

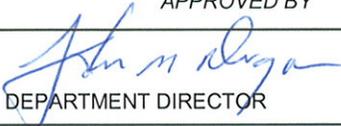


REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-A
COMMISSION MEETING 7/20/11

July 20, 2011

APPROVED BY


DEPARTMENT DIRECTOR

FROM: KEVIN FABINO, Planning Manager
Development Services Division 

BY: ISRAEL TREJO, Planner
Development Services Division 

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION NO. C-11-066,
VESTING TENTATIVE TRACT MAP NO. 5933/UGM AND RELATED ENVIRONMENTAL
ASSESSMENT NO. T-5933/C-11-066

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. APPROVE the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Mitigated Negative Declaration prepared for Plan Amendment A-09-02 (Air Quality MND) and to the Program EIR No. 10126 related to the Copper River Ranch Project, prepared for Environmental Assessment No. T-5933/C-11-066 dated April 22, 2011.
2. APPROVE Conditional Use Permit Application No. C-11-066 subject to compliance with the Conditions of Approval dated July 20, 2011.
3. APPROVE Vesting Tentative Tract Map No. 5933/UGM subject to compliance with the Conditions of Approval dated July 20, 2011.

EXECUTIVE SUMMARY

Gary G. Giannetta, on behalf of Gary McDonald Homes, has filed Conditional Use Permit Application No. C-11-066 and Vesting Tentative Tract Map No. 5933/UGM pertaining to approximately 16.85 acres of property located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community. Vesting Tentative Tract Map No. 5933/UGM proposes to subdivide the subject property into a 78-lot single family residential planned development subdivision with two outlots and one remainder lot. One of the outlots is proposed to be developed with a fitness center and private community building. The community building contains lodging facilities and is counted as a dwelling unit for density calculation purposes. Conditional Use Permit Application No. C-11-066 is a request to establish a Planned Development, which proposes to establish a gated community with private gated streets and modified property development standards, including lot coverage and setback requirements. The project is proposed as an "active adult community" for people 55 years of age and older.

The subject property is located within the 2025 Fresno General Plan and the Woodward Park Community Plan, both plans designate the subject site for medium low (2.19 to 4.98 dwelling units per acre) and medium density residential planned land uses (4.99 to 10.37 dwelling units per acre). Vesting Tentative Tract Map No. 5933/UGM proposes a 78-lot single family residential planned development subdivision on approximately 16.85 acres at a density of 4.62 dwelling units per acre. **Thus, the subject applications are consistent with the planned land uses and zoning approved for the project site and will implement goals, objectives, and policies of the 2025 Fresno General Plan and the Woodward Park Community Plan.**

PROJECT INFORMATION

PROJECT	A 78-lot, single family residential subdivision to be developed at a density of 4.62 dwelling units per acre. Outlot A is proposed to be developed with a fitness center and private community building while Outlot B is proposed for private street purposes. The community building contains lodging facilities and is counted as a dwelling unit for density calculation purposes. The project is proposed as an "active adult community" for people 55 years of age and older
APPLICANT	Gary G. Giannetta on behalf of Gary McDonald Homes
LOCATION	Located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community (Council District 6, Councilmember Brand)
SITE SIZE	Approximately 16.85 acres
LAND USE	Existing - Vacant Proposed - Single family residential
ZONING	Existing - R-1/UGM/cz (<i>Single Family Residential District/Urban Growth Management/conditions of zoning</i>) Proposed- No change
PLAN DESIGNATION AND CONSISTENCY	The proposed 78-lot single family residential subdivision is consistent with the 2025 Fresno General Plan and Woodward Park Community Plan designation of the site for medium low and medium density residential planned land uses
ENVIRONMENTAL FINDING	Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Mitigated Negative Declaration No. A-09-02 and to the Program EIR No. 10126 related to the Copper River Ranch Project, dated April 22, 2011
PLAN COMMITTEE RECOMMENDATION	The District 6 Plan Implementation Committee recommended approval of the proposed project at its meeting on July 14, 2008
STAFF RECOMMENDATION	Approve the vesting tentative tract map and conditional use permit application subject to compliance with the Conditions of Approval for T-5933/UGM and for C-11-066 dated July 20, 2011

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Medium Low Density Residential	R-1/UGM <i>Single Family Residential District/Urban Growth Management</i>	Vacant

South	Open Space – Golf Course	O/UGM <i>Open Space/Urban Growth Management</i>	Golf Course
East	Open Space – Golf Course	O/UGM <i>Open Space/Urban Growth Management</i>	Golf Course
West	Medium Low Density Residential	R-1/UGM <i>Single Family Residential District/Urban Growth Management</i>	Vacant

ENVIRONMENTAL FINDING

Development and Resource Management Department staff have prepared an initial study and environmental checklist and evaluated the proposed development in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan, the related Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097), and Mitigated Negative Declaration (MND) No. A-09-02 (SCH # 2009051016) and to the Program EIR No. 10126 (SCH # 2000021003) related to the Copper River Ranch Project. The subject property has been proposed to be developed at an intensity and scale that is permitted by the Medium Low (2.19 to 4.98 dwelling units per acre) and Medium Density Residential (4.99-10.37 dwelling units/acre) planned land use designation and R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district classification for the subject site. Thus, the subdivision of the subject property in accordance with the Vesting Tentative Tract Map No. 5933/UGM will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designations. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 and the Program EIR No. 10126 related to the Copper River Ranch Project have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 and MND No. A-09-02 and Program EIR No. 10126 as provided by CEQA Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to the specific project proposal, the environmental impacts noted in the MEIR, pursuant to the 2025 Fresno General Plan land use designation, include impacts associated with the Medium Low and Medium Density Residential planned land use designations specified for the subject property. Based on the initial study prepared, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR No. 10130 because its land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR No. 10130; (2) The proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR or MND No. A-09-02 (as indicated on the attached Environmental Assessment Checklist) or the Program EIR No. 10126 related to the Copper River Ranch Project for the reasons discussed within the environmental assessment for the subject project; and, (3) No new additional mitigation measures are required because the proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR or MND or the Program EIR No. 10126 related to the Copper River Ranch Project.

Therefore, the project proposal has been determined to be within the scope of the MEIR, MND and Program EIR as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR No. 10130 dated April 22, 2011, with no comments received to date. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the MND adopted; and, that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete or the MND was adopted, has become available.

BACKGROUND / ANALYSIS

Gary G. Giannetta, on behalf of Gary McDonald Homes, has filed Conditional Use Permit Application No. C-11-066 and Vesting Tentative Tract Map No. 5933/UGM pertaining to approximately 16.85 acres of property located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community. Vesting Tentative Tract Map No. 5933/UGM proposes to subdivide the subject property into a 78-lot single family residential planned development subdivision with one outlot for private streets and one remainder lot. Additionally, one outlot is proposed to be developed with a fitness center and private community building. The community building contains lodging facilities and is counted as a dwelling unit for density calculation purposes. Conditional Use Permit Application No. C-11-066 is a request to establish a Planned Development, which proposes to establish a gated community with private streets and modified property development standards, including lot coverage and yard requirements. The project is proposed as an "active adult community" for people 55 years of age and older.

The subject property is located within the jurisdiction of the 2025 Fresno General Plan and the Woodward Park Community Plan, both plans designate the subject site for medium-low and medium density residential planned land uses (2.19 to 4.98 and 4.99 to 10.37 dwelling units per acre, respectively). Vesting Tentative Tract Map No. 5933/UGM proposes a 78-lot single family residential planned development subdivision on approximately 16.85 acres at a density of 4.68 dwelling units per acre. The community building, within Outlot A of the subdivision, contains lodging facilities and is counted as a dwelling unit for density calculation purposes. The Copper River Ranch Master Planned Community was approved with blended densities that involved both single and multiple family residential development with an overall residential unit restriction of 2837 units. Based upon the submitted subdivision design, the proposed subdivision can be found consistent with the medium-low and medium density residential planned land uses for the subject property pursuant to the 2025 Fresno General Plan and the Copper River Ranch Master Planned Community design as provided by Tentative Tract Map No. 5205/UGM and Conditional Use Permit No. C-04-153.

The Copper River Ranch Master Planned Community was approved under Vesting Tentative Tract Map No. 5205/UGM and Conditional Use Permit Application No. C-04-153, approved on November 3, 2004. These development applications identified the subdivision of approximately 574 acres into an 830-lot single family residential subdivision that includes 8 single family residential villages consisting of both conventional lots and planned development lots with 45 outlots for multiple family residential development, landscaped open space, and commercial development and single family residential planned developments. The overall Copper River Ranch project is planned for development in phases. Vesting Tentative Tract Map No. 5933/UGM and Conditional Use Permit Application No. C-11-066 implement the development and design concepts of the Copper River Ranch Master Planned Community.

Density Transfer

Density transfers are permitted through the processing of a planned development conditional use permit pursuant to Section 12-304-B-23 of the FMC. There are approximately 8.40 acres of land planned medium low density and 8.40 acres of land planned medium density residential within the subject property. The low end of the allowed "blended" density is approximately 60 lots. The high end of the allowed "blended" density is approximately 128 lots. As noted above the project is proposing 78 lots, which is within the allowed "blended" density.

Conditional Use Permit Application (CUP)

In addition to submitting a vesting tentative tract map, the applicant has submitted Conditional Use Permit Application No. C-11-066. Pursuant to Section 12-306-N-21 of the Fresno Municipal Code (FMC), a CUP is required in order to create a planned development. As part of the CUP, an applicant may request a modification of development standards, including lot size, setbacks and yard areas. Conditional Use Permit Application No. C-11-066 is a request to establish a Planned Development, which proposes to establish a gated community with private streets and modified property development standards, including lot coverage and yard requirements. The applicant is proposing reduced yards, including, a 10 foot front yard, 5 foot rear yard and 3 foot side yard. The standard yards within the R-1 (*Single Family Residential District*) zone district are a 15 foot front yard, 20 foot rear yard and 5 foot side yard. The applicant is also proposing an increase in lot coverage to 60 percent; the R-1 standard is 50 percent.

Lots within planned developments may have modified lot widths, depths and areas. All of the proposed lots within the subdivision contain at least 6,000 square feet. Pursuant to Section 12-1011 (f) (3) of the FMC, double frontage lots which abut two approximately parallel streets...shall not be approved except where access rights to one of the streets have been relinquished. Proposed lots 58, 59, 62 and 63 are double frontage lots and, as such, will be required to relinquish access rights on a frontage.

Outlot A is proposed to be developed with a fitness center, private community building and swimming pool. The fitness center will contain, among other rooms, a weight room and an aerobic studio. The community building contains a living room, dining room, restroom and kitchen. The second floor contains the homeowner's association office and a conference room. The fitness center will be available to those that live within the planned development, as well as friends as guests of those within the development. The lodging facilities within the community building, will be available on an as-needed basis, for family and friends, etc. of those that live within the planned development. Both the fitness center and community building will be owned by the homeowner's association. No fee will be charged for the use lodging facilities within the community building.

Sidewalks, Streets and Access Points

On December 09, 2010, the City Council approved Resolution No. 2010-279 authorizing specific "pending" applications for planned unit developments designed without sidewalks on both sides of private residential streets to proceed with the entitlement process subject to: (1) The entitlement application must have been received by the City of Fresno and deemed "complete" as defined by the Fresno Municipal Code prior to December 09, 2010; (2) The development applications must be for "vesting" entitlements; and, (3) The applicant must enter into an agreement to defend, hold harmless and indemnify the City of Fresno. This Resolution acknowledged five development entitlement applications for approximately 370 total single family residential units currently pending; including Vesting Tentative Tract Map No. 5933/UGM.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the proposed applications and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the Traffic Engineering Division dated October 28, 2008. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and Copper River Ranch Associated Fees.

Landscaping/Walls/Open Space

For Vesting Tentative Tract Map No. 5933/UGM a six foot high wall is required along North Alicante Drive. This wall will be constructed at the rear of the required landscaped portions of the street right-of-way within the tract.

Outlot A of Vesting Tentative Tract Map. No. 5933/UGM is proposed common area and open space. Outlot A contains approximately 0.42 acre which is approximately 2 percent of the entire 16.85 acre parcel. As noted above, Outlot A is proposed to be developed with a fitness center, community building and swimming pool. The fitness center will contain, among other rooms, a weight room and an aerobic studio. Both the fitness center and community building will be owned by the homeowner's association.

Community Plan Citizen Committees

The District 6 Plan Implementation Committee recommended approval of the proposed project at its meeting on July 14, 2008.

Public Services

The Public Utilities Department has identified sanitary water and sewer requirements for this project. These conditions are listed in the memorandums dated May 6 and May 15, 2008, respectively. It should be noted that a tertiary wastewater treatment facility within the Copper River Ranch project will ultimately accommodate the wastewater flow from this project.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that this project can be accommodated by the district. The project applicant shall comply with the FMFCD requirements as detailed in its memorandum dated June 11, 2008.

The City of Fresno Fire Department has submitted comments indicating the proposed project is located within two miles Fresno County Fire Station No. 17.

Notice of Planning Commission Hearing

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

Conditional Use Permit Application Findings (Planned Development)

Conditional Use Permit Application No. C-11-066 proposes the development of a 78-lot single family residential planned development. The planned development will provide a gated community with private

streets and modified property development standards. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated July 20, 2011, 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-11-066 will comply with all applicable codes, including, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met.

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

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

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

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

Vesting Tentative Tract Map Findings

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

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

1. The proposed subdivision map, together with its design and improvements, is consistent with the City's 2025 General Plan and the Woodward Park Community Plan, because the plans designate the site for medium low and medium density residential planned land uses and the project design meets the density and zoning ordinance criteria for development.
2. This site is physically suitable for the proposed type and density of development, because conditions of approval will ensure adequate access and drainage on and off the site; and, that

development shall occur in accordance with adopted standards, goals, objectives, and policies for development in the City of Fresno.

3. The proposed subdivision design and improvement is not likely to cause substantial and considerable damage to the natural environment, including fish, wildlife or their habitat, because the area is not known to contain any unique or endangered species and the urbanized nature of the area in which the site is located.
4. The proposed subdivision design and improvements are not likely to cause serious public health and safety problems, because the conditions of approval have shown and will insure that the subdivision conforms with city health and safety standards.
5. The proposed subdivision design will not conflict with public easements within or through the site, because conditions of approval will assure noninterference with any existing or proposed public easements.
6. The design of the subdivision provides, to the extent feasible, for future passive and natural heating or cooling opportunities in the subdivision, because of the appropriate use and placement of landscaping plant materials and because of the orientation of the proposed lots.

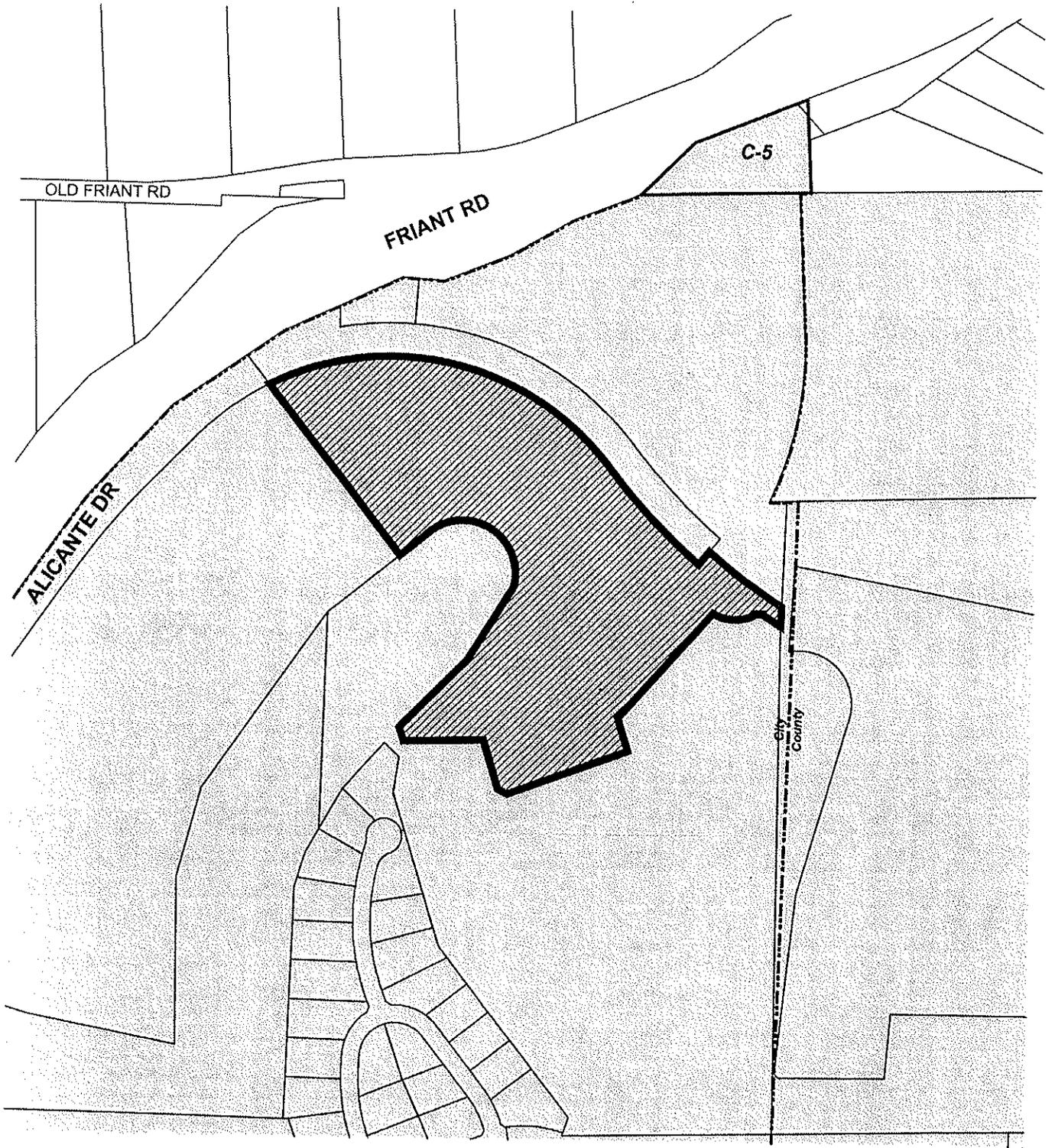
The subdivision map, based on the required findings for approval and subject to the recommended conditions of approval, and the standards and policies of the 2025 Fresno General Plan and Woodward Park Community Plan, complies with applicable zoning and subdivision requirements. Based upon the plans and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

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

CONCLUSION / RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Woodward Park Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that the Vesting Tentative Tract Map No. 5933/UGM and Conditional Use Permit No. C-11-066 are appropriate for the project site.

- Attachments:
- Vicinity Map
 - 2008 Aerial Photograph of Site
 - Exhibit A, Proposed Vesting Tentative Tract Map No. 5933 dated August 20, 2008
 - Exhibit B, Proposed Site plan for Conditional Use Permit Application No. C-11-066 dated August 20, 2008
 - Exhibit C, Proposed building elevations
 - Conditions of Approval for T-5933/UGM dated July 20, 2011
 - Conditions of Approval for CUP Application No. C-11-066 dated July 20, 2011
 - Comments and Requirements from Responsible Agencies
 - Environmental Assessment No. T-5933/C-11-066, Finding of Conformity to the 2025 Fresno General Plan MEIR No. 10130 and Mitigated Negative Declaration for Plan Amendment A-09-02 and to the Program EIR No. 10126 related to the Copper River Ranch Project dated April 22, 2011



LEGEND



Subject Property



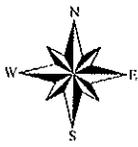
U.G.M. Area

VICINITY MAP

VESTING TENTATIVE MAP OF TRACT NO. 5933/UGM
 CONDITIONAL USE PERMIT NO. C-11-066

South side N. Alicante Ave. btwn., N. Friant Road and N. Willow Ave.
 (In Copper River Project)

PLANNING & DEVELOPMENT DEPARTMENT

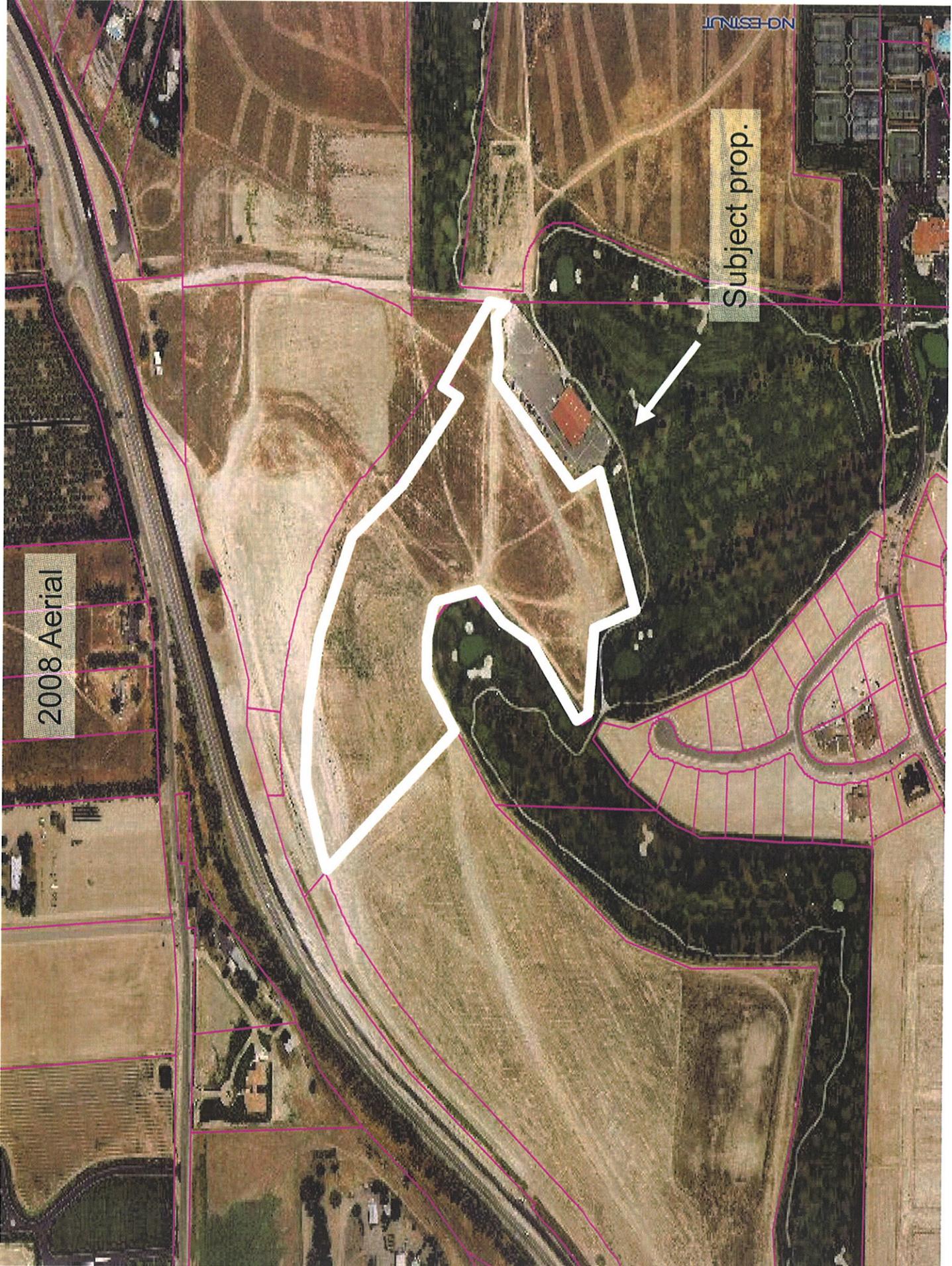


NOT TO SCALE

A.P.N.: _____

ZONE MAP: 1352

BY/DATE: D.N. / 5-12-08



NO-ESTIMUT

Subject prop.

2008 Aerial

Exhibit A, Proposed Tentative Tract Map No. 5933/UGM dated
August 20, 2008

TENTATIVE SUBDIVISION MAP
TRACT No. 5933
 A VESTING MAP
 A PLANNED UNIT DEVELOPMENT
 A PHASED MAP

APN 579-073-80s
 GROSS AREA (OUTLOT C) = 7.14 ACRES
 NET AREA = 16.85 ACRES

- RECORDS TO BE MAINTAINED:
1. CITY OF FRESNO STANDARDS
 2. CITY OF FRESNO STANDARDS
 3. CITY OF FRESNO STANDARDS
 4. CITY OF FRESNO STANDARDS
 5. CITY OF FRESNO STANDARDS
 6. CITY OF FRESNO STANDARDS
 7. CITY OF FRESNO STANDARDS
 8. CITY OF FRESNO STANDARDS
 9. CITY OF FRESNO STANDARDS
 10. CITY OF FRESNO STANDARDS

NOTES:

1. EXISTING ZONING - R-1/100M
2. EXISTING USE - VACANT - TEMPORARY PARKING BASING
3. THE STREETS WITHIN THE BOUNDARIES OF THIS SUBDIVISION ARE PRIVATE
4. THERE ARE NO WELLS, CESSPOOLS, SEWERS, CONCRETE, DAMPERS OR OTHER
5. THESE ARE NOT EXISTING UTILITIES WITHIN THE SUBDIVISION
6. THESE ARE NOT EXISTING UTILITIES WITHIN THE SUBDIVISION THAT ARE
7. SUBJECT TO PLANNING OR STORM WATER OVERFLOW
8. THERE IS LESS THAN A 6" DIFFERENCE BETWEEN THE TRACT AND
9. ADJACENT PARCELS
10. THERE MAY BE A 6" PUBLIC UTILITY EASEMENT ALONG THE FRONTAGE
11. THERE MAY BE A 6" COMMON AREA OPEN SPACE, RECREATION BUILDINGS,
12. (OFFICE AND FITNESS BUILDINGS)
13. OUTLOT B IS FOR PRIVATE STREETS, STREETSIDES AND PUBLIC UTILITIES.
14. THE SUBDIVISION DESIGN PROVIDES FOR EASEMENTS FOR
15. PASSIVE NATURAL HEATING OR COOLING AND DISINTEGRATION BY MANAGING
16. THE TRACT'S WATER UTILITIES (COST)
17. THERE ARE NO FEES WITHIN THE BOUNDARY OF THIS SUBDIVISION.

LEGEND:

- PROPOSED 15' PAVEMENT MARK

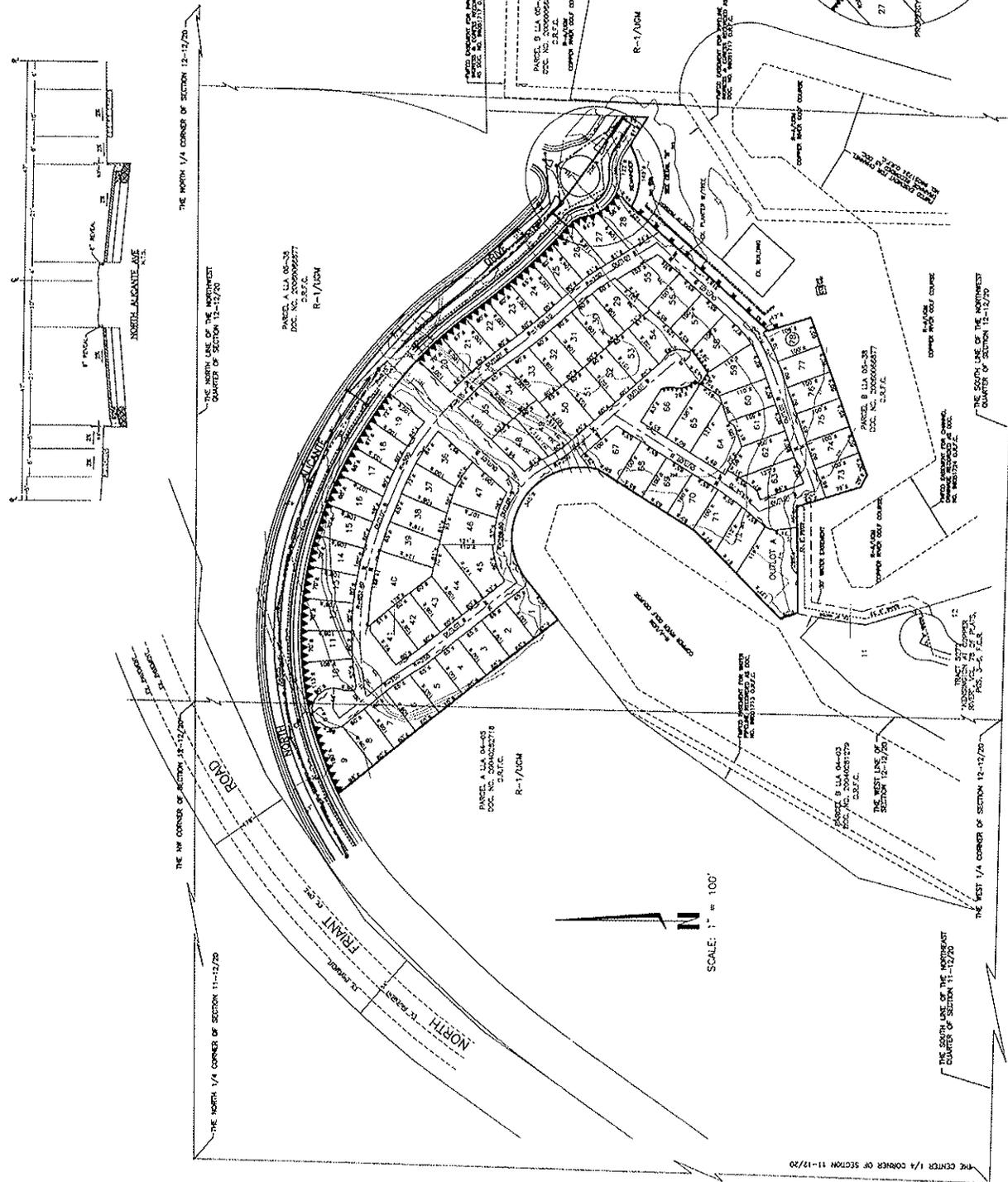
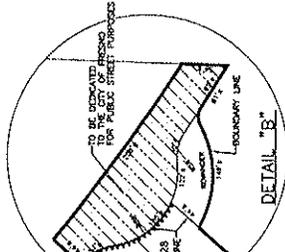


RECORDED
 AUG 20 2008
 FRESNO COUNTY
 PLANNING & ZONING DEPT.

RECORDS DIVISION
 1000 N. MARKET ST. 9TH FL.
 FRESNO, CA 93729
 (509) 442-0000

SUBDIVIDER:
 GARY G. GRANOVITZ
 1000 N. MARKET ST. 9TH FL.
 FRESNO, CA 93729
 (509) 442-0000

GARY G. GRANOVITZ
 1000 N. MARKET ST. 9TH FL.
 FRESNO, CA 93729
 (509) 442-0000



SCALE: 1" = 100'

THE NORTH 1/4 CORNER OF SECTION 11-12/20

THE WEST 1/4 CORNER OF SECTION 12-12/20

THE SOUTH 1/4 CORNER OF SECTION 12-12/20

THE NORTH 1/4 CORNER OF SECTION 12-12/20

THE NORTH 1/4 CORNER OF SECTION 12-12/20

PARCEL A LLA 00-38
 DOC. NO. 000000077
 C.S.F.C.

R-1/100M

PARCEL A LLA 00-38
 DOC. NO. 000000077
 C.S.F.C.

R-1/100M

PARCEL B LLA 00-38
 DOC. NO. 000000077
 C.S.F.C.

R-1/100M

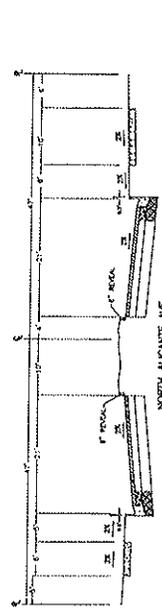
PARCEL B LLA 00-38
 DOC. NO. 000000077
 C.S.F.C.

R-1/100M

THE SOUTH 1/4 CORNER OF SECTION 12-12/20

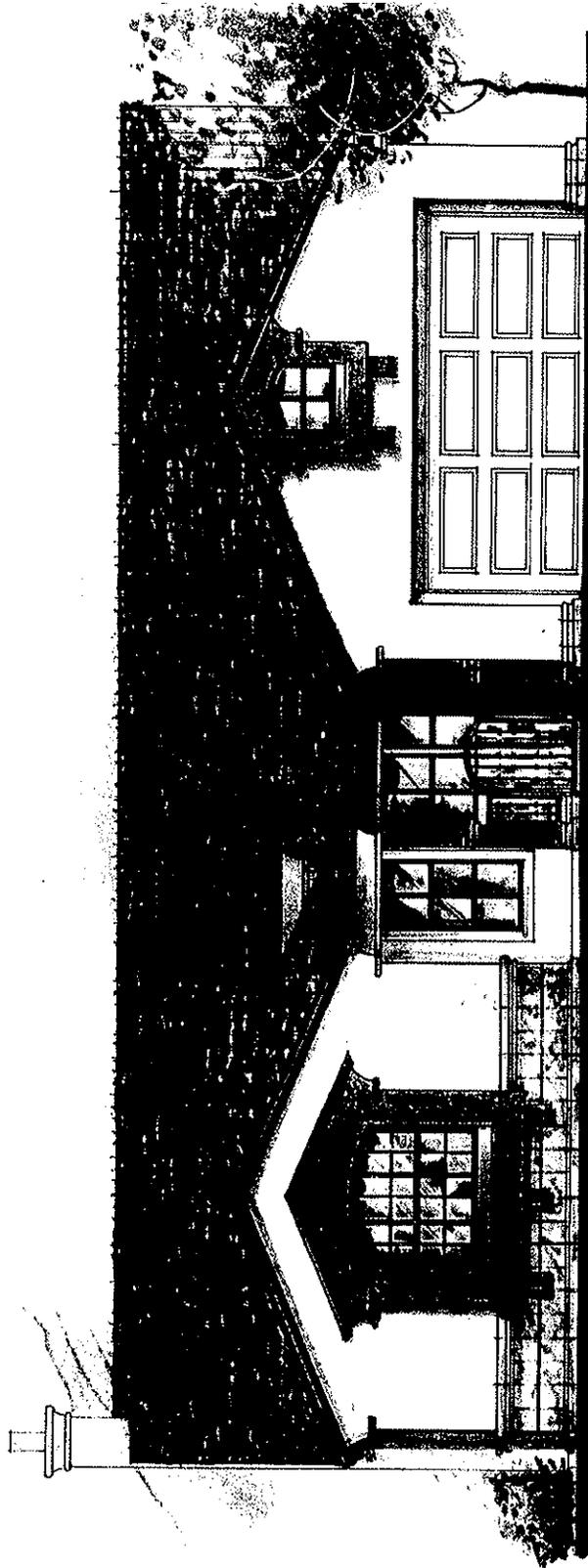
THE NORTH 1/4 CORNER OF SECTION 12-12/20

THE NORTH 1/4 CORNER OF SECTION 12-12/20



**Exhibit B, Proposed Site Plan for Conditional Use Permit
Application No. C-11-066 dated August 20, 2008**

Exhibit C, Proposed Building Elevations

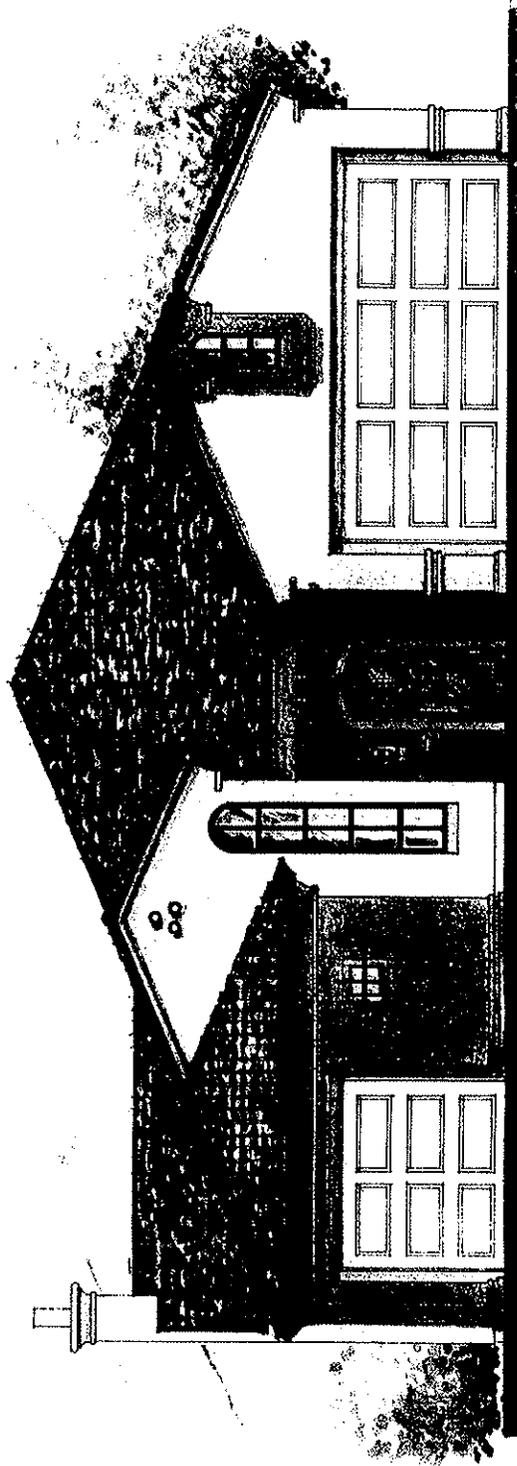


(2 of 8)

FRONT ELEVATION, PLAN A

PROPOSED GATED COMMUNITY FOR:
GARY McDONALD HOMES
COFFEE FIVE/FIVE FANCH FRESNO, CA.

PROJECT NO. C-08-59	DATE 6-2	DATE 6-30-08
DATE	DATE	DATE



APPL. NO. C-08-54	EX. UNIT 02	DATE 4-20-04
PROJECTING	DATE	
ISSUING OFF.	DATE	
COND. APPROVED BY		
CITY OF FRESNO PLANNING & DEVELOPMENT DEPT.		

PROPOSED GATED COMMUNITY FOR:
GARY McDONALD HOMES
COPPER FIVER FANCH FRESNO, CA.

FRONT ELEVATION, PLAN B

APPL. NO. C-0659	EXHIBIT 02	DATE 4-30-08
PROJECT ENG.		DATE
DRAWING ENG.		DATE
DESIGN APPROVED BY		DATE
CITY OF FRESNO PLANNING & DEVELOPMENT DEPT.		



PROPOSED GATED COMMUNITY FOR:
GARY McDONALD HOMES
 COTTEE FIVE FANCH FRESNO, CA.

FRONT ELEVATION, PLAN C

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

CONDITIONS OF APPROVAL

JULY 20, 2011

VESTING TENTATIVE TRACT MAP NO. 5933/UGM

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

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

NOTICE TO PROJECT APPLICANT

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

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

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

GENERAL CONDITIONS

1. Upon conditional approval of Vesting Tentative Tract Map No. 5933/UGM, a Planned Development dated August 20, 2008, the subdivider may prepare a Final Map in accordance with the approved vesting tentative map and Conditional Use Permit No. C-11-066 which establishes a planned development for the subject property.
2. Submit grading plans and a soils report to the City of Fresno Development and Resource Management Department for verification prior to Final Map approval (Reference: Sections 12-1022 and 12-1023 of the Fresno Municipal Code). Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.
3. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Planning and Development Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and

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

4. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.
5. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
6. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Article 10, Chapter 12, "Subdivision of Real Property;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
7. The developer/owner shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to vesting tentative maps.
8. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
9. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.
10. A Certificate of Compliance shall be required of the subdivider/owner prior to the sale, lease, or finance of the remainder parcel.
11. It shall be required that you file an amended Exhibit Seven titled "Land Use, Density and Parcel Identification Matrix" for Conditional Use Permit Application No. C-04-153. The community building contains lodging facilities and is counted as a dwelling unit for density calculation purposes, thus the matrix shall reflect a total of 79 lots.

12. Vesting Tentative Tract Map No. 5933/UGM is subject to approval of related Conditional Use Permit No. C-11-066.
13. Conditions of zoning were placed on the site in 2003 with approval of Rezone Application No. R-01-14 (Copper River Ranch rezone). This application is subject to compliance with the mitigation measures established by the certification of Final Environmental Impact Report No. 10126 (SCH No. 2000021003) prepared for Copper River Ranch.

GENERAL INFORMATION

14. The subdivider/owner shall construct a minimum 6 foot high solid wall along North Alicante Drive, a designated collector street within the subdivision. Depict the wall (and height) on Exhibit A dated August 20, 2008.
15. 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.
16. The long term maintenance of all the items listed below is the ultimate responsibility of the owner/developer.
 - a) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located within proposed Outlots associated with the proposed project.
 - b) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located in any entry median island or traffic medians located within the project.
 - c) The property owner shall be responsible for providing for the maintenance of the curbs and gutters, valley gutter, sidewalks, street lights and street signage within any local public street rights-of-way associated with the project.
 - d) The property owner shall be responsible for providing for the maintenance of all street trees within any local public street rights-of-way associated with the project.
17. Maintenance of the required landscape easements, streets, curbs and gutters, sidewalks, medians, and street furniture may be the responsibility of the City's Community Facilities District. Contact the Public Works Department, Engineering Services Division, at 559-621-8695 for information regarding the City's Community Facilities District. The property owners may petition the City for annexation to the City's Community Facilities District prior to Final Map approval.
18. If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, the subdivider/owner shall be required to provide the City of Fresno, Department of Public Works, with copies of signed acknowledgments from each purchaser of a lot within the subdivision, attesting to the purchasers understanding that the lot will have an annual maintenance assessment and that he/she is aware of the

estimated amount of the assessment. The subdivider/owner shall execute and record a covenant on each lot providing notice that the subject property is subject to annual payment of the Community Facilities District assessment.

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

Lot Dimensions

21. Lot dimensions shall match those depicted on "Exhibit A," dated August 20, 2008, for Vesting Tentative Tract Map No. 5933/UGM.
22. Pursuant to Section 12-1011(f)(3) of the FMC, double frontage lots which abut two approximately parallel streets and have a depth of less than two hundred feet shall not be approved except where access rights to one of the streets have been relinquished. Proposed lots 58, 59, 62, 63 and 66 are double frontage lots and, as such, are required to relinquish access rights to a frontage. Depict the relinquished access rights on the tract map and site plan.

Building Setbacks

23. Building setbacks shall be in accordance with the site plan exhibit "A" dated August 20, 2008, and as follows:

Front yard: Front yard setbacks shall be a minimum of 10 feet.

Interior Side yard: Interior side yard setbacks shall be a minimum of three feet.

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

Rear yard: Rear yard setbacks shall be a minimum 5 feet.

INFORMATION

24. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the Clovis Unified School District in accordance with the school district's adopted schedule of fees.

25. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
 - a) It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.
26. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of Fresno Municipal Code Chapter 12, Article 10, Subdivision of Real Property.
27. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the Fresno Municipal Code.
28. Conditional Use Permit Application No. C-11-066, filed to establish a 78-lot planned development shall be approved prior to final map approval.
29. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
30. 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.
31. 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.
32. 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.
33. The subdivider shall comply with Regulation VIII of the San Joaquin Valley Air Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.
34. Solid waste disposal for the subdivision shall be provided by the City of Fresno. The method of collection to be utilized in this tract shall be subject to approval of the Solid Waste Manager (see below-noted conditions).

STREET NAMES

35. Comply with the street name memorandum dated September 9, 2008.

PARK SERVICE

36. Comply with the memorandum from the Public Works Department dated March 24, 2008.
37. Pay appropriate park facilities fee and/or dedicate lands for park and recreation purposes pursuant to Ordinance No. 2005-112 and 2005-113 adopted by the Fresno City Council on September 27, 2005.

FIRE SERVICE

38. Comply with the memorandum from the Fire Department dated May 1, 2008.

SOLID WASTE SERVICE

39. Comply with the memorandum from the Solid Waste Division dated July 14, 2011.

STREETS AND RIGHTS-OF-WAY

40. 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.
41. The subdivider/owner shall make provisions for disabled persons in accordance with the Department of Public Works standards and as required by State law. Handicap access ramps are required to be constructed in sidewalks at all corners within the limits of the tract. Where street furniture is located within the sidewalk area (fire hydrants, streetlights, etc.), a minimum of 48 inches of unobstructed path shall be maintained to satisfy the American Disabilities Act requirements. If necessary, dedicate a pedestrian easement to accommodate for the four foot minimum unobstructed path requirement.
42. All of the required street improvements shall be constructed and/or installed in accordance with the City of Fresno Standard Specifications (2002 Edition). The following shall be submitted as a single package to the Public Works Department for review and approval:
 - a. Signing and striping plans (per current California Department of Transportation standards);
 - b. Street Construction Plans;
 - c. Landscape and irrigation plans (median island and street trees within all parkways); and
43. The subdivider shall underground all existing off-site overhead utilities and proposed utility systems in accordance with FMC Sections 12-1011 and Resolution No. 78-522, 88-229.
44. The subdivider shall construct an underground street lighting system per Public Works Standards within the limits of the tract. Spacing and design shall conform to Public Works Standards. Height, type, spacing, etc., of standards and luminaries shall be in accordance with Resolution No. 68-187, 78-522, 81-219, and 88-229 or any modification thereto approved by the City Traffic Engineer prior to Final Map approval. Upon completion of the work by the subdivider and acceptance of the work by the City, the street lighting system shall be dedicated to the City. Submit engineered construction plans to the Public Works Department for approval.
45. All dead-end streets created by this subdivision shall be properly barricaded in accordance with City standards within seven days from the time the streets are surfaced or as directed by the City Engineer.

46. 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.
47. Comply with the memorandum from the Public Works Department dated October 28, 2008.
 - a) In accordance with City Council Resolution No. 2010-279, the proposed project is exempt from providing sidewalks on both sides of private streets subject to the execution of an indemnification agreement, in a form provided by the City of Fresno, prior to Planning Commission action respective to the proposed project.

SANITARY SEWER SERVICE

48. Comply with the memorandum from the Public Utilities Department dated May 15, 2008.

Sanitary Sewer Fees

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

Lateral Sewer Charge
Sewer Oversize Charge
Sewer Facility Charge (Residential Only)
Trunk Sewer Charge: CRR – Sewer Backbone system facility fee
Trunk Sewer Charge: Herndon
Copper Avenue sewer lift-station service fee

WATER SERVICE

49. Comply with the Department of Public Utilities, Water Division memorandum dated May 6, 2008.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

50. 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.
51. 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

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

53. 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.
54. 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.
55. 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.
56. The subdivider/owner shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees, appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

FLOOD CONTROL AND DRAINAGE

57. Comply with the memorandums from the Fresno Metropolitan Flood Control District both dated June 11, 2008.
58. Any temporary ponding basins constructed or enlarged to provide service to the subdivision shall be fenced in accordance with City standards with seven days from the time the basin becomes operational or as directed by the City Engineer. Temporary ponding basins will be created through a covenant between the City and the Developer prior to Final Map approval. Maintenance of the temporary ponding basin shall be by the Developer until permanent service for the entire subdivision is provided.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

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

CLOVIS UNIFIED SCHOOL DISTRICT

60. Comply with the memorandum from the Clovis Unified school District dated May 27, 2008.

PACIFIC GAS AND ELECTRIC COMPANY

61. Comply with the requirements in the letter from the Pacific Gas and Electric (PG&E) Company dated May 13, 2008.

COUNTY OF FRESNO

62. Comply with the letter, from the County of Fresno, Department of Public Health, dated May 8, 2008.

CALTRANS

63. Comply with the letter from Caltrans dated May 6, 2008.

DEVELOPMENT FEES AND CHARGES

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

SEWER CONNECTION CHARGES

FEE RATE

- | | |
|---|--------------------------------|
| a. Lateral Sewer Charge[1] | \$0.10/sq. ft. (to 100' depth) |
| b. Oversize Charge[1] | \$0.05/sq. ft. (to 100' depth) |
| c. Trunk Sewer Charge[2]
Service Area: Herndon | \$496/living unit |
| d. Wastewater Facilities Charge[3] | \$2,119/living unit |
| e. Copper Avenue Sewer Lift Station Charge[1] | \$650/living unit |
| f. House Branch Sewer Charge [2] | N/A |

WATER CONNECTION CHARGES

FEE RATE

- | | |
|--|--|
| 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. |
| g. Frontage Charge [1] | \$6.50/lineal foot |
| h. Transmission Grid Main Charge [1] | \$643/gross acre (parcels 5 gross acres or more) |
| i. Transmission Grid Main Bond Debt Service Charge [1] | \$243/gross acre (parcels 5 gross acres or more) |
| j. UGM Water Supply Fee [2]
Service Area: 101s | \$456/living unit |

k. Well Head Treatment Fee [2] Service Area: 101	\$0/living unit
l. Recharge Fee [2] Service Area: 101	\$0/living unit
m. 1994 Bond Debt Service [1] Service Area: 101	\$895/living unit

<u>CITYWIDE DEVELOPMENT IMPACT FEES</u>	<u>FEE RATE</u>
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o. Fire Facilities Impact Fee – Citywide [4]	\$539/living unit
p. Park Facility Impact Fee – Citywide [4]	\$2278/living unit
q. Quimby Parkland Dedication Fee [2]	\$1120/living unit
r. Citywide Regional Street Fee [3]	\$8,361/adj. acre
s. New Growth Area Major Street Fee [3]	\$18,790/adj. acre
t. Police Facilities Impact Fee – Citywide [4]	\$624/living unit
u. Traffic Signal Charge [1]	\$440.03/living unit

<u>COPPER RIVER RANCH IMPACT FEES</u>	<u>FEE RATE</u>
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v. CRR Major Roadway Infrastructure Facility Fee [3]	\$7,293.30/adj. acre
w. CRR Major Interior Collector Roadway Facility Fee [3]	\$29,786.01/adj. acre
x. CRR Sewer Backbone System Facility Fee [3]	\$613.67/living unit

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

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

**CONDITIONS OF APPROVAL
JULY 20, 2011
CONDITIONAL USE PERMIT APPLICATION NO. C-11-066
“A PLANNED DEVELOPMENT”**

PART A - PROJECT INFORMATION

1. Assessor's Parcel No(s): 579-074-07
2. Job Address: Vesting Tentative Tract Map No. 5933/UGM
3. Street Location: Located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community
4. Zoning R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district
5. Planned Land Use: Medium Low and Medium Density Residential
6. Plan Areas: 2025 Fresno General Plan and Woodward Park Community Plan
7. Project Description: Conditional Use Permit Application C-11-066 proposes a planned development, which includes modified property development standards and private streets within a gated community, for Vesting Tentative Tract Map No. 5933/UGM on approximately 16.85 acres. Outlot A is proposed to be developed with a fitness center and private community building. The community building contains lodging facilities and is counted as a dwelling unit for density calculation purposes. The project is proposed as an “active adult community” for people 55 years of age and older

NOTICE TO PROJECT APPLICANT

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

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the

**provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.
PART B - GENERAL CONDITIONS AND REQUIREMENTS**

The City of Fresno Planning Commission, on July 20, 2011, approved the special permit application subject to the enclosed list of conditions and Exhibit A for Conditional Use Permit Application No. C-11-066.

IMPORTANT: PLEASE READ CAREFULLY

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

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

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

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

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

The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plan not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions. **(Include this note on the site plan.)**

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

Transfer all red line notes, etc., shown on the original site plan exhibit 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 July 20, 2015 (four years from the date of approval).

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

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

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

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

PART C - PUBLIC IMPROVEMENT REQUIREMENTS

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

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

STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS

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

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

STREET IMPROVEMENTS

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

3. SURVEY MONUMENTS AND PARCEL CONFIGURATION

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

PART D - PLANNING/ZONING REQUIREMENTS

1) PLANNING

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

2) ZONING

- a) Development is proposed in accordance with the R-1/UGM/cz (Single-Family Residential District/Urban Growth Management/conditions of zoning) zone district. Approval of Conditional Use Permit Application No. C-11-066 is contingent upon approval of Vesting Tentative Tract Map No. 5933/UGM.
- b) The conditions of zoning were placed on the site in 2003 with approval of Rezone Application No. R-01-14 (Copper River Ranch rezone). This application is subject to compliance with the mitigation measures established by the certification of Final Environmental Impact Report No. 10126 (SCH No. 2000021003) prepared for Copper River Ranch.
- c) It shall be required that you file an amended Exhibit Seven titled "Land Use, Density and Parcel Identification Matrix" for Conditional Use Permit Application No. C-04-153. The community building contains lodging facilities and is counted as a dwelling unit for density calculation purposes, thus the matrix shall reflect a total of 79 lots.
- d) Depict on Exhibit A, dated August 20, 2008, which side of the interior street will be the fire lane.

3) POPULATION DENSITY

- a) Outlot A is proposed to be developed with a fitness center, private community building and swimming pool. The fitness center will contain, among other rooms, a weight room and an aerobic studio. The community building contains a living room, dining room, restroom and kitchen. The second floor contains the homeowner's association office and a conference room. The fitness center will be available to those that live within the planned development, as well as guests and friends of those within the development. The lodging facility within the community building, will be available for over-night stays, on an as-needed basis, for family and friends, etc. of those that live within the planned development. Both the fitness center and community building will be owned by the homeowner's association. No fee is allowed to be charged for the use of the lodging facilities within the community building.

4) BUILDING HEIGHT

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

5) LOT COVERAGE

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

6) BUILDING SETBACKS, OPEN SPACES AND LANDSCAPING

- a) Building setbacks shall be in accordance with Exhibit A dated August 20, 2011 and as follows:

Front yard: Front yard setbacks shall be a minimum of 10 feet.

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

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

Rear yard: Rear yard setbacks shall be a minimum 5 feet.

- b) Section 12-306-N-24-G-3 of the FMC requires one medium sized tree (30-60 feet at maturity) for each parking space, plus one medium sized tree for each residential unit. Two small size trees (15-30 feet at maturity) may be substituted for one medium size tree.

7) FENCES, HEDGES, WALLS AND MEDIAN

- a) Depict all proposed walls on the site plan labeled Exhibit A dated August 20, 2008.
- b) The fountain and medians located within the subdivision shall be reviewed by the Fire Department, Solid Waste, Public Works (Traffic) and Public Utilities prior to approval.

8) BUILDING ELEVATIONS

- a) All houses in the subject planned development shall be in compliance with elevations shown in Exhibits B-2, C-2, D-2 and E-2 dated April 30, 2008.

PART E - CITY AND OTHER SERVICES

- b) Refer to the Conditions of Approval for Vesting Tentative Tract Map No. 5933/UGM dated July 20, 2011 for all other requirements.

Street Name Review

2nd review

TM-5933

9-10-08

Street Name	Status	Required Change
North Friant Road	Good	
North Alicante Avenue	Change	<i>North Alicante Drive</i>
North Buen Tiempo Drive	Good	
North El Verde Drive	Change	<i>(new name)</i>
North Pacifica Drive	Change	<i>(new name)</i>
East Vida Feliz Way	Good	
East Descanso Drive	see note	
East Tranquilo Drive	see note	

Note: The street for Descanso and Tranquilo should be one street name. Pick one and the other can be used for either El Verde or Pacifica. Submit one more street name for review.

D E P A R T M E N T O F P U B L I C W O R K S

TO: Israel Trejo, Planner III
Planning Division

FROM: Hilary Kimber, Parks Supervisor II (559.621.8794)
Engineering Division

DATE: March 24, 2008

SUBJECT: Tract-5933, APN: 579-073-80S (Located near North Maple Avenue and North Friant Road)

The Department of Public Works has reviewed the Tentative Tract Subdivision Map proposed by Gary McDonald Homes, on engineering plans prepared by Gary Gianetta, dated February 19, 2008. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in street right-of-way:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards. Tree species to be planted are as follows:

STREET NAME

STREET TREE SPECIES/COMMON NAME

North Alicante Avenue

There are no designated street trees for this street. Please choose one from the list of appropriate street trees on the Public Works list.

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. Tree planting shall be within a 10' Planting and Utility Easement.
 - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
 - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, 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. Long term maintenance of all landscaped areas will be covered under the Community Facilities District 12 (CFD 12).

OUTLOTS

1. The Department of Public Works will not be responsible for the maintenance of any outlots and they will be included in the CFD 12.

MEDIAN ISLAND LANDSCAPE REQUIREMENTS

1. When median islands front onto the proposed development project, **applicants shall submit Plans to the Public Works/Engineering Services showing the location and configuration of all median islands fronting the proposed project.**
2. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.
3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and FMC sections 12-306-24 and 12-306-23. The Public Works Department requires all proposed median islands to be constructed with 2 foot wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick red slate pattern.
4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off site improvements, whether the median is landscaped or not.
5. All landscape/irrigation plans for buffers, median islands and outlots will be submitted to Public Works on plans at the scale of 1"=20' for review.



Randy R. Bruegman
Fire Chief

Bureau of Fire Prevention and Investigative Services
450 M Street
Fresno, California 93721-3083
(559) 621- 4000 FAX (559) 498-4323
www.fresno.gov

DATE: May 1, 2008
FROM: Rick Fultz, Senior Fire Prevention Inspector
Fire Department
SUBJECT: Tract No. 5933

The Fire Department has completed a review of the application for Tentative Tract Map 5933 which was submitted by Gary G Giannetta Engineering. The following requirements and conditions are to be placed on this tentative tract map as a condition of approval by the Fire Department.

General Requirements:

This project is within 2 miles of Fresno County Fire Station No. 17.

This project is subject to city wide fire service fees.

Provide residential hydrants and fire flows per Public Works standards with two sources of water.

Completion of two points of access for Alicante is required for approved access of the tract.

Provide approved police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W7B2) on drive access gate/s.

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

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

Provide details for the emergency vehicle access.

The entrance to all emergency accesses shall be posted with permanent signs: FIRE ACCESS (6" letters) VEHICLES REMOVED AT OWNER'S EXPENSE (2" letters) FRESNO POLICE DEPARTMENT 621-2300 (1" letters).

Provide a minimum 44' centerline turn radius throughout the tract. The center island between lots 10 and 41 will need to be modified to accommodate the turn radius.

Provide minimum 36' wide streets curb to curb or designate fire lanes on one side of the street throughout the complex.

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

Provide note on site plan: Provide sign(s) (17"x22" 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(a) California Vehicle Code – Fresno Police Department 621-2300.

Remove the fountain shown on the plans. The fountain location does not provide adequate fire department access.

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

City of



DEPARTMENT OF PUBLIC UTILITIES

July 14, 2011

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

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

SUBJECT: TT 5933, Solid Waste Conditions of Approval – ***SECOND REVISION***
Location: South side of North Alicante Avenue between North Friant Road and North Willow Avenue

The Department of Public Utilities, Solid Waste Division has completed a review of the Vesting Tentative Tract Map 5933 that was submitted by Gary G. Giannetta, on behalf of Copper River Development Company, Inc. The following requirements and conditions are to be placed on this vesting tentative tract maps as a condition of approval by the Department of Public Utilities.

General Requirements:

- Tract 5933 will be serviced as Single Family Residential properties with Basic Container Service. Property owners will receive 3 containers to be used as follows: 1 Gray container for solid waste, 1 Green container for green waste and 1 Blue container for recyclable material.
- The owners, lessees or other tenants of the residential dwellings on service day, before 5:30 a.m., shall place their solid waste containers at the edge of the curb approximately 4 feet apart and shall not block any vehicle accesses, nor be placed within any traffic circle, in accordance with the City of Fresno's Solid Waste Management Division Standards.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(11). No solid waste container nor residential rubbish shall be allowed to remain at the curblines after 8:00 p.m. on the collection day.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(10). No material container shall be stored in the front yard or side yard on a street as said yards are described in Chapter 12, Articles 2 and 3 of this Code, unless the container is screened from view from the street in accordance with that article of the Code.

Special Requirements:

The island/median near Lot 41 will be stamped concrete; raised median would not be allowed because solid waste vehicles will not be able to navigate around the island/median.

Remove proposed fountain (located near Lot 63). Solid waste vehicles cannot navigate around the proposed fountain.

Solid waste vehicles require a minimum of 18' clearance; gated entrance/exit is to maintain 18' clear and the areas of the street with median islands are required to be a minimum of 18'.

~~What is proposed for the office, pool and recreation area with regard to trash pickup?~~ The proposed office has been modified to a recreation/community area; no requirements.

Covenant Requirements:

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

- Lots 8, 9, and 54

Lots at a street elbow need to place their containers at an alternate location:

- Lot 1 shall place their containers on the side of Lot 45 on solid waste service days
- Lot 28 shall place their containers on the side of Lot 55 on solid waste service days
- Lot 73 shall place their containers on the side of Lot 63 on solid waste service days



DATE: October 28, 2008 3rd submittal

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

THROUGH: Bryan D. Jones, T.E., Traffic Engineering Manager
Public Works Department, Engineering Division 

FROM: Louise Gillo, Traffic Planning Supervisor
Public Works Department, Engineering Division 

SUBJECT: Public Works Conditions of Approval
TT 5933 / C-08-059, (Copper River near Friant and Copper)
Copper River 74, Inc. / Gary G. Giannetta

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

General Conditions:

1. Curb Ramps: Provide curb ramps at all corners within the limits of this subdivision.
2. Pedestrian Easements: **Identify** all pedestrian easements on the map.
 - a. Major Streets: A 2' dedication for a pedestrian easement is required. **(See Exhibit "D")**
3. Overhead Utilities: Underground all existing offsite overhead utilities within the limits of this map in accordance with Fresno Municipal Code Section 12-1011 and Resolution No. 78-522/88-229.
4. **Design local streets with a minimum of 250' radius.**
5. Local street lengths exceeding 800' and four way intersections require traffic calming measures.
6. Garage setback: Provide 20' from the garage to the back of walk. A minimum of 18' is allowed with a roll-up door.
7. Dead-end Streets: Any temporary dead-end streets created by this subdivision shall be properly barricaded in accordance with the Public Works Standard **P-44**.
8. Outlots: If the subdivider seeks to dedicate to the City, in fee, an outlet for open space purposes, subdivider shall pay all costs and fees associated with the City environmentally assessing the outlet to insure that it is free of toxic or hazardous materials pursuant to the requirements of City Administrative Order 8-1, including, but not limited to, performing a Phase I environmental assessment. The environmental assessment shall be completed and all fees and costs for said environmental assessment shall be paid to the City prior to subdivider's submittal of the Final Map for City approval.
9. Plan Submittal: Submit the following plans, as applicable, in a single package, to the Planning and Development Department for review and approval: Street Construction, Signing, Striping, Traffic Signal and Streetlight and Trail Lighting, Signing and Striping.

Frontage Improvement Requirements:

Major Streets:

Alicante Avenue: Modified Collector

1. Dedicate **47'** of property, from **center line**, for public street purposes within the limits of this subdivision to meet the approved modified to City of Fresno Collector Standards.
2. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **22'** residential pattern.
3. Construct 20' of permanent paving (measured from face of curb) within the limits of this subdivision.
4. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.
5. Relinquish direct vehicular access rights to Alicante Avenue from all residential lots within this subdivision.

Interior Streets: Private

Construct sidewalks on both sides of the private streets per ADA standards and the 2025 General Plan. Refer to page 69 E-1-j.

Parking is allowed on one side if the curb to curb dimension is less than 36'.

No parking is allowed if the curb to curb dimension is less than 28'.

Specific Mitigation Requirements: This tract will generate **40 a.m. / 48 p.m.** peak hour trips; therefore, a Traffic Impact Study (TIS) is not required.

1. The intersection of Alicante and the entrance shall be limited to **left-in**, right-in and right-out turns. Changed per Bryan Jones

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

1. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development. Identify on the site plan for review. Dedicate and construct an approved roadway from the entry to Friant Road. Approval to be obtained from the Fire Department. **PROVIDE NOTE ON SITE PLAN**
2. Provide a minimum of 75' from the proposed gate to the back of walk, for vehicle stacking at both entrances and redesign to provide for an onsite turn around. Submit the redesign to Louise Gilio at least one week **prior** to the Planning Commission Hearing for review and approval.
3. Clearly identify use of all outlots.
4. Identify proposed parking for the office. **DETAIL**
5. Identify the proposed fountain **and / or medians. Medians to be reviewed and approved by Fire, Solid Waste and Traffic prior to construction.** Changed per Bryan Jones.
6. Provide a cross section for all proposed street types.

Traffic Signal Mitigation Impact (TSMI) Fee:

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

Fresno Major Street Impact (FMSI) Fee :

This Map is in the **New Growth Area**; therefore pay all applicable growth area fees and City-wide regional street impact fees.

Fresno Major Street Impact (FMSI) Requirements:

Alicante Avenue: Collector (Growth Area Street)

1. Dedicate and construct full offsite improvements on both sides of the street within the limits of this subdivision and continue southwest to connect to the existing "public" street. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed. Dedicate and construct the full turn around at the north easterly portion of this map to accommodate the proposed traffic circle to allow for u-turns. **An asphalt concrete dike may be permitted on the south side in a case by case basis, as determined by the Traffic Engineer.** (change per Bryan Jones)

Copper River Ranch Associated Major Roadway Infrastructure Fee:

Applicant shall pay fair share contribution.

Copper River Ranch Interior Collector Roadway Facility Fee:

Applicant shall pay fair share contribution.

State of California Department of Transportation (Caltrans) Fees:

Applicant shall pay fair share contribution as determined by the State of California Department of Transportation (Caltrans) to be collected by the City of Fresno Public Works Department Traffic Engineering **prior** to a Final Map.



DEPARTMENT OF PUBLIC UTILITIES

Date: May 15, 2008

To: ISRAEL TREJO, Planner III
Planning and Development

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



Subject: SANITARY SEWER REQUIREMENTS FOR TENTATIVE
TRACT 5933/UGM AND CONDITIONAL USE PERMIT ~~08-59-11-066~~

General

C-11-066

T-5933 and ~~C-08-59~~ propose a 78-lot single-family residential private street planned development project with 2 outlots on 17 acres of R-1/UGM zone property located on south side of North Alicante Avenue between North Friant Road and North Willow Avenue.

Sanitary Sewer Service

The nearest sanitary sewer main to serve the proposed project is a 15-inch main located in North Alicante Avenue. The following sewer improvements shall be required prior to providing City sewer service to the project:

1. Construct a 15-inch sanitary sewer main in North Alicante Avenue from the existing 15-inch sewer main in North Alicante Avenue north of East Club House Avenue northeast to the proposed traffic circle fronting lot 28.
2. Construct a 12-inch sanitary sewer main in North Alicante Avenue from the proposed Traffic circle, fronting lot 28, southeast across the project frontage.
3. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
4. Dedicate Outlot B as a Public Utility Easement for the operation and maintenance of Sewer mains and Sewer House Branches necessary to serve the proposed parcels.
5. Separate sewer house branches are required for each lot.
6. Abandon any existing on-site private septic systems.
7. 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.
8. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.
9. A Preliminary sewer design layout shall be prepared by the Developer's Engineer and submitted to the Department of Public Utilities for review and conceptual approvals prior to submittal or acceptance of the developers final map and engineered plan & profile improvement drawing for City review.
10. All proposed sewer main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the sewer main. The planting plan, for any proposed landscape within the easement, shall be approved by the Department of Public Utilities. No trees shall be located within 8 feet of the Sewer main.

Sanitary Sewer Fees

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

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

City of
FRESNO
WATER DIVISION

Date: May 6, 2008

To: DOUG HECKER, Supervising Engineering Technician
Department of Public Utilities, Administration

Through: NEIL MONTGOMERY, Chief Engineering Technician 
Department of Public Utilities, Water Division

From: MICHAEL CARBAJAL, Supervising Engineering Technician 
Department of Public Utilities, Water Division

Subject: WATER REQUIREMENTS FOR TENTATIVE TRACT NO. 5933

The following conditions are required to provide water service to the tract.

1. Construct a 12-inch transmission grid water main (including installation of City fire hydrants) in North Alicante Avenue from East Clubhouse Drive north across the frontage of the tract.
2. Construct a water supply well(s) on a site(s) dedicated to the City of Fresno. The well(s) shall be capable of producing a minimum 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 101s, in accordance with established UGM policies.
3. 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 101s, in accordance with established UGM policies.
4. No occupancies will be permitted prior to the satisfaction of the water supply requirement.
5. Separate water services with meters shall be provided to each lot created.
6. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through a combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Water Systems Manager.
7. All public water facilities shall be constructed in accordance with Public Works Department standards, specifications, and policies.
8. Seal and abandon existing on-site well(s) in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.

9. Dedicate a 30-foot water main easement within Outlot A to connect the existing 30-foot water main easement south of Outlot A to Outlot B.
10. Dedicate Outlot B as a Public Utility Easement for the operation and maintenance of water mains and water services necessary to serve the proposed parcels.
11. All proposed water main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the water main. The planting plan for any proposed landscape within the easement shall be approved by the Department of Public Utilities. No trees shall be located within 8 feet of the water main. All water mains within an easement shall be clearly marked with signage above indicating the exact location and type of facility below.

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

TRACT No. 5933

PUBLIC AGENCY

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

DEVELOPER

Gary McDonald Homes
7050 N. Fresno St. Suite 201
Fresno, CA. 93720
-

MAP NO.	<u>5933</u>	PRELIMINARY FEE(S) (See below)	
DRAINAGE AREA(S)	<u>" DN " " - "</u>	DRAINAGE AREA	<u>" DN " \$130,986.00</u>
DATE	<u>6-11-08</u>	DRAINAGE AREA	<u>" - " -</u>
		TOTAL FEE	<u>\$130,986.00</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.

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 Alicante Avenue.
 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 "Non-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, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 4

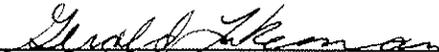
**TRACT
No. 5933**

- _____ 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 subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.
7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, approved August 1999, (modified December 2002.) A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
- b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office.) A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

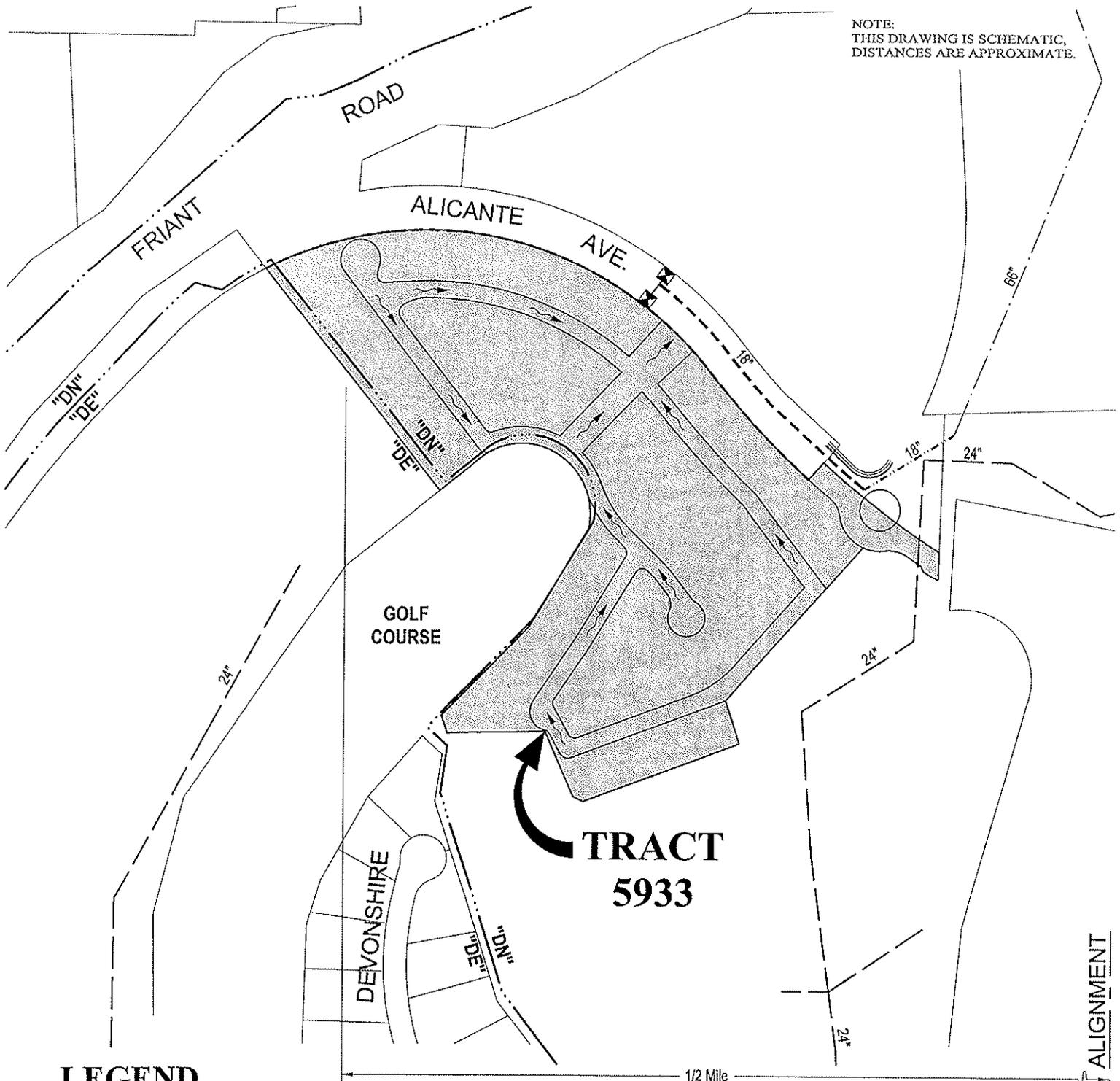
- c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate 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.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.


Gerald E. Lakeman,
District Engineer


Project Engineer: Neda Shakeri

C: Gary Giannetta Civil Engineering
1119 "S" Street
Fresno, CA. 93721

NOTE:
THIS DRAWING IS SCHEMATIC,
DISTANCES ARE APPROXIMATE.



LEGEND

- Non-master Plan Facilities to be Constructed by Developer-Pipeline (Size Shown) & Inlets (Not Eligible for Fee Credit)
- Future Non-Master Plan Facilities
- Existing Master Plan Facilities
- Future Master Plan Facilities
- Direction Of Drainage
- Inlet Boundary
- Drainage Area Boundary

SCALE = 1"=300'



TRACT 5933
DRAINAGE AREAS:
"DN" & "DE"



EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

OTHER REQUIREMENTS
EXHIBIT NO. 2

The developer shall grade the site to direct major storms to Alicante Avenue and to break north.
No major storm break can be directed to the golf course.

Development No. Tract 5933

**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

Gary McDonald Homes
7050 N. Fresno St. Suite 201
Fresno, CA. 93720
-

PROJECT NO.	<u>2008-059</u>	PRELIMINARY FEE(S) (See below)	
DRAINAGE AREA	<u>" DN " " - "</u>	DRAINAGE AREA	<u>" DN " \$130,986.00</u>
DATE	<u>6-11-08</u>	DRAINAGE AREA	<u>" - " -</u>
APN	<u>579-073-80S</u>	TOTAL FEE	<u>\$130,986.00</u>
		ADDRESS	<u>E. of Friant Rd. w./Copper River Ranch</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 issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through February 28, 2009 based on the site plan submitted to the District on 05/02/08 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

CUP

No. ~~2008-059~~

2011-066

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 Alicante Avenue.
 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 "Non-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, necessitating 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.

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

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

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.

a.

State General Permit for Storm Water Discharges Associated with Construction Activities, approved August 1999, (modified December 2002.) A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.

b.

State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office.) A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.

CUP

No.

~~2008-059~~

2011-066

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

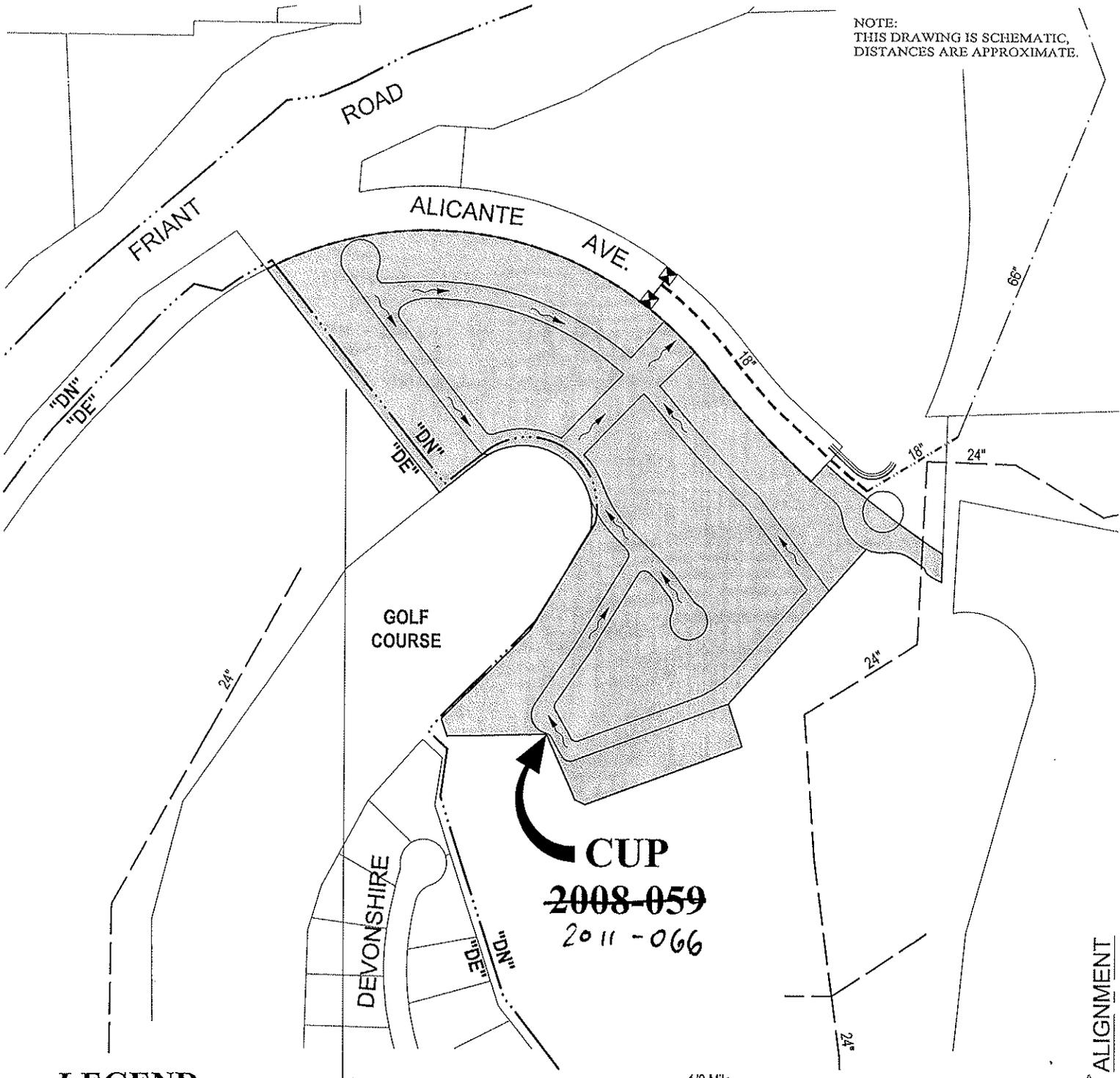
- c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate 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.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.


Gerald E. Lakeman,
District Engineer


Project Engineer: Neda Shakeri

C: Gary Giannetta Civil Engineering
1119 "S" Street
Fresno, CA. 93721

NOTE:
THIS DRAWING IS SCHEMATIC,
DISTANCES ARE APPROXIMATE.



CUP
2008-059
2011-066

LEGEND

- 
 - - - - - Non-master Plan Facilities to be Constructed by Developer-Pipeline (Size Shown) & Inlets (Not Eligible for Fee Credit)
- 
 - - - - - Future Non-Master Plan Facilities
- 
 - - - - - Existing Master Plan Facilities
- 
 - - - - - Future Master Plan Facilities
- 
 - - - - - Direction Of Drainage
- 
 - - - - - Inlet Boundary
- 
 - - - - - Drainage Area Boundary

SCALE = 1"=300'



CUP 2008-059
DRAINAGE AREAS:
"DN" & "DE"



EXHIBIT NO. 1
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

OTHER REQUIREMENTS
EXHIBIT NO. 2

The developer shall grade the site to direct major storms to Alicante Avenue and to break north.
No major storm break can be directed to the golf course.

Development No. CUP 2008-059



May 27, 2008

RECEIVED

JUN 01 2008

Planning Division
Planning & Development Dept
CITY OF FRESNO

Israel Trejo, Planner III
City of Fresno
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Subject: Tentative Tract Map TM5933/UGM and Conditional Use Permit ^{C-11-066}~~C-08-59~~
South side of North Alicante Avenue between North Friant Road and North Willow Avenue

Dear Mr. Trejo:

The purpose of this letter is to provide school district information relative to the above-referenced application and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the subdivident/owner and the State Department of Real Estate.

Project development will affect the District by generating students that will need to be housed in District schools. Assuming that the project site will be developed with 78 single family units, the following comments can be made at this time:

1. The number of students generated by the project is estimated as follows: grades K-6, 28 students; grades 7-8, 7 students; grades 9-12, 13 students.
2. Elementary School Information:
 - (a) The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name:	Fugman Elementary School
Address:	10825 N. Cedar Avenue, Fresno, CA 93730
Telephone:	(559) 327-8700
Capacity:	750
Enrollment:	525 (CBEDS enrollment 2007-08 school year)
 - (b) Because of rapid growth in the District and the District's plans for construction of new school facilities, it is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than Fugman, and (2) students residing in the project area may attend more than one elementary school within the District during their elementary school years.

Governing Board

Sandra A. Bengei
Brian D. Heryford
Ginny L. Hovsepian
Richard Lake, C.P.A.
Elizabeth J. Sandoval
Jim Van Volkinburg, D.D.S.
Susan M. Walker, D.H.Sc.

Administration

Terry Bradley, Ed.D.
Superintendent
Virginia Boris, Ed.D.
Associate Superintendent
Daniel E. Kalser, Ed.D.
Associate Superintendent
William C. McGuire
Associate Superintendent
Janet Young, Ed.D.
Associate Superintendent

Israel Trejo
May 27, 2008
Page 2

3. Intermediate and High School Information:

- (a) The project area is currently served by the following intermediate school (grades 7-8) and high school (grades 9-12):

School Name: Kastner Intermediate School
Address: 7676 N. First Street, Fresno, CA 93720
Telephone: (559) 327-2500
Capacity: 1,500
Enrollment: 1,202 (CBEDS enrollment 2007-08 school year)

School Name: Clovis West High School
Address: 1070 E. Teague Avenue, Fresno, CA 93720
Telephone: (559) 327-2000
Capacity: 3,000
Enrollment: 2,604 (CBEDS enrollment 2007-08 school year)

4. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
5. The District currently levies a school facilities fee of \$3.58 per square foot for residential development. Effective July 1, 2008, the residential fee will decrease to \$3.26 per square foot. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

Thank you for the opportunity to comment on the project. Please contact me if you have any questions regarding this letter.

Sincerely,



Bill McGuire
Associate Superintendent
Administrative Services



**Pacific Gas and
Electric Company™**

Kyle Patten
Land Agent
650 O Street Bag 23
Fresno, CA. 93760
Land Services

Phone: 559-263-5167
E Mail kap6&pge.com

RECEIVED

May 13, 2008

MAY 16 2008

Planning & Development Department
2600 Fresno Street
Fresno, CA 93721
Attn: Israel Trejo

Planning Division
Planning & Development Dept
CITY OF FRESNO

Dear Mr. Trejo,

Thank you for the opportunity to review the Initial Study for Tentative Tract Map No. 5933.

PG&E requests that a Public Utility Easement (PUE) be incorporated within all access easement(s) as shown on said Map.

If PG&E has an existing pole line facility that serves the property and the existing pole line crosses proposed property lines (and is not covered by an existing easement), it is the property owner's responsibility to provide PG&E with adequate rights-of-way. PG&E is available to assist the property owner in making the determination if an easement will be necessary. The property owner or their agent may contact the undersigned for assistance.

PG&E has determined that our records show no gas or electric transmission lines in the area.

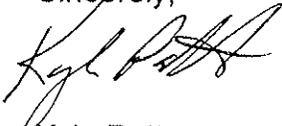
Existing gas or electric facility relocations necessitated by new street improvements (which are required as conditions of a development's final acceptance by the County of Fresno) will be at the expense of the developer. Because facility relocation's require long lead times and are not always feasible, 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.

Thank you for the opportunity to review the plans of this Tentative Tract Map. If you have any questions, please contact me at 263-5167.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle Patten". The signature is written in a cursive style with a large, stylized initial "K".

Kyle Patten
Land Agent



DEPARTMENT OF PUBLIC HEALTH
EDWARD L. MORENO, M.D., M.P.H.
DIRECTOR-HEALTH OFFICER

May 8, 2008

RECEIVED

999999999
LU0014779
PE 2602

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

MAY 13 2008

Planning Division
City of Fresno

Dear Mr. Trejo:

PROJECT NUMBER: T-5933, ^{C-11-066}~~C-08-50~~, Gary McDonald Homes

PROJECT DESCRIPTION AND LOCATION: Proposes a 78-lot single family residential subdivision on 17-acres located on the south side of North Alicante Avenue between North Friant Road and North Willow Avenue.

LIST THE SPECIFIC ADVERSE IMPACTS IN YOUR AREA OF EXPERTISE WHICH MAY RESULT FROM APPROVAL OF THE PROPOSED PROJECT.

PLEASE LIST SPECIFIC MITIGATION MEASURES THAT YOU WOULD RECOMMEND AS CONDITIONS OF PROJECT APPROVAL TO REDUCE ANY SIGNIFICANT ADVERSE IMPACTS.

- AN ENVIRONMENTAL IMPACT REPORT:** The project has the potential to result in significant adverse environmental impacts.
- A NEGATIVE DECLARATION:** The project may have adverse impacts but impacts can be mitigated without further study or are not serious enough to warrant an Environmental Impact Report.
- NEITHER OF THE ABOVE, INSUFFICIENT INFORMATION TO DRAW ANY CONCLUSIONS:** The following additional information should be provided:

- Construction permits for the 78-lot single family residential subdivision should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the 78-lot single family residential subdivision should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management (DDWEM). For more information call (559) 447-3300.

Dedicated to Public Health

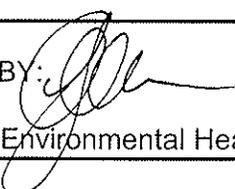
- The Fresno County Department of Public Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

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

The Department of Public Health is available to provide consultation in cooperation with your city in order to encourage the proper destruction of wells and safeguard our water quality. City staff may contact Ed Yamamoto, Environmental Health Specialist, Water Surveillance Program, at (559) 445-3357 for more information.

- Appropriate measures should be incorporated into the project to minimize potentially significant short-term localized noise impacts to noise sensitive receivers caused by the operation of construction equipment. Construction specifications for the project should require that all construction equipment be maintained according to the manufacturers' specifications, and that noise generating construction equipment be equipped with mufflers. In addition, consideration should be given to limiting noise-generating construction activities to daytime hours as specified in your municipal code.
- Due to the proximity of the proposed residential uses to an existing thoroughfare, consideration should be given to conformance with the Noise Element of the City of Fresno General Plan. A noise study should be conducted in order to identify the potential noise impacts and offer mitigation alternatives.

REVIEWED BY:


Glenn Allen, Environmental Health Specialist III

(559) 445-3357

ga

cc: Ed Yamamoto, Environmental Health Division

DEPARTMENT OF TRANSPORTATION

1352 WEST OLIVE AVENUE
P. O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-4347
FAX (559) 488-4088
TTY (559) 488-4066



*Flex your power!
Be energy efficient!*

May 6, 2008

2131-IGR/CEQA
6-FRE-41-31.6+/-
~~C-08-059~~ & T-5933
COPPER RIVER 74, LLC

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

Dear Mr. Trejo:

Caltrans has reviewed the use permit and map for the 78-lot single-family residential project to be located at Friant Road and Willow Avenue. The proposed project is just north of the Copper River Ranch development, but was not included in the EIR prepared for Copper River. Caltrans has the following comments:

The project was not required to prepare a traffic analysis. Caltrans used a Traffic Impact Study (TIS) for another residential project in the area to determine a fair share for this project. We also used the "City Formula" to calculate this mitigation.

Based on the previous TIS, we anticipate impacts to the State Route (SR) 168 interchanges at Herndon, Bullard, and Shaw. When the trips are adjusted, however, for the reduced number of units in this proposal, the only SR 168 facility to experience a whole trip was SR 168/Shaw. We are requesting mitigation to this facility in the amount of \$403.

Based on the previous TIS, we anticipate impacts to the SR 41 interchange at Friant Road. We adjusted the trips for this smaller development, and determined mitigation to the SR 41/Friant Road interchange to be \$11,500.

The total mitigation requested from this project is therefore **\$11,903**.

If you have any questions, please call me at (559) 488-4347.

Sincerely,

JOANNE STRIEBICH
Office of Transportation Planning
District 06

- C: Mr. Scott Mozier, City of Fresno Public Works Department
- Mr. Bryan Jones, City of Fresno Public Works Department
- Ms Barbara Goodwin, Council of Fresno County Governments

<p align="center">CITY OF FRESNO NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY</p>	<p>Filed with:</p> <p>FRESNO COUNTY CLERK 2221 Kern Street, Fresno, California 93721</p> <p align="center">FILED</p> <p align="center">APR 22 2011</p> <p align="center">By <i>[Signature]</i> FRESNO COUNTY CLERK DEPUTY</p>
<p>PROJECT TITLE AND ENVIRONMENTAL ASSESSMENT</p> <p>Vesting Tentative Tract Map No. T-5933 Conditional Use Permit No. C-11-066</p>	
<p>APPLICANT: Gary McDonald 11326 North Glencastle Avenue Fresno, CA 93730</p>	
<p>PROJECT LOCATION: East of the North Friant Road, north of East Copper Avenue</p> <p>36° 54' 29.682" N Latitude, 119° 44' 40.3404" W Longitude</p> <p>(APN: 579-074-07)</p>	
<p>PROJECT DESCRIPTION: Gary Giannetta, on behalf of Gary McDonald Homes, has filed Conditional Use Permit Application No. C-11-066 and Vesting Tentative Tract Map No. 5933 pertaining to approximately 16.85 acres of property located between North Friant Road, north of East Copper Avenue. Conditional Use Permit Application No. C-11-066 proposes a planned development, which proposes to establish a gated community with private streets and modified property development standards, including lot coverage and yard requirements. Vesting Tentative Tract Map No. T-5933 proposes to subdivide the property into a 78 lot single-family residential subdivision, with two outlots and one remainder lot. The applications are consistent with the planned land uses of medium-low and medium density residential as designated by both the 2025 Fresno General Plan and the Woodward Park Community Plan.</p>	
<p>The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report No. 10130 (MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH # 2009051016) (Air Quality MND). Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.</p> <p>With the mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR or Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.</p> <p>Additional information on the proposed project, including the MEIR, Air Quality MND, proposed environmental finding and the initial study may be obtained from the Development and Resource Management Department,</p>	

Notice of Intent to File
Finding of Conformity
EA No. C-11-066/T-5933
April 22, 2011

Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604. Please contact Israel Trejo at (559) 621-8044 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on May 22, 2011. Please direct comments to Israel Trejo, Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Israel.Trejo@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

INITIAL STUDY PREPARED BY:

Israel Trejo, Planner

DATE: April 22, 2011

SUBMITTED BY:



Kevin Fabino, Planning Manager

CITY OF FRESNO DEVELOPMENT AND
RESOURCE MANAGEMENT DEPARTMENT

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

<p>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</p>	<p>DATE RECEIVED FOR FILING:</p>
--	----------------------------------

<p>Applicant: Gary McDonald 11326 North Glencastle Avenue Fresno, CA 93730</p>	<p>Initial Study Prepared By: Planner: Israel Trejo Date: April 22, 2011</p>
---	---

<p>Environmental Assessment Number: T-5933/C-11-066 Vesting Tentative Tract Map No. 5933/UGM and Conditional Use Permit Application No. C-11-066</p>	<p>Project Location (including APN): East side of North Friant Road, north of East Copper Avenue (APN: 579-074-07)</p>
--	--

Project Description:

Gary Giannetta, on behalf of Gary McDonald Homes, has filed Conditional Use Permit Application No. C-11-066 and Vesting Tentative Tract Map No. 5933/UGM pertaining to approximately 16.85 acres of property located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community.

The property is located within the jurisdiction of the Woodward Park Community Plan and the 2025 Fresno General Plan. The Woodward Park Community Plan and the 2025 Fresno General Plan designate the subject property for medium low and medium density residential planned land uses. The application is a request to subdivide the property into a 78-lot lot gated single family residential private street subdivision with two outlots and one remainder lot. The existing R-1/UGM/cz (*Single Family Residential District/Urban Growth Management/conditions of zoning*) zone district is consistent with the planned land use designation of medium low and medium density.

The subject property is currently vacant.

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

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

The Development and Resource Management Department staff has prepared an Initial Study (See Attached "Modified Appendix G To Analyze Subsequent Project Identified In MEIR No. 10130/MND For Plan Amendment A-09-02 (Air Quality MND)/Initial Study") to evaluate the proposed Conditional Use Permit and Vesting Tentative Tract Map application(s) in accordance with the land use and environmental policies and provisions of lead agency City of Fresno's 2025 Fresno General Plan (SCH # 2001071097), the related Master Environmental Impact Report (MEIR) No. 10130 and the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (Air Quality MND) and Program EIR No. 10126 prepared for the Copper River Ranch Project. The subject property is currently vacant but may be developed at an intensity and scale that is permitted by the planned land use designation and zone district classification for the site. Thus, the proposed Conditional Use Permit and Vesting Tentative Tract Map applications will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designations. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 and the Air Quality MND have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Guidelines Section 15177(b)(3). In addition, this proposed project was part of Program Environmental Impact Report

No. 10126 prepared for the Copper River Ranch Project which was certified by the City Council on June 3, 2003. EIR No. 10126 required mitigation measures which have been incorporated into this project.

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

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

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


Kevin Fabino
Planning Manager, City of Fresno

4-22-11
Date

A
April 22, 2011

- Attachments: Notice of Intent to Adopt A Finding of Conformity
Modified Appendix G To Analyze Subsequent Project Identified In MEIR (Air Quality MND)/Initial Study for Environmental Assessment No. T-5933
Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 For the 2025 General Plan; Mitigation
MEIR Mitigation Monitoring Checklist for Environmental Assessment No. T-5933
Master Environmental Impact Report (MEIR) Review Summary (Attachment. Status of MEIR Analysis with Regard to
Air Quality and Climate Change)

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

Environmental Checklist Form for:

EA No. T-5933/C-11-066

1. Project title:

Conditional Use Permit Application No. C-11-066 and
Vesting Tentative Tract Map No. 5933/UGM

2. Lead agency name and address:

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

3. Contact person and phone number:

Israel Trejo, Planner
City of Fresno
Development & Resource Management Dept.
(559) 621-8044

4. Project location:

Located between North Friant Road and East Copper Avenue; within the boundary of the
Copper River Ranch Development Project, in the City and County of Fresno, California
Assessor's Parcel Number(s): 579-074-07

5. Project sponsor's name and address:

Gary McDonald Homes
11326 North Glencastle Avenue
Fresno, CA 93730

6. General plan designation:

The Woodward Park Community Plan and the 2025 Fresno General Plan designate the subject property for medium low and medium density residential planned land uses

7. **Zoning:**

R-1/UGM/cz (*Single Family Residential District/Urban Growth Management/conditions of zoning*)

8. **Description of project:**

A 78-lot, gated single-family residential subdivision with two outlots and one remainder lot. Outlot A is proposed to be developed with a fitness center and community building while Outlot B is to be developed with private streets

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Medium Low Density Residential	R-1/UGM <i>Single Family Residential District/Urban Growth Management</i>	Vacant
East	Open Space – Golf Course	O/UGM <i>Open Space/Urban Growth Management</i>	Golf Course
South	Open Space – Golf Course	O/UGM <i>Open Space/Urban Growth Management</i>	Golf Course
West	Medium Low Density Residential	R-1/UGM <i>Single Family Residential District/Urban Growth Management</i>	Vacant

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report No. 10130 and whether the subsequent project may

cause any additional significant effect on the environment, which was not previously examined in MEIR No. 10130 ("MEIR") or the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (SCH # 2009051016) ("Air Quality MND").

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR or Air Quality MND, and an ENVIRONMENTAL IMPACT REPORT is required to

appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND.
6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
11. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance

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

The subject property is vacant. The site is located within an area, which has either been developed with a golf course or planned for future residential development. Any development on the subject site would be required to comply with the development standards (including height) of the R-1 (Single Family Residential District) zone district therefore, no scenic vista will be obstructed by the development. The project is not performing any work within a state scenic highway, therefore, the project will not substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway. The project is proposed on, and vastly surrounded by, vacant land and will, therefore, not substantially degrade the existing visual character or quality of the site and its surroundings. Furthermore, development of the site will not create a new source of substantial light or glare which would affect day or night time views in the project area, given that the project will only have lights consistent with other residential locations in the area.

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

The subject property is deemed Farmland of Local Importance, therefore it will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use. The project site is zoned for residential use and does not have a Williamson Act contract. The site is zoned for residential uses, therefore it will not conflict with existing zoning for, or cause rezoning of, forest land or timberland. The project does not have the potential to facilitate future conversion of agricultural lands within the vicinity because there is no land in the project vicinity used for agricultural uses.

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

The proposed project will comply with the Air Quality Element of the 2025 Fresno General Plan, therefore the project will not conflict with or obstruct an applicable air quality plan. The project must comply with the construction and development requirements of the San Joaquin Valley Air Pollution Control District, therefore, no violations of air quality standards will occur. The project will not occur at a scale or scope with potential to contribute substantially to existing or projected air quality violation. The project will not occur at a scale or scope which will result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment. The proposed project is not proposed at a scale or scope which would be expected to generate substantial pollutant concentrations, therefore there will be no exposure to sensitive receptors. The project is proposing residential uses, therefore it is not expected to create objectionable odors affecting a substantial number of people.

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

The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the US Fish and Wildlife Service. No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. The site is not located within a native resident or migratory fish area, therefore it will not impede on their movement. The proposed project does not contain a native wildlife nursery site. No local policies, habitat conservation plan, regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

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

There are no structures which exist on or within the immediate vicinity of the site that are listed on, or considered to be eligible to the National or Local Register of Historic Places.

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

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Fresno has no known active earthquake faults, and is not in any Alquist-Priolo Special Studies Zones. There are no known geologic hazards or unstable soil conditions known to exist on

the site. The project site is not located within an area that has strong seismic ground shaking, liquefaction or landslides. The project is a proposing residential uses, therefore there is not expected to be substantial soil erosion or the loss of topsoil. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards, therefore the project is not expected to be unstable, be located on expansive soil. All new structures are required to conform to current seismic protection standards in the California Building Code. Septic tanks or alternative waste water disposal systems will not be a part of the project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				x
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				x

Environmental and Regulatory Setting

When sunlight strikes the Earth’s surface, some of it is reflected back into space as infrared radiation. When the amount of infrared energy reaching Earth’s surface is about the same as the amount of infrared energy radiated back into space, the average ambient temperature of the Earth’s surface is expected to remain more or less constant. However, when atmospheric conditions prevent re-radiation of this infrared energy, the world’s temperature equilibrium is expected to be disturbed.

Global climate change (colloquially referred to as “global warming”) is the term coined to describe very widespread climate change characterized by a rise in the Earth’s ambient average temperatures with concomitant disturbances in weather patterns and resulting alteration of oceanic and terrestrial environs and biota. The predominant opinion within the scientific community is that global climate change is occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of “greenhouse gases” (GHGs).

GHGs are gases having properties that absorb and emit radiation within the thermal infrared range, and that would cause thermal energy (heat) to be trapped the earth’s atmosphere. It is believed that increased levels of greenhouse gases in the atmosphere can disturb the thermal equilibrium of the earth when natural carbon cycle processes (such as photosynthesis) are unable to absorb sufficient quantities of carbon dioxide and other GHGs in comparison with the amount of GHGs being emitted. It is believed that a combination of factors related to human activities, such as deforestation, emissions of GHG into the atmosphere from carbon fuel combustion, etc. are causing climate change.

Some GHGs occur naturally and are emitted to the atmosphere through both natural processes and human activities. Other GHGs are created and emitted solely through human activities. Water vapor is the most predominant GHG, and is primarily a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans. The major anthropogenic greenhouse gases (those that enter the atmosphere because of human activities) are carbon dioxide (CO₂), methane, nitrous oxide and fluorinated gases. Some GHGs exert a much more powerful effect of trapping radiant energy in the atmosphere. The effect of methane, for instance, is 29 times as powerful as that of an equal mass of CO₂. In order to describe global warming potential of these differing gases, a convention has been established to quantify GHGs in terms of equivalent quantities of CO₂, and to use metric tons as the unit of measure for the CO₂ (hence the abbreviation "MMTCO₂e," for million metric tons of CO₂ equivalent).

A major problem with GHGs is that most of them are not very reactive and that makes them extremely long-lived in the atmosphere. For instance, once CO₂ rises above the troposphere (the portion of the atmosphere where plants may absorb some of it for photosynthesis), there are no natural processes that would effectively remove it. The CO₂ will persist and exert its global warming effect for centuries.

GHGs were not generally thought of as air pollutants because the criterion air pollutants (such as ozone) and air toxics directly affect health at ground level in the general vicinity of their release to the atmosphere. The impacts of GHGs are global and diffuse in nature, and take time to exert effects that could harm humans. However, it has been realized that the climate changes associated with GHGs can drastically harm health and well-being around the world, not only with regard to heat-related illnesses but through broadscale changes in the environment:

- ocean level rise that would displace populations,
- economic and infrastructure damage related to ocean rise as well as heat and storm intensity;
- exacerbation of criteria air pollutants (more air pollutants are formed when the atmosphere is warm);
- spreads of infectious diseases through proliferation of mosquitoes and other vectors carrying "tropical" diseases into temperate climate zones;
- alteration of natural flora and fauna in terrestrial and aquatic environments;
- disruption of agriculture and water supply;

The last point is of particular importance to Fresno. One oft-cited prediction for global climate change is that the Sierra snowpack could be reduced to as little as 20% of its historic levels. This could have dire consequences, since over 70% of California's population relies on the "frozen reservoir" of Sierra snowpack for its water supply. Fresno's aquifer has been declining and the City's Metropolitan Water Resources Master Plan notes that the city will need to make greater use of its surface water entitlements...which are derived from Sierra snowpack.

The State of California formally acknowledges these risks and has tasked state and local governments with working toward reduction of potential global climate change. The Governor issued Executive Order No. S-03-05, and subsequently signed Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, which was codified as Health & Safety Code Section 38501 *et seq.*

There are, at this time, no “attainment” standards established by the federal or state government for greenhouse gases (although some GHGs are regulated as precursors to criteria pollutants regulated by the federal and California Clean Air Acts). However, in AB 32 the State codified a mandate to reduce GHG emissions to 1990 levels by the year 2020. In order to roll back GHG emissions to this level, a reduction of 174 MMTCO₂e needs to be achieved statewide—against the background of California’s general population increase and the need for ongoing land and economic development. The combination of the need to reduce GHGs and the need to grow equates to a need to reduce per capita GHG emissions by some 29% from the “business as usual” scenario of continuing the former rate of escalated GHG emissions over time.

It has been recognized that new development projects would incrementally add GHG emissions and could cumulatively exacerbate global climate change problems, even if the projects are, themselves, small in scale and do not involve powerful GHGs. In order to standardize evaluation of projects under CEQA, Senate Bill 97 (codified as Public Resources Code Sections 21083.05 and 21097) requires the State Resources Agency to adopt guidelines for addressing climate change in environmental analysis. The California Air Pollution Control Officers Association (CAPCOA) produced a comprehensive publication on this topic in August of 2010 titled *Quantifying Greenhouse Gas Mitigation Measures*, which provides methods for quantifying emission reductions via application of a specified list of project-level and municipal-level mitigation measures. This document is intended to further support the efforts of local governments to address the impacts of GHG emissions in their environmental review of projects and in their planning efforts.

In order to standardize global climate change assessments within the San Joaquin Air Basin, the SJVAPCD adopted a protocol for evaluating land use projects: the 2009 *Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. The District determined that the most appropriate assessment criteria would be oriented to performance based standards to streamline the CEQA process for determining significance of project impacts, rather than numerical modeling of GHG emissions and emission reductions. Projects meeting the Best Performance Standards (“BPS”) established by the SJVAPCD would be determined to have a less than significant cumulative impact on global climate change. If projects could not demonstrate compliance with BPS, then a quantification of GHG emissions and demonstration of a 29% reduction in GHG emissions below the “business as usual” level will be required to determine that a project would have a less than significant cumulative impact.

Potential Impact of the Proposed Project

Given its size and limited projected emissions of CO₂, this project would not be expected to have a significant impact on global climate change. However, as noted above, all projects and activities may cumulatively contribute to significant adverse impacts.

According to the SJVAPCD’s *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*, projects can be determined to have a less than significant impact if they do any of the following:

- 1) Use a combination of SJVAPCD approved GHG emission reduction measures to meet BPS;
- 2) Comply with an approved GHG plan or mitigation program; or
- 3) Reduce GHG emissions by at least 29%.

The proposed project meets this requirement by complying with an approved GHG Mitigation program, established through City of Fresno Plan Amendment No. A-09-02, the Air Quality Update to the 2025 Fresno General Plan. Plan Amendment A-09-02 augmented the City's Resource Element / Air Quality General Plan Objectives and Policies by adding new General Plan Objective and several supporting policies, as well as expanding the MEIR Mitigation Measure Monitoring Checklist, to address global climate change through municipal activities and regulation of local development. A-09-02 added new appendices to the 2025 Fresno General Plan, including a 2008 California Attorney General's Office guidance document titled, "The California Environmental Quality Act Mitigation of Global Warming Impacts at the Local Agency Level" which contains specific guidance on mitigating greenhouse gas emissions through planning and regulation of development. Periodic broadscale GHG modeling will be used to validate the efficacy of these measures and guide implementation and further City rulemaking.

This project's potential impacts will be further reduced by worldwide, national and statewide measures to combat adverse global climate change: Updated engine and tire efficiency standards would apply to vehicles that travel within the project area; initiatives applicable to air conditioning and refrigeration equipment will continue to reduce fluorocarbon emissions; regional transportation efficiencies will continue; renewable power generation will increase; and landfill and wastewater methane capture will become more efficient; and "carbon capture"/ "carbon sequestration" technologies will increase removal of CO2 from the atmosphere.

In addition, the project does not involve manufacturing activities that would generate potent industrial GHGs such as SF₆, HFCs, or PFCs and does not propose any uses which would generate methane on site.

Therefore, based upon the available information, the proposed project will not have a potentially significant cumulatively adverse impact on global climate change.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X

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

The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because said project does not involve the use of hazardous materials; additionally, as such, there is no significant hazard to the public or the environment through an accident. The project is a residential use, therefore it is not expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project area is not located within an airport land use plan, nor is it located within two miles of a public airport or public use airport (the project area is not located in the vicinity of a private airstrip). The project is not within the vicinity of a private airstrip, therefore, it would not result in a safety hazard for people residing or working in the

project area. The project is proposing a residential use on local streets, therefore the project is not expected to interfere with an adopted emergency plan. The project area is not located near a wildland area, therefore the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires; though there are large amounts of vacant land in the project vicinity, the land is regularly disced for weeds and dry brush, etc.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

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

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

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

The project area is predominantly flat and will, therefore, not substantially alter the existing drainage pattern of the site; additionally, there is no stream or river in the subject area. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD.

The project is proposing residential uses and is therefore, not expected to substantially degrade water quality. The site is not located within a flood prone or hazard area. The subject property is proposed to be developed at an intensity and scale permitted by the planned land use and proposed zoning designation for the site. Additionally, the subject property is not located in an area subject to inundation by seiche, tsunami or mudflow.

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

The project proposes to develop 21 lots within a developing community and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. The proposed project is consistent with the applicable 2025 Fresno General Plan and Woodward Park Community Plan planned land use designation. The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

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

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

The project will not expose people to noise levels in excess of standards established in the general plan because there are no significant noise generators nearby. Additionally, a residential development is not a significant noise generator. Construction activities associated with the development of the proposed project could expose persons or structures to excessive groundborne vibration or noise levels. However, this would only be during the construction phase of the proposed project. The proposed project is not located within an airport land use plan or within the vicinity of a private airstrip. The project will be required to comply with all noise policies from the 2025 Fresno General Plan and noise codes from the Fresno Municipal Code.

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

Although the project will be intensifying the use of the currently undeveloped site, development may occur at an intensity and scale that is permitted by the planned land use designation and proposed zone district classification for the site. Thus, the subdivision of the subject property in accordance with the subject applications will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted planned land use designation. The subject property is vacant and will, therefore, not displace existing housing or people.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Parks?			X	
Schools?			X	
Other public services?			X	

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project. City police and fire protection services are also available to serve the proposed project. The FMFCD has indicated that there are adequate facilities to serve the proposed project subject to compliance with the conditions submitted by the District for the proposed project. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD.

The above noted departments and agencies have all submitted conditions that will be required as Conditions of Approval for the subject entitlement applications (conditional use permit and tract map). All conditions of approval must be complied with prior to occupancy. The demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are pulled. Any urban residential development occurring as a result of the proposed project will have an impact on the District's student housing capacity. The developer will pay appropriate school fees at time of building permits.

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

The project is proposed at a size and scope (78 lots) which is not expected to result in the substantial physical deterioration of existing parks or recreational facilities. The project does propose recreational facilities, however the facility is proposed on one lot within the subdivision and is not expected to have an adverse physical effect on the environment.

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

The Public Works Department/Traffic Engineering Division staff has reviewed the proposed traffic yield from the proposed single family residential planned development and the expected traffic generation will not adversely impact the existing and projected circulation system as analyzed in MEIR No. 10130. Furthermore, the design of the proposed subdivision has been evaluated and determined to be consistent with respect to connectivity and compliance with City

of Fresno standards, specification and policies. The project is not located near an airport, therefore it will not change air traffic levels. The proposed streets were reviewed by the Department of Public Works and will not create hazards. The Fire Department has conditioned the project to provide a second point of access, therefore there will not be inadequate emergency access. The project will not conflict with adopted policies or plans regarding public transit, bicycle or pedestrian facilities because said features are incorporated into the conditions of approval for the project.

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

The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project subject to the provision and construction of standard connections, extensions, and installations of facility infrastructure; compliance with the Department of Public Utilities standards, specifications, and policies. The project site will be serviced by the Solid Waste Division and have water and sewer facilities available subject to conditions. The project is proposed at a size and scope which will not require new water or wastewater treatment facilities. Additionally, the Copper River Ranch project area has its own wastewater facility. The Fresno Metropolitan Flood Control District has indicated that there are adequate facilities to serve the proposed project subject to compliance with the conditions submitted by the District for the proposed project, which will not cause significant environmental effects. The project area has sufficient water supplies available to serve the project from existing resources. The solid waste division has conditioned the project and has sufficient capacity to accommodate the project's needs. The project is required to comply with federal, state and local statutes and regulations related to solid waste.

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

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

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

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

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

Project/EA No. T-59333/C-11-066

Date: April 22, 2011

Mitigation Monitoring Checklist

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

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

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

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

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

Project/EA No. T-5933/C-11-066

Date: April 22, 2011

MEIR Mitigation Monitoring Checklist

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

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

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable to Project

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

Project/EA No. T-59333/C-11-066

Date: April 22, 2011

MEIR Mitigation Monitoring Checklist

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable to Project

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

Project/EA No. T-59333/C-11-066

Date: April 22, 2011

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
		A	B	C	D	E	F
when designing improvements for existing major streets.							

<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. Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving proposed development projects.</p> <p>e. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.</p>	Ongoing	Development and Resource Management Dept.	X						

C-2. For development projects potentially meeting SJVAPCD thresholds of	Ongoing	Development and	X						
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable to Project

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

Project/EA No. T-5933/C-11-066

Date: April 22, 2011

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
significance and/or thresholds of applicability for the Indirect Source Review Rule (Rule 9510) in their unmitigated condition, project applicants shall complete the SJVAPCD Indirect Source Review Application prior to approval of the development project. Mitigation measures incorporated into the ISR analysis shall be incorporated into the project as conditions of approval and/or mitigation measures as may be appropriate.		Resource Management Dept. and SJVAPCD						
C-3. The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.	Ongoing	Various city departments				X	X	
C-4. The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as: a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions. b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit. c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible. d. Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use.	Ongoing	Fresno Area Express				X	X	
D-1. The City shall monitor impacts of land use changes and development	Ongoing	Dept of Public	X				X	

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable to Project

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

Project/EA No. T-59333/C-11-066

Date: April 22, 2011

MEIR Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS						
			A	B	C	D	E	F	
project proposals on water supply facilities and the groundwater aquifer.		Utilities and Development and Resource Management Dept.							
D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, intentional recharge facilities, potable and recycled water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing (City-wide); and prior to approval of land use entitlement as applicable	Department of Public Utilities and Resource Management Dept.	X		X		X		
D-3. The City shall implement the future water supply plan described in the City of Fresno Metropolitan Water Resources Management Plan Update and shall continue to update this Plan as necessary to ensure the cost-effective use of water resources and continued availability of good-quality groundwater and surface water supplies.	Ongoing	Department of Public Utilities			X		X		X
D-4. The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban stormwater pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards.	Ongoing	Development and Resource Management Dept.	X				X		

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D-5. The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods. The City shall expand this protected area in the Riverbottom pursuant to expanded floodplain and/or floodway maps, regulations, and policies adopted by the Central Valley Flood Protection Board and the National Flood Insurance Protection Program.	Ongoing	Development and Resource Management Dept.							X
D-6. The City shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect: a. Allowable construction in this area from being damaged by the intensity of flooding in the riverbottom; b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and c. Public health, safety and general welfare from the effects of flood events.	Ongoing	Development and Resource Management Dept							X
D-7. The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).	Ongoing	Development and Resource Management Dept							X
D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management and use of all sources of water available to the planning area, and shall periodically update this plan to ensure that sufficient and sustainable water supplies of good	Ongoing	Department of Public Utilities				X		X	

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quality will be economically available to accommodate existing and planned urban development. Project-specific and city-wide water conservation measures shall be directed toward assisting in reaching the goal of balancing City groundwater operations by 2025.								
D-9. The City shall continue its current water conservation programs and implement additional water conservation measures to reduce overall per capita water use within the City with a goal of reducing the overall per capita water use in the City to its adopted target consumption rate. The target per capita consumption rate adopted in 2008 is a citywide average of 243 gallons per person per day, intended to be reached by 2020 (which includes anticipated water conservation resulting from the on-going residential water metering program and additional water conservation by all customers: 5% by 2010, and an additional 5% by 2020.)	Ongoing	Department of Public Utilities			X			X
D-10. All development projects shall be required to comply with City Department of Public Utilities conditions intended for the City to reach its overall per capita water consumption rate target. Project conditions shall include, but are not limited to, water use efficiency for landscaping, use of artificial turf and native plant materials, reducing turf areas, and discouraging the development of artificial lakes, fountains and ponds unless only untreated surface water or recycled water supplies are used for these decorative and recreational water features, as appropriate and sanitary.	Prior to approval of land use entitlement	Department of Public Utilities	X			X		X
D-11. When and if the City adopts a formal management plan for recycled	Prior to approval	Department of						X

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<p>and/or reclaimed water, all development shall comply with its standards and requirements. Absent a formal management plan for recycled and/or reclaimed water, new development projects shall install reasonably necessary infrastructure, facilities and equipment to utilize reclaimed and recycled water for landscape irrigation, decorative fountains and ponds, and other water-consuming features, provided that use of reclaimed or recycled water is determined by the Department of Public Utilities to be feasible, sanitary, and energy-efficient.</p>		of development project	Public Utilities																	
<p>D-12. All applicants for development projects shall provide data (meeting City Department of Public Utilities criteria for such data) on the anticipated annual water demand and daily peak water demand for proposed projects. If a development project would increase water demand at a project location (or for a type of development) beyond the levels allocated in the version of the City's Urban Water Management Plan (UWMP) in effect at the time the project's environmental assessment is conducted, the additional water demand will be required to be offset or mitigated in a manner acceptable to the City Department of Public Utilities. Allocated water demand rates are set forth in Table 6-4 of the 2008 UWMP as follows:</p> <table border="1"> <thead> <tr> <th rowspan="2">FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.)</th> <th colspan="2">PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:</th> </tr> <tr> <th>01/01/2005 THROUGH 12/31/2010</th> <th>01/01/2010 THROUGH 12/31/2024 AFTER 01/01/2025</th> </tr> </thead> <tbody> <tr> <td>Single family residential</td> <td>3.8</td> <td>3.5</td> </tr> <tr> <td>Multi-family residential</td> <td>6.5</td> <td>6.2</td> </tr> </tbody> </table>		FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.)	PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:		01/01/2005 THROUGH 12/31/2010	01/01/2010 THROUGH 12/31/2024 AFTER 01/01/2025	Single family residential	3.8	3.5	Multi-family residential	6.5	6.2	Prior to approval of development project	Department of Public Utilities				X		
FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.)	PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:																			
	01/01/2005 THROUGH 12/31/2010	01/01/2010 THROUGH 12/31/2024 AFTER 01/01/2025																		
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Commercial and institutional	2	1.9	1.9								
Industrial	2	1.9	1.9								
Landscaped open space	3	2.9	2.9								
South East Growth Area	3.4	3.2	3.2								
NOTE: The above land use classifications and demand allocation factors may be amended in future updates of the Urban Water Management Plan											
D-13. The City will conform to the requirements of Waste Discharge Requirements Order 5-01-254, including groundwater monitoring and subsequent Best Practical Treatment and Control (BPTC) assessment and findings.				Ongoing	Department of Public Utilities			X	X		
E-1. The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.				Ongoing	Development and Resource Management Dept.					X	
E-2. To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.				Ongoing	Development and Resource Management Dept.	X			X		

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E-3. The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.	Ongoing	Development and Resource Management Dept.							X
E-4. Development of agricultural land, or fallow land adjacent to land designated for agricultural uses, shall incorporate measures to reduce the potential for conflicts with the agricultural use. Implementation of the following measures shall be considered: a. Including a buffer zone of sufficient width between proposed residences and the agricultural use. b. Restricting the intensity of residential uses adjacent to agricultural lands. c. Informing residents about possible exposure to agricultural chemicals. d. Where feasible and permitted by law, exploring opportunities for agricultural operators to cease aerial spraying of chemicals and use of heavy equipment near proposed residences. e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.	Ongoing	Development and Resource Management Dept	X				X		
F-1. The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in	Ongoing	Dept. of Public Utilities and Development and Resource Management Dept.					X	X	

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			A	B	C	D	E	F		
a comprehensive manner.										
F-2. The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.	Ongoing	Dept. of Public Utilities				X			X	
F-2-a. The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.	Ongoing	Dept. of Public Utilities							X	
F-3. The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. This shall include provision of tertiary treatment facilities to produce recycled water for landscape irrigation and other non-potable uses. Site specific environmental evaluation and development of Waste Discharge Requirements by the Regional Water Quality Control Board shall precede the construction of these facilities. Mitigation measures identified in these evaluations shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Dept. of Public Utilities				X			X	
F-4. The City shall ensure that adequate trunk sewer capacity exists or can be	Ongoing/prior to	Dept. of Public	X						X	

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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.	approval of land use entitlement	Utilities and Development and Resource Management Dept						
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.	Ongoing/prior to construction	Dept. of Public Utilities	X			X		
G-1. Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Fire Dept/Police Dept/ Development and Resource Management Dept.						X
H-1. Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.	Ongoing/prior to construction	Parks and Recreation Dept.; Development and Resource Management Dept.						X

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I-1. Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species (or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.	Ongoing/prior to approval of land use entitlement	Development and Resource Management Dept.	X						X
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.	Ongoing/prior to approval of land use entitlement	Development and Resource Management Dept.							X
I-3. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net 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 and during construction	Development and Resource Management Dept.							X

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I-4. Existing and mature riparian vegetation shall be preserved to the extent feasible, except when trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment shall occur outside of the drip lines of any trees to be preserved.	Ongoing/prior to approval of land use entitlement and during construction	Development and Resource Management Dept.							X
I-5. Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).	Ongoing/prior to approval of land use entitlement and during construction	Development and Resource Management 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 and during construction	Development and Resource Management Dept.							X
J-1. If the site of a proposed development or public works project is found to	Ongoing/prior to	Development and	X						

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<p>contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures:</p> <p>Amending construction plans to avoid the resources.</p> <p>Setting aside sites containing these resources by deeding them into permanent conservation easements.</p> <p>Capping or covering these resources with a protective layer of soil before building on the sites.</p> <p>Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them.</p> <p>Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.</p>	<p>approval of land use entitlement</p>	<p>Resource Management Dept.</p>						
<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 archaeologist 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>Development and Resource Management Dept.</p>	X					
<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</p>	<p>Ongoing</p>	<p>Development and Resource Management Dept./ Historic Preservation</p>	X					

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referral list of recognized archaeologists.		Commission staff							
J-4. Where maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.	Ongoing	Development and Resource Management Dept./ Historic Preservation Staff							X
K-1. The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.	Ongoing	Development and Resource Management Dept.						X	
K-2. Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 Fresno General Plan.) The following measures can be used to mitigate noise impacts; however, impacts may not be fully mitigated within the 70 dBA noise contour areas depicted on Figure VK-4. <ul style="list-style-type: none"> ■ Site Planning. See Chapter V for more details. ■ Barriers. See Chapter V for more details. 	Ongoing/upon submittal of land use entitlement application	Development and Resource Management Dept.					X		

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<ul style="list-style-type: none"> Building Designs. See Chapter V for more details. 										
<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>	Ongoing/prior to building permit issuance	Development and Resource Management Dept.								X
<p>L-1. Any construction that occurs as a result of a project shall conform to current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.</p>	Ongoing	Development and Resource Management Dept.								X
<p>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.</p>	Ongoing	Development and Resource Management Dept.	X				X		X	
<p>Q-1. The City shall establish and implement design guidelines applicable to all</p>	Ongoing	Development and								X

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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.		Resource Management Dept.						

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EXHIBIT C

MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) REVIEW SUMMARY

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

The City has processed approximately 110 plan amendment applications since the adoption of the 2025 Fresno General Plan. These applications have resulted in changes of planned land use that affected approximately 1,000 acres, representing approximately one percent of the land area within the 2025 Fresno General Plan boundary. The impacts of these amendments are minimal and not significant in relation to the balance of the density and intensity of the land uses impacted by the plan amendment applications.

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

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

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

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

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

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

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

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

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Conditional Use Permit No. C-11-066 and Vesting Tentative Tract Map No. T-5933/UGM or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

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

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

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

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

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

MEIR was certified and/or new information is not known related to loss of agricultural resources pursuant to CEQA Guideline Section 15179(b)(1).

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

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

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

Biological Resources. The City continues to evaluate all development proposals for potential impacts upon natural habitats and associated species dependent upon these habitats. The City supports continuing efforts to acquire the most prominent habitats where appropriate, such as portions of the San Joaquin River environs. When development or public works projects have been proposed in this area, they have been subject to site-specific evaluation through supplemental environmental analyses, and appropriate mitigation measures and conditions applied as derived from consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The City has imposed MEIR mitigation measures related to Biological Resources on projects that identified potential impacts to biological resources. Staff finds that this has adequately addressed any potential impact to biological resources. Staff is not aware of any particular circumstance or information that would make impacts from loss of

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

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

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

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

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

Geology and Soils. The City of Fresno has a predominantly flat terrain with few geologic or soil quality constraints. The City continues to apply applicable local and state construction codes and standards and continues to adopt new standards as appropriate to insure the safety of residents and protection of property improvements.

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

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

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

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

- Construction of solar panel generator facilities at the Municipal Services Center (MSC) and at Fresno-Yosemite International Airport. The MSC facility, completed in 2004, generates 3.05 GWt of energy (equivalent to operation of 286 homes per year) and has resulted in reduction of 966 tons of CO₂ emissions (equivalent to 2,414,877 vehicular miles not driven).
- Replacement of a significant number of vehicles in the municipal fleet with clean air vehicles (please refer to the following table).

CURRENT CITY OF FRESNO "CLEAN AIR" FLEET

50	CNG Transit Buses
4	CNG Trolleys
6	CNG Handi-Ride Buses
59	Retrofitted Diesel Powered Buses with REV (reduced emission vehicle) engines and diesel particulate traps

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

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

- Amended the zoning code to allow development of mixed use projects in all commercial zone districts citywide, and in the C-M and M-1 zone districts within the Central Area.
- Amended the zoning code to allow density bonuses for affordable housing projects. Such bonuses permit density increases of approximately 30%.
- Amended zoning code to eliminate the "drop down" provision, which permitted development at one density range less than that shown on the adopted land use map.

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- Amended the zoning code to increase heights in various residential and commercial zone districts and reduce the minimum lot size in the R-1 zone district from 6,000 to 5,000 square feet.
- Initiated the Activity Center Study, which is defining the potential Activity Centers located in Exhibit 6 of the 2025 Fresno General Plan and proposing design classifications and increased density ranges for these centers and corresponding transportation corridors.

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

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

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

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

APPENDIX

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

EXECUTIVE SUMMARY

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

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

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Conditional Use Permit No. C-11-066 and Vesting Tentative Tract Map No. T-5933/UGM or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

SUPPORTING DATA AND ANALYSIS

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

The adverse air quality impacts associated with the myriad of human activities potentiated by the long range general plan for the Fresno metropolitan area can be expected to remain

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significant and unavoidable, and cannot be completely mitigated through the General Plan or through project-level mitigation measures. In order to provide a suitable living environment within the metropolitan area, the General Plan and its MEIR included numerous air pollution reduction measures.

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

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

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

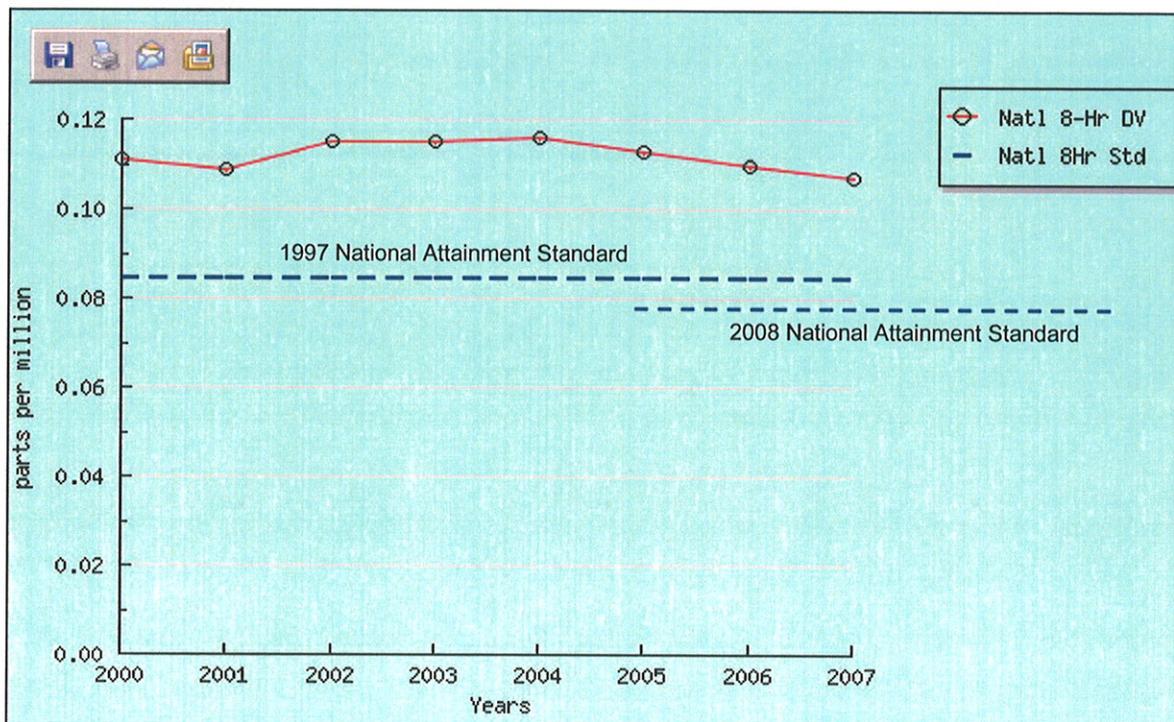
There are no new (*i.e.*, unforeseen in the MEIR) reasonable mitigation measures which have become available since late 2002 that would assure the reduction of cumulative (city-wide) air quality impacts to a less than significant level at project buildout, even with full compliance with attainment plans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

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

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

 **Air Resources Board**

Ozone Trends Summary: San Joaquin Valley Air Basin



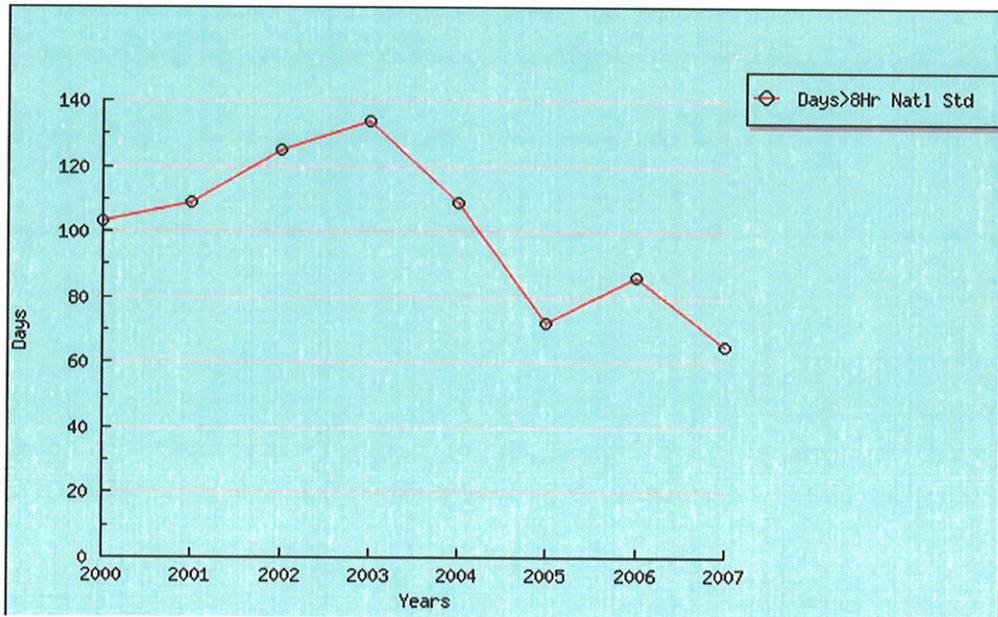
GRAPH NOTES: The "National 1997 8-Hour Ozone Design Value" is a three-year running average of the fourth-highest 8-hour ozone measurement averages in each of the three years (computed according to the method specified in Title 40, Code of Federal Regulations, Part 50, Appendix I).

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

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

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

Ozone Trends Summary: San Joaquin Valley Air Basin



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



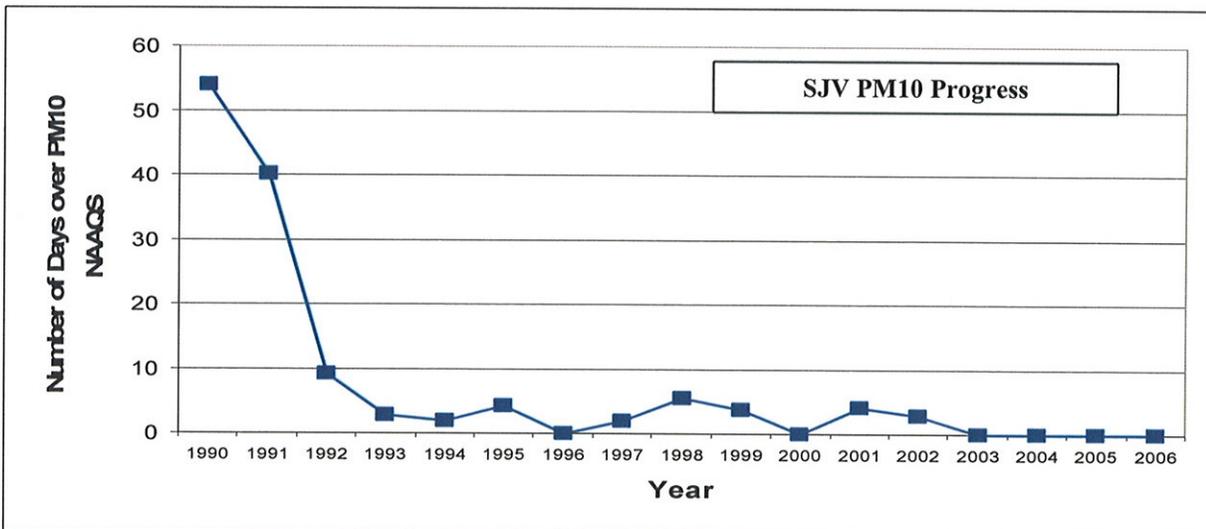
The current ozone attainment plan for the San Joaquin Valley Air Basin, in place when the MEIR for the 2025 Fresno General Plan was certified, is linked to a federal designation of "Serious Nonattainment." While ozone/oxidant air quality conditions are showing a trend toward

improvement, the rate of progress toward full attainment is not sufficient to reach the national ambient air quality standards by the target date established by the attainment plan. Mobile sources (vehicle engines) are the primary source for ozone precursors, and the regulation of mobile sources occurs at the national and state levels and is beyond the direct regulatory reach of the regional air pollution control agency. As noted in the 2025 Fresno General Plan MEIR and reflected in the Statement of Overriding Considerations made when the MEIR was certified, potentially significant and unavoidable adverse air quality impacts are inherent in population growth and construction in the City of Fresno, given the Valley’s climatology and the limitations on regulatory control of air pollutant precursors.

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

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

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



As the preceding chart reveals, levels of PM-10 air pollution have decreased since 2002. When the MEIR was certified, the San Joaquin Valley Air Basin was designated in “Serious Nonattainment” for national standards. As of 2007, the number of days where standards were exceeded has decreased to the extent that the Valley has been deemed to be in Attainment. Under Federal Clean Air Act Section 107(d)(3), PM-10 attainment plans and associated rules

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and regulations remain in place to maintain this level of air quality. New and expanded regulations proposed to combat "Extreme" ozone pollution and PM-2.5 (discussed below) would be expected to provide even more improvement in PM-10 pollution situation.

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

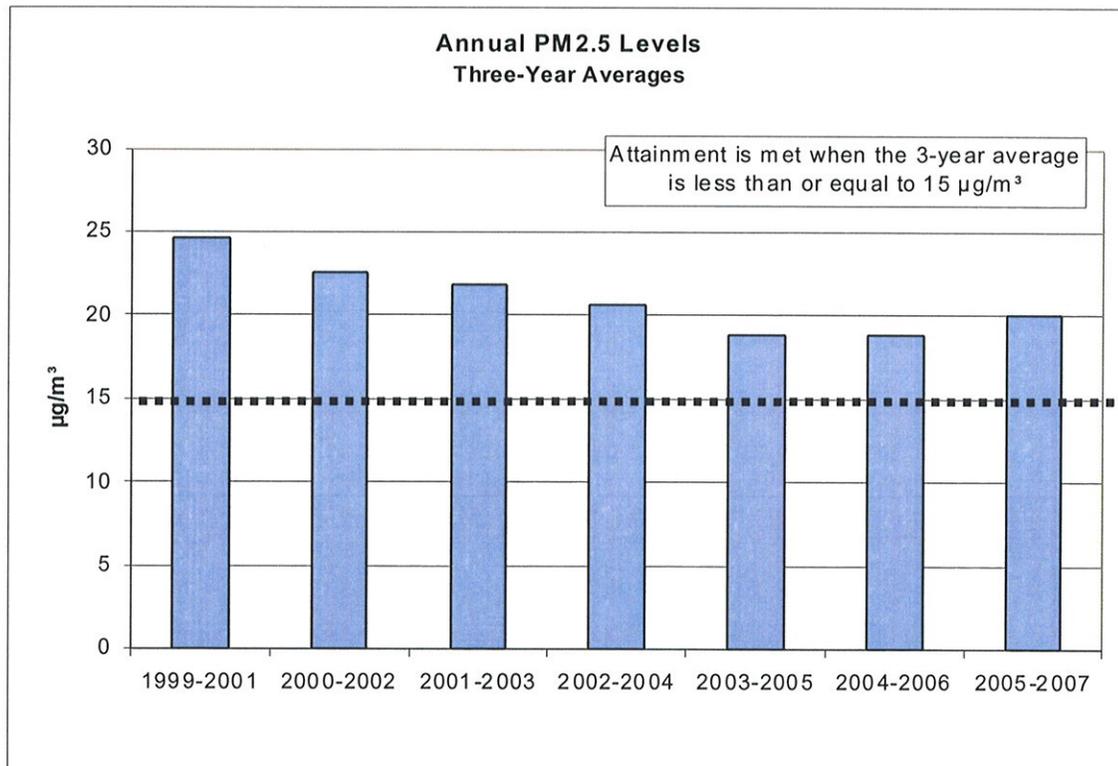
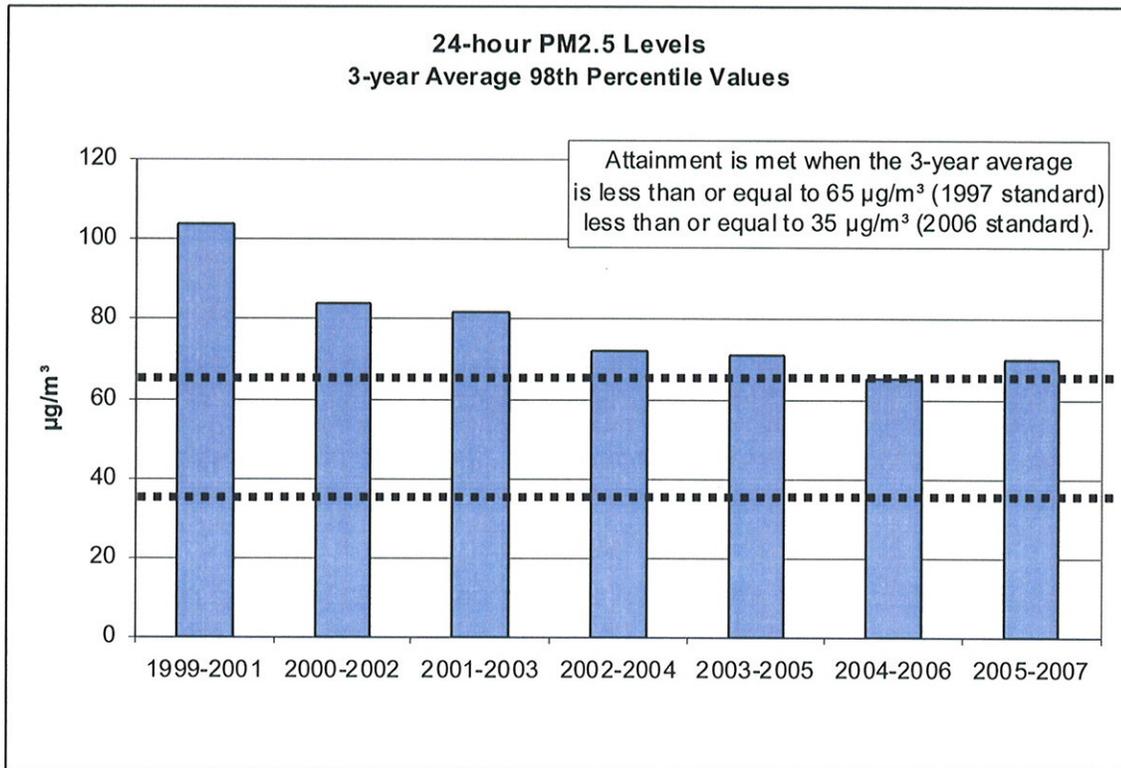
In March of 2006, the San Joaquin Valley Air Pollution Control District adopted Rule 9510, its Indirect Source Review Rule. Full implementation of this Rule has been delayed due to litigation (mitigation fees are being collected and retained in holding accounts), but projects are already being evaluated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

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

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

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

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



When the 2025 Fresno General Plan and its MEIR were approved in late 2002, the planning and environmental documents did not directly or separately analyze potential global warming and climate change impacts. However, the general policy direction for consideration of air quality parameters in development project evaluations and for reducing those air pollutants which are already under regulation would operate to control these potential adverse impacts.

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

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

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

- carbon dioxide (CO₂), largely generated by combustion activities such as coal and wood burning and fossil fuel use in vehicles but also a byproduct of respiration and volcanic activity;
- *methane (CH₄), known commonly as “natural gas,” is present in geologic deposits and is also evolved by anaerobic decay processes and animal digestion. On a ton-for-ton basis, CH₄ exerts about 20 times the greenhouse gas effect of CO₂;
- *nitrous oxide (N₂O), produced in large part by soil microbes and enhanced through application of fertilizers. N₂O is also a byproduct of fossil fuel burning: atmospheric nitrogen, an inert gas that makes up a large proportion of the atmosphere, is oxidized when air is exposed to high-temperature combustion. N₂O is used in some industrial processes, as a fuel for rocket and racing engines, as a propellant, and as an anesthetic. N₂O is one component of “oxides of nitrogen” (NOX), long recognized as precursors of smog-causing atmospheric oxidants.
- *chlorofluorocarbons (CFCs), synthetic chemicals developed in the late 1920s for use as improved refrigerants (e.g., “Freon™”). It was recognized over two decades ago that this class of chemicals exerted powerful and persistent greenhouse gas effects. In 1987, the Montreal Protocol halted production of CFCs.
- *hydrofluorocarbons (HFCs), another class of synthetic refrigerants developed to replace CFCs;

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- *perfluorocarbons (PFCs), used in aluminum and semiconductor manufacturing, have an extremely stable molecular structure, with biological half-lives tens of thousands of years, leading to ongoing atmospheric accumulation of these GHGs.
- *sulfur hexafluoride (SF₆) is used for insulation in electric equipment, semiconductor manufacturing, magnesium refining and as a tracer gas for leak detection. Of any gas evaluated, SF₆ exerts the most powerful greenhouse gas effect, almost 24,000 times as powerful as that of CO₂ on a ton-for-ton basis.
- water vapor, the most predominant GHG, and a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans.

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

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

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

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

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The recently-released update of the Urbemis computer model (used by the City of Fresno Planning and Development Department for environmental assessments, pursuant to a specific MEIR mitigation measure) does provide data on the amounts of CO₂ and oxides of nitrogen (NOX) potentially generated by development projects. However, at this point in time, neither CARB nor the SJVAPCD has determined what the 1997 baseline or current "inventory" of GHGs is for the entire state nor for any region or jurisdiction within the state. No agency has adopted GHG emission limits and emission reduction measures, and because CEQA guidelines have not been established for the evaluation and mitigation of greenhouse gas emissions (there is an absence of regulatory guidance). Therefore, the City is unable to productively interpret the results of the Urbemis model with regard to GHGs, and there is currently no way to determine the significance of a project's potential impact upon global warming.

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

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

Any manufacturing activities that would generate SF₆, HFCs, or PFCs would be subject to subsequent environmental review at the project-specific level, as would any uses which would generate methane on site. The City of Fresno has adopted an ordinance prohibiting installation of any woodburning fireplaces or woodburning appliances in new homes, which would reduce CO₂ and N₂O from wood combustion.

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

Updated engine and tire efficiency standards would apply to residents' vehicles, as well as the statewide initiatives applicable to air conditioning and refrigeration equipment, regional

transportation improvements, power generation and use of solar energy, water supply and water conservation, landfill methane capture, changes in cement manufacturing processes, manure management (methane digester protocols), recycling program enhancements, and “carbon capture” (also known as “carbon sequestration,” technologies for capturing and converting CO₂, removing it from the atmosphere).

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

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

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

Secondary health effects of global warming could include increases in respiratory and cardiac illnesses attributable to poor air quality. The San Joaquin Valley Air Pollution Control District provides daily advisories and warnings in times of high ozone levels to help senior citizens and other sensitive populations avoid exposure. The SJVAPCD has committed to attainment of fine particulate matter (PM_{2.5}) standards by Year 2014 and to attainment of oxidant/ozone standards by Year 2023, and would adopt additional Rules and emission controls as necessary to decrease emissions inventories by those target dates. There is insufficient information to indicate that global climate change would prevent attainment of air quality parameters affecting health.

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

The City of Fresno currently treats and distributes only some 20% of its 150,000 acre-foot/year (AFY) surface water entitlement for the municipal water system, directing another 50,000 to 70,000 AFY to recharge activities via ponding basins. Presently, the City is unable to recharge the full balance of its annual entitlement in average and wet years, and releases any unused surface water supplies to area irrigation districts for agricultural use in the metropolitan area, (which further augments groundwater recharge through percolation of irrigated water).

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

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

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

As noted above, it is theorized that global warming could lead to more energy in the atmosphere and to increased intensity or frequency of storm events. Fresno's long-term weather pattern is that rainfall occurs during episodic and fairly high-intensity events. The Fresno Metropolitan Flood Control District (FMFCD) drainage and flood control Master Plan, which sets policies for drainage infrastructure and grading in the entire Fresno-Clovis area, is already predicated on this type of weather pattern. FMFCD sizes its facilities (which development potentiated by the 2025 Fresno General Plan will help to complete) for "two-year storm events," storms of an

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intensity expected in approximately 50 percent of average years; however, the urban drainage system design has additional capacity built into the street system so that excess runoff from more intense precipitation events is directed to the street system. The City's Flood Plan Ordinance and grading standards require that finished floor heights be above the crowns of streets and above any elevated ditchbanks of irrigation canals. FMFCD project conditions also preserve "breakover" historic surface drainage routes for runoff from major storms. Ultimately, drain inlets and FMFCD basin dewatering pumps direct severe storm runoff into the network of Fresno Irrigation District canals and pipelines still extant in the metropolitan area, with outfalls beyond the western edge of the metropolitan area.

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