

October 5, 2016

APPROVED BY


DEPARTMENT DIRECTOR

FROM:  MIKE SANCHEZ, Assistant Director
Development and Resource Management Department

THROUGH: WILL TACKETT, Supervising Planner
Development Services Division 

BY: ISRAEL TREJO, Planner
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SUBJECT:

Consideration of Vesting Tentative Tract Map No. 6131/UGM, Conditional Use Permit Application No. C-16-040 and related Environmental Assessment No. T-6131/C-16-040, for property located on the southeast corner of North Fowler and East Dakota Avenues.

1. **APPROVE** the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report as prepared for Environmental Assessment No. T-6131/C-16-040 dated August 19, 2016.
2. **APPROVE** Conditional Use Permit No. C-16-040 subject to compliance with the Conditions of Approval dated October 5, 2016.
3. **APPROVE** Vesting Tentative Tract Map No. T-6131/UGM subject to compliance with the Conditions of Approval dated October 5, 2016.

EXECUTIVE SUMMARY

Gateway Engineering, on behalf of Lennar Homes, has filed Vesting Tentative Tract Map No. 6131/UGM and Conditional Use Permit No. C-16-040, pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. Vesting Tentative Tract Map No. 6131/UGM is a proposal to subdivide the property into a 402 lot single-family residential planned development subdivision. Conditional Use Permit No. C-16-040 proposes modified property development standards, including reduced lot sizes and setbacks for 100 of the proposed lots. The subject property is located within the Fresno General Plan and the McLane Community Plan, both plans designate the subject site for Medium Density Residential (5.00 to 12.00 dwelling units per acre) planned land uses. Vesting Tentative Tract Map No. 6131/UGM proposes a 402 lot single-family residential subdivision on approximately 74.31 acres at a density of 5.40 dwelling units per acre. Thus, the subject applications are consistent with the planned land use and zoning approved for the project site and will implement the goals, objectives, and policies of the McLane Community Plan and the Fresno General Plan.

PROJECT INFORMATION

PROJECT	A 402 lot, single-family residential planned development subdivision to be developed at a density of 5.40 dwelling units per acre. The project proposes modified property development standards, including reduced lot sizes and setbacks for 100 of the proposed lots
APPLICANT	Gateway Engineering on behalf of Lennar Homes
LOCATION	Located on the southeast corner of North Fowler and East Dakota Avenues (Council District 4, Councilmember Caprioglio)
SITE SIZE	Approximately 74.31 acres
LAND USE	Existing - Rural residential Proposed - Single-family residential
ZONING	Existing - RS-5 (<i>Single-Family Residential</i>) Proposed- No change
PLAN DESIGNATION AND CONSISTENCY	The proposed 402 lot single-family residential subdivision is consistent with the Fresno General Plan and McLane Community Plan designation of the site for medium density residential planned land uses
ENVIRONMENTAL FINDING	Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015, dated August 19, 2016
PLAN COMMITTEE RECOMMENDATION	The Council District 4 Plan Implementation Committee recommended approval of the project on September 12, 2016, by a vote of 5 to 0
STAFF RECOMMENDATION	Approve the vesting tentative tract map and conditional use permit applications subject to compliance with the Conditions of Approval for T-6131/UGM and for C-16-040 dated October 5, 2016

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Low Density & Urban Neighborhood Residential	RM-2 & RS-1 Multi-Family Residential & Single-Family Residential	Rural Residential
East	Elementary School & Urban Neighborhood Residential	RM-2 & PI Multi-Family Residential & Public/Institutional	Elementary School & Single Family Residential
South	Medium Low Density Residential	RS-4 Single-Family Residential	Single Family Residential
West	Medium Density Residential	RS-5 Single-Family Residential	Single Family Residential

ENVIRONMENTAL FINDING

The Development and Resource Management Department staff has prepared an Initial Study (See Attached "Appendix G to Analyze Subsequent Project Identified in MEIR No. SCH No.2012111015/Initial Study") to evaluate the proposed application in accordance with the land use and environmental policies and provisions of the lead agency City of Fresno General Plan and the related Master Environmental Impact Report (MEIR) SCH No. 2012111015.

The subject property is proposed to be developed at intensity and scale that is permitted by the Medium Density Residential (5.00 to 12.00 dwelling units per acre) planned land use designation for the subject site. Thus, the subdivision of the subject property in accordance with the Vesting Tentative Tract Map No. 6131/UGM and Conditional Use Permit No. C-16-040 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 the MEIR 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 the MEIR 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 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 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 the MEIR because its land use designation and permissible densities and intensities are allowed as set forth in the Fresno General Plan; (2) The proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR 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.

Therefore, the project proposal has been determined to be within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR SCH No. 2012111015 dated August 19, 2016. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified; and, that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

BACKGROUND / ANALYSIS

Gateway Engineering, on behalf of Lennar Homes, has filed Vesting Tentative Tract Map No. 6131/UGM and Conditional Use Permit No. C-16-040, pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. Vesting Tentative Tract Map No. 6131/UGM is a proposal to subdivide the property into a 402 lot single-family residential planned development subdivision. Conditional Use Permit No. C-16-040 proposes modified property development standards, including reduced lot sizes and setbacks for 100 of the proposed lots. The subject property is located within the Fresno General Plan and the McLane Community Plan, both plans designate the subject site for Medium Density Residential (5.00 to 12.00 dwelling units per acre) planned land uses. Vesting Tentative Tract Map No. 6131/UGM proposes a 402 lot single-family residential subdivision on approximately 74.31 acres at a density of 5.40 dwelling units per acre. Thus, the subject applications are consistent with the planned land use and zoning approved for the project site and will implement the goals, objectives, and policies of the McLane Community Plan and the Fresno General Plan.

Phasing

The project is proposed to be developed in 3 phases. Phase 1, generally located on the southern half of the map, contains 181 lots. Phase 2, generally located on the northeast corner of the map, contains 87 lots. Phase 3, generally located on the northwest corner of the map, contains 134 lots.

Conditional Use Permit Application (CUP)

In addition to submitting a vesting tentative tract map, the applicant has submitted Conditional Use Permit Application No. C-16-040. Pursuant to Chapter 15, Article 59 of the FMC, a CUP is required in order to create a planned development.

As part of the CUP, an applicant may request a modification of development standards. Conditional Use Permit No. C-16-040 proposes modified property development standards, including reduced lot sizes and/or setbacks for 100 of the proposed lots, specifically lots 108-180 and 300-326, which are generally located at the southwest quarter of the vesting tentative map.

Reduced Lot Size

Proposed lots 134-154 and 157-177 range in size from 3,356 sq. ft. to 3,900 sq. ft. The standard minimum lot size in the RS-5 (*Single-Family Residential*) zone district is 4000 sq. ft.

Reduced Front Yard Setback

The applicant is proposing a 10' front yard setback for lots 108-131, 179-180 and 300-326. The standard minimum front yard setback in the RS-5 (*Single-Family Residential*) zone district is 13'.

It is noted that all of the proposed lots, adjacent to the existing single family residential development to the south of the site, are not proposing a reduction of the rear yard setback and will have the standard 10' setback.

Reduced Front and Rear Yard Setbacks

The applicant is proposing a 10' front yard setback and a 5' rear yard setback for lots 132-178. The standard minimum front yard setback in the RS-5 (*Single-Family Residential*) zone district is 13' and the standard minimum rear yard setback is 10'.

Streets and Access Points

The Fresno General Plan designates North Fowler Avenue as an arterial street while East Dakota and North Armstrong Avenues are designated as collector streets. The developer of this project will be required construct improvements along all major street frontages and on all interior local streets within the subdivision. Direct vehicular access will be relinquished along all major street frontages.

The proposed project is located within Traffic Impact Zone III pursuant to Figure MT-4 of the Fresno General Plan. In accordance with Fresno General Plan Policy MT-2-I, a Traffic Impact Study (TIS) was prepared (Peters Engineering Group dated March 1, 2016) to assess the impacts of the new development on existing and planned streets. This assessment evaluated the impacts of the project by analyzing four intersections in the vicinity of the project during the AM and PM peak hours.

The project will be responsible for mitigating its traffic impacts by constructing traffic signals at both the Fowler & Dakota and Armstrong & Dakota intersections and participating in the City of Fresno development fee programs, including the TSMI (Traffic Signal Mitigation Impact) and FSMI (Fresno Major Street Impact). The Dakota and Armstrong intersection is required to be signalized prior to occupancy of the first dwelling unit of Phase 1. The Fowler & Dakota intersection is required to be signalized prior to construction of any dwelling units in Phase 2.

The intersection of Fowler and Olive Avenues, located approximately 1 ¾ miles away from the project site, is currently operating at a LOS F. Existing conditions at said intersection are 80.9 a.m. and 82.6 p.m. peak hour trips. The proposed project is expected to add approximately 11 a.m. and 20 p.m. trips to the intersection. General Plan Policy MT-1-n requires a peak-hour vehicle LOS standard of D or better for all roadway areas outside of identified Activity Center and Bus Rapid Transit Corridor districts, unless the City Traffic Engineer determines that mitigation to maintain this LOS would be infeasible and/or conflict with the achievement of other General Plan policies. Signalization of this intersection would require substantial right-of-way and property acquisition within an unincorporated area of Fresno County; and, substantial costs for improvement. The addition of the number of vehicle trips generated by the proposed project to this study intersection are not considered to be significant and do not warrant completion of the intersection with the proposed project. However, it should be noted that installation of the signal is a previously imposed requirement for Phase 3 of the City of Fresno Southeast Surface Water Treatment Facility (SESWTF). As future development in the vicinity will rely on conveyance of water from the SESWTF, those future projects will also be conditioned with contribution to and completion of incremental expansions and improvements to the SESWTF consistent with those conditions imposed for the proposed project. Therefore, future growth within the vicinity will dictate timing and completion of the SESWTF and thus may accelerate the timing for completion of the ultimate intersection improvements. Furthermore, as the areas surrounding the intersection have not yet been annexed to the City of Fresno, future development projects and annexations within the area will be conditioned with intersection improvements and right-of-way acquisition as warranted by respective contributions to traffic generation at the intersection and as determined by the City Traffic Engineer.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the proposed applications and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the Traffic Engineering Division dated September 30, 2016. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, and the Fresno Major Street Impact (FMSI) Fee.

Community Plan Citizen Committee

The Council District 4 Plan Implementation Committee recommended approval of the project on August 12, 2016, by a vote of 5 to 0.

Public Services

Sewer

The City of Fresno currently does not own capacity in the Fowler Avenue Trunk Sewer line north of Tulare Avenue; however, the City has negotiated a temporary exchange and interim use of capacity owned by the City of Clovis in the Fowler Avenue Trunk Sewer. This exchange of capacity is conditioned upon Fresno replacing Clovis' capacity with capacity in future facilities

agreeable to Clovis and at a cost yet to be determined. Sewer facilities are available to the site subject to the conditions listed in the memoranda dated August 17, 2016.

Water

The nearest water main to serve the proposed project is an 8-inch main located in East Dakota Avenue, a 12-inch main located in North Fowler Avenue and a 12-inch main located in North Armstrong Avenue. Water facilities are available to provide service to the site subject to implementation of the Fresno General Plan policies and the mitigation measures of the related Master Environmental Impact Report and subject to the conditions listed in the memoranda dated September 20, 2016. These requirements include constructing improvements to the City of Fresno T-3 Water Storage and Surface Water Treatment Facility (located at 6737 East Dakota Avenue) to provide 8 million gallons per day.

FMFCD

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that this project will have permanent drainage service and can be accommodated by the district. The project applicant shall comply with the FMFCD requirements as detailed in its memorandum dated August 9, 2016.

Notice of Planning Commission Hearing

The Development and Resource Management Department mailed notices of this Planning Commission hearing to surrounding property owners within 1,000 feet of the subject property (see attached Noticing Vicinity Map).

LAND USE PLANS AND POLICIES

As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form:

Goal No. 7 of the Fresno General Plan encourages the City to provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

Goal No. 8 of the Fresno General Plan encourages the development of Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

These Goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

Similarly, supporting Objective LU-2 of the General Plan calls for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Likewise, Objective LU-5 of the General Plan calls for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.

Therefore it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno.

Planned Development Findings

Conditional Use Permit No. C-16-040 proposes modified property development standards, including reduced lot sizes and/or setbacks for 100 of the proposed lots. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated October 5, 2016, staff concludes that the following required findings of Section 15-5905 of the Fresno Municipal Code can be made:

1. The proposed development is consistent with the General Plan, any applicable operative plan, and adopted policies, including the density and intensity limitations that apply; and,

The proposed development is consistent with the General Plan designation of Medium Density Residential and the McLane Community Plan.

2. The subject site is physically suitable for the type and intensity of the land use being proposed; and,

The site is vastly surrounded by residential and urban uses and is developed at an allowable density under the Fresno General Plan.

3. Adequate transportation facilities, utilities, and public services exist or will be provided, in accord with the conditions of PD approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of public services so as to be a detriment to public health, safety, or welfare; and,

The project will front onto three major streets (North Fowler Avenue, East Dakota Avenue and North Armstrong Avenue). The project is not proposed in size or scope which would result in a reduction of public services so as to be a detriment to public health, safety, or welfare.

4. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area; and,

The staff of the Development and Resource Management Department has determined that the proposed use will not have a substantial adverse effect on surrounding land uses if

developed in accordance with the various conditions/requirements established through the related tentative tract map application review and conditional use permit application review process.

5. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation, and/or substantial public benefit. In making this determination, the following factors should be considered: (a) Appropriateness of the use(s) at the proposed location, (b) The mix of uses, housing types, and housing price levels, (c) Provision of infrastructure improvements, (d) Provision of open space. For example, a greater amount of open space than would otherwise be provided under the strict application of this code, (e) Connectivity to public trails, schools, etc., (f) Compatibility of uses within the development area, (g) Creativity in design and use of land, (g) Quality of design, and adequacy of light and air to the interior spaces of the buildings, (h) Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.

The subject property is planned and zoned for residential uses. The 100-lot planned development portion of the project helps provide for a larger mix of housing, home sizes, home types with varying yard size to insure a more affordable community that appeals to a wider variety of home buyer needs. The planned development gives the home buyer the option of purchasing a mainstream type of home with less annual expense on yard maintenance and water consumption. The project is similar to existing developments in the area. The project will be required to construct appropriate infrastructure.

Conditional Use Permit Application Findings

Conditional Use Permit No. C-16-040 proposes modified property development standards, including reduced lot sizes and/or setbacks, for 100 of the proposed lots. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated October 5, 2016, staff concludes that the following required findings of Section 15-5306 of the Fresno Municipal Code can be made:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code; and,

Conditional Use Permit Application No. C-16-040 will comply with all applicable codes, including, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met.

2. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted; and,

The proposed development is consistent with the General Plan designation of Medium Density Residential and the McLane Community Plan.

3. The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements, and;

The Development and Resource Management Department has determined that the proposed use will not be detrimental to the public welfare or be injurious to property or improvements in the area in which the property is located if developed in accordance with the various conditions/requirements established through the related tentative tract map application review and conditional use permit application review process.

4. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity, and;

The site is vastly surrounded by residential and urban uses and is developed at an allowable density under the Fresno General Plan.

5. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.

The site is vastly surrounded by residential uses and is developed at an allowable density under the Fresno General Plan; and the project must comply with applicable codes, including, landscaping, walls, etc., and conditions from other City Departments and outside agencies.

Vesting Tentative Tract Map Findings pursuant to the FMC

Section 15-3309 of the FMC states that the Review Authority may approve or conditionally approve a Tentative Map if it makes all of the following findings:

1. Consistency. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable operative plan, adopted policies or guidelines, and the Municipal Code.

The proposed development is consistent with the General Plan designation of Medium Density Residential and the McLane Community Plan.

2. Passive and Natural Heating and Cooling. A subdivision for which a Tentative Map is required shall provide pursuant to the Map Act (Section 66473.1), to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

As proposed, the proposed subdivision will provide for future passive or natural heating or cooling opportunities.

3. Availability of Water. Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with the Map Act (Section 66473.7).

Water facilities are available to provide service to the site subject to the conditions listed in the memoranda dated September 20, 2016. Additionally, the application is proposing less than 500 lots.

4. Infrastructure Capacity. There exists sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed subdivision. In cases where existing infrastructure is found to be deficient, plans shall show how sufficient capacity will be provided.

The project was routed to the appropriate agencies and it was determined that there is sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed subdivision.

5. Compliance with Floodplain Regulations. The proposed subdivision is compliant with the City of Fresno Floodplain Management Ordinance and the State of California Code of Regulations Title 23, as well as any other applicable State or federal law.

The project is not located within a flood prone area.

Vesting Tentative Tract Map Findings

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

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

1. The proposed subdivision map, together with its design and improvements, is consistent with the City's General Plan and the McLane Community Plan, because the plans designate the site for medium density residential planned land uses and the project design meets the density and zoning ordinance criteria for development pursuant to Section 66474.2 of the Subdivision Map Act.
2. This site is physically suitable for the proposed type and density of development, because conditions of approval will ensure adequate access and drainage on and off the site; and, that development shall occur in accordance with adopted standards, goals, objectives, and policies for development in the City of Fresno.
3. The proposed subdivision design and improvement is not likely to cause substantial and considerable damage to the natural environment, including fish, wildlife or their habitat, because the area is not known to contain any unique or endangered species and the urbanized nature of the area in which the site is located.

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

The subdivision map, based on the required findings for approval and subject to the recommended conditions of approval, and the standards and policies of the Fresno General Plan and McLane Community Plan (as referenced herein above), complies with applicable zoning and subdivision requirements. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made. Planning Commission action of the proposed Vesting Tentative Tract Map and Conditional Use Permit, unless appealed to the Council, is final.

ANALYSIS OF THE CORRESPONDENCE RECEIVED

Staff has received one phone call and three letters (Exhibits C, D & E) via email in response to the Notice of Public Hearing issued for the project.

(1) Below is an analysis of the issue raised in the phone call received regarding the project.

Issue #1: A nearby resident that lives along North Fowler Avenue, adjacent to the subject property on the west side, has conveyed concerns about the amount of traffic noise the project would generate. The resident asked for either a wall or additional landscaping to be planted in the existing frontage road planter along North Fowler Avenue.

Staff Response:

The conditions of approval for the subject application require additional landscaping to be planted in the existing frontage road planter along North Fowler Avenue. The additional landscaping is intended to act as a noise and visual buffer. The landscape plan must be prepared by a landscape architect and will be required to be reviewed and approved by the Public Works Department.

Noise

Build out of the General Plan Update Planning Area, along with construction of related projects in the Planning Area vicinity, would result in increased traffic volumes, thus incrementally increasing noise levels in some areas. Future noise levels along existing roadways and highways are projected to increase by one to

five decibels. Based on the existing and future noise modeling figures (Figures NS-2 and NS-3 of the General Plan), noise levels in excess of existing standards set forth by the City of Fresno currently occur and would continue to occur throughout the City, potentially affecting residential and other noise-sensitive uses. One such scenario is where there is existing development where sound walls were not constructed, which would allow roadway noise to exceed the 65 dBA CNEL noise standard for noise sensitive land uses. Therefore, roadway noise impacts could result in an unavoidable impact and the MEIR adopted for the Fresno General Plan included statements of overriding consideration for this purpose.

As required within the conditions of approval, staff has required the applicant to plant additional vegetation in the existing frontage road median, within the limits of the subdivision, along North Fowler Avenue (the houses at this location face North Fowler Avenue). Vegetation can be used, to acoustically "soften" intervening ground between a noise source and a receiver, increasing ground absorption of sound, and thus, increasing the attenuation of sound with distance. Planting trees and shrubs can also offer aesthetic and psychological value.

(2) Below is an analysis of the issue raised in the email received on September 11, 2016 (Exhibit C).

Issue #1: "I strongly object to Permit Application C-16-040 to building reduced sized lots for the 100 proposed lots. This is overcrowding and is never a good mix. We see it all the time in our larger inner cities. Overpopulation in an area promotes discontent and crime."

Staff Response:

The subject application is a request to create 402 single-family residential lots on 74.31 acres which equates to a density of 5.40 dwelling units to the acre. The subject property is planned for Medium Density Residential land uses which allows 5-12 dwelling units per acre. As such, the subject application is proposing subdivision and development at the lower end of allowable medium density residential range and is not expected to create overcrowding.

(3) Below is an analysis of the issues raised in the letter received via email on September 18, 2016 (Exhibit D).

Issue #1: "Traffic. Currently, Fowler Ave is largely 4 lanes north of Clinton Ave and south of Belmont Ave. The street in between is only 2 lanes. Existing traffic gets backed up in both directions at Olive Ave since the Clinton development. This is because it is a Stop sign and should be a Signal Light. A signal should have been put in BEFORE the Clinton development was approved. A second bottle neck is at Fowler and Dakota Ave, again this is a 4 way Stop sign. Presently many cars are entering my frontage road at Fedora, proceeding north on the frontage road and reentering Fowler main to bypass the long lines. Here too a Signal light should have been installed when the Clinton development was approved, but certainly

before the Dakota development is approved. Adding an additional 400 homes with up to 800 cars cannot be handled by a Stop sign”.

Staff Response:

The intersection of Fowler and Olive Avenues is located approximately 1 ¾ miles away from the project site. The installation of a traffic signal is not a requirement for this project. However, installation of the signal is a previous requirement for Phase 3 of the City of Fresno Southeast Surface Water Treatment Facility. Furthermore, the lands which front onto Fowler Avenue between Clinton and Belmont Avenues remain in the unincorporated area of Fresno County and remain undeveloped. Roadway improvements and acquisition of additional rights-of-way necessary to accommodate ultimate planned roadway widths will occur with future development in proximity to the subject street segment.

The Dakota and Armstrong intersection is required to be signalized prior to occupancy of the first dwelling unit of Phase 1. The Fowler & Dakota intersection is required to be signalized prior to construction of any dwelling units in Phase 2.

The project is proposed to be developed in 3 phases. Phase 1, generally located on the southern half of the map, contains 181 lots. Phase 2, generally located on the northeast corner of the map, contains 87 lots. Phase 3, generally located on the northwest corner of the map, contains 134 lots.

Issue #2: “Noise. The noise associated with residential vehicles, service/delivery vehicles, school buses, emergency vehicles will be significant. I find it interesting that these new developments get a nice block wall to isolate them from the noise, but what about me and my neighbors. We don’t want the noise either”.

Staff Response:

See response to noise included herein above.

Issue #3: “Water. Fresno is in a severe drought. I have been asked (instructed) to reduce my water usage and then directly across the street you are planning to allow 400 homes to be built. It makes no sense! I am an existing resident and if there is not enough water for us to use how can you possibly approve another housing development”?

Staff Response:

The City of Fresno, Public Utilities Department, has provided a memo dated September 20, 2016, which indicates that water facilities are available to provide service to the site project site various requirements. These requirements include constructing improvements to the City of Fresno T-3 Water Storage and Surface Water Treatment Facility (located at 6737 East Dakota Avenue) to provide 8 million gallons per day.

The 2010 Urban Water Management Plan (UWMP) was adopted by the City Council in November 2012. It describes the current and planned water

conservation programs, provides a water shortage contingency plan should it need to be implemented in the event of a severe water shortage or water supply emergency and a future water supply plan for a variety of water sources including treated surface water, groundwater and recycled water. Also included in this 2010 UWMP is an aggressive water conservation plan to reduce demand throughout the City's service area.

Issue #4: "Electricity. This area has had rolling brown outs because of a shortage of electricity during summer months. Again it makes no sense to add 400 homes to a grid already stressed by the existing residents".

Staff Response:

This project was routed to Pacific Gas and Electric (PG&E) on July 8, 2016, and no comment was received.

The jurisdictions throughout the PG&E service area work with the State of California to reduce the consumption of energy. There are various plans the State has developed to help promote energy efficiency, including the California Solar Initiative (CSI). The CSI includes a \$2.5 billion solar program for commercial and residential customers. Additionally, the proposed project must comply with Title 24 regulations, which provides for minimum energy efficiency standards for residential buildings.

(4) Below is an analysis of the issues raised in the letter received via email on September 22, 2016 (Exhibit E).

Issue #1: "What plans are in place for the increase in traffic that the tract homes will create? Will traffic lights be installed at the intersection of Fowler & Dakota to control the increase in traffic"?

Staff Response:

Fowler Avenue, along the project frontage, the applicant is required to construct two travel lanes going north and a raised median (the two travel lanes going south are existing).

Dakota Avenue, along the project frontage, the applicant is required to construct two travel lanes going east, one travel lane going west, and a center two-way left turn lane.

Armstrong Avenue, along the project frontage, the applicant is required to construct two travel lanes going south (the two travel lanes going north and center two-way left turn lane are existing).

The Dakota and Armstrong intersection is required to be signalized prior to occupancy of the first dwelling unit of Phase 1. The Fowler & Dakota intersection is required to be signalized prior to construction of any dwelling units in Phase 2.

The project is proposed to be developed in 3 phases. Phase 1, generally located on the southern half of the map, contains 181 lots. Phase 2, generally located on the northeast corner of the map, contains 87 lots. Phase 3, generally located on the northwest corner of the map, contains 134 lots.

Issue #2: “Will a retaining wall or barrier be built on our frontage road to control the noise that the increase in traffic will create for the homeowners on Fowler Ave”?

Staff Response:

See response to noise included herein above.

Issue #3: “With the current water shortage and the decrease in watering days, how will additional homes impact that”?

Staff Response:

See response to water availability herein above.

Issue #4: We experience low water pressure now, how will building new homes across the street from our homes make this better?

Staff Response:

The City of Fresno provides a standard measured in minimum pounds per square inch (PSI) of water pressure for residential property. The concerned party can call the water division to go out in the field and check water pressure in the area.

CONCLUSION / RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan and the McLane Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that the Vesting Tentative Tract Map No. 6131/UGM and Conditional Use Permit No. C-16-040 are appropriate for the project site.

Attachments: 2015 Aerial Photograph of Site
 Noticing Vicinity Map
 General Plan Planned Land Use Map
 Exhibit A - Vesting Tentative Tract Map No. 6131/UGM dated June 14, 2016
 Exhibit A-1 - Site plan dated June 14, 2016
 Exhibits B-1 & B-2 – Elevations dated June 14, 2016
 Exhibit C - Letter dated September 11, 2016
 Exhibit D - Letter dated September 18, 2016
 Exhibit E - Letter dated September 22, 2016
 Conditions of Approval for T-6135 dated October 5, 2016
 Conditions of Approval for CUP Application No. C-16-040 dated
 October 5, 2016

REPORT TO THE PLANNING COMMISSION
Conditional Use Permit Application No. C-16-040
Vesting Tentative Tract Map No. 6131/UGM
October 5, 2016
Page 17

Comments and Requirements from Responsible Agencies
Environmental Assessment No. T-6131/C-16-040, Finding of Conformity to
the Fresno General Plan MEIR dated August 19, 2016



2015 Aerial

E. Dakota Ave

N. Armstrong Ave

N. Fowler Ave

Google earth

Imagery Date: 3/18/2015

© 2016 Google 36° 47' 00.45" N 119° 40' 37.99" W elev. 350 ft

Noticing Vicinity Map

A map showing a street grid. A central area is highlighted in red. The red area is roughly rectangular with some irregular edges. It is bounded by Fowler Ave to the west, Dakota Ave to the north, Shields Ave to the south, and Temperance Ave to the east. The map shows surrounding streets in light blue and building footprints in light grey.

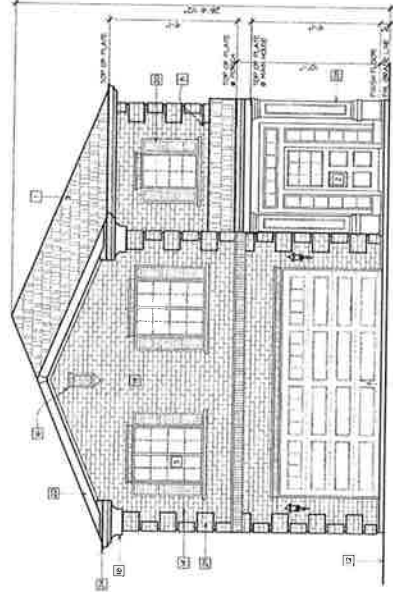


Exhibit B-2 6-14-16

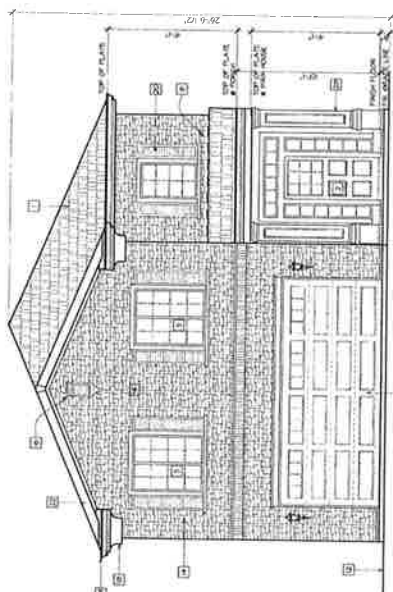
LENNAR 8080 N. PALM AVE. SUITE 110, FRESNO, CA 93711 PHONE (559) 447-3400		SHEET NO. A-3 OF SHEETS
DATE: 6-14-16 PROJECT: SAVANNAH SERIES PLAN 7503 (MAGNOLIA)	REV: 1 DATE: 6-14-16 DESCRIPTION OF WORK:	The information, specifications and data contained herein are the property of LENNAR and shall remain the property of LENNAR.

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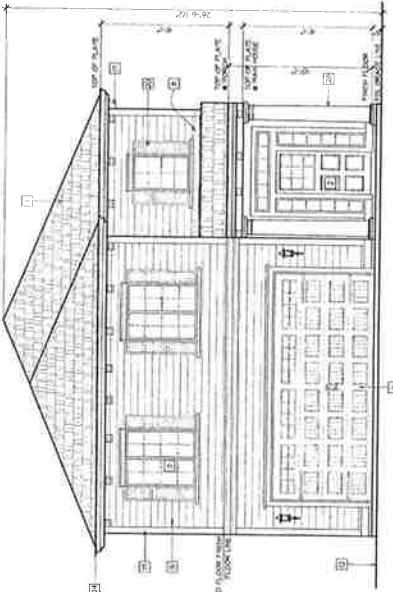
NOTE FOR RADIANT BARRIER:
 IF TECHSHELD RADIANT BARRIER ISK 2065 BY LP BUILDING
 PRODUCTS IS USED, THE RADIANT BARRIER SHALL BE
 INSTALLED TO COVER ALL VERTICAL SURFACES OF
 ATTIC SPACE, SUCH AS GABLE END WALLS,
 WALL SURFACES, INCLUDING THE ELEVATIONS.



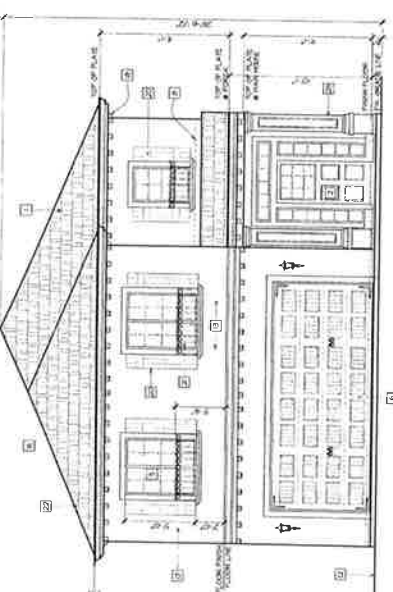
FRONT ELEV.- B
 SCALE: 1/4" = 1'-0"



FRONT ELEV.- D
 SCALE: 1/4" = 1'-0"



FRONT ELEV.- A
 SCALE: 1/4" = 1'-0"



FRONT ELEV.- C
 SCALE: 1/4" = 1'-0"

Israel Trejo

Exhibit C

From: joyce.bob@comcast.net
Sent: Sunday, September 11, 2016 8:07 PM
To: Israel Trejo
Subject: Fresno City Planning Dept.

From Joyce Gordon
5937 E. Ramona Ave
Fresno, CA 93727
email joyce.bob@comcast.net

Dear Mr Trejo,

I strongly object to Permit Application C-16-040 to building reduced sized lots for the 100 proposed lots.

This is over crowding and is never a good mix. We see it all the time in our larger inner cities. Overpopulation in an area promotes discontent and crime.

Please reconsider.

Thank you.

Joyce Gordon

Exhibit D

September 18, 2016

Kirk & Marsha Anderson
3385 N Fowler Ave
Fresno, CA 93727

Development and Resource Management Dept.
Planning Division
Attn: Israel Trejo
2600 Fresno Street
Fresno, CA 93721-3604

Dear Mr. Trejo,

This letter is in response to the notice I received regarding the application to build single family homes on the southeast corner of Dakota and Fowler Avenues.

I have the following concerns:

1) Traffic. Currently, Fowler Ave is largely 4 lanes north of Clinton Ave and south of Belmont Ave. The street in between is only 2 lanes. Existing traffic gets backed up in both directions at Olive Ave since the Clinton development. This is because it is a Stop sign and should be a Signal Light. A signal should have been put in BEFORE the Clinton development was approved. A second bottle neck is at Fowler and Dakota Ave, again this is a 4 way Stop sign. Presently many cars are entering my frontage road at Fedora, proceeding north on the frontage road and reentering Fowler main to bypass the long lines. Here too a Signal light should have been installed when the Clinton development was approved, but certainly before the Dakota development is approved. Adding an additional 400 homes with up to 800 cars cannot be handled by a Stop sign.

2) Noise. The noise associated with residential vehicles, service/delivery vehicles, school buses, emergency vehicles will be significant. I find it interesting that these new developments get a nice block wall to isolate them from the noise, but what about me and my neighbors. We don't want the noise either.

3) Water. Fresno is in a severe drought. I have been asked (instructed) to reduce my water usage and then directly across the street you are planning to allow 400 homes to be built. It makes no sense! I am an existing resident and if there is not enough water for us to use how can you possibly approve another housing development?

4) Electricity. This area has had rolling brown outs because of a shortage of electricity during summer months. Again it makes no sense to add 400 homes to a grid already stressed by the existing residents.

For the above reasons I ask that this project NOT be approved until such time as the road between Clinton and Belmont is made 4 lanes; a Signal Light be installed at Olive and

Fowler; a Signal Light be installed at Dakota and Fowler; the drought ends so that existing home owners are not additional impacted by water shortage caused by 400 new homes; that additional sources of electricity production be approved and brought online prior to building new homes so existing home owners are not impacted further by rolling brown outs or power outages.

Sincerely,

Kirk Lee Anderson Jr.

Israel Trejo

Exhibit E

From: idalia1@comcast.net
Sent: Thursday, September 22, 2016 1:12 AM
To: Israel Trejo
Subject: Notice of Public Hearing - Vesting Tentative Tract Map No. 6131/UGM & CONDITIONAL USE PERMIT NO.C-16-040

My name is Idalia Franco and I reside at 3445 N Fowler Ave, Fresno, CA 93727.
I received a notice regarding the above subject and have concerns and questions.

1. What plans are in place for the increase in traffic that the tract of homes will create.
2. Will traffic lights be installed at the intersection of Fowler & Dakota to control the increase in traffic?
3. Will a retaining wall or barrier be built on our frontage road to control the noise that the increase in traffic will create for the homeowners on Fowler Ave?
4. With the current water shortage and the decrease in watering days, how will additional homes impact that?
5. We experience low water pressure now, how will building new homes across the street from our homes make this better?
6. I understand that the meeting scheduled for September 21, 2016 was cancelled, what is the rescheduled date?

My email is: Idalia1@comcast.net
My phone # is: 559-260-1399

Thank you in advance for your attention to this matter.

Idalia Franco

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

CONDITIONS OF APPROVAL

OCTOBER 5, 2016

VESTING TENTATIVE TRACT MAP NO. 6131/UGM

Located on the Southeast Corner of North Fowler and East Dakota Avenues

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

NOTICE TO PROJECT APPLICANT

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

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

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

GENERAL CONDITIONS

1. Upon conditional approval of Vesting Tentative Tract Map No. 6131/UGM, a Planned Development dated June 14, 2016, the subdivider may prepare a Final Map in accordance with the approved vesting tentative map and Conditional Use Permit No. C-16-040 which establishes a planned development for the subject property.
2. Submit grading plans and a soils report to the City of Fresno Development and Resource Management Department for verification prior to Final Map approval. Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.
3. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Development and Resource Management Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and engineered plans as necessary to construct the required public improvements and work and applicable processing fees.

4. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.
5. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
6. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Chapter 15, "Subdivision of Real Property," Resolution No. 68-187, "City Policy with Respect to Subdivisions," and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
7. The developer/owner shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to vesting tentative maps.
8. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
9. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.
10. Vesting Tentative Tract Map No. 6131/UGM is subject to approval of related Conditional Use Permit No. C-16-040.
11. The tract map is proposed to be developed in 3 phases and has been conditioned accordingly, including the timing for the signalization of the abutting street intersections.

Phase 1, generally located on the southern half of the map, contains 181 lots.

Phase 2, generally located on the northeast corner of the map, contains 87 lots.

Phase 3, generally located on the northwest corner of the map, contains 134 lots.

Provide a map showing the phases of the proposed subdivision consistent with the above.

12. Conditional Use Permit Application No. C-16-040, proposes modified property development standards, including reduced lot sizes and/or setbacks, for 100 of the proposed lots, shall be approved prior to final map approval.

GENERAL INFORMATION

13. When the grading plan establishes a top of slope beyond the required landscape easement noted and the construction of the required wall is to be established coincident with the top of slope, then the required minimum easement width shall be expanded to include the full landscaped area up to the wall location.
14. The long term maintenance of all the items listed below is the ultimate responsibility of the owner/developer.
 - a) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located within proposed Outlots associated with the proposed project.
 - b) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located in any entry median island or traffic medians located within the project.
 - c) The property owner shall be responsible for providing for the maintenance of the curbs and gutters, valley gutter, sidewalks, street lights and street signage within any local public street rights-of-way associated with the project.
 - d) The property owner shall be responsible for providing for the maintenance of all street trees within any local public street rights-of-way associated with the project.
15. Maintenance of the required landscape easements, streets, curbs and gutters, sidewalks, medians, and street furniture may be the responsibility of the City's Community Facilities District. Contact the Public Works Department, Engineering Services Division, at 559-621-8695 for information regarding the City's Community Facilities District. The property owners may petition the City for annexation to the City's Community Facilities District prior to Final Map approval.
16. If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, the subdivider/owner shall be required to provide the City of Fresno, Department of Public Works, with copies of signed acknowledgments from each purchaser of a lot within the subdivision, attesting to the purchasers understanding that the lot will have an annual maintenance assessment and that he/she is aware of the estimated amount of the assessment. The subdivider/owner shall execute and record a covenant on each lot providing notice that the subject property is subject to annual payment of the Community Facilities District assessment.
17. Should the City Council not approve the annexation of any or all of the maintenance items listed above, then the property owner/subdivider shall create a homeowners association for the maintenance of these items and proposed private streets, utilities, and walls/gates. The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be

submitted to the Development and Resource Management Department for review two weeks prior to Final Map approval. Said documents shall be recorded with the Final Map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Development and Resource Management Department Guidelines for preparation of CC&Rs dated January 11, 1985.

Walls/Fences/Landscaping

18. Provide a 6 foot high decorative solid wall and 15-foot landscaped easement (and irrigation system) along North Fowler and North Armstrong Avenues and a 10-foot landscaped easement (and irrigation system) along East Dakota Avenue.
19. Provide a corner cut-off area at all street intersections in accordance with the requirements of the Fresno Municipal Code. 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.
20. Provide additional landscaping (shrubs and trees, etc) in the existing frontage road planter along North Fowler Avenue (within the limits of the map and approximately 250' south). The additional landscaping is intended to act as a noise and visual buffer. The landscape plan must be prepared by a landscape architect and will be required to be reviewed and approved by the Public Works Department.

Lot Dimensions

21. Lot dimensions shall match those depicted on "Exhibit A," dated June 14, 2016, for Vesting Tentative Tract Map No. 6135, excepting changes as required per the conditions of approval.

Lot Coverage

22. The maximum lot coverage allowed is 60%. A minor deviation is approved for lot 177 which would allow up to a 10% increase in lot coverage. Additionally, lot coverage shall comply with the requirements of the Fresno Metropolitan Control District.

Building Setbacks

23. Minimum building setbacks shall be in accordance with exhibit "A-1" (site plan) for C-16-040 dated June 14, 2016.

The applicant is proposing a 10' front yard setback for lots 108-131, 179-180 and 300-326. The applicant is proposing a 10' front yard setback and a 5' rear yard setback for lots 132-178.

It is noted that a minimum 18' setback shall be provided from garage to back of sidewalk.

INFORMATION

24. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the Clovis Unified School District in accordance with the school district's adopted schedule of fees.
25. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
 - a) It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.
26. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of Fresno Municipal Code, Subdivision of Real Property.
27. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the Fresno Municipal Code.
28. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
29. 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.
30. 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.

31. 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.
32. 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.
33. Solid waste disposal for the subdivision shall be provided by the City of Fresno. The method of collection to be utilized in this tract shall be subject to approval of the Solid Waste Manager (see below-noted conditions).

PARK SERVICE

34. Comply with the memorandum from the Public Works Department, Street Maintenance Division, dated July 14, 2016.

COMMUNITY FACILITIES DISTRICT

35. Comply with the memorandum from the Public Works Department dated August 1, 2016.

FIRE SERVICE

36. Comply with the memorandum from the Fire Department dated July 23, 2016.

SOLID WASTE SERVICE

37. Comply with the memorandum from the Solid Waste Division dated September 12, 2016.

STREETS AND RIGHTS-OF-WAY

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

44. 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.
45. Comply with the memorandum from the Public Works Department, Traffic and Engineering Division, for the tract map and conditional use permit dated September 30, 2016.
46. As noted within the Traffic Impact Study prepared by Peters Engineering Group dated March 1, 2016, appropriate signage and striping shall be installed at the intersection of East Surrey Lane and North Ash Avenue to minimize driver confusion and enhance pedestrian safety.
47. Provide an accessible curb ramp, in order to provide pedestrian access to the park, at the intersection of East Ramona Way and North Ash Avenue (both sides).

SANITARY SEWER SERVICE

48. Comply with the memorandum from the Public Utilities Department dated August 17, 2016.

WATER SERVICE

49. Comply with the memorandum from the Department of Public Utilities, Water Division dated September 20, 2016.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

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

Right-of-Way Acquisition

52. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
53. Rights-of-way acquisition shall include any rights-of-way necessary for proper drainage, signing, pole relocation, and shoulder grading. In general, this will require right-of-way to be provided approximately 10 feet outside the travel lane. The exact requirement must be determined at the project design stage based on the existing conditions and detailed design information.

54. In the event an acquisition of any easement or right-of-way is necessitated by the subject development, said acquisition will be accomplished prior to Final Map approval. The developer/owner should contact the Real Estate Section of the Public Works Department to receive procedural guidance in such acquisitions.
55. Should such acquisition not be accomplished by the subdivider prior to Final Map approval, the subdivider must request and grant to the City the full authority to attempt acquisition either through negotiation or through its power of eminent domain. The subdivider shall furnish to the City Public Works Department, Engineering Division/Real Estate Section, an appraisal report or a request for an estimated appraisal amount (to be determined by the City of Fresno Real Estate Section) prior to preparation of a Subdivision Agreement.
56. The subdivider/owner shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees, appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

FLOOD CONTROL AND DRAINAGE

57. Comply with the memoranda from the Fresno Metropolitan Flood Control District both dated August 9, 2016.
58. Any temporary ponding basins constructed or enlarged to provide service to the subdivision shall be fenced in accordance with City standards with seven days from the time the basin becomes operational or as directed by the City Engineer. Temporary ponding basins will be created through a covenant between the City and the Developer prior to Final Map approval. Maintenance of the temporary ponding basin shall be by the Developer until permanent service for the entire subdivision is provided.

STREET NAMES

59. Submit a list of street names, to Jon Bartel in the Public Works Department, for review and approval.

CLOVIS UNIFIED SCHOOL DISTRICT

60. Comply with the memorandum from the Clovis Unified School District dated July 24, 2016.

COUNTY OF FRESNO

61. Comply with the memorandum from the County of Fresno dated July 11, 2016.

FRESNO IRRIGATION DISTRICT

62. Comply with the memorandum from the Fresno Irrigation District dated July 22, 2016.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

63. Comply with the memorandum from the San Joaquin Valley Air Pollution Control District dated July 19, 2016.

DEVELOPMENT FEES AND CHARGES

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

SEWER CONNECTION CHARGES

FEE RATE

- | | |
|--|--------------------------------|
| a. Lateral Sewer Charge[1] | \$0.10/sq. ft. (to 100' depth) |
| b. Oversize Charge [1] | \$0.05/sq. ft. (to 100' depth) |
| c. Trunk Sewer Charge[2]
Service Area: Fowler | \$344/living unit |
| d. Wastewater Facilities Charge [3] | \$2,119/living unit |
| e. Fowler Trunk Sewer Interim Fee Surety [1] | \$574/living unit |
| f. House Branch Sewer Charge [2] | N/A |

WATER CONNECTION CHARGES

FEE RATE

- | | |
|--|--|
| g. Service Connection Charge | Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule. |
| h. Frontage Charge [1] | \$6.50/lineal foot |
| i. Transmission Grid Main Charge [1] | \$643/gross acre (parcels 5 gross acres or more) |
| j. Transmission Grid Main Bond Debt Service Charge [1] | \$243/gross acre (parcels 5 gross acres or more) |
| k. UGM Water Supply Fee [2]
Service Area: 501s | \$1,738/living unit |
| l. Well Head Treatment Fee [2]
Service Area: 501 | \$79/living unit |

m. Recharge Fee [2] \$56/living unit
 Service Area: 501

n. 1994 Bond Debt Service [1] \$93/living unit
 Service Area: 501

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

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.

The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009 – 01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Contact the Council of Fresno County Governments (FCOG) to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue building permits.

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

[5] Determined by Public Works.

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

**CONDITIONS OF APPROVAL
OCTOBER 5, 2016
CONDITIONAL USE PERMIT APPLICATION NO. C-16-040
"A PLANNED DEVELOPMENT"**

Located on the Southeast Corner of North Fowler and East Dakota Avenues

PART A - PROJECT INFORMATION

1. Assessor's Parcel No(s): 310-020-29
2. Street Location: Located on the Southeast Corner of North Fowler and East Dakota Avenues
3. Planned Land Use: Medium Density Residential
4. Plan Areas: Fresno General Plan and McLane Community Plan\
5. Project Description: Conditional Use Permit Application C-16-040 proposed modified property development standards, including reduced lot sizes and/or setbacks for 100 of the proposed lots for Tentative Tract Map No. 6131/UGM

NOTICE TO PROJECT APPLICANT

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

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

PART B - GENERAL CONDITIONS AND REQUIREMENTS

The City of Fresno Planning Commission, on October 5, 2016, approved the special permit application subject to the enclosed list of conditions and Exhibits A-1, B-1 and B-2, dated June 14, 2016, for Conditional Use Permit Application No. C-16-040.

IMPORTANT: PLEASE READ CAREFULLY

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

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

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

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

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

operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law.

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

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

Transfer all red line notes, etc., shown on the original site plan exhibits (dated June 14, 2016) to the final site plan. CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

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

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

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

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

PART C - PUBLIC IMPROVEMENT REQUIREMENTS

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

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

STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS

- a) Exhibit "A" is required to include all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc., within the existing and proposed public rights-of-way.
- b) Deed documents for the required property dedications shall be prepared by the applicant's engineer and submitted to the Public Works Department, Engineering Division, Special Districts/Projects and Right-of-Way Section with verification of ownership prior to issuance of building permits. Deed documents must conform to the format specified by the City. Document format specifications may be obtained from the Public Works Department, Engineering Division, Special Districts/Projects and Right-of-Way Section, or by calling (559) 621-8694.
- c) ENCROACHMENT PERMITS. The construction of any overhead, surface or sub-surface private structures and appurtenances extending within the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Engineering Division, Special Districts/Projects and Right of Way Section, (559) 621-8693. Encroachment permits must be approved prior to issuance of building permits.

STREET IMPROVEMENTS

- a) All public improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department or street construction plans required and approved by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian, water and sewer utility easements) requires a Street Work Permit issued by the Public Works Department, Engineering Services Division at (559) 621-8693, prior to commencement of the work. Contact the Public Works Department, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the City prior to occupancy.
- b) Repair damaged and/or off grade off-site concrete improvements as determined by the Public Works Department, Construction Management Division (559) 621-5500.

- c) Install streetlights along all street frontages in accordance with City standards. Plans must be prepared by a registered Civil Engineer and must be approved by the Public Works Department Engineering Division prior to installation.
- d) Submit the following as a single package to the Public Works Department Engineering Division, Plan Check and GIS Mapping Section, (559) 621-8682, for review and approval, prior to issuance of building and street work permits: Street Improvement Plans, Signing and Striping Plans, Street Lighting Plans and Landscape and Irrigation Plans.

SURVEY MONUMENTS AND PARCEL CONFIGURATION

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

PART D - PLANNING/ZONING REQUIREMENTS

1) PLANNING

- a) Development is subject to the following plans and policies:
 - i) Fresno General Plan
 - ii) McLane Community Plan
 - iii) Planned Development

2) BUILDING HEIGHT

- a) The height of the proposed structures shall meet the requirements of the RS-5 section of the FMC.

3) LOT COVERAGE

- a) The maximum lot coverage allowed is 60%. A minor deviation is approved for lot 177 which would allow up to a 10% increase in lot coverage. Additionally, lot coverage shall comply with the requirements of the Fresno Metropolitan Control District.

4) BUILDING SETBACKS, OPEN SPACES AND LANDSCAPING

- a) Minimum building setbacks shall be in accordance with Exhibit A-1 (site plan) for C-16-040 dated June 14, 2016.

The applicant is proposing a 10' front yard setback for lots 108-131, 179-180 and 300-326. The applicant is proposing a 10' front yard setback and a 5' rear yard setback for lots 132-178.

It is noted that a minimum 18' setback shall be provided from garage to back of sidewalk.

5) FENCES, HEDGES, WALLS

- a) Provide a 6 foot high decorative solid wall and 15-foot landscaped easement (and irrigation system) along North Fowler and North Armstrong Avenues and a 10-foot landscaped easement (and irrigation system) along East Dakota Avenue
- b) Provide a corner cut-off area at all street intersections in accordance with the requirements of the Fresno Municipal Code. 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.
- c) Provide additional landscaping (shrubs and trees, etc) in the existing frontage road planter along North Fowler Avenue (within the limits of the map and approximately 250' south). The additional landscaping is intended to act as a noise and visual buffer. The landscape plan must be prepared by a landscape architect and will be required to be reviewed and approved by the Public Works Department.

PART E - CITY AND OTHER SERVICES

- a) Comply with the Conditions of Approval dated October 5, 2016, for Vesting Tentative Tract Map No. 6131/UGM.

DEPARTMENT OF PUBLIC WORKS

TO: Israel Trejo, Planner III
DARM, Planning Division

FROM: Hilary Kimber, Parks Supervisor II (559.621.1345)
Public Works, Street Maintenance Division

DATE: July 14, 2016

SUBJECT: **Tract 6131**; (APN: 310-020-29) located on the southeast corner of North Fowler and East Dakota Avenues. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street right-of-ways, landscape easements, outlots and median islands:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage 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.

The designated street trees for N. Fowler are:

Fraxinus 'Autumn Applause'

Autumn Applause Ash and/or

Fraxinus 'Autumn Purple'

Autumn Purple Ash

The designated street tree for E. Dakota Ave. is:

Koereuteria paniculata

Goldenrain Tree

The designated street trees for N. Armstrong Ave. are:

Sapium sebiferum

Chinese Tallow and/or

Nyssa sylvatica

Black Tupelo

2. Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 60' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.
 - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."

- c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
- d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with the Specifications of the City of Fresno.
- e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

- 1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by forming a Home Owner's Association.
- 2. Maintenance Service Through Annexation into the Community Facilities District. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. 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 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. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.
3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and FMC sections 12-306-24 and 12-306-23 and AB 1881. The Public Works Department requires all proposed median islands to be constructed with a one foot wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick red slate pattern.
4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off site improvements, whether the median is landscaped or not.

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 approved landscape and irrigation plans to be submitted with landscape buffer plans prior to inclusion into the CFD.
2. Outlots which are utilized for water well purposes **will not** be included in the CFD. The Water Division Department in Public Utilities will provide the maintenance of all plant material on the well site.



DATE: August 1, 2016

TO: Israel Trejo, Development Services/Planning
Development and Resource Management Department

FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP NO. 6131 REGARDING MAINTENANCE REQUIREMENTS

LOCATION: 3250 North Fowler Avenue
APN: 310-020-29

The Public Works Department, Traffic and Engineering Services Division, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval. These requirements are based on City of Fresno code, policy, standards and the public improvements depicted on the exhibits submitted for this development.

ATTENTION:

The item below requires a separate process with additional costs and timelines. In order to avoid delays with the final map approval, the following item shall be submitted for processing to the Public Works Department, Traffic and Engineering Services Division **prior** to final map approval.

X	CFD Annexation Request Package	Ann Lillie	(559) 621-8690 ann.lillie@fresno.gov
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The Community Facilities District annexation process takes from three to four months and SHALL be completed prior to final map approval. INCOMPLETE Community Facilities District ("CFD") Annexation Request submittals may cause delays to the annexation process and final map approval.

All applicable construction plans for this development shall be submitted to the appropriate City Department for review and approval **prior** to the CFD process.

- Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process and the approval of the final map.
- Proposed park amenities shall be reviewed and approved by the Building & Safety Services Division or as approved in writing by the City Engineer at time of submittal for the CFD process and prior to final map approval.**

Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.

Any change affecting the items in these conditions shall require a revision of this letter.

1. The Property Owner's Maintenance Requirements

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements ("Services") associated with all new Single-Family developments are the ultimate responsibility

of the Developer. The Developer shall provide these Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 11 ("CFD No. 11").

The following public improvements (Existing and Proposed) are eligible for Services by CFD No. 11 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within the street rights-of-way and landscape easements; including without limitation, the median island **(1/2, if fronting only one side of median)**, parkways, buffers, street entry medians and sides **(10' minimum landscaped areas allowed)**.
- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlots, open spaces and trails.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, median island concrete maintenance band and cap **(1/2, if fronting only one side of median)**, and street lights in **all Major Streets**.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, and street entry and interior median island curbing and hardscape, street paving, street name signage and street lights in **all Local Streets**.

2. The Property Owner may choose to do one or both of the following:

- a. The Property Owner may petition the City of Fresno to request annexation to CFD No. 11 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.
 - **Proceedings to annex the final map to CFD No. 11 SHALL NOT commence** unless the final map is within the City limits and all construction plans (this includes Street, Street Light, Signal, Landscape and Irrigation plans, and any other plans needed to complete the process) and the final map are considered technically correct.
 - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 11 are not subject to change and after acceptance for processing.**
 - Public improvements not listed above will require written approval by the Public Works Department Director or his designee.
 - All areas not within the dedicated street rights-of-way approved for Services by CFD No. 11, including but not limited to outlots, trails and landscaped areas, shall be dedicated in fee to the City of Fresno, dedicated as a public easement for maintenance purposes or as approved by the Public Works Department City Engineer.
- b. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 11 for Services **SHALL** be included in the DCC&Rs or some other City approved mechanism for the required Services associated with this development. Contact the Planner in the Development and Resource Management Department for more details.

For questions regarding these conditions please contact me at (559) 621-8690 or ann.lillie@fresno.gov



FIRE DEPARTMENT

DATE: July 23, 2016

TO: ISRAEL TREJO, Planner III
Development Department/Current Planning

FROM: BYRON BEAGLES, Fire Prevention Engineer
Fire Department, Prevention Technical Services Division

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 6131/UGM/C-16-040

This is a 402 lot public street single family home subdivision division south of E. Dakota between N. Fowler and N. Armstrong.. The Fire Department's conditions of approval include the following:

Proposed tract is located within 2.5 miles from permanent Fire Station 10 and 2.0 miles from Clovis FD station 44 (by automatic aid agreement).

Provide fire hydrants and fire flow per Public Utilities standards for single family residential development. The fire hydrant system shall be in service before delivery of lumber on site unless otherwise approved with a temporary water supply for model home construction.

All construction work on this project is subject to interruption if the road system becomes impassable for fire apparatus. Access roadways during construction shall be paved or provided with an all-weather driving surface approved by the Fire Department.

The five entrance streets into the subdivision are spilt with medians creating 20 foot travel lanes. The curbs for these travel lanes must be signed "NO PARKING" or red curbed.

City of
FRESNO
DEPARTMENT OF PUBLIC UTILITIES

September, 12, 2016

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

FROM: Susan Rogers, Provisional Management Analyst
Department of Public Utilities, Solid Waste Division

SUBJECT: Solid Waste Conditions of Approval TT 6131/UGM APN: 310-020-29
Location: 3250 North Fowler Ave. S/A

The Department of Public Utilities, Solid Waste Division has completed a review of Vesting Tentative Tract Map No. 6131/UGM APN: 310-020-29 and Conditional Use Permit Application No. C-16-040 filed by Gateway Engineering on behalf of Lennar Homes and pertains to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. Applicant is requesting to subdivide the subject property into a 402-lot single family residential subdivision. 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 6131 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.

Special Requirements:

- Developer shall provide a minimum of 16' of unobstructed clearance at all entrances/exits and along the path the solid waste vehicles travel as well as a 44' (center line) turning radius at all corners as per P-34 standards.
- 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.

- Lots that have a frontage of less than 40' and a driveway shall have shared driveways. Solid waste containers require 17' of clear space at the edge of the curb when placed out for servicing.

Covenant Requirements:

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



DATE: **September 30, 2016 Revision**

TO: Israel Trejo
Development and Resource Management Department

THROUGH: Jill Gormley, TE, Traffic and Engineering Manager, City Traffic Engineer
Public Works Department, Traffic & Engineering Services Division

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

SUBJECT: Public Works Conditions of Approval
TT 6131 / C-16-040, 3250 North Fowler Avenue
Ricchiuti / Gateway Engineering

Fowler Avenue: Due to the adjacent improvements not matching Public Works Standards, a Geometrically Approved Drawing (GAD) is required to be submitted to Traffic and Engineering prior to acceptance of the final map. The GAD will need to begin 200 feet south of the map and continue to a point 200 feet north of the map.

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

General Conditions:

1. **Easements:** Identify all easements on the map.
 - a. Local Streets: If constructed to a 50' cross section a 1' pedestrian easement is required on streets with driveway approaches.
2. **Street Dedications:** Provide corner cut dedications at all intersections for accessibility ramps.
3. **Street widening and transitions** shall also include utility relocations and necessary dedications.
4. **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.
5. **Outlots:** If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of City Administrative Order 8-1, including, but not limited to, performing a Phase I Soils Investigation. The soils investigation report shall be submitted to the Public Works Department for review and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Development Department. Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.

6. The construction of any overhead, surface or sub-surface structures and appurtenances in the public right of way is prohibited unless an encroachment covenant is approved by the City of Fresno Public Works Department, Traffic and Engineering Services Division, (559) 621-8681. Encroachment permits must be approved prior to issuance of building permits.
7. Private Irrigation Pipe: If not abandoned, the developer shall enter into an agreement with owner of the private canal providing for piping the canal and submit an executed copy of the agreement or commitment letter from the owner of the private canal to the Development and Resource Management Department. All piping shall be located outside of the proposed street right of way. Any piping across city streets shall be rubber gasketed reinforced concrete pipe (RGRCP) constructed perpendicular to the street. Submit engineered plans to Public Works Department, Traffic and Engineering Services Division for review and approval. **Identify the proposed easement and provide a final cross sectional detail on the map.**
8. Plan Submittal: Submit the following plans, as applicable, in a single package, to the **Public Works Department** for review and approval: Street: construction, signing, striping, traffic signal and streetlight.

Frontage Improvement Requirements

Public Streets:

Fowler Avenue: 4-lane Arterial

1. Dedication Requirements:

- a. Provide a GAD identifying the existing street right of way north, south and west of this map. Once the GAD has been reviewed the conditions will be revised.

- b. Dedicate a corner cut for public street purposes at the intersections of: **Fowler and Redlands; and Fowler and Surrey.**
 - c. Relinquish direct access rights to Fowler Avenue from all lots within this subdivision.
- #### 2. Construction Requirements:
- a. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **12'** residential pattern. Construct a **6'** residential sidewalk per Public Works Standard **P-52**.
 - c. Construct **20'** of permanent paving within the limits of this subdivision.
 - d. 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.

Dakota Avenue: 4-lane Collector

1. Dedication Requirements:

- a. Dedicate **46'-54'** of property, from section line, for public street purposes, within the limits of this application, per Public Works Standard **P-53**.
 - b. Dedicate corner cuts for public street purposes at the intersections of Dakota and Fowler, McArthur, Cypress and Armstrong.
- #### 2. Relinquish direct access rights to Dakota Avenue from all lots within this subdivision.
- #### 3. Construct:

- a. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **12'** residential pattern. Construct a **6'** residential sidewalk per Public Works Standard **P-53**.
- b. Construct an **80'** bus bay curb and gutter at the southeast corner of Dakota and Fowler to Public Works Standard **P-73**, complete with a **10'** monolithic sidewalk.
- c. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
- d. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.

Armstrong Avenue: Match existing 4-lane Collector

1. Dedication Requirements:
 - a. Dedicate **47'-55'** of property, from section line, for public street purposes, within the limits of this application, per Public Works Standard **P-53**.
 - b. Dedicate corner cuts for public street purposes at the intersection of Armstrong and Surrey Lane.
 - c. Relinquish direct access rights to Armstrong Avenue from all lots within this subdivision.
2. Construct:
 - a. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **12'** residential pattern. Construct a **6'** residential sidewalk per Public Works Standard **P-53**.
 - b. Construct an **80'** bus bay curb and gutter at the southwest corner of Armstrong and Dakota to Public Works Standard **P-73**, complete with a **10'** monolithic sidewalk.
 - c. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
 - d. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.

Interior Streets:

1. Dedicate, design and construct all curb, gutter, sidewalk, (both sides), permanent paving, cul-de-sacs, easements and underground street lighting systems on all interior local streets to Public Works Standard **P-56**. All driveways shall be constructed to Public Works Standards **P-4** and **P-6**. Pedestrian easements are required behind driveways with sidewalk patterns less than **10'**.
2. All streets and pedestrian ways shall connect to other streets and pedestrian ways to form a continuous vehicular and pedestrian network with connections within the subdivision and to adjacent development. Pedestrian paths of travel must meet current accessibility regulations. Sidewalks are recommended on both sides. Identify ramps within the proposed subdivision wherever sidewalks are provided.
3. Design local streets with a minimum of **250'** radius.
4. Local street lengths exceeding **800'** and four way intersections may require traffic calming measures.
5. The intersection of two continuous streets shall have a minimum of **160'** offset measured from center line to center line where they intersect a collector street.
6. Dead-end Streets: Any temporary dead-end streets created by this subdivision shall be properly barricaded in accordance with the Public Works Standard **P-100**. If this is proposed to be phased, identify and provide a temporary turn around, as needed.

7. Construct the following intersections to meet the minimum requirements of Public Works Standard **P-86** (median 10' minimum and travel lane 18' minimum):
 - a. Fowler and Surrey
 - b. Dakota and McArthur
 - c. Dakota and Cypress
 - d. Armstrong and SurreyNo parking is allowed within the limits of the proposed median.
8. Garages: It is recommended that garages or carports be located a minimum of 18' from the back of walk or curb, whichever is greater.

Specific Mitigation Requirements: This tract is proposing **402** single family residential lots. This will generate **302 a.m. / 402 p.m.** peak hour trips; therefore, a Traffic Impact Study (TIS) is required and has been submitted. Comply with the mitigation measure requirements of the Traffic Engineering Manager in the attached letter dated 07-28-16 for **TIS 16-011**.

1. Relinquish direct vehicular access rights to :
 - a. the north property line of lots 54 and 187.
 - b. the south property line of lots 1 and 53.
 - c. the east property line of lots 12 and 37.
 - d. the west property line of lots 13 and 38.
2. The intersection of :
 - a. Fowler/Surrey Avenues shall be limited to right-in and right-out turns.
 - b. Fowler and Redlands / Fedora Avenues shall be designed with a full median opening to allow for left turns-in and left turns-out. Identify the west side of Fowler and line up Fedora on the west side with Redlands on the east side. Resubmit with additional information.
3. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development.
4. Redlands Avenue: Redlands Avenue exceeds the local street minimum length. Provide traffic calming in the form of a traffic circle to reduce speeding. Dedications to be determined.
5. Outlot A and B: mitigate potential drive through traffic at the intersection of Outlot A and Ramona and at Outlot B and Fedora. Submit proposal.

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).

TSMI fee is credited against traffic signal and Intelligent Transportation System (ITS) improvements, provided that the improvements are; constructed at ultimate locations, contained within the build out of the 2035 General Plan circulation element and are included in the latest Nexus Analysis for TSMI fee. Project specific impacts that are not consistent with the *2035 General Plan, Public Works Standard Drawings* or not incorporated in the TSMI fee infrastructure costs, are not reimbursable unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS improvements in the next update; upon the inclusion of the added infrastructure, the applicant shall agree to pay the newly 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 Engineer's estimate, the costs associated with the improvements, prior to paying the TSMI fee at time of building permit.

- 4- The intersection of **Armstrong and Dakota** shall be signalized to the City of Fresno Standards, complete with left turn phasing, actuation and signal pre-emption. This work is eligible for reimbursement and/or credit against Traffic Signal Mitigation Impact Fees. The applicant shall design the traffic signal and obtain City approval of the plans. ~~prior to occupancy of the first dwelling unit.~~
- 2- The intersection of **Fowler and Dakota** shall be signalized to the City of Fresno Standards, complete with left turn phasing, actuation and signal pre-emption. This work is eligible for reimbursement and/or credit against Traffic Signal Mitigation Impact Fees. The applicant shall design the traffic signal and obtain City approval of the plans. ~~prior to occupancy of the first dwelling unit.~~

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:

Fowler Avenue: Arterial

1. Where not existing, dedicate and construct one 12' number one travel lane and one 17' number two travel lane (west side, as needed); one 12' number one travel lane and one 17' number two travel lane (east side) and a raised concrete median island within the limits of this subdivision. 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.

Dakota Avenue: Collector

1. Where not existing, dedicate and construct one 12' number one travel lane and one 17' number two travel lane (south side); one 17' number one travel lane (north side) and a 12' center two-way left turn lane within the limits of this subdivision. Stripe 200' left turn pockets at all major intersections. An additional 12' of paving shall be required to accommodate the 250' left turn pockets. If not existing, an additional 8' dedication is required beyond the edge of pavement. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

Armstrong Avenue: Collector

1. Where missing, dedicate and construct one 12' number one travel lane and one 17' number two travel lane on each side and a 12' center two-way left turn lane within the limits of this subdivision. Stripe 200' left turn pockets at all major intersections. An additional 12' of paving shall be required to accommodate the 250' left turn pockets. If not existing, an additional 8' dedication is required beyond the edge of pavement. Dedication shall be sufficient to

accommodate additional paving and any other grading or transitions as necessary based on a **45** MPH design speed.

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 certificate of occupancy.



PUBLIC WORKS DEPARTMENT

City Hall
2600 Fresno Street, 4th Floor
Fresno, California 93721
Ph. (559) 621-8800
www.fresno.gov

Scott L. Mozier, P.E.
Public Works Director

July 28, 2016

Israel Trejo, Planner III
Development and Resources Management Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED MARCH 1, 2016 AND
ADDENDUM NO. 1 DATED APRIL 5, 2016 FOR THE PROPOSED TRACT 6131,
ON THE SOUTH SIDE OF DAKOTA AVENUE BETWEEN FOWLER AND
ARMSTRONG AVENUES
TIS 16-011, C-16-040

PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering Group for the proposed Tract 6131, "project", which plans to construct approximately 402 single family dwelling units on approximately 74.31 acres on the south side of Dakota Avenue between Fowler and Armstrong Avenues.

The TIS evaluated the impacts of the project by analyzing four (4) intersections in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project as shown in the TIS:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Single Family Detached Housing (ITE Code 210)	402 DU	3,828	76	226	302	253	149	402

DU = dwelling units

Based on the analyses included in the TIS, the intersections of Fowler and Olive Avenues is currently operating below the Traffic Impact Zone (TIZ) III level of service (LOS) standard of LOS D during the AM and PM peak hours.

With the addition of the project, the intersections of Fowler and Dakota Avenues, Armstrong and Dakota Avenues and Fowler and Olive Avenues are projected to operate below the TIZ III LOS D standard.

The TIS analyzed the operational impacts with the addition of approved/pending projects and the proposed project as well as the cumulative year 2036 conditions. The intersections of Fowler and Dakota Avenues, Armstrong and Dakota Avenues, and Fowler and Olive Avenues are projected to operate below the TIZ III LOS D standard in both the near-term and cumulative conditions analyses.

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the weekday total ADT of 3,828 for the proposed project, the fee would be \$180,375.36 payable at the time of the building permit.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.

4. The proposed project shall pay the \$288 Traffic Impact Study review fee for review of the document. Proof of payment shall be provided to the Traffic & Engineering Services Division.
5. The proposed project shall construct a traffic signal with protected left-turn phasing at the intersection of Armstrong and Dakota Avenues prior to occupancy of the first dwelling unit. The intersection shall also be modified to have the following configuration:
 - Eastbound – one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Westbound – one (1) left-turn lane and one (1) shared through-right turn lane
 - Northbound – one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
 - Southbound – one (1) left-turn lane and one (1) shared through-right turn lane
6. The proposed project shall construct a traffic signal with protected left-turn phasing at the intersection of Fowler and Dakota Avenues prior to construction of dwelling units in Phase II. The intersection shall also be modified to have the following configuration:
 - Eastbound – one (1) left-turn lane and one (1) shared through-right turn lane
 - Westbound – one (1) left-turn lane and one (1) shared through-right turn lane
 - Northbound – one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Southbound – one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
7. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
8. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

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

Sincerely,



Jill Gormley, TE
City Traffic Engineer / Traffic Engineering Manager
Public Works Department, Traffic & Engineering Services

C Copy filed with Traffic Impact Study
Louise Gillo, Traffic Planning Supervisor
John Rowland, Peters Engineering Group



**DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM**



Providing Life's Essential Services

Date: August 17, 2016

To: ISRAEL TREJO, Planner III
Planning and Development

From: KEVIN GRAY, Supervising Engineering Technician
Department of Public Utilities, Planning and Engineering Division

Subject: SEWER REQUIREMENTS FOR VESTING TENTATIVE TRACT MAP 6131/UGM
AND CONDITIONAL USE PERMIT No. C-16-040

General

Vesting Tentative Tract Map No.6131 and Conditional Use Permit No.C-16-040 were filed by Gateway Engineering on behalf of Lennar Homes and pertain to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues, 3250 North Fowler Avenue & APN: 310-020-29. Vesting Tentative Map of Tract No. 6131/UGM is a request to subdivide the subject property into a 402-lot single family residential subdivision. Conditional Use Permit Application No. C-16-040 proposes modified property development standards including reduced setbacks and/or lot sizes for lots 108-180 and 300-326.

Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in North Douglas Avenue, an 8-inch sewer main located in North McArthur Avenue and a 10-inch sewer main located in North Armstrong Avenue. Sanitary Sewer facilities are available to provide service to the site subject to the following requirements:

1. Construct an 8-inch sewer main (including sewer house branches to adjacent properties) in E. Dakota from the N. Armstrong Avenue to the west towards Fowler Avenue.
2. Connection to the existing 36-inch sewer trunk in N. Fowler Avenue shall not be allowed.
3. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
4. Installation of sewer house branch(s) shall be required.
5. Separate sewer house branches are required for each lot
6. On-site sanitary sewer facilities shall be private.
7. Abandon any existing on-site private septic systems.



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8. All underground utilities shall be installed prior to permanent street paving.
9. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
10. A Preliminary sewer design layout shall be prepared by the Developer's Engineer and submitted to the Department of Public Utilities for review and conceptual approvals prior to submittal or acceptance of the developers final map and engineered plan & profile improvement drawing for City review.
11. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
12. 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. Lateral Sewer Charge.
2. Oversize Sewer Charge.
3. Trunk Sewer Charge: Fowler
4. Wastewater Facility Charge (Residential Only)
5. The City of Fresno currently does not own capacity in the Fowler Avenue Trunk Sewer line north of Tulare Avenue; however, the City of Fresno has negotiated a temporary exchange and interim use of capacity owned by the City of Clovis in the Fowler Avenue Trunk Sewer. This exchange of capacity is conditioned upon Fresno replacing Clovis' capacity with capacity in future facilities agreeable to Clovis and at a cost yet to be determined.
6. Whereas, the necessary and appropriate fees for future replacement of Clovis' Fowler Avenue Trunk Sewer capacity have not been established and adopted by the City Council; the Developer in-lieu of constructing separate sanitary sewer facilities that would otherwise be required of this project (to provide for collection and conveyance of sanitary sewage discharged from the project to an approved point of discharge to the Sewer System located south of Tulare Avenue) shall provide payment of an "Interim Fee Surety" in the amount of \$574 per living unit or living unit equivalent for the impending fees.
7. Said "Interim Fee Surety" may be deferred through a Fee Deferral Agreement to the issuance of a building permit or occupancy. Following adoption of a fee established for replacement of Clovis' capacity in the Fowler Avenue Trunk Sewer by the City Council, "Interim Fee Sureties" provided by the Developer shall be applied to the established fee and any amounts in excess shall be refunded.



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

DATE: September 20, 2016

TO: ISRAEL TREJO, Planner III
Development and Resource Management Department – Current Planning

THROUGH: MICHAEL CARBAJAL, Division Manager
Department of Public Utilities – Water Division

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

**SUBJECT: WATER REQUIREMENTS FOR VESTING TENTATIVE TRACT T-6131
AND CONDITIONAL USE PERMIT C-16-040**

General

Vesting Tentative Tract Map No. 6131 and Conditional Use Permit No.C-16-040 were filed by Gateway Engineering on behalf of Lennar Homes and pertain to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues, 3250 North Fowler Avenue & APN: 310-020-29. Vesting Tentative Map of Tract No. 6131/UGM is a request to subdivide the subject property into a 402-lot single family residential subdivision. Conditional Use Permit Application No. C-16-040 proposed modified property development standards including reduced setbacks and/or lot sizes for lots 108-180 and 300-326.

Water Service

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

1. Construct surface water conveyance improvements subject to approval by the Director of Public Utilities to increase surface water conveyance capacity to the City of Fresno T-3 Water Storage and Surface Water Treatment Facility (located at 6736 E. Dakota Ave) to 8 million gallons per day.
 - a. The cost for construction for the water conveyance improvements shall not exceed the cumulative total of the UGM Well Service Area 501S Water



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Supply Fee for all lots within Vesting Tentative Map 6131.

- b. Occupancy approval for lots within Vesting Tentative Map 6131 shall not exceed 268 lots prior to completion prior of the water conveyance improvements.
 - c. In the event the City does not identify the water conveyance improvements prior to the final map of the first phase within Vesting Tentative Map 6131, the developer shall pay current UGM Well Service Area 501S Water Supply Fees.
2. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.
 3. Separate water services with meter boxes shall be provided to each lot created.
 4. Destruct any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-81 and 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.
 5. Engineered improvement plans prepared by a Registered Civil Engineer are required for proposed additions to the City Water System.
 6. All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.

Water Fees

The following Water Connection Charges and fees shall be paid for the project.

1. Wet-ties, Water service(s) and/or meter(s) installation(s)
2. UGM Water Supply Area Number: 101s

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

File No. 210.45

Page 1 of 5

PUBLIC AGENCY

ISRAEL TREJO
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOD
FRESNO, CA 93721

DEVELOPER

ALISON BAKER, LENNAR HOMES OF
CALIFORNIA
8080 N. PALM AVE., SUITE 110
FRESNO, CA 93711

PROJECT NO: 6131

ADDRESS: SWC DAKOTA AND ARMSTRONG

APN: 310-020-29

SENT: 8/9/16

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)
BV	\$523,922.00	NOR Review *	\$3,455.00 To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review *	\$9,643.00 Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$523,922.00		Total Service Charge: \$13,098.00	

* The Development Review Service Charge shown above is associated with FR CUP 2016-040 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

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.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/17 based on the site plan submitted to the District on 7/11/16 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

FR TRACT No. 6131

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

Page 2 of 5

**FR
TRACT No. 6131**

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

1. ☐ a. Drainage from the site shall BE DIRECTED TO
☒ b. Grading and drainage patterns shall be as identified on Exhibit No. 1
☐ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
☒ Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
☐ None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
☒ Grading Plan
☒ Street Plan
☒ Storm Drain Plan
☒ Water & Sewer Plan
☒ Final Map
☒ Drainage Report (to be submitted with tentative map)
☐ Other
☐ None Required

4. Availability of drainage facilities:
☐ a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
☒ b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
☐ c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
☐ d. See Exhibit No. 2.

5. The proposed development:
☐ Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
☒ Does not appear to be located within a flood prone area.

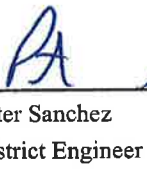
6. ☐ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or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

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

Page 3 of 5

FR TRACT No. 6131

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, effective July 1, 2010, as amended. 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 and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.


Peter Sanchez
District Engineer


Gary W. Chapman
Project Engineer

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

Page 4 of 5

CC:

DANIEL BOND, GATEWAY ENGINEERING

5811 E. PRINCETON AVE.

FRESNO, CA 93727

PAT RICCHIUTI, P.R. FARMS, INC.

2917 E. SHEPHERD AVE.

CLOVIS, CA 93619

FR TRACT No. 6131

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 5 of 5

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees in the amount identified below for Storm Drain Review. The fee shall be paid to the District by Developer with first plan submittal. Checks shall be made out to Fresno Metropolitan Flood Control District.

Application No. **FR TRACT 6131**

Name / Business **ALISON BAKER, LENNAR HOMES OF CALIFORNIA**

Project Address **SWC DAKOTA AND ARMSTRONG**

Project APN(s) **310-020-29**

Project Acres (gross) **80.36**

Please fill in the table below of proposed storm drain facilities to be constructed with this development and return completed form with first plan submittal. If you have any questions or concerns regarding the construction of facilities list, you can contact the Fresno Metropolitan Flood Control District at 559-456-3292.

Description	Qty	Unit	Price	Amount
-------------	-----	------	-------	--------

Estimated Construction Cost

Fee equals lesser of

\$375,000 plus 3% of the estimated construction costs

Total (\$300,000 gross per acre)

\$24,168.00

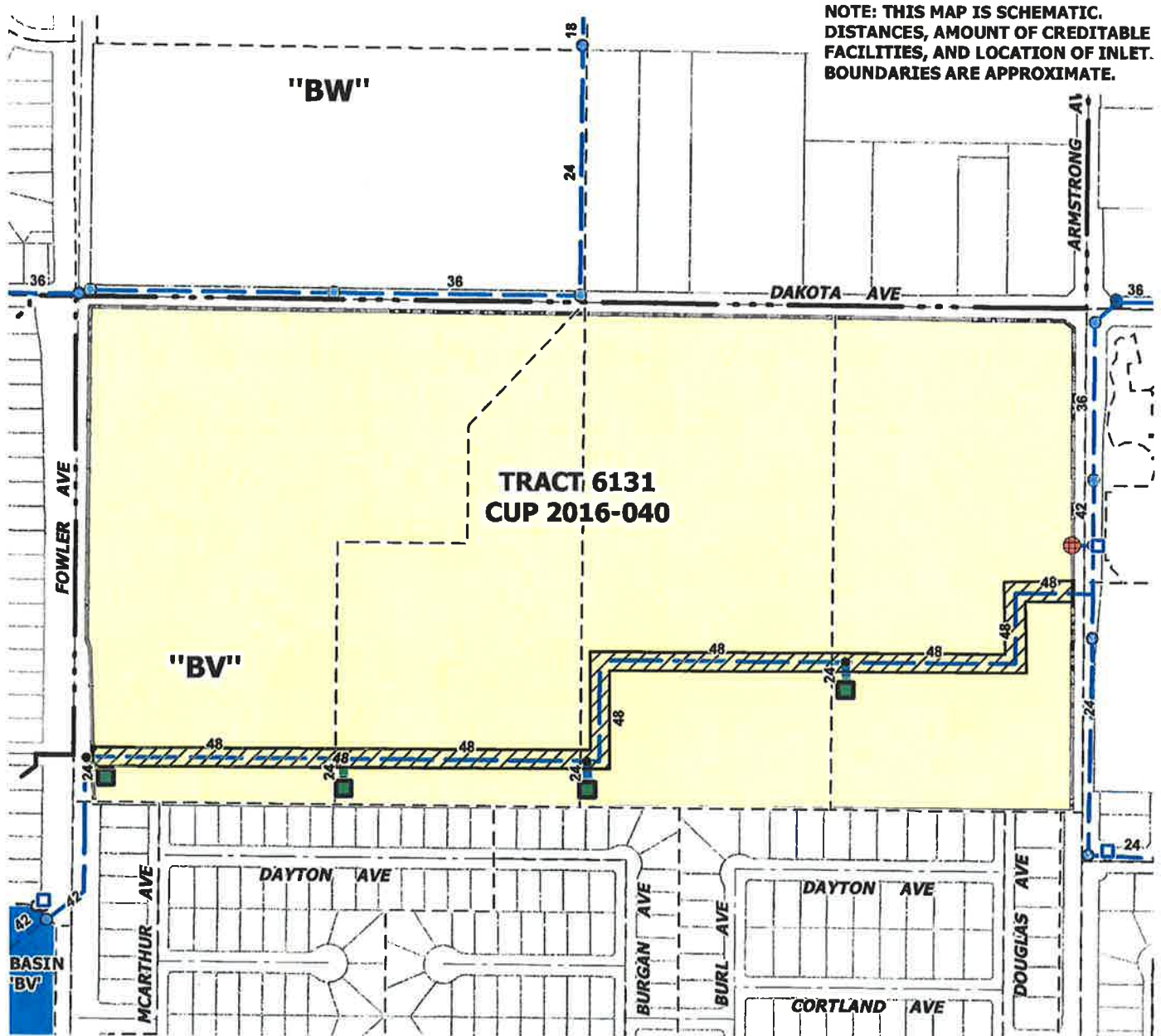
Amount Due

Storm Drain Facilities Cost Sheet

15" Concrete Pipes \$63.00 LF
18" Concrete Pipes \$67.00 LF
24" Concrete Pipes \$75.00 LF
30" Concrete Pipes \$89.00 LF
36" Concrete Pipes \$104.00 LF
42" Concrete Pipes \$121.00 LF
48" Concrete Pipes \$142.00 LF
54" Concrete Pipes \$172.00 LF
60" Concrete Pipes \$202.00 LF
66" Concrete Pipes \$238.00 LF
72" Concrete Pipes \$276.00 LF
84" Concrete Pipes \$308.00 LF
96" Concrete Pipes \$333.00 LF
15" Jacked Pipes \$525.00 LF
18" Jacked Pipes \$575.00 LF
24" Jacked Pipes \$650.00 LF
30" Jacked Pipes \$725.00 LF
36" Jacked Pipes \$800.00 LF
42" Jacked Pipes \$850.00 LF
48" Jacked Pipes \$900.00 LF
54" Jacked Pipes \$975.00 LF
60" Jacked Pipes \$1,050.00 LF
66" Jacked Pipes \$1,150.00 LF
72" Jacked Pipes \$1,300.00 LF
84" Jacked Pipes \$1,450.00 LF
Manholes \$3,750.00 EA
Inlets & Laterals \$4,450.00 EA
Outfalls \$8,500.00 EA
Canal Outfalls \$9,000.00 EA
Basin Excavation \$0.75 CY

IMPROVEMENTS ADJACENT
TO BASIN
Fence, Pad, and Gate \$20.00 LF
Mowstrip \$17.50 LF
Arterial Paving \$62.00 LF
Local Paving \$41.50 LF
Curb and Gutter \$18.25 LF
Sidewalk \$36.00 LF
Sewer Line \$21.00 LF
Water Line \$24.00 LF
Street Lights \$21.00 LF
Pump Station/Intake \$375,000.00 EA

FR TRACT No. 6131



LEGEND

-  Creditable Facilities (Master Plan Facilities To Be Constructed By Developer)-Pipeline (Size Shown) & Inlet.
-  Existing Master Plan Facilities
-  Existing Temporary Inlet To Be Removed By Developer (Not Eligible For Fee Credit)
-  Inlet Boundary
-  Drainage Area Boundary
-  Limits of Tract 6131 / CUP 2016-040
-  Existing 30' Wide Storm Drain Easement



1" = 400'

**TRACT 6131
CUP 2016-040**

DRAINAGE AREA "BV"

EXHIBIT NO. 1



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: wadet

Date: 7/29/2016

Path: K:\Autocad\DWGS\0EXHIBIT\TRACTS\6131.mxd

OTHER REQUIREMENTS
EXHIBIT NO. 2

The District's existing Master Plan drainage system is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities may not have capacity to serve the proposed medium-high density residential type land use proposed for the west half of the development. The developer shall be required to mitigate the impacts of the increased runoff from the proposed medium-high density residential type land use proposed for the southwest corner of the development to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by a medium-high density residential land use development, to a two-year discharge, which would be produced by the property if developed medium density residential. Implementation of the mitigation measures may be deferred until the time of development.

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

Lot coverage must be provided to the District prior to submittal of improvement plans. The final drainage fee will be calculated commensurate with the lot coverage provided by the developer. The lot coverage calculated by the District includes the front yard walkway, sidewalk walkway and the rear yard patio equaling an additional 6% of impervious area in addition to the City's typical lot coverage calculation

There is an existing thirty-foot (30') wide storm drain easement as shown on the attached sketch. No encroachments into the easement shall be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

Development No. Tract 6131

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

File No. 210.413

Page 1 of 4

PUBLIC AGENCY

ISRAEL TREJO
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721

DEVELOPER

ALISON BAKER, LENNAR HOMES OF
CALIFORNIA
8080 N. PALM AVE., SUITE 110
FRESNO, CA 93711

PROJECT NO: **2016-040**

ADDRESS: **SWC DAKOTA AND ARMSTRONG**

APN: **310-020-29**

SENT: **8/9/16**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)
BV	\$523,922.00	NOR Review *	\$3,455.00
		Grading Plan Review *	\$9,643.00
Total Drainage Fee: \$523,922.00		Total Service Charge: \$13,098.00	

* The Development Review Service Charge shown above is associated with FR TRACT 6131 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

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.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/17 based on the site plan submitted to the District on 7/11/16 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
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.
- b.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- c.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- d.) 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.
- e.) 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.
- f.)

**FR
CUP No. 2016-040**

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

Page 2 of 4

**FR
CUP No. 2016-040**

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

1. ☐ a. Drainage from the site shall BE DIRECTED TO
☒ b. Grading and drainage patterns shall be as identified on Exhibit No. 1
☐ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
☒ Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
☐ None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
☒ Grading Plan
☒ Street Plan
☒ Storm Drain Plan
☒ Water & Sewer Plan
☒ Final Map
☒ Drainage Report (to be submitted with tentative map)
☐ Other
☐ None Required

4. Availability of drainage facilities:
☐ a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
☒ b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
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☐ d. See Exhibit No. 2.

5. The proposed development:
☐ Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
☒ Does not appear to be located within a flood prone area.

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

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

Page 3 of 4

**FR
CUP No. 2016-040**

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10. X See Exhibit No. 2 for additional comments, recommendations and requirements.


Peter Sanchez
District Engineer


Gary W. Chapman
Project Engineer

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

Page 4 of 4

CC:

DANIEL BOND, GATEWAY ENGINEERING

5811 E. PRINCETON AVE.

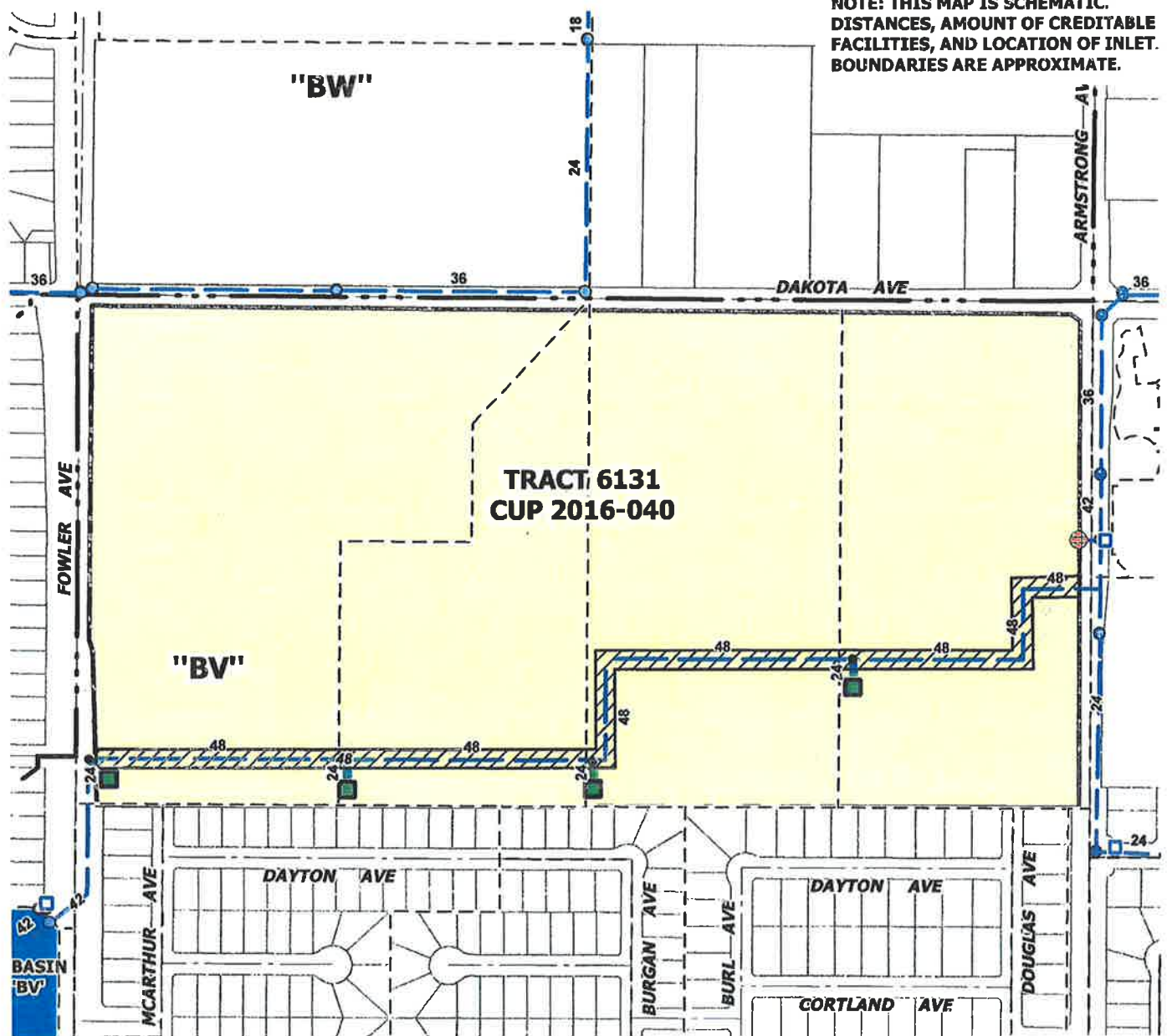
FRESNO, CA 93727

PAT RICCHIUTI, P.R. FARMS, INC.

2917 E. SHEPHERD AVE.

CLOVIS, CA 93619

FR CUP No. 2016-040



LEGEND

- Creditable Facilities (Master Plan Facilities To Be Constructed By Developer)-Pipeline (Size Shown) & Inlet.
- Existing Master Plan Facilities
- Existing Temporary Inlet To Be Removed By Developer (Not Eligible For Fee Credit)
- Inlet Boundary
- Drainage Area Boundary
- Limits of Tract 6131 / CUP 2016-040
- Existing 30' Wide Storm Drain Easement



1" = 400'

**TRACT 6131
CUP 2016-040
DRAINAGE AREA "BV"**

EXHIBIT NO. 1



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: wadet

Date: 7/29/2016

Path: K:\Autocad\DWGS\0EXHIBIT\TRACTS\6131.mxd

OTHER REQUIREMENTS
EXHIBIT NO. 2

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There is an existing thirty-foot (30') wide storm drain easement as shown on the attached sketch. No encroachments into the easement shall be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

Development No. CUP 2016-040



July 24, 2016

SUBJECT: Tract Map No. 6131 and Conditional Use Permit No. C-16-040
3250 North Fowler Avenue
310-020-29

Dear Mrs. Zuniga:

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

1. Elementary School Information:

- (a) The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: *Oraze Elementary*
Address: *3469 N Armstrong Fresno, CA 93727*
Telephone: *(559) 327-1700*
Capacity: *864*
Enrollment: *859*

- (b) Because of projected growth in the District and the District's plans for construction of new school facilities, it is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the school listed above, and (2) students residing in the project area may attend more than one elementary school within the District during their elementary school years.

2. Intermediate School Information:

School Name: *Reyburn Intermediate*
Address: *2901 DeWolf Ave Clovis, CA 93619*
Telephone: *(559) 327-4500*
Capacity: *1600*
Enrollment: *1299*

Governing Board

Sandra A. Bengel
Christopher Casado
Brian D. Heryford
Ginny L. Movsepien
Richard Lake, C.P.A.
Elizabeth J. Sandoval
Jim Van Volkinburg, D.D.S.

Administration

Janet L. Young, Ed.D.
Superintendent
Carlo Prandini, Ph.D.
Deputy Superintendent
Norm Anderson
Associate Superintendent
Barry S. Jager, Jr.
Associate Superintendent
Michael Johnston
Associate Superintendent

3. High School Information:
School Name: *Clovis East High School*
Address: *2490 Leonard Ave Clovis, CA 93619*
Telephone: *(559) 327-4000*
Capacity: *3100*
Enrollment: *2202*

3. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
4. The District currently levies a school facilities fee of \$4.15 per square foot (\$4.22 as of July 6, 2016) for residential development. The fee is adjusted periodically in accordance with law. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

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

Sincerely,



Michael Johnston
Associate Superintendent
Administrative Services



County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR
DR. KEN BIRD, HEALTH OFFICER

July 11, 2016

Israel Trejo
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

LU0018570
2602

Dear Mr. Trejo:

PROJECT NUMBER: C-16-040, T-6131

Vesting Tentative Map No. 6131/UGM and Conditional Use Permit Application No. C-16-040 were filed by Gateway Engineering on behalf of Lennar Homes and pertain to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. **Vesting Tentative Map of Tract No. 6131/UGM** is a request to subdivide the subject property into a 402-lot single family residential subdivision. **Conditional Use Permit Application No. C-16-040** proposes modified property development standards including reduced setbacks and/or lot sizes for lots 108-180 and 300-326.

APN: 310-020-29

ZONING: RS-5

ADDRESS: 3250 NORTH FOWLER AVE. S/A

Recommended Conditions of Approval:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- Due to the proximity of the proposed residential uses to an existing thoroughfare, consideration should be given to conformance with the Noise Element of the City of Fresno General Plan. A noise study should be conducted in order to identify the potential noise impacts and offer mitigation alternatives.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P.O. Box 11867 / Fresno, California 93775 / Phone (559) 600-3271 / FAX (559) 455-4646

Email: EnvironmentalHealth@co.fresno.ca.us ♦ www.co.fresno.ca.us ♦ www.fcdph.org

Equal Employment Opportunity ♦ Affirmative Action ♦ Disabled Employer

lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

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

The following comments pertain to the demolition of the existing structure(s):

- Should the structure(s) have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure(s) in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing the existing structure(s), the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structure(s) were constructed prior to 1979 or if lead-based paint is suspected to have been used in the structure(s), then prior to demolition work the contractor should contact the following agencies for current regulations and requirements:
 - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
 - United States Environmental Protection Agency, Region 9, at (415) 947-8000.
 - State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

REVIEWED BY:

**Kevin
Tsuda**

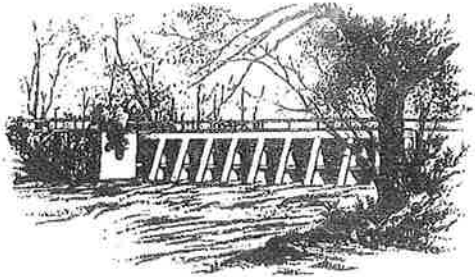
Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=Fresno
County Department of Public Health,
ou=Environmental Health Division,
email=ksruda@co.fresno.ca.us, c=US
Date: 2016.07.11 14:02:44 -0700

(559) 600-3271

kt

cc: Glenn Allen- Environmental Health Division (CT 58.02)
Daniel Bond- Applicant (dan@gatewayeng.com)
Alison Baker- Developer (alison.baker@lennar.com)



YOUR MOST VALUABLE RESOURCE - WATER

July 22, 2016

OFFICE OF
FRESNO
IRRIGATION DISTRICT

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

Israel Trejo
Development and Resource Management
City of Fresno
2600 Fresno St, Third Floor
Fresno, CA 93721-3604

RE: Vesting Tentative Tract Map No. 6131/UGM & Conditional Use Permit No. C-16-040
S/E Dakota and Fowler avenues

Dear Mr. Trejo:

The Fresno Irrigation District (FID) has reviewed the Vesting Tentative Tract Map No. 6131/UGM and Condition Use Permit No. C-16-040 for which the applicant request to subdivide the subject property into a 402-lot single family residential subdivision and modify the property development standards including reduced setbacks and/or lot sizes for lots 108-180 and 300-326, APN: 310-020-29. FID has the following comments and conditions:

1. FID does not own, operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes, FID's active Tarpey East No. 100 Pipeline runs southerly along the west side of Fowler Avenue approximately 130 feet west of the subject property, as shown on the attached FID exhibit map. Should this project include any street and or utility improvements along Fowler Avenue or in the vicinity of this pipeline, FID requires it review and approve all plans.
3. For informational purposes, the Private Armstrong Ave. No. 389 Pipeline traverses the subject property in multiple areas as shown on the attached FID exhibit map. FID's records indicate this private line is currently active and should be treated as such. FID can provide the City with a list of known users upon request.
4. The proposed development may negatively impact local groundwater supplies. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. The proposed land use (or change in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed area and any surrounding areas are eliminated. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. FID is concerned that the proposed development me negatively impact

G:\Agencies\FresnoCity\Tract Map\6131UGM.doc

local groundwater supplies. Should the proposed development result in a significant increase in dependence on groundwater, this deficit will increase.

5. FID suggests the City of Fresno 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 problem.

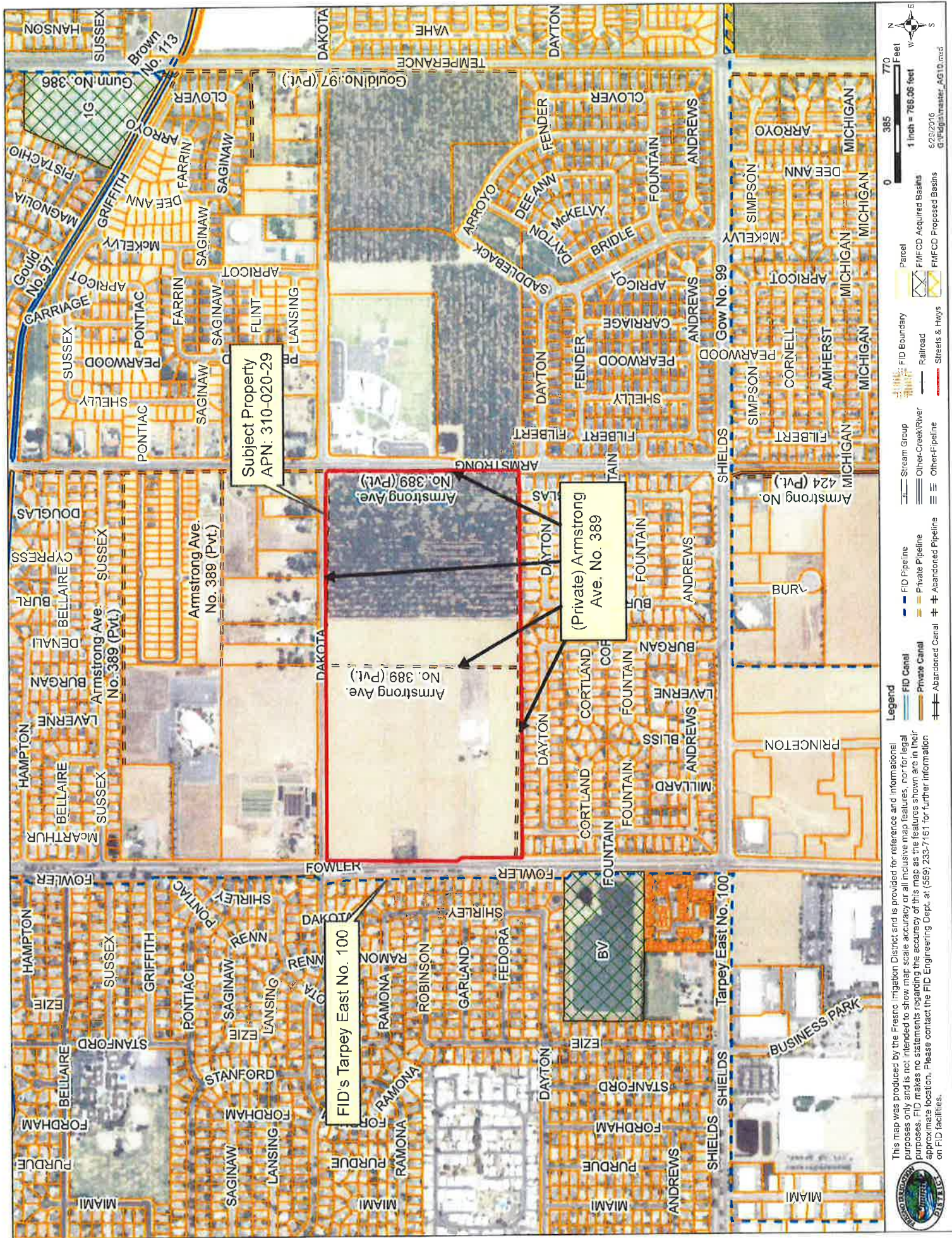
Thank you for submitting the proposed project for our review. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment



Subject Property
APN: 310-020-29

(Private) Armstrong
Ave. No. 389

FID's Tarpey East No. 100

Armstrong Ave.
No. 389 (Pvt.)

Legend

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



July 19, 2016

Israel Trejo
City of Fresno
Development & Resource Management
Development Services/Planning Division
2600 Fresno Street, Third Floor
Fresno, CA 93721

**Agency Project: Vesting Tentative Map No. 6131/UGM and Conditional Use
Permit (CUP) Application No. C-16-040 for Lennar Homes**

District CEQA Reference No: 20160420

Dear Mr. Trejo:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project. Per the Project Referral, the Vesting Tentative Map is a request to subdivide the 74.31 acre site into a 402 lot single family residential subdivision. The CUP proposes modified property development standards for lots 108-180 and 300-326. The portion for the planned development consists of 100 single family lots within 14.6 acres. The 74.31 acre project site is located on the southeast corner of North Fowler Avenue and East Dakota Avenue (3250 North Fowler Avenue), Fresno, CA. (APN: 310-020-29) The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, at full build-out the proposed project would be equal to or greater than 50 residential dwelling units. Therefore, the District concludes that the proposed project would be subject to District Rule 9510 (Indirect Source Review).

Sayed Sadredin
Executive Director/Air Pollution Control Officer

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

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

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

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees, be made a condition of project approval.

More information regarding District Rule 9510 can be obtained by:

- E-mailing inquiries to: ISR@valleyair.org;
- Visiting the District's website at: <http://www.valleyair.org/ISR/ISRHome.htm>; or,
- For project specific assistance, the District recommends the applicant contact the District's Indirect Source Review (ISR) staff at (559) 230-6000.

3. The proposed project may be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive.

More information regarding compliance with District rules and regulation can be obtained by:

- Visiting the District's website at <http://www.valleyair.org/rules/1ruleslist.htm> for a complete listing of all current District rules and regulation, or
- Visiting the District's website at http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm for information on controlling fugitive dust emissions, or
- The District's Asbestos Requirements Bulletin can be found online at <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please contact Georgia Stewart at (559) 230-5937.

Sincerely,

Arnaud Marjollet
Director of Permit Services



For: Brian Clements
Program Manager

AM: gs

**CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT
FINDING OF CONFORMITY / MEIR SCH No. 2012111015**

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) SCH No. 2012111015 prepared for the new Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014.

DATE RECEIVED FOR
FILING:

Filed with the Fresno
County Clerk's office on
August 19, 2016

Applicant:

Lennar Homes
8080 North Palm Avenue
Fresno, California 93711

Initial Study Prepared By:

Israel Trejo, Planner
August 19, 2016

Environmental Assessment Number:

Vesting Tentative Tract Map No.
6131/UGM and Conditional Use Permit
No. C-16-040

Project Location (including APN):

Southeast corner of North Fowler and East Dakota
Avenues

36°47'4.4448" N Latitude, 119°40'45.2382" W Longitude

(APN: 310-020-29)

Project Description: Gateway Engineering, on behalf of Lennar Homes, has filed Vesting Tentative Tract Map No. 6131/UGM and Conditional Use Permit No. C-16-040 pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. Vesting Tentative Tract Map No. 6131/UGM is a proposal to subdivide the property into a 402 lot single-family residential subdivision. Conditional Use Permit No. C-16-040 proposes modified property development standards, including reduced lot sizes and/or setbacks for 100 of the proposed lots. The applications are consistent with the planned land use of medium density residential as designated by both the Fresno General Plan and the McLane Community Plan.

Conformance to Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on December 18, 2014:

The Fresno General Plan and the McLane Community Plan designate the subject site for medium density planned land uses. The existing Single Family Residential District designation for the subject property conforms to the medium density planned land use designation.

The Development and Resource Management Department staff has prepared an Initial Study (See Attached "Appendix G To Analyze Subsequent Project Identified In MEIR No. SCH No. 2012111015/Initial Study") to evaluate the proposed application in accordance with the land use and environmental policies and provisions of lead agency City of Fresno's General Plan adopted by the Fresno City Council on December 18, 2014 and the related MEIR SCH No. 2012111015. The proposed project will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted zoning, planned land use designation and street classification. 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 the MEIR 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 the MEIR 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 falls within the scope of the MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, pursuant to the Fresno General Plan land use designation, include impacts associated with the above mentioned planned land use designation specified for the subject site. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a Subsequent Project in the MEIR because its location, land use designation and permissible densities and intensities are set forth in the Fresno General Plan; (2) The proposed project is fully within the scope of the MEIR because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR 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 Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Moreover, as lead agency for this project, the Development and Resource Management Department, per Section 15177(d) of the CEQA Guidelines, has determined that all feasible mitigation measures from the MEIR shall be applied to the project as conditions of approval as set forth in the attached MEIR Mitigation Measure Monitoring Checklist (See "Master Environmental Impact Report (MEIR) SCH No. 2012111015 for the 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).


Will Tackett, Supervising Planner
City of Fresno

August 19, 2016
Date

Attachments: Notice of Intent to Adopt a Finding of Conformity
Appendix G To Analyze Subsequent Project Identified In MEIR No. 2012111015/Initial
Study for Environmental Assessment No. T-6131/C-16-040
Mitigation MEIR Mitigation Monitoring Checklist for Environmental Assessment No.
T-6131/C-16-040

CITY OF FRESNO NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY	Filed with: FRESNO COUNTY CLERK 2220 Tulare Street, Fresno, CA 93721 FILED AUG 19 2016 TIME <i>5:18pm</i> By <i>[Signature]</i> FRESNO COUNTY CLERK DEPUTY
PROJECT TITLE AND ENVIRONMENTAL ASSESSMENT Vesting Tentative Tract Map No. 6131/UGM and Conditional Use Permit No. C-16-040	
APPLICANT: Lennar Homes 8080 North Palm Avenue Fresno, California 93711	
PROJECT LOCATION: Southeast corner of North Fowler and East Dakota Avenues 36°47'4.4448" N Latitude, 119°40'45.2382" W Longitude (APN 310-020-29)	
PROJECT DESCRIPTION: Gateway Engineering, on behalf of Lennar Homes, has filed Vesting Tentative Tract Map No. 6131/UGM and Conditional Use Permit No. C-16-040, pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. Vesting Tentative Tract Map No. 6131/UGM is a proposal to subdivide the property into a 402 lot single-family residential subdivision. Conditional Use Permit No. C-16-040 proposes modified property development standards, including reduced lot sizes and/or setbacks for 100 of the proposed lots. The applications are consistent with the planned land use of medium density residential as designated by both the Fresno General Plan and the McLane Community Plan.	
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 (MEIR) SCH No. 2012111015. Therefore, the Development and Resource Management 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 Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of	

hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR, proposed environmental finding and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604. Please contact Israel Trejo at (559) 621-8044 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on September 20, 2016. Please direct comments to Israel Trejo, Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Israel.Trejo@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

INITIAL STUDY PREPARED BY:

Israel Trejo, Planner

DATE: August 19, 2016

SUBMITTED BY:



Will Tackett, Supervising Planner
CITY OF FRESNO PLANNING AND
DEVELOPMENT DEPARTMENT

E201610000249

**APPENDIX G TO ANALYZE
SUBSEQUENT PROJECT IDENTIFIED IN MEIR SCH No. 2012111015/INITIAL
STUDY**

Environmental Checklist Form for:

EA No. T-6131/C-16-040

1. **Project title:**
Vesting Tentative Tract Map No. 6131/UGM
Conditional Use Permit No. C-16-040
2. **Lead agency name and address:**
City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721
3. **Contact person and phone number:**
Israel Trejo, Planner
City of Fresno
Development & Resource Management Dept.
(559) 621-8044
4. **Project location:**
Located on the southeast corner of North Fowler and East Dakota Avenues, in the
City and County of Fresno, California
Assessor's Parcel Number(s): 310-020-29
5. **Project sponsor's name and address:**
Lennar Homes
8080 North Palm Avenue
Fresno, California 93711
6. **General plan designation:**
The McLane Community Plan and the Fresno General Plan designate the subject
property for medium density residential planned land uses

7. **Zoning:**

RS-5/UGM (Single-Family Residential/Urban Growth Management)

8. **Description of project:**

A 402 lot, single-family residential subdivision

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Low Density & Urban Neighborhood Residential	RM-2 & RS-1 Multi-Family Residential & Single-Family Residential	Rural Residential
East	Elementary School & Urban Neighborhood Residential	RM-2 & PI Multi-Family Residential & Public/Institutional	Elementary School & Single Family Residential
South	Medium Low Density Residential	RS-4 Single-Family Residential	Single Family Residential
West	Medium Density Residential	RS-5 Single-Family Residential	Single Family Residential

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report SCH No. 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR prepared for the Fresno General Plan.

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 because it would have no additional significant effects that were not examined in the MEIR 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 but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. 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, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

X

Signature

August 19, 2016

Date

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

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.
 - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR, 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, 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.
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 because it would have no additional significant effects that were not examined in the MEIR.
6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

11. The explanation of each issue should identify:

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

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

The site is located within an area which has been substantially developed. Any development on the subject site would be consistent with existing development and required to comply with the development standards (including height) of the RS-5 (Single Family Residential District) zone district, therefore no scenic vista will be obstructed by the development; nor is there a scenic vista in the area. The project is not performing any work within a state scenic highway, therefore, the project will not substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway. The project is proposing residential development consistent with the predominant development in the area, therefore it will

not substantially degrade the existing visual character or quality of the site and its surroundings. Furthermore, development of the site will not create a new source of substantial light or glare which would affect day or night time views in the project area, given that the project will only have lights consistent with other residential locations in the area.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			x	
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

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

The subject property is deemed Prime Farmland and Farmland of Local Importance, as shown on the maps prepared (2014) pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The subject property contains approximately 74.31 acres. Approximately 28 acres of the subject property was farmed with almond trees. The almond trees have been removed and the subject property is no longer farmed. Though the site is deemed Prime Farmland and Farmland of Local Importance, the vicinity of the subject area has changed dramatically in the past few years. To the east of the site, a new elementary school and residential subdivision has been constructed. Additionally, to the south, a residential subdivision has been recently developed. With the development of the school and the subdivisions, the vast majority the subject property vicinity has been developed with urban uses, thereby leaving the subject property ready for development. Finally, the proposed development is within the city's incorporated boundaries and is consistent with the General Plan. The project site is zoned for residential uses and does not have a Williamson Act contract. The site is zoned for residential uses, therefore it will not conflict with existing zoning for, or cause rezoning of, forest land or timberland. The project has a less than significant impact on the potential to facilitate the conversion of farmland to a non-agricultural use because the development is consistent with the majority of development in the area.

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

The subject project proposes single family residential houses on land that is planned for residential uses in the Fresno General Plan. The project will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations, impacts, or increases of criteria pollutants for which the San Joaquin Valley region is under an applicable federal or state ambient air quality

standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). The proposed project will comply with all applicable air quality plans; therefore the project will not conflict with or obstruct an applicable air quality plan. The project must comply with the construction and development requirements of the San Joaquin Valley Air Pollution Control District (SJVAPCD), therefore, no violations of air quality standards will occur. Development of the subject property will not expose sensitive receptors to substantial pollutant concentrations. Due to the close proximity of other residential and urban uses surrounding the subject site, the project will not result in a significant impact to sensitive receptors as no net increase of pollutants will occur. Residential development is considered a "sensitive receptor" type use. However, the subject site is not located adjacent to high traffic freeways and roads and rail yard uses called out by the California Environmental Protection Agency California Air Resources Board that may have significant negative air quality impacts. The proposed project must fully comply with Rule 9510 from the San Joaquin Valley Air Pollution Control District (SJVAPCD). This Rule (also called Indirect Source Review or ISR) provides for incorporation of a wide range of mitigation measures into projects, and levies fees for pollutants generated by development projects, transportation and development projects. The fees are used to provide for regional air quality improvements and mitigations. The project is proposing residential uses consistent with the area, therefore, it is not expected to create objectionable odors affecting a substantial number of people

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X

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

The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project

by the California Department of Fish and Game or the US Fish and Wildlife Service. No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. The site is not located within a native resident or migratory fish area, therefore it will not impede on their movement. The proposed project does not contain a native wildlife nursery site. No local policies, habitat conservation plan, regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

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

The project proposes a use (residential) that currently exists in the vicinity of the subject site, therefore it is not expected to cause a substantial adverse change in the significance of a historical resource. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject property. It is not expected that the proposed project may impact cultural resources. It should be noted however that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources. Therefore, due to the ground disturbing activities that will occur as a result

of the project, the measures within the Master Environmental Impact Report No. 2012111015 prepared for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to insure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Fresno has no known active earthquake faults, and is not in any Alquist-Priolo Special Studies Zones. There are no known geologic hazards or unstable soil conditions known to exist on the site. The project site is not located within an area that has strong seismic ground shaking, liquefaction or landslides. The project is a proposing residential uses, therefore there is not expected to be substantial soil erosion or the loss of topsoil. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards, therefore the project is not expected to be unstable, be located on expansive soil. All new structures are required to conform to current seismic protection standards in the California Building Code. Septic tanks or alternative waste water disposal systems will not be a part of the project.

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

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

The proposed project will not occur at a scale or scope with potential to contribute substantially to the generation of greenhouse gas emissions, either directly or indirectly. The proposed project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases may be reduced along with other regulated air pollutants. The proposed project will not affect greenhouse gas emissions beyond what was analyzed in the Master Environmental Impact Report for the Fresno General Plan.

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

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

The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because said project does not involve the use of hazardous materials; additionally, as such, there is no significant hazard to the public or the environment through an accident. The project proposes a residential use, therefore it is not expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project area is not located within an airport land use plan. The project is not within the vicinity of a private airstrip, therefore, it would not result in a safety hazard for people residing or working in the project area. The project is proposing a residential use on private property, therefore the project is not expected to interfere with an adopted emergency plan. Additionally, the project has been conditioned accordingly by the Fire Department, which generally requires a minimum of two points of access to a site. The project area is not located near a wildland area, therefore the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires; though there is a significant amount of vacant land to the north of the project site, the land is regularly cleared of weeds and dry brush, etc.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X

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

The proposed project, a 402 lot residential development, is consistent with development in the surrounding area, and, as such, the project is not expected to violate water quality standards of waste discharge requirements. The project is proposing residential uses and is therefore, not expected to substantially degrade water quality or waste discharge requirements. The 2010 Urban Water Management Plan (UWMP) was adopted by the City Council in November 2012. It describes the current and planned water conservation programs, provides a water shortage contingency plan should it need to be implemented in the event of a severe water shortage or water supply emergency and a future water supply plan for a variety of water sources including treated surface water, groundwater and recycled water. Also included in this 2010 UWMP is an aggressive water conservation plan to reduce demand throughout the City's service area. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater supply challenges. The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water service is available to serve the proposed project. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD, as such, the project is not expected to 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. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD, as such, the project is not expected to 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. The project is required to comply with the requirements of the FMFCD, including providing lot coverage prior to submittal of improvement plans, therefore, it is not expected to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The site is not located within a flood prone or hazard area. As noted within the memo from the FMFCD dated August 9, 2016, the project is not located within a 100-year flood hazard area. The project is not located near a levee or dam, therefore it will not expose people or structures to a significant risk of loss, injury or death involving flooding. Additionally, the subject property is not located in an area subject to inundation by seiche, tsunami or mudflow.

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

The project proposes to develop 402 lots within a developing area and does not have the capability to divide an established community. The proposed project is consistent with the applicable Fresno General Plan and McLane Community Plan planned land use designation and does not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect. The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

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

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

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

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise. The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 65 dB DNL for exterior noise levels in outdoor activity areas of new residential developments. Outdoor activity areas generally include backyards of single family residences. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The project is similar with other residential projects in the area and has a setback from the major abutting streets (North Fowler, East Dakota and North Armstrong Avenues). The project requirements include a minimum 10' setback along the major streets and a 6' block wall. Construction activities associated with the development of the proposed project could expose persons or structures to excessive groundborne vibration or noise levels. However, this would only be during the construction phase of the proposed project. The project is not expected to expose persons to noise levels in excess of current standards. It is noted, however, build out of the General Plan Update Planning Area, along with construction of related projects in the Planning Area vicinity, would result in increased traffic volumes, thus incrementally increasing noise levels in some areas. The proposed project is not located within an airport land use plan or within the vicinity of a private airstrip. The

project will be required to comply with all noise policies from the Fresno General Plan and noise requirements within the Fresno Municipal Code.

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

Although the project will be intensifying the use of the currently undeveloped site, development may occur at an intensity and scale that is permitted by the planned land use designation and zone district classification for the site. Thus, the subdivision of the subject property in accordance with the subject application will not facilitate an additional intensification of uses beyond that which would be allowed by the medium low density planned land use designation. The subject property contains two rural residences and will, therefore, not displace a substantial number of housing or people.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				

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

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project. City police and fire protection services are also available to serve the proposed project. The project must comply with the conditions submitted by the FMFCD for the proposed project. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD. Various departments and agencies have submitted conditions that will be required as conditions of approval for the subject entitlement application (tract map and conditional use permit). All conditions of approval must be complied with prior to occupancy. Any urban residential development occurring as a result of the proposed project will have an impact on the District's student housing capacity. The developer will pay appropriate school fees at time of building permits.

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

The proposed project is consistent with existing development in the area and is not expected to cause substantial physical deterioration existing parks or recreational facilities. Of the 402 proposed lots, only 42 are proposed under the minimum lot size. There is open space proposed at the center of the subdivision which will provide walking activities. The project does not propose recreational facilities at a size or scope which is expected to have an adverse physical effect on the environment.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC - - Would the project:				

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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	

The project will not 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. A Traffic Impact Study (TIS) was prepared (Peters Engineering Group dated March 1, 2016) to assess the impacts of the new development on existing and planned streets. The project will be responsible for mitigating its traffic impacts by constructing traffic signals and participating in the City of Fresno development fee programs, including the TSMI (Traffic Signal Mitigation Impact) and FMSI (Fresno Major Street Impact). The project is required to make sidewalk improvements to the abutting major streets and proposed interior streets. Additionally, a bus bay is required on Dakota and Armstrong Avenues. The project will be responsible for mitigating its traffic impacts by constructing traffic signals and participating in the City of Fresno development fee programs, including the TSMI (Traffic Signal Mitigation Impact) and FMSI (Fresno Major Street Impact). As such, the project will not conflict with an applicable congestion management program. The project is not located near an airport, therefore it will not change air traffic levels. The project has been reviewed by the Department of Public Works, Traffic Division, and is not expected to substantially increase hazards due to a design feature. The Fire Department has appropriately conditioned the project regarding a second point of access, therefore there will not be inadequate emergency access. The project will not conflict with adopted policies or plans regarding public transit, bicycle or pedestrian facilities because said features are incorporated into the conditions of approval for the project, including the requirement for sidewalks and two bus bays.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				

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

The Department of Public Utilities has determined that the wastewater will not exceed the requirements of the Regional Water Quality Control Board. The City of Fresno currently does not own capacity in the Fowler Avenue Trunk Sewer line north of Tulare Avenue; however, the City has negotiated a temporary exchange and interim use of capacity owned by the City of Clovis in the Fowler Avenue Trunk Sewer. The proposed project must comply with the requirements from the Department of Public Utilities, these requirements are not expected to cause significant environmental effect. These requirements generally include the construction of standard connections, extensions, and installations of facility infrastructure and compliance with the Department of Public Utilities standards, specifications, and policies. The project is proposed at a size and scope which will not require new water or wastewater treatment facilities of which could cause significant environmental effects. The proposed project must comply with the requirements from the Fresno Metropolitan Flood Control District, these requirements are not expected to cause significant environmental effect. The nearest water mains to serve the proposed project are located in East Dakota Avenue, North Fowler Avenue and North Armstrong Avenue. Water facilities are available to provide service to the site subject to implementation of the mitigation measures of the related Master Environmental Impact Report. The City of Fresno currently does not own capacity in the Fowler Avenue Trunk Sewer line north of Tulare Avenue; however, the City has negotiated a temporary exchange and interim use of capacity owned by the City of Clovis in the Fowler Avenue Trunk Sewer. The project was reviewed and appropriately conditioned for approval by the Solid Waste Division, adequate capacity is available to serve the waste disposal needs. The solid waste division has conditioned the project and has sufficient capacity to accommodate the project's needs. The project is required to comply with federal, state and local statutes and regulations related to solid waste.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				

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

The proposed project is considered to be proposed at a size and scope to have a less than significant impact on the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts). The proposed project has a less than significant impact on the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the project has no potential to eliminate important examples of major periods in history. Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the

proposed project would have substantial adverse impacts directly, or indirectly, on human beings.

MEIR Mitigation Measure Monitoring Checklist for EA No. T-6131/C-16-040

August 19, 2016

INCORPORATING MEASURES FROM THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) CERTIFIED FOR THE CITY OF FRESNO GENERAL PLAN UPDATE (SCH No. 2012111015)

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). It was certified as part of the Fresno City Council's approval of the MEIR for the Fresno General Plan update (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

Letter designations to the right of each MEIR mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

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

The timing of implementing each mitigation measure is identified in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

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

Aesthetics:

AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. Verification comments:	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)							
									X

Aesthetics (continued):

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6131/C-16-040

August 19, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F
AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. Verification comments:	Prior to issuance of building permits	DARM					X	
AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. Verification comments:	Prior to issuance of building permits	DARM						X
AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater. Verification comments:	Prior to issuance of building permits	DARM						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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Aesthetics (continued):

AES-5: Materials used on building facades shall be non-reflective.

Verification comments:

	Prior to development project approval	DARM						X

Air Quality:

AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO₂ and PM_{2.5}. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:

- Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.
- Post signs requiring drivers to limit idling to 5 minutes or less.

Verification comments:

	Prior to development project approval	DARM						X

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Air Quality *(continued)*:

AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to: • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. <i>(continued on next page)</i>	Prior to development project approval	DARM						
								X

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Air Quality (continued):

AIR-2 (continued from previous page) - For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel - Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. Verification comments:	[see previous page]	[see previous page]						
AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook. Verification comments:	Prior to development project approval	DARM						
								X

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Air Quality (continued):

AIR-4: Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). Verification comments:	Prior to development project approval	DARM					X	
AIR-5: Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant. Verification comments:	Prior to development project approval	DARM						X

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Biological Resources:

BIO-1: Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Verification comments:	Prior to development project approval	DARM	X					X
BIO-2: Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that <i>(continued on next page)</i>	Prior to development project approval	DARM						X

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Biological Resources *(continued)*:

BIO-2 <i>(continued from previous page)</i> may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation. Verification comments:	<i>[see previous page]</i>	<i>[see previous page]</i>						
BIO-3: Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant <i>(continued on next page)</i>	Prior to development project approval	DARM						
							X	

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Biological Resources *(continued)*:

BIO-3 <i>(continued from previous page)</i> : level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis. Verification comments:	<i>[see previous page]</i>	<i>[see previous page]</i>						
BIO-4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities <i>(continued on next page)</i>	Prior to development project approval and during construction activities	DARM						
							X	

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Biological Resources (*continued*):

BIO-4 (<i>continued from previous page</i>): may continue in the vicinity of the nest only at the discretion of the biological monitor. Verification comments:	[see previous page]	[see previous page]						
BIO-5: If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (<i>i.e.</i> , CDFW or USFWS) on a case-by-case basis. Verification comments:	Prior to development project approval	DARM						
								X

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Biological Resources (*continued*):

BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented. Verification comments:	Prior to development project approval	DARM						
								X

BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS. Verification comments:	Prior to development project approval	DARM						
								X

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Biological Resources (*continued*):

BIO-8: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to U.S. Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland. Verification comments:	Prior to development project approval	DARM						
								X
BIO-9: In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and (<i>continued on next page</i>)	Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy	DARM						
								X

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Biological Resources *(continued)*:

BIO-9 <i>(continued from previous page)</i> : incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.	<i>[see previous page]</i>	<i>[see previous page]</i>						
Verification comments:								

Cultural Resources:

CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.	Prior to commencement of, and during, construction activities	DARM	X					
If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and <i>(continued on next page)</i>								

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Cultural Resources *(continued)*:

CUL-1 <i>(continued from previous page)</i> recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. Verification comments:	[see previous page]	[see previous page]						
CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed. If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric <i>(continued on next page)</i>	Prior to commencement of, and during, construction activities	DARM	X					

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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Cultural Resources *(continued)*:

CUL-2 <i>(continued from previous page)</i> archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided <i>(continued on next page)</i>	[see previous page]	[see previous page]	
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Cultural Resources *(continued)*:

CUL-2 <i>(further continued from previous two pages)</i> to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during <i>(continued on next page)</i>	[see Page 14]	[see Page 14]						

Cultural Resources *(continued)*:

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
CUL-2 <i>(further continued from previous three pages)</i> excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. Verification comments:	[see Page 14]	[see Page 14]						
CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered <i>(continued on next page)</i>	Prior to commencement of, and during, construction activities	DARM	X					

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CUL-3 <i>(continued from previous page)</i> resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the <i>(continued on next page)</i>	[see previous page]	[see previous page]						

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Cultural Resources *(continued)*:

CUL-3 <i>(further continued from previous two pages)</i> resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. Verification comments:	[see Page 17]	[see Page 17]						
CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most <i>(continued on next page)</i>	Prior to commencement of, and during, construction activities	DARM						
			X					

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Cultural Resources (*continued*):

CUL-4 (<i>continued from previous page</i>) likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. Verification comments:	[see previous page]	[see previous page]	
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Hazards and Hazardous Materials

HAZ-1: Re-designate the existing vacant land proposed for low density residential located northwest of the intersection of East Garland Avenue and North Dearing Avenue and located within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. Verification comments:	Prior to development approvals	DARM						X
HAZ-2: Limit the proposed low density residential (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less. Verification comments:	Prior to development approvals	DARM						X
HAZ-3: Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space. Verification comments:	Prior to development approvals	DARM						X

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Hazards and Hazardous Materials (<i>continued</i>):									
HAZ-4: Re-designate the current vacant lots at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space. Verification comments:		Prior to development approvals	DARM						X
HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection. Verification comments:		Prior to development approvals	DARM						X
HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked. Verification comments:		Prior to redevelopment of the current Emergency Operations Center	Fresno Fire Department and Mayor/City Manager's Office						X

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Hydrology and Water Quality									
HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. Verification comments:		Prior to water demand exceeding water supply	Department of Public Utilities (DPU)				X	X	
HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. Verification comments:		Ongoing	DPU					X	
HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant. Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. <i>(continued on next page)</i>		Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW				X	X	

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Hydrology and Water Quality (*continued*):

HYD-5.1 (<i>continued from previous page</i>) - Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. - Implement the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems. Verification comments:	[see previous page]	[see previous page]						

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Hydrology and Water Quality (*continued*):

HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant: Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include: • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. Verification comments:	Prior to exceedance of capacity of existing retention basin facilities	FMFCD, DARM, and PW				X		

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Hydrology and Water Quality (*continued*):

HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.

Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:

- Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
- Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.
- Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.

Verification comments:

Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities	FMFCD, DARM, and PW							

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Hydrology and Water Quality (continued):

HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant. - Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. - Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. - Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP. Verification comments:	Prior to exceedance of capacity of existing pump disposal systems	FMFCD, DARM, and PW				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

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

Hydrology and Water Quality (*continued*):

HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. Verification comments:	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW				X	X	

Public Services:

PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: Noise: Barriers and setbacks on the fire department sites. Traffic: Traffic devices for circulation and a “keep clear zone” during emergency responses. Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites. Verification comments:	During the planning process for future fire department facilities	DARM						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Public Services (continued):

PS-2: As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes: • Noise: Barriers and setbacks on the police department sites. • Traffic: Traffic devices for circulation. • Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites. Verification comments:	During the planning process for future Police Department facilities	DARM						X
PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes: <i>(continued on next page)</i>	During the planning process for future school facilities	DARM, local school districts, and the Division of the State Architect						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Public Services (continued):

PS-3 (continued from previous page) - Noise: Barriers and setbacks placed on school sites. - Traffic: Traffic devices for circulation. - Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights. Verification comments:	[see previous page]	[see previous page]						
PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from park and recreational facilities includes: - Noise: Barriers and setbacks placed on school sites. - Traffic: Traffic devices for circulation. - Lighting: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. Verification comments:	During the planning process for future park and recreation facilities	DARM						
						X	X	

Public Services (continued):

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
PS-5: As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes: • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures Verification comments:		During the planning process for future detention, court, library, and hospital facilities	DARM, to the extent that agencies constructing these facilities are subject to City of Fresno regulation						X
Utilities and Service Systems									
USS-1: The City shall develop and implement a wastewater master plan update. Verification comments:		Prior to wastewater conveyance and treatment demand exceeding capacity	DPU				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

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

Utilities and Service Systems *(continued)*:

USS-2: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements: - Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. - Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. Verification comments:	Prior to exceeding existing wastewater treatment capacity	DPU				X		
							X	
USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After <i>(continued on next page)</i>	Prior to exceeding existing wastewater treatment capacity	DPU				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

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):									
USS-3 (continued from previous page) approximately the year 2025, the City shall construct the following improvements:		[see previous page]	[see previous page]						
- Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased. - Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased.									
Verification comments:									
USS-4: A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify access and parking restrictions, pavement markings and signage, and hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools.		Prior to construction of water and sewer facilities	PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated area roadways are involved					X	
Verification comments:									

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems *(continued)*:

USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. - Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. - Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. <i>(continued on next page)</i>	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU						
							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

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

Utilities and Service Systems *(continued)*:

USS-5 <i>(continued from previous page)</i> - North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. - Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. Verification comments:	[see previous page]	[see previous page]						
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems (continued):

USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided. Verification comments:	Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR	DPU						
						X	X	X
USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. <i>(continued on next page)</i>	Prior to exceeding existing water supply capacity	DPU	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

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

Utilities and Service Systems *(continued)*:

USS-7 <i>(continued from previous page)</i> - Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. - Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Verification comments:	[see previous page]	[see previous page]						
USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025. Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <i>(continued on next page)</i>	Prior to exceeding capacity within the existing water conveyance facilities	DPU						
					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

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

Utilities and Service Systems *(continued)*:

USS-8 <i>(continued from previous page)</i> - Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. - Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. - Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. - Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. - Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.	<i>(continued on next page)</i>	<i>[see previous page]</i>	<i>[see previous page]</i>					

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems *(continued)*:

USS-8 <i>(continued from previous two pages)</i> - Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. - Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Verification comments:	[see Page 37]	[see Page 37]						
USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. <i>(continued on next page)</i>	Prior to exceeding capacity within the existing water conveyance facilities	DPU						
						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

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

Utilities and Service Systems (continued):

USS-9 (continued from previous page) - Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. - Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update. Verification comments:	[see previous page]	[see previous page]						

Utilities and Service Systems - Hydrology and Water Quality

USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge. Verification comments:	During the dry season	Fresno Irrigation District (FID)						
							X	

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources:

USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas: (a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required. (b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. As part of FMFCD's Memorandum of Understanding with CDFG, Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and from the <i>(continued on next page)</i>	Prior to development approvals outside of highly urbanized areas	California Regional Water Quality Control Board (RWQCB), and USACE						
						X		

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources (continued):**USS-11 (continued from previous page)**

Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet "no net loss policy," the permits shall require replacement of wetland habitat at a 1:1 ratio.

- (c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:

- i. Specific location, size, and existing hydrology and soils within the wetland creation area.
- ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper

(continued on next page)

[see previous page]

[see previous page]

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources (continued):

USS-11 (continued from previous two pages) hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan. iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation. (d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. (continued on next page)	[see Page 41]	[see Page 41]
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources (continued):

USS-11 (continued from previous three pages) If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above. Or (e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank. Verification comments:	[see Page 41]	[see Page 41]						
USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: (a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further (continued on next page)	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources *(continued)*:

USS-12 <i>(continued from previous page)</i> action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable. (b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following: • The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. <i>(continued on next page)</i>	[see previous page]	[see previous page]						
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources (continued):

USS-12 <i>(continued from previous two pages)</i> The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFG and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. Verification comments:	[see Page 44]	[see Page 44]																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources (continued):

USS-13 <i>(continued from previous page)</i> (b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp. (c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank. Verification comments:	[see previous page]	[see previous page]						
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Utilities and Service Systems - Biological Resources (*continued*):

USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur: (a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat. (b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible. (c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs. Verification comments:	During facility design and prior to initiation of construction activities	CDFW and USFWS						
								X

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Utilities and Service Systems - Biological Resources *(continued)*:

USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary. Verification comments:	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS				X		
USS-16: When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat: (a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted. <i>(continued on next page)</i>	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS				X		

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Utilities and Service Systems - Biological Resources (continued):

USS-16 (continued from previous page) (b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.	[see previous page]	[see previous page]						
Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. (continued on next page)								

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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Utilities and Service Systems - Biological Resources (continued):

USS-16 (continued from previous two pages) For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby. Verification comments:	[see Page 49]	[see Page 49]						
USS-17: When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor: (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River. (b) Riparian vegetation shading the main-channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within <i>(continued on next page)</i>	During instream activities conducted between October 15 and April 15	National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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Utilities and Service Systems / Biological Resources (continued):

USS-17 <i>(continued from previous page)</i> FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board.	<i>[see previous page]</i>	<i>[see previous page]</i>						
Verification comments:								

Utilities and Service Systems – Recreation / Trails:

USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: <i>(continued on next page)</i>	Prior to final design approval of all elements of the District Services Plan	DARM, PW, City of Clovis, and County of Fresno						

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 F - Not Applicable

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

Utilities and Service Systems – Recreation / Trails (continued):

USS-18 (continued from previous page) (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. Verification comments:	[see previous page]	[see previous page]						
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Utilities and Service Systems – Air Quality:

USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. (continued on next page)	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems – Air Quality (continued):

USS-19 (continued from previous page) (b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site. (c) Off-road trucks should be equipped with on-road engines if possible. (d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard. Verification comments:	[see previous page]	[see previous page]						

Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:

USS-20: Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided. Verification comments:	Prior to exceeding capacity within the existing storm water drainage facilities	FMFCD, PW, and DARM						
						X		

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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Utilities and Service Systems – Adequacy of Water Supply Capacity:

USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update. Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025. Verification comments:	Prior to exceeding existing water supply capacity	DPU and DARM						
						X	X	

Utilities and Service Systems – Adequacy of Landfill Capacity:

USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided. Verification comments:	Prior to exceeding landfill capacity	DPU and DARM						
						X	X	

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