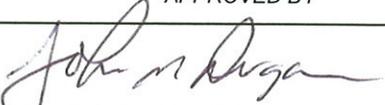




REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII.B.
COMMISSION MEETING 06/02/10

June 02, 2010

APPROVED BY

DEPARTMENT DIRECTOR

FROM: JERRY D. BISHOP, Assistant Director
Planning and Development Department 

KEITH R. BERGTHOLD, Assistant Director
Planning and Development Department

THROUGH: MIKE SANCHEZ, Planning Manager
Planning Division 

BY: WILL TACKETT, Planner III
Planning Division 

SUBJECT: CONSIDERATION OF VESTING TENTATIVE TRACT MAP NO. 5967; AND,
ENVIRONMENTAL ASSESSMENT NO. T-5967.

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. ADOPT the Finding of Conformity, to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and the Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (Air Quality MND), which was prepared for Vesting Tentative Tract Map No. 5967.
2. APPROVE Vesting Tentative Tract Map No. 5967 subject to compliance with the Conditions of Approval dated June 02, 2010.

EXECUTIVE SUMMARY

Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of APN Investments, LLC., property owner, has filed Vesting Tentative Tract Map No. 5967 pertaining to approximately 1.83 net acres (1.97 gross acres) of property located on the east side of North Polk Avenue between West Shaw and west Gettysburg Avenues.

Vesting Tentative Tract Map No. 5967 proposes to subdivide the subject property for the purposes of creating a 12-lot conventional single family residential public street phased development at an overall density of approximately 6.56 dwelling units/per acre. An approximately 5.86 acre portion of the subject property is also proposed to be designated as a Remainder parcel in order to facilitate the phased development of the subject property in accordance with Vesting Tentative Tract Map No. 5599, which was previously approved for the Remainder portion of the subject property.

The subject property is currently zoned under the R-1 (*Single Family Residential*) zone district classification. The subject property is located within the boundaries of the 2025 Fresno General Plan, West Area Community Plan, and Highway City Neighborhood Specific Plan, which designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the existing R-1 (*Single Family Residential*) zone district and the proposed project density of approximately

6.56 dwelling units per acre may be found to be consistent with the Medium Density Residential planned land use designation.

The development and subdivision of the subject property in accordance with Vesting Tentative Tract Map No. 5967 and Vesting Tentative Tract Map No. 5599 will bring the subject property into conformance with the 2025 Fresno General Plan, West Area Community Plan and Highway City Neighborhood Specific Plan.

PROJECT INFORMATION

| | |
|----------------------------------|--|
| PROJECT | Vesting Tentative Tract Map No. 5967 proposes to subdivide the subject property for the purposes of creating a 12-lot conventional single family residential public street phased development at an overall density of approximately 6.56 dwelling units/per acre. An approximately 5.86 acre portion of the subject property is also proposed to be designated as a Remainder parcel. |
| APPLICANT | ABN Investments, LLC. |
| LOCATION | East side of North Polk Avenue between West Shaw and West Gettysburg Avenues. (Council District 1, Councilmember Xiong) |
| SITE SIZE | Approximately 1.83 net acres / 1.97 gross acres (Remainder Parcel – Approximately 5.86 acres) |
| LAND USE | Existing - Vacant Proposed - Single Family Residential |
| ZONING | Existing & Proposed - <u>R-1</u> (<i>Single Family Residential District</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 FMC, the existing R-1 zone district designation for the subject property and the proposed density of approximately 6.56 dwelling units per acre are consistent with the 2025 Fresno General Plan, West Area Community Plan and Highway City Neighborhood Specific Plan planned land use designation of Medium Density Residential (4.99-10.37 dwelling units per acre) for the subject property. |
| ENVIRONMENTAL FINDING | Finding of Project Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097) and Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) |

PLAN COMMITTEE RECOMMENDATION District 1 Plan Implementation Committee unanimously recommended approval of Vesting Tentative Tract Map No. 5967 at the regular scheduled meeting held on February 23, 2010 subject to staff recommendation that Tract 5599 record first in phasing order; and, that a safe route to school from adjacent property to the east be retained.

STAFF RECOMMENDATION Recommend Commission adopt Environmental Assessment No. T-5967; and, approve Vesting Tentative Tract Map No. 5967 subject to compliance with the Conditions of Approval dated June 02, 2010.

BORDERING PROPERTY INFORMATION

| | Planned Land Use | Existing Zoning | Existing Land Use |
|--------------|--|---|---|
| North | Medium Density Residential | R-1 <i>Single Family Residential District</i> | Vacant / Single Family Residential |
| South | Medium Density Residential | R-1 <i>Single Family Residential District</i> | Vacant / Church |
| East | Medium & Medium-High Density Residential | R-1 <i>Single Family Residential District</i> & AE-5 <i>Exclusive Five Acre Agricultural District</i> | Vacant / Mobil Home Park |
| West | Medium Density Residential & Public Facility / Elementary School | R-1 <i>Single Family Residential District</i> & AE-5 <i>Exclusive Five Acre Agricultural District</i> | Single Family Residential / Elementary School |

ENVIRONMENTAL FINDING

The Planning and Development Department staff have prepared an initial study and environmental checklist and evaluated the proposed development in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan, the related Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097), and Mitigated Negative Declaration (MND) No. A-09-02 (SCH # 2009051016). The subject property has been proposed to be developed at an intensity and scale that is permitted by the Medium Density Residential (4.99-10.37 dwelling units/acre) planned land use designation and existing R-1 (*Single Family Residential*) zone district classification for the subject site. Thus, the subdivision of the subject property in accordance with Vesting Tentative Tract Map No. 5967 will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible

significant effects beyond those identified by MEIR No. 10130 and MND No. A-09-02 as provided by CEQA Section 15177(b)(3).

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

Therefore, the project proposal has been determined to be within the scope of the MEIR and MND as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR No. 10130 dated March 05, 2010, with no comments received to date. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the MND adopted; and, that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete or the MND was adopted, has become available.

BACKGROUND / ANALYSIS

Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of APN Investments, LLC., property owner, has filed Vesting Tentative Tract Map No. 5967 pertaining to approximately 1.83 net acres (1.97 gross acres) of property located on the east side of North Polk Avenue between West Shaw and west Gettysburg Avenues.

Vesting Tentative Tract Map No. 5967 proposes to subdivide the subject property for the purposes of creating a 12-lot conventional single family residential public street phased development at an overall density of approximately 6.56 dwelling units/per acre. An approximately 5.86 acre portion of the subject property is also proposed to be designated as a Remainder parcel in order to facilitate the phased development of the subject property in accordance with Vesting Tentative Tract Map No. 5599, which was previously approved for the Remainder portion of the subject property.

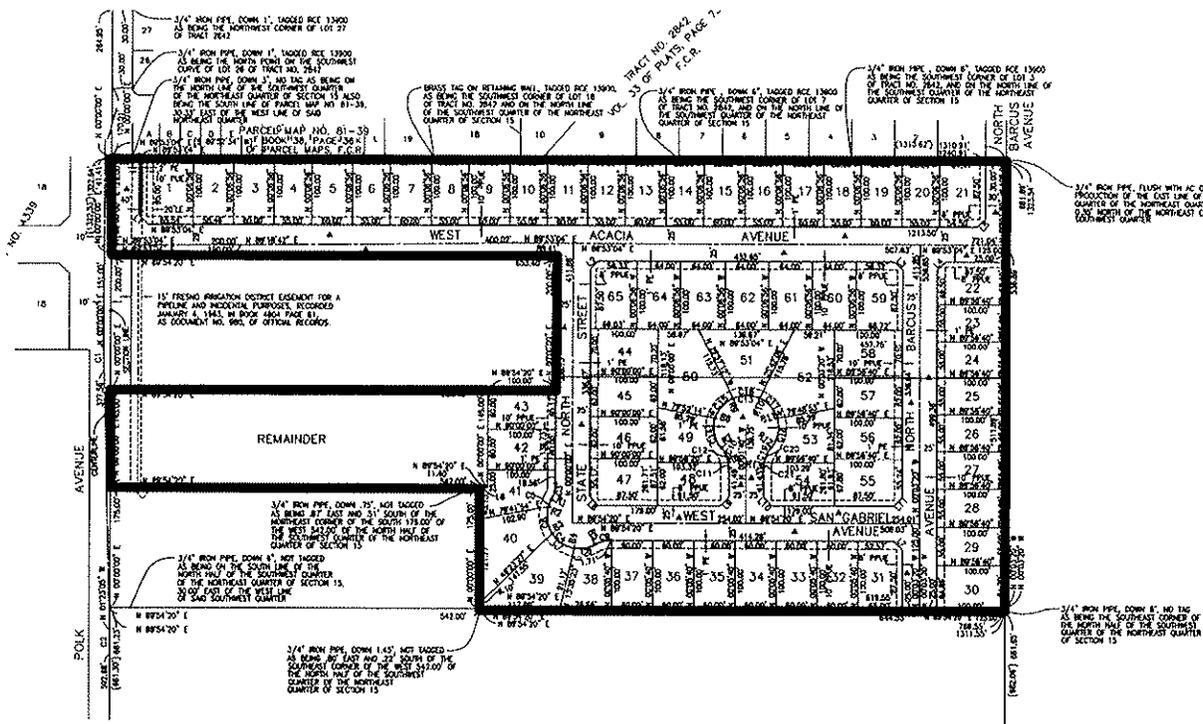
The subject property is currently zoned under the R-1 (*Single Family Residential*) zone district classification. The subject property is located within the boundaries of the 2025 Fresno General Plan, West Area Community Plan, and Highway City Neighborhood Specific Plan, which designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the existing R-1 (*Single Family Residential*) zone district and the proposed project density of approximately 6.56 dwelling units per acre may be found to be consistent with the Medium Density Residential planned land use designation.

The subject property and adjacent properties located to the north and south of the subject property remain vacant. Property located further to the south and west of the proposed Remainder parcel has been developed and is being utilized by the Central Community Church and the Fresno County Economic Opportunities Commission (FCEOC) Molly Nevarez "Head Start" Preschool Program. Properties located directly to the west of the subject property and across North Polk Avenue have been developed with single family residences within the Medium-Low density range (2.19-6.00 dwelling units per acre) as part of Tract 4339 (recorded 1995). Also, located to the southwest, across North Polk Avenue, is Teague Elementary School. Property located to the east of the proposed Remainder parcel has been developed as a mobile home park.

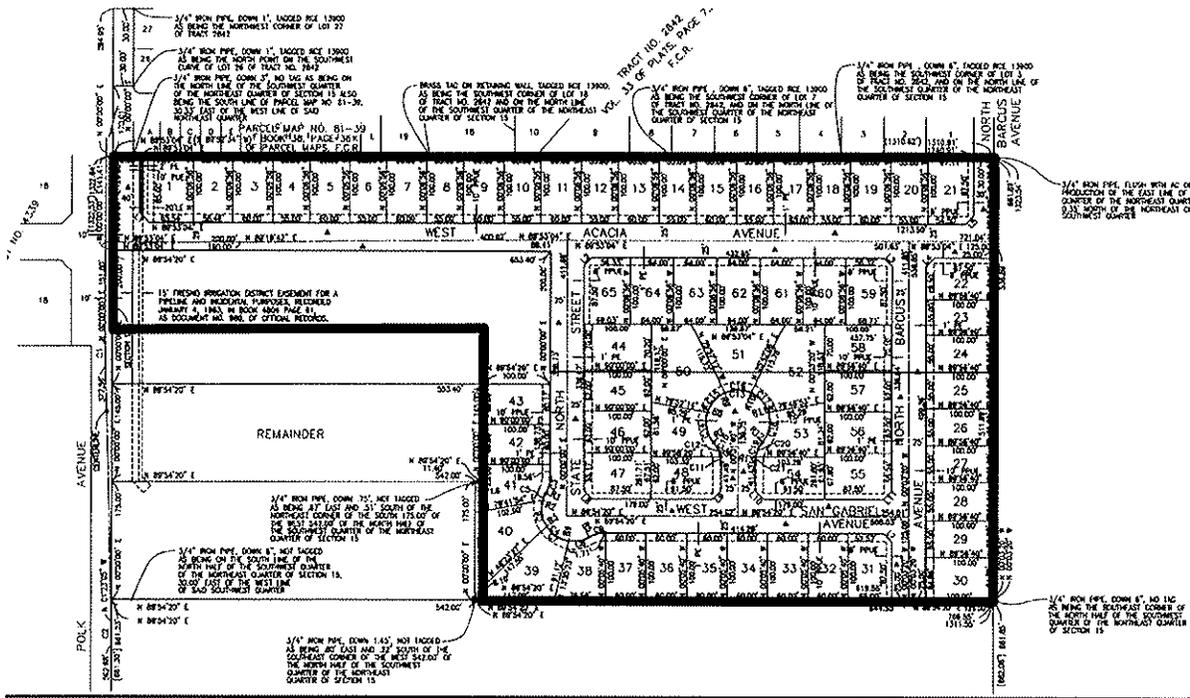
On November 28, 2006, the Fresno City Council approved Vesting Tentative Tract Map No. 5599 for the Remainder portion of the subject property; and, adjacent property located to the immediate north and east of the subject property. Approval of Vesting Tentative Tract Map No. 5599 authorized subdivision for a proposed 65-lot conventional single family residential public street phased development (please reference illustrations below for further information).

On April 29, 2009 the City of Fresno approved Lot Line Adjustment No. 2009-02 (LLA-09-02) for the purpose of facilitating a transfer of ownership between the subject property owner, ABN Investments, LLC., and the interests in the ownership and use of the Central Community Church property located to the south of the subject property. The transfer of ownership occurred as an amiable and mutually beneficial agreement between the parties in order to capitalize on an opportunity to "swap" land holdings; thereby creating contiguous portions of developable land for each respective interest (please see illustrations below).

ABN Investments, LLC., Ownership Prior to LLA-09-02

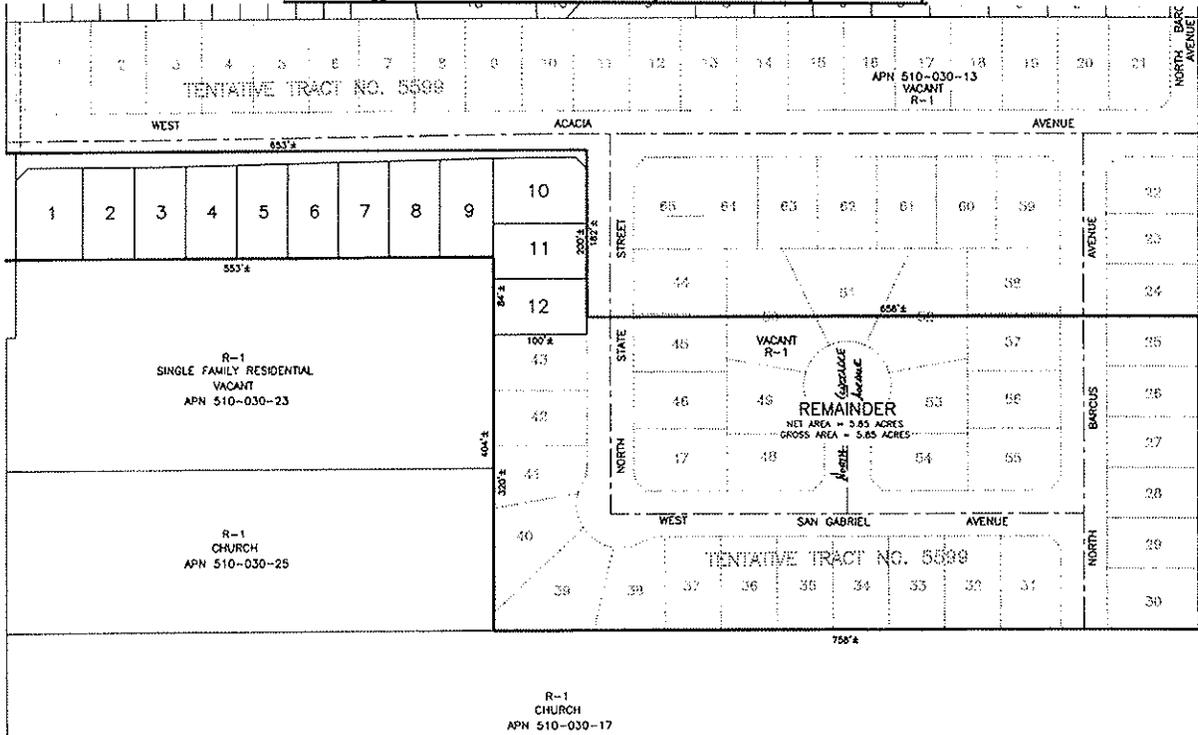


ABN Investments, LLC., Ownership after LLA-09-02



Vesting Tentative Tract Map No. 5967 was subsequently filed for the contiguous portion of property acquired through LLA-09-02; and, the interests in the ownership and use of the church acquired contiguous land on which they may entertain a proposal to expand operations within a larger "master" campus.

Vesting Tentative Tract Map No. 5967 (Sheet 1)



Vesting Tentative Tract Map No. 5967 proposes lots which are comparable in size and consistent in treatment with those lots approved as part of Tract 5599. The 12-lots proposed by Vesting Tentative Tract Map No. 5967 are situated on the south side of the entryway street from North Polk Avenue (West Acacia Avenue), which was approved for dedication with Tract 5599; providing an appropriate balance for the entryway streetscape, which will "complete" the previously approved subdivision in a uniform fashion.

It should also be noted that due to requirements for: (1) Provision of a second point of access for emergency vehicles; (2) Accommodations for solid waste service vehicles; (3) Sewer extensions and connections; (4) Provision of two independent sources of water; (5) Adequate drainage to existing Fresno Metropolitan Flood Control District Master Plan facilities located to the south; and, in consideration of limiting the amount of temporary facilities that would otherwise be required to serve the tract, staff in consultation with the project engineer has placed a condition requiring that the adjacent Tract 5599 record first, in its entirety. Therefore, Tract 5967 may be considered a latter "phase" of Tract 5599; and *all required dedications and improvements will essentially have been previously satisfied through dedications, securities and construction afforded by the prior recordation and subdivision of Tract 5599.*

Public Resources

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project subject to the provision of on-site sanitary sewer main connections and extensions and the construction and installation of public water facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies; including the provision of two independent sources of water, meeting Federal and State Drinking Water Act Standards. Implementation of the 2025 Fresno General Plan policies, mitigation measures of Master Environmental Impact Report No. 10130 and the Water Resources Management Plan will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

The subject property is within two miles of City of Fresno Fire Station No. 16. The City of Fresno Fire Department has conditioned the proposed project with requirements for installation of fire hydrants and the provision of adequate fire flows per Public Works Standards with two sources of water; and, payment of the Citywide Fire Facilities Impact Fee.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that permanent drainage service will be available for the development subject to the developer demonstrating and designing street grading for the safe conveyance of runoff to existing FMFCD "Master Plan Facilities" located within Tract 4217 to the south. Amendments or modifications to the FMFCD requirements will be required to be approved by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code, prior to approval of the final map.

The Fresno Irrigation District's (FID) Teague School Canal also traverses the western portion of the subject property within a 15-foot wide easement along the east side of North Polk Avenue. FID has required that the existing cast-in-place monolithic non-reinforced pipe which was installed in 1962 be replaced with new Rubber Gasketed Reinforced Concrete Pipe (RGRCP).

Streets and Access Points

The project is a public street development proposing one major street entryway that will provide principal access from North Polk Avenue. Secondary points of access will also be afforded through

adjacent subdivisions (i.e., Tract 5599, Tract 2842 to north, and Tract 4217 to south); including a connection to West Gettysburg Avenue to the south. The 2025 Fresno General Plan Circulation Element designates North Polk Avenue as an "Arterial" street. The project will be required to construct all frontage improvements to City Standards. Right-of-way dedications and/or vacations will also be required along adjacent public streets in accordance with City of Fresno requirements to provide for the necessary improvements.

Interior local streets are proposed to be dedicated for public use and will utilize a 50-foot wide street right-of-way section. The 50-foot wide street right-of-way section provides for vehicular parking and sidewalks on both sides of streets and an option between monolithic sidewalks or inclusion of parkway landscaping.

The Public Works Department, Traffic Engineering Division has reviewed the proposed vesting tentative tract map application and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic generated, subject to requirements for improvements and right-of-way dedications as listed within the City of Fresno Department of Public Works memorandum dated April 29, 2010. These improvement and dedication requirements generally include the dedication and improvement of adjacent portions of North Polk Avenue including: design and construction of a partial median opening (to allow for right-in, right-out and left-in turns only) at the intersection of North Polk Avenue with West Acacia Avenue; construction of center section travel lanes and raised concrete median from the limits of the subdivision north to essentially West Santa Ana Avenue; and, the provision of a minimum 4-foot wide asphalt path across adjacent properties to the south (i.e. adjacent "church" properties) where sidewalk is missing.

The project will be required to pay the Traffic Signal Mitigation Impact (TSMI) Fee of \$450.94 per single family dwelling unit at the time of occupancy, based on the trip generation rates set forth in the latest edition of the ITE Trip Generation Manual and the Master Fee Schedule. The project will also be required to pay all applicable New Growth Area fees (Fresno Major Street Impact (FMSI) Fee and City-wide regional street impact fees. The proposed map was formally accepted on December 17, 2009 and is therefore vested against the Regional Transportation Mitigation Fee (RTMF).

Furthermore, the California Department of Transportation (Caltrans), District 6, Office of Intergovernmental Relations has reviewed the vesting tentative tract map application. Caltrans has provided a response of "no comment" indicating that this project is not responsible for a fair share contribution to mitigate for project-related impacts to the State Highway System per the "City Formula" attached to the "Interim Agreement for the Identification of Measures to Mitigate Impacts to the State Highway System Resulting from City Approved Projects." (The City of Fresno has entered into an interim agreement with Caltrans, as of February 23, 2006, for the identification of measures to mitigate impacts to the state highway system and to impose a mitigation fee as contemplated by the agreement.)

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.

Landscaping/Walls

Given that the proposed subdivision is located adjacent to and abutting a major street (North Polk Avenue) within the boundaries of the West Area Community Plan, the development will be required to install landscaping within a minimum 20-foot wide buffer strip along the North Polk Avenue arterial street frontage.

A solid masonry sound attenuation walls will be required to be constructed along the North Polk Avenue frontage, at the rear of the landscaped buffer to mitigate noise from the major street.

All interior local street frontages of proposed lots will contain a combination of pedestrian easements as well as minimum 10-foot wide planting and public utilities easements. Consistent with the requirements of Tract 5599, staff has also conditioned this map with a requirement for the provisions of two trees in the front yards of each residential lot; one of which will be required to be planted to shade the sidewalk. Two street trees will also be required on the street side yards of all tract lots which have designated landscape easements in order to facilitate and enhance pedestrian use and the streetscape experience.

District 1 Plan Implementation Committee

The District 1 Plan Implementation Committee unanimously recommended approval of Vesting Tentative Tract Map No. 5967 at its regular scheduled meeting held on February 23, 2010 subject to staff's recommendation that Tract 5599 record first in phasing order; and, that a safe route to school from adjacent property to the east be retained.

City of Fresno Planning and Development and Public Works Traffic Engineering staff did meet with representatives of the property owner and the adjacent Central Community Church property. Based upon previous negotiations and concerted efforts, the working relationship between the two entities with consideration to future planning for the area was evident. The existing path being used by children living within the adjacent mobile home park to the east of the subject property was a topic of discussion respective to the future connectivity of the area. Staff has received assurance from both the subject property owner and church interests that a collaborative effort will be made to assure that a "safe route to school" from the adjacent mobile home park will be retained through the future planning and development of the respective properties.

Tentative Tract Map Findings

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

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

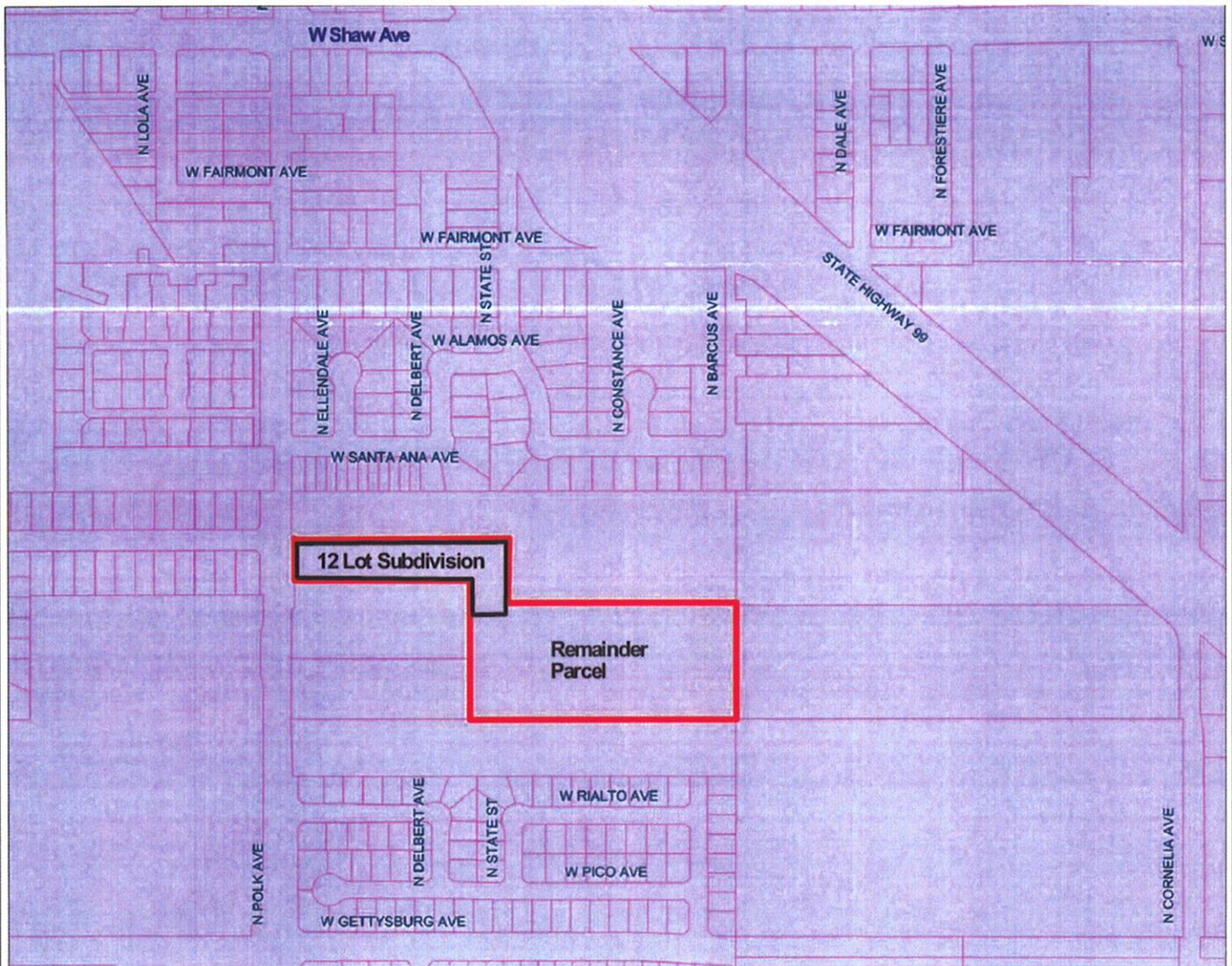
1. The proposed subdivision map, together with its design and improvements, is consistent with the City's 2025 Fresno General Plan and West Area Community Plan which designate the site for Medium Density (4.99-10.37 dwelling units/acre) residential land uses. Pursuant to Fresno Municipal Code Section 12-403-B the project design meets the density and zoning ordinance criteria for development in this plan designation.
2. This site is physically suitable for the proposed type and density of development, because conditions of approval will ensure adequate access and drainage on and off the site.
3. The proposed subdivision design and improvement is not likely to cause substantial and considerable damage to the natural environment, including fish, wildlife or their habitat, because all agricultural uses on the subject property have been discontinued. The subject property remains fallow without trees, vegetation, or irrigation to sustain and attract wildlife; or, provide a suitable habitat to species other than vermin.

4. The proposed subdivision design and improvements are not likely to cause serious public health and safety problems, because the conditions of approval have shown and will ensure that the subdivision conforms to city health and safety standards, specifications, and policies.
5. The proposed subdivision design will not conflict with public easements within or through the site, because the project design and conditions of approval will assure noninterference with any existing or proposed easements on the subject property.
6. The design of the subdivision provides, to the extent feasible, for future passive and natural heating or cooling opportunities in the subdivision, because of the appropriate use and placement of landscaping plant materials and because of the orientation of the proposed lots.

The subdivision map, subject to the recommended conditions of approval, complies with the design and property development standards of the Zoning Ordinance and local Subdivision Ordinance. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made.

Action by the Planning Commission regarding the vesting tentative tract map is final unless appealed in accordance with the Fresno Municipal Code, Section 12-1019.

Attachments: Vicinity Map
2008 Aerial Photograph
Public Hearing Notice Mailing List Vicinity Map
Vesting Tentative Tract Map No. T-5967 dated May 05, 2010
Conditions of Approval for T-5967, dated June 02, 2010, including memoranda from responsible or commenting agencies.
Environmental Assessment No. T-5967, Finding of Conformity to the 2025 Fresno General Plan MEIR No. 10130 (SCH # 2001071097) and Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) dated March 05, 2010.



LEGEND

 Subject Property

VICINITY MAP

Vesting Tentative Tract Map No. 5967

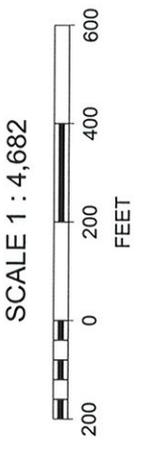
APN(s): 510-030-24

East side of North Polk Avenue between West Shaw and West Gettysburg Avenues.

PLANNING & DEVELOPMENT DEPARTMENT



NOT TO SCALE



SCALE 1 : 4,682

TENTATIVE MAP TRACT NO. 5967

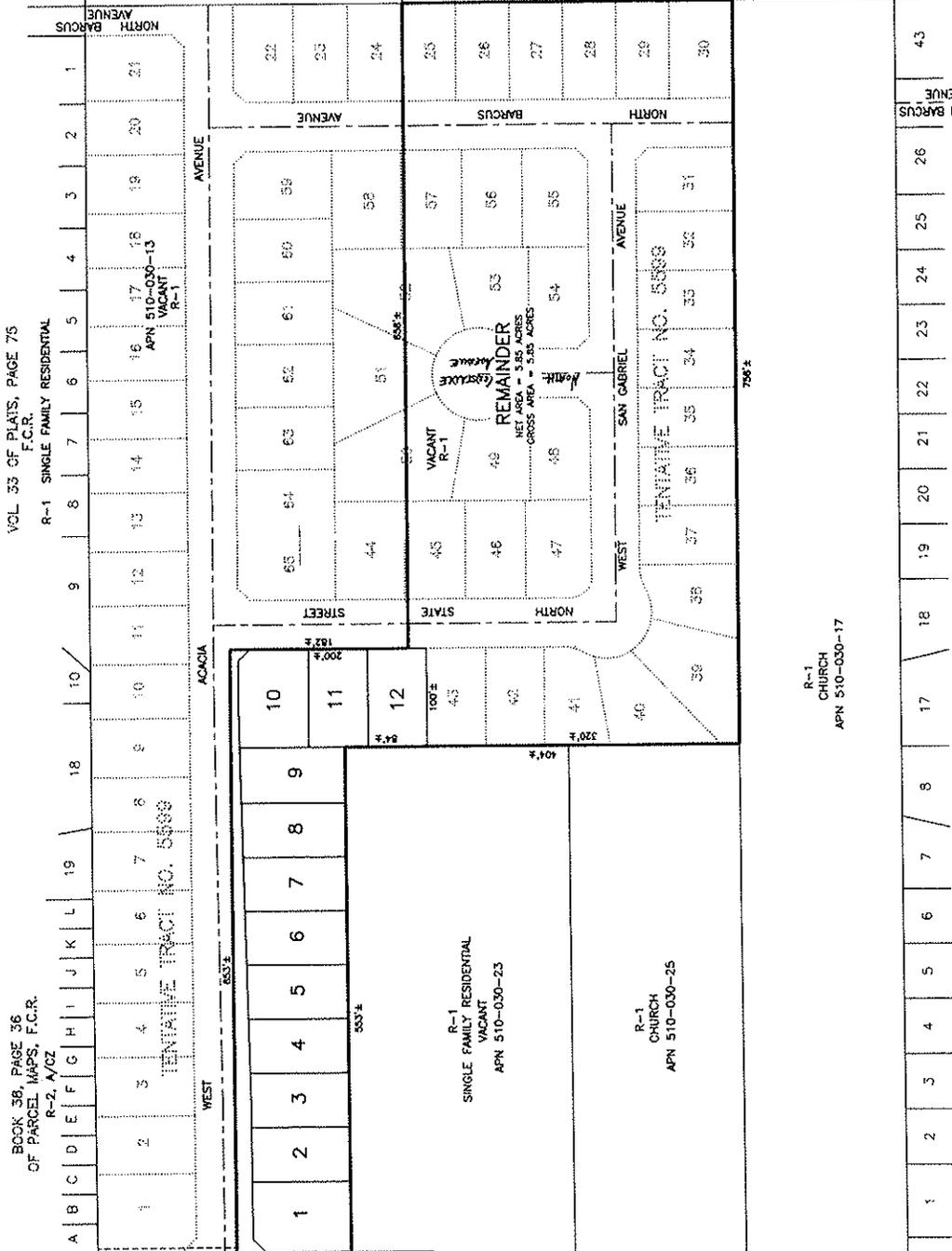
A VESTING MAP
A PHASED MAP

SHEET ONE OF TWO SHEETS

VCL 33 OF PLATS, PAGE 75
F.C.R.
R-1 SINGLE FAMILY RESIDENTIAL

BOOK 36, PAGE 36
OF PARCEL MAPS, F.C.R.
R-2, A/CZ

VCL 56 OF PLATS, PAGES 64 & 85, F.C.R.
R-1 SINGLE FAMILY RESIDENTIAL



RECEIVED
MAY 05 2018
DEVELOPMENT DEPARTMENT
CITY OF FRESNO



GARY C. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING
1119 3RD STREET
FRESNO, CA 93721
(559) 284-3580 FAX (559) 284-0898

PREPARED 12/10/09

TENTATIVE MAP TRACT No. 5967

A VESTING MAP
A PHASED MAP
SHEET TWO OF TWO SHEETS

APN 510-030-24
NET AREA = 1.83 ACRES
GROSS AREA = 1.97 ACRES

RECEIVED

MAY 05 2010
DEVELOPMENT DEPARTMENT
CITY OF FRESNO

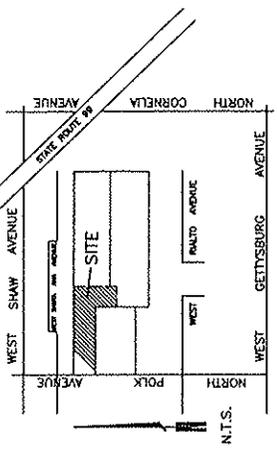
IMPROVEMENTS TO BE INSTALLED:

- STREETS - CITY OF FRESNO STANDARDS
- SEWER - CITY OF FRESNO STANDARDS
- CURB & GUTTER - CITY OF FRESNO STANDARDS
- SIDEWALK - CITY OF FRESNO STANDARDS
- STREET LIGHTS - CITY OF FRESNO STANDARDS
- DRAINAGE - FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
- GAS & ELECTRICITY - PACIFIC GAS & ELECTRIC
- TELEPHONE - SBC
- CABLE TELEVISION - COMCAST

NOTES:

- EXISTING ZONING - R-1
- PROPOSED ZONING - R-1
- THE STREETS WITHIN THE BOUNDARIES OF THIS SUBDIVISION SHALL BE OPEN TO ALL TRAFFIC FOR THE PURPOSES OF THE SUBDIVISION EXCEPT AS SHOWN THEREIN.
- THESE ARE NOT SEWERS, CULVERTS OR UNDERGROUND STRUCTURES WITHIN THIS SUBDIVISION EXCEPT AS SHOWN THEREIN.
- THERE ARE NO EXISTING AREAS WITHIN THIS SUBDIVISION THAT ARE SUBJECT TO INUNDATION OR STORM WATER OVERFLOW.
- THE SUBDIVISION DESIGN PROVIDES, TO THE EXTENT FEASIBLE, FOR PASSIVE NATURAL HEATING OR COOLING OPPORTUNITIES BY MAXIMIZING NORTH-SOUTH FACING LOTS. (75%)
- ADVANCED PROPERTIES A 6' DIFFERENCE BETWEEN THIS TRACT AND THERE SHALL BE A 20' LANDSCAPE EASEMENT ALONG THE FRONTAGE OF POLK AVENUE.
- THERE MAY BE A 6' PUBLIC UTILITY EASEMENT ON THE STREET SIDES OF ALL LOTS THAT SIDE ONTO A LOCAL STREET.
- ***** INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS.
- EXISTING USE - VACANT
- PIPE - PROPOSED PRIVATE IRRIGATION PIPELINE.
- THERE SHALL BE A 10' PUBLIC UTILITY EASEMENT AND A 1' PEDESTRIAN EASEMENT ALONG THE FRONTAGE OF ALL LOTS ON PUBLIC STREETS.
- B.S. = BUILDING SETBACK

VICINITY MAP:

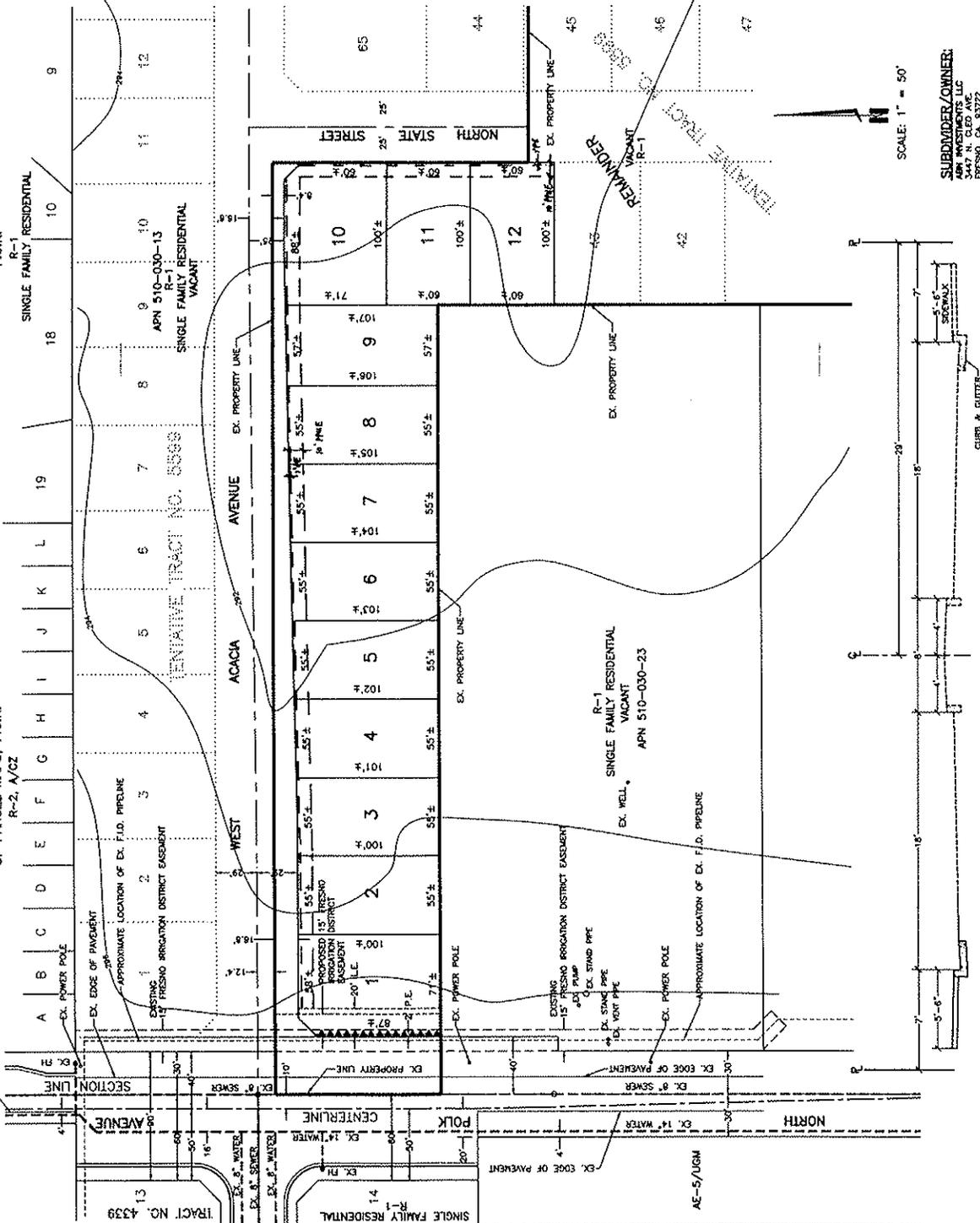


GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING
1119 N. STREET
FRESNO, CA 93722
(509) 264-8390 FAX (509) 264-0986

PREPARED 12/10/09 REV. 4/03/10

TRACT NO. 2842
VOL. 35 OF PLATS, PAGE 75
F.C.R.

PARCEL MAP NO. 81-39
BOOK 38, PAGE 36
OF PARCEL MAPS, F.C.R.
R-2, A/CZ



SUBDIVIDER/OWNER:
ARM INVESTMENTS LLC
3447 N. CLEED AVE.
FRESNO, CA 93722
(509) 332-0199

SCALE: 1" = 50'

ACACIA AVENUE ENTRANCE

CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT

CONDITIONS OF APPROVAL
JUNE 02, 2010

VESTING TENTATIVE TRACT MAP NO. 5967
“A PHASED MAP”

EAST SIDE OF NORTH POLK AVENUE BETWEEN WEST SHAW AND WEST GETTYSBURG AVENUES

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

NOTICE TO PROJECT APPLICANT

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

GENERAL CONDITIONS

1. Upon conditional approval of Vesting Tentative Tract Map No. 5967, the subdivider may prepare a Final Map in accordance with the approved tentative map.
 - a) The entirety of Tract No. 5599 shall record as initial “phases” prior to the recordation of a final map for any portion of Tract No. 5967.
 - NOTE: This requirement shall not be construed as to limit the ability to file multiple final maps for Tract 5599.
2. An Air Impact Assessment (AIA) application for the proposed project shall have been submitted to the San Joaquin Valley Air Pollution Control District prior to the submittal/acceptance of any phase of the Final Map for recordation/processing.
3. The developer/owner shall pay the appropriate park facilities fee and/or dedicate lands for parks and recreation purposes pursuant to Ordinance Nos. 2005-112 and 2005-113 adopted by the Fresno City Council on September 27, 2005.
4. Submit grading plans and a soils report to the City of Fresno Planning and Development Department for verification prior to Final Map approval (Reference: Sections 12-1022 and 12-1023 of the Fresno Municipal Code). Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.
5. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Planning and Development Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and

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

6. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.
7. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
8. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Article 10, Chapter 12, "Subdivision of Real Property;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
9. The subdivider shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to vesting tentative maps.
10. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
11. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.

GENERAL INFORMATION

12. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
 - a) It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own

expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.

i) Attached for the subdivider/developer's use is a copy of the Mode of Delivery Agreement – New Construction Form.

13. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of Fresno Municipal Code Chapter 12, Article 10, Subdivision of Real Property.
14. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the Fresno Municipal Code.
15. The subdivider shall comply with Regulation VIII of the San Joaquin Valley Air Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.
16. The developer shall comply with Rule 8060 of the San Joaquin Valley Air Pollution Control District for the control of fugitive dust requirements from paved and unpaved roads.
17. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
18. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted (business hours: (559) 268-0109; after hours the contact phone number is (559) 488-3111 for the Fresno County Sheriff's Department). If remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (phone number (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (phone number (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists.
19. An archaeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation measures.
20. If animal fossils are uncovered, the Museum of Paleontology at the University of California, Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist; if the paleontologist determines the material to be significant, a recommendation shall be made to the City as to any further site investigation or preservation measures.
21. Apportionment of Special Assessment: If, as part of this subdivision, a division will be made of any lot or parcel of land upon which there is an unpaid special assessment

levied under any State or local law, including a division into condominium interest as defined in Section 783 of the Civil Code, the developer/owner shall file a written application with the City of Fresno Director of Public Works, requesting apportionment of the unpaid portion of the assessment or pay off such assessment in full.

If the subdivider elects to apportion the assessment, the application shall contain the following information:

- a) A full description of each assessed lot, parcel or interest to be divided and of how such lot, parcel or interest will be divided;
- b) A request that the Engineer apportion the amount remaining unpaid on the assessment in accordance with applicable law; and
- c) Written consent of the owner(s) of each such lot, parcel, or interest to the requested apportionment.
- d) The application shall be filed prior to the approval of the Final Map(s) by the City and shall be accompanied by a fee in an amount specified in the Master Fee Resolution for each separate lot, parcel, or interest into which the original assessed lot, parcel or interest is to be divided. The fee shall be in an amount sufficient to pay all costs of the City and the Engineer of Work responsible for determining the initial assessment in making the requested apportionment.

ZONING & PROPERTY DEVELOPMENT STANDARDS

22. The subject property is zoned R-1 (*Single Family Residential District*). Any development on the subject property or individual lots resulting from a subdivision thereof shall comply with the property development standards of the R-1 (*Single Family Residential*) zone district.
23. In accordance with Policy W-4-c of the West Area Community Plan, the following design standards shall be required for development of homes and garages in nonclustered residential subdivisions:
 - a) Roofing material shall consist of one of the following except for roofing used over rear yard patios:
 - i) Architectural grade composition roofing guaranteed by the manufacturer for at least 20 years.
 - ii) Cement or clay tile
 - iii) Treated wood shakes
 - iv) Architectural grade metal and coated non-glare decorative metal roofing products.

Building Setbacks

24. Building setbacks shall be provided in accordance with the R-1 (Single Family Residential) zone district; and, the following:
 - a) On a reversed corner lot, the side yard abutting the street shall be not less than 15 feet (i.e. Lot 10 of Vesting Tentative Tract Map No. 5967 dated May 05, 2010).

- b) For a key lot, as defined in Subsection 12-1002.1(k), the side yard main building setback shall be 10 feet (i.e., setback from east property line of Lot 9 of Vesting Tentative Tract Map No. 5967 dated May 05, 2010). For exceptions for the main building side yards, Subsection 12-306-E-4 of the Fresno Municipal Code shall apply.

Fences, Hedges & Walls

25. Construct a six-foot high solid masonry wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 12-306-H of the Fresno Municipal Code at the rear of the required 20-foot wide landscaped area along North Polk Avenue (i.e., at rear of landscape easement along west property line of Lot 1 of Vesting Tentative Tract Map No. 5967 dated may 05, 2010).
 - a) The six-foot high solid masonry wall required at the rear of the landscape easement along North Polk Avenue shall be constructed with a material and finish, which is consistent with the wall required to be constructed along North Polk Avenue for Vesting Tentative Tract Map No. 5599.
26. Construction plans for required walls showing architectural appearance and location of all walls shall be submitted to the Planning and Development Department for review prior to Final Map approval.
27. Fences, hedges, and walls, not greater than six feet in height, shall be permitted on all rear and interior side property lines and on or to the rear of all front and street side yard setback lines with the following exceptions:
 - a) Within the "Corner Cut-Off Areas" as defined by, and in accordance with, Section 12-306-H-3 of the Fresno Municipal Code.
 - b) In that triangular area of a reversed corner lot (i.e. Lot 10 of Vesting Tentative Tract Map No. 5967 dated May 05, 2010) where the rear and street side property lines meet. Said area is determined by measuring from that intersection along both the rear and street-side property lines, a distance equal to the front yard setback distance of the abutting property, then connecting those points, thereby forming, that triangle.
 - i) No fence, hedge or wall over three feet in height shall be permitted in the excepted triangular area defined above.
28. Provide a corner cut-off area at all entryway intersections, where walls or fences are required, in accordance with Section 12-306-H-3-d of the FMC.
 - NOTE: Corner cut-offs are established to provide an unobstructed view for vehicular and pedestrian traffic approaching an intersection. They are a triangular area formed by the property lines and a diagonal line adjoining points on the property lines, measured a specific distance from the point of their intersection. At the intersections of streets, this distance is 30 feet.
 - a) The corner cut-off area shall be landscaped (including an irrigation system), and may be included within the City's Community Facilities District.

29. All landscaping adjacent to walls or fences shall comply with the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards."

LANDSCAPING AND OPEN SPACE

30. In accordance with Policy No. W-3-b of the West Area Community Plan, the subdivider shall provide a minimum 20-foot wide landscaped area (and irrigation system) along the North Polk Avenue frontage of all lots proposed to be created within the boundary of this map. (i.e., west property line of Lot 1 of Vesting Tentative Tract Map No. 5967 dated May 05, 2010).
31. Landscaping, which is compliant with the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards," shall be required adjacent to all required walls or fences that are accessible to the public and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Planning and Development and Public Works Departments.
32. Landscape plans for any portion of the property on, or abutting, the existing or proposed Fresno Irrigation District (FID) pipeline easement are required to be submitted to FID for review and approval prior to being submitted to the City of Fresno.
 - a) After being approved in final form by FID, landscape plans for this tract shall be submitted to the Planning and Development Department and to the Department of Public Works for review and approval prior to recordation of the Final Map for Tract 5967.
33. The subdivider shall dedicate 10-foot wide easements along local streets, with concomitant pedestrian easements as may be required by any proposed alternative sidewalk pattern, and shall improve these easements to facilitate and enhance pedestrian use.
34. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscape easements as determined by the Planning and Development Department. Street trees shall be planted at the minimum rate of one tree for each 60 feet of street frontage; or, one tree per home (whichever is greater) by the developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC Section 12-306-N-23, Water Efficient Landscape Standards and AB 1881 Model Water Efficient Landscape Ordinance.
 - NOTE: The Conditions of Approval for the adjacent Tentative Map for Tract 5599 required: (1) That two street trees shall be required in the front yard side of each residential lot, one of which shall be planted so as to shade the sidewalk; and, (2) That two street trees shall be required on the street side yards of all tract lots having designated landscape easements in their side yards.
 - a) Street trees and front yard landscaping within the boundaries of Vesting Tentative Tract Map No. 5967 shall be provided in a form which is consistent and complementary to the adjacent Tract 5599 in order to facilitate and implement a uniform streetscape for the two respective residential subdivisions.

35. Pursuant to Policy No. W-4-c of the West Area Community Plan, full front yard landscaping and irrigation shall be installed prior to occupancy of residential units developed on lots proposed to be created by Vesting Tentative Tract Map No. 5967.
36. Comply with all of the: (1) Street Tree; (2) Buffer Landscape & Maintenance; (3) Median Island Landscape; and, (4) Outlot requirements stipulated within the Department of Public Works memorandums from the Parks Supervisor dated January 11, 2010.

STREETS AND RIGHTS-OF-WAY

37. The following street names shall be corrected on the tentative map:

| Street Name | Status | Required Change |
|---|---------------|------------------------|
| Blank cul-de-sac (See Sheet 1 of 2 for Remainder Parcel) | Add | North Constance Avenue |

38. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the FMC and the State Subdivision Map Act.
39. Comply with all of the requirements of the Public Works Department, Engineering Division memorandum dated April 29, 2010 (Revision I).

SANITARY SEWER SERVICE

The nearest sanitary sewer mains to serve the proposed project is an 8-inch main located in North Barcus Avenue. The following sewer improvements shall be required prior to providing City sewer service to the project:

40. Comply with all of the requirements of the attached Public Utilities Department, Planning and Engineering Division memorandum dated January 21, 2010.

WATER SERVICE

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

41. Comply with all of the requirements of the attached Department of Public Utilities, Water Division memorandum dated February 11, 2010.

SOLID WASTE SERVICE

This tract will be serviced as Single Family Residential Properties with Basic Container Service, subject to the following conditions:

42. Comply with all of the requirements of the attached Department of Public Utilities, Solid Waste Division memorandum dated February 23, 2010.

FIRE SERVICE

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

43. Comply with all of the requirements of the attached Fresno Fire Department memorandum dated January 26, 2010.

FLOOD CONTROL AND DRAINAGE

44. The subdivider shall be required to comply with the specific requirements imposed by the Fresno Metropolitan Flood Control District (FMFCD) for the subdivision or any amendments or modifications to those requirements which may be granted by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code. These requirements are identified in the District's letters to the Planning and Development Department dated February 09, 2010.

COUNTY OF FRESNO DEPARTMENT OF COMMUNITY HEALTH

45. Comply with all of the requirements of the attached County of Fresno Department of Community Health memorandum dated February 09, 2010.

FRESNO IRRIGATION DISTRICT

46. Comply with all of the requirements stipulated within the attached Fresno Irrigation District memorandum dated February 19, 2010.

CENTRAL UNIFIED SCHOOL DISTRICT

47. Attached for the developer/subdivider's records is the Central Unified School District memorandum dated February 22, 2010.

RIGHT-OF-WAY ACQUISITION

48. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
49. Rights-of-way acquisition shall include any rights-of-way necessary for proper drainage, signing, pole relocation, and shoulder grading. In general, this will require right-of-way to be provided approximately 10 feet outside the travel lane. The exact requirement must be determined at the project design stage based on the existing conditions and detailed design information.
50. In the event an acquisition of any easement or right-of-way is necessitated by the subject development, said acquisition will be accomplished prior to Final Map approval. The developer/owner should contact the Real Estate Section of the Public Works Department to receive procedural guidance in such acquisitions.
51. Should such acquisition not be accomplished by the subdivider prior to Final Map approval, the subdivider must request and grant to the City the full authority to attempt acquisition either through negotiation or through its power of eminent domain. The subdivider shall furnish to the City Public Works Department, Engineering Division/ Real Estate Section, an appraisal report or a request for an estimated appraisal amount (to be determined by the City of Fresno Real Estate Section) prior to preparation of a Subdivision Agreement.
52. The subdivider shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees,

appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

MAINTENANCE OBLIGATIONS

53. The long term maintenance of all the items listed below is the ultimate responsibility of the owner/developer. If the Council or property owner/developer chooses not to include all of the items or certain items listed in a Community Facilities District (CFD), the property owner/developer shall be responsible for providing a mechanism approved by the City of Fresno for maintenance of such items.
 - a) Maintenance of all landscaping and irrigation systems as approved by the Public Works Department within the street right-of-ways to be dedicated to the City of Fresno for maintenance purposes and any related work required.
 - b) Maintenance of all landscape and irrigation systems on sides adjacent to the tract.
 - c) Maintenance of all local street curbs, gutters and sidewalks as approved by the Public Works Department within the boundary of the tentative map.
 - d) Maintenance and operating costs of all local street lights as approved by the Public Works Department within the boundary of the tentative map.
 - e) Maintenance of all street trees as approved by the Public Works Department within the boundary of the tentative map.
54. If the owner/developer chooses to be annexed into the City's CFD for maintenance purposes, then an Annexation Request Package shall be submitted to the Public Works Department for review, processing, and approval.
 - a) Packages must be complete with all required information in order to be accepted. The Annexation Request Form is available on-line on the City of Fresno website (<http://www.fresno.gov>) under the Public Works Department Developer Doorway.
55. Construction plans for all features to be maintained by a CFD for a final map shall be included in the final map submission to the Development Department for processing. This shall include a Street Tree Location and Street Tree Species (by street) map. Landscaping plans shall contain actual tree and plant counts by species and include the areas (in square feet) of turf, shrubs and trees, and sidewalks or other paved areas within all landscaped areas.
56. Proceedings to place the Final Map into a CFD shall not commence until the Final Map has been annexed into the City of Fresno and the Final Map, Landscape and Street Construction Plans are considered to be technically correct.
57. If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, he/she shall be required to provide the City of Fresno, Department of Public Works, with copies of signed acknowledgments from each purchaser of a lot within the subdivision, attesting to the purchasers understanding that the lot will have an annual maintenance assessment and that he/she is aware of the estimated amount of the assessment. The developer/subdivider shall execute and record a covenant on each lot providing notice that the subject property is subject to annual payment of the Community Facilities District assessment.

58. Should the City Council or owner/developer choose not to include the maintenance items listed above in a CFD, then the property owner/developer shall create a homeowners' association for the maintenance of these items and proposed private streets, utilities, and walls/gates.
- a) The subdivider shall establish a Home Owners' Association to perform the above listed maintenance responsibilities pursuant to a formal agreement with the City pursuant to Section 12-1026 of the Fresno Municipal Code. The agreement with the City described herein, shall among other things, specify level of effort and frequency, insurance requirements, traffic control, and inspection and be subject to approval by the Director of Public Works and the City Attorney's Office.
- NOTE: Should the owner/developer elect to establish a Home Owners' Association to perform maintenance obligations and assure that said obligations are met, then the owner/developer may include such other items as are deemed appropriate and necessary for the sustainability of the subdivision and its amenities within the responsibilities of the association.
- b) The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be submitted to the Planning and Development Department for review two weeks prior to final map approval. Said documents shall be recorded with the final map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Planning and Development Department Guidelines for preparation of CC&Rs dated January 11, 1985.

DEVELOPMENT FEES AND CHARGES

This project is subject to the following fees and charges:

| | |
|---|--------------------------------|
| <i>FRESNO METROPOLITAN FLOOD CONTROL DISTRICT</i> | <i>FEE RATE</i> |
| a. FMFCD Drainage Fee | \$12,374.00 |
| <i>SEWER CONNECTION CHARGES</i> | <i>FEE RATE</i> |
| b. Lateral Sewer Charge [4] | \$0.10/sq. ft. (to 100' depth) |
| c. Oversize Charge [4] | \$0.05/sq. ft. (to 100' depth) |
| d. Trunk Sewer Charge [4] Service Area: Cornelia | \$419.00/living unit |
| e. Wastewater Facilities Charge [4] | \$2,119.00/living unit |
| f. Fowler Trunk Sewer Interim Fee Surety [4] | N/A |
| g. Copper Avenue Sewer Lift Station Charge [4] | N/A |
| h. House Branch Sewer Charge [2] | N/A |

WATER CONNECTION CHARGES

FEE RATE

| | |
|--|---|
| i. Service Connection Charge | Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule |
| j. Frontage Charge [4] | \$6.50/lineal foot |
| k. Transmission Grid Main Charge [4] | \$643.00/gross acre (parcels 5 gross acres or more) |
| l. Transmission Grid Main Bond Debt Service Charge [4] | \$243.00/gross acre (parcels 5 gross acres or more) |
| m. UGM Water Supply Fee [2] Service Area: | N/A |
| n. Well Head Treatment Fee [2] Service Area: | N/A |
| o. Recharge Fee [2] Service Area: | N/A |
| p. 1994 Bond Debt Service [4] Service Area: | N/A |

CITYWIDE DEVELOPMENT IMPACT FEES

FEE RATE

| | |
|--|------------------------|
| q. Fire Facilities Impact Fee – Citywide [4] | \$539.00/living unit |
| r. Park Facility Impact Fee – Citywide [4] | \$2278.00/living unit |
| s. Quimby Parkland Dedication Fee [2] | \$1120.00/living unit |
| t. Citywide Regional Street Impact Fee [4] | \$8,361.00/adj. acre |
| u. New Growth Area Major Street Fee [4] | \$18,790.00/adj. acre |
| v. Police Facilities Impact Fee – Citywide [4] | \$624.00/living unit |
| w. Traffic Signal Charge [4] | \$450.94/living unit |
| x. Regional Traffic Mitigation Fee [4] | \$1,200.00/living unit |
| y. UGM Right of Way Acquisition Charge | N/A |

Notes:

On July 22, 2008, the Fresno County Board of Supervisors passed Ordinance No. 2008 – 023 requiring the payment of County Public Impact Facilities Impact Fees. The effective date of this ordinance is September 20, 2008. Contact the County of Fresno, Public Works and Planning Department to determine payment of this fee obligation. Confirmation by the County of Fresno is required before the City of Fresno can issue building permits.

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

MODE OF DELIVERY AGREEMENT - NEW CONSTRUCTION
United States Postal Service - Sacramento District

Project Information

| | | | |
|--|-------------------------|-------------------|------------------|
| Name of Project: | | ZIP CODE: | |
| Location: | Estimated # Deliveries: | Route Type/Number | |
| Unit/Office: | | City # | Rural# |
| Estimated Delivery Date (Month and Year) * | | Contract# | To Be Determined |

USPS Contact Information

| | | |
|-----------------|-------|--------------|
| Contact Made By | Date: | Telephone #: |
|-----------------|-------|--------------|

Builder/Developer Contact Information

| | | |
|-------|----------|--------|
| Name: | Title: | Phone: |
| Firm: | Address: | |

Equipment Information

| TYPE OF PROJECT | | | | TYPE & QUANTITY OF EQUIPMENT | | | |
|-------------------------------------|---------------------|------------|--------|------------------------------|-----------------------|-----|---------------------------|
| check type | | Deliveries | Floors | QTY | Centralized Equipment | QTY | Non-Centralized Equipment |
| <input checked="" type="checkbox"/> | Office Bldg. | | | | CBU Type 1 (8) | | Curbside 2/post |
| | Shopping/Strip Mall | | | | CBU Type II (12) | | Curbside 3/post |
| | Apt. / Condo | | | | CBU Type III (16) | | Curbside 4/post |
| | Townhomes | | | | CBU Type IV (13) | | Other (Specify) |
| | Modular Homes | | | | Wallmount Std4C | | |
| | Single Family | | | | Parcel Lockers | | |
| | Other (Specify) | | | | | | |

Purchase/Installation Responsibility

Owner / Developer U.S.P.S. Other: See Comments

Issue Key Responsibility

Owner / Developer U.S.P.S. Other: See Comments

Comments:

See attached maps for designated locations.

() Builder/Developer/Property Owner understands that he/she must comply with USPS Cement Pad Specifications. Copy provided.

This Agreement will document that the builder/developer will purchase and install the centralized delivery equipment as indicated above at the specified locations. Locations must be clearly designated on plat maps provided by the builder or developer. Any changes must be approved jointly by both undersigned individuals

USPS REPRESENTATIVE:

Name: Cathy Gilles
 Title: Growth Coordinator
 Signature: _____ Date: _____
 Telephone #: 559-241-0932
 FAX #: 559-241-0935

PROPERTY OWNER/DEVELOPER/MANAGER:

*Name: _____
 *Title: _____
 *Signature: _____ Date: _____
 *Telephone #: _____
 *FAX #: _____

DISTRICT APPROVAL.

DATE:

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

TO: Will Tackett, Planner III
Planning Division

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

DATE: January 11, 2010

SUBJECT: Tract 5967, 4726 North Polk Avenue (APN:510-030-24) located on the east side of N. Polk Ave. Between West Shaw and West Gettysburg Avenues. The Department of Public Works has reviewed the Tentative Tract Subdivision Map proposed by Gary G. Gianetta, Civil Engineering & Land Surveying, on engineering plans dated December 10, 2009. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street rights-of-ways:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages and for the dedication of planting and buffer landscaping easements. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage or one tree per home whichever is greater, by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards and AB 1881 Model Water Efficient Landscape Ordinance. Tree species to be planted as follows:

| <u>STREET NAME</u> | <u>STREET TREE SPECIES/COMMON NAME</u> |
|---------------------------|---|
| North Polk Avenue | Sapium sebiferum (Chinese Tallow) |

2. **Street Tree Planting by Developer:** For those lots having internal street tree frontage available for street tree planting (8-10' PPUE), the developer shall plant one tree for each 60' of street frontage, or one tree per lot having street frontage, whichever is greater.
 - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with all City of Fresno Local Codes and standards.
 - c. Landscape plans for all public use areas, such as parkways, buffers, medians, and open spaces, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
 - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with the requirements set by the City of Fresno.

e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by some other mechanism approved by the City.

2. **Maintenance Service Through Annexation into the Community Facilities District.** Landscape and Irrigation plans are required to be submitted to the Department of Public Works for review and approval. The Plans shall be considered technically correct prior to the annexation request and the Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.

A. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with Sections 12-306-23 & 24 and 14-121 of the Fresno Municipal Code and AB 1881 regarding Water Efficient Landscaping and Buffer landscaping.

B. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.

C. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.

D. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.

E. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.

F. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the **City of Fresno Water Division and may not be included in the CFD.**

MEDIAN ISLAND LANDSCAPE REQUIREMENTS

1. When median islands front onto the proposed development project, **applicants shall submit Plans to the Public Works/Engineering Services showing the location and configuration of all median islands fronting the proposed project.**

2. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and FMC sections 12-306-24 and 12-306-23. The Public Works Department

requires all proposed median islands to be constructed with 12" wide colored concrete strips adjacent to the curbing (except for entry medians of 12' or less).

3. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off site improvements, whether the median is landscaped or not.

OUTLOTS

1. The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require the landscape and irrigation plans to be "**technically correct**" prior to inclusion into the CFD.

TRAILS

There are no trails associated with this project.



PUBLIC WORKS DEPARTMENT

DATE: January 21, 2010

TO: WILL TACKETT, Planner III
Planning and Development Department

FROM: HILARY KIMBER, Parks Supervisor II
Public Works Department

SUBJECT: CONDITIONS FOR TENTATIVE SUBDIVISION TRACT 5957 AND COMMUNITY FACILITIES DISTRICT

1. The long term maintenance of all the items listed below is the ultimate responsibility of the owner/developer. If the Council or property owner/developer chooses not to include all of the items or certain items listed in a Community Facilities District (CFD), the property owner/developer shall be responsible for providing a mechanism approved by the City for the maintenance of such items.

- Maintenance of all Landscaping and Irrigation systems as approved by the Public Works Department within the street right-of-ways to be dedicated to the City of Fresno for maintenance purposes and any related work required.
 - Maintenance of all landscape and irrigation systems on sides adjacent to the tract.
- §
- Maintenance of all local street Curbs, Gutters and Sidewalks as approved by the Public Works Department within the boundary of the tentative map.
 - Maintenance and operating costs of all Local Street Lights as approved by the Public Works Department within the boundary of the tentative map.
 - Maintenance of all Street Trees as approved by the Public Works Department within the boundary of the tentative map.
2. An Annexation Request Package shall be submitted to the Public Works Department if the owner/developer chooses to be annexed into the City's CFD for maintenance purposes to be reviewed for acceptance to process. Packages must be complete with all required information in order to be accepted. The Annexation Request Form is available on-line on the City's website (<http://www.fresno.gov>) under the Public Works Department Developer Doorway.
3. **Proceedings to place the Final Map into a CFD SHALL NOT commence** until the Final Map has been annexed into the City of Fresno and the Final Map, Landscape and Street Construction Plans are considered to be Technically Correct.

Any change affecting the Items in these conditions requires revision of this letter of conditions.

If you have any questions, please call Hilary Kimberat (559) 621-8794.



DATE: February 23, 2010–April 29, 2010 Revision I

TO: Will Tackett
Development Department, Planning Division

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

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

SUBJECT: Public Works Conditions of Approval
TT 5967, (Polk between Shaw and Gettysburg)
ABN Investments LLC / Gary Giannetta

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

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

1. ~~Provide a proposed layout for APN 510-030-23 to that provides connectivity to this map or provide a master plan for the church property.~~ Removed per Bryan Jones 4-29-10
2. Identify proposed FID easement across lot 1.
3. Identify all proposed dedications on the map.
4. Revise the Acacia cross section to provide for a 46' dedication.
5. This map boundary goes through proposed lots, contact Planning and Development for requirements.

General Conditions:

1. Curb Ramps: Provide curb ramps at all corners within the limits of this subdivision.
2. Pedestrian Easements: **Identify** all pedestrian easements on the map.
 - a. Major Streets: A 2' dedication for a pedestrian easement is required. **(See Exhibit "D")**
 - b. Local Streets constructed to API-1 and /or API-2: A 1' pedestrian easement is required on all streets with driveway approaches.
3. Overhead Utilities: Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 12-1011 and Resolution No. 78-522/88-229.
4. Intelligent Transportation Systems (ITS) : Street work on major streets shall be designed to include ITS in accordance with the Public Works ITS Specifications, where not existing.
5. Entrances: (local street / major street intersections) Dedicate a minimum of 60' of street right of way and construct concrete medians to Public Works Standard **API-14**. A 52' transition is required from the proposed 60' right of way entrances to the 50' right of way streets. **No parking is allowed within the limits of the proposed median.**
6. Design local streets with a minimum of 250' radius.

7. Local street lengths exceeding 800' and four way intersections require traffic calming measures. Construct permanent traffic circles as shown in the Public Works Standards **P-98**, **P-99** and/or **P-100**.
8. Local Street Intersections: The intersection of two local continuous streets shall have a minimum of 160' offset measured from center line to center line.
9. Garage setback: Provide 20' from the garage to the back of walk. A minimum of 18' is allowed with a roll-up door.
10. Dead-end Streets: Any temporary dead-end streets created by this subdivision shall be properly barricaded in accordance with the Public Works Standard **P-44**.
11. Plan Submittal: Submit the following plans, as applicable, in a single package, to the Planning and Development Department for review and approval: Street Construction, Signing, Striping, Traffic Signal and Streetlight and Trail Lighting, Signing and Striping.
12. Street widening and transitions shall also include utility relocations and necessary dedications.
13. Irrigation /Canal Requirements: The developer shall enter into an agreement with the Fresno Irrigation District (FID) providing for piping the canal(s) and submit an executed copy of the agreement or commitment letter from FID to the Planning and Development Department. All piping shall be located outside of the proposed street right of way. Any piping across city streets shall be rubber gasketed reinforced concrete pipe (RGRCP) constructed perpendicular to the street. Submit engineered plans to Public Works Department, Engineering Division for review and approval. **Identify the proposed easement and provide a final cross sectional detail on the map.**

Frontage Improvement Requirements:

Major Streets:

Polk Avenue: Arterial

1. Dedicate **50'** of property, from **center line**, for public street purposes within the limits of this subdivision to meet the City of Fresno's Arterial Standards. Reference Director's Determination No. 23.
2. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a 10' residential pattern. Construct a 6' residential sidewalk per **Exhibit "D"**. **A 2' Pedestrian Easement is required. Identify on the map.**
3. Construct 20' of permanent paving within the limits of this subdivision.
4. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-7** for Arterial Streets.
5. Relinquish direct vehicular access rights to Polk Avenue from all lots within this subdivision.

Local Streets:

Dedicate, design and construct all curb, gutter, sidewalk, (south side), permanent paving (both sides), cul-de-sacs, easements and underground street lighting systems on all interior local streets to Public Works Standards, reference **API-2**. All driveways shall be constructed to Public Works Standards **API-8** and **P-4**. Sidewalk patterns shall comply with Public Works API Standards for 50' streets.

Acacia Avenue: Local

1. Dedicate 29' (south side) and 17' (north side) **46'** of property and provide a median at the entrance located on Acacia at Polk: (7' residential pattern - 18' travel lane-8' median - 12' travel lane-1' for 6" A.C. dike). Provide a cross section on the map. (previously approved by Mike Kim)

Specific Mitigation Requirements: This tract will generate **9 a.m. / 12 p.m.** peak hour trips; therefore, a Traffic Impact Study (TIS) **is not required.**

1. The intersection of :
 - a. Polk and Acacia Avenues shall be designed with a partial median opening to allow for right-in, right out and left-in turns only.
2. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development.
3. APN(s) 510-03 0-23 and 17: Provide a 4' wide (min) asphalt path where sidewalk is missing sidewalk
 - Items required if the construction of T-5599 does not occur first:
Provide a minimum of 24' of paving, (2) 12' lanes with drainage, from the southerly limits of lot 12 to the northerly limits of T-4217. (State Street to San Gabriel to Barcus) Center line of proposed street shall be constructed with reverse curves (a minimum of 250' radii).

Traffic Signal Mitigation Impact (TSMI) Fee:

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

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

Fresno Major Street Impact (FMSI) Fee :

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

Fresno Major Street Impact (FMSI) Requirements:

Polk Avenue: Arterial (New Growth Area / Regional Street)

1. Dedicate and construct (2) 17' (east side) and (1) 29' (west side, if not existing) center section travel lanes and a raised concrete median island within the limits of this subdivision and continue north to PM 81-39. Construct a raised concrete median with 250' left turn pockets at all major intersections. Details of said street shall be depicted on the approved tentative tract map. Dedication shall be sufficient to accommodate arterial standard and any other grading or transitions as necessary based on a **55 MPH** design speed.

State of California Department of Transportation (Caltrans) Fees: (no comment)

Regional Transportation Mitigation Fee (RTMF):

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



DEPARTMENT OF PUBLIC UTILITIES



Providing Life's Essential Services

Date: January 21, 2010

To: WILL TACKETT, Planner III
Planning and Development

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

Subject: SANITARY SEWER REQUIREMENTS FOR VESTING TENTATIVE TRACT 5967

General

T-5967, filed by Gary G. Giannetta Civil Engineering and Land Surveying on behalf of ABN Investments, LLC, pertains to approximately 1.83 net acres, 1.97 gross acres, of property located on the east side of North Polk Avenue between West Shaw and West Gettysburg Avenues, 4726 North Polk Avenue, APN 510-030-24. T-5967 requests authorization to subdivide the subject property for the purposes of a 12-lot single-family residential public street phased development; and, the designation of an approximately 5.85 acre remainder parcel. The property is zoned R-1, Single Family Residential District, and is planned for Medium Density Residential, 4.99-10.37 du-acre, land uses.

Sanitary Sewer Service

The nearest sanitary sewer main to serve the proposed project is an 8-inch main located in North Barcus Avenue. The following sewer improvements shall be required prior to providing City sewer service to the project:

1. Construct an 8-inch sanitary sewer main in North Barcus Avenue from West Santa Ana Avenue south to West Acacia Avenue alignment.
2. Construct an 8-inch sanitary sewer main in West Acacia Avenue alignment (Through a dedicated street easement) from North Barcus Avenue west across the project frontage.
3. Construct an 8-inch sanitary sewer main in North State Street Alignment from West Acacia Avenue alignment south across the project frontage.
4. Sanitary sewer connection shall not be allowed at North Polk Avenue.
5. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
6. Separate sewer house branches are required for each lot.

7. Abandon any existing on-site private septic systems.
8. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
9. All underground street utilities shall be installed prior to permanent street paving.
10. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed addition and/or modification to the City Sewer System. Depict neighboring parcels and proposed plans for their continued service.
11. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.

Sanitary Sewer Fees

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

1. Sewer Lateral Charge
2. Oversize Sewer Charge
3. Trunk Sewer Charge: Cornelia
4. Wastewater Facilities Charge (Residential Only)



DEPARTMENT OF PUBLIC UTILITIES – WATER DIVISION



Providing Life's Essential Services

DATE: February 11, 2010

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

FROM: MICHAEL CARBAJAL, Chief Engineering Technician *MC*
Department of Public Utilities, Water Division

SUBJECT: WATER REQUIREMENTS FOR TENTATIVE TRACT NO. 5967

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

1. Separate water services with meters shall be provided to each lot created.
2. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through a combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Water Systems Manager.
3. All public water facilities shall be constructed in accordance with Public Works Department standards, specifications, and policies.
4. Seal and abandon existing on-site well(s) in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.

City of



DEPARTMENT OF PUBLIC UTILITIES

February 23, 2010

TO: Will Tackett, Planner III
Development Department, Planning Division

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

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

SUBJECT: TT 5967, Solid Waste Conditions of Approval
Location: East side of North Polk Avenue between West Shaw and West Gettysburg
Avenues (APN 510-030-24)

The Department of Public Utilities, Solid Waste Division has completed a review of the Vesting Tentative Tract Map 5967 that was submitted by Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of ABN Investments, LLC. The following requirements and conditions are to be placed on this vesting tentative tract map as a condition of approval by the Department of Public Utilities.

General Requirements:

- Tract 5967 will be serviced as Single Family Residential properties with Basic Container Service. Property owners will receive 3 containers to be used as follows: 1 Gray container for solid waste, 1 Green container for green waste and 1 Blue container for recyclable material.
- The owners, lessees or other tenants of the residential dwellings on service day, before 5:30 a.m., shall place their solid waste containers at the edge of the curb approximately 4 feet apart and shall not block any vehicle accesses, nor be placed within any traffic circle, in accordance with the City of Fresno's Solid Waste Management Division Standards.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(11). No solid waste container nor residential rubbish shall be allowed to remain at the curblines after 8:00 p.m. on the collection day.
- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(10). No material container shall be stored in the front yard or side yard on a street as said yards are described in Chapter 12, Articles 2 and 3 of this Code, unless the container is screened from view from the street in accordance with that article of the Code.

Special Conditions:

There shall be street circulation for the lots to be serviced by Solid Waste Division (no dead-ends). Developer shall construct a full street, a minimum of 36' feet, from curb face to curb face, throughout the entire tract. A 36' foot street will provide for parking on both side and an 18' path for the solid waste vehicle. If a street this wide cannot be provided then solid waste will require that there shall be no parking on one side or both side of the street.



Randy R. Bruegman
Fire Chief

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

DATE: January 26, 2010

TO: Will Tackett, Planner III
Planning and Development Department

FROM: VonDosta Fuller, Supervising Fire Prevention Inspector 
Fire Department

SUBJECT: VESTING TENTATIVE MAP OF TRACT NO. 5967

The Fire Department has completed a review of the Tentative Tract Map 5967. The following requirements and conditions are to be placed on this tentative tract map as a condition of approval by the Fire Department.

General Requirements:

1. () The map indicates tentative tract no. 5599 is in place and the secondary access point is established. If the adjacent tract 5599 has not completed the secondary access, a temporary secondary access that meets all the requirements for an all weather roadway would need to be installed prior to construction. If a secondary access can't be installed, houses beyond 450 would require fire sprinklers
2. () Note on plan: Fire hydrants and access roads shall be installed, tested and approved and shall be maintained serviceable prior to and during all phases of development. The 4 1/2" outlet shall face the access lane.
3. () This project is within 2 miles of Fresno Fire Station No. 16.
4. () This project is subject to city wide fire service fees.
5. () Provide residential hydrants and fire flows per Public Works standards with two sources of water.
6. () If installed, gates on the "emergency access" roadway shall be fitted with a Police/Fire bypass lock.

7. () All required fire access lanes shall be provided and maintained with an approved "all weather" surface capable of supporting 80,000 lb. vehicles (minimum 4" of base rock over compacted or undisturbed native soil or per approved engineered plans) year-around and with 24 feet minimum width or other approved method that would prevent shoulder degradation.
8. () Gates, posts, or other barriers suitable to the Fire Department are required to be installed at the entrance to an emergency access only roadway.
9. () Any entrance used as an emergency access shall be posted with permanent signs: "FIRE ACCESS (6" letters) VEHICLES REMOVED AT OWNER'S EXPENSE (2" letters) FRESNO POLICE DEPARTMENT 621-2300 (1" letters).

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

TRACT No. 5967

PUBLIC AGENCY

Kevin Fabino
Planning & Development Department
City of Fresno
2600 Fresno Street
Fresno, CA 93721

DEVELOPER

ABN INVESTMENTS, LLC
3447 N. CLEO AVE.
FRESNO, CA 93722

| | | | |
|------------------|-----------------------|--------------------------------|---------------------------|
| MAP NO. | <u>5967</u> | PRELIMINARY FEE(S) (See below) | |
| DRAINAGE AREA(S) | <u>" AH " " " - "</u> | DRAINAGE AREA | <u>" AH " \$12,374.00</u> |
| DATE | <u>2/9/10</u> | DRAINAGE AREA | <u>" - " -</u> |
| | | TOTAL FEE | <u>\$12,374.00</u> |

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

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

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

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

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

- f) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

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

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

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 4

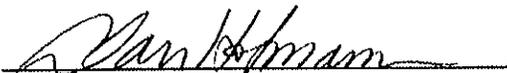
**TRACT
No. 5967**

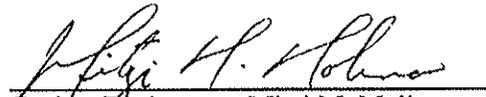
- _____ Appears to be located within a 500 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District.
- X Does not appear to be located within a flood prone area.
6. _____ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.
7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, approved August 1999, (modified December 2002.) A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
- b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office.) A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.

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

Page 4 of 4

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


Gerald E. Lakeman,
District Engineer


Project Engineer: Mitzi M. Molina

C: BRET GIANNETTA
GARY G. GIANNETTA CIVIL ENGINEERING
1119 "S" STREET
FRESNO, CA 93721

OTHER REQUIREMENTS
EXHIBIT NO. 2

The Master Plan drainage facilities to serve Tract 5967 have been constructed by previous phases of Tract 4217. The developer's engineer must design the street grading for Tract 5967 to ultimately drain to the existing section of North Barcus Avenue to the south. Permanent drainage service will be available upon completion of the Barcus Avenue street improvements south of Tract 5967. The District recommends temporary facilities until permanent service is available.

Development No. Tract 5967

530.10
"AH"

**CITY OF FRESNO - PLANNING AND DEVELOPMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND REVIEW OF
VESTING TENTATIVE TRACT MAP NO. 5967**

0

F.M.F.C.D

Return Completed Form to:
Will Tackett, Planning Division
Email: Will.Tackett@fresno.gov
Telephone: 559-621-8063
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Vesting Tentative Tract Map No. 5967, filed by Gary G. Giannetta Civil Engineering & Land Surveying on behalf of ABN Investments, LLC., pertains to approximately 1.83 net acres (1.97 gross acres) of property located on the east side of North Polk Avenue between West Shaw and West Gettysburg Avenues. Vesting Tentative Tract Map No. 5967 requests authorization to subdivide the subject property for the purposes of a 12-lot single family residential public street phased development; and, the designation of an approximately 5.85 acre Remainder parcel. The property is zoned R-1 (*Single Family Residential District*) and is planned for Medium Density Residential (4.99-10.37 du/acre) land uses.

APN: 510-030-24

ZONING: R-1

ADDRESS: 4726 North Polk Avenue

DATE ROUTED: January 22, 2010

COMMENT DEADLINE: February 23, 2010

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 FMFCD Notice of Requirements for Tract 5967

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

Same as above

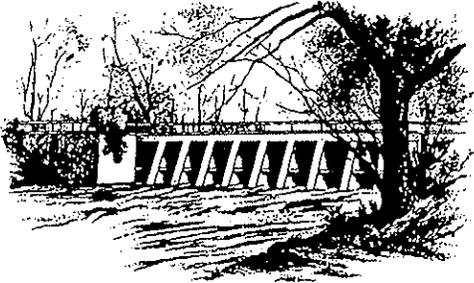
REQUIRED CONDITIONS OF APPROVAL:

Same as above

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

None

REVIEWED BY: *Mitzi MOLINA, ENGR. II* *(559) 456-3292* *2/9/10*
Name and Title Telephone Number Date



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2218

February 19, 2010

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

RE: Vesting Tentative Tract Map No. 5967
FID's Teague School Canal No. 46, S/E Shaw and Polk Avenues

Dear Mr. Tackett:

The Fresno Irrigation District (FID) has reviewed the Vesting Tentative Tract Map No. 5967 application to divide 1.97 acres into a 12 lot single family residential public street phased development located southeast of Shaw and Polk Avenues, APN 510-030-24, and has the following comments and conditions:

1. FID's Teague School Canal traverses the east side of Polk Avenue in an exclusive 15-foot wide easement recorded on January 4, 1963 as Document No. 980, Official Records of Fresno County, as shown on the attached FID exhibit map.
2. The pipeline was installed in 1962 as 30-inch diameter cast-in-place monolithic concrete pipe (CIP). CIP is a non-reinforced pipe that is easily damaged, extremely prone to leakage and does not meet FID's minimum standards for urban areas.
3. FID requires the applicant replace the existing pipeline with new 30-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards and that the applicant enter into an agreement with FID for that purpose.
4. Should the pipeline need to be placed in a different alignment, FID will require the applicant and/or the applicant's engineer meet with FID at their earliest convenience to discuss specific requirements; e.g. easement width and

alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.

5. FID does not allow FID owned property or easements to be in common use with public utility easements but will, in certain instances, allow its property to be in common use with landscape easements if the City of Fresno enters into an appropriate agreement with FID.
6. FID requires its easement be shown on the map with proper recording information, and that FID be made a party to signing all plans which affect its easement and canal/pipeline facility and also be made party to signing the final map.
7. FID requires the applicant submit a grading and drainage plan for FID approval which shows that the proposed development will not endanger the structural integrity of the pipeline, or result in drainage patterns that will adversely affect FID or the applicant.
8. 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 James Shields at 233-7161 extension 319 or jshields@fresnoirrigation.com.

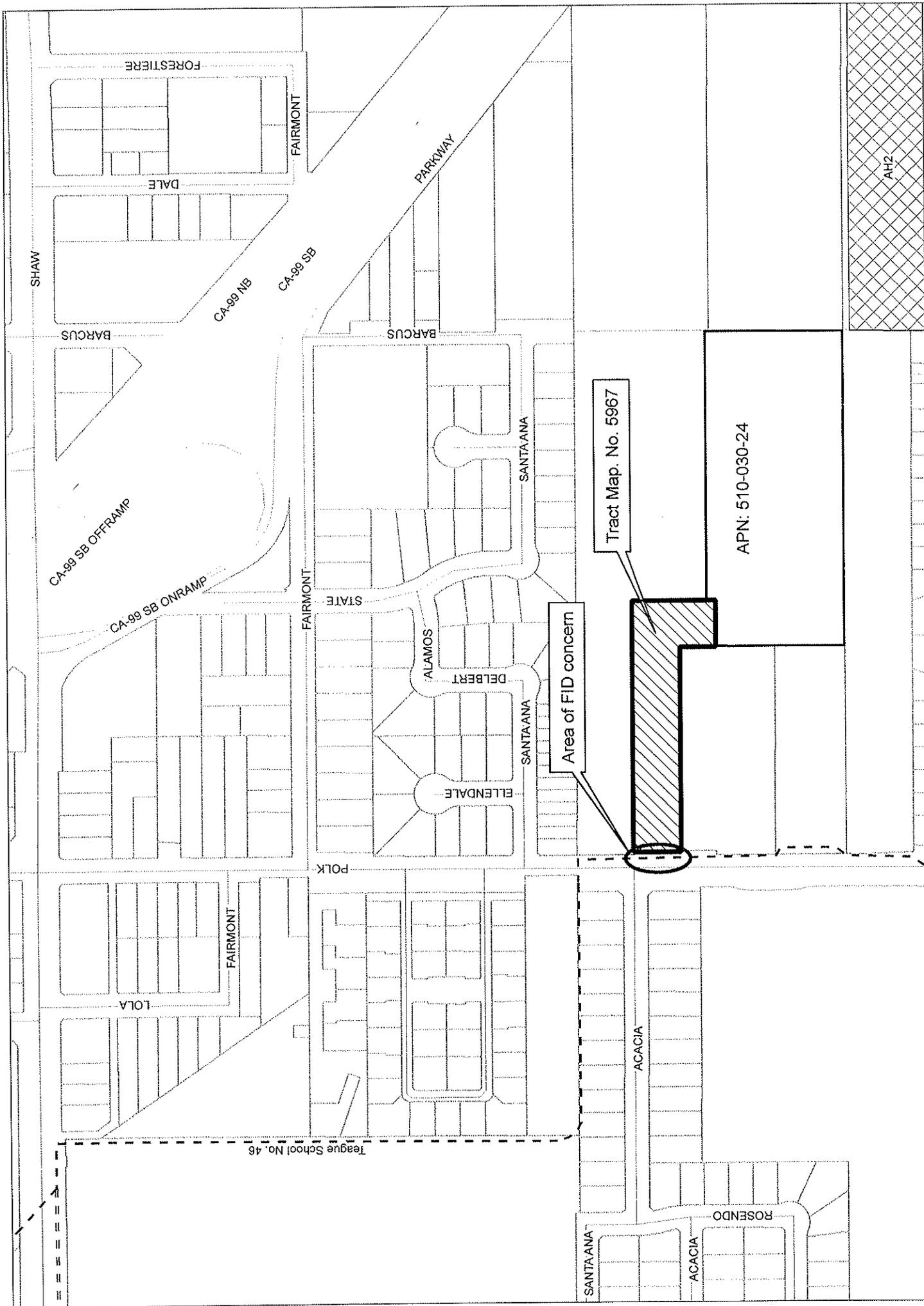
Sincerely,

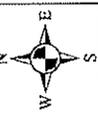


William R. Stretch, P.E.
Chief Engineer

Attachment

cc: Mr. Gary G. Giannetta - Applicant





 0 300 600 Feet

 1 inch equals 300 feet

 1/20/20 ID

 \\fresno\eng\p\figs\master.mxd

Legend

 FID Pipeline

 FID Canal

 Private Canal

 Abandoned Canal

 Other-Creek/River

 Other-Pipeline

 Abandoned Pipeline

 FID Boundary

 Rainroad

 Major Streets

 Parcel

 PMFCD Acquired Status

 PMFCD Proposed Status

FRESNO IRRIGATION DISTRICT





County of Fresno

Department of Public Health

Edward L. Moreno, M.D., M.P.H., Director-Health Officer

February 9, 2010

999999999
LU0015502
PE 2602

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

Dear Mr. Tackett:

PROJECT NUMBER: T-5967

PROJECT DESCRIPTION AND LOCATION: Vesting Tentative Tract Map No. 5967, filed by Gary G. Giannetta Civil Engineering & Land Surveying on behalf of ABN Investments, LLC., pertains to approximately 1.83 net acres (1.97 gross acres) of property located on the east side of North Polk Avenue between West Shaw and West Gettysburg Avenues. Vesting Tentative Tract Map No. 5967 request authorization to subdivide the subject property for the purposes of a 12-lot single family residential public street phased development; and, the designation of an approximately 5.85 acre Remainder parcel. The property is zoned R-1 (*Single Family Residential District*) and is planned for Medium-Low Density Residential (4.99-10.37 dwelling units/acre) land uses.

APN: 510-030-24

Zoning: R-1

Address: 4726 & 4744 North Polk Avenue

Recommended Conditions of Approval:

- Construction permits for the 12-lot residential subdivision and remainder parcel 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 12-lot residential subdivision and remainder parcel 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 Fresno County Department of Public Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Will Tackett
T-5967
February 9, 2010
Page 2 of 2

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

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

- Appropriate measures should be incorporated into the project to minimize potentially significant short-term localized noise impacts to noise sensitive receivers caused by the operation of construction equipment. Construction specifications for the project should require that all construction equipment be maintained according to the manufacturers' specifications, and that noise generating construction equipment be equipped with mufflers. In addition, consideration should be given to limiting noise-generating construction activities to daytime hours as specified in your municipal code.

REVIEWED BY:

Glenn Allen

Digitally signed by Glenn Allen
DN: cn=Glenn Allen, o=Environmental Health Division,
ou=Public Health, email=glallen@co.fresno.ca.us, c=US
Date: 2010.02.09 11:43:45 -08'07'

R.E.H.S., M.S.

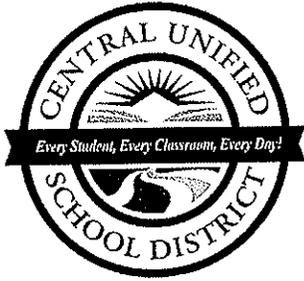
Supervising Environmental Health Specialist

(559) 445-3271

ga

cc: Wayne Fox, Environmental Health Division

T-5963 C-09-275 Granville Homes



CENTRAL UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES
Cindy Berube
Terry Cox
Judith Geringer
Diana Milla
William Duane Peverill
Phil Rusconi
George Wilson, Jr.

February 22, 2010

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

Subject: Vesting Tentative Tract Map No. 5967
East side of Polk Avenue between Shaw and Gettysburg Avenues

Dear Mr. Tackett:

The purpose of this letter is to respond to your request for comment on the above-referenced application, which would allow for the development of a 12-lot single family residential public street phased development on 1.83 net acres with an approximately 5.85 acre remainder parcel. The property is currently zoned R-1 and planned for Medium Density Residential (4.99-10.37 units per acre).

Based on current District student generation rates, 12 single family units would generate 6 students in grades K-6, 2 students in grades 7-8 and 2 students in grades 9-12. These students will need to be housed in District schools.

The schools currently serving this site are Teague Elementary School, Rio Vista Middle School, Central West High School for grade 9 and either Central West or Central East for grades 10-12. Capacity currently exists at these schools to accommodate students from this project.

The District currently charges a school facilities fee of \$2.97 per square foot for residential development. New development on the site will be subject to the fee in place at the time the fee is paid.

Thank you for the opportunity to comment.

Sincerely,

Hilbert Contreras
Director of Operational Services

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

| | |
|--|----------------------------------|
| <p>Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan</p> | <p>DATE RECEIVED FOR FILING:</p> |
|--|----------------------------------|

| | |
|---|---|
| <p>Applicant: ABN Investments, LLC. 3447 North Cleo Avenue Fresno, CA 93722</p> | <p>Initial Study Prepared By: Will Tackett, Planner III March 05, 2010</p> |
|---|---|

| | |
|--|---|
| <p>Environmental Assessment Number: T-5967 Application No. Vesting Tentative Tract Map No. T-5967</p> | <p>Project Location (including APN): 4726 North Polk Avenue, Fresno, CA 93722 (APN: 510-030-24) East side of North Polk Avenue between West Shaw and West Gettysburg Avenues Site Latitude: 36°48'15" N Longitude & 119°53'17" W Mount Diablo Base & Meridian, Township 13 S Range 19 E, Section 15</p> |
|--|---|

Project Description:

Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of ABN Investments, LLC., pertains to approximately 1.83 net acres (1.97 gross acres) of property located on the east side of North Polk Avenue between West Shaw and West Gettysburg Avenues. Vesting Tentative Tract map No. 5967 requests authorization to subdivide the subject property for the purposes of a 12-lot single family residential public street phased development; and, the designation of an approximately 5.85 acre Remainder parcel at an overall density of approximately 6.56 dwelling units per acre.

The subject property is located within the boundaries of the 2025 Fresno General Plan, West Area Community Plan and Highway City Neighborhood Specific Plan. These plans designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. The subject property is currently zoned under the R-1 (*Single Family Residential*) zone district classification. According to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district for the subject property and the proposed overall density of 6.56 dwelling units/acre are consistent with the Medium Density Residential planned land use designation.

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

The adopted 2025 Fresno General Plan and the West Area Community Plan designate the subject site for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. According to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district for the subject property and the proposed overall density of 6.56 dwelling units/acre are consistent with the Medium Density Residential planned land use designation.

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

significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Guidelines Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR and the Air Quality MND.

Relative to this specific project proposal, the environmental impacts noted in the MEIR and the Air Quality MND, pursuant to the 2025 Fresno General Plan land use designation, include impacts associated with the Medium Density Residential planned land use designation specified for the subject property. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR No. 10130 because its location, land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR No. 10130; (2) The proposed project is fully within the scope of the MEIR and Air Quality MND because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR or Air Quality MND for the reasons set forth in the Initial Study; and (3) other than identified below, there are no new or additional mitigation measures or alternatives required.

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

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



Planning Manager, City of Fresno



Date

Attachments: Notice of Intent to Adopt A Finding of Conformity
Modified Appendix G To Analyze Subsequent Project Identified In MEIR No. 10130/MND For Plan Amendment A-09-02
(Air Quality MND)/Initial Study for Environmental Assessment No. T-5967
Master Environmental Impact Report (MEIR) No. 10130/SCH No. 2001071097 For the 2025 General Plan: Mitigation
MEIR Mitigation Monitoring Checklist for Environmental Assessment No. T-5967
Master Environmental Impact Report (MEIR) Review Summary (Attachment: Status of MEIR Analysis with Regard to
Air Quality and Climate Change)

CITY OF FRESNO

**NOTICE OF INTENT TO ADOPT A
FINDING OF CONFORMITY**

Filed with: E201010000070

FILED

MAR 15 2010

FRESNO COUNTY CLERK
By *Blanca H. Avolos*

DEPUTY
FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

PROJECT TITLE AND ENVIRONMENTAL ASSESSMENT NO.

T-5967

APPLICANT:

ABN Investments, LLC.
3447 North Cleo Avenue
Fresno, CA 93722

PROJECT LOCATION:

4726 North Polk Avenue, Fresno, CA 93722
(APN: 510-030-24)
East side of North Polk Avenue between West Shaw and West
Gettysburg Avenues
Site Latitude: 36°48'15" N Longitude and 119°53'17" W
Mount Diablo Base & Meridian, Township 13 S Range 19 E, Section 15

PROJECT DESCRIPTION:

Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of ABN Investments, LLC., pertains to approximately 1.83 net acres (1.97 gross acres) of property located on the east side of North Polk Avenue between West Shaw and West Gettysburg Avenues. Vesting Tentative Tract map No. 5967 requests authorization to subdivide the subject property for the purposes of a 12-lot single family residential public street phased development; and, the designation of an approximately 5.85 acre Remainder parcel at an overall density of approximately 6.56 dwelling units per acre.

The subject property is located within the boundaries of the 2025 Fresno General Plan, West Area Community Plan and Highway City Neighborhood Specific Plan. These plans designate the subject property for Medium Density Residential (4.99-10.37 dwelling units/acre) planned land uses. The subject property is currently zoned under the R-1 (*Single Family Residential*) zone district classification. According to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district for the subject property and the proposed overall density of 6.56 dwelling units/acre are consistent with the Medium Density Residential 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 fully within the scope of the Master Environmental Impact Report No. 10130 ("MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and the Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH #2009051016) to amend the Air Quality Element of the 2025 Fresno General Plan (Air Quality MND). Therefore, the Planning and Development Department proposes to adopt a Finding of Conformity for this project.

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

E201010000070

Public Resources Code, Section 21157.6(b)(1), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and 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.

Additional information on the proposed project, including the proposed environmental finding and the initial study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604. Please contact Will Tackett at (559) 621-8063 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on April 05, 2010]. Please direct comments to Will Tackett, Planner III, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Will.Tackett@Fresno.gov; or, they can be sent by facsimile to (559) 498-1026

The tentative map and proposed environmental finding have been tentatively scheduled to be heard by the Planning Commission on April 07, 2010 at 6:00pm or thereafter. This hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY:

Will Tackett, Planner III

SUBMITTED BY:



Mike Sanchez, Planning Manager
CITY OF FRESNO PLANNING AND
DEVELOPMENT DEPARTMENT

DATE: March 05, 2010

**MODIFIED 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

1. **Project title:**

Vesting Tentative Tract Map No. 5967

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

City of Fresno
2600 Fresno Street
Fresno, CA 93721

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

Will Tackett, Planner III
City of Fresno
Planning & Development Department
(559) 621-8063

4. **Project location:**

4726 North Polk Avenue, Fresno, CA 93722 / (APN[s]: 510-030-24)
East side of North Polk Avenue between West Shaw and West Gettysburg Avenues
Site Latitude: 36°48'15" N / Longitude: 119°53'17" W
Mount Diablo Base & Meridian, Township 13S Range 19E, Section 15

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

ABN Investments, LLC.
3447 North Cleo Avenue
Fresno, CA 93722

6. **General plan designation:**

Medium Density Residential (4.99-10.37 dwelling units/acre)

7. **Zoning:**

R-1 (Single Family Residential District)

8. **Description of project:**

Vesting Tentative Tract Map No. 5967 requests authorization to subdivide the subject property for the purposes of a 12-lot single family residential public street phased development; and, the designation of an approximately 5.85 acre Remainder parcel at an overall density of approximately 6.56 dwelling units per acre.

The scope of the proposed project will include, but not be limited to: (1) Dedications for public street rights-of-way; (2) Construction of public improvements within adjacent public street rights-of-way, including center section travel lanes and a raised concrete median island within Polk Avenue north of the subject property; (3) Installation of all underground street utilities prior to permanent street paving; (4) Abandonment of existing on-site private septic systems and wells; and, (5) Replacement and reinforcement of an existing water conveyance pipeline traversing the subject property.

9. **Surrounding land uses and setting: (Briefly describe the project’s surroundings)**

| | Planned Land Use | Existing Zoning | Existing Land Use |
|--------------|--|---|---|
| North | Medium Density Residential | R-1 <i>(Single Family Residential District)</i> | Vacant / Single Family Residential |
| South | Medium Density Residential | R-1/UGM/cz <i>(Single Family Residential District/Urban Growth Management/with conditions of zoning)</i> | Vacant / Church |
| East | Medium-High Density Residential | AE-5 <i>(Exclusive Five-Acre Agricultural District)</i> | Mobile Home Park |
| West | Medium Density Residential & Public Facility / Elementary School | R-1 <i>(Single Family Residential District)</i> & AE-5 <i>(Exclusive Five-Acre Agricultural District)</i> | Single Family Residential / Elementary School |

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

Planning & Development Department, Building & Safety Services Division; Department of Public Works; Department of Public Utilities; County of Fresno, Department of Community Health; City of Fresno Police & Fire Departments; Fresno Metropolitan Flood Control District; Department of Transportation; Fresno Irrigation District; Central Unified School District; City of Fresno Parks, After School, Recreation & Community Services Department.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:



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

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

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

| | |
|-----------|------|
| | |
| Signature | Date |
| | |
| Signature | Date |

03/05/10

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

| Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | 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 |

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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|--|--|--|--|---|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of | | | | X |
|--|--|--|--|---|

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| 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? | | | | |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | X |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | | X |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | | | | X |

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

| | | | | |
|---|--|--|--|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | | | X |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | | | X |
| d) Expose sensitive receptors to substantial pollutant concentrations? | | | | X |
| e) Create objectionable odors affecting a substantial number of people? | | | | X |

| Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|
|--------------------------------|---|------------------------------|-----------|

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | |
|--|--|--|---|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | X |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | | | X |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | X |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | X |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | X |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | X |

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 |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| d) Disturb any human remains, including those interred outside of formal cemeteries? | | | | X |

VI. GEOLOGY AND SOILS -- Would the project:

| | | | | |
|--|--|--|--|---|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | X |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | | X |
| ii) Strong seismic ground shaking? | | | | X |
| iii) Seismic-related ground failure, including liquefaction? | | | | X |
| iv) Landslides? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil? | | | | X |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | X |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | | | | X |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | | | | X |

VII. GREENHOUSE GAS EMISSIONS —

Would the project:

| | | | | |
|--|--|--|--|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the | | | | X |
|--|--|--|--|---|

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| environment? b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | | X |

VIII. HAZARDS AND HAZARDOUS MATERIALS --

Would the project:

| | | | | |
|--|--|--|--|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | | | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | | X |
| 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 |

| Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | 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 storm water 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 |
| 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 |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | 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 |
| 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 |
| XII. NOISE -- Would the project result in: | | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | | | X |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | | | X |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | | | X |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | | | X |
| e) For a project located within an airport land use plan or, | | | | X |

| Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------------|--|------------------------------------|--------------|
|--------------------------------------|--|------------------------------------|--------------|

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?

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

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

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:

X

Fire protection?

X

Police protection?

X

Schools?

X

Parks?

X

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
|--|--------------------------------|---|------------------------------|-----------|

Other public facilities?

X

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

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

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| 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 |

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

| | | | | |
|---|--|--|--|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | | X |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | X |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | X |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | | X |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | | X |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | | | | X |

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

| | | | | |
|--|--|--|--|---|
| a) Does the project have the potential to degrade the quality of | | | | X |
|--|--|--|--|---|

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| 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? | | | | |
| 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 |

CA0033010

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

Project/EA No. T-5967

Date: March 05, 2010

Mitigation Monitoring Checklist

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

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

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

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE STATUS | | | | | | |
|--|------------------|---|-------------------|---|---|---|---|---|--|
| | | | A | B | C | D | E | F | |
| <p>C-1. In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs.</p> <p>a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals.</p> <p>b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements.</p> <p>c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations.</p> <p>d. Adopted state and SJVAPCD protocols, standards, and thresholds of significance for greenhouse gas emissions shall be utilized in assessing and approving proposed development projects.</p> <p>e. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.</p> | Ongoing | Planning and Development Department Dept. | X | | | X | X | | |

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE STATUS | | | | | | |
|--|------------------|---|-------------------|---|---|---|---|---|--|
| | | | A | B | C | D | E | F | |
| C-2. For development projects potentially meeting SJVAPCD thresholds of significance and/or thresholds of applicability for the Indirect Source Review Rule (Rule 9510) in their unmitigated condition, project applicants shall complete the SJVAPCD Indirect Source Review Application prior to approval of the development project. Mitigation measures incorporated into the ISR analysis shall be incorporated into the project as conditions of approval and/or mitigation measures, as may be appropriate. | Ongoing | Planning and Development Department Dept. SJVAPCD | | | | X | | X | |
| C-3. The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR. | Ongoing | Various city departments | | | | X | | X | |
| C-4. The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as: a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions. b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit. c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible. d. Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use. | Ongoing | Fresno Area Express | | | | X | | X | |

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE VERIFIED BY | | | | | | |
|---|--|--|------------------------|---|---|---|---|---|--|
| | | | A | B | C | D | E | F | |
| D-1. The City shall monitor impacts of land use changes and development project proposals on water supply facilities and the groundwater aquifer. | Ongoing | Dept of Public Utilities and Planning and Development Dept | | X | | X | | | |
| D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, intentional recharge facilities, potable and recycled water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts. | Ongoing (City-wide); and prior to approval of land use entitlement as applicable | Department of Public Utilities and Planning and Development Department | | X | | X | | X | |
| D-3. The City shall implement the future water supply plan described in the City of Fresno Metropolitan Water Resources Management Plan Update and shall continue to update this Plan as necessary to ensure the cost-effective use of water resources and continued availability of good-quality groundwater and surface water supplies. | Ongoing | Department of Public Utilities | | X | | X | | X | |
| D-4. The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban stormwater pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards. | Ongoing | Planning and Development Department | X | | | X | | | |

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE VERIFIED BY | | | | | | |
|--|------------------|-------------------------------------|------------------------|---|---|---|---|---|----------|
| | | | A | B | C | D | E | F | |
| D-5. The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods. The City shall expand this protected area in the Riverbottom pursuant to expanded floodplain and/or floodway maps, regulations, and policies adopted by the Central Valley Flood Protection Board and the National Flood Insurance Protection Program. | Ongoing | Planning and Development Department | | | | | | | X |
| D-6. The City shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect: a. Allowable construction in this area from being damaged by the intensity of flooding in the riverbottom; b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and c. Public health, safety and general welfare from the effects of flood events. | Ongoing | Planning and Development Department | | | | | | | X |
| D-7. The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds). | Ongoing | Planning and Development Department | | | | | | | X |

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE VERIFIED BY | | | | | | |
|--|------------------|--------------------------------|------------------------|---|---|---|---|---|--|
| | | | A | B | C | D | E | F | |
| D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management and use of all sources of water available to the planning area, and shall periodically update this plan to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development. Project-specific and city-wide water conservation measures shall be directed toward assisting in reaching the goal of balancing City groundwater operations by 2025. | Ongoing | Department of Public Utilities | | | X | | | X | |
| D-9. The City shall continue its current water conservation programs and implement additional water conservation measures to reduce overall per capita water use within the City with a goal of reducing the overall per capita water use in the City to its adopted target consumption rate. The target per capita consumption rate adopted in 2008 is a citywide average of 243 gallons per person per day, intended to be reached by 2020 (which includes anticipated water conservation resulting from the on-going residential water metering program and additional water conservation by all customers: 5% by 2010, and an additional 5% by 2020.) | Ongoing | Department of Public Utilities | | | X | | | X | |

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE VERIFIED BY | | | | | | |
|--|--|---------------------------------------|------------------------|---|---|---|---|---|---|
| | | | A | B | C | D | E | F | |
| <p>D-10. All development projects shall be required to comply with City Department of Public Utilities conditions intended for the City to reach its overall per capita water consumption rate target. Project conditions shall include, but are not limited to, water use efficiency for landscaping, use of artificial turf and native plant materials, reducing turf areas, and discouraging the development of artificial lakes, fountains and ponds unless only untreated surface water or recycled water supplies are used for these decorative and recreational water features, as appropriate and sanitary.</p> | <p>Prior to approval of land use entitlement</p> | <p>Department of Public Utilities</p> | X | | | X | | X | |
| | | | | | | | | | |
| <p>D-11. When and if the City adopts a formal management plan for recycled and/or reclaimed water, all development shall comply with its standards and requirements. Absent a formal management plan for recycled and/or reclaimed water, new development projects shall install reasonably necessary infrastructure, facilities and equipment to utilize reclaimed and recycled water for landscape irrigation, decorative fountains and ponds, and other water-consuming features, provided that use of reclaimed or recycled water is determined by the Department of Public Utilities to be feasible, sanitary, and energy-efficient.</p> | <p>Prior to approval of development project</p> | <p>Department of Public Utilities</p> | | | | | | | X |
| | | | | | | | | | |

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | A | B | C | D | E | F | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|---|---|-------------------------------|-------------------------------|------------------|---------------------------|-----|-----|-----|--------------------------|-----|-----|-----|------------------------------|---|-----|-----|------------|---|-----|-----|-----------------------|---|-----|-----|------------------------|-----|-----|-----|--|--------------------------------|--|--|--|---|--|---|
| <p>D-12. All applicants for development projects shall provide data (meeting City Department of Public Utilities criteria for such data) on the anticipated annual water demand and daily peak water demand for proposed projects. If a development project would increase water demand at a project location (or for a type of development) beyond the levels allocated in the version of the City's Urban Water Management Plan (UWMP) in effect at the time the project's environmental assessment is conducted, the additional water demand will be required to be offset or mitigated in a manner acceptable to the City Department of Public Utilities. Allocated water demand rates are set forth in Table 6-4 of the 2008 UWMP as follows:</p> <table border="1"> <thead> <tr> <th rowspan="2">FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.)</th> <th colspan="3">PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals:</th> </tr> <tr> <th>01/01/2005 THROUGH 12/31/2010</th> <th>01/01/2010 THROUGH 12/31/2024</th> <th>AFTER 01/01/2025</th> </tr> </thead> <tbody> <tr> <td>Single family residential</td> <td>3.8</td> <td>3.5</td> <td>3.5</td> </tr> <tr> <td>Multi-family residential</td> <td>6.5</td> <td>6.2</td> <td>6.2</td> </tr> <tr> <td>Commercial and institutional</td> <td>2</td> <td>1.9</td> <td>1.9</td> </tr> <tr> <td>Industrial</td> <td>2</td> <td>1.9</td> <td>1.9</td> </tr> <tr> <td>Landscaped open space</td> <td>3</td> <td>2.9</td> <td>2.9</td> </tr> <tr> <td>South East Growth Area</td> <td>3.4</td> <td>3.2</td> <td>3.2</td> </tr> </tbody> </table> <p>NOTE: The above land use classifications and demand allocation factors may be amended in future updates of the Urban Water Management Plan</p> | | FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.) | PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals: | | | 01/01/2005 THROUGH 12/31/2010 | 01/01/2010 THROUGH 12/31/2024 | AFTER 01/01/2025 | Single family residential | 3.8 | 3.5 | 3.5 | Multi-family residential | 6.5 | 6.2 | 6.2 | Commercial and institutional | 2 | 1.9 | 1.9 | Industrial | 2 | 1.9 | 1.9 | Landscaped open space | 3 | 2.9 | 2.9 | South East Growth Area | 3.4 | 3.2 | 3.2 | Prior to approval of development project | Department of Public Utilities | | | | X | | X |
| FOR GROSS DEVELOPED PROJECT ACREAGE OF THE FOLLOWING DEVELOPMENT CATEGORIES (Analysis shall include acreage to all street centerlines.) | PER-UNIT FACTORS, in acre-ft/acre/yr, for projects projected to be completed during these intervals: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 01/01/2005 THROUGH 12/31/2010 | 01/01/2010 THROUGH 12/31/2024 | AFTER 01/01/2025 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Single family residential | 3.8 | 3.5 | 3.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multi-family residential | 6.5 | 6.2 | 6.2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commercial and institutional | 2 | 1.9 | 1.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Industrial | 2 | 1.9 | 1.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Landscaped open space | 3 | 2.9 | 2.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| South East Growth Area | 3.4 | 3.2 | 3.2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

| | | | | | | | |
|---|---------|---------------------------|--|--|--|--|----------|
| F-2-a. The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation. | Ongoing | Dept. of Public Utilities | | | | | |
| | | | | | | | X |

| | | | | | | | |
|---|---------|---------------------------|--|--|----------|----------|--|
| F-3. The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. This shall include provision of tertiary treatment facilities to produce recycled water for landscape irrigation and other non-potable uses. Site specific environmental evaluation and development of Waste Discharge Requirements by the Regional Water Quality Control Board shall precede the construction of these facilities. Mitigation measures identified in these evaluations shall be incorporated into each project to reduce the identified environmental impacts. | Ongoing | Dept. of Public Utilities | | | | | |
| | | | | | X | X | |

| | | | | | | | |
|--|---|---|--|--|--|----------|--|
| F-4. The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities are not exceeded. | Ongoing/prior to approval of land use entitlement | Dept. of Public Utilities and Planning and Development Department | | | | | |
| | | X | | | | X | |

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE VERIFIED BY | | | | | | |
|--|---|--|------------------------|---|---|----------|---|---|----------|
| | | | A | B | C | D | E | F | |
| F-5. The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts. | Ongoing/prior to construction | Dept. of Public Utilities | X | | | X | | | |
| G-1. Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts. | Ongoing/prior to construction | Fire Dept/Police Dept/ Planning and Development Dept. | | | | | | | X |
| H-1. Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts. | Ongoing/prior to construction | Parks and Recreation Dept.; Planning and Development Dept. | | | | | | | X |
| I-1. Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species (or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval. | Ongoing/prior to approval of land use entitlement | Planning and Development Dept. | | | | | | | X |

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE | | | | | | |
|--|---|--------------------------------|------------|---|---|---|---|---|----------|
| | | | A | B | C | D | E | F | |
| <p>I-6. All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.</p> | Ongoing/prior to approval of land use entitlement and during construction | Planning and Development Dept. | | | | | | | X |
| <p>J-1. If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures:</p> <ul style="list-style-type: none"> a. Amending construction plans to avoid the resources. b. Setting aside sites containing these resources by deeding them into permanent conservation easements. c. Capping or covering these resources with a protective layer of soil before building on the sites. d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them. e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft. | Ongoing/prior to approval of land use entitlement | Planning and Development Dept. | X | | | | | | |

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

| MITIGATION MEASURE | WHEN IMPLEMENTED | COMPLIANCE VERIFIED BY | COMPLIANCE VERIFIED BY | | | | | | |
|---|--|--------------------------------|------------------------|---|---|---|---|---|--|
| | | | A | B | C | D | E | F | |
| <p>K-2. Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 Fresno General Plan.)</p> <p>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. ■ Building Designs. See Chapter V for more details. | Ongoing/upon submittal of land use entitlement application | Planning and Development Dept. | X | | | | | | |
| <p>K-3. The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.</p> | Ongoing/prior to building permit issuance | Planning and Development Dept. | | | | | | X | |
| <p>L-1. Any construction that occurs as a result of a project shall conform to current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.</p> | Ongoing | Planning and Development Dept. | X | | | | | X | |

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

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

Project/EA No. T-5967

Date: March 05, 2010

MEIR Mitigation Monitoring Checklist

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

| | | | | | | | |
|---|---------|--------------------------------|----------|--|----------|----------|--|
| <p>N-1. The City shall cooperate with appropriate energy providers to ensure the provision of adequate energy generated and distribution facilities, including environmental review as required.</p> | Ongoing | Planning and Development Dept. | X | | X | X | |
| | | | | | | | |

| | | | | | | | |
|---|---------|--------------------------------|--|--|--|--|----------|
| <p>Q-1. The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.</p> | Ongoing | Planning and Development Dept. | | | | | X |
| | | | | | | | |

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) REVIEW SUMMARY

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

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

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

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

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

MEIR REVIEW SUMMARY

Page 2

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

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

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

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

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

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Vesting Tentative Tract Map No. 5967 or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

and standards and continues to adopt new standards as appropriate to insure the safety of residents and protection of property improvements.

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

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

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

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

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

CURRENT CITY OF FRESNO "CLEAN AIR" FLEET

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

MEIR REVIEW SUMMARY

Page 8

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

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

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

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

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

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

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

APPENDIX

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

EXECUTIVE SUMMARY

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

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

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Vesting Tentative Tract Map No. 5967 or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

SUPPORTING DATA AND ANALYSIS

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

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

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

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

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

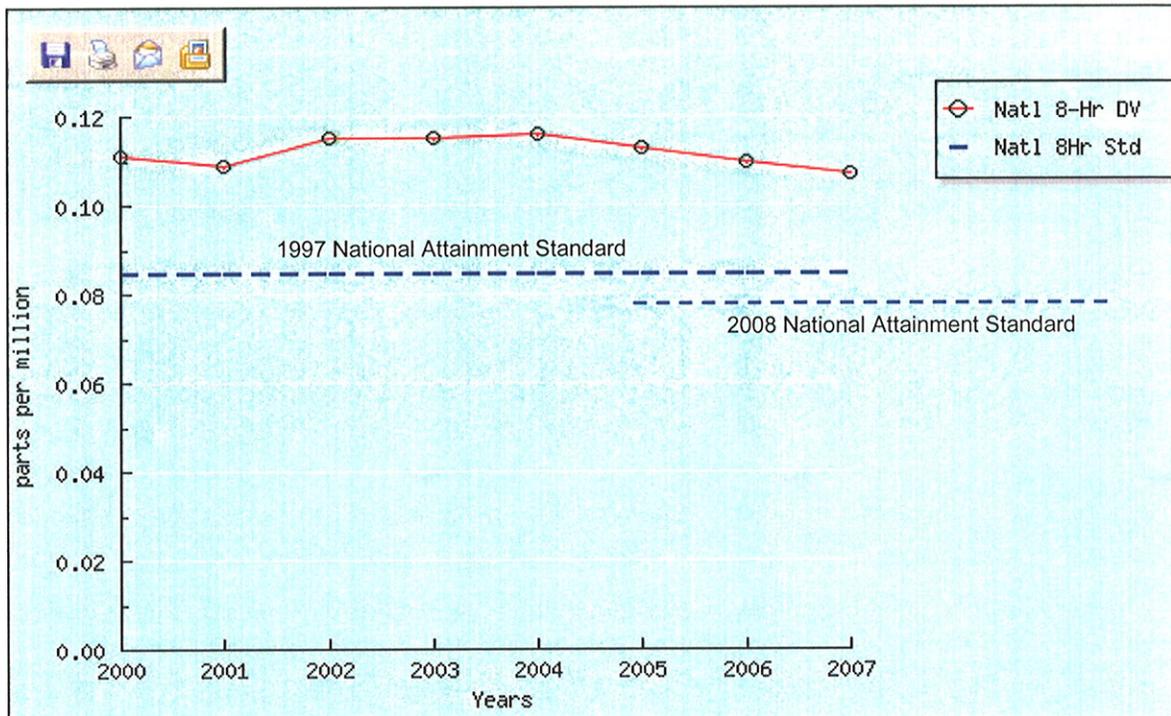
There are no new (*i.e.*, unforeseen in the MEIR) reasonable mitigation measures which have become available since late 2002 that would assure the reduction of cumulative (city-wide) air quality impacts to a less than significant level at project buildout, even with full compliance with attainment plans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

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

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

 **Air Resources Board**

Ozone Trends Summary: San Joaquin Valley Air Basin



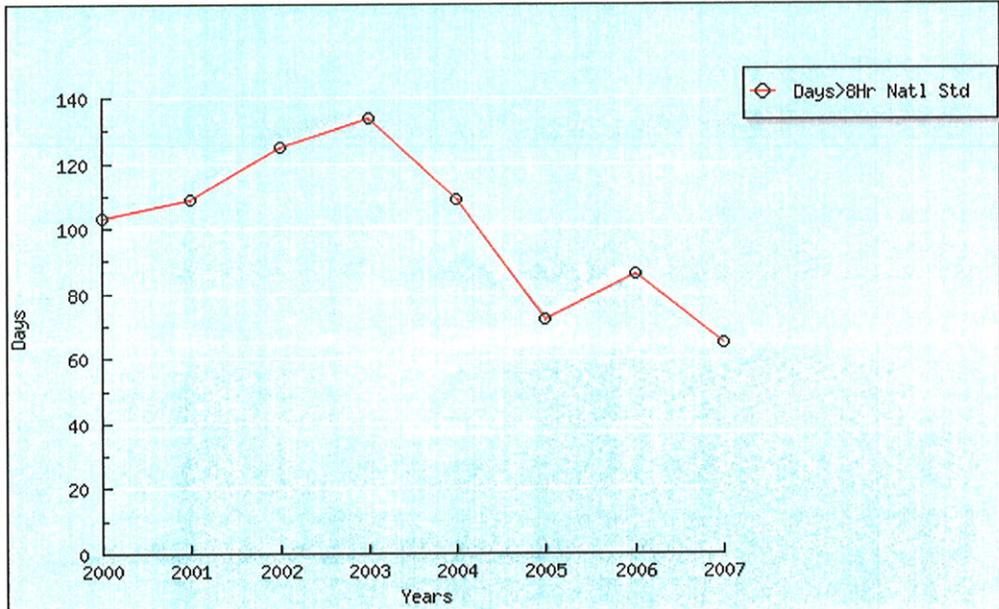
GRAPH NOTES: The "National 1997 8-Hour Ozone Design Value" is a three-year running average of the fourth-highest 8-hour ozone measurement averages in each of the three years (computed according to the method specified in Title 40, Code of Federal Regulations, Part 50, Appendix I).

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

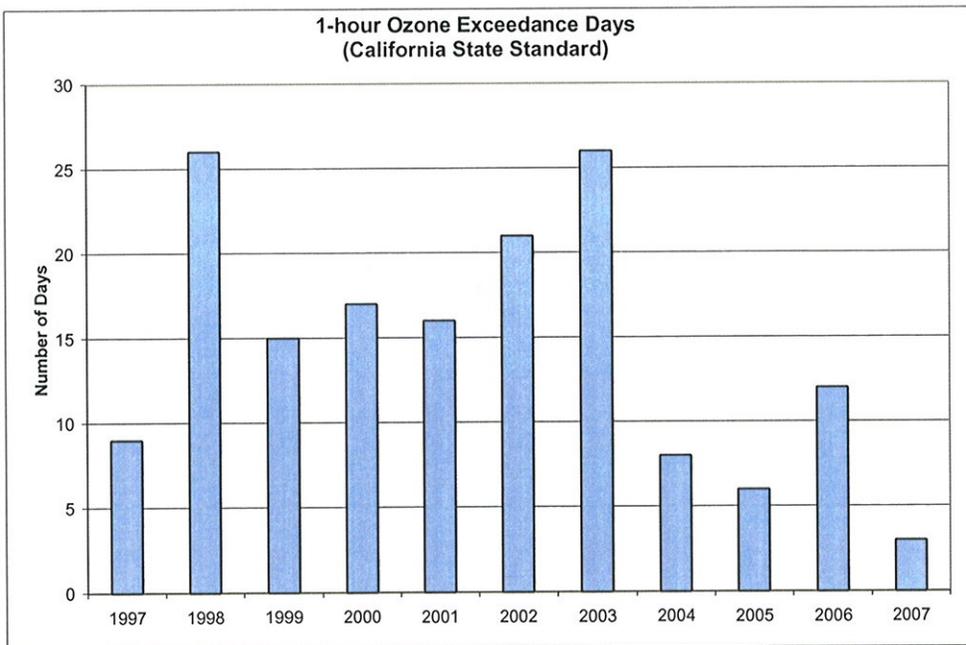
The California Clean Air Act has a different calculation method for its 8-hr oxidant [ozone] standard design value, and an attainment standard that is lower (0.070 ppm). The ozone improvement trend under the state Clean Air Act 8-hour ozone standard parallels the trend for the national 8-hour standard.

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

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



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

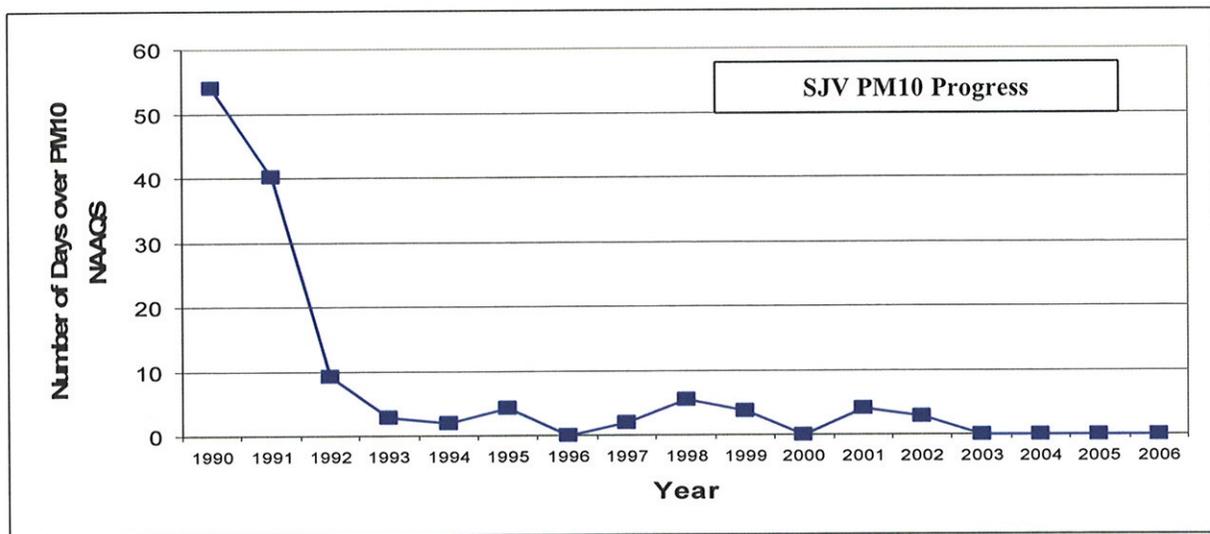


The current ozone attainment plan for the San Joaquin Valley Air Basin, in place when the MEIR for the 2025 Fresno General Plan was certified, is linked to a federal designation of "Serious Nonattainment." While ozone/oxidant air quality conditions are showing a trend toward improvement, the rate of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

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

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

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



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

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

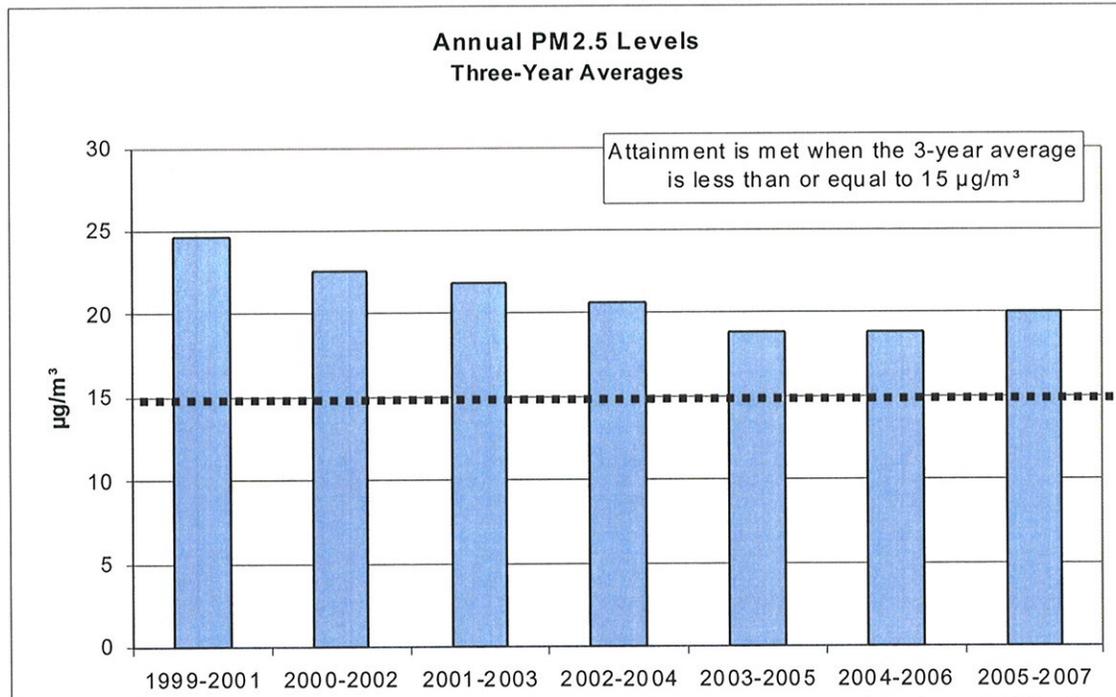
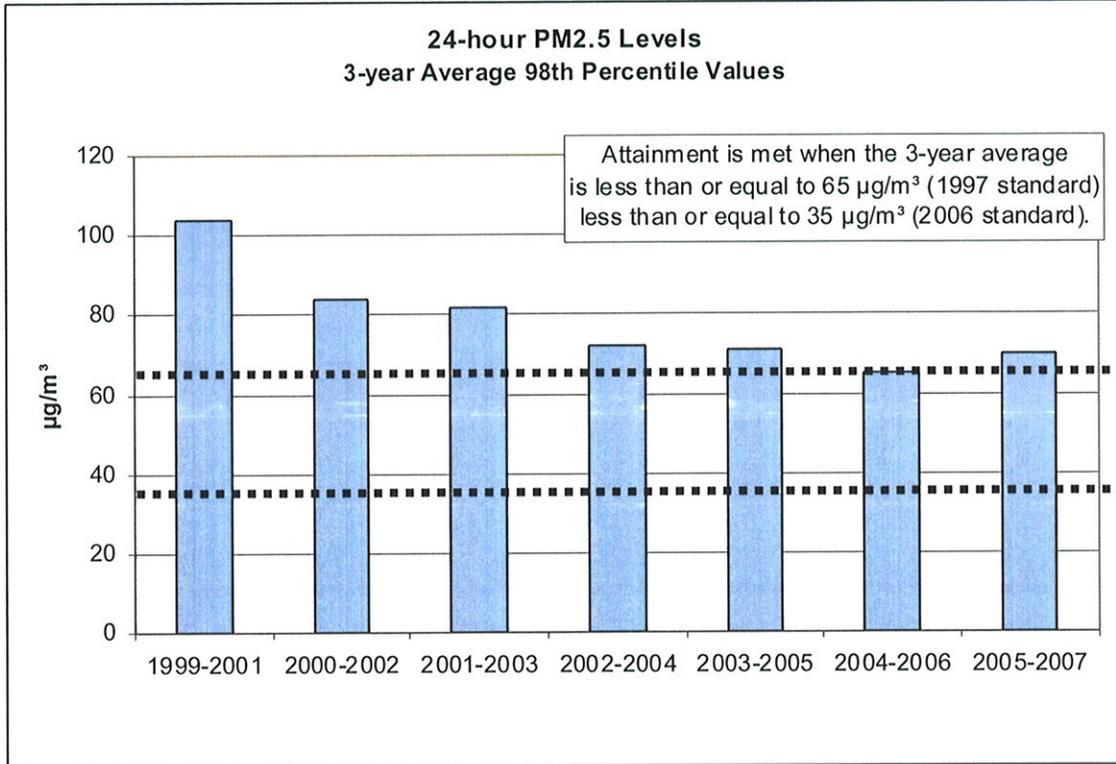
In March of 2006, the San Joaquin Valley Air Pollution Control District adopted Rule 9510, its Indirect Source Review Rule. Full implementation of this Rule has been delayed due to litigation (mitigation fees are being collected and retained in holding accounts), but projects are already being evaluated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

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

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

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

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



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

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

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

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

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

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

MEIR REVIEW SUMMARY

Page 18

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

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

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

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

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

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

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

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

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

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

Updated engine and tire efficiency standards would apply to residents' vehicles, as well as the statewide initiatives applicable to air conditioning and refrigeration equipment, regional transportation improvements, power generation and use of solar energy, water supply and water conservation, landfill methane capture, changes in cement manufacturing processes, manure management (methane digester protocols), recycling program enhancements, and "carbon capture" (also known as "carbon sequestration," technologies for capturing and converting CO₂, removing it from the atmosphere).

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

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

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

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

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

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

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

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

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

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

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

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

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