



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO.	VIII-B
COMMISSION MEETING	10.15.14
APPROVED BY	
	
DEPARTMENT DIRECTOR	

October 15, 2014

FROM: MIKE SANCHEZ, Assistant Director
Development & Resource Management Dept. 

THROUGH: BONIQUE EMERSON, Supervising Planner 
Development Services Division

BY: NATHAN BOUVET, Planner III 
Development Services Division

SUBJECT: CONSIDERATION OF PLAN AMENDMENT APPLICATION NO. A-13-009;
REZONE APPLICATION NO. R-13-016; AND, RELATED
ENVIRONMENTAL ASSESSMENT NO. A-13-009/R-13-016/TM-6067

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of the Mitigated Negative Declaration for Environmental Assessment No. A-13-009/R-13-016/TM-6067;
2. **RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-13-009 to amend the land use in the proposed Southeast Development Area from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno; and
3. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-13-016 proposing to pre-zone the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district.

EXECUTIVE SUMMARY

Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, has filed Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 pertaining to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Development Area (SEDA) and Sphere of Influence.

Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Development Area from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno.

Rezone Application No. R-13-016 proposes to pre-zone the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district.

These applications have been filed in order to facilitate approval of Vesting Tentative Tract Map No. 6067 to subdivide the subject property into a 98-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the Medium Low Density Residential (2.19 – 6.0 dwelling unit/acre) planned land use designation and the R-1 (Single Family Residential) zone designation, which allows for one (1) dwelling unit on a lot no less than 6,000 square feet or approximately 7.26 dwelling units per acre. The proposed project also involves an annexation into the City of Fresno.

PROJECT INFORMATION

PROJECT	See Executive Summary
APPLICANT	Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc.
LOCATION	3450 North Locan Avenue; located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Development Area (SEDA) and Sphere of Influence. (APN: 319-270-10, 11, 12)
SITE SIZE	Approximately 23.78 acres
PLANNED LAND USE	Existing - Agricultural (County Designation) Proposed - Medium Low Density Residential
ZONING	Existing - <u>AE-20</u> (<i>Exclusive Twenty-Acre Agricultural, Fresno County</i>) Proposed - <u>R-1/cz</u> (<i>Single Family Residential/conditions of zoning</i>)
PLAN DESIGNATION AND CONSISTENCY	Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the proposed R-1 zone district classification and the proposed Medium Low Density Residential planned land use designation for the subject property may be found consistent.
ENVIRONMENTAL FINDING	A Notice of Intent to adopt a Mitigated Negative Declaration was filed with the Fresno County Clerk's office on September 25, 2014.
PLAN COMMITTEE RECOMMENDATION	The District 4 Plan Implementation Committee will review and provide recommendation at their October 13, 2014 meeting. The Committee's comments and recommendation will be forward to the Planning Commission prior to the meeting of October 15, 2014.

STAFF RECOMMENDATION Recommend Approval (to the City Council) of: (1) Adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-13-009/R-13-016/TM-6067 for the Plan Amendment and Rezone Applications; (2) Plan Amendment Application No. A-13-009; and, (3) Rezone Application No. R-13-016.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Southeast Development Area (County) - Agricultural	AE-20 <i>Exclusive Twenty-Acre Agricultural, Fresno County</i>	Single Family Residential
South	Southeast Development Area (County) - Agricultural	AE-20 <i>Exclusive Twenty-Acre Agricultural, Fresno County</i>	Single Family Residential/Vacant
East	Southeast Development Area (County) - Agricultural	AE-20 <i>Exclusive Twenty-Acre Agricultural, Fresno County</i>	Single Family Residential
West	Residential Medium Density	R-2 <i>Low Density Multiple Family Residential District/Urban Growth Management</i>	Single Family Residential

ENVIRONMENTAL FINDING

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

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the boundaries of the Roosevelt Community Plan area, including the Master Environmental Impact Report (MEIR) No. 10130 for the 2025 Fresno

General Plan (SCH#2001071097) and Mitigated Negative Declaration (MND) No. A-09-02 (SCH#2009051016), as appropriate. These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system; and, student generation projections and school facility site location identification.

The proposed amendment of the adopted 2025 Fresno General Plan, along with the accompanying pre-rezone, have been determined that although the proposed project could have a significant effect on the environment, 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. It has been further determined that all applicable project specific mitigation measures have been incorporated as project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Based upon the attached environmental assessment and the list of identified project specific mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a mitigated negative declaration for this project. A public notice of the attached mitigated negative declaration finding for Environmental Assessment Application No. A-13-009/R-13-016/TM-6067 was published on September 25, 2014 with no comments or appeals received to date.

BACKGROUND / ANALYSIS

Project Description

Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, has filed Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 pertaining to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Development Area (SEDA) and Sphere of Influence. The subject property is bounded on the north and south by existing single family residential developments and or vacant land. Property to the east has been developed with single family residential land uses. Property to the west of the subject site is vacant land.

Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Development Area from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno. Rezone Application No. R-13-016 proposes to pre-zone the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district. These applications have been filed in order to facilitate approval of Vesting Tentative Tract Map No. 6067 to subdivide the subject property into a 98-lot single family residential subdivision and installation of related public facilities and infrastructure

consistent with the Medium Low Density Residential (2.19 – 6.0 dwelling unit/acre) planned land use designation. The proposed project also involves an annexation into the City of Fresno.

Density

While this project would provide for a potential increase in population at this individual site, it balances its population with other residential development projects in the immediate project vicinity which were not built-out at their full planned density and thus did not accommodate all the population planned for this area. Most of the property in the area is zoned R-1 (Single Family Residential), which allows for one (1) dwelling unit on a lot no less than 6,000 square feet or approximately 7.26 dwelling units per acre. Therefore, the area can accommodate 98 dwelling units and a project density of 4.12 dwelling units per acre, which is being proposed by the applicant subject to a change of zone to an R-1 (Single Family Residential) residential district.

Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the proposed R-1 (*Single Family Residential*) zone district is consistent with the proposed Medium Low Density Residential (2.19 – 6.0 dwelling unit/acre) planned land use designated for the subject property.

Section 12-211.5-C (Population Density) of the Fresno Municipal Code states that the provisions of Section 12-211.1-A shall apply; whereas, one single family dwelling unit per lot is permitted. The conceptual vesting tract map proposes ninety-eight (98) residential lots averaging approximately 6,100 square feet, including an outlot to serve as public open space.

Therefore, the development of the subject property at an overall density of approximately 4.12 dwelling units per acre, in a manner which is consistent with the permitted uses and property development standards of the proposed R-1 (*Single Family Residential*) zone district is determined to be consistent with the proposed Medium Low Density Residential planned land use designation for the subject property. Furthermore, the subject site is currently vacant and therefore, the proposed project does not have the potential to displace existing housing or residents as a result of development thereon.

Land Use Plans and Policies

The area of the subject property is within the City of Fresno Sphere of Influence. However, the Amendment and Restated Memorandum of Understanding (MOU) between the City of Fresno and the County of Fresno on regional planning allows development of the area inclusive of the subject property subject to certain conditions.

The subject property is immediately adjacent to an urbanized area of the City of Fresno that includes infrastructure necessary to serve the proposed development. Should the property have been located away from such urban services, the argument that the project represents leapfrog development and the unnecessary expense of the extension and maintenance of public services would be warranted. This is not the case for the proposed project.

The MOU between the City of Fresno and the County of Fresno allows development of the area

inclusive of the subject property.

The most relevant goals, policies and objectives of the various plans that pertain to the project are discussed below, including, discussion related to future entitlements and annexation:

The project includes a proposed amendment to the 2025 Fresno General Plan, Roosevelt Community Plan boundary, and Southeast Development Area (SEDA) land use for ± 23.78 acres from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use in the City of Fresno. In order to change the planned land use designation of the subject site for the purposes of facilitating future development, the proposed project shall meet the goals, objectives and policies of the 2025 Fresno General Plan and Roosevelt Community Plan by providing a project which introduces single family residential development in a manner which will maintain a pleasant living environment through reservation of adequate living spaces and protecting the integrity of adjacent neighborhoods. The close proximity to existing and planned single family residential uses will complement and embellish the existing mix of land uses.

Objective C-9 of the 2025 Fresno General Plan directs planning for the diversity and quality of residential housing, at locations necessary to provide for adequate and affordable housing opportunities. Housing patterns should support balanced urban growth, and should make efficient use of resources and public facilities. Supporting policy C-9-i recommends Medium Low Density Residential uses shall be designated to preserve those single family residential neighborhoods which were established with moderately large lots, to provide a transition between low and medium density residential areas. New residential projects within this land use category should not be permitted to be developed at a density less than the minimum shown in Table 2 of the General Plan in order to better achieve the goals of the city's Housing Element.

Similarly, the goals of the Roosevelt Community Plan are directed toward: the diversity of residential types, densities and locations necessary to achieve the plan concept and accomplish the plan goals to provide for adequate housing opportunities, balanced urban growth, and efficient use of resources and public facilities. Consistent with the 2025 Fresno General Plan, Policy 1-6.2 of the Roosevelt Community Plan states medium low density residential uses shall be designated to preserve those single family residential neighborhoods established with moderate to large sized lots, to provide a transition between low and medium density residential areas and to reduce conflicts between urban and non-urban uses as the predominant designation within the Community's growth area.

Therefore, it is staff's opinion that the proposed plan amendment and rezone applications are consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. The proposed project is found; (1) To be consistent with the goals, objectives and policies, including infill development of the applicable 2025 Fresno General Plan and the Roosevelt Community Plan; (2) To be suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject site or adjacent lands.

The subject property does fall within the parameter of the Southeast Growth Area (SEGA). While initial planning studies commenced within the vast area, it has since been incorporated to the Fresno General Plan Update and has been renamed the Southeast Development Area (SEDA).

Current policy outlined several parameters that needed to be met prior to any new development in the SEGA, now SEDA planning area. The project applicant has completely installed the requisite infrastructure for a single family development, Tract No. 5312 and Tract No. 5935 to the immediate west. Furthermore, the applicant has requested and secured the necessary "release for development" from the County of Fresno to the City of Fresno. While there remains planning, infrastructure, and financial challenges for the SEDA area, it is the position of the City development could only occur on the subject site and not create a growth precedence.

Circulation Element Plan Policies and Major Street System Traffic Capacity

The subject site is located on the east side of North Locan Avenue. The subject site location is adjacent to low and medium density residential (City of Fresno) and agricultural (County of Fresno) land uses which provide for a pattern of development with the potential to increase the number of average daily vehicle trips.

The project specific mitigation measures require that all plan amendments are required to prepare a traffic impact study (TIS). A TIS, dated November 27, 2013, was prepared for the proposed development. The study has applied the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual. The development of ninety-eight (98) single family residential units on the subject site is expected to generate an average of approximately 942 average daily trips (ADT). Of these vehicle trips it is projected that seventy-five (75) will occur during the morning (7 to 9 a.m.) peak hour travel period and ninety-eight (98) will occur during the evening (4 to 6 p.m.) peak hour travel period.

The proposed plan amendment will change the land use agricultural to Medium Low Density Residential, which will increase the traffic volume, as noted above. The trips would be directed mainly onto North Locan Avenue. Locan Avenue is an existing two-lane undivided collector adjacent to the proposed property according to the 2025 Fresno General Plan and the Roosevelt Community Plan.

The TIS analyzed the Ashlan Avenue/Locan Avenue, Shields Avenue/Temperance Avenue, Olive Avenue/Temperance Avenue and Belmont Avenue/Temperance Intersections which currently exceed their respective LOS D threshold, as well as, analyzed the street segments highlighted below.

Currently, the intersections of Ashlan Avenue/Locan Avenue, Shields Avenue/Temperance Avenue, Olive Avenue/Temperance Avenue and Belmont Avenue/Temperance Avenue exceed their respective LOS D threshold, which is a significant impact. At present a traffic signal is under construction at the intersection of Ashlan Avenue/Locan Avenue and a traffic signal is currently under design for the intersection of Shields Avenue/Temperance Avenue with an estimated construction date of late 2014. With the completion of the traffic signals at these two intersections the LOS will improve to LOS D or better. To improve the LOS the remaining

intersections at LOS D or better, the following will be added as conditions of zoning:

- a. Shields Avenue and Locan Avenue – install an all-way stop control and add westbound left-turn lane.
- b. The project shall widen/restripe the intersection of Olive and Temperance Avenues to the following configuration:
 - i. Eastbound – one left-turn lane and one through lane with a shared right-turn lane
 - ii. Westbound - one left-turn lane and one through lane with a shared right-turn lane
 - iii. Northbound - one left-turn lane and one through lane with a shared right-turn lane
 - iv. Southbound – one through lane with a shared left-turn lane and one right-turn lane

The LOS for the study segments Shields Avenue between Locan Avenue and Temperance Avenue, Locan Avenue between Shields Avenue and Ashlan Avenue, Temperance Avenue between Shields Avenue and Clinton Avenue, Temperance Avenue between Clinton Avenue and McKinley Avenue, Temperance Avenue between McKinley Avenue and Olive Avenue, and Temperance Avenue between Olive Avenue and Belmont Avenue are LOS D or better during the daily, a.m. peak hour and p.m. peak hour conditions.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the plan amendment, rezone, and tract map applications and has determined that the following intersections are currently operating at a substandard level of service (LOS) in either one or both of the weekday peak hours: Ashlan Avenue at Locan Avenue, Shields Avenue at Temperance Avenue, Olive Avenue at Temperance Avenue, and Belmont Avenue at Temperance Avenue. Adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated. These requirements generally include: (1) Public street improvements; (2) Installation of a paved pedestrian path or sidewalk; 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 the Regional Transportation Mitigation Fee (RTMF) Fee.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

Public Services

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is

capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and a historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

Fresno has attempted to address these issues through metering and revisions to the City's Urban Water Management Plan (UWMP). The City Council, on June 19, 2014, adopted the Fresno Metropolitan Water Resources Management Plan Update. The overall objective of this update is to supply sufficient and reliable water supplies to meet the demands of existing and future customers through build out of the applicable Fresno General Plan. The study area for the Metro Plan Update includes the existing city limits and City of Fresno Sphere of Influence (SOI) area designated by the 2025 Fresno General Plan. The subject site is located within this area.

Implementation of the City's recommended water supply program contained in this plan will result in a significant shift in the use of available water resources and an increase in diversity in the City's water supply portfolio which will enhance the City's overall water supply reliability. Implementation of the Metro Plan Update involves near-term and long-term water projects including, surface water treatment and storage facilities; a raw water intake; groundwater supply, storage and recharge facilities; recycled water treatment and distribution facilities; water distribution pipelines; and increased water conservation measures.

The Metro Plan Update was based on an assumed annual population growth rate within the City's water service area of 1.9 percent based on projections made by the Fresno Council of Governments (Fresno COG). This assumption resulted in a projected water service area population of approximately 692,202 by 2025.

The Fresno 2025 General Plan had somewhat different projections, and assumed a higher starting population in 2000 for the Community Plan Area. According to the 2025 General Plan, the population of the City's Community Plan Area would increase to 790,955 by 2025. However, with the recent economic downturn, growth in the City has slowed and population projections have been revised. The Fresno COG is now projecting a City population of 786,000 by 2035, which reflects a 10-year shift (delay) in the build out of the City's General Plan SOI.

While the City's population projections have changed, the required components of the Metro Plan Update have not. Implementation of this Metro Plan will achieve water supply sustainability for the entire SOI, which includes the subject site. One of the key policy recommendations of the Metro Plan is that the City adopt a policy that mandated that new development mitigate groundwater impacts. Specifically, it stated that new development be required to fund development of new and sustainable supplies. As a mitigation measure, the project applicant will be required to pay it full impact to local and regional urban services.

The proposed project is located within the Southeast Growth Area (SEGA). Although there is currently no water connection fee program for SEGA to support the development of water supply, treatment, conveyance, and recharge facilities, the Director of the Public Works Department, whose department implements the impact fee programs, has made findings and

determined that the current City of Fresno fee schedule assesses the projects for their impact to local and regional urban services, including water. In addition, when development permits are issued, fees to support expansions and service enhancements of the City's water utility, including recharge activities, will also be imposed as conditions of approval for special permits

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 Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water facilities are available to provide service to the subject site subject to several conditions.

In addition, when development permits are issued, the subject site will be required to contribute to the completion of the FMFCD's master planned storm drainage facilities, and to preserve the patency of irrigation canals and pipelines for delivering surface water to recharge/percolation basins. Stormwater ponding basins provide significant opportunity to recharge groundwater with collected storm water run-off and surface water obtained from the Fresno Irrigation District (FID) and United States Bureau of Reclamation on the northern edge of the current urban limit boundary. The Department of Public Utilities works with FMFCD to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program, and works with FID to ensure that the City's allotment of surface water is put to the best possible use for recharge.

The Fresno Irrigation District's (FID) Canal No. 99 runs southerly along the west side of Locan Avenue approximately seventy (70) feet west of the subject property. FID owns a fifteen (15) foot wide easement, recorded February 1, 2007, as Document Number 2007-0021333 of the Official Records of Fresno County. This pipeline was installed in 2007 as 24-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) which meets FID's minimum standards for developed areas.

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

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

In conclusion, based on this analysis and implementation of the project specific mitigation measures developed for the proposed project, the project will not result in any significant impacts to hydrology and water quality.

The subject shall comply with the applicable service delivery requirements necessary to provide not less than the minimum acceptable level of fire protection facilities and services appropriate for urban uses. City police and fire protection services are available to serve the subject site. The subject site is located within two miles of Clovis Fire Station No. 44. The City of Fresno and Clovis have an automatic aid agreement.

The demand for parks generated by the project will be within planned service 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 obtained.

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

The Department of Public Utilities has reviewed the proposed plan amendment, rezone, and tract map applications and has determined that sewer and water facilities are available to provide service to the subject site. The nearest available water main (14") is located in North Locan Avenue. The nearest sewer main is located in North Locan Avenue (8"). Finally, the Fresno Metropolitan Flood Control District (FMFCD) has indicated that the FMFCD system could accommodate the proposed pre-zone if the District's Drainage Area "DS" Master Plan has been adopted.

District Committee

The District 4 Plan Implementation Committee will review and provide recommendation at their October 13, 2014 meeting. The Committee's comments and recommendation will be forward to the Planning Commission prior to the meeting of October 15, 2014.

Conditions of Zoning

The following Conditions of Zoning are required as a Condition of Approval:

- 1) Prior to the recordation of the Final Map for Tentative Tract Map No. 6067 the applicant shall enter into a standard subdivision agreement as required by City of Fresno Municipal Code. Among other things, said subdivision agreement shall memorialize the applicant responsibility to construct all improvements to City of Fresno standards and to pay all applicable fees, connection charges or assessments as may be applicable to the Final Map of Tract No. 6067 per the adopted City of Fresno Fee Schedule in affect at the time of Final Map recordation.
- 2) The project applicant/property owner shall comply with project specific mitigation measures, including, payment of impact fees; participation in any future Community Facilities Districts, as may be required by the City of Fresno Director(s) of Public Works and Public Utilities.

- 3) Project approval(s) (Amendment and Rezone applications) are contingent upon Tentative Tract Map No. 6067 being approved by the City of Fresno.
- 4) The project applicant/property owner shall agree to participate and fund proportionate fair share of any fee studies that may occur in the future for the SEDA area.
- 5) The project applicant/property owner shall enter into a side letter agreement with both the City of Fresno and County of Fresno with respect to the Restated Memorandum of Understanding. This shall be completed prior to annexation of the subject property.
- 6) Project approval(s) (Amendment and Rezone applications) are contingent upon the following Accessor Parcel Numbers (APNs) being annexed into the City of Fresno by the Local Agency Formation Commission (LAFCo): APNs: 310-270-09, 10, 11, and 12. Proposed annexation is subject to the Standards of Annexation of the City/County Restated Memorandum of Understanding (MOU).
- 7) Prior to the recordation of the Final Map for Tentative Tract Map No. 6067 the applicant shall submit to the Development and Resources Management Department a Noise Study for the project site. Special attention shall include proposed/required walls off North Locan Avenue.
- 8) Application and project description needs to reference APN No. 310-270-09, which is to be annexed with the proposed site.
- 9) Project approval(s) (Amendment and Rezone) are contingent upon a future planned watershed proposed as Drainage Area "DS" being approved in conjunction with the 2035 Fresno General Plan.
- 10) Prior to recordation of the Final Map for Tentative Tract Map No. 6067 the applicant shall construct the following to improve intersections at LOS D or better:
 - a. Shields Avenue and Locan Avenue – install an all-way stop control and add westbound left-turn lane.
 - b. The project shall widen/restripe the intersection of Olive and Temperance Avenues to the following configuration:
 - i. Eastbound – one left-turn lane and one through lane with a shared right-turn lane
 - ii. Westbound - one left-turn lane and one through lane with a shared right-turn lane
 - iii. Northbound - one left-turn lane and one through lane with a shared right-turn lane
 - iv. Southbound – one through lane with a shared left-turn lane and one right-turn lane

Conclusion

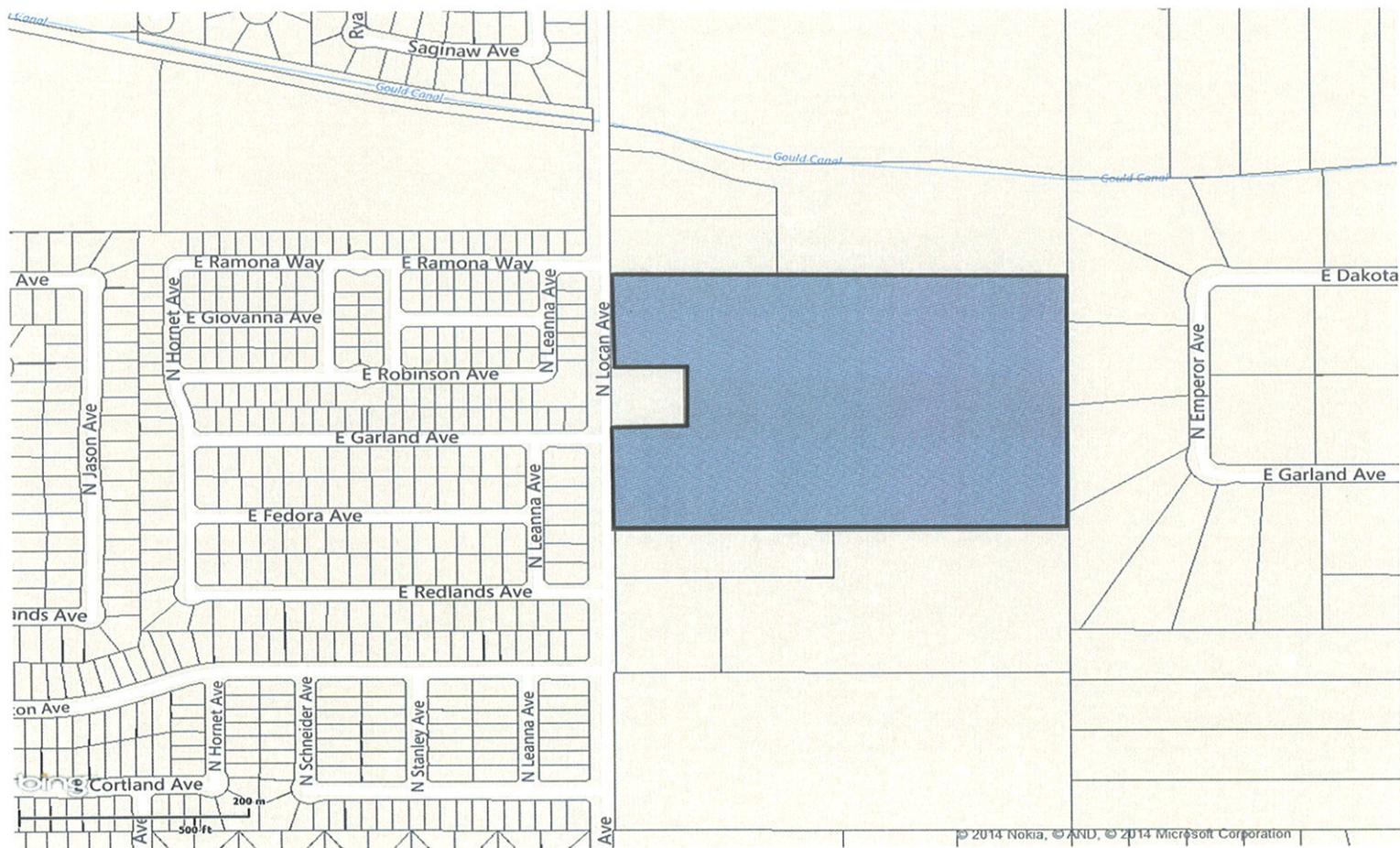
Action by the Planning Commission regarding the plan amendment, rezone application and associated environmental assessment will be a recommendation to Council. Future entitlements (i.e., Vesting Tract Map) will be reviewed by the Planning Commission as a recommendation to Council contingent upon affirmative action by the City Council respective to the proposed plan amendment and rezone applications, as well as, adoption of the recommended findings of a Mitigated Negative Declaration for the associated environmental assessment.

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Roosevelt Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 is appropriate for the subject property.

Attachments:

- Vicinity Map
- Aerial Photograph
- Public Hearing Notice Mailing List Vicinity Map
- 2025 Fresno General Plan Planned Land Use Map
- Proposed Zone District Map
- Proposed Vesting Tract Map
- Standards for Annexation
- Operational Statement
- Agency Comments
- Environmental Assessment No. A-13-009/R-13-016/TM-6067, finding of a Mitigated Negative Declaration dated September 25, 2014

Vicinity Map



Subject Property

VICINITY MAP

**PLAN AMENDMENT NO. A-13-009 &
REZONE APPLICATION NO. R-13-016**

PROPERTY ADDRESS

3450 North Locan Avenue

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

APN: 310-270-10, 11, & 12

Zone District: AE-20 (County) to R-1/cz

By: M.Contreras, October 3, 2014



Not To Scale

Aerial Photograph



N Loean Ave

E Ramona Way

E Glavanna Ave

E Robinson Ave

E Garland Ave

E Fedora Ave

E Redlands Ave

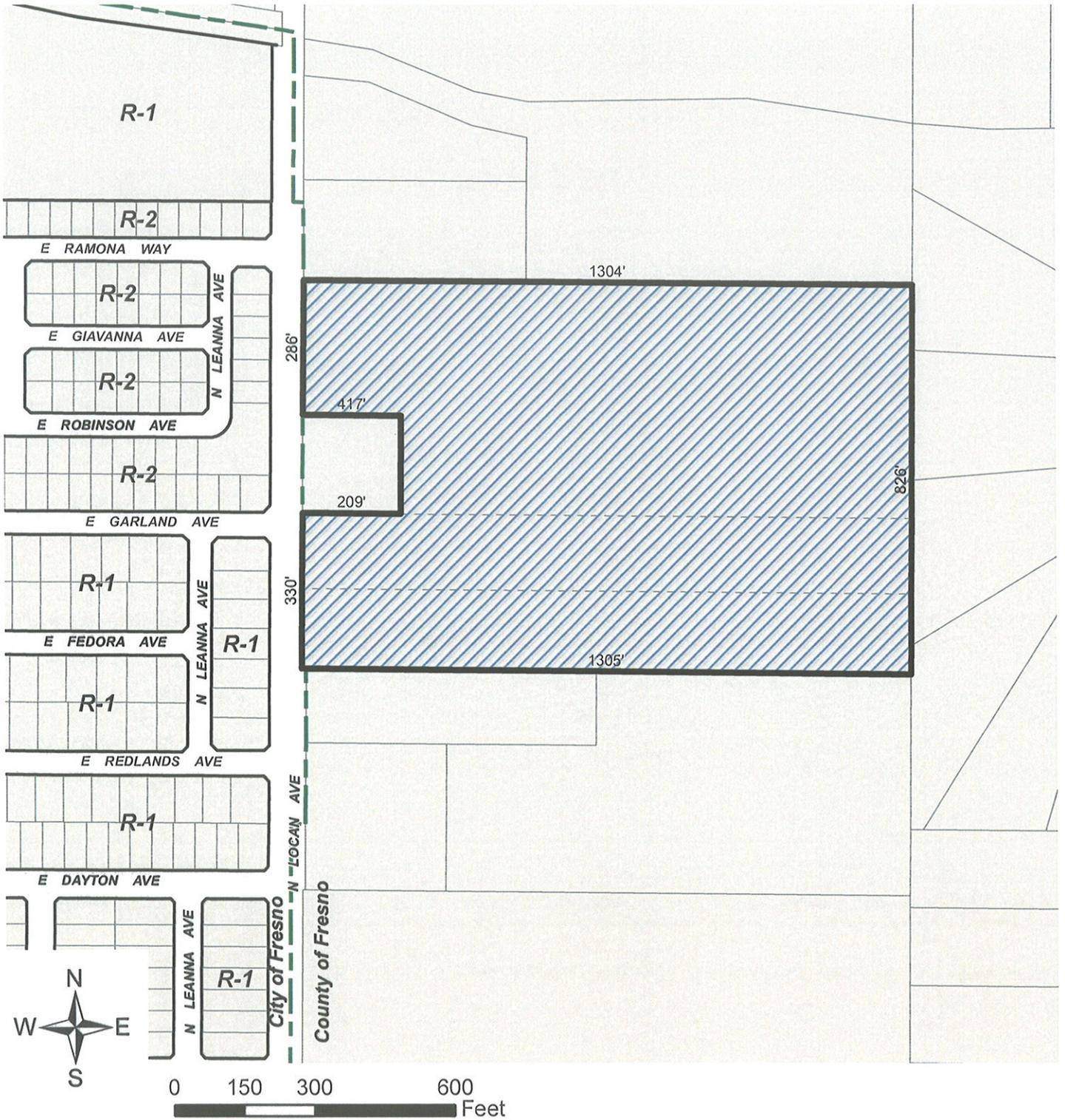
N Schneider Ave

Public Hearing Notice Mailing List Vicinity Map

2025 Fresno General Plan Planned Land Use Map

Proposed Zone District Map

EXHIBIT A



R-13-016
APN: 310-270-10, 11 and 12
3450 North Locan Avenue

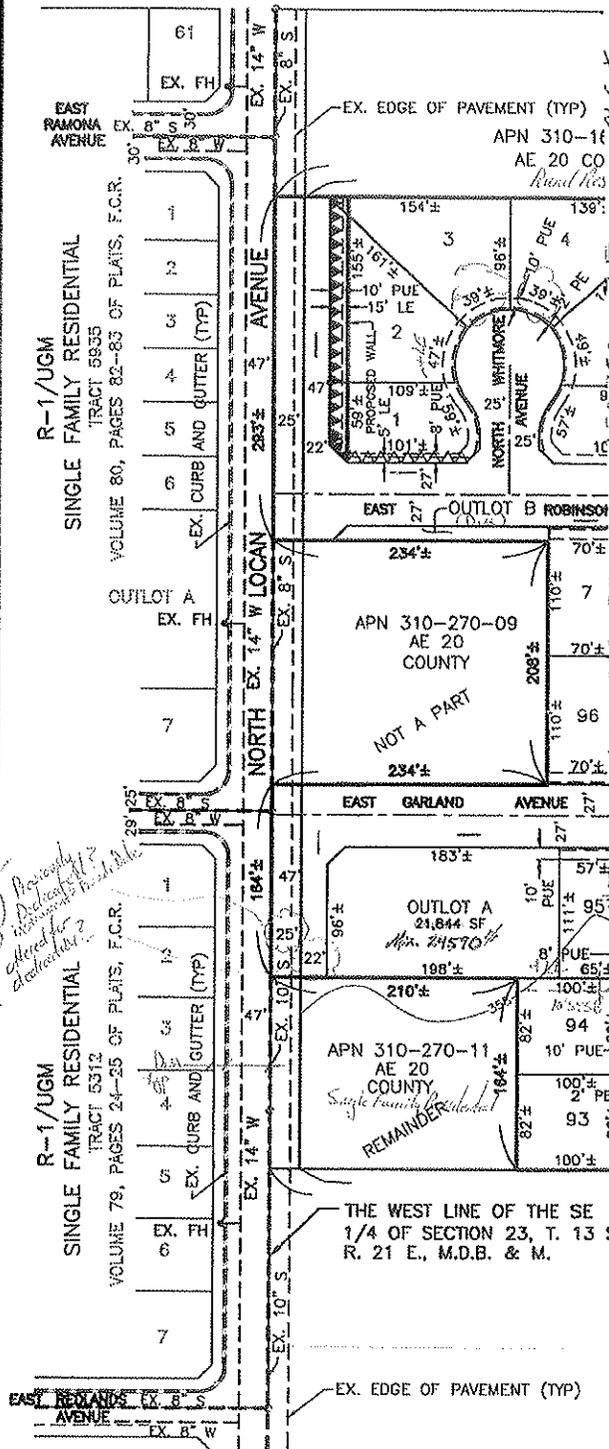
 AE-20 to R-1/cz, 23.71 Acres
 City Limits

Proposed Vesting Tract Map

TENTATIVE MAP ACT 6067

A VESTING MAP

APN 310-270-10, 11, 12
NET AREA = 22.58 ACRES
GROSS AREA = 23.31 ACRES

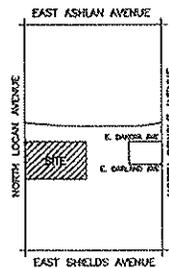


ITEMS TO BE INSTALLED:

- SEWER - PUBLIC - CITY OF FRESNO STANDARDS
- WATER - CITY OF FRESNO STANDARDS
- STORM - CITY OF FRESNO STANDARDS
- SEWER & GUTTER - CITY OF FRESNO STANDARDS
- WALK - CITY OF FRESNO STANDARDS
- LIGHTS - CITY OF FRESNO STANDARDS
- SEWER - FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
- ELECTRICITY - PACIFIC GAS & ELECTRIC
- PHONE - A.T.&T.
- TELEVISION - COMCAST

- 7. ENGINEERING - AE 20(COUNTY)
- 7. ENGINEERING - R-1/UGM
- 7. VACANT/UNUSED STREET EASEMENT
- 7. WELLS, CESSPOOLS, SEWER, CULVERTS, DUMPSITES OR OTHER STRUCTURES WITHIN THIS SUBDIVISION.
- 7. EXISTING AREAS WITHIN THIS SUBDIVISION THAT ARE SUBJECT TO FLOODING OR STORM WATER OVERFLOW.
- 7. AN ENGINEER DESIGN PROVIDES, TO THE EXTENT FEASIBLE, FOR THE INSTALLATION OF HEATING OR COOLING OPPORTUNITIES BY MAXIMIZING THE USE OF FACING BUILDINGS. (79 LOTS)
- 7. A DIFFERENCE LESS THAN A 6" DIFFERENCE BETWEEN THIS TRACT AND ADJACENT PROPERTIES.
- 7. TREES WITHIN THE PROPERTY.
- 7. THIS MAP INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS.
- 7. THIS MAP INDICATES RELINQUISHMENT OF DIRECT VEHICLE ACCESS RIGHTS.
- 7. WITHIN THE BOUNDARIES OF THIS SUBDIVISION SHALL BE DEDICATED FOR PUBLIC STREET PURPOSES.
- 7. DEDICATIONS ARE FOR OPEN SPACE AND PEDESTRIAN ACCESS.

LOCATION MAP:



SCALE: 1" = 100'

GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING

1119 "S" STREET
FRESNO, CA 93721
(559) 264-3590 FAX (559) 264-0898

DATE: 5/06/14

*Reviewed
for
Approval
of
Technical
Staff*

R-1/UGM
SINGLE FAMILY RESIDENTIAL
TRACT 5935
VOLUME 80, PAGES 82-83 OF PLATS, F.C.R.

R-1/UGM
SINGLE FAMILY RESIDENTIAL
TRACT 5312
VOLUME 79, PAGES 24-25 OF PLATS, F.C.R.

THE WEST LINE OF THE SE
1/4 OF SECTION 23, T. 13 S
R. 21 E., M.D.B. & M.

Standards for Annexation

EXHIBIT 1

STANDARDS FOR ANNEXATION

- The proposal must be consistent with the adopted sphere of influence of the city and not conflict with the goals and policies of the Cortese-Knox Act.
- The proposal must be consistent with city general and specific plans, including adopted goals and policies.
- Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan.
- A proposal for annexation is acceptable if one of the following conditions exist:
 1. There is existing substantial development provided the City confines its area requested to that area needed to include the substantial development and create logical boundaries.
 2. Development exists that requires urban services which can be provided by the City.
 3. If no development exists, at least 50% of the area proposed for annexation has:
 - (i) Approved tentative subdivision map(s) (S.F. residential)
 - (ii) Approved site plan (for other uses)
- The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries.

For any of the following circumstances a proposal for annexation is presumed to comply with all standards for annexation:

- The request for annexation is by a city for annexation of its own publicly-owned property for public use.
- The request for annexation is by a city in order to facilitate construction of public improvements or public facilities which otherwise could not be constructed.
- The request for annexation is to remove an unincorporated island or substantially surrounded area.
- The request for annexation is for an industrial or regional commercial project for which a development application has been made and no significant adverse environmental impact will result that cannot be mitigated or overridden by a necessary public purpose. Condition(s) assuring the financing or completion of necessary development infrastructure before completion of annexation shall be made a part of the proposal.
- The annexation is intended to mitigate or otherwise comply with standards/conditions required by another agency with respect to another development/annexation.

Operational Statement

Bonadelle Homes, Inc.
7030 N. Fruit Ave., Suite 101
Fresno, CA 93711
General Plan Amendment & Rezone Operational Statement
March 27, 2013
A-13-009
R-13-016

**Property Owner
& Applicant:**

BNCOPP L. P.
7030 N. Fruit Ave., Suite 101
Fresno, CA 93711

Representative:

Dirk Poeschel Land Development Services, Inc.
923 Van Ness Ave., Suite No. 200
Fresno, CA 93721

APN:

310-270-10, 11 & 12

Acreage:

23.78 +/- acres

Existing Land

Use Designation:

Agriculture

Existing Zoning:

Agriculture

Location:

Generally on the east side of Locan Ave. between the Dakota alignment and Shields Avenues in Fresno County.

Request:

General Plan Amendment

Approve a General Plan Amendment (GPA) to change the land use designation from Agriculture to Residential Low Density.

Rezone

Approve a rezone request to approve a rezoning request from Agriculture to R-1

JUSTIFICATION

The subject parcel consists of 23.78 acres. The property is located on the western edge of the City of Fresno Southeast Growth Area (SEGA) and within the city's Sphere of Influence. Due to time delays in preparing the Southeast growth area plan, the applicant

has been prohibited from processing the necessary land-use permits to allow urbanization of the subject property. City of Fresno water and sewer lines are located adjacent to the site in Locan Avenue. There is also a planned Fresno Metropolitan flood control district ponding basin that can be modified to serve the proposed site. Locan Avenue is constructed in a width and quality capable of accommodating the kind and type of traffic generated by the proposed project. Electricity and gas are also proximate to the site.

Approval of the City of Fresno Sphere of Influence inclusive of the subject property was based on representation that the area was ripe for urbanization. The subject property and the proposed application are perfectly suited for immediate development subject to approval of the necessary land-use permits.

Due to the site's unique circumstances and juxtaposition relative to urbanization, related urban services and the applicant's opinion that there is a strong demand for the project approval of the proposed land-use entitlements will not induce other properties to prematurely develop.

The applicant has reviewed the draft Southeast Growth Area Plan and has prepared a conceptual site plan that incorporates the design recommendations of the aforementioned plan. That conceptual plan is provided for reference only. It is the applicant's intent to submit a tentative subdivision map consistent with the aforementioned site plan if the proposed plan amendment and rezoning are approved.

Agency Comments

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-13-009 AND
REZONE APPLICATION NO. R-13-016

Return Completed Form to:

Mike Sanchez
Email: Mike.Sanchez@fresno.gov
Telephone: 559-621-8040
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area (SEGA) and Sphere of Influence. Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. Rezone Application No. R-13-016 proposes to reclassify the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district. The proposed entitlements are intended for the future development of a 99-lot single family residential subdivision. A formal subdivision map has not yet been filed.

APN: 319-270-10,11,12 ZONING: From AE-20 to R-1/cz SITE ADDRESS: 3450 North Locan Avenue

DATE ROUTED: December 30, 2013

COMMENT DEADLINE: January 22, 2014

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.) IN THE COUNTY.

NOT AT THIS TIME,

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

TENTATIVE TRACT MAP WILL BE REQUIRED FOR A NEW SUBDIVISION

REVIEWED BY:

A. Kiml PSTII

Name and Title

X-1345

Telephone Number

12-31-13

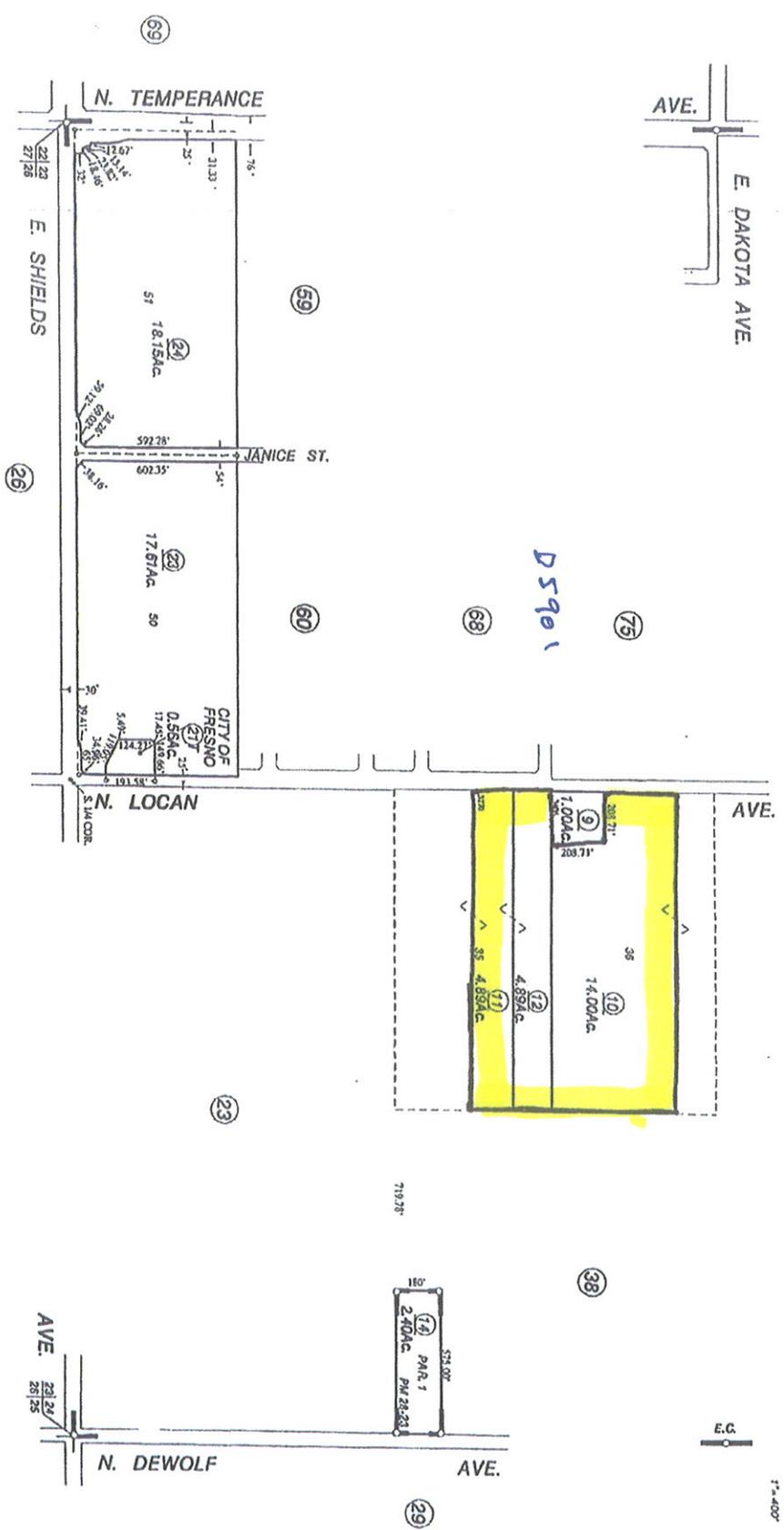
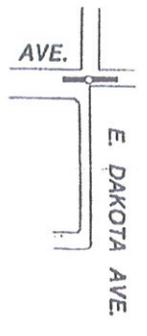
Date

NOTE
 This map is for assessment purposes only.
 It is not to be construed as proving legal ownership or divisions of land for purposes of zoning or subdivision law.

SUBDIVIDED LAND IN P.O.R. SEC. 23, T. 13 S., R. 21 E., M.D.B. & M.

Tax Rate Area
 5-182
 76-652

310-27



D5901

Eggers Colony - Plat Bk. 4, Pg. 60
 Parcel Map No. 4205 - Bk. 28, Pg. 23

2-2-2009

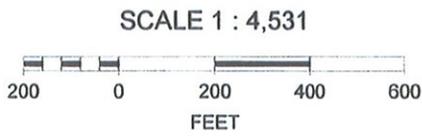
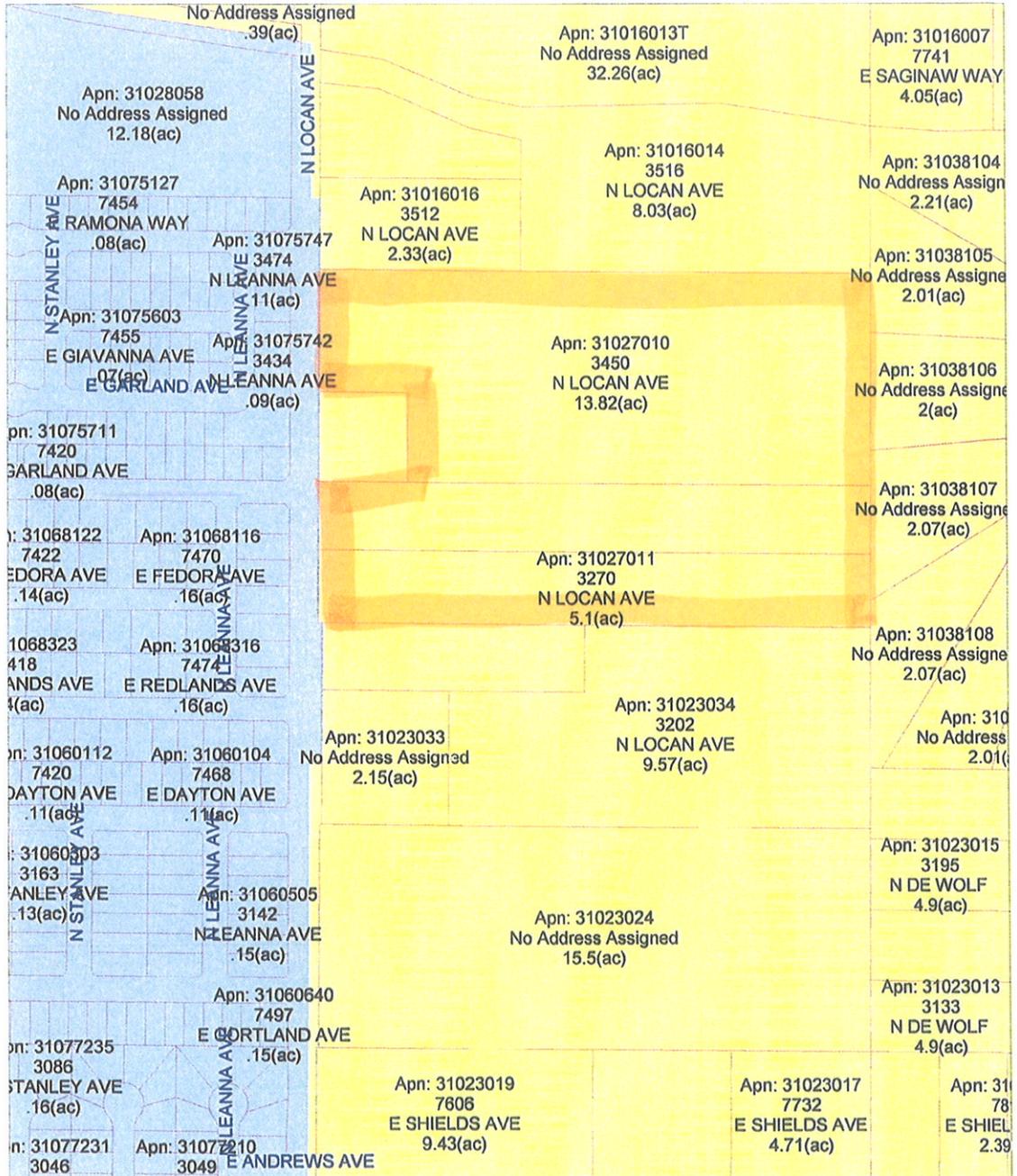
NOTE - Assessor's Block Numbers Shown in Ellipse.
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 310 - Pg. 27
 County of Fresno, Calif.

City of Fresno

Parcels

-  Parcels
-  Parcel Labels
-  City Limits
-  Fresno County



PLATANUS x acerifolia 'COLUMBIA'
 — STREET TREE ON LOCAN



January 3, 2014

Mike Sanchez
City of Fresno
Development and Resource Management Department
2600 Fresno St., Third Floor
Fresno, CA 93721-3604

Project: Plan Amendment App. No. A-13-009 & Rezone App. No. R-13-016

District CEQA Reference No: 20131064

Dear Mr. Sanchez:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a land use amendment and rezoning of same land use designation. The amendment and rezoning will not have an impact on air quality. However, if approved, future development will contribute to the overall decline in air quality due to construction activities, increased traffic, and ongoing operational emissions. The District offers the following comments:

1. Future development may require further environmental review and mitigation. Referral documents for those projects should include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources.
2. Individual development projects would be subject to District Rule 9510 (Indirect Source Review) if upon full build-out the project would include or exceed any one of the following:
 - 50 dwelling units
 - 2,000 square feet of commercial space;
 - 25,000 square feet of light industrial space;
 - 100,000 square feet of heavy industrial space;
 - 20,000 square feet of medical office space;
 - 39,000 square feet of general office space; or
 - 9,000 square feet of educational space; or
 - 10,000 square feet of government space; or

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

- 20,000 square feet of recreational space; or
 - 9,000 square feet of space not identified above
3. District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at <http://www.valleyair.org/ISR/ISRHome.htm>.
 4. Individual development projects may also be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
 5. The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
 6. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Cherie Clark, at (559) 230-5940.

Sincerely,

David Warner
Director of Permit Services

Cherie Clark for:

Arnaud Marjollet
Permit Services Manager

DW: cc



**DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM**



Providing Life's Essential Services

Date: January 3, 2014

To: MIKE SANCHEZ
Planning and Development

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

Subject: SEWER REQUIREMENTS FOR REZONE APPLICATION R-13-016 & PLAN AMENDMENT APPLICATION A-13-009

General

A-13-009 & R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78 acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area, SEGA, and Sphere of Influence, 3450 North Locan Avenue, APN 310-270-10, 11, 12. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. R-13-016 proposes to reclassify the subject property from AE-20, Exclusive Twenty-Acre Agricultural, Fresno County, to R-1-cz, Single Family Residential-conditions of zoning, Fresno City, zone district. The proposed entitlements are intended for the future development of a 99 lot single family residential subdivision. A formal subdivision map has not yet been filed.

Sewer Requirements

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

1. Sewer requirements shall be addressed upon the submittal of future applications.





County of Fresno

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

January 6, 2014

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

LU0017551
2602

Dear Mr. Sanchez:

PROJECT NUMBER: A-13-009 & R-13-016

Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area (SEGA) and Sphere of Influence. **Plan Amendment Application No. A-13-009** proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. **Rezone Application No. R-13-016** proposes to reclassify the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district. The proposed entitlements are intended for the future development of a 99-lot single family residential subdivision. A formal subdivision map has not yet been filed.

APN: 319-270-10,11,12 ZONING: From AE-20 to R-1/cz SITE ADDRESS: 3450 North Locan Avenue

Recommended Conditions of Approval:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management (DDWEM). For more information call (559) 447-3300.
- The proposed project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications shall require that all construction equipment be maintained according to manufacturers' specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating construction activities should be limited to daytime hours as specified in the City of Fresno Municipal Code.

Mike Sanchez
January 6, 2014
A-13-009 R-13-016
Page 2 of 2

- All water wells (not intended for use by the project) and septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor.

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

- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations, Title 22, Chapter 4.5. This chapter discusses proper labeling, storage and handling of hazardous wastes.

REVIEWED BY:

Kevin Tsuda

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o, ou=Fresno
County EH,
email=ktsuda@co.fresno.ca.us, c=US
Date: 2014.01.06 13:15:23 -08'00'

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

(559) 600-3271

cc: Glenn Allen- Supervising Environmental Health Specialist (CT 59.04)
John Bonadelle, Applicant/Owner (john@bonadelle.com)
Dirk Poeschel, Consultant (dpoeschel@dplds.com)

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
e-mail: ds_nahc@pacbell.net



January 8, 2014

Mr. Mike Sanchez, Project Planner
City of Fresno Department of Planning & Development
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

RE: SCH#2014011006; CEQA Notice of Completion; proposed Early Consultation for the **"Plan Amendment A-13-009 and Rezone B-13-016 Project;"** located in the City of Fresno; Fresno County, California

Dear Mr. Sanchez:

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine :If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s), The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR).

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the

proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies" and Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Singleton", is written over the typed name and title.

Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

Native American Contacts
Fresno County California
January 8, 2014

Big Sandy Rancheria of Mono Indians
Elizabeth Hutchins Kipp, Chairperson
P.O. Box 337 / 37302 Western Mono
Auberry, CA 93602
ck@bigsandyrancheria.com
(559) 855-4003
(559) 855-4129 Fax

Dunlap Band of Mono Historical Preservation Soc
Mandy Marine, Board Chairperson
P.O. Box 18 Mono
Dunlap, CA 93621
mandy_marine@hotmail.
com
559-274-1705

Cold Springs Rancheria of Mono Indians
Robert Marquez, Chairperson
P.O. Box 209 Mono
Tollhouse, CA 93667
(559) 855-5043
559-855-4445 - FAX

Santa Rosa Tachi Rancheria
Lalo Franco, Cultural Coordinator
P.O. Box 8 Tachi
Lemoore, CA 93245 Tache
(559) 924-1278 - Ext. 5 Yokut
(559) 924-3583 - FAX

Table Mountain Rancheria
Bob Pennell, Cultural Resources Director
P.O. Box 410 Yokuts
Friant, CA 93626-0177
(559) 325-0351
(559) 217-9718 - cell
(559) 325-0394 FAX

Kings River Choinumni Farm Tribe
John Davis, Chairman
1064 Oxford Avenue Foothill Yokuts
Clovis, CA 93612-2211 Choinumni
(559) 307-6430

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2014011006; CEQA Notice of Completion; Early Consultation for Plan Amendment A-13-009 and Rezone B-13-016; located in the City of Fresno; Fresno County, California.

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-13-009 AND
REZONE APPLICATION NO. R-13-016

Fire Department

Return Completed Form to:

Mike Sanchez

Email: Mike.Sanchez@fresno.gov

Telephone: 559-621-8040

Development and Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area (SEGA) and Sphere of Influence. **Plan Amendment Application No. A-13-009** proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. **Rezone Application No. R-13-016** proposes to reclassify the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district. The proposed entitlements are intended for the future development of a 99-lot single family residential subdivision. A formal subdivision map has not yet been filed.

APN: 319-270-10,11,12 ZONING: From AE-20 to R-1/cz SITE ADDRESS: 3450 North Locan Avenue

DATE ROUTED: December 30, 2013

COMMENT DEADLINE: January 22, 2014

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

No Requirements at this time

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY:

[Signature]
Name and Title

Fire Inspector 621-4130
Telephone Number

1-9-14
Date

City of



FIRE DEPARTMENT

Date: January 9, 2014

To: MIKE SANCHEZ, Planner
Planning and Development Department

From: DEBBY REMILY, Fire Prevention Inspector *DrL*
Fire Department, Fire Prevention & Investigative Services

Subject: Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78+- acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area (SEGA) and Sphere of Influence. Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. Rezone Application No. R-13-016 proposes to reclassify the subject property from AE-20 (Exclusive Twenty-Acre Agricultural, Fresno County) to R-1/cz (Single Family Residential/conditions of zoning, Fresno City) zone district. The proposed entitlements are intended for the future development of a 99-lot single family residential subdivision. A formal subdivision map has not yet been filed.

General

There are no requirements at this time.



DEPARTMENT OF PUBLIC UTILITIES



Date: January 16, 2014

To: MIKE SANCHEZ, Planning Manager
Development and Resource Management Department, Advance Planning

From: CHRIS WEIBERT, Management Analyst II
Chris Public Utilities Department, Administration

Subject: A-13-009 & R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78 acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area, SEGA, and Sphere of Influence, 3450 North Locan Avenue, APN 310-270-10, 11, 12. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. R-13-016 proposes to reclassify the subject property from AE-20, Exclusive Twenty-Acre Agricultural, Fresno County, to R-1-cz, Single Family Residential-conditions of zoning, Fresno City, zone district. The proposed entitlements are intended for the future development of a 99 lot single family residential subdivision. A formal subdivision map has not yet been filed.

General

Solid Waste requirements shall be addressed upon the submittal of future applications.



January 22, 2014

TO: MIKE SANCHEZ, Planner Manager – Planning & Development

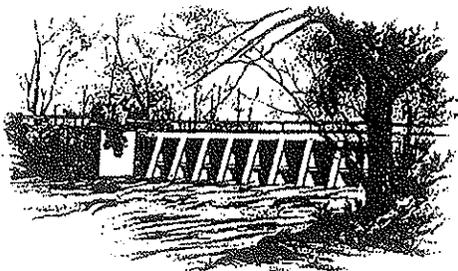
FROM: L. NATHAN SANCHEZ, Senior Engineering Technician – Airports

SUBJECT: **PLAN AMENDMENT APPLICATION NO A-13-009** [APN 319-270-10, 11, 12]
Amend the land use in the proposed Southeast Growth Area (SEGA) from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. **REZONE APPLICATION NO R-13-016** Reclassify the subject property from AE-20 to R-1/cz.

The subject property has an address of 3450 N. Locan Avenue located on the east side of Locan Avenue between the east Dakota Alignment and east Shields Avenue. The property is approximately 15,000 feet east of runway 11L-29R of the Fresno Yosemite International Airport (FYI). The policy criteria in the FYI Airport Compatibility Land Use Plan (PLAN) apply when developing property within the Airport Influence Area.

This is the Department of Airports response to the above named application:

The Department of Airports anticipates no adverse impacts on the Fresno Yosemite International Airport or the Fresno Chandler Executive Airport



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

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

January 22, 2014

Mr. Mike Sanchez
City of Fresno
Development and Resource Management Department
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016,
N/E Shields and Locan avenues

Dear Mr. Sanchez:

The Fresno Irrigation District (FID) has reviewed the Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 pertaining to the 23.78± acres of property located on the east side of Locan Avenue between the Dakota Alignment and Shields Avenue with the City's Southeast Growth Area (SEGA) and Sphere of Influence. Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. Rezone Application No. R-13-016 proposes to reclassify the subject property from AE-20 (Exclusive Twenty-Acre Agricultural, Fresno County) to R-1/cz (Single Family Residential/conditions of zoning, Fresno City) zone district. The proposed entitlements are intended for the future development of a 99-lot single family residential subdivision. A formal subdivision map has not yet been filed, APN: 319-270-10, 11, 12.

FID does not object to the Plan Amendment & Rezone Applications, but FID would like to make the applicant aware of any potential impacts future development may cause. To help with the planning and engineering process for the upcoming tract or parcel map to construct a single family residential subdivision, FID has provided our standard comments and conditions which FID will most likely provide during the next stage of the review:

1. FID's Gow Canal No. 99 runs southerly along the west side of Locan Avenue approximately 70 feet west of the subject property, as shown on the attached FID exhibit map. FID owns 15-foot wide easement, recorded February 1, 2007 as Document Number 2007-0021333 of the Official Records of Fresno County and is attached for your reference. This pipeline was installed in 2007 as 24-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) which meets FID's minimum standards for developed areas.

G:\Agencies\FresnoCity\Plan Amendment\A-13-009.doc

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

Mr. Mike Sanchez
Re: PA A-13-009 & RA R-13-016
January 22, 2014
Page 2 of 2

2. Should this project expand to include any street improvements, utility connections, etc. along Locan Avenue and in the vicinity of the canal crossing, FID requires its review and approval of all plans.
3. A small section of the Gow Canal (Area of Concern) from its headgate off the Gould Canal to a point 200 feet north of the parcel is still an open channel yet to be piped. If there are road improvements along Locan Avenue north of the subject property and adjacent to the open channel, the canal may need to be piped. If the road improvement does impact the Gow Canal, FID may require the substitution of its canal with 24-inch inside diameter ASTM C-361 rubber gasket reinforced concrete pipe (RGRCP) in accordance with FID standards and that the applicant enter into an agreement for the that purpose.
4. For informational purposes, FID's Gould Canal No. 97 runs westerly and crosses Locan Avenue approximately 500 feet north of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Locan Avenue and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
5. The proposed development may negatively impact local groundwater supplies. The area is currently agricultural land and a significant portion of its water supply is imported surface water, supplemented by groundwater pumping. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID suggests the City require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft.

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

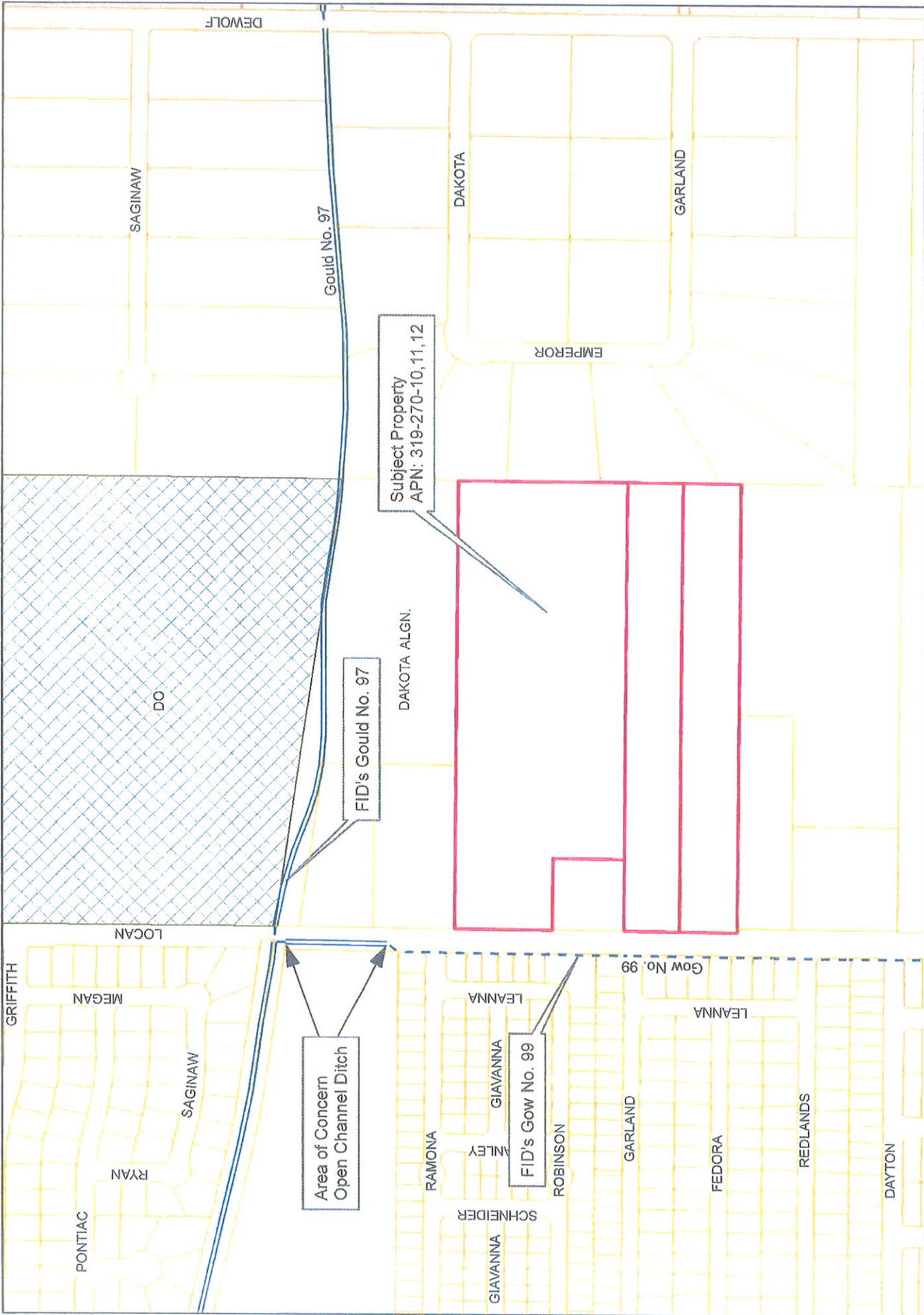
Sincerely,



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

Attachments

cc: BNCOPP L.P. – John A. Bonadelle, Applicant



This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on locating FID facilities.

12/20/2013
G:\FID\gjavmaster_AG10.mxd

Legend

- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins
- FID Boundary
- Railroad
- Streets & Hwys
- Stream Group
- Other-Creek/River
- Other-Pipeline
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- FID Canal
- Private Canal
- Abandoned Canal

0 175 350 Feet
1 inch = 358.35 feet

N
E
W
S

10



FRESNO County Recorder
Robert C. Werner
DOC- 2007-0021333
Thursday, FEB 01, 2007 11:08:08
Ttl Pd \$0.00 Nbr-0002414412
CRR/R2/1-10

Documentary Transfer Tax-- \$0.00

For the Benefit of:

FRESNO IRRIGATION DISTRICT
2907 SOUTH MAPLE AVENUE
FRESNO CA 93725-2218

Recording Information

**GRANT OF EASEMENT AND AGREEMENT
FOR SUBSTITUTION OF PIPELINE FOR OPEN CANAL
OWNED BY FRESNO IRRIGATION DISTRICT**

LOCATION: N/W SHIELDS AND LOCAN AVENUES
APN: 310-270-04, 310-270-05, 310-270-06
CANAL: GOW NO. 99

THIS AGREEMENT, made and entered into this 24th day of JANUARY, 2007, by and between BN 5312 L.P., a California limited partnership, hereinafter referred to as "FIRST PARTY", and the FRESNO IRRIGATION DISTRICT, a public corporation in the County of Fresno, State of California, hereinafter referred to as "DISTRICT";

WITNESSETH:

WHEREAS, FIRST PARTY is the owner of that certain real property in the County of Fresno, State of California, described as follows:

Lot 47 of Eggers Colony, according to the map thereof recorded in Volume 4 of Plats, at Page 60, Fresno County Records.

Together with that portion of Abandoned Dakota Avenue, by Order of Abandonment by the Board of Supervisors of Fresno County Recorded July 3, 1959 in Book 4243 Page 365, as Document No. 47112, Official Records Fresno County.

FID No: 2006-D099-J1420-01
FID Form 407B

GIS 5116

WHEREAS, DISTRICT owns an easement and right-of-way over and through said real property for its use, operation, and maintenance of an open irrigation canal known as the Gow Canal No. 99, and

WHEREAS, FIRST PARTY desires to relocate and substitute for said open canal, SIX HUNDRED SEVENTY SEVEN feet (677') of TWENTY-FOUR inch (24") inside diameter rubber gasket reinforced concrete irrigation pipeline (ASTM C-361, B-25) within an easement and right-of-way as described and provided herein, and as shown on EXHIBIT "A" attached hereto, and DISTRICT is willing to consent to the relocation and substitution of such pipeline subject to the conditions herein specified.

NOW, THEREFORE, it is agreed as follows:

I

FIRST PARTY does hereby grant to DISTRICT the perpetual and exclusive easement and right-of-way to construct, install, maintain, alter, repair, improve, reconstruct, enlarge, and supplement pipes, pipelines and conduits, and all other structures and facilities incidental thereto, and to flow and conduct water through said pipes, pipelines and conduits across, over, through, and under the above described real properties owned by FIRST PARTY, in a perpetual and exclusive easement and right-of-way, therefore, consisting of a strip of land as shown on EXHIBIT "A" attached hereto and described as follows:

Real Property in the County of Fresno, State of California, described as follows:
That portion of the Southwest quarter of Section 23, Township 13 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official United States Government Township Plat thereof, also being a portion of Lot 47 of Eggers Colony, according to the map thereof recorded in Volume 4 of Plats, at Page 60, Fresno County Records, and more particularly described as follows:

Commencing at the Center Quarter corner of said Section 23; thence North 89°48'44" West along the north line of the Southwest Quarter of said Section 23, a distance of 47.00 feet to the **True Point of Beginning**; thence South 00°05'23" West, parallel with and 47.00 feet west of the east line of the Southwest quarter of said Section 23, a distance of 659.50 feet; thence, North 89°48'13" West, a distance of 15.00 feet; thence North 00°05'23" East, parallel with and 62.00 feet west of the east line of the Southwest quarter of said Section 23, a distance of 659.49 feet to a point on the north line of the Southwest Quarter of said Section 23; thence South 89°48'44" East, along said north line a distance of 15.00 feet to the **True Point of Beginning**.

Contains an area of 9892 Square Feet, 0.23 Acres, more or less.

together with all rights convenient or incidental thereto, including the right of ingress to and egress from said easement and right-of-way, over and across said real property of FIRST PARTY; and

FIRST PARTY for themselves, their heirs, executors, administrators, successors and assigns, covenant and agree that earth cover over the pipeline shall not be reduced, and that no permanent structures, buildings, fences, or road improvements shall be constructed, and no trees, vines, or shrubs shall be planted or maintained upon said easement and right-of-way which would in any way interfere with the use of said easement and right-of-way without the consent of DISTRICT, and that DISTRICT shall have the right, without notice, and at the expense of FIRST PARTY, to remove any such structures, fences, landscaping, private road improvements, driveways, or other encroachments from said easement and right-of-way. FIRST PARTY agrees that DISTRICT shall have no obligation to reimburse FIRST PARTY for, or to replace, encroachments so removed.

II

FIRST PARTY agrees at its expense to lay, construct, and install with and along the said easement and right-of-way, herein described, SIX HUNDRED SEVENTY SEVEN feet (677) of TWENTY-FOUR inch (24") inside diameter rubber gasket reinforced concrete irrigation pipeline (ASTM C-361, B-25), and with inlets, outlets and such connections and other structures as may be specified by the engineer of DISTRICT. Said pipeline, structures and other appurtenances shall be laid, constructed, installed, and backfilled in accordance with plans and specifications approved by DISTRICT, and the top of said pipeline shall be no less than thirty-six inches (36") below the surface of the surrounding ground and any proposed or existing roads, streets or alleys crossed thereby. All pipe shall be laid and installed in a good workmanlike manner.

III

All precast concrete pipe, cast-in-place concrete pipe, and any other type of pipe agreed to be installed shall meet the minimum requirements of the most current "American Society of Testing and Materials" specifications, "The American Concrete Institute" specifications, and/or the specifications and requirements of DISTRICT for the type and class of pipe agreed to be installed.

IV

FIRST PARTY agrees to commence the laying and installation of said pipeline and structures within a reasonable time after the execution of this Agreement, and to complete the installation and construction thereof no later than FEBRUARY 15, 2008, or as otherwise agreed by the parties. FIRST PARTY agrees that the construction and installation of said pipeline and structures shall not interfere with the flow or distribution of water through the present facilities as required by DISTRICT.

V

FIRST PARTY agrees not to damage, destroy, alter, disrupt, discard, remove or connect to any existing facilities owned by DISTRICT and that no work on the replacement and substitution of the said concrete pipeline for the open canal shall begin without the written permission of DISTRICT.

VI

FIRST PARTY and DISTRICT agree and acknowledge that the construction of said pipeline shall not be during the normal irrigation season of DISTRICT.

VII

FIRST PARTY agrees within thirty (30) days after the completion of the work described above and acceptance of such work by DISTRICT, to finalize payment to all contractors, vendors and others under contract to FIRST PARTY for the entire cost of laying, constructing, and installing said pipeline, inlets, outlets, and other structures including the cost of all labor, materials, equipment, installation, trenching, backfilling, leveling and testing. In the event FIRST PARTY neglects, fails, or refuses to pay the entire cost thereof, and complete said work in accordance herewith, DISTRICT may, but shall not be required to, pay such cost and complete such work and FIRST PARTY does hereby agree to repay to DISTRICT any amounts so expended with interest thereon at the rate of ten percent (10%) per annum.

VIII

FIRST PARTY agrees to keep and maintain said pipeline, inlets, outlets and other structures appurtenant thereto, in good operating condition and repair for a period of one (1) year after the completion of construction and the acceptance of the pipeline project thereof by DISTRICT, and to pay all costs of such repairs and maintenance and of any replacement of any part thereof required to maintain said pipeline and structures in good operating condition. FIRST PARTY agrees that said acceptance must be evidenced in writing by a dated letter from DISTRICT. In the event FIRST PARTY fails, neglects, or refuses to repair, maintain or replace any part of said pipelines or structures during said period of one (1) year, DISTRICT shall have the right, but shall not be required, to make any such repairs or replacements and FIRST PARTY does hereby agree to repay to DISTRICT the cost of any such repairs or replacement with interest at the rate of ten percent (10%) per annum.

IX

FIRST PARTY agrees that upon construction and installation, the said pipeline, inlets, outlets and other structures constructed within said easement and right-of-way deeded herein, shall become and remain the property of DISTRICT, and that FIRST PARTY shall have no right, title, or interest therein, except as otherwise provided herein. FIRST PARTY further agrees that said easement and right-of-way deeded herein and said pipeline and any other pipelines and conduits to be constructed therein, by or for DISTRICT and the manner, method and time of conducting and discharging water through said pipeline, pipelines, or conduits shall be in the sole and absolute control of DISTRICT, and the nature and extent of said easement and right-of-way shall not be diminished or restricted by the construction of said pipeline by FIRST PARTY. FIRST PARTY shall maintain the surface of said land and keep it in a safe condition for the use of DISTRICT and others.

X

FIRST PARTY agrees prior to commencement of any work contemplated herein, to furnish DISTRICT with a surety bond in the amount of FIFTY FIVE THOUSAND TWENTY AND 00/100 DOLLARS (\$55,020.00) guaranteeing the performance of this Agreement by FIRST PARTY and the payment of all amounts herein agreed to be paid by FIRST PARTY. DISTRICT shall have the right to request from FIRST PARTY, FIRST PARTY's contractor cost of laying, constructing, and installing said pipeline, inlets, outlets, and other structures. If said contractor's cost is greater than FIRST PARTY's surety bond, DISTRICT shall have the right to request an additional bond from FIRST PARTY, at FIRST PARTY's expense, to guarantee performance by FIRST PARTY's contractor. Said bond may be reduced to EIGHT THOUSAND TWO HUNDRED FIFTY THREE AND 00/100 DOLLARS (\$8,253.00) after the completion and acceptance of said work of construction, and all other conditions, terms, undertakings of this Agreement. This reduced amount shall be for guaranteeing the maintenance and repair of said pipeline and appurtenant structures for a period of one year from the date of said acceptance. The expense of bonds shall be borne by FIRST PARTY. All such bonds shall be executed by FIRST PARTY and a corporate bonding company licensed to transact such business in the State of California and acceptable to DISTRICT. Evidence of authority of an attorney-in-fact acting for the corporate surety must be provided in the form of a certificate as to his power of attorney and to effect on the date of the bonds. The form of the bonds or any alternative security offered by FIRST PARTY shall be subject to the approval of the DISTRICT.

XI

FIRST PARTY agrees to indemnify and save DISTRICT free and harmless of and from any liability, loss, cost, damage, attorneys' fees or expense arising out of any claim of personal injury or property damage suffered by any person, or the death of any person, which arises as the result of any negligence on the part of FIRST PARTY incurred in the performance of this Agreement, commencing upon the execution of this Agreement and continuing without interruption for a period of one year after acceptance of said pipeline by DISTRICT.

XII

FIRST PARTY agrees, at its own expense, to procure a Policy of Title Insurance issued to DISTRICT with liability limited to FIFTY FIVE THOUSAND TWENTY AND 00/100 DOLLARS (\$55,020.00) showing title to the easement and right-of-way herein granted to DISTRICT to be free and clear of encumbrances, which would in any way interfere with DISTRICT's use of said easement and right-of-way. FIRST PARTY shall furnish DISTRICT with said Policy after the completion and acceptance of said work.

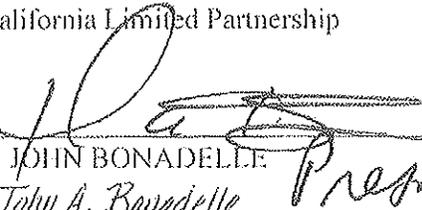
XIII

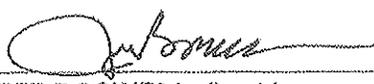
FIRST PARTY agrees to pay to DISTRICT, payment to accompany this Agreement, the sum of EIGHT THOUSAND ONE HUNDRED TEN AND 86/100 DOLLARS (\$8,110.86) to cover the cost of the preparation of agreements and plan review of said pipeline project. FIRST

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above mentioned.

BN 5312 L.P.
A California Limited Partnership

FRESNO IRRIGATION DISTRICT
A Public Corporation

BY: 

BY: 

JOHN BONADELLE

JEFF BOSWELL, President

AKA John A. Bonadelle *Pres*

ATTEST: 

GARY R. SERRATO, Secretary

"FIRST PARTY"

"DISTRICT"

This is to certify that the interest in real property conveyed by the deed or grant dated 1/24/07
from BN 5312 L.P.

to Fresno Irrigation District, a public corporation, is hereby accepted by the undersigned officer or agent on behalf of the Board Of Directors pursuant to authority conferred by resolution of the Board Of Directors adopted on January 27, 2004, and the grantee consents to recordation thereof by its duly authorized officer.

Dated 1/24/07

By: 

GARY R. SERRATO, Secretary

EXHIBIT "A"

BASIS OF BEARINGS:

THE WEST LINE OF SOUTHWEST QUARTER OF SECTION 23, T. 13 S., R. 21 E., M.D.B.&M., WAS TAKEN TO BE SOUTH 00°04'11" WEST, PER TRACT NO. 5427, RECORDED IN VOLUME _____ OF PLAT MAPS AT PAGES _____ FRESNO COUNTY RECORDS.

OWNER :

BONADELLE HOMES, INC
2109 WEST BULLARD AVENUE #133
FRESNO, CA 93711

A.P.N. : 310-270-04, 05, & 06

AREA TO BE DEEDED : 9,892 S.F., 0.23 ACRES



INDICATES AREA TO BE DEEDED FOR IRRIGATION PIPELINE EASEMENT PURPOSES.

POINT OF COMMENCEMENT
CENTER 1/4 CORNER OF
SECTION 23, 13/21, M.D.B.&M.

TRUE POINT OF BEGINNING

S 89°48'44" E 2649.00'

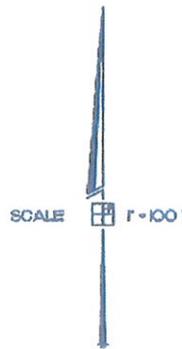
WEST 1/4 CORNER OF SECTION
23, 13/21, M.D.B. & M.

BASIS OF BEARING
N 00°04'11" E 2635.40'

NORTH TEMPERANCE AVENUE

NORTH LOCAN AVENUE

LINE	BEARING	LENGTH
L1	N89°48'44"W	47.00'
L2	N89°48'13"W	15.00'
L3	S89°48'44"E	15.00'



659.49'
659.50'

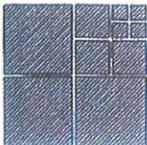
N 00°05'23" E
S 00°05'23" W

EAST SHIELDS AVENUE

REVISIONS



PREPARED BY:



**INGELS - BRAUN
& ASSOCIATES**
CIVIL ENGINEERING AND LAND SURVEYING
5499 EAST HEDGES AVENUE
FRESNO, CALIFORNIA 93727
(559) 291 - 0427

C:\My Documents\06050E02.dwg 12/18/2006 8:50:21 AM PST

ACC'T. NO. _____
FILE NO. _____
W.O. NO. _____

FRESNO IRRIGATION DISTRICT

REF & REV
T-5588

F. I. D. E A S E M E N T

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE.

—APPROVED—

CONST. ENG. _____ OFFICE ENG. _____
CITY DESIGN ENG _____

DRN. BY: JJS
CHK. BY:
DATE : 1/28/06
SCALE : AS SHOWN

SHEET NO. ONE (1)
OF ONE (1) SHEET

8

STATE OF CALIFORNIA,
COUNTY OF Fresno

On January 20, 2007, before me, Anna M. Renna, Notary Public
a Notary Public, personally appeared John A. Bonadelle

personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

(Notary seal or stamp)

WITNESS my hand and official seal.

Signature Anna M. Renna
My commission expires Aug. 30, 2007



STATE OF CALIFORNIA,
COUNTY OF _____

On _____, before me, _____
a Notary Public, personally appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

(Notary seal or stamp)

WITNESS my hand and official seal.

Signature _____

My commission expires _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

On January 24, 2007 before me, Norma Cecil, Notary Public

personally appeared ^{Date} Jeff Boswell and Gary R. Serrato Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Name(s) of Signer(s)

personally known to me

(or proved to me on the basis of satisfactory evidence)



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Norma Cecil
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document

Title or Type of Document Grant of Easement and Agreement for Substitution of Pipeline

Document Date: January 24, 2007 Number of Pages: 7 + Exhibit A

Signer(s) Other Than Named Above: John A. Bonadelle

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Individual
 Corporate Officer - Title(s): _____
 Partner - Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____

Signer's Name: _____
 Individual
 Corporate Officer - Title(s): _____
 Partner - Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-13-009 AND
REZONE APPLICATION NO. R-13-016

FMFCD

Return Completed Form to:
Mike Sanchez
Email: Mike.Sanchez@fresno.gov
Telephone: 559-621-8040
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area (SEGA) and Sphere of Influence. Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. Rezone Application No. R-13-016 proposes to reclassify the subject property from AE-20 (Exclusive Twenty-Acre Agricultural, Fresno County) to R-1/cz (Single Family Residential/conditions of zoning, Fresno City) zone district. The proposed entitlements are intended for the future development of a 99-lot single family residential subdivision. A formal subdivision map has not yet been filed.

APN: 319-270-10,11,12 ZONING: From AE-20 to R-1/cz SITE ADDRESS: 3450 North Locan Avenue

DATE ROUTED: December 30, 2013 COMMENT DEADLINE: January 22, 2014

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

REFER TO ATTACHED LETTER DATED JANUARY 2014 FOR COMMENTS FOR R-13-016 AND A-13-009.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

SAME AS ABOVE.

REQUIRED CONDITIONS OF APPROVAL:

SAME AS ABOVE.

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

NO.

REVIEWED BY: GARY CHAPMAN ENG. TECH III 456-3292 1/23/14
Name and Title Telephone Number Date



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 210.414
550.10 "DS"

January 23, 2014

Mr. Mike Sanchez
City of Fresno
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721

Dear Mr. Sanchez,

Rezone 2013-016
Plan Amendment No. A-13-009
Proposed Drainage Area "DS"

CS
*

The subject Rezone and Plan Amendment lies within a future planned watershed proposed as Drainage Area "DS". The Drainage Area "DS" Master Plan drainage system is only proposed and has not been adopted. The proposed drainage system was planned for adoption in conjunction with the 2035 Fresno City General Plan and, therefore, has not been thoroughly designed, reviewed or finalized. The proposed drainage system, when adopted, would be planned for and could accommodate the proposed Rezone and Plan Amendment.

As the District's Drainage Area "DS" Master Plan has not been adopted and may not be adopted prior to approval of the subject entitlements, the proposed Rezone and Plan Amendment, along with any other proposed entitlements on this property, must be required to comply with any requirements of a future adopted Master Plan, including any construction requirements and the payment of drainage fees. As such, the applicant must agree to comply with any future adopted Master Plan conditions or the District is opposed to the approval of the subject Rezone and Plan Amendment until adoption of the Drainage Area "DS" Master Plan.

The Operational Statement for the subject Rezone and General Plan Amendment refers to a planned FMFCD ponding basin that can be modified to serve the proposed site. While this statement may be true upon adoption of the Drainage Area "DS" Master Plan, until its adoption there are no planned drainage facilities to provided drainage service to the proposed site.

k:\letters\rezone letters\fresno rezone\2013\2013-016(ds)(gc).docx

Mr. Mike Sanchez
Rezone 2013-016
January 23, 2014
Page 2

Should street improvements in Locan Avenue become a condition of the rezone or plan amendment, future Master Plan facilities may become a requirement of the entitlements and the City and developer should contact the District for direction regarding drainage system construction.

The District will give more detailed comments and conditions of approval upon the adoption of the Drainage Area "DS" Master Plan and the submittal of a tentative tract map.

If there are any questions concerning this matter, please feel free to contact us.

Sincerely,



Gary Chapman
Engineering Technician III

GC/lrl

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-13-009 AND
REZONE APPLICATION NO. R-13-016

06 FRE 130-PM R64
267

Return Completed Form to:
Mike Sanchez
Email: Mike.Sanchez@fresno.gov
Telephone: 559-621-8040
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area (SEGA) and Sphere of Influence. Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. Rezone Application No. R-13-016 proposes to reclassify the subject property from AE-20 (Exclusive Twenty-Acre Agricultural, Fresno County) to R-1/cz (Single Family Residential/conditions of zoning, Fresno City) zone district. The proposed entitlements are intended for the future development of a 99-lot single family residential subdivision. A formal subdivision map has not yet been filed.

APN: 319-270-10,11,12 ZONING: From AE-20 to R-1/cz SITE ADDRESS: 3450 North Locan Avenue

DATE ROUTED: December 30, 2013 COMMENT DEADLINE: January 22, 2014

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

Minimal impact

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

Pay into the TSMIF/RTMF

REQUIRED CONDITIONS OF APPROVAL:

See above

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

No

REVIEWED BY: David Padilla, Caltrans 444-2493 1/27/14
Name and Title Telephone Number Date



BRUCE RUDD
City Manager

February 11, 2014

Mr. John Navarrette
Chief Administrative Officer
County of Fresno
2281 Tulare Street, Suite 304
Fresno, California 93721

SUBJECT: RELEASE OF PROPERTIES TO THE CITY OF FRESNO, BONADELLE HOMES (A.P.N. 310-270-10, 11, & 12)

Dear Mr. Navarrette:

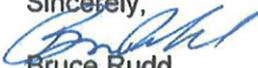
As you are aware, Bonadelle Homes filed entitlement applications (General Plan Amendment and Rezone Application) with the City of Fresno regarding 24 acres of property located on the southeast corner of North Locan Avenue and East Dakota Avenues (see attached map). The proposed project is within the SEGA Growth Area, as depicted in the 2025 Fresno General Plan, but currently remains under the jurisdiction of Fresno County.

Bonadelle Homes and its representatives have discussed the proposed project with both City and County officials. Upon conclusion of these discussions, the City of Fresno has determined that this project should be processed under the City's jurisdiction. The City of Fresno is respectfully requesting that the County of Fresno formally release the subject properties for processing and development with the City of Fresno.

It should be noted that the future annexation of the subject site is being initiated by this developer and not the City of Fresno. Therefore, the developer shall bear all costs related to this annexation and any other fees that may result from incorporation to the City of Fresno.

If you have any further questions, please contact me or Mr. Mike Sanchez, Planning Manager at (559)-621-8040

Sincerely,


Bruce Rudd
City Manager

c: John Bonadelle



Department of Public Utilities – Water Division



Providing Life's Essential Services

DATE: April 9, 2014

TO: MIKE SANCHEZ, Planning Manager
Development Department/Current Planning

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

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

SUBJECT: **WATER REQUIREMENTS FOR REZONE R-13-016 AND PLAN AMENDMENT A-13-009.**

General

A-13-009 & R-13-016 were filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of John Bonadelle, and pertain to 23.78 acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area, SEGA, and Sphere of Influence, 3450 North Locan Avenue, APN 310-270-10, 11, 12. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. R-13-016 proposes to reclassify the subject property from AE-20, Exclusive Twenty-Acre Agricultural, Fresno County, to R-1-cz, Single Family Residential-conditions of zoning, Fresno City, zone district. The proposed entitlements are intended for the future development of a 99 lot single family residential subdivision. A formal subdivision map has not yet been filed.

Water Requirements

The proposed project is located within the Southeast Growth Area (SEGA). The Southeast Growth Area Plan has not been approved by the City and there is currently no water connection fee program for SEGA to support the development of water supply, treatment, conveyance, and recharge facilities. Should the project proceed prior to the approval of the Southeast Growth Area Plan and development of a water connection fee program for SEGA, **the project may be required to construct water facilities as identified in the City's Metropolitan Water Resources Management Plan Update** without reimbursement. These facilities may include and are not limited to the following:

- Regional Water System Transmission Mains
- Transmission Grid Distribution Mains



A Nationally Accredited Public Utility Agency

- Potable Water Storage
- Groundwater Production Facilities
- Groundwater Treatment Facilities
- Groundwater Recharge Facilities

Specific water system connection requirements will be developed once a formal subdivision map application is filed with the City.



Agenda Item 8

DATE: April 22, 2014

TO: Board of Supervisors

FROM: Alan Weaver, Director
Alan Weaver
 Department of Public Works and Planning

SUBJECT: Release of Properties to the City of Fresno
 Bonadelle Homes

RECOMMENDED ACTION:

1. Consider request from the City of Fresno and determine whether proposed 24-acre annexation is exempt from the Article VI, Section 6.2.1 and 6.2.2 of the City/County Restated Memorandum of Understanding, and
2. If determined to be exempt, then also determine that proposed annexation shall be subject to the Standards of Annexation contained in Exhibit 1 of the City/County Restated Memorandum of Understanding.

The City of Fresno has submitted a request (See Exhibit "A") on behalf of Bonadelle Homes for the annexation of 24 acres located within the City's Sphere of Influence (SOI). The proposed annexation is also located in an area defined in the City/County Restated Memorandum of Understanding (MOU) as the Southeast Growth Area (SEGA). Annexation and development within SEGA is restricted until certain Conditions have been met, unless both the City and County mutually agree to exempt the proposal. Staff recommends that if your Board determines to exempt the proposed annexation, that it be conditioned upon complying and being consistent with the Standards of Annexation contained in Exhibit 1 of the MOU. The proposed annexation area is located on the east side of N. Locan Avenue along the E. Dakota Avenue alignment (See Exhibit "B").

ALTERNATIVE ACTION(s):

Your Board can determine that the proposal is not consistent with the MOU and annexation would not occur until all Conditions have been completed.

ADMINISTRATIVE OFFICE REVIEW

BOARD ACTION: DATE April 22, 2014 APPROVED AS RECOMMENDED *J. Borgeas* Page 1 of 13
 OTHER _____


 Official Action of
 Board of Supervisors
[Signature]
 Deputy

UNANIMOUS X BORGEAS _____ CASE MCNAIRY _____ LARSON _____ PEREA _____ POOCHIGIAN _____

FISCAL IMPACT:

There is no net County cost associated with the recommended action. The MOU provides for the sharing of property taxes. If the annexation is ultimately approved by the Local Agency Formation Commission and is annexed to the City of Fresno, property tax revenues collected in relation to the annexation will be apportioned between the City and County in accordance with the terms specified in Article III of the MOU. Property tax revenue from the project area will be distributed using a ratio of 62% to the County and 38% to the City.

DISCUSSION:

On June 6, 2003, your Board approved and executed an MOU with the City of Fresno that addresses land use, revenue sharing and expanded growth areas. The City is currently processing land use entitlements (General Plan Amendment and Rezoning Applications) filed by Bonadelle Homes for the development of a residential subdivision located along Locan Avenue within an area defined by the MOU as the Southeast Growth Area.

In addressing annexation of lands within SEGA, the MOU (Article VI, Section 6.2.1 and 6.2.2) identifies sequencing of development Conditions that must be met prior to annexation and development as follows:

- City shall prepare a Water Supply Plan for the Southeast Growth Area pursuant to Water Code Section 10910; and
- City shall renew its Central Valley Project water supply contract; and
- City shall complete a Specific Plan and environmental work for the entire Southeast Growth Area. The Plan and/or environmental work shall include a Water Supply Plan incorporating the requirements of Water Code Section 10910.

The City/County MOU (Article XI, Section 6.2.5) does provide an exception to the above Conditions on a case-by-case basis upon the consensus of both the City and County.

A letter in support of the proposed annexation was submitted on behalf of Bonadelle Homes by Mr. Dirk Poeschel (See Exhibit "C"). Mr. Poeschel's letter requests that the County determine to exempt the proposed annexation from the above Conditions based on the following:

- Completion of the required SEGA Specific Plan has been delayed for various reasons, all of which were beyond the control of Bonadelle Homes; and
- Bonadelle Homes purchased the subject property expecting the completion of the SEGA Specific Plan in 2009; and
- Delays in completing the required SEGA Specific Plan will have significant adverse economic impacts on Bonadelle Homes; and
- The proposed development will be served by existing urban services; and
- The project site is located in an area dedicated to urbanization; and
- The proposed development will be designed and built consistent with the SEGA vision.

According to Mr. Poeschel, he and his client have met with City staff and have received support for the proposal.

Staff notes that on September 30, 2003, your Board approved a similar request by the City for annexation of lands within SEGA. However, in that case, the request was to accommodate an existing business desiring to relocate from the City of Selma to the Fresno location. Your Board determined that based on economic and job retention circumstances, the proposed annexation should be exempted from the MOU Conditions.

Staff has evaluated the current request and believes your Board may determine to exempt the proposed annexation. Staff does note, however, that the above sequencing of development conditions was included in the MOU so as to encourage orderly development and avoid premature conversion of existing agricultural lands within SEGA. Currently, the subject property is vacant and surrounding land uses consist of urban uses to the west within Fresno's city limits, and rural homesites and agricultural uses to the north, south, and east within the unincorporated areas. Staff has confirmed that urban infrastructure exists to serve the proposed development.

Staff recommends that if your Board determines to exempt the proposed annexation, that it be conditioned upon complying and being consistent with the Standards of Annexation contained in Exhibit 1 of the MOU. This would require that the proposed annexation have an approved land use entitlement on at least 50% of the annexation area and address annexation of the subject 1.00 acre parcel immediately to the west and the three subject parcels ranging in area from 1.54 acres to 7.75 acres to the north in order to avoid the creation of an island and irregular city limit boundary. The Standards of Annexation are contained as Exhibit "D".

OTHER REVIEWING AGENCIES:

Staff coordinated preparation of this Agenda Item with the City of Fresno.

REFERENCE MATERIAL

BAI #9, September 30, 2003
BAI #2, January 6, 2003

Exhibit "A"



BRUCE RUDD
City Manager

RECEIVED

FEB 13 2014

ADMINISTRATIVE OFFICE

February 11, 2014

Mr. John Navarrette
Chief Administrative Officer
County of Fresno
2281 Tulare Street, Suite 304
Fresno, California 93721

SUBJECT: RELEASE OF PROPERTIES TO THE CITY OF FRESNO, BONADELLE HOMES (A.P.N. 310-270-10, 11, & 12)

Dear Mr. Navarrette:

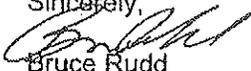
As you are aware, Bonadelle Homes filed entitlement applications (General Plan Amendment and Rezone Application) with the City of Fresno regarding 24 acres of property located on the southeast corner of North Locan Avenue and East Dakota Avenues (see attached map). The proposed project is within the SEGA Growth Area, as depicted in the 2025 Fresno General Plan, but currently remains under the jurisdiction of Fresno County.

Bonadelle Homes and its representatives have discussed the proposed project with both City and County officials. Upon conclusion of these discussions, the City of Fresno has determined that this project should be processed under the City's jurisdiction. The City of Fresno is respectfully requesting that the County of Fresno formally release the subject properties for processing and development with the City of Fresno.

It should be noted that the future annexation of the subject site is being initiated by this developer and not the City of Fresno. Therefore, the developer shall bear all costs related to this annexation and any other fees that may result from incorporation to the City of Fresno.

If you have any further questions, please contact me or Mr. Mike Sanchez, Planning Manager at (559)-621-8040

Sincerely,


Bruce Rudd
City Manager

c: John Bonadelle

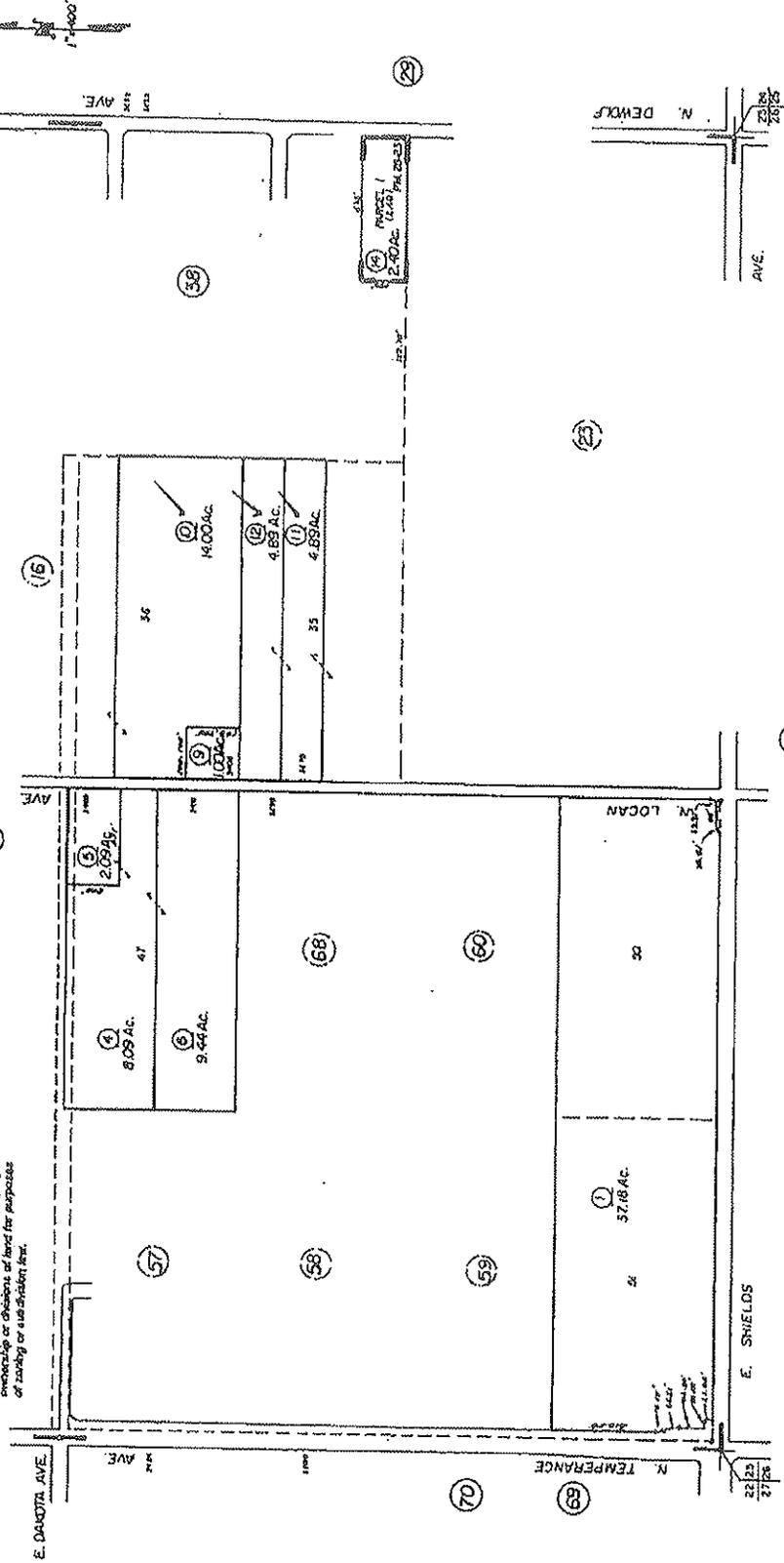
City Manager's Office • City of Fresno
2600 Fresno Street • Fresno, California 93721-3601
(559) 621-7784 • FAX (559) 621-7776 • Bruce.Rudd@fresno.gov

SUBDIVIDED LAND IN POR. SEC. 23, T. 13 S., R. 21 E., M. D. B. & M.

Tax Rate Area
 5-82
 16-82
 76-008

310-27

NOTE
 This map is for Assessment purposes only.
 It is not to be construed as portraying legal
 ownership or divisions of land for purposes
 of taxing or subdivision law.



Eggers Colony - Plat Bk. 4, Pg. 60
Parcel Map No. 4205 - Bk. 28, Pg. 23

Assessor's Map Bk. 310 - Pg. 27
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.





LOCATION MAP

310-270-10, 11, and 12

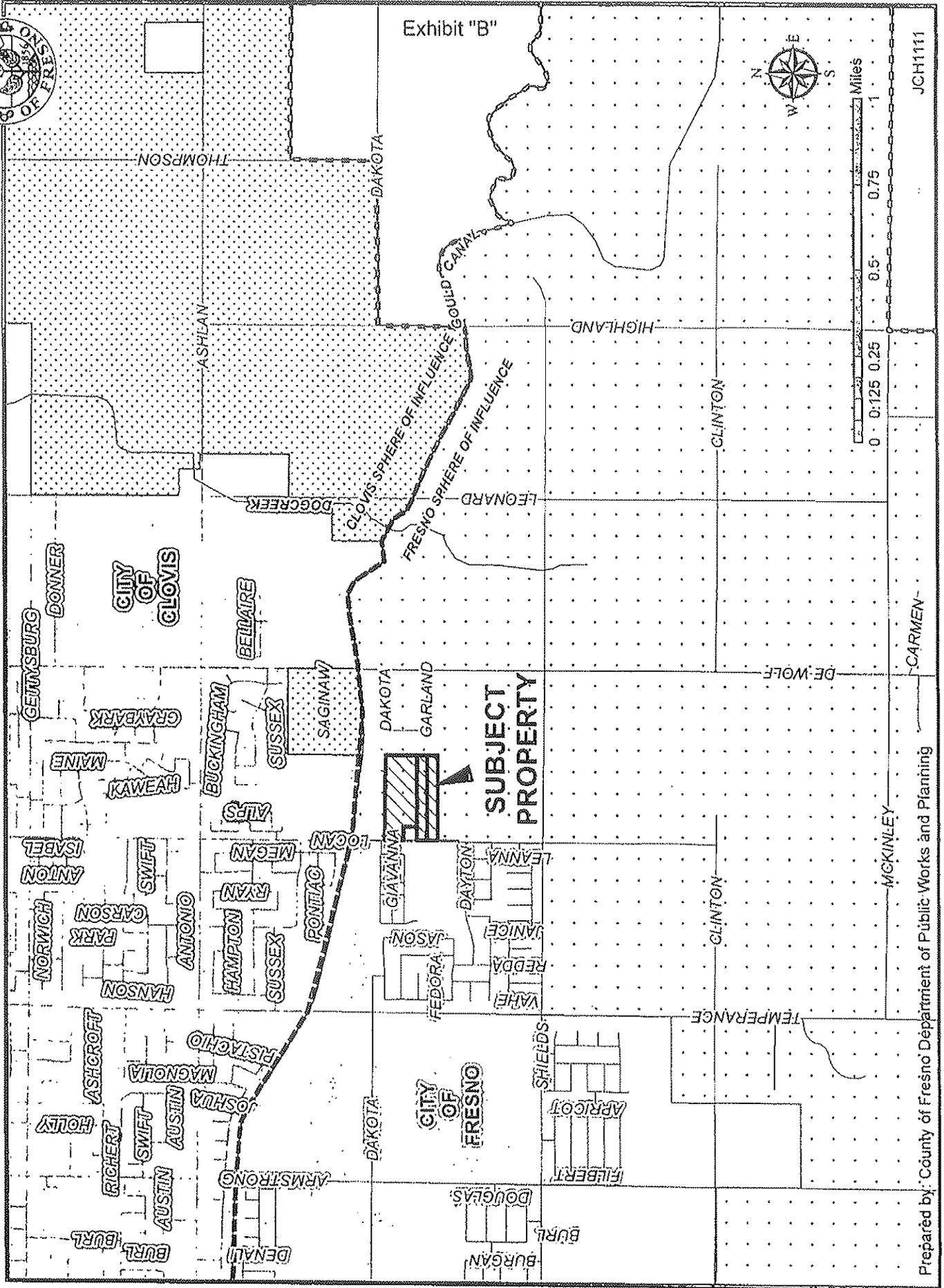


Exhibit "C"

DIRK POESCHEL

923 Van Ness Avenue, Suite 200 • Fresno, California 93721

Land Development Services, Inc.

559/445-0374 • FAX: 559/445-0551 • email: dpoeschel@dplds.com

June 5, 2013

Via E-Mail: jnavarrette@co.fresno.ca.us

Mr. John Navarrette, CAO
County of Fresno Administrative Office
2281 Tulare St., Suite 304
Fresno, CA 93721

SUBJECT: Bonadelle Homes - Fresno County Board of Supervisors Agenda Request

Dear Mr. Navarrette:

Thank you for meeting with Mr. John Bonadelle and me on May 28, 2013 regarding the Bonadelle Homes 23.78+/- acre parcel generally located at the southeast corner of the Dakota Ave. alignment and Locan Ave. within the County of Fresno. As you know, the site is within the City of Fresno Sphere of Influence and the Southeast Urban Growth Area (SEGA) Plan boundary.

As we discussed, Bonadelle Homes has submitted an application to the City of Fresno to change the general plan designation and zoning to allow development of the site consistent with the SEGA plan criteria. A tentative tract map and annexation request will follow for consideration.

As you are also aware, the site is subject to the AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF FRESNO AND THE CITY OF FRESNO (MOU) regarding regional planning. Mr. Bonadelle believes, as does city administration, the project may proceed with the review of the proposed development for a variety of reasons detailed in the attached letter of June 5, 2013 to Mr. Mark Scott. Specifically, ARTICLE VI, Section 6.2.5 of the MOU allows exceptions to the timing of development in the SEGA expanded Sphere of Influence and sequencing of development on a case by case basis with consensus of both the city and county.

On behalf of Mr. Bonadelle, I thank you for your continued interest in this matter and expeditious handling of this request before your Board. If you have any questions, please feel free to contact me.

Sincerely,



Dirk Poeschel, AICP

Enclosure

c: Mr. John Bonadelle
Mr. Mark Scott
✓ Mr. Bernard Jimenez
Mr. Alan Weaver
Mr. David Fey

RECEIVED
JUN 05 2013

DIRK POESCHEL

Land Development Services, Inc.

923 Van Ness Avenue, Suite 200 • Fresno, California 93721

559/445-0374 • FAX: 559/445-0551 • email: dpoeschel@dplds.com

June 5, 2013

Via E-Mail: mark.scott@fresno.gov

Mr. Mark Scott
City Manager
City of Fresno
2600 Fresno St., 2nd Floor
Fresno, CA 93721

SUBJECT: Bonadelle Homes/Referral No. 924

Dear Mr. Scott:

Reference is made to the Bonadelle Homes 24+/- acre parcel generally located at the southeast corner of the Dakota Ave. alignment and Locan Ave. within the County of Fresno. Said property (SITE) is more particularly described as APN's 310-270-10, 11 & 12. Consistent with the recent conversations with you, Bonadelle Homes requests the City of Fresno allow the SITE be developed in the City of Fresno at this time. There are substantial reasons justifying the aforementioned request.

As you know, a Memorandum of Understanding (MOU) exists between the City of Fresno and the County of Fresno to establish a framework for sequencing urban growth in the PLAN area. Article VI Section 6.25, page 32 of that MOU dated January 6, 2003 states "Exceptions to the provisions of this Section 6.2 may be granted on a case by case basis upon consensus of both city and county." Waiting for the adoption of the Plan and certification of the related Environmental Impact Report is years away. Such delays would cause substantial and unnecessary harm to Bonadelle Homes and the community as described below.

As you know, the SITE is within the City of Fresno Sphere of Influence. The SITE is immediately east of the City of Fresno city limits on Locan Ave. between the Dakota Ave. alignment and Shields Avenue. It is also located within the Southeast Urban Growth Area Plan boundaries hereafter referred to as PLAN. Completion of the PLAN has been delayed for various reasons all of which were out of the control of Bonadelle Homes.

Bonadelle Homes supports the city's SEGA planning efforts but finds that the delays in completing the PLAN necessitate the company proceeding with development of the SITE at this time. The SITE was purchased based on publicly stated objectives of the city to direct growth within the PLAN area. In fact, the company purchased various parcels within the PLAN area anticipating development would be allowed within the time frame prepared by the city. That has not occurred.

Mr. Mark Scott
June 5, 2013
Page 2

The delays in PLAN preparation have caused the company to vacate options to buy other properties in the PLAN area. Due to the SITE's superior location to the Park 5 community the company ceased making option payments and purchased the SITE on January 13, 2005 in anticipation that the City of Fresno would complete the PLAN within a reasonable time establishing the framework for urbanizing that PLAN area.

Bonadelle Homes has prepared a Preliminary Lot Development Plan which illustrates conceptually how the SITE will be developed and has submitted the general plan amendment and rezoning applications to your staff. Upon an affirmative determination that the project may proceed as described in the MOU, Bonadelle Homes intends to process the land use entitlements to allow the urbanization of the SITE per applicable City of Fresno standards.

The SITE will be developed per the SEGA plan criteria including open space, landscaping, pedestrian networks to encourage walking and bicycling, on-site pocket parks, energy efficient homes, with contemporary and lasting design and quality. Due to the very competitive housing market, Bonadelle Homes currently includes the aforementioned features and other components buyers' desire in all of their communities.

Bonadelle Homes recognizes its responsibility to pay applicable impact fees and that some fees for the area in which the SITE is located have not been established. Nonetheless, the company is confident that it can reach consensus on appropriate fees with the city.

Various facts support the request. The following is a summary of the information unique to the Bonadelle Homes property in support of the proposal to allow the company to proceed with development prior to the completion of the PLAN.

Allowing the development of the project is consistent with the MOU between the City of Fresno and the County Fresno for development of the area

Article VI, Section 6.2.5 Exceptions of the MOU between the City of Fresno and the County of Fresno allows for the exceptions of the provisions of Section 6.2 to be granted on a case-by-case basis upon the consensus of both the City of Fresno and Fresno County. The aforementioned section was included in the MOU to allow for a case-by-case review of urbanization requests in the event the PLAN was not completed in the time frame expected by all parties.

The PLAN and the MOU seek to create an orderly process for urbanization to occur. For reasons beyond the control of Bonadelle Homes the PLAN will not be completed for years. Bonadelle Homes purchased the SITE expecting the completion of the PLAN to be reasonably close to the time lines created by the City of Fresno Resource Management and Development Department. That time line was presented to the Local Agency Formation Commission stating that the PLAN area was ripe for development and that the preparation and completion of a plan for the area could be completed by Spring of 2009.

Mr. Mark Scott
June 5, 2013
Page 3

Delays in the completion of the Southeast Growth Area Master Plan will have significant adverse economic impacts on Bonadelle Homes

The SEGA plan was first introduced at Sunnyside High School in a series of public listening sessions on November 9, 2006. There were multiple public meetings throughout 2007, with the SEGA plan presentation by Calthorpe Associates on September 29, 2007. Additional public meetings regarding the PLAN continued throughout 2008. On July 22, 2008, the Development Department presented the Draft SEGA Plan to the Fresno City Planning Commission. To my knowledge, representatives of Bonadelle Homes have been present at all public meetings regarding the PLAN. No public meetings have occurred since.

Time to complete the PLAN including the corresponding Environmental Impact Report and obtain approval by the City Council is uncertain. Delays of this magnitude will have a significant adverse economic impact on Bonadelle Homes property.

Bonadelle Homes is a successful local homebuilder with over 55 years of experience building quality affordable homes. If Bonadelle Homes is precluded from developing the SITE now, a significant number of local jobs will be lost from a wide variety of professions that are associated with the building industry. Recent studies indicate that each new single family home generates 104 jobs to the local economy. Therefore, the adverse economic impact to the economy and to the local job market would be significant if the project were not allowed to move forward.

The company has invested millions of dollars in infrastructure in the area that can be put to use serving the proposed project. That infrastructure cannot be replicated at another location without great cost to the company.

Successful real estate development is based on establishing a theme and product the market desires and continuing with that product in a given area. The Bonadelle Homes Park 5 project has successfully established a positive project identity that attracts buyers who desire quality homes in great communities at a competitive price point. Based on existing sales rates, the existing inventory of Park 5 lots are depleted. If this request is granted, the company will continue its positive sales and marketing efforts.

The subject development can be served by urban services

There is an existing City of Fresno 14-inch water main and an 8-inch sewer main located in N. Locan Ave. adjacent to the SITE. There is adequate capacity to serve the subject development in the aforementioned sewer and water lines. Gas, electricity, telephone and streets are immediately adjacent and available to serve the SITE.

Conversations with the Fresno Metropolitan Flood Control District indicate various alternatives exist to provide storm drainage protection to the SITE. The SITE is within the Fresno Metropolitan Flood Control District Service area. Based on conversations with FMFCD senior staff the site can be served by the District.

Mr. Mark Scott
June 5, 2013
Page 4

Fire and police protection can be provided by the City of Fresno through a fee structure and Development Agreement that assures appropriate fees are paid. Bonadelle Homes is committed to paying appropriate fees for all city services as may be determined by the Council and develop to all city standards.

The project is located in an area dedicated to urbanization; it will not have a significant impact on agriculture

The SITE has not been in agricultural production since 2006 when the Almond trees were removed because they were no longer producing at profitable volumes. The United States Department of Agriculture Soils Survey indicates the subject site soil types are 68.8% +/- San Joaquin sandy loam, 0 to 3 percent slopes and 31.2% +/- San Joaquin loam, 0 to 3 percent slopes. The Storie Index ratings of those soils are 31 and 33 respectively. Storie Index soils that rate between 20 and 39 percent are a Grade 4 and have a narrow range in their agricultural possibilities. Further, the area is designated for urbanization in the PLAN and was committed for urbanization as part of the SOI change approved by LAFCo. The property is not under a Williamson Act contract.

The Proposed Project will be designed and built consistent with the SEGA vision and policies

The SITE is designated for Neighborhood Residential uses in the Draft SEGA plan. The Draft SEGA Plan was presented to the City of Fresno Planning Commission on July 15, 2008 with the staff recommending Alternative 2. That alternative designated the site for Rural Residential (1 home for 2 acres) uses. Representatives of Bonadelle Homes requested the City of Fresno Planning Commission change the draft land use designation from Rural Residential to a higher density residential designation on all of the Bonadelle Homes properties in the PLAN area. The planning commission approved Alternate 2 and designated the site for Neighborhood Residential uses.

The SEGA Plan seeks to establish a framework for quality homes at varying densities, semi-private civic spaces, connectivity to other neighborhoods and non-residential nodes in non-gated projects. All Bonadelle Homes incorporate useable open space, pedestrian networks to encourage walking and bicycling and energy efficient homes built with lasting quality in all of their communities. To be leaders in a very competitive environment, Bonadelle Homes has a long tradition of providing a range of housing alternatives and other features that are envisioned in the PLAN.

Bonadelle Homes has completed Park 5 which is a 156-lot subdivision immediately to the west of the subject site on Locan Avenue. The company proposes to construct a neighborhood utilizing residential medium density and the same model homes as Park 5, Emily Estates and other Bonadelle neighborhoods in the area.

Mr. Mark Scott
June 5, 2013
Page 5

Allowing the Proposed Project will not be detrimental to the SEGA Plan

The SITE is immediately adjacent to the Fresno City limits. Therefore, the issue of discontinuous or "leap frog development" does not apply to this project. In fact, the SITE's proximity to urban services is advantageous to allowing the proposed project to keep development costs down. Further, the SITE represents a very small fraction of the PLAN's total area and does not establish a precedent for others given the SITE's unique location and other circumstances.

The Proposed Project will be Designed and Constructed to be a Positive Attribute to the Community

Consistent with all of their communities Bonadelle Homes will incorporate a wide range of design and construction features that will reduce potential environmental impacts and enhance the living experience. Further, Bonadelle Homes has retained qualified experts to provide studies and other documentation necessary for the city to approve the project. The company looks forward to having the opportunity to work with city staff to complete a comprehensive review of the project so it may be approved.

Conclusion

There is ample justification to support the request to allow development of Mr. Bonadelle's property prior to the completion of the SEGA Plan. Mr. Bonadelle and I are confident he can build a quality project consistent with SEGA goals. Thank you for your consideration of this request.

If you have any questions, please feel free to contact me.

Sincerely,



Dirk Poeschel, AICP

c: Mr. John A. Bonadelle
Mr. John Navarrette

EXHIBIT 1

STANDARDS FOR ANNEXATION

- The proposal must be consistent with the adopted sphere of influence of the city and not conflict with the goals and policies of the Cortese-Knox Act.
- The proposal must be consistent with city general and specific plans, including adopted goals and policies.
- Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan.
- A proposal for annexation is acceptable if one of the following conditions exist:
 1. There is existing substantial development provided the City confines its area requested to that area needed to include the substantial development and create logical boundaries.
 2. Development exists that requires urban services which can be provided by the City.
 3. If no development exists, at least 50% of the area proposed for annexation has:
 - (i) Approved tentative subdivision map(s) (S.F. residential)
 - (ii) Approved site plan (for other uses)
- The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries.

For any of the following circumstances a proposal for annexation is presumed to comply with all standards for annexation:

- The request for annexation is by a city for annexation of its own publicly-owned property for public use.
- The request for annexation is by a city in order to facilitate construction of public improvements or public facilities which otherwise could not be constructed.
- The request for annexation is to remove an unincorporated island or substantially surrounded area.
- The request for annexation is for an industrial or regional commercial project for which a development application has been made and no significant adverse environmental impact will result that cannot be mitigated or overridden by a necessary public purpose. Condition(s) assuring the financing or completion of necessary development infrastructure before completion of annexation shall be made a part of the proposal.
- The annexation is intended to mitigate or otherwise comply with standards/conditions required by another agency with respect to another development/annexation.



City Hall 559-621-8800
 2600 Fresno Street, Rm. 4064
 Fresno, CA 93721-3623
www.fresno.gov

Public Works Department
 Scott Mozier, Director

June 16, 2014

Nathan Bouvet, Planner III
 City of Fresno
 Planning and Development Department
 2600 Fresno Street, Third Floor
 Fresno, CA 93721-3604

SUBJECT: REVIEW OF TRAFFIC IMPACT ANALYSIS (TIA) DATED NOVEMBER 27, 2013 FOR THE PROPOSED TRACT 6067 LOCATED ON THE EAST SIDE OF LOCAN AVENUE BETWEEN THE EAST DAKOTA AVENUE ALIGNMENT AND SHIELDS AVENUE, WITHIN THE CITY'S SOUTHEAST GROWTH AREA (SEGA)
 TIS 14-002, A-13-009, R-13-016

TRAFFIC IMPACT ANALYSIS APPROVED FOR PLANNING COMMISSION

TIS OVERVIEW

We have reviewed the Traffic Impact Analysis (TIA) dated November 27, 2013 prepared by TJKM for the proposed "project" that plans to construct 99 single family dwelling units on approximately 23.78 acres located on the east side of Locan Avenue, between the Dakota Avenue alignment and Shields Avenue. The project is located within the City's Southeast Growth Area (SEGA) and proposes to amend the agricultural land use designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno. The project also proposes to reclassify the 23.78 acre site from AE-20 (Exclusive Twenty-Acre Agricultural, Fresno County) to R-1/cz (Single Family Residential/conditions of zoning, Fresno City) zone district. The project site is currently vacant.

The Traffic Impact Analysis (TIA) prepared by TJKM evaluated the impacts of the proposed project by analyzing seven (7) intersections and six (6) roadway segments in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the *ITE Trip Generation Manual, 9th Edition* and ITE land use code 210 – Single Family Residential. The project is projected to generate the following weekday daily (ADT), AM and PM peak hour trips:

Land Use	Size	ADT	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
ITE Code 210 Single Family Residential	99 du	942	19	56	75	62	37	99

du = dwelling units

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
4. The project shall widen/restripe the intersection of Olive and Temperance Avenues to the following configuration:
 - Eastbound – one left-turn lane and one through lane with a shared right-turn lane
 - Westbound – one left-turn lane and one through lane with a shared right-turn lane
 - Northbound – one left-turn lane and one through lane with a shared right-turn lane
 - Southbound – one through lane with a shared left-turn lane and one right-turn lane
5. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
6. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

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

Sincerely,



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

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

- Belmont Avenue at Temperance Avenue – signalize the intersection with protective left-turn phasing; change the lane geometrics of the eastbound approach to a left-turn lane and a combination thru-right; change the geometrics of the westbound approach to a left-turn lane and a combination thru-right; add a northbound left-turn lane; and add a southbound left-turn lane

Improvements identified in the TIA to improve the intersections to a LOS D or better in the near-term analyses are as follows:

- Shields Avenue at Locan Avenue – install an all-way stop control and add a westbound left-turn lane
- Clinton Avenue at Temperance Avenue –signalize the intersection; add left-turn lanes to the eastbound, westbound, and northbound approaches; add a southbound right-turn lane
- McKinley Avenue at Temperance Avenue – add a westbound right-turn lane
- Olive Avenue at Temperance Avenue – add a left-turn lane to the eastbound, westbound and northbound approaches; add a right-turn lane to the southbound approach
- Belmont Avenue at Temperance Avenue – signalize the intersection with protective left-turn phasing; change the lane geometrics of the eastbound approach to a left-turn lane and a combination thru-right; change the geometrics of the westbound approach to a left-turn lane and a combination thru-right; add a northbound left-turn lane; and add a southbound left-turn lane

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the reported 942 ADT for the proposed project, the fee would be \$44,387.04 payable at the time of the building permit.

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

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

Absent ITE trip generation rates/data, trip generation for the current General Plan agricultural use was based on the San Diego Association of Governments (SANDAG) trip generation rates. The existing agricultural use is projected to generate the following weekday ADT, AM and PM peak hour trips:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Agricultural	23.78 acres	48	4	1	5	1	4	5

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

- Ashlan Avenue at Locan Avenue
- Shields Avenue at Temperance Avenue
- Olive Avenue at Temperance Avenue
- Belmont Avenue at Temperance Avenue

With the addition of traffic projected to be generated by the project, the intersections of Olive Avenue at Temperance Avenue and Belmont Avenue at Temperance Avenue will continue to operate at a substandard LOS. The project will add an additional 5.0 seconds of delay to the AM peak hour at the intersection of Olive and Temperance Avenues which is considered a significant impact. Both intersections are projected to meet the peak hour traffic signal warrant. Traffic signals are either under construction or under design for the intersections of Ashlan Avenue at Locan Avenue and Shields Avenue at Temperance Avenue and were assumed to be constructed in the analyses that add the project trips to the existing traffic volumes. With the installation of traffic signals at these two locations the intersections will operate at an acceptable LOS.

The near-term analyses added trips projected to be generated by approved and pipeline projects in the area to the intersections. Approved and pipeline projects were those projects either under construction, built but not fully occupied, have final site development review approval or for which the City has knowledge of. Ten (10) approved and pipeline projects were included in the analysis and cumulatively generated 97,854 ADT, 6,036 AM peak hour and 9,523 PM peak hour trips. TJKM has identified the following intersections as operating at a substandard LOS in the near-term analyses and meeting the peak hour traffic signal warrant:

- Shields Avenue at Locan Avenue
- Clinton Avenue at Temperance Avenue
- McKinley Avenue at Temperance Avenue
- Olive Avenue at Temperance Avenue
- Belmont Avenue at Temperance Avenue

All study intersections and roadway segments are projected to operate at an acceptable level of service in the future year 2035 analyses.

The TIA has identified the following improvements to improve the intersections to a LOS D or better in the existing conditions analyses and with the addition of the project trips to the existing conditions:

- Olive Avenue at Temperance Avenue – add a left-turn lane to the eastbound, westbound and northbound approaches; add a right-turn lane to the southbound approach

JUL 10 2014

Planning Department
City of Fresno
2600 Fresno St., 3rd Floor
Fresno, CA 93721-3604

Re: Air Impact Assessment (AIA) Application Approval
ISR Project Number: C-20140091
Land Use Agency: City of Fresno
Land Use Agency ID Number: A-13-009; R-13-016; TM 6067

To Whom It May Concern:

The San Joaquin Valley Air Pollution Control District (District) has approved the Air Impact Assessment (AIA) application for the Bonadelle Homes project located at N. Locan Avenue in Fresno, California. Pursuant to District Rule 9510, Section 8.4, the District is providing the City of Fresno with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- A summary of project emissions and emission reductions
- A summary of the off-site mitigation fees
- A copy of the Air Impact Assessment application
- An approved Monitoring and Reporting Schedule

Certain emission mitigation measures proposed by the applicant may be subject to approval or enforcement by the City of Fresno. No provision of District Rule 9510 requires action on the part of the City of Fresno; however, please review the enclosed list of mitigation measures and notify the District if the proposed mitigation measures are inconsistent with your agency's requirements for this project. The District can provide the detailed emissions analysis upon request.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org www.healthyairliving.com

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

Page 2

If you have any questions, please contact Ms. Jessica Willis at (559) 230-5818.

Sincerely,

Arnaud Marjollet
Director of Permit Services

A handwritten signature in blue ink, appearing to read "Chay Thao". The signature is fluid and cursive, with a large initial "C" and a long horizontal stroke at the end.

Chay Thao
Program Manager

AM: jw

Enclosures

Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

Project Name:	BONADELLE HOMES
Applicant Name:	BNCOPP, LP
Project Location:	N LOCAN AVENUE E DAKOTA AVENUE (ALIGNMENT) APN(s): 310-270-10, -11, -12
Project Description:	LAND USE: Residential - 24 Acres - Single Family Housing Residential - 98 Dwelling Unit - Single Family Housing Residential - 98 Dwelling Unit - Single Family Housing ACREAGE: 23.78
ISR Project ID Number:	C-20140091
Applicant ID Number:	C-302196
Permitting Public Agency:	CITY OF FRESNO
Public Agency Permit No.	A-13-009; R-13-016; TM 6067

Existing Emission Reduction Measures

Enforcing Agency	Measure	Quantification	Notes
There are no Existing Measures for this project.			

Non-District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Source Of Requirements
CITY OF FRESNO	Hearth	only natural gas hearth	City of Fresno Building Plans
CITY OF FRESNO	Exceed Title 24	9% greater than Title 24 requirements	City of Fresno Plan Approval

Number of Non-District Enforced Measures: 2

District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	Ongoing

Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction - Detailed Fleet	For each project phase, maintain records of total hours of operation for all construction equipment, greater than 50 horsepower, operated on site. Within 30-days of completing construction of each project phase, submit to the District a summary report of total hours of operation, by equipment type, equipment model year and horsepower.	(Compliance Dept. Review)	Within 30-days of completing construction for each phase
SJVAPCD	Improve Walkability Design	169 nodes/square mile	(Compliance Dept. Review)	When operational
SJVAPCD	Improve Destination Accessibility	2.5 miles (distance to downtown or job center)	(Compliance Dept. Review)	When operational
SJVAPCD	Improve Pedestrian Network	Within Project Site OR Within Project Site and Connecting Off-Site OR Project Site is within a Rural setting	(Compliance Dept. Review)	When operational

Number of District Enforced Measures: 6

Off-site Emissions Estimator Worksheet

Applicant/Business Name:	BNCOPP, LP
Project Name:	Bonadelle Homes - Tract 6067
Project Location:	Locan & Dakota, Fresno
District Project ID No.:	C20140091

Project Construction Emissions											
Project Phase Name	ISR Phase	Construction Start Date	NOx			PM10			Required Offsite Reductions (tons)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)
			Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)			
Construction 2014	1	10/1/2014	2.0949	1.3652	0.7297	0.0000	0.1090	0.0400	0.0690	0.0000	0.0690
Construction 2015	2	1/1/2015	3.8435	3.0152	0.8283	0.0000	0.2604	0.1126	0.1478	0.0000	0.1478
	3				0.0000	0.0000			0.0000	0.0000	0.0000
	4				0.0000	0.0000			0.0000	0.0000	0.0000
	5				0.0000	0.0000			0.0000	0.0000	0.0000
	6				0.0000	0.0000			0.0000	0.0000	0.0000
	7				0.0000	0.0000			0.0000	0.0000	0.0000
	8				0.0000	0.0000			0.0000	0.0000	0.0000
	9				0.0000	0.0000			0.0000	0.0000	0.0000
	10				0.0000	0.0000			0.0000	0.0000	0.0000
		Total	5.9384	4.3804	1.5580	0.0000	0.3694	0.1526	0.2168	0.0000	0.0000

Total Achieved On-Site Reductions (tons)		
ISR Phase	NOx	PM10
1	0.7297	0.0690
2	0.8283	0.1478
3	0.7245	7.2710
4	0.0000	0.0000
5	0.0000	0.0000
6	0.0000	0.0000
7	0.0000	0.0000
8	0.0000	0.0000
9	0.0000	0.0000
10	0.0000	0.0000
Total	2.2825	7.4878

Project Operations Emissions (Area + Mobile)											
Project Phase Name	ISR Phase	Operation Start Date	NOx			PM10			Required Offsite Reductions (tons)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)
			Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)			
	1				0.0000	0.0000			0.0000	0.0000	0.0000
	2				0.0000	0.0000			0.0000	0.0000	0.0000
Operation	3	10/1/2015	1.3364	1.2398	0.7245	2.6165	1.7626	1.0355	7.2710	1.5420	1.5420
	4				0.0000	0.0000			0.0000	0.0000	0.0000
	5				0.0000	0.0000			0.0000	0.0000	0.0000
	6				0.0000	0.0000			0.0000	0.0000	0.0000
	7				0.0000	0.0000			0.0000	0.0000	0.0000
	8				0.0000	0.0000			0.0000	0.0000	0.0000
	9				0.0000	0.0000			0.0000	0.0000	0.0000
	10				0.0000	0.0000			0.0000	0.0000	0.0000
		Total	1.3364	1.2398	0.7245	2.6165	1.7626	1.0355	7.2710	1.5420	1.5420

Total Required Off-Site Reductions (tons)		
ISR Phase	NOx	PM10
1	0.0000	0.0000
2	0.0000	0.0000
3	2.6165	1.5420
4	0.0000	0.0000
5	0.0000	0.0000
6	0.0000	0.0000
7	0.0000	0.0000
8	0.0000	0.0000
9	0.0000	0.0000
10	0.0000	0.0000
Total	2.6165	1.5420

Note: TPY = Tons Per Year



San Joaquin Valley Air Pollution Control District

Indirect Source Review (ISR) - Air Impact Assessment (AIA)

Application Form



A. Applicant Information			
Applicant/Business Name: BNCOPP, LP			
Mailing Address: 7030 N. Fruit Avenue, Suite 101		City: Fresno	State: CA Zip: 93711
Contact: Mr. John Bonadelle		Title:	
Is the Applicant a licensed state contractor? <input type="checkbox"/> No <input type="checkbox"/> Yes, please provide State License number:			
Phone: 559-435-9700	Fax:	Email: john@bonadelle.com	
B. Agent Information (if applicable)			
Agent/Business Name: Dirk Poeschel Land Development Services, Inc.			
Mailing Address: 923 Van Ness Avenue, Suite 200		City: Fresno	State: CA Zip: 93721
Contact: Mr. Dirk Poeschel		Title:	
Phone: 559-445-0374	Fax: 559-445-0551	Email: dpoeschel@dplds.com	
If an Agent is signing the Air Impact Assessment Application on behalf of the Applicant, a signed letter from the Applicant giving the Agent authorization is required.			
C. Project Information			
Project Name: Bonadelle Homes		Tract Number(s) (if known): 6067	
Project Location	Street: N. Locan Avenue	City: Fresno	Zip: 93737
Cross Streets: E. Dakota Avenue (alignment)		County: Fresno	
Permitting Agency: City of Fresno		Planner:	
Mailing Address: 2600 Fresno Street		City: Fresno	State: CA Zip: 93721
Permit Type and Number (if known):			
D. Project Description			
Please briefly describe the project (e.g.: 300 multi family residential units apartments and 35,000 square feet of commercial uses): 98 lot single family residential subdivision			
Please check the box next to each applicable land use below:			Select land use setting below:
<input type="checkbox"/> Commercial / Retail	<input type="checkbox"/> Light Industrial	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Other _____
<input type="checkbox"/> Office	<input type="checkbox"/> Heavy Industrial	<input type="checkbox"/> Recreational	<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural
<input type="checkbox"/> Government	<input type="checkbox"/> Educational	<input type="checkbox"/> Medical	
E. Notice of Violation		F. Voluntary Emission Reduction Agreement	
Is this application being submitted as a result of receiving a Notice of Violation (NOV) from the District?		Is this project part of a larger project for which there is a Voluntary Emission Reduction Agreement (VERA) with the District?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, NOV # _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, VERA # _____	
G. Optional Section			
Do you want to receive information about the Healthy Air Living Business Partners Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Filing Fee Received: _____		FOR APCD USE ONLY	
Date Paid: _____		Check #: _____	
Applicant #: _____		Project #: _____	
		Date Stamp	

I-4. Single Phase Development

Start of Construction (Month/Year): 10/1/2014	Gross Acres: 23.78
End of Construction (Month/Year): 8/1/2015	Net Acres (area devoted to buildings/structures): +/-16.67
First Date of Occupation (Month/Year): 10/1/2015	Paved Parking Area (# of Spaces):
Building Square Footage: Average home size- 1,500 sq ft	Number of Dwelling Units: 99

J. On-Site Air Pollution Reductions (Mitigation Measures)

Listed below are categories of possible mitigation measures that will reduce a project's impact on air quality. If a category is applicable to the project, check "Yes", and please complete the corresponding page to identify specific mitigation measures within that category. If a category is not applicable to the project, check "No".

1. Construction Detailed Fleet (making a commitment to using a construction fleet that will achieve the emission reductions required by District Rule 9510)
 Yes, please complete mitigation measure 1
 No
2. Land Use/Location (e.g. increased density, improve walkability design, increase transit, etc.)
 Yes, please complete applicable mitigation measures 2a through 2f
 No
3. Neighborhood/Site Enhancements (e.g. improve pedestrian network, traffic calming measures, NEV network, etc.)
 Yes, please complete applicable mitigation measures 3a through 3c
 No
4. Parking Policy/Pricing (e.g. parking cost, on-street market pricing, limit parking supply, etc.)
 Yes, please complete applicable mitigation measure 4a through 4e
 No
5. Commute Trip Reduction Programs (e.g. workplace parking charge, employee vanpool/shuttle, ride sharing program, etc.)
 Yes, please complete applicable mitigation measures 5a through 5f
 No
6. Building Design (e.g. woodstoves or fireplaces)
 Yes, please complete mitigation measure 6
 No
7. Building Energy (e.g. exceed title 24, electrical maintenance equipment)
 Yes, please complete applicable mitigation measures 7a through 7b
 No

K. Review Period

You may request a five (5) day period to review a draft of the District's analysis of your project before it is finalized. However, if you choose this option, it will delay the project's finalization by five (5) business days.

I request to review a draft of the District's analysis.

L. Fee Deferral Schedule

If the project's on-site air pollution reductions (mitigation measure) insufficiently reduced air pollution as outlined in Rule 9510, an off-site fee is assessed based on the excess air pollution. The money collected from this fee will be used by the District to reduce air pollution emissions 'off-site' on behalf of the project.

An Applicant may request a deferral of all or part of the 'off-site' fees up to, but not to exceed, the start date of construction. The start of construction is any of the following, whichever occurs first: start of grading, start of demolition, or any other site development activities not mentioned above.

I request a Fee Deferral Schedule, and have enclosed the Fee Deferral Schedule Application.

The Fee Deferral Schedule Application, can be found on the District's website at www.valleyair.org.

Mitigation Measure 1: Construction – Detailed Fleet

Will the project use a construction fleet to achieve the emission reductions required by District Rule 9510? (*Note: by checking "yes" the Applicant could potentially reduce any construction related off-site fees to zero.*)

No

Yes*

*If yes, daily records of the total hours of operation for each piece of equipment greater than 50-horsepower being used on the project site during construction shall be maintained. Within 30-days of completing construction of each project phase, a report summarizing total hours of operation by equipment type, equipment model year and horsepower for each piece of construction equipment greater than 50-horsepower shall be submitted to the District. The *Construction – Detailed Fleet Template* may be used as an outline.

For each project phase, the District will verify that the fleet details achieved the required emission reductions. If the reductions are not met, the District will notify applicant of the off-site mitigation fee amount to cover any remaining emissions after on-site mitigation has been applied.

Mitigation Measure 2a: Increase Density

Is the center of the project located within 1/2 mile of a mix of uses that includes employment?

No

Yes, please complete sections below:

- Number of dwelling units/acre within 1/2 mile radius of the center of the project: _____
- Number of jobs/acre within 1/2 mile radius of the center of the project: _____
- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?

No (*note: if checked "no" this mitigation measure will require District enforcement*)

Yes, Name of enforcing agency: _____

Source of Requirement: _____

Documentation: Please attach supporting documentation to justify the provided number of jobs and housing.: Attached

Mitigation Measure 2b: Increase Diversity

This mitigation measure applies to a Project in an *Urban Area only*. Will the Project be predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential are present within 1/4 mile? Mixed-use development should encourage walking and other non-auto modes of transport and minimize need for external trips.

No

Yes, please complete sections below:

- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?

No (*note: if checked "no" this mitigation measure will require District enforcement*)

Yes, Name of enforcing agency: _____

Source of Requirement: _____

Documentation: Please attach supporting documentation (e.g.: map) to justify the project is characterized by various uses, such as office, commercial, institutional, and residential are within 1/4 mile that encourage walking and non-auto modes of transport. Attached

Mitigation Measure 2e: Increase Transit Accessibility

Will the Project be located near a transit station/stop at least within ¼ mile or near a rail at least within ½ mile that will facilitate the use of transit by people traveling to or from the Project site?

No

Yes, please complete sections below:

- Distance to Rail Station (miles): ½ mile or less between ½ mile and 3 miles
- Distance to Transit Station (miles): ¼ mile
- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?
 - No (note: if checked "no" this mitigation measure will require District enforcement)
 - Yes, Name of enforcing agency: _____
Source of Requirement: _____

Documentation: Please attach supporting documentation (e.g.: map) to justify the project is located within ¼ mile of a transit station or within ½ mile of a rail from the Project site.

Attached

Mitigation measure 2f: Integrate Below Market Rate Housing

Is all or a portion of the residential units designated as deed-restricted below-market-rate (BMR) housing?

No

Yes, please complete sections below:

- Number of dwelling units deed-restricted below market rate: _____
- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?
 - No (note: if checked "no" this mitigation measure will require District enforcement)
 - Yes, Name of enforcing agency: _____
Source of Requirement: _____

Documentation: Please attach supporting documentation to justify all or a portion of the residential units that are designated as deed-restricted below-market-rate housing.

Attached

Mitigation Measure 3a: Improve Pedestrian Network

Will the Project provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the project site?

No

Yes, please complete sections below:

- Select one of the following areas, where pedestrian accommodations will be provided:
 - within Project Site
 - within Project Site and Connecting Off-Site
 - Project Site is within a Rural setting
- Will this measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?
 - No (note: if checked "no" this mitigation measure will require District enforcement)
 - Yes, Name of enforcing agency: _____
Source of Requirement: _____

Mitigation Measure 4c: On-Street Market Pricing

Will this Project and the City (in which the Project is located) implement a pricing strategy which will increase the on-street public parking (e.g.: meter parking) by at least 25%?

No

Yes, please complete sections below:

➤ % Increase in Price: 25% 30% 40% 50%

➤ Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?

No (note: if checked "no" this mitigation measure will require District enforcement)

Yes, Name of enforcing agency: _____

Source of Requirement: _____

Mitigation Measure 4d: Transit Subsidy

Will the Project provide subsidized/discounted daily or monthly public transit passes?

No

Yes, please complete sections below:

➤ % of employees to receive public transit passes: _____

➤ Please select the closest expected Daily Transit Subsidy Amount (\$): \$0.75 \$1.50 \$3 \$6

➤ Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?

No (note: if checked "no" this mitigation measure will require District enforcement)

Yes, Name of enforcing agency: _____

Source of Requirement: _____

Mitigation Measure 4e: Implement Employee Parking "Cash-Out"

Will the Project require employers to offer employee parking "cash-out"? The term "cash-out" is used to describe the employer providing employees with a choice of forgoing their current subsidized/free parking for a cash payment.

No

Yes, please complete sections below:

➤ % of employees to receive "cash-out": _____

➤ Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?

No (note: if checked "no" this mitigation measure will require District enforcement)

Yes, Name of enforcing agency: _____

Source of Requirement: _____

Mitigation Measure 5a: Workplace Parking Charge

Will the Project implement workplace parking pricing at its employment centers (e.g., explicitly charging for parking for its employees, not providing employee parking and transportation allowances, educating employees about available alternatives)?

No

Yes, please complete sections below:

➤ % of employees paying for parking: _____

➤ Please select the closest expected Daily Cash out Amount (\$): \$1 \$2 \$3 \$6

➤ Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?

No (note: if checked "no" this mitigation measure will require District enforcement)

Yes, Name of enforcing agency: _____

Source of Requirement: _____

Mitigation Measure 5f: Provide Ride Sharing Program

Will the Project include a ride-sharing program?

No

Yes, please complete sections below:

- % of Employees participating in the ride-sharing program: _____
- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?
 No (note: if checked "no" this mitigation measure will require District enforcement)
 Yes, Name of enforcing agency: _____
Source of Requirement: _____

Mitigation Measure 6: Hearth

Will the Project include any woodstoves or fireplaces?

No

Yes, please complete sections below:

- Only natural gas hearth 99 Single Family homes are proposed.
- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?
 No (note: if checked "no" this mitigation measure will require District enforcement)
 Yes, Name of enforcing agency: City of Fresno
Source of Requirement: Building Plans

Mitigation Measure 7a: Exceed Title 24

Will the energy efficiency rating of the Project's building(s) be greater than California Title 24 requirements?

No

Yes, please complete sections below:

- Percent of increase greater than California Title 24 requirements: 9
- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?
 No (note: if checked "no" this mitigation measure will require District enforcement)
 Yes, Name of enforcing agency: City of Fresno
Source of Requirement: Plan Approval

Documentation: Please attach relevant analysis or summary pages of Title 24 documentation

Attached

Mitigation Measure 7b: Landscape Equipment

Will the Project provide electrical outlets on the front and rear of all residences, **and /or** provide the use of electrical maintenance equipment including but not limited to electric lawn mowers, electric leaf blowers, etc.? (note 3% is the assumed statewide average for landscape equipment)

No

Yes, please complete sections below:

- Percent of electric lawnmower that will be electrically powered: 3
- Percent of leaf blower that will be electrically powered: 3
- Percent of electric chainsaw that will be electrically powered: 3
- Will this mitigation measure be required as a condition of approval by the land use agency, by other county or municipal codes, or other?
 No (note: if checked "no" this mitigation measure will require District enforcement)
 Yes, Name of enforcing agency: _____
Source of Requirement: _____

Documentation: Please attach supporting documentation if claiming greater than 3%.

Attached

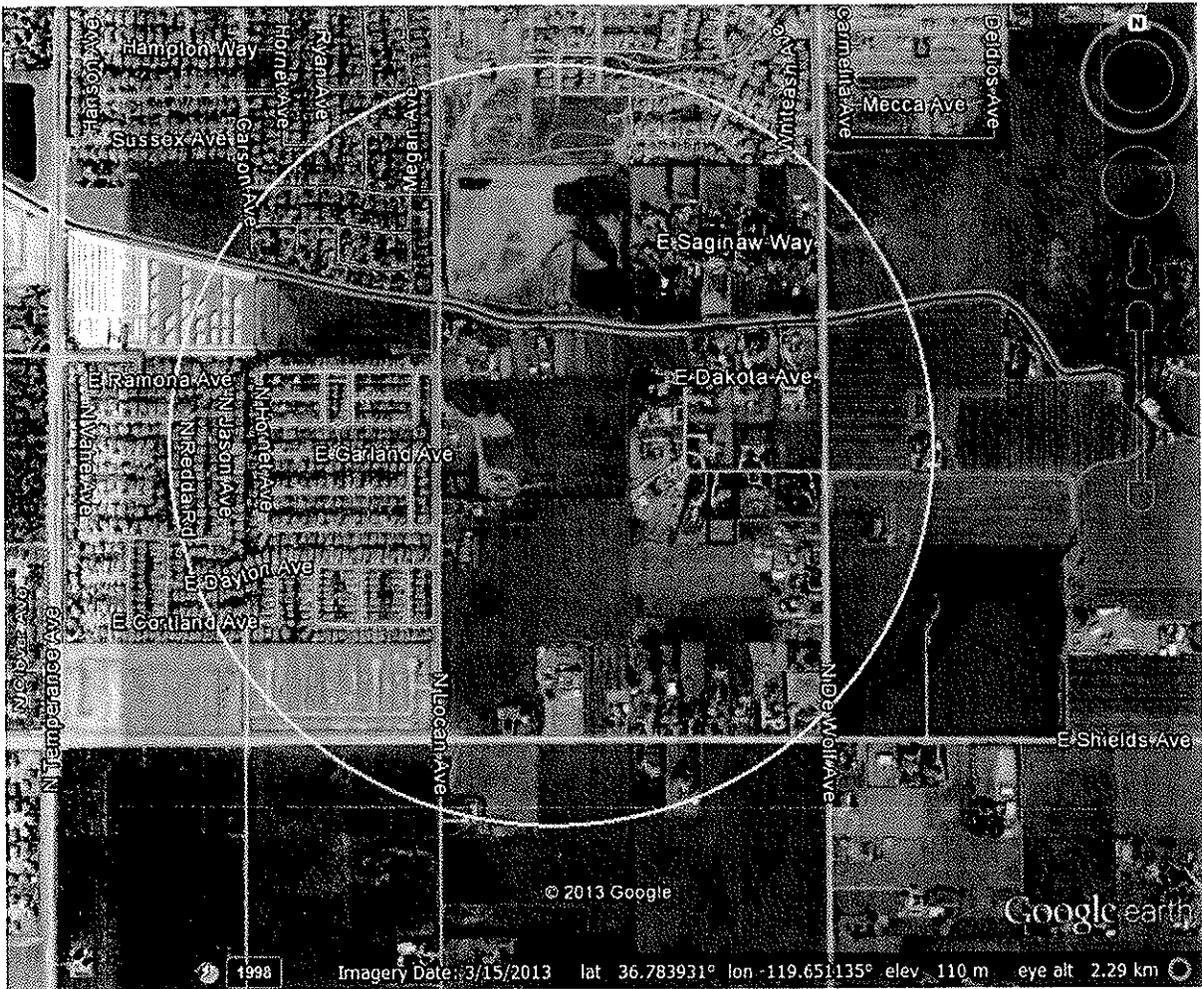


Figure showing Half-Mile Radius for Intersection Analysis

Notes



This map doesn't contain any items.

FREE NAVIGATION APP
SELECT: IPHONE ANDROID

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San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

Due Date
9/8/2014

Amount Due
\$ 561.20

ISR APPR C20140091
302196 C220713 7/9/2014

Amount Enclosed

RETURN THIS TOP PORTION ONLY, WITH REMITTANCE TO:

BNCOPP, LP
7030 N FRUIT AVENUE, SUITE 101
FRESNO, CA 93711

SJVAPCD
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244

Thank You!



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

Applicant ID
C302196

Invoice Date
7/9/2014

Invoice Number
C220713

SJVAPCD Tax ID: 77-0262563

Invoice Type
ISR Project: C20140091

BNCOPP, LP
7030 N FRUIT AVENUE, SUITE 101
FRESNO, CA 93711

PROJECT NUMBER: 20140091 (BONADELLE HOMES)

APPLICATION FILING FEES	\$ 467.00
PROCESSING TIME FEES	\$ 561.20
TOTAL FEES	\$ 1,028.20
LESS PREVIOUSLY PAID PROJECT FEES APPLIED TO THIS INVOICE	(\$ 467.00)
PROJECT FEES DUE (Enclosed is a detailed statement outlining the fees for each item.)	\$ 561.20

San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Avenue, Fresno, CA 93726-0244, (559) 230-6020, Fax (559) 230-6063

Invoice Detail

Applicant ID: C302196

BNCOPP, LP
 7030 N FRUIT AVENUE, SUITE 101
 FRESNO, CA 93711

Invoice Nbr: C220713
 Invoice Date: 7/9/2014
 Page: 1

Project Name: BONADELLE HOMES

Application Filing Fees

Project Nbr	Description	Application Fee
C20140091	ISR Application Evaluation Fee	\$ 467.00
Total Application Filing Fees:		\$ 467.00

Processing Time Fees

Project Nbr	Quantity	Rate	Description	Fee
C20140091	9.7 hours	\$ 106.00 /h	Standard Processing Time	\$ 1,028.20
			Less Credit For Application Filing Fees	(\$ 467.00)
			Standard Processing Time SubTotal	\$ 561.20
Total Processing Time Fees:				\$ 561.20

Environmental Assessment No. A-13-009/R-13-016/TM-
6067, finding of a Mitigated Negative Declaration dated
September 25, 2014

CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION

Notice of Intent was filed with:

FRESNO COUNTY CLERK
2221 Kern Street
Fresno, California 93721

on

September 25, 2014

The full Initial Study and the Master Environmental Impact Report No. 10130 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:

A-13-009/R-13-016/
TM-6067

APPLICANT:

Dirk Poeschel
Dirk Poeschel Land Development Services, Inc.
923 Van Ness Avenue, Suite No. 200
Fresno, CA 93721

PROJECT LOCATION:

23.78 acres of property located at 3450 North Locan Avenue on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Development Area (SEDA) and Sphere of Influence.

36°47'9.51" N Latitude, - 119°39'18.1254" W Longitude

Assessor's Parcel Number: 319-270-10, 11, and 12

Eggers Colony, Township 13 S, Range 21 E, Section 23

PROJECT DESCRIPTION:

Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, has filed Plan Amendment Application No. A-13-009, Rezone Application No. R-13-016, and Vesting Tentative Tract No. 6067 pertaining to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Development Area (SEDA) and Sphere of Influence.

Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Development Area from the agricultural designation in the County of Fresno to the medium low density residential planned land use designation in the City of Fresno.

Rezone Application No. R-13-016 proposes to pre-zone the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district.

Vesting Tentative Tract Map No. 6067 proposes to subdivide the subject property into a 96-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the medium low density residential (2.19 – 6.0 dwelling unit/acre) planned land use designation. The proposed project also involves an annexation into the City of Fresno.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report No. 10130 (SCH # 2001071097) prepared for the 2025 Fresno General Plan ("MEIR"); and, Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) prepared for the 2025 Fresno General Plan ("Air Quality MND"). A copy of the MEIR and Air

Quality MND may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report No. 10130 ("MEIR) or Mitigated Negative Declaration No. A-09-02 (Air Quality MND) prepared for the 2025 Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

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

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

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

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

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

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

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

PREPARED BY:  Nathan Bouvet, Planner III	SUBMITTED BY: 
DATE: September 25, 2014	Bonique Emerson, Supervising Planner DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT

Attachments:

- Notice of Intent
- Initial Study Impact Checklist and Initial Study (Appendix G)
- Project Specific Mitigation Monitoring Checklist dated September 25, 2014

Notice of Intent

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATIONEA No. A-13-009/R-13-016/TM 6067

Plan Amendment Application No. A-13-009, **Rezone** Application No. R-13-016, and Vesting Tentative Tract No. 6067

APPLICANT:

Dirk Poeschel
Dirk Poeschel Land Development Services, Inc.
923 Van Ness Avenue, Suite 200
Fresno, CA 93727

PROJECT LOCATION:

± 23.78 acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue, in the County of Fresno, California

36°47'9.51" N Latitude, - 119°39'18.1254" W Longitude

Assessor's Parcel Number: 319-270-10, 11, and 12

Filed with:

FILED

SEP 25 2014

FRESNO COUNTY CLERK
By:  DEPUTY

FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

PROJECT DESCRIPTION:

Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, has filed Plan Amendment Application No. A-13-009, **Rezone Application** No. R-13-016, and Vesting Tentative Tract No. 6067 pertaining to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Growth Area (SEGA) and Sphere of Influence.

Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Growth Area from the agricultural designation in the County of Fresno to the low density residential planned land use designation in the City of Fresno.

Rezone Application No. R-13-016 proposes to reclassify the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district.

Vesting Tentative Tract Map No. 6067 proposes to subdivide the subject property into a 96-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the medium low density residential (2.19 – 6.0 dwelling unit/acre) planned land use designation.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report No. 10130 (MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH # 2009051016) (Air Quality MND). Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR or Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR, Air Quality MND, proposed environmental finding of a mitigated negative declaration and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604, or for an electronic copy of the environmental finding, and for additional information on the project, please contact Nathan Bouvet at (559) 621-8075 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 October 15, 2014. Please direct comments to Nathan Bouvet, Planner III, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to nathan.bouvet@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

These development applications and this proposed environmental finding have been scheduled to be heard by the Planning Commission on October 15, 2014 at 6:00 p.m. or thereafter. The hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY:

Nathan Bouvet, Planner III



SUBMITTED BY:



DATE: September 23, 2014

Bonique Emerson, Supervising Planner
CITY OF FRESNO DEVELOPMENT AND
RESOURCE MANAGEMENT
DEPARTMENT

CA0033010

E201410000254

Initial Study Impact Checklist and Initial Study (Appendix G)

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

Environmental Checklist Form

For EA No. A-13-009/R-13-016/TM-6067

1. Project title:

Plan Amendment Application No. A-13-009
Rezone Application No. R-13-016
Vesting Tentative Tract Map No. TM-6067

2. Lead agency name and address:

City of Fresno
Development and Resource Management Department
2600 Fresno Street, Room 3076
Fresno, CA 93721

3. Contact person and phone number:

Nathan Bouvet, Planner III
City of Fresno
Development and Resource Management Department
(559) 621-8075

4. Project location:

3450 North Locan Avenue

Located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Development Area (SEDA) and Sphere of Influence.

Assessor's Parcel Number: 319-270-10, 11, and 12

Site Latitude: 36°47'9.51"N

Site Longitude: - 119°39'18.1254" W

Eggers Colony, Township 13 S, Range 21 E, Section 23

5. Project sponsor's name and address:

Dirk Poeschel
Dirk Poeschel Land Development Services, Inc.
923 Van Ness Avenue, Suite No. 200
Fresno, CA 93721

6. **General plan designation:**

Existing: Agricultural (County Designation)

Proposed: Medium Low Density Residential

7. **Zoning:**

Existing: AE-20 (Exclusive Twenty-Acre Agricultural, Fresno County)

Proposed: R-1/cz (Single Family Residential/conditions of zoning)

8. **Description of project:**

Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, has filed Plan Amendment Application No. A-13-009, Rezone Application No. R-13-016, and Vesting Tentative Tract No. 6067 pertaining to 23.78± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Southeast Development Area (SEDA) and Sphere of Influence.

Plan Amendment Application No. A-13-009 proposes to amend the land use in the proposed Southeast Development Area from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno. This will result in an amendment to the boundaries of the Roosevelt Community Plan to add the subject site to this Community Plan.

Rezone Application No. R-13-016 proposes to pre-zone the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district.

Vesting Tentative Tract Map No. 6067 proposes to subdivide the subject property into a 96-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the Medium Low Density Residential (2.19 – 6.0 dwelling unit/acre) planned land use designation. The proposed project also involves an annexation into the City of Fresno.

9. Surrounding land uses and setting:

	Planned Land Use	Existing Zoning	Existing Land Use
North	Southeast Development Area (County) - Agricultural	AE-20 <i>Exclusive Twenty-Acre Agricultural, Fresno County</i>	Single Family Residential
South	Southeast Development Area (County) - Agricultural	AE-20 <i>Exclusive Twenty-Acre Agricultural, Fresno County</i>	Single Family Residential/Vacant
East	Southeast Development Area (County) - Agricultural	AE-20 <i>Exclusive Twenty-Acre Agricultural, Fresno County</i>	Single Family Residential
West	Residential Medium Density	R-2 <i>Low Density Multiple Family Residential District/Urban Growth Management</i>	Single Family Residential

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.



I find that although the proposed project could have a significant effect on the environment, 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. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been

avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

I find that, with the project specific mitigation imposed, the project will not have additional significant adverse effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report No. 10130, SCH No. 2001071097 and Mitigated Negative Declaration No. A-09-02/SCH No. 2009051016. Pursuant to CEQA Guidelines Section 15178, a MITIGATED NEGATIVE DECLARATION will be prepared.

X  _____ 9/25/2014
Nathan Bouvet, Planner September 25, 2014

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

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR or Air Quality MND.
 - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, but that impact is less than significant;
 - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND.
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

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

- a. The significance criteria or threshold, if any, used to evaluate each question; and
- b. The mitigation measure identified, if any, to reduce the impact to less than significance

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
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 immediate area is substantially developed with residential uses and vacant agricultural land; therefore, no public or scenic vista will be obstructed by the development and no valuable vegetation will be removed. The project will not damage any scenic resources nor will it degrade the visual character or quality of the site and its surroundings. Future entitlements will be conditioned to have enhanced architectural features, including concrete roof tiles, cast stone veneer, and window treatments. It will also be conditioned to include dense landscaping throughout the development and an architectural pedestrian entry feature along North Locan Avenue, to include wrought iron fencing, concrete block pilasters with cast stone veneer, and a wood trellis'. Staff will also ensure that lights are located in areas that will minimize light sources to the neighboring properties. Furthermore, the project will be conditioned appropriately so that future entitlement proposals have a less than significant impact on aesthetics and 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.

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 site has not been in agricultural production since 2005 when the Almond trees were removed because they were no longer producing at profitable volumes. The United States Department of Agriculture Soils Survey indicates the subject site soil types are 68.8% San Joaquin sandy loam, 0 to 3 percent slopes and 31.2% San Joaquin loam, 0 to 3 percent slopes. The Storie Index ratings of those soils are 31 and 33 respectively. Storie Index soils that rate between 20 and 39 percent are a Grade 4 and have a narrow range in their agricultural possibilities.

The subject site is designated as "Farmland of Local Importance" by the 2010 Rural Mapping Edition: Fresno County Important Farmland Map, and thus has no farmland considered to be prime farmland, farmland of statewide importance, or unique farmland. The 2010 Rural

Mapping Edition: Fresno County Important Farmland Map defines "Farmland of Local Importance" as "All farmable lands within Fresno County that do not meet the definitions of prime, statewide, or unique."

The subject site is not converting 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. In addition, according to aerial photos that go as far back as 1992, the site has not been under cultivation for a number of years, but as recently as 2005. The land surrounding the site is designated "Rural Residential Land" to the north, south, and east and "Urban and Built-Up Land" to the west according to the above mentioned map.

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

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?				X

Setting

The subject site is located in Fresno County and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB.

Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects, including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

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

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

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high

carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

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

Regulations

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

The Master Environmental Impact Report (MEIR) prepared for the 2025 Fresno General Plan requires that the most current version of the URBEMIS computer model be used to analyze development projects and estimate future air pollutant emissions that can be expected to be generated from operational emissions (vehicular traffic associated with the project), area-wide emissions (sources such as ongoing maintenance activities and use of appliances), and construction activities.

CalEEMod is a statewide land use emissions computer model, which has replaced the URBEMIS computer model, is designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations (including vehicle and off-road equipment use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The mobile source emission factors used in the model (EMFAC2011) includes the Pavley standards and Low Carbon Fuel standards. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The GHG mitigation measures were developed and adopted by the California Air Pollution Control Officers Association (CAPCOA).

In addition to the above-mentioned factors, the CalEEMod computer model evaluates the following emissions: ozone precursors (Reactive Organic Gases (ROG)) and NOX; CO, SOX, both regulated categories of particulate matter, and the greenhouse gas carbon dioxide (CO2). The model incorporates geographically-customized data on local vehicles, weather, and SJVAPCD Rules.

An Air Impact Assessment (AIA) was conducted by Scientific Resources Associated (SRA) dated December 6, 2013. The project is a small project in comparison with the typical subdivisions proposed in the Fresno/Clovis area, and is within a planning area that the City of Fresno has contemplated developing with residential for many years.

The analysis was conducted using the CalEEMod Model, Version 2013.2.2. Construction and operational emissions have been quantified for the project based on information on construction and operation of the project provided by the project applicant. It was noted within the AIA that the project is proposing to construct fewer than 152 single-family units and would result in fewer than 1,453 vehicle trips per day. In accordance with the San Joaquin Valley Air Control District's Small Project Analysis Level Guidance, projects that are below these levels are deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes.

Construction Emissions – Short Term

It was assumed that the project would be constructed in one phase, over a two-year period. Construction equipment estimates were based on CalEEMod default assumptions. In accordance with District guidance, the architectural coatings were assumed to be mitigated in accordance with CalEEMod default assumptions. As confirmed by Scientific Resources Associated, total emissions from project construction are below the District's threshold levels. The project will meet all of the SJVAPCD's construction fleet and control requirements.

Project Construction Emissions							
<i>[all data given in tons/year]</i>	ROG	NOx	CO	SO ₂	PM10	PM2.5	CO ₂
2014 Construction	.19	2.11	1.39	1.74	.25	.17	N/A
2015 Construction	2.13	3.97	2.75	4.07	.30	.25	N/A
Level of Significance	10	10	N/A	N/A	15	15	N/A

The analysis determined that the proposed project will not exceed the threshold of significance limits for regulated air pollutants. During the construction phase of this project grading and trenching on the site may generate particulate matter pollution through fugitive dust emissions. SJVAPCD Regulation VIII addresses not only construction and demolition dust control measures, but also regulates ongoing maintenance of open ground areas that may create entrained dust from high winds. The applicant is required to provide landscaping on the project site which will contain trees to assist in the absorption of air pollutants, reduce ozone levels, and curtail storm water runoff.

The project will meet all of the SJVAPCD's construction fleet and control requirements. Mitigation measures were proposed to reduce fugitive dust emissions. Mitigation measures employed include the following:

- Soil Disturbance: Water exposed surfaces – 3x daily
- Unpaved Roads: Reduce speed on unpaved roads <15 mph
- Use of Tier 2 construction equipment

Operational Emissions – Long Term

Operational emissions include emissions associated with area sources (energy use, landscaping, etc.) and vehicle emissions. Emissions from each phase of the project were estimated using the CalEEMod model. The fleet mix was also revised to account for the District-recommended fleet mix for vehicles, and average trips were based on default assumptions in the CalEEMod model, verified by the Traffic Impact Study that was conducted for the project. Project Specific Mitigation measures used in the analysis that will be implemented in the project was included in the model runs and has been attached. Implementation of the Project Specific Mitigation Measures would reduce NO_x and PM₁₀ emissions by just over one (1) percent.

Project Annual Operational Emissions

<i>[all data given in tons/year]</i>	ROG	NO _x	CO	SO ₂	PM10	PM2.5	CO ₂
Area	.71	8.73	.74	4.0	6.93	6.90	43.6
Mobile	.92	3.22	10.3	.01	1.08	.31	1,409.3
Totals	1.65	3.37	11.1	.01	1.09	.33	1,639.4
Level of Significance	10	10	N/A	N/A	15	15	N/A

Based upon information provided by SJVAPCD, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NO_x, 10 tons/year ROG, and 15 tons/year PM10. SJVAPCD concluded that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

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

Based on information provided by Scientific Resources Associated, at full build-out the proposed project would be equal to or greater than 50 residential dwelling units. Therefore, the proposed project would be subject to District Rule 9510 (Indirect Source Review). District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Because the project is subject to the requirement to pay mitigation fees in accordance with SJVAPCD Rule 9510, Indirect Source Review, and because the fees are designed to fully mitigate impacts for nonattainment pollutants, the project will not result in cumulatively considerable air quality impacts.

Furthermore, the project's emissions as a percentage of the area source, energy use, and vehicle emissions within Fresno County are very small. The project's overall contribution to the

overall emissions budget for the source categories, the project's contribution is below 0.15 percent for all pollutants and all source categories. The project's contribution is therefore negligible.

The operational and design features of the proposed development further support the conclusion that no significant air quality impact will occur as a result of the proposed project. Those factors are as follows:

1. Typically, the largest contributor to air quality from a residential development generated from fossil fueled automobiles. Travel times to work and shopping are typical of the Fresno Clovis urban area. According to the Traffic Impact Study (TIS) prepared for the project, the project will not cause roadways serving the proposed development to operate at inactable Levels of Service with planned roadway improvements.
2. The proposed dwellings will exceed California Title 24 energy requirements.
3. The subdivision will incorporate other measures, such as building orientation, sidewalks and trails that have proven to be effective in reducing the reliance on automobiles and related fossil fuel consumption.
4. The project will comply with all SJVUAPD standards.
5. The applicant will pay the ISR fees to the District, which is used to, among other things, reduce air quality impacts within the district.

With implementation of project specific mitigation measures associated with traffic, the LOS would be mitigated to LOS D or better. According to Caltrans guidance, CO "hot spots" would only be a potential issue if intersections operate at LOS E or F. With increasingly stringent CO emission standards, and with implementation of traffic mitigation measures, CO "hot spots" would not be anticipated due to project-related traffic, and no impacts would result.

The proposed project on the subject site will not expose sensitive receptors to substantial pollutant concentrations. Due to the close proximity of other residential uses surrounding the subject site, there will be no impact in the increase of pollutants. The proposed project is not proposing a use which will create objectionable odors. Therefore, there is no air quality or global climate change impacts perceived to occur as a result of the proposed project. Both short and long term impacts associated with construction and operation are below the District's significance thresholds.

Mitigation Measures

1. The proposed project shall implement and incorporate the air quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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 U.S. Fish and Wildlife Service. No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to

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

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

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

Mitigation Measures

1. The proposed project shall implement and incorporate the biological related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

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

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject site. Past record searches for the region have not revealed the likelihood of cultural resources on the subject site 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.

Mitigation Measures

1. The proposed project shall implement and incorporate the cultural resources related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography is flat with no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

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

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

The highly erodible face of the San Joaquin River bluff, and small areas of expansive clay in the northeastern portion of the city's Sphere of Influence, are the only unstable soil conditions known to exist in the City. Despite long-term overdrafting of groundwater that has lowered the static groundwater level under Fresno by as much as 100 feet over the past century, surface subsidence has not been noted in the vicinity of the city (this is probably due to the geologic strata underlying the city, which features layers of clay and hardpan interleaved with alluvial sand and gravel layers). No adverse environmental effects related to topography, soils or geology are expected as a result of this project.

The project must comply with all applicable building and development codes. State and local regulations require preparation of a site specific soils study by a qualified, licensed engineering professional. Said soils study must be approved by the City Engineer and others to assure compliance with mandatory soils, geologic and related grading requirements. The City of Fresno mandatory requirements and related ministerial permits have proven to be effective in addressing potential impacts to geology and soils.

Mitigation Measures

1. The proposed project shall implement and incorporate the geological related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				

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

Background

When sunlight strikes the Earth's surface, some of it is reflected back into space as infrared radiation. When the net amount of solar infrared 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 should remain more or less constant.

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" (GHG).

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 in the earth's atmosphere. It is believed that increased levels of GHGs 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 GHGs (those that enter the atmosphere because of human activities) are **carbon dioxide, methane, nitrous oxide and fluorinated gases.**

GHGs were not generally thought of as traditional air pollutants because their impacts are global and diffuse in nature, while the criteria air pollutants and air toxics directly affect the health of people and other living things at ground level in the general region of their release to the atmosphere. However, it has been realized that GHGs and associated climate change could also drastically affect the health of populations not only in the U.S., but around the world through ocean rise that displaces populations, causes economic and infrastructure damage, disrupts

agriculture, increases heat-related illnesses, exacerbates effects of criteria air pollutants, spreads of infectious diseases through proliferation of mosquitoes and other vectors carrying “tropical” diseases into temperate climate zones, and alters/endangers natural flora and fauna in terrestrial and aquatic environments. One off-cited example of a predicted change in global climate is that the Sierra snowpack could be reduced to as little as 20% of its historic levels, a dire consequence since it is estimated that over 70% of California’s population relies on this “frozen reservoir” for its water supply.

Regulation

The State of California has formally acknowledged 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” concentration standards established by the federal or state government for GHGs (although several of the GHGs are regulated as precursors to criteria pollutants regulated by the federal and California Clean Air Acts). However, the State has codified a mandate to GHG emissions to 1990 levels by the year 2020. In order to roll back GHG emissions to 1990 levels, a reduction of 174 million metric tons of CO₂e would need 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 and the need to grow equate to a need to reduce per capita GHG emissions by some 30%.

It has been recognized that new development projects would potentially add GHG emissions and could exacerbate global climate change problems. In order to standardize evaluation of projects, 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 pursuant to the California Environmental Quality Act (CEQA). 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*. The Report provides methods for quantifying emission reductions from a specified list of mitigation measures, primarily focused on project-level mitigation. 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.

On December 17, 2009, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted the guidance: *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the policy: *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. The guidance and policy rely on the use of performance based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project specific GHG emissions on global climate change during the environmental review process, as required by CEQA.

Use of BPS is a method of streamlining the CEQA process of determining significance and is not a required emission reduction measure. Projects implementing BPS would be determined to have a less than cumulatively significant impact. Otherwise, demonstration of a 29% reduction

in GHG emissions, from business-as-usual, is required to determine that a project would have a less than cumulatively significant impact.

Project's Impact

The proposed project has been determined to have a less than significant impact on GHGs based on the guidance established by the SJVAPCD in the adopted document titled *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. According to this document, 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 complies with an approved GHG Mitigation program (established through Plan Amendment Application No. A-09-02).**

Plan Amendment Application No. A-09-02, the Air Quality Amendment to the 2025 Fresno General Plan, adopted initial steps to address Fresno's part in avoiding global climate change, through adoption of new Resource Element / Air Quality General Plan Objectives and Policies. The information in previously-cited CAPCOA and California Attorney General Publications has been used as information resources for GHG mitigation. A new objective has been added to the Air Quality section of the Resource Conservation Element specifically calling for reduction in GHG emissions, with supporting policies and implementation measures. Utilizing a qualitative analysis approach, projects consistent with, and appropriately implementing, air pollution and GHG reduction policies, and which mitigate any potentially significant project-specific GHG impacts, will be deemed to conform to GHG reduction requirements and to contribute to the City's overall GHG reduction goals. Periodic broad scale GHG modeling will be used to validate the efficacy of these measures and guide implementation and further rulemaking. The proposed project will be required to implement all relevant general plan policies related to GHGs. These policies will help to reduce this project's potential GHG impact. One new policy adopted in the City's Air Quality Plan Amendment is described below:

Policy G-1B-b Increase efforts to incorporate GHG emission reductions in land use decisions, facility design, and operational measures subject to City regulation through implementation measures such as the following:

- (4) The City shall utilize guidance from the Institute for Local Government, California Attorney General's Office, California Air Pollution Control Officers Association, and other sources of technical guidance in determining appropriate and feasible mitigation measures which may be incorporated into land use plans, development projects and City operations to achieve GHG emission reductions.

The proposed project complies with this policy because it will comply with several of the measures detailed in the California Attorney General's Office guidance document titled, *The California Environmental Quality Act Mitigation of Global Warming Impacts at the Local Agency Level*". This document offers policy guidance on mitigating GHG emissions. One mitigation measure states that projects should "create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking". The proposed project will be required to maintain and or install sidewalks along the frontage of North Locan Avenue.

Other GHG Reduction Measures

Through updates in the California Building Code and statewide regulation of appliance standards, this project is also expected to 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). Updated engine and tire efficiency standards would apply to project 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). In addition, the project does not involve manufacturing activities that would generate other 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 adverse impact on GHGs, including, the Air Impact Assessment (AIA) prepared by Scientific Resources Associated.

Mitigation Measures

1. The proposed project shall implement and incorporate the greenhouse gas emissions related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

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

There are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project itself will not generate or use hazardous materials is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans. The subject site has not been cultivated since 2005. No pesticides or hazardous materials are known to exist on the site and the proposed project will have no environmental impacts related to potential hazards or hazardous materials as identified above.

Mitigation Measures

1. The proposed project shall implement and incorporate the hazards and hazardous materials related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

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

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

Fresno has attempted to address these issues through metering and revisions to the City's Urban Water Management Plan (UWMP). The City Council, on June 19, 2014, adopted the Fresno Metropolitan Water Resources Management Plan Update. The overall objective of this update is to supply sufficient and reliable water supplies to meet the demands of existing and future customers through buildout of the applicable Fresno General Plan. The study area for the Metro Plan Update includes the existing city limits and City of Fresno Sphere of Influence (SOI) area designated by the 2025 Fresno General Plan. The subject site is located within this area.

Implementation of the City's recommended water supply program contained in this plan will result in a significant shift in the use of available water resources and an increase in diversity in the City's water supply portfolio which will enhance the City's overall water supply reliability. Implementation of the Metro Plan Update involves near-term and long-term water projects including, surface water treatment and storage facilities; a raw water intake; groundwater supply, storage and recharge facilities; recycled water treatment and distribution facilities; water distribution pipelines; and increased water conservation measures.

The Metro Plan Update was based on an assumed annual population growth rate within the City's water service area of 1.9 percent based on projections made by the Fresno Council of Governments (Fresno COG). This assumption resulted in a projected water service area population of approximately 692,202 by 2025.

The Fresno 2025 General Plan had somewhat different projections, and assumed a higher starting population in 2000 for the Community Plan Area. According to the 2025 General Plan, the population of the City's Community Plan Area would increase to 790,955 by 2025. However, with the recent economic downturn, growth in the City has slowed and population projections

have been revised. The Fresno COG is now projecting a City population of 786,000 by 2035, which reflects a 10-year shift (delay) in the buildout of the City's General Plan SOI.

While the City's population projections have changed, the required components of the Metro Plan Update have not. Implementation of this Metro Plan will achieve water supply sustainability for the entire SOI, which includes the subject site. One of the key policy recommendations of the Metro Plan is that the City adopt a policy that mandated that new development mitigate groundwater impacts. Specifically, it stated that new development be required to fund development of new and sustainable supplies. As a mitigation measure, the project applicant will be required to pay its full impact to local and regional urban services.

The proposed project is located within the Southeast Growth Area (SEGA). Although there is currently no water connection fee program for SEGA to support the development of water supply, treatment, conveyance, and recharge facilities, the Director of the Public Works Department, whose department implements the impact fee programs, has made findings and determined that the current City of Fresno fee schedule assesses the projects for their impact to local and regional urban services, including water. In addition, when development permits are issued, fees to support expansions and service enhancements of the City's water utility, including recharge activities, will also be imposed as conditions of approval for special permits.

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 Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water facilities are available to provide service to the subject site subject to several conditions.

In addition, when development permits are issued, the subject site will be required to contribute to the completion of the FMFCD's master planned storm drainage facilities, and to preserve the patency of irrigation canals and pipelines for delivering surface water to recharge/percolation basins. Stormwater ponding basins provide significant opportunity to recharge groundwater with collected storm water run-off and surface water obtained from the Fresno Irrigation District (FID) and United States Bureau of Reclamation on the northern edge of the current urban limit boundary. The Department of Public Utilities works with FMFCD to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program, and works with FID to ensure that the City's allotment of surface water is put to the best possible use for recharge.

The Fresno Irrigation District's (FID) Canal No. 99 runs southerly along the west side of Locan Avenue approximately seventy (70) feet west of the subject property. FID owns a fifteen (15) foot wide easement, recorded February 1, 2007, as Document Number 2007-0021333 of the Official Records of Fresno County. This pipeline was installed in 2007 as 24-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) which meets FID's minimum standards for developed areas.

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

special permits.

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

In conclusion, based on this analysis and implementation of the project specific mitigation measures developed for the proposed project, the project will not result in any significant impacts to hydrology and water quality.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

The area of the subject property is within the City of Fresno Sphere of Influence. However, the Amendment and Restated Memorandum of Understanding (MOU) between the City of Fresno and the County of Fresno on regional planning allows development of the area inclusive of the subject property subject to certain conditions.

The subject property is immediately adjacent to an urbanized area of the City of Fresno that includes infrastructure necessary to serve the proposed development. Should the property

have been located away from such urban services, the argument that the project represents leapfrog development and the unnecessary expense of the extension and maintenance of public services would be warranted. This is not the case for the proposed project.

The MOU between the City of Fresno and the County of Fresno allows development of the area inclusive of the subject property.

Although the project includes a proposed amendment to the 2025 Fresno General Plan and Roosevelt Community Plan, in order to change the planned land use designation of the subject site for the purposes of facilitating future development, the proposed project shall meet the goals, objectives and policies of the 2025 Fresno General Plan and Roosevelt Community Plan.

Goal 1-6. of the Roosevelt Community Plan states “a project which plans for a diversity of residential types, densities and locations necessary to achieve the plan concept and accomplish the plan goals to provide for adequate housing opportunities, balanced urban growth, and efficient use of resources and public facilities. The surrounding land uses and the subject site, which is surrounded by urban and rural uses, meet the goals of this policy.

Objective C-9 of the 2025 Fresno General Plan directs planning for the diversity and quality of residential housing, at locations necessary to provide for adequate and affordable housing opportunities. Housing patterns should support balanced urban growth, and should make efficient use of resources and public facilities. Supporting policy C-9-h recommends medium low density residential uses only in those areas where there are established neighborhoods with semi-rural or estate characteristics. The surrounding land uses and the subject site, which is surrounded by urban and rural uses, meet the goals of this policy.

Therefore, it is staff’s opinion that the proposed plan amendment, rezone, and tract map permit applications are consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. The proposed project is found; (1) To be consistent with the goals, objectives and policies of the applicable 2025 Fresno General Plan and Roosevelt Community Plan; (2) To be suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject site or adjacent lands.

The subject property does fall within the parameter of the Southeast Development Area (SEGA). While initial planning studies commenced within the vast area, it has since been incorporated to the Fresno General Plan Update and has been renamed the Southeast Development Area (SEDA).

Current policy outlined several parameters that needed to be met prior to any new development in the SEGA, now SEDA planning area. The project applicant has completely installed the requisite infrastructure for a single family development, Tract No. 5312 and Tract No. 5935 to the immediate west. Furthermore, the applicant has requested and secured the necessary “release for development” from the County of Fresno to the City of Fresno. While there remains planning, infrastructure, and financial challenges for the SEDA area, it is the position of the City development could only occur on the subject site and not create a growth precedence.

Mitigation Measures

- The proposed project shall implement and incorporate the land use and planning related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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 site is not located in an area designated for mineral resource preservation or recovery.

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

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

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

Traffic from North Locan Avenue is a source of noise which could disrupt the habitability. However, the City of Fresno Noise Element of the 2025 Fresno General Plan establishes a land use compatibility criterion of 60dB DNL for exterior noise levels in outdoor activity areas of new residential developments. Outdoor activity areas generally include open areas, private patios, etc. of multiple family residential developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

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

Construction activities associated with the development of the proposed project could expose persons or structures to excessive groundborne vibration or noise levels. As such, the proposed project may result in significant short-term localized noise impacts due to construction equipment noise. Construction specifications shall require that all construction equipment be maintained according to manufactures' specifications and that noise-generating construction equipment be equipped with mufflers. Noise-generating construction activities should be limited to daytime hours as specified in the City of Fresno Municipal Code. However, this would only be during the construction phase of the proposed project and thus, this is a less than significant impact.

Conditions of approval respective to construction related activity will require incorporation of noise reduction measures into their construction activity.

The proposed project will not expose persons to excessive noise levels. Although the project will create additional activity in the area, the project will be required to comply with all noise policies from the 2025 Fresno General Plan and noise ordinance of the Fresno Municipal Code. Therefore, there will be no exposure to excessive noise.

Mitigation Measures

1. The proposed project shall implement and incorporate the noise related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

The project includes a proposed amendment to the 2025 Fresno General Plan, Roosevelt Community Plan boundary, and Southeast Development Area (SEDA) land use for ± 23.78 acres from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use in the City of Fresno. In order to change the planned land use

designation of the subject site for the purposes of facilitating future development, the proposed project shall meet the goals, objectives and policies of the 2025 Fresno General Plan and Roosevelt Community Plan by providing a project which introduces single family residential development in a manner which will maintain a pleasant living environment through reservation of adequate living spaces and protecting the integrity of adjacent neighborhoods. The close proximity to existing and planned single family residential uses will complement and embellish the existing mix of land uses.

Furthermore, the subject site is currently vacant and therefore, the proposed project does not have the potential to displace existing housing or residents as a result of development thereon.

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

Vesting Tentative Tract Map No. 6067 to subdivide the subject property into a 96-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the Medium Low Density Residential (2.19 – 6.0 dwelling unit/acre) planned land use designation. The proposed project also involves an annexation into the City of Fresno.

The subject site shall comply with the applicable service delivery requirements necessary to provide not less than the minimum acceptable level of fire protection facilities and services appropriate for urban uses. City police and fire protection services are available to serve the subject site. The subject site is located within two miles of Clovis Fire Station No. 44. The City of Fresno and Clovis have an automatic aid agreement.

The demand for parks generated by the project will be within planned service 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 obtained.

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

The Department of Public Utilities has reviewed the proposed plan amendment, rezone, and tract map applications and has determined that sewer and water facilities are available to provide service to the subject site. The nearest available water main (14") is located in North Locan Avenue. The nearest sewer main is located in North Locan Avenue (8"). Finally, the Fresno Metropolitan Flood Control District (FMFCD) has indicated that the FMFCD system could accommodate the proposed pre-zone if the District's Drainage Area "DS" Master Plan has been adopted.

Mitigation Measures

1. The proposed project shall implement and incorporate the public services related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

The proposed project will increase the use of the existing parks; however, the developer will be required to pay park impact fees for the development. The fees will address any physical deterioration of existing parks or recreational facilities. The development will not require

expansion of existing recreational facilities. As proposed, Outlot A (21,844 sq. ft.) will be utilized as public open space.

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

The subject site is located on the east side of North Locan Avenue. The subject site location is adjacent to low and medium density residential (City of Fresno) and agricultural (County of Fresno) land uses which provide for a pattern of development with the potential to increase the number of average daily vehicle trips.

A TIS, dated November 27, 2013, was prepared for the proposed development. The study has

applied the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual. The development of ninety-nine (99) single family residential units on the subject site is expected to generate an average of approximately 942 average daily trips (ADT). Of these vehicle trips it is projected that seventy-five (75) will occur during the morning (7 to 9 a.m.) peak hour travel period and ninety-nine (99) will occur during the evening (4 to 6 p.m.) peak hour travel period.

The proposed plan amendment will change the agricultural land use to Medium Low Density Residential, which will increase the traffic volume, as noted above. The trips would be directed mainly onto North Locan Avenue. Locan Avenue is an existing two-lane undivided collector adjacent to the proposed property according to the 2025 Fresno General Plan and the Roosevelt Community Plan.

The TIS analyzed the Ashlan Avenue/Locan Avenue, Shields Avenue/Temperance Avenue, Olive Avenue/Temperance Avenue and Belmont Avenue/Temperance Intersections which currently exceed their respective LOS D threshold, as well as, analyzed the street segments highlighted below.

Currently, the intersections of Ashlan Avenue/Locan Avenue, Shields Avenue/Temperance Avenue, Olive Avenue/Temperance Avenue and Belmont Avenue/Temperance Avenue exceed their respective LOS D threshold, which is a significant impact. At present a traffic signal is under construction at the intersection of Ashlan Avenue/Locan Avenue and a traffic signal is currently under design for the intersection of Shields Avenue/Temperance Avenue with an estimated construction date of late 2014. With the completion of the traffic signals at these two intersections the LOS will improve to LOS D or better. To improve the LOS the remaining intersections at LOS D or better in the existing conditions analyses and with the addition of the project trips to the existing conditions:

- a. Shields Avenue and Locan Avenue – install an all-way stop control and add westbound left-turn lane.
- b. The project shall widen/restripe the intersection of Olive and Temperance Avenues to the following configuration:
 - i. Eastbound – one left-turn lane and one through lane with a shared right-turn lane
 - ii. Westbound - one left-turn lane and one through lane with a shared right-turn lane
 - iii. Northbound - one left-turn lane and one through lane with a shared right-turn lane
 - iv. Southbound – one through lane with a shared left-turn lane and one right-turn lane

The LOS for the study segments Shields Avenue between Locan Avenue and Temperance Avenue, Locan Avenue between Shields Avenue and Ashlan Avenue, Temperance Avenue between Shields Avenue and Clinton Avenue, Temperance Avenue between Clinton Avenue and McKinley Avenue, Temperance Avenue between McKinley Avenue and Olive Avenue, and Temperance Avenue between Olive Avenue and Belmont Avenue are LOS D or better during the daily, a.m. peak hour and p.m. peak hour conditions.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the plan amendment, rezone, and tract map applications and has determined that the following intersections are currently operating at a substandard level of service (LOS) in either one or both of the weekday peak hours: Ashlan Avenue at Locan Avenue, Shields Avenue at Temperance Avenue, Olive Avenue at Temperance Avenue, and Belmont Avenue at Temperance Avenue. However, 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 compliance with standard requirements. These requirements generally include: (1) Public street improvements; (2) Installation of a paved pedestrian path or sidewalk; 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 the Regional Transportation Mitigation Fee (RTMF) Fee.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

With the project specific mitigation measure proposed, no substantial increase in transportation or traffic is expected to result from the proposed project.

Mitigation Measures

1. The proposed project shall implement and incorporate the transportation/traffic related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS - - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 reviewed the proposed plan amendment, rezone, and tract map applications and has determined that sewer and water facilities are available to provide service to the subject site subject to several conditions. The project site will also be serviced by the Solid Waste Division.

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

Mitigation Measures

1. The proposed project shall implement and incorporate the utilities and service systems related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated September 25, 2014.

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

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.
- does not eliminate important examples of elements of California history or prehistory.
- does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this project.

Project Specific Mitigation Measures

PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST
For Plan Amendment Application No. A-03-009, Rezone Application No. R-13-016, and
Vesting Tentative Tract Map Application No. TM-6067

This monitoring checklist for the above noted environmental assessment is being prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), as required under Assembly Bill 3180, and is intended to establish a project-specific reporting/monitoring program for Plan Amendment Application No. A-13-009, Rezone Application No. R-13-016, and Vesting Tentative Tract Map Application No. TM-6067. Verification of implementation of these mitigation measures, in addition to the applicable measures specified for this project per the Mitigation Monitoring Checklist prepared for this project pursuant to Master Environmental Impact Report No. 10130 - 2025 Fresno General Plan, will be required upon the application for subdivision of the project site, special permits, or grading on the project site. The captions below refer to corresponding sections of the Initial Study checklist for this project, using the Appendix G format from the CEQA Guidelines.

MITIGATION MEASURES FOR ENVIRONMENTAL ASSESSMENT NO. A-13-003/R-13-009/C-13-086

MITIGATION MEASURE	IMPLEMENTED BY	WHEN IMPLEMENTED	VERIFIED BY
Project shall implement and incorporate, as appropriate all mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated September 23, 2014.	Applicant	Processing and review of project proposal prior to approval.	City of Fresno Development & Resource Management Department
Pay applicable Indirect Source Review off-site mitigation fee.	Applicant	Prior to permit issuance	City of Fresno Development & Resource Management Department San Joaquin Valley Air Pollution Control District

<p>Project shall comply with all of the requirements stipulated within the attached memorandum from the Department of Public Utilities-Water Division dated April 9, 2014, and those associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Department of Public Utilities – Water Division</p>
<p>Project shall comply with all of the requirements stipulated within the attached Air Quality Assessment from Scientific Resources Associated dated December 6, 2013.</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department. San Joaquin Valley Air Pollution Control District</p>
<p>Project shall comply with all of the requirements stipulated by the Department of Public Utilities-Sewer Division associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Department of Public Utilities, Sewer Division</p>
<p>Approval of any future development entitlements on the subject site must comply with all goals and policies contained in the 2025 Fresno General Plan and the Roosevelt Community Plan.</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department</p>

<p>Project shall comply with all of the requirements stipulated by the Fire Department associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Fire Department</p>
<p>Project shall comply with all of the requirements stipulated by the Public Utilities Department – Solid Waste Division associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department Public Utilities Department – Administration (Solid Waste)</p>
<p>Project shall comply with all of the requirements stipulated within the attached memorandum from the Public Works Department-Traffic and Engineering Services Division dated June 12, 2014, and associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Public Works Department Traffic and Engineering Services</p>

<p>Project shall comply with all the requirements stipulated by the Public Works – Traffic Engineering Division associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Public Works Department – Traffic and Engineering</p>
<p>Project shall comply with all the requirements stipulated by the Police Department associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to issuance of building permits for future residential units</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Police Department</p>
<p>Project shall comply with all the requirements stipulated by the Clovis Unified School District associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to issuance of building permits for future residential units</p>	<p>City of Fresno Development & Resource Management Department</p>
<p>Project shall comply with all of the requirements stipulated within the attached memorandum from Caltrans dated January 27, 2014, and those associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to issuance of building permits for future residential units</p>	<p>City of Fresno Development & Resource Management Department</p>
<p>Project shall comply with all the requirements stipulated by the Building Department associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to issuance of building permits for future residential units</p>	<p>City of Fresno Development & Resource Management Department</p>

<p>Project shall comply with all of the requirements stipulated within the attached memorandum from the Fresno Metropolitan Flood Control District dated January 23, 2014, and those associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department Fresno Metropolitan Flood Control District</p>
<p>Project shall comply with all of the requirements stipulated within the attached memorandum from the Native American Heritage Commission dated January 8, 2014, and those associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department</p>
<p>Project shall comply with all of the requirements stipulated within the Amended and Restated Memorandum of Understanding between the County of Fresno and the City of Fresno (MOU), as well as, County recommended actions related to the release or properties to the City of Fresno (Bonadelle Homes) dated April 22, 2014.</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department Local Agency Formation Commission (LAFCo)</p>

<p>Project shall be subject to the Standards of Annexation contained in Exhibit 1 of the County/City Restated Memorandum of Understanding.</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department County of Fresno Planning Department</p>
<p>Project shall comply with all of the requirements stipulated within the attached memorandum from the Fresno Irrigation District dated January 22, 2014, and those associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department Fresno Irrigation District</p>
<p>Project shall comply with all of the requirements stipulated within the attached Traffic Impact Analysis from TJKM Transportation Consultants dated November 27, 2013.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits and street work permits for future residential units</p>	<p>City of Fresno Development & Resource Management Department City of Fresno, Public Works Department, Traffic Engineering Division</p>
<p>Project shall comply with all the requirements stipulated within the attached email the Public Works Director dated July 18, 2014, associated with the Proposed Mitigation Measure Regarding Project Fees.</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Public Works Department</p>

<p>Project shall comply with all of the requirements stipulated by the Department of Public Works-Street Median Division associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to issuance of building permits for future residential units.</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Public Works Department – Street Median</p>
<p>Project shall comply with all of the requirements stipulated within the attached memorandum from the San Joaquin Air Pollution Control District Fresno Irrigation District dated January 3, 2014 (Initial Comments) and dated July 10, 2014 (Air Impact Assessment), and those associated with future entitlement(s).</p>	<p>Applicant</p>	<p>Prior to permit issuance</p>	<p>City of Fresno Development & Resource Management Department San Joaquin Air Pollution Control District</p>
<p>Project shall comply with all of the requirements stipulated within the attached memorandum from the Department of Public Health – County of Fresno Division dated January 6, 2014.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits for future residential units.</p>	<p>City of Fresno Development & Resource Management Department County of Fresno Department of Public Health</p>

<p>Development projects that are consistent with plans and policies but that could affect conditions on major street segments 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>Applicant</p>	<p>Prior to permit issuance</p>	<p>Public Works Dept./Traffic Planning; Development & Resource Management Dept.</p>
<p>Development projects that are consistent with plans and policies but that could affect conditions on major street segments 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>Applicant</p>	<p>Prior to approval of land use entitlement</p>	<p>Public Works Dept./Traffic Planning; Development & Resource Management Dept.</p>
<p>Development projects that are consistent with plans and policies but that could affect conditions on major street segments 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.</p>	<p>Applicant</p>	<p>Prior to approval of land use entitlement</p>	<p>Public Works Dept./Traffic Planning; Development & Resource Management Dept.</p>

<p>For development projects that are consistent with plans and policies, a site access evaluation shall be required to the satisfaction of the Public Works Director. This evaluation shall, at a minimum, focus on the following factors:</p> <p>a. Disruption of vehicular traffic flow along adjacent major streets, appropriate design measures for on-site vehicular circulation and access to major streets (number, location and design of driveway approaches), and linkages to bicycle/pedestrian circulation systems and transit services.</p> <p>b. In addition, for development projects that the City determines may generate a projected 100 or more peak hour vehicle trips (either in the morning or evening), the evaluation shall determine the project's contribution to increased peak hour vehicle delay at major street intersections adjacent or proximate to the project site. The evaluation shall identify project responsibilities for intersection improvements to reduce vehicle delay consistent with the LOS anticipated by the 2025 Fresno General Plan. For projects which affect State Highways, the Public Works Director may direct the site access evaluation to reference the criteria presented in Caltrans Guide for the Preparation of Traffic Impact Studies.</p>	Applicant	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Development & Resource Management Dept.
<p>Circulation and site design measures shall be considered for development projects so that local trips may be completed as much as possible without use of, or with reduced use of, major streets and major street intersections. Appropriate consideration must also be given to compliance with plan policies and mitigation measures intended to promote compatibility between land uses with different traffic generation characteristics.</p>	Applicant	Prior to approval of land use entitlement	Public Works Dept./Traffic Planning; Development & Resource Management Dept.

<p>New development projects and major street construction projects shall be designed with consideration and implementation of appropriate features (considering safety, convenience and cost-effectiveness) to encourage walking, bicycling, and public transportation as alternative modes to the automobile.</p>	<p>Applicant</p>	<p>Prior to approval or prior to funding of major street project.</p>	<p>Public Works Dept./Traffic Planning; Development & Resource Management Dept.</p>
<p>Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of transportation including, but not limited to, provision of bicycle, pedestrian and public transportation facilities and improvements to connect residential areas with public facilities, shopping and employment. Adequate rights-of-way for bikeways, preferably as bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Public Works Dept./Traffic Planning; Development & Resource Management Dept.</p>

<p>In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs.</p> <ol style="list-style-type: none"> a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals. b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements. c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations. d. Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving proposed development projects. e. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts. 	Applicant	Ongoing	Development & Resource Management Dept.
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<p>For development projects potentially meeting SJVAPCD thresholds of significance and/or thresholds of applicability for the Indirect Source Review Rule (Rule 9510) in their unmitigated condition, project applicants shall complete the SJVAPCD Indirect Source Review Application prior to approval of the development project. Mitigation measures incorporated into the ISR analysis shall be incorporated into the project as conditions of approval and/or mitigation measures, as may be appropriate.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Development & Resource Management Dept. and SJVAPCD</p>
<p>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.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Various city departments</p>
<p>The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as:</p> <ul style="list-style-type: none"> 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. 	<p>Applicant</p>	<p>Ongoing</p>	<p>Fresno Area Express</p>

<p>The City shall monitor impacts of land use changes and development project proposals on water supply facilities and the groundwater aquifer.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Dept. of Public Utilities and Development & Resource Management Dept.</p>
<p>The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, intentional recharge facilities, potable and recycled water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.</p>	<p>Applicant</p>	<p>Ongoing (City-wide); and prior to approval of land use entitlement as applicable</p>	<p>Department of Public Utilities and Development & Resource Management Dept.</p>
<p>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.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Department of Public Utilities</p>
<p>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.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Development & Resource Management Dept.</p>

<p>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.</p>	Applicant	Ongoing	Development & Resource Management Dept.
<p>The City shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect:</p> <ul style="list-style-type: none"> 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. 	Applicant	Ongoing	Development & Resource Management Dept.
<p>The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).</p>	Applicant	Ongoing	Development & Resource Management Dept.

<p>The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management and use of all sources of water available to the planning area, and shall periodically update this plan to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development. Project-specific and city-wide water conservation measures shall be directed toward assisting in reaching the goal of balancing City groundwater operations by 2025.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Department of Public Utilities</p>
<p>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.)</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Department of Public Utilities</p>
<p>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</p>	<p>Applicant</p>	<p>Prior to approval of land use entitlement</p>	<p>Department of Public Utilities</p>

<p>sanitary.</p>	<p>When and if the City adopts a formal management plan for recycled and/or reclaimed water, all development shall comply with its standards and requirements. Absent a formal management plan for recycled and/or reclaimed water, new development projects shall install reasonably necessary infrastructure, facilities and equipment to utilize reclaimed and recycled water for landscape irrigation, decorative fountains and ponds, and other water-consuming features, provided that use of reclaimed or recycled water is determined by the Department of Public Utilities to be feasible, sanitary, and energy-efficient.</p>	<p>Applicant</p>	<p>Prior to approval of development project</p>	<p>Department of Public Utilities</p>
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<p>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>	Applicant	Prior to approval of development project	Department of Public Utilities																							
<table border="1"> <thead> <tr> <th data-bbox="730 1543 893 1978">FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.)</th> <th colspan="2" data-bbox="730 1039 893 1543">PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:</th> </tr> <tr> <td data-bbox="893 1543 1088 1978">Single family residential</td> <td data-bbox="893 1375 1088 1543">01/01/20 05 THROUGH 12/31/20 10</td> <td data-bbox="893 1207 1088 1375">01/01/20 10 THROUGH 12/31/20 24</td> </tr> <tr> <td data-bbox="1088 1543 1144 1978">Multi-family residential</td> <td data-bbox="1088 1375 1144 1543">3.8</td> <td data-bbox="1088 1207 1144 1375">3.5</td> </tr> <tr> <td data-bbox="1144 1543 1201 1978">Commercial and institutional</td> <td data-bbox="1144 1375 1201 1543">6.5</td> <td data-bbox="1144 1207 1201 1375">6.2</td> </tr> <tr> <td data-bbox="1201 1543 1258 1978">Industrial</td> <td data-bbox="1201 1375 1258 1543">2</td> <td data-bbox="1201 1207 1258 1375">1.9</td> </tr> <tr> <td data-bbox="1258 1543 1396 1978">Landscaped open space</td> <td data-bbox="1258 1375 1396 1543">3</td> <td data-bbox="1258 1207 1396 1375">2.9</td> </tr> </thead> <tbody> <tr> <td data-bbox="893 1039 1088 1207">AFTER 01/01/2020 5</td> <td data-bbox="1088 1039 1144 1207">3.5</td> <td data-bbox="1144 1039 1201 1207">6.2</td> <td data-bbox="1201 1039 1258 1207">1.9</td> <td data-bbox="1258 1039 1396 1207">2.9</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:		Single family residential	01/01/20 05 THROUGH 12/31/20 10	01/01/20 10 THROUGH 12/31/20 24	Multi-family residential	3.8	3.5	Commercial and institutional	6.5	6.2	Industrial	2	1.9	Landscaped open space	3	2.9	AFTER 01/01/2020 5	3.5	6.2	1.9	2.9			
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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.	Applicant	Ongoing	Development & Resource Management Dept.
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.	Applicant	Ongoing	Development & Resource Management Dept.
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.	Applicant	Ongoing	Development & Resource Management Dept.
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: <ul style="list-style-type: none"> 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. 	Applicant	Ongoing	Development & Resource Management Dept.

<p>e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.</p>			
<p>The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.</p>	Applicant	Ongoing	Dept. of Public Utilities and Development & Resource Management Dept.
<p>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.</p>	Applicant	Ongoing	Dept. of Public Utilities
<p>The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.</p>	Applicant	Ongoing	Dept. of Public Utilities

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

<p>Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.</p>	<p>Applicant</p>	<p>Ongoing/prior to construction</p>	<p>Fire Dept/Police Dept/ Development & Resource Management Dept.</p>
<p>Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.</p>	<p>Applicant</p>	<p>Ongoing/prior to construction</p>	<p>Parks and Recreation Dept. & Development & Resource Management Dept.</p>
<p>Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species (or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.</p>	<p>Applicant</p>	<p>Ongoing/prior to approval of land use entitlement</p>	<p>Development & Resource Management Dept.</p>
<p>Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall include siting structures at least 100 feet from the outermost edge of the wetland. If complete avoidance is not possible, the disturbance to the wetland shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. New vegetation shall consist of native species similar to those removed.</p>	<p>Applicant</p>	<p>Ongoing/prior to approval of land use entitlement</p>	<p>Development & Resource Management Dept.</p>

<p>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.</p>	<p>Applicant</p>	<p>Ongoing/prior to approval of land use entitlement and during construction</p>	<p>Development & Resource Management Dept.</p>
<p>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.</p>	<p>Applicant</p>	<p>Ongoing/prior to approval of land use entitlement and during construction</p>	<p>Development & Resource Management Dept.</p>
<p>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).</p>	<p>Applicant</p>	<p>Ongoing/prior to approval of land use entitlement and during construction</p>	<p>Development & Resource Management Dept.</p>
<p>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.</p>	<p>Applicant</p>	<p>Ongoing/prior to approval of land use entitlement and during construction</p>	<p>Development & Resource Management Dept.</p>

<p>If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures:</p> <ol style="list-style-type: none"> Amending construction plans to avoid the resources. Setting aside sites containing these resources by deeding them into permanent conservation easements. Capping or covering these resources with a protective layer of soil before building on the sites. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft. 	Applicant	Ongoing/prior to approval of land use entitlement	Development & Resource Management Dept.
<p>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>	Applicant	Ongoing/prior to submittal of land use entitlement application	Development & Resource Management Dept.
<p>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</p>	Applicant	Ongoing	Development & Resource Management Dept./ Historic Preservation Commission

<p>contacted to obtain a referral list of recognized archaeologists.</p>			staff
<p>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.</p>	Applicant	Ongoing	Development & Resource Management Dept./ Historic Preservation Staff
<p>The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.</p>	Applicant	Ongoing	Development & Resource Management Dept.
<p>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.</p> <ul style="list-style-type: none"> ■ Site Planning. See Chapter V for more details. ■ Barriers. See Chapter V for more details. 	Applicant	Ongoing/upon submittal of land use entitlement application	Development & Resource Management Dept.

<p>■ Building Designs. See Chapter V for more details.</p>			
<p>The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.</p>	<p>Applicant</p>	<p>Ongoing/prior to building permit issuance</p>	<p>Development & Resource Management Dept.</p>
<p>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>	<p>Applicant</p>	<p>Ongoing</p>	<p>Development & Resource Management Dept.</p>
<p>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>	<p>Applicant</p>	<p>Ongoing</p>	<p>Development & Resource Management Dept.</p>

<p>The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.</p>	<p>Applicant</p>	<p>Ongoing</p>	<p>Development & Resource Management Dept.</p>
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