Determination
20 Attached as EXHIBIT A, based on Initial Study No. 8307 is hereby adopted and County staff is directed
21 to file said Notice of Determination with the County Clerk and the State Clearinghouse for Tract Map No.
22 6420 to allow for a Tentative Tract Map for the creation of a 16-lot residential development with an
23 exception for private road width and minimum centerline road curve radius per County Ordinance Code
24 17.72.333-A; and for Variance No. 4140 to allow for the waiving of public road frontage requirement and
25 the 4 to 1 lot depth to lot width ratio requirement for the proposed 16-unit single-family residential
26 subdivision on a 15.24-acre parcel and a 21.18-acre parcel is hereby approved subject to the Mitigation
27 Measures and Conditions of Approval in the Attached EXHIBIT B.

1 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption
2 by the Board. THE FOREGOING was passed and adopted by the following vote of the Board of
3 Supervisors of the County of Fresno this 22nd day of October, 2024, to wit:

4
5 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco

6 NOES: None

7 ABSENT: None

8 ABSTAINED: None

9 RECUSED: Supervisor Quintero

10
11 BY 

Nathan Magsig, Chairman of the
Board of Supervisors of the County of Fresno

12
13 **ATTEST:**

Bernice E. Seidel

14 Clerk of the Board of Supervisors

15 County of Fresno, State of California

16
17 BY 

18 Deputy
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County of Fresno

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

NOTICE OF DETERMINATION

To: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

☒ County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

From: Fresno County Department of Public Works and Planning, Development Services and Capital Projects
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resource Code

Project: Initial Study No. 8307, General Plan Amendment Application No. 566, Amendment Application No. 3850, Variance Application No. 4140, Tentative Tract Map Application No. 6420.

Location: The subject parcels are located at the junction of Friant Road and Willow Avenue, approximately 1,870 feet north of the City of Fresno boundary (APN 579-060-37; 55) (12760 and 12762 N. Friant Road, Fresno) (Sup. Dist. 2).

Sponsor: Vintage on the Bluff LLC aka Vintage on the Bluff, LLC

Description: Amend the Land Use Element of the Fresno County General Plan by changing the land use designation of a 15.24-acre parcel and a 21.18-acre parcel from Agriculture to Rural Residential; rezone said parcels from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the R-R (Rural Residential, two-acre net minimum parcel size) Zone District to allow the creation of 16 lots (Tract 6420) from the subject parcels; allow Variance to waive the public road frontage requirement and the 4 to 1 lot depth to lot width ratio requirement for the lots; and approve a Tentative Tract Map for the creation of a 16-lot residential development with an exception for private road width and minimum centerline road curve radius per County Ordinance Code 17.72.333-A.

This is to advise that the County of Fresno (☒ Lead Agency ☐ Responsible Agency) has approved the above-described project on October 22, 2024, and has made the following determination:

1. The project ☐ **will** ☒ **will not** have a significant effect on the environment.
2. ☒ An Environmental Impact Report (EIR) **was not** prepared for this project pursuant to the provisions of CEQA. / ☒ A Mitigated Negative Declaration **was** prepared for this project pursuant to the provisions of CEQA.

3. Mitigation Measures ☒ **were** ☐ **were not** made a condition of approval for the project.

4. A statement of Overriding Consideration ☐ **was** ☒ **was not** adopted for this project.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Corner of Tulare and "M" Streets, Fresno, California.

David A. Randall, Senior Planner
(559) 600- 4569 /EMAIL drandall@fresnocountyca.gov

Date

EA;

G:\4360Devs&Pln\ADMIN\BOARD\Board Item\2020-2029\2024\10-22-24\GPA566, AA3859, TTM 6420\VA 4140\Resolution for VA 4140\On file with Clerk - Resolution VA 4140

Mitigation Monitoring and Reporting Program
Initial Study No. 8307; General Plan Amendment Application No. 566; Amendment Application No. 3850;
Tentative Tract Map Application No. 6420; Variance Application No. 4140
Mitigation Measures, Conditions of Approval and Project Notes

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways.	Applicant	Applicant/PW&P	During life of the project
*2.	Biological Resources	A qualified wildlife biologist shall conduct surveys for nesting Swainson's Hawk (SWHA) following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000) prior to project implementation. The survey protocol includes early season surveys to assist the project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities.	Applicant	Applicant/PW&P	Prior to ground disturbance
*3.	Biological Resources	If expansion of any project activities will take place during the normal bird breeding season (March 1 through September 15), additional pre-activity surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of the project implementation. A minimum no-disturbance buffer of one-half mile shall be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.	Applicant	Applicant/PW&P	Prior to ground disturbance
*4.	Biological Resources	In the event an active SWHA nest is detected during surveys and the one-half mile no-disturbance buffer around the nest cannot feasibly be implemented, consultation with CDFW is warranted to discuss how to implement the project and avoid Take. If Take cannot be avoided, Take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is	Applicant	Applicant/PW&P	Prior to ground disturbance

		warranted to comply with California Endangered Species Act.			
*5.	Biological Resources	Prior to initiating ground-disturbing activities on the project site, a qualified biologist shall conduct a habitat assessment to determine if the project area or its immediate vicinity contain suitable habitat for the American badger.	Applicant	Applicant/PW&P	Prior to ground disturbance
*6.	Biological Resources	If suitable habitat is present, a qualified biologist shall conduct focused surveys for American badgers and their requisite habitat features (dens) to evaluate potential impacts resulting from ground and vegetation disturbance.	Applicant	Applicant/PW&P	As noted
*7.	Biological Resources	Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around dens until it is determined through non-invasive means that individuals occupying the den have dispersed.	Applicant	Applicant/PW&P	As noted
*8.	Cultural Resources	<p>If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> a. If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately with no agency notifications required. b. If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the lead agencies. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in 	Applicant	Applicant/PW&P	During construction

		<p>Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA (National Historic Preservation act), if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.</p>			
*9		<p>c. If the find includes human remains, or remains that are potentially human, they shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Fresno County Coroner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (Section 5097.98 of the Public Resources Code, PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (Assembly Bill 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>	Applicant	Applicant/PW&P	During construction

*10.	Transportation	<p>The project proponent shall pay the project's pro-rata share (3. 36%) of the cost of future improvements for the installation and geometric improvements at the intersection of Friant Road and Willow Avenue, based on a geometric approval drawing and a preliminary engineer's cost estimate provided by the applicant and approved by the County. The pro-rata share cost shall be established prior to recordation of the final map and payable at the time of issuance of a building permit. The fee shall be adjusted annually for inflation based on the Engineering News Record (ENR) 20 Cities Construction Cost Index.</p> <p>The applicant shall be credited the cost of preparing the GAD drawings towards Public Facility Fees, specifically signalization of the intersection of Willow Avenue and Friant Road associated with the development in accordance with Chapter 17. 88 of the County code.</p>	Applicant	Applicant/PW&P	Prior to recordation of final map
*11.	Transportation	<p>An emergency access path to the project site consisting of a metal swinging gate with a padlock for emergency vehicle access only shall be provided from the Friant Road frontage of the property. To deter motorists from utilizing this emergency access path as a regular driveway, this access shall be designed to not appear as a routine driving surface but must be capable of supporting emergency response vehicles. Features such as the use of grasscrete or other non-typical driving surfaces shall be reviewed and approved by the Fresno County Fire Protection District and the Fresno County Department of Public Works and Planning prior to the approval of final Tentative Tract Map.</p>	Applicant	Applicant/PW&P	Prior to occupancy granted
Subdivision Review Committee Conditions For Tract Map No. 6420					
1.	The final subdivision map of Tentative Tract Map Application No. 6420 (subdivision) shall be in substantial conformance with the tentative map as approved by Planning Commission.				
2.	The tentative subdivision map shall be prepared in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. The Tentative Map application shall expire two years after the approval of said Tentative Map.				
3.	Upon approval and acceptance of the tentative subdivision map and any conditions imposed thereon, a final subdivision map shall be prepared and by a Professional Land Surveyor or Registered Civil Engineer authorized to practice Land Surveying, in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. Recordation of the Final Map shall take place				

	within two years of the acceptance of the Tentative Map unless a Map extension is received prior to the expiration date of the approved Tentative Map. Failure to record the Final Map prior to the expiration of said Tentative Map may void the Map application.
4.	Prior to site development, all survey monumentation – Property Corners, Centerline Monumentation, Section Corners, County Benchmarks, Federal Benchmarks and Triangulation Stations, etc. - within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act.
5.	<p>All improvements within the subdivision map shall be in compliance with Fresno County Improvement Standards with the following exceptions as approved by the County Board of Supervisors:</p> <ul style="list-style-type: none"> • Width of interior roads within the tract shall be reduced from 60 feet to 34 feet; and • A 75-foot minimum centerline road radius shall be allowed as an exception to the required 60 feet road easement and minimum road radius per County Ordinance 17.72.333.A.
6.	Prior to any construction on the subdivision tract, all improvement plans (e.g., for Roads, Sanitary Sewer Systems, Water Distribution Systems including Grading & Drainage Systems) prepared, stamped and signed by a Professional Engineer shall be submitted to the Department of Public Works & Planning for review and approval if the division of the said parcels into sixteen lots is allowed. The initial submittal shall include a soils report, which shall identify a recommended traffic index, R-value, and pavement structural section. Subsequent R-values shall be obtained for sub-grade after completion of earthwork operations.
7.	Prior to the recordation of a final subdivision map containing any improved local public or private roads within the confines of the subdivision map, the developer shall have provided the County a method acceptable to the Director of the Department of Public Works and Planning for annual road maintenance of such facilities.
8.	Prior to the recordation of the final subdivision map, a funding mechanism shall be established through a community facilities district or districts under the Mello-Roos Community Facilities Act of 1982, or other appropriate funding mechanism to be determined by the County, to support cost for Sheriff's protection services to achieve a ratio of 2.0 sworn officers per 1,000 residents for the affected properties. In addition, the project proponents shall pay for any cost associated with the establishment of the referenced funding mechanism.”
9.	Additional road right-of-way along the subject property along Willow Avenue (Super Arterial) shall be dedicated to the County to comply with the limits of proposed right of way and be in accordance with the Official Plan Line North Willow Avenue (Serial No. 37-a2) and shall be offered and recorded for dedication by easement on the final map.
10.	Prior to the recordation of the final subdivision map, the project shall be required to annex into the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The fire suppression system required for the subdivision, shall be designed in accordance with applicable County Fire Protection District standards and the proposed fire suppression facilities shall be identified on the tentative map. Additionally, fire suppression facilities shall be maintained in perpetuity in accordance with the Fresno County Ordinance Code and Fresno County Fire Protection District requirements and be subject to inspection and approval by the County Fire Protection District.
11.	The applicant shall either construct street improvements or create and participate in a fair share contribution for street improvements, including curb, gutter, , and road widening improvements across parcel frontage along Willow Avenue. Road improvements shall provide adequate transitions to tie into existing pavement to the north & south of the subject parcels. Applicant may be required to relocate utilities and acquire additional right-of-way to accommodate such improvements. Engineered plans for road improvements

	shall be submitted prior to any encroachment permits are issued. The Public Works Director may determine that some sidewalk features may be deferred or reduced if after completion of General Alignment Design (GAD) to determine it to be impractical.
12.	The proposed driveway approach along North Willow Avenue shall not disrupt existing roadway drainage plans.
13.	Prior to demolishing all existing buildings/structures on the proposed parcels no. 3, 4, 5, 6, 8, 9, 10, 14 of the subdivision, a demolition permit shall be obtained from the Building and Safety Section of the Fresno County Department of Public Works and Planning, and inspection after demolition shall be conducted by a Fresno County Building Inspector.
14.	The corners of the project site shall maintain all sight distance requirements determined appropriate based on the General Alignment Design (GAD) to be provided and approved by the County.
15.	North Willow Avenue is classified as a Super Arterial and as such direct access to the proposed parcels shall be limited to the proposed access easements on Willow Avenue. All other frontage access to Willow Avenue shall be relinquished. Direct access to a Super Arterial may be restricted to right turn movements and median crossings may be prohibited.
16.	The access point to Willow Avenue shall be kept clear from any obstructions for visibility purposes with a 30-foot by 30-foot corner cutoff. Fences, walls, and hedges shall not exceed three (3) feet in height and any branches of trees, signs located within the corner cut-off area shall be trimmed and/or maintained at a height of not less than eight (8) feet. Applicant's Engineer shall confirm that the access point to Willow Avenue will have adequate sight visibility.

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

Project Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	As per Fresno County Ordinance Section 17.48.390.C; Water storage facilities for fire protection shall be provided where the parcels are to be served by individual wells. Such facilities shall be located within one half-mile of each lot measured along a public or approved private road and shall be capable of supplying a quantity of water for a one-hour period determined by the application of the following formula: $Q=700 F^{1/2}$; Q= Available storage in gallons; F= Number of families to be served by the fire protection water storage facility. In no case shall the storage facilities have a capacity of less than six (6) thousand gallons. Water storage facilities shall consist of a well, pump and storage tank located upon a water lot easement, together with an unsurfaced fire road between the water lot and a private or public road. Prior to the approval of the final map, the well shall be drilled and developed to supply the quantity of water necessary to replenish the storage facility in a 24-hour period. See Condition of Approval No. 7.
2.	The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.
3.	Any existing or future entrance gate should be set back a minimum of 20-foot from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.

Project Notes

4.	The proposed parcels are located within an area defined as a low water area of the county; as such, prior to the issuance of a permit for the construction of a new residence, the owner of the property shall conduct a water well yield test to demonstrate that the well is capable of adequately serving the proposed use as defined in County Ordinance Code Section 15.04.190. The water well yield test must be reviewed and approved adequate by the Water and Natural Resources Division of the Department of Public Works and Planning.
5.	<p>Any proposed new Onsite Wastewater Treatment Systems (OWTS) shall be subject to the requirements of the Fresno County Local Area Management Program (LAMP). The applicant may be required to submit a sewage feasibility analysis to the Fresno County Department of Public Works Department for review and approval prior to development of any individual onsite wastewater treatment systems. The applicant's geologist shall contact the Public Works Department prior to initiating any work to discuss the scope of work that will be required, including, but not limited to, the requirement for all test pits to be dug using a backhoe.</p> <p>Prior to issuance of building permits for residential development on each lot within Tract 6420, a nitrogen loading analysis shall be prepared, provided, and approved by Building and Safety Section of the Fresno County Department of Public Works and Planning.</p>
6.	<p>Engineered sewage disposal systems are required for each lot in the proposed subdivision. Such a system requires an on-site investigation by a California Registered Geologist, Professional Engineer, or Registered Environmental Health Specialist with experience in sewage disposal systems and soils analysis for sewage disposal systems. The sewage disposal system shall be designed, and installation certified by the California Registered Geologist, Professional Engineer, or Registered Environmental Health Specialist. The engineered system shall meet setbacks, be approved, and installed under permit from the Department of Public Works and Planning, Building and Safety Section.</p> <p>Engineered sewage disposal designs shall be submitted to and reviewed and approved by the Fresno County Department of Public Works and Planning prior to any development on the subject parcels and prior to recordation of the final subdivision map. Furthermore, the engineered sewage disposal system layout for each parcel shall be designed and the location established prior to any well(s) being drilled on the parcel.</p>
7.	Discharging pollutants through a "point source" into a "water of the United States" are prohibited unless an NPDES permit has been obtained. A Notice of Intent (NOI) shall be filed with the State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area. Copies of completed NOI with WDID # and SWPPP incorporated into the construction improvement plans shall be submitted to the County prior to commencement of any grading activities.
8.	Any future landscape areas of 500 sq. ft. or more will be subject to the Model Water Efficient Landscape Ordinance (MWELo) and may require MWELo form/s and/or separate landscape and irrigation design plan.
9.	Before any digging or excavation occurs, Underground Service Alert (USA) shall be contacted by dialing 811 a minimum of two (2) working days prior to commencing any work.
10.	The Clovis Unified School District in which the proposed development will occur has adopted a resolution requiring the payment of a construction fee. The County, in accordance with State Law, which authorizes the fee, may not issue a building permit without

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	certification from the school district that the fee has been paid. The County will provide an official certification form when application is made for a building permit.
11.	Fresno County Ordinance Code Title 17.48.350 street name signs, regulatory signs, markers, barricades, and other markings shall be included in the design and be installed in accordance with the improvements and Specifications established by the County.
12.	<p>As per Title 17, Section 17.04.100 of the Fresno County Ordinance Code; if a subdivision is at any point within three hundred feet of an AE-20 (Exclusive Agricultural), AL (Limited Agricultural), TPZ (Timberland Preserve) or RC (Resource Conservation) Zone District, the approval of the tentative and final subdivision map shall be conditional upon the recordation with the Fresno County Recorder of notice in substantially the following form:</p> <p>Fresno County Right to Farm Notice: It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-fate law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not be or become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.</p>
13.	The proposed subdivision tract shall adhere to the Pacific Gas & Electric Company requirements relating to the provision of electric power and gas supply to the tract.
14.	All utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance.
15.	Prior to demolition of any existing structures, any active rodent or insect infestation shall be abated to prevent the spread of vectors to adjacent properties. Further, during demolition and/or remodel work: 1) upon encountering asbestos material, San Joaquin Valley Air Pollution Control District shall be contacted; 2) upon encountering lead-based paints used in the structures constructed prior to 1979, California Department of Public Health, Childhood Lead Poisoning Prevention Branch, United States Environmental Protection Agency, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) shall be contacted; and 3) any construction materials deemed hazardous as identified in the demolition process shall be characterized and disposed of in accordance with current federal, state, and local requirements.
16.	If any underground storage tank(s) are found during construction, the applicant shall apply for and secure an "Underground Storage Tank Removal Permit" from the Fresno County Department of Public Health, Environmental Health Division.
17.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
18.	Prior to constructing water wells on the proposed parcels, the water well contractor shall apply for and obtain a "Permit to Construct a Water Well" from the Fresno County Department of Public Health, Environmental Health Division.
19.	A Grading and Drainage Plan shall be prepared for the proposed subdivision map and be reviewed and approved by Fresno Metropolitan Flood Control District prior to approved by the County. A grading permit shall also be required for construction of single-family residences and adjacent driveways within the proposed subdivision.

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20.	The proposed subdivision lies within the Fresno Metropolitan Flood Control District's (District) Drainage Area "DN." The project shall comply with the District's "Notice of Requirements" and "Other Requirements, Exhibit No. 1" listed in the District's December 22, 2022 letter of comments on the project, and shall pay drainage fees at the time of development based on the fee rates in effect at that time.
21.	North Friant Road is classified as an Expressway and as such, all frontage access to N Friant Road shall be relinquished except for the proposed fire access easement.
22.	Prior to construction of a new driveway or improvement to an existing driveway within the County Road right-of-way for Willow Avenue and/or Friant Road, an encroachment permit shall be obtained from the Fresno County Road Maintenance and Operations Division.
23.	All interior roads shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standards. Interior roads shall provide adequate sight distance at all intersections together with necessary property corner cutoff rights-of-way (20-foot by 20-foot minimum). Adequate sight distance shall be provided for the interior road entrance onto Friant Road and Willow Avenue and shall intersect as near to a right angle as practicable. A County Standard B-2 rural residential cul-de-sac shall be provided at the end of cul-de-sac road.
24.	Storm water runoff generated by the development of Tract 6420 shall be disposed directly to FMFCD Stormwater Master Plan drainage facility "Basin DN" located on the west side of Friant Road. Construction of Master Plan facilities shall include onsite subsurface piping systems and channeling of the system across Friant Road to connect to FMFCD "Basin DN". The construction must be according to FMFCD Notice of Requirements, dated December 19, 2022.
25.	<p>Tract 6420 is required to grant drainage covenants for APNs 579-06-036, 579-06-041, 579-06-047, 579-06-048 and 579-06-049 to allow surface runoff to reach Master Planned facilities located on Friant Road.</p> <p>The site shall not block the historical drainage patterns of existing development to remain along the perimeter of Tract 6420. The developer shall verify to the satisfaction of the District that runoff from these areas has the ability to surface drain to adjacent streets. Drainage channels or swales shall be provided for those areas, as shown on Exhibit No. 2. Additionally, the developer shall provide a drainage report addressing how any existing homes to remain will be protected from major storm flows. The District requests that the grading engineer contact the District as early as possible to review the proposed site grading prior to preparing a grading plan. The developer shall dedicate a major storm channel easement, as shown on Exhibit No. 2. No objects shall be placed in the channel path to block or impede the major storm flow.</p> <p>The developer must identify what streets will pass the major storm and provide calculations that show structures will have adequate flood protection. The developer should be aware that based on historical drainage patterns some of the streets located within the tract may need to be resized to pass larger event storms. District approval is not extended to street configuration. The developer may submit a drainage report indicating the path of the major storm flow and calculations confirming there is adequate protection of finished floors.</p> <p>No surface runoff shall be directed towards the bluffs.</p> <p>The location and drainage of proposed recharge facilities must be reviewed and approved by the District prior to plan approval. Proposed recharge facilities shall be addressed in the drainage report.</p>

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