



**REPORT TO THE PLANNING COMMISSION**

AGENDA ITEM NO.  
COMMISSION MEETING 4-16-14

April 16, 2014

APPROVED BY

  
DEPARTMENT DIRECTOR

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

BY: SOPHIA PAGOULATOS, Supervising Planner   
Development Services Division

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SUBJECT: CONSIDERATION OF PLAN AMENDMENT APPLICATION NO. A-11-003, REZONE APPLICATION NO. R-11-003, VESTING TENTATIVE TRACT MAP NO. 6033/UGM, CONDITIONAL USE PERMIT APPLICATION NO. C-13-092, AND ENVIRONMENTAL ASSESSMENT NO. A-11-003/R-11-003/C-13-092/T-6033/UGM LOCATED ON THE NORTHEAST CORNER OF NORTH FOWLER AND EAST CLINTON AVENUES

**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 McLane 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 above and by the accompanying environmental assessment.

Upon consideration of staff evaluation, it can be concluded that proposed Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit No. C-13-092 and Vesting Tentative Tract Map No. T-6033/UGM are appropriate for the project site. Therefore, staff recommends the Planning Commission take the following actions:

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-003/R-11-003/C-13-092/T-6033/UGM dated March 21, 2014 for the purpose of the proposed plan amendment and rezone applications.
2. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. A-11-003 proposing to amend the 2025 Fresno General Plan and the McLane Community Plan for a 2.14 acre property (APN 310-041-39) from Light Industrial to Neighborhood Commercial and for a 31.87 acre portion of APN 310-041-38 from Light Industrial to Medium Density Residential.
3. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-11-003 to reclassify the approximately 2.14 acre property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth*

*Management/conditions of zoning*) zone district and the approximately 31.87 acre portion of the subject property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district.

4. APPROVE Conditional Use Permit Application No. C-13-092 for the establishment of a 169-lot single family residential, public street planned unit development with modified property development standards for lots proposed to be created by Vesting Tentative Tract Map No. 6033/UGM Approval of the C-13-092 is contingent upon Council approval of Plan Amendment Application No. A-11-003 and Rezone Application No. R-11-003 and the related environmental assessment. Changes made to those documents that potentially render C-13-092 in conflict with them will require C-13-092 to return to the Planning Commission; and
5. APPROVE Vesting Tentative Tract Map No. 6033/UGM subject to the findings included within the Staff Report to the Planning Commission dated April 16, 2014; compliance with the Conditions of Approval dated April 16, 2014; and, contingent upon City Council approval of Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, and the related environmental assessment. Changes made to those documents that potentially render T-6033/UGM in conflict with them will require T-6033/UGM to return to the Planning Commission

## **EXECUTIVE SUMMARY**

Granville Homes has filed Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit Application No. C-13-092, and Vesting Tentative Tract Map No. 6033/UGM pertaining to approximately  $\pm$  34.01 net acres of property located on the northeast corner of North Fowler and East Clinton Avenues (See Exhibits A and B).

Plan Amendment Application No. A-11-003 proposes to amend the 2025 Fresno General Plan and McLane Community Plan to change the planned land use designation for an approximately 2.14 acre portion of the subject property (APN 310-041-39) from Light Industrial to Neighborhood Commercial and to change the planned land use designation for an approximately 31.87 acre portion of the subject property (APN 310-041-38) from Light Industrial to Medium Density Residential (see Exhibits D and E).

Rezone Application No. R-11-003 proposes to rezone the approximately 2.14 acre portion of the subject property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) zone district; and to rezone the approximately 31.87 acre portion of the subject property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district.

The plan amendment and rezone applications have been filed in order to facilitate approval of a proposed 169-lot single family residential public street planned development subdivision of the property in accordance with Conditional Use Permit Application No. C-13-092 and Vesting Tentative Tract Map No. 6033/UGM (see Exhibits H, I and J).

Staff supports approval of these applications subject to conditions, including a condition that garage setbacks of less than 18 feet can be approved in developments with private streets only, as there are mechanisms for maintenance and parking enforcement in such developments (such as homeowners' associations).

## PROJECT INFORMATION

- PROJECT See description above in executive summary
- APPLICANT Jeffrey T Roberts. on behalf of Granville Homes, Inc.
- LOCATION Located on the northeast corner of North Fowler and East Clinton Avenues  
**(Council District 4, Councilmember Caprioglio)**
- SITE SIZE Approximately 34.01 net acres
- LAND USE Existing - Light Industrial for APNs 310-041-38 (portion) and -39  
Proposed - Medium Density Residential for APN 310-041-38 (31.87 ac) and Neighborhood Commercial for APN 310-041-39 (2.1 ac)
- ZONING Existing - C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) for APNs 310-041-38 (portion) and -39  
Proposed - R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) for portion of APN 310-041-38 and C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) for APN 310-041-39

**PLAN DESIGNATION AND CONSISTENCY** 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 proposed C-1 and R-1 zone district classifications for the subject property and the proposed Neighborhood Commercial and Medium Density Residential planned land use designations for the subject property may be found consistent.

**ENVIRONMENTAL FINDING** Finding of a Mitigated Negative Declaration dated March 21, 2014.

**PLAN COMMITTEE RECOMMENDATION** The District 4 Plan Implementation Committee will consider these applications at its regularly scheduled meeting to be held on April 14, 2014.

**STAFF RECOMMENDATION** Recommend that the Planning Commission recommend approval to the City Council of the proposed plan amendment application, rezone application, and environmental finding and for the Planning Commission to approve Vesting Tentative Tract Map No. 6033/UGM subject to compliance with the Conditions of Approval dated April 16, 2014 and contingent upon City Council approval of the related plan amendment, rezone, and environmental finding.

**BORDERING PROPERTY INFORMATION**

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Light Industrial	<b>C-M/UGM/cz</b> <i>C-M/UGM/cz (Commercial and Light Manufacturing/ Urban Growth Management/with conditions of zoning) district</i>	Vacant
<b>South</b>	Light Industrial	<b>AE-20</b> <i>Exclusive 20-Acre Agricultural District [Fresno County]</i>	Single Family Rural Residences & Vacant Land

<b>East</b>	Medium and Low Density Residential	<p align="center"><b>R-1/UGM/cz</b>  <i>Single Family Residential District/Urban Growth Management/conditions of zoning district</i>  <b>R-1-AH</b>  <i>Single Family Residential – Horses district</i></p>	Rural Single Family Residence & Vacant Tract (T-5717)
<b>West</b>	Light Industrial	<p align="center"><b>M-1</b>  <i>Light Manufacturing District</i></p>	Church & Vacant Land

## ENVIRONMENTAL FINDING

An environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines (see Exhibit K). This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the McLane Community Plan area, including the Master Environmental Impact Report (MEIR) No. 10130 for the 2025 Fresno General Plan (SCH#2001071097) and Mitigated Negative Declaration (MND) No. A-09-02 (SCH#2009051016). These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system; and student generation projections and school facility site location identification.

The proposed amendment of the adopted 2025 Fresno General Plan has been determined to not be fully within the scope of MEIR No. 10130 as provided by the CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c). It 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, together with project specific mitigation measures 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 or MND No. A-09-02 as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified 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, has become available. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Based upon the attached environmental assessment and the list of identified mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a draft mitigated negative declaration for this project. A public notice of the attached mitigated negative declaration finding for Environmental Assessment Application No. A-11-003/R-11-003/C-13-092/T-6033/UGM was published on March 21, 2014 with no comments or appeals received to date.

## **BACKGROUND / ANALYSIS**

### Land Use/Industrial

**Objective C-13** of the 2025 Fresno General Plan calls for the planning and support of industrial development to promote job growth while enhancing Fresno's urban environment. Related policies call for the planning of industrial land use clusters with respect to their common needs and concern for compatibility of uses in order to maximize the operational efficiency of similar activities.

The following discussion outlines staff rationale for finding the proposed project to be consistent with the above objective:

The 34 acre site that that is the subject of these applications was a portion of a previous entitlement request submitted in 2006 (and approved in 2007) that included 140 acres: nearly the entire quarter section bounded by Fowler, Armstrong, Shields and Clinton Avenues. The proposal was controversial at the time because it proposed converting 20 acres of planned light industrial land to medium low density residential use in an area that was considered optimal vacant land for industrial development. Although the land was not served by infrastructure, it was well-served by all modes of transportation.

In exchange for allowing the conversion and approving the plan amendment, conditions of zoning were required (see Exhibit F). These conditions of zoning were also mitigation measures. Most were tied to the development of those controversial 20 acres (portion of T-5717, adjacent to the subject property to the east), however they also affect the property that is the subject of the current applications because the subject property was expected to remain as light industrial property and be made "shovel ready" by the installation of infrastructure.

Staff is now recommending approval of the plan amendment and rezone because in the 7 years since the property was conditioned, additional studies have been conducted that indicate the property is no longer critical to the city's supply of vacant industrial property. Specifically:

1. New studies conducted in preparation for the update of the GP refined the location of the significant clusters of vacant land designated for industrial and business park use and identified these clusters (over 3,000 acres) in Figure ED-1 as sufficient to accommodate projected growth and economic development goals (see Exhibit G). The subject property was not among those properties identified.
2. The 34 acres of industrial land that would be removed by these applications would be more than compensated for by the additional industrial land being proposed in the southern portion of the Southeast Growth Area (over 1,200 acres in Regional Business Park use).
3. Approval of the proposed land use change would eliminate the longest interface (approximately 1,300 feet) between industrial and residential land that will occur if the subject property remains industrial, as residential land exists along the eastern property boundary with no street or natural barrier between the two land uses. The proposed conversion of the acreage from industrial to residential would eliminate this adjacency and leave North Fowler Avenue as the dividing buffer between the newly approved residential and the industrial uses west of North Fowler Avenue. This arterial, with its required trail, would be a more effective buffer than one created by internal setbacks on directly adjacent industrial and residential properties. The street right-of-way plus trail and landscaping would result in an approximate 140-foot buffer between the residential properties in the subdivision and the existing industrial property on the west side of North Fowler Avenue (not counting the setbacks on the industrial land).
4. A 2012 Fresno County Employment study documented numerous obstacles that employers identified as constraints to doing business, expanding business and creating more jobs in Fresno. The lack of shovel ready land was not among the responses. The most frequently occurring response (24%) was "market conditions," including a tight banking climate, low sales, and customers' difficulty in accessing financing. Labor availability was also among the most frequent responses.
5. The conditions of zoning still obligate the developer to submit a plan amendment and rezone application for 40 acres of non-industrial land to facilitate conversion to light industrial M-1 or C-M zoned land to replace the conversion of the initial 20 acres back in 2006.

In summary, staff finds that approval of the project is consistent with the **Objective C-13** and related goals and policies of the 2025 Fresno General Plan.

### Land Use/Residential

As proposed, the project would also be consistent with the following 2025 General Plan objectives related to residential land use:

**Objective C-9** of the 2025 Fresno General Plan directs planning for the diversity and quality of residential housing, at locations necessary to provide for adequate and affordable housing opportunities. Housing patterns should support balanced urban growth, and should make efficient use of resources and public facilities. Supporting policies C-9-i and C-9-j recommend that Medium-Low and Medium Density Residential uses shall provide transition between low and medium density residential and shall be developed to maximize the efficient use of land.

In this case, approval of the project in this location eliminates a direct adjacency between residential and industrial land and results in moving this interface to North Fowler Avenue, a natural buffer.

Furthermore, **Objective C-10** of the 2025 Fresno General Plan promotes the development of more compact friendly, single-family residential projects to aid in the conservation of resources such as land, energy, and materials. Supporting policy C-10-a recommends facilitating the construction of higher density single family residential development while maintaining a pleasant living environment. Policy C-10-d encourages the development of two-story homes as a means to conserve land, maintain open space on residential lots, and provide adequate living space.

Similarly, the goals of the **McLane Community Plan** are directed toward: (1) The provision of a diversity of housing types and housing opportunities to meet the needs of all ages and income levels; (2) Providing for efficient use of land while protecting the integrity of established neighborhoods; (3) Encouraging a mix of uses along major transportation corridors; (4) Providing for safe, clean and aesthetically pleasing neighborhoods; and, (5) Providing for compatible relationships between differing housing types and densities. Goals for commercial uses include distributing new commercial land use designations at logical, marketable, convenient and accessible locations.

The proposed medium density planned land use provides a density transition from the medium low and low single family densities east and south of the project site, gradually increasing density as one moves westward toward the city center. The 2-acre commercial site in the southwest corner of the project site will provide an opportunity for some convenience retail within walking distance of the residential uses. Project conditions and mitigation measures will require adequate screening, buffering and noise protection between the residential and commercial uses to protect the residential character of the subdivision.

The proposed project will also be connected to its neighbors. A planned bicycle/pedestrian trail runs along the western boundary of the project, North Fowler Avenue, and the project will be conditioned to construct the portion of the trail along the project frontage. A street connection to the adjacent subdivision to the east is also required, in addition to a pedestrian connection to

the commercial property on the corner. The project is also served by public transit FAX Route 45, which stops at East Princeton and North Fowler Avenues and connects to Route 30 at Blackstone and Ashlan, with connections both north and south. A bus bay will also be required to be constructed at the northeast corner of North Fowler and East Clinton Avenues to facilitate future bus service.

Furthermore, the project is within two miles of the planned regional Fancher Creek shopping center, to the southwest (Tulare and Clovis Avenues), within ¼ mile of a neighborhood park, and within a mile of several planned elementary schools.

### Land Use/Commercial

**Policy C-12-a** of the 2025 Fresno General Plan states that the City shall "...ensure that all commercial land uses are developed and maintained in a manner complimentary to and compatible with adjacent residential land uses, to minimize interface problems with surrounding environment and to be compatible with public facilities and services."

The proposed project will still include two interfaces with non-residential property: a 637- foot interface with the proposed 2.14 acre neighborhood commercial site on the corner of North Fowler and East Clinton Avenues, and an 820-foot interface with the light industrial remainder along a portion of the northern project boundary (this property is zoned C-M, *Commercial and Light Manufacturing*). To ensure that there are no spillover effects from non-residential properties onto the residential subdivision, project specific mitigation measures are required to ensure proper design. Such measures include sound walls, landscape buffers and minimum distances of potential noise generators such as loading areas and trash enclosures. These measures will ensure that no noise, light or other visual effects will impact the residential properties that are proposed along these interface areas.

With incorporation of project specific mitigation measures it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found (1) to be consistent with the goals, objectives and policies of the applicable 2025 Fresno General Plan and McLane Community Plan; (2) to be Suitable for the type and density of development; (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.

### **Public Resources**

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of the 2025 Fresno General Plan policies and the mitigation measures of Master Environmental Impact Report No. 10130; the construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies; and, the

implementation of project related mitigation measures as identified within the conditions of approval for the proposed project and the associated Mitigated Negative Declaration finding prepared for the project.

For sanitary sewer service these infrastructure improvements and facilities include typical requirements for construction and extension of sanitary sewer mains and branches. The proposed project will also be required to provide payment of an "Interim Fee Surety" for purposes of contributing to a temporary exchange and interim use of capacity owned by the City of Clovis in the Fowler Avenue Trunk Sewer.

Any increase in water demand resulting from the proposed project, which is greater than the adopted allocation, will be required to be offset or mitigated in a manner acceptable to the Department of Public Utilities. For this purpose, the developer has provided a water usage analysis identifying water fixtures, landscape, and laundry efficiencies to document water conservation design characteristics. The water usage analysis is subject to approval by the Director of Public Utilities. The proposed project will be required to provide two independent sources of water, meeting Federal and State Drinking Water Act Standards as is typical.

Therefore, implementation of the 2025 Fresno General Plan policies and the mitigation measures of Master Environmental Impact Report No. 10130, along with the implementation of the Water Resources Management Plan and the identified project related mitigation measures will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

The City of Fresno Fire Department has conditioned the proposed project with requirements for installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards, also with two sources water. Additionally, the proposed project will be required to designate specific locations within the proposed private street network as "Fire Lanes", with on-street parking restrictions in order to accommodate emergency vehicle movements. Hydrants and street furniture will be required to be located outside the sweep of any turn radii.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that drainage service is available for the development subject to the developer participating in the construction of FMFCD "Master Plan Facilities" as determined by the district. The FMFCD has provided comments and requirements related to the adequacy of the conveyance capacity of the streets within the project for major storm flows, including but not limited to, the height of proposed wedge curbs (vs. standard 6-inch curbs). For this purpose the FMFCD has imposed requirements to assure adequate drainage capacity within the proposed streets to accommodate projected storm flows and historic drainage patterns from adjacent properties. Finally, the FMFCD has conditioned the project with requirements for the provision of additional storage capacity in Basin "BS." Amendments or modifications to the FMFCD requirements will be required to be approved by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code, prior to approval of a final map.

The Fresno Irrigation District (FID) has also reviewed the proposed project with respect to existing FID facilities and easements located on the subject property; and, has imposed requirements to assure that facilities proposed to be constructed and the dedication of easements for new facilities comply with FID standards, specifications and policies.

### **Transportation, Streets and Access Points**

The project is a 169-lot single family residential public street planned development on approximately 31.87 acres of property, which is proposed to be developed at an overall density of approximately 5.30 dwelling units per acre. The project also includes an approximately 1.1 acre Outlot for common open space purposes. The tentative map submitted for the proposed project also identifies the designation of two Remainder parcels: (1) An approximately 2.14 acre portion of the subject property, which has been proposed to be designated for neighborhood commercial uses; and, (2) An approximately 3.77 acre portion of the subject property previously designated for light industrial uses. The project takes access from North Fowler Avenue, an arterial, and East Clinton Avenue, a collector. The project will be required to construct all frontage improvements to City Standards. Right-of-way dedications and/or vacations will also be required along adjacent public streets in accordance with City of Fresno requirements to provide for the necessary improvements.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the Department of Public Works, Traffic Engineering Division has assessed that the proposed 169-lot single family residential planned development and the approximately 2.14 ac. portion of property proposed to be designated for neighborhood commercial uses is projected to generate 148 vehicle trips during the morning (7 to 9 a.m.) peak hour travel period and 248 vehicle trips during the evening (4 to 6 p.m.) peak hour travel period. By comparison, the existing light industrial land use would generate 4,130 average daily trips (ADT), with AM peak volumes of 545 trips and PM peak volumes of 575 trips. Therefore the proposed project would generate fewer vehicular trips than the existing land use.

The Public Works Department, Traffic Engineering Division has reviewed the proposed plan amendment, rezone, conditional use permit and tentative tract map applications and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic generated upon implementation of the traffic related mitigation measures of the MEIR and completion of the adjacent street segments and intersections in accordance with the transportation element of the 2025 Fresno General Plan. Interior public streets have been proposed to be dedicated utilizing modified street cross-sections, which are 45 feet in width in combination with City Standard 50-foot wide street rights-of-way. The proposed 45-foot wide street cross-section provides for a 35-foot wide curb-to-curb street section (vs. the 36-foot curb-to-curb width required based upon a 50-foot wide City standards street) and a five-foot wide sidewalk pattern (vs. a seven-foot sidewalk pattern based upon the 50-foot wide standard). Parking and sidewalks are proposed to be provided on both sides of all interior local streets. The Department of Public Works has required that all interior local streets be dedicated and designed in accordance with Public Works Standard P-56 unless the modified street cross-sections proposed are first approved by the Director of the Public Works

Department.

Traffic calming measures are required within all subdivisions for proposed street segments exceeding 800 feet in length (North Lafayette Avenue). The development will also include two stub streets on the eastern boundary of the subject property to connect to future developments.

The developer of this project will be required to pay the Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per average daily trip at the time of building permit, based on the trip generation rates set forth in the latest edition of the ITE Trip Generation Manual and the Master Fee Schedule. The project will also be required to pay all applicable New Growth Area fees including the Fresno Major Street Impact (FMSI) Fee and City-wide regional street impact fees. The California Department of Transportation (Caltrans) has indicated that the proposed project will mitigate any potential project related traffic impacts to State facilities through payment of the applicable City Fees and subject to payment of the Regional Traffic Mitigation Fee (RTMF).

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. Based upon the project requirements for street dedications, improvements, and contributions to the City wide impact fee system, the adjacent and interior 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.

### **Setbacks**

The subdivision is proposed in two phases, Phase 1, lots 34-169 and Phase 2, lots 1-33. Phase 1 includes the larger lots in the subdivision, ranging from approximately 5,000 to 7,500 square feet in area. Typical proposed setbacks for the Phase 1 portion of the project include 15-foot front and rear yards, 3-foot interior side yards and 8-foot street side yards. The lots along the eastern boundary of the subdivision have 25-foot rear yard setbacks, and lots backing onto North Fowler and East Clinton Avenues have 20-foot rear yard setbacks. However, Phase 2 includes smaller lots with 7-foot garage setbacks proposed. Reduced garage setbacks can be supported only with a mechanism to enforce parking and provide maintenance, without additional costs incurring to the City; such as a homeowners' association. Currently the streets are proposed as public streets, so the conditional use permit conditions are written to require minimum garage setbacks at 18 feet.

### **Landscaping/Walls**

Given that the proposed subdivision is located adjacent to and abutting major streets (North Fowler and East Clinton Avenues) within the boundaries of the McLane Community Plan, the development will be required to install landscaping and irrigation within a minimum 10-foot wide buffer strip along the East Clinton Avenue frontage. In addition, a 26-foot wide easement to accommodate the planned multipurpose trail is required to be dedicated and improved along

the North Fowler Avenue project frontage; this requires a 12-foot wide Class 1 Trail with 2-foot graded shoulders and 5 feet of landscaping on both sides. A six-foot high concrete/masonry wall is required to be constructed at the rear of the landscaped areas along North Fowler and East Clinton Avenues.

Outlot "A" of Tentative Tract Map No. 6033/UGM is proposed to be dedicated for common open space purposes and minimum five-foot wide landscape buffers are required for all "end-blocks". The development proposes a total of approximately 48,800 square feet (1.1 ac) of aggregate open space (Outlot "A"), comprising 3.5% percent of the subdivision area, which complies with the City of Fresno's proposed Guidelines for Landscaped Open Space and Pedestrian Walkway Requirements for Residential Developments.

### **Council District Plan Implementation Committee**

The District 4 Plan Implementation Committee will consider the proposed project at its regularly scheduled meeting on April 14, 2014. The committee's recommendation will be forwarded by staff at the Planning Commission meeting.

### **Public Notice and Comment**

March 21, 2014 – Environmental Assessment published in the Fresno Bee

April 4, 2014 – Public Hearing Notice published in Fresno Bee, mailed to all property owners within 500 feet of project site (see Exhibit C) and to any interested parties, and posted on the property.

April 9, 2014 - Telephone call was received from a property owner to the south of the project site (Wallace "Bob" Sheesley at 6137 East Clinton Avenue). The property owner was supportive of the land use change from light industrial to residential, however requested that the maximum density be reduced to 4 dwelling units per acre.

Staff is not recommending any changes based on this comment, as staff believes the proposed density of 5.3 dwelling units to the acre is appropriate for the project site. The tract to the east of the project site (T-5717) is planned medium low density and is approved for 4.3 dwelling units to the acre. The proposed project is a gradual density transition to the west and its slightly higher density is consistent with general plan goals of efficient use of land and optimizing the density at appropriate locations.

### **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.

*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:* The area of the proposed residential planned development is approximately 31.87 net acres in size. The subject site has been proposed to be subdivided into 169 single family residential lots, with lot sizes ranging from approximately 3,700 square feet to 7,500 square feet in area at an overall density of approximately 5.30 dwelling units/acre. Multi-department/agency review of the proposed development plan (Conditional Use Permit Application No. C-13-092) has demonstrated that there is adequate space to meet all applicable requirements of the Code as established and modified in the Special Permit conditions of approval dated April 16, 2014; including yards, spaces, walls and fences, parking, landscaping and open spaces and other required features.

*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:* Staff from the Public Works Department, Transportation Planning section has estimated that the proposed development will generate approximately 148 a.m./248 p.m. peak hour vehicle trips which can be accommodated by the adjacent streets subject to the respective requirements for dedications and improvement of adjacent portions of East Clinton and North Fowler Avenues in accordance with the Department of Public Works requirements included within the project conditions of approval. These requirements are necessary for the traffic generated by the project and to accommodate city services and meet the needs of the proposed subdivision.

*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 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 vesting tentative tract map application review and conditional use permit application review processes.

The Subdivision Map Act (California Government Code Section 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 Fresno General Plan and McLane Community Plan, contingent upon City Council approval of Plan Amendment Application No. A-11-003 and Rezone Application No. R-11-003 which propose to designate and zone an approximately 2.14 acre portion of the subject property for Neighborhood Commercial Land use, and an approximately 31.87 acre portion of the project for Medium Density Residential. The project design meets the density, intensity, objectives, policies, and programs specified in the 2025 Fresno General Plan and McLane Community Plan for the creation and development of single family residential lots within this plan designation.
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. Furthermore, the subject property is of sufficient size to accommodate the development of the subject property at the density proposed, while affording sufficient open spaces and amenities as necessary to ensure the sustainability of the development
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 all agricultural uses on the subject property have been discontinued. The subject property remains fallow without trees, vegetation, or irrigation to sustain and attract wildlife; or, provide a suitable habitat to species other than vermin.
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 ensure 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 the project design and conditions of approval will assure noninterference with any existing or proposed easements on the subject property.
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 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.

Action by the Planning Commission regarding the plan amendment and rezone applications is a recommendation to the Fresno City Council. Action by the Planning Commission regarding the conditional use permit and vesting tentative tract map is final unless appealed in accordance with the FMC, Sections 12-406-I and 12-1019, respectively.

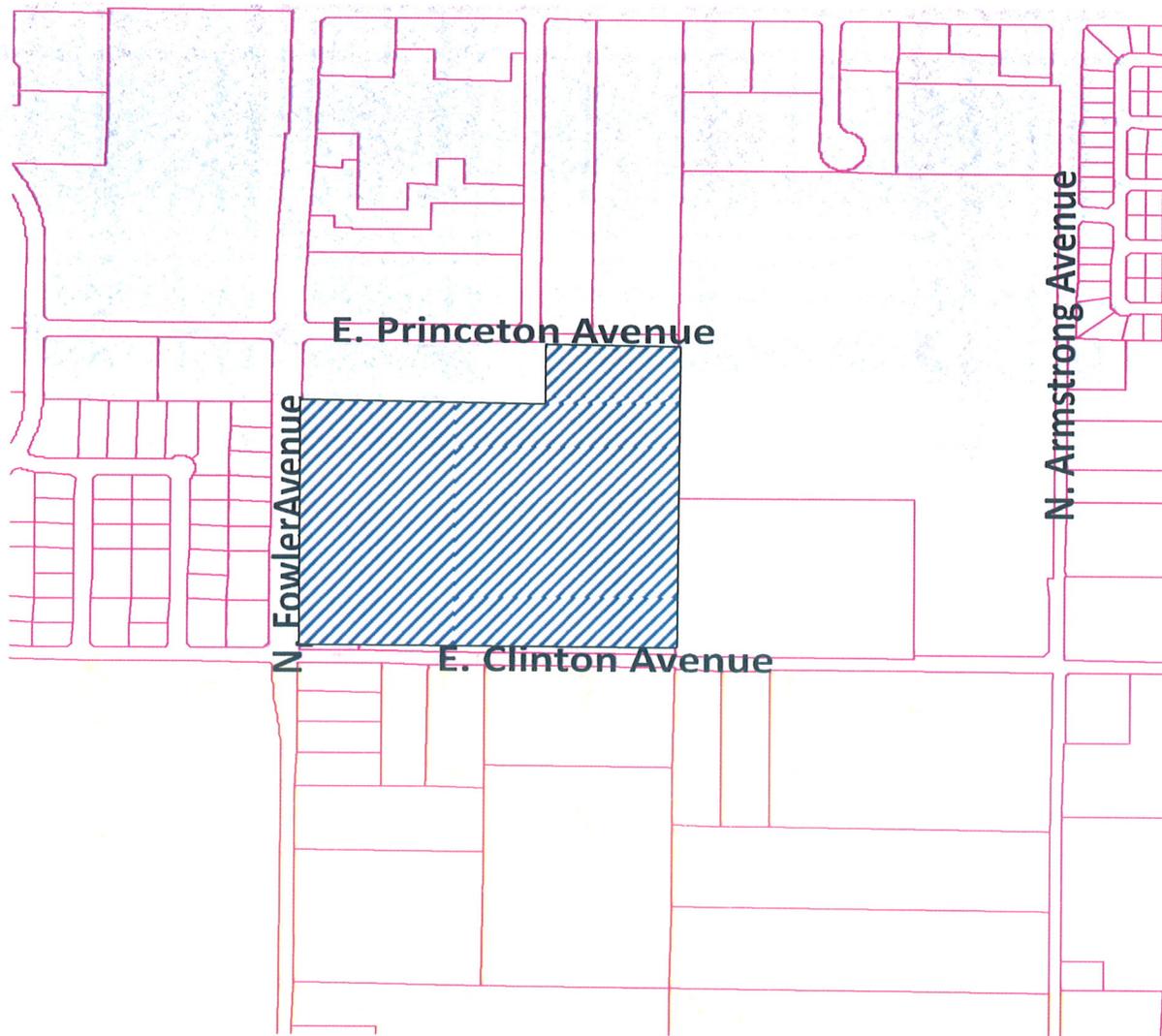
## **CONCLUSION**

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 McLane 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 Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit Application No. C-13-092, and Vesting Tentative Tract Map No. 6033/UGM are appropriate for the project site.

### Exhibits:

- Exhibit A: Vicinity Map
- Exhibit B: 2012 Aerial Photograph
- Exhibit C: Noticing Map
- Exhibit D: 2025 Fresno General Plan Planned Land Use Map
- Exhibit E: Proposed Planned Land Use Map
- Exhibit F: Conditions of Zoning
- Exhibit G: Figure ED-1: Significant Clusters of Vacant Land...
- Exhibit H: Vesting Tentative Tract Map No. T-6033/UGM
- Exhibit I: Exhibits for Conditional Use Permit Application No. C-13-092
- Exhibit J: Conditions of approval for Conditional Use Permit Application No. C-13-092 and Vesting Tentative Tract Map No. 6033/UGM dated April 16, 2014; including memoranda from responsible or commenting agencies.
- Exhibit K: Environmental Assessment No. A-11-003/R-11-003/T-6033/UGM, finding of a Mitigated Negative Declaration dated March 21, 2104.

Exhibit A  
Vicinity Map



**Subject Property**



## VICINITY MAP

## DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Plan Amendment No. A-11-003, Rezone No. R-11-003, Conditional Use Permit No. C-13-092 and Tentative Tract Map No. T-6033

PROPERTY ADDRESS

6208 E. Clinton Avenue  
2534 N. Fowler Avenue

**APN:** 310-041-38 & -39  
**Zone District:** C-M/UGM/cz  
(Commercial and Light  
Manufacturing/Urban Growth  
Management/with conditions of  
zoning)

**By:** S. Pagoulatos, March 21, 2014

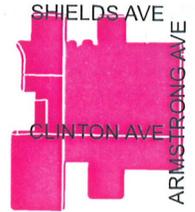
Exhibit B  
2012 Aerial Photograph

Exhibit C  
Noticing Map

199790 A-11-003,

ffered at:500 Feet, Legal Notices, Owners  
1004138  
1004139

SUNNYSIDE AVE



Address List Map, Gary Unruh, c:\gisdm5\automap\adrlist.mxd, Thu Apr 03 11:24:51 2014

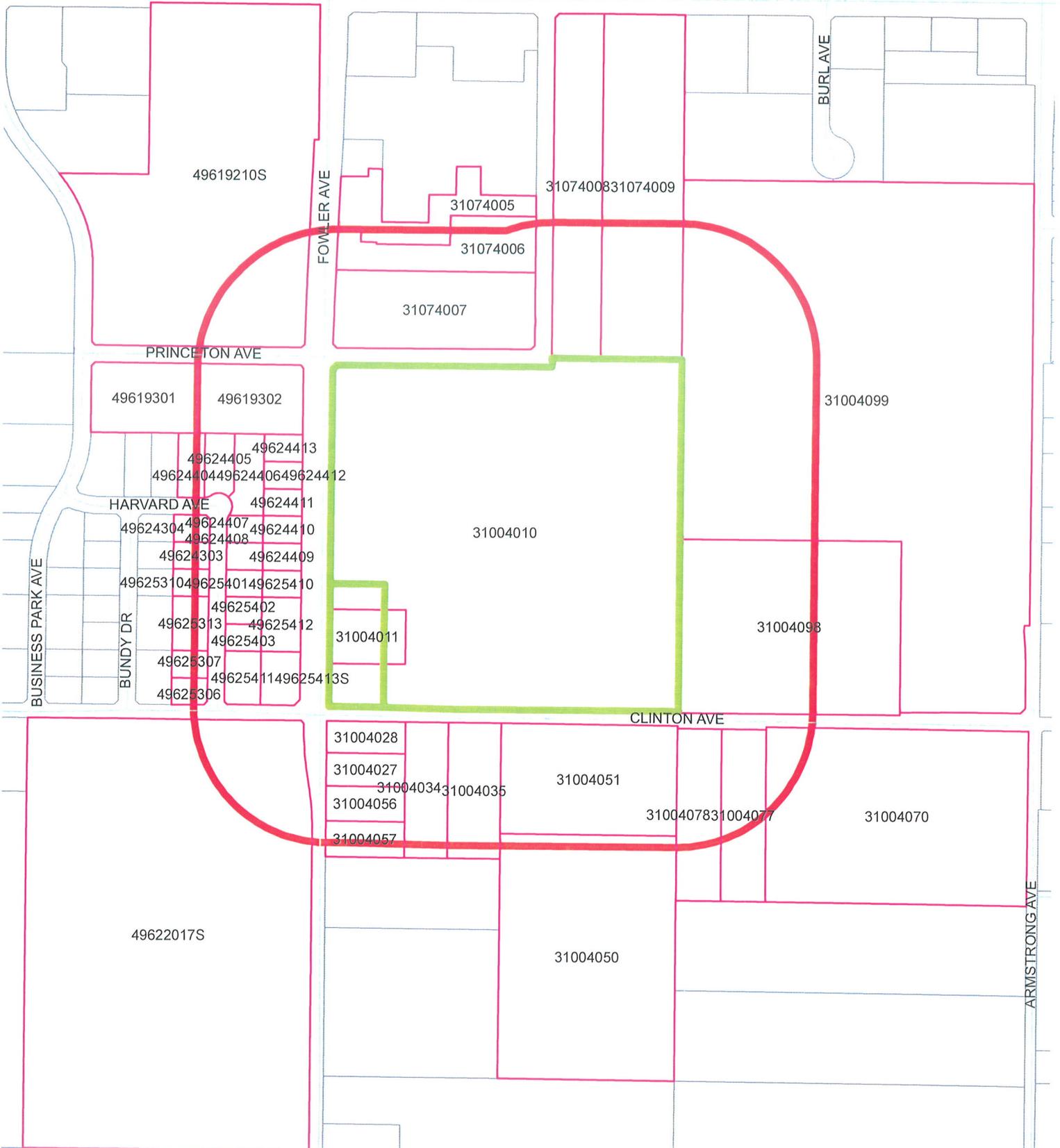
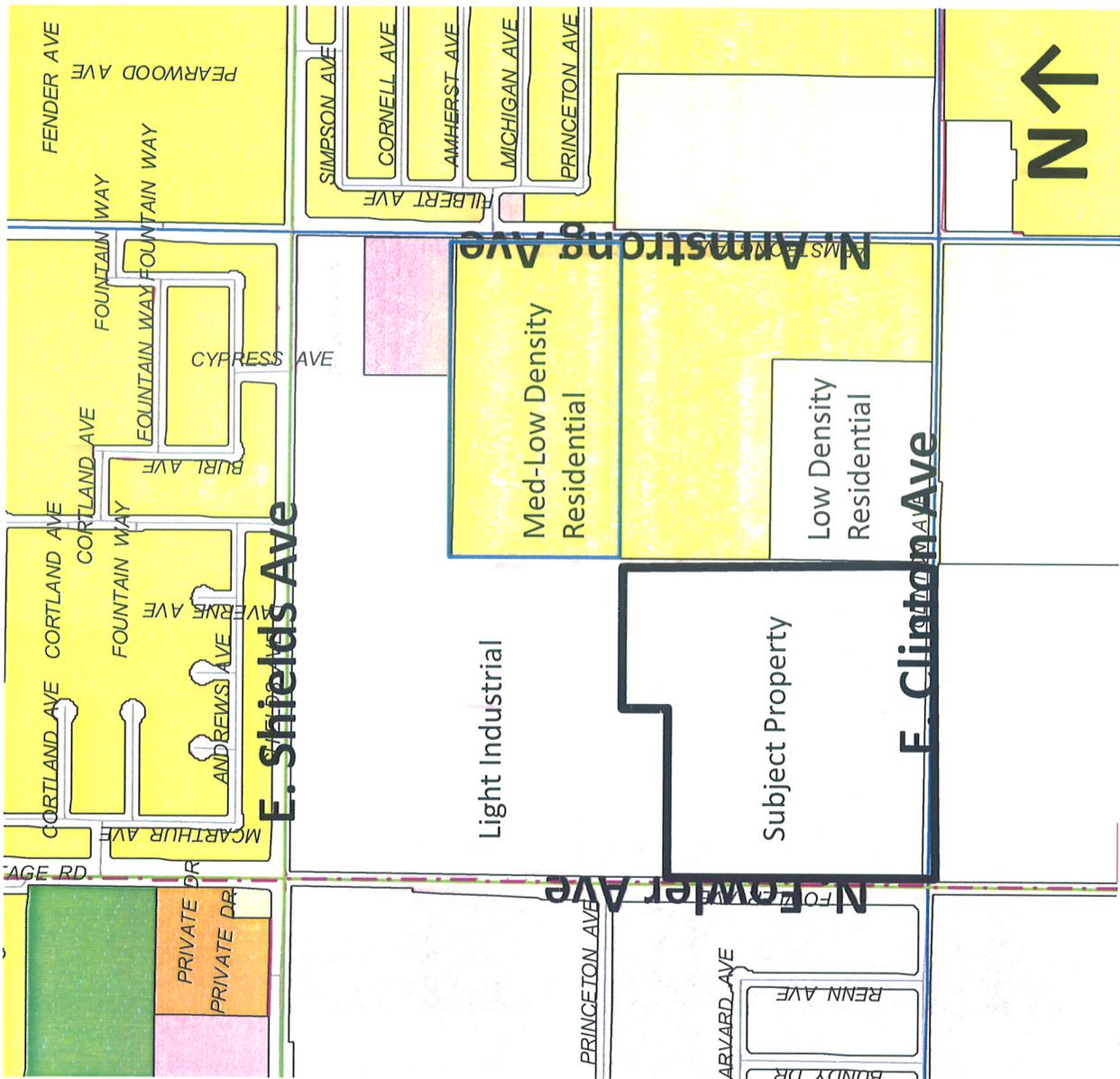
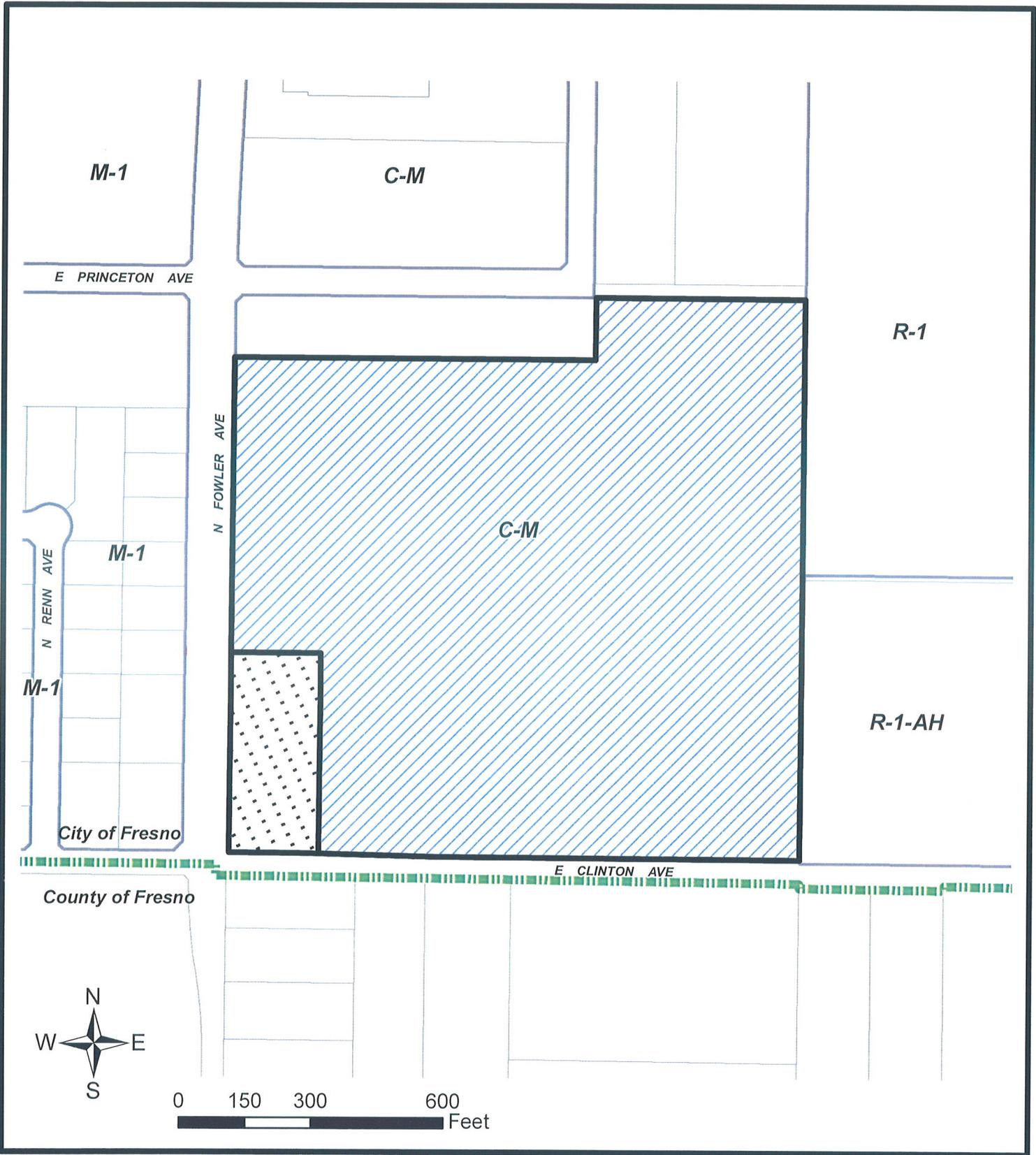


Exhibit D  
2025 Fresno General Plan Land Use Map



2025 Fresno General Plan Land Use Map

Exhibit E:  
Proposed Planned Land Use Map



**R-11-003 and A-11-003**  
**APN: 310-041-38 (portion)**  
**310-041-39**  
**2196 North Fowler Avenue**



C-M/UGM/cz to C-1/UGM/cz, 2.14 Acres  
 Light Industrial to Neighborhood Commercial



C-M/UGM/cz to R-1/UGM/cz, 31.87 Acres  
 Light Industrial to Medium Density Residential

Exhibit F  
Conditions of Zoning

Conditions of Zoning /Mitigation Measures for Plan Amendment A-06-002, Rezone Application No. R-06-028

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#	Condition of Zoning/Mitigation Measure	Status
1.	<p>The applicant shall participate with the City Planning and Development and Economic Development Departments in the preparation and submittal of applications for a 40-acre plan amendment and rezoning (to either the C-M or M-1 zone district) to accommodate a future industrial user. The applicant shall pay all (100%) of the costs of the application submittal. Said costs shall include City processing fees, engineering fees incurred in application submittal, graphics, and other incidental costs. The City of Fresno Planning and Development and Economic Development Departments shall be responsible for selecting the property that will be the subject of the applications. The application shall be submitted and paid in full prior to the issuance of the first building permit for the northerly 20 acres of the residential portion (T-5717) of the project proposed by Plan Amendment A-06-02 and Rezone Application No. R-06-028 (<i>see map on page 3</i>).</p>	<p>This has not been done yet but would remain a condition. The deadline is tied to construction of T-5717, which is not part of the current applications (is adjacent to the east) and has not yet commenced.</p>
2.	<p>Prior to the issuance of the first building permit on the northerly 20 acres proposed for medium low density residential uses by Plan Amendment A-06-02 and Rezone Application No. R-06-028, all infrastructure for the northern 40 acres planned light industrial and proposed for C-M zoning shall be installed.</p>	<p>Completed.</p>
3.	<p>Prior to issuance of certificate of occupancy for the last home on the northerly 20 acres proposed for medium low density residential uses by Plan Amendment A-06-02 and Rezone Application No. R-06-028, the infrastructure for the southerly 40 acres planned for light industrial and proposed for C-M zoning shall be installed.</p>	<p>This has not been done, and the "southerly 40 acres" includes the 34 acres of property now proposed for 31 ac residential and 2 ac commercial development. Infrastructure would be provided to serve the development, however only about 5 acres of it will remain industrial. We may need to delete or modify this condition.</p>
4.	<p>The applicant shall submit a site plan review application for the light industrial development that is designed for uses that create a minimum of 15 jobs per acre.</p>	<p>Applicant submitted Site Plan Review Applications S-07-009 and S-08-038 that designed the 80 acre property for retail and industrial use. City approved site plans. This condition has been met.</p>

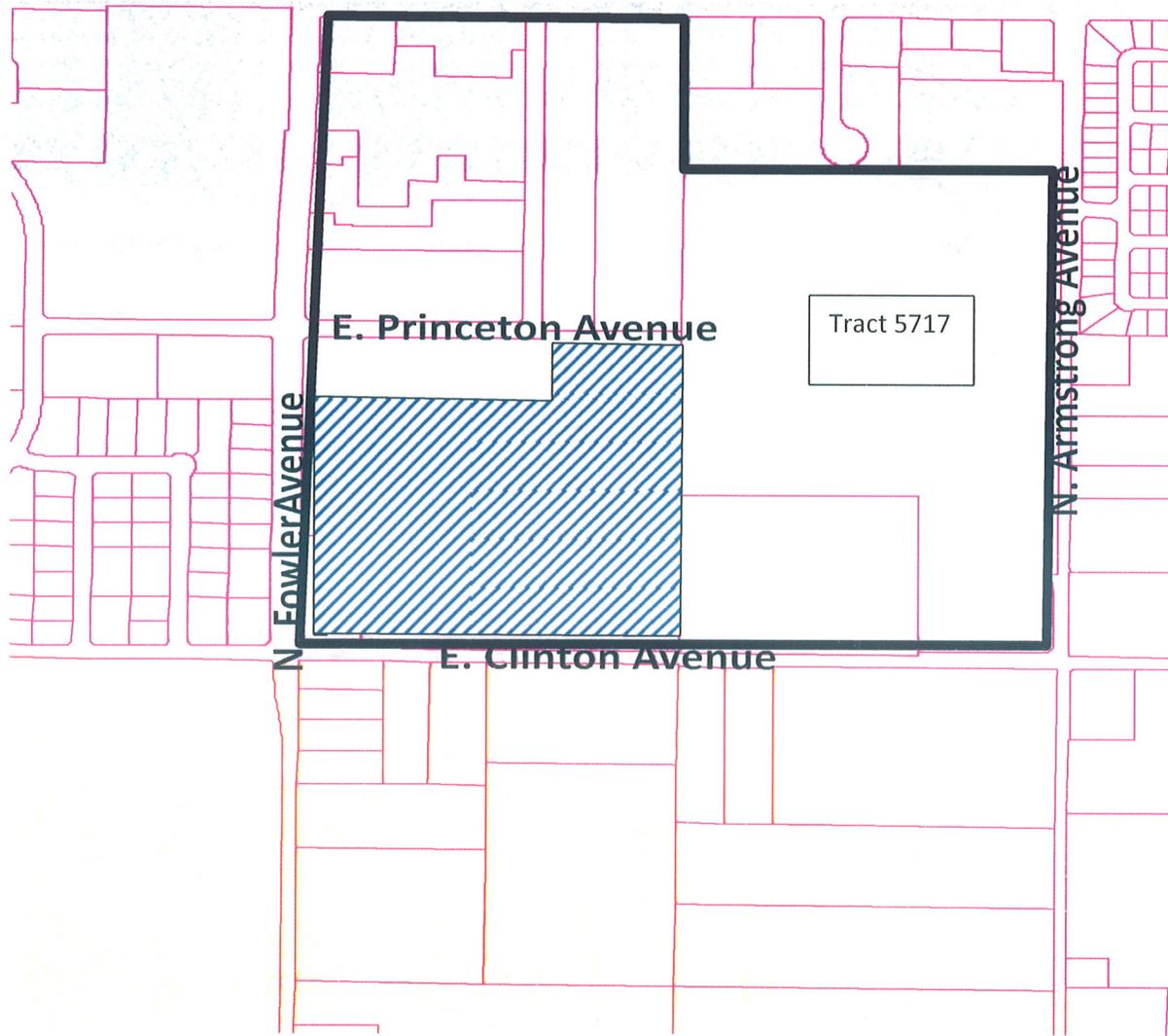
Conditions of Zoning /Mitigation Measures for Plan Amendment A-06-002, Rezone Application No. R-06-028

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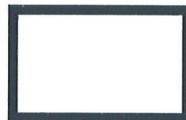
		Applicant argues that the reason they are seeking the land use changes to develop 34 acres as a residential and commercial development is because the market has not responded to the industrial land use (only tenant is Walgreens).
5.	Prior to the recordation of the first final map, the applicant shall actively participate in the development of a "Vacant Industrial Land Inventory" document that will be distributed by the Economic Development Department of the City of Fresno. This document will provide the updated basis for those involved with Economic Development to attract new and growing businesses to the City of Fresno	This condition has not yet been met but applicant is still willing to work with the City to fulfill it. It is tied to T-5717.
6.	The applicant shall, in coordination with the City of Fresno, support and promote the addition of light industrial land within the Southeast Growth Area, as appropriate, and shall, upon the request of the Economic Development Department of the City of Fresno, participate with the EDC and/or the City of Fresno at out of town conferences, seminars, trade shows (for a two-year period) in an effort to attract industrial users to the City of Fresno.	The applicant was not asked for this support in the first two years after approval so this condition is no longer in effect, however applicant still willing to assist.

Conditions of Zoning /Mitigation Measures for Plan Amendment A-06-002, Rezone Application No. R-06-028

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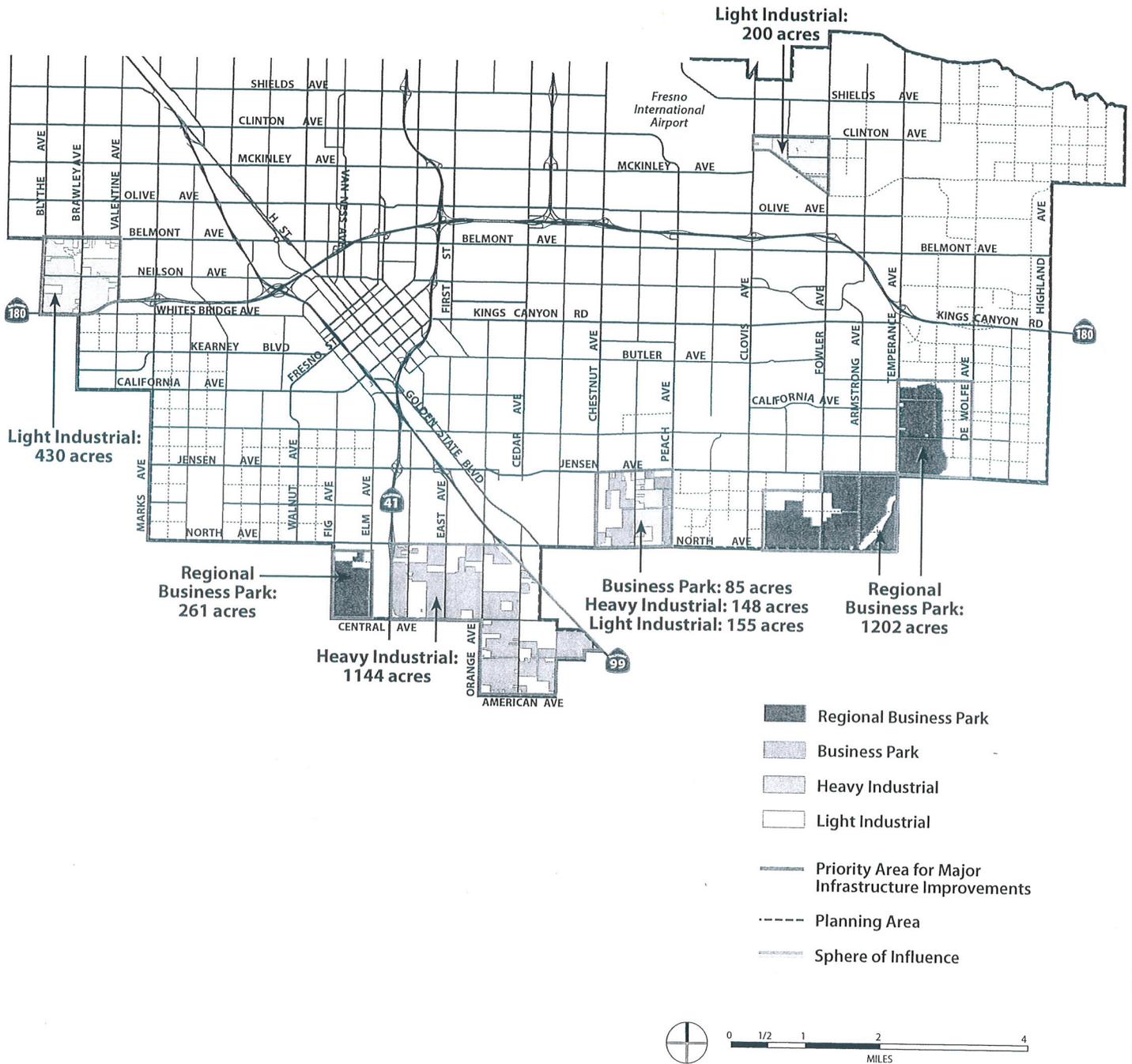
Subject Property



Area of Plan  
Amendment A-06-002,  
R-06-028

Exhibit G  
Figure ED-1: Significant Clusters of Vacant Land...

Figure ED-1:  
**Significant Clusters of Vacant Land Designated for Industrial and Business Park Use**

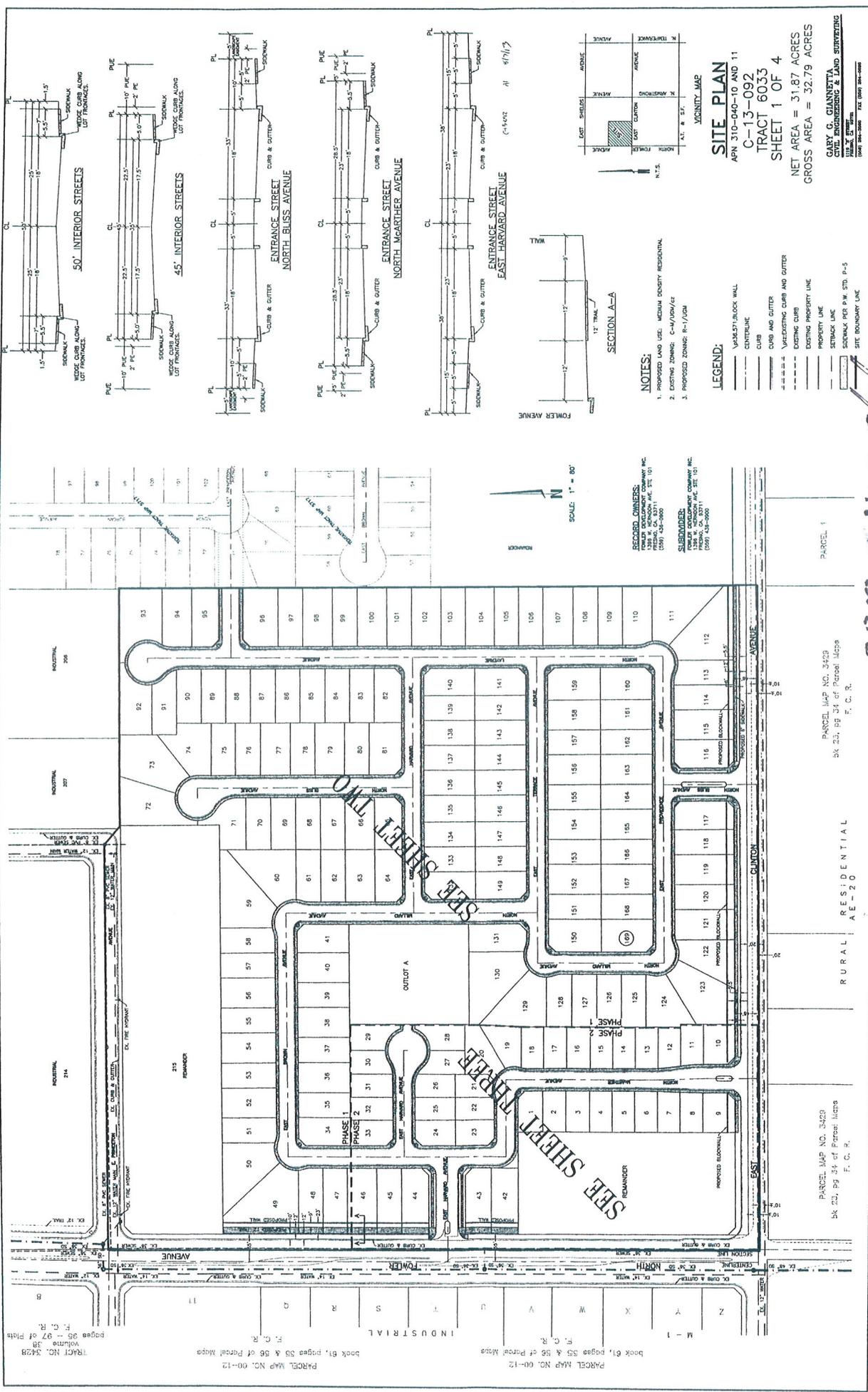


Source: City of Fresno

Exhibit H  
Vesting Tentative Tract Map No. T-6033/UGM



Exhibit I  
Exhibits for Conditional Use Permit Application No. C-13-092



TRACT NO. 3429  
 Volume 38  
 pages 85 - 87 of Plat  
 F. C. R.

PARCEL MAP NO. 00-12  
 book E1, pages 58 & 59 of Parcel Maps  
 F. C. R.

PARCEL MAP NO. 3429  
 book E1, pages 55 & 56 of Parcel Maps  
 F. C. R.

PARCEL MAP NO. 3429  
 book 23, page 24 of Parcel Maps  
 F. C. R.

INDUSTRIAL  
 M-1  
 Z  
 Y  
 X  
 W  
 V  
 U  
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 M

**SITE PLAN**  
 APN 310-040-10 AND 11  
 C-13-092  
 TRACT 6033  
 SHEET 1 OF 4

NET AREA = 31.87 ACRES  
 GROSS AREA = 32.79 ACRES

GARY G. GIANNETTA  
 CIVIL ENGINEERING & LAND SURVEYING  
 1111 N. 1ST ST. SUITE 100  
 FRESNO, CA 93703  
 (509) 241-2888 FAX (509) 241-2886

DATE 8/2/13

**NOTES:**  
 1. PROPOSED LAND USE: MEDIUM DENSITY RESIDENTIAL.  
 2. EXISTING ZONING: C-4/DM/4E  
 3. PROPOSED ZONING: R-1/DM

**LEGEND:**  
 - - - - - VARIETY BLOCK WALL  
 - - - - - CENTERLINE  
 - - - - - CURB  
 - - - - - CURB AND GUTTER  
 - - - - - VARIETYING CURB AND GUTTER  
 - - - - - EXISTING CURB  
 - - - - - EXISTING PROPERTY LINE  
 - - - - - PROPERTY LINE  
 - - - - - SETBACK LINE  
 - - - - - SIDEWALK PER P.W. STD. P-5  
 - - - - - SITE BOUNDARY LINE

**RECORD OWNERS:**  
 FOWLER DEVELOPMENT COMPANY INC.  
 FRESNO, CA 93711  
 (509) 241-2888

**SUBDIVIDER:**  
 FOWLER DEVELOPMENT COMPANY INC.  
 FRESNO, CA 93711  
 (509) 241-2888

**SECTION A-A**

SCALE: 1" = 80'

PARCEL 1

RURAL RESIDENTIAL  
 A-E-20

PARCEL MAP NO. 3429  
 BK 23, PG 24 of Parcel Maps  
 F. C. R.

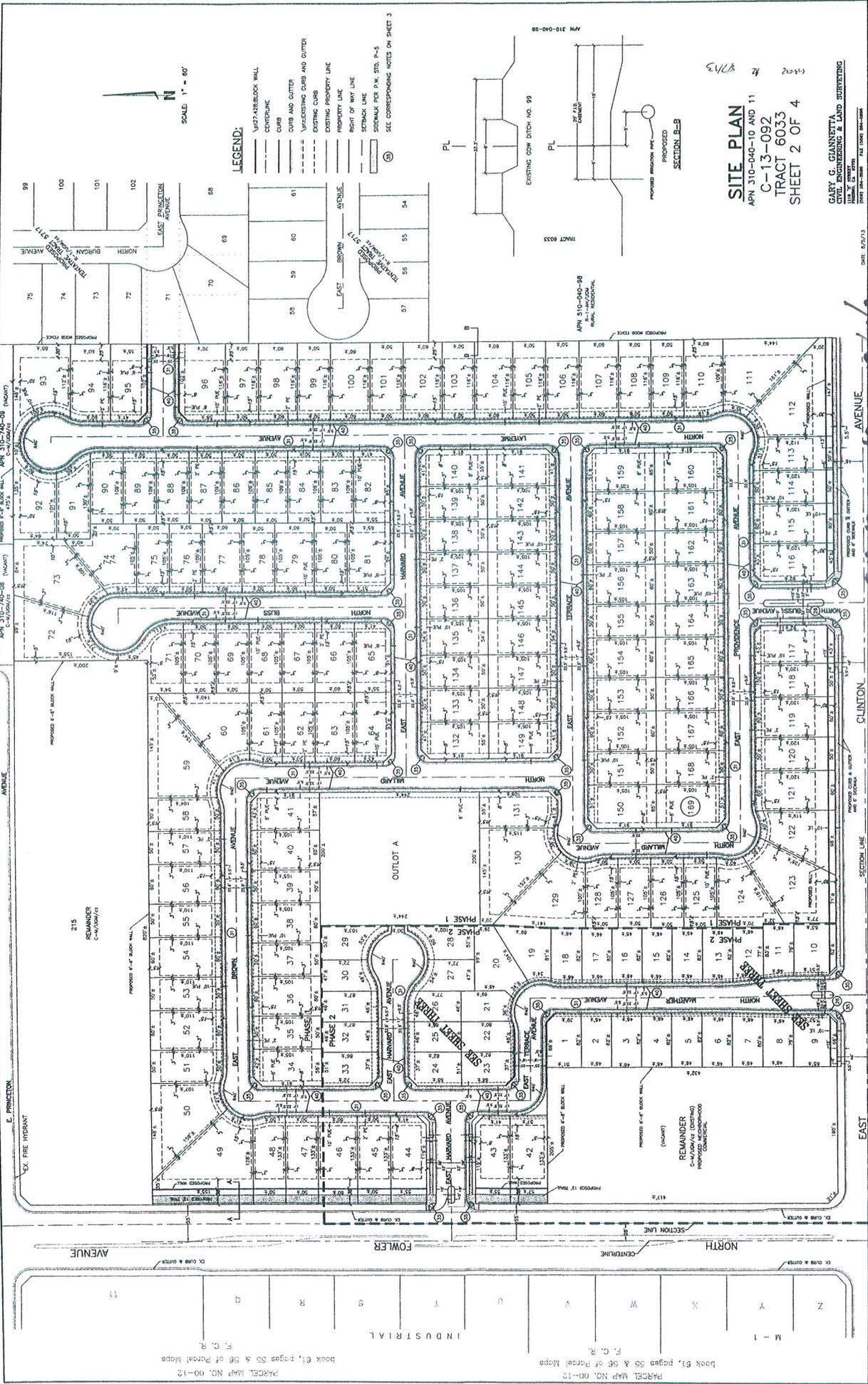
APPL NO. ~~C-13-092~~ EXHIBIT A1 DATE ~~8/2/13~~

PROJ. ENG. \_\_\_\_\_ DATE \_\_\_\_\_

TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_

COND. APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

CITY OF FRESNO PLANNING & DEVELOPMENT DEPT



LEGEND:

- 1/2" X 2" BLOCK WALL
- CONCRETE
- CURB
- CURB AND CUTTER
- VALENTINE CURB AND CUTTER
- EXISTING CURB
- EXISTING PROPERTY LINE
- PROPERTY LINE
- RIGHT OF WAY LINE
- SETBACK LINE
- SHOWALK PER P.M. STD. P-4
- SEE CORRESPONDING NOTES ON SHEET 3

APN 310-040-10 AND 11  
C-13-092  
TRACT 6033  
SHEET 2 OF 4

PROPOSED SECTION B-B

EXISTING CORB NOTCH NO. 99

APN 310-040-98  
REMAINING  
TRACT 6033

APN 310-040-99  
REMAINING  
TRACT 6033

APN 310-040-100  
REMAINING  
TRACT 6033

APN 310-040-101  
REMAINING  
TRACT 6033

APN 310-040-102  
REMAINING  
TRACT 6033

APN 310-040-103  
REMAINING  
TRACT 6033

APN 310-040-104  
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APN 310-040-105  
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TRACT 6033

APN 310-040-106  
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TRACT 6033

APN 310-040-107  
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APN 310-040-108  
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APN 310-040-109  
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APN 310-040-110  
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APN 310-040-111  
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TRACT 6033

APN 310-040-112  
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APN 310-040-152  
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TRACT 6033

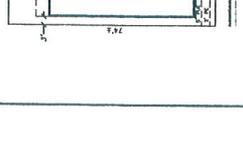
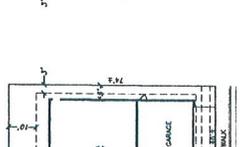
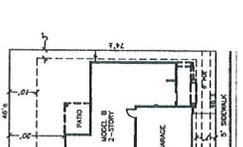
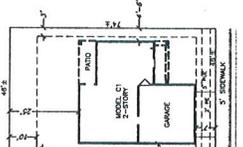
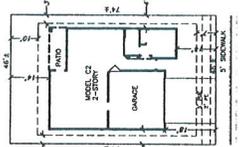
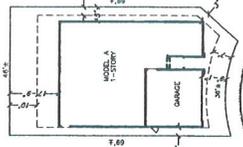
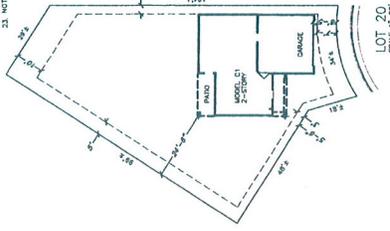
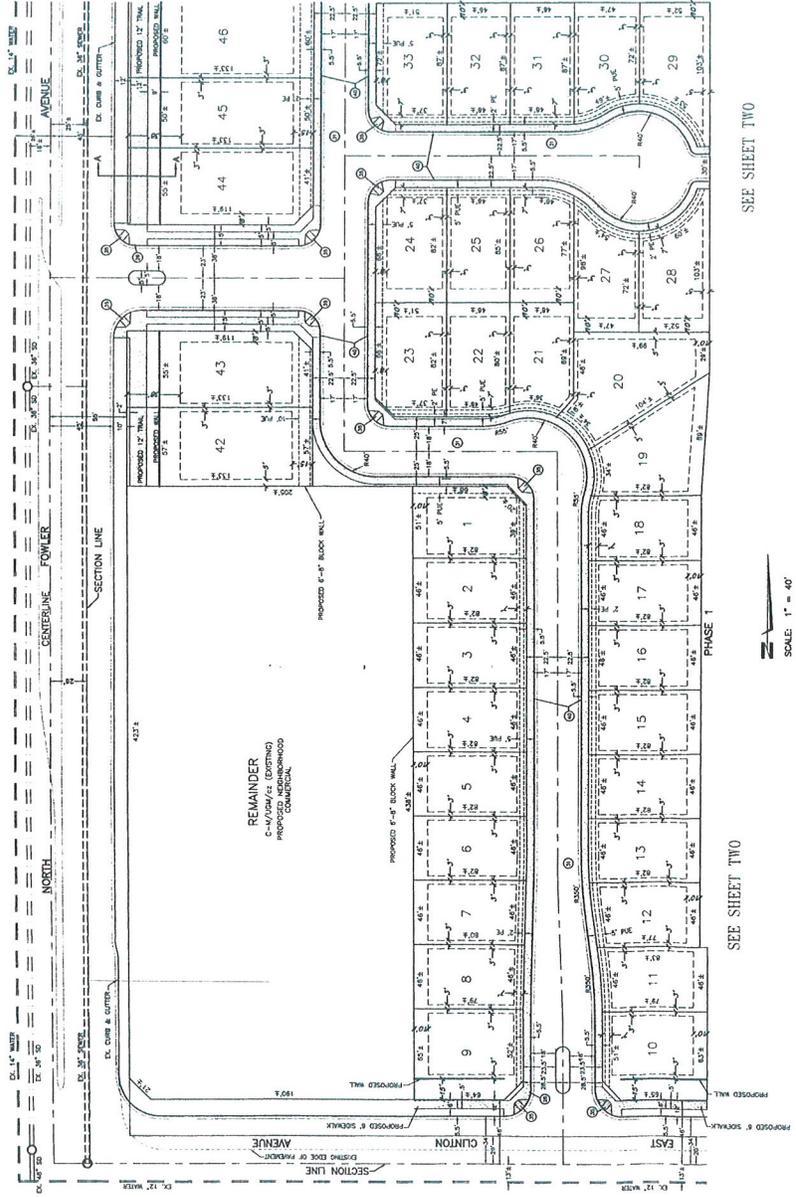
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TRACT 6033

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APN 310-040-156  
REMAINING  
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APN 310-040-157  
REMAINING  
TRACT 6033



- LEGEND:**
- VERTICAL BLOCK WALL
  - CENTERLINE
  - CURB
  - CURB AND GUTTER
  - VARIOUS CURB AND OUTER
  - EXISTING CURB
  - EXISTING PROPERTY LINE
  - PROPERTY LINE
  - RIGHT OF WAY LINE
  - SETBACK LINE
  - SETBACK PER P.W. ST. P-5
  - SEE CORRESPONDING NOTES

**SITE PLAN**  
 APN 310-040-10 AND 11  
 C-13-092  
 TRACT 6033  
 SHEET 3 OF 4

GARY C. GIANNETTA  
 CIVIL ENGINEER  
 1111 S. 2ND ST. #200  
 FRESNO, CA 93721  
 (559) 241-8888  
 FAX (559) 241-8888

- NOTES:**
1. CONTACT BIDDOR MAKE BIDDOR FOR APPURTENANCES TO EXISTING ACCESS AND UTILITIES REQUIRED AS CONDITIONS OF PROVIDING SPECIAL SERVICE.
  2. THE SANITARY SERVICE, WATER, GAS AND ANY OTHER UNDERGROUND UTILITIES SHALL BE PLACED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS.
  3. UNIMPROVED PAVING SHALL BE PLACED ADJACENT TO EXISTING PAVED AREAS AND SHALL BE MAINTAINED TO THE SAME STANDARD AS THE EXISTING PAVED AREAS.
  4. ALL CURB AND GUTTER PAVING SHALL BE CONFORMED TO THE CITY ENGINEER'S REQUIREMENTS.
  5. ANY SURVEY INSTRUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED AND PROTECTED BY THE CONTRACTOR.
  6. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISH GRADE.
  7. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISH GRADE.
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  23. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISH GRADE.

24. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS.
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APPL. NO. C-13-092 EXHIBIT AS DATE 08/16/13  
 PROJ. ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 COND. APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT  
 DATE \_\_\_\_\_



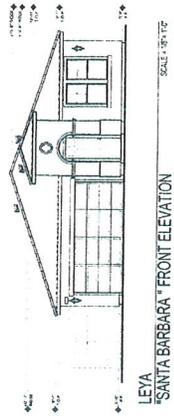
GRANVILLE HOMES, INC. IS AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, ANCESTRY, AGE, MARITAL STATUS, PREGNANCY, DISABILITY, OR ANY OTHER PROTECTED CLASSIFICATION. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY AND YOU ARE HAVING DIFFICULTY ACCESSING THIS WEBSITE, PLEASE CONTACT US AT (559) 242-0500.

**Models**

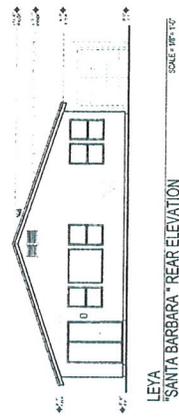
ELEVATIONS

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Date	
Checked	
Sheet Number	A4

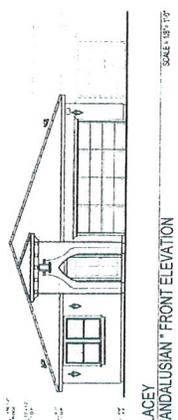
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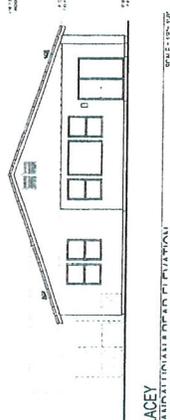
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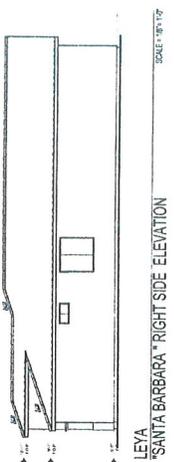
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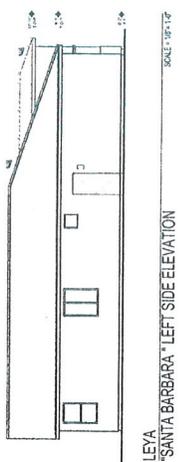
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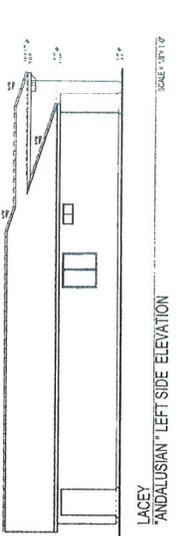
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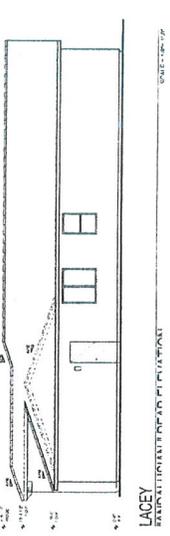
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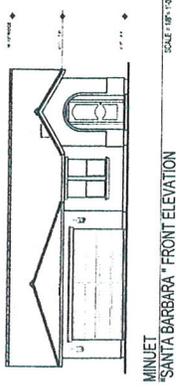
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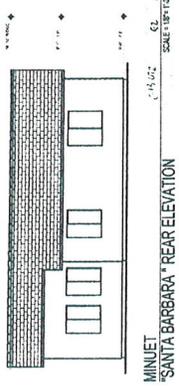
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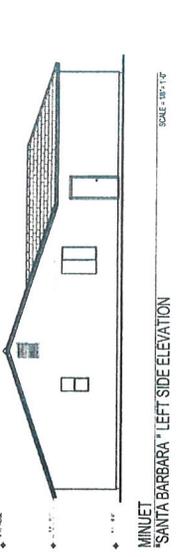
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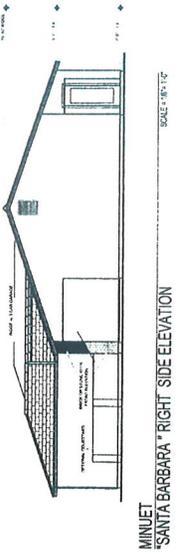
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MINIJET  
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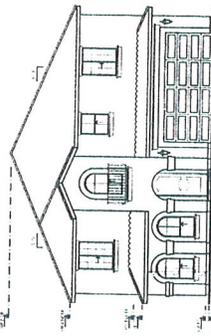


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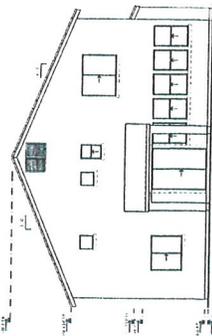


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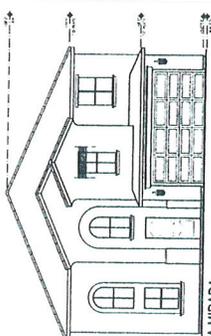
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 PROJ. ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 COND. APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT



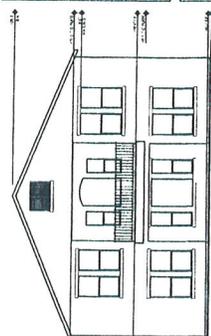
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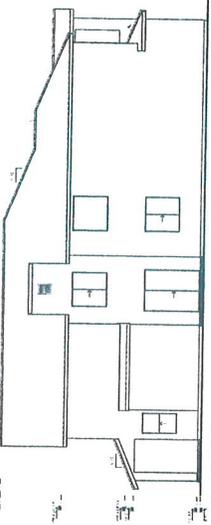
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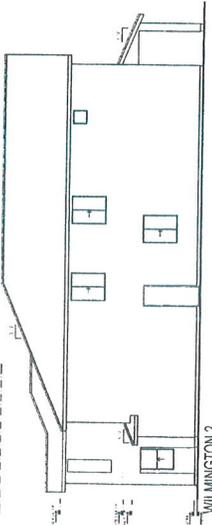
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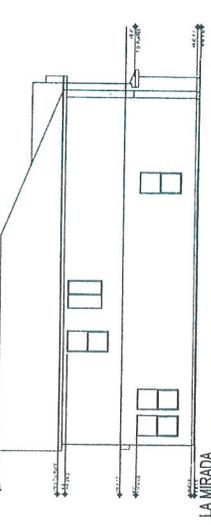
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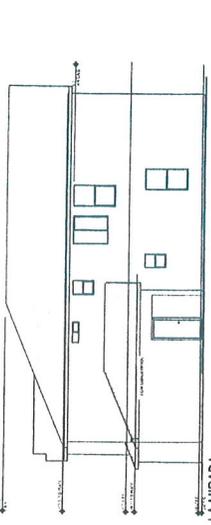
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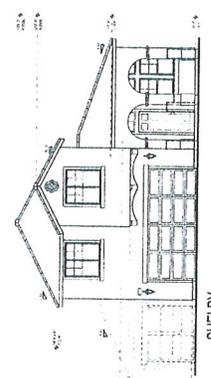
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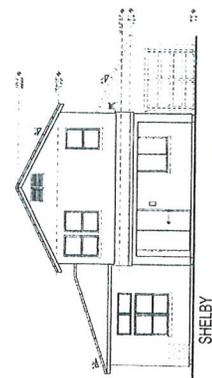
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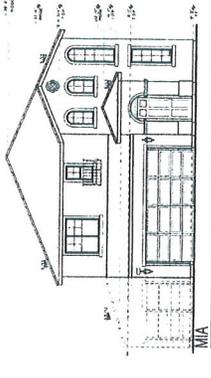
LA MIRADA  
 RIGHT ELEVATION



SHELBY  
 "SANTA BARBARA" FRONT ELEVATION



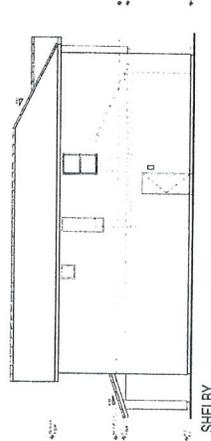
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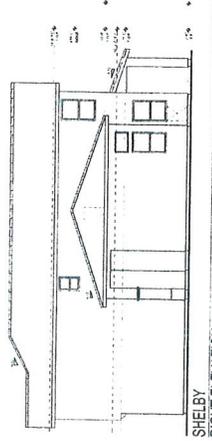
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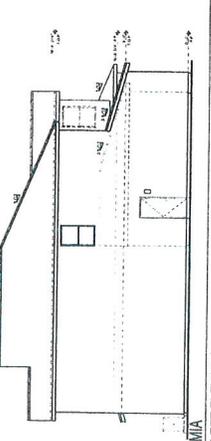
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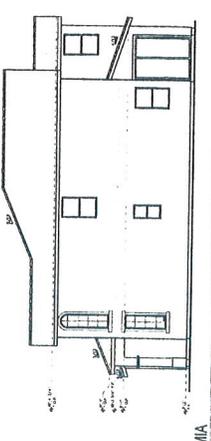
SHELBY  
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SHELBY  
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MIA  
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MIA  
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APPL. NO. C-13006 EXHIBIT E3 DATE 08/17/03  
 PROJ. ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 COND. APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT





Exhibit J:  
Conditions of Approval for C-13-092 and T-6033/UGM  
(including memoranda from responsible or commenting agencies)

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

**CONDITIONS OF APPROVAL**

APRIL 16, 2014

**CONDITIONAL USE PERMIT APPLICATION NO. C-13-092  
"A PLANNED DEVELOPMENT"**

**NORTHEAST CORNER OF EAST CLINTON AND NORTH FOWLER AVENUES**

**PART A - PROJECT INFORMATION**

1. Assessor's Parcel No(s): 310-041-38
2. Street Location: Northeast corner of the intersection of East Clinton and North Fowler Avenues.  
**(Council District 4, Councilmember Caprioglio)**
3. Existing Zoning "C-M/UGM/cz" (*Commercial and Light Manufacturing District/Urban Growth Management/with conditions of zoning*)
4. Proposed Zoning "R-1/UGM/cz" (*Single Family Residential District/Urban Growth Management/with conditions of zoning*)
5. Existing Planned Land Use: Light Industrial
6. Proposed Planned Land Use: Medium Density Residential (4.99-10.37 dwelling units/acre)
7. Plan Areas: McLane Community Plan
8. Project Description: Requests authorization for the establishment of a 169-lot single family residential, public street planned unit development with modified property development standards for lots proposed to be created by Vesting Tentative Tract Map No. 6033/UGM.

**PART B - GENERAL CONDITIONS AND REQUIREMENTS**

The City of Fresno Planning Commission, on April 16, 2014, approved the special permit application subject to the enclosed list of conditions and Exhibit(s) "A", "E", "F" & "L", inclusive of Conditional Use Permit Application No. C-13-092.

**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-13-092 and Vesting Tentative Tract Map No. T-6033/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 July 25, 2016 (four years from the date of Director approval). 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](mailto: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](mailto: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 April 10, 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 ordinances, plans and policies:
  - i) "R-1", *Single Family Residential District (§12-211 of the FMC)*
  - ii) "UGM", *Urban Growth Management (§§12-4.500-12-4.510 of the FMC)*
  - iii) "-cz's", *Conditions of Zoning (Rezone Application No. R-11-003)*
  - iv) 2025 Fresno General Plan
  - v) McLane 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 Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-003/R-11-003/C-13-092/T-6033 and dated March 21, 2014.

- a) The Mitigated Negative Declaration 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-13-092 is contingent upon approval of Vesting Tentative Tract Map No. 6033/UGM; and City Council approval of Plan Amendment Application No. A-11-003 and Rezone Application No. R-11-003.

- NOTE: Existing covenants or zoning contracts for the subject property related to existing conditions of zoning established through previous adoption of City Council Ordinances may be released upon Council Approval of Rezone Application No. R-11-003 if such existing conditions of zoning are removed or modified in a manner which renders previous covenants or contracts null or void.

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 have not been previously evaluated within the scope of Environmental Assessment No. A-11-003/R-11-003/C-13-092/T-6033 and dated March 21, 2014.

c) The subject property is proposed to be 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-13-092.

### 4. POPULATION DENSITY

a) Pursuant to the proposed Medium Density Residential planned land use designation for the subject property; the subject property shall be developed in accordance with Vesting Tentative Tract Map No. 6033/UGM and Exhibit(s) "A" of Conditional Use Permit Application No. C-13-092

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 Vesting Tentative Tract Map No. 6033/UGM and Conditional Use Permit Application No. C-13-092, the subject property is proposed to be developed at an overall density of approximately 5.30 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-13-092; and, the following:

- NOTE: Any proposed deviation from the building setback envelopes established by Exhibit "A" of Conditional Use Permit Application No. C-13-092 requires a revision to Conditional Use Permit Application No. C-13-092.

- b) All garages shall be setback a minimum of 18-feet from front property lines (coincident with back of sidewalk) subject to providing roll-up garage doors. Habitable space may be provided closer, subject to compliance with the condition above.
- c) 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) Maximum lot coverage by buildings and structures shall not exceed 50 percent of the total lot area; except as follows:
  - i) An additional 5 percent of the respective lot area may be improved with impervious area, which may include a front yard walkway, a side yard walkway and a rear yard patio.

#### 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 Outlot "A" of Vesting Tentative Tract Map No. 6033/UGM, which is 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. 6033/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.
  - 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.

- i) 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.
  - ii) 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.
  - iii) 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" and/or "L" of Conditional Use Permit Application No. C-13-092. 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 or landscape plans shall be reviewed for approval.
- b) Fences within the interior of the planned development shall be located behind any required end-block landscape areas as required by the conditions of approval for Vesting Tentative Tract Map No. 6033/UGM.
- c) All fences, hedges and walls shall conform to the provisions of Section 12-306-H of the FMC..
- 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.

8. ACCESS

- a) There shall be pedestrian access from a dedicated and improved street, alley or recorded private access to property used for residential purposes, the design of which shall be approved by the Director of Public Works.
- b) Vehicular and/or pedestrian access shall be maintained and remain clear at all times.
- c) Provide vehicular and/or pedestrian access as noted on Exhibit(s) "A" of Conditional Use Permit Application No. C-13-092.

9. 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).**

#### 10. 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.

## 12. 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. 6033/UGM dated April 16, 2014. 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 and FAX REQUIREMENTS**

- a) Comply with all of the requirements included within the attached Public Works Department, Traffic and Engineering Services Division memorandums dated March 21, 2014 and April 10, 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 September 16, 2013.
- b) Comply with all of the requirements included within the attached Department of Public Utilities, Water Division memorandum dated September 20, 2013.

### **3. SOLID WASTE COLLECTION**

- a) Comply with all of the requirements included within the attached Department of Public Utilities, Solid Waste Division memorandum dated September 24, 2013.

### **5. FIRE PROTECTION REQUIREMENTS**

- a) Comply with all of the requirements included within the attached City of Fresno Fire Department memorandum dated January 09, 2012.

### **6. FLOOD CONTROL REQUIREMENTS**

- a) Comply with all of the requirements included within the attached Fresno Metropolitan Flood Control District memorandum dated September 19, 2013.

### **7. 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.

### **8. FRESNO IRRIGATION DISTRICT**

- a) Comply with all of the requirements included within the attached Fresno Irrigation District

memorandum dated October 02, 2013 and all FID related requirements included within the Conditions of Approval for Vesting Tentative Tract Map No. 6033/UGM dated April 16, 2014.

9. COUNTY OF FRESNO, DEPARTMENT OF COMMUNITY HEALTH

- a) Comply with all of the requirements included within the attached County of Fresno Department of Public Health memorandum dated August 29, 2013.

**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**  
**DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

**CONDITIONS OF APPROVAL**

APRIL 16, 2014

**VESTING TENTATIVE TRACT MAP NO. 6033/UGM**

NORTHEAST CORNER OF THE INTERSECTION OF EAST CLINTON AND NORTH FOWLER 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).

Improvements and payments shall not be required on or in front of any undeveloped portion of a net acreage of ten acres or more which exists after the division of land. All improvements and payments shall be completed with development.

**URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)**

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

**GENERAL CONDITIONS**

1. Upon conditional approval of Vesting Tentative Tract Map No. 6033/UGM, the subdivider may prepare a Final Map in accordance with the approved tentative map; and, the following:
  - a) Approval of Vesting Tentative Tract Map No. 6033/UGM is contingent upon City Council approval of Plan Amendment Application No. A-11-003 and Rezone Application No. R-11-003.

- b) Approval of Vesting Tentative Tract Map No. 6033/UGM is contingent upon approval of Conditional Use Permit Application No. C-13-092.
  - i) Any Final Map prepared for the subdivision of the subject property shall comply with all conditions of approval for Conditional Use Permit Application No. C-13-092.
- 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 and Rule 8060 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 subdivider 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. 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. 6033/UGM.

#### GENERAL INFORMATION

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

16. 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.
17. 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.
18. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
19. 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.
20. 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.
21. 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

22. Development of the subject property shall be subject to implementation of all applicable mitigation measures, fees, and timelines included within the Initial Study and Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-003/R-11-003/C-13-092/T-6033 and dated March 21, 2014.
  - a) The Mitigated Negative Declaration 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

23. Approval of Vesting Tentative Tract Map No. 6033/UGM is contingent upon City Council approval of Plan Amendment Application No. A-11-003 and Rezone Application No. R-11-003.
24. As a proposed "Planned Development" subdivision, approval of Vesting Tentative Tract Map No. 6033/UGM is contingent upon approval of Conditional Use Permit Application No. C-13-092; authorizing the planned development of the subject property.
  - i) Development on the subject property or individual lots resulting from a subdivision thereof shall comply with all property development standards of the applicable/respective zone district designated for the respective parcel(s) as well as the design standards of the subdivision ordinance; except as may be modified by the conditions of approval for Conditional Use Permit Application No. C-13-092.

- ii) The subdivision and planned development of the subject property shall comply with all conditions of approval for Conditional Use Permit Application No. C-13-092.

#### 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 Vesting Tentative Tract Map No. 6033/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-13-092.

#### Lot Coverage

27. Maximum lot coverage by buildings and structures shall not exceed the provisions included within the conditions of approval for Conditional Use Permit Application No. C-13-092 (Reference Fresno Metropolitan Flood Control District requirements included herein below for further information).

#### Landscaping, Open Space and Walls

28. Pursuant to Exhibit 9 (Multi-Purpose Trails Plan Map) of the 2025 Fresno General Plan, the subdivider shall provide a minimum 26-foot wide easement for bike, pedestrian and landscape purposes along the westerly property lines of all lots with frontage on North Fowler Avenue (i.e., Lots 42-49 of Vesting Tentative Tract Map No. 6033/UGM).
  - Trail dedications and improvements shall be provided in accordance with Public Works Standards P-58, P-59 and P-60. (Reference Streets and Rights-of-Way conditions and requirements included herein below for further information).
  - a) Construct a 6-foot high solid masonry sound wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 12-306-H of the FMC behind the required 26-foot wide easement for bike, pedestrian and landscape purposes along the westerly property lines of all lots with frontage on North Fowler Avenue (i.e., Lots 42-49 of Vesting Tentative Tract Map No. 6033/UGM).

- i) The height of the required wall at the rear of the required easement for bike, pedestrian and landscape purposes may be increased to a maximum 7 feet at the discretion of the developer and subject to approval of respective improvement plans by the Development and Resource Management Department.
29. Pursuant to Section 12-1011(f)(3) of the FMC, the subdivider shall provide a minimum 10-foot wide landscape easement (and irrigation system) along the southerly property lines of all lots with frontage on East Clinton Avenue (i.e., Lots 9, 10 & 112-123 of Vesting Tentative Tract Map No. 6033/UGM).
  - a) Construct a 6-foot high solid masonry sound wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 12-306-H of the FMC behind the required 10-foot wide landscape easement along the southerly property lines of all lots with frontage on East Clinton Avenue (i.e., Lots 9, 10 & 112-123 of Vesting Tentative Tract Map No. 6033/UGM).
30. Two to five percent (2%-5%) of the site (less street dedications) should consist of common passive/active open space in accordance with: the City of Fresno Proposed Guidelines for Landscape Open Space and Pedestrian Walkway Requirements for Residential Development; the Conditions of Approval for Conditional Use Permit Application No. C-13-092; and, the following:
  - a) All subdivisions that are 10 net acres in area or greater shall provide a minimum of 2.5 percent of the site with aggregate open space.
    - i) Proposed Outlot "A" of Vesting Tentative Tract Map No. 6033/UGM shall be dedicated and utilized for common open space purposes.
      - NOTE: Outlot "A" of Vesting Tentative Tract Map No. 6033/UGM comprises approximately 48,800 square feet in area; comprising approximately 4-percent of the net acreage (31.87 net acres) of the subject property.
    - ii) The height of fences or walls, which may be proposed along the boundaries of proposed Outlot "A" of Vesting Tentative Tract Map No. 6033/UGM may be increased to a maximum 7 feet subject to approval of respective improvement plans by the Development and Resource Management Department.
  - b) Major street entryways shall contain enhanced landscaping (and irrigation systems), surface materials, and fencing/wall treatments that respectively improve and better define a project's visual image and character.
    - i) Treatment and improvement of all major street entryways shall be provided in accordance with the cross-sectional details included on, and proposed by, Vesting Tentative Tract Map No. 6033/UGM; and, the following:

- ii) The subdivider shall provide a minimum 5-foot wide landscape strip in the form of a landscape easement on the local street side of the proposed lots abutting the entry street to the subdivision from East Clinton Avenue (i.e., westerly property line of Lot 115 and easterly property line of Lot 116 of Vesting Tentative Tract Map No. 6033/UGM).
- c) Provide a minimum 5-foot wide landscape strip (and irrigation system) at the end of all blocks. The landscape strip/buffer shall be located adjacent to the "sidewalk pattern" within the adjacent public street rights-of-way and shall incorporate street trees to shade the adjacent sidewalks in accordance with Public Works standards, specifications, and policies.
  - i) Obligations for retention and maintenance of end-block landscaped areas shall be the responsibility of the respective property owner(s) on which the landscaped area is located.
    - NOTE: It is the responsibility of the subdivider to disclose all responsibilities associated with these conditions of approval (and those associated with approval of Conditional Use Permit Application No. C-13-092) to prospective buyers when individual lots are sold.
  - d) Pedestrian connections/walkways are encouraged for all subdivisions in order to promote "walkability", link neighborhoods and to provide residents the opportunity to reach destinations, including (but not limited to) residences, bus stops, trails, parks (including mini, neighborhood, community, regional parks, etc.), schools, shopping centers, other subdivisions, etc.
  - i) The developer/property owner shall provide a pedestrian connection between proposed Outlot "A" of Vesting Tentative Tract Map No. 6033/UGM and the adjacent cul-de-sac (East Harvard Avenue) located to the west.
    - NOTE: Any fence or wall erected along the westerly property line of proposed Outlot "A" shall include a minimum 30-foot wide opening at the end of the adjacent cul-de-sac; or, a minimum 30-foot wide section of either a wrought iron or tubular steel type fence (whereas at least 90 percent of the fence is open for the passage of light and air), equipped with a pedestrian gate.
  - ii) The developer/property owner shall provide a pedestrian connection from the interior local public street right-of-way to the abutting Remainder parcel proposed for commercial development prior to acceptance of respective public improvements.
    - NOTE: The Director of the Development and Resource Management Department may waive or defer the requirement for a pedestrian connection

with consideration given to the prospective use and timing of development on the commercial Remainder.

31. 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.
32. 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.
33. Provide a corner cut-off area at all entryways and intersections, where walls or fences are proposed/required, in accordance with Section 12-306-H-3-e 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.
34. When the grading plan establishes a top of slope beyond the required landscape easement noted and the construction of the required wall(s) 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.
35. All proposed/required landscaped easements/buffers, open space areas, pedestrian connections, entryways, pathways and/or private on-site landscaping for street tree purposes shall be improved in accordance with the landscape improvement plans, which are to be submitted to the Development and Resource Management Department for review and approval prior to Final Map approval.
  - NOTE: Lighting and fence/wall details for any proposed/required open spaces areas or pedestrian connections shall be provided with the submittal of the landscape improvement plans.

36. Maintenance of any/all required landscape easements and/or proposed Outlots within the boundary of Vesting Tentative Tract Map No. 6033/UGM shall be provided pursuant to 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.

#### 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 April 10, 2014; and, the following:
  - a) A stub street to the east shall be provided in the area of proposed Lots 104 through 106 of Vesting Tentative Tract Map No. 6033/UGM.

#### SANITARY SEWER SERVICE

40. Comply with all of the requirements included within the attached Department of Public Utilities, Planning and Engineering Division (Sanitary Sewer) memorandum dated September 16, 2013.

#### WATER SERVICE

The nearest water mains to serve the proposed project are a 12-inch main located in North Fowler Avenue and a 12-inch main located in East Clinton 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 September 20, 2013.

#### 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 September 24, 2013.

#### 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 September 19, 2013.

#### 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 October 01, 2013.

#### FRESNO IRRIGATION DISTRICT

45. Comply with all of the requirements included within the attached Fresno Irrigation District memorandum dated October 02, 2013; and, the following:
  - a) Prior to recordation of a Final Map for any phase of Vesting Tentative Tract Map No. 6033/UGM, the tentative map for Tract No. 5717 shall be revised to accommodate the proposed alignment of the easement to be dedicated to the Fresno Irrigation District for purposes of the Gow No. 99 Ditch (pipeline).

#### COUNTY OF FRESNO DEPARTMENT OF PUBLIC HEALTH

46. Comply with all of the requirements included within the attached County of Fresno, Department of Public Health memorandum dated August 29, 2013.

#### RIGHT-OF-WAY ACQUISITION

47. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
48. 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.

49. 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.
50. 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.
51. 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 all the items listed below is ultimately the responsibility of the owner/developer:

52. Comply with all the requirements included within the attached Department of Public Works, Traffic and Engineering Services Division memorandum regarding Conditions for Maintenance Requirements dated September 10, 2013; and, the following:
53. 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.  
 (Reference Fresno Metropolitan Flood Control District requirements included herein above and notes below for further information)

*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] \$344/living unit  
 Service Area: Fowler
- e. Wastewater Facilities Charge [3] \$2,119/living unit
- f. Fowler Trunk Sewer Interim Fee Surety [1] \$574/living unit
- g. House Branch Sewer Charge [2] N/A

*WATER CONNECTION CHARGES*

*FEE RATE*

- h. Service Connection Charge Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule.
- i. Frontage Charge [1] \$6.50/lineal foot
- j. Transmission Grid Main Charge [1] \$643/gross acre  
 (parcels 5 gross acres or more)
- k. Transmission Grid Main Bond Debt Service Charge [1] \$243/gross acre

(parcels 5 gross acres or more)

- i. UGM Water Supply Fee [2]  
 Service Area: 501s \$1,738/living unit
- m. Well Head Treatment Fee [2]  
 Service Area: 501 \$79/living unit
- n. Recharge Fee [2]  
 Service Area: 501 \$56/living unit
- o. 1994 Bond Debt Service [1]  
 Service Area: 501 \$93/living unit

<u>CITYWIDE DEVELOPMENT IMPACT FEES</u>	<u>FEE RATE</u>
p. Fire Facilities Impact Fee – Citywide [4]	\$539/living unit
q. Park Facility Impact Fee – Citywide [4]	\$2278/living unit
r. Quimby Parkland Dedication Fee [2]	\$1120/living unit
s. Citywide Regional Street Fee [3]	\$8,361/adj. acre
t. New Growth Area Major Street Fee [3]	\$18,790/adj. acre
u. Police Facilities Impact Fee – Citywide [4]	\$624/living unit
v. Traffic Signal Charge [1]	\$450.94/living unit
w. Street Acquisition/Construction Charge [2]	N/A

**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

Conditions of Approval  
Vesting Tentative Tract Map No. 6033/UGM  
April 16, 2014  
Page 16

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.



DATE: April 10, 2014

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 6033, southeast corner of Clinton and Fowler  
Fowler Development Company Inc. / Gary Giannetta

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

**Provide the following information on the tentative map and / or complete the following, prior Planning Commission.**

1. Revise all street cross sections in accordance with the Public Works Standards.
2. Revise the garage setbacks to a minimum of 20' or 18' with a roll-up door.
3. Provide a revised tentative map 5717 identifying the changes to the FID easement.

**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 constructed 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. **Intelligent Transportation Systems (ITS):** Street work on major streets shall be designed to include ITS in accordance with the Public Works ITS Specifications, where not existing.
5. Design local streets with a minimum of 250' radius.
6. **Local street lengths** exceeding 800' and four way intersections require traffic calming measures. Construct permanent traffic circles per Public Works Standards **P-83, P-84** and/or **P-85**. **Identify and provide cross sections on the map. No parking is allowed adjacent to the circles.**
7. **Local Street Intersections:** The intersection of two local continuous streets shall have a minimum of 160' offset measured from center line to center line.
8. **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**.
9. **Outlots:** If the subdivider seeks to dedicate to the City, in fee, an outlet for open space purposes, subdivider shall prove to the City that the outlet 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.

10. 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 and streetlight and Trail: construction, grading, lighting, striping, signing, landscape and irrigation.
11. Street widening and transitions shall also include utility relocations and necessary dedications.
12. Garages:
  - a. Public Streets: Garages or carports shall be located not less than twenty (20) feet from any street frontage where the garage door or carport opening faces and takes direct access to the street. FMC 12-207.5 E,e –or- Provide a minimum of 18' from garage to back of walk with a roll-up door.
  - b. Private Streets: Provide a section in the CC& R's prohibiting parking in driveways less than 18' from garage to back of walk.
13. Irrigation /Canal Requirements: The developer shall enter into an agreement with the Fresno Irrigation District (FID) providing for piping the canal(s) and submit an executed copy of the agreement or commitment letter from FID to the Development and Resource Management Department. All piping shall be located outside of the proposed street right of way. Any piping across city streets shall be rubber gasketed reinforced concrete pipe (RGRCP) constructed perpendicular to the street. Submit engineered plans to Public Works Department, Traffic and Engineering Services Division, for review and approval. **Identify the proposed easement and provide a final cross sectional detail on both maps. ( TT-6033 and TT-5717)**
14. Private Irrigation Pipe: If not abandoned, the developer shall enter into an agreement with owner of the private canal providing for piping the canal and submit an executed copy of the agreement or commitment letter from the owner of the private canal to the Development and Resource Management Department. All piping shall be located outside of the proposed street right of way. Any piping across city streets shall be rubber gasketed reinforced concrete pipe (RGRCP) constructed perpendicular to the street. Submit engineered plans to Public Works Department, Traffic and Engineering Services Division for review and approval. **Identify the proposed easement and provide a final cross sectional detail on the map.**
15. Where medians are proposed on local streets, provide adequate dedications and transitioning for varying street widths per The State of California Traffic Manual. **No parking is shall be allowed within the limits of the proposed median.**

#### Frontage Improvement Requirements:

##### Major Streets:

###### Clinton Avenue: 104' Collector

1. Dedicate 46'-54' of property, from section line, for public street purposes within the limits of this subdivision to meet the current City of Fresno Collector Standards.
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 subdivision.
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 Clinton Avenue from all lots within this subdivision.

Fowler Avenue: Arterial

1. Dedicate 55'-57' of property, from center/section line, for public street purposes within the limits of this subdivision to meet the City of Fresno's Arterial Standards.
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-52. **A 2' Pedestrian Easement is required. Identify on the map.**
3. Class 1 Trail: Dedicate a 26' (minimum) easement for bike, pedestrian and landscape purposes **only**. (Additional right of way may be required for grading and drainage purposes.) This Department **does not** support the equestrian component of the trail due to health and safety issues. Construct a 12' wide Class 1 Trail with 2' graded shoulders, complete with signing, striping and landscaping, per the Caltrans Highway Design Manual; chapter 1000, the 2025 Fresno General Plan, the Multi-Purpose Trails Plan Map and Public Works Standards P-58, P-59 and P-60. Above ground utilities shall not be allowed within the easement. Identify the proposed easement on the map and provide a cross section. An additional 12' dedication is required for the equestrian portion, if required. Contact the Development and Resource Management Department.
4. Construct 20' of permanent paving within the limits of this subdivision.
5. Construct an 80' bus bay curb and gutter at the northeast corner of Fowler and Clinton to Public Works Standard P-73, complete with a 10' monolithic sidewalk. Sidewalk shall be separate from the proposed Class 1 trail per Public Works Standard P-75.
6. 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-7 for Arterial Streets.
7. Relinquish direct vehicular access rights to Fowler Avenue from all lots except portion of the remainder at the northeast corner of Fowler and Clinton. There shall be minimal trail crossings per the 2025 General Plan and as approved by the Traffic Engineer. Exact driveway approach location to be determined at site plan review. .

**Interior Streets:**

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 or provide documentation to support the approval of the alternative shown.

**Specific Mitigation Requirements:** This tract will generate 148 a.m. / 248 p.m. peak hour trips; therefore, a Traffic Impact Study (TIS) **is required**. Comply with the mitigation measure requirements of the Traffic Engineering Manager in the attached letter dated 3-21-2014.

1. Relinquish direct vehicular access rights to :
  - a. the north property line of lot 43.
  - b. the south property line of lot 44.
  - c. the east property line of lot 117.
  - d. the west property line of lot 116.
2. The intersection of :

- a. **Fowler and Princeton** Avenues shall be designed with a full median opening to allow for left turns-in and left turns-out.
  - b. **Fowler and Harvard** Avenues shall be designed with a partial median opening to allow for right-in, right out and left-in turns only.
3. 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.
4. Delete the proposed planter at Clinton and Wittier.
5. Provide a street connection at approximately lot 105.
6. Full offsite improvements adjacent to the remainder at:
  - a. The northeast corner of **Fowler and Clinton**
  - b. The southeast corner of **Fowler and Princeton**
 shall be required for public health and safety and the orderly development of the surrounding area. Reference “**The Subdivision Map Act**”, Chapter 1, Section 66424.6.

**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).

This TSMI fee is credited against signal installation and Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) anticipated to build out the 2025 General Plan circulation element and included in the Nexus Study for the TSMI fee. Project specific impacts that are not consistent with the 2025 General Plan, Public Works P69 standards, and/or already incorporated into the TSMI fees infrastructure costs are not reimbursable unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next update and the applicant agrees to pay the new calculated TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence. If the applicant is conditioned with improvements that are credited/reimbursable with this fee they should work with the Department of Public Works and identify with a Professional Engineers estimate the costs associated with the improvements prior to paying the TSMI fee at time of building permit.

1. Fowler Avenue: Arterial: Install a signal pole with a 150-watt safety light and an oversize street sign to Public Works Standards at the northeast corner of Fowler Avenue and Clinton Avenue.
2. The intersection of Fowler Avenue and Clinton Avenue shall be signalized to the City of Fresno Standards, complete with left turn phasing, actuation and signal pre-emption. This work is eligible for reimbursement and/or credit against Traffic Signal Mitigation Impact Fees. The applicant shall design the traffic signal and obtain City approval of the plans **prior** to occupancy of the first dwelling unit. If the intersection meets signal warrants at the time of occupancy of the first unit, then the full traffic signal shall be installed. If the intersection does not meet warrants, then the traffic signal installation shall be limited to the following equipment: poles, safety lights, oversize street name sign, conduits, detectors, service pedestal connected to a PG&E point of service, controller cabinet, ITS vault, ITS communication cabinet and all pull boxes, with the following equipment to be delivered to the City of Fresno's Traffic Signal shop for future installation when warrants are met: 2070L controller, mast arms, heads, Opticom discriminator and receivers.

**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:**

Clinton Avenue: Collector (New Growth Area)

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. Frontage Improvements required beyond the limit of development: 2025 General Plan Policy numbers E-1-c, E-1-j, E-1-n and E-3-e.

Fowler Avenue: Arterial (New Growth Area)

1. Construct a raised concrete median with 250' left turn pockets at all major intersections. Details of said street shall be depicted on the approved tentative tract map. Dedication shall be sufficient to accommodate arterial standard and any other grading or transitions as necessary based on a 55 MPH design speed.
2. Dedicate sufficient right-of-way and construct additional paving for northbound to southbound U-turns at Clinton per Public Works Standard P-66.

**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](http://www.fresnocog.org). Provide proof of payment or exemption **prior** to issuance of building permits.



City Hall 559-621-8800  
2800 Fresno Street, Rm. 4084  
Fresno, CA 93721-3623  
[www.fresno.gov](http://www.fresno.gov)



Public Works Department  
Scott Mozier, Director

March 21, 2014

Sophia Pagoulatos, Supervising Planner  
City of Fresno  
Planning and Resource Management Department  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

**SUBJECT:** REVIEW OF TRAFFIC IMPACT ANALYSIS (TIS) DATED JANUARY 2014 AND  
ADDENDUM MEMO DATED MARCH 17, 2014 FOR THE PROPOSED TRACT  
6033 LOCATED ON THE NORTHEAST CORNER OF FOWLER AND CLINTON  
AVENUES  
TIS 13-012, C-13-092, A-11-003, R-11-003

***TRAFFIC IMPACT STUDY APPROVED FOR PLANNING COMMISSION***

**TIS OVERVIEW**

We have reviewed the Traffic Impact Study (TIS) dated January 2014 and the associated TIS Addendum Memo dated March 17, 2014 prepared by Quad Knopf for the proposed "project" that plans to construct 170 single family dwelling units and 21,000 square feet of retail use on approximately 38 acres located on the northeast corner of Fowler and Clinton Avenues. The project proposes to amend the 2025 Fresno General Plan and McLane Community Plan to change the project site planned light industrial use designation to the neighborhood commercial use for an approximately 2.14 acre portion of the site and to the medium density residential use for an approximately 31.87 acre portion of the site. The project also proposes to rezone the 2.14 acre portion of the project site from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the C-1/UGM/cz (Neighborhood Shopping Center/Urban Growth Management/conditions of zoning) zone district. The 31.87 acre portion of the project site would also be rezoned from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the R-1/UGM/cz (Single Family Residential/Urban Growth Management/conditions of zoning) zone district. The project site is currently vacant.

The Traffic Impact Study (TIS) prepared by Quad Knopf evaluated the impacts of the proposed project by analyzing five (5) intersections along Fowler Avenue in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the *ITE Trip Generation Manual, 9<sup>th</sup> Edition* and ITE land use codes 210 – Single Family Residential and 820 – Shopping Center. The project is projected to generate the following weekday daily (ADT), AM and PM peak hour trips:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
ITE Code 210 Single Family Residential	170 du	1,618	32	96	128	107	63	170
ITE Code 820 Shopping Center	21,000 sf	897	12	8	20	37	41	78
<b>Total</b>		<b>2,515</b>	<b>44</b>	<b>103</b>	<b>148</b>	<b>144</b>	<b>103</b>	<b>248</b>

du = dwelling units

sf = square feet

Based on the analyses included in the TIS, the following intersections are currently operating at a substandard level of service (LOS) in either one or both of the weekday peak hours:

- Fowler Avenue at Shields Avenue – PM peak hour
- Fowler Avenue at Clinton Avenue – PM peak hour
- Fowler Avenue at Olive Avenue – AM/PM peak hours

With the addition of traffic projected to be generated by the project, all three (3) of the above intersections will continue to operate at a substandard LOS. The project will add an additional 5.0 seconds of delay during the PM peak hour at the intersections of Fowler Avenue at Shields Avenue and Fowler Avenue at Clinton Avenue which is considered a significant impact. The project is not expected to increase the already deficient LOS/delay at the intersection of Fowler and Olive Avenues. The City of Fresno has a Capital Improvement Project to widen the intersection of Fowler Avenue at Shields Avenue to include one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane on all approaches. With these modifications the intersection of Fowler and Shields Avenue will operate at an acceptable LOS. The intersection of Fowler Avenue at Clinton Avenue is projected to meet the peak hour traffic signal warrant. With the installation of a traffic signal, the intersection of Fowler and Clinton Avenues is projected to operate at an acceptable LOS.

The near-term analyses added trips projected to be generated by approved and pipeline projects in the area to the intersections. Approved and pipeline projects were those projects either under construction, built but not fully occupied, have final site development review approval or for which the City has knowledge of. Five (5) residential approved and pipeline projects were included in the analysis and cumulatively generated 8,606 ADT, 678 AM peak hour and 904 PM peak hour trips. Quad Knopf has identified the following intersections as operating at a substandard LOS in the near-term analyses and/or meeting the peak hour traffic signal warrant:

- Fowler Avenue at Shields Avenue – AM peak hour
- Fowler Avenue at Clinton Avenue – AM/PM peak hours
- Fowler Avenue at Olive Avenue – AM/PM peak hours

With the addition of the proposed projects and the approved projects, the TIS has identified the following improvements to improve the intersections to LOS D or better:

- Fowler Avenue at Shields Avenue – The City of Fresno has a Capital Improvement Project to widen the intersection of Fowler Avenue at Shields Avenue to include one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane on all approaches
- Fowler Avenue at Clinton Avenue: installation of a traffic signal and the addition of an eastbound left-turn lane
- Fowler Avenue at Olive Avenue – installation of a traffic signal and the addition of northbound and southbound left-turn lanes

The 2035 analyses assumed the City of Fresno would continue to develop in accordance with the 2025 General Plan. The following intersections have been identified as operating below the LOS D standard in the 2035 scenarios with and without the project. The project is projected to add more than 5 seconds of delay at the Fowler Avenue at Olive Avenue intersection:

- Fowler Avenue at McKinley Avenue – AM/PM peak hours
- Fowler Avenue at Olive Avenue – AM/PM peak hours

The TIS has identified the following improvements to improve the intersections to LOS D or better:

- Fowler Avenue at Olive Avenue – installation of an additional eastbound and westbound left-turn lane

#### GENERAL COMMENTS and CONDITIONS

1. The trip generation based on the ITE Trip Generation Manual is acceptable. The proposed project is projected to generate 2,515 daily trips (ADT), 148 trips during the AM peak hour and 248 trips during the PM peak hour. The trip generation is based on the ITE land use codes for the 170 Single Family Dwelling Units (ITE Code 210) and 21,000 square feet of Shopping Center (ITE Code 820) uses.

The existing General Plan land use generates 1,956 ADT, 284 trips during the AM peak hour and 274 trips during the PM peak hour. This trip generation is based on the General Light Industrial land use (ITE code 110) on the 37.77 acre site.

2. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the reported 2,515 ADT for the proposed project, the fee would be \$118,506.80 payable at the time of the building permit.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2025 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2025 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

3. The project shall construct the westbound approach of the Fowler Avenue at Clinton Avenue intersection with a left-turn lane, one (1) through lane and a right-turn lane.
4. The project shall install a traffic signal at the intersection of Fowler Avenue and Clinton Avenue. The traffic signal will have protected left-turn phasing in all directions and be constructed at the ultimate location according to City standards. This traffic signal is included in the Traffic Signal Mitigation Impact Fee and can be credited/reimbursed by the TSMI fee.
5. Previous mitigation measures associated with General Plan Amendment A-06-002 and Rezone R-06-028 required the installation of traffic signals at the following intersections:
  - Fowler Avenue at Shields Avenue
  - Armstrong Avenue at Clinton Avenue
  - Fowler Avenue at Clinton Avenue
  - Armstrong Avenue at Shields Avenue

To date, traffic signals have been installed at the intersections of Shields and Fowler Avenues and Shields and Armstrong Avenues. In addition to the traffic signal at the intersection of Fowler and Clinton Avenues, the project shall install a traffic signal at the intersection of Clinton and Armstrong Avenues. The traffic signal will have protected left-turn phasing in all directions and be constructed at the ultimate according to City standards. This traffic signal is included in the Traffic Signal Mitigation Impact Fee and can be credited/reimbursed by the TSMI fee.

6. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
7. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; [www.fresnocog.org](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
8. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
9. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

If you have any further questions regarding this matter, please contact me at (559) 621-8792 or [jill.gormley@fresno.gov](mailto:jill.gormley@fresno.gov).

Sincerely,



Jill Gormley, TE  
Assistant Traffic Engineering Manager  
Public Works Department, Traffic & Engineering Services

C: Copy filed with Traffic Impact Study  
Scott Tyler, PE, City Traffic Engineer  
Mike Sanchez, Planning & Development Dept.  
Louise Gilio, Traffic Planning Supervisor



**DEPARTMENT OF PUBLIC UTILITIES  
ADMINISTRATION DIVISION  
MEMORANDUM**



*Providing Life's Essential Services*

**Date:** September 16, 2013

**To:** WILL TACKETT  
Planning and Development

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

**Subject:** SEWER REQUIREMENTS FOR VESTING TENTATIVE TRACT T-6033 UGM;  
CONDITIONAL USE PERMIT C-13-092

**General**

T-6033-UGM & C-13-092 were filed by Gary Giannetta, on behalf of Granville Homes, and pertain to 31.87 acres of property located on the northeast corner of East Clinton Avenue and North Fowler Avenue, 6208 East Clinton Avenue, APN 310-040-10, 11. The applicant proposes a 169-lot single family residential public street planned development with one Outlot dedicated for common open space purposes at an overall density of approximately 5.30 dwelling units per acre. A-11-003 & R-11-003 have been filed previously to facilitate this proposed development. The property is zoned R-1-UGM, Single Family Residential-Urban Growth Management.

**Sewer Requirements**

Sewer facilities are available to provide service to the site subject to the following requirements:

1. Connection to the existing 36-inch Trunk Sewer main in North Fowler Avenue shall not be allowed.
2. A Preliminary sewer design layout shall be prepared by the Developer's Engineer and submitted to the Department of Public Utilities for review and conceptual approvals prior to submittal or acceptance of the developer's final map and engineered plan & profile improvement drawing for City review.
3. Construct a 12-inch sanitary sewer main (including sewer house branches to adjacent properties) in E. Clinton Avenue east from N. Fowler Avenue to the easterly property line of the project.
4. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
5. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
6. Installation of sewer house branch(s) to each lot shall be required.



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7. Abandon any existing on-site private septic systems.
8. 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.
9. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.
10. All underground utilities shall be installed prior to permanent street paving.

#### Sewer Fees

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

1. Trunk Sewer Charge: Fowler
2. Sewer Lateral Charge
3. Oversize Sewer Charge
4. Wastewater Facilities Charge (Residential Only)
5. Sewer Facility Charge (Non-Residential)
6. The City of Fresno currently does not own capacity in the Fowler Avenue Trunk Sewer line north of Tulare Avenue; however, the City of Fresno has negotiated a temporary exchange and interim use of capacity owned by the City of Clovis in the Fowler Avenue Trunk Sewer. This exchange of capacity is conditioned upon Fresno replacing Clovis' capacity with capacity in future facilities agreeable to Clovis and at a cost yet to be determined.

Whereas, the necessary and appropriate fees for future replacement of Clovis' Fowler Avenue Trunk Sewer capacity have not been established and adopted by the City Council; the Developer in-lieu of constructing separate sanitary sewer facilities that would otherwise be required of this project (to provide for collection and conveyance of sanitary sewage discharged from the project to an approved point of discharge to the Sewer System located south of Tulare Avenue) shall provide payment of an "Interim Fee Surety" in the amount of \$574 per living unit or living unit equivalent for the impending fees.

Said "Interim Fee Surety" may be deferred through a Fee Deferral Agreement to the issuance of a building permit or occupancy. Following adoption of a fee established for replacement of Clovis' capacity in the Fowler Avenue Trunk Sewer by the City Council, "Interim Fee Sureties" provided by the Developer shall be applied to the established fee and any amounts in excess shall be refunded.



**DEPARTMENT OF PUBLIC UTILITIES – WATER DIVISION  
MEMORANDUM**



*Providing Life's Essential Services*

**DATE:** September 20, 2013

**TO:** WILL TACKET, 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-6033**

**General**

T-6033-UGM & C-13-092 were filed by Gary Giannetta, on behalf of Granville Homes, and pertain to 31.87 acres of property located on the northeast corner of East Clinton Avenue and North Fowler Avenue, 6208 East Clinton Avenue, APN 310-040-10, 11. The applicant proposes a 169-lot single family residential public street planned development with one Outlot dedicated for common open space purposes at an overall density of approximately 5.30 dwelling units per acre. A-11-003 & R-11-003 have been filed previously to facilitate this proposed development. The property is zoned R-1-UGM, Single Family Residential-Urban Growth Management.

**Water Service**

The nearest water mains to serve the proposed project are a 12-inch main located in North Fowler Avenue and a 12-inch main located in East Clinton Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.
2. All public water facilities shall be constructed in accordance with City Standards, specifications, and policies.
3. 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.
4. 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



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

5. 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.
6. 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)

September 24, 2013

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 6033/UGM and C-13-092 Solid Waste Conditions of Approval  
Location: Northeast corner of East Clinton Avenue and North Fowler Avenue  
(APN 310-040-10, 11)

The Department of Public Utilities, Solid Waste Division has completed a review of Tentative Tract Map 6033/UGM and C-13-092 that were submitted by Gary G. Giannetta, on behalf of Granville Homes. 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 6033 will be serviced as Single Family Residential properties with Basic Container Service. Property owners will receive 3 containers to be used as follows: 1 Gray container for solid waste, 1 Green container for green waste and 1 Blue container for recyclable material.
- The owners, lessees or other tenants of the residential dwellings on service day, before 5:30 a.m., shall place their solid waste containers at the edge of the curb approximately 4 feet apart and shall not block any vehicle accesses, nor be placed within any traffic circle, in accordance with the City of Fresno's Solid Waste Management Division Standards.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(11). No solid waste container nor residential rubbish shall be allowed to remain at the curblines after 8:00 p.m. on the collection day.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(10). No material container shall be stored in the front yard or side yard on a street as said yards are described in Chapter 12, Articles 2 and 3 of this Code, unless the container is screened from view from the street in accordance with that article of the Code.

**Covenant Requirements:**

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

- Lots 27, 28, 29, 30 on East Harvard Avenue
- Lots 71, 72, 73, 74 on North Bliss Avenue
- Lots 91, 92, 93 on North Laverne Avenue

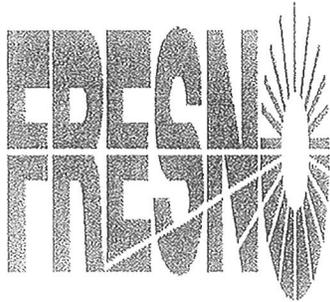
Lots at an entrance need to place their containers at an alternate location so the Solid Waste vehicle clears the entrance and does not remain partially out on the main road when servicing the residence:

- On North Whittier Avenue, Lot 10 shall place their containers in front of Lot 11

Lots at a dead-end street need to place their containers at an alternate location so the Solid Waste vehicle does not need to back up the truck:

- On North McArthur Avenue, Lot 42 shall place their containers in front of Lot 43

City of



**FIRE DEPARTMENT**

**Date:** September 19, 2013

**To:** WILL TACKETT, Supervising Planner  
Development and Resource Management Department , Advance Planning

**From:** TERRI MEISS, Fire Prevention Inspector II  
Fire Department, Fire Prevention & Investigative Services

**Subject:** T-6033-UGM & C-13-092 were filed by Gary Giannetta, on behalf of Granville Homes, and pertain to 31.87 acres of property located on the northeast corner of East Clinton Avenue and North Fowler Avenue, 6208 East Clinton Avenue, APN 310-040-10, 11. The applicant proposes a 169-lot single family residential public street planned development with one Outlot dedicated for common open space purposes at an overall density of approximately 5.30 dwelling units per acre. A-11-003 & R-11-003 have been filed previously to facilitate this proposed development. The property is zoned R-1-UGM, Single Family Residential-Urban Growth Management.

**Hydrants**

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

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

**General**

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. 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-round and with 24 feet minimum width or other approved method that would prevent shoulder degradation.

Streets highlighted on the plan shall be identified as fire lanes as provided in the California Vehicle Code, Section 22500.1. Designate highlighted curbs as fire lanes (red curb with "Fire Lane" in 3" white letters every 50 feet or approved signs every 50 feet).

Provide sign(s) (17" X 22" minimum) at all public entrance drives to the property "Warning - Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense - 22658 California Vehicle Code - Fresno Police Department 621-2300."

### Other

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. 210.413

Page 1 of 4

PUBLIC AGENCY

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

DEVELOPER

FOWLER DEVELOPMENT COMPANY, INC.  
1396 W. HERNDON AVE., SUITE 101  
FRESNO, CA 93711

FR  
CUP No. 2013-092

PROJECT NO: 2013-092

ADDRESS: NEC CLINTON & FOWLER AVE.

APN: 310-040-10

SENT: 10/1/13

Drainage Area(s)	Preliminary Fee(s)
BS	\$287,742.00

TOTAL FEE: \$287,742.00

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/14 based on the site plan submitted to the District on 8/28/13 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 2 of 4

FR  
CUP No. 2013-092

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

1.  a. Drainage from the site shall BE DIRECTED TO  
 b. Grading and drainage patterns shall be as identified on Exhibit No. 1  
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
  
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:  
 Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".  
 None required.
  
3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:  
 Grading Plan  
 Street Plan  
 Storm Drain Plan  
 Water & Sewer Plan  
 Final Map  
 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).  
 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.)  
 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.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 3 of 4

FR  
CUP No. 2013-092

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

  
Gerald E. Lakeman  
District Engineer

  
Gary Chapman  
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

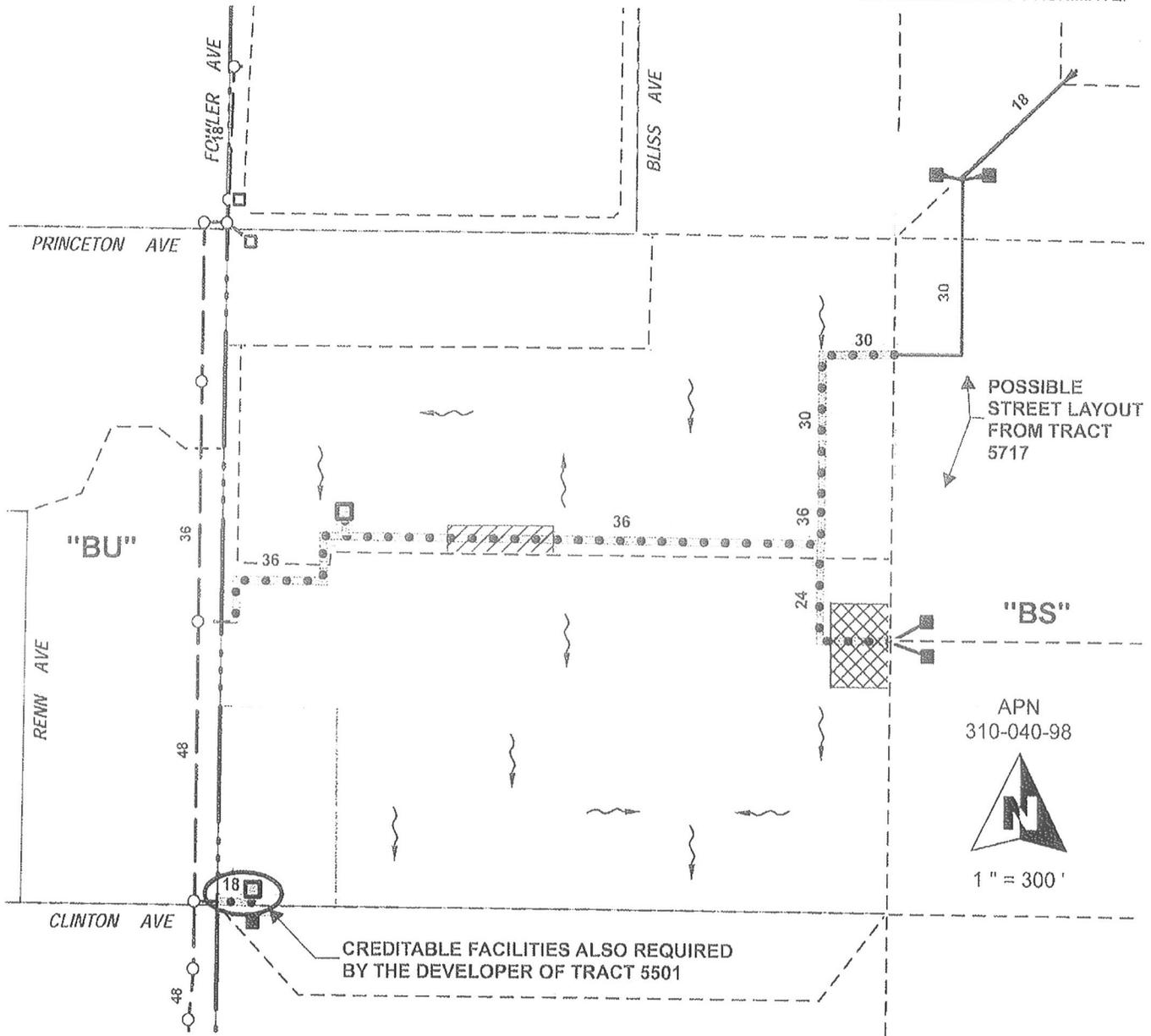
GARY G. GIANNETTA, CIVIL ENGINEERING

1119 "S" ST.

FRESNO, CA 93721

**FR CUP No. 2013-092**

NOTE:  
THIS MAP IS SCHEMATIC  
DISTANCES ARE APPROXIMATE.



## LEGEND

- |  |   |  |  |
|--|---|--|--|
|  | Creditable Facilities (Master Plan Facilities To Be Constructed By Developer)-Pipeline (Size Shown) & Inlet |  | Limits of Tract 6033   |
|  | Existing Master Plan Facilities   |  | FMFCD Storm Drain Easements (Refer To Exhibit No. 2 For Width) |
|  | Future Master Plan Facilities   |  | Area Of Recommended Stub Street                                |
|  | Inlet Boundary  |  |  |
|  | Drainage Area Boundary  |  |  |
|  | Direction of Drainage   |  |  |

**TRACT 6033**  
**CUP 2013-092**  
**DRAINAGE AREA "BS"**

EXHIBIT NO. 1



**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

Prepared by: wadet  
Date: 10/1/2013

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**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

The Drainage Area "BS" drainage fee identified on this notice has been computed at a rate corresponding to an R-1 zoning with 50% lot coverage. This drainage fee rate allows the developer the flexibility to develop the tract utilizing the maximum density allowed by the City of Fresno's adoption of Variety Pac No. 3. Should the developer desire to develop the tract in a manner that has lot coverage below this density, actual lot coverage densities showing reduced lot coverage must be provided to the District prior to submittal of improvement plans. The final drainage fee will be calculated commensurate with the lot coverage provided by the developer. The lot coverage calculated by the District includes a front yard walkway, a side yard walkway and a rear yard patio equaling an additional 5% of impervious area in addition to the City's typical lot coverage calculation.

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 or District.

The District recommends a stub street to the east of the proposed site in the area of Lots 104 through 106. This is necessary to provide surface drainage and a pathway for major storm from APN No. 310-040-98 to Clinton and/or Fowler Avenue. If the stub street is not constructed, then the developer of Tract 6033 will be responsible for the non-fee creditable cost of a pipe extension to the west property line of APN No. 310-040-98.

The proposed development of CUP 2013-092 is located in an area that has historically provided a passage for major storm flows from the areas north and east of the proposed tract to Clinton and/or Fowler Avenue. The grading of the proposed site shall be designed such that there are not adverse impacts to the passage of said major storm water from north and east of the proposed site to Clinton and/or Fowler Avenue.

Development No. CUP 2013-092

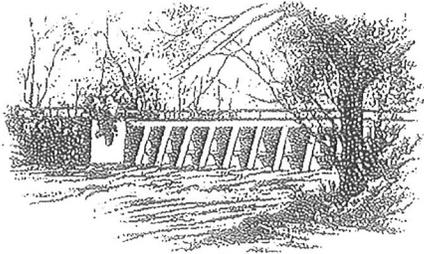
**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6 inch curb. Should wedge curb (4.5 inches height) be used the same criteria shall apply whereby flow remains below the top of curb. Any extensions or pipe size increases due to meeting the requirement listed above shall be at the developer's expense.

The required eighteen-inch (18") storm drain line in Clinton Avenue, as shown on Exhibit No. 1 has also been required of the developer of Tract 5501. If those facilities are completed prior to the development of this site, the construction requirement will be dropped. A minimum twenty-foot (20') wide storm drain easement will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

The developer is required to provide storage in Basin "BS" by excavating 13,355 cubic yards as directed by the District. Prior to any work being initiated in the basin, the developer or his Contractor shall obtain an excavation permit from the District. If stockpiled within Basin "BS", the developer will be eligible for \$1.40 per cubic yard credit. If the work consists solely of stockpiling material excavated from the basin within the basin, there is not a permit fee. However, if any material is removed from the basin (off-site), a permit fee shall be paid prior to receiving the permit. No importing of material is permitted. The District reserves the right to delete this work prior to the developer initiating work.

Development No. CUP 2013-092



YOUR MOST VALUABLE RESOURCE - WATER



TELEPHONE (559) 233-7161  
FAX (559) 233-8227  
2907 S. MAPLE AVENUE  
FRESNO, CALIFORNIA 93725-2208

October 2, 2013

Mr. Will Tackett, Planner III  
City of Fresno  
Department and Resource Management Department  
2600 Fresno St.  
Fresno, CA 93721

RE: Conditional Use Permit Application No. C-13-092, N/E Clinton and Fowler avenues  
FID's Gow Canal No. 99

Dear Mr. Tackett:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. C-13-092 pertaining to approximately 31.87 acres of property located on the northeast corner of Clinton and Fowler avenues. The applicant proposes a 169-lot single family residential public street planned development. The property is zone R-1/UGM (Single-Family Residential/Urban Growth Management) APN 310-040-10, 11.

This site was previously reviewed and commented on by FID on August 18, 2011 as Plan Amendment No. A-11-003 and Rezone No. R-11-003. Those comments and conditions still apply and a copy is attached for your reference. In addition to those conditions and comments previously submitted by FID, FID does have several additions and clarifications which are listed below.

1. According to page 2 of 4 on the site plan, it appears the proposed pipe shall be moved onto the neighboring parcel (to the east). Although FID does not prefer that its easement be split across two parcels as currently proposed, FID will accept it if the following requirements are met:
  - a. Total easement width shall be 20-feet for this particular pipeline section;
  - b. 3/4 of the easement shall be placed on the same parcel as the pipeline. For example, if the pipeline is to be located on the east neighboring property, then that portion of the easement must be at least 15-feet wide. The easement layout as shown in section B-B on page 2 of 4 of the site plan currently meets this requirement.

G:\Agencies\FresnoCity\Conditional Use Permit\C-13-092.doc

BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President STEVEN BALLS  
JEFFERY NEELY, GEORGE PORTER, GREGORY BEBERIAN, General Manager GARY R. SERRATO

2. As shown on the site plan, a portion of the proposed FID pipeline alignment will be within the backyards of the future residential tract to the east. FID has experienced numerous issues with its pipelines in residential backyards, primarily due to unauthorized encroachments such as trees, pools, concrete pads, small sheds/structures, and other encroachments which may damage the pipe or hinder FID access and maintenance.

In recent years, the most significant issue has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers, including the City's groundwater recharge basins, and may impact the City's stormwater routing capability (on the canals that are used to route stormwater). Significant pipeline damage often occurs by the time this problem is identified by FID and can be very costly to make the necessary repairs. Subsequent pipeline repairs can be very disruptive to adjacent homeowners as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved.

The developer will need to address these concerns, and FID has several suggestions (listed in order of preference).

- a. Realign the canal along major avenues - This would be FID's preference, however, it may not be feasible in this situation. The advantage is the City and FID would have better control over encroachments as well as better access to patrol and maintain the easement. If there is a leak, the damage would be minimized. This option would require half the usual easement, due to the pipe being next to the road.
- b. Slurry backfill joints or the entire Rubber Gasketed Reinforced Concrete Pipe (RGRCP) - FID currently requires its pipelines meet ASTM C-361 RGRCP standards. Concrete pipe is typically manufactured in eight- or twelve-foot sections, which means tree roots can enter pipelines every eight to twelve feet. FID will accept either having the entire pipe backfilled with concrete slurry mix to one foot above the outside top of the pipe, or pouring concrete slurry collars around the pipe joints. If the Developer chooses this slurry backfill/collar alternative, additional concerns should be evaluated by all parties related to long term maintenance, additional loading to the pipe and joints due to encroachments, etc.
- c. Install a jointless pipe (i.e. HDPE with fusion weld joints) - HDPE (High-Density Polyethylene) is stronger than PVC pipe, which makes it more suitable to be placed in urban areas. In addition, the jointless design of fusion welded pipe reduces the risk of root intrusion. FID does not currently have or allow HDPE pipelines, so there will be a significant learning curve related to HDPE pipeline design, strength/longevity, and future maintenance. If the Developer chooses this alternative, all parties need to further evaluate the potential issues including long term maintenance, repair methods, materials, etc.

Mr. Will Tackett  
Re: CUP C-13-092  
October 2, 2013  
Page 3 of 3

3. FID does not allow FID owned property or easements to be in common use with public utility easements but will in certain instances allow for its property to be in common use with landscape easements if the City of Fresno enters into the appropriate agreement.
4. FID does not have records indicating the age of or the materials used for the 18-inch diameter culvert crossing under Clinton Avenue south of the subject property. The portion of that culvert is most likely 18 inch diameter corrugated steel pipe. Should any street or intersection improvements be necessary, FID recommends the culvert be replaced as part of the subject project. The pipe will need to be upsized and upgraded to a 24-inch diameter ASTM-C361 RGRCP. If the City chooses not to require the pipe as part of this project, the City will need to make the upgrade at some point in the near future.
5. For informational purposes, FID's Sunnyside Canal No. 501 runs southerly and crosses Clinton Avenue approximately 2,600 feet west of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street and/or utility improvements in the vicinity of the Clinton Avenue canal crossing, the improvement plans must be reviewed and approved by FID.
6. For informational purposes, FID's Tarpey East Canal No. 100 runs southwesterly and crosses Shields Avenue approximately 1,300 feet northwest of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street and/or utility improvements in the vicinity of the Shields Avenue canal crossing, the improvement plans must be reviewed and approved by FID.
7. For informational purposes, a portion of the privately owned Armstrong No. 424 runs southerly approximately 1300 feet east of the subject property as shown on the attached FID exhibit map. FID does not own, operate or maintain this private canal. FID's records indicate that the canal is active and will need to be treated as such. FID can supply the City with a list of users for this private line upon request.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Sen Saetern at 233-7161 extension 7406 or [ssaetern@fresnoirrigation.com](mailto:ssaetern@fresnoirrigation.com).

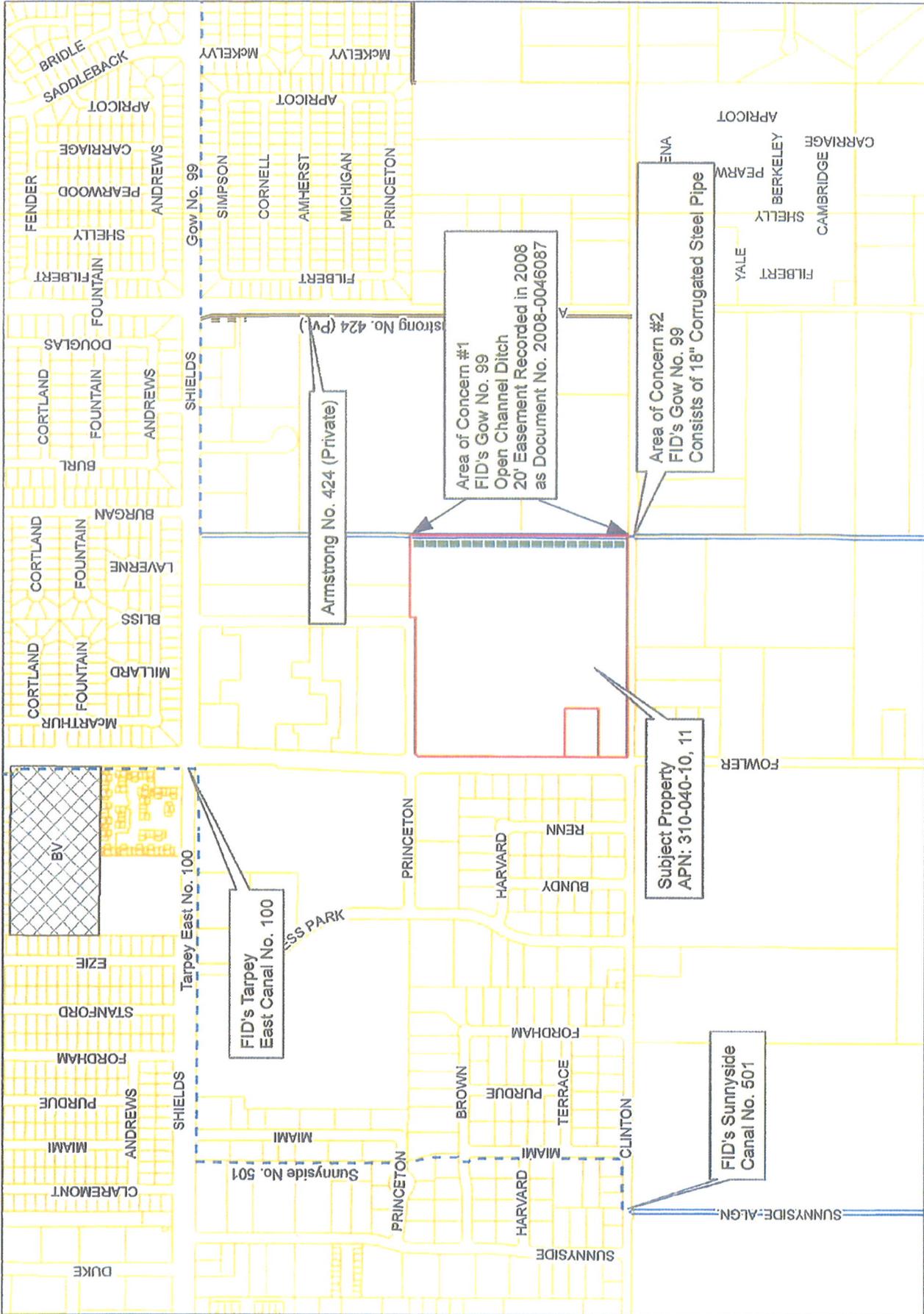
Sincerely,



William R. Stretch, P.E.  
Assistant General Manager - Operations

#### Attachments

cc: Granville Homes, Applicant  
Gary Giannetta, Giannetta Engineering



FID's Tarpey East Canal No. 100

Armstrong No. 424 (Private)

Area of Concern #1  
FID's Gow No. 99  
Open Channel Ditch  
20' Easement Recorded in 2008  
as Document No. 2008-0046087

Subject Property  
APN: 310-040-10, 11

FID's Sunnyside Canal No. 501

Area of Concern #2  
FID's Gow No. 99  
Consists of 18" Corrugated Steel Pipe

**Legend**

- FID Canal
- Private Canal
- Abandoned Canal
- Stream Group
- Other-Creek/River
- Other-Pipeline
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- FID Boundary
- Railroad
- Streets & Hwys

**Scale**

0 320 640 Feet

1 inch = 725.98 feet

**Legend**

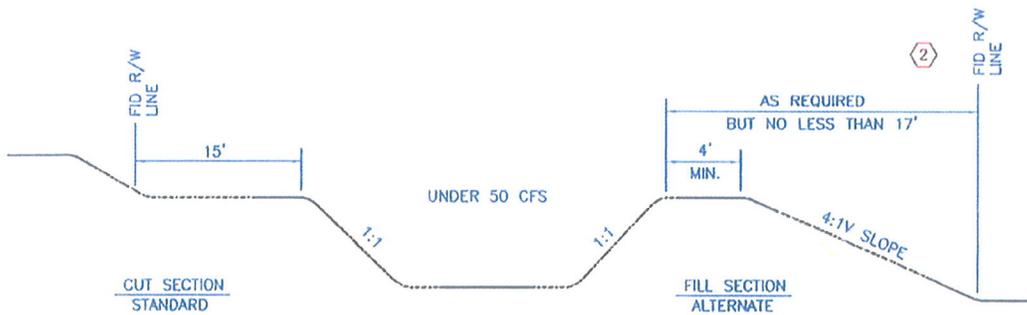
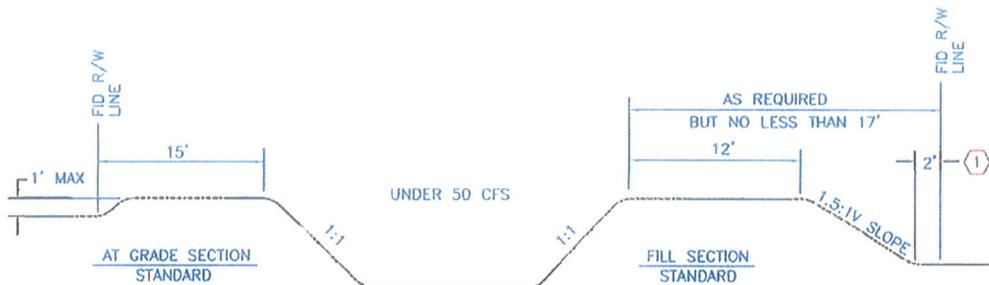
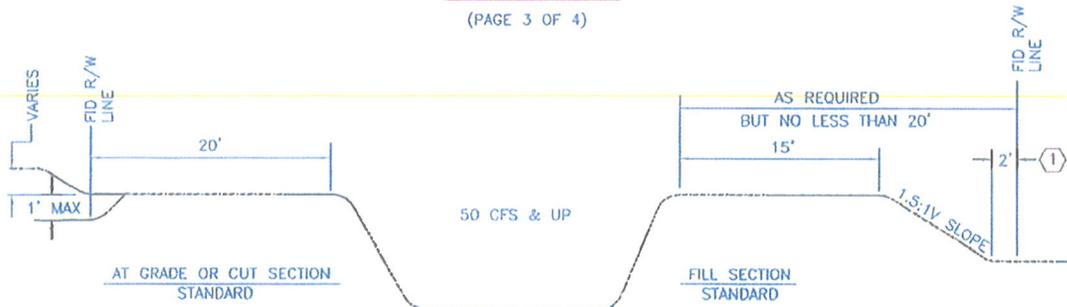
- Parcel
- FIMCO Acquired Basins
- FIMCO Proposed Basins

FRESNO IRRIGATION DISTRICT

6/27/2013  
C:\GIS\Mapser\_A010.mxd

## EXHIBIT "B"

(PAGE 3 OF 4)



**NOTES:**

① ADD 2 FEET TO EMBANKMENT WIDTH TO ESTABLISH OVERALL R/W WIDTH TO ACCOMMODATE GRADER BLADE CLEARANCE.

② THE ALTERNATE SECTION CAN NOT BE USED IF THE OVERALL WIDTH EXCEEDS THE STANDARD WIDTH AND IS PERMITTED ONLY WHEN DISTRICT OPERATIONS AND MAINTENANCE FUNCTIONS DO NOT REQUIRE A STANDARD ROADWAY.

### DISTRICT CANAL RIGHT OF WAY REQUIREMENTS



County of Fresno

DEPARTMENT OF PUBLIC HEALTH  
DAVID POMAVILLE, M.B.A., R.E.H.S.  
INTERIM DIRECTOR

August 29, 2013

Will Tackett  
City of Fresno Development Department  
2600 Fresno Street  
Fresno, CA 93721

999999999  
LU0017461  
2602

Dear Mr. Tackett:

PROJECT NUMBER: T-6033/UGM & C-13-092

**Conditional Use Permit Application No. C-13-092 and Vesting Tentative Map of Tract No. 6033/UGM** were filed by Gary Giannetta, on behalf of Granville Homes, and pertain to 31.87 acres of property located on the northeast corner of East Clinton Avenue and North Fowler Avenue. The applicant proposes a 169-lot single family residential public street planned development with one Outlot dedicated for common open space purposes at an overall density of approximately 5.30 dwelling units per acre. Plan Amendment Application No. A-11-003 and Rezone Application No. R-11-003 have been filed previously to facilitate this proposed development. The property is zone R-1/UGM (*Single-Family Residential/Urban Growth Management*).

**APN: 310-040-10,11    ZONING: R-1/UGM    ADDRESS: NORTHEAST CORNER CLINTON-FOWLER**

Recommended Conditions of Approval:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management (DDWEM). For more information call (559) 447-3300.
- The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's Municipal Code.
- All water wells (not intended for use by the project) and septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor.

Will Tackett  
August 29, 2013  
T-6033/UGM & C-13-092  
Page 2 of 2

Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

---

REVIEWED BY:

Kevin Tsuda

Digitally signed by Kevin Tsuda  
DN: cn=Kevin Tsuda, o=Fresno  
County EH,  
email=ktstuda@co.fresno.ca.us, c=US  
Date: 2013.08.29 11:07:50 -0700

Kevin Tsuda, R.E.H.S.  
Environmental Health Specialist II

---

(559) 600-3271

---

cc: Glenn Allen- Supervising Environmental Health Specialist (CT 58.03)



**DATE:** September 10, 2013

**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:** CONDITIONS OF VESTING TENTATIVE TRACT MAP NO. 6033 FOR  
MAINTENANCE REQUIREMENTS

**LOCATION:** Northeast corner of North Fowler and East Clinton Avenues  
**APN:** 310-040-10 and 11

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 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, ½ of the median island in North Fowler Avenue, parkways, buffers, street entry medians and sides as associated with this development.

- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlot A.
- All landscaping, trees, irrigation systems, hardscaping, fencing and amenities associated with the North Fowler Avenue trail.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, ½ median island concrete maintenance band and cap, and street lights in **North Fowler and East Clinton Avenues.**
- 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 an public easement for maintenance purposes or as approved by the Public Works Department City Engineer.
- 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](mailto:ann.lillie@fresno.gov)

Exhibit K  
Environmental Assessment A-11-003, R-11-003, C-13-092,  
T-6033

<p><b>CITY OF FRESNO</b></p> <p><b>MITIGATED NEGATIVE DECLARATION</b></p>		<p>Notice of Intent was filed with:</p> <p><b>FRESNO COUNTY CLERK</b>  2221 Kern Street  Fresno, California 93721</p> <p style="text-align: center;">on</p> <p style="text-align: center;"><b>March 21, 2014</b></p>
<p>The full Initial Study and the Master Environmental Impact Report No. 10130 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277</p>	<p>ENVIRONMENTAL ASSESSMENT NUMBER:</p> <p><b><u>A-11-003, R-11-003, C-13-092, T-6033</u></b></p>	
<p><b>APPLICANT:</b></p> <p>Granville Homes  Jeffrey T. Roberts  1396 W. Herndon #101  Fresno, CA 93711</p>	<p><b>PROJECT LOCATION:</b></p> <p>± 34.01net acres of property located at 6208 E. Clinton Avenue and 2534 N. Fowler Avenue on the northeast corner of E. Clinton and N. Fowler Avenues, in the City and County of Fresno, California</p> <p>Assessor's Parcel Number: 310-041-38 &amp; -39</p> <p>36°46'24.391" N Latitude, - 119°40'46.676" W Longitude  36°46'21.486" N Latitude, - 119°40'54.2526" W Longitude</p>	
<p><b>PROJECT DESCRIPTION:</b></p> <p>Granville Homes has filed Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit Application No. C-13-092, and Vesting Tentative Tract Map No. 6033/UGM pertaining to approximately 34.01acres of property located on the northeast corner of North Fowler and East Clinton Avenues.</p> <p>Plan Amendment Application No. A-11-003 proposes to amend the 2025 Fresno General Plan and McLane Community Plan to change the planned land use designation for an approximately 2.14 acre portion of the subject property from Light Industrial to Neighborhood Commercial and to change the planned land use designation for an approximately 31.87 acre portion of the subject property from Light Industrial to Medium Density Residential.</p> <p>Rezone Application No. R-11-003 proposes to rezone the approximately 2.14 acre portion of the subject property from the C-M/UGM/cz (<i>Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning</i>) zone district to the C-1/UGM/cz (<i>Neighborhood Shopping Center/Urban Growth Management/conditions of zoning</i>) zone district and to rezone the approximately 31.87 acre portion of the subject property from the C-M/UGM/cz (<i>Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning</i>) zone district to the R-1/UGM/cz (<i>Single Family Residential/Urban Growth Management/conditions of zoning</i>) zone district.</p> <p>The plan amendment and rezone applications have been filed in order to facilitate approval of a proposed 169-lot single family residential public street planned development subdivision of the property in accordance with Conditional Use Permit Application No. C-13-092 and Vesting Tentative Tract Map No. 6033/UGM.</p>		

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report No. 10130 (SCH # 2001071097) prepared for the 2025 Fresno General Plan ("MEIR") and Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) prepared for the 2025 Fresno General Plan ("Air Quality MND"). A copy of the MEIR and Air Quality MND may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report No. 10130 ("MEIR) or Mitigated Negative Declaration No. A-09-02 (Air Quality MND) prepared for the 2025 Fresno General Plan. Pursuant to Public Resources Code §21157.1 and California Environmental Quality Act (CEQA) Guidelines §15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. 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 that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist.

The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific 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. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA

Guidelines.

The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

PREPARED BY:

Sophia Pagoulatos, Supervising Planner

SUBMITTED BY:

Mike Sanchez, Planning Manager

DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT

DATE: March 21, 2014

Attachments:

- Notice of Intent
- Vicinity Map
- Initial Study (Appendix G)
- Memorandum from City of Fresno Airports Department
- Master Environmental Impact Report Review Summary
- Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014
- Project Specific Mitigation Monitoring Checklist dated March 21, 2014

## CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION

**EA No. A-11-003, R-11-003, C-13-092, T-6033** for a Plan Amendment, Rezone, Conditional Use Permit and Tentative Tract Map to facilitate development of a 2.14 acre commercial property and 169 single family residential units.

**APPLICANT:**

Granville Homes  
Jeffrey T. Roberts  
1396 W. Herndon #101  
Fresno, CA 93711

**PROJECT LOCATION:**

± 37.87 net acres of property located at 6208 E. Clinton Avenue and 2534 N. Fowler Avenue on the northeast corner of E. Clinton and N. Fowler Avenues, in the City and County of Fresno, California

Assessor's Parcel Numbers: 310-041-38 & -39

36°46'24.391" N Latitude, - 119°40'46.676" W Longitude

36°46'21.486" N Latitude, - 119°40'54.2526" W Longitude

**PROJECT DESCRIPTION:**

Granville Homes has filed Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit Application No. C-13-092, and Vesting Tentative Tract Map No. 6033/UGM pertaining to approximately 37.87 acres of property located on the northeast corner of North Fowler and East Clinton Avenues.

Plan Amendment Application No. A-11-003 proposes to amend the 2025 Fresno General Plan and McLane Community Plan to change the planned land use designation for an approximately 2.14 acre portion of the subject property from Light Industrial to Neighborhood Commercial and to change the planned land use designation for an approximately 31.87 acre portion of the subject property from Light Industrial to Medium Density Residential.

Rezone Application No. R-11-003 proposes to rezone the approximately 2.14 acre portion of the subject property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) zone district and to rezone the approximately 31.87 acre portion of the subject property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district.

The plan amendment and rezone applications have been filed in order to facilitate approval of a proposed 169-lot single family residential public street planned development subdivision of the property in accordance with Conditional Use Permit Application No. C-13-092 and Vesting Tentative Tract Map No. 6033/UGM.

Filed with:

FILED

MAR 21 2014

FRESNO COUNTY CLERK  
By Blanca N. Amador  
DEPUTY

FRESNO COUNTY CLERK  
2221 Kern Street, Fresno, CA 93721

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 not fully within the scope of the Master Environmental Impact Report No. 10130 (MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and 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 Mitigated Negative Declaration for this project.

With the project specific 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. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR/Air Quality MND proposed environmental finding of a mitigated negative declaration and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3070, California 93721-3604. Please contact Sophia Pagoulatos at (559) 621-8506 or Sophia Pagoulatos at (559) 621-8062 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 **April 14, 2014 at 5:00 p.m.** Please direct comments to Sophia Pagoulatos, Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to [Sophia.Pagoulatos@fresno.gov](mailto:Sophia.Pagoulatos@fresno.gov); or comments can be sent by facsimile to (559) 498-1026.

The applications and environmental finding for the project have been scheduled to be heard by the Planning Commission on April 16, 2014 at 6:00 p.m. or thereafter. The hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2<sup>nd</sup> 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.

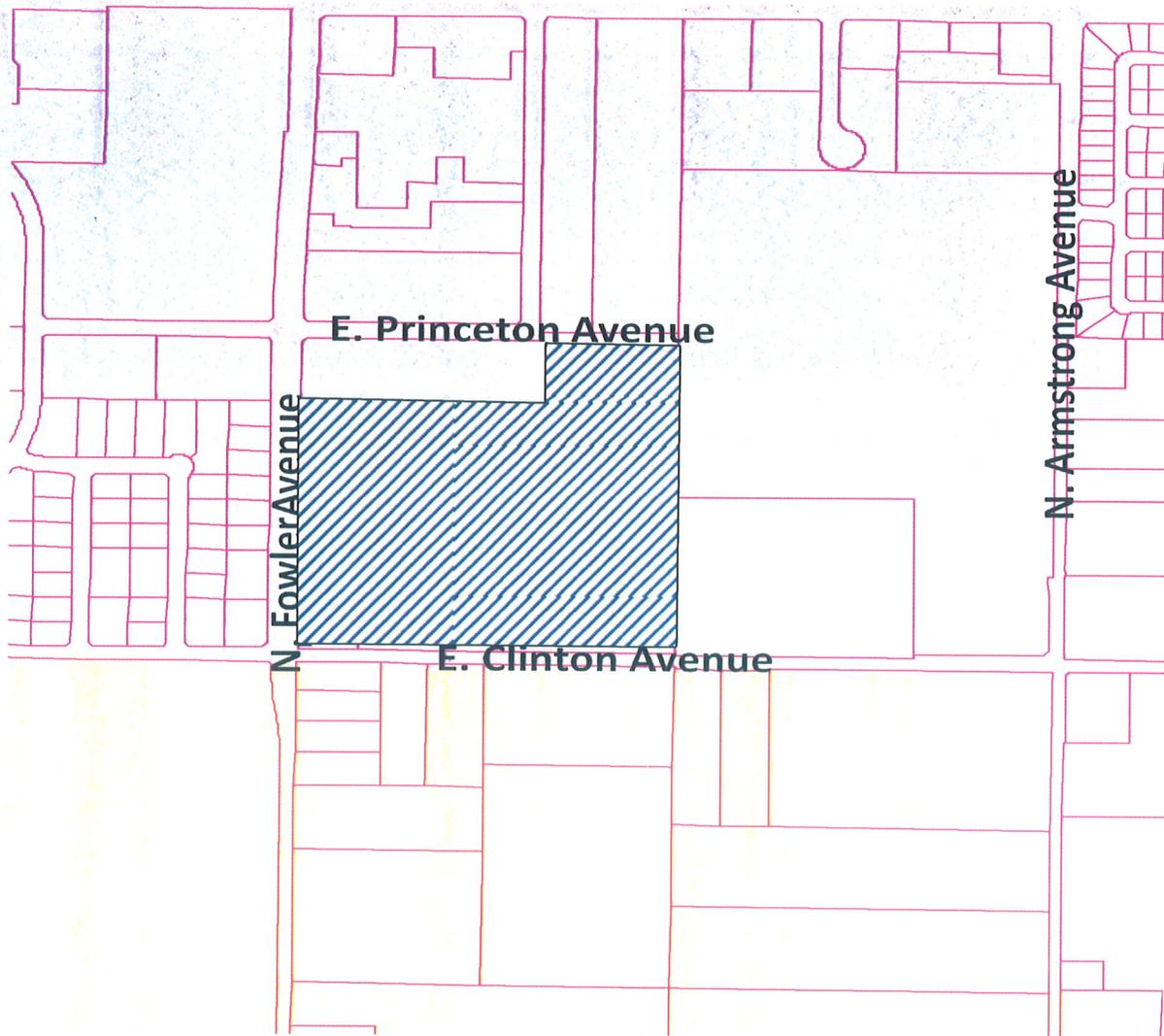
INITIAL STUDY PREPARED BY:  
Sophia Pagoulatos, Supervising Planner

SUBMITTED BY:

Mike Sanchez, Planning Manager

CITY OF FRESNO DEVELOPMENT AND  
RESOURCE MANAGEMENT  
DEPARTMENT

DATE: March 21, 2014



Subject Property



Not To Scale

## VICINITY MAP

## DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Plan Amendment No. A-11-003, Rezone No. R-11-003, Conditional Use Permit No. C-13-092 and Tentative Tract Map No. T-6033

### PROPERTY ADDRESS

6208 E. Clinton Avenue  
2534 N. Fowler Avenue

**APN:** 310-041-38 & -39

**Zone District:** C-M/UGM/cz  
(Commercial and Light  
Manufacturing/Urban Growth  
Management/with conditions of  
zoning)

**By:** S. Pagoulatos, March 21, 2014

**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. A-11-003, R-11-003, C-13-092, T-6033/UGM**

**1. Project title:**

Plan Amendment Application No. A-11-003

Rezone Application No. R-11-003

Conditional Use Permit Application No. C-13-092

Vesting Tentative Tract Map No. T-6033/ugm

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

City of Fresno

Development and Resource Management Department

2600 Fresno Street, Room 3076

Fresno, CA 93721

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

Sophia Pagoulatos, Supervising Planner

City of Fresno

Development and Resource Management Department

(559) 621-8062

**4. Project location:**

6208 E. Clinton Avenue (portion) and 2534 N. Fowler Avenue; located on the  
northeast corner of North Fowler and East Clinton Avenues, in the City and County of  
Fresno, California

Assessor's Parcel Number(s): 310-041-38 & 310-041-39

Site Latitudes: 36°50'17.055" N & 36°50'14.6466"

Site Longitudes: - 119°54'9.972" W & - 119°54'3.7152" W

Mount Diablo Base & Meridian, Township 13 S, Range 21 E, Sections 27

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

Granville Homes  
Jeffrey T. Roberts  
1396 W. Herndon #101  
Fresno, CA 93711

6. **General plan designation:**

**Existing:** ± 34.01 acres of Light Industrial

**Proposed:** ± 31.87 acres of Medium Density Residential and ± 2.14 acres of Neighborhood Commercial

7. **Zoning:**

**Existing:** ± C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning)

**Proposed:** ± 31.87 acres of R-1/UGM/cz (Single Family Residential/Urban Growth Management/conditions of zoning) and 2.14 acres of C-1/UGM/cz (Neighborhood Shopping Center/Urban Growth Management/conditions of zoning)

8. **Description of project:**

Granville Homes has filed Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit Application No. C-13-092, and Vesting Tentative Tract Map No. 6033/UGM pertaining to approximately 34.01 acres of property located on the northeast corner of North Fowler and East Clinton Avenues.

Plan Amendment Application No. A-11-003 proposes to amend the 2025 Fresno General Plan and McLane Community Plan to change the planned land use designation for an approximately 2.14 acre portion of the subject property from Light Industrial to Neighborhood Commercial and to change the planned land use designation for an approximately 31.87 acre portion of the subject property from Light Industrial to Medium Density Residential.

Rezone Application No. R-11-003 proposes to rezone the approximately 2.14 acre portion of the subject property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) zone district and to rezone the approximately 31.87 acre portion of the subject property from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the R-1/UGM/cz (*Single Family Residential/Urban Growth*

Management/conditions of zoning) zone district.

The plan amendment and rezone applications have been filed in order to facilitate approval of a proposed 169-lot single family residential public street planned development subdivision of the property in accordance with Conditional Use Permit Application No. C-13-092 and Vesting Tentative Tract Map No. 6033/UGM.

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

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Light Industrial	<b>C-M/UGM/cz</b> <i>(Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning)</i>	Vacant Land & Partially developed retail center with a drug store
<b>South</b>	Light Industrial	<b>AE-20 (County)</b> <i>20-Acre Agricultural Exclusive</i>	Rural Residential
<b>East</b>	Medium Low and Low Density Residential	<b>R-1//UGM/cz</b> <i>Single Family Residential/ Urban Growth Management /conditions of zoning</i>	Vacant Land and Rural Residential
<b>West</b>	Light Industrial	<b>M-1</b> <i>Light Manufacturing</i>	Developed light industrial uses

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; County of Fresno Department of Public Health; Fresno Unified School District; and, San Joaquin Valley Air Pollution Control District; California Regional Water Quality Control Board, State Department of Health Services, Division of Drinking Water and Environmental Management.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

Pursuant to Public Resources Code Section 21157.1(b) and the California Environmental Quality Act (CEQA) Guidelines 15177(b)(2), the purpose of this Master Environmental Impact Report (MEIR) initial study is to analyze whether the subsequent project was described in the MEIR 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 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.

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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 *Sophia Pagoulatos* 3/21/14  
Sophia Pagoulatos, Supervising Planner Date

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

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
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 subject sites are currently undeveloped with no notable vegetation. There are no public or scenic vistas which will be obstructed by the development of the subject sites 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 sites and their

surroundings, given that the subject sites are in an area comprised of vacant land, rural residential, and light industrial uses. The development will add to the aesthetic appeal of the area by improving the streetscapes of N. Clinton and N. Fowler Avenues. A planned trail will be added along the project frontage of N. Fowler Avenue. It will also provide several varying house plans consisting of five single story models, two 2-story models and three elevation themes. This will provide a unified variation in the architecture of the neighborhood. The staggered garages will also contribute to the varying streetscape and the series of passive pocket parks will add to the overall appearance of the development. The approximately 1-acre open space feature (Outlot A) will be visible as an entry feature from the subdivision entrance off of North Fowler Avenue.

The 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, as the project conditions require any site lighting on commercial properties to be downward directed and designed not to spill over into neighboring properties.

Where the property abuts non-residential property, additional interface and screening mitigation measures are required (see Section X, LAND USE). Therefore, with mitigation incorporated, the project will have a less than significant impact on aesthetics.

#### Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the aesthetic related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.
2. The proposed project shall implement and incorporate the aesthetics related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated March 21, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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:</p>				
<p>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?</p>				X
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>				X
<p>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))?</p>				X
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 subject site is designated as “Farmland of Local Importance by the 2008 Rural Land Mapping Edition: Fresno County Important Farmland Map, and thus has no farmland considered to be prime farmland, farmland of statewide importance, or unique farmland. The subject sites are not currently under cultivation and have not been since at least 2008. The land surrounding the sites to the north, east and west are designated as “Urban and Built-Up Land” and property to the south is designated “Farmland of Local Importance” by the above mentioned map. The 2008 Rural Mapping Edition: Fresno County Important Farmland Map states that “Farmland of Local Importance” includes land that does not meet the definition of prime, statewide, or unique farmland. Therefore, the proposed project will not have an impact on prime farmland, farmland of statewide importance, or unique farmland

The subject sites are not under a Williamson Act contract and are not surrounded by sites under a Williamson Act contract. The proposed applications do not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed project does not include any changes which will affect the existing environment and result in the conversion of Farmland to non-agricultural uses. Therefore, no environmental impacts related to agriculture are anticipated as a result of the proposed project.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the agriculture and forestry resource related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.) --</p> <p>Would the project:</p>				
<p>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 adopted thresholds for these pollutants)?</p>			X	
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>				X
<p>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)?</p>		X		
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>			X	
<p>e) Create objectionable odors affecting a substantial number of people?</p>				X

## Setting

The subject sites are located in Fresno County and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB. The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a "bowl" open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth's surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

## Regulations

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rule making, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

The SJVAPCD has developed the San Joaquin Valley 1991 California Clean Air Act Air Quality Attainment Plan (AQAP), which continues to project nonattainment levels for pollutants in the future. This project will be subject to applicable SJVAPCD rules, regulations, and strategies. In addition, the project may be subject to the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of dust and fine particulate matter. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

The proposed project is subject to District Rule 9510 (Indirect Source Review) and will therefore be required to submit an Air Impact Assessment (AIA) application to the District which may result in further requirements for project design elements and/or payment of applicable off-site mitigation fees.

Consistent with MEIR mitigation measure C-1-c, the project has been analyzed using the most recent air quality model (CaleeMod, 2011 version, results available upon request). The model analyzed both construction and operational emissions (operational emissions are mostly comprised of emissions created by the project related vehicular trips at buildout). All pollutants were below the significance thresholds when project-specific mitigation measures were incorporated. Such measures include dust control measures, prohibition of woodburning fireplaces, water conservation measures, and installation of landscaping and trees.

The proposed project on the subject sites will not expose sensitive receptors to substantial pollutant concentrations. The proposed project is not proposing a use which will create objectionable odors. Therefore, with mitigation measure incorporated, there are no air quality or global climate change impacts expected to occur as a result of the proposed project.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, 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 March 21, 2014.
2. The proposed project shall implement and incorporate the air quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated March 21, 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 U.S. Fish and Wildlife Service?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 subject sites are currently undeveloped with no notable vegetation. 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 U.S. 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 sites 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.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the biological resource related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 sites 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 sites.

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 March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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
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. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

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.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the geology and soils related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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	
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.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the greenhouse gas emission related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.
2. The proposed project shall implement and incorporate the air quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated March 21, 2014. These measures will result in the reduction of greenhouse gas emissions as well as criteria pollutants.

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
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

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 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

Hazardous Materials. The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, as the project consists of residential and commercial development. The proposed zoning for the commercial site, C-1 (*Neighborhood Shopping Center District*), allows uses that are intended to “fit into the residential pattern of development and create no architectural or traffic conflicts”...and further are intended to “protect the residential environment...” (Section 12-217 of the Fresno Municipal Code). Any allowed use that would utilize a potentially hazardous substance, such as an automobile service station, would require a conditional use permit and would be conditioned to prevent any hazards to the public.

Airports. The project site is located within the vicinity of the Fresno Yosemite Airport, whose environs are governed by the Fresno Yosemite Airport Land Use Compatibility Plan (2012). The project site is located outside of the Airport Influence Area, the 60 CNEL noise contour, and the safety zones, but is located within the traffic pattern zone, which has a maximum elevation at the site of 486 feet. Since the zoning limits heights on the property to 35 feet, the project is considered compatible with the land use surrounding the airport and no risks or hazards would result from constructing the project in the proposed location. See attached memorandum dated March 10, 2014 from Mark Davis, Capital Development Specialist at Fresno Yosemite International Airport for details.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hazards and health related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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		

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 a 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 (MEIR) 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 MEIR 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. According to the City of Fresno UWMP, a water allocation of up to 60 af/yr exists for the project site based upon the planned land uses designated in the 2025 Fresno General Plan. With approval of Plan Amendment Application No. A-11-003 and Rezone Application No. R-11-003, the proposed project has the potential to increase the water demand for the project sites to 111 af/yr (UWMP, Table 6-4, 2008). The applicant has estimated that water demand for the project to be in the range of 79-98 af/yr. With mitigation measures imposed the water demand for the project should be brought to within 10% of the existing allocation, which is considered less than significant.

In addition, the proposed project must contribute to the completion of the Fresno Metropolitan Flood Control District's (FMFCD) master planned storm drainage facilities. Stormwater ponding basins provide significant opportunity for recharge groundwater with collected storm water run-off and surface water obtained from the Fresno Irrigation District (FID) and United States Bureau of Reclamation on the northern edge of the current urban limit boundary.

The mitigation measures of MEIR No. 10130 are incorporated herein by reference and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures require participation in the development of groundwater recharge in an amount equal to the project's estimated water consumption. Alternative measures to satisfy this requirement include paying fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the project, or participation in augmentation/ enhancement/enlargement of the recharge capability of FMFCD storm water ponding basins. While the proposed project may be served by conventional groundwater pumping and distribution systems, full development of the 2025 Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities.

The DPU works with the FMFCD to utilize suitable ponding (drainage) basins for the groundwater recharge program, and works with FID to ensure that the City's allotment of surface water is put to the best possible use for recharge. The project is located in FMFCD drainage area "BS," and the District's proposed Master Plan drainage system can accommodate the proposed project (March 28, 2014 memo from G. Chapman to S. Pagoulatos).

In addition, FID's GOW Canal 99 parallels the eastern boundary of the project site and will be required to be undergrounded. Project specific mitigation measures and conditions are applied to the project to ensure piping and location of the canal consistent with FID requirements (see Exhibit J in staff report).

When development permits are issued, the subject site will be required to contribute to the completion of the FMFCD's master planned storm drainage facilities, and to preserve the patency of irrigation canals and pipelines for delivering surface water to recharge/percolation basins. Fees to support expansions and service enhancements of the City's water utility, including recharge activities, are also imposed as conditions of approval for special permits.

Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any onsite wastewater treatment system. The proposed project will be required to install sewer branches, and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a public system.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, 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 March 21, 2014.
2. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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
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Land Use/Industrial

**Objective C-13** of the 2025 Fresno General Plan calls for the planning and support of industrial development to promote job growth while enhancing Fresno’s urban environment. Related policies call for the planning of industrial land use clusters with respect to their common needs and concern for compatibility of uses in order to maximize the operational efficiency of similar activities.

The proposed plan amendment would reduce the acreage of vacant industrial land available in the City of Fresno by 34.01 acres. However, this location is no longer considered optimal for reasons noted below:

1. New studies conducted in preparation for the update of the GP refined the location of the significant clusters of vacant land designated for industrial and business park use and identified these clusters (over 3,000 acres) in Figure ED-1 as sufficient to accommodate projected growth and economic development goals (see Exhibit G in staff report). The subject property was not among those properties identified.
2. The 34 acres of industrial land that would be removed by these applications would be more than compensated for by the additional industrial land being proposed in the southern portion of the Southeast Growth Area (over 1,200 acres in Regional Business Park use).
3. Approval of the proposed land use change would eliminate the longest interface (approximately 1,300 feet) between industrial and residential land that will occur if the subject property remains industrial, as residential land exists along the eastern property boundary with no street or natural barrier between the two land uses. The proposed conversion of the acreage from industrial to residential would eliminate this adjacency and leave North Fowler Avenue as the dividing buffer between the newly approved residential and the industrial uses west of North Fowler Avenue. This arterial, with its required trail, would be a more effective buffer than one created by internal setbacks on directly adjacent industrial and residential properties. The street right-of-way plus trail and landscaping would result in an approximate 140-foot buffer between the residential properties in the subdivision and the existing industrial property on the west side of North Fowler Avenue (not counting the setbacks on the industrial land).
4. A 2012 Fresno County Employment study documented numerous obstacles that employers identified as constraints to doing business, expanding business and creating more jobs in Fresno. The lack of shovel ready land was not among the responses. The most frequently occurring response (24%) was “market

conditions,” including a tight banking climate, low sales, and customers’ difficulty in accessing financing. Labor availability was also among the most frequent responses.

5. Existing mitigation measures still obligate the developer to submit a plan amendment and rezone application for 40 acres of non-industrial land to facilitate conversion to light industrial M-1 or C-M zoned land to replace the conversion of the initial 20 acres back in 2006 (see Exhibit F in staff report).

### Land Use/Residential

As proposed, the project would be consistent with the following 2025 General Plan objectives:

**Objective C-9** of the 2025 Fresno General Plan directs planning for the diversity and quality of residential housing, at locations necessary to provide for adequate and affordable housing opportunities. Housing patterns should support balanced urban growth, and should make efficient use of resources and public facilities. Supporting policies C-9-i and C-9-j recommend that Medium-Low and Medium Density Residential uses shall provide transition between low and medium density residential and shall be developed to maximize the efficient use of land.

**Objective C-10** of the 2025 Fresno General Plan promotes the development of more compact friendly, single-family residential projects to aid in the conservation of resources such as land, energy, and materials. Supporting policy C-10-a recommends facilitating the construction of higher density single family residential development while maintaining a pleasant living environment. Policy C-10-d encourages the development of two-story homes as a means to conserve land, maintain open space on residential lots, and provide adequate living space.

Similarly, the goals of the **McLane Community Plan** are directed toward: (1) The provision of a diversity of housing types and housing opportunities to meet the needs of all ages and income levels; (2) Providing for efficient use of land while protecting the integrity of established neighborhoods; (3) Encouraging a mix of uses along major transportation corridors; (4) Providing for safe, clean and aesthetically pleasing neighborhoods; and, (5) Providing for compatible relationships between differing housing types and densities. Goals for commercial uses include distributing new commercial land use designations at logical, marketable, convenient and accessible locations.

The proposed medium density planned land use provides a density transition from the medium low and low single family densities east and south of the project site, gradually increasing density as one moves toward the city center and more intense urbanization. The proposed 2-acre commercial site in the southwest corner of the project site will provide an opportunity for some convenience retail within walking distance of the residential uses.

The proposed project will also be connected to its neighbors. A planned bicycle/pedestrian trail runs along the western boundary of the project, North Fowler Avenue, and the project will be conditioned to construct the portion of the trail along the project frontage. A street connection to the adjacent subdivision to the east is also required, in addition to a pedestrian connection to the commercial property on the corner. The project is also served by public transit FAX Route 45, which stops at East Princeton and North Fowler Avenues and connects to Route 30 at Blackstone and Ashlan, with connections both north and south.

Furthermore, the project is within two miles of the planned regional Fancher Creek shopping center, to the southwest (Tulare and Clovis Avenues), within ¼ mile of a neighborhood park, and within a mile of several planned elementary schools.

### Land Use/Commercial

**Policy C-12-a** of the 2025 Fresno General Plan states that the City shall, "ensure that all commercial land uses are developed and maintained in a manner complimentary to and compatible with adjacent residential land uses, to minimize interface problems with surrounding environment and to be compatible with public facilities and services."

The proposed project will still include two interfaces with non-residential property: a 637-foot interface with the proposed 2.14 acre neighborhood commercial site on the corner of North Fowler and East Clinton Avenues, and an 820-foot interface with the light industrial remainder along a portion of the northern project boundary (this property is zoned C-M, *Commercial and Light Manufacturing*). To ensure that there are no spillover effects from non-residential properties onto the residential subdivision, project specific mitigation measures are required to ensure proper design. Such measures include sound walls, landscape buffers and minimum distances of potential noise generators such as loading areas and trash enclosures. These measures will ensure that no noise, light or other visual effects will impact the residential properties that are proposed along these interface areas.

With incorporation of project specific mitigation measures, it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) to be consistent with the goals, objectives and policies of the applicable 2025 Fresno General Plan and McLane Community Plan; (2) to be suitable for the type and density of development; (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.

### Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the land use related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.
2. The proposed project shall implement and incorporate the land use related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 sites are not located in an area designated for mineral resource preservation or recovery. Therefore there are no impacts to mineral resources.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XII. NOISE -- Would the project result in:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	
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 sets noise compatibility standards for transportation and stationary noise sources. Traffic on North Fowler and East Clinton Avenues is considered to be a possible transportation noise source. Noise sources not related to traffic on public roadways, railroads or airports are considered to be stationary noise sources.

For transportation sources, the Noise Element establishes land use compatibility criteria in terms of the Day-Night Average Level (DNL). The exterior noise exposure criterion is 60 dB DNL within outdoor activity areas of residential land uses. Outdoor activity areas generally include back yards of single family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multiple family residential developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

The Noise Element also requires that interior noise levels attributable to exterior transportation 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.

For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level ( $L_{eq}$ ) and maximum sound level ( $L_{max}$ ). The standards are more restrictive during the nighttime hours, defined as 10:00 p.m. to 7:00 a.m. The standards may be adjusted upward (less restrictive) if the existing ambient noise level without the source of interest already exceeds these standards. The Noise Element standards for stationary noise sources are: (1) 50 dBA  $L_{eq}$  for the daytime and 45 dBA  $L_{eq}$  for the nighttime hourly equivalent sound levels; and, (2) 70 dBA  $L_{max}$  for the daytime and 65 dBA  $L_{max}$  for the nighttime maximum sound levels. If the existing ambient noise levels equal or exceed these levels, mitigation is required to limit noise to the ambient noise level plus 5 dB. Since the subject site currently is vacant, the proposed project will result in an increase in temporary and/or periodic ambient noise levels in the project vicinity above existing levels. However, as discussed above, this increase in noise will be mitigated to an acceptable level. Some increases in ambient noise levels will occur during the time of construction, but project construction will be limited to normal business hours (7 a.m. to 7 p.m.) to minimize the impact on the adjacent neighborhood.

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

Conditions of approval respective to construction related activity will require incorporation of noise reduction measures into construction activity as well as construction of 6 foot high masonry walls along North Fowler and East Clinton Avenues.

The project is also located outside of the 60 CNEL noise contour of the Fresno Yosemite International Airport

Therefore, 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 ordinance of the Fresno Municipal Code. Therefore with MEIR mitigation measures incorporated, noise impacts are less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the noise related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 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 project proposes 169 dwelling units on 31.87 acres of currently designated vacant industrial land. With a census-based household size of 3.2 persons per household, the project could generate an estimated 540 persons.

The 2025 Fresno General Plan anticipated that the McLane community plan area would grow from a population of 46,440 in 2000 to 64,829 in 2025, or 735 persons per year. Using a straight line projection, this would bring the 2014 population to 56,737. New data from 2012 (American Community Survey) estimated McLane population to be around 58,000, which is slightly higher than the general plan projection (2%). Adjusting for this data, remaining allocated population in the area would be 6,829 from 2012 to 2025, or 525 persons per year with a straight line increase. The addition of the estimated 540 person associated with the proposed project is less than 10% of the remaining projected increase in the McLane plan area and is considered less than significant, as infrastructure is available to serve the projected population. In addition, this population does not increase the overall population projected by the 2025 Fresno General Plan.

Therefore, it can be concluded that the population in this area has grown as anticipated, and that there is adequate capacity to accommodate the 169 dwelling units and the accompanying population estimate of 540 in this location.

No persons or housing would be displaced by this project, and no infrastructure is being constructed that was previously unplanned or that would be growth inducing. Therefore, population and housing impacts would be less than significant.

#### Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the land use related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.

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. Finally, 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. Fresno Irrigation District has provided conditions for undergrounding and possible relocation of its facilities on the eastern boundary of the project site. These departments and agencies have all submitted conditions that will be required as Conditions of Approval for the subject entitlement applications (conditional use permits and tract maps, see Exhibit J in staff report ). 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 urban residential development occurring as a result of the proposed project will have an impact on the Clovis Unified School 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 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.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the public service related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.

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 increase the use of the existing parks; however, developments will also incorporate open space areas for residents to use, in this case, a 1.1 acre outlot in the center of the subdivision. The developer will be required to pay park impact fees for the development. The fees will address any physical deterioration of existing parks or recreational facilities. The development will not require expansion of existing recreational facilities.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 project is located on the northeast corner of North Fowler and East Clinton Avenues. The 2025 Fresno General Plan designates North Fowler Avenue as an arterial and East Clinton Avenue as a collector. North Fowler Avenue is also planned for a multi-purpose trail.

The mitigation measures established by the certification of MEIR No. 10130 stipulate that all plan amendments are required to prepare a traffic impact study (TIS). A TIS dated January 2014 (with addendum dated March 17, 2014), was prepared for the project by Quad Knopf, Inc. The study applied the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual. The development of 169 single family residential lots and 21,000 square feet of commercial development on the subject sites is expected to generate an average of approximately 2,515 average daily trips (ADT). Of these vehicle trips it is projected that 148 will occur during the morning (7 to 9 a.m.) peak hour travel period and 248 will occur during the evening (4 to 6 p.m.) peak hour travel period. By comparison, the existing light industrial land use would generate 4,130 average daily trips (ADT), with AM peak volumes of 545 trips and PM peak volumes of 575 trips. Therefore the proposed project would generate fewer vehicular trips than the existing land use.

The proposed planned development subdivision, with the proximity and connectivity of residential, open space, and commercial land uses, provides for a pattern of development which is consistent with current city plans and policies. The proposed development includes a commercial component and is located in proximity to commercial and open space uses. In addition, it is served by public transportation (FAX) and a multipurpose trail. This pattern of development provides opportunities for use of alternative modes of transportation and could result in vehicle trip reduction.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the plan amendment, rezone, conditional use permit and vesting tentative tract map applications and has determined that the streets adjacent to and near the subject sites will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the City Engineer dated March 21, 2014 (available upon request at City Hall-Third Floor, 2600 Fresno Street, Fresno, CA 93721). These requirements generally include: (1) Public street improvements including street dedications on North Fowler and East Clinton Avenues and installation of a multipurpose trail along North Fowler Avenue; (2) Installation of a sidewalks within and around the subdivision; (3) Installation of bike lanes; and, (4) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF) Fee. Previous mitigation measures require the installation of traffic signals at the intersections of East Clinton/ North Fowler Avenues and East Clinton/ North Armstrong Avenues.

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.

Therefore, no substantial increase in transportation or traffic is expected to result with incorporation of mitigation measures.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the traffic related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014.
2. The proposed project shall implement and incorporate the traffic related mitigation measures as noted in the attached Project Specific Monitoring Checklist dated March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 sanitary sewer and water services will be available to serve the proposed project subject to the provision identified within the attached **memoranda from** the Department of Public Utilities, Sewer and Water and divisions dated September 16, 2013 and September 20, 2013, respectively (see Exhibit J in staff report). The project site will also be serviced by the Solid Waste Division.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The impact to storm drainage facilities will be less than significant given that the developer will be required to provide drainage services.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the sewer and water related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation

Monitoring Checklist dated October 25, 2013.

2. The proposed project shall implement and incorporate the sewer and water related mitigation measures as noted in the attached Project Specific Monitoring Checklist dated March 21, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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

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

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March 10, 2014

TO: SOPHIA PAGOULATOS, Supervising Planner – DARM  
FROM: MARK DAVIS, Capital Development Specialist – Airports  
SUBJECT: A-11-003 Plan Amendment and R-11-003 Rezone Application  
Northeast corner of Clinton and Fowler (APN 310-040-76)

The proposed project involves subdivision of land for medium density residential and neighborhood commercial uses. The property is approximately 6,400 feet east of runway 11L-29R of the Fresno Yosemite International Airport (FAT).

The following policy criteria in the Fresno Yosemite International Airport Land Use Compatibility Plan (PLAN) apply to the subject application:

**NOISE COMPATIBILITY**

Located outside the 60 CNEL contour

- Compatible for proposed uses

**OVERFLIGHT COMPATIBILITY**

Located outside the Airport Influence Area

- Compatible for proposed uses

**SAFETY COMPATIBILITY**

Located within Safety Compatibility Zone 6 (Traffic Pattern Zone)

- Compatible for proposed uses

**AIRSPACE PROTECTION**

Located within Horizontal Surface

- Maximum elevation for any object is 486' MSL  
(150' above runway elevation)

In consideration of the Fresno Yosemite International Airport Land Use Compatibility Plan and the information provided in the subject application, the City of Fresno Airports Department anticipates no adverse impacts on the Fresno Yosemite International Airport from the proposed project.

## **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.

As of May 2013, 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 Plan Amendment Application Nos. A-13-004 & A-13-005, Rezone Application Nos. R-13-011 & R-13-012, Conditional Use Permit Application No. C-13-098 & C-13-099, and Vesting Tentative Tract Map No. T-6052/UGM & T-6053/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<sub>2</sub> 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
<b>473</b>	<b>Total "Clean Air" Vehicles in the City of Fresno fleet</b>

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 Plan Amendment Application No. A-13-004 & A-13-005, Rezone Application Nos. R-13-011 & R-13-012, Conditional Use Permit Application No. C-13-098 & C-13-099, and Vesting Tentative Tract Map No. T-6052/UGM & T-6053/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.

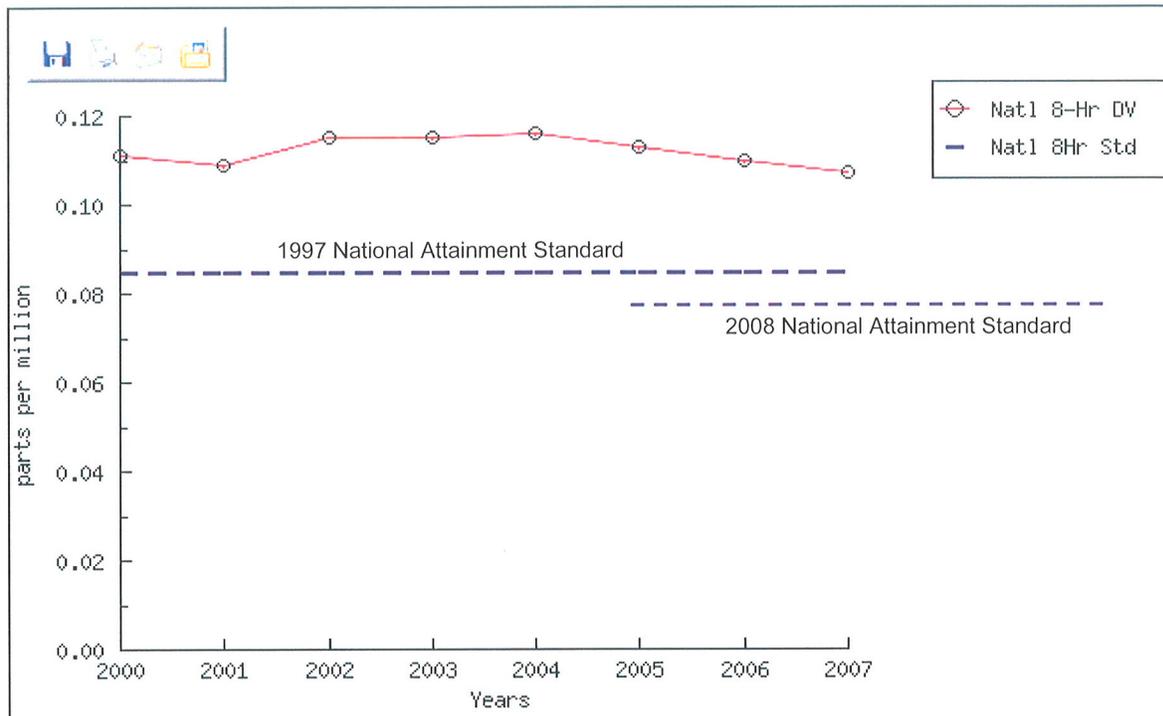
There are no new (*i.e.*, unforeseen in the MEIR) reasonable mitigation measures which have become available since late 2002 that would assure the reduction of cumulative (city-wide) air quality impacts to a less than significant level at project buildout, even with full compliance with attainment plans 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):



Ozone Trends Summary: **San Joaquin Valley Air Basin**



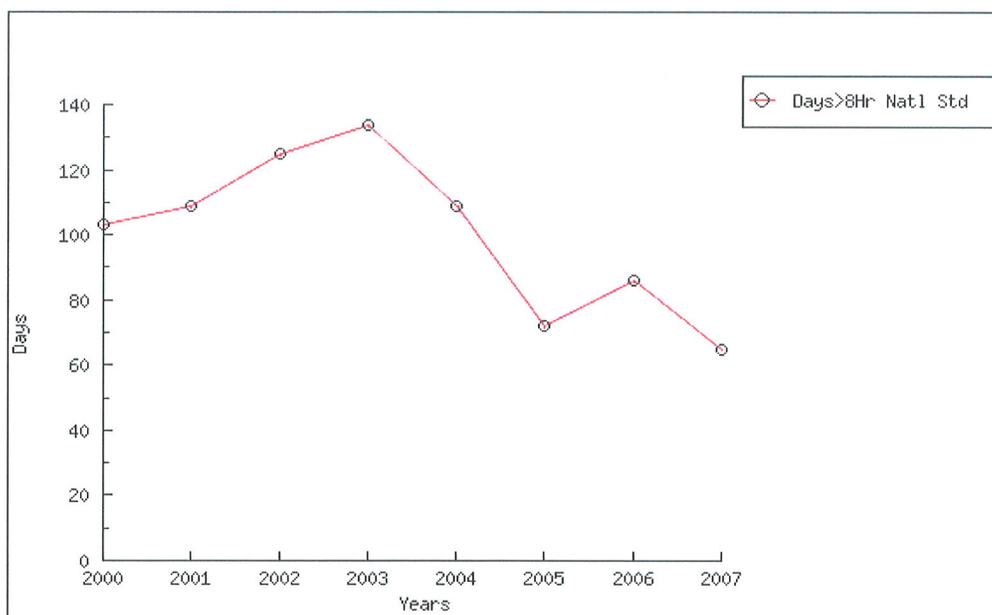
GRAPH NOTES: The "National 1997 8-Hour Ozone Design Value" is a three-year running average of the fourth-highest 8-hour ozone measurement averages in each of the three years (computed according to the method specified in Title 40, Code of Federal Regulations, Part 50, Appendix I).

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:

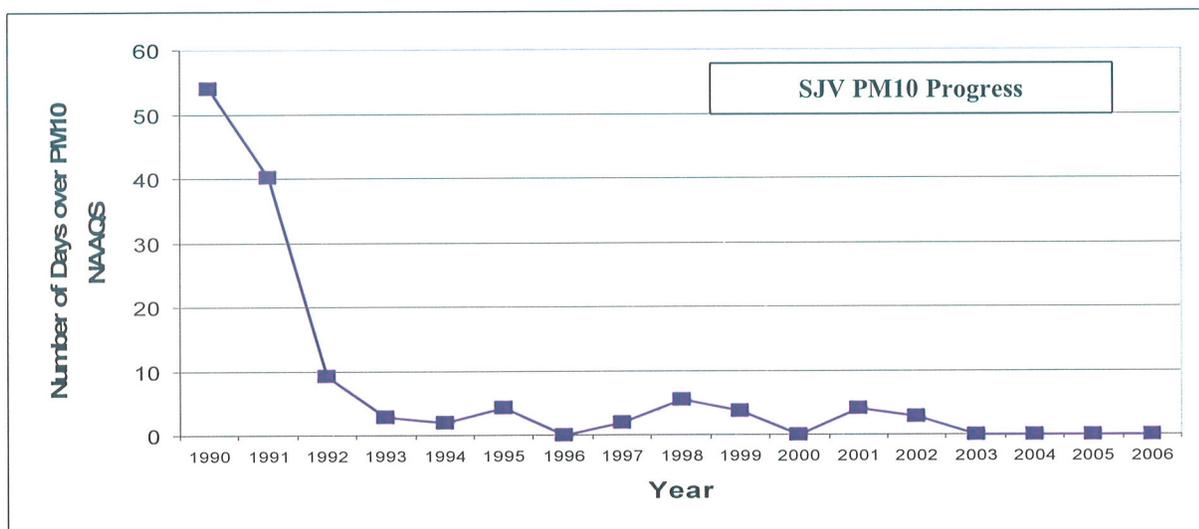


The current ozone attainment plan for the San Joaquin Valley Air Basin, in place when the MEIR for the 2025 Fresno General Plan was certified, is linked to a federal designation of “Serious Nonattainment.” While ozone/oxidant air quality conditions are showing a trend toward improvement, the rate of 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 Nonattainment” 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.

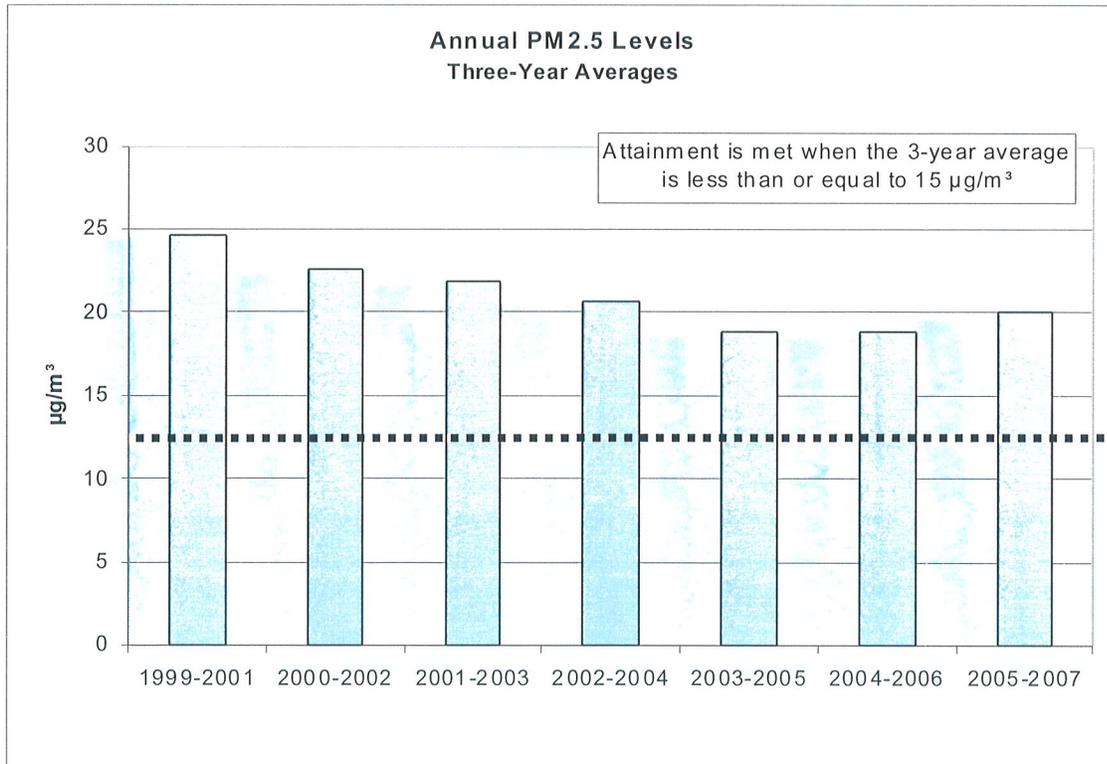
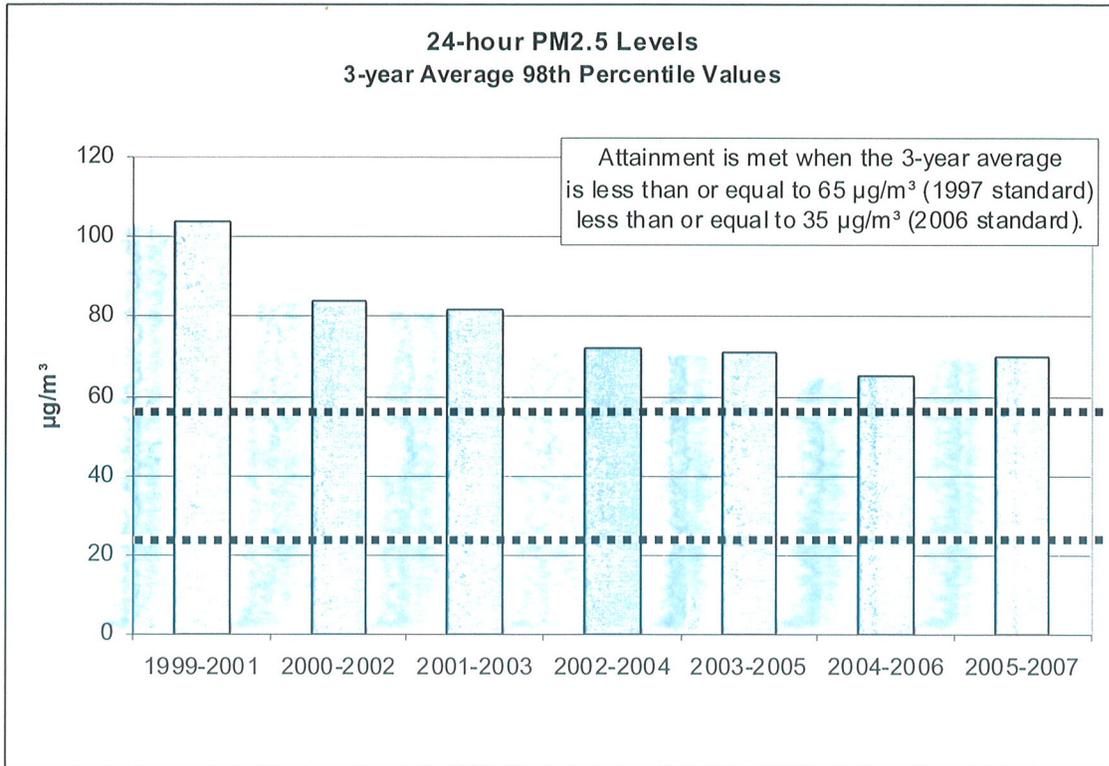
In March of 2006, the San Joaquin Valley Air Pollution Control District adopted Rule 9510, its Indirect Source Review Rule. Full implementation of this Rule has been delayed due to litigation (mitigation fees are being collected and retained in holding accounts), but projects are already being evaluated 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<sub>2</sub>), 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<sub>4</sub>), 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<sub>4</sub> exerts about 20 times the greenhouse gas effect of CO<sub>2</sub>;
- \*nitrous oxide (N<sub>2</sub>O), produced in large part by soil microbes and enhanced through application of fertilizers. N<sub>2</sub>O 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<sub>2</sub>O

is used in some industrial processes, as a fuel for rocket and racing engines, as a propellant, and as an anesthetic. N<sub>2</sub>O 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<sub>6</sub>) is used for insulation in electric equipment, semiconductor manufacturing, magnesium refining and as a tracer gas for leak detection. Of any gas evaluated, SF<sub>6</sub> exerts the most powerful greenhouse gas effect, almost 24,000 times as powerful as that of CO<sub>2</sub> 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<sub>2</sub> 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<sub>6</sub>, 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<sub>2</sub> and N<sub>2</sub>O 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<sub>2</sub>, 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.

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
 ENVIRONMENTAL ASSESSMENT NO. A-09-02 FINDING OF MITIGATED NEGATIVE DECLARATION  
 FOR THE 2025 FRESNO GENERAL PLAN**

**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**

**Date: March 21, 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

<p><b>B-1.</b> 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.</p>	<p>Prior to approval of land use entitlement</p>	<p>Public Works Dept./Traffic Planning; Development &amp; Resource Management Dept.</p>	<p align="center"><b>X</b></p>	<p align="center"><b>X</b></p>	
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<p><b>B-2.</b> 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</p>	<p>Prior to approval of land use entitlement</p>	<p>Public Works Dept./Traffic Planning; Development &amp; Resource</p>	<p align="center"><b>X</b></p>	<p align="center"><b>X</b></p>	
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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN**

**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**  
**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS						
			A	B	C	D	E	F	
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.		Management Dept.							
<b>B-3.</b> 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 & Resource Management Dept.	X						X

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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN  
Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM Date: March 21, 2014  
MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F						
			A	B	C	D	E	F	
<p><b>B-4.</b> 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:</p> <p>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.</p> <p>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.</p>	<p>Prior to approval of land use entitlement</p>	<p>Public Works Dept./Traffic Planning; Development &amp; Resource Management Dept.</p>	X			X			

<p><b>B-5.</b> Circulation and site design measures shall be considered for development projects so that local trips may be completed as</p>	<p>Prior to approval of</p>	<p>Public Works Dept./Traffic</p>	X			X			
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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN**

Date: March 21, 2014

Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM

**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE						
			A	B	C	D	E	F	
<p>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.</p>	land use entitlement	Planning; Development & Resource Management Dept.							
<p><b>B-6.</b> 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.</p>	Prior to approval or prior to funding of major street project.	Public Works Dept./Traffic Planning; Development & Resource Management Dept.	X			X			
<p><b>B-7.</b> Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of pedestrian and public transportation including, but not limited to, provision of bicycle, to connect residential areas with public facilities and improvements to employment. Adequate rights-of-way for bikeways, shopping and bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.</p>	Ongoing	Public Works Dept./Traffic Planning; Development & Resource Management Dept.	X			X			

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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN  
Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM Date: March 21, 2014  
MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>C-1.</b> 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.</p> <ol style="list-style-type: none"> <li>Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals.</li> <li>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.</li> <li>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.</li> <li>Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving proposed development projects.</li> <li>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.</li> </ol>	Ongoing	Development & Resource Management Dept.	X	X		X		

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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN**

**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**

**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE						
			A	B	C	D	E	F	
<p><b>C-2.</b> 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</p>	Ongoing	Development & Resource Management Dept and SJVAPCD	X	X	X	X			
<p><b>C-3.</b> 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.</p>	Ongoing	Various city departments						X	
<p><b>C-4.</b> 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:</p> <ul style="list-style-type: none"> <li>a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions.</li> <li>b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit.</li> <li>c. Continuing efforts to improve transit on-time performance,</li> </ul>	Ongoing	Fresno Area Express						X	

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**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE						
			A	B	C	D	E	F	
<p>increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible.</p> <p>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.</p>									
<p><b>D-1.</b> The City shall monitor impacts of land use changes and development project proposals on water supply facilities and the groundwater aquifer.</p>	Ongoing	Dept of Public Utilities and Development & Resource Management Dept.	X		X	X			
<p><b>D-2.</b> 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.</p>	Ongoing (City-wide); and prior to approval of land use entitlement as applicable	Department of Public Utilities and Development & Resource Management Dept.			X	X	X	X	

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

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN**

**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**  
**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F
<b>D-3.</b> 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		
<b>D-4.</b> 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 & Resource Management Dept.	X			X		
<b>D-5.</b> 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 Protection Board and the National Flood Insurance Protection Program.	Ongoing	Development & Resource Management Dept.			X	X		

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FOR THE 2025 FRESNO GENERAL PLAN**

**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**  
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F	
<p><b>D-6.</b> The City shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect:</p> <p>a. Allowable construction in this area from being damaged by the intensity of flooding in the riverbottom;</p> <p>b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and</p> <p>c. Public health, safety and general welfare from the effects of flood events.</p>	Ongoing	Development & Resource Management Dept.						X	X
<p><b>D-7.</b> 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).</p>	Ongoing	Development & Resource Management Dept.						X	X
<p><b>D-8.</b> 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</p>	Ongoing	Department of Public Utilities	X				X	X	

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**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY							
			A	B	C	D	E	F		
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.										
<b>D-9.</b> 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				

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FOR THE 2025 FRESNO GENERAL PLAN**

Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM Date: March 21, 2014  
MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS						
			A	B	C	D	E	F	
<b>D-10.</b> 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			
<b>D-11.</b> 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			X

A - Incorporated into Project E - Part of City-Wide Program  
 B - Mitigated D - Responsible Agency Contacted  
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F

<p><b>D-12.</b> 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:</p> <table border="1"> <thead> <tr> <th>FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES</th> <th>PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:</th> <th>01/01/2005 THROUGH 12/31/2010</th> <th>01/01/2010 THROUGH 12/31/2020</th> <th>AFTER 01/01/2020</th> </tr> </thead> <tbody> <tr> <td>(Analysis shall include acreage to all street centerlines.)</td> <td></td> <td>10</td> <td>24</td> <td>5</td> </tr> <tr> <td>Single family residential</td> <td></td> <td>3.8</td> <td>3.5</td> <td>3.5</td> </tr> <tr> <td>Multi-family residential</td> <td></td> <td>6.5</td> <td>6.2</td> <td>6.2</td> </tr> </tbody> </table>	FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES	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 12/31/2020	AFTER 01/01/2020	(Analysis shall include acreage to all street centerlines.)		10	24	5	Single family residential		3.8	3.5	3.5	Multi-family residential		6.5	6.2	6.2	<p>Prior to approval of development project</p>	<p>Department of Public Utilities</p>						
	FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES	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 12/31/2020	AFTER 01/01/2020																							
	(Analysis shall include acreage to all street centerlines.)		10	24	5																							
	Single family residential		3.8	3.5	3.5																							
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**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**

**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE				WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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											

<b>D-13.</b> 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
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<b>E-1.</b> 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 & Resource Management Dept.									X
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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN**

Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM Date: March 21, 2014  
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F	
<b>E-2.</b> 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 & Resource Management Dept.			X			X	
<b>E-3.</b> 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 & Resource Management Dept.							X
<b>E-4.</b> 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	Ongoing	Development & Resource Management Dept.							X

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FOR THE 2025 FRESNO GENERAL PLAN  
Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM Date: March 21, 2014  
MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE							
			A	B	C	D	E	F		
and use of heavy equipment near proposed residences. e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.										
<b>F-1.</b> 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 & Resource Management Dept.	X		X	X				
<b>F-2.</b> 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				
<b>F-2-a.</b> The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.	Ongoing	Dept. of Public Utilities						X	X	X

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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130 / SCH No. 2001071097  
FOR THE 2025 FRESNO GENERAL PLAN**

**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**  
**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>F-3.</b> 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.</p>	<p>Ongoing</p>	<p>Dept. of Public Utilities</p>			X	X		
<p><b>F-4.</b> 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.</p>	<p>Ongoing/prior to approval of land use entitlement</p>	<p>Dept. of Public Utilities and Development &amp; Resource Management Dept.</p>	X			X		

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			A	B	C	D	E	F		
<b>F-5.</b> 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 environmental impacts.	Ongoing/prior to construction	Dept. of Public Utilities	X			X				
<b>G-1.</b> 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 & Resource Management Dept.								X
<b>H-1.</b> 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 & Resource Management Dept.				X				X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F	
<b>I-1.</b> 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 & Resource Management Dept.							X
<b>I-2.</b> Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall include 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 & Resource Management Dept.							X
<b>I-3.</b> 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 loss of habitat acreage or value. Typically, the U.S. Fish and Wildlife	Ongoing/prior to approval of land use entitlement and during construction	Development & Resource Management Dept.							X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE						
			A	B	C	D	E	F	
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.									
<b>I-4.</b> 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 & Resource Management Dept.							<b>X</b>
<b>I-5.</b> 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 construction	Development & Resource Management Dept.							<b>X</b>
<b>I-6.</b> 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 & Resource Management Dept.							<b>X</b>

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS					
			A	B	C	D	E	F

<p><b>J-1.</b> 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:</p> <ol style="list-style-type: none"> <li>Amending construction plans to avoid the resources.</li> <li>Setting aside sites containing these resources by deeding them into permanent conservation easements.</li> <li>Capping or covering these resources with a protective layer of soil before building on the sites.</li> <li>Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them.</li> <li>Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.</li> </ol>	<p>Ongoing/prior to approval of land use entitlement</p>	<p>Development &amp; Resource Management Dept.</p>	<p align="center"><b>X</b></p>					<p align="center"><b>X</b></p>	<p align="center"><b>X</b></p>	
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<p><b>J-2.</b> 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</p>	<p>Ongoing/prior to submittal of land use</p>	<p>Development &amp; Resource Management</p>	<p align="center"><b>X</b></p>						<p align="center"><b>X</b></p>	
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F	
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.	entitlement application	Dept.							
<b>J-3.</b> 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 & Resource Management Dept./ Historic Preservation Commission staff	X						X
<b>J-4.</b> 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 & Resource Management Dept./ Historic Preservation Staff							X

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FOR THE 2025 FRESNO GENERAL PLAN**

**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**

**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS						
			A	B	C	D	E	F	
<b>K-1.</b> The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.	Ongoing	Development & Resource Management Dept.	X		X			X	
<b>K-2.</b> 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. <ul style="list-style-type: none"> <li>■ Site Planning. See Chapter V for more details.</li> <li>■ Barriers. See Chapter V for more details.</li> <li>■ Building Designs. See Chapter V for more details.</li> </ul>	Ongoing/upon submittal of land use entitlement application	Development & Resource Management Dept.	X		X				
<b>K-3.</b> 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 & Resource Management Dept.						X	

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**Project/EA No. A-11-003, R-11-003, C-13-092, T-6033/UGM**      **Date: March 21, 2014**

**MEIR Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
		A	B	C	D	E	F
<b>L-1.</b> 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						X
<b>N-1.</b> 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	X			X		
<b>Q-1.</b> 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					X	X

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**PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST**  
**For Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit Application No. C-13-092, and Vesting Tentative Tract Map No. T-60333/UGM**

This monitoring checklist for the above noted environmental assessment is being prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), as required under Assembly Bill 3180, and is intended to establish a project-specific reporting/monitoring program for Plan Amendment Application No. A-11-003, Rezone Application No. R-11-003, Conditional Use Permit Application No. C-13-092, and Vesting Tentative Tract Map No. T-60333/UGM. Verification of implementation of these mitigation measures, in addition to the applicable measures specified for this project per the Mitigation Monitoring Checklist prepared for this project pursuant to Master Environmental Impact Report No. 10130 - 2025 Fresno General Plan, will be required upon the application for subdivision of the project site, special permits, or grading on the project site. The captions below refer to corresponding sections of the Initial Study checklist for this project, using the Appendix G format from the CEQA Guidelines.

**MITIGATION MEASURES FOR ENVIRONMENTAL ASSESSMENT NO. A-11-003, R-11-003, C-13-092, T-60333/UGM**

MITIGATION MEASURE	IMPLEMENTED BY	WHEN IMPLEMENTED	VERIFIED BY
Project shall implement and incorporate, as appropriate all mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated March 21, 2014 and the applicable project specific mitigation measures from A-06-002 and R-06-028.	Applicant	Processing and review of project proposal prior to approval.	City of Fresno Development & Resource Management Department (DARM)
<b>I. AESTHETICS</b> I-1. The 2.14-ac Neighborhood Commercial property (APN 310-041-39) shall incorporate the residential interface/buffering standards noted below in the <b>LAND USE</b> section.	Applicant	Required items shall be depicted on plans prior to approval of special permit for development of commercial site; Improvements shall be constructed prior to issuance of a certificate of occupancy on commercial site.	DARM

<p><b>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE and VII. GREENHOUSE GAS EMISSIONS</b></p>				
<p>III-1. Project shall comply with all of the requirements stipulated within the attached memorandum from the San Joaquin Valley Air Pollution Control District dated April 11, 2011.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>San Joaquin Valley Air Pollution Control District</p>	
<p>III-2. Wood burning fireplaces shall be prohibited within the development.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>		
<p>III-3. Water conservation measures shall be incorporated, such as low flow showerheads, low flow toilets, tankless “on demand” water heaters, and drip irrigation.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>		
<p>III-4. The project shall include at least 5 acres of landscaped area.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM</p>	
<p>III-5. A minimum of 409 trees shall be planted as part of the project:</p> <ul style="list-style-type: none"> <li>a. 338 in the residential portion;</li> <li>b. 43 on project frontages</li> <li>c. 28 parking lot shading for 2.14 acre neighborhood commercial property (APN 310-041-39)</li> </ul>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM</p>	

IX. HYDROLOGY AND WATER QUALITY	Applicant	Prior to issuance of building permits	DARM and Department of Public Utilities (DPU)
IX-1. Project shall comply with all of the requirements stipulated within the attached memorandum from the Department of Public Utilities- dated September 16 and 20, 2013, respectively.	Applicant	Prior to issuance of building permits	DARM and DPU
IX-2. 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.	Applicant	Prior to issuance of building permits	DARM and DPU
IX-3. The project shall incorporate water use efficiency for landscaping including the use of artificial turf and native plant materials, reducing turf areas, and discouraging the development of artificial lakes, fountains and ponds unless only untreated surface water or recycled water supplies are used for these decorative and recreational water features, as appropriate and sanitary.	Applicant	Prior to issuance of building permits	DARM and DPU

<p>IX-4. Project shall comply with all of the requirements stipulated within the attached memorandum from the Fresno Metropolitan Flood Control District (FMFCD) dated October 1, 2013.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM and FMFCD</p>
<p>IX-5. Project shall comply with all of the requirements stipulated within the attached memorandum from the Fresno Irrigation District (FID) dated October 2, 2013.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM and FID</p>
<p><b>X. LAND USE AND PLANNING</b></p>			
<p>X-1. Future development on the proposed commercial or industrial Remainder parcels shall be designed with appropriate layouts that provide sufficient areas for all proposed activities, support functions, and for efficient and safe vehicular, bicycle and pedestrian access.</p> <p>a. Sufficient space and access shall be provided for support functions (e.g., storage, loading, parking, waste disposal/recycling, recreation, etc.)</p> <p>b. Areas for truck access, loading zones and waste storage/recycling areas shall be located so as to be screened from view and to allow the maximum practical distance from residences and living quarters.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM</p>

<p>c. All loading and storage areas shall be screened from view of adjoining property zoned or planned for residential uses, by a combination of landscape planting and a solid masonry wall. Loading spaces shall not be located less than 40 feet from the boundary of residential property, and shall be subject to findings by the Director of the Development and Resource Management Department (or Planning Commission) that appropriate screening and noise attenuating methods have been designed to adequately protect adjoining residential property pursuant to City of Fresno standards and policies.</p> <p>d. All storage shall be within an enclosed structure. Outdoor storage is expressly prohibited.</p> <p>e. A landscape setback at least 10 feet wide or wider (as required by the Fresno Municipal Code) and containing landscaping, approved by the Director of the Development and Resource Management Department, shall be planted and maintained along the property line between all commercial, office, or industrial uses and abutting properties zoned or planned for residential uses..</p> <p>f. A solid masonry wall, an earth berm, or</p>			
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<p>any combination of solid masonry wall and earth berm that provides a continuous barrier, which is a minimum six feet in height, shall be erected on, or along, the property line between properties zoned or planned for commercial, office or industrial uses and properties zoned or planned for residential uses. The height of the required continuous barrier may need to be increased subject to the form of development proposed and compliance with applicable City of Fresno noise standards (compliance with noise regulation shall be demonstrated prior to approval of a development plan for commercial, office, or industrial property).</p> <p>g. Development of commercial property, which has been designated with shopping center zoning, shall be designed with an integrated "campus-like" setting with uniformity of improvements, shared facilities and connectivity for pedestrians.</p> <p>h. No commercial, office or industrial building shall be constructed within 50 feet of the property line of abutting properties zoned or planned for residential uses unless alternative measures are approved by the Development and Resource Management Department Director in accordance with the mitigation measures included herein.</p>		
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<p>i. Safe vehicular, bicycle and pedestrian access shall be provided and maintained on commercial, office or industrially zoned property adjacent to the subject property. All buildings within the proposed commercial shopping center shall be linked by pedestrian pathways in a manner which provides integrated connectivity between separate buildings.</p> <p>j. Parking areas shall not be designed in a manner which discourages pedestrian, bicycle and other forms of transit to the project site in order to so encourage multi-modal transportation.</p> <p>k. Within an area seventy-five feet wide and abutting property zoned or planned for residential use, exterior lighting for parking areas, access drives, loading areas and/or docks associated with commercial, office, or industrial buildings, shall be shielded to prevent line of sight visibility of the light source from abutting property zoned or planned for residential use.</p> <p>l. Roof mounted and detached mechanical equipment shall be screened from view and acoustically baffled to prevent the noise level rating for the equipment from exceeding 55 Ldn, measured at the nearest property line.</p>		
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<p><b>XVI. TRANSPORTATION/TRAFFIC --</b></p> <p>XV-1. Project shall comply with all of the requirements stipulated within the attached memorandum from the City Traffic Engineer dated March 17, 2014 related to the Traffic Impact Study prepared for the proposed project.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits, street work permits, etc. for future residential units</p>	<p>City of Fresno                  Development &amp;                  Resource Management                  Department;                  City of Fresno, Public                  Works Department,                  Traffic Engineering                  Division</p>
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