



REPORT TO THE CITY COUNCIL

AGENDA ITEM NO. 1C
COUNCIL MEETING 06/06/13
APPROVED BY

June 6, 2013


DEPARTMENT DIRECTOR

CITY MANAGER

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

BY: SCOTT L. MOZIER, PE, City Engineer/Assistant Director
Public Works Department, Traffic and Engineering Services Division 

JONATHAN BARTEL, Supervising Engineering Technician
Public Works Department, Traffic and Engineering Services Division 

SUBJECT: APPROVING THE FINAL MAP OF TRACT NO. 5963 AND ACCEPTING THE DEDICATED PUBLIC USES OFFERED THEREIN (COUNCIL DISTRICT 6)

1. ADOPT A RESOLUTION APPROVING THE FINAL MAP OF TRACT NO. 5963 AND ACCEPTING THE DEDICATED PUBLIC USES OFFERED THEREIN
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR OR HIS DESIGNEE TO EXECUTE THE SUBDIVISION AGREEMENT AND THE COVENANT TO PROHIBIT THE PARKING OF VEHICLES ON DRIVEWAYS ON BEHALF OF THE CITY
3. AUTHORIZE THE DIRECTOR OF PUBLIC UTILITIES OR HIS DESIGNEE TO EXECUTE THE COVENANT FOR SPECIAL SOLID WASTE DISPOSAL SERVICES ON BEHALF OF THE CITY
4. AUTHORIZE THE FIRE CHIEF OF THE FIRE DEPARTMENT OR HIS DESIGNEE TO EXECUTE THE COVENANT FOR EMERGENCY ACCESS FACILITIES ON BEHALF OF THE CITY
5. AUTHORIZE THE DEVELOPMENT AND RESOURCE MANAGEMENT DIRECTOR OR HIS DESIGNEE TO EXECUTE THE COVENANT DEFERRING ELIGIBLE DEVELOPMENT IMPACT FEES TO THE TIME OF OCCUPANCY ON BEHALF OF THE CITY

RECOMMENDATION

Staff recommends the City Council take the following action:

Adopt a resolution approving the Final Map of Tract No. 5963 and accepting the dedicated public uses offered therein; and to authorize the Public Works Director or his designee to execute the subdivision agreement on behalf of the City, authorize the Director of Public Utilities or his designee to execute the covenant for special solid waste disposal services on behalf of the City, authorize the Fire Chief of the Fire Department or his designee to execute the covenant for emergency access facilities on behalf of the City, and to authorize the Development and Resource Management Director or his designee to execute the covenant deferring eligible development impact fees to the time of building permit and occupancy on behalf of the City.

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Adopt Resolution Approving Final Map of Tract No. 5963

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EXECUTIVE SUMMARY

The Subdivider, Copper River Southwest, Inc., a California Corporation, (Steven G. Rau, Secretary), has filed for approval, the Final Map of Tract No. 5963, for a 55-lot single-family residential planned development subdivision with one outlot for open space and storm drain purposes, located on the north side of East Copper River Drive between North Cedar Avenue and North Maple Avenue on 7.91 acres.

The Final Map is technically correct and conforms to the approved Vesting Tentative Map No. 5963 dated October 3, 2012 and approved revisions thereto ("Tentative Map"), the Subdivision Map Act and the Fresno Municipal Code. The Subdivider has signed the subdivision agreement and covenants and has posted all required performance securities, insurance certificates and paid all fees now due to satisfy the conditions of approval of the Tentative Map. The City Attorney's Office has approved all documents as to form and the Risk Management Division has approved all security bonds and insurance certificates. The provisions of Section 66474.1 of the Subdivision Map Act require a final map that is in substantial compliance with the approved tentative map to be approved by the City Council.

BACKGROUND

The Fresno City Planning Commission on October 3, 2012 adopted Resolution No. 13180 approving Vesting Tentative Map No. 5963 (Tentative Map) for a 55-lot single-family residential planned development subdivision on 7.91 acres at an overall density of 6.95 units per acre. The Fresno City Planning Commission on October 3, 2012 adopted Resolution No. 13179 approving Conditional Use Permit Application No. C-09-275 for a single family residential planned development with modified property development standards, including lot size, lot coverage and setback requirements. Attached is the Fresno City Planning Commission report which provides the project details, staff analysis, environmental findings and consistency findings for Vesting Tentative Map No. 5963 with the 2025 General Plan and the Woodward Park Community Plan to comply with the provisions of the Subdivision Map Act. The approval of Vesting Tentative Map No. 5963 will expire on October 3, 2014.

The Final Map has been reviewed and deemed to be technically correct. The Subdivider has satisfied all other conditions of approval by executing the Subdivision Agreement for Tract No. 5963, submitted securities in the total amount of \$230,000.00 to guarantee the completion and acceptance of the public improvements and \$115,000.00 for a payment security and has paid the miscellaneous and development impact fees due as a condition of approval for the Final Map in the amount of \$40,627.06. Covenants have been executed to defer eligible development impact fees totaling \$167,570.93 to the time of issuance of building permit and final occupancy of each unit, to prohibit the parking of vehicles on driveways, for special solid waste disposal services, and for emergency access facilities.

MAINTENANCE DISTRICT: A condition of approval of the Tentative Map is to maintain the landscaping and irrigation systems within street and landscaping easements and outlots, concrete curbs and gutters, valley gutters, entrance median curbs, median island and entrance street decorative concrete, hardscapes, special features within outlots, sidewalks, curb ramps, street lighting, interior street paving, street furniture, pilasters, and street name signage within and adjacent to the Final Map in accordance with the adopted standards of the City. The Subdivider has satisfied the maintenance requirement for this Final Map with the establishment of City's Community Facility District No. 12 (CFD-12) which the City Council approved on July 19, 2006.

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FISCAL IMPACT

There will be no impact to the City's General Fund. Approval by the Council will result in timely deliverance of the review and processing of the Final Map as is reasonably expected by the Subdivider. Prudent financial management is demonstrated by the expeditious completion of this Final Map inasmuch as the Subdivider has paid the city a fee for the processing of this Final Map and that fee is, in turn, funding the respective operations of the Public Works Department.

Attachments:

- Resolution Approving the Final Map of Tract No. 5963 and Accepting the Dedicated Public Uses Therein
- Final Map of Tract No. 5963
- Report to the Planning Commission – Consideration of Vesting Tentative Map No. 5963 and Related
- Environmental Finding for Environmental Assessment No. T-5963

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RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,
CALIFORNIA, TO APPROVE THE FINAL MAP OF TRACT NO. 5963
AND ACCEPTING DEDICATED PUBLIC USES THEREIN EXCEPT
FOR DEDICATIONS OFFERED SUBJECT TO CITY ACCEPTANCE OF
DEVELOPER INSTALLED REQUIRED IMPROVEMENTS**

WHEREAS, COPPER RIVER SOUTHWEST, INC., a California Corporation, has offered for approval a Final Map designated as Tract No. 5963 (“map”), pursuant to approved Vesting Tentative Map No. 5963 (“tentative map”); and,

WHEREAS, all the certificates which appear on the map (except the approval certificate of the Council of the City of Fresno and the recording certificate of the Recorder of the County of Fresno) have been signed and acknowledged and said map has been filed for approval; and,

WHEREAS, the subdivision lies within the boundaries of the City of Fresno; and,

WHEREAS, the map conforms to all of the requirements of the Subdivision Map Act of the State of California, and City ordinances, resolutions and standards, except that Section 66492 and 66493 of the Subdivision Map Act may not be fully complied with at the time of passage of this resolution and owner having previously filed with the Clerk of the Board of Supervisors of Fresno County a Tax Compliance Certificate Request along with copies of the map considered herewith by the Council; and,

WHEREAS, the Council finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with all applicable general and specific plans of the City; and,

WHEREAS, the Subdivider and the Owners, whose signatures appear on the map, and others have offered for dedication certain streets, public utility easements, access rights and other public properties and uses as shown and delineated upon said map; and,

WHEREAS, the Planning Commission of the City of Fresno, by formal resolution, approved said tentative map.

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: _____



NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council finds that the map is in substantial compliance with said tentative map, any deviations therefrom being deemed to be approved by the Council.
2. That the map is hereby approved and any and all of the streets, public utility easements, public utility facilities, access rights and all parcels of land and easements offered for dedication on the map are hereby accepted, unless it is stated on the Final Map that said dedications are subject to City acceptance of Developer installed improvements, subject to complete compliance with Sections 66492 and 66493 of the Subdivision Map Act prior to release of the map for recordation.

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Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: 

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2013.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2013
Mayor Approval/No Return: _____, 2013
Mayor Veto: _____, 2013
Council Override Vote: _____, 2013

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Talia Kolluri-Barbick
Deputy City Attorney

RECORD TITLE INTEREST STATEMENT:

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE PARCELS AND EASEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES SPECIFIED THEREIN.

COPPER RIVER SOUTHWEST, INC., A CALIFORNIA CORPORATION

BY: CHRISTINE UNGENFELTER, ASSISTANT SECRETARY
U.S. BANK NATIONAL ASSOCIATION
SUCCESSOR IN INTEREST TO HOUSING CAPITAL COMPANY, A MINNESOTA PARTNERSHIP

BY: THOMAS G. WALKER, SENIOR VICE PRESIDENT

NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA
COUNTY OF FRESNO
ON _____ BEFORE ME, _____
PERSONALLY APPEARED _____ WHO
PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE
NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT
HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY
HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON
BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
WITNESS MY HAND
SIGNATURE _____
NAME _____
COUNTY OF _____
MY COMMISSION EXPIRES _____
MY COMMISSION NUMBER _____

NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA
COUNTY OF FRESNO
ON _____ BEFORE ME, _____
PERSONALLY APPEARED _____ WHO
PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE
NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT
HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY
HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON
BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
WITNESS MY HAND
SIGNATURE _____
NAME _____
COUNTY OF _____
MY COMMISSION EXPIRES _____
MY COMMISSION NUMBER _____
THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

- 1. THE HEREIN DESCRIBED PROPERTY LIES WITHIN THE BOUNDARIES OF THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT AND MAY BE SUBJECT TO ASSESSMENT FOR DRAINAGE FEES AND/OR REQUIREMENTS TO CONSTRUCT PLANNED LOCAL DRAINAGE FACILITIES, AS DISCLOSED BY RWCD RESOLUTION NO. 1818 RECORDED JULY 31, 1995 AS DOCUMENT NO. 95092128, OF OFFICIAL RECORDS, FRESNO COUNTY.
- 2. THE TERMS AND PROVISIONS CONTAINED IN DOCUMENT ENTITLED ENCROACHMENT AGREEMENT EXECUTED BY AND BETWEEN THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT, A CALIFORNIA PUBLIC AGENCY, CONSOLIDATED INDUSTRIES, INC. AND CONSOLIDATED LAND COMPANY, A CALIFORNIA LIMITED PARTNERSHIP RECORDED FEBRUARY 8, 1998 AS DOCUMENT NO. 96017486 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 3. THE TERMS AND PROVISIONS CONTAINED IN DOCUMENT ENTITLED ENCROACHMENT AGREEMENT EXECUTED BY AND BETWEEN THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT, A CALIFORNIA PUBLIC AGENCY, CONSOLIDATED INDUSTRIES, INC. AND CONSOLIDATED LAND COMPANY, A CALIFORNIA LIMITED PARTNERSHIP AND THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT RECORDED APRIL 18, 1998 AS DOCUMENT NO. 96049691 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 4. THE TERMS AND PROVISIONS CONTAINED IN DOCUMENT ENTITLED MEMORANDUM OF AGREEMENT EXECUTED BY AND BETWEEN CONSOLIDATED INDUSTRIES, INC. AND CONSOLIDATED LAND COMPANY, A CALIFORNIA LIMITED PARTNERSHIP AND THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT RECORDED APRIL 18, 1998 AS DOCUMENT NO. 96049691 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 5. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DEVELOPMENT AGREEMENT" RECORDED DECEMBER 30, 2004 AS DOCUMENT NO. 2004-0291148 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 6. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "CONSENT AND AGREEMENT" EXECUTED BY AND BETWEEN CONSOLIDATED INDUSTRIES, INC. AND CONSOLIDATED LAND COMPANY, A CALIFORNIA LIMITED PARTNERSHIP AND THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT RECORDED NOVEMBER 18, 1998 AS DOCUMENT NO. 96154204 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 7. THE TERMS, PROVISIONS AND EASEMENTS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT AGREEMENT FOR COPPER RIVER RANCH" RECORDED DECEMBER 30, 2004 AS DOCUMENT NO. 2004-0291147 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 8. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED FIRST ADDENDUM TO EASEMENT AGREEMENT FOR COPPER RIVER RANCH RECORDED AUGUST 22, 2008 AS DOCUMENT NO. 2008-0175088 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 9. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF BASIN "D" RELOCATION AGREEMENT" RECORDED JANUARY 19, 2005 AS DOCUMENT NO. 2005-0112048 OF OFFICIAL RECORDS, FRESNO COUNTY.

TRACT NO. 5963

A PLANNED DEVELOPMENT
BEING A RE-SUBDIVISION OF OUTLOT D OF TRACT NO. 5838,
RECORDED IN VOLUME 81 OF PLATS, PAGES 97 THROUGH 99,
FRESNO COUNTY RECORDS
IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN SEPTEMBER 2012, BY GARY G. GIANNETTA
**CONSISTING OF THREE SHEETS
SHEET ONE OF THREE SHEETS**

LEGAL DESCRIPTION:

OUTLOT D OF TRACT NO. 5838, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN VOLUME 81 OF PLATS AT PAGES 97 TO 99, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM FIFTY PERCENT OF ANY RIGHT, TITLE AND INTEREST OF THE ACTINA CASUALTY AND SURETY COMPANY IN AND TO ANY MINERAL RIGHTS APPURTENANT TO SUCH REAL PROPERTY, INCLUDING, WITHOUT LIMITATION, ANY OIL, GAS, CASING-HEAD GAS, COAL, LIGNITE, HYDROCARBONS, METHANE, CARBON DIOXIDE, HELIUM, URANIUM, AND ALL OTHER NATURAL ELEMENTS, COMPOUNDS, AND SUBSTANCES, EXCEPT SOIL, SAND AND GRAVEL, AS RESERVED BY ACTINA CASUALTY AND SURETY COMPANY IN THE DEED RECORDED MARCH 10, 1989, AS DOCUMENT NO. 89-284917 OF OFFICIAL RECORDS, FRESNO COUNTY RECORDS.
ALSO EXCEPTING THEREFROM AN UNWIDED ONE-HALF INTEREST IN ALL OIL, GAS AND/OR MINERALS IN AND UNDER SAID LANDS, TOGETHER WITH THE RIGHT OF THE GRANTOR, ITS SUCCESSORS, ASSIGNS, LESSEES AND LEGAL REPRESENTATIVES AT ALL TIMES TO ENTER ON THE ABOVE DESCRIBED LANDS AND TO TAKE ALL USUAL, NECESSARY AND CONVENIENT MEANS TO BORE WELLS, MAKE EXCAVATIONS AND TO REMOVE ALL THE OIL, GAS AND/OR MINERALS HEREIN RESERVED, AND FOUND THEREON, AS EXCEPTED IN DEED FROM BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, TO THOMAS M. MURRAY AND NELL W. MURRAY, HUSBAND AND WIFE, JOINT TENANTS, RECORDED APRIL 14, 1936, IN BOOK 1491, PAGE 140, AS DOCUMENT NO. 10082, OF OFFICIAL RECORDS.

- THIS PROPERTY IS SUBJECT TO THE FOLLOWING: (CONTINUED)
- 10. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "SUBDIVISION AGREEMENT" FINAL MAP OF TRACT NO. 5838, RECORDED APRIL 23, 2008 AS DOCUMENT NO. 2008-0068998 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 11. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT DEFERRING CERTAIN SEWER CONNECTION CHARGES, WATER CONNECTION CHARGES, URBAN GROWTH MANAGEMENT FEES AND DEVELOPMENT FEES TO THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY AND CREATION OF LBN FOR THE FINAL MAP OF TRACT NO. 5205, PHASE 1 OF VESTING TENTATIVE MAP NO. 5205/LG/M RECORDED APRIL 25, 2008 AS DOCUMENT NO. 2008-0068999 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 12. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT ACKNOWLEDGING RIGHT-TO-FARM LAW FOR THE FINAL MAP OF TRACT NO. 5205, PHASE 1 OF VESTING TENTATIVE MAP NO. 5205/LG/M RECORDED APRIL 25, 2008 AS DOCUMENT NO. 2008-0068700 OF OFFICIAL RECORDS, FRESNO COUNTY.
- 13. MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COPPER RIVER RANCH IN THE DOCUMENT RECORDED JUNE 2, 2008 AS DOCUMENT NO. 2008-0115469 OF OFFICIAL RECORDS FRESNO COUNTY.
- 14. FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COPPER RIVER RANCH DECLARING MODIFICATIONS THEREOF RECORDED AUGUST 22, 2008 AS DOCUMENT NO. 2008-0175087 OF OFFICIAL RECORDS FRESNO COUNTY.
- 15. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EARLY CONSTRUCTION AGREEMENT WITH SUBORDINATIONS FOR SEWER AND WATER IMPROVEMENTS FOR TRACT NO. 5838" RECORDED MARCH 15, 2011 AS DOCUMENT NO. 2011-0037195 OF OFFICIAL RECORDS FRESNO COUNTY.
- 16. A SUBDIVISION AGREEMENT FOR THE FINAL MAP OF TRACT NO. 5838, PHASE I OF VESTING TENTATIVE MAP NO. 5838, RECORDED JUNE 24, 2011, AS DOCUMENT NO. 2011-0063853 FRESNO COUNTY RECORDS.
- 17. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED EARLY CONSTRUCTION AGREEMENT WITH SUBORDINATIONS FOR STREET IMPROVEMENTS FOR TRACT NO. 5838 RECORDED MAY 18, 2011 AS DOCUMENT NO. 2011-0067014 OF OFFICIAL RECORDS FRESNO COUNTY.
- 18. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN THE DOCUMENT RECORDED AUGUST 4, 2011 AS DOCUMENT NO. 2011-0103184 OF OFFICIAL RECORDS FRESNO COUNTY, BUT DELETING ANY COVENANTS, CONDITION, OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, DISABILITY, HANDICAP, FAMILIAL STATUS, NATIONAL ORIGIN OR SOURCE OF INCOME.
- 19. SUBDIVISION AGREEMENT FOR THE FINAL MAP OF TRACT NO. 5963 RECORDED _____ DOCUMENT NO. _____ FRESNO COUNTY RECORDS.
- 20. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR THE MAINTENANCE OF CERTAIN IMPROVEMENTS FOR THE FINAL MAP OF TRACT NO. 5963, RECORDED _____ DOCUMENT NO. _____ FRESNO COUNTY RECORDS.
- 21. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT PROVIDING SPECIAL SOLID WASTE DISPOSAL SERVICES FOR CERTAIN LOTS WITHIN THE FINAL MAP OF TRACT NO. 5963, RECORDED _____ DOCUMENT NO. _____ FRESNO COUNTY RECORDS.
- 22. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR EMERGENCY VEHICLE ACCESS FACILITIES FOR THE FINAL MAP OF TRACT NO. 5963, RECORDED _____ DOCUMENT NO. _____ FRESNO COUNTY RECORDS.
- 23. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT DEFERRING CERTAIN SEWER CONNECTION CHARGES, WATER CONNECTION CHARGES, URBAN GROWTH MANAGEMENT FEES, CITY WIDE FEES AND DEVELOPMENT FEES TO THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY AND CREATION OF LBN FOR THE FINAL MAP OF TRACT NO. 5963, RECORDED _____ DOCUMENT NO. _____ FRESNO COUNTY RECORDS.
- 24. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED EARLY CONSTRUCTION AGREEMENT WITH SUBORDINATIONS FOR STREET IMPROVEMENTS FOR TRACT NO. 5963 RECORDED _____ AS DOCUMENT NO. 2012- _____ OF OFFICIAL RECORDS.
- 25. A STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT TO PROHIBIT THE PARKING OF VEHICLES ON DRIVEWAYS FOR THE FINAL MAP OF TRACT NO. 5963 RECORDED _____ FRESNO COUNTY RECORDS.

ENGINEER'S STATEMENT:

THE SURVEY FOR THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS TRUE AND COMPLETE AS SHOWN.

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF FARID ASSEMI ON SEPTEMBER 1, 2012. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED, OR ANY TIME EXTENSION APPROVED BY THE CITY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

GARY GIANNETTA, R.C.E. 28908 LIC. EXP. 3-31-13

DATE

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF. THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

SCOTT L. MOZIER, PE 54417
LICENSE EXPIRES 12-31-2013

CITY ENGINEER

DATE

CONSULTING LAND SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

ACTING FOR THE CITY OF FRESNO:
BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS
451 CLOVIS AVENUE, SUITE 200, CLOVIS, CA 95312

BY: HIMAWAN BRASAL, LS 7800
LICENSE EXPIRES 12-31-2013

DATE

PLANNING COMMISSION CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN CONFORMS TO AND IS IN COMPLIANCE WITH THE APPROVED TENTATIVE MAP AND THE REQUIREMENTS IMPOSED BY THE FRESNO CITY PLANNING COMMISSION AS A CONDITION TO THE ACCEPTANCE OF THE FINAL MAP.

KEITH BERGHOLD
SECRETARY OF THE FRESNO CITY PLANNING COMMISSION

DATE

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE COUNCIL OF THE CITY OF FRESNO, BY RESOLUTION NO. _____ ADOPTED ON _____ 2013, APPROVED THE WITHIN MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND APPROVED THE ABANDONMENT OF THOSE PUBLIC STREETS AND/OR PUBLIC EASEMENTS NOT SHOWN ON THE MAP AND NOTED AS ABANDONED BY THE FILING OF THE MAP.

YVONNE SPENCE, CMC
CITY CLERK

BY: DEPUTY

DATE

RECORDER'S CERTIFICATE:

DOCUMENT NO. _____ FEE \$ _____
FILED THIS _____ DAY OF _____, 2013
AT _____ M. IN VOLUME _____ OF PLATS, AT PAGES _____
AND _____ AT THE REQUEST OF GARY G. GIANNETTA

FRESNO COUNTY RECORDS
PAUL DICTOS, C.P.A. RECORDER

BY: DEPUTY

MONUMENTS:

- Ⓐ 3/4" IRON PIPE, DOWN 6" IN CONCRETE, TAGGED LS 7680 AS BEING THE SOUTHWEST CORNER OF THE 22' MULTI PURPOSE TRAIL EASEMENT EAST OF NORTH CEDAR AVENUE SHOWN ON THE AMENDING MAP OF TRACT NO. 5205 AND 23.00' FROM THE CENTERLINE OF EAST COPPER AVENUE.
- Ⓑ 3/4" IRON PIPE, DOWN 6", TAGGED LS 7680 AS BEING A 3' OFFSET TO THE BEGINNING OF CURVE OF THE 2017.00' RADIUS CURVE ON THE SOUTH SIDE OF EAST COPPER RIVER DRIVE AS SHOWN ON AMENDING MAP OF TRACT NO. 5205 AND 44.00' FROM THE CENTERLINE OF EAST COPPER RIVER DRIVE.

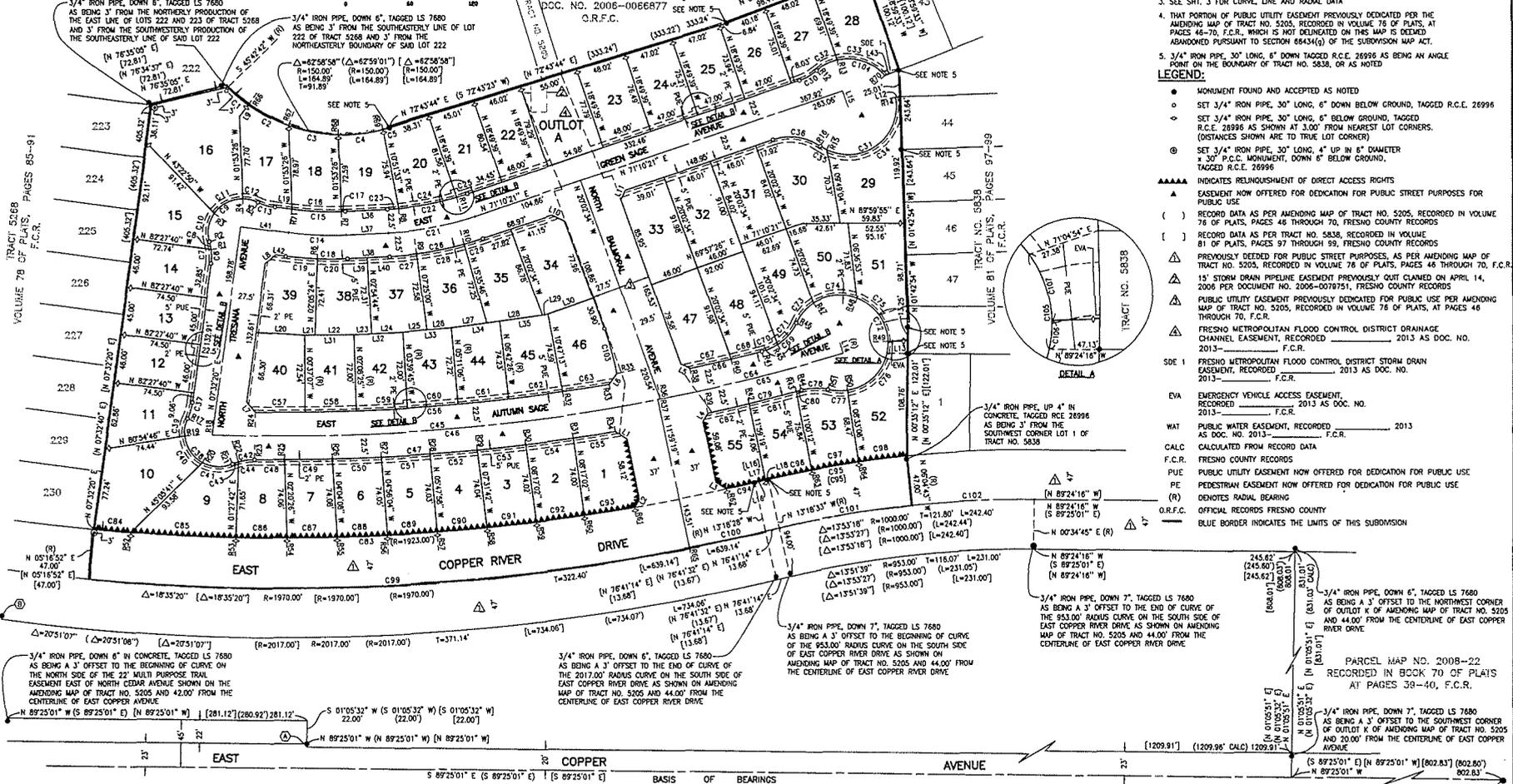
PARCEL B LLA 04-03
DCC. NO. 2004-0281279
O.R.F.C.

SCALE: 1" = 60'

TRACT NO. 5963

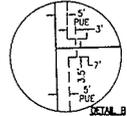
A PLANNED DEVELOPMENT
BEING A RE-SUBDIVISION OF OUTLOT D OF TRACT NO. 5838,
RECORDED IN VOLUME 81 OF PLATS, PAGES 97 THROUGH 99,
FRESNO COUNTY RECORDS
IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN SEPTEMBER 2012, BY GARY G. GIANNETTA
CONSISTING OF THREE SHEETS
SHEET TWO OF THREE SHEETS

PARCEL D LLA 2005-38 (N 89°25'01" E) (S 89°25'01" E)
DCC. NO. 2006-0066877
O.R.F.C.



TRACT 5205
VOLUME 78 OF PLATS,
PAGES 85-91
F.C.R.

TRACT NO. 5838
VOLUME 81 OF PLATS,
PAGES 97-99
F.C.R.



BASIS OF BEARINGS

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 11,
TOWNSHIP 12 SOUTH, RANGE 20 EAST, MOUNT Diablo BASE AND MERIDIAN,
TAKEN AS BEARING S 89°25'01" E, AS PER AMENDING MAP OF TRACT NO.
5205, RECORDED IN VOLUME 78 OF PLATS, PAGES 46 THROUGH 70, FRESNO
COUNTY RECORDS.

ESTABLISHED WITH FOUND MONUMENTS ON THE NORTH RIGHT-OF-WAY LINE
OF EAST COPPER AVENUE.

NOTE:

1. SET 3/4" IRON PIPE, 6" DOWN, TAGGED R.C.E. 26998 AT ALL LOT CORNERS AND ANGLE POINTS
2. OUTLOT A IS DEDICATED IN FEE TO THE CITY OF FRESNO FOR OPEN SPACE AND STORM DRAIN PURPOSES SUBJECT TO CITY ACCEPTANCE OF DEVELOPER INSTALLED IMPROVEMENTS.
3. SEE SHT. 3 FOR CURVE, LINE AND RADIAL DATA
4. THAT PORTION OF PUBLIC UTILITY EASEMENT PREVIOUSLY DEDICATED PER THE AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 78 OF PLATS, PAGES 46 THROUGH 70, F.C.R., WHICH IS NOT DELINEATED ON THIS MAP IS DEEMED ABANDONED PURSUANT TO SECTION 68434(g) OF THE SUBDIVISION MAP ACT.
5. 3/4" IRON PIPE, 30" LONG, 6" DOWN TAGGED R.C.E. 26998 AS BEING AN ANGLE POINT ON THE BOUNDARY OF TRACT NO. 5838, OR AS NOTED

LEGEND:

- MONUMENT FOUND AND ACCEPTED AS NOTED
- SET 3/4" IRON PIPE, 30" LONG, 6" DOWN BELOW GROUND, TAGGED R.C.E. 26998
- SET 3/4" IRON PIPE, 30" LONG, 6" BELOW GROUND, TAGGED R.C.E. 26998 AS SHOWN AT 3.00' FROM NEAREST LOT CORNERS. (DISTANCES SHOWN ARE TO TRUE LOT CORNER)
- ⊙ SET 3/4" IRON PIPE, 30" LONG, 4" UP IN 8" DIAMETER 3" P.C.C. MONUMENT, DOWN 6" BELOW GROUND, TAGGED R.C.E. 26998
- AAAA INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS
- ▲ EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC STREET PURPOSES FOR PUBLIC USE
- () RECORD DATA AS PER AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 78 OF PLATS, PAGES 46 THROUGH 70, FRESNO COUNTY RECORDS
- [] RECORD DATA AS PER TRACT NO. 5838, RECORDED IN VOLUME 81 OF PLATS, PAGES 97 THROUGH 99, FRESNO COUNTY RECORDS
- △ PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES, AS PER AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 78 OF PLATS, PAGES 46 THROUGH 70, F.C.R.
- △ 15' STORM DRAIN PIPELINE EASEMENT PREVIOUSLY OBTAINED ON APRIL 14, 2008 PER DOCUMENT NO. 2008-0078751, FRESNO COUNTY RECORDS
- △ PUBLIC UTILITY EASEMENT PREVIOUSLY DEDICATED FOR PUBLIC USE PER AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 78 OF PLATS, PAGES 46 THROUGH 70, F.C.R.
- △ FRESNO METROPOLITAN FLOOD CONTROL DISTRICT DRAINAGE CHANNEL EASEMENT, RECORDED _____ 2013 AS DOC. NO. _____ F.C.R.
- SDE 1 FRESNO METROPOLITAN FLOOD CONTROL DISTRICT STORM DRAIN EASEMENT, RECORDED _____ 2013 AS DOC. NO. _____ F.C.R.
- EVA EMERGENCY VEHICLE ACCESS EASEMENT, RECORDED _____ 2013 AS DOC. NO. _____ F.C.R.
- WAT PUBLIC WATER EASEMENT, RECORDED _____ 2013 AS DOC. NO. _____ F.C.R.
- CALC CALCULATED FROM RECORD DATA
- F.C.R. FRESNO COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- PE PEDESTRIAN EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- (R) DENOTES RADIAL BEARING
- O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY
- BLUE BORDER INDICATES THE LIMITS OF THIS SUBDIVISION

THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 12 SOUTH, RANGE 20 EAST, MOUNT Diablo BASE AND MERIDIAN, SCOTT HAWKY MONUMENT, DOWN 14", CONFIRMED WITH TIES ON RECORD. C.R. 02860

TRACT NO. 5963

A PLANNED DEVELOPMENT
 BEING A RE-SUBDIVISION OF OUTLOT D OF TRACT NO. 5838,
 RECORDED IN VOLUME 81 OF PLATS, PAGES 97 THROUGH 99,
 FRESNO COUNTY RECORDS
 IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA
 SURVEYED AND PLATTED IN SEPTEMBER 2012, BY GARY G. GIANNETTA
CONSISTING OF THREE SHEETS
SHEET THREE OF THREE SHEETS

LINE	DIRECTION	DISTANCE
L1	N 55°33'36" W	12.95'
L2	N 29°08'53" E	8.93'
L3	N 57°35'43" W	11.65'
L4	N 31°08'50" E	9.25'
L5	N 61°03'33" W	9.82'
L6	N 34°05'04" E	12.55'
L7	N 40°45'18" W	12.52'
L8	N 52°32'30" E	12.59'
L9	N 36°00'47" E	13.59'
L10	N 64°26'06" W	12.66'
L11	N 25°33'54" E	9.80'
L12	N 78°40'40" E	3.69'
L13	S 88°16'52" W	17.98'
L14	N 16°45'58" W	10.22'
L15	N 16°49'39" W	16.17'
L16	N 76°41'14" E	13.68'
L17	(N 76°41'14" E)	(13.68')
L18	N 76°41'14" E	10.56'
L19	N 76°41'14" E	3.12'
L20	N 82°36'12" W	16.21'
L21	S 88°30'08" E	45.54'
L22	N 89°17'41" E	9.74'
L23	N 89°17'41" E	36.25'
L24	N 87°05'55" E	15.58'
L25	N 87°05'55" E	29.44'
L26	N 84°40'58" E	22.77'
L28	N 84°40'58" E	23.25'
L27	N 82°10'22" E	33.64'
L28	N 82°10'22" E	53.17'
L29	N 82°10'22" E	5.15'
L30	N 89°57'26" E	44.95'
L31	N 89°17'41" E	45.99'
L32	N 87°05'55" E	48.02'
L33	N 84°40'58" E	48.02'
L34	N 82°10'22" E	46.00'
L35	N 82°10'22" E	45.96'
L36	N 87°05'16" E	39.53'
L37	N 87°05'16" E	39.53'
L38	N 87°05'16" E	39.53'
L39	N 87°05'16" E	18.37'
L40	N 87°05'16" E	21.18'
L41	N 82°36'12" W	45.81'
L42	N 82°36'12" W	9.46'
L43	N 88°15'03" E	13.85'

RADIAL	DIRECTION
R1	N 82°17'33" E
R2	S 12°41'34" W
R3	N 55°33'25" W
R4	N 00°12'29" E
R5	S 28°42'06" W
R6	S 02°02'54" W
R7	S 02°08'31" E
R8	S 05°07'20" E
R9	S 07°25'00" E
R10	S 15°35'48" E
R11	S 16°58'54" E
R12	N 40°37'24" W
R13	N 13°07'51" W
R14	N 78°40'40" E
R15	S 26°54'00" W
R16	N 35°01'44" E
R17	N 64°29'29" W
R18	S 02°08'41" W
R19	S 84°31'44" W
R20	S 28°22'54" W
R21	S 23°17'48" E
R22	N 16°31'15" W
R23	N 00°52'38" E
R24	S 00°52'00" W
R25	S 00°00'11" W
R26	S 01°23'03" E
R27	S 02°48'21" E
R28	S 04°13'40" E
R29	S 05°36'54" E
R30	S 07°02'26" E
R31	S 08°28'07" E
R32	S 09°20'08" E
R33	S 09°44'30" E
R34	S 09°41'25" E
R35	N 78°39'39" E
R36	S 11°02'27" E
R37	S 11°06'17" E
R38	S 12°13'00" E
R39	S 12°27'29" E
R40	S 13°28'58" E
R41	S 14°25'11" E
R42	S 13°41'16" E
R43	S 15°07'54" E
R44	S 15°17'17" E
R45	S 33°04'00" E
R46	S 64°54'22" E
R47	N 32°52'03" W
R48	N 21°04'21" E
R49	N 88°17'13" E
R50	S 09°16'02" E
R51	S 13°57'52" W
R52	S 04°15'52" W
R53	S 01°39'40" W
R54	S 00°05'13" E
R55	S 01°29'15" E
R56	S 02°53'16" E
R57	S 04°17'18" E
R58	S 05°41'19" E
R59	S 07°05'19" E
R60	S 08°25'46" E
R61	S 09°52'17" E
R62	S 12°29'59" E
R63	N 11°00'12" W
R64	N 06°33'08" W
R65	S 11°10'09" E
R66	S 38°01'17" W
R67	S 18°23'15" W
R68	S 01°21'47" W
R69	S 14°49'55" E
R70	S 49°32'05" W
R71	S 07°33'48" W

CURVE	DELTA	TANGENT	RADIUS	LENGTH
C1	09°41'25"	12.71'	150.00'	25.37'
C2	16°36'02"	21.68'	150.00'	43.46'
C3	18°03'28"	23.84'	150.00'	47.27'
C4	16°11'42"	21.34'	150.00'	42.40'
C5	02°26'21"	3.19'	150.00'	6.39'
C6	32°50'48"	10.58'	50.00'	20.81'
C7	15°14'47"	8.69'	50.00'	13.30'
C8	08°35'59"	3.76'	50.00'	7.51'
C9	133°00'32"	73.81'	32.00'	74.29'
C10	50°45'01"	15.18'	32.00'	28.34'
C11	55°44'54"	16.93'	32.00'	31.15'
C12	38°29'37"	7.53'	32.00'	14.80'
C13	19°18'18"	8.50'	50.00'	16.65'
C14	10°16'32"	27.08'	300.00'	53.98'
C15	10°16'32"	25.03'	277.50'	49.83'
C16	09°32'19"	23.15'	277.50'	46.20'
C17	00°48'13"	1.87'	277.50'	3.73'
C18	10°18'32"	29.09'	322.50'	58.03'
C19	05°18'24"	14.95'	322.50'	29.87'
C20	00°00'08"	14.09'	322.50'	28.16'
C21	19°54'55"	41.94'	300.00'	83.33'
C22	19°54'55"	38.79'	277.50'	77.08'
C23	00°16'58"	9.35'	277.50'	10.70'
C24	11°37'58"	28.01'	277.50'	55.83'
C25	02°10'41"	5.28'	277.50'	10.55'
C26	19°54'55"	45.08'	322.50'	89.58'
C27	04°30'16"	12.68'	322.50'	25.35'
C28	08°10'46"	23.05'	322.50'	46.04'
C29	03°13'53"	9.10'	322.50'	18.19'
C30	21°47'45"	9.63'	50.00'	19.02'
C31	136°21'04"	113.62'	45.50'	108.28'
C32	27°29'33"	11.13'	45.50'	21.83'
C33	67°39'56"	27.70'	45.50'	49.76'
C34	127°24'10"	92.07'	45.50'	101.17'
C35	08°56'54"	3.56'	45.50'	7.11'
C36	53°55'23"	25.40'	50.00'	47.00'
C37	17°28'11"	7.81'	50.00'	15.66'
C38	138°48'19"	85.15'	32.00'	77.52'
C39	30°58'47"	8.67'	32.00'	17.30'
C40	56°08'50"	17.07'	32.00'	31.36'
C41	51°40'42"	15.50'	32.00'	28.86'
C42	24°10'28"	10.71'	50.00'	21.09'
C43	06°46'33"	2.86'	50.00'	5.91'
C44	17°23'53"	7.85'	50.00'	15.18'
C45	13°17'08"	212.71'	1838.50'	423.52'
C46	13°12'58"	211.80'	1838.50'	421.31'
C47	10°34'03"	171.00'	1849.00'	341.03'
C48	00°52'27"	14.11'	1849.00'	28.21'
C49	07°23'14"	22.38'	1849.00'	44.77'
C50	01°25'18"	22.94'	1849.00'	45.88'
C51	01°25'19"	22.94'	1849.00'	45.88'
C52	01°23'14"	22.38'	1849.00'	44.77'
C53	01°25'32"	23.00'	1849.00'	46.01'
C54	01°23'41"	22.81'	1849.00'	45.61'
C55	01°15'18"	20.25'	1849.00'	40.50'
C56	10°36'30"	167.46'	1804.00'	334.01'
C57	01°29'07"	23.38'	1804.00'	46.76'
C58	01°31'18"	23.95'	1804.00'	47.91'
C59	01°31'20"	23.97'	1804.00'	47.93'
C60	01°31'21"	23.97'	1804.00'	47.94'
C61	01°31'20"	23.97'	1804.00'	47.93'
C62	01°31'42"	25.94'	1804.00'	51.27'
C63	01°24'22"	23.14'	1804.00'	46.27'
C64	09°35'11"	89.11'	1836.50'	178.08'
C65	09°39'21"	80.22'	1836.50'	160.29'
C66	02°13'11"	34.95'	1804.00'	69.89'

CURVE	DELTA	TANGENT	RADIUS	LENGTH
C67	01°15'58"	19.93'	1804.00'	39.86'
C68	00°57'13"	15.01'	1804.00'	30.03'
C69	50°28'11"	23.57'	50.00'	44.04'
C70	18°37'49"	8.20'	50.00'	16.26'
C71	31°50'32"	14.26'	50.00'	27.78'
C72	238°32'14"	55.33'	45.50'	205.58'
C73	32°02'19"	13.06'	45.50'	25.44'
C74	53°58'24"	23.15'	45.50'	42.84'
C75	67°12'52"	30.24'	45.50'	53.36'
C76	82°28'45"	36.88'	45.50'	65.47'
C77	23°13'54"	9.35'	45.50'	18.45'
C78	29°15'09"	13.05'	50.00'	25.53'
C79	02°49'48"	45.67'	1849.00'	91.33'
C80	00°09'23"	2.57'	1849.00'	5.05'
C81	01°26'38"	23.50'	1849.00'	46.60'
C82	01°13'47"	19.84'	1849.00'	39.66'
C83	13°09'09"	25.77'	1923.00'	508.56'
C84	01°01'00"	17.08'	1923.00'	34.12'
C85	02°55'12"	49.01'	1923.00'	98.00'
C86	01°25'53"	24.02'	1923.00'	48.04'
C87	01°24'02"	23.50'	1923.00'	47.01'
C88	01°24'01"	23.50'	1923.00'	47.00'
C89	01°24'02"	23.50'	1923.00'	47.00'
C90	01°24'01"	23.50'	1923.00'	47.00'
C91	01°24'00"	23.50'	1923.00'	46.99'
C92	01°20'27"	22.50'	1923.00'	45.00'
C93	01°28'31"	24.20'	1923.00'	48.40'
C94	00°48'29"	13.56'	1923.00'	27.12'
C95	07°13'50"	68.15'	1047.00'	132.13'
C95	(07°13'50")	(68.15')	(1047.00')	(132.13')
C96	02°18'21"	21.07'	1047.00'	42.14'
C97	02°27'04"	22.40'	1047.00'	44.79'
C98	02°28'25"	22.60'	1047.00'	45.20'
C99	18°22'01"	284.76'	1970.00'	565.61'
C100	02°08'19"	36.77'	1970.00'	73.53'
C101	07°13'50"	63.18'	1000.00'	126.26'
C102	06°39'28"	58.18'	1000.00'	116.20'
C103	08°42'13"	22.03'	289.50'	43.98'
C104	9°09'29"	45.83'	45.50'	71.60'
C105	47°52'58"	20.04'	45.50'	37.76'
C106	13°51'33"	5.53'	45.50'	11.00'
C107	33°41'26"	13.78'	45.50'	26.76'

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13180**

The Fresno City Planning Commission at its regular meeting on October 3, 2012, adopted the following resolution pursuant to the Subdivision Map Act of the Government Code of the State of California and the Municipal Code of the City of Fresno.

WHEREAS, Vesting Tentative Tract Map No. 5963/UGM was filed with the City of Fresno and proposes to subdivide the subject property into a 55 lot single-family residential planned development subdivision on approximately 7.91 acres, located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community; and,

WHEREAS, on October 3, 2012, the Commission received a staff report and related information, environmental documents and considered testimony regarding the requested subdivision; and,

WHEREAS, the Development and Resource Management Department staff recommended approval of the proposed project subject to the conditions of approval contained in the staff report dated October 3, 2012; and,

WHEREAS, one neighbor spoke in opposition to the project at the Commission hearing; the neighbor requested that a greater rear yard setback and enhanced aesthetic features be provided for the lots that abut the golf course; and,

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that the vesting tentative tract map may have a significant effect on the environment as identified by the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) and Mitigated Negative Declaration No. A-09-02 and the Program EIR No. 10126 related to the Copper River Ranch Project dated August 31, 2012, prepared for Environmental Assessment No. T-5963/C-09-275.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission finds that approval of the Vesting Tentative Tract Map No. 5963/UGM, is consistent with the adopted 2025 Fresno General Plan and Woodward Park Community Plan and the findings required pursuant to Section 66410 et. seq. of the California Government Code.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby approves the Vesting Tentative Tract Map No. 5963/UGM, subject to the Development and Resource Management Department Conditions of Approval dated October 3, 2012, and the following modification:

1. **Condition No. 20 shall read:** Provide pedestrian access to the abutting tract to the east (Tract 5838), between Lots 28-29 and ~~Lots 51-52~~. Depict the sidewalk on the site plan for C-09-275. ~~A pedestrian easement is required within Lots 51-52 to allow for the pedestrian access.~~ Should pedestrians cross over lots 28-29, a pedestrian easement will be required.

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Hansen-Smith, seconded by Commissioner Dawar.

Planning Commission Resolution No. 13180
Vesting Tentative Tract Map No. 5963/UGM
October 3, 2012
Page 2

VOTING: Ayes - Hansen-Smith, Dawar, Torossian (vice chair), Vasquez, Holt (chair)
 Noes - None
 Not Voting - Reed
 Absent - Medina

DATED: October 3, 2012

KEITH BERGTHOLD, Secretary
Fresno City Planning Commission

Resolution No. 13180
Vesting Tentative Tract Map No. 5963/UGM
Filed by Gary G. Giannetta on behalf of
Copper River Development, Inc.
Action: Approve

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13179**

The Fresno City Planning Commission, at its regular meeting on October 3, 2012, adopted the following resolution relating to Conditional Use Permit Application No. C-09-275.

- CONDITIONAL USE REQUESTED: 55-lot single family residential planned development subdivision with modified property development standards, including lot size, lot coverage and setback requirements
- PROPERTY LOCATION: Located between North Friant Road and East Copper Avenue within the Copper River Ranch Master Planned Community
- PROPERTY DESCRIPTION: Approximately 7.91 acres
(APN: 579-074-76)
- EXISTING/PROPOSED ZONING: R-1/UGM/CZ (*Single Family Residential District/Urban Growth Management/Conditions of Zoning*)

WHEREAS, Conditional Use Permit Application No. C-09-275 has been filed with the City of Fresno by Gary G. Giannetta., on behalf of Copper River Development, Inc., for approximately 7.91 acres of property located between North Friant Road and East Copper Avenue within the Copper River Ranch Master Planned Community; and,

WHEREAS, Conditional Use Permit Application No. C-09-275 seeks authorization for the development of a planned development which includes modified property development standards, including lot size, lot coverage and setback requirements; and,

WHEREAS, on October 3, 2012, the Fresno City Planning Commission, reviewed the subject conditional use permit application in accordance with the policies of the 2025 Fresno General Plan and the Woodward Park Community Plan; and,

WHEREAS, the Commission conducted a public hearing to review the proposed conditional use permit application and considered the Development and Resource Management Department's report recommending approval of the proposed conditional use permit application subject to special permit conditions; and,

WHEREAS, the Fresno City Planning Commission considered the proposed conditional use permit application relative to the staff report and environmental assessment issued for the project; and,

WHEREAS, the Fresno City Planning Commission invited testimony with respect to the proposed conditional use permit application; and,

WHEREAS, one neighbor spoke in opposition to the project at the Commission hearing; the neighbor requested that a greater rear yard setback and enhanced aesthetic features be provided for the lots that abut the golf course; and; and,

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that Conditional Use Permit Application No. C-09-275 may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Mitigated Negative Declaration No. A-09-02 (Air Quality MND) and the Program EIR No. 10126 related to the Copper River Ranch Project; and hereby adopts the Finding of Conformity prepared for Environmental Assessment No. T-5963/C-09-275 dated August 31, 2012 for the proposed project.

BE IT FURTHER RESOLVED, that the Fresno City Planning Commission, as a result of its inspections, investigations and studies made by itself and in its behalf, and of testimonies offered at said hearing, has established that approval of the special permit would be in accordance with applicable provisions of the Fresno Municipal Code, including the determination that all findings have been made relative to the issuance of a conditional use permit for the proposed project.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby approves Conditional Use Permit Application No. C-09-275 authorizing the development of a planned development, which includes modified property development standards, including lot size, lot coverage and setback requirements, subject to the Development and Resource Management Department Conditions of Approval dated October 3, 2012, and the following modification:

1. **Condition No. 7 shall read:** Pedestrian access is required to the abutting tract to the east (Tract 5838), between Lots 28-29 and ~~Lots 51-52~~. Depict the sidewalk on the site plan (Exhibit A-1).

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Hansen-Smith, seconded by Commissioner Dawar.

VOTING: Ayes - Hansen-Smith, Dawar, Torossian (vice chair), Vasquez, Holt (chair)
 Noes - None
 Not Voting - Reed
 Absent - Medina

DATED: October 3, 2012

KEITH BERGTHOLD, Secretary
Fresno City Planning Commission

Resolution No. 13179
Conditional Use Permit Application No.
C-09-275
Filed by Gary G. Giannetta on behalf of
Copper River Development, Inc.
Action: Approve



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-A
COMMISSION MEETING 10/3/12

October 3, 2012

APPROVED BY

[Signature]
DEPARTMENT DIRECTOR *m. Scott*

FROM: MIKE SANCHEZ, Planning Manager
Development Services Division *[Signature]*

THROUGH: SOPHIA PAGOULATOS, Supervising Planner
Development Services Division *[Signature]*

BY: ISRAEL TREJO, Planner
Development Services Division *[Signature]*

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION NO. C-09-275, VESTING TENTATIVE TRACT MAP NO. 5963/UGM AND RELATED ENVIRONMENTAL ASSESSMENT NO. T-5963/C-09-275, LOCATED WITHIN THE COPPER RIVER RANCH PLANNED COMMUNITY

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. APPROVE the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Mitigated Negative Declaration prepared for Plan Amendment A-09-02 (Air Quality MND) and to the Program EIR No. 10126 related to the Copper River Ranch Project, prepared for Environmental Assessment No. T-5963/C-09-275 dated August 31, 2012.
2. APPROVE Conditional Use Permit Application No. C-09-275 subject to compliance with the Conditions of Approval dated October 3, 2012.
3. APPROVE Vesting Tentative Tract Map No. 5963/UGM subject to compliance with the Conditions of Approval dated October 3, 2012.

EXECUTIVE SUMMARY

Gary G. Giannetta, on behalf of Copper River Development, Inc., has filed Conditional Use Permit Application No. C-09-275 and Vesting Tentative Tract Map No. 5963/UGM pertaining to approximately 7.91 acres of property located between North Friant Road and East Copper Avenue, within the Copper River Ranch Planned Community. Vesting Tentative Tract Map No. 5963/UGM proposes to subdivide the subject property into a 55-lot single family residential planned development subdivision with one outlot. The outlot is proposed to be developed as open space and will also facilitate drainage through the property. Conditional Use Permit Application No. C-09-275 is a request to establish a Planned Development, which proposes to establish modified property development standards, including lot size, lot coverage and setback requirements.

The subject property is located within the 2025 Fresno General Plan and the Woodward Park Community Plan, both plans designate the subject site for medium low (2.19 to 4.98 dwelling units per acre) density residential planned land uses. Vesting Tentative Tract Map No. 5963/UGM proposes a 55-lot single family residential planned development subdivision on approximately 7.91 acres at a density of 6.95 dwelling units per acre. The Copper River Ranch Planned Community was approved with blended densities that involved both single and multiple family residential development with an overall residential unit restriction of 2837 units. Based upon the submitted subdivision design, the proposed subdivision can be found consistent with the medium-low density residential planned land uses for the subject

property pursuant to the 2025 Fresno General Plan and the Copper River Ranch Planned Community design as provided by Vesting Tentative Tract Map No. 5205/UGM and Conditional Use Permit No. C-04-153. **Thus, the subject applications are consistent with the planned land uses and zoning approved for the project site and will implement goals, objectives, and policies of the 2025 Fresno General Plan and the Woodward Park Community Plan.**

PROJECT INFORMATION

PROJECT	A 55-lot, single family residential subdivision to be developed at a density of 6.95 dwelling units per acre. Outlot A is proposed to be developed as open space and will also facilitate drainage through the property. The project proposes to establish modified property development standards, including lot size, lot coverage and setback requirements
APPLICANT	Gary G. Giannetta on behalf of Copper River Development, Inc.
LOCATION	Located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community (Council District 6, Councilmember Brand)
SITE SIZE	Approximately 7.91 acres
LAND USE	Existing - Vacant Proposed - Single family residential
ZONING	Existing - R-1/UGM/cz (<i>Single Family Residential District/Urban Growth Management/conditions of zoning</i>) Proposed- No change
PLAN DESIGNATION AND CONSISTENCY	The proposed 55-lot single family residential subdivision is consistent with the 2025 Fresno General Plan and Woodward Park Community Plan designation of the site for medium low density residential planned land uses
ENVIRONMENTAL FINDING	Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Mitigated Negative Declaration No. A-09-02 and to the Program EIR No. 10126 related to the Copper River Ranch Project, dated August 31, 2012
PLAN COMMITTEE RECOMMENDATION	The Copper River Ranch Planned Community was recommended for approval on October 11, 2004, by the Advisory Committee
STAFF RECOMMENDATION	Approve the vesting tentative tract map and conditional use permit application subject to compliance with the Conditions of Approval for T-5963/UGM and for C-09-275 dated October 3, 2012

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Open Space – Golf Course	O/UGM <i>Open Space/Urban Growth Management</i>	Golf Course
South	Public Facility	AE-5/UGM <i>Exclusive Five Acre Agricultural District/Urban Growth Management</i>	Ponding Basin
East	Medium Low Density Residential	R-1/UGM <i>Single Family Residential District/Urban Growth Management</i>	Single-family Residences
West	Medium Low Density Residential	R-1/UGM <i>Single Family Residential District/Urban Growth Management</i>	Single-family Residences

ENVIRONMENTAL FINDING

Development and Resource Management Department staff have prepared an initial study and environmental checklist and evaluated the proposed development in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan, the related Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097), and Mitigated Negative Declaration (MND) No. A-09-02 (SCH # 2009051016) and to the Program EIR No. 10126 (SCH # 2000021003) related to the Copper River Ranch Project. The subject property has been proposed to be developed at an intensity and scale that is permitted by the Medium Low Density Residential (2.19 to 4.98 dwelling units per acre) planned land use designation and R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district classification for the subject site. The Copper River Ranch Planned Community was approved with blended densities that involved both single and multiple family residential development with an overall residential unit restriction of 2837 units. Thus, the subdivision of the subject property in accordance with the Vesting Tentative Tract Map No. 5963/UGM will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designations. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 and the Program EIR No. 10126 related to the Copper River Ranch Project have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 and MND No. A-09-02 and Program EIR No. 10126 as provided by CEQA Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to the specific project proposal, the environmental impacts noted in the MEIR, pursuant to the 2025 Fresno General Plan land use designation, include impacts

associated with the Medium Low Density Residential planned land use designation specified for the subject property. Based on the initial study prepared, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR No. 10130 because its land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR No. 10130; (2) The proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR or MND No. A-09-02 (as indicated on the attached Environmental Assessment Checklist) or the Program EIR No. 10126 related to the Copper River Ranch Project for the reasons discussed within the environmental assessment for the subject project; and, (3) No new additional mitigation measures are required because the proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR or MND or the Program EIR No. 10126 related to the Copper River Ranch Project.

Therefore, the project proposal has been determined to be within the scope of the MEIR, MND and Program EIR as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR No. 10130 dated August 31, 2012, with no comments received to date. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the MND adopted; and, that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete or the MND was adopted, has become available.

BACKGROUND / ANALYSIS

Gary G. Giannetta, on behalf of Copper River Development, Inc, has filed Conditional Use Permit Application No. C-09-275 and Vesting Tentative Tract Map No. 5963/UGM pertaining to approximately 7.91 acres of property located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community. Vesting Tentative Tract Map No. 5963/UGM proposes to subdivide the subject property into a 55-lot single family residential planned development subdivision with one outlot for proposed to be developed as open space and will also facilitate drainage through the property. Conditional Use Permit Application No. C-09-275 is a request to establish a Planned Development, which proposes to establish modified property development standards, including lot size, lot coverage and yard requirements.

The subject property is located within the jurisdiction of the 2025 Fresno General Plan and the Woodward Park Community Plan, both plans designate the subject site for medium-low density residential planned land uses (2.19 to 4.98 dwelling units per acre). Vesting Tentative Tract Map No. 5963/UGM proposes a 55-lot single family residential planned development subdivision on approximately 7.91 acres at a density of 6.95 dwelling units per acre. The Copper River Ranch Planned Community was approved with blended densities that involved both single and multiple family residential development with an overall residential unit restriction of 2837 units. Based upon the submitted subdivision design, the proposed subdivision can be found consistent with the medium low density residential planned land uses for the subject property pursuant to the 2025 Fresno General Plan and the Copper River Ranch Planned Community design as provided by Vesting Tentative Tract Map No. 5205/UGM and Conditional Use Permit No. C-04-153.

The Copper River Ranch Planned Community was approved under Vesting Tentative Tract Map No. 5205/UGM and Conditional Use Permit Application No. C-04-153, approved on November 3, 2004. These development applications identified the subdivision of approximately 574 acres into an 830-lot single family residential subdivision that includes 8 single family residential villages consisting of both conventional lots and planned development lots with 45 outlots for multiple family residential

development, landscaped open space, and commercial development and single family residential planned developments. The overall Copper River Ranch project is planned for development in phases. Vesting Tentative Tract Map No. 5963/UGM and Conditional Use Permit Application No. C-09-275 implement the development and design concepts of the Copper River Ranch Planned Community.

Density Transfer

Density transfers are permitted through the processing of a planned development conditional use permit pursuant to Section 12-304-B-23 of the FMC. As noted previously, the Copper River Ranch Planned Community was approved with blended densities that involved both single and multiple family residential development with an overall residential unit restriction of 2837 units.

Since being approved on November 3, 2004, Vesting Tentative Tract Map No. 5205/UGM and Conditional Use Permit Application No. C-04-153 (entitlements which approved the Copper River Ranch Planned Community), have undergone multiple revisions. Including the subject application, 709 lots have either been developed with a single family residence or have been subdivided and approved for development; these tracts include: T-5205 with 134 lots, T-5268 with 230 lots, T-5838 with 95 lots, T-5270 with 54 lots, T-5271 with 39 lots, T-5272 with 25 lots, T-5273 with 21 lots, T-5973 with 56 lots and T-5963 with 55 lots. Village G and H of the Copper River Ranch project have yet to be developed but are currently approved for 249 lots. The Copper River Ranch project is currently developing at a pace of 958 units (709 + 249), which is within the overall residential unit restriction of 2837 units.

Conditional Use Permit Application (CUP)

In addition to submitting a vesting tentative tract map, the applicant has submitted Conditional Use Permit Application No. C-09-275. Pursuant to Section 12-306-N-21 of the FMC, a CUP is required in order to create a planned development. As part of the CUP, an applicant may request a modification of development standards. Conditional Use Permit Application No. C-09-275 is a request to establish a Planned Development, which proposes to establish modified property development standards, including lot size, lot coverage and yard requirements. The applicant is proposing reduced yards, including, between a 5 and 8 foot garage set back (front yard), a 6 foot rear yard and 3 foot side yards. The standard yards within the R-1 (*Single Family Residential District*) zone district are a 15 foot front yard, 5 foot side yard and 20 foot rear yard.

The applicant is also proposing an increase in lot coverage. Staff has limited the lot coverage to 60 percent; the R-1 standard is 50 percent. Lots within planned developments may have modified lot widths, depths and areas. The vast majority of the proposed lots are smaller than the typical R-1 lot.

Sidewalks, Streets and Access Points

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the proposed applications and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the Traffic Engineering Division dated September 28, 2012. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and Copper River Ranch Associated Fees.

Landscaping/Walls/Open Space

For Vesting Tentative Tract Map No. 5963/UGM, a six foot high wall is required along East Copper River Drive. This wall will be constructed at the rear of the required landscaped portions of the street right-of-way within the tract. The developer will also be required to install landscape "end treatment" at the end of the neighborhood blocks to add visual interest to the project. Outlot A within the tract map is proposed to be developed as open space and will also facilitate drainage through the property.

Community Plan Citizen Committees

The Copper River Ranch Planned Community was recommended for approval on October 11, 2004, by the Advisory Committee.

Public Services

The Public Utilities Department has identified sanitary water and sewer requirements for this project. These conditions are listed in the memoranda dated July 25, 2012. It should be noted that a tertiary wastewater treatment facility within the Copper River Ranch project will ultimately accommodate the wastewater flow from this project.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that this project can be accommodated by the district. The project applicant shall comply with the FMFCD requirements as detailed in its memorandum dated August 3, 2012.

Notice of Planning Commission Hearing

The Development and Resource Management Department mailed notices of this Planning Commission hearing to all surrounding property owners within 350 feet of the subject property, pursuant to Section 12-401-C-2 of the Fresno Municipal Code.

Conditional Use Permit Application Findings (Planned Development)

Conditional Use Permit Application No. C-09-275 proposes the development of a 55-lot single family residential planned development. The planned development will provide modified property development standards. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated October 3, 2012, staff concludes that the following required findings of Section 12-405-A-2 of the Fresno Municipal Code can be made.

1. All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,

Conditional Use Permit Application No. C-09-275 will comply with all applicable codes, including, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met.

2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,

The Public Works, Traffic Engineering Division reviewed the proposed project and assessed the adjacent streets to ensure that the proposal would not have significant impacts on traffic and the surrounding community.

3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of the FMC.

The site is vacant and with the adoption of the 2025 Fresno General Plan, the city analyzed the impacts of converting vacant land into urban uses and determined that it is necessary to convert land within the sphere of influence in an attempt to provide housing, growth, employment opportunities, etc. The Development and Resource Management Department has determined that the proposed use will not be detrimental to the public welfare or be injurious to property or improvements in the area in which the property is located if developed in accordance with the various conditions/requirements established through the related vesting tentative tract map application review and conditional use permit application review processes.

Vesting Tentative Tract Map Findings

The Subdivision Map Act (California Government Code §§ 66400, *et seq.*) requires that a proposed subdivision not be approved unless the map, together with its design and improvements, is found to be consistent with the General Plan and any applicable specific plan (Finding No. 1 below).

State law further provides that the proposed subdivision map be denied if any one of the Finding Nos. 2 - 5 below is made in the negative. In addition, State law requires that a subdivision be found to provide for future passive and natural heating or cooling opportunities in the subdivision development (Finding No. 6 below).

1. The proposed subdivision map, together with its design and improvements, is consistent with the City's 2025 General Plan and the Woodward Park Community Plan, because the plans designate the site for medium low density residential planned land uses and the project design meets the density and zoning ordinance criteria for development.
2. This site is physically suitable for the proposed type and density of development, because conditions of approval will ensure adequate access and drainage on and off the site; and, that development shall occur in accordance with adopted standards, goals, objectives, and policies for development in the City of Fresno.
3. The proposed subdivision design and improvement is not likely to cause substantial and considerable damage to the natural environment, including fish, wildlife or their habitat, because the area is not known to contain any unique or endangered species and the urbanized nature of the area in which the site is located.
4. The proposed subdivision design and improvements are not likely to cause serious public health and safety problems, because the conditions of approval have shown and will insure that the subdivision conforms with city health and safety standards.
5. The proposed subdivision design will not conflict with public easements within or through the site, because conditions of approval will assure noninterference with any existing or proposed public easements.
6. The design of the subdivision provides, to the extent feasible, for future passive and natural heating or cooling opportunities in the subdivision, because of the appropriate use and placement of landscaping plant materials and because of the orientation of the proposed lots.

REPORT TO THE PLANNING COMMISSION
Conditional Use Permit Application No. C-09-275
Vesting Tentative Tract Map No. 5963/UGM
October 3, 2012
Page 8

The subdivision map, based on the required findings for approval and subject to the recommended conditions of approval, and the standards and policies of the 2025 Fresno General Plan and Woodward Park Community Plan, complies with applicable zoning and subdivision requirements. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made.

Planning Commission action of the proposed Vesting Tentative Tract Map and Conditional Use Permit, unless appealed to the Council, is final.

CONCLUSION / RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Woodward Park Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that the Vesting Tentative Tract Map No. 5963/UGM and Conditional Use Permit No. C-09-275 are appropriate for the project site.

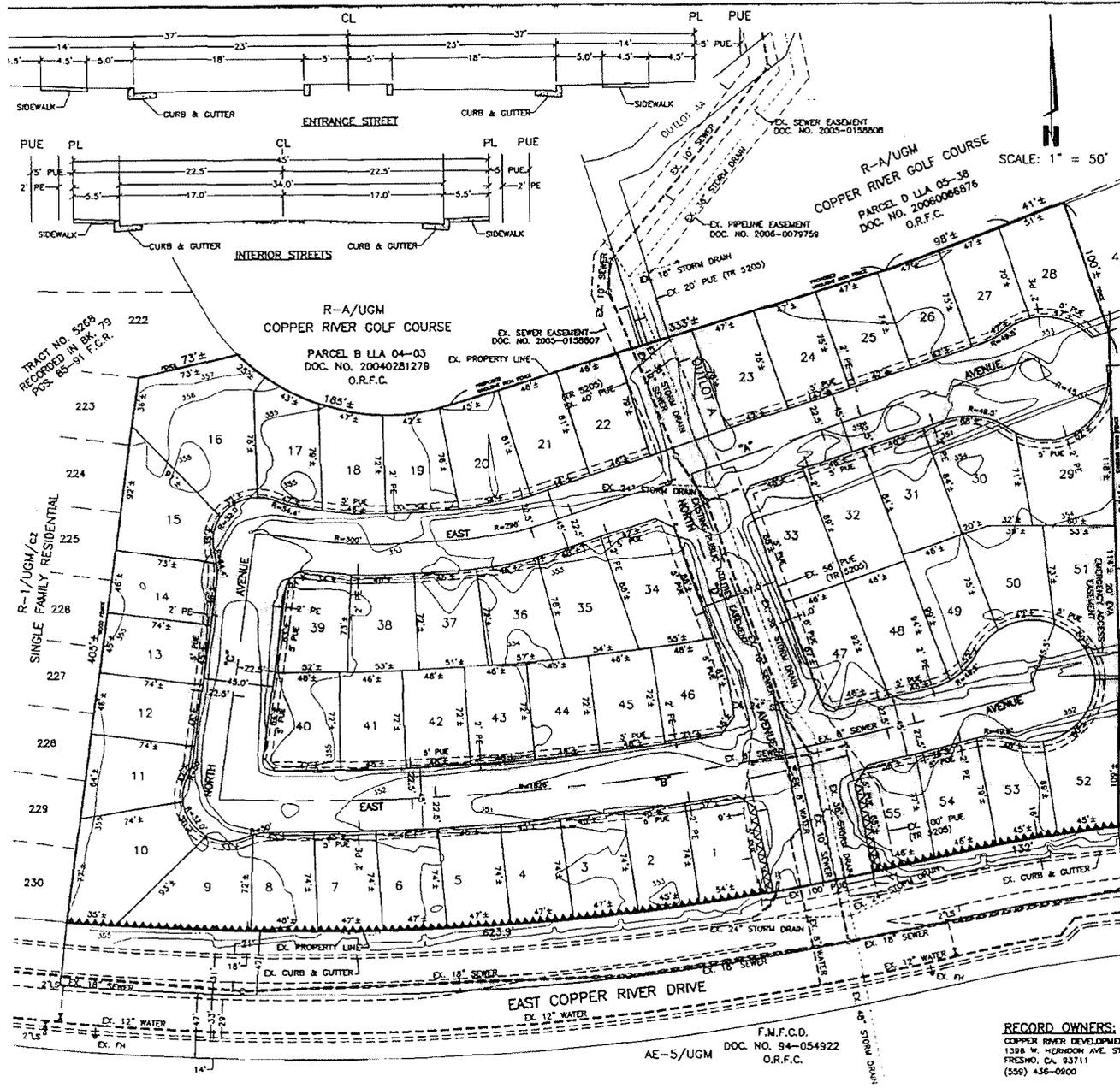
Attachments: Vicinity Map
2011 Aerial Photograph of Site
Proposed Vesting Tentative Tract Map No. 5963/UGM dated September 13, 2012
Proposed Site plan for Conditional Use Permit Application No. C-09-275 dated September 13, 2012
Conditions of Approval for T-5963/UGM dated October 3, 2012
Conditions of Approval for CUP Application No. C-09-275 dated October 3, 2012
Comments and Requirements from Responsible Agencies
Environmental Assessment No. T-5963/C-09-275, Finding of Conformity to the 2025 Fresno General Plan MEIR No. 10130 and Mitigated Negative Declaration for Plan Amendment A-09-02 and to the Program EIR No. 10126 related to the Copper River Ranch Project dated August 31, 2012

TENTATIVE MAP TRACT No. 5963

A VESTING MAP
A PHASED MAP
A PLANNED UNIT DEVELOPMENT
SHEET TWO OF TWO SHEETS

APN 579-074-76s
NET AREA = 7.08 ACRES
GROSS AREA = 7.91 ACRES

RECEIVED
SEP 13 2012
DEVELOPMENT DEPARTMENT
CITY OF FRESNO



SCALE: 1" = 50'

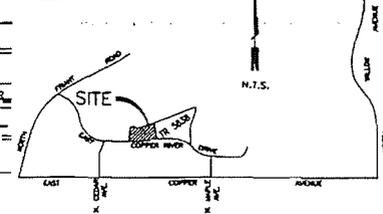
IMPROVEMENTS TO BE INSTALLED:

1. STREETS - PUBLIC-CITY OF FRESNO ALTERNATE DESIGN
2. SEWER - CITY OF FRESNO STANDARDS
3. WATER - CITY OF FRESNO STANDARDS
4. CURB & GUTTER - CITY OF FRESNO ALTERNATE DESIGN
5. SIDEWALK - CITY OF FRESNO STANDARDS
6. STREET LIGHTS - CITY OF FRESNO STANDARDS
7. DRAINAGE - FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
8. GAS & ELECTRICITY - PACIFIC GAS & ELECTRIC
9. TELEPHONE - A.T.&T.
10. CABLE TELEVISION - COMCAST

NOTES:

1. EXISTING ZONING - R-1/UGM/cz
2. PROPOSED ZONING - R-1/UGM/cz
3. EXISTING USE - VACANT
4. THERE ARE NO WELLS, CESSPOOLS, SEWER, CULVERTS, DUMPSITES OR OTHER UNDERGROUND STRUCTURES WITHIN THIS SUBDIVISION. THERE ARE NOT EXISTING AREAS WITHIN THIS SUBDIVISION THAT ARE SUBJECT TO INUNDATION OR STORM WATER OVERFLOW.
5. THE SUBDIVISION DESIGN PROVIDES, TO THE EXTENT FEASIBLE, FOR PASSIVE NATURAL HEATING OR COOLING OPPORTUNITIES BY MAXIMIZING NORTH-SOUTH FACING BUILDINGS. (48 LOTS)
6. THERE IS LESS THAN A 6" DIFFERENCE BETWEEN THIS TRACT AND ADJACENT PROPERTIES.
7. THERE ARE NO EXISTING TREES WITHIN THIS PROPERTY.
8. OUTLOT A IS FOR COMMON AREA, WALKWAYS, OPEN SPACES, RELATED FACILITIES AND DRAINAGE PURPOSES.
9. THERE ARE NO EXISTING ABOVE GROUND USES OR STRUCTURES WITHIN THE LIMITS OF THIS SUBDIVISION.
10. ■■■■■■ - INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS.
11. △△△△△ - INDICATES RELINQUISHMENT OF VEHICULAR ACCESS RIGHTS.
12. ALL STREET SIDEYARDS HAVE A 5' PUE.

VICINITY MAP:



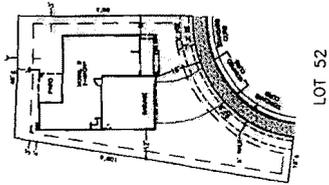
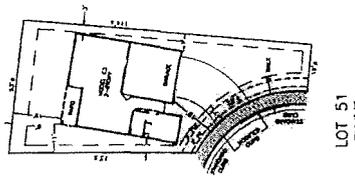
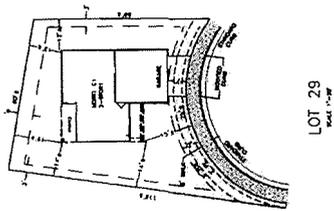
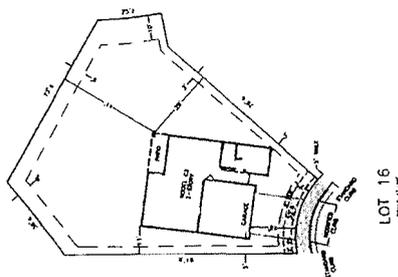
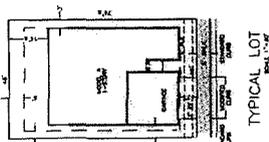
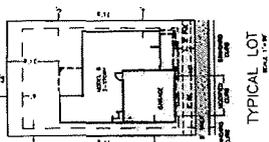
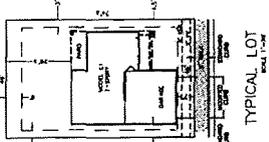
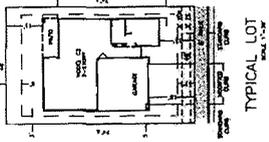
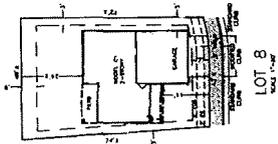
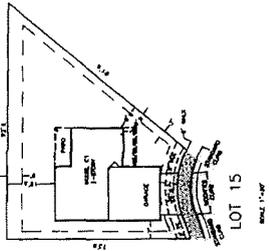
AE-5/UGM F.M.F.C.D.
DOC. NO. 94-054922
O.R.F.C.

RECORD OWNERS:
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1398 W. HERNDON AVE. STE 101
FRESNO, CA 93711
(559) 436-0800

SUBDIVIDER:
GRAMMIE HOMES
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GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING
1110 7TH STREET
FRESNO, CA 93711
(569) 284-3590 FAX (569) 284-0690

PREPARED: 6/21/12 REVISED: 9/12/12



Site Plan
C-09-275
TRACT 5963
SHEET 2 OF 2

SITE PLAN
APPLICABLE TO C-09-275
OUTLOT 0
C-09-275
TRACT 5963
SHEET 2 OF 2

CARY G. GUARINETTA
CITY ENGINEER & LAND SURVEYOR
NO. 11111
DATE: 08/11/11
SCALE: AS SHOWN
SHEET: 02/02/11

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**CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

CONDITIONS OF APPROVAL

OCTOBER 3, 2012

VESTING TENTATIVE TRACT MAP NO. 5963/UGM

Located Between North Friant Road and East Copper Avenue, within the Copper River
Ranch Planned Community

All vesting tentative maps are subject to the applicable provisions of the State Subdivision Map Act, Fresno Municipal Code, City policies, and City of Fresno Standard Specifications. The following specific conditions are applicable to this vesting tentative tract map.

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code §66020(d)(1), the imposition of fees, dedications, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations or exactions imposed on the development project.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

The subdivider of property located within the UGM boundaries shall comply with all sewer, water and street requirements and pay all applicable UGM fees imposed under the Urban Growth Management process (with appropriate credit given for the installation of required UGM improvements) in accordance with the requirements of State Law as related to tentative tract maps.

GENERAL CONDITIONS

1. Upon conditional approval of Vesting Tentative Tract Map No. 5963/UGM, a Planned Development dated September 13, 2012, the subdivider may prepare a Final Map in accordance with the approved vesting tentative map and Conditional Use Permit No. C-09-275 which establishes a planned development for the subject property.
2. Submit grading plans and a soils report to the City of Fresno Development and Resource Management Department for verification prior to Final Map approval (Reference: Sections 12-1022 and 12-1023 of the Fresno Municipal Code). Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.
3. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Planning and Development Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and

engineered plans as necessary to construct the required public improvements and work and applicable processing fees.

4. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.
5. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
6. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Article 10, Chapter 12, "Subdivision of Real Property;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
7. The developer/owner shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to vesting tentative maps.
8. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
9. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.
10. It shall be required that you file an amended Exhibit Seven titled "Land Use, Density and Parcel Identification Matrix" for Conditional Use Permit Application No. C-04-153.
11. Vesting Tentative Tract Map No. 5963/UGM is subject to approval of related Conditional Use Permit No. C-09-275.
12. Conditions of zoning were placed on the site in 2003 with approval of Rezone Application No. R-01-14 (Copper River Ranch rezone). This application is subject to compliance with the mitigation measures established by the certification of Final

Environmental Impact Report No. 10126 (SCH No. 2000021003) prepared for Copper River Ranch.

GENERAL INFORMATION

13. When the grading plan establishes a top of slope beyond the required landscape easement noted and the construction of the required wall is to be established coincident with the top of slope, then the required minimum easement width shall be expanded to include the full landscaped area up to the wall location.
14. The long term maintenance of all the items listed below is the ultimate responsibility of the owner/developer.
 - a) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located within proposed Outlots associated with the proposed project.
 - b) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located in any entry median island or traffic medians located within the project.
 - c) The property owner shall be responsible for providing for the maintenance of the curbs and gutters, valley gutter, sidewalks, street lights and street signage within any local public street rights-of-way associated with the project.
 - d) The property owner shall be responsible for providing for the maintenance of all street trees within any local public street rights-of-way associated with the project.
15. Maintenance of the required landscape easements, streets, curbs and gutters, sidewalks, medians, and street furniture may be the responsibility of the City's Community Facilities District. Contact the Public Works Department, Engineering Services Division, at 559-621-8695 for information regarding the City's Community Facilities District. The property owners may petition the City for annexation to the City's Community Facilities District prior to Final Map approval.
16. If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, the subdivider/owner shall be required to provide the City of Fresno, Department of Public Works, with copies of signed acknowledgments from each purchaser of a lot within the subdivision, attesting to the purchasers understanding that the lot will have an annual maintenance assessment and that he/she is aware of the estimated amount of the assessment. The subdivider/owner shall execute and record a covenant on each lot providing notice that the subject property is subject to annual payment of the Community Facilities District assessment.
17. Should the City Council not approve the annexation of any or all of the maintenance items listed above, then the property owner/subdivider shall create a homeowners association for the maintenance of these items and proposed private streets, utilities, and walls/gates. The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be submitted to the Planning and Development Department for review two weeks prior to

Final Map approval. Said documents shall be recorded with the Final Map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Planning and Development Department Guidelines for preparation of CC&Rs dated January 11, 1985.

18. Improvement plans for all required landscaping and irrigation systems to the Planning and Development Department for review prior to Final Map approval.

Curbing

19. Modified (wedged) curbing is proposed is at the drive approaches for the proposed lots. Modified curbing is only allowed in front of the driveway. Standard curbing is required along the areas that are not in front of the driveway.

Pedestrian Access

20. Provide pedestrian access to the abutting tract to the east (Tract 5838), between Lots 28-29 and Lots 51-52. Depict the sidewalk on the site plan for C-09-275. A pedestrian easement is required within Lots 51-52 to allow for the pedestrian access. Should pedestrians cross over lots 28-29, a pedestrian easement will be required.

Walls/Fences/Landscape Easement

21. The subdivider/owner shall construct a 6 foot high solid wall along East Copper River Drive, a designated collector street within the subdivision. Depict the wall (and height) on Exhibit A-1 (site plan) dated September 13, 2012, for C-09-275.
22. Provide a corner cut-off area at all street intersections in accordance with Section 12-306-H-3-d of the Fresno Municipal Code. Corner cut-offs are established to provide an unobstructed view for vehicular and pedestrian traffic approaching an intersection. They are a triangular area formed by the property lines and a diagonal line adjoining points on the property lines, measured a specific distance from the point of their intersection. At the intersections of streets, this distance is 30 feet.
23. Provide a minimum 4.5' wide landscape easement along the street side yard of proposed parcels 1, 33, 34, 39, 40, 46, 47 and 55. Depict the easement on the tract map and site plan.

Lot Dimensions

24. Lot dimensions shall match those depicted on "Exhibit A," dated September 13, 2012, for Vesting Tentative Tract Map No. 5963/UGM, excepting changes as required per the conditions of approval.

Building Setbacks

25. Building setbacks shall be in accordance with exhibit "A-1" (site plan) for C-09-275 dated September 13, 2012, except as follows:

Front yard: The setback to the garage from property line must be between 5' and 8'. Should a greater setback be proposed, the setback to garage must be a minimum of 18'. Front yard setbacks to living space shall be a minimum of 7 feet.

Interior Side yard: Interior side yard setbacks shall be a minimum of three feet. The easterly side yards for lots 28-29 and 51-52 shall be a minimum of 5 feet.

Street side yard: Street side yard setbacks shall be a minimum of 3 feet.

Rear yard: Rear yard setbacks shall be a minimum 6 feet.

INFORMATION

26. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the Clovis Unified School District in accordance with the school district's adopted schedule of fees.
27. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
 - a) It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.
28. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of Fresno Municipal Code Chapter 12, Article 10, Subdivision of Real Property.
29. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the Fresno Municipal Code.
30. Conditional Use Permit Application No. C-09-275, filed to establish a 55-lot planned development shall be approved prior to final map approval.

31. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
32. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted (business hours: (559) 268-0109; after hours the contact phone number is (559) 488-3111 for the Fresno County Sheriff's Department). If remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (phone number (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (phone number (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists.
33. If animal fossils are uncovered, the Museum of Paleontology at the University of California, Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist; if the paleontologist determines the material to be significant, a recommendation shall be made to the City as to any further site investigation or preservation measures.
34. Apportionment of Special Assessment: If, as part of this subdivision, a division will be made of any lot or parcel of land upon which there is an unpaid special assessment levied under any State or local law, including a division into condominium interest as defined in Section 783 of the Civil Code, the developer/owner shall file a written application with the City of Fresno Director of Public Works, requesting apportionment of the unpaid portion of the assessment or pay off such assessment in full.

If the subdivider elects to apportion the assessment, the application shall contain the following information:

- a) A full description of each assessed lot, parcel or interest to be divided and of how such lot, parcel or interest will be divided;
 - b) A request that the Engineer apportion the amount remaining unpaid on the assessment in accordance with applicable law; and
 - c) Written consent of the owner(s) of each such lot, parcel, or interest to the requested apportionment.
 - d) The application shall be filed prior to the approval of the Final Map(s) by the City and shall be accompanied by a fee in an amount specified in the Master Fee Resolution for each separate lot, parcel, or interest into which the original assessed lot, parcel or interest is to be divided. The fee shall be in an amount sufficient to pay all costs of the City and the Engineer of Work responsible for determining the initial assessment in making the requested apportionment.
35. The subdivider shall comply with Regulation VIII of the San Joaquin Valley Air Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.

36. Solid waste disposal for the subdivision shall be provided by the City of Fresno. The method of collection to be utilized in this tract shall be subject to approval of the Solid Waste Manager (see below-noted conditions).

STREET NAMES

37. Comply with the street name memorandum dated July 13, 2012.

PARK SERVICE

38. Comply with the memorandum from the Public Works Department dated July 30, 2012.

FIRE SERVICE

39. Comply with the memorandum from the Fire Department dated July 12, 2012.

SOLID WASTE SERVICE

40. Comply with the memorandum from the Solid Waste Division dated August 7, 2012.

STREETS AND RIGHTS-OF-WAY

41. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the FMC and the State Subdivision Map Act.
42. The subdivider/owner shall make provisions for disabled persons in accordance with the Department of Public Works standards and as required by State law. Handicap access ramps are required to be constructed in sidewalks at all corners within the limits of the tract. Where street furniture is located within the sidewalk area (fire hydrants, streetlights, etc.), a minimum of 48 inches of unobstructed path shall be maintained to satisfy the American Disabilities Act requirements. If necessary, dedicate a pedestrian easement to accommodate for the four foot minimum unobstructed path requirement.
43. All of the required street improvements shall be constructed and/or installed in accordance with the City of Fresno Standard Specifications (2002 Edition). The following shall be submitted as a single package to the Public Works Department for review and approval:
 - a. Signing and striping plans (per current California Department of Transportation standards);
 - b. Street Construction Plans;
 - c. Landscape and irrigation plans (median island and street trees within all parkways); and
44. The subdivider shall underground all existing off-site overhead utilities and proposed utility systems in accordance with FMC Sections 12-1011 and Resolution No. 78-522, 88-229.

45. The subdivider shall construct an underground street lighting system per Public Works Standards within the limits of the tract. Spacing and design shall conform to Public Works Standards. Height, type, spacing, etc., of standards and luminaries shall be in accordance with Resolution No. 68-187, 78-522, 81-219, and 88-229 or any modification thereto approved by the City Traffic Engineer prior to Final Map approval. Upon completion of the work by the subdivider and acceptance of the work by the City, the street lighting system shall be dedicated to the City. Submit engineered construction plans to the Public Works Department for approval.
46. All dead-end streets created by this subdivision shall be properly barricaded in accordance with City standards within seven days from the time the streets are surfaced or as directed by the City Engineer.
47. The developer shall comply with Rule 8060 of the San Joaquin Valley Air Pollution Control District for the control of fugitive dust requirements from paved and unpaved roads.
48. Comply with the memorandum from the Public Works Department dated September 28, 2012.

SANITARY SEWER SERVICE

49. Comply with the memorandum from the Public Utilities Department dated July 25, 2012.

WATER SERVICE

50. Comply with the Department of Public Utilities, Water Division memorandum dated July 25, 2012.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

51. The developer of property located within the UGM boundaries shall comply with all sewer, water and street requirements and pay all applicable UGM fees imposed under the Urban Growth Management process (with appropriate credit given for the installation of required UGM improvements) in accordance with the requirements of State Law as related to tentative tract maps.
52. The developer will be responsible for the relocation or reconstruction of any existing improvements or facilities necessary to construct any of the required UGM improvements.

Right-of-Way Acquisition

53. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
54. Rights-of-way acquisition shall include any rights-of-way necessary for proper drainage, signing, pole relocation, and shoulder grading. In general, this will require right-of-way to be provided approximately 10 feet outside the travel lane. The exact requirement must

be determined at the project design stage based on the existing conditions and detailed design information.

55. In the event an acquisition of any easement or right-of-way is necessitated by the subject development, said acquisition will be accomplished prior to Final Map approval. The developer/owner should contact the Real Estate Section of the Public Works Department to receive procedural guidance in such acquisitions.
56. Should such acquisition not be accomplished by the subdivider prior to Final Map approval, the subdivider must request and grant to the City the full authority to attempt acquisition either through negotiation or through its power of eminent domain. The subdivider shall furnish to the City Public Works Department, Engineering Division/ Real Estate Section, an appraisal report or a request for an estimated appraisal amount (to be determined by the City of Fresno Real Estate Section) prior to preparation of a Subdivision Agreement.
57. The subdivider/owner shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees, appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

FLOOD CONTROL AND DRAINAGE

58. Comply with the memoranda from the Fresno Metropolitan Flood Control District both dated August 3, 2012.
59. Any temporary ponding basins constructed or enlarged to provide service to the subdivision shall be fenced in accordance with City standards with seven days from the time the basin becomes operational or as directed by the City Engineer. Temporary ponding basins will be created through a covenant between the City and the Developer prior to Final Map approval. Maintenance of the temporary ponding basin shall be by the Developer until permanent service for the entire subdivision is provided.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

60. Contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for their requirements.

CLOVIS UNIFIED SCHOOL DISTRICT

61. Pay all applicable Clovis Unified School District fees.

COUNTY OF FRESNO

62. Comply with the letter, from the County of Fresno, Department of Public Health, dated July 31, 2012.

CALTRANS

63. Comply with the letter from Caltrans dated July 18, 2012.

DEVELOPMENT FEES AND CHARGES

64. This project is subject to the following fees and charges:

SEWER CONNECTION CHARGES

FEE RATE

- | | |
|---|--------------------------------|
| a. Lateral Sewer Charge[1] | \$0.10/sq. ft. (to 100' depth) |
| b. Oversize Charge[1] | \$0.05/sq. ft. (to 100' depth) |
| c. Trunk Sewer Charge[2]
Service Area: Herndon | N/A |
| d. Wastewater Facilities Charge[3] | \$2,119/living unit |
| e. Copper River Sewer Backbone System [4] | \$877/living unit |
| f. Copper Avenue Sewer Lift Station Charge[4] | \$650/living unit |
| g. House Branch Sewer Charge [2] | N/A |

WATER CONNECTION CHARGES

FEE RATE

- | | |
|--|--|
| h. Service Connection Charge | Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule. |
| i. Frontage Charge [1] | \$6.50/lineal foot |
| j. Transmission Grid Main Charge [1] | \$643/gross acre (parcels 5 gross acres or more) |
| k. Transmission Grid Main Bond Debt Service Charge [1] | \$243/gross acre (parcels 5 gross acres or more) |
| l. UGM Water Supply Fee [2]
Service Area: 101s | \$456/living unit |
| l. Well Head Treatment Fee [2]
Service Area: 101 | \$0/living unit |
| m. Recharge Fee [2]
Service Area: 101 | \$0/living unit |

n. 1994 Bond Debt Service [1] \$895/living unit
 Service Area: 101

CITYWIDE DEVELOPMENT IMPACT FEES FEE RATE

o. Fire Facilities Impact Fee – Citywide [4] \$539/living unit
 p. Park Facility Impact Fee – Citywide [4] \$2278/living unit
 q. Quimby Parkland Dedication Fee [2] \$1120/living unit
 r. Citywide Regional Street Impact Fee [3] \$8,361/adj. acre
 s. New Growth Area Major Street Fee [3] \$18,790/adj. acre
 t. Police Facilities Impact Fee – Citywide [4] \$624/living unit
 u. Traffic Signal Charge [1] \$450.94/living unit

COPPER RIVER RANCH IMPACT FEES FEE RATE

v. CRR Major Roadway Infrastructure Facility Fee [4] \$7,972/adj. acre
 w. CRR Major Interior Collector Roadway Facility Fee [4] \$29,676/adj. acre
 x. CRR Clovis Mitigation Fee [2] \$38.99/ADT [5]
 z. CRR Friant Widening Mitigation Fee [2] \$9.76/ADT [5]

On July 22, 2008, the Fresno County Board of Supervisors passed Ordinance No. 2008 – 023 requiring the payment of County Public Impact Facilities Impact Fees. The effective date of this ordinance is September 20, 2008. Contact the County of Fresno, Public Works and Planning Department to determine payment of this fee obligation. Confirmation by the County of Fresno is required before the City of Fresno can issue building permits.

The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009 – 01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Contact the Council of Fresno County Governments (FCOG) to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue building permits.

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

[5] Determined by Public Works.

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**CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

**CONDITIONS OF APPROVAL
OCTOBER 3, 2012
CONDITIONAL USE PERMIT APPLICATION NO. C-09-275
"A PLANNED DEVELOPMENT"**

PART A - PROJECT INFORMATION

1. Assessor's Parcel No(s): 579-074-76
2. Job Address: Vesting Tentative Tract Map No. 5963/UGM
3. Street Location: Located between North Friant Road and East Copper Avenue, within the Copper River Ranch Planned Community
4. Zoning: R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district
5. Planned Land Use: Medium Low Density Residential
6. Plan Areas: 2025 Fresno General Plan and Woodward Park Community Plan
7. Project Description: Conditional Use Permit Application C-09-275 proposes a planned development, which includes modified property development standards, including lot size, lot coverage and setback requirements, for Vesting Tentative Tract Map No. 5963/UGM on approximately 7.91 acres.

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code §66020(d)(1), the imposition of fees, dedications, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

PART B - GENERAL CONDITIONS AND REQUIREMENTS

The City of Fresno Planning Commission, on October 3, 2012, approved the special permit application subject to the enclosed list of conditions and Exhibits A-1 and A-2 dated September 13, 2012, for Conditional Use Permit Application No. C-09-275.

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Fresno Municipal Code Section 12-405.A can be made.

Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

1. All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
2. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
3. Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. This special permit is granted, and the conditions imposed, based upon the Operation Statement provided by the applicant. The Operation Statement is material to the issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law.

The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to

construction plan not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions. **(Include this note on the site plan.)**

No uses of land, buildings, or structures other than those specifically approved pursuant to this site plan shall be permitted. **(Include this note on the site plan.)**

Transfer all red line notes, etc., shown on the original site plan exhibits (dated September 13, 2012) to the final site plan. CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

The exercise of rights granted by this special permit must be commenced by October 3, 2016 (four years from the date of approval).

To complete the back-check process for building permit relative to planning and zoning issues, submit four copies of this corrected, final site plan, together with copies of the elevations, landscape, and irrigation plans, and any required covenants and/or studies or analyses to the Planning Division for final review and approval, ten days before applying for building permits.

Copies of this final approved site plan, elevations, landscape, and irrigation plans stamped by the Planning Division **must be substituted** for unstamped copies of the same in each of the sets of construction plans submitted for plan check prior to issuance of building permits. The final approved site plan must also include all corrections identified in the plan check process.

Be advised that on-site inspections will not be authorized unless the final stamped approved site plan, elevations, landscape, and irrigation plans are included in the plan check file copy.

Please contact Israel Trejo at (559) 621-8044 or via e-mail at Israel.Trejo@fresno.gov to schedule an appointment for final sign-off for building permits following your receipt and substitution of the four copies of the stamped, corrected, approved exhibits in the plan check sets.

PART C - PUBLIC IMPROVEMENT REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, for which this review process is dependent, will be imposed whenever such conditions are disclosed.

Questions relating to dedications, street improvements or off-street parking geometrics may be directed to Louise Gilio at (559) 621-8678 / Louise.Gilio@fresno.gov of the City of Fresno Public Works Department, Engineering Division, Traffic Section.

STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS

- a) Exhibit "A" is required to include all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc., within the existing and proposed public rights-of-way.

- b) Deed documents for the required property dedications shall be prepared by the applicant's engineer and submitted to the Public Works Department, Engineering Division, Special Districts/Projects and Right-of-Way Section with verification of ownership prior to issuance of building permits. Deed documents must conform to the format specified by the City. Document format specifications may be obtained from the Public Works Department, Engineering Division, Special Districts/Projects and Right-of-Way Section, or by calling (559) 621-8694.
- c) ENCROACHMENT PERMITS. The construction of any overhead, surface or sub-surface private structures and appurtenances extending within the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Engineering Division, Special Districts/Projects and Right of Way Section, (559) 621-8693. Encroachment permits must be approved prior to issuance of building permits.

STREET IMPROVEMENTS

- a) All public improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department or street construction plans required and approved by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian, water and sewer utility easements) requires a Street Work Permit issued by the Public Works Department, Engineering Services Division at (559) 621-8693, prior to commencement of the work. Contact the Public Works Department, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the City prior to occupancy.
- b) Repair damaged and/or off grade off-site concrete improvements as determined by the Public Works Department, Construction Management Division (559) 621-5500.
- c) Install streetlights along all street frontages in accordance with City standards. Plans must be prepared by a registered Civil Engineer and must be approved by the Public Works Department Engineering Division prior to installation.
- d) Submit the following as a single package to the Public Works Department Engineering Division, Plan Check and GIS Mapping Section, (559) 621-8682, for review and approval, prior to issuance of building and street work permits: Street Improvement Plans, Signing and Striping Plans, Street Lighting Plans and Landscape and Irrigation Plans.

3. SURVEY MONUMENTS AND PARCEL CONFIGURATION

- a) All survey monuments within the area of construction shall be preserved and if disturbed, shall be reset by a person licensed to practice Land Surveying in the State of California.

PART D - PLANNING/ZONING REQUIREMENTS

1) PLANNING

- a) Development is subject to the following plans and policies:
 - i) 2025 Fresno General Plan
 - ii) Woodward Park Community Plan
 - iii) Planned Development (Section 12-306-N-21 of the FMC)
 - iv) Medium Low density residential planned land uses

2) ZONING

- a) Development is proposed in accordance with the R-1/UGM/cz (Single-Family Residential District/Urban Growth Management/conditions of zoning) zone district. Approval of Conditional Use Permit Application No. C-09-275 is contingent upon approval of Vesting Tentative Tract Map No. 5963/UGM.
- b) Conditions of Zoning were placed on the project site in 2003 with approval of Rezone Application No. R-01-14 (Copper River Ranch rezone). This application is subject to compliance with the mitigation measures established by the certification of Final Environmental Impact Report No. 10126 (SCH No. 2000021003) prepared for Copper River Ranch.
- c) It shall be required that you file an amended Exhibit Seven titled "Land Use, Density and Parcel Identification Matrix" for Conditional Use Permit Application No. C-04-153.

3) BUILDING HEIGHT

- a) The height of the proposed structures shall meet the requirements of Section 12-211.5-D of the FMC.

4) LOT COVERAGE

- a) Maximum lot coverage shall not exceed 60 percent of the total lot area.

5) BUILDING SETBACKS, OPEN SPACES AND LANDSCAPING

- a) Building setbacks shall be in accordance with Exhibits A-1 and A-2 dated September 13, 2012, and as follows:

Front yard: The setback to the garage from property line must be between 5' and 8'. Should a greater setback be proposed, the setback to garage must be a minimum of 18'. Front yard setbacks to living space shall be a minimum of 7 feet.

Interior Side yard: Interior side yard setbacks shall be a minimum of three feet. The easterly side yards for lots 28-29 and 51-52 shall be a minimum of 5 feet.

Street side yard: Side yard setbacks shall be a minimum of 3 feet.

Rear yard: Rear yard setbacks shall be a minimum 6 feet.

- b) On-site trees are required as follows: Section 12-306-N-24-G-3 of the FMC requires one medium sized tree (30-60 feet at maturity) for each parking space, plus one medium sized tree for each residential unit. Two small size trees (15-30 feet at maturity) may be substituted for one medium size tree.
- c) Depict the landscaping within the required landscape easements along proposed parcels 1, 33, 34, 39, 40, 46, 47 and 55, on the site plan (Exhibit A-1).
- d) Depict the improvements to be installed within Outlot A on the site plan (Exhibit A-1).

6) FENCES, HEDGES, WALLS

- a) Construct a 6 foot high solid wall along East Copper River Drive, a designated collector street within the subdivision. Depict the wall (and height) on Exhibit A-1 dated September 13, 2012.
- b) Provide a corner cut-off area at all street intersections in accordance with Section 12-306-H-3-d of the Fresno Municipal Code. Corner cut-offs are established to provide an unobstructed view for vehicular and pedestrian traffic approaching an intersection. They are a triangular area formed by the property lines and a diagonal line adjoining points on the property lines, measured a specific distance from the point of their intersection. At the intersections of streets, this distance is 30 feet.

7) PEDESTRIAN ACCESS

- a) Pedestrian access is required to the abutting tract to the east (Tract 5838), between Lots 28-29 and Lots 51-52. Depict the sidewalk on the site plan (Exhibit A-1).

PART E - CITY AND OTHER SERVICES

- a) Comply with the Conditions of Approval for Vesting Tentative Tract Map No. 5963/UGM dated October 3, 2012.

Street Name Review

TM-5963

07/13/12

Street Name	Status	Required Change
East "A" Avenue	Change	<i>East Green Sage Avenue</i>
East "B" Avenue	Change	<i>East Autumn Sage Avenue</i>
East Copper River Drive	Good	
North "C" Avenue	Change	<i>(provide a new name)</i>
North "D" Avenue	Change	<i>North Balmoral Avenue</i>

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7

DEPARTMENT OF PUBLIC WORKS

TO: Israel Trejo, Planner III
Planning Division

FROM: Hilary Kimber, Parks Supervisor II (559.621.1345)
Streets Division

DATE: January 26, 2010 **REVISED July 30, 2012**

SUBJECT: Tract 5963 (APN: 579-074-14S & 15S) (C-09-275) located on the north side of E. Copper River Drive between North Cedar and North Maple Avenues. The Department of Public Works has reviewed the Tentative Subdivision Map as proposed by Gary Gianetta, Civil Engineering & Land Surveying, on plans dated June 21, 2012. The Department of Public Works offers the following comments regarding landscaping and irrigation within the street rights-of-ways:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage or one tree per home (whichever is greater) by the Developer. Tree planting shall be within a 10' Public Planting and Utility Easement. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards and AB 1881.
2. Landscaping and Irrigation Installed by the Developer
 - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
 - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails shall be reviewed and approved by the Department of Public Works. A street tree planting permit shall be required for all residential street tree plantings.
 - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with Sections 25 & 26 of the Drawings and Specifications for the City of Fresno.
 - e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by forming a Home Owner's Association.

2. Maintenance Service through Annexation into a Community Facilities District. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.

A. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with Sections 12-306-23 & 24 and 14-121 of the Fresno Municipal Code regarding Water Efficient Landscaping and Buffer landscaping and the State's Water Requirements in AB 1881.

B. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.

C. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.

D. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.

E. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.

F. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the City of Fresno Water Division and may not be included in the CFD.

MEDIAN ISLAND LANDSCAPE REQUIREMENTS

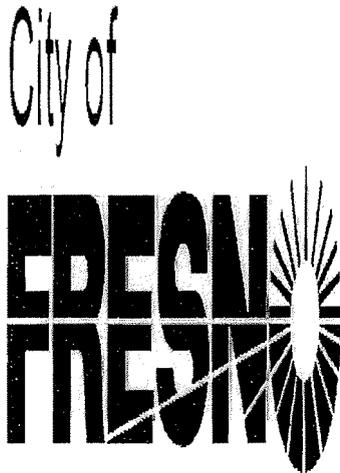
1. When median islands front onto the proposed development project, applicants shall submit Plans to the Public Works/Traffic Engineering Services showing the location and configuration of all median islands fronting the proposed project.
2. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.
3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and FMC sections 12-306-24 and 12-306-23. The Public Works Department requires all proposed median islands to be constructed with 12" wide colored concrete strips as per Concrete Construction Detail P-9.
4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet wide shall be capped with concrete as an integral part of the offsite improvements, whether or not the median is landscaped.

5. Medium and large trees shall not be planted in the adjacent median islands on E. Copper River Dr. This project has an existing 18" sewer line which runs through parts of each median island. Small trees fifteen feet (15') or under are acceptable.

OUTLOTS

1. The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into a Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require landscape and irrigation plans to be submitted with the landscape buffer plans prior to inclusion into the CFD.

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FIRE DEPARTMENT

Date: July 12, 2012

To: ISREAL TREJO, Planner II
Planning and Development Department

From: RICHARD FULTZ, Senior Fire Prevention Inspector
Fire Department, Fire Prevention & Investigative Services

Subject: T-5963-UGM & C-09-275 were filed by Gary Giannetta, on behalf of Darius Assemi of Copper River Development, Inc., and pertain to 7.91 acres of property located within the Copper River Ranch Planned Community, 1648 East Copper Avenue, APN 579-074-76S. T-5963-UGM proposes to subdivide the subject property into a 55-lot single family residential planned development with 1 outlot. The map is submitted as a new version of the previously submitted tentative map for the subject property. C-09-275 proposes a planned development with reduced setbacks and public streets with an alternative street width and wedged curbs. The property is zoned R-1-UGM-cz, Single Family Residential-Urban Growth Management-conditions of zoning.

Hydrants

Public streets hydrant(s) must be installed. Coordinate street hydrant locations with Public Works.

Fire hydrants shall be installed, tested, approved, and all surface access roads shall be installed and made serviceable prior to and during the time of construction. The hydrant 4 1/2" outlet shall face the access lane.

Emergency Access Only Roadways

Emergency accesses are required to be dedicated fire protection easements.

Road surface shall be of an all weather construction.

Gates, posts or other barriers suitable to the Fire Department are required to be installed at the entrance to an "emergency access only" roadway.

The entrance to all emergency accesses shall be posted with permanent signs: "FIRE ACCESS (6" LETTERS) vehicles removed at owner's expense (2" letters) FRESNO POLICE DEPARTMENT 621-2300 (1" letters).

All gates on the "emergency access roadway" shall be fitted with a Police/Fire bypass lock (BEST LOCKS: Padlock 21B700 series or Cylinder lock 1W7B2). Gates/fences shall not obstruct the minimum width required for fire lanes.

City of



DEPARTMENT OF PUBLIC UTILITIES

August 7, 2012

TO: Israel Trejo, Planner III
Development Department, Planning Division

THROUGH: Jerry Schuber, Solid Waste Manager
Department of Public Utilities, Solid Waste Division

FROM:  Chris Weibert, Management Analyst II
Department of Public Utilities, Administration

SUBJECT: TT 5963/UGM & C-09-275, Solid Waste Conditions of Approval
Location: North side of East Copper River Drive between North Cedar and North Maple
Avenues (APN 579-074-14, 15)

The Department of Public Utilities, Solid Waste Division has completed a review of the Vesting Tentative Tract Map 5963/UGM & C-09-275 that was submitted by Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of Darius Assemi of Copper River Development, Inc. The following requirements and conditions are to be placed on this vesting tentative tract map and conditional use permit as a condition of approval by the Department of Public Utilities.

General Requirements:

- Tract 5963 will be serviced as Single Family Residential properties with Basic Container Service. Property owners will receive 3 containers to be used as follows: 1 Gray container for solid waste, 1 Green container for green waste and 1 Blue container for recyclable material.
- The owners, lessees or other tenants of the residential dwellings on service day, before 5:30 a.m., shall place their solid waste containers at the edge of the curb approximately 4 feet apart and shall not block any vehicle accesses, nor be placed within any traffic circle, in accordance with the City of Fresno's Solid Waste Management Division Standards.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(11). No solid waste container nor residential rubbish shall be allowed to remain at the curblines after 8:00 p.m. on the collection day.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(10). No material container shall be stored in the front yard or side yard on a street as said yards are described in Chapter 12, Articles 2 and 3 of this Code, unless the container is screened from view from the street in accordance with that article of the Code.

Special Conditions:

Maintain 18' of clearance at entrance/exit.

Covenant Requirements:

There shall be no parking allowed in the cul-de-sacs on the solid waste service day. All lots that are part of a cul-de-sac shall be clear of all vehicles by 5:30 a.m.:

- Lots ~~19, 20, 21, and 22~~ 27, 28, 29 & 30
- Lots ~~28, 29, 30, 31, and 32~~ 49, 50, 51, 52 & 53

Those lots that are part of a dead-end drive shall place their containers at another location by 5:30 a.m. on the solid waste service day:

- ~~Lots 1 and 2 shall place their containers on the west side of Lot 43~~



DATE: **September 28, 2012 revision**

TO: Israel Trejo
Development and Resource Management Department

THROUGH: M. Scott Tyler, PE, City Traffic Engineer
Public Works Department, Traffic & Engineering Services Division

FROM: Louise Gilio, Traffic Planning Supervisor
Public Works Department, Traffic & Engineering Services Division

SUBJECT: Public Works Conditions of Approval
TT 5963 / C-09-275, (Copper River between Cedar and Maple)
Granville Homes / Gary G. Giannetta

The Public Works Department, Traffic and Engineering Services Division, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval by the Public Works Department.

Provide the following information on the tentative map and / or complete the following, prior final map.

1. Revise the proposed layout to meet current Public Works Standards. See **Exhibit A**.
2. Provide additional cross sections for all streets that are not in the Public Works Standards. **(57' r/w)**.
3. **Add note: No parking allowed in driveways that measure less than 18' from garage to back of walk.**

General Conditions:

1. Curb Ramps: Provide curb ramps at all corners within the limits of this subdivision.
2. Overhead Utilities: Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 12-1011 and Resolution No. 78-522/88-229.
3. Intelligent Transportation Systems (ITS): Street work on major streets shall be designed to include ITS in accordance with the Public Works ITS Specifications, where not existing.
4. Entrances: (local street / major street intersections) Dedicate a minimum of 60' of street right of way and construct concrete medians to Public Works Standard **P-86**. A 52' transition is required from the proposed 60' right of way entrances to the 50' right of way streets. **No parking is allowed within the limits of the proposed median.**
5. Design local streets with a minimum of 250' radius.
6. Local street lengths exceeding 800' and four way intersections require traffic calming measures. Construct permanent traffic circles per Public Works Standards **P-83, P-84** and/or **P-85**. Identify and provide cross sections on the map. **No parking is allowed adjacent to the circles.**

7. **Dead-end Streets:** Any **temporary** dead-end streets created by this subdivision shall be properly barricaded in accordance with the Public Works Standard **P-100**.
8. **Outlots:** If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of City Administrative Order 8-1, including, but not limited to, performing a Phase I Soils Investigation. The soils Investigation report shall be submitted to the Public Works Department for review and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Development Department. Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.
9. **Plan Submittal:** Submit the following plans, as applicable, in a single package, to the Development and Resource Management Department for review and approval: Street: construction, signing, striping, traffic signal and streetlight and Trail: construction, grading, lighting, striping, signing, landscape and irrigation.
10. Street widening and transitions shall also include utility relocations and necessary dedications.
11. No parking is allowed in any driveway less than 18', measured from garage door to back of walk.

Frontage Improvement Requirements:

Major Streets:

Copper River Drive: Collector

1. Where missing, construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **16'** residential pattern. Construct a **6 ½'** residential sidewalk per Public Works Standards.
2. Where missing, construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.
3. Relinquish direct vehicular access rights to Copper River Drive from all lots within this subdivision.
4. Provide pedestrian easements to allow for the 4' clear walk where street lights and fire hydrants are located. Identify on map and site plan.

Interior Streets:

1. Dedicate, design and construct all curb, gutter, sidewalk, (both sides), permanent paving, cul-de-sacs, easements and underground street lighting systems on all interior local streets to Public Works Standard **P-56**.
2. Provide pedestrian easements to allow for the 4' clear walk where street lights and fire hydrants are located. Identify on map and site plan.

Specific Mitigation Requirements: This tract will generate **41 a.m. / 55 p.m.** peak hour trips. A Traffic Impact Study was previously submitted for the tentative map. Comply with all requirements previously set.

1. Relinquish direct vehicular access rights to :
 - a. the east property line of lot **35 1**.
 - b. the west property line of lot **34 55**.
2. The intersection of Copper River Drive and North "D" Avenues shall be designed with a full median opening to allow for left turns-in and left turns-out.

3. ~~Delete the proposed emergency access and dead end street adjacent to lots 1, 2 and 42 per the Fresno Municipal Code Section 12-1011(5). Provide a cul-de-sac, knuckle or through street and resubmit for review.~~
4. ~~All street easements shall be dedicated in whole numbers.~~
 - a. ~~"C" Avenue is shown as 49.5'. Revise to a 50' easement.~~
 - b. ~~"D" Avenue is shown as 57.5'. Revise to a 58' easement. Provide cross section dimension on map.~~
5. Revise the entry dimension from 77' to 76'.
6. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development.
7. ~~Provide a thru street adjacent to lots 30 and 31 to continue east.~~
8. Redesign the cul-de-sac adjacent to lot ~~20 and 21~~ **28 and 29** to meet ADA requirements.
9. Dedicate Outlot A **in fee to the City of Fresno or as a landscape easement for CFD maintenance purposes.**

Landscape and Feature Maintenance:

1. The long term maintenance and operating costs of all the items, within the boundary of the subdivision and remainders, listed below shall be the ultimate responsibility of the owner/developer.
 - a. Landscaping and Irrigation systems within the street right-of-ways, landscape easements, outlots and trail areas which includes one half of median islands (in Major Streets), parkways, buffers, trails, median island entry treatments, street trees, paseos and open spaces. All outlots used for open spaces shall be dedicated to the City of Fresno in fee.
 - b. Feature Improvements:
 - **Major Streets:** median islands, sidewalk, decorative concrete, curb, gutter, street furniture, street lights, hardscapes and special features within trails and outlots.
 - **Local Streets:** paving, median islands, sidewalk, decorative concrete, curb, gutter, valley gutter, street lights, street signs, street furniture, pilasters, hardscapes and special features within trails and outlots
 - **Optional Features:** Items not listed above shall be submitted in writing to the Public Works Department for review and approval.
2. The developer/owner shall do one or both of the following:
 - a. Place the above items into a Community Facilities District (**CFD**) - An Annexation Request Package shall be submitted to the Public Works Department to be reviewed for acceptance. Any special features requested require Public Works Department approval prior to acceptance. If you have any questions contact Traffic and Engineering Services Division at (559)621-8690.

-AND/OR-

 - b. If the Council or property owner/developer chooses not to include all of the items or certain items listed in a CFD, the property owner/developer shall be responsible for providing a mechanism approved by the City of Fresno for the maintenance of such items. Contact the Development and Resource Management Department at (559)621-8277.

Development Fees: This project shall pay all applicable development fees as a condition of this map.

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DEPARTMENT OF PUBLIC UTILITIES

Date: July 25, 2012



To: ISRAEL TREJO, Planner III
Planning and Development

From: DOUG HECKER, Supervising Engineering Technician 
Department of Public Utilities, Planning and Engineering Division

Subject: SEWER REQUIREMENTS FOR REVISED TENTATIVE TRACT 5963/UGM
AND C-09-275

General

T-5963-UGM & C-09-275 were filed by Gary Giannetta, on behalf of Darius Assemi of Copper River Development, Inc., and pertain to 7.91 acres of property located within the Copper River Ranch Planned Community, 1648 East Copper Avenue, APN 579-074-76S. T-5963-UGM proposes to subdivide the subject property into a 55-lot single family residential planned development with 1 outlot. The map is submitted as a new version of the previously submitted tentative map for the subject property. C-09-275 proposes a planned development with reduced setbacks and public streets with an alternative street width and wedged curbs. The property is zoned R-1-UGM-cz, Single Family Residential-Urban Growth Management-conditions of zoning.

Sanitary Sewer Requirements

The nearest sanitary sewer mains to serve the proposed project are a 18-inch main located in East Copper River Avenue and a 10-inch sewer main located in North "D" Avenue. The following sewer improvements shall be required prior to providing City sewer service to the project:

1. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
2. Separate sewer house branches are required for each new lot created.
3. Retain the existing 56-foot public utility easement located in North "D" Avenue.
4. All sewer main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the sewer main. The planting plan, for any proposed landscape within the easement, shall be approved by the Department of Public Utilities. No trees shall be located within 8-feet of the sewer main.

5. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
6. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.

Sanitary Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project:

1. Lateral Sewer Charge
2. Sewer Oversize Charge
3. Sewer Facility Charge (Residential)
4. Trunk Sewer Charge: C.R.R. – Sewer Backbone system facility fee
5. Trunk Sewer Charge: Herndon
6. Copper Avenue sewer lift-station service fee



DEPARTMENT OF PUBLIC UTILITIES – WATER DIVISION



DATE: July 25, 2012

TO: ISRAEL TREJO, Planner III
Development and Resource Management Department – Current Planning Division

THROUGH: MICHAEL CARBAJAL, Chief Engineering Technician *MC*
Department of Public Utilities, Water Division

FROM: ROBERT A. DIAZ, Senior Engineering Technician *R.A.D.*
Department of Public Utilities – Water Division

SUBJECT: WATER REQUIREMENTS FOR TENTATIVE TRACT NO. 5963 AND C-09-275

General

T-5963-UGM & C-09-275 were filed by Gary Giannetta, on behalf of Darius Assemi of Copper River Development, Inc., and pertain to 7.91 acres of property located within the Copper River Ranch Planned Community, 1648 East Copper Avenue, APN 579-074-76S. T-5963-UGM proposes to subdivide the subject property into a 55-lot single family residential planned development with 1 outlot. The map is submitted as a new version of the previously submitted tentative map for the subject property. C-09-275 proposes a planned development with reduced setbacks and public streets with an alternative street width and wedged curbs. The property is zoned R-1-UGM-cz, Single Family Residential-Urban Growth Management-conditions of zoning.

Water Service

The nearest water main to serve the proposed project is a 14-inch main located in East Copper River Avenue. The following conditions are required to provide water service to the tract.

1. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.
2. Construct a water supply well(s) on a site(s) dedicated to the City of Fresno. The well(s) shall be capable of producing a total of 500 gallons per minute. Well sites shall be of a size and at a location acceptable to the Assistant Director of Public Utilities.
3. Water well construction shall include wellhead treatment facilities, if required.
4. No occupancies will be permitted prior to the satisfaction of the water supply requirement.
5. Separate water services with meters shall be provided to each lot created.
6. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source



requirement may be accomplished through a combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Water Systems Manager.

7. Seal and abandon existing on-site well(s) in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.
8. All proposed water main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the water main. The planting plan for any proposed landscape within the easement shall be approved by the Department of Public Utilities. No trees shall be located within 8 feet of the water main. All water mains within an easement shall be clearly marked with signage above indicating the exact location and type of facility below.
9. The developer shall provide a detailed water usage analysis identifying water fixture, landscape, and laundry efficiencies to document water conservation design characteristics, subject to approval by the Director of Public Utilities.
10. The development shall incorporate water use efficiency for landscaping including the use of artificial turf and native plant materials, reducing turf areas, and discouraging the development of artificial lakes, fountains and ponds unless only untreated surface water or recycled water supplies are used for these decorative and recreational water features as appropriate and sanitary.
11. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed addition and/or modification to the City Sewer System. Depict neighboring parcels and proposed plans for their continued service.
12. All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.

Water Fees

The following Water Connection Charges are due and shall be paid for the Project:

1. Wet-tie(s), water service(s) and/or meter(s) installation(s).

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.45

Page 1 of 4

PUBLIC AGENCY

ISRAEL TREJO
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOD
FRESNO, CA 93721-3604

DEVELOPER

DARIUS ASSEMI, COPPER RIVER
DEVELOPMENTS, INC.
1396 W. HERNDON AVE., SUITE 101
FRESNO, CA 93711

PROJECT NO: 5963REV

ADDRESS: 1648 E. COPPER AVE.

APN: 579-074-76S

SENT: 8/31/12

Drainage Area(s)	Preliminary Fee(s)
DE	\$60,622.00
TOTAL FEE: \$60,622.00 (See Exhibit 2, #5)	

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of the final map at the rates in effect at the time of such approval. The fee indicated above is based on the tentative map. Contact the FMFCD project engineer prior to approval of the final map for the fee.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

FR TRACT No. 5963REV

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

Approval of this development shall be conditioned upon compliance with these District Requirements.

1. a. Drainage from the site shall BE DIRECTED TO
- b. Grading and drainage patterns shall be as identified on Exhibit No. 1
- c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
- Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
- None required.
3. The following final improvement plans shall be submitted to the District for review prior to final development approval:
- Grading Plan
- Street Plan
- Storm Drain Plan
- Water & Sewer Plan
- Final Map
- Other
- None Required
4. Availability of drainage facilities:
- a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
- b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
- c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available. TEMPORARY SERVICE IS AVAILABLE THROUGH
- d. See Exhibit No. 2.
5. The proposed development:
- Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
- Does not appear to be located within a flood prone area.
6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FR TRACT No. 5963REV

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 4

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, approved August 1999, (modified December 2002) A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.

FR
TRACT No. 5963REV


Gerald E. Lakeman
District Engineer


Neda Shakeri
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

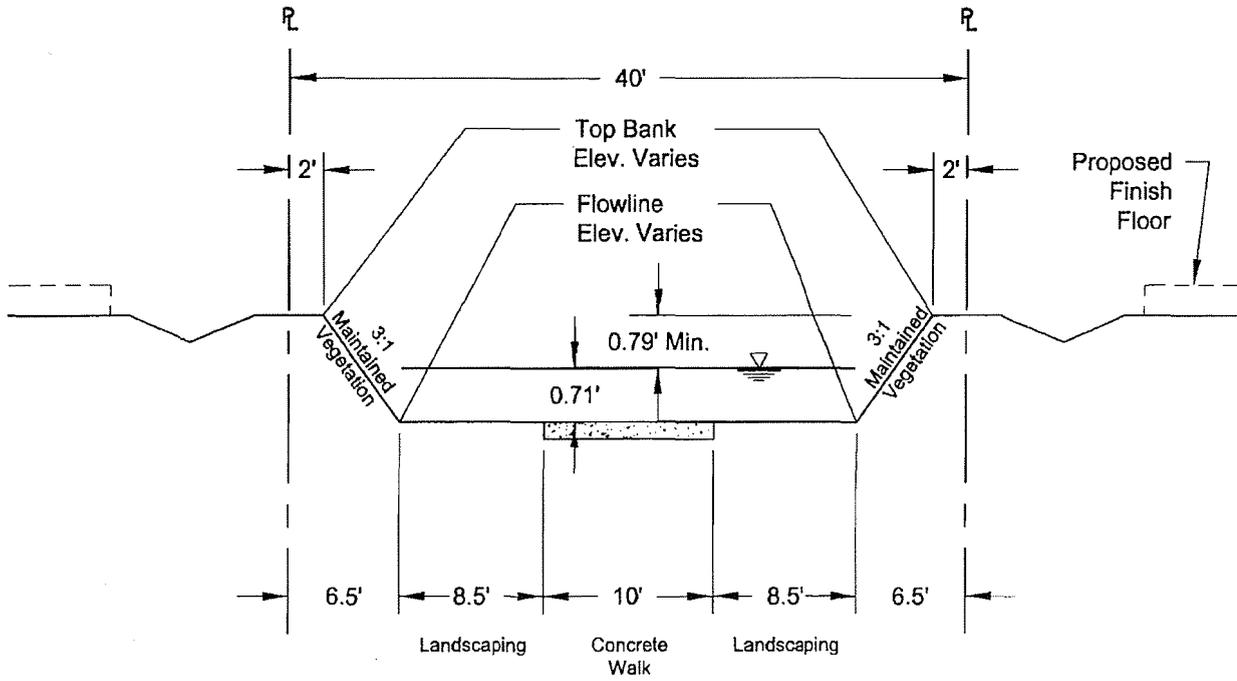
GARY G. GIANNETTA

1119 "S" STREET

FRESNO, CA 93721

FR TRACT No. 5963REV

NOTE:
THIS DRAWING IS SCHEMATIC,
DISTANCES ARE APPROXIMATE.



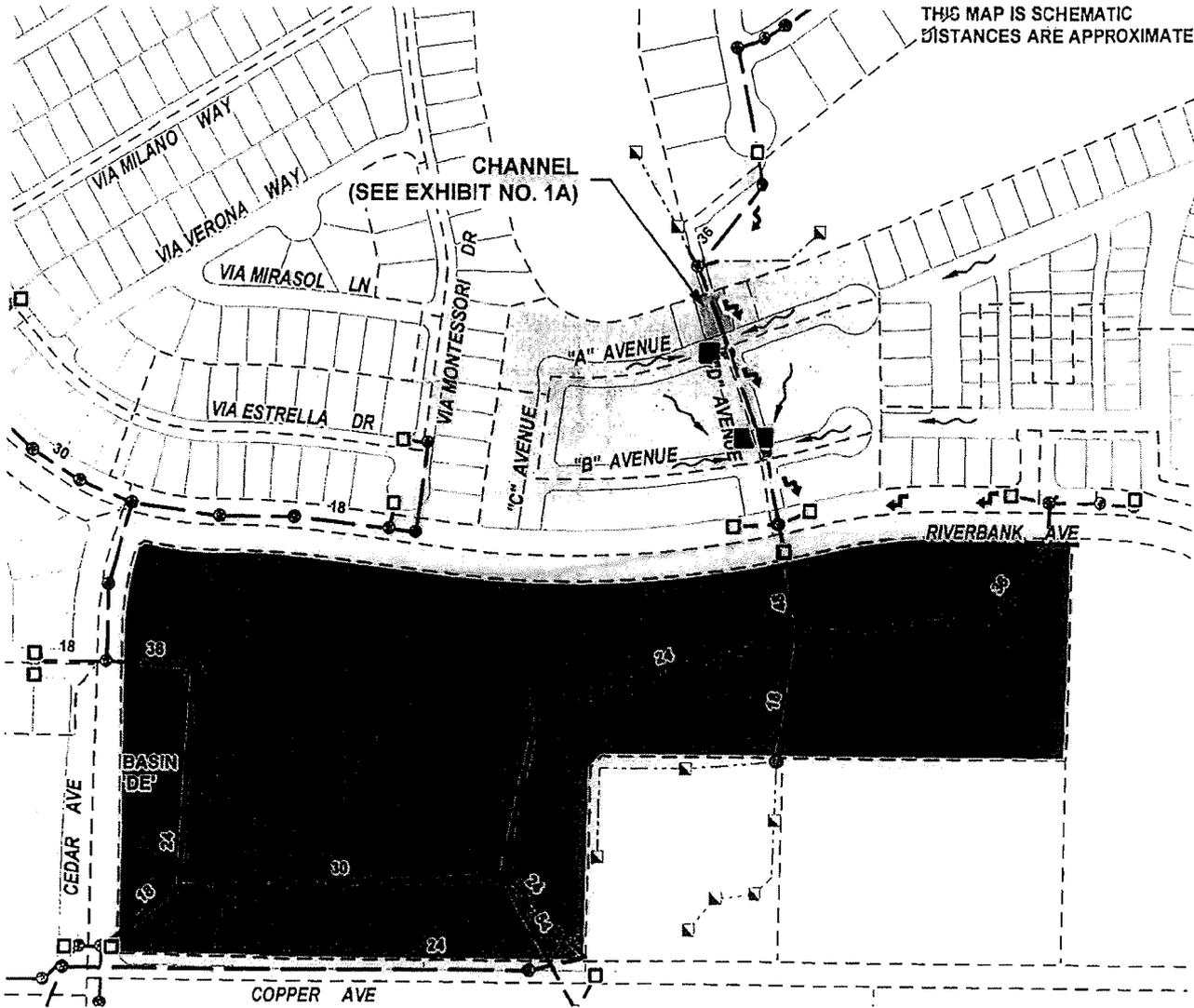
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TRACT 5963REV
CUP 2009-275REV
CHANNEL CROSS-SECTION
DRAINAGE AREA: "DE"



EXHIBIT NO. 1A
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

NOTE:
THIS MAP IS SCHEMATIC
DISTANCES ARE APPROXIMATE.



LEGEND

- — Existing Master Plan Facilities
- — Future Master Plan Facilities
- ▣ — Private Facilities
- — Master Plan Facilities To Be Constructed By Developer
- - - - - Inlet Boundary
- ▭ Limits Of Tract 5963REV / CUP 2009-275REV
- Direction of Drainage
- ↗ Major Storm Break Over Path
- ▭ Major Storm Channel Easement To Be Dedicated To The District



1" = 300'

**TRACT 5963REV
CUP 2009-275REV
DRAINAGE AREA "DE"**



EXHIBIT NO. 1 FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: keithr
Date: 7/31/2012
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OTHER REQUIREMENTS
EXHIBIT NO. 2

- 1) The developer shall construct the Master Plan inlets identified on Exhibit No. 1 within the boundary of CUP 2009-275 and Tract 5963 and thereby obtain permanent drainage service. Contract "DE-16" storm drain and street plans for Copper River Ranch have been signed. However, the inlets within remaining tracts are not constructed yet. The storm drain contractor shall return and construct the inlets per approved street plans.
- 2) Major storm flows from north of Tract 5963/CUP 2009-275 (all north portion of Copper River Ranch) have historically flowed south across the northerly property line and thru the existing 40 foot public utility easement (PUE) of Tract 5963 as shown on Exhibit No. 1. A storm drain channel shall be dedicated for conveyance of major storm from the north area southerly. The design, width, and patterns shall be consistent with the Flood Study that has been done by Provost and Pritchard dated July 24, 2006. To maintain major storm flow within street right-of-way, as indicated on the flood study, "D" Avenue shall be revised to a 36 foot wide street (curb to curb) with standard curb.
- 3) Drainage patterns currently draining from east of this development to "A" and "B" Avenues must be maintained.
- 4) The curb and gutter in "D" Avenue has been set too close to the existing thirty six inch (36") storm drain pipeline and must be relocated to a minimum of ten foot (10') from the centerline of the pipeline.
- 5) No drainage fees are to be collected by the City with the final map. Copper River Development Company Inc. has an outstanding credit balance of \$347,203.00. Copper River Development Inc. has authorized use of drainage fee credits to fulfill the drainage fee obligation of Tract 5963. The preliminary drainage fee obligation of \$60,622 will be adjusted according to the final map.

Development No. Tract 5963 Rev

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.413

Page 1 of 4

PUBLIC AGENCY

ISRAEL TREJO
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721-3604

DEVELOPER

DARIUS ASSEMI, COPPER RIVER
DEVELOPMENTS, INC.
1396 W. HERNDON AVE., SUITE 101
FRESNO, CA 93711

PROJECT NO: 2009-275REV
ADDRESS: 1648 E. COPPER AVE.
APN: 579-074-76S

SENT: 8/3/12

Drainage Area(s)	Preliminary Fee(s)
DE	\$60,622.00
TOTAL FEE: \$60,622.00	

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/13 based on the site plan submitted to the District on 7/10/12 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

**FR
CUP No. 2009-275REV**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

Approval of this development shall be conditioned upon compliance with these District Requirements.

1. a. Drainage from the site shall BE DIRECTED TO
 b. Grading and drainage patterns shall be as identified on Exhibit No. 1
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
 None required.

3. The following final improvement plans shall be submitted to the District for review prior to final development approval:
 Grading Plan
 Street Plan
 Storm Drain Plan
 Water & Sewer Plan
 Final Map
 Other
 None Required

4. Availability of drainage facilities:
 a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
 c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available. TEMPORARY SERVICE IS AVAILABLE THROUGH
 d. See Exhibit No. 2.

5. The proposed development:
 Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
 Does not appear to be located within a flood prone area.

6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

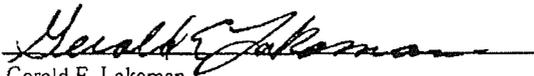
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CUP No. 2009-275REV

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 4

FR
CUP No. 2009-275REV

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Gerald E. Lakeman
District Engineer


Neda Shakeri
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

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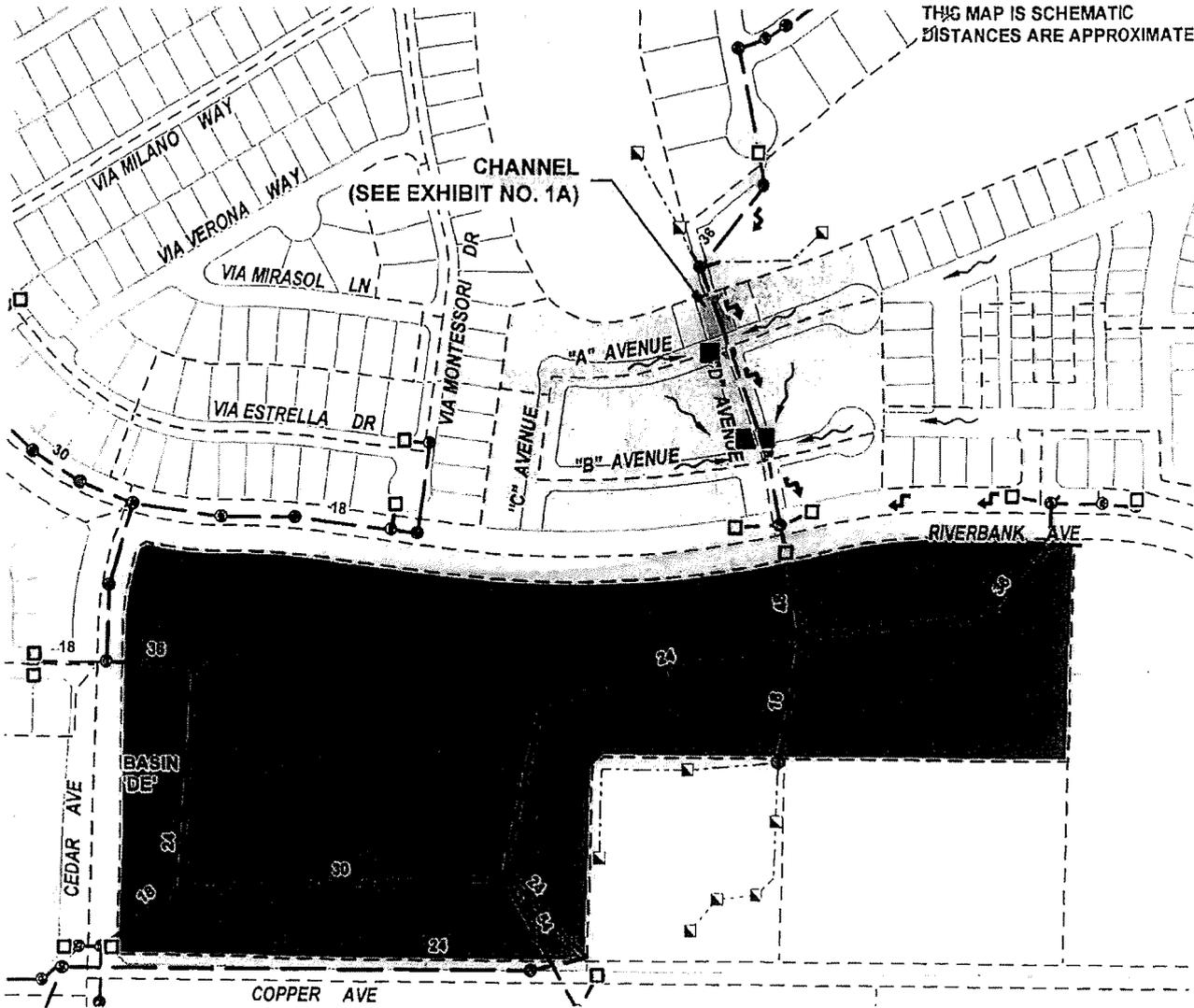
GARY G. GIANNETTA

1119 "S" STREET

FRESNO, CA 93721

FR CUP No. 2009-275REV

NOTE:
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- — Existing Master Plan Facilities
- — Future Master Plan Facilities
- ▣ — Private Facilities
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- - - - Inlet Boundary
- ▭ — Limits Of Tract 5963REV / CUP 2009-275REV
- ~ — Direction of Drainage
- ↘ — Major Storm Break Over Path
- ▨ — Major Storm Channel Easement To Be Dedicated To The District



1" = 300'

**TRACT 5963REV
CUP 2009-275REV
DRAINAGE AREA "DE"**



EXHIBIT NO. 1

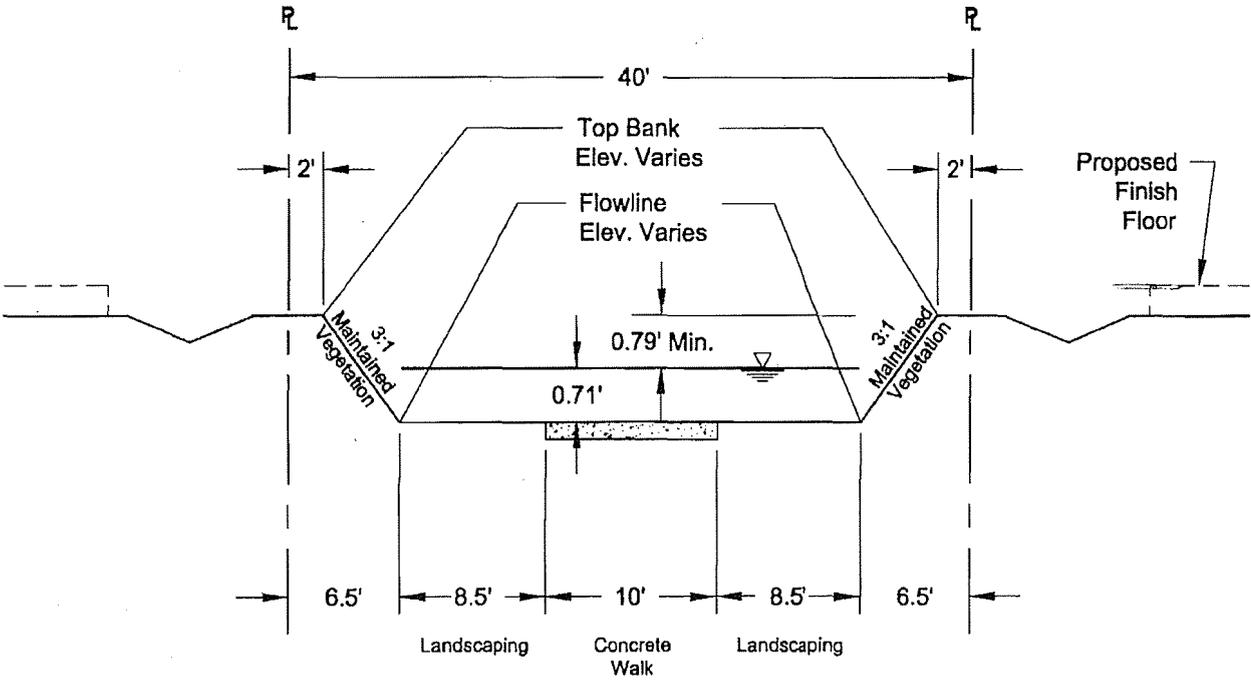
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: keithr

Date: 7/31/2012

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NOT TO SCALE

**TRACT 5963REV
CUP 2009-275REV
CHANNEL CROSS-SECTION
DRAINAGE AREA: "DE"**



EXHIBIT NO. 1A
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

OTHER REQUIREMENTS
EXHIBIT NO. 2

- 1) The developer shall construct the Master Plan inlets identified on Exhibit No. 1 within the boundary of CUP 2009-275 and Tract 5963 and thereby obtain permanent drainage service. Contract "DE-16" storm drain and street plans for Copper River Ranch have been signed. However, the inlets within remaining tracts are not constructed yet. The storm drain contractor shall return and construct the inlets per approved street plans.
- 2) Major storm flows from north of Tract 5963/CUP 2009-275 (all north portion of Copper River Ranch) have historically flowed south across the northerly property line and thru the existing 40 foot public utility easement (PUE) of Tract 5963 as shown on Exhibit No. 1. A storm drain channel shall be dedicated for conveyance of major storm from the north area southerly. The design, width, and patterns shall be consistent with the Flood Study that has been done by Provost and Pritchard dated July 24, 2006. To maintain major storm flow within street right-of-way, as indicated on the flood study, "D" Avenue shall be revised to a 36 foot wide street (curb to curb) with standard curb.
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Development No. CUP 2009-275REV



County of Fresno

Department of Public Health

Edward L. Moreno, M.D., M.P.H., Director-Health Officer

July 31, 2012

999999999

LU0015495

PE 2602

Israel Trejo
City of Fresno
Planning & Development Department
2600 Fresno Street
Fresno, CA 93721

Dear Mr. Trejo:

PROJECT NUMBER: T-5963/UGM, C-09-275

PROJECT DESCRIPTION AND LOCATION: Vesting Tentative Map of Tract No. 5963/UGM and Conditional Use Permit Application No. C-09-275 were filed by Gary Giannetta, on behalf of Darius Assemi of Copper River Development, Inc., and pertain to 7.91 acres of property located within the Copper River Ranch Planned Community. **Vesting Tentative Map of Tract No. 5963/UGM** proposes to subdivide the subject property into a 55-lot single family residential planned development with 1 outlet. (The map is submitted as a new version of the previously submitted tentative map for the subject property.) **Conditional Use Permit Application No. C-09-275** proposes a planned development with reduced setbacks and public streets with an alternative street width and wedged curbs. The property is zoned R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*).

APN: 579-074-76S ZONING: R-1/UGM/cz SITE ADDRESS: 1570 East Copper River Drive

Recommended Conditions of Approval:

- Construction permits for the 55-lot residential subdivision and remainder parcel should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the 55-lot residential subdivision and remainder parcel should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management (DDWEM). For more information call (559) 447-3300.
- The Fresno County Department of Public Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Israel Trejo
T-5963, C-09-275
July 31, 2012
Page 2 of 2

Prior to destruction of any existing agricultural well(s), a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

- Appropriate measures should be incorporated into the project to minimize potentially significant short-term localized noise impacts to noise sensitive receivers caused by the operation of construction equipment. Construction specifications for the project should require that all construction equipment be maintained according to the manufacturers' specifications, and that noise generating construction equipment be equipped with mufflers. In addition, consideration should be given to limiting noise-generating construction activities to daytime hours as specified in your municipal code.

REVIEWED BY:

Janet Gardner

Digitally signed by Janet Gardner
DN: cn=Janet Gardner, o=Fresno County,
ou=Environmental Health Division,
email=jgardner@co.fresno.ca.us, c=US
Date: 2012.07.31 14:12:53 -0700

R.E.H.S., M.P.H.

Environmental Health Specialist III

(559) 600-3271

ig

cc: Wayne Fox, Environmental Health Division

T-5963 C-09-275 Copper River

DEPARTMENT OF TRANSPORTATION

1352 WEST OLIVE AVENUE
P. O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 445-5868
FAX (559) 488-4088
TTY (559) 488-4066



*Flex your power!
Be energy efficient!*

July 18, 2012

2131-IGR/CEQA
6-FRE-41-31.6+/-
C-09-275 & VTTM 5963
COPPER RIVER

Mr. Israel Trejo
City of Fresno Development Department
2600 Fresno Street
Fresno, CA 93721

Dear Mr. Tackett:

We have reviewed the application for the proposed 55-lot single-family residential development to be located within the Copper River Ranch Planned Community. Caltrans has the following comments:

In our previous comments dated January 25, 2012 (copy enclosed) it was indicated that the Copper River Ranch Development had agreed to pay a fair share of \$700,000 to mitigate project traffic-related impacts to the State Route (SR) 41/Friant Interchange. Based upon that agreement, the mitigation for the initially proposed 57 units was to be \$10,045.68.

However, since the time of that agreement, the Fresno RTMF has been adopted and has become the mechanism for mitigating traffic-related impacts within the City of Fresno. Therefore, it is anticipated that this project would mitigate project traffic by paying into the Fresno RTMF and the City's TSMI program.

If you have any questions, please call me at (559) 445-5868.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Navarro".

MICHAEL NAVARRO
Office of Transportation Planning
District 06

Enclosure

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**CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT
 FINDING OF CONFORMITY / MEIR NO. 10130/MND FOR PLAN AMENDMENT A-09-02
 (AIR QUALITY MND)**

DATE RECEIVED FOR FILING:

Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan

Applicant:

Copper River Development, Inc.
 c/o Darius Assemi
 1396 West Herndon Avenue, #101
 Fresno, CA 93711

Initial Study Prepared By:

Planner: Israel Trejo
 Date: August 31, 2012

Environmental Assessment Number: T-5933/C-11-066

Vesting Tentative Tract Map No. 5963/UGM and
 Conditional Use Permit Application No. C-09-275

Project Location (including APN):

East side of North Friant Road, north of East
 Copper Avenue

(APN: 579-074-76)

Project Description:

Gary Giannetta, on behalf of Copper River Development, Inc., has filed Conditional Use Permit Application No. C-09-275 and Vesting Tentative Tract Map No. 5963/UGM pertaining to approximately 7.91 acres of property located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community.

The property is located within the jurisdiction of the Woodward Park Community Plan and the 2025 Fresno General Plan. The Woodward Park Community Plan and the 2025 Fresno General Plan designate the subject property for medium low density residential planned land uses. The application is a request to subdivide the property into a 55-lot lot single-family residential subdivision with one outlot. The existing R-1/UGM/cz (*Single Family Residential District/Urban Growth Management/conditions of zoning*) zone district is consistent with the planned land use designation of medium low density.

The subject property is currently vacant.

Conformance to Master Environmental Impact Report (MEIR) NO. 10130:

The adopted 2025 Fresno General Plan and the Woodward Park Community Plan designate the subject site for medium low density residential planned land uses. The existing R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district for the subject property conforms to the medium low density residential planned land use designation.

The Development and Resource Management Department staff has prepared an Initial Study (See Attached "Modified Appendix G To Analyze Subsequent Project Identified In MEIR No. 10130/MND For Plan Amendment A-09-02 (Air Quality MND)/Initial Study") to evaluate the proposed Conditional Use Permit and Vesting Tentative Tract Map application(s) in accordance with the land use and environmental policies and provisions of lead agency City of Fresno's 2025 Fresno General Plan (SCH # 2001071097), the related Master Environmental Impact Report (MEIR) No. 10130 and the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (Air Quality MND) and Program EIR No. 10126 prepared for the Copper River Ranch Project. The subject property is currently vacant but may be developed at an intensity and scale that is permitted by the planned land use designation and zone district classification for the site. Thus, the proposed Conditional Use Permit and Vesting Tentative Tract Map applications will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designations. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 and the Air Quality MND have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA

Guidelines Section 15177(b)(3). In addition, this proposed project was part of Program Environmental Impact Report No. 10126 prepared for the Copper River Ranch Project which was certified by the City Council on June 3, 2003. EIR No. 10126 required mitigation measures which have been incorporated into this project.

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR and the Air Quality MND. Relative to this specific project proposal, the environmental impacts noted in the MEIR and the Air Quality MND, pursuant to the 2025 Fresno General Plan land use designations, include impacts associated with the medium low density residential planned land use designation specified for the subject property. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR No. 10130 because its, location, land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR No. 10130; (2) The proposed project is fully within the scope of the MEIR and Air Quality MND and Program EIR No. 10126 because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR or Air Quality MND and Program EIR No. 10126 for the reasons set forth in the Initial Study; and (3) other than identified below, there are no new or additional mitigation measures or alternatives required.

In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. Moreover, as lead agency for this project, the Planning and Development Department, per Section 15177(d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 and the Air Quality MND shall be applied to the project as conditions of approval as set forth in the attached Mitigation Monitoring Checklist (See "Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 For the 2025 General Plan, Mitigation Monitoring Checklist).

Public notice has been provided regarding staff's finding in the manner prescribed by Section 15177(d) of the CEQA Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).


Sophia Pagoulatos
Supervising Planner, City of Fresno

August 31, 2012
Date

Attachments: Notice of Intent to Adopt A Finding of Conformity
Modified Appendix G To Analyze Subsequent Project Identified In MEIR No. 10130/MND For Plan Amendment A-09-02
(Air Quality MND)/Initial Study for Environmental Assessment No. T-5963/C-09-275
Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 For the 2025 General Plan: Mitigation
MEIR Mitigation Monitoring Checklist for Environmental Assessment No. T-5963/C-09-275
Master Environmental Impact Report (MEIR) Review Summary (Attachment: Status of MEIR Analysis with Regard to
Air Quality and Climate Change)