



# REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. V.C.  
COMMISSION MEETING 02/05/14

February 05, 2014

APPROVED BY

  
DEPARTMENT DIRECTOR

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

BY: WILL TACKETT, Supervising Planner   
Development Services Division

SUBJECT: CONSIDERATION OF REVISED TENTATIVE TRACT MAP NO.  
5508/UGM; CONDITIONAL USE PERMIT APPLICATION NO. C-05-107;  
AND, ENVIRONMENTAL ASSESSMENT NO. R-05-31/T-5508/C-05-107

## RECOMMENDATION

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

Upon consideration of the staff evaluation, it can be concluded that the proposed revisions to Tentative Tract Map No. T-5508/UGM are appropriate for the project site. Therefore, staff recommends the Planning Commission take the following actions:

1. AFFIRM the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) as previously adopted by the Fresno City Council on December 13, 2005 for purposes of the proposed project and revisions.
2. APPROVE Revised Tentative Tract Map No. 5508/UGM proposing to subdivide the subject property for purposes of creating a 112-lot single family residential planned development subdivision with three outlots to be dedicated for common open space purposes. The tentative map was previously approved by the Planning Commission as a private street planned development with private utility service facilities. The subdivider proposes to revise the map from a private street planned development to a public street planned development with public utilities.
3. APPROVE revisions to Conditional Use Permit Application No. C-05-107 authorizing the planned development of the subject property.

## EXECUTIVE SUMMARY

Precision Civil Engineering has filed Revised Tentative Tract Map No. 5508/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues.

Tentative Tract Map No. 5508/UGM was originally approved by the Planning Commission on November 30, 2005 (Planning Commission Resolution No. 12369) as a 112-lot single family residential private street planned development. Utility services within the approved tract were

required to be constructed and maintained as private facilities. The revisions to the tentative map being considered propose to now dedicate interior local streets within the subdivision for public street purposes and convert private utilities to public facilities. The form of the proposed subdivision including street patterns and lot configurations will not change as a result of the proposed revisions to the approved tentative map.

Conditional Use Permit (CUP) Application C-05-107 was also originally filed and approved in conjunction with the tentative map (Planning Commission Resolution No. 12370) to authorize the planned development of the subject property and modifications to property development standards; including private streets and gated access, reduced lot sizes and setbacks. The proposed subdivision will remain a planned development with reduced lot sizes and setbacks. However, proposed streets will be dedicated for public purposes (vs. private streets) and will not be gated. Interior utilities servicing the proposed subdivision will also become public facilities. Conditional Use Permit Application C-05-107 will be revised accordingly upon Planning Commission approval of the proposed revisions to the tentative map.

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

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 R-1 zone district classification for the subject property and the proposed subdivision of the subject property at an overall density of approximately 6.23 dwelling units per acre is consistent with the Medium Density Residential (4.99-10.37 dwelling units/acre) planned land use designation for the subject property as designated by the 2025 Fresno General Plan and Roosevelt Community Plan.

## PROJECT INFORMATION

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

ZONING	Existing -	R-1/UGM ( <i>Single Family Residential/Urban Management</i> ) zone district
	Proposed-	R-1/UGM ( <i>Single Family Residential/Urban Management</i> ) zone district
PLAN DESIGNATION AND CONSISTENCY		The proposed R-1/UGM zone district and 112-lot single family residential subdivision is consistent with the 2025 Fresno General Plan and Roosevelt Community Plan designation of the site for medium density residential planned land uses
ENVIRONMENTAL FINDING		Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005
PLAN COMMITTEE RECOMMENDATION		The Roosevelt Implementation and Advisory Committee recommended approval of the proposed project at its meeting on November 14, 2005
STAFF RECOMMENDATION		Recommend approval of the revisions to the tentative tract map and associated conditional use permit application subject to compliance with the Revised Conditions of Approval for T-5508/UGM and Conditional Use Permit Application No. C-05-107 dated February 05, 2014.

**BORDERING PROPERTY INFORMATION**

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

## **ENVIRONMENTAL FINDING**

An environmental assessment initial study was prepared and approved for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. 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 Roosevelt Community Plan area including the Master Environmental Impact Report (MEIR No. 10130) for the 2025 Fresno General Plan. 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 study indicates that the project, if approved, would conform to the land use designation and land use policies of the 2025 Fresno General Plan and is within the scope of the Master Environmental Impact Report No. 10130. Therefore, staff has issued a finding of conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005, which incorporates a MEIR Mitigation Monitoring Checklist. This environmental finding was properly published and noticed on November 10, 2005; and, approved by the City Council on December 13, 2005.

The proposed revisions to the tentative map will not result in substantial changes in the project which will require major revisions of the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects. Furthermore, no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previously environmental finding was approved show: (1) The project may have one or more significant effects not discussed in the previous environmental finding; (2) Significant effects previously examined will be substantially more severe than previously shown; and, (3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project.

Therefore, it is determined that only minor technical changes or additions are necessary and that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent environmental assessment have occurred. Therefore, staff has prepared an addendum to the Finding of Conformity dated November 10, 2005 for purposes of the proposed project revisions.

## **BACKGROUND / ANALYSIS**

Precision Civil Engineering has filed Revised Tentative Tract Map No. 5508/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues.

Tentative Tract Map No. 5508/UGM was originally approved by the Planning Commission on November 30, 2005 (Planning Commission Resolution No. 12369) as a 112-lot single family residential private street planned development. Utility services within the approved tract were required to be constructed and maintained as private facilities. The revisions to the tentative map being considered propose to now dedicate interior local streets within the subdivision for public street purposes and convert private utilities to public facilities. The form of the proposed subdivision including street patterns and lot configurations will not change as a result of the proposed revisions to the approved tentative map.

Conditional Use Permit (CUP) Application C-05-107 was also originally filed and approved in conjunction with the tentative map (Planning Commission Resolution No. 12370) to authorize the planned development of the subject property and modifications to property development standards; including private streets and gated access, reduced lot sizes and setbacks. The proposed subdivision will remain a planned development with reduced lot sizes and setbacks. However, proposed streets will be dedicated for public purposes (vs. private streets) and will not be gated. Interior utilities servicing the proposed subdivision will also become public facilities. Conditional Use Permit Application C-05-107 will be revised accordingly upon Planning Commission approval of the proposed revisions to the tentative map.

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

### **Streets and Access Points**

The subject property is located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues. The adjacent segment of East Church Avenue is planned as collector street.

This subdivision has been designed to include two major street access points from and to East Church Avenue which will provide connectivity and vehicle trip distribution from and through the proposed development. The interior local streets were originally approved for private street purposes utilizing a 36-foot wide curb-to-curb street cross section. The proposed revisions to the tentative map propose dedication of interior local street for public purposes based upon a modified 47-foot wide right-of-way cross section utilizing the same 36-foot wide curb-to-curb street cross section as previously approved. The 47-foot wide right-of-way section will provide for sidewalks on both sides of all interior streets.

Lot depth will be adjusted for interior lots based upon the widened right-of-way section necessary for public street dedications. However, lot configurations and frontages will remain in substantial conformance to the originally approved plans.

### **Public Services**

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

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

### **Findings Required Pursuant to Section 12-1028 of the Fresno Municipal Code**

Section 12-1028 of the FMC requires that proposed revisions to the condition of a tentative map not be approved unless the Planning Commission makes the following findings:

#### **FINDINGS PER FRESNO MUNICIPAL CODE SECTION 12-1028**

*i. There are changes in circumstances which make such conditions no longer appropriate or necessary; and,*

**Finding i:** The proposed revisions to the tentative map to convert interior private streets to public streets and to convert private utility facilities to public services necessitate respective modifications to conditions of approval for dedications of street rights-of-way and public utility easements. Furthermore, conditions of approval related to construction standards for public streets and utilities have been modified accordingly as represented in the Revised Conditions of Approval for Tentative Tract Map No. 5508/UGM and Conditional Use Permit Application No. C-05-107 dated February 05, 2014; attached hereto.

*ii. The amendments do not impose any additional burden(s) on the present fee owner(s) of the property subject to the map; and,*

**Finding ii:** The subject property is under new ownership. The proposed amendment will not impose any additional "burden(s)" on the present fee owner(s) of the property subject to the map because the modifications proposed are being considered and accommodated based upon revisions which have been proposed at the new property owner's request.

*iii. The map, as amended, is not subject to disapproval under the findings in Government Code Section 66474 and conforms to this Article or Article 12 of Chapter 12 for approving a tentative parcel map.*

<i>Finding iii:</i>	The map, as amended is not subject to disapproval under the findings in Government Code Section 66474 and conforms to this Article and Article 10 of Chapter 12 for approving a tentative map. Original conditions of project approval are being modified to support proposed revisions to the tentative map for dedication of public street rights-of-way, public utility easements and construction/acceptance of public utility services in accordance with City of Fresno policies, standards and specifications.
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*iv. The amendment does not affect any previous findings made under Federal and/or State environmental review; and,*

<i>Finding iv:</i>	As referenced within the Environmental Finding section included herein above, the proposed amendment has no potential to affect any previous findings made for the purpose of compliance with the California Environmental Quality Act. All appropriate analyses have been made and mitigation imposed as appropriate to mitigate any potential effects on the environment which may result from the proposed project; as demonstrated by the attached environmental Finding of Conformity to the 2025 Fresno General Plan MEIR No. 10130, which was originally approved by the Fresno City Council on December 13, 2005.
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*v. The amendments do not alter any right, title, or interest in the real property reflected on the recorded map; and,*

<i>Finding v:</i>	The proposed amendment has no potential to alter any right, title, or interest in the real property reflected on the tentative map. The amendment accommodates revisions requested and proposed by new ownership of the subject property.
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*vi. If located within the review area of one of the airport specific plans, the amendment shall be subject to the provisions of said plan.*

<i>Finding vi:</i>	The proposed project is not located within the review area of any airport specific plans.
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The subdivision map, subject to the recommended revised conditions of approval, complies with the design and property development standards of the Zoning Ordinance and local Subdivision Ordinance. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made.

## **CONCLUSION / RECOMMENDATION**

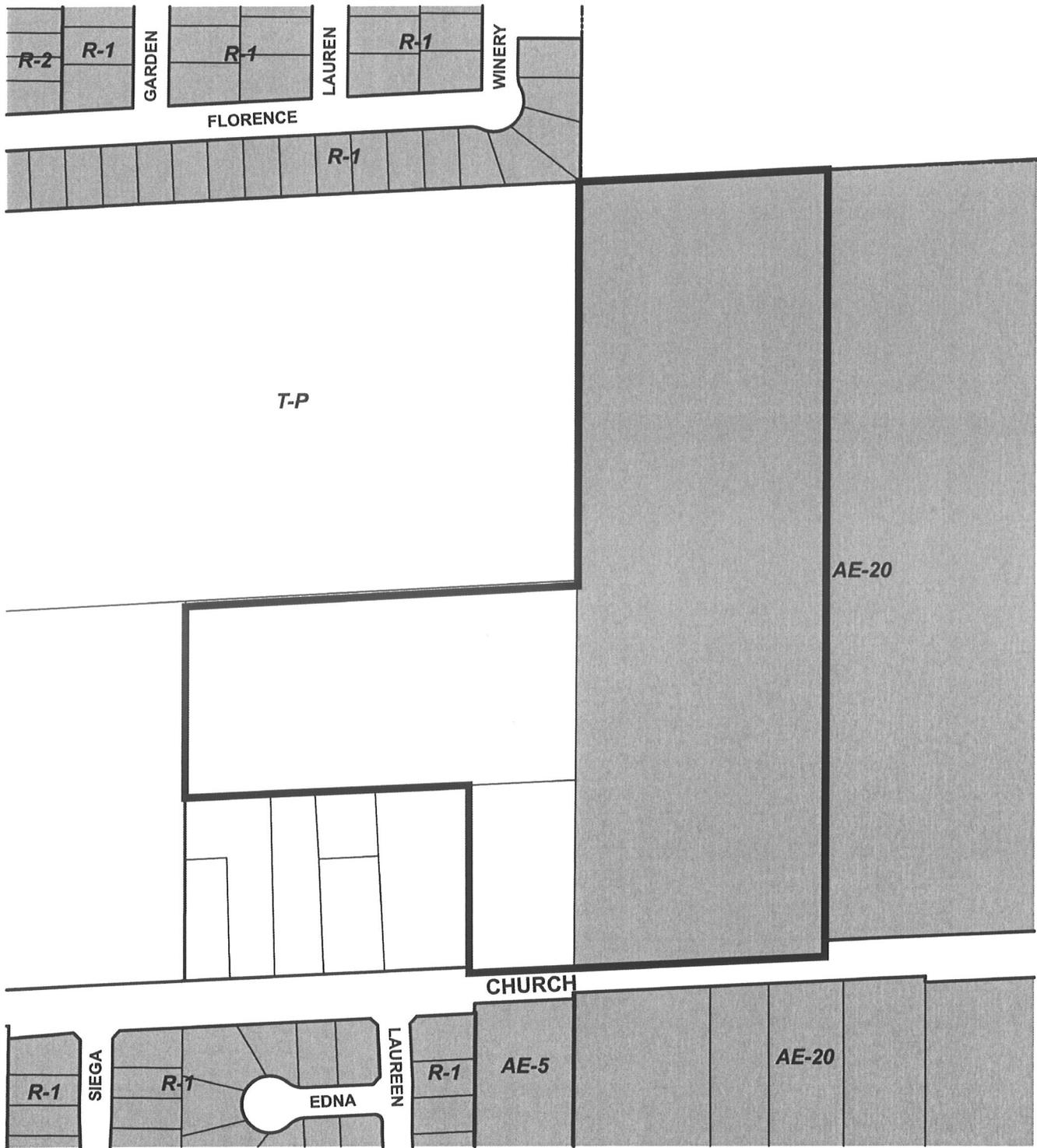
The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Roosevelt Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that Revised Tentative Tract Map No. 5508/UGM is appropriate for the project site.

### **Attachments:**

- Exhibit A: Vicinity Map
- Exhibit B: Aerial Photograph of Site (2013)
- Exhibit C: Public Hearing Notice Mailing List Vicinity Map
- Exhibit D: Revised Tentative Tract Map No. 5508 dated January 23, 2014
- Exhibit E: Revised Site Plan for Conditional Use Permit Application No. C-05-107 dated January 23, 2014
- Exhibit F: Revised Conditions of Approval for T-5508/UGM and Conditional Use Permit Application No. C-05-107 dated February 05, 2014; including memoranda from responsible or commenting agencies.
- Exhibit G: Staff Report to the Planning Commission dated November 30, 2005
- Exhibit H: Addendum and Environmental Assessment No. R-05-31/T-5508/C-05-107 dated November 10, 2005.

# **Exhibit A:**

## **Vicinity Map**



**LEGEND**

-  Subject Property
-  U.G.M. Area

**VICINITY MAP**

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

**PLANNING & DEVELOPMENT DEPARTMENT**



A.P.N.: 481-070-03,04,22  
 ZONE MAP: 2553  
 BY/DATE: J.S. / 10-13-05

**Exhibit B:**

**Aerial Photograph of Site  
(2013)**



Exhibit "B": Aerial Photograph (2013)

**Exhibit C:**

**Public Hearing Notice  
Mailing Vicinity Map**

99851 T-5508

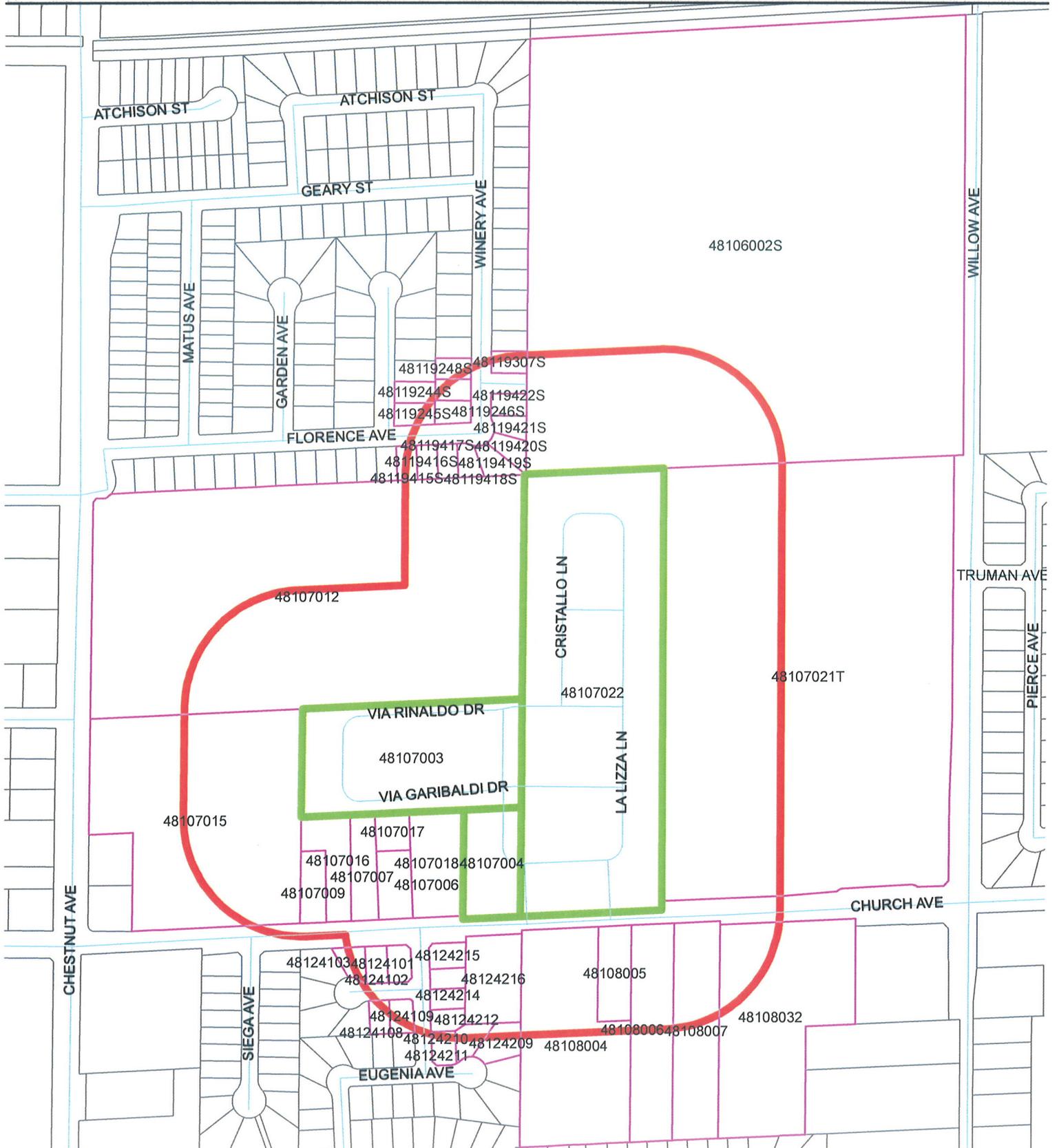
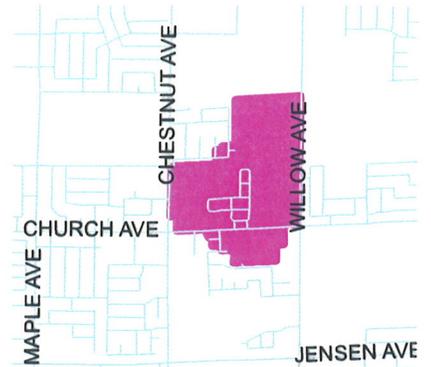
Offered at: 350 Feet, Legal Notices, Owners

8107003

8107004

8107022

Address List Map, Gary Unruh, c:\gisd\5\automap\adrlist.mxd, Fri Jan 31 12:01:42 2014



**Exhibit D:**

**Revised Tentative Tract  
Map No. 5508**



# **Exhibit E:**

**Revised Site Plan for  
Conditional Use Permit  
Application No. C-05-107**

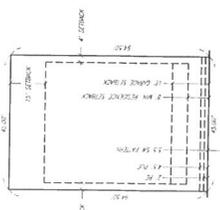
# SITE PLAN

## TENTATIVE TRACT NO. 5508

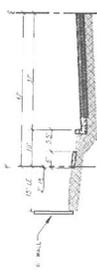
IN THE CITY OF FRESNO,  
COUNTY OF FRESNO, STATE OF CALIFORNIA  
CONSISTING OF ONE SHEET

### NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY ENGINEERING DEPARTMENT.
2. ANY UTILITIES EXISTING WITHIN THE AREA OF CONSTRUCTION SHALL BE RELOCATED TO THE PROPERTY OF THE DEVELOPER.
3. ANY UTILITIES EXISTING WITHIN THE AREA OF CONSTRUCTION SHALL BE RELOCATED TO THE PROPERTY OF THE DEVELOPER.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY ENGINEERING DEPARTMENT.
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13. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY ENGINEERING DEPARTMENT.
14. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY ENGINEERING DEPARTMENT.



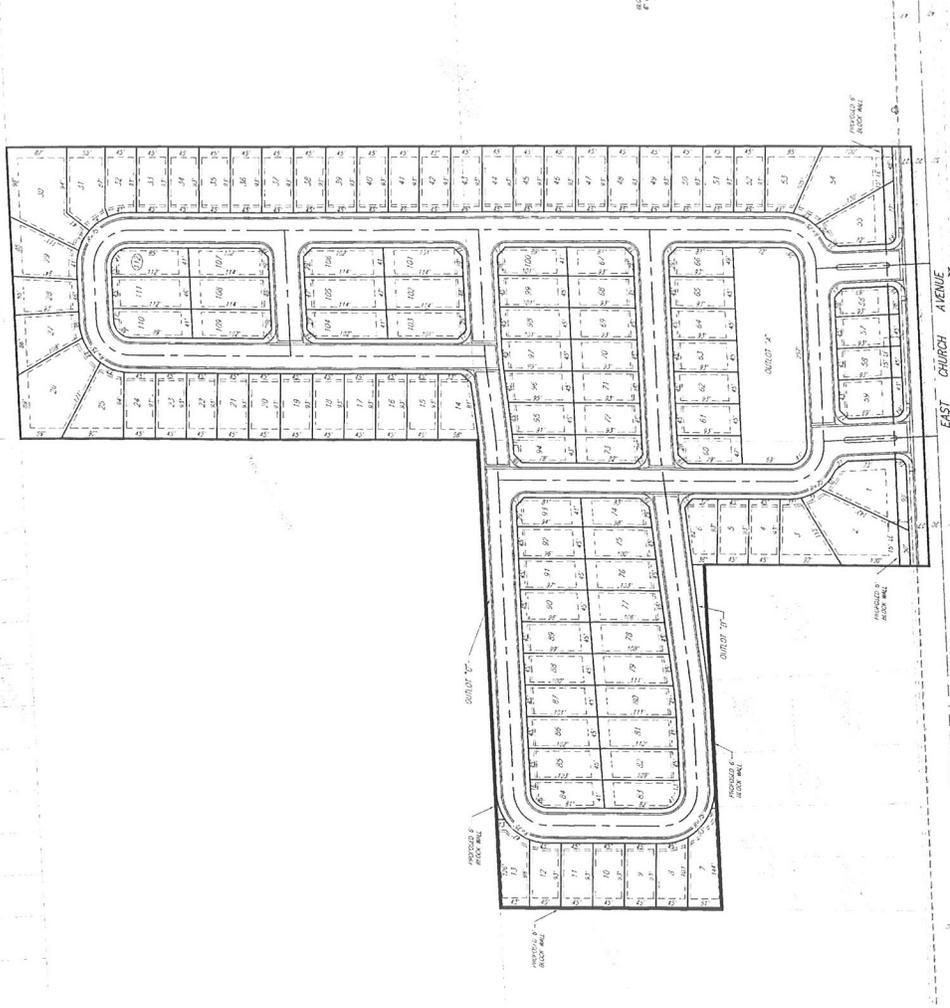
TYPICAL BUILDING SETBACK DETAIL  
NOT TO SCALE



CHURCH AVE. STREET SECTION  
NOT TO SCALE



INTERIOR STREETS  
NOT TO SCALE



PREPARED BY:  
**PRECISION**  
CITY OF FRESNO  
12345 MAIN STREET  
FRESNO, CA 93701  
TEL: (559) 438-1234  
FAX: (559) 438-5678

VICINITY MAP  
NO SCALE

SCALE: 1" = 800'

SCALE: 1" = 800'

**Exhibit F:**

**Revised Conditions of  
Approval for T-5508/UGM  
and Conditional use  
Permit Application No.  
C-05-107**

**CITY OF FRESNO  
PLANNING AND DEVELOPMENT DEPARTMENT**

**CONDITIONS OF APPROVAL**

NOVEMBER 30, 2005

REVISED FEBRUARY 05, 2014

**REVISED TENTATIVE TRACT MAP No. 5508/UGM**

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

All tentative maps are subject to the applicable provisions of the State Subdivision Map Act, Fresno Municipal Code, City policies, and City of Fresno Standard Specifications. The following specific conditions are applicable to this tentative map. The Urban Growth Management (UGM) Service Delivery Plan requirements are included in the following conditions of approval and are designated by the caption "Urban Growth Management Requirements."

**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.**

**GENERAL CONDITIONS**

1. Upon conditional approval of Tentative Tract Map No. 5508/UGM entitled "Exhibit A," dated ~~November 30, 2005~~ **January 23, 2014**, the subdivider may prepare a Final Map in accordance with the approved tentative map, and related Conditional Use Permit Application No. C-05-107 for the subject property.
2. 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.
3. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Planning and Development Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and engineered plans as necessary to construct the required public improvements and work and applicable processing fees.
4. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.

5. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
6. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Article 10, Chapter 12, "Subdivision of Real Property;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
7. The developer/owner shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to tentative maps.
8. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
9. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.
10. Relinquish access rights to East Church Avenue from all residential lots which abut this street. Ref. Section 12-1011-f-3 of the Fresno Municipal Code.
11. 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 County and Cities 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 the Final Map of Tentative Tract No. 5508/UGM.
12. Install stamped concrete, paving stones, brick, flagstone, or other contrasting paving material to clearly demarcate the three intersections at the street that travels along

eastern property line as depicted on Exhibit A dated November 30, 2005 for Conditional Use Permit application No. C-05-107, the lone four-way intersection within the boundaries of the subdivision, and the two entrances from East Church Avenue. Identify material on Exhibit A (of the CUP). Note that painted lines and/or speed bumps are not acceptable. Said contrasting paving material are intended to act as traffic calming devices, without providing speed bumps.

### Landscaping and Walls

13. Pursuant to Policy 1-5.8 of the Roosevelt Community Plan the developer/owner shall provide a 15-foot landscape easement (and irrigation system) along the property lines of lots which back-onto East Church Avenue. Ref. Section 12-1011-f-3 of the Fresno Municipal Code.
14. Provide a ten foot landscape easement along the eastern property line of proposed Lot 1; the western property line of Lot 55; the eastern property line of Lot 56; and, the western property line of lot 59. In addition, provide a six foot, decorative solid masonry wall and corner cut-off at the rear of the required landscape easement (i.e. eastern property line of proposed Lot 1; the western property line of Lot 55; the eastern property line of Lot 56; and, the western property line of lot 59).
15. Construct a decorative six foot wall along the southwestern boundary, northwestern boundary, and at the rear of proposed Lots 7 through 13 as depicted on Exhibit A for Conditional Use Permit Application No. C-05-107 dated November 30, 2005.
- ~~16. Outlot "A" on Exhibit A dated November 30, 2005 shall be used for private street purposes.~~
- ~~17. Outlots "B", "C" and "D" on Exhibit A dated November 30, 2005 "A", "B" & "C" of the tentative map dated January 23, 2014 shall be used for landscaping and recreational purposes only and shall be maintained by a homeowner's association in accordance with the maintenance requirements included herein below.~~
- ~~18. Provide entry gates as shown on the original tentative tract map (see attached Exhibit A). The gates as shown on the revised Tentative Tract Map No. 5508/UGM dated November 30, 2005 are not acceptable.~~
19. Provide a "gated entry" detail to the City of Fresno Public Works and Fire Departments and Department of Public Utilities Department, Solid Waste Division for review and approval prior to submittal of the final map.
20. Provide a corner cut-off area at the intersection of the two proposed ingress/egress areas and East Church Avenue; and in accordance with Section 12-306-H-3-d of the FMC. Corner cut-offs are established to provide an unobstructed view for vehicular and pedestrian traffic approaching an intersection. They are a triangular area formed by the property lines and a diagonal line adjoining points on the property lines, measured a

specific distance from the point of their intersection. At the intersections of streets, this distance is 30 feet. The corner cut-off area shall be landscaped (including an irrigation system), and may be included within the City's Community Facilities District, unless within a required homeowner's association.

21. When the grading plan establishes a top of slope beyond the required landscape easement noted and the construction of the required wall is to be established coincident with the top of slope then the required minimum easement width shall be expanded to include the full landscaped area up to the wall location.
22. Maintenance of the required landscape easements, streets, curbs and gutters, sidewalks, medians, proposed Outlots A, B, C ~~and D of the tentative map dated January 23, 2014~~ and street furniture shall be ~~the responsibility of the Homeowner's Association maintained in accordance with the maintenance obligation requirements included herein below.~~
23. ~~Maintenance of the required 15-foot landscape easement along East Church Avenue may be the responsibility of the City's Community Facilities District. Contact the Public Works Department, Engineering Services Division, at (559) 621-8695 for information regarding the City's District. The property owners may petition the City for annexation to the City's District prior to final map approval. If approved by City Council, the following features may be maintained by the Community Facilities District:~~
  - a. ~~Landscaping and irrigation systems as approved by the Parks Department at the following locations:~~
    - ~~Within the street easements (including median to centerline) and the landscape easement along the property lines that side or back onto East Church Avenue; and the ten foot landscaping easement along the entrances of the subdivision.~~
  - b. ~~All streets, curbs and gutters, sidewalks, medians and street furniture as approved by the Public Works Department within the boundary of the map (i.e. East Church Avenue only).~~
  - c. ~~All curbs and gutters, sidewalks, medians, street furniture and street (to centerline) within East Church Avenue as approved by the Public Works Department along the map frontage.~~
  - d. ~~All street lights as approved by the Public Works Department within the boundary of the map (i.e. East Church Avenue only).~~
24. ~~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.~~

~~25. Should the City Council not approve the annexation of any or all of the maintenance items listed above, then the property owner/developer shall create a homeowner's association for the maintenance of these items and proposed private streets, utilities, and walls/gates. The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be submitted to the Planning and Development Department for review two weeks prior to final map approval. Said documents shall be recorded with the final map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Planning and Development Department Guidelines for preparation of CC&Rs dated January 11, 1985.~~

~~26. Improvement plans for all required landscaping and irrigation systems shall be submitted to the Planning and Development Department for review prior to Final Map approval.~~

#### Lot Dimensions

27. Pursuant to Section 12-306.N-21 of the FMC (refers to Section 12-211.3-G), the Director of Planning and Development or Planning Commission may modify property development standards of the underlying zone district if determined that the proposed development conforms to the provisions of the above mentioned section. However, in no case shall the proposed parcels be less than the following minimum standards.

Note that all proposed parcels must have a minimum lot area of 4,200 square feet.

#### Building Setbacks

28. Front yard building setbacks shall be a minimum of 14, 15, 16, 17, 18, 19, and 20 feet, and must be staggered. Identical setbacks shall not be provided for more than two consecutive lots (i.e. each third lot will have a different front yard setback of at least one foot).

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

30. Side yard setbacks shall be five-feet for all interior lots. However, one side yard setback may be a minimum of three-feet provided that the other side yard is no less than five-feet. The five yard setback shall be adjacent to the garage.

31. Street side yards for all corner parcels shall be a minimum of eight feet.

32. Rear yard setbacks shall be a minimum of 15-feet.
33. Parcels less than 50 feet in width shall provide shared drive approaches and driveways, unless otherwise approved by the Planning and Development Department.

Information

34. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the Fresno Unified School District in accordance with the school districts adopted schedule of fees.
35. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
36. 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.
37. 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.
38. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
39. 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.
- ~~40. 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 measures.~~
41. 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.

42. 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.
43. The subdivider shall comply with Regulation VIII of the San Joaquin Valley Air Quality Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.
44. Solid waste disposal for the subdivision shall be provided by the City of Fresno. The method of collection to be utilized in this tract shall be subject to approval of the Solid Waste Manager (see below-noted conditions).

#### PARK SERVICE

45. Comply with the memorandum from Ann Lillie of the Public Works Department dated November 3, 2005.

*Urban Growth Management Requirements*

46. The subdivider shall be required to pay the appropriate UGM Park Capital Fee at the time of Final Map approval. Fee payment may be deferred until time of building permit issuance in accordance with the requirements of Section 12-4.509-C-3 of the FMC.

FIRE SERVICE

47. This project is within three miles from Fire Station No. 8.
48. Provide residential hydrants and fire flows per Public Works Standards with two sources of water.
49. Comply with the memorandum from the Fire Department dated October 7, 2005.

*Urban Growth Management Requirements*

50. The subdivider shall be required to pay the appropriate Fire Station Capital Fee at the time of final map approval. This site is currently within a non-designated fee area.

SOLID WASTE SERVICE

51. The owners, lessees or other tenants of the residential dwellings on service day, before 6:00 a.m., shall place their solid waste containers at the edge of the curb approximately four feet apart and shall not block any vehicle accesses in accordance with the City of Fresno's Solid Waste Management Division Standards.
52. Per Section 9-404 of the FMC, Solid Waste Disposal Regulations, no solid waste container or residential rubbish shall be allowed to remain at the curb line after 8:00 p.m. on the collection day.
53. Property owners will receive three containers to be used as follows: one gray container for solid waste, one green container for green waste, and one blue container for recyclable material.
54. Provide a minimum of 44 foot turning radius at all corners.
55. Comply with the memorandum from the Solid Waste Division Date November 1, 2005. Note that entrances/exits gates must provide a minimum clearance of 18 feet on side.

STREETS AND RIGHTS-OF-WAY

56. 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.

57. 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.
58. All of the required street improvements shall be constructed and/or installed in accordance with the City of Fresno Standard Specifications (2002 Edition). The following shall be submitted as a single package to the Public Works Department for review and approval:
  - a. Signing and striping plans (per current California Department of Transportation standards);
  - b. Street Construction Plans; and,
  - c. Landscape and irrigation plans (median island and street trees within all parkways).
59. The subdivider shall underground all existing off-site overhead utilities and proposed utility systems in accordance with FMC Sections 12-1011, 8-801, and Resolution No. 78-522, 88-229.
60. The subdivider shall construct an underground street lighting system per Public Works Standards within the limits of the tract. Spacing and design shall conform to Public Works Standards for collector and local streets. Height, type, spacing, etc., of standards and luminaries shall be in accordance with Resolution No. 68-187, 78-522, 81-219, and 88-229 or any modification thereto approved by the City Traffic Engineer prior to Final Map approval. Upon completion of the work by the subdivider and acceptance of the work by the City, the street lighting system shall be dedicated to the City. Submit engineered construction plans to the Public Works Department for approval.
61. All dead-end streets created by this subdivision shall be properly barricaded in accordance with City standards within seven days from the time the streets are surfaced or as directed by the Engineer.
62. The developer shall comply with Rule 8060 of the San Joaquin Valley Air Pollution Control District for the control of fugitive dust requirements from paved and unpaved roads.
63. Comply with the memorandum from the Public Works Department, Engineering Division dated ~~October 26, 2005~~ February 05, 2014.

*General Conditions*

64. Provide handicap access ramps at all corners within the limits of this subdivision.
65. Underground all existing offsite overhead utilities within the limits of this map in accordance with FMC Section 12-1011, 8-801 and Resolution No. 78-522/88-229.
66. Submit a Geometric Approval Drawing (GAD) to Traffic Engineering for review and approval, prior to submittal of street plans.
67. Submit the following plans, as applicable, in a single package, to the Public Works Department for review and approval: Street Construction, Signing, Striping, Traffic Signal, Streetlight, Landscape and Irrigation.

**FRONTAGE IMPROVEMENT REQUIREMENTS:**

East Church Avenue: Collector Street

68. Dedicate 47 feet of property, from section line, for public street purposes within the limits of this subdivision to meet the current City of Fresno Collector Standards. Transition paving from 47-foot right-of-way to the existing 42-foot.
69. Construct concrete curb, gutter and sidewalk to Public Works Standard P-5. The sidewalk pattern shall be constructed to a 10-foot residential pattern.
70. Construct 20 feet of permanent paving within the limits of this subdivision.
71. 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.
72. Relinquish direct vehicular access rights to East Church Avenue from all lots within this subdivision.

Interior Streets

73. ~~Outlot A shall be used for private street purposes.~~

*Specific Mitigation Requirements:*

74. This tract will generate 90 a.m. / 120 p.m. peak hour trips, therefore, a Traffic Impact Study (TIS) is required to comply with the mitigation measure requirements of the 2025 General Plan circulation element.
75. The first order of work shall include a minimum of two points of vehicular access to the major street for any phase of this development.

76. Provide a detail identifying the clearance for backing out of garages.
77. Revise handicap ramps to Public Work Standard P-29.
78. Pedestrian easements are required.
79. Identify full off-site improvements, dedications, etc. on the site plan for Conditional Use Permit Application No. C-05-107.

~~80. Revise map to read "Indicates private streets"~~

#### *Urban Growth Management Requirements*

81. This Map is in UGM major street zone D-1/E-2; therefore pay all applicable UGM fees.

#### South Peach Avenue: Arterial

82. Dedicate and construct two 17 foot center section travel lanes with 250-foot left turn lanes, at all major intersections within the limits of this subdivision. An additional six-feet of paving shall be required adjacent to the 250-foot left turn lanes. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on 45 mph design speed.
83. Design and construct two major street bridge(s) (36) and (37) at the intersection(s) of South Peach and the Central No. 23 Canal and at East Church and the Central No. 23 Canal. Public Works will apply this requirement to a minimum of four other subdivisions with each subdivision being responsible for a fee no greater than 1/5 of the cost of said bridge. The timing of the bridge construction shall occur prior to close out of this subdivision or at such time that the City Engineer deems necessary, whichever is earlier.
84. Comply with Public Works, Engineering Division's memorandum dated ~~October 26, 2005~~ February 05, 2014.

#### SANITARY SEWER SERVICE

85. Comply with the Department of Public Utilities, Planning and Engineering Division's memorandum dated ~~November 3, 2005~~ January 31, 2014.

#### WATER REQUIREMENTS

86. Comply with the Department of Public Utilities, ~~Planning and Engineering Division's memorandum dated November 3, 2005, and with the Department of Public Utilities,~~ Water Division's memorandum dated ~~October 14, 2005~~ January 31, 2014.

**URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)**

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

*Right-of-Way Acquisition*

89. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
90. 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.
91. 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.
92. 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.
93. 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.

**FLOOD CONTROL AND DRAINAGE**

94. 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 letter to the Planning and Development Department dated October 26, 2005.

95. Any temporary ponding basins constructed or enlarged to provide service to the subdivision shall be fenced in accordance with City standards within seven days from the time the basin becomes operational or as directed by the City Engineer. Temporary ponding basins will be created through a covenant between the City and the Developer prior to Final Map approval. Maintenance of the temporary ponding basin shall be by the Developer until permanent service for the entire subdivision is provided.

#### FRESNO IRRIGATION DISTRICT

96. The Fresno Irrigation District does not own, operate nor maintain any facilities on the subject property.

#### SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

97. The developer/owner shall comply with the requirements in the letter from the San Joaquin Valley Air Pollution Control District dated October 11, 2005.

#### COUNTY OF FRESNO, DEPARTMENT OF COMMUNITY HEALTH

98. The developer/owner shall comply with the requirements in the letter from the County of Fresno, Department of Community Health dated October 17, 2005.

#### PACIFIC GAS AND ELECTRIC COMPANY

99. The developer/owner shall comply with the requirements in the letter from the PG&E Company dated October 14, 2005.

#### CALTRANS

100. Consider the letters from Caltrans dated October 11, 2005.

#### MAINTENANCE OBLIGATIONS

101. The long term maintenance of all the items listed below is the ultimate responsibility of the owner/developer.
102. Comply with all the requirements included within the attached Department of Public Works, Traffic and Engineering Services Division memorandum for Maintenance Requirements dated February 05, 2014; and, the following:

- a) 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.
  - b) 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.
  - c) Proceedings to place the Final Map into a CFD shall not commence until the Final Map has been annexed into the City of Fresno and the Final Map, Landscape and Street Construction Plans are considered to be technically correct.
  - d) 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.
103. 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 a formal agreement with the City pursuant to Section 12-1026 of the FMC. The

agreement with the City described herein, shall among other things, specify level of effort and frequency, insurance requirements, traffic control, and inspection and be subject to approval by the Director of Public Works and the City Attorney's Office.

- NOTE: Should the owner/developer elect to establish a HOA 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 two weeks prior to final map approval. Said documents shall be recorded with the final map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the 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:

<i>SEWER CONNECTION CHARGES</i>	<i>FEE RATE</i>
b. Lateral Sewer Charge ♠	\$0.10/sq. ft. (to 100' depth)
c. Oversize Charge ♠	\$0.05/sq. ft. (to 100' depth)
d. Trunk Sewer Charge ♥ Service Area:	N/A
e. Wastewater Facilities Charge ♣	\$2,119/living unit
f. House Branch Sewer Charge ♥	N/A
<i>WATER CONNECTION CHARGES</i>	<i>FEE RATE</i>
g. 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.

h. Frontage Charge ♠	\$6.50/lineal foot
i. Transmission Grid Main Charge ♠	\$643/gross acre (parcels 5 gross acres or more)
j. Transmission Grid Main Bond Debt Service Charge ♠	\$243/gross acre (parcels 5 gross acres or more)
k. UGM Water Supply Fee♥ Service Area: 501s	\$582/living unit
l. Well Head Treatment Fee♥ Service Area: 501	\$238/living unit
m. Recharge Fee♥ Service Area: 501	\$75/living unit
n. 1994 Bond Debt Service ♠ Service Area: 501	\$244/living unit

*DEVELOPMENT IMPACT FEE*

*FEE RATE*

o. Fire Impact Fee - Citywide ♠	\$539/living unit
p. Park Facility Impact Fee - Citywide ♠	\$3,398/living unit
q. *Quimby Parkland Dedication Fee ♠	\$1,120/living unit
r. Police Facilities Impact Fee - Citywide ♠	\$624/living unit
s. Traffic Signal Charge ♠	\$414.69/living unit

*URBAN GROWTH MANAGEMENT*

*FEE RATE*

t. Major Street Charge ♠ Service Area: D-1/E-2	\$3161/adj. acre
u. Major Street Bridge Charge ♠ Service Area: D-1/E-2	\$304/adj. acre
v. UGM Grade Separation Fee ♠ Service Area:	N/A
w. Street Acquisition/Construction Charge♥	N/A

Conditions of Approval  
Revised Tentative Tract Map No. 5508/UGM  
February 05, 2014  
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Notes:

\*This amount if paid is creditable against the Park Facility Impact Fee.

- ♣ Due at time of development
- ♠ Deferrable through Fee Deferral Covenant.
- ♥ Due at time of subdivision.

CITY OF FRESNO  
PLANNING AND DEVELOPMENT DEPARTMENT

CONDITIONS OF APPROVAL

NOVEMBER 30, 2005

REVISED FEBRUARY 05, 2014

CONDITIONAL USE PERMIT APPLICATION No. C-05-107

PART A - PROJECT INFORMATION

1. Assessor's Parcel No: 481-070-03, 481-070-04, 481-070-22
2. Zone Map No: 2254
3. Job Address: Tentative Tract Map No. T-5508/UGM and Rezone Application No. R-05-31
4. Street Location: North side of East Church Avenue, between South Chestnut and South Willow Avenues
5. Existing Zoning: AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone districts
6. Proposed Zoning: R-1/UGM (*Single Family Residential/Urban Growth Management*) per Rezone Application No. R-05-31
7. Planned Land Use: Medium density residential
8. Plan Areas: Roosevelt Community Plan
9. Project Description: Proposal to create a planned development, which includes **gates to restrict vehicular access, private streets**, reduced lot sizes and setbacks, and common open space for 112 lots of Tentative Tract Map No. 5508/UGM.

PART B - GENERAL CONDITIONS AND REQUIREMENTS

The Planning Commission on ~~November 30, 2005~~ February 05, 2014, approved the special permit application subject to the enclosed list of conditions and Exhibit A dated ~~November 30, 2005~~ January 23, 2014.

An environmental assessment/initial study was conducted and resulted in a Finding of Conformity, dated November 10, 2005. The Finding of Conformity was been published in the Fresno Bee commencing a 20-day public review and comment period on November 10, 2005. The expiration date for the comment period is November 30, 2005

**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 are listed in the last section of this list of conditions under the heading "Part F - Miscellaneous" and 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 in writing to the Planning and Development Director within 15 days.**

In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the Director. The appeal shall include a statement of your interest in or relationship to the subject property, the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld. Your appeal must be filed by December 15, 2005.

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;
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 Planning and Development 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.**

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 all original site plan exhibits (dated November 30, 2005) to the final site plan. CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

The exercise of rights granted by this special permit must be commenced by November 30, 2009 (four years from the date of Planning Commission approval). There is no exception.

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

Copies of this final approved site plan, elevations, landscape, and irrigation plans stamped by the Planning Division **must be substituted** for unstamped copies of same in each of the four 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 call for 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. 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.**

#### 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 lot geometrics may be directed to David Padilla at (559) 621-8798 or Greg Jenness at (559) 621-8812 of the Public Works Department, Engineering Division.

#### *STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS*

- a) Exhibit "A" is required to include all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc., within the existing and proposed public rights of way.
- b) Provide a minimum 4 foot wide path of travel along the public sidewalk on all frontages of the property as required by Title 24 of the California Administration Code. An on-site pedestrian easement may be required if Title 24 requirements can not be met within the existing public rights of way.
- c) Deed documents for the required property dedications shall be prepared by the applicant's engineer and submitted to the Public works Department, Engineering Division, Special Districts / Projects and Right-of -Way Section with verification of ownership prior to issuance of building permits. Deed documents must conform to the format specified by the city. Document format specifications may be obtained from the Public Works Department, Engineering Division, Special Districts / Projects and Right of Way Section, or by calling (559) 621-8694.
- d) The construction of any overhead, surface or sub-surface and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the Public Works Department, Engineering Division, Special Districts/Projects and Rights-of-Way Section. Encroachment permits must be approved prior to the issuance of building permits. Please call (559) 621-8693 for additional information.

#### *STREET IMPROVEMENTS*

All 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, prior to commencement of the work. All required street improvements must be completed and accepted by the City prior to occupancy. For additional information you may call (559) 621-8686.

- e) Repair all damaged and/or off grade off-site concrete improvements as determined by the Public Works Department, Construction Management Division. For additional information you may call (559) 621-5500.

- f) Install sidewalk and concrete approaches to City Standard Specifications within all street frontages.
- g) Install streetlights along all street frontages in accordance with City Standards. Plans must be prepared by a registered Civil Engineer and must be approved by the Public Works Department Engineering Division prior to installation.
- h) 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.
- i) Provide parkway landscaping. Street trees shall be planted every 60 feet on center. Plans shall be prepared by a landscape architect.
- j) Submit the following as a single package to the Public Works Department Engineering Division, Plan Check and GIS Mapping Section 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. For additional information you may call (559) 621-8682.

#### ~~GATED ENTRY~~

- ~~k) Submit a detailed gated entry design to Public Works and Fire Departments and the Department of Public Utilities, Solid Waste Division for approval. This includes any required or proposed on-site gates that restrict vehicular access.~~

#### *SURVEY MONUMENTS AND PARCEL CONFIGURATION*

- l) Existing survey monuments shall be preserved and if disturbed, shall be reset by a person licensed to practice land surveying in the State of California.

#### *SITE PLAN*

- m) Exhibit A dated ~~November 30, 2005~~ **January 23, 2014** for Conditional Use Permit Application No. C-05-107 shall be modified and resubmitted for review and approval in accordance with the memorandum from the Public Works Department, Traffic Engineering Division dated ~~October 26, 2005~~ **February 05, 2014**.

#### *URBAN GROWTH MANAGEMENT MAJOR STREET REQUIREMENTS*

The project site is located within the Major Street Zone D-1/E-2, Urban Growth Management (UGM) area. Pay all fees at the time of issuance of building permits. The UGM Fee obligations for this development will be calculated during the building plan check process. Building permits can not be issued until the UGM requirements have been satisfied.

#### **PART D - PLANNING/ZONING REQUIREMENTS**

- 1) PLANNING

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

2) ZONING

- a) Development is proposed in accordance with the proposed R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. Approval of the CUP is contingent upon approval of Rezone Application No. R-05-31 and Tentative Tract Map No. 5508/UGM.

3) POPULATION DENSITY (Residential Projects)

- a) Contingent upon approval of Rezone Application No. R-05-31 and the medium density residential planned land use designation, the subject property shall not be developed with more than 4.99 to 10.97 units per acre or parcels less than 4,200 square feet in lot area per Section 12-306-N-21 of the FMC.

~~b) Exhibit A dated November 30, 2005 shall be resubmitted and shall clearly depict the parcel size for each proposed lot.~~

4) BUILDING HEIGHT

- a) The maximum allowable building height is 30 feet per Section 12-211.5-D. The proposal is within the required height.
- b) EXCEPTIONS: Overheight structure may be approved by the City Planning Commission. However, no roof structure or any space above the height limit shall be allowed for the purpose of providing additional living or floor space. Submit a letter together with the filing fee to the Secretary of the Planning Commission requesting approval.

5) BUILDING SETBACK, OPEN SPACES AND LANDSCAPING

- a) Garages shall be setback a minimum of 18-feet from the front property line subject to providing roll-up garage doors. Habitable space may be provided closer, subject to compliance with the condition below.
- b) Front yard building setbacks shall be a minimum of 14, 15, 16, 17, 18, 19, and 20 feet, and must be staggered. Identical setbacks shall not be provided for more than two consecutive lots (i.e. each third lot will have a different front yard setback of at least one foot).
- c) Side yard setbacks shall be five-feet for all interior lots. However, one side yard setback may be a minimum of three-feet provided that the other side yard is no less than five-feet. The five yard setback shall be adjacent to the garage.
- d) Street side yards for all corner parcels shall be a minimum of eight feet.

- e) Rear yard setbacks shall be a minimum of 15-feet.
- f) Parcels less than 50 feet in width shall provide shared drive approaches and driveways, unless otherwise approved by the ~~Planning and~~ **Development and Resource Management and Public Works Departments**.
- g) Resubmit Exhibit A inclusive of the conditions listed above.
- h) Clearly identify the uses for all outlots (common open space, street, etc.). Note that all outlots are subject to review and approval by the responsible agency. Clearly depict all streets, including all improvements.
- i) The following outlots shall be landscaped and maintained by the homeowner's association:
  - i) Outlots ~~B, C, D (on map dated November 30, 2005)~~. A, B, C (on map dated January 23, 2014).
  - ~~ii) Outlot A is proposed for private street purposes and shall be maintained by the homeowner's association.~~
- j) Pursuant to Policy 1-5.8 of the Roosevelt Community Plan the developer/owner shall provide a 15-foot landscape easement (and irrigation system) along the property lines of lots which back-onto East Church Avenue. Ref. Section 12-1011-f-3 of the Fresno Municipal Code.
- k) Provide a ten foot landscape easement along the eastern property line of proposed Lot 1; the western property line of Lot 55; the eastern property line of Lot 56; and, the western property line of lot 59. In addition, provide a six foot, decorative solid masonry wall and corner cut-off at the rear of the required landscape easement (i.e. eastern property line of proposed Lot 1; the western property line of Lot 55; the eastern property line of Lot 56; and, the western property line of lot 59).
- l) Construct a decorative six foot wall along the southwestern boundary, northwestern boundary, and at the rear of proposed Lots 7 through 13 as depicted on Exhibit A for Conditional Use Permit Application No. C-05-107 dated ~~November 30, 2005~~ **January 23, 2014**.
- m) The property owner/developer shall create a homeowner's association for the maintenance of the landscape areas and proposed private streets, utilities and walls/gates (*all* Outlots within the planned development). The proposed Declaration of Covenants, Conditions, and Restrictions (CC&R's) and the proposed instruments for the homeowners association shall be submitted to the Planning and Development Department for review two weeks prior to final map approval. Said documents shall be recorded with the final map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Planning and Development Department Guidelines for preparation of CC&R's dated January 11, 1985.
- n) The number of trees will be determined by the following formula:

Section 12-306-N-24-G-3 of the FMC requires one medium sized tree (30 – 60 feet at maturity) for each parking space, plus one medium sized tree for each residential unit. Two

small trees (15-30 feet at maturity) shall be counted as one medium-sized tree.

- o) Trees shall be maintained in good health. However, 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 Planning and Development Department. **(Include this note on the landscape plan.)**
- p) Submit landscaping plans to the Planning & Development for review and approval.
- q) Landscaping must be in place before issuance of the certificate of occupancy. 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 Planning Division. **(Include this note on the landscape plan.)**
- r) Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Planning Division, Development Department. **(Include this note on the landscape plan.)**
- s) Clearly identify all condensing units, air conditioning and heating units on the site and elevation plans. Mechanical equipment must be screened.
- t) No structures of any kind (including signs, call boxes, site maps, directional signs, etc. unless permitted by Section 12-212.5-K-2 of the FMC) may be installed or maintained within the above-landscaped areas. No exposed utility boxes, transformers, meters, piping (excepting the backflow prevention device), etc., are allowed to be located in the landscape areas or setbacks or on the street frontages of the buildings. All transformers, etc., shall be shown on the site plan. The backflow device shall be screened by landscaping or such other means as may be approved. **(Include this note on the site plan.)**

#### 7) FENCES, HEDGES, AND WALLS

- a) 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.
- b) Only those fences as shown on the site plan shall be reviewed for approval.
- c) Submit a rendering depicting the fence height, design and color for review and approval.
- d) Provide a six foot high concrete block wall at the rear of the landscape areas along East Church Avenue. Depict and label on Exhibit A.
- e) Provide a six foot, decorative solid masonry wall and corner cut-off at the rear of the required landscape easement (i.e. eastern property line of proposed Lot 1; the western property line of Lot 55; the eastern property line of Lot 56; and, the western property line of lot 59).

- f) Construct a decorative six foot wall along the southwestern boundary, northwestern boundary, and at the rear of proposed Lots 7 through 13 as depicted on Exhibit A for Conditional Use Permit Application No. C-05-107 dated ~~November 30, 2005~~ January 23, 2014.

8) ACCESS

- a) Vehicular and pedestrian access shall be provided as indicated per Conditions of Approval for Tentative Tract Map No. T-5508/UGM dated ~~November 30, 2005~~ February 05, 2014.
- b) Install stamped concrete, paving stones, brick, flagstone, or other contrasting paving material to clearly demarcate the three intersections at the street that travels along eastern property line as depicted on Exhibit A dated ~~November 30, 2005~~ January 23, 2014 for Conditional Use Permit application No. C-05-107, the lone four-way intersection within the boundaries of the subdivision, and at the two entrances to the subdivision from East Church Avenue. Identify material on Exhibit A (of the CUP). Note that painted lines and/or speed bumps are not acceptable. Said contrasting paving materials are intended to act as traffic calming devices, without providing speed bumps.

9) COVENANTS AND AGREEMENTS

~~a) The covenants, conditions, and restrictions for the owner's association shall comply with Section 12-1026 of the Fresno Municipal Code.~~

- b) Provide a cross access agreement for shared drive-approaches.

10) OUTDOOR ADVERTISING

- 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 Planning Division's Public Front Counter. Note that all signs, including directional signs, must be located outside of the required landscape setbacks.
- b) Signs must comply with Sections 12-212.5K-2 and 12-207.5-J-1, 2, 3 and 4 of the FMC.
- c) Free-standing permanent signs identifying the development are subject to the following conditions:
- d) The number of such signs shall be limited to two single-faced or one double-faced sign for each major entrance from a public street, or one single-faced sign for each street frontage for multiple-family developments which have no entrances from a public street.
- e) No such sign may have an area greater than forty square feet.
- f) Such signs may be located at the entrance to the development or within any required front or street side yard landscaped setback, if the sign height is five feet or less and the sign is set back at least five feet from any street property line. The provisions of Section 12-306-N-9 of the FMC shall apply to any signs placed within a utility or landscape easement. Signs may

be placed flush against a solid masonry or wood fence/wall, provided that the copy area of each sign does not exceed thirty-two square feet and that no portion extends above the fence or wall.

- g) Free-standing signs placed behind any landscaped setbacks may not exceed ten feet in height.
- h) Signs may not be internally illuminated but may be floodlighted, provided floodlights do not cast direct light on adjoining streets or properties.
- i) Permanent signs with a maximum area of four square feet and a height of five feet, directing residents or visitors to parking areas or the rental office, may be installed without issuance of a sign permit.
- j) Permanent directories with a maximum area of twenty-four square feet and a height of six feet, showing the locations of individual units, may be installed for multiple-family developments having an area of one-half acre or more. Any such directory under six square feet in area or required as a condition of approval of a special permit for the development shall be exempt from issuance of a sign permit.
- k) Clearly depict and label any proposed and future signs on exhibit. Should any signs be proposed under this conditional use permit application, provide their height, location and area.

#### 11) BUILDING ELEVATIONS

- a) All houses in the subject planned development shall be subject to review and approval by the Planning and Development Department in accordance with these conditions.
- b) Clearly identify all condensing units, air conditioning and heating units on the site and elevation plans. Roof mounted mechanical equipment shall be recessed and shall not be visible from the public right-of-way or shall be placed on the ground outside of required yards.
- c) Pursuant to Policy numbers C-20-f, C-21-a, C-21-b, and C-21-c of the 2025 General Plan, all proposed buildings shall include design features and decorative treatments. Visible sides of buildings shall not be developed with featureless "blank" walls. This may be accomplished by varying the building footprint with indentations, projections, offsets, different building materials, or adding polyfoam with a stucco finish to add visual interest and to break up monotonous walls. Submit elevations inclusive of modifications for review and approval.

### **PART E - CITY AND OTHER SERVICES**

#### 12) FIRE PROTECTION REQUIREMENTS

- a) Comply with the requirements of the attached Fire Department memorandum dated October 7, 2005.

#### 13) TRANSPORTATION/TRAFFIC PLANNING REQUIREMENTS

- a) Comply with the requirements of the attached Public Works memorandum, dated ~~October 26, 2005~~ February 05, 2014.

14) SOLID WASTE COLLECTION

- a) Comply with the attached Solid Waste Management memorandum dated November 1, 2005.
- b) The subject site shall be serviced by the City of Fresno, Public Utilities, Solid Waste Division.

15) SANITARY SEWER SERVICE

- a) Comply with the Department of Public Utilities, Planning and Engineering Division's memorandum dated ~~November 3, 2005~~ January 31, 2014.

16) WATER REQUIREMENTS

- a) Comply with the Department of Public Utilities, ~~Planning and Engineering Division's memorandum dated November 3, 2005, and with the Department of Public Utilities,~~ Water Division's memorandum dated ~~October 14, 2005~~ January 31, 2014.

17) HEALTH PROTECTION REQUIREMENTS

- a) Comply with the requirements of the County of Fresno Department of Health, dated October 17, 2005.

18) FRESNO METROPOLITAN FLOOD CONTROL DISTRICT(FMFCD)

- a) Comply with the attached FMFCD memorandum, dated October 26, 2005.

19) SCHOOL FEES

- a) School fees must be paid prior to issuance of building permits. (Contact Fresno Unified School District.) Provide proof of payment (or no fee required) prior to issuance of building permits.

20) SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

- a) Comply with the attached San Joaquin Valley Air Pollution Control District memorandum, dated October 11, 2005.

21) DEPARTMENT OF PUBLIC WORKS, STREET TREES DIVISION

- a) Comply with the attached Department of Public Works, Street Tree Division memorandum, dated November 3, 2005

22) PACIFIC GAS AND ELECTRIC COMPANY

- a) The developer/owner shall comply with the requirements in the letters from the Pacific Gas

and Electric (PG&E) Company dated October 14, 2005.

23) CALTRANS

- a) Consider the letter from Caltrans dated October 11, 2005.

**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) Include a color and material schedule on the site plan, as well as on the elevations, for the exterior of all buildings and structures, including the proposed maintenance room.
- 2) If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. **(Include this note on the site plan.)**
- 3) 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. **(Include this note on the site plan.)**
- 4) 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. **(Include this note on the site plan.)**

**All discretionary conditions of approval will ultimately be deemed mandatory unless appealed in writing to the Planning and Development Department Director within 15 days.**

City of



450 M Street  
Fresno, California 93721-3083  
559-621-4000 FAX # 559-498-4261  
www.fresno.gov



Fire Department

Randy R. Bruegman  
Fire Chief

**Date:** 10-7-05

**TO:** Arnolando Rodriguez, Supervising Planner  
Development Department, Planning Division

**FROM:** Mike Schmidt, Supervising Fire Prevention Inspector  
Fire Prevention Bureau

**SUBJECT:** Tentative Tract No. 5508

The Fire Department has completed a review of the Vesting Tentative Tract-Map 5508, which was submitted by Precision Civil Eng. The following requirements and conditions are to be placed on this vesting tentative tract map as a condition of approval by the Fire Department.

**General Requirements:**

This project is within 3 miles of Fire Station No.8.

This project is subject to UGM Fire service fees for undesignated areas.

Provide residential hydrants and fire flows per Public Works standards with two sources of water. See C-05-107 for hydrant locations.

Access is acceptable as shown. See C-05-107 requirements.

Note: Phasing of tract will require re-review for access requirements.

FRESNO FIRE DEPARTMENT

FPB-42

FIRE HYDRANT AND ACCESS REQUIREMENTS

APPLICATION NO. C-05-107 / T-5508 DATE 10-7-05

LOCATION Church bet. Chestnut/Willow REVIEWED BY GM

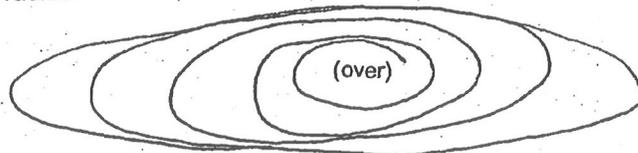
HYDRANTS

- 1.  Developer must install on-site hydrant(s). See plan for location(s). Provide fire hydrant flow of [ ] 1500 GPM [ ] 2500 GPM 8" water main minimum.
- 2.  Public street hydrant(s) must be installed. Coordinate street hydrant locations with Public Works.
- 3.  Fire hydrants shall be tested and approved, and all surface access roads shall be installed and made serviceable prior to and during the time of construction. The 4-1/2" outlet shall face the access lane.

ACCESS

GENERAL:

- 4.  Two means of ingress/egress must be provided. This access must be maintained during all phases of development.
- 5.  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.
- 6.  All openings in the perimeter of a building shall be accessible from within 150 feet of a public street or private driveway.
- 7.  Loading zones shall not be located in required fire lanes.
- 8.  Where buildings or portions thereof are more than 35 feet in height, an aerial truck setup area shall be located adjacent to at least one side of such buildings. Aerial truck setup areas shall be minimum width of 30 feet wide for not less than 60 feet when part of through fire lanes
- 9.  Aerial truck setup areas, as described in No. 8 above, shall be provided adjacent to at least two sides of buildings more than 35 feet in height that exceed 150 feet in length or width.
- 10.  All private streets and driveways that are provided for common access, and are required for Fire Department access, shall be constructed to a minimum unobstructed width of 20 feet. For drives separated by a median, 15 foot minimum lanes are required.
- 11.  Streets highlighted on 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).
- 12.  Provide sign(s) (17" X 22" minimum) at all public entrance drives to the property, which state, "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 498-1414."
- 13.  Turns in private drives and intersecting drives shall have a minimum 34 foot centerline turning radius.
- 14.  Turns in private drives for aerial truck access, required in No. 5 above, shall have a minimum 44 foot centerline turn radius.



- 15.  Dual entry drives require intermediate turnarounds when length exceeds 700 feet.
- 16.  All gates on common access drives shall be equipped with approved Police/Fire bypass locks (Best locks; Padlock 21B700 series or Cylinder lock 1W7B2). Gates/fences shall not obstruct the minimum width required for fire lanes.
- 17.  The entire width of a required access way shall remain unobstructed to a vertical height of 13 feet, 6 inches.

**SINGLE-ENTRY PRIVATE STREETS:**

- 18.  Turnarounds required if the length exceeds 150 feet.
- 19.  The maximum allowable length of a single entry roadway is 450 feet.
- 20.  Required turnarounds shall be defined as fire lanes (see No. 11).
- 21.  The entire width of a required access way shall remain unobstructed to a vertical height of 13 feet, 6 inches.

**"EMERGENCY ACCESS ONLY" ROADWAYS:**

- 22.  Emergency accesses are required to be dedicated fire protection easements.
- 23.  Road surface shall be of a all weather construction.
- 24.  Gates, posts, or other barriers suitable to the Fire Department are required to be installed at the entrance to an "emergency access only" roadway.
- 25.  The entrance to all emergency accesses shall be posted with permanent signs: "FIRE ACCESS (6" LETTERS) vehicles removed at owner's expense (2" letters) FRESNO POLICE DEPARTMENT 498-1414 (1" letters).
- 26.  All gates on the "emergency access" roadway shall be fitted with a Police/Fire bypass lock (see No. 16 above).

**PEDESTRIAN ACCESS:**

- 27.  Pedestrian access shall be provided to all exterior areas of buildings where necessary to assure compliance with the "150 foot rule."
- 28.  All pedestrian gates, where required for compliance with the "150 foot rule" shall remain unlocked or be provided with Police/Fire bypass locks (see No. 16 above).
- 29.  Required pedestrian access ways shall be designed to facilitate the carrying of ground ladders and the advancing of fire hose lines.

**OTHER:**

- 30.  \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

City of



Department of Public Utilities  
Solid Waste Division  
1325 E. El Dorado • Fresno, California 93706-2014  
(559) 498-1452

November 1, 2005

TO: Arnoldo Rodriguez, Supervising Planner  
Planning and Development Department

THROUGH: Robert Weakley, Chief of Operations  
Department of Public Utilities, Solid Waste Division

FROM: Donna Leslie, Provisional Management Analyst I *DL*  
Department of Public Utilities, Administration

SUBJECT: TT 5508, Solid Waste Conditions of Approval

The Department of Public Utilities, Solid Waste Division, has completed a review of the Vesting Tentative Tract Map 5508. The following requirements and conditions are to be placed on this vesting tentative tract map as a condition of approval by the Department of Public Utilities.

**General Requirements:**

- Tract 5508 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 6:00 a.m., shall place their solid waste containers at the edge of the curb approximately 4 feet apart and not blocking any vehicle accesses in accordance with the City of Fresno's Solid Waste Management Division Standards.
- Per Municipal Code, Section 9-404 Solid Waste Disposal Regulations, Section C,10. No Solid Waste container nor residential rubbish shall be allowed to remain at the curb-line after 8:00 p.m. on the collection day.

**Special Conditions:**

- Solid Waste requires 18' of unobstructed clearance in the path the truck travels.
- Provide 44' turning radius at all corners.

- Gates shall be placed at least 40' from the property line to prevent the solid waste vehicle from sticking out into the street while waiting to access the gate. Check the distance when the gate is fully opened.
- Developer shall provide the Public Works standard of 40' curb face to curb face radius on both cul-de-sacs.

**Covenant Requirements:**

- There shall be no parking allowed in the cul-de-sacs on the solid waste service day. The following lots shall be clear of all vehicles by 6:00 a.m.

Lots 59, 60, 61 and 62 on South Laureen Avenue  
Lots 65, 66, 67, 68, 69 and 70 on East Truman Avenue

**Frontage Concerns:**

- Solid waste containers are approximately 3'x3' and are required to be placed approximately 4' apart for service. Total frontage required is approximately 17'. Containers are not allowed to block any vehicle accesses.

**Project Phasing:**

- If project is going to be developed in phases, all streets shall connect to one another or a temporary turnaround shall be provided. Turnaround shall be large enough to accommodate a solid waste vehicle that is 35' long with a turning radius of 44'. Turnaround shall be kept clear of all vehicles on the solid waste service day.



**DEPARTMENT OF PUBLIC UTILITIES  
ADMINISTRATION DIVISION  
MEMORANDUM**



*Providing Life's Essential Services*

**Date:** January 31, 2014

**To:** ARNOLDO RODRIGUEZ  
Development Service and Planning

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

**Subject:** SEWER REQUIREMENTS FOR VESTING TENTATIVE TRACT T-5508/UGM,  
REZONE R-05-31 AND CONDITIONAL USE PERMIT C-05-107

**General**

Tentative Tract Map No. 5508/UGM, Rezoning Application No. R-05-31, and Conditional Use Permit No. C-05-107, a 119-lot single family residential gated private street planned development subdivision, rezoning from AE-20/UGM to R-1/UGM on 18.5 acres located on the north side of E. Church Avenue between S. Chestnut and S. Willow Avenues.

**Sewer Requirements**

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

1. Sanitary sewer mains (including sewer house branches to adjacent properties) shall be extended within the proposed tract to provide sewer service to each lot created.
2. The Project shall comply with City of Fresno Ordinances, Standards, Specifications, and Conditions related to providing sanitary sewer service including payment of all City of Fresno adopted impact fees and sewer connections charges established in the City of Fresno Master Fee Schedule.
3. Installation of sewer house branch(s) shall be required.
4. Separate sewer house branches shall be provided for each lot created.
5. Abandon any existing on-site private septic systems.
6. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
7. All underground utilities shall be installed prior to permanent street paving.
8. Street easements and/or deeds shall be recorded prior to approval of improvement plans



*A Nationally Accredited Public Utility Agency*

9. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.

**Sanitary Sewer Fees**

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

1. Sewer Lateral Charge
2. Sewer Oversize Service Area: # 34
3. Wastewater Facilities Charge (Residential Only)



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



DATE: January 31, 2014

TO: ARNOLDO RODRIGUEZ, 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-5508/UGM, REZONE R-05-31 AND CONDITIONAL USE PERMIT  
C-05-107**

**General**

Tentative Tract Map No. 5508/UGM, Rezoning Application No. R-05-31 and Conditional Use Permit No. C-05-107, a 119-lot single-family residential gated private street planned development subdivision, rezoning from AE-20/UGM to R-1/UGM on 18.5 acres located on the north side of East Church Avenue between South Chestnut and South Willow Avenues.

**Water Service**

The nearest water mains to serve the proposed project are a 14-inch main located in East Church 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. Construct a water supply well(s) on a site(s) dedicated to the City of Fresno. The well(s) shall be capable of producing a total of 500 gallons per minute. Well sites shall be of a size and at a location acceptable to the Water Systems Manager. The cost of acquiring the well site(s) and construction of the well(s) shall be



reimbursed from the UGM Water Supply Well Service Area Fund 501s, in accordance with established UGM policies.

4. Water well construction shall include wellhead treatment facilities, if required. The cost for constructing wellhead treatment facilities shall be reimbursed from UGM Wellhead Treatment Service Area Fund 501s, in accordance with established UGM policies.
5. 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.
6. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Assistant Public Utilities Director.
7. 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.
8. 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)



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
Alan Weaver, Director

October 17, 2005

RECEIVED

OCT 20 2005

Planning Division  
Development Department  
CITY OF FRESNO

City of Fresno, Development Department  
Planning Division  
Land Division Section  
2600 Fresno Street, Room 3043  
Fresno, CA 93721-3604

Attention: Arnold Rodriguez

Dear Mr. Rodriguez:

Subject: Tentative Map of Tract No. 5508/UGM, Rezoning Application No. R-05-31,  
and Conditional Use Permit No. C-05-107

Fresno County will need to review and approve the Grading and Drainage Plan to insure that the properties under the County's jurisdiction to the north are not adversely impacted by the increase in storm water runoff or alteration to the existing drainage patterns.

Thank you for the opportunity to review this project. You can reach me at 262-4106 if you have any question regarding these comments.

Sincerely,

Frank L. Daniele, Interim Division Manager  
Maintenance and Operations Division

  
Casey Cheng, Senior Engineer  
Development Engineering

CC: cb  
G:\4510RdMaint\Dev. Engineering\Tract No.5508\_UGM Rezoning App. No. R-05-31.doc

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS**

**PUBLIC AGENCY**

Mr. Gil Haro, Planning Manager  
Planning & Development Department  
City of Fresno  
2600 Fresno Street  
Fresno, CA 93721

**DEVELOPER**

PLEASANT VALLEY INVESTMENTS, LC  
7675 N. INGRAM AVE., SUITE 104  
FRESNO, CA 93711

MAP NO.	<u>5508</u>	PRELIMINARY FEE(S) (See below)	
DRAINAGE AREA(S)	" BF " " - "	DRAINAGE AREA	" BF " <u>\$82,235.00</u>
DATE	<u>10/26/05</u>	DRAINAGE AREA	" - " -
		TOTAL FEE	<u>\$82,235.00</u>

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

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

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

- a) Fees related to undeveloped or phased portions of the project may be deferrable.
- b) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.

**TRACT No. 5508**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 2 of 4

- 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.

**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 #2  
\_\_\_\_\_ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:  
 Developer shall construct facilities as shown on Exhibit No. 1 as "Master Plan Facilities to be constructed by Developer".  
\_\_\_\_\_ None required.
3. The following final improvement plans shall be submitted to the District for review prior to final development approval:  
 Grading Plan       Storm Drain Plan       Final Map  
 Street Plan       Water & Sewer Plan      \_\_\_\_\_ Other
4. Availability of drainage facilities:  
\_\_\_\_\_ a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City of Fresno that runoff can be safely conveyed to the Master Plan inlet(s).  
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.  
\_\_\_\_\_ c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.  
Temporary service is available through \_\_\_\_\_  
\_\_\_\_\_ d. See Exhibit No. 2.
5. The proposed development:  
\_\_\_\_\_ Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessating appropriate floodplain management action. (See attached Floodplain Policy.)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 3 of 4

Appears to be located within a 500 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District.

Does not appear to be located within a flood prone area.

6. 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.

**TRACT  
No. 5508**

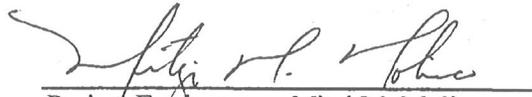
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 4 of 4

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.

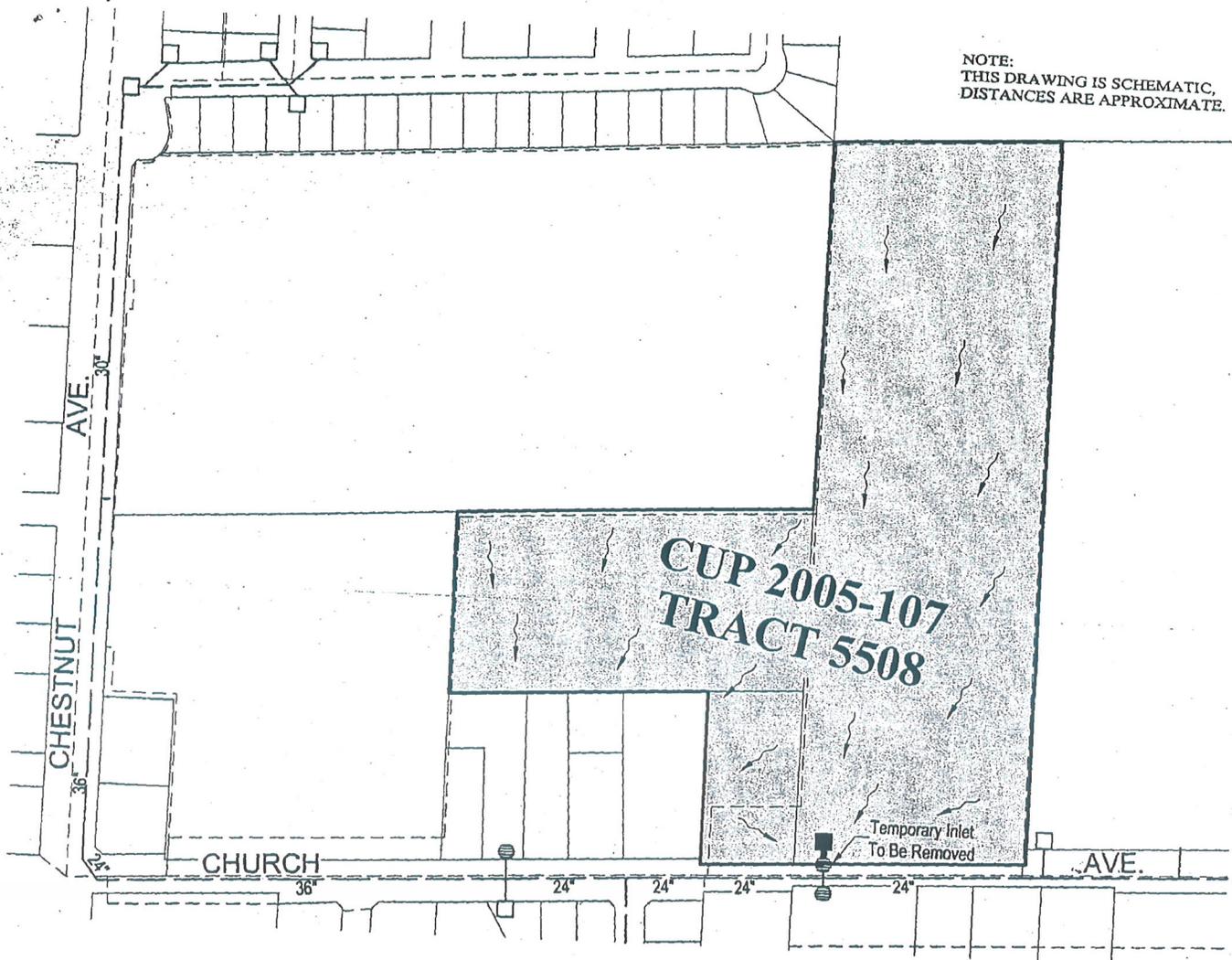
7. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
8. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
9.     X     See Exhibit No. 2 for additional comments, recommendations and requirements.

  
Gerald E. Lakeman,  
District Engineer

  
Project Engineer: Mitzi M. Molina

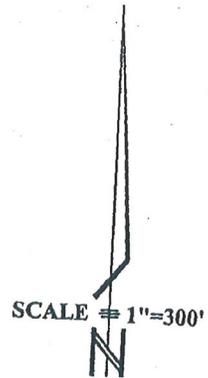
C: PRECISION  
7690 N. PALM AVE., SUITE 104  
FRESNO, CA 93711

NOTE:  
THIS DRAWING IS SCHEMATIC,  
DISTANCES ARE APPROXIMATE.



### LEGEND

-  Master Plan Facilities To Be Constructed By Developer - Inlet & Lateral.
-  Existing Master Plan Facilities
-  Direction Of Drainage
-  Inlet Boundary
-  Existing Temporary Inlet



**TRACT 5508**  
**CUP 2005 - 107**  
DRAINAGE AREA: "BF"



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

EXHIBIT NO. 1

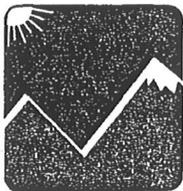
**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

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

A minimum fifteen-foot (15') 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.

Our records indicate that there is not continuous existing curb and gutter to convey runoff to the Master Plan inlet located approximately 800' east of Chesnut Avenue on Church Avenue. The Developer shall be required to provide documentation and/or improvements satisfactory to the City of Fresno to allow for conveyance of storm water to the inlet location.

Development No. Tract 5508



## San Joaquin Valley Air Pollution Control District

October 11, 2005

Reference No. C200501329

City of Fresno  
PLANNING DIVISION/Development Dept.  
Attn: Arnaldo Rodriguez  
2600 Fresno Street  
Fresno, CA 93721-3604

Subject: T-5508; R-05-31; C-05-107 – M.E. Radin, Limited Partnership (APN: 481-070-03, 04, 22)

Dear Mr. Rodriguez:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments:

The entire San Joaquin Valley Air Basin is designated non-attainment for ozone and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Preliminary analysis indicates that this project alone would not generate significant air emissions. However, the increase in emissions from this project, and others like it, cumulatively reduce the air quality in the San Joaquin Valley. A concerted effort should be made to reduce project-related emissions as outlined below:

Based on the information provided, the proposed project will be subject to the following District rules. The following items are rules that have been adopted by the District to reduce emissions throughout the San Joaquin Valley, and are required. This project may be subject to additional District Rules. To identify additional rules or regulations that apply to this project, or for further information, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found at <http://www.valleyair.org/rules/1ruleslist.htm>.

**Regulation VIII** (Fugitive PM<sub>10</sub> Prohibitions)- Regulation VIII (Rules 8011-8081) is a series of rules designed to reduce PM<sub>10</sub> emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and trackout, landfill operations, etc. If a residential project is 10.0 or more acres in area or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials on at least three days, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021.

The District's compliance assistance bulletin for construction sites can be found at: <http://www.valleyair.org/busind/comply/PM10/Reg%20VIII%20CAB.pdf>.

A template of the District's Dust Control Plan is available at:

<http://www.valleyair.org/busind/comply/PM10/forms/DCP-Form%20-%2010-14-2004.pdf>

**Rule 4102** (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action.

**Rule 4103** (Open Burning) regulates the use of open burning and specifies the types of materials which may be open burned. Agricultural material shall not be burned when the land use is converting from agriculture to non-agricultural purposes (e.g., commercial, industrial, institutional, or residential uses). Section 5.1 of this rule prohibits the burning of trees and other vegetative (non-agricultural) material whenever the land is being developed for non-agricultural purposes. In the event that the project applicant burned or burns agricultural material, it would be in violation of Rule 4103 and be subject to District enforcement action.

**Rule 4601** (Architectural Coatings) limits volatile organic compounds from architectural coatings. This rule specifies architectural coatings storage, clean up and labeling requirements.

**Rule 4641** (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). If asphalt paving will be used, then paving operations of this project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

**Rule 4901** (Wood Burning Fireplaces and Wood Burning Heaters) limits PM10 and PM2.5 emissions from residential development. Construction plans for residential developments may be affected by section 5.3, specifically:

§5.3 Limitations on Wood Burning Fireplaces or Wood Burning Heaters in New Residential Developments.

Beginning January 1, 2004,

5.3.1 No person shall install a wood burning fireplace in a new residential development with a density greater than two (2) dwelling units per acre.

5.3.2 No person shall install more than two (2) EPA Phase II Certified wood burning heaters per acre in any new residential development with a density equal to or greater than three (3) dwelling units per acre.

5.3.3 No person shall install more than one (1) wood burning fireplace or wood burning heater per dwelling unit in any new residential development with a density equal to or less than two (2) dwelling units per acre.

More information about Rule 4901 can be found at our website- [www.valleyair.org](http://www.valleyair.org). For compliance assistance, please contact Mr. Wayne Clarke, Air Quality Compliance Manager, at 230-5968.

**Rule 4902** (Residential Water Heaters) limits emission of NOx from residential developments.

The District encourages innovation in measures to reduce air quality impacts. There are a number of features that could be incorporated into the design/operation of this project to provide additional reductions of the overall level of emissions. (Note: Some of the measures may already exist as City development standards. Any measure selected should be implemented to the fullest extent possible.) The suggestions listed below should not be considered all-inclusive and remain options that land-use authority should consider:

- Trees should be carefully selected and located to protect the building(s) from energy consuming environmental conditions, and to shade paved areas. Trees should be selected to shade paved areas that will shade 50% of the area within 15 years. Also, large canopy shade trees should be planted adjacent to all sidewalks thirty foot on center and at a ratio of one tree for each five parking spaces. Structural soil should be used under paved areas to improve tree growth. A brochure has been included for the applicant.

For Structural Soil see <http://www.hort.cornell.edu/uhi/outreach/csc/>

For Tree Selection see <http://www.ufe.org/>

For Urban Forestry see <http://www.coolcommunities.org> <http://wcfre.ucdavis.edu>

[http://www.lqc.org/bookstore/energy/downloads/sjv\\_tree\\_guidelines.pdf](http://www.lqc.org/bookstore/energy/downloads/sjv_tree_guidelines.pdf)

- If transit service is available to the project site, improvements should be made to encourage its use. If transit service is not currently available, but is planned for the area in the future, easements should be reserved to provide for future improvements such as bus turnouts, loading areas, route signs and shade structures. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the project. Direct pedestrian access to the main entrance of the project from existing or potential public transit stops and provide appropriately designed sidewalks. Such access should consist of paved walkways or ramps and should be physically separated from parking areas and vehicle access routes.

Mr. Rodriguez  
T-5508, R-05-31, C-05-107

- Sidewalks and bikeways should be installed throughout as much of the project as possible and should be connected to any nearby existing and planned open space areas, parks, schools, residential areas, commercial areas, etc., to encourage walking and bicycling. Connections to nearby public uses and commercial areas should be made as direct as possible to promote walking for some trips. Pedestrian and bike-oriented design reduces motor vehicle usage and their effects on air quality. Sidewalks and bikeways should be designed to separate pedestrian and bicycle pathways from vehicle paths. Sidewalks and bikeways should be designed to be accommodating and appropriately sized for anticipated future pedestrian and bicycle use. Such pathways should be easy to navigate, designed to facilitate pedestrian movement through the project, and create a safe environment for all potential users (pedestrian, bicycle and disabled) from obstacles and automobiles. Sidewalks should be designed for high visibility (brightly painted, different color of concrete, etc.) when crossing parking lots, streets and similar vehicle paths. Clearly marked and highly visible pedestrian accesses create a safer environment for both pedestrians and vehicles.

- As many energy-conserving and emission reducing features as possible should be included in the project. Energy conservation measures include both energy conservation through design and operational energy conservation. Examples include (but are not limited to):

- Increased energy efficiency (above California Title 24 Requirements)  
See <http://www.energy.ca.gov/title24/>.

- Energy efficient windows (double pane and/or Low-E)  
Use Low and No-VOC coatings and paints. See South Coast's site for No-VOC Coatings at

- <http://www.aqmd.gov/business/brochures/zerovoc.html>

- High-albedo (reflecting) roofing material. See <http://eetd.lbl.gov/coolroof/>

- Energy efficient lighting, appliances, heating and cooling systems.  
See <http://www.energystar.gov/>

- Install solar water-heating system(s)

- Install photovoltaic cells

- Install geothermal heat pump system(s)

- Programmable thermostat(s) for all heating and cooling systems

- Awnings or other shading mechanism for windows

- Porch, patio and walkway overhangs

- Ceiling fans, whole house fans

- Utilize passive solar cooling and heating designs. (e.g. natural convection, thermal flywheels)  
See [http://www.eere.energy.gov/RE/solar\\_passive.html](http://www.eere.energy.gov/RE/solar_passive.html)

- Utilize daylighting (natural lighting) systems such as skylights, light shelves, interior transom windows etc. See <http://www.advancedbuildings.org>

- Electrical outlets around the exterior of the unit(s) to encourage use of electric landscape maintenance equipment

- Pre-wire the unit(s) with high speed modem connections/DSL and extra phone lines

- Natural gas fireplaces (instead of wood-burning fireplaces or heaters)

- Natural gas lines (if available to this area) and electrical outlets in backyard or patio areas to encourage the use of gas and/or electric barbecues

- Low or non-polluting incentives items should be provided with each residential unit (such items could include electric lawn mowers, reel mowers, leaf vacuums, gas or electric barbecues, etc.)

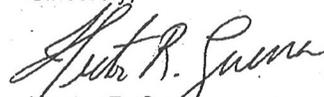
- More information can be found at: <http://www.lgc.org>, <http://www.sustainable.doe.gov/>,  
<http://www.consumerenergycenter.org/index.html>, <http://www.ciwmb.ca.gov/GreenBuilding/>

- The applicant should implement measures to reduce the amount of vehicle traffic to and from the residential area(s) that further reduce air pollution in the valley. This could include providing an information center for residents to coordinate carpooling. Check out the "Spare the Air" section of our website [www.valleyair.org](http://www.valleyair.org)

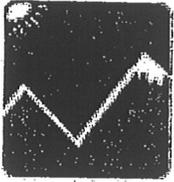
- The project should include as many clean alternative energy features as possible to promote energy self-sufficiency. Examples include (but are not limited to): photovoltaic cells, solar thermal electricity systems, small wind turbines, etc. Rebate and incentive programs are offered for alternative energy equipment. More information can found at-  
<http://www.dsireusa.org/>, <http://rredc.nrel.gov/>, <http://www.energy.ca.gov/renewables/>
- Construction activity mitigation measures include:
  - Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent
  - Limit area subject to excavation, grading, and other construction activity at any one time
  - Limit the hours of operation of heavy duty equipment and/or the amount of equipment in use
  - Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set)
  - Apply idling time limits or require that all diesel engines be shut off when not in use on the premises to reduce emissions from idling.
  - Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.
  - Implement activity management (e.g. rescheduling activities to reduce short-term impacts)
  - During the smog season (May through October), lengthen the construction period to minimize the number of vehicles and equipment operating at the same time.
  - Off road trucks should be equipped with on-road engines when possible.
  - Minimize obstruction of traffic on adjacent roadways.
- The applicant should use CARB certified alternative fueled engines in construction equipment where practicable. Alternative fueled equipment may be powered by Compressed Natural Gas (CNG), Propane (LPG), electric motors, or other CARB certified off-road technologies. To find engines certified by the CARB, see their certification website <http://www.arb.ca.gov/msprog/offroad/cert/cert.php>. For more information on alternative fuel engines, please call Mr. Chris Acree, Senior Air Quality Specialist, at (559) 230-5829.
- Construction equipment should have engines that meet the current off-road engine emission standard (as certified by the CARB), or be re-powered with an engine that meets this standard. Tier I and Tier II engines have significantly less NOx and PM emissions compared to uncontrolled engines. To find engines certified by the CARB, see <http://www.arb.ca.gov/msprog/offroad/cert/cert.php>. This site lists engines by type, then manufacturer. The "Executive Order" shows what Tier the engine is certified as. For more information on heavy-duty engines, please contact Mr. Kevin McCaffrey, Air Quality Specialist, at (559) 230-5831.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call me at (559) 230-5820 and provide the reference number at the top of this letter.

Sincerely,

  
Hector R. Guerra  
Senior Air Quality Planner  
Central Region

HRG:cxt  
Enclosures



San Joaquin Valley  
Air Pollution Control District

**COMPLIANCE ASSISTANCE BULLETIN**  
**October 2004**

***Fugitive Dust Control at Construction Sites: New Requirements***

**Regulation VIII, Fugitive PM10 Prohibitions**, of the District's Rules and Regulations apply to activities that generate fugitive dust. Fugitive dust is emitted into the air by activities that disturb the soil, such as from earthmoving activities and vehicular/equipment traffic on unpaved surfaces. Windblown dust is also of concern at construction sites.

The District adopted Regulation VIII in 1993 and its most recent amendments became effective on October 1, 2004. This is a basic summary of the regulation's requirements as they apply to construction sites.

**Visible Dust Emissions (VDE)** may not exceed 20% opacity during periods when soil is being disturbed by equipment or by wind at any time. Visible Dust Emissions opacity of 20% means dust that would obstruct an observer's view of an object by 20%. District inspectors are state-certified to evaluate visible emissions. Dust control may be achieved by applying water before/during earthwork and onto unpaved traffic areas, phasing work to limit dust, and setting up wind fences to limit wind blown dust.

**Soil Stabilization** is required at regulated construction sites after normal working hours and on weekends and holidays. This requirement also applies to inactive construction areas such as phased projects where disturbed land is left unattended. Applying water to form a visible crust on the soil and restricting vehicle access are often effective for short-term stabilization of disturbed surface areas. Long-term methods including applying dust suppressants and establishing vegetative cover.

**Carryout and Trackout** occur when materials from emptied or loaded vehicles falls onto a paved surface or shoulder of a public road or when materials adhere to vehicle tires and are deposited onto a paved surface or shoulder of a public road. Should either occur, the material must be cleaned up at least daily, and immediately if it extends more than 50 feet from the exit point onto a paved road. The appropriate clean-up methods require the complete removal and cleanup of mud and dirt from the paved surface and shoulder. Using a blower device or dry sweeping with any mechanical device other than a PM10-efficient street sweeper is a violation. Larger construction sites must prevent carryout and trackout from occurring by installing gravel pads, grizzlies, wheel washers, paved interior roads, or a combination thereof at each exit point from the site.

**Access and Haul Roads** that are unpaved, as well as unpaved vehicle and equipment traffic areas at construction sites must have dust control. Speed limit signs limiting vehicle speed to 15 mph or less at construction sites must be posted every 500 feet.

**Storage Piles and Bulk Materials** have handling, storage, and transportation requirements that include applying water when handling materials, wetting or covering stored materials, and installing wind barriers to limit VDE. Also, limiting vehicle speeds, loading haul trucks with a freeboard of six inches or greater along

Northern Region Office  
4230 Kiernan Avenue, Suite 130  
Modesto, CA 95356-9321  
(209) 557-6400 ♦ FAX (209) 557-6475

Central Region Office  
1990 East Gettysburg Avenue  
Fresno, CA 93726-0244  
(559) 230-6000 ♦ FAX (559) 230-6062

Southern Region Office  
2700 "M" Street, Suite 275  
Bakersfield, CA 93301-2373  
(661) 326-6900 ♦ FAX (661) 326-6985

with applying water to the top of the load, and covering the cargo compartments are effective measures for reducing VDE and carryout from vehicles transporting bulk materials.

**Demolition** activities require the application of water to the exterior of the buildings and to unpaved surfaces where materials may fall. Consider all structures slated for demolition as possibly being regulated because of asbestos, per District Rule 4002 - *National Emission Standards for Hazardous Air Pollutants*. Contact the District well before starting because a 10 working day notice will likely be required before a demolition can begin.

**Dust Control Plans** identify the dust sources and describe the dust control measures that will be implemented before, during, and after any dust generating activity for the duration of the project. Owners or operators are required to submit plans to the District if, at anytime, the project involves:

- Residential developments of ten or more acres of disturbed surface area.
- Non-residential developments of five or more acres of disturbed surface area.
- Relocating more than 2,500 cubic yards per day of materials on at least three days.

Construction activities may not commence until the District has approved the Dust Control Plan.

**Notification** by owners or operators of construction projects that are at least one acre in size and where a Dust Control Plan is not required, must provide written notification to the District at least 48 hours in advance of any earthmoving activity.

**Record Keeping** is required to document compliance with the rules and must be kept for each day any dust control measure is used. The District has developed record forms for water application, street sweeping, and "permanent" controls such as applying long term dust palliatives, vegetation, ground cover materials, paving, or other durable materials. Records must be kept for one year after the end of dust generating activities (Title V sources must keep records for five years).

**Exemptions** exist for several activities. Those occurring above 3,000 feet in elevation are exempt from all Regulation VIII requirements and Rule 8021 - *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities* exempts the following construction and earthmoving activities:

- Blasting activities permitted by California Division of Industrial Safety.
- Maintenance or remodeling of existing buildings provided the addition is less than 50% of the size of the existing building or less than 10,000 square feet (due to asbestos concerns, contact the District at least two weeks ahead of time).
- Additions to single family dwellings.
- The disking of weeds and vegetation for fire prevention on sites smaller than ½ acre.
- Spreading of daily landfill cover to preserve public health and safety and to comply with California Integrated Waste Management Board requirements.

**Nuisances** are prohibited at all times because District Rule 4102 - *Nuisance* applies to all construction sources of fugitive dust, whether or not they are exempt from Regulation VIII. It is important to monitor dust-generating activities and implement appropriate dust control measures to limit the public's exposure to fugitive dust.

For more information please contact the Compliance Division of the District office nearest to you. Information on Regulation VIII, where you may obtain copies of record keeping forms, the Dust Control Plan template, and the Construction Notification form, is available on the District's website at:

[www.valleyair.org](http://www.valleyair.org)

## Terms

- Bare Root** - Trees, usually sold in early spring, that have the soil removed from around the roots.
- Deciduous** - A tree that naturally loses all its leaves during dormancy.
- Dormancy** - The annual time when growth slows or ceases. Usually during harsh conditions such as winter or dry summer.
- Evergreen** - A tree that retains its leaves year-round. An evergreen tree may still have a yearly leaf-drop or shed.

## Staking

Newly planted trees usually require some extra help before they are rooted in. Many things can be used as tree ties: pieces of old hose with a rope threaded through, strong plastic strips, canvas strips, even strips of old tires (found at hardware and nursery stores.) Stakes can be metal or wood, as long as it can support the weight of the tree in wind.

- Place stakes just outside the area that was disturbed by planting.
- For a tree that has a strong trunk, only the roots need supported. Tie the stakes to the tree about one foot above ground to support the root mass while the tree is rooting.
- For a tree that has a weak trunk, tie higher up on the tree to support the trunk in wind. The tree should still be able to wiggle in the wind. This helps the trunk of the tree grow stronger.
- The ties should be examined and adjusted as needed to avoid damage to the bark and girdling. When the trunk grows with bulges, round the ties.

## Pruning

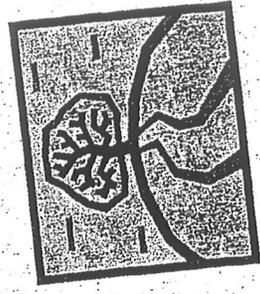
Most trees require only the three D's to be pruned: Dead, Diseased, Damaged. Consult a Gardening Book (such as books by Sunset or Ortho) for a detailed explanation for your trees.

Never top a tree - reducing the height of a mature tree by sawing off the top limbs. This results in bare, wounds and a tree that may weak shoots. A good arborist will not top a tree.

SJVAPCD

# PLANTING TREES

SPARE the AIR



San Joaquin Valley  
Air Pollution  
Control District

SJVAPCD

Central Region Office  
1950 East Lehigh Avenue  
Fresno, CA 93726-0211  
Phone: (559) 230-6000  
Fax: (559) 230-6600



Tel: (559) 230-6000

## Reasons to Plant Trees.

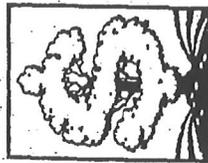
We all know trees are important. They make oxygen and help filter particulates and carbon dioxide out of the air. But did you know that having two twenty-five foot tall trees on the west side of a home and one on the east - a person could save \$100 on their energy bill each year? Computer modeling for an energy efficient home in Fresno has shown that strategic planting can result in \$103 in annual energy savings.

Trees help out by:

- Shading the house and 'hot-spots' such as driveways and patios.
- Shading the air conditioner to reduce its energy use.
- Cooling ambient air up to 5 degrees F.
- Absorbing pollutants.
- Reducing ozone levels.

Trees are beneficial in other areas:

- Help reduce storm water runoff
- Increase property value (people are willing to pay 3-7% more for properties that have attractive large trees.)



Tree Savings

## LOCATION GUIDELINES

### Location

- To maximize summer shade and minimize winter shade, locate deciduous trees about 10-20 ft south and west of the home.
- Keep trees at least 5-10 ft from the home to avoid foundation damage.
- Shade patios and driveways, which are heat sinks, to make the area cooler and more comfortable.
- Shade the air conditioner to reduce its energy use, but do not plant so close that it will obstruct the flow of air around the unit.
- Plant only trees with a short mature height where there are power lines. Do not plant directly above underground, water or sewer lines. Contact your utility company before planting.

- Create a winter windbreak on the north side of the home by planting a row of evergreen trees perpendicular to the winter wind. The row should be longer than the building and 25-50 feet away. Trees chosen should have a mature height of at least twice as tall as the building.



## PLANTING

Fall and winter are ideal planting times in the valley. Trees are dormant and the weather is cool. Dig a hole twice as wide and just as deep as the pot that the tree came in. Dig



Planting for the future

through hardpan and remove junk soil. Line the bottom of the hole with gravel or soil. Loosen the outer roots of the tree by hand. Place the tree into the hole and make sure that the top of the root mass is even with the ground (DON'T bury the trunk.) Mix compost in with the soil as you fill in around the roots. Use the handle of the shovel to 'poke' any air pockets that may form as the hole fills in. Firm the soil and finish with a 'moat'. Water well. Trees need water even in winter.

## SJVAPCD

Central Valley Air Quality Management District  
1900 East 15th Street, Suite 100  
Fresno, CA 93703-1900  
Phone: (559) 241-6100  
Fax: (559) 241-6067  
www.sjvairpore.com

DEPARTMENT OF PUBLIC WORKS

TO: Arnolde Rodriquez, Supervising Planner  
Planning Division

FROM: Ann Lillie, Senior Engineering Technician (559.621.8690)

DATE: November 3, 2005

SUBJECT: Tentative Subdivision Map T-5508 (Located north side of East Church between South Chestnut and Willow Avenues)

The Department of Public Works has reviewed the Vesting Tentative Subdivision Map proposed by Pleasant Valley Investments, LC, on engineering plans prepared by Precision, dated June 23, 2005. The Department of Public Works offers the following comments regarding the Street Tree, Buffer/Parkway and Median Island Landscape conditions.

**GENERAL REQUIREMENTS**

**STREET TREES REQUIREMENTS**

1. The subdivider is required to provide street trees on all public street frontages and the dedication planting and buffer landscaping easements. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage. Street trees shall be planted by the Developer. The subdivider is required to provide automatic irrigation with bubblers for all street trees. The irrigation system shall comply with FMC 12-306-23. Tree species to be planted as follows:

<u>STREET NAME</u>	<u>STREET TREE SPECIES/COMMON NAME</u>
East Church Avenue	Cinnamomum camphora - Camphor

2. **Street Tree Planting by Developer:** For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 60' of street frontage, or one tree per lot having street frontage, whichever is greater.
  - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
  - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
  - c. Landscape Plans shall indicate street tree planting locations and species. Landscape Plans shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
  - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with the Specifications of the City of Fresno.
  - e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

## ***BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS***

1. The subdivider is required to provide long term maintenance for the landscape in the landscape easements and rights-of-way. The subdivider may petition for annexation in the Community Facilities District, or may form a Home Owner's Association.
2. **Buffer Maintenance Through Annexation to the Community Facilities District.** Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. These fees are applicable when the subdivider elects to maintain the buffer landscaping by annexing to the city's Community Facilities District.
  1. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with Sections 12-306-23 & 24 and 14-121 of the Fresno Municipal Code regarding Water Efficient Landscaping and Buffer landscaping.
  2. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.
  3. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/engineering Services Division.
  4. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.
  5. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.
  6. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the **City of Fresno Water Division and may not be included in the CFD.**

## ***MEDIAN ISLAND LANDSCAPE REQUIREMENTS***

1. When median islands front onto the proposed development project, applicants shall be required to submit plans showing the location and configuration of all median islands fronting the proposed project for review and evaluation for median island landscaping requirements. Existing utilities, including, but not limited to city water lines/service points, sanitary sewer, storm drains, electrical lines, existing landscaping including trees, shrubs, ground cover beds, irrigation facilities, and other miscellaneous landscape features shall also be clearly defined. If new median islands are required to be constructed, median island landscaping is required and shall be applied in accordance with the City of Fresno standards and FMC section 12-306-24. The Public Works Department requires 2 foot wide colored concrete strips on all proposed median islands with a 12 inch by 12 inch slate pattern in brick red.

### ***OUTLOTS***

1. The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the CFD2. If the outlots are to be included into the CFD2, the Department of Public Works will require approving landscape and irrigation plans prior to inclusion into the CFD2.

### ***BIKE PATH***

1. All proposed Multipurpose Paths shall be constructed in accordance with City requirements and standards. Cross-sections will be required with submittal of Street Plans and Landscaping/Irrigation Plans for review and approval.



Pacific Gas and  
Electric Company®

Corporate Real Estate  
South Valley Land Services

650 "O" Street, Bag 23  
Fresno, CA 93760-0001

October 14, 2005

Development Department  
Engineering Services Division  
Land Division Section  
2600 Fresno Street, Room 3043  
Fresno, CA. 93721-3604  
Attn: Arnold Rodgriguez

**RECEIVED**

OCT 18 2005

DEVELOPMENT DEPARTMENT  
CITY OF FRESNO

Dear Arnold Rodgriguez,

We have reviewed Tentative Tract Map No. 5508.

*OUR FILE: Sanger-California Ave 70 KV*

Thank you for the opportunity to review the Tentative Tract Map No. 5508. Pacific Gas and Electric Company (PG&E) owns and operates an electric transmission line located within the proposed project's boundaries. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

Some examples of activities that could have an impact upon our facilities include permanent/temporary changes in grade under our facilities; construction of structures within or adjacent to PG&E's easements; and planting of certain types of vegetation under our electric facilities.

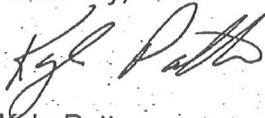
Developers will be responsible for the costs associated with the relocation of existing PG&E facilities to accommodate their proposed development. Because facility relocation's require long lead times and are not always feasible, developers should be encouraged to consult with PG&E as early in their planning stages as possible.

Expansion of distribution and transmission lines and related facilities are a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate buildout capacity, and building new substations and interconnecting transmission lines. Comparable upgrades or additions needed to accommodate additional load on the gas system

could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

PG&E remains committed to working with the City of Fresno to provide timely, reliable and cost effective gas and electric service. Please contact me at 263-5167 if you have any questions regarding our comments. We would also appreciate being copied on future correspondence regarding this development.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kyle Patten".

Kyle Patten  
Land Agent

**DEPARTMENT OF TRANSPORTATION**

1352 WEST OLIVE AVENUE  
P.O. BOX 12616  
FRESNO, CA 93778-2616  
PHONE (559) 445-6666  
FAX (559) 488-4088  
TTY (559) 488-4066



*Flex your power!  
Be energy efficient!*

October 11, 2005

RECEIVED

OCT 12 2005

Planning Division  
Development Department  
CITY OF FRESNO

2131-IGR/CEQA  
6-FRE-99-19.2+/-  
C-05-107, R-05-31 & T-5508  
PLEASANT VALLEY  
INVESTMENTS LLC

Mr. Arnaldo Rodriguez  
City of Fresno Development Department  
2600 Fresno Street  
Fresno, CA 93721

Dear Mr. Rodriguez:

We have reviewed the rezone, use permit, tract map, and Traffic Impact Study (TIS) for the 119-lot single-family residential subdivision located on the north side of East Church Avenue between South Chestnut and South Willow Avenues. Caltrans has the following comments:

Caltrans concurs with the trip distribution/trip generation from the project's TIS. The revised TIS indicates that 12 trips from this site would impact the State Route (SR) 99 interchange at Jensen Avenue during the evening peak travel periods. None of these trips were identified as impacting the northbound off-ramp. As we have previously indicated, the northbound off-ramp to Jensen Avenue will likely require an additional turn-lane. The current estimated cost for this improvement is \$265,900. Since the analysis indicates that no trips generated from this site would impact this ramp, Caltrans concludes that this project's impacts to State facilities would be negligible. However, when combined with other development in the area, this project's impacts to the transportation/circulation system and to air quality will be cumulatively significant. Cumulative impacts to these resources were not fully addressed in the General Plan Update Master EIR, but postponed to future studies. The City should consider a mechanism for evaluating and mitigating for these impacts.

The City should consider a transit alternative for this project. When combined with other residential projects in the area, there is sufficient development to support transit, and early planning could make such an alternative feasible. Caltrans recommends that this project be routed to Fresno Area Express (FAX) staff for their review and comment. Please see Attachment Number 1 for other recommended transportation alternatives.

If you have any questions, please call me at (559) 445-6666.

Sincerely,

MOSES STITES  
Office of Transportation Planning  
District 6

Enclosure

C: Ms. Barbara Goodwin, Council of Fresno County Governments

## ATTACHMENT NUMBER 1

### CALTRANS RECOMMENDATIONS FOR TRANSPORTATION ALTERNATIVES:

Ongoing development throughout the City of Fresno, including this project, will make traffic operations significantly worse by adding considerably to delay and congestion. Transit alternatives can help reduce congestion and delay and reduce overall degradation of air quality and gridlocked intersections. The City of Fresno should focus on ways to eliminate trips in addition to enhancing capacity. Transportation alternatives the City should consider include standard highway solutions along with the following:

1. Park and ride facilities on site or within the proximity of this project.
2. A study of the general accommodation and provision of mass transit in this area to provide insight on ways of increasing transit usage.
3. Exploring the potential of commuter shuttles. The shuttle could be financed through an assessment district and provide a way for individuals to utilize a park-and-ride facility or commercial area parking lot and be shuttled to various commercial/office centers within the area. Commuters who need to go further could use City of Fresno transit if the City planned for convenient connections. This may help to reduce the Single Occupancy Vehicle (SOV) demand seeking to use the State Highway System.
4. Providing for continuity of non-motorized transportation.
5. Exploring the potential for employer-sponsored carpools/vanpools or monthly transit passes for employees as well as including as a condition of project approval a covered transit stop as mitigation for project-related impacts to the transportation/circulation system.
6. Exploring the potential for linking the purchase of a monthly transit pass with new residential development as partial mitigation for congestion and air quality impacts, and to ensure the long term viability of public transportation.

**Exhibit G:**

**Staff Report to the  
Planning Commission  
dated November 30, 2005**



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-C  
COMMISSION MEETING 11/30/05

November 30, 2005

FROM: STAFF, Planning Division  
Planning and Development Department

APPROVED BY  
*A. Paizy for N.Y.*  
DEPARTMENT DIRECTOR

SUBJECT: CONSIDERATION OF REZONE APPLICATION NO. R-05-31, TENTATIVE TRACT MAP NO. 5508/UGM AND CONDITIONAL USE PERMIT APPLICATION NO. C-05-107 AND ENVIRONMENTAL ASSESSMENT NO. R-05-31/T-5508/C-05-107

EXECUTIVE SUMMARY

Pleasant Valley Investments, Inc. has filed Rezone Application No. R-05-31, Tentative Tract Map No. 5508/UGM, and Conditional Use Permit Application No. C-05-107 pertaining to approximately 18.85 gross acres of property located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues. Rezone Application No. R-05-31 proposes to reclassify the subject site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. The subject property is planned for medium density residential land uses and is vacant. Tentative Tract Map No. 5508 proposes to subdivide the property into a 112 lot, single family residential subdivision. Conditional Use Permit Application C-05-107 proposes a planned development, which includes gates to restrict vehicular access, private streets, reduced lot sizes and setbacks, and common open space for the subdivision. According to the land use consistency table adopted with the 2025 Fresno General Plan (and applied within all community plans), the medium density residential planned land use designation allows 4.99 to 10.97 units per acre. Overall, the proposed subdivision density is 6.02 units per acre. **The applications would bring the subject property into conformance with the 2025 Fresno General Plan and the Roosevelt Community Plan.**

PROJECT INFORMATION

PROJECT	A 112-lot, single family residential subdivision to be developed at an overall density of 6.02 units per acre		
APPLICANT	Pleasant Valley Investments, Inc.		
LOCATION	North side of East Church Avenue, between South Chestnut and South Willow Avenues <b>(Council District 5, Councilmember Dages)</b>		
SITE SIZE	Approximately 18.85 gross acres		
LAND USE	Existing -	Vacant	
	Proposed -	Single family residential	
ZONING	Existing -	AE-20/UGM	( <i>Exclusive Twenty Acre Agricultural/Urban Growth Management</i> )
	Proposed-	R-1/UGM	( <i>Single Family Residential/Urban Management</i> ) zone district

**PLAN DESIGNATION  
 AND CONSISTENCY**

The proposed R-1/UGM zone district and 112-lot single family residential subdivision is consistent with the 2025 Fresno General Plan and Roosevelt Community Plan designation of the site for medium density residential planned land uses

**ENVIRONMENTAL  
 FINDING**

Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005

**PLAN COMMITTEE  
 RECOMMENDATION**

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

**STAFF  
 RECOMMENDATION**

Recommend approval of the rezone application to the City Council and approve the tentative tract map and conditional use permit application subject to compliance with the Conditions of Approval for T-5508/UGM dated November 30, 2005 and Conditions of Approval for C-05-107 dated November 30, 2005

**BORDERING PROPERTY INFORMATION**

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

**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. 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 Roosevelt Community Plan area including the Master Environmental Impact Report (MEIR No. 10130) for the 2025 Fresno General Plan. These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of

REPORT TO THE PLANNING COMMISSION  
Rezone Application No. R-05-31  
Tentative Tract Map No. 5508/UGM  
Conditional Use Permit Application No. C-05-107  
November 30, 2005  
Page 3

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 study indicates that the project, if approved, would conform to the land use designation and land use policies of the 2025 Fresno General Plan and is within the scope of the Master Environmental Impact Report No. 10130. Therefore, staff has issued a finding of conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005, which incorporates a MEIR Mitigation Monitoring Checklist. This environmental finding was properly published and noticed on November 10, 2005, with no comments received to date.

## **BACKGROUND / ANALYSIS**

Pleasant Valley Investments, Inc. has filed Rezone Application No. R-05-31, Tentative Tract Map No. 5508/UGM, and Conditional Use Permit Application No. C-05-107 pertaining to approximately 18.85 gross acres of property located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues. Rezone Application No. R-05-31 proposes to reclassify the subject site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. The subject property is planned for medium density residential land uses and is vacant. Tentative Tract Map No. 5508 proposes to subdivide the property into a 112 lot, single family residential subdivision. Conditional Use Permit Application C-05-107 proposes a planned development, which includes gates to restrict vehicular access, private streets, reduced lot sizes and setbacks, and common open space for the subdivision. According to the land use consistency table adopted with the 2025 Fresno General Plan (and applied within all community plans), the medium density residential planned land use designation allows 4.99 to 10.97 units per acre. Overall, the proposed subdivision density is 6.02 units per acre. The applications would bring the subject property into conformance with the 2025 Fresno General Plan and the Roosevelt Community Plan.

### **Conditional Use Permit Application (CUP)**

In addition to submitting a tentative tract map and rezone application, the applicant has also submitted CUP Application No. C-05-107 for the subject property. According to Section 12-306-N-21 of the FMC, a CUP must be obtained to create planned developments. As part of the CUP, an applicant may request a modification of development standards, including lot size, setbacks and yard areas. The applicant is proposing a planned development for all of the proposed 112 lots. The planned development will be served by private streets which will be gated. In addition, it will contain reduced lot sizes in comparison to conventional subdivisions, reduced setbacks and common open space. Property owners will be required to share in common ownership of all the private streets, open space, walls, etc., on the entire site of the planned development.

The CUP application for this project helps meet several of the goals of the 2025 Fresno General Plan and the Roosevelt Community Plan. One of these goals, Goal Number 5 of the 2025 Fresno General Plan indicates that the city supports the "Landscape of Choice-Principles and Strategies" as defined in Appendix A. Appendix A of the 2025 Fresno General Plan provides guiding principles for the Land Use Element of the 2025 Fresno General Plan by promoting development that utilizes urban land use as efficiently as possible. One such objective, Land Use/Residential Objective C-10, is aimed at "Promot[ing] the development of more compact, pedestrian friendly, single-family residential projects to

aid in the conservation of resources such as land, energy, and material." Since this project allows for the development of more compact single family residences, it will help to accomplish this objective. In short, the proposed project is different from conventional subdivisions given that it provides shared open space, private streets and smaller lot sizes which offers a unique sense of community that is not commonly offered in conventional single family developments.

### **Roosevelt Community Plan**

The subject property is located within the boundaries of the Roosevelt Community Plan. The Roosevelt Implementation/Advisory Committee reviewed and recommended approval of the project at their November 14, 2005 meeting, subject to the following conditions:

- Provide entry gates as shown on the original map.
- Provide varying setbacks throughout the subdivision.
- Provide stamped concrete or pavers at the four-way intersection.
- Provide shared driveways.
- Side yard setbacks shall be five feet.
- Provide anti-graffiti landscaping for the block walls.
- A block wall should be constructed for the property line abutting the mobile home park.
- Air-conditioning units shall not be roof mounted.

Staff has incorporated the majority of the Committee's comments, with the exception of the block wall and five foot side yards. Rather, staff is recommending that the applicant provide one five foot side yard while the other may be three feet. The Committee's second recommendation will be provided for a portion of the subdivision. The applicant has agreed to provide it along a portion of the project, however walls are not required whenever single family residences abut other residences.

### **Public Services**

#### *Water Resources and Public Water Supply*

The Water Division of the Public Utilities Department has determined that there is an adequate source of water available to serve the project with the implementation of the Urban Growth Management (UGM) service delivery requirements and the environmental impact mitigation measures. It should also be noted that adverse groundwater conditions of limited supply and compromised quality have been well-documented by planning, environmental impact report, and technical studies over the past 20 years including the Master Environmental Impact Report No. 10130 for the 2025 Fresno General Plan, Final EIR No. 10100, Final EIR No. 10117, 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. As a result, if approved, the proposed project would be required to contribute to short-term and long-range water supply and distribution remediation projects in order to adequately address this deficiency. It should be noted that although there is an adequate water supply, the water system (i.e. water mains) will be private and will be required to be maintained by the homeowner's association.

#### *Sewage Collection System Capacity*

The Cities of Fresno and Clovis share jointly in the treatment capacity of the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. In 1998, the treatment capacity was expanded to accommodate up to 80 million gallons per day, and was upgraded with modernized equipment to safeguard against equipment failures. However, in an attempt to serve the anticipated 790,000 metropolitan area population for the year 2025, one or more sub-regional treatment and reclamation facilities will be required. However, sanitary sewer service is available to serve the site, subject to the mitigation measures imposed with the environmental assessment, and any necessary sewer main extensions and connections. It should be noted that although there is adequate sewer capacity to accommodate the proposed project, the sanitary sewer system (i.e. lines) will be private and will be required to be maintained by the homeowner's association.

#### *Fire Protection Services*

The project site is located within the city's UGM area and must comply with the applicable service delivery requirements necessary to provide not less than the minimum acceptable level of fire protection facilities and services appropriate for urban uses.

#### **Circulation Element Plan Policies and Major Street System Traffic Capacity**

The development of the project site with the proposed 112 single-family residences, and the surrounding planned land uses designated by the 2025 Fresno General Plan and Roosevelt Community Plan; will be required to complete the planned major street network in accordance with applicable development policies and standards including the Urban Growth Management program. Both plans designate East Church Avenue as a collector street. Collector streets are typically developed with two travel lanes in each direction without a median island. However, all street standards provide for a widened pavement width at major street intersections to allow for exclusive left-turn and right-turn lanes as well as bus bays or turnouts.

As required by the mitigation measures established by the certification of MEIR No. 10130, a Traffic Impact Study (TIS) was prepared by Peters Engineering Group (dated May 9, 2005) to evaluate the number of vehicle trips projected to be generated by the proposed project. Utilizing the Institute of Traffic Engineers (ITE) Trip Generation Manual, Seventh Edition, and associated computer software together with the COG's computerized traffic model, this analysis predicts the number of vehicle trips that will be generated from the proposed project and surrounding planned land uses, and the direction in which these trips will travel.

The TIS analyzed the intersections at Chestnut and Church Avenues and Willow and Church Avenues and analyzed 112 single family residential units. At 112 single family residential dwelling units, the project is expected to generate an average of approximately 611 vehicle trips per day (VTD). Of these vehicle trips, it is projected that 103 will occur during the morning (7 to 9 a.m.) peak hour travel period and 126 will occur during the evening (4 to 6 p.m.) peak hour travel period. Because much of the immediately surrounding area is not developed, the planned major street and intersection improvements have not yet been completed as required by adopted plans, policies and development standards. However, the proposed project, as well as other urban land uses developed as planned by the 2025 Fresno General Plan will be required to construct the planned major street system consistent with the public facility and service delivery requirements of the UGM Program. In addition, the developer of this project, in accordance with the mitigation measures of Master Environmental Impact Report (No. 10130)

which was certified by the Council with the adoption of the 2025 Fresno General Plan, will be required to pay impact fees specific to the traffic signalization of the major street intersections.

### **Subdivision Design/Streets and Access Points**

This subdivision is proposed to have two access points to East Church Avenue. However, the 112-unit planned development will restrict access by installing vehicular gates at their entrances. Regardless that the streets will be private, the applicant will also be required to install traffic calming devices at four locations within the development, and contrasting paving material at the entrances from East Church Avenue.

### **Landscaping/Common Open Space**

Pursuant to Policy 1-5.8 of the Roosevelt Community Plan the developer/owner shall provide a 15-foot landscape easement (and irrigation system) along the property lines of lots which back-onto East Church Avenue. The applicant will also be required to install a six foot high solid masonry wall at the rear of the required 15 foot landscape easement. Furthermore, the applicant is proposing a planned development, which will require that the developer establish a homeowner's association which will be responsible for maintaining the common open space within the subdivision.

### **Lot Area and Dimensions**

#### *Planned Development*

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

### **Setbacks**

#### *Planned Development*

The applicant is proposing a planned development which allows for modified development standards. The applicant is proposing 15 foot driveways, rather than the conventional 20 feet. The Public Works Department has indicated that the preferable distance is 18 feet, subject to the applicant providing roll-up garage doors. In addition, staff is recommending that the applicant provide shared drive-approaches or an alternative, to the Planning & Development Director's satisfaction, that will minimize the number of drive approaches. Furthermore, the applicant is proposing 15 foot rear yards, with side yards of three and five feet, respectively. It should be noted that staff is recommending that the applicant provide varying front yard setbacks between 14 to 20 feet. Furthermore, identical setbacks shall not be provided for more than two consecutive lots (i.e. each third lot will have a different front yard setback of at least one foot). This is intended to create off-setting setbacks to break up a monolithic appearance and to create visual interest.

### **State Department of Transportation (Caltrans)**

In a letter to the city dated October 11, 2005, Caltrans states that the northbound off-ramp to Jensen Avenue will likely require improvements in the future. However, Caltrans notes that the proposed project will simply generate 12 trips that would impact State Route 99, therefore, this projects impacts are negligible.

### **Conditional Use Permit Application Findings (Planned Development)**

Conditional Use Permit Application No. C-05-107 proposes the development of a 112-unit single family residential planned development subject property. The project will provide gates with private streets, a landscaped common open space, reduced lot sizes and reduced setbacks. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with all of the conditions of approval noted below, staff concludes that the following required findings of Section 12-405-A-2 of the Fresno Municipal Code can be made.

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

Conditional Use Permit Application No. C-05-107 will comply with all applicable codes, including parking, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met. Furthermore, the site will provide a common open space area, which will allow future tenants to interact and to enjoy passive recreational opportunities, rather than conventional single family residential subdivisions which rarely offer such opportunities. Furthermore, although the proposed parcels are slightly smaller in area in comparison to conventional subdivisions, they require less maintenance which is often sought by empty nesters and young professionals.

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

Although the project will increase traffic in comparison to what exist today, vehicular traffic will be directed towards East Church Avenue, a collector street, minimizing the impact on local streets. Furthermore, the Public Works, Traffic Engineering Division reviewed the proposed project and assessed the adjacent streets to ensure that the proposal would not have significant impacts on traffic and the surrounding community.

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

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

### **Tentative Tract Map Findings**

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

State law further provides that the proposed subdivision map be denied if any one of the Finding Nos. 2 - 5 below is made in the negative. In addition, State law requires that a subdivision be found to

provide for future passive and natural heating or cooling opportunities in the subdivision development (Finding No. 6 below).

1. The proposed subdivision map, together with its design and improvements, is consistent with the City's 2025 General Plan (there is not an applicable specific plan), because the Roosevelt Community Plan designates the site for medium density residential planned land use and the project design meets the density and zoning ordinance criteria for development in these plan designations. Furthermore, the applicant will be required to construct a vista point, a trail and streets to which will increase travel options.
2. This site is physically suitable for the proposed type and density of development, because conditions of approval will ensure adequate access and drainage on and off the site. Furthermore, the applicant will be prohibited from draining towards the bluff, which will keep it from eroding.
3. The proposed subdivision design and improvement is not likely to cause substantial and considerable damage to the natural environment, including fish, wildlife or their habitat, because of the area is not known to contain any unique or endangered species.
4. The proposed subdivision design and improvements are not likely to cause serious public health and safety problems, because the conditions of approval have shown and will insure that the subdivision conforms with City health and safety standards.
5. The proposed subdivision design will not conflict with public easements within or through the site, because conditions of approval will assure noninterference with any existing or proposed public easements.
6. The design of the subdivision provides, to the extent feasible, for future passive and natural heating or cooling opportunities in the subdivision, because of the appropriate use and placement of landscaping plant materials and because of the orientation of the proposed lots.

The subdivision map, based on the required findings for approval and subject to the recommended conditions of approval, and the standards and policies of the 2025 Fresno General Plan and Roosevelt Community Plan, complies with applicable zoning, subdivision, and UGM requirements.

Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made.

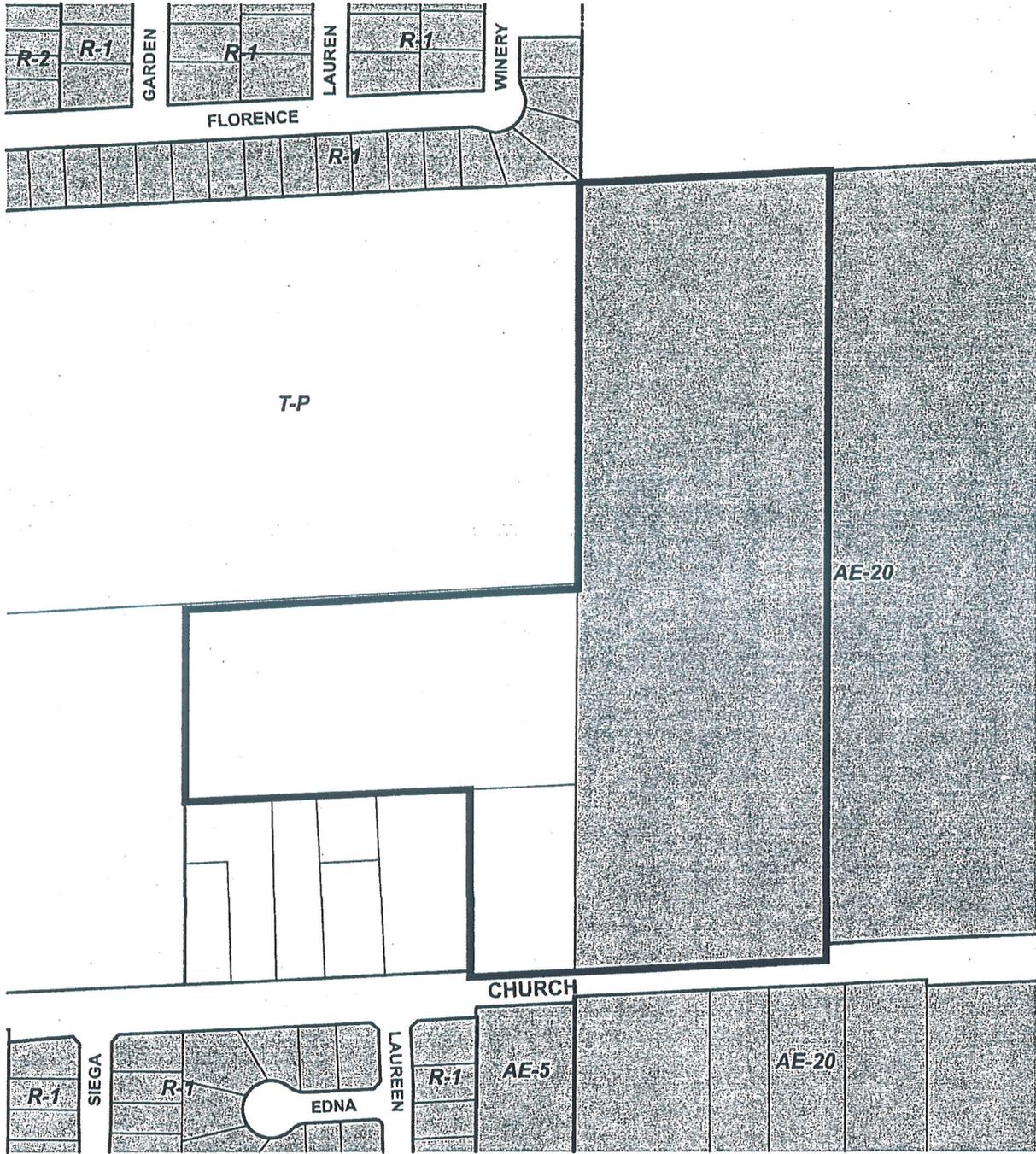
Planning Commission action of the proposed tentative tract map, unless appealed to the Council, is final.

### CONCLUSION / RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Roosevelt Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that Tentative Tract Map No. 5508/UGM is appropriate for the project site, subject to the conditions listed below. Therefore, staff recommends that the Planning Commission:

1. RECOMMEND APPROVAL to the City Council of the environmental finding of a mitigated negative declaration for Environmental Assessment No. R-05-31/T-5508/C-05-107 dated November 10, 2005.
2. RECOMMEND APPROVAL to the City Council of Rezone Application No. R-05-31 to rezone the subject site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
3. APPROVE Tentative Tract Map No. 5508/UGM subject to compliance with the Conditions of Approval dated November 30, 2005.
4. APPROVE Conditional Use Permit Application No. C-05-107 subject to compliance with Conditions of Approval dated November 30, 2005.

Attachments: Vicinity Map  
2005 Aerial Photograph of Site  
Exhibit A, Proposed Tentative Tract Map No. 5508 dated November 30, 2005  
Exhibit B, Proposed Conditional Use Permit Application No. C-05-107 dated November 30, 2005  
Exhibit C, Proposed gated entry (i.e. Exhibit A of the Conditions of Approval)  
Exhibit D, Letter from Caltrans dated October 11, 2005  
Conditions of Approval for T-5508/UGM dated November 30, 2005  
Conditions of Approval for CUP Application No. C-05-107 dated November 30, 2005  
Environmental Assessment No. R-05-31/T-5508/C-05-107 dated November 10, 2005.



**LEGEND**



Subject Property



U.G.M. Area

**VICINITY MAP**

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

**PLANNING & DEVELOPMENT  
 DEPARTMENT**



NOT TO SCALE

A.P.N.: 481-070-03.04.22

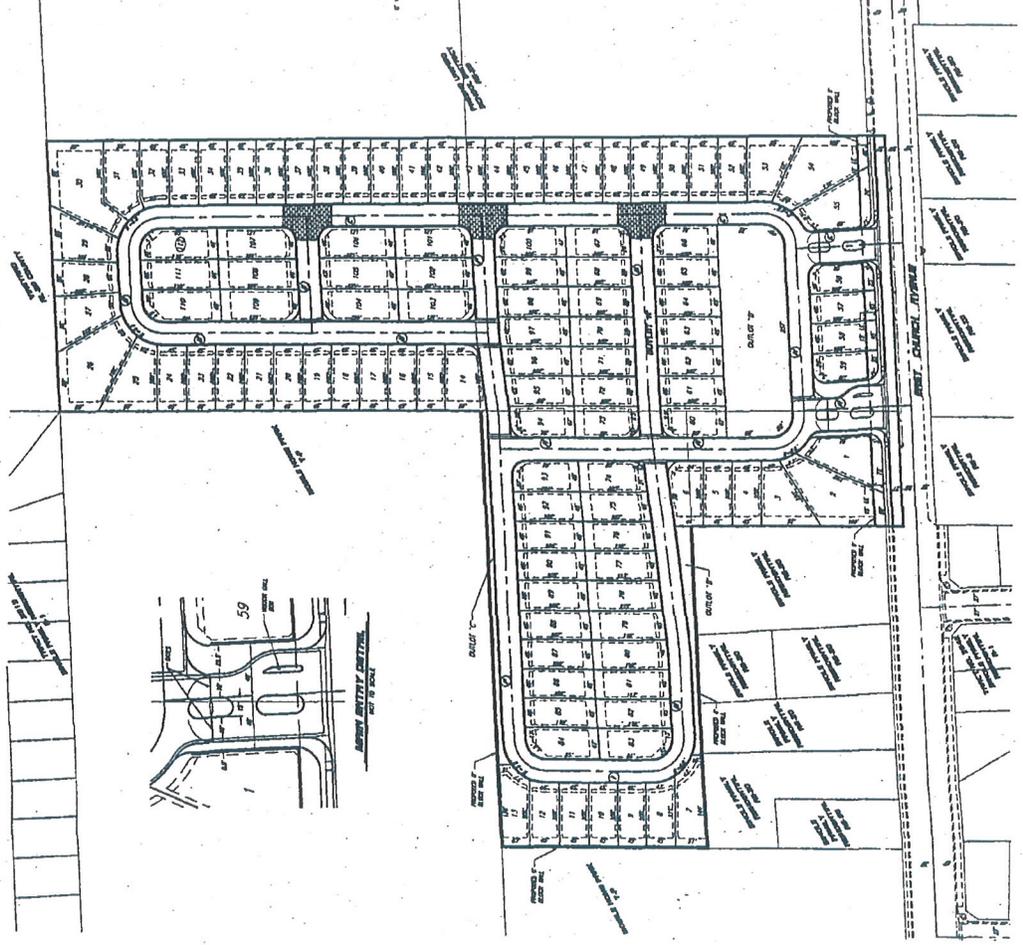
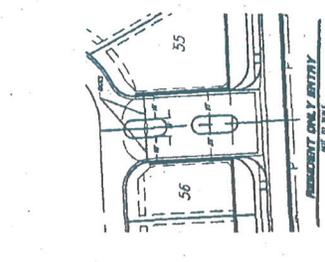
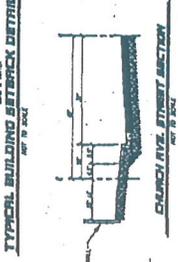
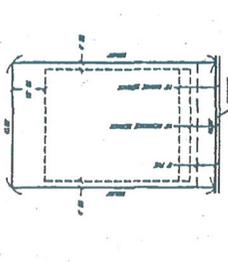
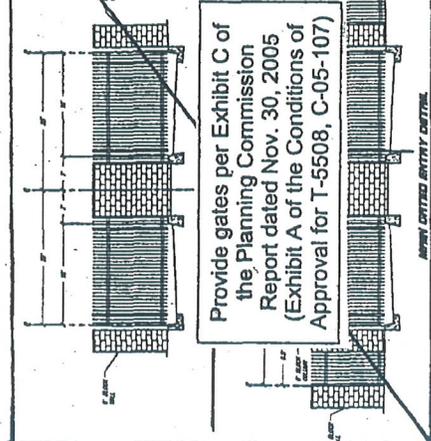
ZONE MAP: 2553

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



Exhibit B, Site Plan for Conditional Use Permit Application No. C-05-107  
 November 30, 2005

**SITE PLAN**  
**TENTATIVE TRACT NO. 5508**  
 IN THE CITY OF FRESNO,  
 COUNTY OF FRESNO, STATE OF CALIFORNIA  
 CONSISTING OF ONE SHEET



- NOTES:**
1. ALL STREET IMPROVEMENTS AND UTILITY STREET IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF FRESNO, CALIFORNIA, AND THE CITY OF FRESNO, CALIFORNIA, AND THE CITY OF FRESNO, CALIFORNIA.
  2. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.
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  8. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.
  9. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.
  10. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.
  11. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.
  12. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.
  13. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.
  14. ALL UTILITY LINES SHALL BE SHOWN AND LOCATED BY THE ENGINEER AND THE CITY OF FRESNO, CALIFORNIA.

**PRECISION**  
 ENGINEERING & ARCHITECTURE  
 1000 N. G ST., SUITE 100  
 FRESNO, CA 93703  
 TEL: 559-233-1111

**VIOLATION MAP**  
 SCALE: 1" = 100'

**LEGEND:**  
 Hatched area: EXISTING IMPROVEMENTS  
 Solid line: PROPOSED IMPROVEMENTS  
 Dashed line: EXISTING UTILITY LINES  
 Dotted line: PROPOSED UTILITY LINES

**FRESNO CITY PLANNING COMMISSION  
RESOLUTION NO. 12369**

The Fresno City Planning Commission at its regular meeting on November 30, 2005, adopted the following resolution pursuant to the Subdivision Map Act of the Government Code of the State of California and the Municipal Code of the City of Fresno.

WHEREAS, Tentative Tract Map No. 5508/UGM was filed with the City of Fresno and proposes to subdivide the subject property into a 112-lot single family residential subdivision on approximately 18.85 gross acres of property located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues; and,

WHEREAS, on November 14, 2005, the Roosevelt Implementation/Advisory Committee recommended approval of the tract map and related rezone and conditional use permit applications; and,

WHEREAS, the Planning and Development Department staff recommended approval of the proposed project subject to all conditions of approval contained in the staff report dated November 30, 2005; and,

WHEREAS, at that same hearing the Commission reviewed related Rezone Application No. R-05-31 proposing to reclassify the subject site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district and Conditional Use Permit Application C-05-107 which proposes a planned development, which includes gates to restrict vehicular access, private streets, reduced lot sizes and setbacks, and common open space for the subdivision; and,

WHEREAS, the Fresno City Planning Commission conducted a public hearing on November 30, 2005, to review the proposed subdivision and considered the staff report and invited testimony with respect to the proposed subdivision; and,

WHEREAS, no neighbors spoke in opposition to the project.

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that Tentative Tract Map No. 5508/UGM may have a significant effect on the environment as identified by the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005, prepared for Environmental Assessment No. R-05-31/T-5508/C-05-107.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission finds that approval of the tentative tract map subject is consistent with the adopted 2025 Fresno General Plan and the Roosevelt Community Plan and the findings required pursuant to Section 66410 et. seq. of the Government Code.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby approves Tentative Tract Map No. 5508/UGM subject to the Planning and Development Department Conditions of Approval dated November 30, 2005 and the following additions and modifications to said conditions:

1. **Condition No. 40, which reads as follows, shall be deleted:** 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 measures.

2. **Condition 86A shall be added to the Conditions of Approval dated November 30, 2005 and shall read as follows:** On-site water and sewer shall be private, unless otherwise approved by the Public Utilities Department Director.

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Cherry, seconded by Commissioner Vasquez.

VOTING:           Ayes - Cherry, Vasquez, Kissler, Brand  
                      Noes - None  
                      Not Voting - None  
                      Absent - DiBuduo, Vang

DATED: November 30, 2005



NICK P. YOVINO, Secretary  
Fresno City Planning Commission

Resolution No. 12369  
Tentative Tract Map No. 5508/UGM  
Filed by Pleasant Valley Investments, LC  
Action: Recommend Approval

**FRESNO CITY PLANNING COMMISSION  
RESOLUTION NO. 12370**

The Fresno City Planning Commission, at its regular meeting on November 30, 2005, adopted the following resolution relating to Conditional Use Permit Application No. C-05-107.

WHEREAS, Conditional Use Permit Application No. C-05-107 has been filed with the City of Fresno by Pleasant Valley Investments, LC, for approximately 18.85 gross acres of property located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues; and,

WHEREAS, Conditional Use Permit Application No. C-05-107 seeks authorization for the development of a planned development which includes gates to restrict vehicular access, private streets, reduced lot sizes and setbacks, and common open space for the subdivision; and,

WHEREAS, on November 14, 2005, the Roosevelt Implementation/Advisory Committee recommended approval of the conditional use permit application and related rezone application and tract map; and,

WHEREAS, on November 30, 2005, the Fresno City Planning Commission, reviewed the subject conditional use permit application in accordance with the policies of the Roosevelt Area Community Plan and the 2025 Fresno General Plan; and,

WHEREAS, the Commission conducted a public hearing to review the proposed conditional use permit, received testimony from the applicant and considered the Planning and Development Department's report recommending approval of the proposed conditional use permit subject to special permit conditions; and,

WHEREAS, at that same hearing the Commission reviewed related Rezone Application No. R-05-31 proposing to reclassify the subject site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district and Tentative Tract Map No. 5508/UGM to subdivide the property into a 112-lot, single family residential subdivision; and,

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

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

WHEREAS, no neighbors spoke in opposition to the project.

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that Conditional Use Permit Application No. C-05-107 may have a significant effect on the environment as identified by the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005, prepared for Environmental Assessment No. R-05-31/T-5508/C-05-107.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby approves Conditional Use Permit Application No. C-05-107 authorizing the development of a planned

PLANNING COMMISSION RESOLUTION No. 12370  
Conditional Use Permit Application No. C-05-107  
November 30, 2005  
Page 2

development, which includes gates to restrict vehicular access, private streets, reduced lot sizes and setbacks, and common open space for the subdivision.

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Cherry, seconded by Commissioner Vasquez.

VOTING:           Ayes - Cherry, Vasquez, Kissler, Brand  
                      Noes - None  
                      Not Voting - None  
                      Absent - DiBuduo, Vang

DATED: November 30, 2005



NICK P. YOVINO, Secretary  
Fresno City Planning Commission

Resolution No. 12370  
Conditional Use Permit Application No.  
C-05-107  
Filed by Pleasant Valley Investments, LC  
Action: Recommend Approval

**Exhibit H:**

**Addendum and  
Environmental  
Assessment No.  
R-05-31/T-5508/C-05-107  
dated November 10, 2005.**

**CITY OF FRESNO**

**ADDENDUM TO FINDING OF CONFORMITY PREPARED  
FOR ENVIRONMENTAL ASSESSMENT NO.  
R-05-31/T-5508/C-05-107**

**(As approved by the Fresno City Council on December 13, 2005  
(Ordinance Bill No. 2005-158)**

*Addendum prepared in accordance with Section 15164 of the  
California Environmental Quality Act (CEQA) Guidelines*

Environmental Assessment No.  
R-05-31/T-5508/C-05-107  
is on file in the Development and Resource  
Management Department,  
Fresno City Hall, 3rd Floor  
2600 Fresno Street  
Fresno, California 93721  
(559) 621-8277

ENVIRONMENTAL  
ASSESSMENT NUMBER:  
  
**R-05-31/T-5508/C-05-107**

**APPLICANT:**

Precision Civil Engineering  
7690 North Palm Avenue, Suite 104  
Fresno, CA 93711

**PROJECT LOCATION:**

North side of East Church Avenue, between South Chestnut and South  
Willow Avenues  
(APN[s]: 481-070-03, 04 & 22)

**PROJECT DESCRIPTION:**

Precision Civil Engineering has filed Revised Tentative Tract Map No. 5508/UGM pertaining to approximately 17.99 net acres of property located on the north side of East Church Avenue, between South Chestnut and South Willow Avenues.

Tentative Tract Map No. 5508/UGM was originally approved by the Planning Commission on November 30, 2005 (Planning Commission Resolution No. 12369) as a 112-lot single family residential private street planned development. Utility services within the approved tract were required to be constructed and maintained as private facilities. The revisions to the tentative map being considered propose to now dedicate interior local streets within the subdivision for public street purposes and convert private utilities to public facilities. The form of the proposed subdivision including street patterns and lot configurations will not change as a result of the proposed revisions to the approved tentative map.

Conditional Use Permit (CUP) Application C-05-107 was also originally filed and approved in conjunction with the tentative map (Planning Commission Resolution No. 12370) to authorize the planned development of the subject property and modifications to property development standards; including private streets and gated access, reduced lot sizes and setbacks. The proposed subdivision will remain a planned development with reduced lot sizes and setbacks. However, proposed streets will be dedicated for public purposes (vs. private streets) and will not be gated. Interior utilities servicing the proposed subdivision will also become public facilities. Conditional Use Permit Application C-05-107 will be revised accordingly upon Planning Commission approval of the proposed revisions to the tentative map.

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

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 R-1 zone district classification for the subject property and the proposed subdivision of the subject property at an overall density of approximately 6.23 dwelling units per acre is consistent with the Medium Density Residential (4.99-10.37 dwelling units/acre) planned land use designation for the subject property as designated by the 2025 Fresno General Plan and

Roosevelt Community Plan.

On December 13, 2005 the Fresno City Council approved Environmental Assessment No. R-05-31/T-5508/C-05-107 through adoption of Ordinance Bill No. 2005-158.

The environmental assessment initial study was prepared and approved for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. 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 Roosevelt Community Plan area including the Master Environmental Impact Report (MEIR No. 10130) for the 2025 Fresno General Plan. 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 study indicates that the project, if approved, would conform to the land use designation and land use policies of the 2025 Fresno General Plan and is within the scope of the Master Environmental Impact Report No. 10130. Therefore, staff has issued a finding of conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005, which incorporates a MEIR Mitigation Monitoring Checklist. This environmental finding was properly published and noticed on November 10, 2005; and, approved by the City Council on December 13, 2005.

The proposed revisions to the tentative map will not result in substantial changes in the project which will require major revisions of the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects. Furthermore, no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previously environmental finding was approved show: (1) The project may have one or more significant effects not discussed in the previous environmental finding; (2) Significant effects previously examined will be substantially more severe than previously shown; and, (3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project.

Therefore, it is determined that only minor technical changes or additions are necessary and that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent environmental assessment have occurred. Therefore, staff has prepared an addendum to the Finding of Conformity dated November 10, 2005 for purposes of the proposed project revisions.

Section 15162 provides that when an environmental assesment has been certified for a project, no subsequent environmental assessment shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

**FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.**

- (1) *Substantial changes are proposed in the project which would require major revisions of the previous environmental assessment due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*Finding  
(1):*

The revisions to the tentative map and associated conditional use permit being considered propose to modify the previously approved project by converting the project from a private street planned development project to a public street planned development project. The proposed revisions will require dedication of interior local streets within the proposed subdivision for public street purposes and conversion of private utilities to public facilities. The form of the proposed subdivision including street patterns and lot configurations will not change as a result of the proposed revisions to the approved tentative map.

No substantial changes are proposed from those previously evaluated which would require a major revision and the proposed project will not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental assessment due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,*

*Finding  
(2):*

Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to the previous EIR as a result of the proposed development.

As discussed above, the proposal to dedicate public streets and utilities easements within the proposed project and the construction of public facilities and improvements does not constitute a change to the circumstances under which the project is undertaken. The proposed project, as revised, falls fully within the scope of the findings of Environmental Assessment No. R-05-31/T-5508/C-05-107 as previously approved by the Fresno City Council; and, will not result in new significant impacts or increases in severity of previously identified significant effects.

Properties and improvements in the vicinity of the subject property have not changed the contextual circumstances under which the project is undertaken in a manner which will require major revisions of the previous environmental assessment due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental assessment was certified as complete, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous environmental assessment; (B) Significant effects previously examined will be substantially more severe than shown in the previous environmental assessment; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental assessment, would substantially reduce one or more significant effects on the environment.*

**Finding  
(3):**

No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental assessment was certified as complete has become available.

Commentary and requirements received from responsible departments and agencies in response to requests for comments respective to the proposed project revisions have not revealed any new information related to the potential of the proposed project to result in new significant environmental effects; or, increase the severity of previously identified significant effects.

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 Roosevelt Community Plan area including the Master Environmental Impact Report (MEIR No. 10130) for the 2025 Fresno General Plan. 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 study indicates that the project would conform to the land use designation and land use policies of the 2025 Fresno General Plan and is within the scope of the Master Environmental Impact Report No. 10130. Therefore, staff issued a finding of conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005, which incorporates a MEIR Mitigation Monitoring Checklist. This environmental finding was properly published and noticed on November 10, 2005; and, approved by the City Council on December 13, 2005.

As determined herein above, the proposed revisions to the project only intend to dedicate interior local streets within the subdivision for public street purposes and convert private utilities to public facilities. The form of the proposed subdivision including street patterns and lot configurations will not change as a result of the proposed revisions to the approved tentative map.

Therefore, as no substantial changes respective to the circumstances under which the project is being undertaken have occurred, there is no potential for the project to yield new information of substantial importance, which was not known and could not have been known at the time the environmental assessment was certified. Therefore, there is also no evidence that either: (1) Mitigation measures or alternatives previously found not to be feasible would be feasible and would reduce one or more significant effects due to the project; or, (2) Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental assessment, and which would substantially reduce one or more significant effects on the environment are applicable due to the project.

ADDENDUM PREPARED BY:  
Will Tackett, Supervising Planner

SUBMITTED BY:



Will Tackett, Supervising Planner  
DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT

DATE: January 31, 2014

**CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT / INITIAL STUDY  
FINDING OF CONFORMITY / MEIR NO. 10130**

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

**RECEIVED**  
DATE RECEIVED FOR FILING:  
2005 NOV 10 PM 3:58  
CITY CLERK, FRESNO CA

Initial study is on file in the Planning and Development Department, City Hall,  
2600 Fresno Street, Fresno, California 93721  
(559) 621-8277

**Applicant:**

Pleasant Valley Investments, LLC  
7675 N. Ingram Ave., Ste. 104  
Fresno, CA 93711

**Initial Study Prepared By:**

Arnoldo Rodriguez, Supervising Planner  
November 10, 2005

**Environmental Assessment Number:**

Tentative Tract Map No. 5508, Rezone Application  
No. R-05-31 and Conditional Use Permit Application  
No. C-05-107

**Project Location (including APN):**

North side of East Church Avenue, between South  
Chestnut and South Willow Avenues  
(APN: 481-070-03, 481-070-04, 481-070-22)

**Project Description:**

Pleasant Valley Investments, LLC has filed Tentative Tract Map No. 5508, Rezone Application No. R-05-31 and Conditional Use Permit Application No. C-05-107, for approximately 18.85 gross acres of property located on the north side of E. Church Avenue, between S. Chestnut and S. Willow Avenues. The rezone application proposes to reclassify the site from the AE-20/UGM (*Exclusive Twenty Acre Agricultural District/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. The subdivision map proposes the development of a 112-lot (plus three outlots for open-space purposes) single family residential subdivision. The conditional use permit application proposes private streets, and reduced lots widths and setbacks.

The subject property is within the jurisdiction of the Roosevelt Community Plan and the 2025 Fresno General Plan which designate the property for medium density residential planned land uses.

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

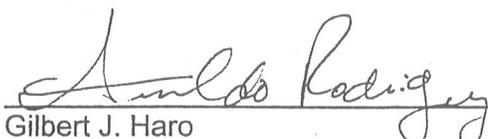
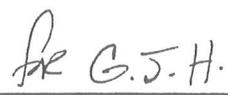
The recently adopted 2025 Fresno General Plan and the Roosevelt Community Plan designate the subject parcel for medium density residential planned land uses. In addition, the proposed R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district, conforms to the existing medium density residential planned land use designation as indicated by the 2025 Fresno General Plan "Planned Land Use and Zone District Consistency Matrix" as well as the adopted Roosevelt Community Plan.

The Planning and Development Department staff has prepared an initial study and environmental checklist and evaluated the proposed reorganization in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and the related Master Environmental Impact Report (MEIR) No. 10130. The subject property is proposed for development in the future with residential uses at an intensity and scale that is permitted by the planned land use and proposed zoning designation for the site. Thus, the subject project will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject parcels. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Section 15178(a).

Per Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project falls within the scope of a MEIR, provided that the project does not

cause significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, per the 2025 Fresno General Plan land use designations, include impacts associated with the medium density residential planned land designation specified for the subject parcel. Based on this initial study, the proposed project does not change the land use indicated for the subject parcel and will not generate additional significant effects not previously identified by the MEIR and no new additional mitigation measures are required. Therefore, the project proposal is within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines.

Moreover, as lead agency for this project, the Planning and Development Department, per Section 15177 (d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 shall apply to the project proposal as noted in the **attached mitigation monitoring checklist**. Public notice has been provided regarding staff's finding in a manner prescribed by this section of the Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).

 *Arnoldo Rodriguez*  *G.J.H.* *11-10-05*  
\_\_\_\_\_  
Gilbert J. Haro Date  
Planning Manager, City of Fresno

Attachments: Environmental Checklist/Initial Study for Environmental Assessment No. T-5508/R-05-31/  
C-05-107  
Mitigation Monitoring Checklist (MEIR No. 10130) for Environmental Assessment No.  
T-5508/R-05-31/C-05-107

**ENVIRONMENTAL ASSESSMENT (EA) CHECKLIST  
POTENTIAL ENVIRONMENTAL EFFECTS  
EA NO. R-05-31/C-05-107/T-5508**

<u>1</u>	<b>1.0</b>	<b><u>TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS</u></b>	<u>1</u>	<b>11.0</b>	<b><u>URBAN SERVICES</u></b>
<u>1</u>	1.1	Geologic hazards, unstable soil conditions	<u>1</u>	11.1	Availability of fire protection
<u>1</u>	1.2	Adverse change in topography or ground surface relief	<u>1</u>	11.2	Lack of emergency vehicle access
<u>1</u>	1.3	Destruction of unique geologic or physical features	<u>1</u>	11.3	Adequacy of design for crime prevention
<u>1</u>	1.4	Increased water erosion	<u>1</u>	11.4	Overcrowding of school facilities
	<b>2.0</b>	<b><u>AIR QUALITY</u></b>	<u>1</u>	11.5	Availability of water mains of adequate size
<u>1</u>	2.1	Substantial indirect source of pollution	<u>1</u>	11.6	Availability of sewer lines of adequate capacity
<u>1</u>	2.2	Direct on-site pollution generation	<u>1</u>	11.7	Availability of storm water drainage facilities (on or off site)
<u>1</u>	2.3	Generation of objectionable odors	<u>1</u>	11.8	Availability of adequate park and recreation areas
<u>1</u>	2.4	Generation of dust except during construction	<u>1</u>	11.9	Unusually high solid waste generation
<u>1</u>	2.5	Adverse local climatic changes		<b>12.0</b>	<b><u>HAZARDS</u></b>
	<b>3.0</b>	<b><u>WATER</u></b>	<u>1</u>	12.1	Risk of explosion or release of hazardous substances
<u>1</u>	3.1	Insufficient ground water available for long-term project use	<u>1</u>	12.2	Site subject to flooding
<u>1</u>	3.2	Use of large quantities of ground water	<u>1</u>	12.3	Adverse change in course of flow of flood waters
<u>1</u>	3.3	Wasteful use of ground water	<u>1</u>	12.4	Potential hazards from aircraft accidents
<u>1</u>	3.4	Pollution of surface or ground water supplies	<u>1</u>	12.5	Potential hazards from landfill and/or toxic waste sites
<u>1</u>	3.5	Reduction in ground water recharge		<b>13.0</b>	<b><u>AESTHETICS</u></b>
	<b>4.0</b>	<b><u>PLANT LIFE</u></b>	<u>1</u>	13.1	Obstruction to public or scenic vista or view
<u>1</u>	4.1	Reduction of the numbers of any unique, rare or endangered species	<u>1</u>	13.2	Creation of aesthetically offensive conditions
<u>1</u>	4.2	Reduction in acreage of agricultural crop	<u>1</u>	13.3	Removal of street trees or other valuable vegetation
<u>1</u>	4.3	Premature or unnecessary conversion of prime agricultural land	<u>1</u>	13.4	Architectural incompatibility with surrounding area
	<b>5.0</b>	<b><u>ANIMAL LIFE</u></b>	<u>1</u>	<b>14.0</b>	<b><u>HISTORICAL / ARCHAEOLOGICAL</u></b>
<u>1</u>	5.1	Reduction in the numbers of any rare, unique or endangered species	<u>1</u>	14.1	Removal of historic building, disruption of archaeological site
<u>1</u>	5.2	Deterioration or displacement of valuable wildlife habitat	<u>1</u>	14.2	Construction or activity incompatible with adjacent historic site
	<b>6.0</b>	<b><u>HUMAN HEALTH</u></b>	<u>1</u>	<b>15.0</b>	<b><u>ENERGY</u></b>
	<b>7.0</b>	<b><u>NOISE</u></b>	<u>1</u>	15.1	Use of substantial amounts of energy or fuel
<u>1</u>	7.1	Increases in existing noise levels	<u>1</u>	15.2	Substantial increase in demand upon existing sources of energy
<u>1</u>	7.2	Exposure to high noise levels	<u>1</u>	15.3	Wasteful use of energy
	<b>8.0</b>	<b><u>LIGHT AND GLARE</u></b>			
<u>1</u>	8.1	Production of glare which will adversely affect residential areas			
<u>1</u>	8.2	Exposure of residences to high levels of glare			
	<b>9.0</b>	<b><u>LAND USE</u></b>			
<u>1</u>	9.1	Incompatibility with adopted plans and policies			
<u>1</u>	9.2	Acceleration of growth rate			
<u>1</u>	9.3	Induces unplanned growth			
<u>1</u>	9.4	Adverse change in existing or planned area characteristics			
	<b>10.0</b>	<b><u>TRANSPORTATION AND CIRCULATION</u></b>			
<u>1</u>	10.1	Generation of vehicle traffic sufficient to cause capacity deficiencies on existing street system			
<u>1</u>	10.2	Cumulative increase in traffic on a major street for which capacity deficiencies are projected			
<u>1</u>	10.3	Specific traffic hazard to motorists, bicyclists, pedestrians			
<u>1</u>	10.4	Routing of non-residential traffic through residential area			
<u>1</u>	10.5	Insufficient or poorly located parking			
<u>1</u>	10.6	Substantial increase in rail and/or air traffic			

**EXPLANATION OF RATINGS**

- "0" Insufficient Information**  
Insufficient information is available to determine the potential environmental effects which may result from the proposed project in this category.
- "1" No significant Environmental Effect**  
The proposed project will not have an adverse environmental effect in this category, or any such effect is not substantially unusual or of undesirable magnitude. This rating is also utilized in cases where the category is not applicable to the particular project under consideration.
- "2" Moderate Environmental Effect**  
The proposed project will have an adverse environmental effect in this category, which is of sufficient magnitude to be of specific concern. However, this effect is not substantial enough in itself to require the preparation of an Environmental Impact Report, and is mitigable through project changes and conditions.
- "3" Significant Adverse Environmental Effect**  
The environmental effect identified in this category substantiates in itself or contributes towards a finding that the proposed project has a potentially significant adverse effect on the environment sufficient to require the preparation of an Environmental Impact Report.

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130  
2025 FRESNO GENERAL PLAN**

**Project/EA No. R-05-31/C-05-107/T-5508**

**Date: November 10, 2005**

**Mitigation Monitoring Checklist**

Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above noted Project Environmental Assessment as required by City Council Resolution No. 2002-378 and Exhibit "E", thereof, adopted on November 19, 2002, certifying the MEIR for the 2025 Fresno General Plan Update.

**NOTE:** Letters B-Q in mitigation measures refer to eh respective section of Chapter V of MEIR No. 10130

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<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 application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>					X	
<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 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.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>					X	
<p><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.</p> <p>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.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>					X	

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130  
2025 FRESNO GENERAL PLAN**

**Project/EA No. R-05-31/C-05-107/T-5508**

**Date: November 10, 2005**

**Mitigation Monitoring Checklist**

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

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130  
2025 FRESNO GENERAL PLAN**

**Project/EA No. R-05-31/C-05-107/T-5508**

**Date: November 10, 2005**

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>C-1. In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs.</p> <p>a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals.</p> <p>b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements.</p> <p>c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations.</p> <p>d. 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.</p>	Ongoing	Planning and Development Department				X	X	
<p>C-2. 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> <p>a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions.</p> <p>b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit.</p> <p>c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible.</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>	Ongoing	Fresno Area Express					X	
<p>C-3. The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.</p>	Ongoing	Various city departments	X					
<p>D-1. The City shall monitor impacts of land use changes and development project proposals on metropolitan water supply facilities and the groundwater aquifer.</p>	Ongoing	Dept of Public Utilities and Planning and Development Dept	X					

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130  
2025 FRESNO GENERAL PLAN**

**Project/EA No. R-05-31/C-05-107/T-5508**

**Date: November 10, 2005**

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, recharge facilities, 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	Department of Public Utilities and Planning and Development Department			X		X	
<p>D-3. The City shall implement the Fresno Metropolitan Water Resources Management Plan and update this plan as necessary to ensure the cost-effectiveness use of water resources and continued availability of good-quality groundwater and surface water supplies.</p>	Ongoing	Department of Public Utilities					X	
<p>D-4. The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban storm water 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.</p>	Ongoing	Planning and Development Department		X			X	
<p>D-5. The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods.</p>	Ongoing	Planning and Development Department						X
<p>D-6. The city shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect:                      a. Construction in this area from being damaged by the intensity of flooding in the riverbottom; and,                      b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and,                      c. Public health, safety and general welfare from the effects of flood events.</p>	Ongoing	Planning and Development Department						X
<p>D-7. The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).</p>	Ongoing	Planning and Development Department						X
<p>D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management of all sources of water available to the planning area which is periodically updated to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development.</p>	Ongoing	Department of Public Utilities					X	
<p>D-9. If the City is unable to renew its 60,000-acre foot USBR water supply contract due to the city's Charter meter prohibition, replacement water supplies and/or conservation measures of equal benefit shall be secured.</p>	Ongoing	Department of Public Utilities					X	
<p>D-10. 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.</p>	Ongoing	Department of Public Utilities					X	

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130  
2025 FRESNO GENERAL PLAN**

**Project/EA No. R-05-31/C-05-107/T-5508**

**Date: November 10, 2005**

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
E-1. The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.	Ongoing	Planning and Development Department					X	
E-2. To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.	Ongoing	Planning and Development Department					X	
E-3. The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.	Ongoing	Planning and Development Department	X					
E-4. Development of agricultural land, or fallow land adjacent to land designated for agricultural uses, shall incorporate measures to reduce the potential for conflicts with the agricultural use. Implementation of the following measures shall be considered:	Ongoing	Planning and Development Department	X					
<ul style="list-style-type: none"> <li>a. Including a buffer zone of sufficient width between proposed residences and the agricultural use.</li> <li>b. Restricting the intensity of residential uses adjacent to agricultural lands.</li> <li>c. Informing residents about possible exposure to agricultural chemicals.</li> <li>d. Where feasible and permitted by law, exploring opportunities for agricultural operators to cease aerial spraying of chemicals and use of heavy equipment near proposed residences.</li> <li>e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.</li> </ul>								
F-1. The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.	Ongoing	Dept. of Public Utilities and Planning and Development Department				X	X	
F-2. The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.	Ongoing	Dept. of Public Utilities					X	
F-2-a. The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.	Ongoing	Dept. of Public Utilities					X	X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>F-3. The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. 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>	<p align="center">X</p>				<p align="center">X</p>	
<p>F-4. The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities are not exceeded.</p>	<p>Ongoing/prior to approval of land use entitlement application</p>	<p>Dept. of Public Utilities and Planning Department</p>	<p align="center">X</p>					
<p>F-5. The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.</p>	<p>Ongoing/prior to construction</p>	<p>Dept. of Public Utilities</p>	<p align="center">X</p>					
<p>G-1. Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.</p>	<p>Ongoing/prior to construction</p>	<p>Fire Dept/Police Dept/ Planning and Development Dept.</p>						<p align="center">X</p>
<p>H-1. Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.</p>	<p>Ongoing/prior to construction</p>	<p>Parks and Recreation Dept./Planning and Development Dept.</p>						<p align="center">X</p>
<p>I-1. Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species ( or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.</p>	<p>Ongoing/prior to approval of land use entitlement application</p>	<p>Planning and Development Dept.</p>						<p align="center">X</p>
<p>I-2. Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall 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.</p>	<p>Ongoing/prior to approval of land use entitlement application</p>	<p>Planning and Development Dept.</p>						<p align="center">X</p>

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I-3. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net loss of habitat acreage or value. Typically, the U.S. Fish and Wildlife Service and California Department of Fish and Game require a ratio of three replacement acres for every one acre of high quality riparian or wetland habitat lost.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-4. Existing and mature riparian vegetation shall be preserved to the extent feasible, except when trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment shall occur outside of the drip lines of any trees to be preserved.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-5. Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-6. All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
J-1. If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures: a. Amending construction plans to avoid the resources. b. Setting aside sites containing these resources by deeding them into permanent conservation easements. c. Capping or covering these resources with a protective layer of soil before building on the sites. d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them. e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X

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<p>J-2. An archaeological assessment shall be conducted for the project if prehistoric human relics are found that were not previously assessed during the environmental assessment for the project. The site shall be formally recorded, and archaeologists' recommendations shall be made to the City on further site investigation or site avoidance/ preservation measures.</p>	<p>Ongoing/prior to submittal of land use entitlement application</p>	<p>Planning and Development Dept.</p>	<p align="center">X</p>					
<p>J-3. If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.</p>	<p>Ongoing</p>	<p>Planning and Development Dept./ Historic Preservation Commission staff</p>	<p align="center">X</p>					
<p>J-4. Where maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (Weeks and Grimm, 1995), the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.</p>	<p>Ongoing</p>	<p>Planning and Development Dept./ Historic Preservation Staff</p>	<p align="center">X</p>				<p align="center">X</p>	
<p>K-1. The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.</p>	<p>Ongoing</p>	<p>Planning and Development Dept.</p>	<p align="center">X</p>				<p align="center">X</p>	
<p>K-2. Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 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.</p> <ul style="list-style-type: none"> <li>• <b>Site Planning.</b> See Chapter V for more details.</li> <li>• <b>Barriers.</b> See Chapter V for more details.</li> <li>• <b>Building Designs.</b> See Chapter V for more details.</li> </ul>	<p>Ongoing/upon submittal of land use entitlement application</p>	<p>Planning and Development Dept.</p>					<p align="center">X</p>	
<p>K-3. The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.</p>	<p>Ongoing/prior to building permit issuance</p>	<p>Planning and Development Dept.</p>					<p align="center">X</p>	
<p>L-1. Any construction that occurs as a result of a project shall conform with 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.</p>	<p>Ongoing</p>	<p>Planning and Development Dept.</p>					<p align="center">X</p>	

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

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