

## Exhibit K



DATE: 4/25/2024

TO: Chris Lang, Supervising Planner  
Planning and Development Department

THROUGH: Harmanjit Dhaliwal, PE, Licensed Engineer Manager,  
Public Works Department  
Land Planning & Subdivision Inspection Section

FROM: Angela Reis, Chief Engineering Technician  
Public Works Department, Traffic Planning Section

SUBJECT: Public Works Conditions of Approval  
**T-6360 / P22-00392, P22-00388, a 326-lot** single family subdivision / private unit development  
2084 N. Armstrong Ave  
Wilson Premier Homes / Harbour & Associates

The Public Works Department, Traffic Operations and Planning 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. Street Dedications: Provide corner cut dedications at all intersections for accessibility ramps.
2. Right of way: All right-of-way "outside" of the subdivision border shall either be acquired **prior** to recordation of Final Map, or a deposit equal to the value of the right-of-way and an estimate of the City staff time necessary to acquire the right-of-way shall be submitted **prior** to recordation of the Final Map.
3. Plan Submittal: Submit the following plans, as applicable, in a single package, to the Public Works Department for review and approval **prior** to recordation of the Final Map. Street: construction, signing, striping, traffic signal and streetlight and Trail: construction, grading, lighting, striping, signing, landscape and irrigation.
4. 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 Public Works 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.
5. Encroachment Covenants: The construction of any private 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, Engineering Services Division, **(559) 621-8681**. Encroachment covenants must be approved prior to issuance of building permits.

6. Street widening and transitions shall also include utility relocations and necessary dedications.
7. Overhead Utilities: Underground all existing overhead utilities with the limits of this map in accordance with *Fresno Municipal Code Section 15-4114*.
8. Intelligent Transportation Systems (ITS): Street work on major streets shall be designed to include ITS in accordance with the *Public Works ITS Specifications*, where not existing.
9. Backing onto a major street: Backing onto a major street is prohibited.
10. 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.
11. Intersection Visibility: Maintain visibility at all intersections as described in the *Fresno Municipal Code Section 15-2018*.
12. Driveway Approaches: The throat of the driveway approaches shall be the same width as the driveway. Approach widths shall be built to *Public Works Standard P-6*.
13. Verify that the border is correct. Incorrect boundaries could result in extending timelines due to the need for separate processes, timelines and fees.
14. When permanent facilities are not available from the Fresno Metropolitan Flood Control District, the applicant shall identify a temporary onsite storm water basin per *Public Works Standard P-97* for review and approval from Public Works.

## **Frontage Improvement Requirements:**

### **Public Streets:**

#### **McKinley Avenue: 2 Lane Collector ( Both sides)**

1. Dedication and Vacation Requirements:
  - a. Dedicate **72'-88'** of property, for public street purposes, from Armstrong Avenue to the bridge, within the limits of this application, per *Public Works Standard P-54* and **P-69**. Centerline shall be established per Official Plan Line No. 150.
  - b. Dedicate corner cuts for public street purposes at the intersection of McKinley and Armstrong at all four corners.
  - a. South side of Mckinley, from Armstrong Avenue to bridge, dedicate a **26'** easement for Bike, Pedestrian and Landscape (BPLE) purposes only Utilities shall be located between the face of curb and the right of way. Additional right of way may be required for grading and drainage purposes.
  - c. Relinquish direct access rights to McKinley Avenue from all lots within this subdivision.
2. Construction Requirements:
  - a. Construct concrete curb, gutter and a **6'** sidewalk to *Public Works Standard P-5* on the north side of McKinley. The curb shall be constructed to a **12'** residential pattern (**5.5' - 6' - .5'**).
  - b. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the *Model Water Efficiency Landscape Ordinance, Public Works Standards and Specifications, Section 25 and 26*.
  - c. Construct standard curb ramps per *Public Works Standard* at all intersections.
    - Major street to major street: **R=30'**, dual ramps per **P-30 and P-32**

- Entry: **R=20' minimum to 25' maximum, P-28, P-32**
- d. On the south side of McKinley construct from bridge to Armstrong Avenue, a **12'** wide Bike and Pedestrian **Class I Trail**, complete with lighting, signing, striping and landscaping, per the *Fresno General Plan*, the *Public Works Standard P-58, P-60, P-61* and the *Caltrans Highway Design Manual*. Identify route on the map complete with a cross section. Construct an expressway barrier fence per *Public Works Standard P-74 and P-75*, when required per the *Highway Design Manual*. Construct trail from bridge to Armstrong Avenue.
  - e. Construct an **80'** bus bay curb and gutter at the Southeast corner of McKinley and Armstrong to *Public Works Standard FAX-1 through FAX-4*, complete with a **12'** monolithic sidewalk.
  - f. Construct **20'** of permanent paving per *Public Works Standard P-50* (measured from face of curb) within the limits of this subdivision and transition paving, as necessary.
  - g. Construct an underground street lighting system to *Public Works Standard E-1 and E-7A, E-7B, E-8*, within the limits of this subdivision. Streetlights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in *Section 3-3.17* of the *City Specifications and Standard Drawings E-15, E-17 and/or E-18* or as approved by the City Engineer.
  - h. The proposed street type approach shall be constructed per **P-77**. This is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard **P-10**. If grades are not sufficient, construct to Public Works Standards **P-2** and **P-6**.

#### Armstrong Avenue: 2 Lane Collector

3. Dedication and Vacation Requirements:
  - a. Dedicate **36'-44'** of property, from centerline, for public street purposes, within the limits of this application, per *Public Works Standard P-54 and P-69*. Center line shall be established per the approved Director's Determination No. 15-E-11424.
  - b. Dedicate corner cuts for public street purposes at the entrance along Armstrong.
  - c. Relinquish direct access rights to Armstrong Avenue from all lots within this subdivision.
4. Construction Requirements:
  - a. Construct concrete curb, gutter and a **6'** sidewalk to *Public Works Standard P-5*. The curb shall be constructed to a **12'** residential pattern (**5.5' - 6' - .5'**).
  - b. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the *Model Water Efficiency Landscape Ordinance, Public Works Standards and Specifications, Section 25 and 26*.
  - c. Construct standard curb ramps per *Public Works Standard* at all intersections.
    - Entry: **R=20' minimum and 25' maximum, P-28, P-32**
  - d. Construct an **80'** bus bay curb and gutter at the Northeast corner of Armstrong and McKinley to *Public Works Standards FAX-1 through FAX-4*, complete with a **12'** monolithic sidewalk.
  - e. Construct **20'** of permanent paving per *Public Works Standard P-50* (measured from face of curb) within the limits of this subdivision and transition paving, as necessary.
  - f. Construct an underground street lighting system to *Public Works Standard E-1 and E-7B, E-8*, within the limits of this subdivision. Streetlights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in *Section 3-3.17* of



the *City Specifications and Standard Drawings E-15, E-17 and/or E-18* or as approved by the City Engineer.

- g. The proposed street type approach shall be constructed per **P-77**. This is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard **P-10**. If grades are not sufficient, construct to Public Works Standards **P-2** and **P-6**.

#### **Interior Streets: Private**

1. Entry Gates: Provide a minimum of **100'** from the proposed gate to the back of walk, for vehicle stacking at the proposed entrance and design to provide for an onsite turn around with **37'** minimum per Public Works Standard **P-66**.
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 of the street. Identify ramps within the proposed subdivision wherever sidewalks are provided.
3. Garages: Garage or carport setbacks are recommended to be a minimum of **18'** from the back of walk or curb, whichever is greater.
4. Provide a **12'** visibility triangle at all driveways.

#### **Specific Mitigation Requirements:**

A Traffic Impact Study is required for this subdivision. Comply with the most recent mitigation requirements of the Traffic Operations and Planning Manager for **TIS 23-008**, it is included in the conditions.

#### **Within the subdivision border-**

1. Relinquish direct vehicular access rights to:
  - a. the south property lines of all residential lots and outlots on McKinley Avenue, except for entrance to the subdivision.
  - b. the west property lines of all residential lots on Armstrong Avenue.

#### **Outside of the subdivision border-**

1. Dedications:
  - Acquire additional off-site street right of way adjacent to the map to accommodate the improvements along McKinley and Armstrong Avenues.
2. Safe Route to School on the south side of McKinley to Laverne.
3. 4' asphalt path of travel on the east side of Armstrong to the southern limits of Tract 6285.

**Traffic Signal Mitigation Impact (TSMI) Fee:** This project shall pay all applicable TSMI Fees **at the time of building permit**. Contact the Public Works Department, Frank Saburit at (559)621-8797. The fees are based on the Master Fee schedule. In some cases, traffic signals may be conditioned on multiple maps. If the signal is existing at the time of the final map, the applicant would not be required to construct the signal but would be required to pay the applicable fee.

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 *General Plan* circulation element and are included in the latest Nexus Analysis for TSMI fee. Project specific impacts that are not consistent with the *General Plan*, *Public Works Standard Drawings* or not incorporated in the TSMI fee infrastructure costs, are not reimbursable. 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.

1. The intersection of McKinley Avenue and Armstrong Avenue shall be signalized to the City of Fresno Standards, complete with left turn phasing, actuation and signal pre-emption, **prior** to **issuance of 200 building permits**. 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 the recordation of the subdivision. The traffic signal installation shall be limited to the following equipment: poles, safety lights, oversize street name sign, conduits, detectors, service pedestal connected to a PG&E point of service, controller cabinet, ITS vault, ITS communication cabinet and all pull boxes.

**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. In some cases, center section improvements or bridges may be conditioned on multiple maps. If the improvements are existing at the time of the final map, the applicant would not be required to construct them, but would be required to pay the applicable fee.

**Fresno Major Street Impact (FMSI) Requirements:**

McKinley Avenue: 2-Lane Collector (New Growth Area)

1. Dedicate and construct a **12'** continuous center two-way left turn lane, (1) **11'** (east bound) travel lane, (1) **7'** (east bound) bike lane, (1) **11'** (west bound) travel lane, (1) **7'** (west bound) bike lane within the limits of this subdivision. Continue west from Armstrong Avenue to Laverne Avenue with (1) 12' travel lane in each direction with a 5' shoulder. If applicable Stripe **200'** left turn pockets at all major intersections. 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.
2. Construct a minimum 4' asphalt path of travel on the south side of Mckinley between Armstrong Avenue to Laverne Avenue as required in TIS23-008 comment letter.

Armstrong Avenue: 2-Lane Collector (New Growth Area)

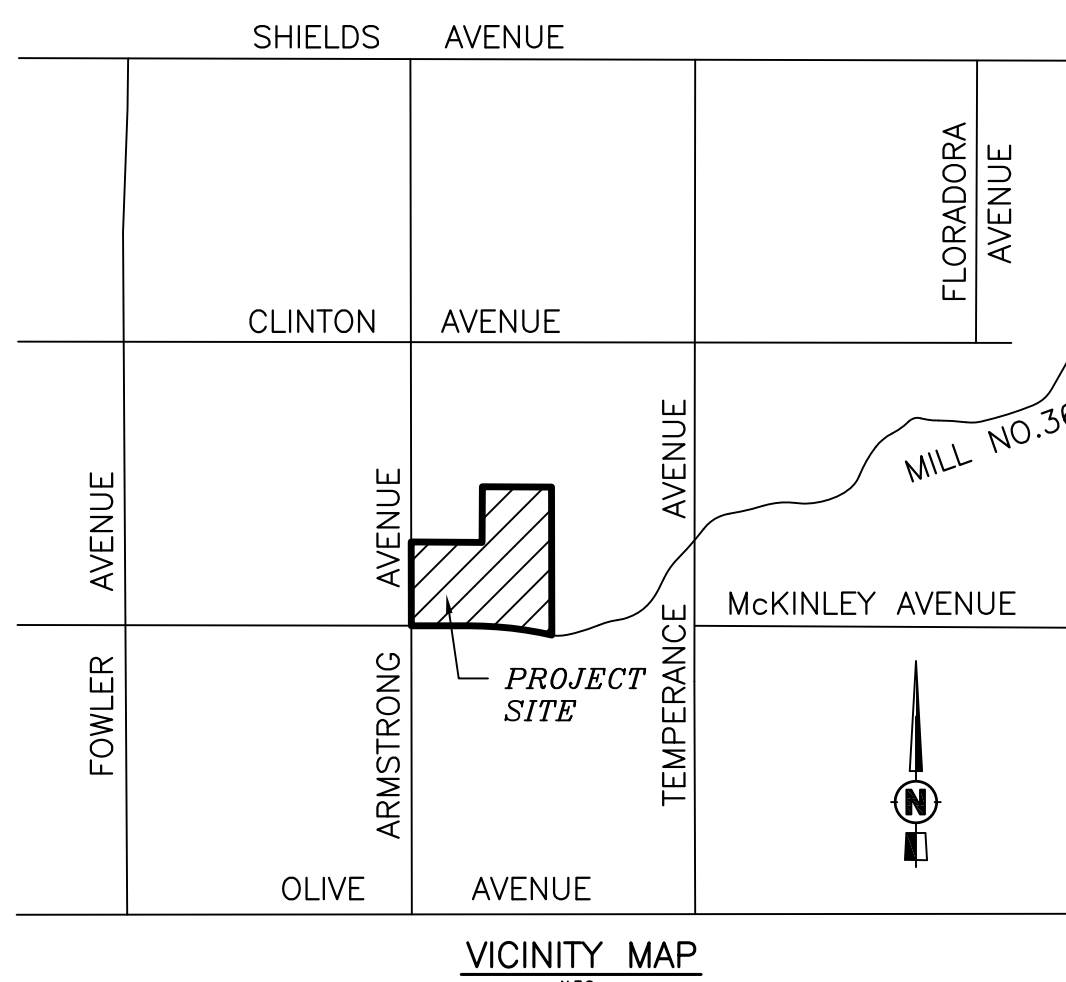
1. Dedicate and construct a **12'** continuous center two-way left turn lane, (1) **11'** (north bound) travel lane, (1) **7'** (north bound) bike lane, (1) **11'** (south bound) travel lane, (1) **7'** (south bound) bike lane within the limits of this subdivision and continue north to the southern limits of Tract 6285 at Weldon Avenue. If applicable stripe **200'** left turn pockets at all major intersections. 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.

2. Construct a 4' asphalt path of travel on the east side of Armstrong Ave from the northern property line of Tract 6360 to the southern limits of Tract 6285.

**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](http://www.fresnocog.org). Provide proof of payment or exemption **prior** to certificate of occupancy.





ARMSTRONG AVENUE  
-IMPROVEMENTS OUTSIDE  
THE BOUNDARY TO SOUTH  
LIMITS OF T-6285 WELDON  
AVENUE.  
- CURB TO CURB  
IMPROVEMENTS  
-CONSTRUCT PERMANENT  
PAVING PER PW STANDARD  
P-50  
- 4' ASPHALT PATH ON EAST  
SIDE TO SOUTHERN LIMITS  
OF T-6285

APN: 574-130-03  
USE: AGRICULTURE

APN: 574-130-04  
USE: RURAL RESIDENTIAL

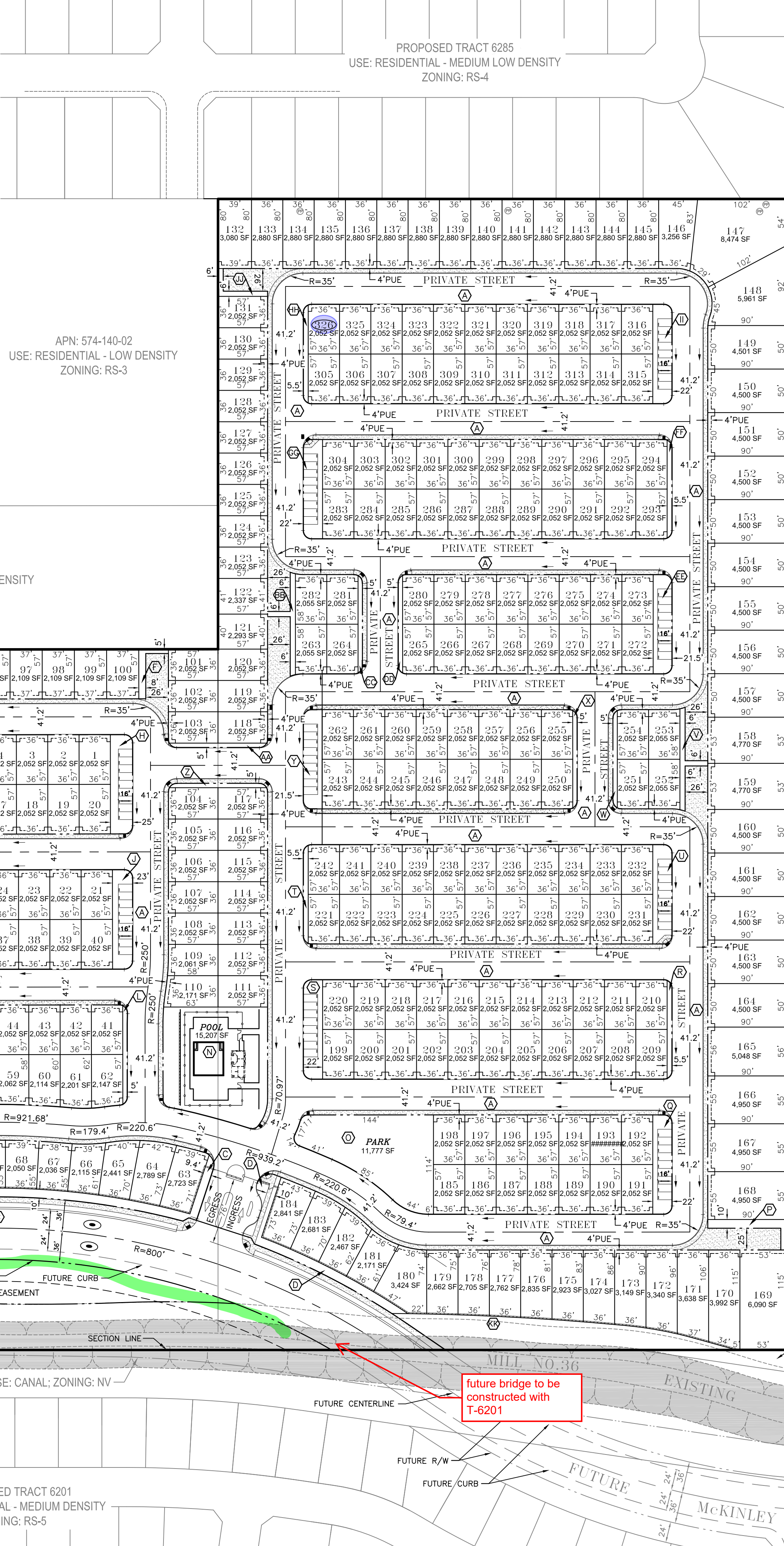
APN: 574-130-05  
USE: AGRICULTURE

APN: 574-130-06  
USE: CANAL; ZONING: NV

APN: 310-082-14  
USE: RESIDENTIAL -  
EMPLOYMENT

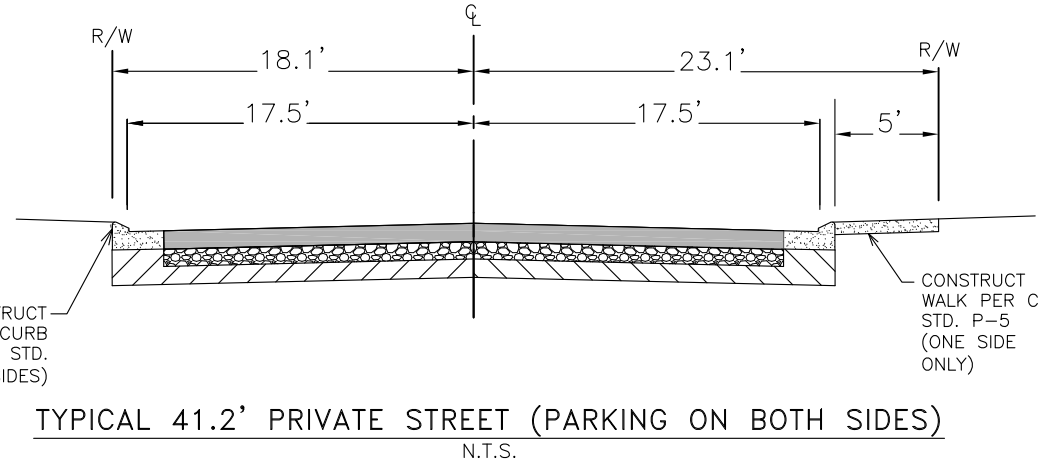
MCKINLEY TO LAVERNE CONSTRUCT  
- (1) 12' TRAVEL LANE IN EACH  
DIRECTION

SAFE ROUTE: South  
side of McKinley - FUTURE R/W  
-Armstrong to Laverne- FUTURE CURB  
4' asphalt for safe route



APPL. NO. T-6360 EXHIBIT A DATE 11/21/22  
PLANNING REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_  
TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
CITY OF FRESNO DARM DEPT

VESTING  
TENTATIVE SUBDIVISION MAP  
OF  
**TRACT NO. 6360**  
IN THE CITY OF FRESNO  
FRESNO COUNTY, CALIFORNIA



- EXISTING BUILDINGS  
NONE
- EXISTING TREES  
NONE
- EXISTING PLANNED LAND USE  
LOW-DENSITY RESIDENTIAL
- PROPOSED PLANNED LAND USE  
MEDIUM-DENSITY RESIDENTIAL
- EXISTING USE  
AGRICULTURAL
- PROPOSED USE  
SINGLE-FAMILY RESIDENTIAL SUBDIVISION - MEDIUM DENSITY
- EXISTING ZONING  
RS-3
- PROPOSED ZONING  
RS-5/UGM
- SOURCE OF WATER  
CITY OF FRESNO
- SOURCE OF SEWAGE DISPOSAL  
CITY OF FRESNO
- SOURCE OF ELECTRICITY  
PG&E
- SOURCE OF GAS  
PG&E
- SOURCE OF CABLE T.V.  
COMCAST
- SOURCE OF TELEPHONE  
AT&T

ASSESSOR'S PARCEL NUMBER  
574-140-04 & 574-140-05

SITE AREA  
31.72 AC. (GROSS)  
28.56 AC. (NET)

NUMBER OF LOTS  
326 LOTS & 35 OUTLOTS

DENSITY  
11.41 D.U./AC.

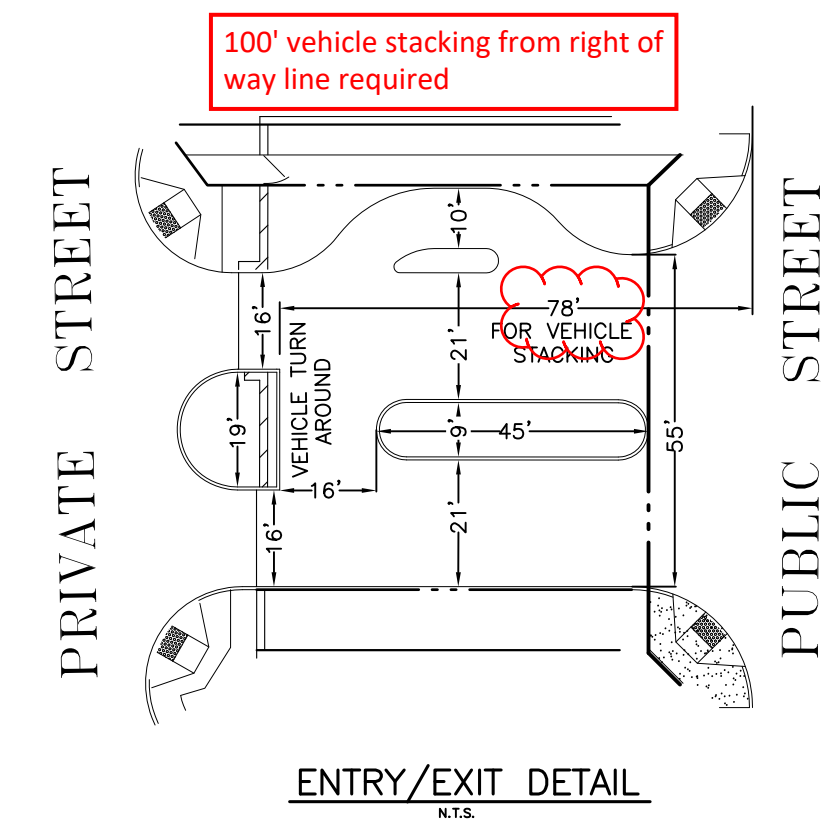
AVERAGE LOT SIZE  
2,359 S.F.

SITE ADDRESS  
2084 N. ARMSTRONG AVE. S/A

OWNERS  
RYAN AND ERIKA METZLER  
1760 N. HORNET  
FRESNO, CA 93727

SARAH EVERETT HAGERTY TRUSTEE  
2784 N. GREEN VALLEY PARKWAY #501  
HENDERSON, NV 89014

- LEGEND:
- INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE
  - PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
  - PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
  - DIRECTION OF STORMWATER FLOW
  - PROPOSED 6" CONCRETE SIDEWALK
  - PROPOSED ADA RAMP PER CITY STD. P-28, P-29, P-30, P-31
  - OUTLOT IDENTIFIER
  - APPROXIMATE LOCATION OF EXISTING POWER POLE TO BE REMOVED
  - EXISTING CANAL
  - PROPOSED 6' HIGH MASONRY WALL



- NOTES:
- THIS AREA IS SUBJECT TO FLOODZONE X (UNSHADED).
  - ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF FRESNO TO CITY STANDARDS, AND SHALL INCLUDE SANITARY SEWER, DOMESTIC WATER, UNDERGROUND POWER, TELEPHONE, GAS, CONCRETE CURBS, GUTTERS, SIDEWALKS, PERMANENT STREET PAVEMENT STREET LIGHTS, ETC.
  - THERE SHALL BE NO GRADE DIFFERENTIALS OF GREATER THAN 6" WITHIN 200 FEET OF THE SITE UNLESS APPROVED BY THE CITY OF FRESNO DEVELOPMENT DEPARTMENT.
  - THERE ARE NO EXISTING ABOVE GROUND USES OR STRUCTURES SUCH AS BUILDINGS, WATER WELLS, POWER LINES, TOWERS, ETC., WITHIN THE PROPOSED SUBDIVISION. (EXCEPT IF SHOWN)
  - THERE ARE NO UNDERGROUND FEATURES SUCH AS WELLS, CESSPOOLS, SEWERS, CULVERTS, STORM DRAINS, DUMP SITES AND OTHER UNDERGROUND STRUCTURES WITHIN THE PROPOSED SUBDIVISION. (EXCEPT IF SHOWN)
  - THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE TO THE EXTENT FEASIBLE FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES AND OTHER MEASURES THAT CONSERVE NONRENEWABLE ENERGY RESOURCES AS PROVIDED IN THE SUBDIVISION MAP ACT. 79% OF THE LOTS ARE ORIENTED NORTH AND SOUTH.
  - OUTLOT A IS TO BE DEDICATED FOR PRIVATE ROAD PURPOSES. OUTLOTS B, C, & D ARE TO BE DEDICATED FOR PRIVATE LANDSCAPING AND PUBLIC PEDESTRIAN PURPOSES. OUTLOT N IS TO BE DEDICATED FOR PRIVATE POOL PURPOSES. OUTLOT O IS TO BE DEDICATED FOR PRIVATE PARK PURPOSES. OUTLOTS E, F, G, H, I, J, K, L, M, P, R, T, V, W, X, Z, AA, BB, CC, DD, FF, HH, & JJ ARE TO BE DEDICATED FOR PRIVATE LANDSCAPING AND PUBLIC UTILITY PURPOSES. OUTLOTS S, H, I, J, K, Q, S, U, Y, EE, GG, & II ARE TO BE DEDICATED FOR PRIVATE LANDSCAPING AND PRIVATE PARKING PURPOSES. OUTLOT LL IS TO BE DEEDED TO THE CITY OF FRESNO FOR OPEN SPACE PURPOSES. OUTLOTS KK AND MM ARE TO BE DEEDED TO THE FRESNO IRRIGATION DISTRICT FOR CANAL MAINTENANCE AND ACCESS PURPOSES.

LEGAL DESCRIPTION:

(APN: 574-140-04)

THE WEST ONE-HALF OF LOT 15 IN SECTION 27, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M. EXCEPTING THEREFROM THE NORTH 517.23 FEET OF THE WEST HALF OF LOT 15 OF THE SUBDIVISION OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M. ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 5, PAGE 14 OF PLATS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM:

ALL THAT PORTION DEEDED TO THE COUNTY OF FRESNO BY INSTRUMENT RECORDED APRIL 22, 1994, SERIES NO. 94070205 FRESNO COUNTY OFFICIAL RECORDS.

(APN: 574-140-05)

PARCEL 1:

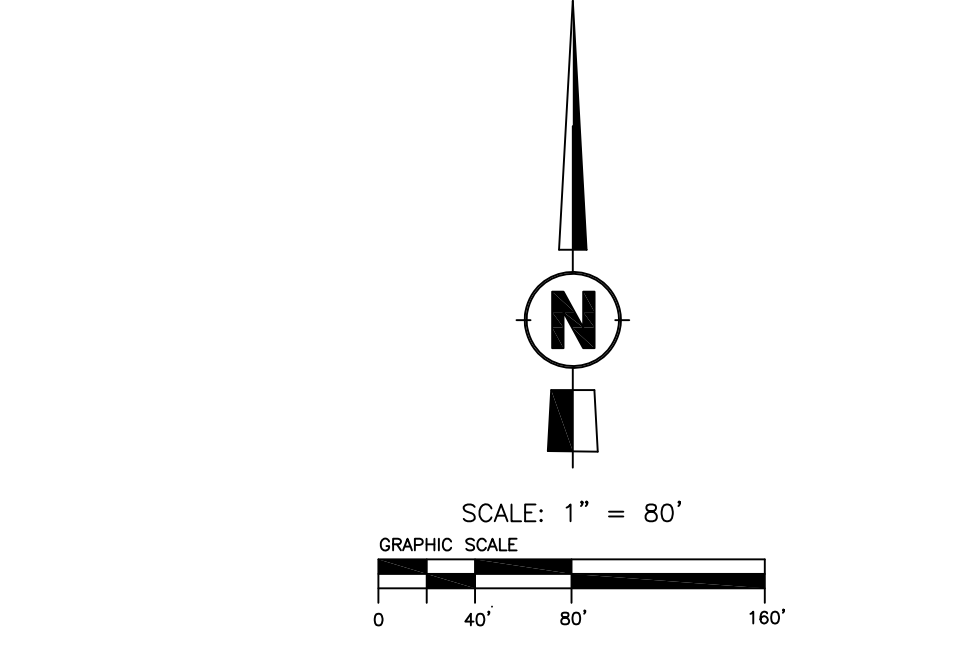
THE EAST HALF OF LOT 15 IN SECTION 27, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE MAP SHOWING THE SUBDIVISION OF SAID SECTION, RECORDED IN BOOK 5, PAGE 14 OF PLATS, FRESNO COUNTY RECORDS.

PARCEL 2:

A 60 FOOT WIDE EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL:

THE SOUTH 60 FEET OF THE NORTH 352.53 FEET OF THE WEST HALF OF LOT 15 IN SECTION 27, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE MAP SHOWING THE SUBDIVISION OF SAID SECTION, RECORDED IN BOOK 5, PAGE 14 OF PLATS, FRESNO COUNTY RECORDS.

OPEN SPACE  
REQUIRED = 0.62 AC.  
PROVIDED (ONSITE)  
OUTLOT N = 0.35 ACRES  
OUTLOT O = 0.27 ACRES  
TOTAL (ONSITE) = 0.62  
OUTLOT LL = 0.597 ACRES  
TOTAL = 1.216 ACRES



TENTATIVE TRACT MAP

SUBDIVIDER  
Wilson Premier Homes, Inc.  
7550 NORTH PALM AVENUE SUITE 102  
FRESNO, CA 93711  
509-224-7550

Harbour & Associates  
Civil Engineers  
389 Clovis Avenue, Suite 300 • Clovis, California 93612  
(559) 325-7676 • Fax (559) 325-7699 • e-mail: hba@harbour-engineering.com

REVISIONS

NO.	DATE	DESCRIPTION
1		

SHEET NO.  
1 OF 1

DATE: 11-21-22 SCALE: 1" = 80' DRAWN BY: SDH W.D. #21-014



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

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

June 19, 2023

Chris Lang, Planner III  
Planning and Development Department  
2600 Fresno Street, 3<sup>rd</sup> Floor  
Fresno, CA 93721

**SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED MARCH 2023 ASSOCIATED WITH THE ENVIRONMENTAL IMPACT REPORT (EIR) DATED MAY 2023, FOR THE PROPOSED VESTING TENTATIVE TRACT MAP 6360 PROJECT LOCATED AT THE NORTHEAST CORNER OF NORTH ARMSTRONG AVENUE AND EAST MCKINLEY AVENUE.  
TIS 23-008, P22-00388, P22-00392**

## **PROJECT OVERVIEW**

Traffic Operations and Planning staff has reviewed the Traffic Impact Study (TIS) prepared by LSA for the proposed Tract Map 6360 Project located at the Northeast corner of North Armstrong Avenue and East McKinley Avenue, “project”, which plans to develop 326 single- family dwelling units. The subject property is currently zoned as RS-3 (Residential Single- Family, Low Density) in the City of Fresno and a General Plan Amendment to rezone the property to RS-5 (Residential Single-Family, High Density). The approximately 31.98-acre site is currently vacant.

The TIA evaluated the trip generation characteristics for the proposed project. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 11<sup>th</sup> Edition. The table below includes the weekday (ADT), AM and PM peak hour trips projected to be generated by proposed project as shown in the TIS.

Table 1 – Proposed Project Trip Generation from 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)	326 DU	3,074	59	170	229	192	114	306
Totals		3,074	59	170	229	192	114	306

DU = Dwelling Unit

## GENERAL COMMENTS and CONDITIONS

1. The TIS described North Armstrong Avenue as a two-lane, undivided Collector with a posted speed limit of 45 miles per hour between Yale Avenue and Floradora Avenue with no bike facilities nor provisions for on-street parking along either direction. Armstrong Avenue has been updated to provide bike facilities from Yale Avenue to Weldon Avenue and from Floradora Avenue to the Mill Ditch.
2. Transportation impact criteria are tiered based on a project's location. Four (4) Traffic Impact Zones (TIZ) have been identified in the General Plan. Each TIZ has specific criteria to be used in determining the level of analysis required for a project. The proposed project is located in Traffic Impact Zone (TIZ) III. This TIZ requires a traffic impact study if a project is projected to generate more than 100 trips during a peak hour. The proposed project is projected to generate at least 229 trips during each peak hour. The TIA submitted for this project is sufficient for the project as proposed.
3. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule at the time of 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 General Plan circulation element and are included in the Nexus Study for the TSMI fee. 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 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible. 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.

4. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at the time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
5. 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](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.

6. The proposed project shall pay the \$1,055 Traffic Study review fee for review of the document per the City's Master Fee Schedule. Proof of payment shall be provided to the Traffic Engineering Division, Land Planning Section.
7. The proposed project shall widen Armstrong Avenue curb to curb from Mill Ditch Bridge to Weldon Avenue prior to the occupancy of any dwelling units. This may require the acquisition of right-of-way. Armstrong Avenue shall be constructed to meet City Standard P-54 and the approved Director's Determination. A continuous pedestrian path of travel on the east side of Armstrong Avenue is required. A concrete sidewalk is required on the project frontage. In the areas that are not on the project frontage a minimum of four feet of asphalt is required.
8. The proposed project shall construct McKinley Avenue (One 12-foot travel lane in each direction of travel) from Armstrong Avenue to Laverne Avenue with transition for westbound McKinley to meet existing improvements prior to the issuance of 100 building permits. The project shall also construct a pedestrian path-of-travel (safe route to school) that is a minimum of four feet of asphalt on the south side of McKinley in this area. The City is currently pursuing the purchase of this right-of-way. Permit number 101 will not be issued until the new section of McKinley is open to vehicular and pedestrian traffic.
9. The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno standards at the intersection of North Armstrong Avenue at East McKinley Avenue prior to issuance of 200 building permits. Permit number 201 will not be issued until this traffic signal is constructed and operational. The traffic signal equipment shall be installed in the ultimate location and may require the acquisition of right-of-way. The intersection shall be designed to the following configuration:
  - Eastbound – one (1) left turn lane\*, (1) one through lane\* and one (1) right turn lane.
  - Westbound – one (1) left turn lane\*, (1) one through lane\* and one (1) 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\*, one (1) through lane\*, and one (1) right turn lane.
  - Bike lanes and conflict markings shall be provided in all directions\*.

\*Denotes lanes that shall be constructed.



10. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic Engineering Division, Land Planning Section.
11. 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.

If you have any further questions regarding this matter, please contact me at (559) 621-8694 or [harmanjit.dhaliwal@fresno.gov](mailto:harmanjit.dhaliwal@fresno.gov).

Sincerely,



Harmanjit Dhaliwal, PE  
Public Works Manager, Land Planning Section  
Public Works Department, Traffic Engineering Division

C: Copy filed with Traffic Impact Study  
Jill Gormley, Traffic Operations & Planning Section Manager  
Andreina Aguilar, Chief Engineering Technician  
Jairo Mata, Chief Engineering Technician  
Andrew Benelli, Assistant Director  
Scott Tyler, Engineering Services Manager  
Jason Camit, Chief Surveyor



**DATE:** ~~March 8, 2023~~ June 26, 2024

**TO:** Chris Lang, Supervising Planner  
Planning and Development Department

**FROM:** Adrian Gonzalez, Senior Engineering Technician  
Public Works Department, Traffic Operations and Planning Division

**SUBJECT:** PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP NO. 6360 REGARDING MAINTENANCE/SERVICE REQUIREMENTS (P22-00392)

**LOCATION:** 2084 North Armstrong Avenue  
**APN:** 574-140-04

The Public Works Department, Traffic Operations and Planning 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 separate processing to the Public Works Department, Traffic Operations and Planning Division <b>prior</b> to final map approval.			
X	CFD Annexation Request Packages (CFD 11 and 18)	Adrian Gonzalez	(559) 621-8693 <a href="mailto:Luis.Gonzalez@fresno.gov">Luis.Gonzalez@fresno.gov</a>

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.

- a. Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process and the approval of the final map.
- b. **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' wide minimum landscaped areas allowed)** in **all Local and Major Streets**.
- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlots having the purpose for 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**.

**\*All end lots, side yards, and front yards are the responsibility of the property owner and are not eligible for Services for maintenance by the CFD.**

## 2. The Property Owner's Services Requirements

~~The recurring expenditures related to Public Safety Services, police and fire safety/protection/suppression ("Services"), provided by the City that are 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. 18 ("CFD No. 18").~~

~~The following public safety services will be furnished by CFD No. 18 as associated with this development:~~

- ~~▪ The services to be funded, in whole or in part, by the District include all direct and incidental costs related to providing for the funding of public safety services within the area of the District.~~
- ~~▪ The services shall include, but not be limited to, police and fire safety/protection/suppression services.~~
- ~~▪ The District may fund any of the following related to the services described in the preceding sentence: obtaining, constructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/ or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services.~~
- ~~▪ The administrative expenses to be funded by the District include the direct and indirect expenses incurred by the City in carrying out its duties with respect to the District (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the City related to the District or the collection of special taxes, an allocable share of the salaries of the City staff directly~~

~~related thereto and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund with respect to the District or the services authorized to be financed by the District, and expenses incurred by the City in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the City in any way related to the District.~~

- ~~• The incidental expenses that may be funded by the District include, in addition to the administrative expenses identified above, the payment or reimbursement to the City of all costs associated with the establishment and administration of the District.~~

**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 Operations and Planning 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, Land Development.
  - **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 and approved for Services by CFD No. 11 shall be dedicated as a public easement for maintenance purposes. Outlots purposed for required public open space or City trails shall be dedicated in fee to the City of Fresno 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.
- c. ~~The Property Owner may petition the City of Fresno to request annexation to CFD No. 18 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic Operations and Planning 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, Land Development.~~
  - ~~▪ **Proceedings to annex the final map to CFD No. 18 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. 18 are not subject to change and after acceptance for processing.~~

For questions regarding these conditions please contact Adrian Gonzalez at (559) 621-8693 or [Luis.Gonzalez@fresno.gov](mailto:Luis.Gonzalez@fresno.gov)

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**DEPARTMENT OF PUBLIC WORKS**

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**TO:** Chris Lang, Supervising Planner  
Planning & Development Department

**FROM:** Adrian Gonzalez, Senior Engineering Technician  
Public Works, Traffic Operations and Planning Division

**DATE:** March 8, 2023

**SUBJECT:** P22-00392; Tract 6360 (APN: 574-140-04) located on the east side of North Armstrong Avenue, north of East Floradora Avenue. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street rights-of-way, 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 40' 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 AB 1881.
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 40' 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 40' 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.
  - f. There are no designated street trees for any of the streets on this project. Please choose appropriate trees from the list of Approved Street Trees.

## **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 AB1881, water efficient 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 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 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. 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.

### **TRAIL REQUIREMENTS**

1. The trail shall be constructed in accordance with the "Master Trails Manual" and the Public Works Department standards. The subdivider is responsible for the trail construction. The subdivider is responsible for all landscape and irrigation improvements for and within the trail. Construction plans shall be submitted and shall include landscaping and automatic drip irrigation design. Trail cross-sections will be required with submittal of Street Plans and Landscaping/Irrigation Plans for review and approval. These plans shall be in compliance with current City standards and approved by the Department of Public Works. Landscaping within the regional/multipurpose trail shall include large, medium and low-growing shrubs planted from 3 to 6 feet apart depending on variety, and trees spaced approximately 25 to 45 feet apart to provide 50% shade coverage onto the planting area and pathway. Landscaping adjacent to walls or fences shall comply with "Landscaped Buffer Development Standards." All planting areas shall be irrigated with an automatic system.

Please submit all landscape and irrigation plans to: [dpwplansubmittal@fresno.gov](mailto:dpwplansubmittal@fresno.gov) for plan review to the scale of 1" =20' prior to the installation of any landscaping within the right-of-way.



## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

**DATE:** December 16, 2022

**TO:** MINDI MARIBOHO – Development Services Coordinator  
Planning & Development Department – Current Planning

**FROM:** DEJAN PAVIC, PE, Projects Administrator  
Department of Public Utilities – Utilities Planning & Engineering

**SUBJECT: DPU CONDITIONS OF APPROVAL FOR P22-00392 VESTING  
TENTATIVE TRACT MAP 6360 APNs 574-140-04 AND 05  
(Note: cross-reference to P22-00388)**

#### **General Requirements**

1. Engineered improvement plans, prepared by a Registered Civil Engineer, if necessary, shall be submitted for Department of Public Utilities review and approval.
2. All Department of Public Utilities facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.
3. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
4. Street work permit is required for any work in the Right-of-Way.
5. All underground utilities shall be installed prior to permanent street paving.

#### **Water Service Requirements**

The nearest water main to serve the proposed Project is a 16-inch water main located in North Armstrong Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. Installation of a 16-inch water main (including City fire hydrants) in East McKinley Avenue from South Armstrong Avenue east across the proposed Project frontage.
2. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.
  - a. No public water facilities shall be installed within the following areas:
    - i. Fronting Lots 75 & 76
    - ii. Fronting Lots 88 & 87

- iii. Fronting Lots 101 & 102
  - iv. Fronting Lots 120 Thru 122
  - v. Fronting Lots 132 & 133
  - vi. Fronting Lots 158 & 159
  - vii. Fronting Lots 169 & 170
3. Separate water services with meter boxes shall be provided to each lot.
  4. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Department of Public Utilities Director or designee.
  5. Destruction of existing on-site wells: Destroy any existing on-site well(s) in compliance with the State of California Well Standards, Bulletins 74-81 and 74-90, or current revisions, issued by California Department of Water Resources, Fresno County standards, and City of Fresno standards. Applicant shall comply with Fresno Municipal Code (FMC) Section 6-518, as may be amended from time to time.
  6. The developer shall be financially responsible for abandonment of all unused water services previously installed to the property (if any).

### **Water Supply Requirements**

1. The project applicant shall be required to pay Water Capacity Fee charges for the installation of new water services and meters to serve the property.
  - a. The Water Capacity Fee charge assessed to the applicant shall be based on the number and size of service connections and water meters required to serve the property.
  - b. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule (MFS).
  - c. The City reserves the right to require an applicant to increase or decrease the size of a water meter for a project or a property to ensure that the meter is properly sized to accommodate fire protection requirements, and to allow for accurate volumetric flow measurements at low- and high-flow conditions.
  - d. The Water Capacity Fee Charge for any new or expanded service connection shall be payable prior to the issuance of a building permit at the fee level in effect on the date such permit is issued.

2. The project applicant shall be required to pay all other water-related fees and charges in accordance with the City's MFS and FMC.

### **Sewer Requirements**

The nearest sanitary sewer main to serve the proposed Project is 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 sanitary sewer main (including sewer house branches to adjacent properties) in North Armstrong Avenue from the existing 10-inch sewer main in North Armstrong Avenue located north of the proposed Project to the southerly property line of said Project.
2. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
  - a. No public sewer facilities shall be installed within the following areas:
    - i. Fronting Lots 75 & 76
    - ii. Fronting Lots 88 & 87
    - iii. Fronting Lots 101 & 102
    - iv. Fronting Lots 120 Thru 122
    - v. Fronting Lots 132 & 133
    - vi. Fronting Lots 158 & 159
    - vii. Fronting Lots 169 & 170
4. A preliminary sewer design layout shall be prepared by the applicant's/developer's engineer and submitted to the Department of Public Utilities for review and conceptual approval prior to submittal for City review or acceptance of the final map(s) and engineered plan and profile improvement drawing(s).
5. Installation of sewer house branch(es) shall be required.
6. Separate sewer house branches are required for each lot.
7. House branch (sewer lateral) larger than 6-inch shall require a manhole connection.
8. Destruction of existing on-site private septic systems: All existing on-site private septic systems (including septic tanks) shall be destroyed and abandoned in compliance with the State of California standards, Fresno County standards, and City of Fresno standards, as may be amended from time to time. All sewer connections and sewer main extensions shall comply with FMC Section 6-303(a), as may be amended from time to time.

9. The developer shall be financially responsible for abandonment of all unused sewer services previously installed to the property (if any).

### **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 Area.
3. Wastewater Facility Sewer Charge (Residential).
4. Trunk Sewer Charge: Fowler Service Area
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" based on the current dollars and the present value of money 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.

### **Solid Waste Requirements**

This location (Tract Map 6360) will be serviced as a Single-Family Residential property with Basic Container Service. Each lot will receive 3 containers to be used as follows: 1 (one) Gray container for solid waste, 1 (one) Green container for green waste, and 1 (one) Blue container for recyclable material.

1. A covenant is required for the following lots since their location exceeds the maximum 45' back-up distance allowed for a solid waste truck. The covenant will

require that lots in question place their solid/green/recyclable waste containers in front of the adjacent lot on service days in accordance with City of Fresno and Solid Waste Division standards.

- i. Fronting Lots 75 & 76: adjacent lots 74 and 77
- ii. Fronting Lots 88 & 87: adjacent lots 86 and 89
- iii. Fronting Lots 101 & 102: adjacent lots 100 and 103
- iv. Fronting Lots 120 & 121: adjacent lots 119 and 265
- v. Fronting Lots 122 & 123: adjacent lots 124 and 284
- vi. Fronting Lots 132 & 133: adjacent lots 131 and 134
- vii. Fronting Lot 158: adjacent lots 157 and 255
- viii. Fronting Lot 159: adjacent lots 160 and 254
- ix. Fronting Lots 169 & 170: adjacent lots 168 and 171

## **Fire Department**

December 18, 2022

Byron Beagles

### **Comments:**

1. This 326 lot private street gated sub-division is within 3.0 miles of the current and future locations of Fire Station #10 and there are not development restrictions related to fire service response.
2. Each lot is subject to the city wide fire service delivery impact fee.
3. Provide water main extensions and fire hydrant installation per Fire Department and Public Utilities requirements for single family home development. A least two points of water service connection are required to serve the development. There is an existing 16 inch public water main in N. Armstrong and a 16 inch water main extension in E. McKinley will be required.
4. Fire hydrants and all-weather fire access shall be in service before delivery of combustible material to the job site.
5. If E. McKinley is not required to be extended east to N. Temperance with this tract development; a temporary cul-de-sac will likely be required by Public Works.
6. 35' private wedged curb streets are proposed and there no on street parking restrictions with the exception of several near each entrance as described in comment #7 below.
7. On the PUD site plan entitlement submittal, indicate fire lane designations (red curb with "NO PARKING FIRE LANE" in 3 inch white letters every 50 feet):
  - At the McKinley entrance: on the entire south curb of the pool area (Outlot N) and on the south curb of the park (Outlot O) for the first 80 feet east of the intersection.
8. Install CVC 22658 no parking/towaway warning signs at both entrances.
9. The electric gates shall be provided with Fire X1 as well as Click-2-Enter emergency services by pass hardware. The C2K equipment installer shall obtain an installation permit from the Fire Department. Electric gates shall be provided with battery backup.



## **Fresno County Environmental Health Division**

December 12, 2022

### **Comments:**

Recommended Conditions of Approval:

- Construction permits for the proposed 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 proposed 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.
- The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the noise elements of your City's Municipal Code and County Noise Ordinance 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.
- 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 Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

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

File No. 210.45

Page 1 of 5

**PUBLIC AGENCY**

CHRIS LANG  
DEVELOPMENT SERVICES/PLANNING  
CITY OF FRESNO  
2600 FRESNO STREET, THIRD FLOOR  
FRESNO, CA 93721-3604

**DEVELOPER**

LORREN SMITH, HARBOUR & ASSOCIATES  
389 CLOVIS AVENUE, SUITE 300  
CLOVIS, CA 93612

PROJECT NO: **6360**

ADDRESS: **2084 N. ARMSTRONG AVE.**

APN: **574-140-04, 574-140-05**

SENT: **December 27, 2022**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
BS	\$485,233.00	NOR Review	\$1,358.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$3,791.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review	For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drain plan submittal (blank copy attached).	
Total Drainage Fee: \$485,233.00		Total Service Charge:	\$5,149.00	

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 2/28/24 based on the site plan submitted to the District on 11/22/22 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.) Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Creditable 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. 6360**

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

Page 2 of 5

**FR  
TRACT No. 6360**

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

1. ☐ a. Drainage from the site shall  
☒ 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. 6360**

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, 2014 (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.



Brent Sunamoto  
District Engineer, RCE

Digitally signed by Brent Sunamoto Date: 12/27/2022 9:14:03 AM



Gary W. Chapman  
Engineering Tech III

Digitally signed by Gary W. Chapman Date: 12/22/2022 2:11:45 PM

CC:

SARAH HAGERTY


2764 N. GREEN VLY. PKWY., #501

HENDERSON, NV 89014



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

Page 5 of 5

<h1>POLICY MANUAL</h1>	Date Adopted: September 11, 1981
Classification: FLOOD PLAIN MANAGEMENT	Date Last Amended: August 10, 2005
Subject: Flood Plain Policy	Approved By: 

Because of the relatively high velocities and volumes of flood flow associated with primary flood plains, and because the primary flood plain is responsible for passing the greatest percentage of the flood event, development located in such flood plains is subject to substantial risk, both to itself and to others as a result of the potential for blockage and diversion of flood waters. In view of these factors:

**Policy:**

- (1) All proposed development activity shall reference the Flood Insurance Rate Map to determine if it is located in a 100-year flood plain (special flood hazard areas inundated by a 100-year flood) "Primary Flood Plain". Any project not located within a FIRM or located in any area where the FIRM is determined to be inaccurate shall be the subject of a detailed hydrological flood hazard investigation to determine the relationship of the proposed development to the primary flood plain; and, further, to identify the calculated water surface elevation of the 100-year flood event.
- (2) The development must be properly flood proofed below the calculated water surface elevation of the 100-year flood event.
- (3) All development and/or permanent improvement activity which, if located within the primary floodway, may unduly impede, retard or change the direction of flow of water either, by itself, or by the catching or collecting of other debris or is placed where the flow of water would carry such obstruction downstream to the damage or detriment of either life or property, should not be permitted.
- (4) The development shall not cause displacement of any and all floodwaters from that portion of the flood plain to be developed.

The map displays Tract 6383, a large yellow-shaded area. To its north is Cambridge Ave, and to its west is Weldon Ave. A red line runs vertically along the western edge of the tract, indicating a project area. A green dashed line, labeled "Mill No. 36", runs horizontally across the bottom of the tract. Several lot numbers are scattered throughout the map: 18 (blue hatched), 24, 30, 36, 42, 60, and 66. The tract itself contains wavy lines representing topography or water features. Surrounding areas include "BS" to the west and another blue-hatched area to the east. The text "TRACT 6383" is prominently displayed at the bottom center.

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- 
- 1" = 300'

Prepared by: davide  
Date: 12/22/2022  
Path: K:\Autocad\DWGS\0EXHIBIT\TRACTS\6360.mxd



## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

The minimum finish floor elevation shall be 340.90 (U.S.G.S. Datum).

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

The developer of Tract 6383 has been required to construct storm drainage facilities in McKinley and Armstrong Avenues shown as Facilities To Be Constructed By Tract6383 on Exhibit No. 1. The developer of Tract 6360 shall also be required to construct these facilities. If these facilities are completed prior to the development of this site, the constructed requirement will be dropped.

The site shall not block the historical drainage patterns of existing development to remain along the perimeter of the tract. The developer shall verify to the satisfaction of the District that runoff from these areas has the ability to surface drain to adjacent streets.

The District's existing Master Plan drainage system is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed high-density residential land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed high-density residential land use 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 high-density residential density 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. However, the District requests that the grading Engineer contact the District as early as possible to review the proposed site grading for verification and acceptance of mitigation design prior to preparing a grading plan.

A minimum fifteen-foot (15') wide storm drain easement will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inches height) be used the same criteria shall apply whereby flow remains below the top of curb. Any extensions or pipe size increases due to meeting the requirement listed above shall be at the developer's expense.

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. If the lot coverage indicates a density higher than Master Planned, mitigation may be required. 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.



2907 S. Maple Avenue  
Fresno, California 93725-2208  
Telephone: (559) 233-7161  
Fax: (559) 233-8227

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

December 19, 2022

Chris Lang  
Development & Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Tentative Tract Map Application No. P22-00392, Tract 6360  
N/E Floradora and Armstrong avenues  
Mill No. 36

Dear Mr. Lang:

The Fresno Irrigation District (FID) has Tentative Tract Map Application No. P22-00392, Tract 6360 proposing to subdivide the property into 328 lots, APN: 574-140-04 and 05. This project is being reviewed concurrently with Plan Amendment and Rezone Application No. P22-00388. FID has the following comments:

1. FID previously reviewed and commented on the subject property on May 5, 2021, as Development Review Committee Application No. P21-02097. Those comments and conditions still apply and a copy has been attached for your review.

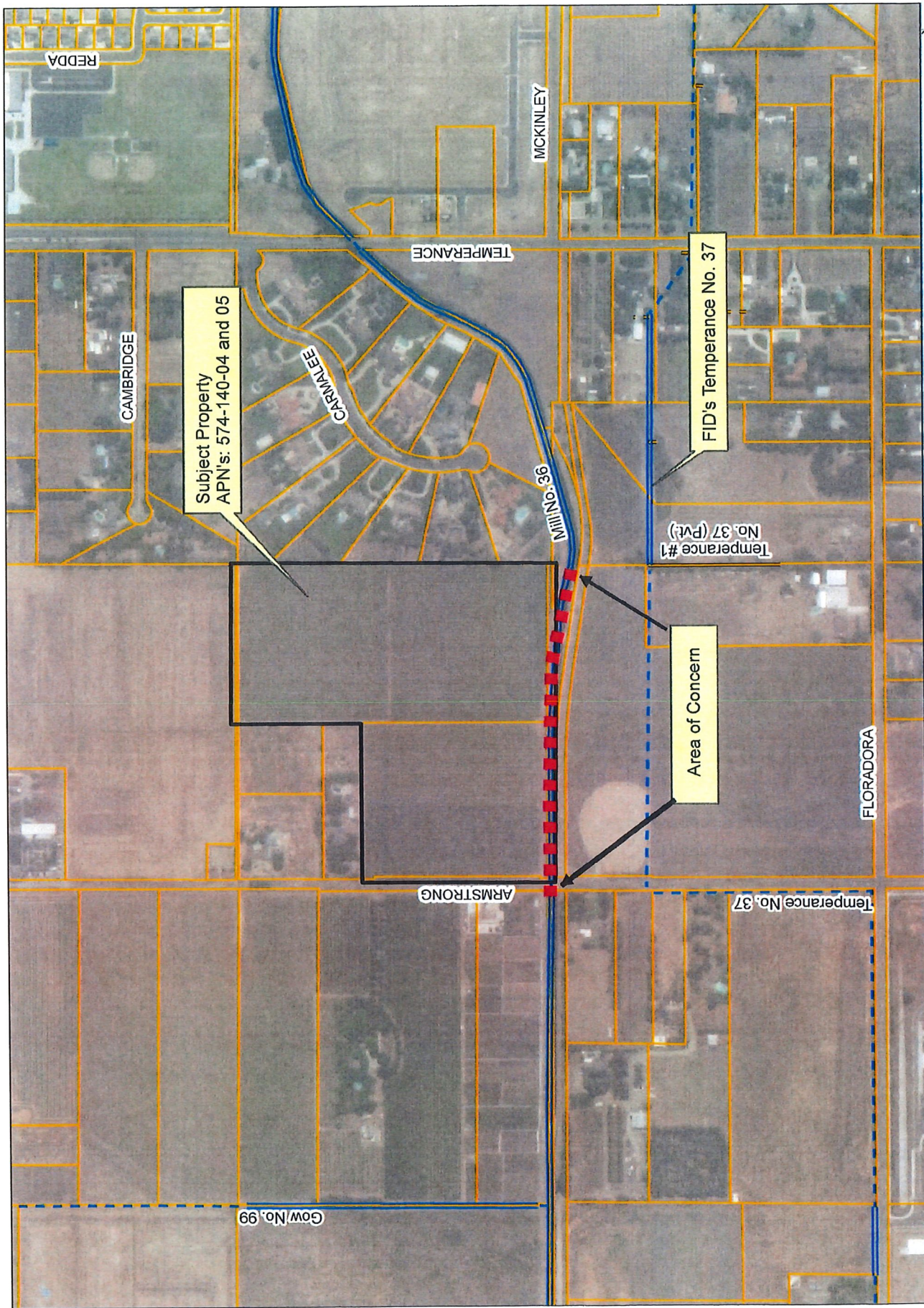
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or [jlandrith@fresnoirrigation.com](mailto:jlandrith@fresnoirrigation.com).

Sincerely,

Laurence Kimura, P.E.  
Chief Engineer

Attachment





0 255 510 Feet  
 1 inch = 527.61 feet  
 Date Saved: 4/26/2021 8:13:32 AM  
 Path: G:\V\p\2021\0329 Master.mxd

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

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.



FRESNO IRRIGATION DISTRICT





2907 S. Maple Avenue  
Fresno, California 93725-2208  
Telephone: (559) 233-7161  
Fax: (559) 233-8227

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

May 5, 2021

Mindi Mariboho  
Development & Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Development Review Committee Application No. P21-002097  
N/E Floradora and Armstrong avenues  
Mill No. 36

Dear Ms. Mariboho:

The Fresno Irrigation District (FID) has Development Review Committee Application No. P21-002097, proposing to subdivide the property into 327 lots, APN: 574-140-04 and 05. FID has the following comments:

**Summary of Requirements:**

- Varying Width Grant of Easement.
- Canal Bank Improvements.
- Channel Improvements.
- Drive Approache(s) per FID Detail No. 1-02
- Existing Encroachments removed and/or relocated.
- Review and Approval of all Plans.
- Execute additional Agreement(s), if necessary.
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

**Area of Concern  
Mill No. 36**

1. FID's Mill No. 36 runs westerly, traverses southern portion of the subject property and crosses Armstrong Avenue approximately 50 feet southwest of the subject property, as shown on the attached FID exhibit map and will be impacted by the proposed development. Should this project include any street and or utility improvements along Armstrong Avenue or in the vicinity of this canal, FID requires it review and approve all plans.
2. Records indicate FID has the following exclusive easement recorded on March 1, 1994 as Document No. 94070206, Official Records of Fresno County, and a Deeded Right-of-Way not to exceed 200 feet in width, dated June 16, 1873 and recorded August 13, 1873 in Book J of Deeds, Page 36, Official Records of Fresno County. FID also owns an

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**BOARD OF DIRECTORS**

President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF  
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

easement and the width is as shown on FID's attached Standard Detail Page No. P-03 – P-05 and 1-01.

3. FID requires that, within the limits of the proposed project [and its remainder], the landowner grant an exclusive easement for the land underlying the canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and FID policy. FID's District Canal Right-of-Way Requirements sheet is enclosed for your reference. The proposed easement (width) will depend on several factors including: 1) Width of canal, 2) height of canal banks, 3) final alignment of canal, 4) additional space needed where roads/avenues intersect canal, etc.
4. FID requires that the Engineer/Land Surveyor use the inside top hinge of the canal to define the edge of FID's right-of-way such that FID has a minimum of 20-foot wide right-of-way along the top of bank to be built out full width, clear of obstructions, structures, vegetation, etc. to provide clear passage and full width at all points along the canal bank. There are no minimum or suggested numbers of survey shots to take, but there must be enough survey points such that the top inside hinge of the canal bank is properly identified. Before finalizing plans, the Engineer/Land Surveyor will need to stake both the inside top hinge and the right-of-way/property for FID Staff to field evaluate an adequate width. FID staff must field verify the right-of-way/property boundary and the hinge line edge before signing plans to ensure that there are enough survey points to properly define the canal. The canal right-of-way line should be consistent with adjacent properties so long as the 20 feet minimum width and right-of-way requirements are met.
5. FID requires the applicant and/or the applicant's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, depth and size, fees, etc.
6. It is FID's understanding that McKinley Avenue will be extended along the southern portion of the proposed development. Any right-of-way required for McKinley Avenue, the Mill No. 36, and/or FID's points of access must be reserved and obtained now as part of the development project so that McKinley Avenue can be constructed to the desired width and FID right-of-way(s) are not encroached upon.
7. Typically, for any type of development that impacts a large open canal or is adjacent to one such as the Mill Canal, FID requires the developer to improve the canal with either concrete lining, encasing the canal in a box culvert, or other approved means to protect the canal's integrity for an urban setting. FID does not have sufficient information to determine what kind of improvements will ultimately be required as part of the development. The engineers working on the project and FID's engineering staff must meet to discuss specific requirements as discussed below. In order to meet the "urban" standards for the canal, FID will require the following minimum conditions:
  - a. Channel Stabilization: The proposed plan does not indicate any improvements to the Canal. If the Developer is not willing to concrete line the Canal or place it underground within a box culvert, they must come up with another means acceptable to and approved by FID to protect the Canal's integrity. On similar projects, Developers typically propose the following:

- i. Surrounding Development – All proposed building pad elevations must be a minimum of 12-inches above the canal's high water.
  - ii. Freeboard – FID typically requires between 1.0 to 1.5 feet of freeboard. Because the Canal is used to route stormwaters, and is one of the larger canals used to convey the stormwater, FID will require a minimum of 1.5 feet of freeboard and a maximum of 2.0 feet. The Developer will be required to either import or export material to match FID's standards.
  - iii. Maintenance – this reach of Canal does have a history of high loads of sediment deposits which requires periodic dredging. FID will typically dredge the Canal and deposit the spoils on top of the banks to dry out. Once the spoil has dried, FID will flatten the spoil as time permits. This reach of Canal also has large volumes of trash, debris, foliage that fall into the Canal. FID's crews will typically remove the trash, debris, foliage at the bridge crossings at Armstrong Avenue and Temperance Avenue, and another crew will come by to hauling off the trash. The hauling off of this material may occur several weeks after the trash has been placed on the side of the canal, and the trash may be considered a nuisance (sight and smell). If the Developer and/or City require a different level of maintenance effort, they will need to enter into an agreement for that purpose. The City and/or Developer will be responsible to fund the "higher level" of maintenance.
- b. Drive banks/maintenance roads and encroachments (both banks):
- i. All drive banks must be sloped a minimum of 2%, maximum of 4% away from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives.
  - ii. Any drainage systems or swales proposed must be located outside FID's property/easement.
  - iii. Drive banks shall be built out to the required freeboard and elevation for the full width of the required Canal right-of-way width.
  - iv. All drive banks shall be overlaid with 3 inches of Class II aggregate base for all-weather access and for dust suppression.
  - v. Encroachments - All existing trees, bushes, debris, fencing, and other structures must be removed within FID's property/easement.
7. Trail - It is FID's understanding that a trail is master-planned along the Mill Canal bank. As with other developments with trails proposed along the canals, FID will not allow the trail to encroach/overlap FID's canal easement. The following requirements are intended for trail projects adjacent to FID-owned properties and right-of-ways for open canals:

- a. FID will not allow the trail easement to be in common use with FID-owned property or easements.
  - b. FID requires all trail improvements be placed outside of FID-owned properties and easements.
  - c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
  - d. FID's canals will not accept any drainage from the trail or the canal bank.
  - e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
8. A Trail fence between Trail and Canal is required unless an agreement is in place between City of Fresno and FID.
9. If a fence will be installed between the development and open canal, a block/masonry wall shall be required. Chain-link and wood fencing will no longer be accepted for urban developments.
10. Canal Access – FID will continue to access the Canal from Armstrong Avenue and proposed McKinley Avenue. In order to access the maintenance road with our larger equipment, FID requires a drive approach wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive bank (See attached "Drive Approach in Urban Areas" Detail No. 1-02). The 50-foot width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.
11. Construction within the Mill Canal will only be allowed/permitted on or near (above or below) FID's facilities outside of the irrigation season. The allowable construction period occurs generally during the months of November, December, and January, but is subject to change depending on hydrological conditions. The Mill Canal typically conveys water 8 months out of the year.

#### **FACILITY SPECIFIC INFORMATION, COMMENTS & CONDITIONS**

##### **Mill No. 36**

Existing Facilities:	Large open channel with maintenance drive banks on both sides.
Location of crossing:	East of Armstrong Avenue along McKinley Avenue Alignment at FID's Mill Canal No. 36

Easement: Varying width, approximately 150 feet wide at drive approaches  
narrowing to 100-120 feet wide along drive banks.

Flows: Max. 1,000 CFS

**Comments & Conditions**

1. This canal is fairly large and therefore any proposed canal crossing must be designed to convey the water in a safe and efficient manner without altering the existing conditions in a negative manner in regards to FID's operations and maintenance.
2. Water Routing Requirements During Non-Irrigation Season – As mentioned earlier, FID will require its water routing notes be placed on the plans or specifications. Refer to the attached provisional notes. The maximum flow in this reach is 1,000 CFS, with the normal irrigation flow being 900 CFS for a typical season. Outside the typical irrigation season, this canal carries Storm Water and Nuisance Water. The City and/or developers will need to plan for this, and those flows are explained in detail below:
  - a. Storm Routing – (0-1,000 CFS) The canal serves as a major artery of the Fresno Metropolitan Flood Control District (FMFCD) flood routing system. The storm water consists of urban runoff, runoff from parcels that adjoin the canal and from foothill stream flood control projects within and under the jurisdiction of FMFCD. Once the floodwater enters FID's canal system, FID routes the water through various canals to various basins located on the west side of FID.
  - b. Nuisance – (50-100 CFS) The canal catches inflows from various areas. This water will vary depending on several factors including the amount of rainfall. The canal will most likely have standing water.
3. Bypass – Because the Mill Canal is used to route storm waters which typically peak between November and February, there is no ideal construction window. The only opportunity to do any construction is typically during the months of November to January assuming weather permits.
  - a. Based on flows and criteria mentioned in Note #2, FID will require a bypass to route a minimum of 1,000 CFS (assuming normal conditions) from November 1<sup>st</sup> to February 15<sup>th</sup>. The bypass shall be removed and the canal shall be restored to its original conditions by February 15<sup>th</sup>.
  - b. Bypass shall be completed and inspected by FID's Inspector before any bridge work starts. If the bypass will be an open channel, a drive bank on both sides of the bypass channel shall be incorporated for maintenance and operation purposes. The Contractor shall prepare and submit, for approval from the City and FID, the detailed plans and calculations detailing that the system is capable of handling the projected flows.
  - c. FID will require a copy of an access agreement from the City and adjacent landowner(s) where the bypass will be constructed. This agreement shall include a waiver releasing FID of any liability as it relates to the bypass channel situated on adjacent properties. The bypass capacity requirements are subject to change based on the hydrological conditions.



- d. Pumped bypass systems will require multiple levels of redundancy and must be "manned" 24 hours a day for the entire duration of the project construction.
4. Fresno Irrigation District's Engineering Department, (559) 233-7161, shall be notified 48 hours prior to construction. No work shall begin within FID's easement, including work on the bridge, without a "Permit To Work Within An Easement & Right-of-Way" issued by FID (\$40 permit fee, \$125 per week or \$50 per day inspection fee). Inspection fees are based on \$50 per hour. All work shall be completed by the date specified on the Permit and the area restored to its original condition. Any work required after the completion date shall be approved by FID's Engineer. A **\$50,000** cash deposit is required to secure any work within FID's easements for the Mill Canal. FID will charge a Late Completion fee of **\$5,000** per day for each day that Contractor's work extends past **5:00PM on February 15<sup>th</sup>** of the construction year. However, ten (10) days before the Irrigation Season, FID will charge a Late Completion fee of **\$10,000** per day for work not completed. FID will deduct costs from the deposit if the Contractor fails to pay any late fees.
5. Hydraulic Modeling – FID requires a hydraulic analysis be submitted for review to demonstrate the new bridge will not impact the existing hydraulic gradeline of the Mill Canal. The City or developer or its consultant will provide hydraulic calculations to determine water surface profile impacts and the amount of head loss across the new bridge/culvert. New or retrofitted bridge/box culvert cannot raise upstream water levels, and the bridge placement according to comment #6 below shall not impact water surface elevations.
6. FID typically requires a 2.0-foot minimum freeboard through canal crossings such as the Mill Canal crossing. The freeboard is needed to pass debris and trash through the structure.
7. The developer shall install concrete lining 6-inch thick with a 3-foot minimum cutoff wall on the upstream and downstream sides/ends of the liner extending a minimum of 30 feet (50 feet at centerline at a skew), shall install rip-rap a minimum of 15-feet in width on the upstream and downstream sides to limits of disturbed soil or as required by FID's Engineer, and shall install access ladders on the upstream and downstream sides of concrete lining per the attached FID's standard details. Canal side slopes shall not exceed 1:1 side slope.
8. FID requires new bridges to be free-span without any piers in the waterway. If concrete piers are allowed by FID, FID may require a catwalk and pier/trash riders, and additional accommodations for equipment to access to remove trash and debris off of City R/W.
9. Drive Approach – FID requires 50-foot wide drive approaches narrowing to 20 feet wide drive banks (See attached "Drive Approach in Urban Areas" Detail No. 1-02).
  - a. The 50-foot drive width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access may be different. FID requires the turning radius to be a minimum of 75-feet.

- b. If guard railings extend beyond attachment points at each wing-wall, they will obstruct FID's access to the canal. FID will require the developer demonstrate FID's longest vehicle will be able to make the turns onto the drive banks. FID's right-of-way is a minimum 20-feet from the canal hinge, wider at drive approaches, on either side of the canal, and FID will require the developer acquire and dedicate FID an exclusive easement.
10. Canal Banks – If there will be any work on the canal banks, the following are a few guidelines and requirements:
- a. All disturbed soil shall be concrete lined (both side slopes and bottom). FID will require reinforced concrete to limit the on-going maintenance that typically occurs with gunite or shotcrete slope protection.
  - b. Drive banks must be sloped a minimum of 2% away with a maximum of 4% from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives outside FID's easements/property.
  - c. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the City's project limits.
11. FID will need to be able to cross the median to the opposing canal bank so as to not be adversely impacted.

#### **General Comments**

1. The proposed project is located within Growth Area 1 of the Cooperative Water Utilization and Conveyance agreement between the City of Fresno and FID.
2. FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry Utilities, and all other utilities.
3. FID requires the Applicant/Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Canal, or result in drainage patterns that could adversely affect FID.
4. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractors grading activities.
5. FID does not allow FID owned property or easements to be in common use with public utility and/or road easements and right-of-ways, but will in certain instances allow for its property to be in common use with landscape easements if the City of Fresno enters into the appropriate agreement.

6. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing all final maps/plans.
7. Footings of retaining walls shall not encroach onto FID property/easement areas.
8. Trees will not be permitted within FID's property/easement areas.
9. FID is concerned about the potential vibrations caused by construction efforts near existing District facilities as it may cause damage to FID's canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment, construction material, and soil stockpile outside of FID's easement and a minimum of 30 feet away from existing cast-in-place concrete pipe. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities.
10. 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 project area and any surrounding areas are eliminated. FID is concerned that the proposed development may negatively impact local groundwater supplies including those areas adjacent to or neighboring the proposed development area. The area was historically agricultural/open land with minimal to no water use offset by the use of surface water. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID recommends 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.
11. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City should consider the impacts of the development on the City's ability to comply with requirements of SGMA.
12. For informational purposes, FID's Temperance No. 37 runs westerly, crosses Temperance Avenue approximately 1,400 feet southeast of the subject property, and crosses Armstrong Avenue approximately 400 feet south of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Temperance Avenue, Armstrong Avenue or in the vicinity of this canal, FID requires it review and approve all plans.
13. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.

Mindi Mariboho  
Re: P2102097 – TM 6360  
May 5, 2021  
Page 9 of 9

14. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or [jlandrith@fresnoirrigation.com](mailto:jlandrith@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment

94070206

Documentary Transfer Tax -- \$0.00

N. M. Thibault  
For the Benefit of:

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

RECORDING REQUESTED BY:  
STEWART TITLE OF FARMERS, INC.  
RECORDED IN OFFICIAL RECORDS OF  
FRESNO COUNTY, CALIFORNIA  
AT ARM. PART

APR 22 1994

WILLIAM C. GREENWOOD  
County Recorder

FEE

RECORDING INFORMATION

GRANT OF EASEMENT

CANAL: Mill Ditch No. 36  
LOCATION: Armstrong Avenue  
FID JOB NO.: 556

PTN of APN 310-040-82  
BRLO 5942-005

THIS INDENTURE, made and entered into this 1<sup>st</sup> day of March, 1993,  
by and between SARAH EVERETT HAGERTY, TRUSTEE OF THE HAGERTY FAMILY TRUST  
UNDER DECLARATION OF TRUST DATED OCTOBER 8, 1993, AND ANY AMENDMENTS  
THERE TO hereinafter referred to as GRANTORS, and FRESNO IRRIGATION  
DISTRICT, a public corporation in the County of Fresno, State of  
California, hereinafter referred to as DISTRICT;

WITNESSETH:

For a valuable consideration, receipt of which is hereby  
acknowledged, GRANTORS do hereby grant unto DISTRICT, its successors and  
assigns, perpetual and exclusive easement and right-of-way for DISTRICT's  
Mill Ditch No. 36 across, over, and through that certain real property  
owned by GRANTORS in the County of Fresno, State of California, said  
easement and right of way more particularly described as follows:

That portion of the Southeast one-quarter of Section 27, Township 13  
South, Range 21 East, Mount Diablo Base and Meridian, in the County of  
Fresno, State of California, said portion more particularly described as  
follows:

Commencing at the Southwest Corner of said Southeast one-quarter, thence;  
North 00°01'56" West, along the West line of said Southeast one-quarter,  
160 feet, thence; North 89°58'04" East, 30 feet, to the True Point of  
Beginning, thence;

1. North 89°58'04" East, 18 feet, thence;
2. South 00°01'56" East, 75 feet, thence;
3. South 45°01'56" East, 35.4 feet, thence;

FRESNO COUNTY RECORDERS OFFICE

APR 22 1994

4. North 89°58'04" East, 27 feet, thence;
  5. South 00°01'56" East, 20 feet, more or less, to a point on the North line of the South 40 feet of said Southeast one quarter, thence;
  6. Westerly, along the North line of the South 40 feet, to a point on the East line of the West 30 feet, thence;
  7. North 00°01'56" West, 120 feet, to the True Point of Beginning.
- Containing 0.081 acre of land, more or less.

GRANTORS reserve the right to use the surface of the land within said easement for their own purposes, so long as said use by GRANTORS does not interfere with the use of said easement by DISTRICT for the purposes for which said easement is granted, provided GRANTORS shall not build or construct any building or other permanent structure on said easement without the written permission and consent of DISTRICT. DISTRICT shall have the right, without notice, and at GRANTORS' expense, to remove any structures, fences, gates, cables, trees, vines, shrubs, obstructions, or other encroachments from said easement which do interfere with the purposes or use of said easement. GRANTORS shall maintain the surface of said land and keep it in a safe condition for the use of DISTRICT and others.

This Indenture shall apply to and be binding upon the heirs, executors, administrators, successors and assigns of the respective Parties hereto.

IN WITNESS WHEREOF, the undersigned have caused this Grant of Easement to be executed the date hereinabove written.

Sarah Everett Haggerty, Trustee  
SARAH EVERETT HAGGERTY, Trustee

The above Grant of Easement is accepted for and on behalf of the Fresno Irrigation District this 10<sup>th</sup> day of April, 1994.

BY: Robert S. Haggerty  
Secretary

6392a

FRESNO COUNTY RECORDERS OFFICE

APR 22 1994

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

No 5103

State of California  
 County of Fresno  
 On 4-18-94 before me, Mava Nichols Notary Public  
 personally appeared Robert E. Leake Jr.

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



WITNESS my hand and official seal.

Mava Nichols  
 SIGNATURE OF NOTARY

**OPTIONAL SECTION**

**CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL  
☒ CORPORATE OFFICER(S)  
Secretary  
 TITLE(S)  
☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER \_\_\_\_\_

**SIGNER IS REPRESENTING:**

NAME OF PERSON(S) OR ENTITY(ES)  
Fresno ID

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT

Though the date requested here is not required by law, it could prevent fraudulent reattachment of this form.

**OPTIONAL SECTION**

TITLE OR TYPE OF DOCUMENT Deed of Conveyance  
 NUMBER OF PAGES 2 DATE OF DOCUMENT 3-1-94  
 SIGNER(S) OTHER THAN NAMED ABOVE 94-DC36-J.556/12

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FRESNO COUNTY RECORDERS OFFICE

APR 22 1994

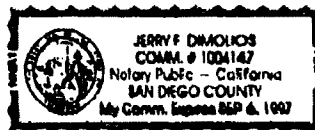
**ALL PURPOSE NOTARY ACKNOWLEDGEMENT FORM**

STATE OF CALIFORNIA  
 COUNTY OF San Diego  
 On March 1, 1994 before me, Jerry F. Dimolios  
 appeared Stella Burnett Hagerty

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

WITNESS my hand and official seal.

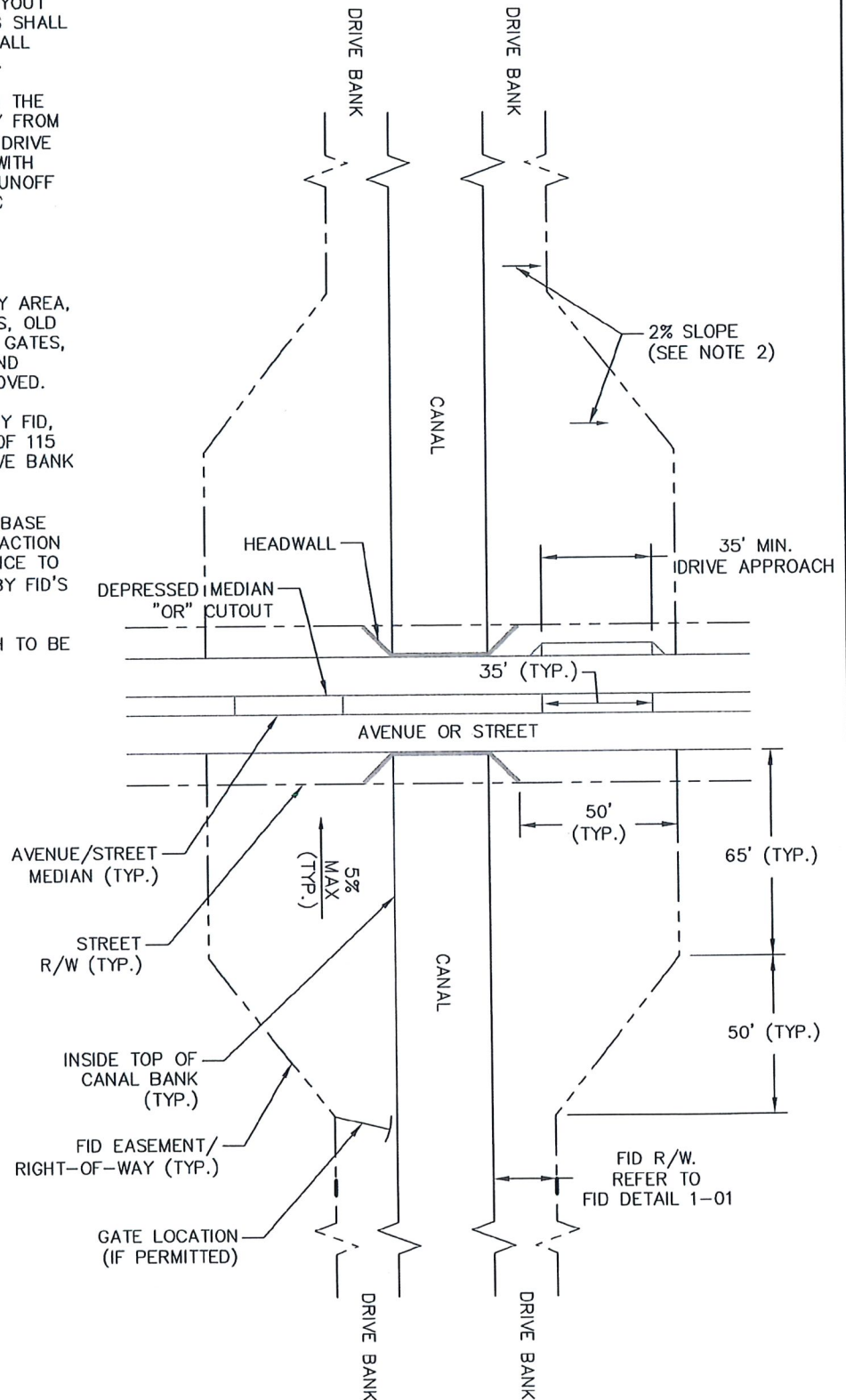
Jerry F. Dimolios  
 Signature



(Seal)

**NOTES:**

1. DIMENSIONS AND NOTES ARE FOR LAYOUT PURPOSES ONLY. A SCALED DRAWING SHALL BE PREPARED AND SUBMITTED WITH ALL PLAN SETS PRIOR TO CONSTRUCTION.
2. DRAINAGE WILL NOT BE ACCEPTED IN THE CANAL AND SHALL BE ROUTED AWAY FROM FID PROPERTY/DRIVE BANKS. SLOPE DRIVE BANKS 2% AWAY FROM THE CANAL WITH PROVISIONS MADE FOR RAINFALL. RUNOFF TO BE CONVEYED TO NEARBY PUBLIC STREETS OR DRAINAGE SYSTEM BY DRAINAGE SWALES OR OTHER FID ACCEPTABLE ALTERNATIVES.
3. WITHIN FID EASEMENT/RIGHT-OF-WAY AREA, ALL EXISTING TREES, BUSHES, DEBRIS, OLD CANAL STRUCTURES, PUMPS, CANAL GATES, AND OTHER NON OR INACTIVE FID AND PRIVATE STRUCTURES MUST BE REMOVED.
4. IF AN ACCESS GATE IS PERMITTED BY FID, GATE MUST BE PLACED A MINIMUM OF 115 FEET AWAY FROM ROAD, WHERE DRIVE BANK NARROWS TO 20 FEET.
5. THREE INCH (3") THICK AGGREGATE BASE COMPACTED TO 93% RELATIVE COMPACTION SHALL BE REQUIRED AT THE ENTRANCE TO EACH DRIVE BANK AS DETERMINED BY FID'S ENGINEER. NO REGRIND ASPHALT.
6. DRIVEWAY APPROACH MINIMUM WIDTH TO BE 35 FEET.



FRESNO IRRIGATION DISTRICT

DRIVE APPROACH – URBAN AREAS

"Your Most Valuable Resource – Water"

SCALE: NOT TO SCALE

DATE: JANUARY 2018

STANDARD DETAIL

1-02

SHEET 1 OF 1



**STANDARD EASEMENT WIDTHS FOR  
OPEN CANALS AND PIPELINES**

**SOURCE:**

Board Policy No. 155

Rev. 5/29/02

Section 22438 of the California Water Code, attached as Exhibit "A" hereto, entitles the District to a secondary easement on each side of any open canal for which the District holds a prescriptive easement, with the width of the secondary easement to be whatever is reasonably required by the District for maintenance, repair, cleaning and operations of the secondary easement and open canal with equipment owned by or available to the District for that use at the time the rights are exercised. Exhibit "B" attached hereto, sets forth the dimensions of secondary easements for Fresno Irrigation District canals which are deemed to be reasonably required and which are claimed by the District under Section 22438.

Easements for pipelines or for open canals for which the District holds a written grant or judgement providing a legal description of the easement are not subject to the secondary easement provisions of Section 22438. District activities and the locations of canal facilities are therefore restricted to the limits established by the legal description of the easement.

For the purposes of acquiring easements for pipelines by grant or condemnation, the standard easement requirements are shown on Exhibit "C", attached hereto. Extraordinary conditions or circumstances may dictate modification of the standard easement, but such modification shall be subject to approval of the Board of Directors.



FRESNO IRRIGATION DISTRICT

"Your Most Valuable Resource – Water"

**STANDARD EASEMENT WIDTHS FOR  
OPEN CANALS AND PIPELINES**

SCALE: NOT TO SCALE

DATE: JANUARY 2018

STANDARD DETAIL

P-03

SHEET 1 OF 1

**STANDARD EASEMENT WIDTHS FOR  
OPEN CANALS AND PIPELINES**

**EXHIBIT "A"**

**SENATE BILL No. 891**

An act to add Section 22438 to the Water Code, relating to irrigation districts.

Approved by the Governor on July 5, 1989.

Filed with the Secretary of State July 5, 1989.

**LEGISLATIVE COUNSEL'S DIGEST**

**SB 891, Vuich. Irrigation Districts: canal easements.**

Under existing law, an irrigation district may acquire by any means any property or interest in property to carry out its purposes.

This bill would declare that whenever any irrigation district is the owner of an easement for an open canal for the transportation of water across lands not owned by it, other than as specified, the district shall have a secondary easement on each side of the open canal for the maintenance, repair, cleaning, operation, and control of the open canal, as prescribed, and would specify related matters.

The people of the State of California do enact as follows:

**SECTION 1.** Section 22438 is added to the Water Code, to read:

22438. (a) Whenever any district is the owner of an easement for an open canal for the transportation of water across lands not owned by it, other than an easement evidenced by a written grant or judgement providing a legal description of the easement, the district shall have a secondary easement on each side of the open canal for the maintenance, repair, cleaning, operation, and control of the open canal and such other use thereof as may be reasonably be required by the district in exercising those rights and in the maintenance, repair, cleaning, and operation of that easement and open canal with equipment owned by or available to the district for that use at the time the rights are exercised. The duration of the secondary easement shall be for so long as the district, or its successors or assigns, continues to own the open canal easement regardless of what use has or has not been made of the secondary easement.

(b) The owner of the land upon which a secondary easement is located, or any lessee of the land, shall have the right to use the surface of the land upon which the secondary easement is located for his or her own purposes to the extent that the use does not unreasonably interfere with the district's ownership or use of the secondary easement, or upon the open canal easement. Any encroachment or obstruction placed or permitted upon the secondary easement by the owner of the land or any lessee of the land, which unreasonably interferes with the secondary easement or the open canal easement, may be removed by the district at the owner's or lessee's expense, or by legal action filed by the district.

This section shall not be construed to limit the right of a district or of any person to acquire any easement by prescriptive or condemnation or to enter into a written agreement concerning an easement or secondary easement upon such terms as are agreed upon the parties.



FRESNO IRRIGATION DISTRICT

"Your Most Valuable Resource - Water"

STANDARD EASEMENT WIDTHS FOR OPEN  
CANALS AND PIPELINES EXHIBIT A

SCALE: NOT TO SCALE

DATE: JANUARY 2018

STANDARD DETAIL

P-04

SHEET 1 OF 1



**STANDARD EASEMENT WIDTHS FOR  
OPEN CANALS AND PIPELINES EXHIBIT "B"**

(Page 1 of 2)

**GENERAL REQUIREMENTS**

The following requirements have been approved and adopted by the Board of Directors to provide a guideline for establishing adequate Right-of-Way widths for canals and ditches owned, operated, and maintained by the Fresno Irrigation District. Any extraordinary conditions, circumstances, misunderstandings, failure or refusal of a property owner to accept or comply with the general requirements described below should be brought to the immediate attention of the General Manager.

1. When establishing top of bank width required for operation and maintenance purposes, some existing top of bank widths may be more than required by the District, but in most cases, will be less. Therefore, the Right-of-Way line should be established in accordance with the requirements for future improvements, operations, and maintenance of the canal.
2. To determine the requirements for top of bank widths, canals and ditches shall be classified into two different categories. First, canals with banks which are not more than one foot (1.0') above the surrounding ground level will be classified in a "cut" category. Second, canals with banks which are more than one foot (1.0') above the adjacent ground level will be classified as "fill".
3. Required top of bank widths shall be measured on a level plane from the inside edge of the canal or ditch bank.
4. Canals with capacity of 50 C.F.S or more:
  - a). Canals which are in a "cut" or at grade shall require a top of bank width no less than twenty feet (20') wide.
  - b). Canals which are in a "fill" shall require a top of bank width of no less than fifteen feet (15') plus one and one-half feet (1.5') for each vertical foot outside of the bank slope plus an additional two feet (2') to establish the Right-of-Way line beyond the outside toe of the canal bank. Easement width will be as required or no less than twenty feet (20') from the top inside bank to Right-of-Way line.
5. Canals with a capacity of less than 50 C.F.S:
  - a). Canals which are in a "cut" shall require a top of bank width no less than fifteen feet (15') wide.
  - b). Canals which are in a "fill" shall require a top of bank width of no less than twelve feet (12') plus one and one-half feet (1.5') for each vertical foot outside of the bank slope. "Fill" canals also require an additional two feet (2.0') to establish the Right-of-Way line beyond the outside toe of the canal.



FRESNO IRRIGATION DISTRICT

"Your Most Valuable Resource – Water"

STANDARD EASEMENT WIDTHS FOR OPEN  
CANALS AND PIPELINES EXHIBIT B

SCALE: NOT TO SCALE

DATE: JANUARY 2018

STANDARD DETAIL

P-05

SHEET 1 OF 2

**STANDARD EASEMENT WIDTH FOR  
OPEN CANALS AND PIPELINES EXHIBIT "B"**

(Page 2 of 2)

6. Canals with a capacity less than 50 C.F.S: (Alternate)

- a). Canals which are in a "cut" shall require a top of bank width no less than fifteen feet (15') wide.
- b). Canals which are in a "fill" shall require a top of bank width of no less than four feet (4') plus four feet (4.0') for each vertical foot outside of the bank slope.
- c). On smaller sloper type ditches, it may be necessary to resort to access along and outside the ditch, but in all cases the requirements should be established to prevent encroachments on the Right-of-Way.
- d). The alternate section cannot be used if the overall width exceeds the standard width and is permitted only when the District operations and maintenance functions do not require a standard road Right-of-Way.



FRESNO IRRIGATION DISTRICT

"Your Most Valuable Resource – Water"

STANDARD EASEMENT WIDTHS FOR OPEN  
CANALS AND PIPELINES EXHIBIT B

SCALE: NOT TO SCALE

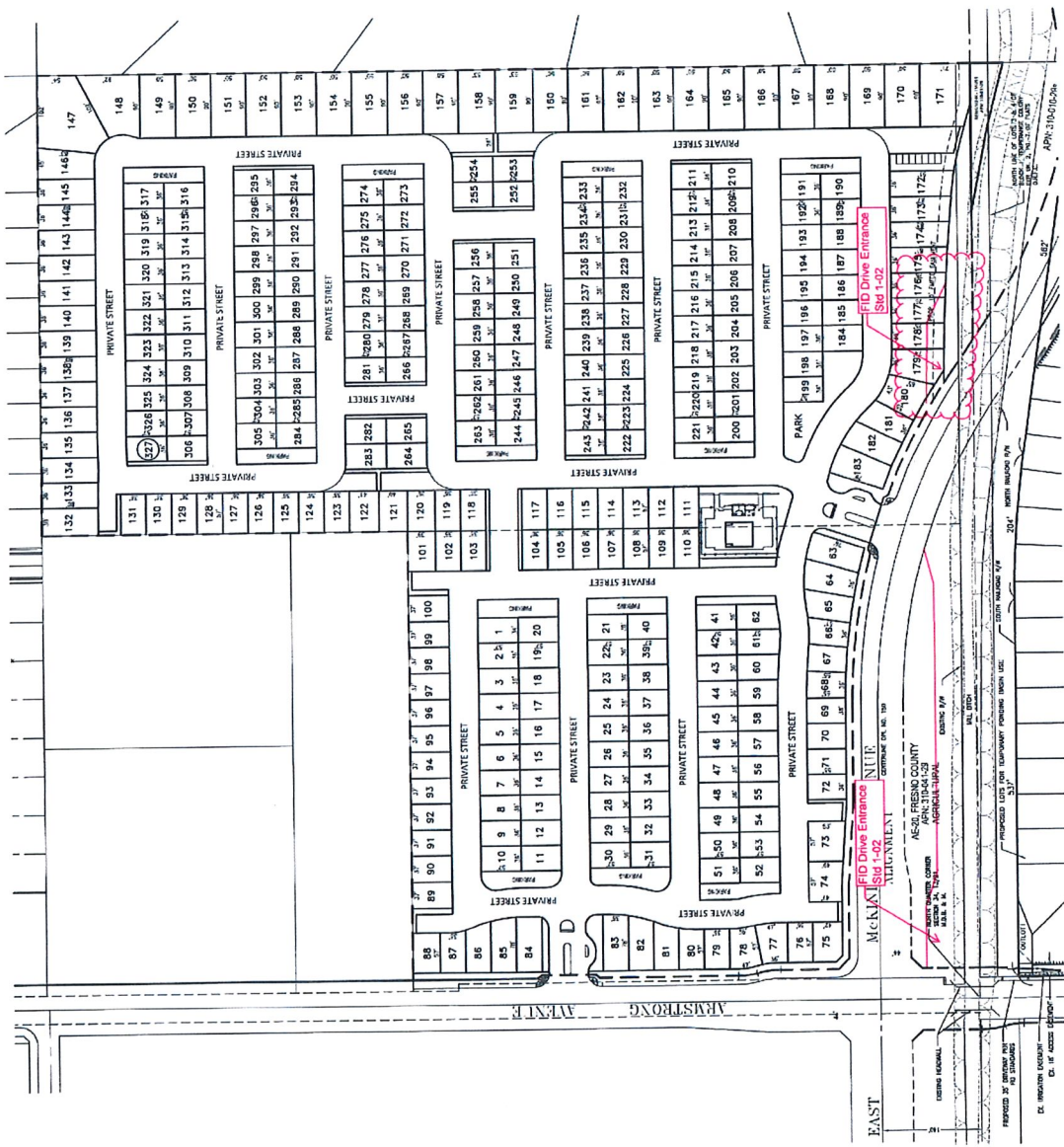
DATE: JANUARY 2018

STANDARD DETAIL

P-05

SHEET 2 OF 2





APN'S:  
574-140-04 & 05

SITE AREA:  
28.56 AC. NET

PROPOSED LOTS  
327

DENSITY  
11.45 U/A







December 14, 2022

Chris Lang  
DARM – Development Services Division  
2600 Fresno Street  
Fresno, CA 93721

**Governing Board**

Hugh Awtrey  
Deena L. Combs-Flores  
David DeFrank  
Steven G. Fogg, M.D.  
Yolanda Moore  
Clint Olivier  
Tiffany Stoker Madsen

SUBJECT: P22-00392; T-6360  
326 Gated Single Family Homes with Private Streets  
2084 N Armstrong Ave  
APN: 574-140-04

Dear Chris Lang:

The purpose of this letter is to provide school district information relative to the above-referenced development and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the developer/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: *Boris Elementary*  
Address: *7071 E Clinton Ave Fresno CA 93737*  
Telephone: *(559) 327-3800*  
Capacity: *875*  
Enrollment: *632 (CBEDS enrollment 2021-22 school year)*

- (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 93619-5226*  
Telephone: *(559) 327-4500*  
Capacity: *1485*  
Enrollment: *1516 (CBEDS enrollment 2021-22 school year)*

3. High School Information:

School Name: *Clovis East High School*  
Address: *2940 Leonard Ave Clovis CA 93619-8446*  
Telephone: *(559) 327-4000*  
Capacity: *2862*  
Enrollment: *2733 (CBEDS enrollment 2021-22 school year)*

4. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
5. The District currently levies a school facilities fee of \$5.36 per square foot (as of July 5, 2022) 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





December 22, 2022

City of Fresno  
Planning Division  
2600 Fresno St  
Fresno, CA 93721

Re: Tract No. 6360  
2084 Armstrong Avenue, Fresno, CA

Dear City of Fresno,

Thank you for giving us the opportunity to review the subject plans. The proposed Tract No. 6360 is within the same vicinity of PG&E's existing facilities that impact this property.

PG&E operates overhead electric distribution facilities along the northerly boundary and also along the southwesterly boundary of the subject property. Said facilities are planned to be removed per the project plans. Please contact PG&E's Service Planning department at [www.pge.com/cco](http://www.pge.com/cco) for any modification or relocation requests, or for any additional services you may require.

You may also contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact me at alexa.gardea@pge.com.

Sincerely,

Alexa Gardea  
Land Management  
916-760-5738