

## Exhibit K



**SUBJECT:** Conditions of Approval for **P23-03173**

**DATE:** January 31<sup>st</sup>, 2024

**TO:** John George, Planner III  
Planning and Development Department

**FROM:** Braulio Flores, Engineer I  
Public Works Department, Land Planning Section

**ADDRESS:** 10047 North Chestnut Avenue

**APN:** 578-020-13

**ATTENTION:**

The items below require a separate process with additional fees and timelines, in addition to the development permit process. Submit the following items early to avoid delaying approval of building permits. Final approval of the site plan is contingent on receipt of all items checked below.

To be completed:	Point of Contact	Department and Contact Information
<ul style="list-style-type: none"><li>- <b>CFD 9 Annexation Request Package</b></li><li>- <b>Private Maintenance Covenant</b></li></ul>	Adrian Gonzalez	(559) 621-8693 <a href="mailto:Luis.Gonzalez@fresno.gov">Luis.Gonzalez@fresno.gov</a>
<b>Deeds (up to 2-month processing time)</b> Deeds are required to provide easements to the City for required public improvements. They shall be prepared by the owner / developer's engineer. Contact Jason Camit for fees and processing requirements. Provide a copy of the recorded dedications to Traffic Planning prior to the issuance of building permits.	Jason Camit	Public Works Department (559) 621-8681 <a href="mailto:Jason.Camit@fresno.gov">Jason.Camit@fresno.gov</a>

**ATTENTION:**

**Provide corrections as noted on Exhibit "A-1, A-2, & A-3".**

**Prior to resubmitting the corrected exhibit, provide the following information and conditions of approval on the site plan:**

**A. GENERAL REQUIREMENTS**

1. **Address:** Verify the project address with the Planning and Development Department.
2. **Property Lines:** Identify, revise and dimension existing and proposed property lines.
3. **Easements:** Identify, revise and dimension existing and proposed easements.
4. **Scope of work:** Identify all items as existing, proposed, to remain, or to be removed.
5. **Required Notes:** Revise General Notes to include the required Public Works Department notes.
  - a. Any survey monuments within the area of construction shall be preserved or reset by a person licensed to practice land surveying in the State of California.
  - b. Repair all damaged and/or off-grade concrete street improvements as determined by the Construction Management Engineer, prior to occupancy.
  - c. Two working days before commencing excavation operations within the street right-of way and/or utility easements, all existing underground facilities shall have been located by UNDERGROUND SERVICES ALERT (USA). CALL 1-800-642-2444
  - d. The performance of any work within the public street right-of-way requires a street work permit prior to commencement of work. All required street improvements must be completed and accepted by the City prior to occupancy. <https://www.fresno.gov/publicworks/traffic-engineering/#tab-6>
  - e. Deeds are required to provide easements to the city for required public improvements. They shall be prepared by the owner / developer's engineer. Executed copies shall be submitted to the city with verification of ownership prior to the issuance of building permits.
  - f. Underground all existing overhead utilities within the limits of this application as per Fresno Municipal Code Section 15-2017 and Public Works Policy No. 260.01.
  - g. Submit street construction plans to the Public Works Department.
  - h. Submit street lighting plans to the Public Works Department.  
<https://www.fresno.gov/publicworks/traffic-engineering/#tab-4>
  - i. Submit signing and striping plans to the public works department. Comply with the current Caltrans standards.  
<https://www.fresno.gov/publicworks/traffic-engineering/#tab-4>
  - j. Provide a 4' minimum path of travel along the public sidewalk directly in front of property, to meet current accessibility regulations. A pedestrian easement may be required if requirements are not met.

- k. Contact the Public Works Department, Traffic Engineering at 559-621-8800, 10 working days prior to any offsite concrete construction.
- l. All development shall take place in accordance with all city laws and regulations.

**B. OFFSITE INFORMATION:**

1. **Public Street Improvements:**
  - a. **Street pavement**
  - b. **Sidewalk drains**
2. **Accessibility:** Identify and dimension the required 4' minimum path of travel along the public sidewalk adjacent to the property. Provide pinch point dimensions. A pedestrian easement may be required if Title 24 requirements cannot be met.
3. **Canals and pipes:** Identify adjacent canals and/or pipes and provide a cross section.

**C. ONSITE INFORMATION:**

1. **Lot drainage:** Identify lot drainage conveyance to the right-of-way.
2. **State standard "STOP":** Identify and install **30"** state standard "STOP" signs at the locations shown. Signs shall be mounted on a **2"** galvanized post with the bottom of the lowest sign **7'** above ground, located behind curb and immediately behind a major street sidewalk.
3. **Parking lot:**
  - a. **Paving:** Identify limits
  - b. **Visibility triangles:** Identify the required 12' visibility triangle at all approaches and alleys.
4. **Gates:**

**Multi-Family:** Provide a minimum of **50'** from the proposed gate to the back of right-of-way/pedestrian easement, for vehicle stacking at the main gate. If not existing, redesign the main entrance to provide for an onsite turn around. Where the entry is divided, each side shall provide for a minimum opening of 16' each. Where it is not divided, the gate shall be a minimum of 20' wide.

**Or** provide a gate operational statement on the site plan stating all vehicle access gate(s) shall be opened as the first order of operating business and shall remain open during operating hours. The public right-of-way shall remain unobstructed at all times.

**PUBLIC IMPROVEMENT REQUIREMENTS**

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, on



which this review process is dependent, will be imposed whenever such conditions are disclosed. Construct additional offsite improvements, including but not limited to, concrete curb, gutter, sidewalk, approaches, ramps, pavement, utility relocations, etc. in accordance with *City of Fresno's Public Works Standards, Specifications*, and the approved street plans. Street widening and transitions shall also include utility relocations and necessary dedications.

Repair all damaged and/or off grade off-site concrete street improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current accessibility regulations.

Underground all existing overhead utilities within the limits of this site/map as per ***Fresno Municipal Code Section 15-2017*** and ***Public Works Policy No. 260.01***.

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, Traffic and Engineering Services Division, (559) 621-8693. **Encroachment Covenant** must be approved **prior** to issuance of building permits.

**Chestnut Avenue: 3-Lane Collector**

(Provide the following as notes on the site plan.)

1. Dedication Requirements:
  - a. Dedicate a **32'** easement, from section line, for public street purposes, within the limits of this application.
2. Construction Requirements:
  - a. Construct **20'** of permanent paving per *Public Works Standard P-50*, within the limits of this application and transition paving as necessary.
  - b. Construct a driveway approach to *Public Works Standards P-2* and *P-6*, as approved on the site plan. Provide **10'** of red curbing (3 coats) on both sides of the proposed driveway approaches. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibits "A-1, A-2, & A-3"**.
  - c. The proposed street type approaches shown as a **P-76 (modified)** and/or **P-77 (modified)**, 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*. Provide **10'** of red curbing (3 coats) on both sides of the proposed driveway approaches.
  - d. Construct concrete curb, gutter and sidewalk to *Public Works Standard P-5*. The curb shall be constructed to a **12'** residential pattern. Construct a 6' residential sidewalk.
  - e. 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.*

- f. Construct an underground street lighting system to *Public Works Standard E-1* within the limits of this application. Spacing and design shall conform to *Public Works Standard E-7A* for Collectors. 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 *Public Works Standards E-15, E-17 and E-18* or as approved by the City Engineer.
- g. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

Public Improvement Plans are required and shall be approved by the City Engineer. Contact Scott Tyler at (559) 621-8654 or at [Scott.Tyler@fresno.gov](mailto:Scott.Tyler@fresno.gov) and submit Public Improvement Plans for all required work, in a single package, to Engineering Services Division. Dedications shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45** MPH design speed for Collectors and **55** MPH for Arterials. Utility poles, streetlights, signals, etc. shall be relocated as determined by the City Engineer. The performance of any work within the public right of way and/or easements (including street, bike, pedestrian, landscape, and utility easements) requires a **Street Work Permit prior** to commencement of work. Contact Public Works Department at (559) 621-8800, 10 working days prior to construction of any improvements in the public right-of-way and/or easements. All improvements shall be constructed in accordance with the City of Fresno, *Public Works Department Standard Drawings and Specifications*. Traffic Control Plans shall be required to ensure the sidewalk, or an approved accessible path remains open during construction. Contact Melessa Avakian at (559) 621-8812 or at [Melessa.Avakian@fresno.gov](mailto:Melessa.Avakian@fresno.gov) and submit Traffic Control Plans to the Traffic Operations and Planning Division. All work shall be reviewed, approved, completed, and accepted **prior** to obtaining a certificate of occupancy.

Two working days before commencing excavation operations within the street right of way and/or utility easements, all existing underground facilities shall have been located by Underground Services Alert (USA) Call 811.

Any survey monuments within the area of construction shall be preserved or reset by a person licensed to practice Land Surveying in the State of California.

## **PRIVATE IMPROVEMENT REQUIREMENTS**

### **Off-Street Parking Facilities and Geometrics:**

Contact the Planning and Development Department for review and approval of onsite parking. The parking lot is required to meet the *City of Fresno's Parking Manual, Public Works Standards P-21, P-22, and P-23 and Specifications*. Parking must also comply with the *California Building Code's* accessibility requirements and the Fire and Solid Waste Department's minimum turning templates.

### **Irrigation / Canal Requirements:**

The developer shall enter into an agreement with the Fresno Irrigation District providing for piping the canals and submit an executed copy of the agreement or commitment letter from FID to the Planning and Development Department. All piping shall be located outside of the proposed street right of way. **Identify the proposed easement or cross section on the site plan.**

**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.

**Fresno Major Street Impact (FMSI) Fees:** This entitlement is in the **New Growth Area**; therefore pay all applicable growth area fees and citywide regional street impact fees. Contact the Public Works Department, Frank Saburit at (559) 621-8797.

**FMSI Requirements:**

**THE FMSI REQUIREMENTS ARE REQUIRED TO BE CONSTRUCTED PRIOR TO OCCUPANCY.**

**Chestnut Avenue: Collector**

1. Dedicate and construct the following **within the limits of this application**. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.
  - a. South bound: (1) **12'** center section travel lane, **5'** bike lane, and an **8'** parking;
  - b. Center section: a **12'** center two-way left turn lane. If applicable, stripe 200' left, turn pockets at all major intersections.

**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 issuance of certificate of occupancy.

**In order to obtain street or building permit approval from the Public Works Department, an approval stamp with a signature from Land Planning Section is required on the site plan and inserted in the building sets.**

Questions relative to these conditions may be directed to Braulio Flores (559) 621-8806 [Braulio.Flores@fresno.gov](mailto:Braulio.Flores@fresno.gov) in the Public Works Department, Land Planning Section.

## **MAINTENANCE REQUIREMENTS OF PUBLIC IMPROVEMENTS**

The Property Owner for commercial, industrial and multi-family developments shall be responsible for providing maintenance for certain required public improvements located within and adjacent to the public streets on the perimeter associated with their development and as approved by the Public Works Department.

### **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 Commercial, Industrial and Multi-Family developments are the ultimate responsibility of the Property Owner. The property owner shall provide Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 9 ("CFD No. 9").

The following public improvements (existing and proposed) are eligible for Services by CFD No. 9 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within public street rights-of-way, required public trail easements, and landscape easements located between required sound walls and adjacent to public streets; including without limitation, median islands (1/2 if frontage is only on one side) and parkways. **(Major and Local Public Streets)**
- All amenities such as benches, drinking fountains, trash receptacles, City required fencing and low voltage lighting, as approved by the Public Works Department for officially designated and required public trails.
- Tree trimming only of required street trees within public street easements along **Major and Local Public Street frontages.**
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, median capping and maintenance bands (1/2 if frontage is only on one side), and traffic calming structures in the street rights-of-way. **(Major Public Streets)**
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, median island curbing and hardscape, street paving and street name signage. **(Local Public Streets)**
- All costs associated with the street lights (including repair and replacement) within public street rights-of-way. **(Major and Local Public Streets)**

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

- A. The Property Owner may petition the City of Fresno to request annexation to CFD No. 9 by completing and submitting an Annexation Request Package to the Public Works Department, Land Section for review and approval. The Annexation Request Form is

available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.

- **Proceedings to annex territory to CFD No. 9 SHALL NOT commence** unless this development is within the City limits and all construction plans (this includes Street, Street Light, Signal and Landscape and Irrigation plans as applicable) 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. 9 are not subject to change after acceptance for processing.**
- The annexation process takes from three to four months and SHALL be completed prior to building permit approvals. The review and approval of Landscape and Irrigation Plans are required to be approved by the Public Works Department prior to the completion of the annexation process.
- Public improvements not listed above will require special approval by the Public Works Department Director or his designee.

**-OR-**

- 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. 9 for Services SHALL be included in a Private Maintenance Covenant for the required Services associated with this development or as approved by the City Engineer.

Any change to this development that would affect these conditions shall require a revision of this letter.

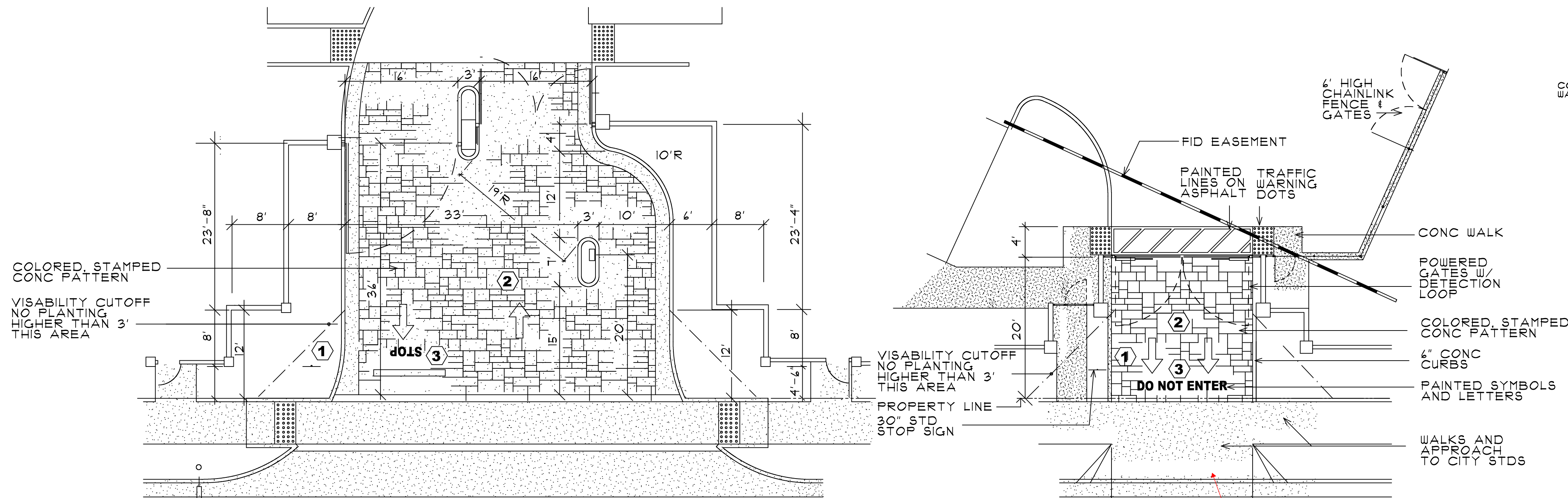
Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.

INCOMPLETE Community Facilities District ("CFD") Annexation Request submittals may cause delays to the annexation process and project approval. The annexation process takes from three to four months and SHALL be submitted for processing prior to Building Permit approval.

All applicable construction plans for this development are to be submitted to the Public Works Department for review and approval prior to the CFD process. The Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process.

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





## GATED APPROACHES ENLARGEMENT

1" = 10'-0"

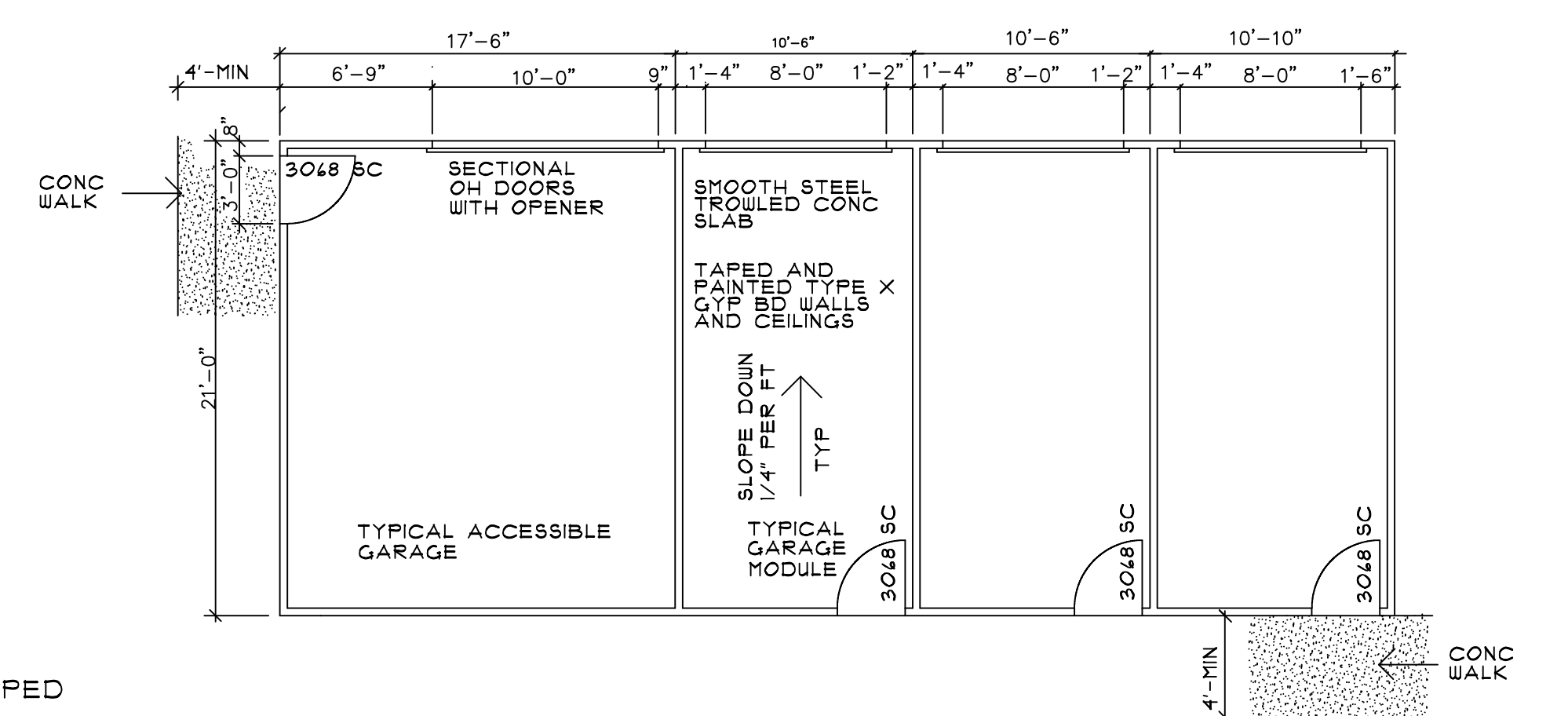
REVISE  
REFER TO SIDE ISLAND CALLBOX  
DRAWING ON EXHIBIT A-2.

IDENTIFY WIDTH, WINGS, RAMP,  
SIDEWALK WIDTH BEHIND RAMP,  
LINE UP APPROACH WIDTH WITH  
THE ON-SITE OPENINGS.

### SHEET NOTES

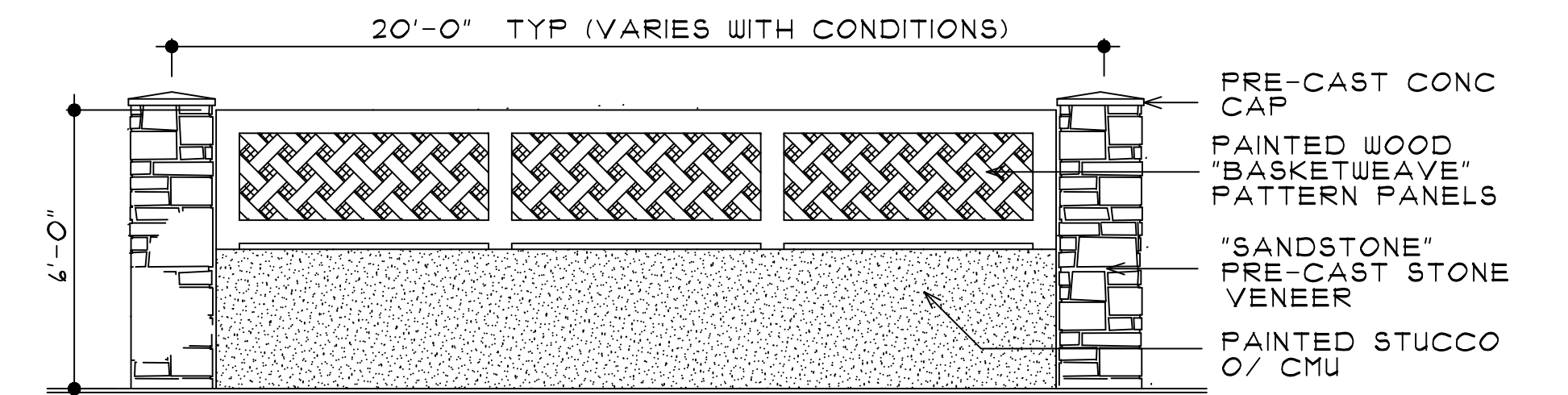
- 1 SITE IS CURRENTLY VACANT. ALL WORK SHOWN ON SITE IS NEW CONSTRUCTION.
- 2 INSTALL 30" STATE STANDARD "STOP" SIGN AT LOCATION SHOWN. SIGN SHALL BE MOUNTED ON A 2" GALVANIZED POST WITH THE BOTTOM OF THE LOWEST SIGN 1 FT. ABOVE GROUND.
- 3 DESIGN AND CONSTRUCT DRIVE PAVING TO PUBLIC WORKS STAND.

PAINTED DIRECTION ARROWS  
AND LETTERS



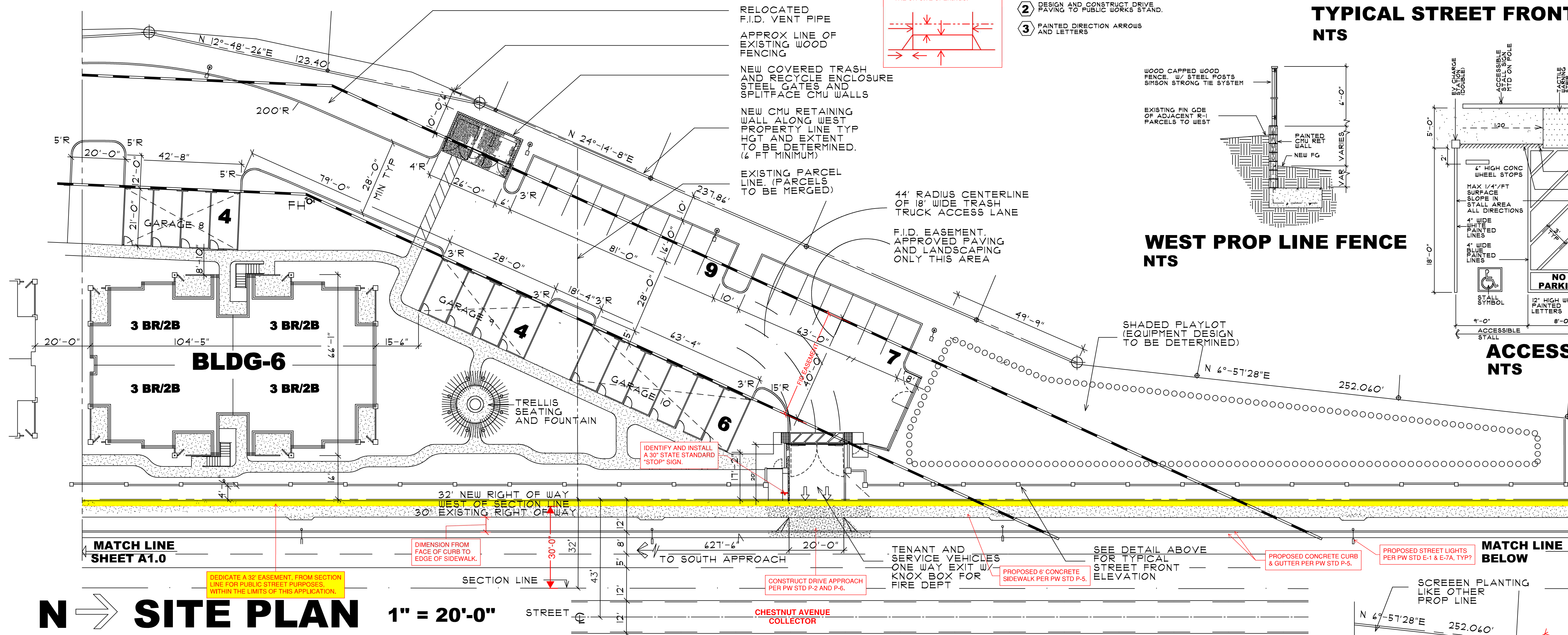
## TYPICAL GARAGE FLOOR PLAN

1/4" = 1'-0"



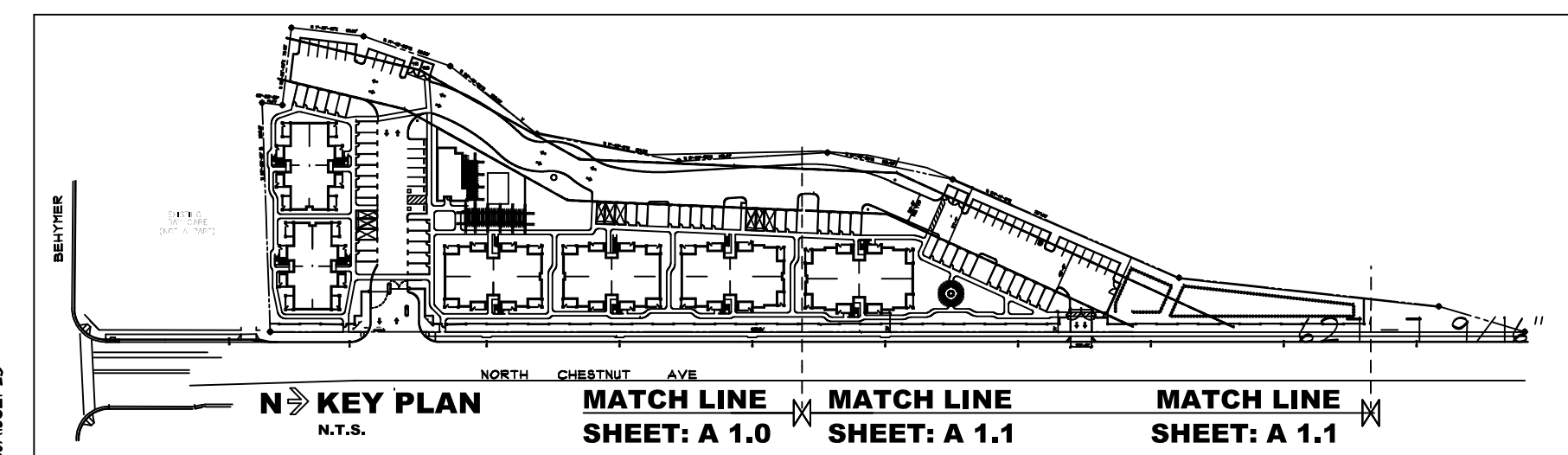
## TYPICAL STREET FRONT FENCE

NTS



## N SITE PLAN

1" = 20'-0"



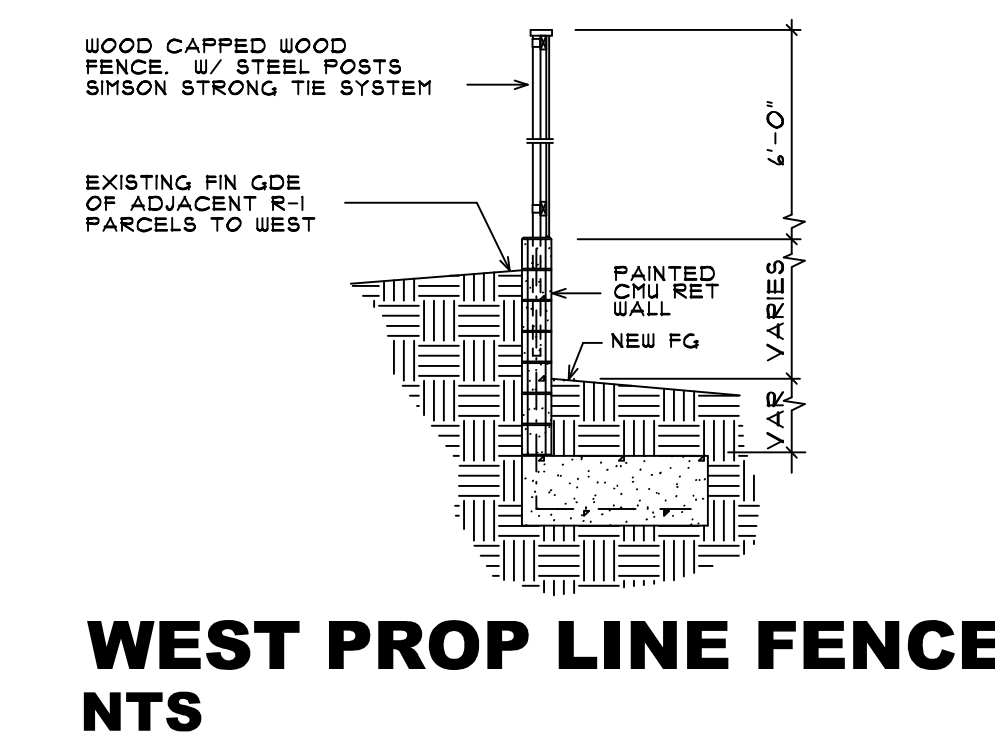
APPL. NO. P23-03173 EXHIBIT A-1 DATE 10/27/2023

BRAULIOF  
PW LAND PLANNING SECTION  
CP1 - REVIEWED REVISIONS REQ'D  
BRAULIO.FLORES@FRESNO.GOV  
2024.01.31 15:42:16-08'00'

CITY OF FRESNO DARM DEPT

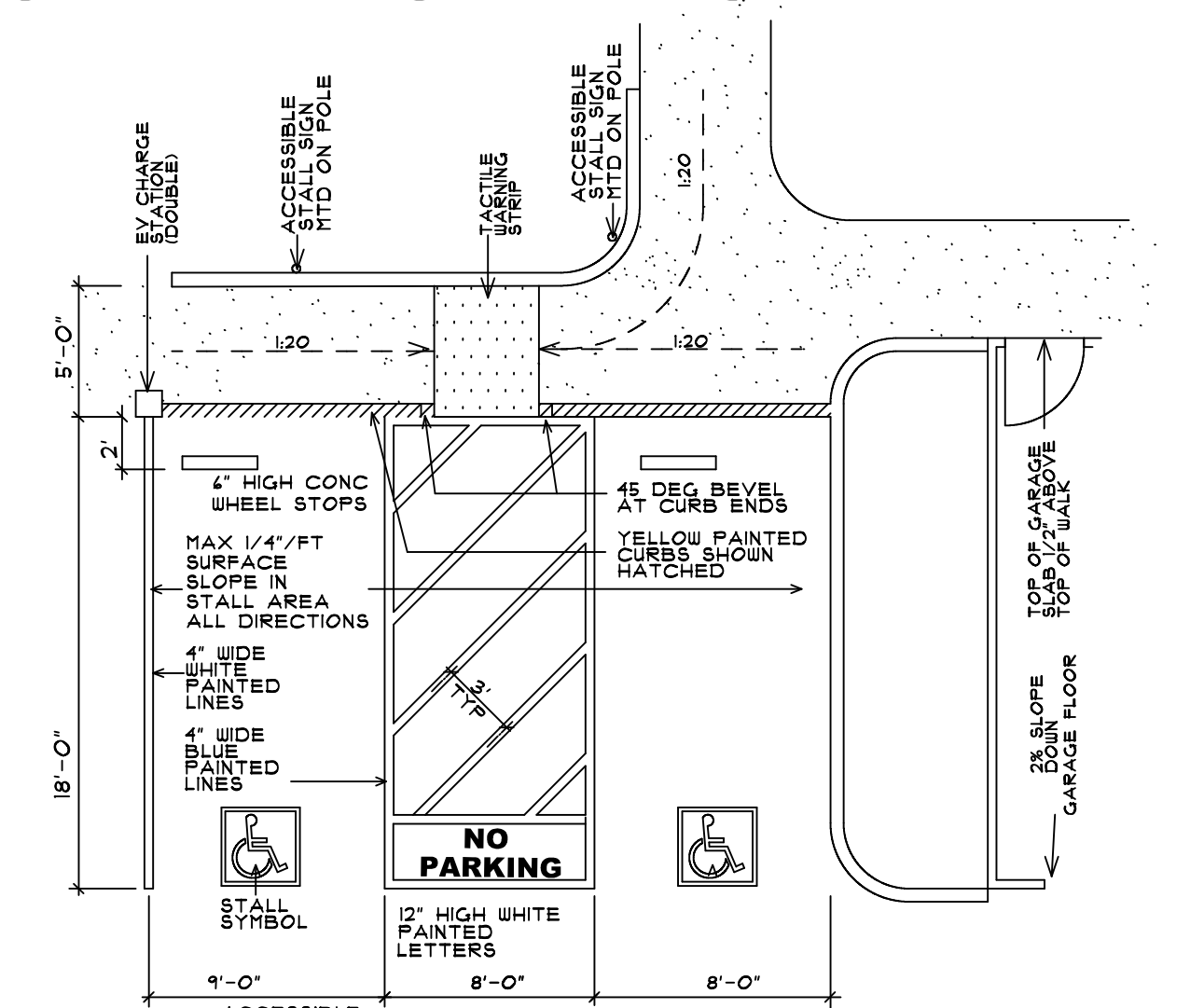
### PROVIDE THE FOLLOWING:

- IDENTIFY ALL ITEMS AS EXISTING (E) OR PROPOSED (P).
- IDENTIFY STREET PAVING LIMITS PER PW STD P-50.
- IDENTIFY ON-SITE PAVING LIMITS PER PW STD P-21 AT MIN AND P-22.
- IDENTIFY THE APPROPRIATE PUBLIC WORKS STANDARD DRAWING NUMBERS.
- IDENTIFY SIDEWALK DRAINS PER PW STD P-23.
- IDENTIFY AND MAINTAIN 12' VISIBILITY TRIANGLES AT ALL APPROACHES.



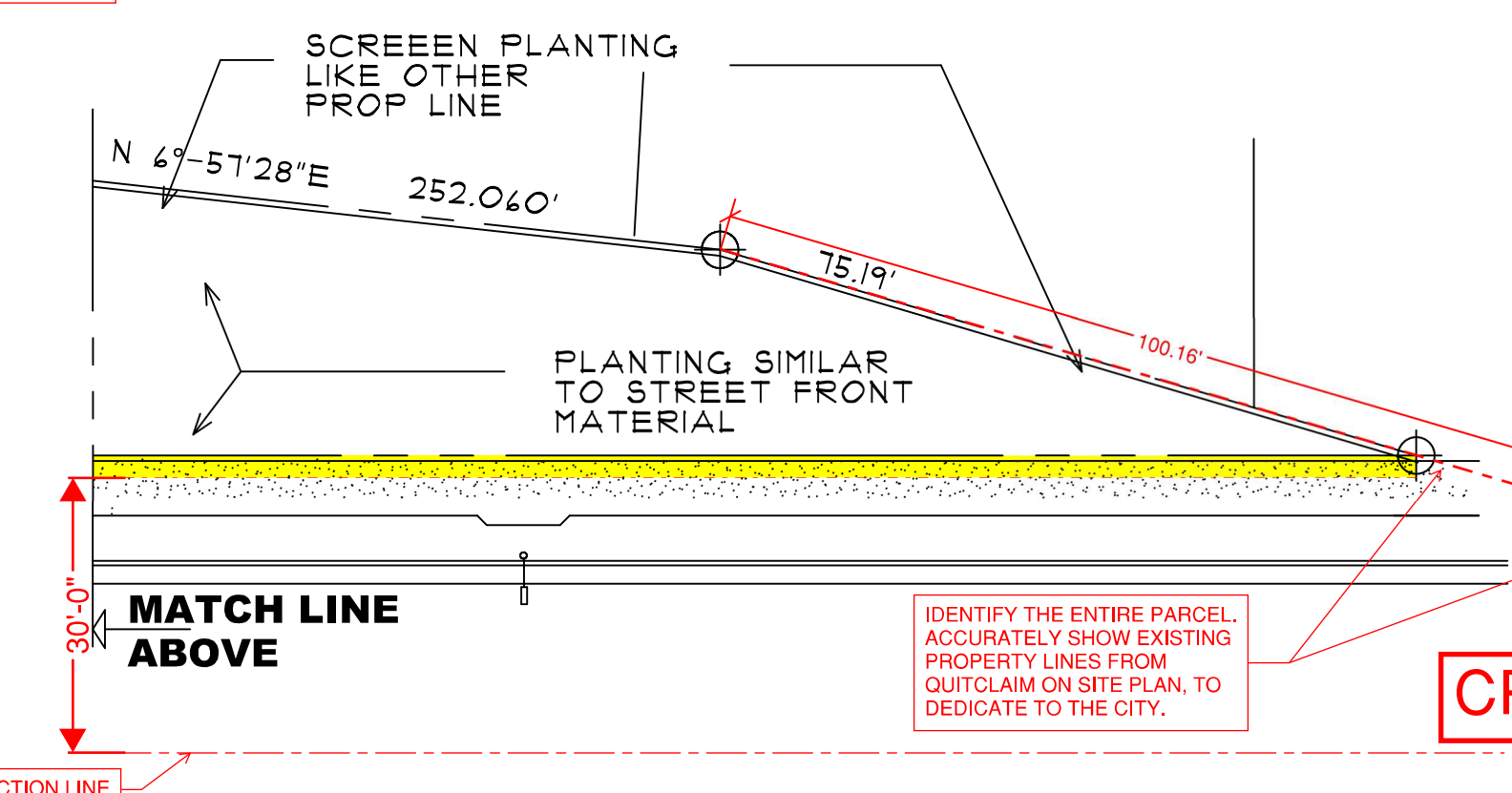
## WEST PROP LINE FENCE

NTS



## ACCESSIBLE STALLS

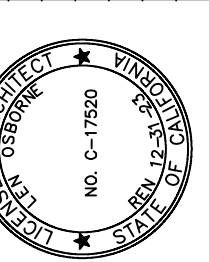
NTS



## MATCH LINE ABOVE

IDENTIFY THE ENTIRE PARCEL.  
ACCURATELY SHOW EXISTING  
PROPERTY LINES FROM  
QUITCLAIM ON SITE PLAN, TO  
DEDICATE TO THE CITY.

NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	10/27/2023



PROJECT - OWNER  
"LOS PUEBLOS"  
MULTI-FAMILY RESIDENTIAL DEVELOPMENT  
N CHESTNUT AVE  
FRESNO, CA

VIGEN  
INCORPORATE  
PLANNING ARCHITECTURE INTERIOR  
DESIGN

DATE:  
15 DEC 2020  
4 APR 2022  
22 APR 2023  
08 SEP 2023

SHEET NO.  
CP1  
A1.1  
SITE PLAN











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## DEPARTMENT OF PUBLIC WORKS

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**TO:** John George, Planner III  
Planning & Development Department

**FROM:** Adrian Gonzalez, Supervising Engineering Technician  
Public Works, Land Planning & Subdivision Inspection Section

**DATE:** November 13, 2023

**SUBJECT:** P23-03173; 10047 North Chestnut Avenue (APN: 578-020-13) located on the northwest corner of North Chestnut Avenue and East Behymer 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. Choose appropriate trees from the list of Approved Street Trees.  
<https://www.fresno.gov/publicworks/developer-doorway/#tab-5>

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

## **Fire Department**

July 30, 2024  
Carl E Torrence

### **Comments**

All back checks are performed electronically through the Accela Program (FAASTER portal). You must submit the following documentation to the Building Department: 1) Provide copy of the original submittals (drawings, calculations, and supporting documents) including mark-ups from the plan reviewers who worked on your documents. 2) Provide a complete set of revised drawings, calculations, and supporting documents addressing plan check comments (all changes shall be clouded). 3) Provide a detailed typed response to each item listed in the plan check correction comments document. If you have additional questions regarding back check submittals, please contact the Building Department.

1. Fire department connections shall be located within forty (40) feet of a fire apparatus access lane. (FFD Development Policy 405.025). A remote FDC will be required for the riser locations greater than 40 feet from the access road.
2. Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the fire chief. 2022 CFC, Section 912.2.1.
3. All gated residential developments require a "Click to Enter" system. Install a "Click to Enter" system at all electrified gates and provide an approved visual recognition/feature sign at the "click to Enter" gate locations.<sup>^^</sup>
4. An approved Fire/Police padlock shall be installed on gates used solely for emergency vehicle access. Fire/Police padlocks may be used in conjunction with other approved locking devices. Padlocks shall be an approved City of Fresno bypass lock. (FFD Development Policy 403.002) Fire/Police padlocks may be purchased only through Sierra Lock & Glass, 1560 N. Palm Avenue, Fresno, CA 93728. (FFD Development Policy 403.004)

This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior

and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.



&  
2600 Fresno Street  
Fresno, California 93721-3604  
www.fresno.gov

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## **Fresno County Environmental Health Division**

November 8, 2023

### **Comments**

#### Recommended Conditions of Approval:

1. 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.
2. 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.
3. Due to the location, the proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
4. Prior to the issuance of building permits for the proposed pool, the applicant shall submit complete pool facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Recreational Health Program at (559) 600-3357 for more information.
5. Prior to operation of the swimming pool, the applicant shall apply for and obtain a permit to operate a public swimming pool from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.
6. Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to

submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

7. 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.
8. 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.



## **DEPARTMENT OF PUBLIC UTILITIES**

### **MEMORANDUM**

**DATE:** November 16, 2023

**TO:** JOHN GEORGE – Planner III  
Planning & Development Department – Current Planning

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

**SUBJECT: DPU CONDITIONS OF APPROVAL FOR P23-03173 48-UNIT LOS PUEBLOS APARTMENT COMPLEX – APN 578-020-13**

#### **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. A 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 Project is a 24-inch water main located in North Chestnut Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. On-site water facilities shall be private.
2. Installation of water service(s) and meter box(es) shall be required.
3. No water facility connections shall be made to the existing 48-inch water main located in North Chestnut Avenue.
4. The applicant shall be financially responsible for the abandonment of any unused water services previously installed to the property, if any.

DPU CONDITIONS OF APPROVAL FOR P23-03173 48-UNIT LOS PUEBLOS  
APARTMENT COMPLEX – APN 578-020-13

November 16, 2023

Page 2 of 4

5. 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 water supply wells, or other acceptable sources of water supply approved by the Department of Public Utilities Director or designee.
6. 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.

**Water Supply Requirements**

1. The applicant shall be required to pay Water Capacity Fee charges for the installation of new water services and meters to serve the Project.
  - 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 Project.
  - 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 the Project to ensure that it 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 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 Project is a 15-inch sewer main located in North Chestnut Avenue. Sanitary sewer facilities are available to provide service to the Project subject to the following requirements:

1. Installation of new sewer service branch(es) shall be required.
2. On-site sanitary sewer facilities shall be private.

DPU CONDITIONS OF APPROVAL FOR P23-03173 48-UNIT LOS PUEBLOS  
APARTMENT COMPLEX – APN 578-020-13

November 16, 2023

Page 3 of 4

3. 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.
4. The applicant shall be financially responsible for abandonment of any unused sewer services previously installed to the property.

**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 #43.
3. Wastewater Facility Sewer Charge (Multi-family Residential).
4. Trunk Sewer Charge: Herndon.
5. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility Charges per FMC Sections 6-304 and 6-305. Sewer Facility Charges consist of two components: a Wastewater Facilities Charge and Trunk Sewer Charge, where applicable.
6. Sewer Facility Charges are collected after occupancy on a monthly basis, based on metered usage (water or sewer effluent). The applicant may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the Project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect at that time, per City of Fresno MFS. The applicant shall provide data regarding estimated sewer discharge rates (flow) and loading (BOD/TSS levels) required for calculating the estimated charges.

**Solid Waste Requirements**

For the purpose of establishing City solid waste service policies, multi-family complexes are defined as complexes composed of three (3) dwelling units or more per parcel. These service requirements apply to all multi-family complexes within the City of Fresno.

1. This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Republic Waste at (559) 275-1551 or (800) 493-4285.



DPU CONDITIONS OF APPROVAL FOR P23-03173 48-UNIT LOS PUEBLOS  
APARTMENT COMPLEX – APN 578-020-13

November 16, 2023

Page 4 of 4

2. All trash bins provided to multi-family complexes must be serviced with a frequency of at least twice per week. This standard does not apply to frequency of service for recycling bins.
3. All multi-family complexes are required to subscribe for recycling services, per FMC 9-405.1. Recycling services may be provided by the City of Fresno or any private recycling service provider. Recycling services must include, at the minimum, cardboard, newspaper, paper, glass, plastics, beverage containers, and metal recycling.
4. All trash and recyclable material must be placed in approved containers, per FMC 9-404. At no time may trash and recyclable material be placed on the ground or pavement.
5. Bin enclosures, if provided on site, must be used exclusively for the storage of trash and recycling bins, per The Public Works Standard Specifications P-33 and P-34.
6. All Solid Waste and Recycling services collectively must equal or exceed a 2:1 ratio of 2 units per one cubic yard of service per week. This minimum service applies to all multi-family complexes (i.e., 24-unit complex must have a minimum of 12 cubic yards of solid waste and recycling service per week).
7. Service Route Permits and Location Permits are required for all private trash company services within the City of Fresno per FMC 9-408. All private company trash service arrangements must be pre-approved through Solid Waste Management Division.
8. Dimension offset of proposed trash enclosure from property line. The safe back up limit per a solid waste vehicle shall not exceed 45-feet.
9. Americans with Disability Act (ADA) requirement for multi-family residential developments:

The applicant shall install (construct) a trash enclosure(s) for the Project that complies with the City's ADA requirements as defined in the City's Standard Drawings, Details and Specifications. The certificate of occupancy for the Project shall be withheld until the applicant installs (constructs) the trash enclosure(s) in accordance with the City's ADA requirements.



August 8, 2024

Robert Holt  
DARM – Development Services Division  
2600 Fresno Street  
Fresno, CA 93721

SUBJECT: P22-03749  
48 Multi-Family Units  
10047 N Chestnut Avenue  
APN: 578-020-13

Dear Robert Holt:

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: *Riverview Elementary*  
Address: *2491 E Behymer Ave Fresno CA 93730-5419*  
Telephone: *(559) 327-8600*  
Capacity: *875*  
Enrollment: *709 (CBEDS enrollment 2023-24 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.

**Governing Board**

Hugh Awtrey  
Deena L. Combs-Flores  
David DeFrank  
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Yolanda Moore  
Clinton Olivler  
Tiffany Stoker Madsen

**Administration**

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*Superintendent*

Norm Anderson  
*Deputy Superintendent*

Marc Hammack, Ed.D.  
*Associate Superintendent*

Barry S. Jager, Jr.  
*Associate Superintendent*

Michael Johnston  
*Associate Superintendent*

2. Intermediate School Information:

School Name: *Granite Ridge Intermediate*  
Address: *2770 E International Ave Fresno CA 93730-5400*  
Telephone: *(559) 327-5000*  
Capacity: *1512*  
Enrollment: *1191 (CBEDS enrollment 2023-24 school year)*

3. High School Information:

School Name: *Clovis North High School*  
Address: *2770 E International Ave Fresno CA 93730-5400*  
Telephone: *(559) 327-5000*  
Capacity: *2700*  
Enrollment: *2400 (CBEDS enrollment 2023-24 school year)*

4. Bus transportation is currently provided for grades TK-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 \$5.86 per square foot (as of July 1, 2024) 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





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

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

November 6, 2023

John George  
Development and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Planned Development Application P23-03173  
N/W Behymer and Chestnut avenues  
FID Impact: Enterprise No. 109

Dear Mr. George:

The Fresno Irrigation District (FID) has reviewed the Planned Development Application P23-03173 for which the applicant proposes the development of a 48-unit apartment complex, APN: 578-020-13. FID has the following comments:

1. FID previously commented on the subject property on February 5, 2019, as Planning Application P18-03650. Those comments and conditions still apply, and a copy has been attached for your reference.
2. 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. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply. FID is concerned that the proposed development may negatively impact local groundwater supplies. The subject property is currently open land with minimal to no water use. 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.

John George  
RE: P23-03173  
November 6, 2023  
Page 2 of 2

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 Chris Lundeen at (559) 233-7161 extension 7410 or [clundeen@fresnoirrigation.com](mailto:clundeen@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF  
**FRESNO**  
**IRRIGATION DISTRICT**

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

February 5, 2019

Alondra Williams  
Department and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Planning Application No. P18-03650  
N/W Behymer and Chestnut avenues

Dear Ms. Williams:

The Fresno Irrigation District (FID) has reviewed the Planning Application No. P18-03650 for which the applicant proposes to rezone the property and to allow for a multifamily housing development, APN: 578-020-113. FID has the following comments:

**Summary of Requirements**

- 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**

1. FID's Enterprise No. 109 runs southwesterly traversing the western portion of the subject property, as shown on the attached FID exhibit map and will be impacted by the future development. FID owns a 40 feet wide exclusive easement recorded on November 9, 2006 as Document No. 20060239413, Official Records of Fresno County. Should this project include any street and/or utility improvements along Behymer Avenue, Chestnut Avenue, or in the vicinity of the pipeline, FID requires it review and approve all plans.
2. FID's records for the Enterprise indicate this section of the pipeline was installed in 2006 (13 years old) as a 72-inch diameter ASTM C-361 B-25 Rubber Gasket Concrete Pipe (RGRCP) which meets FID's current standard for developed parcels located in the urban areas (residential, industrial, and commercial)
3. FID requires all exposed facilities (standpipes, air vents, covers, etc.) within the subject property and/or directly adjacent to the subject property must be adapted with additional features in order to transition from a rural setting to an urban setting, to mitigate for the effects of new development and increased population, and provide for public safety within FID's property/easement and the development.

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

4. FID requires it review, approve and be made a party to signing all improvement plans which affect its easements and pipeline facilities including but not limited to Grading and Drainage, Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.
5. Encroachments – Any approved trees to be planted around the pipeline shall maintain a distance of 15 feet from edge of pipe. All existing encroachments shall be removed within FID's easement.
6. Existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures may be required to be removed within FID's property/easement, subject to determination by FID.

#### **General Comments**

1. FID requires the Developer and or the Developer's engineer contact FID at their earliest convenience to discuss specific requirements.
2. FID requires its review and approval of all Private and Public facilities that encroach into FID's property/easement. If FID allows the encroachment, the Public or Private party will be required to enter into the appropriate agreement which will be determined by FID.
3. FID requires the 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 pipeline, or result in drainage patterns that could adversely affect FID.
4. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing the final map/plans.
5. Footings of retaining walls and fencing shall not encroach onto FID property/easement areas.
6. 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 and stockpile outside of FID's easement and a minimum of 30 feet away from existing concrete pipe. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities.
7. 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.
8. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area was historically native or rural residential with minimal to no water use. 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.

9. 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.
10. 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.
11. 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).

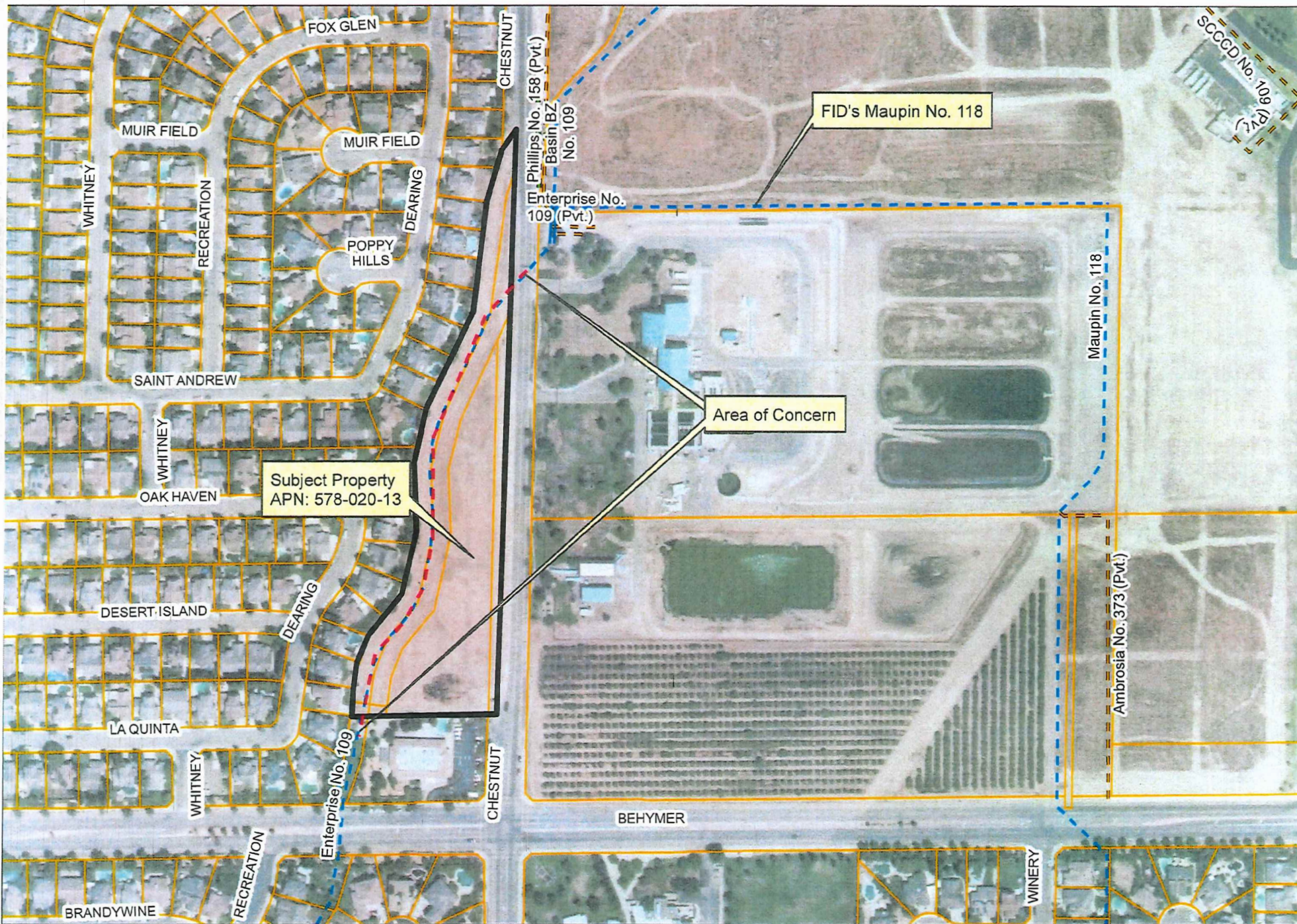
Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment

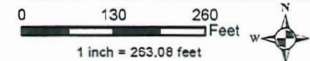




This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown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

#### Legend

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



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

File No. 210.412

Page 1 of 3

**PUBLIC AGENCY**

JOHN GEORGE  
PLANNING & DEVELOPMENT DEPARTMENT  
CITY OF FRESNO  
2600 FRESNO STREET  
FRESNO, CA 93721-3604

**DEVELOPER**

DIRK POESCHEL, LAND DEVELOPMENT  
SERVICES  
923 VAN NESS AVENUE, SUITE 200  
FRESNO, CA 93721

PROJECT NO: **2023-03173**

ADDRESS: **10047 N. CHESTNUT AVE.**

APN: **578-020-16, 17, 578-020-13**

SENT: **November 16, 2023**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
R	\$57,286.00	NOR Review	\$164.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$835.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$57,286.00		Total Service Charge:	\$999.00	

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 3/07/24 based on the site plan submitted to the District on 10/30/23 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  
DPA  
No. 2023-03173**

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

Page 2 of 3

**FR DPA No. 2023-03173**

**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  
☒ 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 3

**FR  
DPA  
No. 2023-03173**

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.



Debbie Campbell  
Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 11/16/2023 9:52:57 AM



Anthony Zaragoza  
Engineer III

Digitally signed by Anthony Zaragoza Date: 11/3/2023 12:59:37 PM

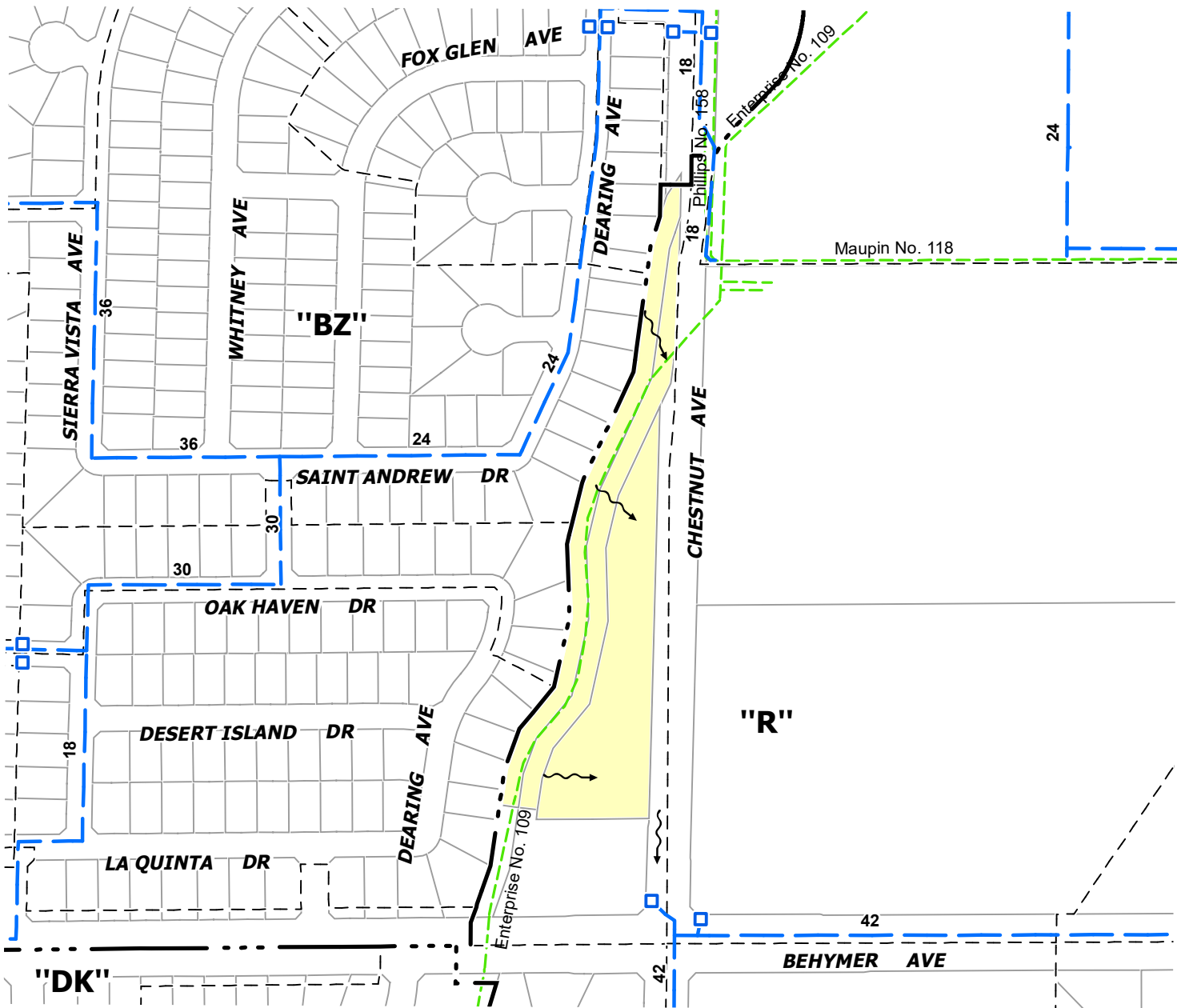
CC:

BAHADAR JOHAL

2607 W. LAKE VAN NESS

FRESNO, CA 93711

NOTE: THIS MAP IS SCHEMATIC.  
DISTANCES, AMOUNT OF CREDITABLE  
FACILITIES, AND LOCATION OF INLET  
BOUNDARIES ARE APPROXIMATE.



## LEGEND

- Existing Master Plan Facilities
- Inlet Boundary
- Drainage Area Boundary
- ~ Direction Of Drainage
- Existing FID Facilities
- Limits Of FR DPA 2023-03173



1" = 300'

**FR DPA 2023-03173**  
**DRAINAGE AREA "R"**



## EXHIBIT NO. 1 FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: coreym  
Date: 11/3/2023  
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## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

The minimum finish floor elevation shall be 378.40 (U.S.G.S. Datum).

Drainage covenants shall be put in place for parcels, as necessary, to allow surface runoff to reach the existing Master Plan inlet near Behymer Avenue and Chestnut Avenue, as shown on Exhibit No. 1.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

# CITY OF FRESNO

## DEVELOPMENT AND IMPACT FEE ESTIMATE

The following estimates are based on preliminary conceptual information. The exact fee obligation will be computed at the time of development by Public Works Department, Land Division & Engineering. The fee rates in effect at the time of building permit issuance, as determined by the Master Fee Schedule, shall apply.

**Proposed Development:** Los Pueblos Apartments - 10047 N. Chestnut Avenue S/A

**A.P.N.** 578-020-13

**Planned Land Use:** Employment - Office

**Current Zoning:** O/UGM

**Proposed Zoning:** RM-2/UGM

**Site Area:** +/- 3.53 acres

**Living Units / LUE:** 48 Living Units

**Entitlement:** P23-03173

**Estimate Date:** November 8, 2023

WATER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Water Service & Meter Charge	4"	1	EA.	\$22,300.00	\$22,300.00	[1] [6]
Irrigation Service & Meter Charge	2"	1	EA.	\$2,671.00	\$2,671.00	[1] [6]
Time & Materials Charge	6" fire	1	EA.	\$15,000.00	\$15,000.00	[1] [6]
Frontage Charge		806	L.F.	\$6.50	\$5,239.00	[1] [6]
Water Capacity Fee	2" irr	1.00	EA.	\$14,461.71	\$14,461.71	[1] [6]
Water Capacity Fee	4"	1.00	EA.	\$36,157.32	\$36,157.32	[1] [6]

<b>Total Water Connection Charges</b>	<b>\$95,829.03</b>	<b>[1]</b>
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SEWER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
House Branch Sewer Charge		[2]	EA	\$0.00	[2]	[2]
Lateral Sewer Charge		80,600	Sq.Ft.	\$0.10	\$8,060.00	[6]
Oversized Sewer Charge	UGM	80,600	Sq.Ft.	\$0.05	\$4,030.00	[6]
Wastewater Facilities Charge		STEP		[3]	[3]	[4] [7]
Trunk Sewer Charge	Herndon	STEP		[3]	[3]	[5] [7]

<b>Total Sewer Connection Charges</b>	<b>\$12,090.00</b>	<b>[3]</b>
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CITYWIDE/REGIONAL IMPACT FEES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Citywide Fire Facilities Impact Fee	Multi-Family	48	Units	\$1,774.37	\$85,169.76	[7]
Citywide Park Facility Impact Fee	Multi-Family	48	Units	\$3,921.33	\$188,223.84	[7] [9]
Citywide Police Facilities Impact Fee	Multi-Family	48	Units	\$736.01	\$35,328.48	[7]
Citywide Regional Street Charge	Multi-Family	3.53	AC	\$17,360.97	\$61,284.22	[6]
New Growth Area Major Street Charge	Multi-Family	3.53	AC	\$54,385.63	\$191,981.27	[6]
Traffic Signal Mitigation Impact Fee	Multi-Family	48	Units	\$601.64	\$28,878.72	[6]

<b>Total Citywide/Regional Impact Fees</b>	<b>\$590,866.30</b>
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<b>Total Fees and Charges</b>	<b>\$698,785.33</b>
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# CITY OF FRESNO

## DEVELOPMENT AND IMPACT FEE ESTIMATE

### **NOTES:**

Within the City of Fresno's sphere of influence there are other sewer and water utility providers. If the project is within one of those districts, the developer must provide confirmation from the representative Districts that all conditions for sewer and/or water connections and services have been satisfied, prior to issuance of a Building Permit.

**Outside agencies developer impact fees:** It is the developer's responsibility to contact those agencies for their fee estimates. These agencies include but are not limited to; Fresno County, Council of Fresno County Governments (FCOG), Fresno Metropolitan Flood Control District (FMFCD), various School Districts that serve the City of Fresno, etc.

### **NOTICE OF 90-DAY PROTEST PERIOD** (GOVERNMENT CODE §66020(d)(1))

*A protest filed pursuant to subdivision and/or development (a) shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. Each local agency shall provide to the project applicant a notice in writing at the time of the approval of the project or at the time of the imposition of the fees, dedications, reservations, or other exactions, a statement of the amount of the fees or a description of the dedications, reservations, or other exactions, and notification that the 90-day approval period in which the applicant may protest has begun.*

- The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009-01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Please contact the Council of Fresno County Governments (FCOG) at (559) 233-4148 to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue the Certificate of Occupancy.
- On December 8, 2016, Fresno City Council adopted Resolution No. 2016-258, effective July 1, 2018, administratively updating the impact fees adjusted by this resolution annually to the percentage change in the 20-City Construction Cost Index as reported in the Engineering News Record (ENR) for the 12-month period ending of May of the year of adjustment.
- Payment of Fresno Metropolitan Flood Control District (FMFCD) impact fees may be required. Please contact FMFCD at (559) 456-3292 to determine fee obligation.
- Payment of applicable school district fees is required prior to issuance of Building Permit. Please contact the respective school district to satisfy your fee obligation. Confirmation by the respective school district is required before the City of Fresno can issue building permits

**[1] Fees for Water Service Connections and/or Meters, and Water Capacity due at time of development. Charges based on service and/or meter sizes, (Rates as established by the Master Fee Schedule), determined by the Developer.**

**[2] Sewer House branches to be installed by Developer at the Developer's cost.**

**[3] Upon occupancy of the project, the subdivider shall pay the appropriate sewer facility charge pursuant to the Simple Tiered Equity Program (STEP) as determined by the City of Fresno Department of Finance, Utilities Billing & Collection Division (559-621-6765).**

**[4] The Wastewater Facilities Charge (WWFC) is applicable to single family, duplex, and triplex developments. (FMC 6-302(i)); For Condominium conversions, WWFC may stay in the S.T.E.P. if the project continues to be master metered for water. If the condominiums are individually metered, the developer will pay the pro-rated portion of these fees.**

**[5] The Trunk Sewer Charge is applicable to single family, duplex, and triplex developments. (FMC 6-302(i)); For Condominium conversions, Trunk Sewer Charges may stay in the S.T.E.P. if the project continues to be master metered for water. If the condominiums are individually metered, the developer will pay the pro-rated portion of these fees.**

**[6] Due at Building Permit**

**[7] Due with Certificate of Occupancy**

**[8] Construction Fee Credits may be applicable. Contact the Public Works Engineering Services Division at (559) 621-8685 for more information.**

**[9] Parks fee applicable only to residential developments**

**[10] Fee not applicable on replacement or reconstruction of an existing structure that has been destroyed or demolished provided that the Building Permit for new construction is obtained within one year after the building is destroyed or demolished, and there is no change in the land use designation. (Res. Nos. 2005-428, 429)**

**[11] Subject to the acceptance date of the vesting tentative map, fee may not be applicable until 2-years after the date of Final Map recordation; when applicable, fee is due at Building Permit for all un-developed lots at the fee rate then in effect.**

**Prepared and Reviewed By: Frank Saburit**

**Date: November 8, 2023**

**(559) 621-8797**

**City of Fresno Public Works Department  
Land Division & Engineering**





&  
2600 Fresno Street  
Fresno, California 93721-3604  
www.fresno.gov

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## **Building & Safety Services Division**

November 14, 2023  
Christian Mendez

### **Comments**

The items below require a separate process with additional fees and timelines, in addition to the Planned Development Permit Application process.

1. Building, Grading and Utility plans are required to be submitted to the Building and Safety Services Department for approval permits for the proposed project.
  - a. All construction documents shall be designed, stamped and signed by a licensed architect/engineer.
  - b. Provide a clear statement of funding for the proposed project on the cover sheet.
    - i. Publicly funded projects will need to comply with CBC chapter 11B.
    - ii. Privately funded projects will need to comply with CBC chapter 11A.



November 17, 2023

Re: P23-03173  
10047 N Chestnut Avenue

Dear City of Fresno,

Thank you for providing PG&E the opportunity to review the proposed plans for P23-03173 dated 10/30/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

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 the PG&E Plan Review Team at [pgeplanreview@pge.com](mailto:pgeplanreview@pge.com).

Sincerely,

PG&E Plan Review Team  
Land Management



December 11, 2023

John George  
City of Fresno  
Planning and Development  
2600 Fresno Street, Room 3043  
Fresno, CA 93721

**Project: Development Permit Application No. P22-03749**

**District CEQA Reference No: 20231177**

Dear Mr. George,

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Development Permit Application (DPA) from the City of Fresno (City) for P22-03749. Per the DPA, the project consists of a 48-unit apartment complex development (Project). The Project is located on the northwest corner of North Chestnut Avenue and East Behymer Avenue, Fresno.

The District offers the following comments at this time regarding the Project:

**1) Project Related Emissions**

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM<sub>2.5</sub>) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> standards.

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):  
<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

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

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

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

## **1a) Construction Emissions**

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

## **2) Health Risk Screening/Assessment**

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

### **Prioritization (Screening Health Risk Assessment):**

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

### **Health Risk Assessment:**

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org)
- Calling (559) 230-5900

*Recommended Measure:* Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

### **3) Vegetative Barriers and Urban Greening**

There are residential units around the Project along with a daycare (Kids Kare River Bluff) located south and an elementary school (Riverview Elementary) located southeast of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units, daycare, and elementary school).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker

vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

#### **4) Clean Lawn and Garden Equipment in the Community**

Since the Project consists of residential development, gas-powered lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/> and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

#### **5) On-Site Solar Deployment**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

#### **6) Electric Infrastructure**

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit [www.valleyair.org/grants/chargeup.htm](http://www.valleyair.org/grants/chargeup.htm) for more information.

#### **7) District Rules and Regulations**

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and

regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

#### **7a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

#### **7b) District Rule 9510 - Indirect Source Review (ISR)**

The District has reviewed the information provided and has determined the project size is below the District Rule 9510, section 2.1 applicability threshold of 50 residential units. Therefore, District Rule 9510 requirements and related fees do not apply to the project.

#### **7c) District Rule 4601 (Architectural Coatings)**

The Project may be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings.

In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:

<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

#### **7d) District Regulation VIII (Fugitive PM10 Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at: <https://ww2.valleyair.org/dustcontrol>

#### **7e) District Rule 4901 - Wood Burning Fireplaces and Heaters**

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: <https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/>



#### **7f) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

#### **8) District Comment Letter**

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

If you have any questions or require further information, please contact Ryan Grossman by e-mail at [Ryan.grossman@valleyair.org](mailto:Ryan.grossman@valleyair.org) or by phone at (559) 230-6569.

Sincerely,

Brian Clements  
Director of Permit Services



Mark Montelongo  
Program Manager