City of FRESNO

REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII.B.
COMMISSION MEETING 04/02/14
APPROVED BY
DEPARTMENT DIRECTOR

April 02, 2014

FROM: MIKE SANCHEZ, Planning Manager
Development and Resource Management Department

BY: WILL TACKETT, Supervising Planner
Development Services Division

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATIN NO. C-14-010; TENTATIVE TRACT MAP NO. 6073/UGM; AND, RELATED ENVIRONMENTAL ASSESSMENT NO. C-14-010/T-6073

RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with the goals and policies of the 2025 Fresno General Plan and the Roosevelt Community Plan; its compatibility with surrounding existing uses, and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described below and by the accompanying environmental assessment.

Upon consideration of the staff evaluation, it is concluded that proposed Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. T-6073/UGM are appropriate for the project site. Therefore, staff recommends the Planning Commission take the following actions:

1. ADOPT Environmental Assessment No. C-14-010/T-6073 recommending that the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and the Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (Air Quality MND) dated February 14, 2014, be adopted for Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. 6073/UGM.

2. APPROVE Conditional Use Permit Application No. C-14-010 requesting authorization for the development of a 112-lot single family residential, public street planned development with modified property development standards on the subject property pursuant to Tentative Tract map No. 6073/UGM.

3. APPROVE Tentative Tract Map No. 6073/UGM proposing to subdivide the subject property for the purposes of creating 112 single family residential lots and three additional Outlots for common open space purposes within the proposed planned development.

EXECUTIVE SUMMARY

Precision Civil Engineering, on behalf of Silkscape Inc., property owner, has filed Conditional Use Permit (CUP) Application No. C-14-010 and Tentative Tract Map No. 6073/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue between South Chestnut and South Willow Avenues.

CUP Application No. C-14-010 and Tentative Tract Map No. 6073/UGM request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre. The tentative map also proposes the creation of three Outlots, which are proposed to be dedicated for common open space purposes.

Rezone Application No. R-05-31 which was filed to reclassify the subject site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district was approved by the City Council on December 13, 2005 (City Council Ordinance Bill No. 2005-158). The R-1/UGM zoning approved by the City Council remains in effect for the subject property.

The subject property is located within the boundaries of the 2025 Fresno General Plan and Roosevelt Community Plan, which designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district and the proposed overall density of approximately 6.23 dwelling units per acre is consistent with the Medium Density Residential planned land use designation for the subject property.

PROJECT INFORMATION

PROJECT	A 112-lot, single family residential subdivision to be developed at an overall density of 6.23 dwelling units per acre	
APPLICANT	Precision Civil Engineering	
LOCATION	North side of East Church Avenue, between South Chestnut and South Willow Avenues **(Council District 5, Councilmember Quintero)**	
SITE SIZE	Approximately 17.99 net acres (18.83 gross acres)	
LAND USE	Existing -	Vacant
	Proposed -	Single family residential
ZONING	Existing -	R-1/UGM (*Single Family Residential/Urban Management*) zone district

Proposed- R-1/UGM (*Single Family Residential/Urban Management*) zone district

PLAN DESIGNATION AND CONSISTENCY

The existing R-1/UGM zone district and 112-lot single family residential subdivision at a density of approximately 6.23 dwelling units per acre is consistent with the 2025 Fresno General Plan and Roosevelt Community Plan designation of the site for medium density residential planned land uses

ENVIRONMENTAL FINDING

Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated February 14, 2014

PLAN COMMITTEE RECOMMENDATION

The Roosevelt Implementation and Advisory Committee recommended approval of the proposed project at its meeting on November 14, 2005

STAFF RECOMMENDATION

Recommend approval of the revisions to the tentative tract map and associated conditional use permit application subject to compliance with the Conditions of Approval for Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. 6073/UGM dated April 02, 2014.

BORDERING PROPERTY INFORMATION

	Planned Land Use	**Existing Zoning**	**Existing Land Use**
North	Medium Density Residential	**AL-20** *Limited Twenty Acre Agricultural District*	Vacant Agricultural Land/Mobile Home Park
South	Medium Density Residential	**AE-20/UGM** *Exclusive Twenty Acre Agricultural/Urban Growth Management*	Rural Residential
East	Public Facility/School	**AE-20/UGM** *Exclusive Twenty Acre Agricultural/Urban Growth Management*	School
West	Medium Density Residential	**T-P** *Trailer Park Residential District*	Mobile Home Park

ENVIRONMENTAL FINDING

Development and Resource Management Department staff have prepared an initial study and environmental checklist and have evaluated the proposed development in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and Roosevelt Community Plan, the related Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097), and Mitigated Negative Declaration (MND) No. A-09-02 (SCH # 2009051016). The subject property has been proposed to be developed at an intensity and scale that is permitted by the Medium Density Residential (4.99-10.37 Dwelling Units/Acre) planned land use designation and existing R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district classification for the subject site. Thus, the proposed subdivision and planned development of the subject property in accordance with Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. 6073/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 designation. Moreover, it is not expected that future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property and its surrounding area. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. If has been further determined that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 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 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 Density Residential (4.99-10.37 Dwelling Units/Acre) planned land use designation specified for the subject property and the surrounding area. 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) 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.

Therefore, the project proposal has been determined to be within the scope of the MEIR and MND as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR No. 10130 dated February 14, 2014, 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 know 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

Precision Civil Engineering, on behalf of Silkscape Inc., property owner, has filed Conditional Use Permit (CUP) Application No. C-14-010 and Tentative Tract Map No. 6073/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue between South Chestnut and South Willow Avenues.

CUP Application No. C-14-010 and Tentative Tract Map No. 6073/UGM request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre. The tentative map also proposes the creation of three Outlots, which are proposed to be dedicated for common open space purposes.

Tentative Tract Map No. 5508/UGM was originally approved for the subject property by the Planning Commission on November 30, 2005 (Planning Commission Resolution No. 12369) as a 112-lot single family residential *private street* planned development. Utility services within the approved tract were required to be constructed and maintained as private facilities.

Conditional Use Permit (CUP) Application C-05-107 was also originally filed and approved in conjunction with Tentative Tract Map No. 5508/UGM (Planning Commission Resolution No. 12370) to authorize the planned development of the subject property and modifications to property development standards; including private streets and gated access, reduced lot sizes and setbacks.

Following project approval, a Final Map for Tract 5508 was filed with the City of Fresno and the subdivider/property owner began work to facilitate development; completing, grading of the subject property including proposed interior local streets, as well as installation of sewer and water main services and branch connections to lots proposed to be created within the boundary of the tract. Subsequent to completion of these improvements, development stalled and the property was later sold into new ownership. New ownership of the subject property desired to revise the previously approved tentative map to convert the proposed private streets and services to public streets and services. However, it was discovered that the tentative map for Tract 5508 had expired and that a new map would be required to be submitted.

The proposed subdivision, in accordance with Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. 6073/UGM, will remain a planned development with reduced lot sizes and setbacks in substantially the same form as was originally approved for the subject property through Conditional Use Permit No. C-05-107 and Tentative Tract Map No. 5508/UGM. However, proposed streets will be dedicated for public purposes (vs. private streets) and will not be gated. Interior utilities servicing the proposed subdivision will be

inspected for compliance with City Standards and ultimate acceptance as public facilities. Approval of the CUP for authorization of a planned development will afford modifications to development standards for reduced lot sizes in comparison to conventional subdivisions, reduced setbacks and common open space as was previously approved. Therefore, the form of the proposed subdivision including street patterns and lot configurations will not change as a result of the new CUP and tentative map.

Rezone Application No. R-05-31 which was filed to reclassify the subject site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district was approved by the City Council on December 13, 2005 (City Council Ordinance Bill No. 2005-158). The R-1/UGM zoning approved by the City Council remains in effect for the subject property.

Landscaping/Common Open Space

Pursuant to Policy 1-5.8 of the Roosevelt Community Plan the developer/owner shall provide a 15-foot landscape easement (and irrigation system) along the property lines of lots which back-onto East Church Avenue. The applicant will also be required to install a six foot high solid masonry wall at the rear of the required 15 foot landscape easement.

Three Outlots have been proposed to be created pursuant to the tentative map for common open space purposes. Outlot "A" will be dedicated as aggregate open space for both active and passive recreational purposes. Outlots "B" & "C" will also be dedicated for open space purposes and will be improved with landscape buffers between proposed public streets and adjacent properties.

Lot Area and Dimensions

Planned Development

Lots within planned developments may have modified lot widths, depths and areas, however lots must still be a minimum of 4,200 square feet in area. The majority of the proposed lots are 45 feet in width and 100 feet in width. Although the lots for the planned development are smaller in area in comparison to the standard R-1 lot, the site as a whole is developed to achieve a more compact, pedestrian friendly neighborhood which will provide future residents with common open space.

Setbacks

Planned Development

The applicant is proposing a planned development which allows for modified development standards. The applicant is proposing minimum 8-foot building setbacks with minimum 18-foot setbacks to garages. Furthermore, the applicant is proposing 15 foot rear yards, with side yards of four feet.

Streets and Access Points

The subject property is located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues. The adjacent segment of East Church Avenue is planned as 4-lane undivided collector street by the 2025 Fresno General Plan with ultimate mitigation.

This subdivision has been designed to include two major street access points from and to East Church Avenue which will provide connectivity and vehicle trip distribution from and through the proposed development. The interior local streets within the proposed project are proposed to be dedicated for public purposes based upon a modified 47-foot wide right-of-way cross section utilizing a 36-foot wide curb-to-curb street cross section. The 47-foot wide right-of-way section will provide for sidewalks on both sides of all interior streets.

The Public Works Department/Traffic Engineering Division staff has reviewed the proposed traffic yield from the proposed single family residential development project and the expected traffic generation will not adversely impact the existing and projected circulation system as analyzed in MEIR No. 10130.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the proposed project is projected to generate 84 vehicle trips during the morning peak hour travel period (7 to 9 a.m.) and 112 vehicle trips during the evening peak hour travel period (4 to 6 p.m.).

As required by the mitigation measures established by the certification of MEIR No. 10130, a Traffic Impact Study (TIS) was prepared by Peters Engineering Group to evaluate the number of vehicle trips projected to be generated by the proposed project. Utilizing the Institute of Traffic Engineers (ITE) Trip Generation Manual and associated computer software together with the COG's computerized traffic model, this analysis predicts the number of vehicle trips that will be generated from the proposed project and surrounding planned land uses, and the direction in which these trips will travel.

The TIS analyzed the intersections at Chestnut and Church Avenues and Willow and Church Avenues and analyzed 112 single family residential units. Because much of the immediately surrounding area has developed incrementally, the planned major street and intersection improvements have not yet been completed as required by adopted plans, policies and development standards. However, study intersections were determined to be operating at acceptable levels. Furthermore, the proposed project, as well as other urban land uses developed as planned by the 2025 Fresno General Plan, will be required to construct public improvements contributing to the completion of the planned major street system consistent with the public facility and service delivery standard requirements of the City of Fresno.

Therefore, 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 by the proposed development subject to the requirements of the Department of Public Works, Traffic and Engineering Services, which will be included as conditions of approval for the proposed project pursuant to

adopted standards, policies and codified regulations.

Public Services

Private utility services to serve the proposed subdivision have already been constructed on the subject property pursuant to the original conditions of approval for Tentative Tract Map No. 5508/UGM and Conditional Use Permit Application No. C-05-107.

The Department of Public Utilities has determined that the previously constructed private utility services may be accepted as public facilities subject to third party (or City) inspections occurring (e.g., video inspections of facilities, materials, pressure and compaction tests, etc.,) and approval of as-built drawings of constructed facilities to ensure specific public utility standards and guidelines have been met with construction. If constructed services are inadequate, then such services will not be accepted until necessary improvements or corrections have been made. Final approval and acceptance of constructed services for public facilities rests with the City of Fresno Public Utilities Department.

Adequate water services will be available to serve the proposed project subject to the construction of a water supply well(s) on a site(s) dedicated to the City of Fresno. Wells will be required to be capable of producing a total of 500 gallons per minute. Well sites will be required to be of a size and at locations acceptable to the Water Systems Manager. Water well construction will also be required to include wellhead treatment facilities, if necessary. These requirements will be incorporated as conditions of approval for the proposed project.

Sanitary sewer and water service delivery is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City-wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage.

The project site will be serviced by the Solid Waste Division with basic residential container service.

Fire service is available to the proposed project subject to installation of public Fire Hydrants and the provision of required fire access lanes and surfaces meeting minimum required clearances and turning radii for emergency vehicle accessibility.

Conditional Use Permit Findings

Based upon analysis of the conditional use permit application and subject to the applicant's compliance with all of the conditions of approval noted, staff concludes that the following required findings of Section 12-405-A-2 of the Fresno Municipal Code (FMC) can be made.

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 12-405-A-2.

a. 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,

Finding a: Conditional Use Permit Application No. C-14-010 will comply with all applicable codes, including parking, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met. Furthermore, the site will provide a common open space area, which will allow future tenants to interact and to enjoy passive recreational opportunities, rather than conventional single family residential subdivisions which rarely offer such opportunities. Furthermore, although the proposed parcels are slightly smaller in area in comparison to conventional subdivisions, they require less maintenance which is often sought by empty nesters and young professionals.

b. 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,

Finding b: Although the project will increase traffic in comparison to what exist today, vehicular traffic will be directed towards East Church Avenue, a collector street, minimizing the impact on local streets. Furthermore, 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.

c. 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 this Code.

Finding c: The proposed use, a residential development, will not have a negative impact on either the subject site, or neighboring properties given that the conditions of approval will ensure that the developer meet the minimum standards.

Therefore, staff of 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 tentative tract map application review and conditional use permit application review processes.

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 (there is not an applicable specific plan), because the Roosevelt Community Plan designates the site for medium density residential planned land use and the project design meets the density and zoning ordinance criteria for development in these plan designations. Furthermore, the applicant will be required to construct a vista point, a trail and streets to which will increase travel options.

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.

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 of the area is not known to contain any unique or endangered species.

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 to 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.

The subdivision map, subject to the recommended revised conditions of approval, complies with the design and property development standards of the Zoning Ordinance and local Subdivision Ordinance. 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.

CONCLUSION / RECOMMENDATION

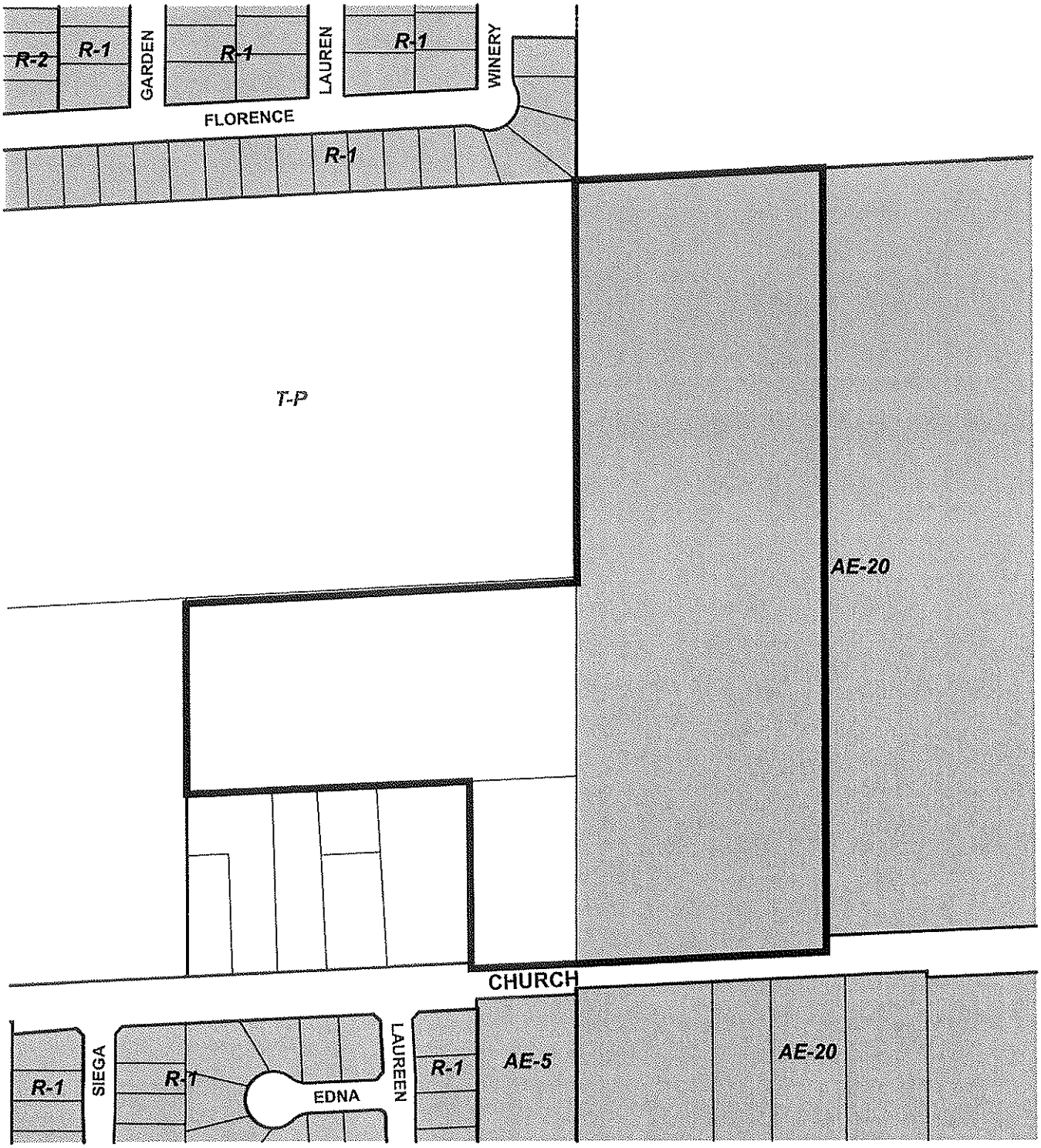
The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Roosevelt Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant 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 Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. 6073/UGM are appropriate for the project site.

Attachments:

Exhibit A:	Vicinity Map
Exhibit B:	Aerial Photograph of Site (2013)
Exhibit C:	Public Hearing Notice Mailing List Vicinity Map
Exhibit D:	2025 Fresno General Plan Planned Land Use Map
Exhibit E:	Tentative Tract Map No. 6073/UGM
Exhibit F:	Site Plan for Conditional Use Permit Application No. C-14-010
Exhibit G:	Conditions of Approval for T-6073/UGM and Conditional Use Permit Application No. C-14-010 dated April 02, 2014; including memoranda from responsible or commenting agencies.
Exhibit H:	Environmental Assessment No. C-14-010/T-6073 dated February 14, 2014.

Exhibit A:

Vicinity Map



LEGEND

Subject Property

U.G.M. Area

VICINITY MAP

VESTING TENTATIVE MAP OF TRACT NO. 5508
REZONE APPLICATION NO. R-05-031
From AE-20/UGM to R-1/UGM
CONDITIONAL USE PERMIT NO. C-05-107
North of Church btwn Chestnut & Willow Aves.

N
W E
S
NOT TO SCALE

PLANNING & DEVELOPMENT DEPARTMENT

A.P.N.: 481-070-03,04,22

ZONE MAP: 2553

BY/DATE: J.S. / 10-13-05

Exhibit B:

Aerial Photograph of Site (2013)

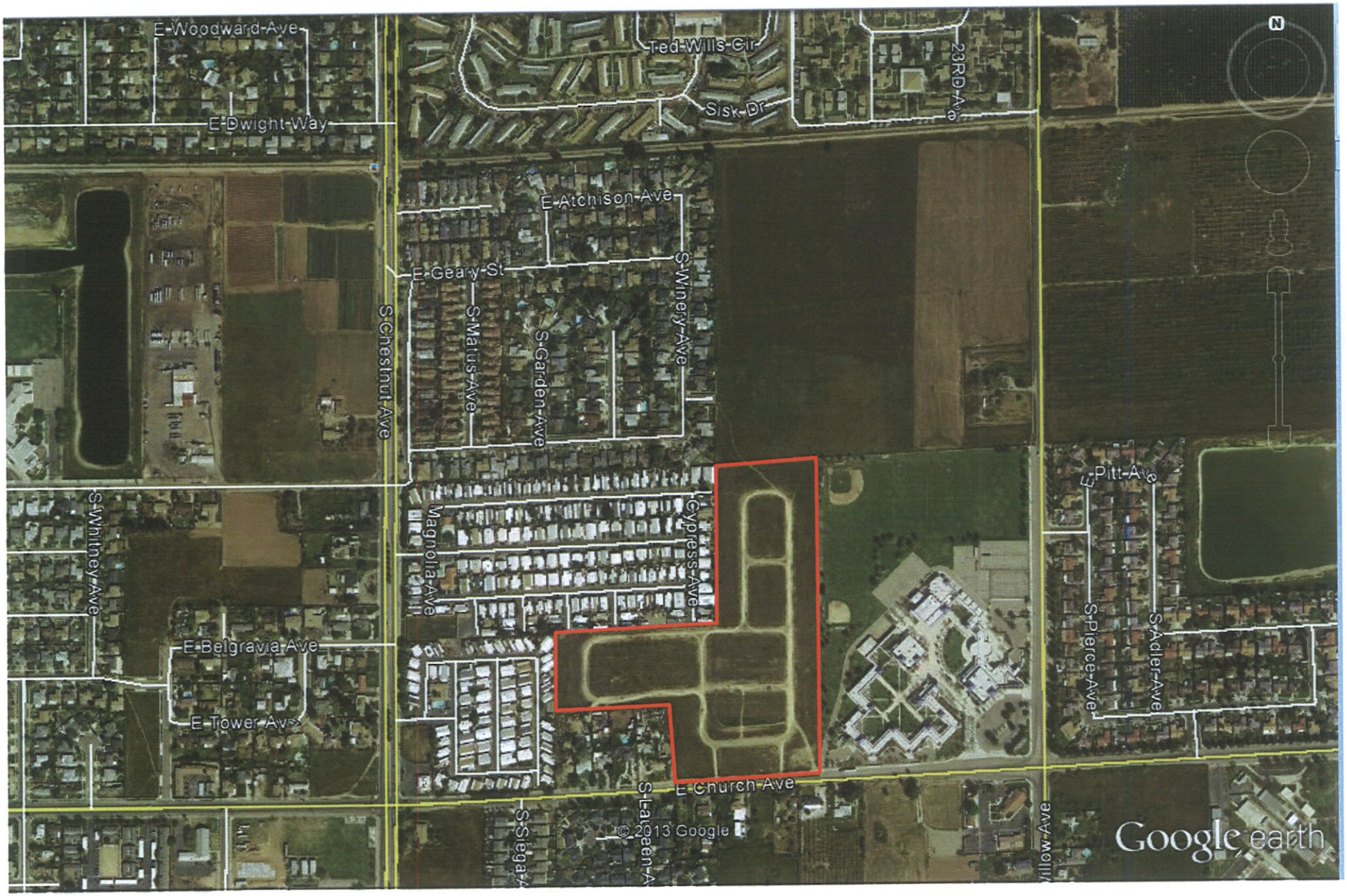


Exhibit "B": Aerial Photograph (2013)

Exhibit C:

Public Hearing Notice Mailing Vicinity Map

)99851 T-5508

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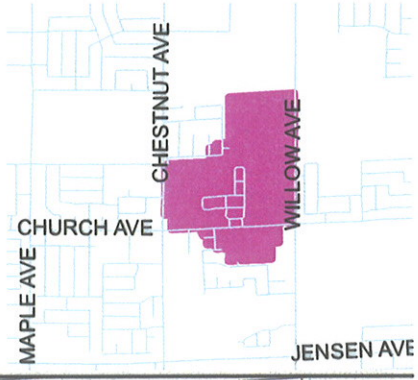

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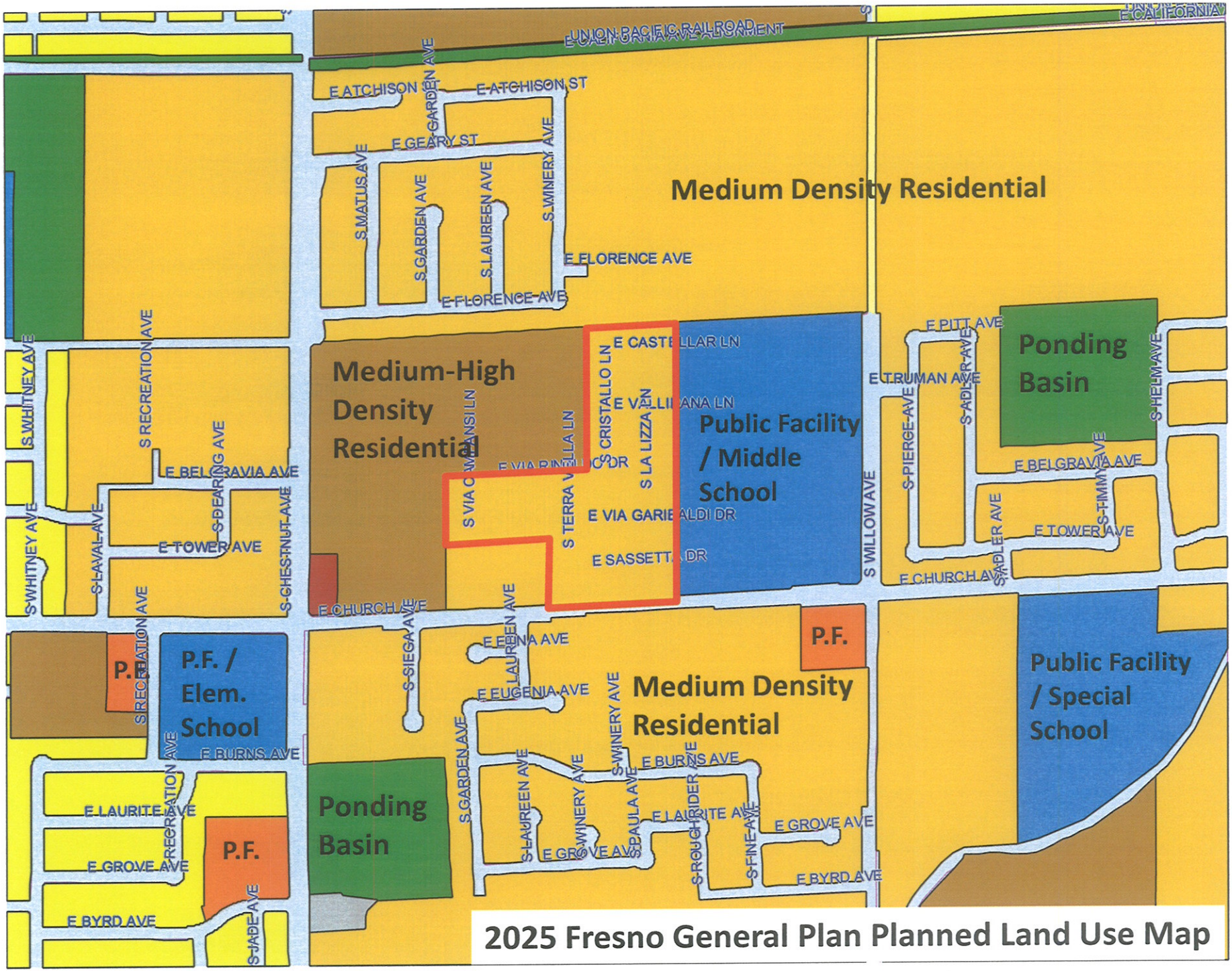
Exhibit D:

2025 Fresno General Plan Planned Land Use Map



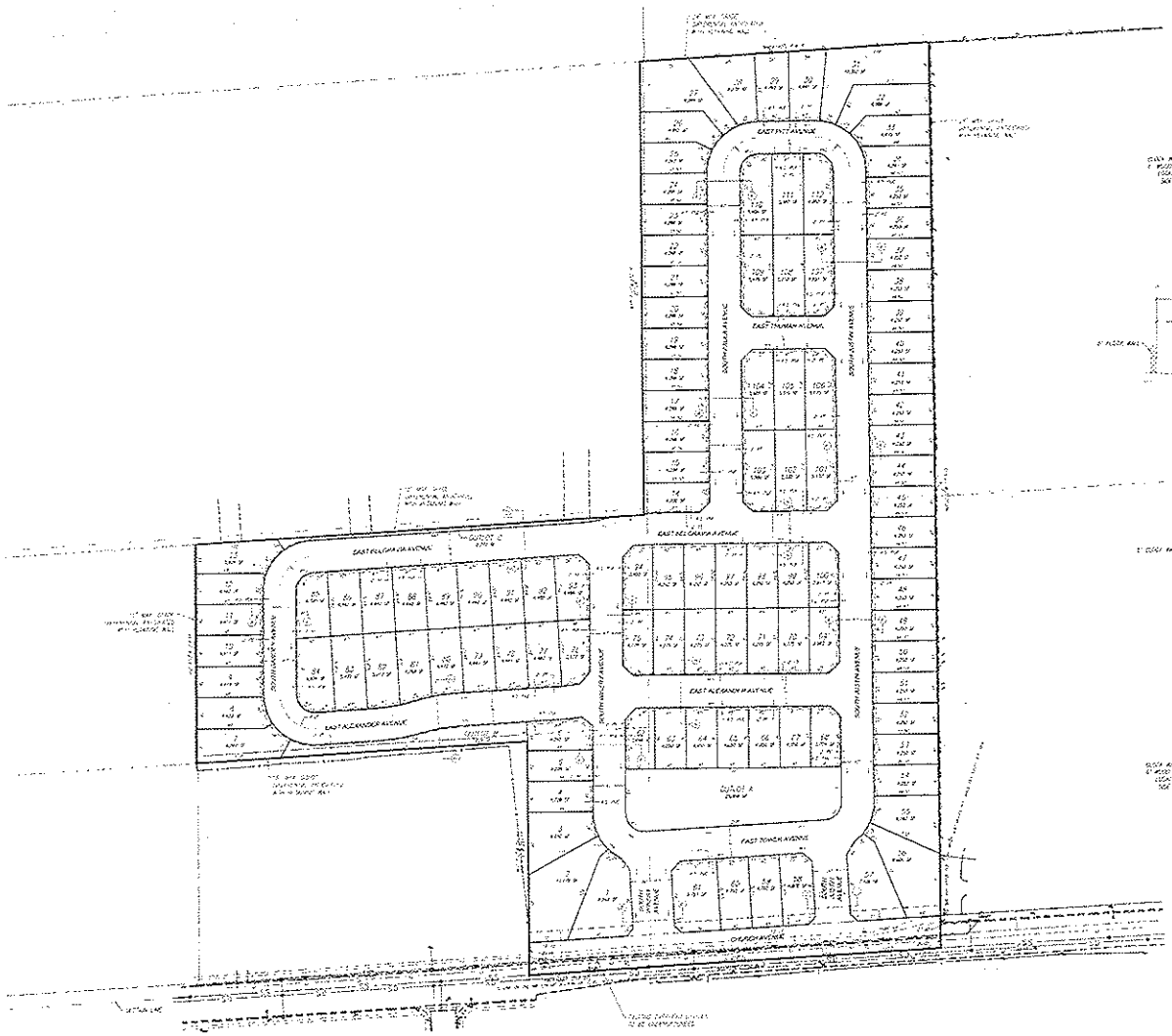
2025 Fresno General Plan Planned Land Use Map

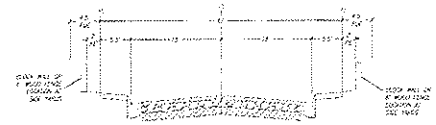
Exhibit E:

Tentative Tract Map No. 6073/UGM

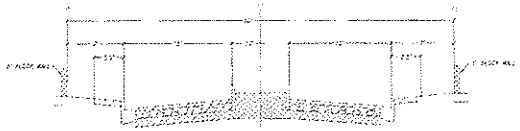
TENTATIVE TRACT MAP NO. 6073

IN THE CITY OF FRESNO
SHEET 1 OF 1

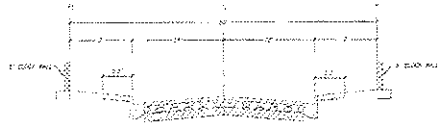




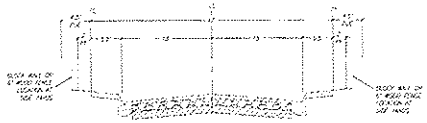
SECTION A-A



SECTION B-B



SECTION C-C



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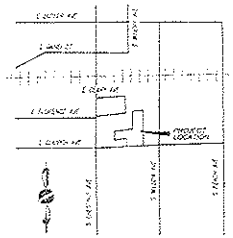
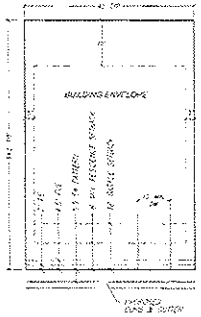


VICINITY MAP



TYPICAL LOT DETAIL

NOTES

PREPARED BY:

PRECISION

PREPARED ON: DECEMBER 20, 2013

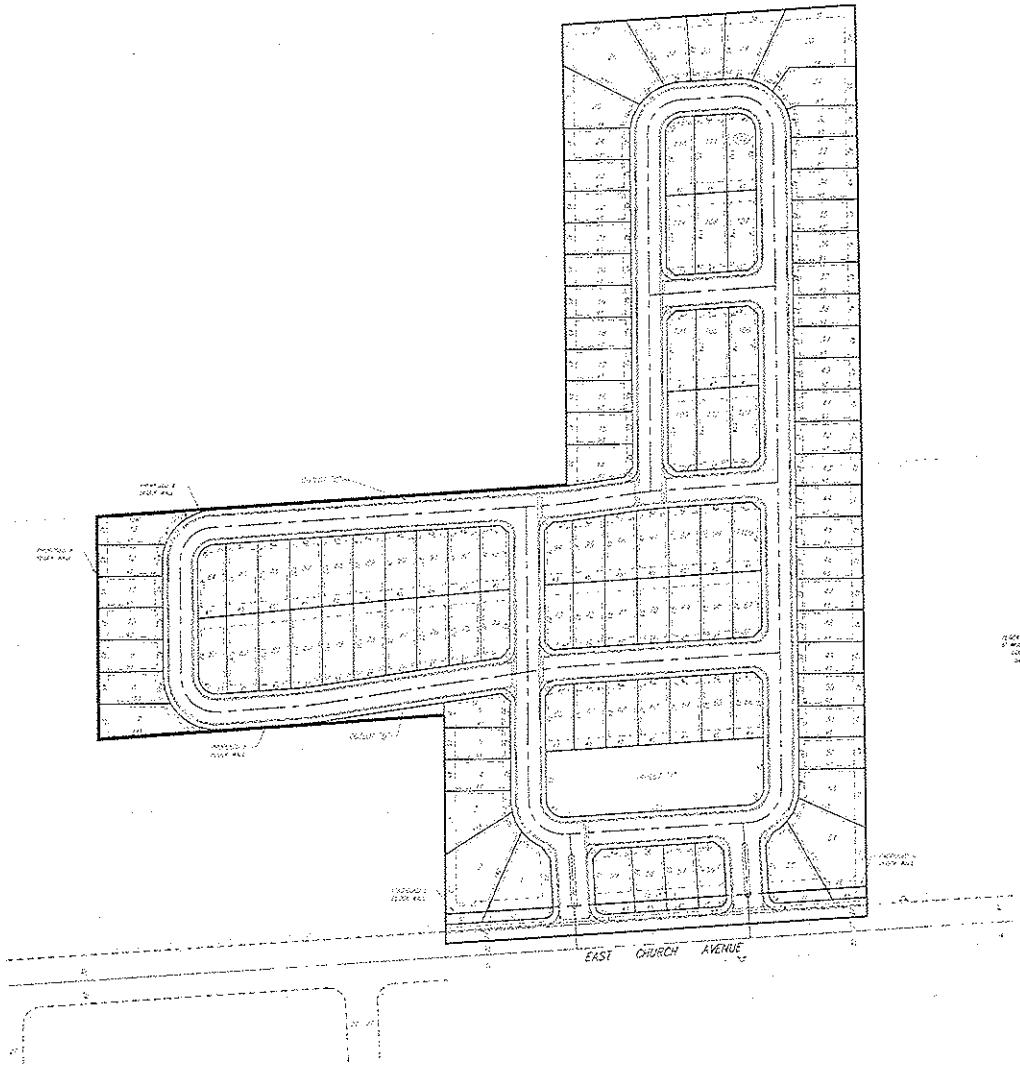
Exhibit F:

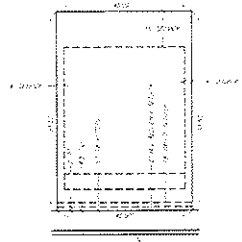
Site Plan for Conditional Use Permit Application No. C-14-010

SITE PLAN

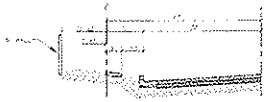
TENTATIVE TRACT NO. 6073

IN THE CITY OF FRESNO,
COUNTY OF FRESNO, STATE OF CALIFORNIA
CONSISTING OF ONE SHEET





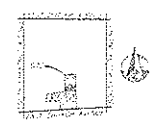
TYPICAL BUILDING SETBACK DETAIL



CHURCH AVE. STREET SECTION

INTERIOR STREETS

NOTES:



VICINITY MAP

PREPARED BY:

PRECISION

Exhibit G:

Conditions of Approval for T-6073/UGM and Conditional use Permit Application No. C-14-010

CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

CONDITIONS OF APPROVAL

APRIL 02, 2014

TENTATIVE TRACT MAP NO. 6073/UGM

NORTH SIDE OF EAST CHURCH AVENUE BETWEEN SOUTH CHESTNUT AND SOUTH WILLOW AVENUES

All tentative maps are subject to the applicable provisions of the State Subdivision Map Act, Fresno Municipal Code (FMC), City policies, and City of Fresno Standard Specifications. The following specific conditions are applicable to this vesting tentative 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. Each local agency shall provide to the project applicant a notice in writing at the time of the approval of the project or at the time of the imposition of the fees, dedications, reservations, or other exactions, a statement of the amount of the fees or a description of the dedications, reservations, or other exactions, and notification that the 90-day approval period in which the applicant may protest has begun (please see section related to Development Fees and Charges included herein below for further information).

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 Tentative Tract Map No. 6073/UGM, the subdivider may prepare a Final Map in accordance with the approved tentative map, and related Conditional Use Permit Application No. C-14-010 for the subject property.

2. An Air Impact Assessment (AIA) application for the proposed project shall have been submitted to the San Joaquin Valley Air Pollution Control District prior to the submittal/acceptance of any phase of the Final Map for recordation/processing.

3. The subdivider shall comply with Regulation VIII of the San Joaquin Valley Air Quality Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.

4. The developer/owner shall pay the appropriate park facilities fee and/or dedicate lands for parks and recreation purposes pursuant to Ordinance Nos. 2005-112 and 2005-113 adopted by the Fresno City Council on September 27, 2005.

5. Submit grading plans and a soils report to the City of Fresno Planning and Development 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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 tentative maps.

11. 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.

12. 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.

13. Relinquish access rights to East Church Avenue from all residential lots which abut this street. Ref. Section 12-1011-f-3 of the Fresno Municipal Code.

14. Prior to final map approval, the owner of the subject property shall execute a "Right to Farm" covenant with the City of Fresno. Said covenant is to run with the land and shall acknowledge and agree that the subject property is in or near agricultural districts located in the City of Fresno and that the residents of said property should be prepared to accept the inconveniences and discomfort associated with normal farm activities. The "Right to Farm" covenant shall be recorded prior to or concurrent with the recording of a Final Map for Tract No. 6073/UGM.

Information

15. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the Fresno Unified School District in accordance with the school districts adopted schedule of fees.

16. 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.

17. 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," any multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of FMC Chapter 12, Article 10, Subdivision of Real Property.

18. 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 FMC.

19. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.

20. 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.

21. 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.

22. 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.

MITIGATION MONITORING REQUIREMENTS

23. Development of the subject property shall be subject to implementation of all applicable mitigation measures, fees, and timelines included within the Initial Study and Finding of Conformity prepared for Environmental Assessment No. C-14-010/T-6073 and dated February 14, 2014.

    a) The Finding of Conformity prepared for the proposed project is tiered off of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Air Quality MND. Development of the subject property shall be subject to implementation of all applicable mitigation measures included within the MEIR and Air Quality MND for subsequent projects; included herein by reference.

ZONING & PROPERTY DEVELOPMENT STANDARDS

24. As a proposed "Planned Development" subdivision, approval of Tentative Tract Map No. 6073/UGM is contingent upon approval of Conditional Use Permit Application No. C-14-010; authorizing the planned development of the subject property.

Lot Area and Dimensions

25. Pursuant to Section 12-306-N-21 of the FMC the Director of the Development and Resource Management Department or the Planning Commission may modify the property development standards of the underlying zone district if determined that the proposed development conforms to the provisions of the abovementioned section. However, in no case shall proposed parcels be less than the following minimum standards:

    a) Proposed lots shall be configured and dimensioned in accordance with Tentative Tract Map No. 6073/UGM.

Building Setbacks

26. Building setbacks shall be provided in accordance with the Conditions of Approval and the approved site plan (Exhibit[s] "A") for Conditional Use Permit Application No. C-11-178.

27. Garages shall be setback a minimum of 18-feet from the front property line subject to providing roll-up garage doors. Habitable space may be provided closer, subject to compliance with the condition above.

Landscaping, Open Space and Walls

28. Pursuant to Policy 1-5.8 of the Roosevelt Community Plan the developer/owner shall provide a 15-foot landscape easement (and irrigation system) along the property lines of lots which back-onto East Church Avenue. Ref. Section 12-1011-f-3 of the Fresno Municipal Code.

29. Provide a minimum five-foot landscape easement along the eastern property line of proposed Lot 1; the western property line of Lot 61; the eastern property line of Lot 58; and, the western property line of lot 57. In addition, provide a six foot, decorative solid masonry wall and corner cut-off at the rear of the required landscape easement (i.e. eastern property line of proposed Lot 1; the western property line of Lot 61; the eastern property line of Lot 58; and, the western property line of lot 57).

30. Landscaping, which is compliant with the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards," shall be required at all interior end-blocks and adjacent to all required walls or fences that are accessible to the public and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

31. The subdivider is required to provide street trees on all street frontages per Fresno Municipal Code standards and is responsible for the dedication of public planting and buffer landscape easements as determined by the Development and Resource Management and Public Works Departments.

    a) Street trees shall be planted at the minimum rate of one tree for each 60 feet of street frontage; or, one tree per home (whichever is greater) by the developer.

        i) The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC Section 12-306-N-23, Water Efficient Landscape Standards and AB 1881 Model Water Efficient Landscape Ordinance.

32. Construct a decorative six foot wall along the southwestern boundary, northwestern boundary, and at the rear of proposed Lots 7 through 13 of Tentative Tract Map No. 6073/UGM.

33. Outlots "A", "B" & "C" of the tentative map dated shall be used for landscaping and open space purposes and shall be maintained in accordance with the maintenance requirements included herein below.

    a) A covenant shall be recorded, to run with proposed Outlot "B", wherein owners acknowledge and waive all appeals that proposed Outlot "B" of the subdivision may be offered for local street right-of-way or subdivided and conveyed to adjacent property owners in the future; and, that interim on-site open space use of the Outlot

can, at the City's sole discretion, be converted to afford connectivity between this tract and adjacent parcels to the southwest of the subject property should they be proposed for subdivision.

i) The subdivider shall provide for the costs of preparation of the required covenant in a form deemed appropriate to the City of Fresno Development and Resource Management and Public Works Departments.

ii) All additional costs associated with conversion of the proposed Outlot in the future for purposes of connectivity, including costs associated with dedication for rights-of-way purposes or alternatively, costs associated with the purchase and subdivision of said property for conveyance to the adjacent properties shall be the sole responsibility of the adjacent property owner(s) to which these provisions would inure.

b) At the request of the adjacent property owners, easements shall be granted across proposed Outlot "B" subject to approval by the Public Works Department, in order to afford driveway accessibility to the rear yards of the existing adjacent lots (APNs: 481-070-06, 07, 16-18).

i) A maximum of two driveway locations shall be afforded at locations approved by the Director of the Public Works Department.

- NOTE: The driveway locations will be required to be shared between adjacent property owners subject to the provisions and agreements required to be included within the covenant required herein below to facilitate said access.

ii) Driveway approaches to dedicated public streets and improvements shall comply with City of Fresno Standard Specifications and Drawings.

- NOTE: Access gates, as necessary, will only be permitted at the locations approved for proposed driveway access and shall be approved by the City of Fresno Development and Resource Management and Public Works Departments prior to installation.

iii) A "shake-down" surface will be required to be provided/constructed on the adjacent properties in a form approved by the Director of Public Works in order to assure that tracking and dissemination of dirt, dust, materials, etc., will not occur toward public streets.

iv) A covenant shall be required to be prepared and recorded against and between the adjacent properties, which includes terms and provisions for the creation of mutual easements and reciprocal uses agreements for any cross-access and/or drainage which may occur over adjacent property lines. The covenant shall stipulate terms for the retention and maintenance obligations of said driveways

and approaches by the property owner(s) to which these provisions would inure. Finally, the covenant shall also include acknowledgements that proposed driveway access points shall be utilized only for regular residential vehicular traffic or for purposes of accessibility to approved uses permitted in the applicable zone district for the respective properties (this does not include commercial vehicles or traffic).

- NOTE: The form and provisions of the covenant shall be approved by the Development and Resource Management and Public Works Department Directors.

v) All costs associated with improvements for the provision and construction of said driveways, approaches and access points, including covenant preparation, shall be the sole responsibility of the adjacent property owner(s) to which these provisions would inure.

34. Provide a corner cut-off area at the intersection of the two proposed ingress/egress areas and East Church Avenue; and in accordance with Section 12-306-H-3-d of the FMC. 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. The corner cut-off area shall be landscaped (including an irrigation system), and may be included within the City's Community Facilities District, unless within a required homeowner's association.

35. 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.

36. Maintenance of the required landscape easements, streets, curbs and gutters, sidewalks, medians, proposed Outlots A, B, C of the tentative map and street furniture shall maintained in accordance with the maintenance obligation requirements included herein below.

STREETS AND RIGHTS-OF-WAY

37. 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.

38. The subdivider 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 4-foot minimum unobstructed path requirement.

39. Comply with all of the requirements included within the attached Public Works Department, Traffic and Engineering Services Division memorandums dated March 14, 2014.

SANITARY SEWER SERVICE

The nearest sanitary sewer main to serve the proposed project is an 18-inch main located in East Church Avenue. The following sewer improvements shall be required prior to providing City sewer service to the project:

40. Comply with all of the requirements included within the attached Department of Public Utilities, Planning and Engineering Division (Sanitary Sewer) memorandum dated February 26, 2014.

WATER SERVICE

The nearest water main to serve the proposed project is a 14-inch main located in East Church Avenue. The following water improvements shall be required prior to providing City water service to the project:

41. Comply with all of the requirements included within the attached Department of Public Utilities, Water Division memorandum dated February 24, 2014.

SOLID WASTE SERVICE

This tract will be serviced as Single Family Residential properties with Basic Container Service (3 container - solid waste, green waste & recyclable material), subject to the following conditions:

42. Comply with all of the requirements included within the attached Department of Public Utilities, Solid Waste Division memorandum dated March 13, 2014.

FIRE SERVICE

Fire service is available to the proposed tract subject to the following requirements:

43. Comply with all of the requirements included within the attached Fresno Fire Department memorandum dated March 06, 2014.

FLOOD CONTROL AND DRAINAGE

44. The subdivider shall be required to comply with the specific requirements imposed by the Fresno Metropolitan Flood Control District (FMFCD) for the subdivision or any amendments or modifications to those requirements which may be granted by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code. These requirements are identified in the District's memorandum to the Development and Resource Management Department dated March 13, 2014.

FRESNO UNIFIED SCHOOL DISTRICT

45. Comply with all of the requirements included within the attached Fresno Unified Schoold District memorandum dated February 21, 2014.

RIGHT-OF-WAY ACQUISITION

46. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.

47. 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.

48. 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.

49. 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.

50. The subdivider 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.

MAINTENANCE OBLIGATIONS

The long term maintenance of the items included within the aforementioned and attached Public Works Department, Traffic and Engineering Services Division memorandum dated March 11, 2014 is the ultimate responsibility of the owner/developer and shall be secured through compliance with the provisions below:

51. If the owner/developer chooses to be annexed into the City's CFD for maintenance purposes, then an Annexation Request Package shall be submitted to the Public Works Department for review, processing, and approval.

    - NOTE: Packages must be complete with all required information in order to be accepted. The Annexation Request Form is available on-line on the City of Fresno website (http://www.fresno.gov) under the Public Works Department Developer Doorway.

    a) Construction plans for all features to be maintained by a CFD for a final map shall be included in the final map submission to the Development Department for processing. Where applicable, this shall include a Street Tree Location and Street Tree Species (by street) map. Landscaping plans shall contain actual tree and plant counts by species and include the areas (in square feet) of turf, shrubs and trees, and sidewalks or other paved areas within all landscaped areas.

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

    b) Proceedings to place the Final Map into a CFD shall not commence until the Final Map, Landscape and Street Construction Plans are considered to be technically correct.

    c) If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, he/she 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 developer/subdivider 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.

52. Should the City Council or owner/developer choose not to include all of the maintenance items or certain items listed above in a CFD, then the property owner/developer shall be responsible for establishing a Home Owners' Association (HOA) or other property based

management mechanism which provides for the maintenance of these items in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

a) The subdivider shall establish a Home Owners' Association (or other approved mechanism) to perform the above listed maintenance responsibilities pursuant to Section 12-1026 of the Fresno Municipal Code. The Declaration of Covenants, Conditions, and Restrictions (CC&R's) described herein, shall among other things, specify level of effort, frequency, and inspection of maintenance responsibilities, name the City as a third party beneficiary for those provisions, and be subject to approval by the Director of Public Works and the City Attorney's Office. Any amendment to the above provisions or any other provision specifying any right of the City shall require the prior written consent of the City.

- NOTE: Should the owner/developer elect to establish a Home Owners' Association to perform maintenance obligations and assure that said obligations are met, then the owner/developer may include such other items as are deemed appropriate and necessary for the sustainability of the subdivision and its amenities within the responsibilities of the association.

b) The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be submitted to the Development and Resource Management Department for review 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 Development and Resource Management Department Guidelines for preparation of CC&Rs dated September 01, 1994.

DEVELOPMENT FEES AND CHARGES

This project is subject to the following fees and charges:

a. Applicable Flood Fees as determined by the Fresno Metropolitan Flood Control District.

SEWER CONNECTION CHARGES	*FEE RATE*
b. Lateral Sewer Charge [1]	$0.10/sq. ft. (to 100' depth)
c. Oversize Charge [1]	$0.05/sq. ft. (to 100' depth)
d. Trunk Sewer Charge [2] Service Area:	N/A

e. Wastewater Facilities Charge [3]	$2,119/living unit
f. Fowler Trunk Sewer Interim Fee Surety [1]	N/A
g. Copper Avenue Sewer Lift Station Charge [1]	N/A
h. House Branch Sewer Charge [2]	N/A
WATER CONNECTION CHARGES	*FEE RATE*
i. 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.
j. Frontage Charge [1]	$6.50/lineal foot
k. Transmission Grid Main Charge [1]	$643/gross acre (parcels 5 gross acres or more)
l. Transmission Grid Main Bond Debt Service Charge [1]	$243/gross acre (parcels 5 gross acres or more)
m. UGM Water Supply Fee [2] Service Area: 501s	$1,738/living unit
n. Well Head Treatment Fee [2] Service Area: 501	$79/living unit
o. Recharge Fee [2] Service Area: 501	$56/living unit
p. 1994 Bond Debt Service [1] Service Area: 501	$93/living unit
CITYWIDE DEVELOPMENT IMPACT FEES	*FEE RATE*
q. Fire Facilities Impact Fee – Citywide [4]	$539.00/living unit
r. Park Facility Impact Fee – Citywide [4]	$2278/living unit
s. Quimby Parkland Dedication Fee [2]	$1120/living unit

t. Police Facilities Impact Fee – Citywide [4]	$624.00/living unit
u. Citywide Regional Street Fee [3]	$8,361.00/adj. acre
v. New Growth Area Major Street Fee [3]	$18,790.00/adj. acre
w. Traffic Signal Charge [1]	$450.94/living unit

Notes:

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. Please see the attached memorandum from the Fresno Metropolitan Flood Control District (FMFCD) for further information regarding considerations which may affect the fee obligation(s) or the timing or form of fee payment.

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 requirement to pay this fee is currently suspended by Fresno County. However, payment of this fee may be required if the fee has been reinstated at the time of issuance of building permits on the subject property.)

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.

* Living Unit Equivalents are calculated by multiplying the number of Net Acres by 5.8 Living Unit Equivalents for commercial or 3.0 Living Unit Equivalents for industrial to arrive at the total number of Living Unit Equivalents.

**Upon occupancy of the project, the subdivider shall pay the appropriate sewer facility charge pursuant to the Simple Tiered Equity Program (STEP) as determined by the Department of Public Utilities, Wastewater Division, Environmental Services Section (559-621-5153).

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

CONDITIONS OF APPROVAL
APRIL 02, 2014

CONDITIONAL USE PERMIT APPLICATION NO. C-14-010
"A PLANNED DEVELOPMENT"

NORTH SIDE OF EAST CHURCH AVENUE BETWEEN SOUTH CHESTNUT AND SOUTH WILLOW AVENUES

PART A - PROJECT INFORMATION

1.	Assessor's Parcel No(s):	481-070-03, 04 & 22
2.	Street Location:	North side of East Church Avenue, between South Chestnut and South Willow Avenues. **(Council District 5, Councilmember Quintero)**
3.	Existing Zoning	"R-1/UGM" (*Single Family Residential District/Urban Growth Management)*
4.	Proposed Zoning	"R-1/UGM" (*Single Family Residential District/Urban Growth Management)*
5.	Existing Planned Land Use:	Medium Density Residential (4.99-10.37 dwelling units/acre)
6.	Proposed Planned Land Use:	Medium Density Residential (4.99-10.37 dwelling units/acre)
7.	Plan Areas:	Roosevelt Community Plan
8.	Project Description:	Request authorization for a 112-lot single family residential, public street planned development with modified property development standards for lots proposed to be created by Tentative Tract Map No. 6073/UGM. The proposed project will also include improvements within three outlots, which are proposed to be dedicated for common open space purposes.

PART B - GENERAL CONDITIONS AND REQUIREMENTS

The City of Fresno Planning Commission, on April 02, 2014, approved the special permit application subject to the enclosed list of conditions and Exhibit(s) "A", inclusive of Conditional Use Permit Application No. C-14-010.

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 (FMC) Section 12-405.A can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed either verbally or in writing to the City of Fresno Planning Commission at the scheduled public hearing regarding Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. T-6073/UGM.

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. 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 exhibit(s) to the final site plan(s). 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 April 02, 2018 (four years from the date of Director approval). However, the time limits for any special permit conditionally granted in conjunction with an approved tentative tract map shall be automatically extended upon the extension of such tentative tract map pursuant to Section 12-1005.1 of the FMC.

To complete the back-check process for building permit relative to planning and zoning issues, submit 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 Development Services (Planning) Division for final review and approval, a minimum of ten days before applying for building permits.

Copies of this final approved site plan, elevations, landscape, and irrigation plans stamped by the Development Services (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 Will Tackett at (559) 621-8063 or via e-mail at Will.Tackett@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.

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, 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, reservation 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 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, Traffic and Engineering Services Division.

1. STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS

   a) Exhibit(s) "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) 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.

   c) DEDICATIONS. The following dedication requirements must be satisfied prior to the issuance of building permits:

      i) Dedications shall take place in accordance with any applicable conditions included within the attached Public Works Department, Traffic and Engineering Services Division memorandum dated March 14, 2014.

   d) VACATIONS. The following vacation requirements must be satisfied prior to issuance of building permits:

      i) A feasibility study for any/all proposed vacations of existing public rights-of-way is required to be completed prior to either recordation of the Final Map or issuance of building permits. Contact Alan James, Supervising Engineering Technician at (559) 621-8693 for further information.

2. 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) Existing off-site concrete improvements to remain in place shall be repaired if damaged and/or off grade as determined by the Public Works Department, Construction Management Division (559) 621-5500. Such repairs must be completed prior to final occupancy.

   c) Where required, design and construct curb, gutter, AC paving, and residential sidewalk patterns to Public Works standards, specifications, and policies. Plans shall be prepared by a registered Civil Engineer.

d) Streetlights are required on all frontages to City Standards and/or as determined by the City Engineer. Street lighting plans are required and must be approved by the Public Works Department/Engineering Services prior to commencement of the work.

e) Underground all existing off-site overhead utilities within the limits of this site as per FMC Section 12-1011, Section 8-801 and Resolution No. 78-522/88-229.

f) Submit four copies of a Geometric Approval Drawing (GAD) to Traffic Engineering for review and approval, per the attached checklist, prior to submittal of street plans.

g) 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. **(Include this note on the site plan.)**

PART D - PLANNING/ZONING REQUIREMENTS

1. PLANNING

a) Development is subject to the following plans and policies:

i) "R-1", *Single Family Residential District (§12-211 of the FMC)*
ii) 2025 Fresno General Plan
iii) Roosevelt Community Plan

2. MITIGATION MONITORING REQUIREMENTS

Development of the subject property shall be subject to implementation of all applicable mitigation measures, fees, and timelines included within the Initial Study and Finding of Conformity prepared for Environmental Assessment No. C-14-010/T-6073 and dated February 14, 2014.

a) The Finding of Conformity prepared for the proposed project is tiered off of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Air Quality MND. Development of the subject property shall be subject to implementation of all applicable mitigation measures included within the MEIR and Air Quality MND for subsequent projects; included herein by reference.

3. ZONING

a) Approval of Conditional Use Permit Application No. C-14-010 is contingent upon approval of Tentative Tract Map No. 6073/UGM.

b) A subsequent entitlement will be required in order to revise the current development proposal or authorize an alternative development scheme for the subject property. Further environmental review may also be required if any proposed revisions which have not been previously evaluated within the scope of Environmental Assessment No. C-14-010/T-6073 and dated February 14, 2014.

c) The subject property is zoned under the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district classification. Any development on the subject property or individual lots resulting from a subdivision thereof shall comply with the property development standards of the respective R-1 zone district except as may be modified herein pursuant to Conditional Use Permit Application No. C-14-010.

4. POPULATION DENSITY

a) Pursuant to the Medium Density Residential planned land use designation for the subject property; the subject property shall be developed in accordance with Tentative Tract Map No. 6073/UGM and Exhibit(s) "A" of Conditional Use Permit Application No. C-14-010.

i) Based upon the number of dwelling units (du) allowed per acre, respective to the Medium-Density Residential planned land use designation, the subject property is required to be developed with between 4.99-10.37 du/acre to meet the density requirements of the 2025 Fresno General Plan and FMC.

- NOTE: Pursuant to Tentative Tract Map No. 6073/UGM and Conditional Use Permit Application No. C-14-010, the subject property is proposed to be developed at an overall density of approximately 6.23 du/acre.

5. BUILDING HEIGHT

a) No building or structure erected in the R-1 (*Single Family Residential*) zone district shall have a height greater 35 feet.

- NOTE: Exceptions. Over height structures may be approved by the City of Fresno Planning Commission or Director of the Development and Resource Management Department. However, no roof structure or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.

b) No accessory building erected on the subject property shall have a height greater than one story, not to exceed 12 feet in height. All accessory buildings on the subject property are subject to the provisions of Section 12-306-N-1 (Accessory Buildings) of the FMC.

6. BUILDING AND YARD SETBACKS AND SPACES BETWEEN BUILDINGS

a) Setbacks and spaces between buildings shall be provided in accordance with Exhibit(s) "A" of Conditional Use Permit Application No. C-14-010; and, the following:

- NOTE: Any proposed deviation from the building setback envelopes established by

Exhibit "A" of Conditional Use Permit Application No. C-11-178 requires a revision to Conditional Use Permit Application No. C-11-178.

b) Proposed structures are required to be found in compliance with the fire resistive standards of the Uniformed Building Code. In the event structures do not comply they must be modified so as to meet the requirement.

7. LOT COVERAGE

a) Lot coverage shall be permitted in accordance with the approved building setbacks and building envelopes for individual properties respective to Exhibit(s) "A" of Conditional Use Permit Application No. C-14-010.

8. OPEN SPACES AND LANDSCAPING

The subdivider shall provide and maintain all landscaping (and irrigation systems) in accordance with the following:

a) A landscape and irrigation plan, prepared by a landscape professional, shall be submitted to the Development Services (Planning) Division and approved for all open space and recreational areas within the development. These plans must be reviewed and approved prior to obtaining building permits.

b) Proposed Outlots "A" through "C" of Tentative Tract Map No. 6073/UGM, which are proposed to be dedicated for open space purposes shall be landscaped by the developer in accordance with the approved landscape and irrigation plans and shall thereafter be maintained in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

c) All yards (including private) and areas designated for open space purposes shall be landscaped and maintained in accordance with Sections 12-306-N-24 of the FMC.

i) All yards and landscaped areas located adjacent to street frontage shall be provided automatic irrigation systems.

ii) All yards (including private) and areas designated for open space purposes shall comply with the water efficient landscape standards in accordance with Section 12-306-N-23 of the FMC.

d) All required Walls or fences, which are accessible to the public, shall incorporate an adjacent landscaped buffer area pursuant to the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards."

e) Provide for the planting of trees on-site per FMC Section 12-306-N-24-g; except as may be modified herein below:

i) Planting of on-site trees shall occur in accordance with the landscape plan which is

required to be submitted to the Development Services (Planning) Division for review and approval prior to issuance of building permits.

ii) Trees shall be planted in all landscaped areas required in the conditions of approval for Vesting Tentative Tract Map No. 6003/UGM in order to shade and enhance adjacent property and public rights-of-way.

f) No building permit shall be issued for any development for which a special permit has been issued until the requirements for street trees as provided in Article 3 of Chapter 11 of the FMC have been met and street tree inspection fees paid pursuant to the Master Fee Schedule.

- NOTE: Street trees shall be planted by the property owner and shall be inspected by the City pursuant to the payment of street tree inspection fees.

i) Comply with the Street Tree , Buffer and Median Island Landscaping and Maintenance requirements included within the attached Department of Public Works, Streets Division memorandum from the Parks Supervisor dated January 05, 2012.

- NOTE: The Department of Public Works may approve a request for waiver of street tree requirements if the applicant agrees to plant the minimum number of streets trees required based upon the linear feet of street frontage on private property within ten feet of the back of the sidewalk. Based upon the proposed building setbacks of proposed structures to public rights-of-way, street trees may not be required to be planted within a 10-foot Public Planting and Utility Easement (to be determined by the City Engineer).

- NOTE: The number and location of street trees for the proposed project shall be approved by the Department of Public Works, Parks Supervisor prior to approval of landscape plans and prior to issuance of a street tree planting permit. The approved landscape plan, properly scaled and dimensioned, shall serve as a street tree planting permit for on-site trees not in the public right of way. A copy of this plan shall be kept at the job site at all times.

ii) Call (559) 621-5600 to notify the Public Works Department Construction Management Division 72 hours prior to tree hole drilling/tree planting in the public right-of-way, in order to verify tree locations, to obtain inspection of drilling operations, and to check backfilling procedures and safety barriers.

iii) All planting, irrigation and related work within the city right-of-way shall comply with the City of Fresno Public Works Department Standard Specifications, Section 25 and 26.

iv) All landscaping and related work to be performed within the city right-of-way shall be done by a qualified contractor and requires a street encroachment permit from the Public Works Department prior to commencement. Call (559) 621-8685 for information on encroachment permits and required insurance and bonding.

g) All trees shall be maintained in good health. Trees may not be trimmed or pruned to reduce the natural height or overall crown of the tree, except as necessary for the health of the tree and

public safety; or as may otherwise be approved by the Development and Resource Management Department. **(Include this note on the site plan and landscape plan.)**

h) All vegetation shall be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease, and any such vegetation which shows signs of such damage or injury at any time shall be replaced by the same, similar, or substitute vegetation of a size, form, and character, which will be comparable at full growth.

i) Landscaping shall be kept free from weeds and undesirable grasses.

j) Landscaping must be in place before issuance of the certificates of occupancy for proposed structures.

i) A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development and Resource Management Department. **(Include this note on the site and landscape plans.)**

- NOTE: The hold on occupancy may be released at the discretion of the Development and Resource Management Department to subjectively accommodate inappropriate planting conditions, which are outside of the control of the developer/subdivider (e.g. weather conditions which may be prohibitive to planting in a timely and appropriate manner, etc.).

- NOTE: The use of utilities for temporary occupancy may be allowed by the Building Official pursuant to FMC Section 13-100.110.1.2 et seq.

ii) Prior to granting of final occupancy, a written certification, signed by a landscape professional approved by the Development and Resource Management Department Director, shall be submitted stating that the required landscaping and irrigation system have been installed in accordance with the landscaping and irrigation plans approved by the Development and Resource Management Department. **(Include this note on the site and landscape plans.)**

9. FENCES, HEDGES, AND WALLS

Fences, hedges and walls shall be provided in accordance with the following:

a) All proposed fences, hedges and walls, etc. shall be reviewed and approved prior to installation by the City of Fresno, Development and Resource Management Department. **(Include this note on the site plan.)**

i) Clearly depict any proposed/existing fences, hedges and walls on Exhibit(s) "A" of Conditional Use Permit Application No. C-14-010. Note that all proposed/existing fences, hedges and walls must comply with all policies, ordinances, regulations, etc. of the City of Fresno, Development and Resource Management Department.

ii) Submit a rendering depicting the fence, hedge or wall height, material, location etc. for review and approval.

- NOTE: Only those fences, hedges and walls as shown on the site plan shall be reviewed for approval.

b) Fences, hedges and walls shall be constructed in accordance with the requirements outlined in the Conditions of Approval for Tentative Tract Map No. 6073/UGM.

c) All fences, hedges and walls shall conform to the provisions of Section 12-306-H of the FMC except as may be modified herein below.

d) Temporary fences to secure projects under construction are allowed. Any temporary fence shall be adequately secured and constructed to prevent overturning due to wind, vandalism, and/or casual contact by the general public. The construction shall be performed in such a manner as to minimize any potential safety hazard, which may occur as a result of improper fence installation or damage to the fence.

10. ACCESS

a) There shall be adequate vehicular access from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.

b) There shall be pedestrian access from a dedicated and improved street, alley or recorded private access to property used for residential purposes.

c) Vehicular and/or pedestrian access shall be maintained and remain clear at all times.

d) Provide vehicular and/or pedestrian access as noted on Exhibit(s) "A" of Conditional Use Permit Application No. C-14-010.

11. OUTDOOR ADVERTISING AND MARKETING

a) Signs, *other than directional signs, if applicable*, are not approved for installation as part of this special permit. Submit for a separate Master Sign Program or Sign Review Application. Applications and requirements for submittal are available at the Development Services (Planning) Division's Public Front Counter. **(Include this note on the site plan)**.

12. BUILDING STANDARDS AND ELEVATIONS

Final building elevations for all structures proposed to be constructed on the subject property shall be submitted to the Development and Resource Management Department, Development Services Division for approval prior to issuance of building permits.

The design of the project should address the goal to create a pedestrian scale atmosphere with quality architecture in order to create and achieve a vibrant, livable, walkable, economically viable and sustainable community to enhance the urban form. Buildings should generally be designed to

strengthen street scene, integrating private and common area spaces such as to maximize pedestrian use, enjoyment and amenity associated with the planned development. Building elevations shall comply with the following requirements:

a) Pursuant to Policy numbers C-20-f, C-21-a, C-21-b and C-21-c of the 2025 Fresno General Plan, all proposed buildings shall include design features and decorative treatments. Visible sides of buildings shall not be developed with featureless "blank" walls. Design measures should be utilized to avoid large scale, massive, monolithic, and repetitive "institutional" visual appearances. Submit elevations inclusive of modifications for review and approval.

   i) Buildings shall have an attractive appearance on all sides, not just on their front elevations. Side and rear elevations which are visible from the public rights-of-way or which are adjacent to common areas or paths of travel should incorporate aesthetic enhancements to reinforce the quality and character of the development. Design features such as the extension of roof treatments to the sides and backs of buildings; provision of overhangs, awnings and sunscreens; and, use of texture, relief, and/or color can be utilized to add interest to otherwise blank walls.

      - NOTE: Aesthetic enhancements may include a variety of elements including incorporation of architectural character defining features, details and materials, landscaping, decorative fencing, etc. Contact the Development and Resource Management for further information and/or recommendations. Development and Resource Management Department approval shall be obtained for respective elevations of the proposed structures prior to issuance of building permits.

   ii) Elevations which are visible from the public streets rights-of-way shall incorporate aesthetic enhancements pursuant to the recommendations included herein above.

   iii) Second-story windows should be directed, to the extent feasible, away from adjacent single-story residential uses; or, adequate setback and landscape screening shall be provided to protect the privacy of adjacent properties.

   iv) Roofing material shall consist of: architectural grade composition roofing guaranteed by the manufacturer for at least 20 years; cement or clay tile; treated wood shakes; and/or, architectural-grade metal and coated non-glare decorative metal roofing products.

   v) Garage doors with decorative features (which may include windows) shall be provided for each dwelling on all lots within the planned development.

   vi) Where proposed, attic vents shall be decorative, consistent with the style and character of each structure.

b) In accordance with City of Fresno guidelines and recommendations from the Fresno Police Department for crime prevention through design, appropriate lighting shall be provided on-site to enhance the appearance of the neighborhood while simultaneously providing a sense of security and safety in order to make it possible to use outdoor living spaces after nightfall.

i) Residential lighting fixtures should be scaled to be in keeping with the pedestrian nature of the planned development.

ii) Lighting should be designed to make yard and common areas more livable and to allow neighbors to gather and socialize in the evening hours.

iii) Lighting fixtures should complement the architectural style of the structures in terms of both color and style. Fixtures attached to structures and complementing their style are preferred.

iv) Eave-mounted spotlights should be limited to interior yards and used only to illuminate after-dark activities. The light from these spotlights should be shielded or aimed to eliminate glare escaping into neighbors' yards and windows.

c) Clearly identify all condensing units, air conditioning and heating units on the site plans and elevations.

i) Mechanical equipment placed on the ground within side yard areas shall not obstruct or impede access for emergency service personnel. Maintain minimum 3-foot wide clear paths around equipment; or, provide approval from the City of Fresno Fire Department respective to mechanical equipment locations.

ii) Roof mounted mechanical equipment shall be recessed and shall not be visible from the public right-of-way. When placed on the ground outside of required yards, condensing units and mechanical equipment shall be screened from view of the public right-of-way with structures, fencing and/or landscaping as may be appropriate.

13. DEVELOPMENT IMPACT FEES

City of Fresno Development Impact Fee obligations applicable to this project shall be satisfied in accordance with the fee schedule outlined within the conditions of approval for Vesting Tentative Tract Map No. 6003/UGM dated February 15, 2012. The specified fees will be payable at time of recordation of a Final Map, issuance of building permit, at time of issuance of certificate of occupancy, or may be eligible to be deferred with a fee deferral covenant.

PART E - CITY AND OTHER SERVICES

1. TRANSPORTATION/TRAFFIC PLANNING

a) Comply with all of the requirements included within the attached Public Works Department, Traffic and Engineering Services Division memorandum dated March 14, 2014.

2. PUBLIC UTILITIES REQUIREMENTS

a) Comply with all of the requirements included within the attached Department of Public Utilities, Planning and Engineering Division (Sanitary Sewer) memorandum dated February 26, 2014.

b) Comply with all of the requirements included within the attached Department of Public Utilities,

Water Division memorandum dated February 24,2014.

3. SOLID WASTE COLLECTION

   a) Comply with all of the requirements included within the attached Department of Public Utilities, Solid Waste Division memorandum dated March 13, 2014.

4. FIRE PROTECTION REQUIREMENTS

   a) Comply with all of the requirements included within the attached City of Fresno Fire Department memorandum dated March 06, 2014.

5. FLOOD CONTROL REQUIREMENTS

   a) Comply with all of the requirements included within the attached Fresno Metropolitan Flood Control District memorandum dated March 13, 2014.

6. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

   a) The subdivider/developer shall comply with all regulations and rules applicable to the development of the subject property in accordance with SJVAPCD requirements and the mitigation measure requirements included herein above.

      - NOTE: These rules and regulations may include, but not be limited to, compliance with Regulation VIII for the control of particulate matter and fugitive dust during construction of this project and Rule 8060 for the control of fugitive dust from paved and unpaved roads.

7. CLOVIS UNIFIED SCHOOL DISTRICT

   a) Comply with all of the requirements included within the attached Fresno Unified Schoold District memorandum dated February 21, 2014.

      i) The developer will be required to pay the District's school facilities fee at the time of building permit.

         - NOTE: New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

PART F - MISCELLANEOUS

Approval of this site plan is contingent upon the submittal of corrected site plans showing all existing/proposed on-site conditions as reflected on all exhibits and the following:

1. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.

2. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: 916/653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: 805/644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archaeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation.

3. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. A paleontologist shall conduct an assessment and, if the paleontologist determines the material to be significant, it shall be preserved.

Unless the Planning Commission decision is set for hearing to the Council in accordance with Section 12-406-J of the FMC, the decision of the Commission shall be final and effective at 12:01 a.m. on the sixteenth day after the date of the decision, subject to writ of administrative mandamus under 1094.6 of the Code of Civil Procedures.

City of
FRESNO

DATE: **March 14, 2014 Revision**

TO: Will Tackett
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 6073 (4895 East Church Avenue)
Silkscape, Inc. / Precision Civil Engineering

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 Planning Commission.

1. Lot frontages do not meet minimum requirements. (Less than 40' wide) See FMC Section 12-211.5,B,1,e.
2. Identify adjacent driveway approach and 10' visibility triangle for the parcel to the east.
3. Identify corner cuts for ramps at all intersections.
4. The site plan and map do not match. Revise the site plan and the map to show the same information.
5. Provide more detail on the site plan. See attachment for required items.

General Conditions:

1. Curb Ramps: Provide curb ramps at all corners within the limits of this subdivision.
2. Pedestrian Easements: **Identify** all pedestrian easements on the map.
   a. Major Streets: A 2' dedication for a pedestrian easement is required.
   b. Local Streets: If designed to Public Works Standard P-56, see 42' or 50', a 1'pedestrian easement is required on streets with driveway approaches.
3. 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.
4. Design local streets with a minimum of 250' radius.
5. 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.**
6. Local Street Intersections: The intersection of two local continuous streets shall have a minimum of 160' offset measured from center line to center line.
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 Public Works Department for review and approval: Street: construction, signing, striping, traffic signal / streetlight and landscape / irrigation.
10. Street widening and transitions shall also include utility relocations and necessary dedications.
11. Garages: Garages or carports shall be located **not less than twenty feet** from any street frontage where the garage door or carport opening faces and takes direct access to the street. (Minimum distance allowed is 18' from back of walk if the garage has a roll-up door) **FMC Section 12-207.5 E-1-e.**
12. Provide a 30' visibility triangle at all street intersections. (Identify fencing and building setbacks at all corners within this map.

Frontage Improvement Requirements:

Major Streets:

Church Avenue: Collector

1. Dedicate **47'** of property, from **section line**, for public street purposes within the limits of this subdivision to meet the current City of Fresno Collector Standards. **Transition paving from 47' to the existing 30'.**
2. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **10' residential pattern**. Construct a 6' residential sidewalk per Public Works Standard **P-53. A 2' Pedestrian Easement is required. Identify on the map.**
3. Construct 20' of permanent paving (measured from face of curb) within the limits of this sub-division.
4. 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.
5. Relinquish direct vehicular access rights to Church Avenue from all lots within this subdivision.

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**. Modified cross section approved by Scott Tyler. 47' r/w, 36' flow line to flow line, rolled curb and monolithic sidewalk.
2. Rolled curb shown. Identify the need for the 2' pedestrian easements or delete.(Applicant to identify if 2' blanket easement for ADA access around utilities or at each utility location?)
3. Remove the proposed median in the Winery entry.
4. Provide Traffic calming at the following locations:
   a. Winery and Alexander
   b. Justin and Belgravia

5. Provide 10' visibility at all driveways.

Specific Mitigation Requirements: (112 lot SFR)This tract will generate 1066 average daily trips, 84 a.m. / 112 p.m. peak hour trips; therefore, a Traffic Impact Study (TIS) is required. Comply with the mitigation measure requirements of the Traffic Engineering Manager. (If not submitted) A project trip generation and trip trace study shall be prepared and submitted to Traffic Planning prior to a TIS "scope" meeting being set. Contact Jill Gormley at (559) 621-8792.

1. Relinquish direct vehicular access rights to :
    a. the east property line of lots 1 and 58.
    b. the west property line of lots 57 and 61.
2. 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.
3. Provide a pedestrian access plan for review and approval.

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay the current Traffic Signal Mitigation Impact Fee (TSMI Fee) at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual for single family units (fee rate as shown in the Master Fee Schedule).

Fresno Major Street Impact (FMSI) Fee : This Map is in the New Growth Area; therefore pay all applicable growth area fees and City-wide regional street impact fees.

Fresno Major Street Impact (FMSI) Requirements:

Church Avenue: Collector (Growth Area Street)

1. Dedicate and construct (2) 17' center section travel lanes and a 12' center two-way left turn lane within the limits of this subdivision. Stripe 200' left turn pockets at all major intersections. An additional 12' of paving shall be required to accommodate the 250' left turn pockets. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a 45 MPH design speed.

Regional Transportation Mitigation Fee (RTMF): Pay all applicable RTMF fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; www.fresnocog.org. Provide proof of payment or exemption prior to issuance of building permits.

OR

Pay previously assessed fees directly to Caltrans. Contact Will Tackett for more details. Provide verification that fees have been paid to Louise Gilio.

TRAFFIC PLANNING
SUBMITTAL REQUIREMENTS FOR ALL SITE PLANS

Please Note: Detailed conditions will be provided once a detailed site plan is "officially" submitted.

Please reference Traffic Planning's requirements listed below to enable you to provide adequate information for a complete review.

A. General Requirements
1. **Legend:** Provide line type and utility symbols
2. **Sheet Size:** 24" x 36" or larger
3. **Scale:** Site plan must be drawn to scale. Use 1"= 30' or larger. Provide a north arrow.
4. **Vicinity Map:** Provide 4 major streets (1/2 square mile), north arrow
5. **Parcel of Record:** Identify the entire parcel at the time of permits and a legal description. If only a portion of an existing parcel is to be developed, a key map shall be included showing the entire parcel.
6. **Phase lines:** Identify
7. **Property Lines:** Identify and dimension existing and proposed property lines.
8. **Easements:** Identify and dimension all existing and proposed easements.
9. **Scope of work:** All items shall be listed as existing, proposed or future.

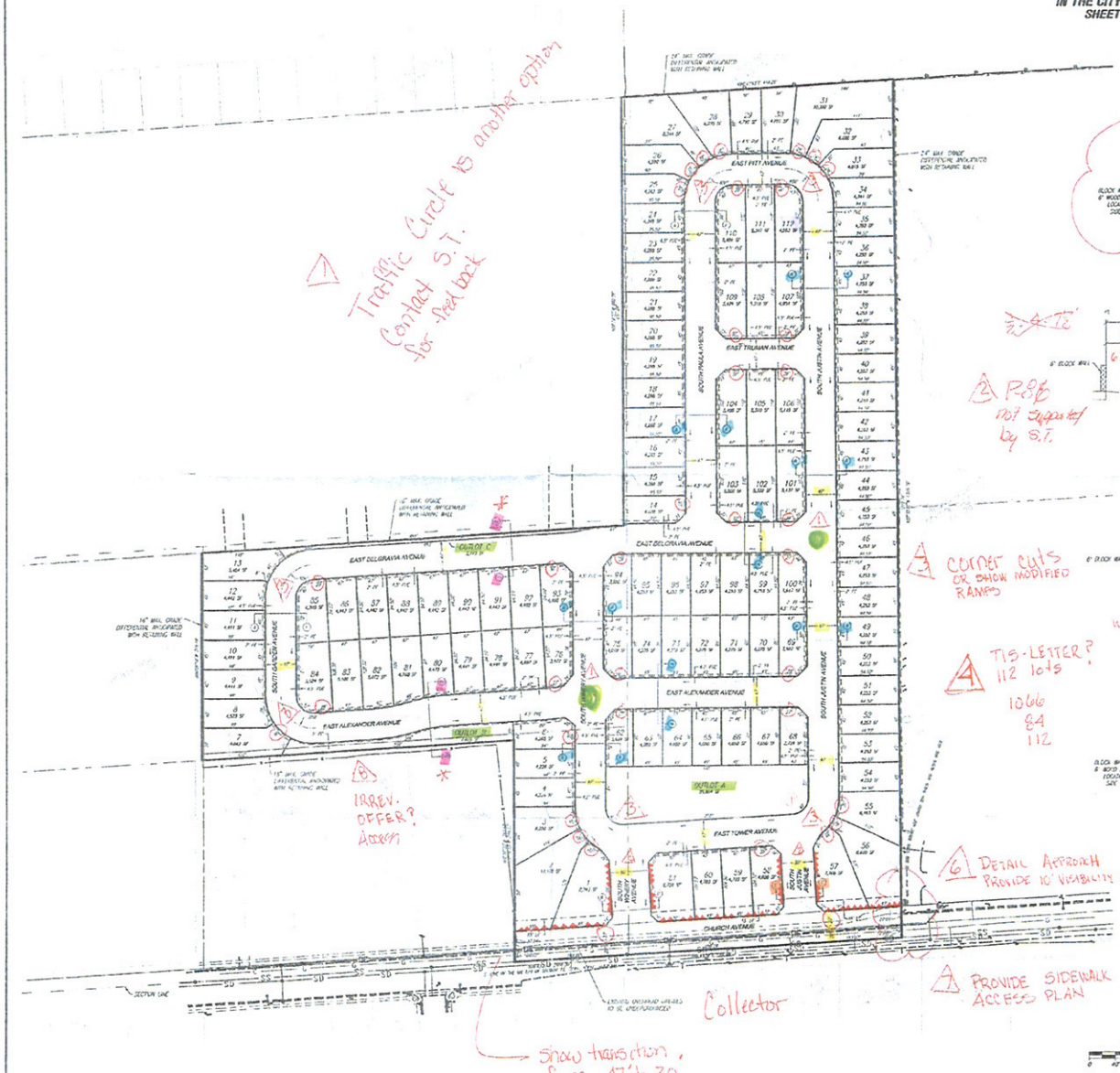
B. Offsite Information:
1. **Adjacent Streets, Freeways and Railroads:** Identify and provide the name of all adjacent streets, freeways and railroads.
2. **Section and Center Lines:** Identify all section and center lines.
3. **Dedications:** Identify all existing and proposed dedications. Provide a dimension from the section and center lines to the existing and proposed property lines.
4. **Street Improvements:** Identify existing and proposed curb, gutter, sidewalks (provide width), driveway approaches (provide width), ADA ramps (provide radius), street lights (specify if wood or metal pole), traffic signals.
5. **Street furniture:** Identify utility poles, boxes, guy wires, signs, fire hydrants, bus stop benches, trash receptacles, tree wells, etc.
6. **ADA:** Identify the required 4' minimum path of travel along the public sidewalk adjacent to property.
7. **Median Islands:** Identify and specify if existing to remain, proposed or to be modified.
8. **Intersections:** If the proposed project is on street corner, provide the entire intersection on the site plan. If located on a major intersection also provide existing striping.
9. **Canals:** Identify adjacent canals and provide a proposed cross section complete with dimensions on the site plan.
10. **Vacations:** Identify and dimension all vacations.

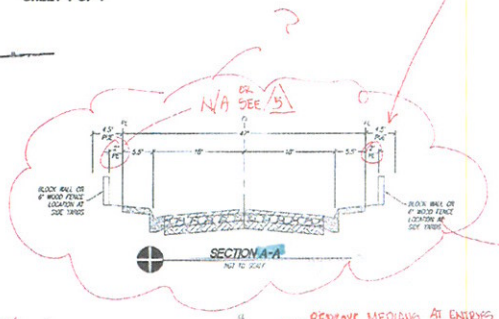
C. Onsite Information:
1. **Buildings:** Identify and label all buildings as existing, proposed or to be removed. Provide square footage.
2. **Access:** Provide pedestrian, vehicular and service access. Identify in the operational statement the maximum size of vehicle to enter and exit the site. Provide turning templates on the site plan for all large vehicles.
3. **Parking Lots:** (existing and proposed)
   a. **Stalls:** Provide length and width. Provide the number that are required, provided, compact and disability parking stalls. Identify the 3' vehicular overhang adjacent to continuous curbing. No obstructions shall be within the 3' overhang. (ground cover is allowable.)
   b. **Curbs:** 6" high
   c. **Wheel Stops:** 6" high
   d. **Circulation Aisles:** provide widths
   e. **Walkways:** provide width adjacent to parking stalls (7' min)
   f. **Directional flow of traffic:** Identify existing and proposed directional arrows
   g. **Lighting:** Identify the location (not to be within the 3' vehicular overhang)
   h. **Disability parking, ramps, signage:** provide details
   i. **Loading zones:** provide dimensions (12' x 40' min.)
   j. **Planters:** provide planter dimensions and radii
   k. **Paving:** per Public Works Standards P-21,P-22, P-23
4. **Walls or Fencing:** Identify existing and proposed walls and fences complete with location height and type of material.

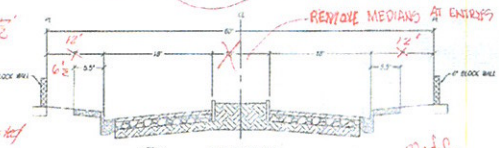
D. Other Important Information:
1. **Lot Line Adjustments:** Provide reference numbers
2. **Parcel or Tract Maps:** Provide reference numbers
3. **Traffic Impact Studies:** Provide reference numbers
4. **CUP/SPR:** Identify previous entitlement numbers

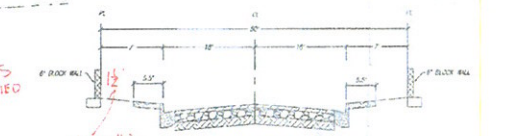
TENTATIVE TRACT MAP NO. 6073

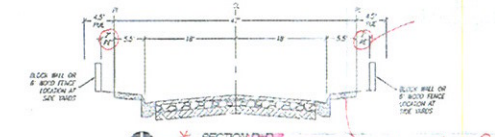
IN THE CITY OF FRESNO
SHEET 1 OF 1

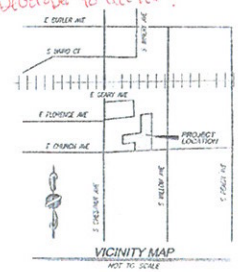


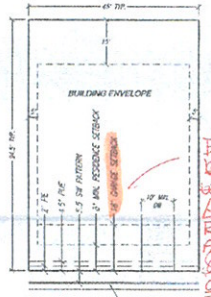












NOTES

1. LAND USE:
   EXISTING: VACANT
   PROPOSED DESIGNATION: MEDIUM DENSITY RESIDENTIAL
2. ZONE DISTRICT:
   EXISTING: RE-20/UGM
   PROPOSED: R-1/UGM
3. WATER, SEWERAGE AND SEWAGE DISPOSAL TO BE SUPPLIED BY THE CITY OF FRESNO.
4. SITE ACREAGE:
   NET: 17.06 ACRES
   GROSS: 18.83 ACRES
5. ASSESSOR'S PARCEL NUMBERS:
   481-020-03, 481-020-04 & 481-020-21
6. NO ADDRESS HAS BEEN ASSIGNED TO THIS PROJECT.
7. PROPERTY OWNER AND APPLICANT:
   SERGEANT, INC.
   ATTN: MARK-HAME ALEXANDER
   (559) 326-3220
8. NO EXISTING MAJOR GROUND USES OR STRUCTURES ARE PRESENT ON THE PROPERTY UNLESS OTHERWISE NOTED ON THE MAP.
9. EXISTING UNDERGROUND FLOWING WATER OR LIQUID WILL CONFORM TO THOSE VOLUMES ORIGINALLY INTENDED TO SERVE THIS MAP. IF SPOIL SOIL EXISTS SHALL REMAIN AND BE UTILIZED AS PERMITTED BY THE CITY OF FRESNO.
10. NO CANALS OR PRIVATE DITCHES PRESENTLY EXIST ON THE SUBJECT PROPERTY.
11. NO TREES PRESENTLY EXIST ON THE SUBJECT PROPERTY.
12. ALL PROPOSED PUBLIC IMPROVEMENTS SHALL BE INSTALLED PER CITY OF FRESNO STANDARDS.
13. RESIDENTIAL USE IS INTENDED ON ALL LOTS, UNLESS OTHERWISE NOTED.
14. OUTLOT DESCRIPTIONS:
    OUTLOT A: 75,004 SF – NEIGHBORHOOD PARK
    OUTLOT B: 7,625 SF – FRESH STALE
    OUTLOT C: 2,773 SF – FRESH STALE
15. THIS SUBDIVISION PROPOSES, TO THE EXTENT FEASIBLE, FOR FUTURE ROOFTOP HEATING OR COOLING OPPORTUNITIES AND OTHER MEASURES AND COMPLIANT NONRESIDENTIAL ENERGY SCHEMES. 57% OF LOTS ARE ORIENTED IN A NORTH-SOUTH DIRECTION.
16. THE SITE WAS PREVIOUSLY ROUGH GRADED FOR THE APPROVED GRADING PLAN ON FILE WITH THE CITY OF FRESNO DEVELOPMENT DEPARTMENT. ADDITIONAL EXISTING GRADES ARE NOT SHOWN ON THIS MAP. IN ACCORDANCE WITH CITY OF FRESNO REQUIREMENTS, THE PADS AND ALL GRADES WILL BE CERTIFIED PRIOR TO PROGRESS BUILDING PERMITS.

PREPARED BY:

PRECISION CIVIL ENGINEERING, INC.
1234 O STREET
FRESNO, CA 93721
(559) 445-0500 FAX: (559) 445-0509

PREPARED ON: DECEMBER 20, 2013

14' MIN
34' ±
16' MIN
5 utilities – dedication or blanket. Developer to decide.
Traffic Circle is another option. Contact S.T. for feedback
N/A or SEE 5
Provide visibility
REMOVE MEDIANS AT ENTRIES
2 R-8 not supported by S.T.
modify
3 corner cuts or show modified ramps
why is this so wide?
4 T15-LETTER? 112 lots
1066
84
112
IRREV. OFFER? access
6 DETAIL APPROACH PROVIDE 10' VISIBILITY
No S.W.?
MODIFY
Collector
Show transition from -47' to 30
PROVIDE SIDEWALK ACCESS PLAN
From back of walk Add'l R/W dedicated if applicable see at utilities

City of
FRESNO

DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM

WATER & CONSERVATION • SOLID WASTE & RECYCLING • WASTEWATER & RECLAMATION • DPU

Providing Life's Essential Services

Date: February 26, 2014

To: WILL TACKETT
Development Service and Planning

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

Subject: SEWER REQUIREMENTS FOR TENTATIVE TRACT T-6073/UGM AND CONDITIONAL USE PERMIT C-14-010

General

T-6073-UGM & C-14-010 were filed by Precision Civil Engineering, on behalf of Silkscape, Inc., pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue between South Chestnut and South Willow Avenues, 4895 East Church Avenue, APN 481-070-03, 04, 22. T-6073-UGM & C-14-010 request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre. T-6073-UGM & C-14-010 have been filed as new applications to replace the expired applications T-5508-UGM & C-05-107. While the overall form of the proposed subdivision will remain substantially the same, the new applications propose dedication of public street rights-of-way and public utility services on the interior of the subdivision, vs. the private streets and services originally approved for T-5508.

Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is an 18-inch sanitary sewer main located in E. Church Avenue. Sanitary sewer facilities will be available to provide service to the site subject to the following requirements:

1. Sanitary sewer mains (including sewer house branches to adjacent properties) shall be extended within the proposed tract to provide sewer service to each lot created.

2. The Project shall comply with City of Fresno Ordinances, Standards, Specifications, and Conditions related to providing sanitary sewer service including payment of all City of Fresno adopted impact fees and sewer connections charges established in the City of Fresno Master Fee Schedule.

3. Installation of sewer house branch(s) shall be required.

4. Separate sewer house branches shall be provided for each lot created.

5. Abandon any existing on-site private septic systems.

6. 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.

7. All underground utilities shall be installed prior to permanent street paving.

8. Street easements and/or deeds shall be recorded prior to approval of improvement plans

9. 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. Sewer Lateral Charge

2. Sewer Oversize Service Area: # 34

3. Wastewater Facilities Charge (Residential Only)

City of
FRESNO

DEPARTMENT OF PUBLIC UTILITIES – WATER DIVISION
MEMORANDUM

Providing Life's Essential Services

DATE: February 24, 2014

TO: WILL TACKETT, Supervising Planner
Development and Resource Management Department – Current Planning

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

FROM: ROBERT DIAZ, Senior Engineering Technician
Department of Public Utilities – Water Division

SUBJECT: WATER REQUIREMENTS FOR VESTING TENTATIVE TRACT T-6073

General

T-6073-UGM & C-14-010 were filed by Precision Civil Engineering, on behalf of Silkscape, Inc., pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue between South Chestnut and South Willow Avenues, 4895 East Church Avenue, APN 481-070-03, 04, 22. T-6073-UGM & C-14-010 request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre. T-6073-UGM & C-14-010 have been filed as new applications to replace the expired applications T-5508-UGM & C-05-107. While the overall form of the proposed subdivision will remain substantially the same, the new applications propose dedication of public street rights-of-way and public utility services on the interior of the subdivision, vs. the private streets and services originally approved for T-5508.

Water Service

The nearest water main to serve the proposed project is a 14-inch main located in East Church Avenue and an. Water facilities are available to provide service to the site subject to the following requirements:

1. 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 Water Systems Manager. The cost of acquiring the well site(s) and construction of the well(s) shall be reimbursed from the UGM Water Supply Well Service Area Fund 501s, in accordance with established UGM policies.

2. Water well construction shall include wellhead treatment facilities, if required. The cost for constructing wellhead treatment facilities shall be reimbursed from UGM Wellhead Treatment Service Area Fund 501s, in accordance with established UGM policies.

3. Separate water services with meter boxes shall be provided to each lot created.

4. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.

5. All public water facilities shall be constructed in accordance with City Standards, specifications, and policies.

6. Seal and abandon any existing on-site well 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.

7. 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 any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Assistant Public Utilities Director.

8. 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 Water System. Depict neighboring parcels and proposed plans for their continued service.

9. All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.

Water Fees

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

City of
FRESNO
DEPARTMENT OF PUBLIC UTILITIES

March 13, 2014

TO: Will Tackett, Supervising Planner
Development and Resource Management Department, Planning Division

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

SUBJECT: TT 6073/UGM & C-14-010, Solid Waste Conditions of Approval
Location: North side of East Church Avenue between South Chestnut Avenue and South Willow Avenue (APN 481-070-03, 04, 22)

The Department of Public Utilities, Solid Waste Division has completed a review of Tentative Tract Map TT 6073/UGM and C-14-010 that were submitted by Precision Civil Engineering, on behalf of Silkscape, Inc. The following requirements and conditions are to be placed on this tentative tract map as a condition of approval by the Department of Public Utilities.

General Requirements:

- Tract 6073 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 curbline 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:

Solid Waste requires 18' of unobstructed clearance in the path the truck travels.

Provide 44' (centerline) turning radius.

City of
FRESNO
FIRE DEPARTMENT

Date: March 6, 2014

To: WILL TACKETT, Planner
Development and Resource Management Department

From: DEBBY REMILY, Fire Prevention Inspector II
Fire Department, Fire Prevention Division

Subject: Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. 6073/UGM were filed by Precision Civil Engineering, on behalf of Silkscape, Inc., pertaining to approximately 17.99 net acres of property located on the north side of East church Avenue between South Chestnut and South Willow Avenues. CUP Application No. C-14-010 and Tentative Tract Map No. 6073/UGM request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre.

Conditional Use Permit Application No. C-14-010 and Tentative Tract Map No. 6073/UGM have been filed as new applications to replace the expired tentative map for Tract 5508/UGM and associated Conditional Use Permit No. C-05-107. While the overall form of the proposed subdivision will remain substantially the same, the new applications propose dedication of public street rights-of-way and public utility services on the interior of the subdivision (vs. the private streets and services originally approved for Tract 5508).

COMMENTS

Other

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

All required fire access lanes shall be provided and maintained with an approved "all weather" surface capable of supporting 80,000 lb. vehicles (minimum 4" of base rock over compacted or undisturbed native soil or per approved engineered plans) year-around and with 24 feet minimum width or other approved method that would prevent shoulder degradation.

Note on plan: Fire hydrants and access roads shall be installed, tested and approved and shall be maintained serviceable prior to and during all phases of development. The 41/2" outlet shall

face the access lane.

Provide note on plan: All construction work on this project is subject to interruption if the road system becomes impassable for fire apparatus due to rain or other obstacles.

This project was reviewed by the fire department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.45

PUBLIC AGENCY

WILL TACKETT
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, ROOM 3043
FRESNO, CA 93721-3604

DEVELOPER

SILKSCAPE, INC. C/O RECISION CIVIL
ENGINEERING, INC.
1234 "O" STREET
FRESNO, CA 93721

FR TRACT No. 6073

PROJECT NO: **6073**
ADDRESS: **N/S CHURCH BTWN CHESTNUT AND WILLOW**
APN: **481-070-03, 04, 22** SENT: 03/13/14

Drainage Area(s)	Preliminary Fee(s)
BF	$104,733.00
	TOTAL FEE: $104,733.00

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 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.

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

1. ___ a. Drainage from the site shall BE DIRECTED TO

   X 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:

   X 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 and information shall be submitted to the District for review prior to final development approval:

   X Grading Plan

   X Street Plan

   X Storm Drain Plan

   X Water & Sewer Plan

   X Final Map

   ___ Drainage Report (to be submitted with tentative 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).

   X 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.

   ___ 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.)

   X 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. 6073

FR TRACT No. 6073

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, effective July 1, 2010, as amended. 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 and Permit Registration Documents 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.

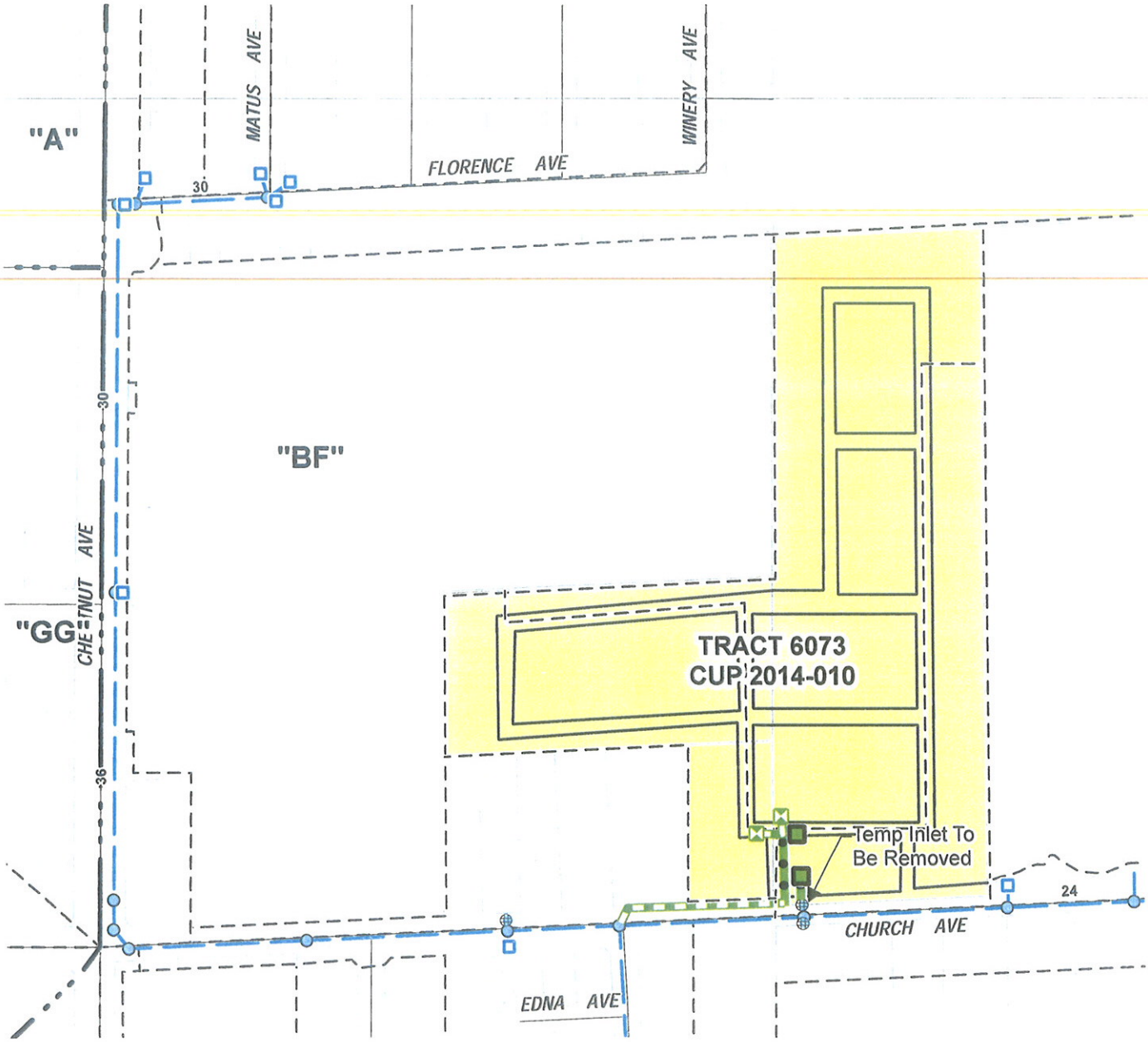
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.

10. X See Exhibit No. 2 for additional comments, recommendations and requirements.

Gerald E. Lakeman
District Engineer

Gary Chapman
Project Engineer

NOTE:
THIS MAP IS SCHEMATIC
DISTANCES ARE APPROXIMATE.



LEGEND

- Creditable Facilities (Master Plan Facilities To Be Constructed By Developer)-Pipeline (Size Shown) & Inlet.
- Non-Master Plan Facilities To Be Constructed By Developer (Not Eligible For Fee Credit)
- Existing Master Plan Facilities
- Inlet Boundary
- Existing Temporary Inlet

N

1 " = 300 '

TRACT 6073
CUP 2014-010
DRAINAGE AREA "BF"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: wadet
Date: 3/13/2014
Path: K:\Autocad\DWGS\0EXHIBIT\CITYCUP\2014-010.mxd

OTHER REQUIREMENTS
EXHIBIT NO. 2

The cost of construction of Master Plan facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee of the drainage area served by the facilities. A Development Agreement shall be executed with the District to effect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City/County or District.

The District requests that the developer/engineer contact the District as early as possible to discuss the partially constructed storm drain facilities that were required of original tract, Tract 5508.

Development No. Tract 6073

Fresno Unified School District
Preparing Career Ready Graduates

Measure Q

Facilities Management & Planning

BOARD OF EDUCATION
Valerie F. Davis, President
Lindsay Cal Johnson, Clerk
Michelle A. Asadoorian
Luis A. Chavez
Christopher De La Cerda
Carol Mills, J.D.
Janet Ryan

SUPERINTENDENT
Michael E. Hanson

February 21, 2014

Will Tackett, Development Services/Planning
City of Fresno
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

SUBJECT: **TENTATIVE MAP OF TRACT 6073**
CONDITIONAL USE PERMIT APPLICATION NO. C-14-010
112-UNIT SFR DEVELOPMENT
4895 E. CHURCH AVE. (APN's 481-070-30, 04 & 22)

Dear Mr. Tackett,

In response to your request for review and comment on Tentative Map of Tract 6073 and Conditional Use Permit Application No. C-14-010 for authorization of the construction of a 112-lot single family residential development on the subject property, Fresno Unified School District submits the following:

Any urban residential development occurring as a result of project approval will have an impact on the District's student housing capacity. The District, through local funding, is in a position to mitigate its shortage of classrooms to accommodate planned population growth for the foreseeable future. However, the District recognizes that the legislature, as a matter of law, has deemed, under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50's Level 1, 2 and 3 developer fee legislative provisions.

Any new development on the subject property or conversion of non-habitable to habitable space is subject to development fees of $3.20 per square foot for residential and $0.51 per square foot for commercial development. Any new development on the property will be subject to the development fee prior to issuance of a building permit.

1. Attendance area information: The project is presently within the attendance areas of the schools identified below.

Elementary School:	Aynesworth
Middle School:	Terronez
High School:	Sunnyside

2. Transportation will be available for students attending the above identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment. The cost of transportation is currently $41.50 per hour. The cost of providing transportation services to students from the project will add to District transportation expenses.

3. This project could potentially generate 75 K-12 students which may have an impact on nearby schools. Additional transportation could be required if the assigned neighborhood schools cannot accommodate the increased number of students.

Thank you for the opportunity to comment. If you have any questions or require additional information regarding our comments and concerns, please contact Deana Clayton, Project Manager, at (559) 457-3066.

Sincerely,

Lisa LeBlanc, Executive Officer
Facilities Management and Planning

LL:hh

City of
FRESNO

DATE: March 11, 2014

TO: Will Tackett, Supervising Planner
Development and Resource Management Department

FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP NO. 6073 REGARDING MAINTENANCE REQUIREMENTS

LOCATION: **4895 East Church Avenue**
APN: **481-070-03, 04 and 22**

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. These requirements are based on City of Fresno code, policy, standards and the public improvements depicted on the Exhibits submitted for this development.

Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.

If the property owner requests annexation to the Community Facilities District No. 11 ("CFD No. 11") and an incomplete Annexation Request Package is submitted; this may cause delays to the annexation process and final map approval. The annexation process takes from three to four months and SHALL be completed prior to final map approvals.

All construction plans applicable for this development are to be submitted to the Traffic and Engineering Services Division for review and approval prior to the CFD process. The Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process and the approval of the final map.

1. The Property Owner's Maintenance Requirements

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements ("Services") associated with all new Single-Family developments are the ultimate responsibility of the Property Owner. The property owner shall provide Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 11 ("CFD No. 11").

The following public improvements are eligible for Services by CFD No. 11 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within the street rights-of-way and landscape easements; including without limitation, parkways, buffers, street entry medians and sides.

- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlots, open spaces and trails.

- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, and street lights in **all Major Streets.**

- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures and street entry median island curbing and hardscape, street paving, street name signage and street lights in **all Interior Local Streets**.

2. **The Property Owner may choose to do one or both of the following:**

   a. The Property Owner may petition the City of Fresno to request annexation to CFD No. 11 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at http://www.fresno.gov, under the Public Works Department, Developer Doorway.

      - **Proceedings to annex the final map to CFD No. 11 SHALL NOT commence** unless the final map is within the City limits and all construction plans (this includes Street, Street Light, Signal, Landscape and Irrigation plans, and any other plans needed to complete the process) and the final map are considered technically correct.

      - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 11 are not subject to change after acceptance for processing**.

      - Public improvements not listed above will require written approval by the Public Works Department Director or his designee.

      - All areas not within the dedicated street rights-of-way approved for Services by CFD No. 11, including but not limited to outlots, trails and landscaped areas, shall be dedicated in fee to the City of Fresno, dedicated as a public easement for maintenance purposes or as approved by the Director of the Public Works Department.

   b. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 11 for Services **SHALL** be included in the DCC&Rs or some other City approved mechanism for the required Services associated with this development. Contact the Planner in the Development and Resource Management Department for more details.

For questions regarding these conditions please contact me at (559) 621-8690 or ann.lillie@fresno.gov

Exhibit H:

Environmental Assessment No. C-14-010/T-6073 dated February 14, 2014

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

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	DATE RECEIVED FOR FILING: Notice of Intent filed with the Fresno County Clerk's Office on: February 14, 2014

Applicant: Precision Civil Engineering, Inc. 1234 O Street Fresno, CA 93721	**Initial Study Prepared By:** Will Tackett, Supervising Planner February 14, 2014
Environmental Assessment Number: **EA No. C-14-010/T-6073** Conditional Use Permit Application No. C-14-010; and, Tentative Tract Map No. 6073/UGM	**Project Location (including APN):** 4895 East Church Avenue Located on the north side of East Church Avenue between South Chestnut and South Willow Avenues in the City and County of Fresno, California Assessor's Parcel Number(s): 481-070-03, 04 & 22 Site Latitude: 36°42'57.00" N Site Longitude: 119°43'54.00" W Mount Diablo Base & Meridian, Township 14S Range 21E, Section 18 Malaga U.S.G.S. Quadrangle

Project Description:

Precision Civil Engineering, on behalf of Silkscape Inc., property owner, has filed Conditional Use Permit (CUP) Application No. C-14-010 and Tentative Tract Map No. 6073/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue between South Chestnut and South Willow Avenues.

CUP Application No. C-14-010 and Tentative Tract Map No. 6073/UGM request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre. The tentative map also proposes the creation of three Outlots, which are proposed to be dedicated for common open space purposes.

The proposed project will also involve installation and construction of public facilities and infrastructure in accordance with the standards, specifications, and policies of the City of Fresno.

The subject property is located within the boundaries of the 2025 Fresno General Plan and Roosevelt Community Plan, which designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district and the proposed overall density of approximately 6.23 dwelling units per acre may be found to be consistent with the Medium Density Residential planned land use designation for the subject property.

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

The adopted 2025 Fresno General Plan and Roosevelt Community Plan designate the subject property for Medium Density Residential (4.99-10.37 Dwelling Units/Acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the existing R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district and the proposed project density of approximately 6.23 dwelling units per acre are consistent with the Medium Density Residential planned land use designation.

The Development and Resource Management Department staff have prepared an Initial Study (See Attached "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 application and tentative tract map 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). The subject property may be developed at an intensity and scale that is permitted by the planned land use designation and proposed zone district classification for the site. Thus, the proposed development and susbdivision of the subject property and future development on adjacent properties for permissible uses within the proposed zone district will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. 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).

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 designation, include impacts associated with the Medium 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 because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR or Air Quality MND 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 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 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 Development and Resource Management 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).

02/14/14

Will Tackett, Supervising Planner, City of Fresno — Date

Attachments: Notice of Intent to Adopt a Finding of Conformity
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. C-14-010/T-6073
2025 General Plan Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 and Environmental Assessment No. A-09-02 Mitigation Monitoring Checklist for Environmental Assessment No. C-14-010/T-6073
Master Environmental Impact Report (MEIR) Review Summary (Attachment: Status of MEIR Analysis with Regard to Air Quality and Climate Change)

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY

Filed with:

FILED
FEB 14 2014
FRESNO COUNTY CLERK
By _____ DEPUTY

FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

EA No. C-14-010/T-6073

Conditional Use Permit Application No. C-14-010; and,
Vesting Tentative Tract Map No. 6073/UGM

APPLICANT:
Precision Civil Engineering, Inc.
1234 O Street
Fresno, CA 93721

PROJECT LOCATION:
4895 East Church Avenue

Located on the north side of East Church Avenue between South Chestnut and South Willow Avenues in the City and County of Fresno, California

Assessor's Parcel Number(s): 481-070-03, 04 & 22

Site Latitude: 36°42'57.00" N
Site Longitude: 119°43'54.00" W

Mount Diablo Base & Meridian, Township 14S Range 21E, Section 18 Malaga U.S.G.S. Quadrangle

PROJECT DESCRIPTION:

Precision Civil Engineering, on behalf of Silkscape Inc., property owner, has filed Conditional Use Permit (CUP) Application No. C-14-010 and Tentative Tract Map No. 6073/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue between South Chestnut and South Willow Avenues.

CUP Application No. C-14-010 and Tentative Tract Map No. 6073/UGM request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre. The tentative map also proposes the creation of three Outlots, which are proposed to be dedicated for common open space purposes.

The proposed project will also involve installation and construction of public facilities and infrastructure in accordance with the standards, specifications, and policies of the City of Fresno.

The subject property is located within the boundaries of the 2025 Fresno General Plan and Roosevelt Community Plan, which designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district and the proposed overall density of approximately 6.23 dwelling units per acre may be found to be consistent with the Medium Density Residential planned land use designation for the subject property.

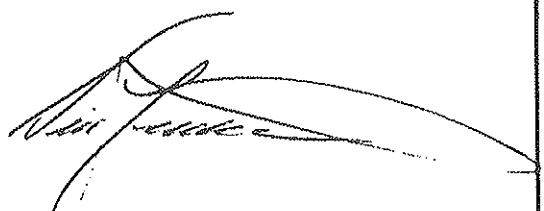
The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report No. 10130 ("MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and the Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH # 2009051016) (Air Quality MND). Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

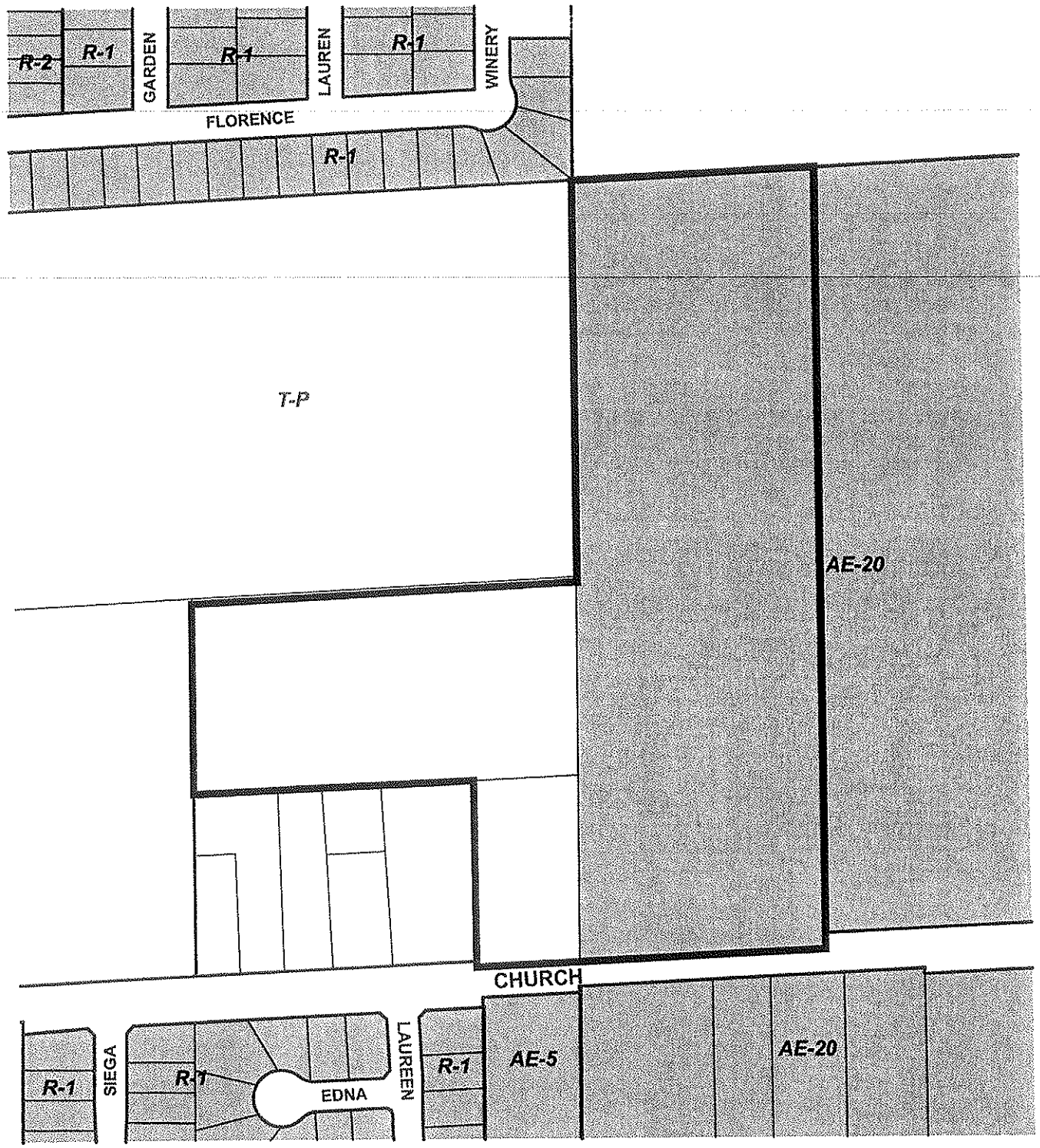
With the mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR or Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND 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 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.

Additional information on the proposed project, including the proposed environmental finding and the initial study may be obtained from the Development and Resource Management Department, Development Services Division, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604. Please contact Will Tackett at (559) 621-8063 or via e-mail at Will.Tackett@fresno.gov for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on March 19, 2014, Please direct comments to Will Tackett, City of Fresno Development and Resource Management Department, Development Services Division, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to Will.Tackett@Fresno.gov. Comments may also be sent by facsimile to (559) 498-1026.

These development applications and this proposed environmental finding have been tentatively scheduled to be considered by the Planning Commission on March 19, 2014 at 6:00 p.m. or thereafter. The hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY: Will Tackett, Supervising Planner	SUBMITTED BY:  Will Tackett, Supervising Planner CITY OF FRESNO DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
DATE: February 14, 2014	



LEGEND

Subject Property

U.G.M. Area

VICINITY MAP

VESTING TENTATIVE MAP OF TRACT NO. 5508
REZONE APPLICATION NO. R-05-031
From AE-20/UGM to R-1/UGM
CONDITIONAL USE PERMIT NO. C-05-107
North of Church btwn Chestnut & Willow Aves.

N
W E
S
NOT TO SCALE

PLANNING & DEVELOPMENT DEPARTMENT

A.P.N.: 481-070-03,04,22

ZONE MAP: 2553

BY/DATE: J.S. / 10-13-05

APPENDIX G TO ANALYZE SUBSEQUENT PROJECT IDENTIFIED IN MEIR NO. 10130 / MND FOR PLAN AMENDMENT A-09-02 (AIR QUALITY MND) / INITIAL STUDY

Environmental Checklist Form for:

EA No. C-14-010/T-6073

1. **Project title:**

   Conditional Use Permit Application No. C-14-010; and,
   Tentative Tract Map No. 6073/UGM

2. **Lead agency name and address:**

   City of Fresno
   Development and Resource Management Department
   2600 Fresno Street
   Fresno, CA 93721

3. **Contact person and phone number:**

   Will Tackett, Supervising Planner
   City of Fresno
   Development & Resource Management Dept.
   (559) 621-8063

4. **Project location:**

   4895 East Church Avenue

   Located on the north side of East Church Avenue between South Chestnut and South Willow Avenues in the City and County of Fresno, California

   Assessor's Parcel Number(s): 481-070-03, 04 & 22

   Site Latitude: 36°42'57.00" N
   Site Longitude: 119°43'54.00" W

   Mount Diablo Base & Meridian, Township 14S Range 21E, Section 18 Malaga U.S.G.S. Quadrangle

5. **Project sponsor's name and address:**

   Precision Civil Engineering, Inc.
   1234 O Street
   Fresno, CA 93721

6. **General & Specific plan designation:**

Medium Density Residential (4.99-10.37 Dwelling Units/Acre)

7. **Zoning:**

Existing – R-1/UGM (*Single Family Residential/Urban Growth Management*)

Proposed - R-1/UGM (*Single Family Residential/Urban Growth Management*)

8. **Description of project:**

Precision Civil Engineering, on behalf of Silkscape Inc., property owner, has filed Conditional Use Permit (CUP) Application No. C-14-010 and Tentative Tract Map No. 6073/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue between South Chestnut and South Willow Avenues.

CUP Application No. C-14-010 and Tentative Tract Map No. 6073/UGM request authorization to subdivide the subject property for purposes of creating a 112-lot single family residential public street planned unit development on the subject property at an overall density of approximately 6.23 dwelling units per acre. The tentative map also proposes the creation of three Outlots, which are proposed to be dedicated for common open space purposes.

The proposed project will also involve installation and construction of public facilities and infrastructure in accordance with the standards, specifications, and policies of the City of Fresno.

The subject property is located within the boundaries of the 2025 Fresno General Plan and Roosevelt Community Plan, which designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district and the proposed overall density of approximately 6.23 dwelling units per acre may be found to be consistent with the Medium Density Residential planned land use designation for the subject property.

9. **Surrounding land uses and setting:**

	Planned Land Use	Existing Zoning	Existing Land Use
North	Medium Density Residential	**AL-20** *Limited Twenty Acre Agricultural District*	Vacant Agricultural Land/Mobile Home Park
South	Medium Density Residential	**AE-20/UGM** *Exclusive Twenty Acre Agricultural/Urban Growth Management*	Rural Residential
East	Public Facility/School	**AE-20/UGM** *Exclusive Twenty Acre Agricultural/Urban Growth Management*	School
West	Medium Density Residential	**T-P** *Trailer Park Residential District*	Mobile Home Park

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

City of Fresno (COF) Department of Public Works; COF Department of Public Utilities; COF Building and Safety Services Division; COF Fire Department; Fresno Metropolitan Flood Control District; Fresno County Department of Public Health; San Joaquin Valley Air Pollution Control District.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report No. 10130 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR No. 10130 ("MEIR") or the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (SCH # 2009051016) ("Air Quality MND").

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

____	Aesthetics	____	Agriculture and Forestry Resources	____	Air Quality
____	Biological Resources	____	Cultural Resources	____	Geology /Soils
____	Greenhouse Gas Emissions	____	Hazards & Hazardous Materials	____	Hydrology/Water Quality
____	Land Use/Planning	____	Mineral Resources	____	Noise
____	Population /Housing	____	Public Services	____	Recreation
____	Transportation/Traffic	____	Utilities/Service Systems	____	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

X I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.

____ I find that the proposed project is a subsequent project identified in the MEIR and Air Quality MND but that it is not fully within the scope of the MEIR and Air Quality MND because the proposed project could have a significant effect on the environment that was not examined in the MEIR or Air Quality MND. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

____ I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR or Air Quality MND, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR or Air Quality MND pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

X _____ 02/14/14

Will Tackett, Planner — February14, 2014

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR or Air Quality MND:

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:

   a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR or Air Quality MND.

   b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, but that impact is less than significant;

   c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, however, with the mitigation incorporated into the project, the impact is less than significant.

   d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND.

2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND.

6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where

the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

11. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and

    b. The mitigation measure identified, if any, to reduce the impact to less than significance

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				x

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				x
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				x
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				x

The site is a vacant infill parcel located within an area, which is planned for and has been developed with urban residential uses. Property located directly to the north of the subject property remains vacant and within a County island which has not annexed to the City of Fresno. Properties to the west of the subject property have been developed with a trailer park. Property to the east has been developed with a Fresno Unified School District Middle School (Elizabeth Terronez Middle School). Properties to the south of the subject property and across East Church Avenue are comprised of remaining rural residential parcels and single family residential subdivisions. Therefore, no public or scenic vista will be obstructed by the development and no valuable vegetation will be removed. The project will not damage any scenic resources nor will it degrade the visual character or quality of the site and its surroundings. Furthermore, development of the site will not create a new source of substantial light or glare which would affect day or night time views in the project area, given that during the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties. As a result, the project will have a less than significant impact on aesthetics.

Mitigation Measures

1. The proposed project shall implement and incorporate, the aesthetic related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated February 14, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				x
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				x
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				x
d) Result in the loss of forest land or conversion of forest land to non-forest use?				x
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				x

The site is a vacant, infill parcel located within an area, which is planned for and has been substantially developed with urban residential uses. Property located directly to the north of the subject property remains vacant and within a County island which has not annexed to the City of Fresno. Properties to the west of the subject property have been developed with a trailer park. Property to the east has been developed with a Fresno Unified School District Middle School (Elizabeth Terronez Middle School). Properties to the south of the subject property and across East Church Avenue are comprised of remaining rural residential parcels and single family residential subdivisions. The subject property is designated for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses by the 2025 Fresno General Plan and

Roosevelt Community Plan. The site does not fall into any of the categories listed above and does not have a Williamson Act contract. There are no existing agricultural uses of the subject property; and, the project does not have the potential to facilitate future conversion of agricultural lands within the vicinity. There are no forested lands occurring within the City sphere of influence. Therefore, no environmental impacts related to agricultural will occur as a result of the proposed project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) -- Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (*e.g.*, by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?				x
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				x
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				x
d) Expose sensitive receptors to substantial pollutant concentrations?				x
e) Create objectionable odors affecting a substantial number of people?				x

The project will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations, impacts, or increases of criteria pollutants for which the San Joaquin Valley region is under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

The proposed project will comply with all applicable air quality plans including the Air Quality Element of the 2025 Fresno General Plan and the Goals, Policies and Objectives of the Regional Transportation Plan adopted by the Fresno Council of Fresno County Governments; therefore the project will not conflict with or obstruct an applicable air quality plan. The project must comply with the construction and development requirements of the San Joaquin Valley Air Pollution Control District (SJVAPCD), therefore, no violations of air quality standards will occur.

The proposed single family residential use of the subject property at the proposed density of approximately 6.23 dwelling units per acre is consistent with the Medium Density Residential (4.99-10.37 dwelling units/acre) planned land use for the subject property specified by the applicable plans. Development of the subject property, pursuant to Conditional use Permit Application No. C-14-010 and Vesting Tentative Tract Map No. 6073/UGM, will not expose sensitive receptors to substantial pollutant concentrations. Due to the close proximity of other residential and urban uses surrounding the subject site, the project will not result in a significant impact to sensitive receptors as no net increase of pollutants will occur.

Residential development is considered a "sensitive receptor" type use. However, the subject site is not located adjacent to high traffic freeways and roads and rail yard uses called out by the California Environmental Protection Agency California Air Resources Board dated April 2005 that may have significant negative air quality impacts.

The proposed project must fully comply with Rule 9510 from the San Joaquin Valley Air Pollution Control District (SJVAPCD). This Rule (also called Indirect Source Review or ISR) provides for incorporation of a wide range of mitigation measures into projects, and levies fees for pollutants generated by development projects, transportation and development projects. The fees are used to provide for regional air quality improvements and mitigations. Specifically, Rule 9510 requires that operational (traffic-associated) NOX and PM10 emissions be reduced by at least 33.3% and 45%, respectively, and construction equipment NOX and PM10 emissions of projects be reduced by at least 20% and 45%, respectively. All residential project proposing more than 50 residential units are required to comply with the results of an Air Impact Assessment, which is required to be submitted to the SJVAPCD consistent with Rule 9510 requirements.

Therefore, there are no air quality or global climate change impacts perceived to occur as a result of the proposed project.

Mitigation Measures

1. The proposed project shall implement and incorporate, the air quality related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated February 14, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the US Fish and Wildlife Service. No federally

protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. The proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

No habitat conservation plans or natural community conservation plans in the region pertain to natural resources, which exist on the subject site or in its immediate vicinity.

Therefore, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat. Therefore, there would be no impacts.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

There are no structures which exist on or within the immediate vicinity of the site that are listed on, or considered to be eligible to the National or Local Register of Historic Places, and the subject site is not within either a designated or proposed historic district.

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject property. Past record searches for the region have not revealed the likelihood of cultural resources on the subject property or in its immediate vicinity. Therefore, it is not expected that the proposed project may impact cultural resources. It should be noted however, that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources. Therefore, due to the ground disturbing activities that will occur as a result of the project, the measures within the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then

work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to insure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resource related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130- 2025 Fresno General Plan Mitigation Monitoring Checklist dated February 14, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography is flat with no apparent unique or significant land forms such as vernal pools. Any future development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards. There will be no Grade differentials on the subject property of more than six inches unless approved by the City of Fresno.

Fresno has no known active earthquake faults, and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category "C" or "D," depending on the soils underlying the specific location being categorized and that location's proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code.

No adverse environmental effects related to topography, soils or geology are expected as a result of this project. Implementation of the mitigation measures listed in MEIR No. 10130 and the attached MEIR Mitigation Monitoring Checklist will ensure that no adverse environmental effects related to topography, soils or geology will result from the proposed project.

ENVIRONMENTAL ISSUES	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				x

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				x

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions, either directly or indirectly. Under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases will be reduced along with other regulated air pollutants. At this point in time, detailed analyses and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks are not completed.

The proposed project will not affect greenhouse gas emissions beyond what was analyzed in the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

There are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project itself will not generate or use hazardous materials in a manner outside health department requirements, is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans. The subject site has not been under cultivation for many years. No pesticides or hazardous materials are known to exist on the site and the proposed project will have no environmental impacts related to potential hazards or hazardous materials as indentified above. The subject property is not located within an airport land use plan and is not within the vicinity of a private airstrip. Therefore, there will be no impacts related to hazards.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

Fresno has attempted to address these issues through metering and revisions to the City's Urban Water Management Plan (UWMP). The Fresno Metropolitan Water Resource Management Plan, which has been adopted and the accompanying Final EIR (SCH #95022029) certified, is also under revision. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to meet the future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

The adverse groundwater conditions of limited supply and compromised quality have been well-documented by planning, environmental impact report and technical studies over the past 20 years including the Master Environmental Impact Report No. 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117, and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring upgradient from the Fresno Metropolitan Area.

In accordance with the provisions of the 2025 Fresno General Plan and Master EIR No. 10130 mitigation measures, project specific water supply and distribution requirements must assure that an adequate source of water is available to serve the project. The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has

determined that water service will be available to the proposed project subject to payment of applicable connection charges and fees and compliance with The Department of Public Works standards, specifications, and policies.

There are no aspects of this project that will result in impacts to water supply or quality beyond those analyzed in the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan or MND. The project will not substantially alter existing drainage patterns of the site or area or substantially increase the rate or amount of runoff in a manner which would result in flooding, exceed planned storm water drainage systems, or provide substantial sources of polluted runoff. The site is not located within a flood prone or hazard area. The subject property is proposed to be developed at intensity and scale permitted by the planned land use and proposed zoning designation for the site. Thus, the proposed development project will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted planned land use designation; resulting in additional impacts on water supply from increased demand.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated February 14, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The proposed project will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. The proposed project is found; (1) To be consistent with the applicable 2025 Fresno General Plan and Roosevelt Community Plan; (2) To be suitable for the type and density of development designated by the applicable land use plans for the subject property and its

vicinity; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

The subject property is not located in an area designated for mineral resource preservation or recovery.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.

The City of Fresno Noise Element of the 2025 Fresno General Plan establishes a land use compatibility criterion of 60dB DNL for exterior noise levels in outdoor activity areas of new residential developments. Outdoor activity areas generally include backyards of single family residences. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

According to Appendix 4 – Noise Analysis of the MEIR, the subject property is located within the 60 dBA CNEL noise contour respective to East Church Avenue. Mitigation Measure K-2 of the MEIR provides the threshold requiring noise studies/acoustical analyses in order to identify potential noise impacts and analyze mitigations as a circumstance in which noise sensitive receptors are located where noise levels will exceed 60 dBA CNEL. Therefore, no further analysis or mitigation is required. It may be noted however that a six-foot high solid masonry wall will be required to be constructed along all lots with frontage on East Church Avenue in accordance with the requirements of the Fresno Municipal Code.

The proposed project is not located within an airport land use plan or within the vicinity of a private airstrip.

Construction activities associated with the proposed project could expose persons or structures to excessive noise levels. However, this would only be during any construction phase of the proposed project, is temporary and thus, this is a less than significant impact.

The mitigation measures of the MEIR and codified regulations of the Fresno Municipal Code

respective to construction related activity will require incorporation of noise reduction measures into any necessary construction activity.

The proposed project will not expose persons to excessive noise levels. Although the project will create additional activity in the area, the project will be required to comply with all noise policies from the 2025 Fresno General Plan and noise codes from the Fresno Municipal Code.

Mitigation Measures

1. The proposed project shall implement and incorporate, as appropriate, the noise related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated February 14, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The subject property and abutting properties are designated for Medium Density Residential (4.99-10.37 dwelling units/acre), Medium-High Density Residential (10.38-18-.15 du/acre) and Public Facility planned land uses. Although the project will be intensifying the existing vacant use of the subject property development and use of the subject property may occur at an intensity and scale that is permitted by the planned land use designation and proposed zone district classification. Thus, the development of the subject property with single family residential uses, as permitted within the existing R-1 zone district, at a density consistent with the Medium Density Residential planned land use designation will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted planned land use designation.

Properties within the immediate vicinity of the subject property are planned for, and have been predominantly developed, with Medium Density Residential uses and have been developed at

an intensity and scale designated by the 2025 Fresno General Plan and Roosevelt Community Plan. Therefore the proposed project will not either directly or indirectly induce substantial population growth in the area. The subject property remains a vacant infill parcel of land. Therefore, the proposed project does not have the potential to displace existing housing or residents as a result of new development thereon.

No population and housing impacts will result from the proposed project beyond what was analyzed in the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Drainage and flood control?				X
Parks?				X
Schools?				X
Other public services?				X

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project. City police and fire protection services are also available to serve the proposed project.

The Fresno Metropolitan Flood Control District has indicated that there are adequate facilities to serve the proposed project subject to compliance with the conditions submitted by the District for the proposed project, which include construction of new Master Plan and Non-Master Plan inlets and pipelines within the proposed subdivision; replacing existing temporary inlets and conveying surface runoff to existing Master Plan Facilities.

These departments and agencies have all submitted conditions that will be required as

Conditions of Approval for the subject conditional use permit application and tentative map. These conditions of approval will ensure that the proposed project will have a less than significant impact to urban services. All conditions of approval must be complied with prior to occupancy.

The demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are pulled.

Any future development occurring as a result of the proposed project may have an effect on the District's student housing capacity. The District, through local funding, is in a position to mitigate its shortage of classrooms to accommodate planned population growth for the foreseeable future. However, the District recognizes that the legislature, as a matter of law, has deemed under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50 Level 1, 2 and 3 developer fee legislative provisions. The developer will pay appropriate school impact fees at time of building permits.

Therefore, the proposed project will not affect public services beyond what was analyzed in the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The proposed project will not result in the physical deterioration of existing parks or recreational facilities; and, will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				X
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The subject property is located on the north side of the East Church Avenue between South Chestnut and South Willow Avenues. The adjacent segment of East Church Avenue is planned as a 4-lane undivided collector street and to operate at a Level of Service "C" by the 2025 Fresno General Plan with ultimate mitigation.

The Public Works Department/Traffic Engineering Division staff has reviewed the proposed traffic yield from the proposed single family residential development project and the expected traffic generation will not adversely impact the existing and projected circulation system as analyzed in MEIR No. 10130.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the proposed project is projected to generate 84 vehicle trips during the morning peak hour travel period (7 to 9 a.m.) and 112 vehicle trips during the evening peak hour travel period (4 to 6 p.m.).

As required by the mitigation measures established by the certification of MEIR No. 10130, a Traffic Impact Study (TIS) was prepared by Peters Engineering Group to evaluate the number of vehicle trips projected to be generated by the proposed project. Utilizing the Institute of Traffic Engineers (ITE) Trip Generation Manual and associated computer software together with the COG's computerized traffic model, this analysis predicts the number of vehicle trips that will be generated from the proposed project and surrounding planned land uses, and the direction in which these trips will travel.

The TIS analyzed the intersections at Chestnut and Church Avenues and Willow and Church Avenues and analyzed 112 single family residential units. Because much of the immediately surrounding area has developed incrementally, the planned major street and intersection improvements have not yet been completed as required by adopted plans, policies and development standards. However, study intersections were determined to be operating at acceptable levels. Furthermore, the proposed project, as well as other urban land uses developed as planned by the 2025 Fresno General Plan, will be required to construct public improvements contributing to the completion of the planned major street system consistent with the public facility and service delivery standard requirements of the City of Fresno.

Therefore, 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 by the proposed development subject to the requirements of the Department of Public Works, Traffic and Engineering Services, which will be included as conditions of approval for the proposed project pursuant to adopted standards, policies and codified regulations.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system; no substantial increase in transportation or traffic is expected to result.

Mitigation Measures

1. The proposed project shall implement and incorporate, as appropriate, the traffic related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated February 14, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The Department of Public Utilities has determined that adequate water services will be available to serve the proposed project subject to the construction of a water supply well(s) on a site(s) dedicated to the City of Fresno. Wells will be required to be capable of producing a total of 500 gallons per minute. Well sites will be required to be of a size and at locations acceptable to the Water Systems Manager. Water well construction will also be required to include wellhead treatment facilities, if necessary. These requirements will be incorporated as conditions of approval for the proposed project.

Sanitary sewer and water service delivery is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City-wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage.

The project site will be serviced by the Solid Waste Division and will have water and sewer facilities available subject to the conditions stipulated for the proposed project.

The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

The proposed project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

The proposed project does not have the potential to degrade the quality of the environment or

reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the project has no potential to eliminate important examples of major periods in history.

Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings.

FINDING OF CONFORMITY TO THE 2025 FRESNO GENERAL PLAN MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097 & ENVIRONMENTAL ASSESSMENT NO. A-09-02

Project/EA No. C-14-010/T-6073

Date: February 14, 2014

Mitigation Monitoring Checklist

Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above-noted project's environmental assessment, required by City Council Resolution No. 2002-378 and Exhibit E thereof (adopted on November 19, 2002) to certify the MEIR for the 2025 Fresno General Plan Update. On June 25, 2009, through its Resolution No. 2009-146, the City Council adopted Environmental Assessment No. A-09-02 confirming the finding of a Mitigated Negative Declaration prepared for General Plan Amendment Application No. A-09-02 which updated the Air Quality Section of the Resource Conservation Element of the 2025 Fresno General Plan and incorporated additional and revised mitigation measures as necessary within the following monitoring checklist.

A - Incorporated into Project
B - Mitigated
C - Mitigation in Progress
D - Responsible Agency Contacted
E - Part of City-wide Program
F - Not Applicable

NOTE: Letters B-Q in mitigation measures refer to the respective sections of Chapter V of MEIR No. 10130

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
B-1. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an Average Daily Traffic (ADT) level of service (LOS) D or better in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/transportation improvements that will contribute to achieving and maintaining LOS D.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Development and Resource Management Dept.				X		X
B-2. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS E in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining LOS E.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Development and Resource Management Dept.				X		X

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
B-3. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS F shall not cause further substantial degradation of conditions on those segments before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining a LOS equivalent to that anticipated by the General Plan. Further substantial degradation is defined as an increase in the peak hour vehicle/capacity (v/c) ratio of 0.15 or greater for roadway segments whose v/c ratio is estimated to be 1.00 or higher in 2025 by the General Plan MEIR traffic analysis.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Development and Resource Management Dept.				X		X
B-4. For development projects that are consistent with plans and policies, a site access evaluation shall be required to the satisfaction of the Public Works Director. This evaluation shall, at a minimum, focus on the following factors: a. Disruption of vehicular traffic flow along adjacent major streets, appropriate design measures for on-site vehicular circulation and access to major streets (number, location and design of driveway approaches), and linkages to bicycle/pedestrian circulation systems and transit services. b. In addition, for development projects that the City determines may generate a projected 100 or more peak hour vehicle trips (either in the morning or evening), the evaluation shall determine the project's contribution to increased peak hour vehicle delay at major street intersections adjacent or proximate to the project site. The evaluation shall identify project responsibilities for intersection improvements to reduce vehicle delay consistent with the LOS anticipated by the 2025 Fresno General Plan. For projects which affect State Highways, the Public Works Director may direct the site access evaluation to reference the criteria presented in Caltrans Guide for the Preparation of Traffic Impact Studies.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Development and Resource Management Dept.	X			X		

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E - Part of City-Wide Program
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MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
B-5. Circulation and site design measures shall be considered for development projects so that local trips may be completed as much as possible without use of, or with reduced use of, major streets and major street intersections. Appropriate consideration must also be given to compliance with plan policies and mitigation measures intended to promote compatibility between land uses with different traffic generation characteristics.	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Development and Resource Management Dept.	X			X		
B-6. New development projects and major street construction projects shall be designed with consideration and implementation of appropriate features (considering safety, convenience and cost-effectiveness) to encourage walking, bicycling, and public transportation as alternative modes to the automobile.	Prior to approval or prior to funding of major street project.	Public Works Dept./Traffic Planning; Development and Resource Management Dept.	X			X		
B-7. Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of transportation including, but not limited to, provision of bicycle, pedestrian and public transportation facilities and improvements to connect residential areas with public facilities, shopping and employment. Adequate rights-of-way for bikeways, preferably as bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.	Ongoing	Public Works Dept./Traffic Planning; Development and Resource Management Dept.	X			X	X	

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Project/EA No. C-14-010/T-6073 **Date: February 14, 2014**

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
C-1. In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs. a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals. b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements. c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations. d. Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving proposed development projects. e. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.	Ongoing	Development and Resource Management Dept.	X			X	X	
C-2. For development projects potentially meeting SJVAPCD thresholds of significance and/or thresholds of applicability for the Indirect Source Review Rule (Rule 9510) in their unmitigated condition, project applicants shall complete the SJVAPCD Indirect Source Review Application prior to approval of the development project. Mitigation measures incorporated into the ISR analysis shall be incorporated into the project as conditions of approval and/or mitigation measures, as may be appropriate.	Ongoing	Development and Resource Management Dept. and SJVAPCD	X			X	X	

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B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
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F - Not Applicable to Project

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
C-3. The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.	Ongoing	Various city departments				X	X	
C-4. The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as: a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions. b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit. c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible. d. Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use.	Ongoing	Fresno Area Express				X	X	
D-1. The City shall monitor impacts of land use changes and development project proposals on water supply facilities and the groundwater aquifer.	Ongoing	Dept of Public Utilities and Development and Resource Management Dept.			X	X		

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable to Project

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, intentional recharge facilities, potable and recycled water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing (City-wide); and prior to approval of land use entitlement as applicable	Department of Public Utilities and Development and Resource Management Dept.	X		X	X	X	
D-3. The City shall implement the future water supply plan described in the City of Fresno Metropolitan Water Resources Management Plan Update and shall continue to update this Plan as necessary to ensure the cost-effective use of water resources and continued availability of good-quality groundwater and surface water supplies.	Ongoing	Department of Public Utilities			X	X	X	
D-4. The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban stormwater pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards.	Ongoing	Development and Resource Management Dept.	X			X		
D-5. The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods. The City shall expand this protected area in the Riverbottom pursuant to expanded floodplain and/or floodway maps, regulations, and policies adopted by the Central Valley Flood	Ongoing	Development and Resource Management Dept.						X

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable to Project

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Protection Board and the National Flood Insurance Protection Program.								
D-6. The City shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect: a. Allowable_construction in this area from being damaged by the intensity of flooding in the riverbottom; b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and c. Public health, safety and general welfare from the effects of flood events.	Ongoing	Development and Resource Management Dept						X
D-7. The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).	Ongoing	Development and Resource Management Dept						X
D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management and use of all sources of water available to the planning area, and shall periodically update this plan to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development. Project-specific and city-wide water conservation measures shall be directed toward assisting in reaching the goal of balancing City groundwater operations by 2025.	Ongoing	Department of Public Utilities			X		X	

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B - Mitigated
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D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable to Project

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-9. The City shall continue its current water conservation programs and implement additional water conservation measures to reduce overall per capita water use within the City with a goal of reducing the overall per capita water use in the City to its adopted target consumption rate. The target per capita consumption rate adopted in 2008 is a citywide average of 243 gallons per person per day, intended to be reached by 2020 (which includes anticipated water conservation resulting from the on-going residential water metering program and additional water conservation by all customers: 5% by 2010, and an additional 5% by 2020.)	Ongoing	Department of Public Utilities			X		X	
D-10. All development projects shall be required to comply with City Department of Public Utilities conditions intended for the City to reach its overall per capita water consumption rate target. Project conditions shall include, but are not limited to, water use efficiency for landscaping, 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.	Prior to approval of land use entitlement	Department of Public Utilities	X			X	X	
D-11. When and if the City adopts a formal management plan for recycled and/or reclaimed water, all development shall comply with its standards and requirements. Absent a formal management plan for recycled and/or reclaimed water, new development projects shall install reasonably necessary infrastructure, facilities and equipment to utilize reclaimed and recycled water for landscape irrigation, decorative fountains and ponds, and other water-consuming features, provided that use of reclaimed or recycled water is determined by the Department of Public Utilities to be feasible, sanitary, and energy-efficient.	Prior to approval of development project	Department of Public Utilities						X

A - Incorporated into Project
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-12. All applicants for development projects shall provide data (meeting City Department of Public Utilities criteria for such data) on the anticipated annual water demand and daily peak water demand for proposed projects. If a development project would increase water demand at a project location (or for a type of development) beyond the levels allocated in the version of the City's Urban Water Management Plan (UWMP) in effect at the time the project's environmental assessment is conducted, the additional water demand will be required to be offset or mitigated in a manner acceptable to the City Department of Public Utilities. Allocated water demand rates are set forth in Table 6-4 of the 2008 UWMP as follows:	Prior to approval of development project	Department of Public Utilities	X			X		

FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.)	PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:		
	01/01/2005 THROUGH 12/31/2010	01/01/2010 THROUGH 12/31/2024	AFTER 01/01/2025
Single family residential	3.8	3.5	3.5
Multi-family residential	6.5	6.2	6.2
Commercial and institutional	2	1.9	1.9
Industrial	2	1.9	1.9
Landscaped open space	3	2.9	2.9
South East Growth Area	3.4	3.2	3.2

NOTE: The above land use classifications and demand allocation factors may be amended in future updates of the Urban Water Management Plan

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
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MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-13. The City will conform to the requirements of Waste Discharge Requirements Order 5-01-254, including groundwater monitoring and subsequent Best Practical Treatment and Control (BPTC) assessment and findings.	Ongoing	Department of Public Utilities			X	X		
E-1. The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.	Ongoing	Development and Resource Management Dept.	X				X	
E-2. To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.	Ongoing	Development and Resource Management Dept.			X	X		
E-3. The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.	Ongoing	Development and Resource Management Dept.	X					

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Project/EA No. C-14-010/T-6073 **Date: February 14, 2014**

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
E-4. Development of agricultural land, or fallow land adjacent to land designated for agricultural uses, shall incorporate measures to reduce the potential for conflicts with the agricultural use. Implementation of the following measures shall be considered: a. Including a buffer zone of sufficient width between proposed residences and the agricultural use. b. Restricting the intensity of residential uses adjacent to agricultural lands. c. Informing residents about possible exposure to agricultural chemicals. d. Where feasible and permitted by law, exploring opportunities for agricultural operators to cease aerial spraying of chemicals and use of heavy equipment near proposed residences. e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.	Ongoing	Development and Resource Management Dept						X
F-1. The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.	Ongoing	Dept. of Public Utilities and Development and Resource Management Dept.			X	X	X	
F-2. The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.	Ongoing	Dept. of Public Utilities			X		X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
F-2-a. The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.	Ongoing	Dept. of Public Utilities					X	
F-3. The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. This shall include provision of tertiary treatment facilities to produce recycled water for landscape irrigation and other non-potable uses. Site specific environmental evaluation and development of Waste Discharge Requirements by the Regional Water Quality Control Board shall precede the construction of these facilities. Mitigation measures identified in these evaluations shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Dept. of Public Utilities				X	X	
F-4. The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities are not exceeded.	Ongoing/prior to approval of land use entitlement	Dept. of Public Utilities and Development and Resource Management Dept	X			X		
F-5. The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified	Ongoing/prior to construction	Dept. of Public Utilities	X			X		

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
environmental impacts.								
G-1. Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Fire Dept/Police Dept/ Development and Resource Management Dept.						X
H-1. Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.	Ongoing/prior to construction	Parks and Recreation Dept.; Development and Resource Management Dept.						X
I-1. Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species (or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.	Ongoing/prior to approval of land use entitlement	Development and Resource Management Dept.						X

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MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
I-2. Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall including siting structures at least 100 feet from the outermost edge of the wetland. If complete avoidance is not possible, the disturbance to the wetland shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. New vegetation shall consist of native species similar to those removed.	Ongoing/prior to approval of land use entitlement	Development and Resource Management Dept.						X
I-3. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net less of habitat acreage or value. Typically, the U.S. Fish and Wildlife Service and California Department of Fish and Game require a ratio of three replacement acres for every one acre of high quality riparian or wetland habitat lost.	Ongoing/prior to approval of land use entitlement and during construction	Development and Resource Management Dept.						X
I-4. Existing and mature riparian vegetation shall be preserved to the extent feasible, except when trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment shall occur outside of the drip lines of any trees to be preserved.	Ongoing/prior to approval of land use entitlement and during construction	Development and Resource Management Dept.						X
I-5. Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).	Ongoing/prior to approval of land use entitlement and during	Development and Resource Management Dept.						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
	construction							
I-6. All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.	Ongoing/prior to approval of land use entitlement and during construction	Development and Resource Management Dept.						X
J-1. If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures: Amending construction plans to avoid the resources. Setting aside sites containing these resources by deeding them into permanent conservation easements. Capping or covering these resources with a protective layer of soil before building on the sites. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.	Ongoing/prior to approval of land use entitlement	Development and Resource Management Dept.	X					

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Project/EA No. C-14-010/T-6073 **Date: February 14, 2014**

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
J-2. An archaeological assessment shall be conducted for the project if prehistoric human relics are found that were not previously assessed during the environmental assessment for the project. The site shall be formally recorded, and archaeologist recommendations shall be made to the City on further site investigation or site avoidance/ preservation measures.	Ongoing/prior to submittal of land use entitlement application	Development and Resource Management Dept.	X					
J-3. If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.	Ongoing	Development and Resource Management Dept./ Historic Preservation Commission staff	X					
J-4. Where maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.	Ongoing	Development and Resource Management Dept./ Historic Preservation Staff						X
K-1. The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.	Ongoing	Development and Resource Management Dept.	X				X	

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MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
K-2. Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 Fresno General Plan.) The following measures can be used to mitigate noise impacts; however, impacts may not be fully mitigated within the 70 dBA noise contour areas depicted on Figure VK-4. ▪ Site Planning. See Chapter V for more details. ▪ Barriers. See Chapter V for more details. ▪ Building Designs. See Chapter V for more details.	Ongoing/upon submittal of land use entitlement application	Development and Resource Management Dept.				X		X
K-3. The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.	Ongoing/prior to building permit issuance	Development and Resource Management Dept.					X	
L-1. Any construction that occurs as a result of a project shall conform to current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.	Ongoing	Development and Resource Management Dept.	X				X	

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MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
N-1. The City shall cooperate with appropriate energy providers to ensure the provision of adequate energy generated and distribution facilities, including environmental review as required.	Ongoing	Development and Resource Management Dept.				X	X	
Q-1. The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.	Ongoing	Development and Resource Management Dept.					X	X

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MASTER ENVIRONMENTAL IMPACT REPORT (MEIR)
REVIEW SUMMARY

Projected Population and Housing. The City of Fresno experienced a period of notable growth in the construction of single family residences over the first five-year period of the 2025 Fresno General Plan (2003 through 2007). However, this development has occurred within the parameters anticipated by the General Plan and the mitigation measures established by Master Environmental Impact Report (MEIR 10130/SCH 2001071097). The General Plan and its MEIR utilized a projected population growth rate for purposes of land use and resource planning. This projection anticipated an annual average population growth of approximately 1.9 percent over the 23-year planning period. Population estimates provided by the State of California Department of Finance (DOF) indicate a population growth of approximately 60, 000 people between 2002 and 2007 with a growth rate varying from 1.47 to 1.97 percent per year. These estimates are well within the growth projections of the General Plan and MEIR.

The City has processed 136 plan amendment applications since the adoption of the 2025 Fresno General Plan. These applications have resulted in changes of planned land use that affected approximately 1,586 acres, representing approximately one percent of the land area within the 2025 Fresno General Plan boundary. The impacts of these amendments are minimal and not significant in relation to the balance of the density and intensity of the land uses impacted by the plan amendment applications.

Based upon this, many of the assumptions relied upon for the MEIR to address other impacts, such as traffic, air quality, need for public utilities, services and facilities and water supplies are still valid to the extent that these assumptions relied upon projected population growth during the General Plan planning period. For this reason and the others provided below, the Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known pursuant to CEQA Guideline Section 15179(b)(1) and the MEIR may still be relied upon.

Transportation and Circulation. Subsequent to the certification of the MEIR the City of Fresno has required the preparation of approximately 200 site specific traffic impact studies and had required the provision of street, intersection signalization and transportation improvements in accordance with the adopted mitigation measures of the MEIR. The City's Traffic Engineer reports that through review of these approximately 200 traffic impact studies, the City has not seen traffic counts substantially different than those predicted by the MEIR. Concurrently with these efforts, the City adopted a new program for traffic signal and major street impact fees to pay for planned improvements throughout Fresno (not just in new growth areas, as has been the case with the previous impact fee program). These fees will more comprehensively provide for meeting transportation infrastructure needs and will expedite reimbursement for developments, which construct improvements that exceed the project's proportionate share of the corresponding traffic or transportation capacity needs.

In addition to the local street system, the City has entered into an agreement with the California Department of Transportation to collect impact fees for state highway facilities which may be impacted by new development projects. The City participates in the Fresno County Transportation Authority, which recently was successful in obtaining voter re-authorization of a

half-cent sales tax to be dedicated to a wide range of transportation facilities and programs (including mass transit). The City is also an active participant in ongoing regional transportation planning efforts, such as a freeway deficiency study, a corridor study for one or more additional San Joaquin River crossings, and the State's "Blueprint for the Valley" process. All these studies were commenced after the MEIR was certified, but none of them is yet completed. Therefore, it cannot be concluded that Fresno's environmental setting or the MEIR analysis of traffic and circulation have materially changed since November of 2002.

Therefore, Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon traffic impacts pursuant to CEQA Guideline Section 15179(b)(1).

Air Quality and Global Climate Change Staff has worked closely with the regional San Joaquin Valley Air Pollution Control District (SJVAPCD) since the November 2002 certification of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR). Potential air quality impacts have been analyzed for every environmental assessment initial study done for City development projects. Projects are required to comply with SJVAPCD rules and regulations via conditions of approval and mitigation measures formulated in the MEIR.

Overall, revisitation of these issues leads to the conclusion that, while there have been changes in air quality laws, planning requirements, and rules and regulations since certification of the MEIR, the actual environmental setting has not evidenced degradation of air quality. (Because air quality and global climate change are matters of some public controversy, additional documentation has been supplied on this issue; please refer to the appended full analysis with supporting data.)

In conjunction with SJVAPCD attainment plans and attendant rules and regulations that were adopted prior to the certification of the MEIR, policies in the 2025 Fresno General Plan and MEIR mitigation measures aimed at improving air quality appear to be working. Since 2002, data show that pollutant levels have been steadily decreasing for ozone/oxidants and for particulate matter (10 microns and 2 microns in size). Recent adoption of new air quality attainment plans by SJVAPCD, calling for broader and more stringent rules and regulations to achieve compliance with national and state standards, is expected to accelerate progress toward attainment of clean air act standards.

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Conditional Use Permit Application No. C-14-010, Tentative Tract Map No. 6073/UGM, or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

Staff is not aware of any particular circumstance or information that would make impacts to air quality a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Therefore, Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon air quality impacts pursuant to CEQA Guideline Section 15179(b)(1).

Water Supply, Quality and Hydrology. The City of Fresno has initiated, continued and completed numerous projects addressing general plan and MEIR provisions relating maintaining an adequate supply of safe drinking water to serve present and future projected needs. A water meter retrofit program to meter service to all consumers by the end of the year 2012 is underway, in compliance with State law that predated the MEIR and with new regulations affecting the U.S. Bureau of Reclamation Central Valley Project. (While the federal regulation has trumped a voter-approved City charter amendment that specifically prohibited using meters for residential development, the City's plans and policies have always contained measures calling for water conservation and for seeking ways to reduce average consumption of households. Metering is recognized as the best implementation measure for this, and does not constitute a change in the City's environmental setting or the analysis and mitigation in the 2025 Fresno General Plan MEIR.) After certification of the MEIR, the City commenced operation of its northeast area surface water treatment facility; initiated and began construction of additional groundwater wells with granular activated carbon filtration systems as necessary to remediate groundwater contamination that was discussed in the MEIR and its mitigation measures; provided for additional groundwater recharge areas; and expanded its network of water transmission main pipeline improvements allowing for improved distribution of water supply.

As called for in 2025 General Plan policies and MEIR mitigation measures, the City has implemented several programs for preventing water pollution: In conjunction with Fresno Metropolitan Flood Control District and the Regional Water Quality Control Board (RWQCB) City inspectors assist in enforcing the National Pollutant Discharge Elimination System Stormwater Pollution Prevention regulations, The Planning and Development Department also consults with RWQCB on specific development projects which may require on-site wastewater treatment, and provides project-specific conditions and even supplemental environmental analysis for such projects, with specific mitigation measures. The City's Department of Public Utilities has enhanced its industrial pretreatment permitting program for industrial wastewater generators who discharge to the Fresno-Clovis Wastewater Treatment and Reclamation Facility.

Staff is not aware of any particular circumstance or information that would make impacts to water supply, quality and hydrology a reasonably foreseeable impact or more severe impact from that identified in the MEIR. The Director of Public Utilities finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon traffic impacts pursuant to CEQA Guideline Section 15179(b)(1).

Agricultural Resources. The implementation of applicable policies since adoption of the 2025 Fresno General Plan has encouraged the development of urban uses in a more systematic pattern that avoids discontinuity and the creation of vacant by-passed properties. These efforts, together with the requirement to record "right-to-farm" covenants, facilitate the continuation of existing agricultural uses within the city's planned urban growth boundary during the interim period preceding orderly development of the property as anticipated by the General Plan. Staff is not aware of any particular circumstance or information that would make impacts from loss of

agricultural resources a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of agricultural resources pursuant to CEQA Guideline Section 15179(b)(1).

Demand for Utilities and Service Systems. The City of Fresno has continued to provide for utilities and service systems commensurate with the demands of increased population and employment within its service area, implementing policies of the 2025 Fresno General Plan and conforming to MEIR mitigation measures. Programmatic measures have been continued, expanded or initiated to increase the efficiencies of providing services in a manner that will reduce potential impacts upon the natural and human environment. These improvements have included bringing the City's first surface water treatment plant on-line to distribute treated surface water, thereby preventing a worsening of groundwater overdraft in northeast Fresno; converting a substantial portion of the City's service vehicle fleet to alternative fuels; and expanding recycling and conservation measures (including contracting with a major material sorting and recycling facility and a green waste processor to comply with AB 939 solid waste reduction mandates) to more judiciously use resources and minimize adverse impacts the environment. Adoption of City-wide police and fire facility development impact fees and a contract to consolidate fire service with an adjacent fire prevention district have been accomplished to assure the provision of adequate firefighting capacity to serve a broader geographic extend of urban development and more intensive and mixed-use development throughout the metropolitan area.

Because these changes were anticipated in, or provided for by, the 2025 Fresno General Plan and its MEIR mitigation measures, they do not constitute a significant or adverse alteration of Fresno's environmental setting. Staff is not aware of any particular circumstance or information that would make impacts from increased demand for utilities and service systems and public facilities a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to increased demand for utilities, service systems, and public facilities pursuant to CEQA Guideline Section 15179(b)(1).

Demand for Recreational Facilities. The City of Fresno has adopted and City-wide parks facility and Quimby Act fee which provides for the acquisition of new open space and recreation facilities as well as improvements to existing facilities and programs to provide a broader range of recreation opportunities. Staff is not aware of any particular circumstance or information that would make impacts from increased demand for recreational facilities a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to increased demand for utilities, service systems, and public facilities pursuant to CEQA Guideline Section 15179(b)(1).

Biological Resources. The City continues to evaluate all development proposals for potential impacts upon natural habitats and associated species dependent upon these habitats. The City supports continuing efforts to acquire the most prominent habitats where appropriate, such as portions of the San Joaquin River environs. When development or public works projects have been proposed in this area, they have been subject to site-specific evaluation through supplemental environmental analyses, and appropriate mitigation measures and conditions

applied as derived from consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The City has imposed MEIR mitigation measures related to Biological Resources on projects that identified potential impacts to biological resources. Staff finds that this has adequately addressed any potential impact to biological resources. Staff is not aware of any particular circumstance or information that would make impacts from loss of biological resources a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of biological resources pursuant to CEQA Guideline Section 15179(b)(1).

Potential Disturbance of Cultural Resources. The City of Fresno has implemented numerous efforts to identify historic and cultural resources, and provide thorough consideration as to their value and contributions to understanding or historic and cultural heritage.

Additionally, staff follows the MEIR mitigation measures for potential cultural resources. Staff is not aware of any particular circumstance or information that would make impacts to cultural resources a reasonably foreseeable impact that was not identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of cultural resources pursuant to CEQA Guideline Section 15179(b)(1).

Within the last five years, the City has lost two lawsuits (Valley Advocates v. COF and Heritage Fresno v. RDA, City of Fresno) related to historical resources that related to six particular buildings at two different particular sites. The CEQA projects at issue were reviewed under independent CEQA documents, not under the MEIR as subsequent projects (*i.e.*, one under a separate EIR and one under a categorical exemption). These projects are site specific and are not reasonably expected to create additional impacts to cultural resources that would affect a finding under Section 15179. These particular projects may be properly assessed under the MEIR focused EIR procedures or mitigated negative declaration procedures under Section 15178 and not affect the overall MEIR findings.

Generation of Noise. The City of Fresno continues to implement mitigation measures and applicable plan policies to reduce the level of noise to which sensitive noise receptors are exposed. These efforts include identification of high noise exposure areas, limiting the development of new noise sensitive uses within these identified areas and conducting noise exposure studies and requiring implementation of appropriate design measures to reduce noise exposure. Staff finds that these efforts have adequately addressed any potential impacts that may have arisen related to noise and is not aware of any facts or circumstance that would make noise impacts have a more severe impact than that identified in the MEIR. Additionally, staff is not aware of any information or data that was not known at the time that the MEIR was certified that would be able to mitigate noise impacts beyond that identified and contemplated by the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to noise impacts pursuant to CEQA Guideline Section 15179(b)(1).

Geology and Soils. The City of Fresno has a predominantly flat terrain with few geologic or soil quality constraints. The City continues to apply applicable local and state construction codes

and standards and continues to adopt new standards as appropriate to insure the safety of residents and protection of property improvements.
Staff finds that these codes and standards have adequately addressed any potential impacts that may have arisen related to geology and soils and is not aware of any facts or circumstance that would make impacts related to geology and soils a reasonably foreseeable impact not addressed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known regarding impacts related to geology and soils pursuant to CEQA Guideline Section 15179(b)(1).

Hazards and Potential Generation of Hazardous Materials The City continues to implement General Plan policies and assure compliance with MEIR mitigation measures as new development is planned and constructed, and as Code Enforcement activities are conducted, in order to prevent flood damage, structural failures due to soil and geologic instability, and wildfire losses. Development in the vicinity of airports has been reviewed and appropriately conditioned with regard to adopted and updated airport safety and noise policies. In consultation with Fresno County Environmental Health and the California Environmental Protection Agency Department of Toxic Substances Control, industrial and commercial facilities that use, handle, or store potentially hazardous materials are appropriately sited, conditioned, and inspected periodically by the Fresno Fire Department to prevent adverse occurrences. Homeland Security regulations have been taken into consideration when reviewing food production, processing and storage facilities, and the City has conducted and participated in multiple emergency response exercises to develop response plans that would protect life, health, and safety in the event of railroad accidents and other potential hazards.

Staff finds that these procedures, as outlined in the 2025 Fresno General Plan and its MEIR (as well as in related regulations and codes pertaining to hazards and hazardous materials) have adequately addressed potential impacts that may have arisen related to hazards. Staff is not aware of any facts or circumstance that would make impacts related to hazards and hazardous materials reasonably foreseeable impacts not addressed in the MEIR. Staff finds that the circumstances have not materially changed from the time the MEIR was certified and/or new information is not known related to impacts from hazards and hazardous materials pursuant to CEQA Guideline Section 15179(b)(1).

Demand for Energy. The City of Fresno has taken a number of steps to reduce energy consumption, both "in house" to set an example, and in the policy arena. The most notable "in-house" actions are the following:

- Construction of solar panel generator facilities at the Municipal Services Center (MSC) and at Fresno-Yosemite International Airport. The MSC facility, completed_ in 2004, generates 3.05 GWt of energy (equivalent to operation of 286 homes per year) and has resulted in reduction of 966 tons of CO_2 emissions (equivalent to 2,414,877 vehicular miles not driven).

- Replacement of a significant number of vehicles in the municipal fleet with clean air vehicles (please refer to the following table).

CURRENT CITY OF FRESNO "CLEAN AIR" FLEET

50	CNG Transit Buses
4	CNG Trolleys
6	CNG Handi-Ride Buses
59	Retrofitted Diesel Powered Buses with REV (reduced emission vehicle) engines and diesel particulate traps
2	Hybrid (gasoline-electric) Transit Buses
2	Hybrid (diesel-electric) Transit Buses
12	Compressed Natural Gas (CNG) Pickups, Vans and Sedans
7	Flex Fuel Pickups, Vans and Sedans (CNG/Unleaded Fuel)
3	Compressed Natural Gas (CNG) Street Sweepers
52	Hybrid (gasoline-electric) Sedans and Trucks
34	Electric Vehicles
5	Propane Powered Vehicles
103	LNG Powered Refuse Trucks
59	Retrofitted Diesel Powered Refuse Trucks with combination lean NOx catalyst and diesel particulate filters
9	Retrofitted Diesel Powered Street Sweepers with combination lean NOx catalyst and diesel particulate filters
1	Plug-In CNG/Electric Hybrid Refuse Truck
56	Heavy duty diesel trucks and construction equipment equipped with exhaust after-treatment devices
9	Off Road Equipment with exhaust after-treatment devices
473	**Total "Clean Air" Vehicles in the City of Fresno fleet**

In the development standards policy arena, the City is taking numerous steps to increase residential densities and connectivity between residential and commercial land uses, thus facilitating more walking, biking and transit ridership (which has increased 22% in recent months) and saving energy:

- Amended the zoning code to allow development of mixed use projects in all commercial zone districts citywide, and in the C-M and M-1 zone districts within the Central Area.
- Amended the zoning code to allow density bonuses for affordable housing projects. Such bonuses permit density increases of approximately 30%.
- Amended zoning code to eliminate the "drop down" provision, which permitted development at one density range less than that shown on the adopted land use map.
- Amended the zoning code to increase heights in various residential and commercial zone districts and reduce the minimum lot size in the R-1 zone district from 6,000 to 5,000 square feet.
- Initiated the Activity Center Study, which is defining the potential Activity Centers located in Exhibit 6 of the 2025 Fresno General Plan and proposing design classifications and increased density ranges for these centers and corresponding transportation corridors.

Staff is not aware of any facts or circumstance that would make impacts related to energy demands reasonably foreseeable impacts that were not addressed in the MEIR. Staff finds that the circumstances have not materially changed from the time the MEIR was certified and/or new information is not known related to energy demand impacts pursuant to CEQA Guideline Section 15179(b)(1).

Mineral Resources. The City of Fresno has adopted plan policies and City ordinance provisions consistent with requirements of the State of California necessary to preserve access to areas of identified resources and for restoration of land after resource recovery (surface mining) activities. Staff finds that these policies and Fresno Municipal Code provisions have adequately addressed any potential impacts that may have arisen related to mineral resources and is not aware of any facts or circumstance that would make loss of mineral resources a reasonably foreseeable impact not addressed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of mineral resources pursuant to CEQA Guideline Section 15179(b)(1).

School Facilities. The City of Fresno continues to consult with affected school districts and participate in school site planning efforts to assure the identification of appropriate location alternatives for planned school facilities. Staff is not aware of any information from the school districts or otherwise to demonstrate that adequate school facilities are not being accommodated under the current General Plan and/or that the need for school facilities is expected to cause impacts not identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to need for school facilities pursuant to CEQA Guideline Section 15179(b)(1).

Potential Aesthetic Impacts. Design Guidelines were appended to the 2025 Fresno General Plan through the plan adoption process conducted concurrently with MEIR analysis. As noted previously, General Plan policies encourage and promote infill development, and the City of Fresno Planning and Development Department has implemented design guidelines for reviewing infill housing development proposals. The Department has prepared detailed design guidelines for the Tower District Specific Plan area and the Fulton-Lowell Specific Plan area, both of which contain enclaves of unique structures. The City has adopted policies promoting incorporation of public art within private development projects, which will contribute to a more appealing visual environment, benefitting users of the private property as well as the surrounding community. In addition, the City of Fresno and the City of Fresno Redevelopment Agency have funded public improvements which improve the general aesthetic. Staff is not aware of any situation or circumstances where there are reasonably foreseeable aesthetic impacts not identified and assessed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related aesthetic impacts pursuant to CEQA Guideline Section 15179(b)(1).

Appendix: Status of MEIR Analysis With Regard to Air Quality and Climate Change

APPENDIX

STATUS OF MEIR ANALYSIS WITH REGARD TO AIR QUALITY AND CLIMATE CHANGE

EXECUTIVE SUMMARY

Planning staff has worked closely with the regional San Joaquin Valley Air Pollution Control District (SJVAPCD) since the November 2002 certification of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR). Potential air quality impacts have been analyzed for every environmental assessment initial study done for City development projects. Projects are required to comply with SJVAPCD rules and regulations via conditions of approval and mitigation measures formulated in the MEIR.

Overall, revisitation of these issues leads to the conclusion that, while there have been changes in air quality laws, planning requirements, and rules and regulations since certification of the MEIR, the actual environmental setting has not evidenced degradation of air quality. In conjunction with SJVAPCD attainment plans and attendant rules and regulations that were adopted prior to the certification of the MEIR, policies in the 2025 Fresno General Plan and MEIR mitigation measures aimed at improving air quality appear to be working. Since 2002, data show that pollutant levels have been steadily decreasing for ozone/oxidants and for particulate matter (10 microns and 2 microns in size). Recent adoption of new air quality attainment plans by SJVAPCD, calling for broader and more stringent rules and regulations to achieve compliance with national and state standards, is expected to accelerate progress toward attainment of clean air act standards.

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Conditional Use Permit Application No. C-14-010, Tentative Tract Map No. 6073/UGM or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

SUPPORTING DATA AND ANALYSIS

While there have been changes in air quality regulations since the November 2002 certification of the 2025 Fresno General Plan MEIR, the actual environmental setting has not evidenced degradation of air quality.

The adverse air quality impacts associated with the myriad of human activities potentiated by the long range general plan for the Fresno metropolitan area can be expected to remain significant and unavoidable, and cannot be completely mitigated through the General Plan or through project-level mitigation measures. In order to provide a suitable living environment within the metropolitan area, the General Plan and its MEIR included numerous air pollution reduction measures.

The 2025 Fresno General Plan and its MEIR gave emphasis to pursuing cleaner air as an over-arching goal. The urban form element of the General Plan was designed to foster efficient transportation and to support mass transit and subdivision design standards are being implemented to support pedestrian travel. Strong policy direction in the Public Facilities and Resource Conservation elements require that air pollution improvement be a primary consideration for all land development proposals, that development and public facility projects conform to the 2025 Fresno General Plan and its EIR mitigation measures, and that the City work conjunctively with other agencies toward the goal of improving air quality.

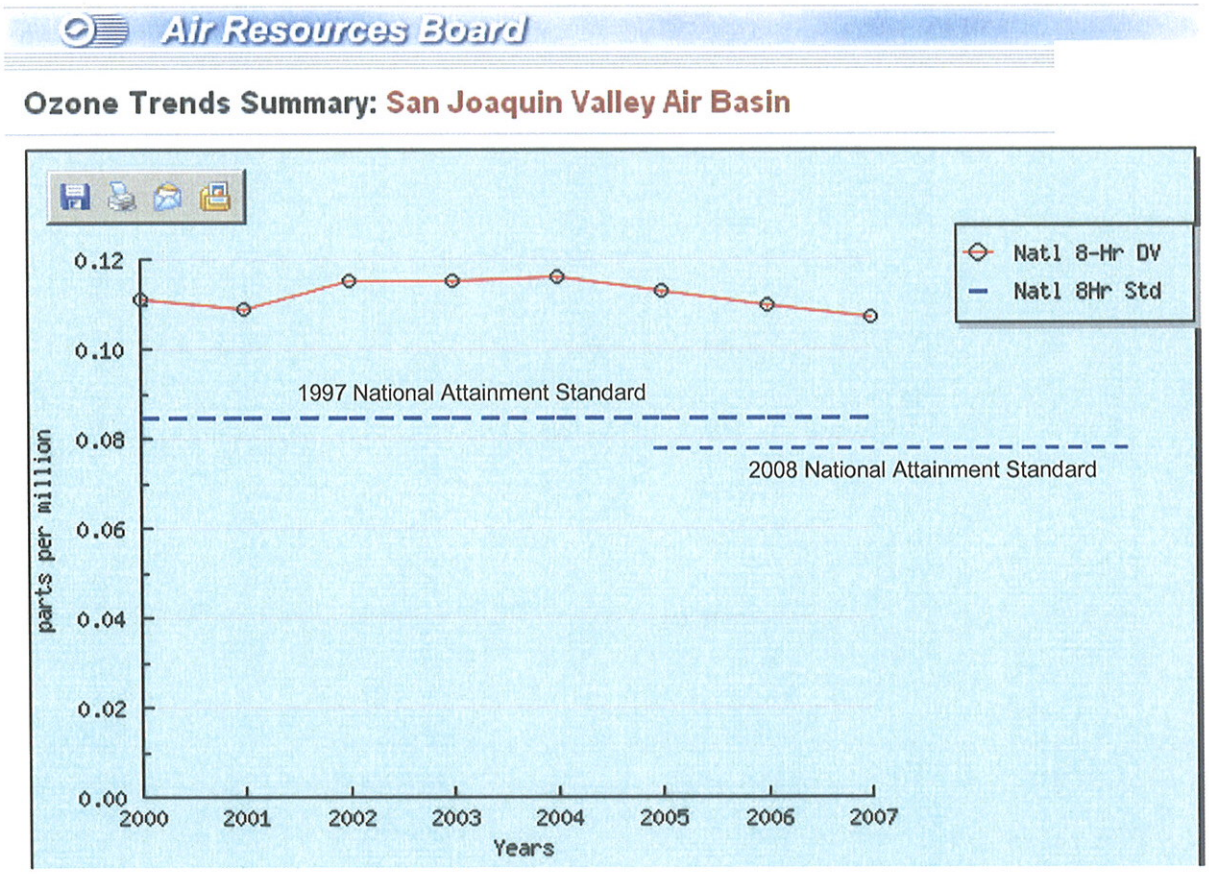
The MEIR mitigation checklist sketched out a series of actions for the City to pursue with regard to its own operations, and City departments are pursuing these objectives. The Fresno Area Express (FAX) bus fleet and the Department of Public Utilities solid waste collection truck fleet are being converted to cleaner fuels. Lighter-duty vehicle fleets are also incorporating alternative fuels and "hybrid" vehicles. Mass transit system improvements are supporting increased ridership. Construction of sidewalks, paseos, bicycle lanes and bike paths is being required for new development projects, and are being incorporated into already-built segments of City rights-of-way with financing from grants, gas tax, and other road construction revenues. Traffic signal synchronization is being implemented. The Planning and Development Department amended the Fresno Municipal Code to ban all types of residential woodburning appliances, thereby removing the most prominent source of particulate matter pollution from new construction.

Pursuant to a specific MEIR mitigation measure, all proposed development projects are evaluated with the "Urbemis" air quality impact model that evaluates potential generation of a range of air pollutants and pollutant precursors from project construction, project-related traffic, and from various area-wide non-point air pollution sources (*e.g.*, combustion appliances, yard maintenance activities, etc.). The results of this "Urbemis" model evaluation are used to determine the significance of development projects' air quality impacts as well as the basis for any project-specific air quality mitigation measures.

There are no new (*i.e.*, unforeseen in the MEIR) reasonable mitigation measures which have become available since late 2002 that would assure the reduction of cumulative (city-wide) air quality impacts to a less than significant level at project buildout, even with full compliance with attainment plans and rules promulgated by the California Air Resources Board and the San Joaquin Valley Air Pollution Control District.

Through implementation of regional air quality attainment plans by the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD), as supported by implementation of 2025 Fresno General Plan policies and MEIR mitigation measures, air pollution indices have shown improvement. Progress is being made toward attainment of federal and state ambient air quality standards.

Ozone/oxidant levels have shown gradual improvement, as depicted in the following graphs and charts from the California Air Resources Board (graphics with an aqua background) and from the San Joaquin Valley Air Pollution Control District (those with no background color):



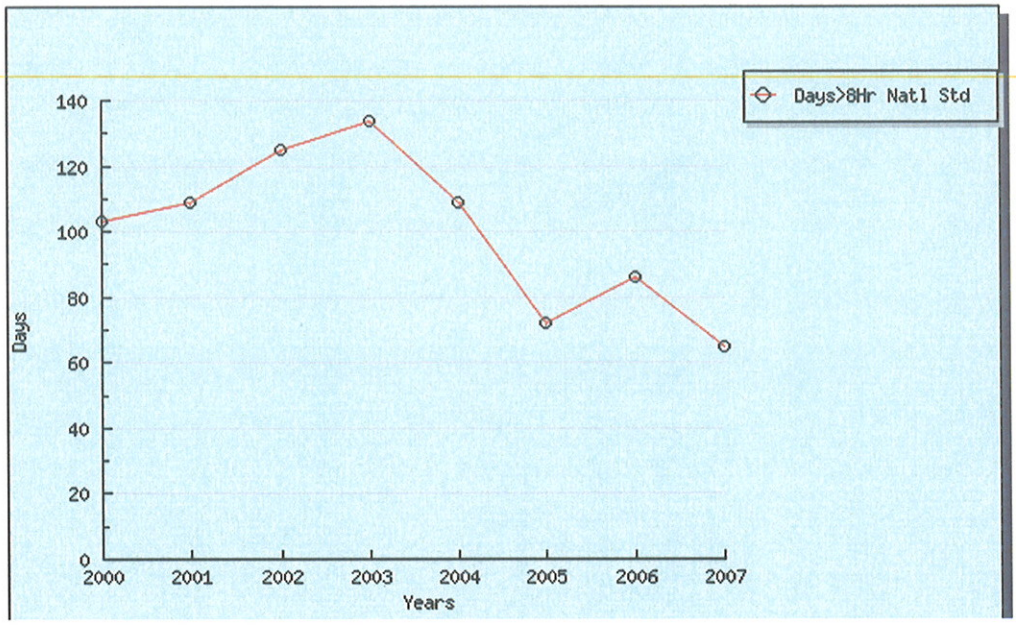
GRAPH NOTES: The "National 1997 8-Hour Ozone Design Value" is a three-year running average of the fourth-highest 8-hour ozone measurement averages in each of the three years (computed according to the method specified in Title 40, Code of Federal Regulations, Part 50, Appendix I).

Under the 1997 standard, in effect through the end of 2007, "Attainment" would be achieved if the three-year average were less than, or equal to, 84 parts per billion (ppb), or 0.084 parts per million (ppm). In 2008, a new National 8-Hour Ozone Attainment standard went into effect: a three year average of 75 ppb (0.075 ppm). Data and attainment status for 2008 is expected to become available in 2009.

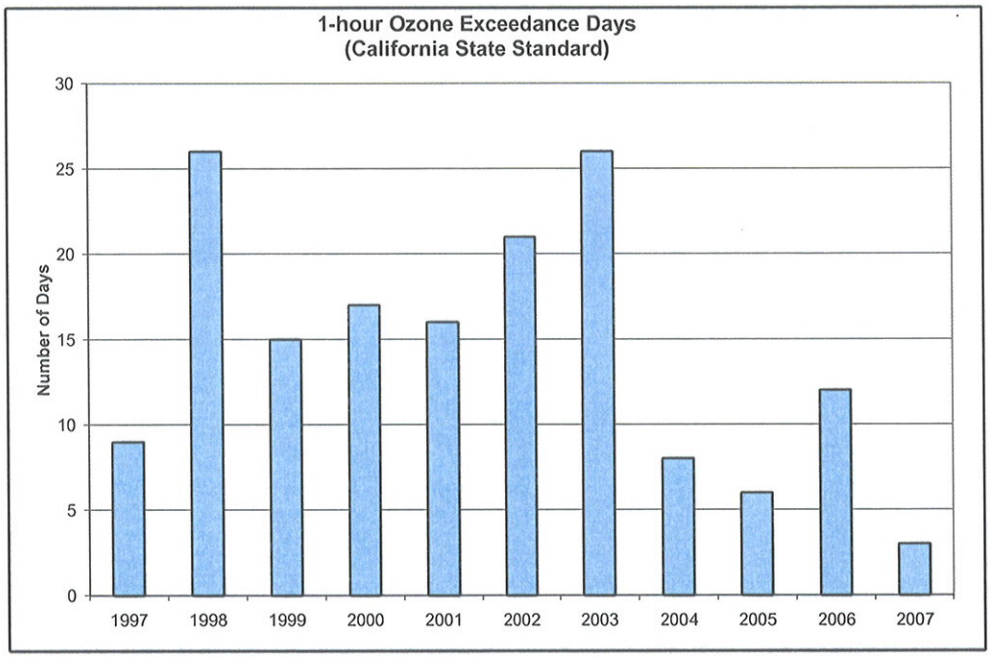
The California Clean Air Act has a different calculation method for its 8-hr oxidant [ozone] standard design value, and an attainment standard that is lower (0.070 ppm). The ozone improvement trend under the state Clean Air Act 8-hour ozone standard parallels the trend for the national 8-hour standard.

Correspondingly, the number of days per year in which the National 8-hour Ozone Standard has been exceeded have also decreased since the end of 2002:

Ozone Trends Summary: San Joaquin Valley Air Basin



In 1997, the Federal Clean Air Act repealed the former National 1-hour Ozone standard. However, the California Clean Air Act retains this air pollution parameter. The days per year in which the State of California 1-hour ozone standard has been exceeded have also shown a generally decreasing trend in the time since the 2025 Fresno General Plan MEIR was certified:

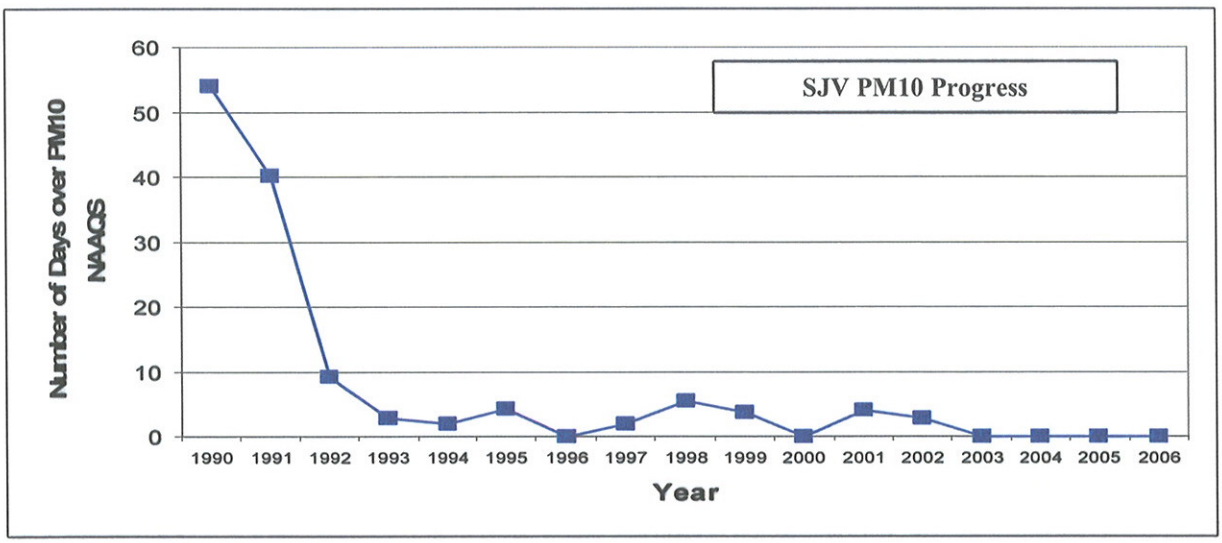


The current ozone attainment plan for the San Joaquin Valley Air Basin, in place when the MEIR for the 2025 Fresno General Plan was certified, is linked to a federal designation of "Serious Nonattainment." While ozone/oxidant air quality conditions are showing a trend toward improvement, the rate of progress toward full attainment is not sufficient to reach the national ambient air quality standards by the target date established by the attainment plan. Mobile sources (vehicle engines) are the primary source for ozone precursors, and the regulation of mobile sources occurs at the national and state levels and is beyond the direct regulatory reach of the regional air pollution control agency. As noted in the 2025 Fresno General Plan MEIR and reflected in the Statement of Overriding Considerations made when the MEIR was certified, potentially significant and unavoidable adverse air quality impacts are inherent in population growth and construction in the City of Fresno, given the Valley's climatology and the limitations on regulatory control of air pollutant precursors.

In 2004, the San Joaquin Valley Air Pollution Control District, in conjunction with the California Air Resources Board, approved a re-designation for the San Joaquin Valley Air Basin to "Extreme Nonattainment" status for ozone, approving a successor air quality attainment plan that projects San Joaquin Valley attainment of the national 8-hour ozone standard by year 2023. This designation and its accompanying attainment plan were submitted to the U.S. Environmental Protection Agency (USEPA) in November of 2004. To date, no formal action has been taken by USEPA to date on the proposed designation or the attainment plan; the Valley remains in "Severe Non- attainment" as of this writing.

The change from "Severe" to "Extreme" ozone Nonattainment would represent an extension of the deadline for attainment, but since the regional air basin would not have achieved attainment by the original deadline, this does not materially affect environmental conditions for the City of Fresno as they were analyzed in the MEIR for the 2025 Fresno General Plan. The proposed revised ozone attainment plan includes not only all the measures in the preceding ozone attainment plan, but additional measures for regulating a wider range of activities to attain ambient air quality standards.

The Valley's progress toward attaining national and state standards for PM-10 (particulate matter less than 10 microns in diameter) has been greater since certification of the MEIR:



As the preceding chart reveals, levels of PM-10 air pollution have decreased since 2002. When the MEIR was certified, the San Joaquin Valley Air Basin was designated in "Serious Nonattainment" for national standards. As of 2007, the number of days where standards were exceeded has decreased to the extent that the Valley has been deemed to be in Attainment. Under Federal Clean Air Act Section 107(d)(3), PM-10 attainment plans and associated rules and regulations remain in place to maintain this level of air quality. New and expanded regulations proposed to combat "Extreme" ozone pollution and PM-2.5 (discussed below) would be expected to provide even more improvement in PM-10 pollution situation.

The 2025 Fresno General Plan provided policy direction in support of "indirect source review" as a method for controlling mobile source pollution. Although vehicle engines and fuels are outside the purview of local and regional jurisdictions in California, approaching mobile source pollution indirectly, through regulation and mitigation of land uses which generate traffic, is an alternative approach.

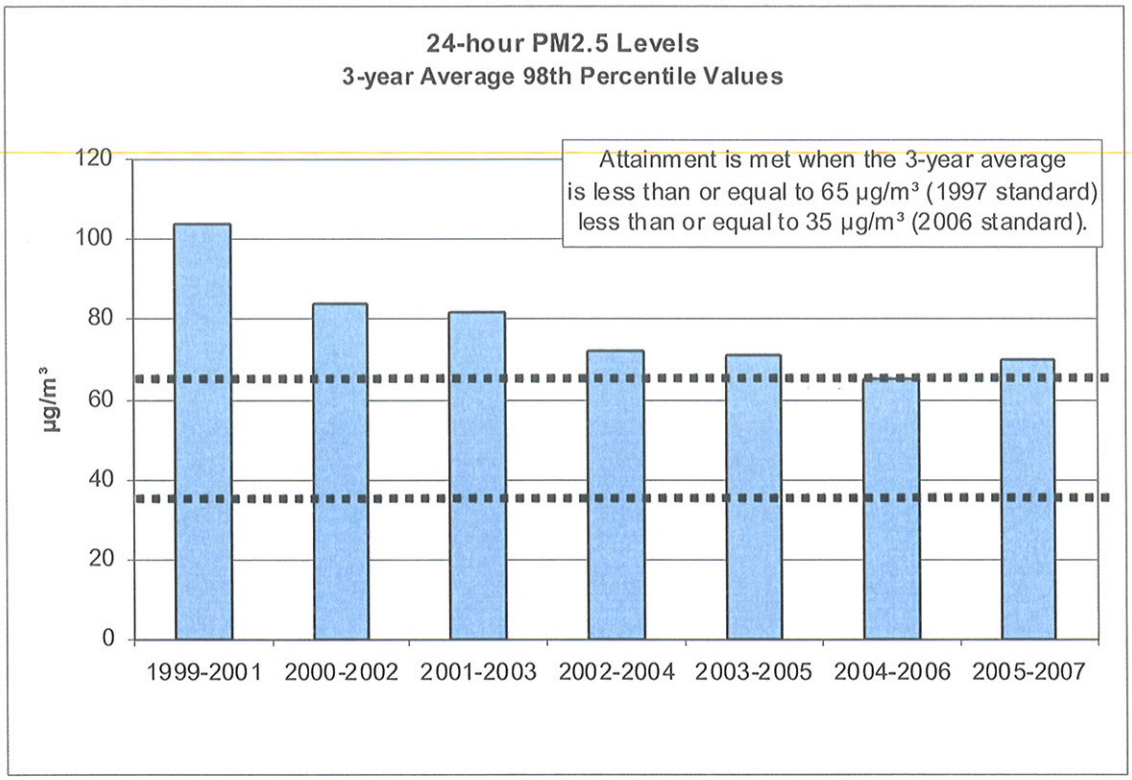
In March of 2006, the San Joaquin Valley Air Pollution Control District adopted Rule 9510, its Indirect Source Review Rule. Full implementation of this Rule has been delayed due to litigation (mitigation fees are being collected and retained in holding accounts), but projects are already being evaluated under Rule 9510 and are implementing many aspects of the Rule, such as clean air design (pedestrian and bike facilities; proximal siting of residential and commercial land uses; low-pollution construction equipment; dust control measures; cleaner-burning combustion appliances, etc.).

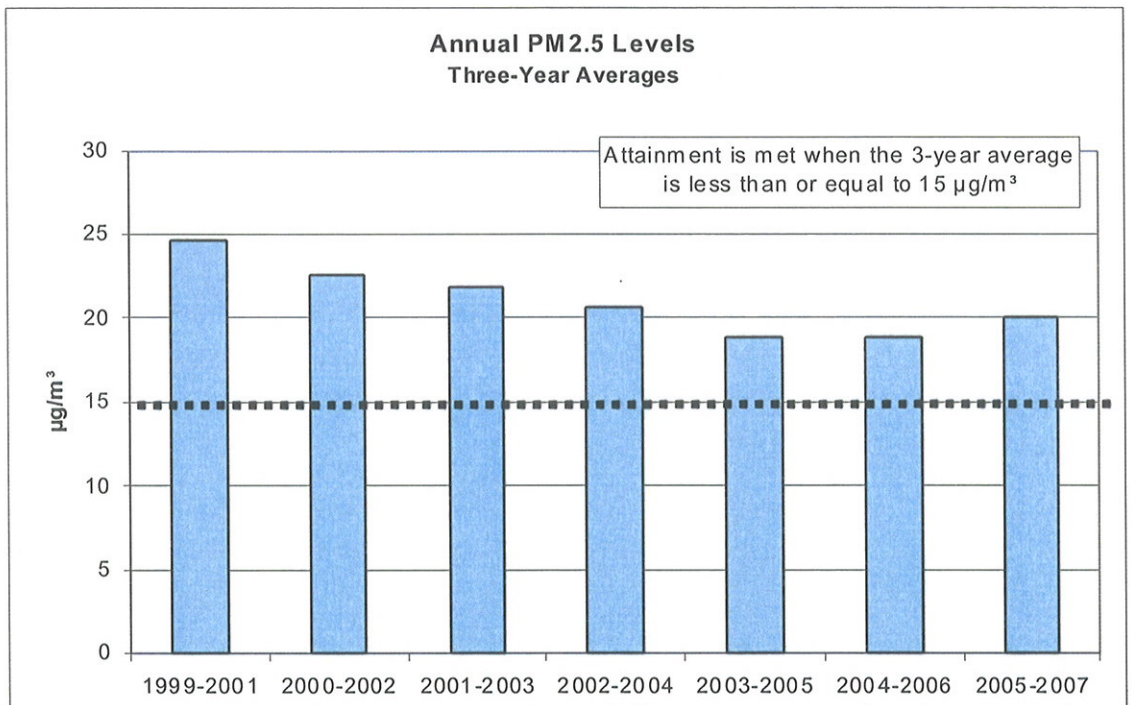
It is anticipated that full implementation (release of mitigation impact fees for various clean air projects throughout the San Joaquin Valley) and subsequent augmentation of the Indirect Source Review Rule will accelerate progress toward attainment of federal and state ozone standards, and will be an important component of the attainment plan for PM-2.5 (very fine particulate matter) and for greenhouse gas reductions to combat global climate change.

PM-2.5 is a newly-designated category of air pollutant, the component of PM-10 comprised of particles 2.5 microns in diameter or smaller. The 1997 Clean Air Act Amendments directed that this pollutant be brought under regulatory control, but federal and state standards/designations had not been finalized when the 2025 Fresno General Plan MEIR was drafted and certified. In the intervening time, the San Joaquin Valley Air Basin has been classified as being in "Nonattainment" for the 1997 federal PM-2.5 standard and for the State PM-2.5 standard.

An attainment demonstration plan for the federal 1997 PM-2.5 standard has been adopted by the SJVAPCD and approved by the California Air Resources Board, and forwarded to the EPA for approval (status as of mid-2008). The attainment plan would achieve compliance with the 1997 federal Clean Air Act PM-2.5 standard by year 2014, in conjunction with California Air Resources Board (and US EPA) action to improve diesel engine emissions. The San Joaquin Valley Air Basin has not yet been classified under the more stringent revised federal 2006 PM-2.5 standard; this classification is expected by 2009.

As with ozone and PM-10 pollution, levels of PM-2.5 have already been reduced by already-existing air quality improvement planning policies, mitigation measures, and regulations. The following charts depict historic PM-2.5 monitoring data for the regional air basin. Once the expected SJVAPCD attainment plan is implemented measures specific to PM-2.5 control, the rate of progress toward attainment of federal and state PM-2.5 standards will accelerate.





When the 2025 Fresno General Plan and its MEIR were approved in late 2002, the planning and environmental documents did not directly or separately analyze potential global warming

and climate change impacts. However, the general policy direction for consideration of air quality parameters in development project evaluations and for reducing those air pollutants which are already under regulation would operate to control these potential adverse impacts.

"Global warming" is the term coined to describe a widespread climate change characterized by a rising trend in the Earth's ambient average temperatures with concomitant disturbances in weather patterns and resulting alteration of oceanic and terrestrial environs and biota. When sunlight strikes the Earth's surface, some of it is reflected back into space as infrared radiation. When the net amount of solar energy reaching Earth's surface is about the same as the amount of energy radiated back into space, the average ambient temperature of the Earth's surface would remain more or less constant. Greenhouse gases potentially disturb this equilibrium by absorbing and retaining infrared energy, trapping heat in the atmosphere—the "greenhouse gas effect."

The predominant current opinion within the scientific community is that global warming is occurring, and that it is being caused and/or accelerated via generation of excess "greenhouse gases" [GHGs], that natural carbon cycle processes (such as photosynthesis) are unable to absorb sufficient quantities of GHG and cannot keep the level of these gases or their warming effect under control. It is believed that a combination of factors related to human activities, such as deforestation and an increased emission of GHG into the atmosphere from combustion and chemical emissions, is a primary cause of global climate change.

The predominant types of anthropogenic greenhouse gases (those caused by human activity), are described as follows. It should be noted that the starred GHGs are regulated by existing air quality policies and rules pursuant to their roles in ozone and particulate matter formation and/or as potential toxic air contaminants.

- carbon dioxide (CO_2), largely generated by combustion activities such as coal and wood burning and fossil fuel use in vehicles but also a byproduct of respiration and volcanic activity;
- *methane (CH_4), known commonly as "natural gas," is present in geologic deposits and is also evolved by anaerobic decay processes and animal digestion. On a ton-for-ton basis, CH_4 exerts about 20 times the greenhouse gas effect of CO_2;
- *nitrous oxide (N_2O), produced in large part by soil microbes and enhanced through application of fertilizers. N_2O is also a byproduct of fossil fuel burning: atmospheric nitrogen, an inert gas that makes up a large proportion of the atmosphere, is oxidized when air is exposed to high-temperature combustion. N_2O is used in some industrial processes, as a fuel for rocket and racing engines, as a propellant, and as an anesthetic. N_2O is one component of "oxides of nitrogen" (NOX), long recognized as precursors of smog-causing atmospheric oxidants.
- *chlorofluorocarbons (CFCs), synthetic chemicals developed in the late 1920s for use as improved refrigerants (*e.g.*, "Freon™"). It was recognized over two decades ago that this class of chemicals exerted powerful and persistent greenhouse gas effects. In 1987, the Montreal Protocol halted production of CFCs.
- *hydrofluorocarbons (HFCs), another class of synthetic refrigerants developed to replace CFCs;

- *perfluorocarbons (PFCs), used in aluminum and semiconductor manufacturing, have an extremely stable molecular structure, with biological half-lives tens of thousands of years, leading to ongoing atmospheric accumulation of these GHGs.
- *sulfur hexafluoride (SF_6) is used for insulation in electric equipment, semiconductor manufacturing, magnesium refining and as a tracer gas for leak detection. Of any gas evaluated, SF_6 exerts the most powerful greenhouse gas effect, almost 24,000 times as powerful as that of CO_2 on a ton-for-ton basis.
- water vapor, the most predominant GHG, and a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans.

In an effort to address the perceived causes of global warming by reducing the amount of anthropogenic greenhouse gases generated in California, the state enacted the Global Warming Solutions Act of 2006 (Codified as Health & Safety Code Section 38501 *et seq.*). Key provisions include the following:

- Δ Codification of the state's goal by requiring that California's GHG emissions be reduced to 1990 "baseline" levels by 2020.
- Δ Set deadlines for establishing an enforcement mechanism to reduce GHG emissions:
  - By June 30, 2007, the California Air Resources Board ("CARB") was required to publish "discrete early action" GHG emission reduction measures. Discrete early actions are regulations to reduce greenhouse gas emissions to be adopted by the CARB and enforceable by January 1, 2010;
  - By January 1, 2008, CARB was required to identify what the state's GHG emissions were in 1990 (set the "baseline") and approve a statewide emissions limit for the year 2020 that is equivalent to 1990 levels. (These statewide baseline emissions have not yet been allocated to regions, counties, or smaller political jurisdictions.) By this same date, CARB was required to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions.
  - By January 1, 2011, CARB must adopt emission limits and emission reduction measures to take effect by January 1, 2012.

As support for this legislation, the Act contains factual statements regarding the potential significant impacts on California's physical environment that could be caused by global warming. These include, an increase in the intensity and duration of heat waves, the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

On August 24, 2007, California also enacted legislation (Public Resources Code §§ 21083.05 and 21097) requiring the state Resources Agency to adopt guidelines for addressing climate change in environmental analysis pursuant to the California Environmental Quality Act. By July 1, 2009, the Governor's Office of Planning and Research (OPR) is required to prepare guidelines for the mitigation of greenhouse gas emissions, and transmit those draft regulations to the Resources Agency. The Resources Agency must then certify and adopt the guidelines by January 1, 2010.

The recently-released update of the Urbemis computer model (used by the City of Fresno Planning and Development Department for environmental assessments, pursuant to a specific MEIR mitigation measure) does provide data on the amounts of CO_2 and oxides of nitrogen (NOX) potentially generated by development projects. However, at this point in time, neither CARB nor the SJVAPCD has determined what the 1997 baseline or current "inventory" of GHGs is for the entire state nor for any region or jurisdiction within the state. No agency has adopted GHG emission limits and emission reduction measures, and because CEQA guidelines have not been established for the evaluation and mitigation of greenhouse gas emissions (there is an absence of regulatory guidance). Therefore, the City is unable to productively interpret the results of the Urbemis model with regard to GHGs, and there is currently no way to determine the significance of a project's potential impact upon global warming.

The 2025 Fresno General Plan provides an integrated combination of residential, commercial, industrial, and public facility uses allowing for proximate location of living, work, educational, recreational, and shopping activities within Fresno metropolitan area. This combination of uses has been identified as a potential mitigation measure to address global warming impacts in a document published by the California Attorney General's Office entitled, *The California Environmental Quality Act Mitigation of Global Warming Impacts* (updated January 7, 2008). Specifically, this document describes this mitigation measure as follows, "Incorporate mixed-use, infill and higher density development to reduce vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods"—echoing objectives and policies of the 2025 Fresno General Plan adopted in late 2002.

The General Plan contains a mix of land uses would be expected to generate fewer vehicle miles traveled per capita, leading to reduced emissions of greenhouse gases from engine emissions. It provides for overall denser development with high-intensity enclaves, associated with increased public transit use. The plan fosters mixed use and infill development (being implemented by mixed-use zoning ordinances added to the Fresno Municipal Code, as directed by 2025 Fresno General Plan) policies. The urban form element distributes neighborhood-level and larger commercial development, public facilities such as schools, and recreational sites throughout the metropolitan area, reducing vehicle trips.

Any manufacturing activities that would generate SF_6, HFCs, or PFCs would be subject to subsequent environmental review at the project-specific level, as would any uses which would generate methane on site. The City of Fresno has adopted an ordinance prohibiting installation of any woodburning fireplaces or woodburning appliances in new homes, which would reduce CO_2 and N_2O from wood combustion.

Through updates in the California Building Code and statewide regulation of appliance standards, City development projects conform to state-of-the art energy-efficient building, lighting, and appliance standards as advocated in the California Environmental Protection Agency's publication *Climate Action Team / Proposed Early Actions to Mitigate Climate Change in California* (April 2007) and in CARB's *Proposed Early Actions to Mitigate Climate Change in California* (April 2007). The City has further incentivized "green" building projects by providing subsidies for solar photovoltaic equipment for single-family residential construction, by reducing development standards (including reductions in required parking spaces, which further reduces air pollutant and GHG emissions), and by improving its landscape and shading standards (a topic included in the Design Guidelines adopted with the 2025 Fresno General Plan).

Updated engine and tire efficiency standards would apply to residents' vehicles, as well as the statewide initiatives applicable to air conditioning and refrigeration equipment, regional transportation improvements, power generation and use of solar energy, water supply and water conservation, landfill methane capture, changes in cement manufacturing processes, manure management (methane digester protocols), recycling program enhancements, and "carbon capture" (also known as "carbon sequestration," technologies for capturing and converting CO_2, removing it from the atmosphere).

Due to the lack of data or regulatory guidance that would indicate the 2025 Fresno General Plan had a significant adverse impact upon global climate change, the relatively small size of the Fresno Metropolitan Area in conjunction with the worldwide scope of GHG emissions, and the emphasis in the 2025 Fresno General Plan upon integrated urban design and air pollution control measures, it could not be concluded in 2002 nor at present that the 2025 Fresno General Plan would have a significant adverse impact on global climate change.

As to potential impacts of global warming upon the 2025 Fresno General Plan: the city is located in the Central Valley, in an urbanized area on flat terrain distant from the Pacific coast and from rivers and streams. It is outside of identified flood prone areas. Based on its location we conclude that Fresno is not likely to be significantly affected by the potential impacts of global climate change such as increased sea level and river/stream channel flooding; nor is it subject to wildfire hazards. While Fresno does contain areas with natural habitat (the San Joaquin Bluffs and Riverbottom), a change in these areas' biota induced by global warming would not leave them bereft of all habitat value—it would simply mean a change in the species which would be encountered in these areas. The 2025 Fresno General Plan preserves this habitat open space area for multiple objectives (protection from soil instability and flood inundation; conservation of designated high-quality mineral resources), so any natural resource species changes in those areas would not constitute a significant adverse impact to the city or a loss of resource area.

Fresno has historically had high ambient summer temperatures and an historic heat mortality level that is among the highest in the state (5 heat-related deaths annually per 100,000 population). Due to the prevalence of air conditioning in dwellings and commercial buildings, an increase in extreme heat days from global warming is not expected by the California Air Resources Board Research Division to significantly increase heat-related deaths in Fresno, as opposed to possible effects in cooler portions of the state such as Sacramento or Los Angeles areas (reference: *Projections of Public Health Impacts of Climate Change in California: Scenario Analysis*, by Dr. Deborah Dreschler, Air Resources Board, April 9, 2008). Increased summertime temperatures which may be caused by global warming will be mitigated by the City's landscaping standards to provide shade trees, by statewide energy efficiency standards which insulate dwellings from heat and cold, and by urban design standards which require east-west orientation of streets and buildings to facilitate solar gain. Fresno has a heat emergency response plan and provides cooling centers and free transportation to persons who do not have access to air conditioning.

Secondary health effects of global warming could include increases in respiratory and cardiac illnesses attributable to poor air quality. The San Joaquin Valley Air Pollution Control District provides daily advisories and warnings in times of high ozone levels to help senior citizens and other sensitive populations avoid exposure. The SJVAPCD has committed to attainment of fine particulate matter (PM2.5) standards by Year 2014 and to attainment of oxidant/ozone standards by Year 2023, and would adopt additional Rules and emission controls as necessary

to decrease emissions inventories by those target dates. There is insufficient information to indicate that global climate change would prevent attainment of air quality parameters affecting health.

Pursuant to 2025 Fresno General Plan policy and MEIR mitigation measures, the City's Department of Public Utilities and Fire Department are required to affirm that adequate water service can be provided to all development projects for potable and fire suppression uses. The City derives much of its water supply from groundwater, using its surface water entitlements from the Kings and San Joaquin Rivers primarily to recharge the aquifer. A high percentage of Fresno's annual precipitation is captured and percolated in ponding basins operated by Fresno Metropolitan Flood Control District. If global climate change leads to a longer rainy season and/or more storm events throughout the year, groundwater supplies could be improved by additional percolation.

The City of Fresno currently treats and distributes only some 20% of its 150,000 acre-foot/year (AFY) surface water entitlement for the municipal water system, directing another 50,000 to 70.000 AFY to recharge activities via ponding basins. Presently, the City is unable to recharge the full balance of its annual entitlement in average and wet years, and releases any unused surface water supplies to area irrigation districts for agricultural use in the metropolitan area, (which further augments groundwater recharge through percolation of irrigated water).

Future surface water plant construction projects envisioned by the 2025 Fresno General Plan would account for less than 120,000 acre-feet per year of the surface supply. The General Plan direction for future Metropolitan Water Resource Management Plans includes exploring the use of recycled treated wastewater for non-potable uses such as landscape irrigation, which would further effectively extending the City's water supply..

If the global climate change were to cause a serious and persistent decrease in Sierra snowpack, some of Fresno's water supply could be affected. However, historic records show that the very long-term prevailing climatic pattern for Central California has included droughts of long (often, multi-year) duration, interspersed with years of excess precipitation. Decades before global climate change was considered as a threat to California's water system, state and local agencies recognized a need to augment water storage capacity for excess precipitation occurring in wet years, to carry the state through the intervening dry years.

The potential for episodic and long-term drought is considered in the city's Metropolitan Water Resource Plan and in its the Urban Water Management Plan Drought Contingency component, to accommodate reductions in available water supplies. In times of extended severe regional or statewide drought, a reprioritization of water deliveries and reallocation for critical urban supplies vs. agricultural use is possible, but it is too speculative at this time to determine what the statewide reprioritization response elements would be (the various responses of statewide and regional water agencies to these situations are not fully formulated and cannot be predicted with certainty). Because the true long term consequences of climate change on California's and Fresno's water system cannot be predicted, and, it is too speculative at this time to conclude that there could be a significant adverse impact on water supply for the 2025 Fresno General Plan due to global climate change.

As noted above, it is theorized that global warming could lead to more energy in the atmosphere and to increased intensity or frequency of storm events. Fresno's long-term weather pattern is that rainfall occurs during episodic and fairly high-intensity events. The Fresno Metropolitan

Flood Control District (FMFCD) drainage and flood control Master Plan, which sets policies for drainage infrastructure and grading in the entire Fresno-Clovis area, is already predicated on this type of weather pattern. FMFCD sizes its facilities (which development potentiated by the 2025 Fresno General Plan will help to complete) for "two-year storm events," storms of an intensity expected in approximately 50 percent of average years; however, the urban drainage system design has additional capacity built into the street system so that excess runoff from more intense precipitation events is directed to the street system. The City's Flood Plan Ordinance and grading standards require that finished floor heights be above the crowns of streets and above any elevated ditchbanks of irrigation canals. FMFCD project conditions also preserve "breakover" historic surface drainage routes for runoff from major storms. Ultimately, drain inlets and FMFCD basin dewatering pumps direct severe storm runoff into the network of Fresno Irrigation District canals and pipelines still extant in the metropolitan area, with outfalls beyond the western edge of the metropolitan area.

Scientific information, analytical tools, and standards for environmental significance of global warming and green house gases were not available to the Planning and Development Department in 2002 when the 2025 Fresno General Plan and its MEIR were formulated and approved--and at this point, there is still insufficient data available to draw any conclusions as to the potential impacts, or significance of impacts, related to global climate change for the 2025 Fresno General Plan. Similarly, there is insufficient information to conclude that global warming may have a potentially significant adverse impact upon the 2025 Fresno General Plan. In a situation when it would be highly speculative to estimate impacts or to make conclusions as to the degree of adversity and significance of those impacts, the California Environmental Quality Act allows agencies to terminate the analysis. In that regard, there is no material change in status from the degree of environmental review on this topic contained in the 2025 Fresno General Plan MEIR.