

**Exhibit E - Conditions of Approval for P23-00702 [12/03/2025]**

**City of Fresno  
Planning and Development Department**

**Conditions of Approval  
December 3, 2025  
Annexation Application No. P23-00446  
Pre-zone Application No. P23-00449  
Development Permit Application No. P23-00702**

Planner: Thomas Veatch (559) 621-8076

**PROJECT DESCRIPTION**

**Annexation Application No. P23-00446** requests authorization to initiate annexation proceedings for the Nees-Willow No. 3B Reorganization which proposes detachment from the Kings River Conservation District and Fresno County Fire Protection District and incorporate 10.55 acres of the subject properties into the City of Fresno.

**Pre-zone Application No. P23-00449** proposes to amend the Official Zoning Map of the City of Fresno to pre-zone ±5.88 acres of the subject properties from the Fresno County AL20 (Limited Agriculture) zone district to the City of Fresno CC/ANX (Community Commercial/Annexed Rural Residential Transitional Overlay) zone district; and pre-zone ±3.30 acres of the subject properties from the Fresno County AL20 (Limited Agriculture) zone district to the City of Fresno CC (Community Commercial) zone district in accordance with the Annexation Application.

**Development Permit Application No. P23-00702** was filed by iT Architecture Inc on behalf of Children's Dentistry and Orthodontics and pertains to ±3.30 acres of property located at 7819 and 7835 North Willow Avenue (APN's: 404-481-19S, 20S). The application proposes development of two (2) ±11,160 square-foot buildings and one (1) ±11,780 square-foot building to be utilized for medical, dental, and/or professional offices.

**APNs:** 404-481-19S, 20S, 404-550-27S, 28S, 29S

**ADDRESS:** 7819 , 7835 North Willow

**EXISTING LAND USE:** Vacant land, Community Commercial

**ZONING:** CC (*Community Commercial*)

**PART A - ITEMS TO BE COMPLETED**

**The following items are required prior to final approval and/or commencement of land use activity:**

Planner to check when completed

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Development shall take place in accordance with Exhibits A-1 through A-3, E-1 through E-2, O, and F-1 through F-2 dated April 5, 2024. Revise and transfer all comments and conditions on Exhibits to the corrected exhibit(s) and <b>upload to the related Compliance Record and submit to the planner at least 15 days prior to issuance of building permits.</b> |
| <input type="checkbox"/> | Development shall take place in accordance with Exhibits A-1, E-1, E-2, E-3, E-4, E-5, L-1, L-2, L-3, L-4, and O dated March 5, 2024. Revise and transfer all comments or corrections to plan exhibits and upload to the related compliance record prior to issuance of building permits.   |
| <input type="checkbox"/> | Landscaping must be in place before issuance prior to occupancy and/or final inspection. A Hold on Occupancy/Final Inspection shall be placed on the proposed improvements until such time that   |

	landscaping has been approved and verified for proper installation by the Planning Division. (Include this note on the site and landscape plans.)
<input type="checkbox"/>	Prior to granting of occupancy/final inspection, a written certification, signed by a landscape professional approved by the Planning and Development Department Director, shall be submitted stating that the required landscaping and irrigation system have been installed in accordance with the landscaping and irrigation plans approved by the Planning Division. (Include this note on the site and landscape plans)
<input type="checkbox"/>	Provide copy of recorded cross access agreement between adjacent parcel that demonstrates shared access for vehicular and pedestrian circulation, shared parking, and shared solid waste enclosure access.
<input type="checkbox"/>	Comply with all Project Specific Mitigation Measures of CEQA Mitigated Negative Declaration prepared for project. EV Stalls shall comply with CalGreen Tier 2
<input type="checkbox"/>	Add applicable notes to the site plan from the attached “Notes and Requirements for Entitlement Applications” document.
<input type="checkbox"/>	Building permits are contingent upon annexation to the City of Fresno and detachment from the Kings River Conservation District and Fresno County Fire Protection District  NOTE: These actions are under the jurisdiction of the Fresno County Local Agency Formation Commission (LAFCO). The applicant, subdivider or developer is subject to and responsible for payment of any/all required fees for the entirety of the annexation pursuant to the policies of LAFCO and the City of Fresno; including any cost incurred to the City of Fresno by the detachment of all of the annexation’s property from the Fresno County Fire Protection District.

PART B - OTHER AGENCY COMMENTS AND CONDITIONS

To be checked when completed where applicable	
<input type="checkbox"/>	<div>1. <b>Fire Department</b> RESUBMIT - Resubmit a complete set of drawings that have addressed all of the items listed. The current items listed are not necessarily a complete list of issues that will need to be addressed. During the plan review of the resubmitted plans, additional requirements may be called out. Also include a set of the original plans submitted and a detailed response letter clarifying how and where all items have been addressed in the resubmittal set.^  All revisions to plans shall be called out with a cloud or delta.^  If you have questions and would like more information regarding FFD Development Policies please see the following: <a href="https://www.fresno.gov/fire-training/manuals-and-forms/">https://www.fresno.gov/fire-training/manuals-and-forms/</a>^  1. Note on plan: Required fire apparatus access lanes shall be provided year round and maintained with an approved all-weather surface, capable of supporting 80,000-pound vehicles. The fire apparatus access lanes shall be a minimum of 4-inch base rock over compacted or undisturbed native soil or per approved engineering plans with a minimum of 24 feet of clear width or other approved method, which would prevent shoulder degradation. (FFD Development Policy 403.002)^  2. Not on plan: Loading zone(s) shall not be located in required fire lanes.^  3. Provide a covenant for shared firefighting access and water supply.^  4. Note on plan and show/confirm: Emergency vehicle access shall be designated by painting the curb red (top and side) and stenciling “FIRE LANE NO PARKING” in 3-inch white letters on the most vertical</div>

curb, at least every 50 feet. If no curb is present, a minimum 6-inch wide red stripe shall be painted along the edge of the roadway with "FIRE LANE" in 3-inch white letters at least every 50 feet. (FFD Development Policy 403.005)^

5. Note on plan: Provide note on site plan: Provide sign(s) (17"x22" minimum) at all public entrance drives to the property which state "Warning – Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense – 22658(a) California Vehicle Code – Fresno Police Department 621-7000."^

6. Note on plan: All weather access roads shall be installed and maintained in a serviceable condition prior to and during construction. (FFD Development Policy 403.002)^

7. Note on plan: Turns in private drives for fire apparatus access shall have minimum 44 foot centerline turn radius.^

8. Note on plan: An emergency drive approach shall be installed at the entrance of the fire department only access road which complies with Public Works Standard Drawing P-67 and P-68.^

9. Note on plan: All types of access shall not exceed a 10 percent grade or contain any irregularity creating an angle of approach or departure in excess of 10 percent, except as approved by the Fire Marshal (or designee). (FFD Development Policy 403.002)^

10. Show the location of the fire department connection for all buildings and confirm the sprinkler riser location for Building A. The riser is not shown on the site plan for Building A. Fire department connections shall not be installed within five (5) feet of any building opening, excluding a fire department riser access door. (FFD Development Policy 405.025)^

11. Fire department connections shall be located within forty (40) feet of a fire apparatus access lane. (FFD Development Policy 405.025)\*\*\*If the connection is at the riser for Building C, confirm the distance to meet the requirement. Currently, appears 70 feet from the access lane. ^

12. Note on plan: 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.^

13. Note on plan: Address Identification. For new and existing buildings, the fire code official is authorized to require approved address or building area identification signage as needed to readily determine the building or area of a building protected by fire department connections. 2022 FMC, Section 10-50912.4.4^

14. Install on site hydrant(s) with a minimum 8 inch main and a fire flow of 1500 GPM. See plan for location(s). Public and private hydrants for single family homes are spaced a maximum of 600 feet apart. Private hydrants for commercial sites are spaced a maximum of 600 feet apart. Public hydrants in commercial areas are spaced a maximum of 450 feet apart.\*\*\*The hydrants are not shown on the plan> As noted in DRC review, a public hydrant not shown south of the north driveway entrance or at the east of building "A" with a minimum fire service size of 8 inches.^

15. Note and show on plan: Access roadways shall be constructed within 10 feet of the fire hydrant.^

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.^
<input type="checkbox"/>	2.	<b>Department Of Public Utilities (Water, Sewer, Solid Waste)</b> Comply with DPU comments and conditions memo dated March 17, 2024.
	3.	<b>Department Of Public Works: Traffic Planning</b> Comply with attached memo and commented exhibits A-1 dated March 28, 2024
	4.	<b>Flood Control</b> Comply with FMFCD Notice of Requirements (NOR) memo dated May 15, 2024. NOR Review and Grading review fees are due. Drainage Fees are due.
<input type="checkbox"/>	5.	<b>Building and Safety Services</b> The items below require a separate process with additional fees and timelines, in addition to the Development Permit Application process. Be advised the following are preliminary comments based on the drawings submitted to the Planning and Development Division. - 1) Building, Grading and Utility plans are required to be submitted to the Building and Safety Services Department for approval and permits for the proposed project. a) All construction documents shall be designed, stamped and signed by a licensed architect/engineer.
<input type="checkbox"/>	6.	<b>Fresno Irrigation District</b> Comply with comment letter dated March 26, 2024.
<input type="checkbox"/>	7.	<b>Development And Impact Fee Estimate</b> See development and impact fee estimate memo dated March 14, 2024.
<input type="checkbox"/>	8.	<b>San Joaquin Valley Air Pollution Control District</b> Comply with memo dated March 13, 2024. Indirect Source Review (ISR) application required with Air District. Provide Planner a copy of final Air District approval of ISR application during Compliance Review process.
<input type="checkbox"/>	9.	<b>Long Range Planning</b> 1. The subject property is located in a county island. Please see Figure IM-2 of the Fresno General Plan for more information. 2. The subject property is designated as Commercial - Community in Figure LU-1 of the Fresno General Plan. Please see <a href="https://www.fresno.gov/darm/general-plan-development-code/">https://www.fresno.gov/darm/general-plan-development-code/</a> for more information. 3. Property is located on a planned trail [West of Willow]; please refer to the Active Transportation Plan and Fresno General Plan Figure MT-2 Paths and Trails.
<input type="checkbox"/>	10.	<b>Fresno County Environmental Health</b> • The applicant will be required to obtain a Medical Waste Permit from the California Department of Health Services, Medical Waste Management Program. Call (916) 449-5671 for more information.  • Prior to occupancy, the applicant must register any radiation diagnostic equipment with the California Department of Public Health, Radiologic Health Branch. Contact the registration staff at (916) 327-5106 for more information or visit the webpage at: <a href="https://www.cdph.ca.gov/Programs/CEH/DRSEM/Pages/RHB-X-ray/Registration.aspx">https://www.cdph.ca.gov/Programs/CEH/DRSEM/Pages/RHB-X-ray/Registration.aspx</a> .

- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the City of Fresno Municipal Code.
- If the applicant proposes to use and/or store hazardous materials and/or hazardous wastes, they 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. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
- Should any underground storage tank(s) be found during construction, 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.
- 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.

## PART C - PLANNING DEVELOPMENT CODE STANDARDS

1. **Density and Intensity Standards:** Development shall take place in accordance with Section 15-1203 of the FMC.
2. **Site Design:** Development shall take place in accordance with Section 15-1204 of the FMC.
3. **Fencing:** All Fencing, Walls, and Hedges shall be provided and installed per Section 15-2006 of the FMC.

## PART D - PLANNING - OTHER REQUIREMENTS

1. Development shall take place in accordance with the policies of the Fresno General Plan, Woodward Park Community Plan, and with the Community Commercial planned land use designation.
2. Development shall take place in accordance with the CC(*Community Commercial*) zone district and all other applicable sections of the FMC.
3. Comply with the operational statement submitted for the proposed project dated March 5, 2024.
4. Property development standards and operational conditions are contained in Articles 12 (Commercial Districts), 20 (General Site Requirements), 23 (Landscape), 24 (Parking and Loading) and 25 (Performance Standards). Any project revisions, development and operation must comply with these property development standards and operational conditions.

Development shall comply with the City of Fresno Parking Manual, California Building Code, and American Disabilities Act requirements.

5. Comply with all applicable mitigation measures detailed in the attached Project Specific Mitigation Monitoring Checklist contained in the environmental assessment adopted for the project.

6. Development shall take place in accordance with the "General Notes and Requirements for Entitlement Applications" listed below if applicable.

## PART E - MISCELLANEOUS AND GENERAL NOTES AND REQUIREMENTS

### **Not all notes and requirements listed below are applicable to all projects.**

1. Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. This special permit is granted, and the conditions imposed, based upon the Operation Statement provided by the applicant. The Operation Statement is material to the issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law. The Planning and Development Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
2. Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:
  - a) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
  - b) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
  - c) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
3. No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved in any zoning district, except in accordance with the provisions of this Code. Specific uses of land, buildings, and structures listed as prohibited in any zoning district are hereby declared to be detrimental to the public health, safety, and welfare.
4. Development shall take place in accordance with the Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department.
5. Development shall take place in accordance with all city, county, state and federal laws and regulations.
6. Owners and persons having ownership interest in businesses operating in the City of Fresno (including leasing out any commercial or industrial property, or renting out four or more dwelling units) are required by the Fresno Municipal Code to obtain a Business Tax Certificate. Contact the City of Fresno Finance Department's Business Tax Division at (559) 621-6880 for more information. Information and an application form is available at the following website: [Click Here](#)
7. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
8. Any building modifications and/or additions not included with this application are not approved with this special permit and would be subject to a new special permit.

9. A permit granted under the Fresno Municipal Code shall automatically expire if it is not exercised or extended within three years of its issuance. Refer to section 15-5013, Expiration of Planning Entitlements, for more information about the exercise of rights.

### **FENCES/WALLS, LANDSCAPING, PARKING**

10. Nothing in the Development Code shall be deemed to prohibit the erection of temporary fencing around construction sites in compliance with the Building Code and other applicable provisions of the Fresno Municipal Code.
11. Future fences shall be reviewed and approved by the Planning and Development Department prior to installation.
12. Fences, hedges, and walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the maximum allowed height. Fences shall be maintained and shall stand upright and shall not lean.
13. All planting and other landscape elements shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, plantings shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Yards shall be maintained free of refuse, debris, rubbish, or other accumulated matter and/or materials, and shall be maintained clean. Grass shall not exceed six inches in height.
14. New landscaping shall have an automatic irrigation system designed to provide adequate and efficient coverage of all plant material. Irrigation systems shall comply with the requirements of the California Green Building Standards Code and/or the California Model Water Efficient Landscape Ordinance and/or the California Plumbing Code as may be amended.
15. Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects, and disease. Any tree showing such damage shall be replaced with another tree.
16. No tree for which a Tree Removal Permit is required shall be removed until all conditions of the permit have been satisfied and the decision has become final. In addition, tree(s) approved for removal in conjunction with a development application shall not be removed before the issuance of a Building Permit or unless all of the conditions of approval of the development applications are satisfied.
17. The review authority shall issue a Tree Removal Permit if any of the following general criteria is met:
- a) The tree(s) is irreparably diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices so that the public health or safety requires its removal.
  - b) The tree(s) can potentially cause substantial damage to existing or proposed main structure(s) (e.g. dwellings, other main structures, or public infrastructure) or interfere with utility services and cannot be controlled or remedied through reasonable relocation or modification of the structure or utility services.
  - c) The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the Review Authority that there are no reasonable alternatives to preserve the tree(s).
18. Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Current Planning Division. **(Include this note on the landscape plan.)**

19. Future tenant improvements shall be reviewed and approved by the Planning and Development Department to ensure that adequate off-street parking is provided.
20. Trees required for parking lots are in addition to trees required elsewhere on the site as prescribed in other sections of the Fresno Municipal Code.
21. Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
22. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code.
23. All accessible stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the Fresno Municipal Code shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. **(Include this note on the site plan.)**
24. Applicants are encouraged to provide shared vehicle and pedestrian access between adjacent properties for convenience, safety, and efficient circulation. A joint access covenant shall be required. **(Include this note on the site plan.)**
25. All general standards of Section 15-2015 of the Fresno Municipal Code shall apply when lighting is provided to illuminate parking, sales or display areas. **Depict all proposed lights on the site plan.**
26. Bicycle parking spaces shall be supplied according to Table 15-2429-D: Required On-Site Bicycle Parking Spaces of the Fresno Municipal Code. Each bicycle parking space shall be a minimum of 30 inches in width and eight feet in length and shall be accessible without moving another bicycle. At least 30 inches of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces to allow for the maneuvering of bikes. Overhead clearance shall be a minimum of seven feet. A minimum five-foot aisle between each row of bicycle parking shall be provided for bicycle maneuvering beside or between each row, when multiple rows are proposed. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
27. All general provisions of Section 15-2403 of the Fresno Municipal Code shall apply to all parking areas.
28. 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. Contact the Planning and Development Department for Parking Manual questions.

### **SIGNAGE**

29. All future signs shall be architecturally compatible with the proposed building(s). Provide a set of drawings, with descriptive information, including, materials, design and colors to allow for a preliminary assessment of the future signage. It is recommended that you provide a copy of the signage early in the project process to allow for staff comment.
30. Signs, other than directional signs, if applicable, are not approved for installation as part of this special permit. **(Include this note on the site plan.)**
31. All proposed signs shall conform to the current sign ordinance. The submittal checklist for signs is available online at: [Click Here](#)
32. Window signs limited to the hours of operation, address, occupancy, and emergency information, subject to the following standards:
  - a) Operational windows signs shall not be mounted or placed on windows higher than the second story.
  - b) The maximum area of exempt window signage shall not exceed three square feet in area.

33. Banners, streamers, moving signs, and inflatables (including air dancers, balloons, and similar objects) are allowed subject to Temporary Use Permit approval for establishments within Non-Residential Districts. Signs of this type do not count toward total maximum sign area. No sign per this section shall be displayed for more than 30 days, and a period of 30 must lapse before displaying another sign. Signs shall not be displayed for more than 60 total days during a calendar year.
34. Every sign displayed within the city, including exempt signs, shall be maintained in good physical condition and shall comply with adopted regulations. All defective or broken parts shall be replaced. Exposed surfaces shall be kept clean, in good repair, and painted where paint is required.

### **MISCELLANEOUS**

35. Noise levels shall not exceed the decibel levels described in Section 15-2506 of the Fresno Municipal Code at any time, measured at the nearest subject property line.
36. No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
37. Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public street lights and stadium lights, no light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle.
38. No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located. Windows shall not cause glare that may disrupt adjoining properties, traffic on adjacent streets, etc. Glare or heat reflected from building materials shall be mitigated so as to not disrupt surrounding properties.
39. The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Planning and Development Department for 'Official Addresses'. **Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'.** The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.
40. All projects, including projects that involve less than one acre of property, are required to comply with the City of Fresno's Urban Storm Water Quality Management and Discharge Control Ordinance, Fresno Municipal Code Chapter 6, Article 7 (Sections 6-701 *et seq.*)

When a project involves one acre or more of construction activity (including, but not limited to, grading) the developer is required to obtain a stormwater discharge permit for construction, with a Notice of Intent (NOI) filed **prior to** commencement of any grading construction activity. Contact the Fresno office of the California Regional Water Quality Control Board at (559) 445-6281 regarding the required NOI and stormwater discharge permit. Additional information on California's construction stormwater regulation may be obtained from the Water Board via the internet:

[www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)

Helpful information for preparing and implementing stormwater pollution prevention plans may also be obtained from the California Stormwater Quality Association via its website, [www.casqa.org](http://www.casqa.org)

When a project involves specified nonresidential activities (certain commercial and industrial activities), an ongoing industrial stormwater discharge permit is also required. Contact the Fresno office of the California Regional Water Quality Control Board at (559) 445-6281 to find out whether your project/business requires an industrial stormwater discharge permit, and to obtain details on securing this permit. Additional information on industrial stormwater regulations may be obtained from the following website:

[www.waterboards.ca.gov/water\\_issues/programs/stormwater/industrial.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml),

The California Stormwater Quality Association has additional information on preparing stormwater pollution prevention plans for industrial activities. ([www.casqa.org](http://www.casqa.org)).

41. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
42. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. **(Include this note on the site plan.)**
43. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation. **(Include this note on the site plan.)**
44. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. **(Include this note on the site plan.)**
45. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
46. Connection to a municipal City of Fresno sewer system is required unless approved measures are included in the project conditions for alternative wastewater treatment facilities.
47. City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8797.
48. Open street cuts are not permitted; all utility connections must be bored.
49. CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
50. 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 the Planning and Development 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.
51. Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storages areas shall be screened from public view by building façades or solid fences. At the discretion of the Review Authority, the treatment of the ground surface of the open

storage area may be gravel or other materials as prescribed by the San Joaquin Valley Air Pollution Control District, the Public Works Department, the Fire Department, and the Fresno Metropolitan Flood Control District. All open storage must be depicted on the site plan and described in operational statement. If it is not, it is not allowed on the site.

52. If video surveillance cameras are required or installed, provide signs under the surveillance cameras which notify the public that the subject property is monitored by video surveillance.

### **FEES**

(Not all fees will be applicable to all projects.)

Please reach out to Frank Saburit at (559) 621-8797 for fee questions.)

53. **NOTICE TO PROJECT APPLICANT:** In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

#### **54. CITYWIDE DEVELOPMENT IMPACT FEES**

- a) Traffic Signal Charge (Fresno Municipal Code Section 12-4.1101 to 12-4.1103) This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest Master Fee Schedule. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.
- b) Fire Facilities Fee (Fresno Municipal Code Section 12-4.901 to 12-4.906) (based on building square footage, or residential units)
- c) Police Facilities Fee (Fresno Municipal Code Section 12-4.801 to 12-4.806) (based on building square footage, or residential units).
- d) Parks Facilities Fee (Fresno Municipal Code Section 12-4.701 to 12-4.706) (based on the number of residential units)

#### **55. CITYWIDE REGIONAL AND NEW GROWTH MAJOR STREET IMPACT FEES (Fresno Municipal Code Section 12-4.1006).**

- a) Street Impact Fees shall be due and payable at the time of building permit issuance unless otherwise required by State law.
- b) Street Impact Fees will be a condition on all development entitlements granted.

#### **56. FRESNO COUNTY FACILITY IMPACT FEE**

Fresno County adopted a Facilities Impact Fee, but the requirement to pay this fee was subsequently suspended by Fresno County. If the fee has been reinstated at the time of issuance of building permits for this project, or an alternative fee system has been adopted by Fresno County, proof of payment or payment of this fee will be required for issuance of building permits.

#### **57. 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 prior to issuance of certificate of occupancy.

#### **58. SCHOOL FEES**

School fees must be paid, if required, prior to the issuance of building permits. Contact the applicable school district to obtain fee amount. Provide proof of payment (or no fee required) prior to the issuance of building permits.

#### **59. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES**

a) A FMFCD Development Fee is required for review of proposed development projects, including applications for plan amendments, rezones, special permits, subdivisions, and grading plans. This fee is based on project acreage and must be paid directly to FMFCD in order for that agency to review projects and provide a Notice of Requirements. For more information, contact the FMFCD at (559) 456-3292.

b) FMFCD drainage fees are due, if required, prior to issuance of building permits and are payable at the rate in place at the time of building permit issuance. Unpaid drainage fee obligations that were unpaid for a prior project at the site of a new project must be satisfied by the developer of the new project. Drainage fees may be paid at the Planning and Development Department prior to, or at the time of building permit issuance. They may also be paid directly to FMFCD, and proof of payment provided to the City, in order to obtain construction permits.

60. SEWER CONNECTION CHARGES (Fresno Municipal Code Section 6-304(a)). The following sewer connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New sewer connection charges adopted by the Council prior to the issuance of building permits may also be applied.

a) Lateral Sewer Charge (based on property frontage to a depth of 100')

b) Oversize Sewer Charge (based on property frontage to a depth of 100')

c) Wastewater Facilities Charge

d) Trunk Sewer Charge

*Effective January 9, 1999, Ordinance No. 98-97 also amended certain sewer connection charges. Fresno Municipal Code Article 15, Section 12 provides property owners the incentives and deletes certain sewer connection charges pursuant to the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP). For additional information on the STEP and EDP, contact the Department of Public Utilities, Administration Division at (559) 621-8600.*

61. WATER CONNECTION CHARGES: (Fresno Municipal Code Sections 6-507 to 6-513). The following water connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New water connection charges adopted by the Council **prior to** issuance of building permits may also be applied.

a) Frontage Charge (based on property frontage)

b) Service Charges (based on service size required by applicant)

c) Meter Charges (based on service need)

d) Water Capacity fee (based on size of meter)

62. Deferment of the payment of Citywide development impact fees for Fire, Police, Parks, Streets, and Traffic Signals is available for projects located within the Downtown Priority Areas in accordance with the provisions of City of Fresno Resolutions Nos. 2009-265 and 2010-19.

**PUBLIC WORKS DEPARTMENT GENERAL NOTES**  
**(to be added to the site plan)**

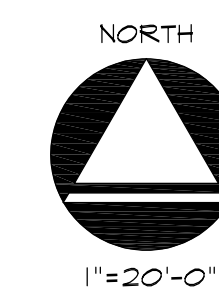
63. Any survey monuments within the area of construction shall be preserved or reset by a person licensed to practice land surveying in the State of California.

64. Repair all damaged and/or off-grade concrete street improvements as determined by the Construction Management Engineer, prior to occupancy.

65. Two working days before commencing excavation operations within the street right-of-way and/or utility easements, all existing under-ground facilities shall have been located by underground services.

66. 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.

67. Contact the Public Works Department, Traffic Engineering at (559) 621-8800, 10 working days prior to any offsite concrete construction.
68. For Standard Drawings [Click Here](#)
69. For Traffic Planning's website with useful links, additional notes, sample of legend, Parking Manual and Traffic Study Checklist [Click Here](#).
70. Traffic Planning Checklist [Click Here](#).
71. For Traffic Study questions please contact Jill Gormley at (559) 621-8792 or via email at [Jill.Gormley@fresno.gov](mailto:Jill.Gormley@fresno.gov).

An aerial photograph of a city grid. A large black rectangle obscures a portion of the city, specifically a block of residential streets and a park area. The visible areas show a mix of residential buildings, streets, and green spaces. A large, stylized letter 'C' is visible in the bottom right corner of the image.

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

File No. 210.412

Page 1 of 3

**PUBLIC AGENCY**

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

**DEVELOPER**

ROSEMARY LOZANO, LEGACY CONSTRUCTION  
5390 E. PINE AVE.  
FRESNO, CA 93727

PROJECT NO: **2023-00702**

ADDRESS: **7819 N. WILLOW AVE.**

APN: **404-481-20S, 404-481-19S**

SENT: **May 15, 2024**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
CZ	\$25,130.00	NOR Review	\$133.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$676.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$25,130.00		Total Service Charge:	\$809.00	

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 2/28/25 based on the site plan submitted to the District on 3/05/24 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. 2023-00702**

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

Page 2 of 3

**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.

**FR DPA No. 2023-00702**

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

Page 3 of 3

**FR  
DPA No. 2023-00702**

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: 5/14/2024 5:35:08 PM



Anthony Zaragoza  
Engineer III

Digitally signed by Anthony Zaragoza Date: 5/8/2024 11:36:59 AM

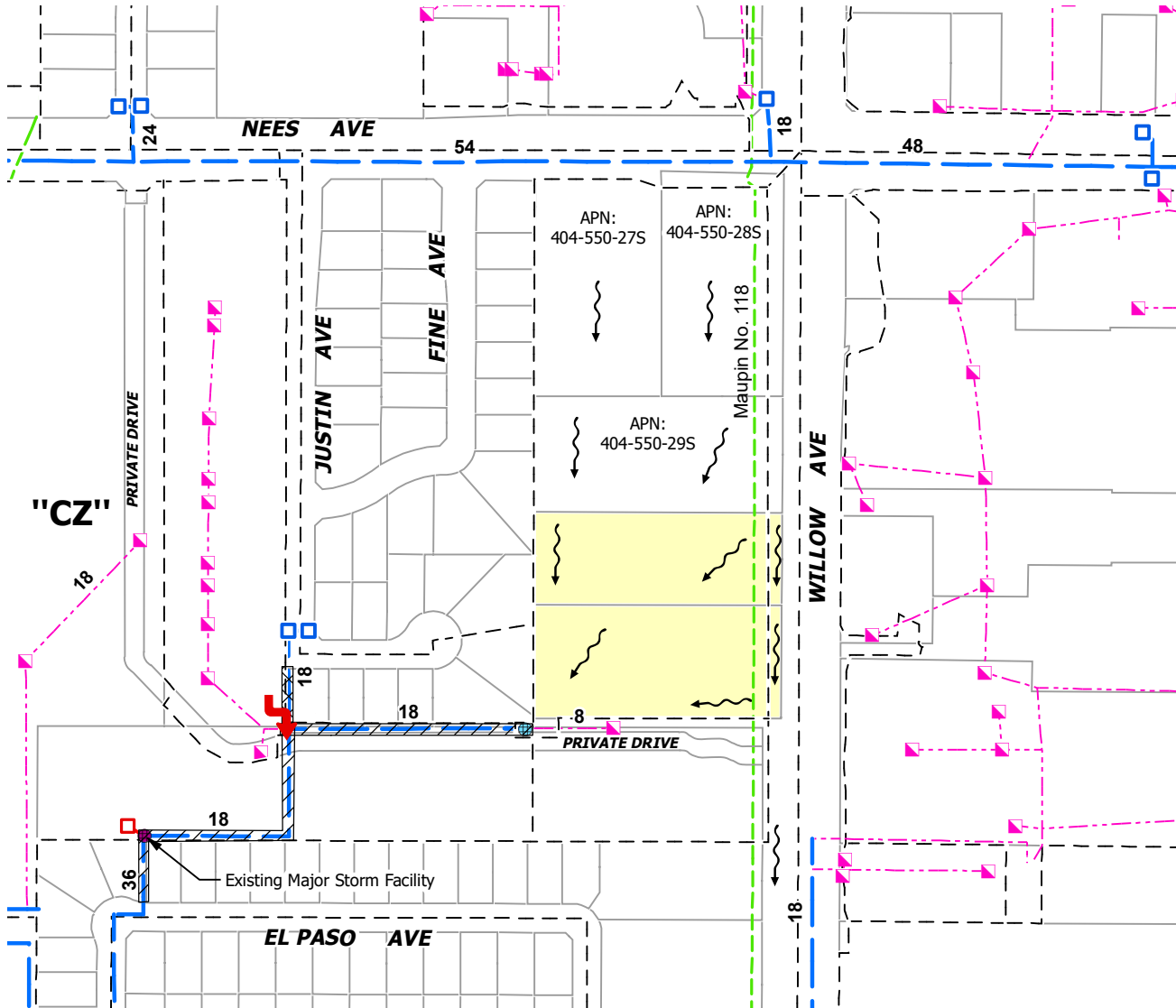
CC:

IT ARCHITECTURE

7415 N. PALM AVE #101

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   |  | Existing 15' Storm Drain Pipeline & Channel Easement |
|  | Future Non-Master Plan Facilities |  | Existing Storm Drain Pipeline Easements              |
|  | Private Facilities                |  | Major Storm Breakover                                |
|  | Existing FID Facilities           |  |  |
|  | Inlet Boundary                    |  |  |
|  | Direction Of Drainage             |  |  |
|  | Limits Of FR DPA 2023-00702       |  |  |



1" = 300'

**FR DPA 2023-00702**  
**DRAINAGE AREA "CZ"**



**EXHIBIT NO. 1**  
**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

Prepared by: davide  
Date: 4/26/2024  
Path: K:\Autocad\DWGS\0EXHIBIT\CITYDPA\2023-00702.mxd

## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

Drainage from the site shall be directed towards the Master Plan inlet in the Private Drive, as shown on Exhibit No. 1.

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 commercial land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed commercial 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 commercial 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.

The developer's drainage design may include a private on-site system that connects to the Master Plan inlet in the Private Drive, or propose another method to allow for drainage to reach the existing Master Plan facilities. Additional surface drainage or pipeline easement rights may be required depending on the drainage design. 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 the drainage design concept prior to preparing a grading plan.

FR DPA 2023-00702 is required to grant drainage covenants for APNs 404-550-27S, 404-550-28S, and 404-550-29S to allow surface runoff to reach the existing Master Plan facilities located in the Private Drive, 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.



March 25, 2024

Re: P23-00702  
7819 N Willow Avenue

Dear City of Fresno,

Thank you for providing PG&E the opportunity to review the proposed plans for P23-00702 dated 3/5/2024. 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

# 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:** New Office Buildings - 7819 N. Willow Avenue

**A.P.N.** 404-481-19S, 20S

**Planned Land Use:** Community Commercial

**Proposed Zoning:** CC/UGM

**Site Area:** +/- 3.29 acres

**Building Area:** Three (3) buildings totalling 31,400 sq. ft.

**Entitlement:** P23-00702

**Estimate Date:** March 14, 2024

WATER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Water Service & Meter Charge	2"	1	EA.	\$2,671.00	\$2,671.00	[1] [6]
Water Meter Charge	2"	1	EA.	\$530.00	\$530.00	[1] [6]
Irrigation Service & Meter Charge	2"	1	EA.	\$2,671.00	\$2,671.00	[1] [6]
Time & Materials Charge	6"	1	EA.	\$7,300.00	\$7,300.00	[1] [6]
Frontage Charge		360	L.F.	\$6.50	\$2,340.00	[1] [6]
Water Capacity Fee	2"	4.00	EA.	\$14,461.71	\$57,846.84	[1] [6]
<b>Total Water Connection Charges</b>					<b>\$73,358.84</b>	<b>[1]</b>

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		0	Sq.Ft.	\$0.10	\$0.00	
Oversized Sewer Charge		36,000	Sq.Ft.	\$0.05	\$1,800.00	[6]
Herndon Trunk Capacity Enhancement Fee		19	L.U.E.	\$893.00	\$16,967.00	[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>\$18,767.00</b>	<b>[3]</b>

CITYWIDE/REGIONAL IMPACT FEES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Citywide Fire Facilities Impact Fee	Comm. Office	31,400	Sq.Ft.	\$700.38	\$21,991.93	[7]
Citywide Police Facilities Impact Fee	Comm. Office	31,400	Sq.Ft.	\$859.19	\$26,978.57	[7]
Citywide Regional Street Charge	Comm. Office	3.29	AC	\$16,814.31	\$55,319.08	[6] [8]
New Growth Area Major Street Charge	Comm. Office	3.29	AC	\$48,038.40	\$158,046.34	[6] [8]
Traffic Signal Mitigation Impact Fee	Medical Office	31,400	Sq.Ft.	\$2,859.56	\$89,790.18	[6]
<b>Total Citywide/Regional Impact Fees</b>					<b>\$352,126.10</b>	

<b>Total Fees and Charges</b>	<b>\$444,251.94</b>
-------------------------------	---------------------

# 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: March 14, 2024**

**(559) 621-8797**

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



## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

**DATE:** March 17, 2024

**TO:** THOMAS VEATCH – 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 P23-00702 CAL KIDDS MEDICAL OFFICE BUILDINGS – APNs 404-481-19S and 20S (cross-reference P23-00449)**

#### **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 14-inch water main located in North Willow Avenue. Water facilities are available to provide service to the Project subject to the following requirements:

1. On-site water facilities shall be private.
2. Installation of a new water service(s) and meter(s) shall be required, if the existing water service and meter at the property are not adequate and/or operational.
3. The applicant shall be financially responsible for the abandonment of any unused water services previously installed to the property.

DPU CONDITIONS OF APPROVAL FOR P23-00702 CAL KIDDS MEDICAL OFFICE  
BUILDINGS - APNs 404-481-19S and 20S (cross-reference P23-00449)

March 17, 2024

Page 2 of 5

4. 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. The applicant shall comply with Fresno Municipal Code (FMC) Section 6-518, as may be amended from time to time.

**Water Supply Requirements**

The existing property is currently served with 1 (one) 2.0-inch water service and meter at APN 404-481-20S.

1. 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. If the total domestic, commercial, industrial, and irrigation water demands for the Project can be accommodated with the existing water service and meter, the applicant shall not be required to pay Water Capacity Fee charges.
  - c. If the total domestic, commercial, industrial, and irrigation water demands for the Project cannot be accommodated with the existing water service and meter, and an additional water meter or a larger water meter is required, the applicant shall be required to pay Water Capacity Fee charges.
  - d. If a larger water meter or fire service is required to accommodate the new, larger water demands, then the Water Capacity Fee charge shall be calculated by subtracting the Water Capacity Fee charge associated with the existing water service and meter from the Water Capacity Fee charge associated with the larger water meter size required for the Project.
  - e. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule (MFS).
  - f. The City reserves the right to require the 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.
  - g. 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 the FMC.

### **Sewer Requirements**

The nearest sanitary sewer main to serve the Project is a 10-inch sewer main located in East Nees Avenue. Sanitary sewer facilities are available to provide service to the Project subject to the following requirements:

1. A preliminary sewer design layout shall be prepared by the applicant'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).
2. Installation of a new sewer service branch(es) shall be required.
3. On-site sanitary sewer facilities shall be private.

**Note:** conditions 4 and 5 listed below are also listed with the cross-referenced Pre-zone project P23-00449. Those conditions may be waived for this Project if they are fulfilled with P23-00449 and the referenced sewer mains are in place before this Project is constructed.

4. Construct an 8-inch sewer main from the southern property line of the Project, northerly in North Willow Avenue along the Project frontage, to the corner of North Willow Avenue and East Nees Avenue.
5. Construct a 10-inch sewer main in East Nees Avenue from the corner of North Willow Avenue and East Nees Avenue, westerly along the Project frontage to connect to existing 10-inch sewer main in East Nees Avenue.
6. 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.
7. 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 #1.
3. Wastewater Facility Sewer Charge (Non-Residential).
4. Sewer Trunk Area Charge: Herndon.

DPU CONDITIONS OF APPROVAL FOR P23-00702 CAL KIDDS MEDICAL OFFICE  
BUILDINGS - APNs 404-481-19S and 20S (cross-reference P23-00449)

March 17, 2024

Page 4 of 5

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**

The following are Solid Waste Requirements for the purpose of establishing City solid waste service policies for office/commercial space. These service requirements apply to all office/commercial 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.
2. All office/commercial 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.
3. 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.
4. 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.
5. This location/Project (only the Cal Kidds portion of the cross-referenced P23-00499 project) will require 2 (two) 2-cell trash enclosures, designed to accommodate separate facilities containing 2 (two) – 4-cu. yd. bins, one for trash, one for recycling collection, to be constructed to current (Public Works Standard Specifications) Solid Waste Standards (P-33, P-34, and P-95) to be serviced weekly.

DPU CONDITIONS OF APPROVAL FOR P23-00702 CAL KIDDS MEDICAL OFFICE  
BUILDINGS - APNs 404-481-19S and 20S (cross-reference P23-00449)

March 17, 2024

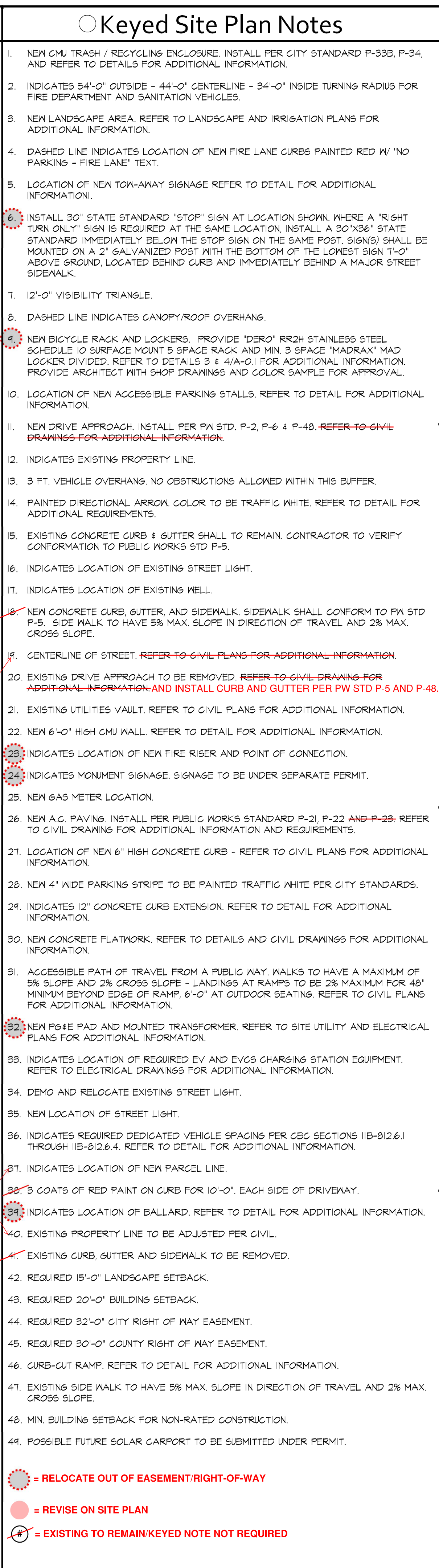
Page 5 of 5

**Note 1:** final requirements/conditions may be modified and will be determined upon submittal of final development plan for the entire P23-00449 project (if that overall plan affects this Project).

**Note 2:** A part of these Solid Waste Requirements may need to be modified in the future to comply with SB1383, as mandated by the State of California.

6. 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.
7. The applicant will need to provide a 44-foot (centerline) turning radius at all corners and a T-turnaround (or hammerhead) area where the solid waste vehicle is to turn around.
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 office/commercial complexes (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.



Plan Check

Revisions

Scale

AS NOTED

Project Manager  
IAN ROBERTSON

Project Number  
21-075



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

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

March 26, 2024

Thomas Veatch  
Development and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Development Permit Application No. P23-00702  
S/W Willow and Nees avenues

Dear Mr. Veatch:

The Fresno Irrigation District (FID) has reviewed the Development Permit Application No. P23-00702 for which the applicant proposes three medical buildings with on/off-site improvements, APNs: 404-481-19S and 20S. This project is being reviewed concurrently with Rezone Application No. P23-00449. FID has the following comments:

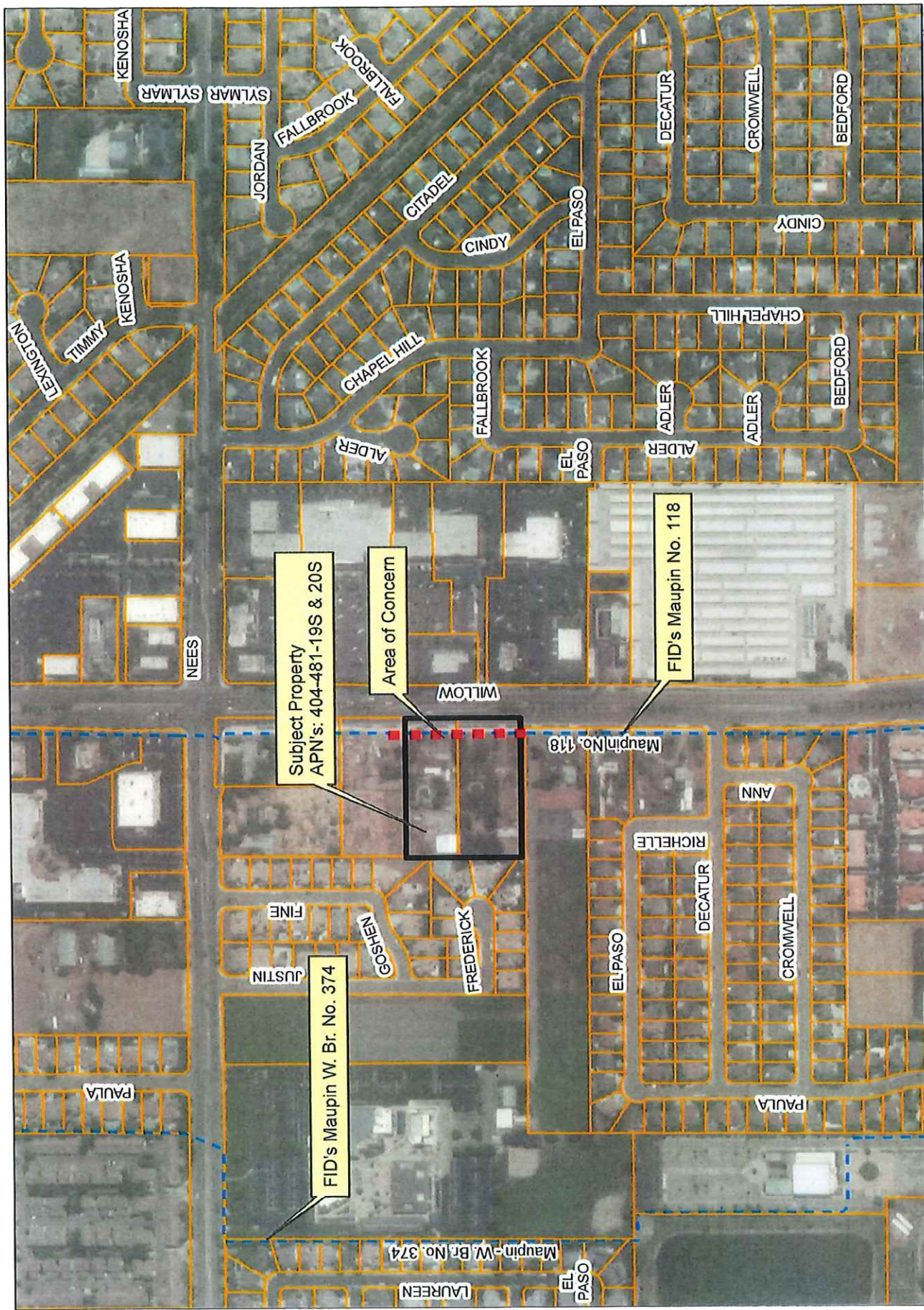
1. FID previously reviewed and commented on the subject property on March 22, 2021, as Planning Application No. P21-01111. Those comments and conditions still apply and a copy has been attached for your review.

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



0 190 390 Feet  
1 inch = 395.71 feet  
Data Source: 1/15/2021 7:42:40 AM  
Path: G:\Figures\2021\222\Mapaer.mxd

- Legend**
- Parcel
  - FID Boundary
  - Railroad
  - Streets & Highways
  - Stream Group
  - FID Pipeline
  - Private Pipeline
  - Abandoned Pipeline
  - FID Canal
  - Private Canal
  - Abandoned Canal
  - FID Creek/River
  - Other-Creek/River
  - Other-Pipeline

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

## Jeremy Landrith

---

**From:** do\_not\_reply@fresno.gov  
**Sent:** Tuesday, March 5, 2024 2:20 PM  
**To:** Engineering Review  
**Subject:** Planning Application P23-00702 - Task Assigned

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

A task associated with Planning Application P23-00702 has been assigned for your review. You can review details online.

Application Description: Development Permit Application No. P23-00702 was filed by iT Architecture Inc on behalf of Children's Dentistry and Orthodontics and pertains to ±3.3 acres of property generally located west of North Willow Avenue, between East Nees Avenue and East Alluvial Avenue, at 7819 and 7835 North Willow Avenue (APN's: 404-481-19S, 20S). The application proposes two (2) ±11,160 square-foot buildings and one (1) ±11,780 square-foot building to be utilized for medical, dental, and/or professional offices. In addition, on and off-site improvements are proposed including but not limited to: one new drive approach, 161 parking stalls, sidewalks, two (2) trash enclosures, and landscaping. The property is zoned AL20 (Limited Agricultural - County) with a planned land use designation of Commercial - Community. Related Annexation Application No. P23-00446 was filed by Devin Tienken of Legacy Construction on behalf of Children's Dentistry and Orthodontics and pertains to ±9.18 acres at 7819, 7835, 7853 North Willow Avenue and 2991, 2895 East Nees Avenue (APN's: 404-481-19S, 20S, 404-550-29S, 28S, 27S). The application proposes to annex the subject properties into the City of Fresno. Related Rezone (Pre-zone) Application No. P23-00449 proposes to pre-zone the subject properties to the CC (Community Commercial) zoning designation, consistent with the existing Community Commercial land use designation of the City of Fresno General Plan.

Task Information: Irrigation District

*Due  
3/24*

## Jeremy Landrith

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**From:** do\_not\_reply@fresno.gov  
**Sent:** Tuesday, March 5, 2024 2:22 PM  
**To:** Engineering Review  
**Subject:** Planning Application P23-00449 - Task Assigned

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

A task associated with Planning Application P23-00449 has been assigned for your review. You can review details online.

Application Description: Rezone (Pre-zone) Application No. P23-00449 was filed by Devin Tienken of Legacy Construction on behalf of Children's Dentistry and Orthodontics and pertains to  $\pm 9.18$  acres of property generally located west of North Willow Avenue, between East Nees Avenue and East Alluvial Avenue, at 7819, 7835, 7853 North Willow Avenue and 2991, 2895 East Nees Avenue (APN's: 404-481-19S, 20S, 404-550-29S, 28S, 27S). The application proposes to pre-zone the subject properties to the CC (Community Commercial) zoning designation, consistent with the existing Community Commercial land use designation of the City of Fresno General Plan. Related Annexation Application No. P23-00446 proposes to annex the subject properties into the City of Fresno. Related Development Permit Application No. P23-00702 was filed by iT Architecture Inc on behalf of Children's Dentistry and Orthodontics and pertains to  $\pm 3.3$  acres of property at 7819 and 7835 North Willow Avenue (APN's: 404-481-19S, 20S). The application proposes two (2)  $\pm 11,160$  square-foot buildings and one (1)  $\pm 11,780$  square-foot building to be utilized for medical, dental, and/or professional offices.

Task Information: Irrigation District

Due 3/24

> 36 total Task



## Business Name



OKayed Site Plan Notes



### Vicinity Map

PROJECT LOCATION

## Site Plan



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

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

March 22, 2021

Mindi Mariboho  
Department and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Planning Application No. P21-01111  
S/W Willow and Nees avenues  
FID's Maupin No. 118

Dear Ms. Mariboho:

The Fresno Irrigation District (FID) has reviewed the Planning Application No. P21-01111 for which the applicant proposes the development of two medical and professional office facilities, APN: 404-481-19S and 20S. FID has the following comments:

#### Summary of Requirements

- Review and Approval of all Plans.
- Execute Easement Agreement
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

#### Area of Concern

1. FID's Maupin No. 118 Pipeline runs southerly along the west side of Willow Avenue, crosses Nees Avenue approximately 700 feet north of the subject property and traverses the east side of the subject property, as shown on the attached FID exhibit map in a 15 feet wide exclusive easement recorded on June 11, 2021 as Doc. No. 2012-0080855-00 O.R.F.C. and will be impacted by the proposed project. Should this project include any street and/or utility improvements along Willow Avenue, Nees Avenue, or in the vicinity of this pipeline FID requires it review and approve all plans.
2. FID's records for this section of the Maupin Pipeline indicate the pipeline was installed in 2016 (5 years old) as a 30-inch diameter Rubber Gasketed Reinforced Concrete Pipe (RGRCP), which meets FID's current standard for

\\fids01\Eng\Agencies\FresnoCity\Planning Application\P21-01111\P21-01111.doc

**BOARD OF DIRECTORS**

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

developed parcels located in the urban areas (residential, industrial, and commercial).

3. FID requires the applicant grant a 15 feet wide exclusive easement, where FID only has an existing 15 feet wide exclusive easement, such that FID has a total of 30 feet wide exclusive easement to meet current FID standards and an agreement be entered into with FID for that purpose.
4. FID requires a common use agreement be executed for the existing improvements.
5. FID requires all exposed facilities (standpipes, air vents, covers, etc.) within the subject property 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.
6. FID requires the Developer and or the Developer's engineer contact FID at their earliest convenience to discuss specific requirements.
7. FID requires 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 development project limits.
8. FID does not allow FID owned property, pipelines, and/or easements to be in backyards, in common use with public utility and/or utility easements, and road 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.
9. 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.

#### **General Comments**

1. 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.
2. Footings of retaining walls and fencing shall not encroach onto FID property/easement areas.
3. No trees will be allowed within FID's exclusive easement; any trees to be planted around the pipeline shall maintain a distance of 20 feet from edge of existing pipe

as this section of pipeline is not equipped with a root intrusion barrier i.e. MacWrap.

4. 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.
5. 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.
6. 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.
7. 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 right-of-way 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.
8. 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 open land mixed with 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 significant increase in dependence on 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 or require the use of reclaimed water, if available.
9. For informational purposes, FID's Maupin W. Br. No. 374 runs southerly, and crosses Nees Avenue approximately 1,000 feet northwest of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nees Avenue, or in the vicinity of this pipeline FID requires it review and approve all plans.

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

## Jeremy Landrith

---

**From:** do\_not\_reply@fresno.gov  
**Sent:** Monday, March 8, 2021 9:50 PM  
**To:** Engineering Review  
**Subject:** Planning Application P21-01111 - Task Assigned

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

A task associated with Planning Application P21-01111 has been assigned for your review. You can review details online.

Application Description: Proposal to annex 2 parcels into the City of Fresno and to rezone them to Commercial – Community. The proposal also includes the development of the lots with two 9,550 sq. ft. and one 11,400 sq. ft. single-story medical and professional office facilities. It will include 183 onsite standard and ADA parking stalls.

Task Information: Irrigation District

Due 3/22

Menu

Help

File Date: [02/26/2021](#)Application Status: [In Review](#)Application Type: [Pre-Application Meeting](#)Application Detail: [Detail](#)Description of Work: [Proposal to annex 2 parcels into the City of Fresno and to rezone the 183 onsite standard and ADA parking stalls.](#)Application Name: [Cal Kidds Willow and Nees](#)Address: [7835 N WILLOW AVE, FRESNO, CA 93720](#)Owner Name: [CHILDRENS DENTISTRY & ORTHODONTICS](#)Owner Address: [6245 N FRESNO #103, FRESNO, CA 93710](#)Parcel No: [40448120S](#)

Contact Info:	Name	Organization Name	C
	<a href="#">Seth Ramirez</a>	<a href="#">Legacy Construc...</a>	A

Licensed Professionals Info:	Primary	License Number	License Type
------------------------------	---------	----------------	--------------

Workflow Status:	Task	Assigned To	S
	<a href="#">Application</a>		A
	<a href="#">DRC Meeting Preparation</a>		P
	Meetings		
	County PW and Planning	County Planning	
	<a href="#">Traffic Planning</a>	Louise Gilio	F
	<a href="#">Public Works Engineering</a>	Hilary Kimber	F
	<a href="#">DPU Water Division</a>	Robert Diaz	F
	<a href="#">DPU Planning and Engin...</a>	Kevin Gray	F
	<a href="#">DPU Solid Waste Manage...</a>	Kevin Gray	F
	<a href="#">Fire Review</a>	Byron Beagles	F
	<a href="#">PGandE</a>	PG&E	N
	<a href="#">Irrigation District</a>	FID	
	<a href="#">Flood Control District</a>	FMFCD	
	<a href="#">Air Pollution Control ...</a>	SJVAPCD	
	<a href="#">Building and Safety Se...</a>	Christian Mendez	F
	<a href="#">Airports</a>	Airports	N
	<a href="#">Fresno Area Express</a>	FAX	
	<a href="#">Planner Review</a>	Mindi Mariboho	
	<a href="#">Police</a>	Northeast PD	N
	<a href="#">School District</a>	CUSD	N
	<a href="#">Public Works-CFD</a>	Ann Lillie	F
	<a href="#">Council Member</a>	District6	
	<a href="#">Fresno County Environ</a>	Public Health	

P21-01111

7819 & 7835 N. WILLOW AVE  
CLOVIS, CA

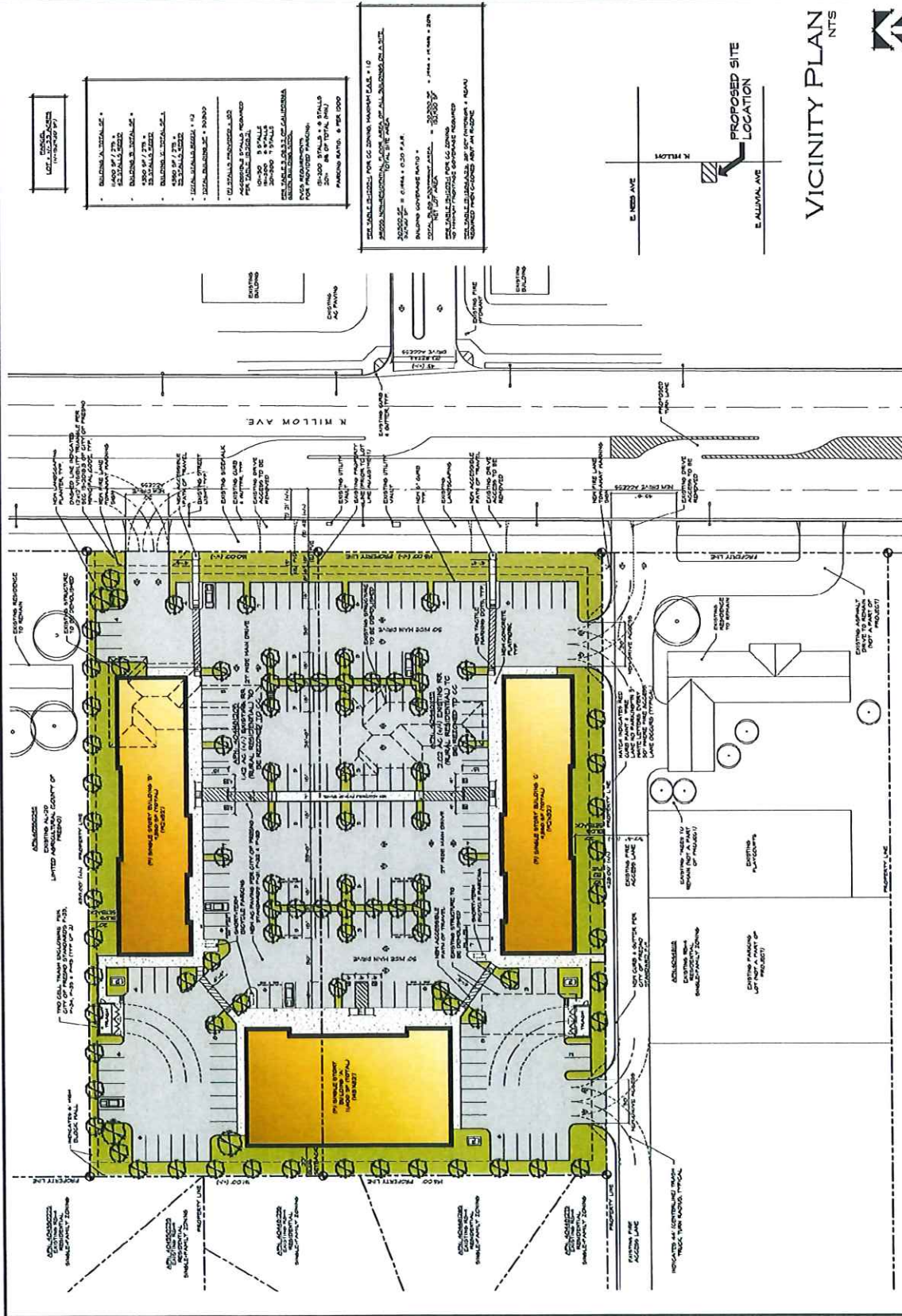
LOT 1: APN 404-481-195  
LOT 2: APN 404-481-205  
3.5 ACRE SITE

**SHEET DESCRIPTION**

**CONCEPT SITE PLAN**

REVISIONS	DATE	BY

Task	Frequency	Duration
Walking	10 min	10 min
Standing	10 min	10 min
Sitting	10 min	10 min
Lying	10 min	10 min
Feeding	10 min	10 min
Drinking	10 min	10 min
Defecating	10 min	10 min
Urinating	10 min	10 min
Resting	10 min	10 min
Other	10 min	10 min

VICINITY PLAN  
NTS

STN

CONCEPT SITE PLAN  
SCALE: 1" = 30.0'

SCALE: 1" = 30.0'

FRESNO County Recorder  
Paul Dictos, C.P.A.  
DOC-  
2012-0080855-00  
Acct 1001-Fidelity Title ER  
Monday, JUN 11, 2012 08:00:00  
Ttl Pd \$0.00 Nbr-0003677928  
RGR/R4/1-6

276259-BW

Documentary Transfer Tax - \$0.00  
No Fee-Govt Code Sections 6103  
and 27383

For the Benefit of:

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

Recording Information

### GRANT OF EASEMENT

LOCATION: S/W WILLOW AND NEES AVENUES  
APN: 404-481-20s  
CANAL: MAUPIN NO. 118

THIS INDENTURE, made and entered into this 24 day of JANUARY, 2012, by and between DONALD L. LACEFIELD AND KIMBERLY A. LACEFIELD, TRUSTEES OF THE DONALD L. LACEFIELD AND KIMBERLY A. LACEFIELD FAMILY TRUST DATED NOVEMBER 19, 2003, hereinafter referred to as "GRANTORS", and the 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, a perpetual and exclusive easement and right-of-way to have, construct, install, operate, use, maintain, alter, repair, improve, reconstruct, enlarge and supplement canals, pipes, pipelines and other conduits, and to flow and conduct water through said canals, pipes, pipelines and other conduits, across, over, through and under that certain real property owned by GRANTORS in the County of Fresno, State of California, more particularly described as follows:

The North 155 feet of the South 360 feet of the following described property:

GIS 6257

276259-BW

Documentary Transfer Tax -- \$0.00

No Fee-Govt Code Sections 6103  
and 27383

For the Benefit of:

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

Recording Information

## GRANT OF EASEMENT

LOCATION: S/W WILLOW AND NEES AVENUES

APN: 404-481-20s

CANAL: MAUPIN NO. 118

THIS INDENTURE, made and entered into this 24 day of JANUARY, 2011, by and between DONALD L. LACEFIELD AND KIMBERLY A. LACEFIELD, TRUSTEES OF THE DONALD L. LACEFIELD AND KIMBERLY A. LACEFIELD FAMILY TRUST DATED NOVEMBER 19, 2003, hereinafter referred to as "GRANTORS", and the 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, a perpetual and exclusive easement and right-of-way to have, construct, install, operate, use, maintain, alter, repair, improve, reconstruct, enlarge and supplement canals, pipes, pipelines and other conduits, and to flow and conduct water through said canals, pipes, pipelines and other conduits, across, over, through and under that certain real property owned by GRANTORS in the County of Fresno, State of California, more particularly described as follows:

The North 155 feet of the South 360 feet of the following described property:

The North ¾ of the Northeast Quarter of the Northeast Quarter of Section 36, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the United States Government Township Plats.

EXCEPTING THEREFROM THE WEST 858 FEET.

Also EXCEPTING therefrom an undivided ½ interest in and to all oil, gas, minerals, hydrocarbon substances therein or thereunder, as reserved in the deed from S.M. Wallace, ET UX Recorded August 30, 1956, in Book 3815 Page 490 of Official Records, Document No. 61392.

Said easement and right-of-way is as described on EXHIBIT "A" and as shown on EXHIBIT "B" attached here to.

Said easement and right-of-way shall include all rights convenient or incidental to the use thereof by DISTRICT including the right of ingress to and egress from said easement and right-of-way so described over and across said real property owned by GRANTORS.

All canals, pipes, pipelines, conduits and other facilities existing or to be constructed by DISTRICT upon and within said easement are or shall become and remain the property of DISTRICT and shall be maintained by DISTRICT at DISTRICT's expense and GRANTORS shall have no right, title or interest therein.

When said canals, pipes, pipelines and other structures or facilities shall be constructed and maintained, the manner in which they shall be constructed and maintained and the time and manner for conducting and discharging water through the same shall be in the sole and absolute control of DISTRICT.

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. 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, trees, vines, shrubs, or other encroachments from said easement which do interfere with the purpose 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 is for the purpose of recognizing, confirming, supplementing and amending the terms and conditions of any easement, either written or prescriptive, now existing in favor of DISTRICT over, across, or through said real property and shall not be construed so as to terminate or change priorities in respect to said existing easement and any other easement claimed by any person or entity on or over said real property.

/

/

/

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.

  
DONALD L. LACEFIELD, Trustee

  
KIMBERLY A. LACEFIELD, Trustee

“GRANTORS”

This is to certify that the interest in real property conveyed by the deed or grant dated 1-24-2012 from Donald L. Lacefield, Trustee & Kimberly A. Lacefield, Trustee to Fresno Irrigation District, a public corporation, is hereby accepted by the undersigned officer or agent on behalf of the Board Of Directors pursuant to authority conferred by resolution of the Board Of Directors adopted on January 27, 2004, and the grantee consents to recordation thereof by its duly authorized officer.

Dated 1-31-2012

By:   
GARY R. SERRATO, Secretary

## EXHIBIT "A"

APN 404-481-20S (portion)  
Irrigation pipeline easement

A portion of the northeast quarter of Section 36, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official United States Government Township Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

The west 15 feet of the east 77.00 feet of the north 155.00 feet of the south 360.00 feet of the north three-fourths of the northeast quarter of the northeast quarter of said Section 36.

Contains an area of 2,325 square feet, more or less.



# EXHIBIT "B"

EAST NEES AVENUE

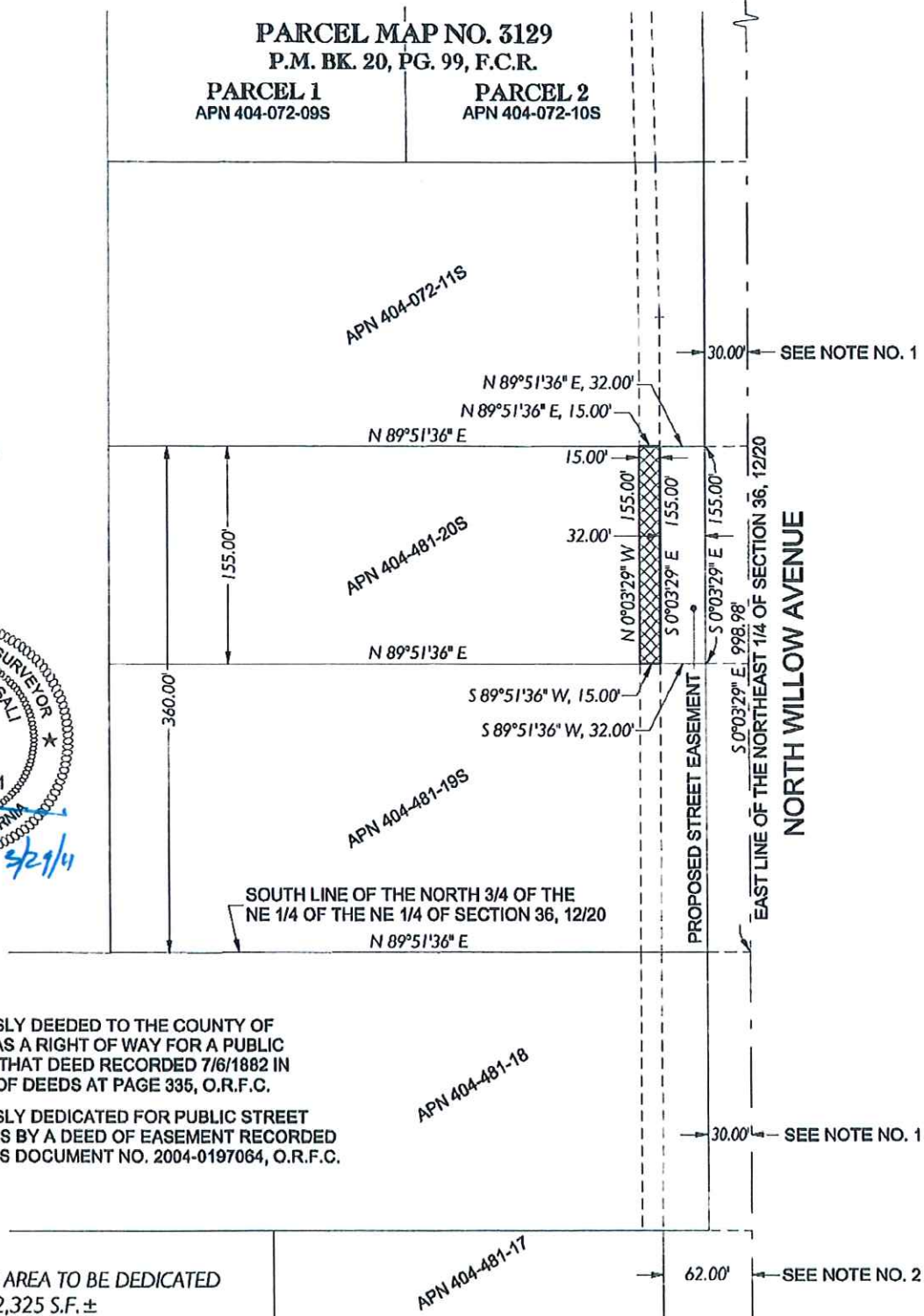
NORTHEAST CORNER  
OF SECTION 36, 12/20

PARCEL MAP NO. 3129

P.M. BK. 20, PG. 99, F.C.R.

PARCEL 1  
APN 404-072-09S

PARCEL 2  
APN 404-072-10S



## NOTES:

- NO. 1: PREVIOUSLY DEEDED TO THE COUNTY OF FRESNO AS A RIGHT OF WAY FOR A PUBLIC ROAD BY THAT DEED RECORDED 7/6/1882 IN BOOK 27 OF DEEDS AT PAGE 335, O.R.F.C.
- NO. 2: PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES BY A DEED OF EASEMENT RECORDED 9/1/2004 AS DOCUMENT NO. 2004-0197064, O.R.F.C.

REF. & REV.  
PWF 11227  
PLAT 1162

**CITY OF FRESNO**  
DEPARTMENT OF PUBLIC WORKS

PARCEL TO BE DEDICATED TO THE  
FRESNO IRRIGATION DISTRICT AS AN EASEMENT  
FOR IRRIGATION PIPELINE PURPOSES

PROJ. ID.	PW00430	CO#	CP001
FUND NO.	22048	RES TYPE	
ORG NO.	189901		
DR. BY	AJ.	SHEET NO.	1
CH. BY	H.B.	OF	1 SHEETS
DATE	JAN. 28, 2011		
SCALE	NO SCALE		

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Madera

On JANUARY 24, 2012 before me, CRAIG L. HANSEN, NOTARY PUBLIC

Date

Here Insert Name and Title of the Officer

personally appeared DONALD L. LACEFIELD & KIMBERLY A. LACEFIELD

Name(s) of Signer(s)



who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature Craig L. Hansen

Signature of Notary Public

## OPTIONAL

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

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual
- ☐ Corporate Officer — Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

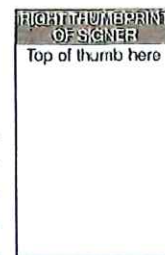
Signer Is Representing: \_\_\_\_\_



Signer's Name: \_\_\_\_\_

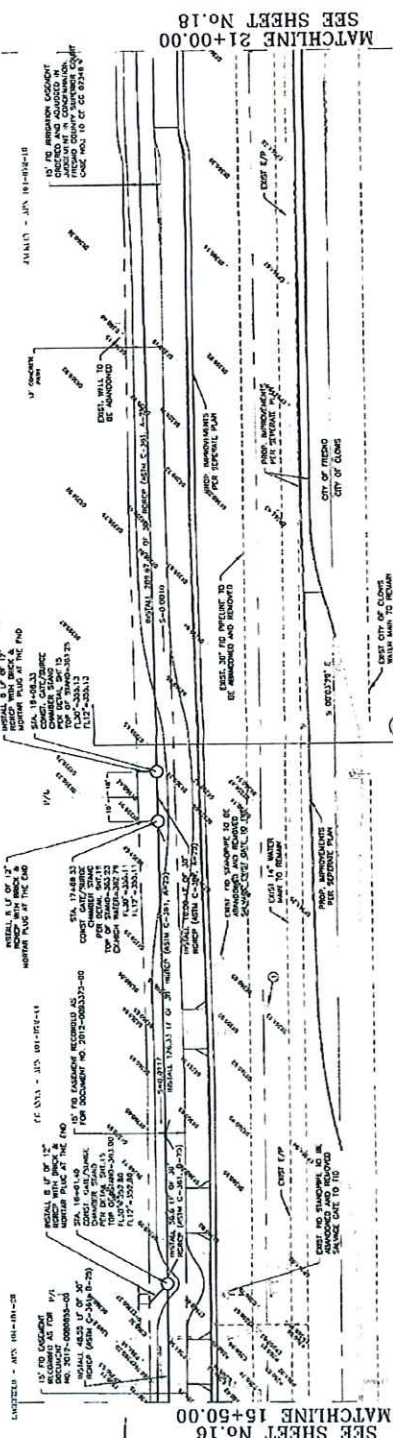
- ☐ Individual
- ☐ Corporate Officer — Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

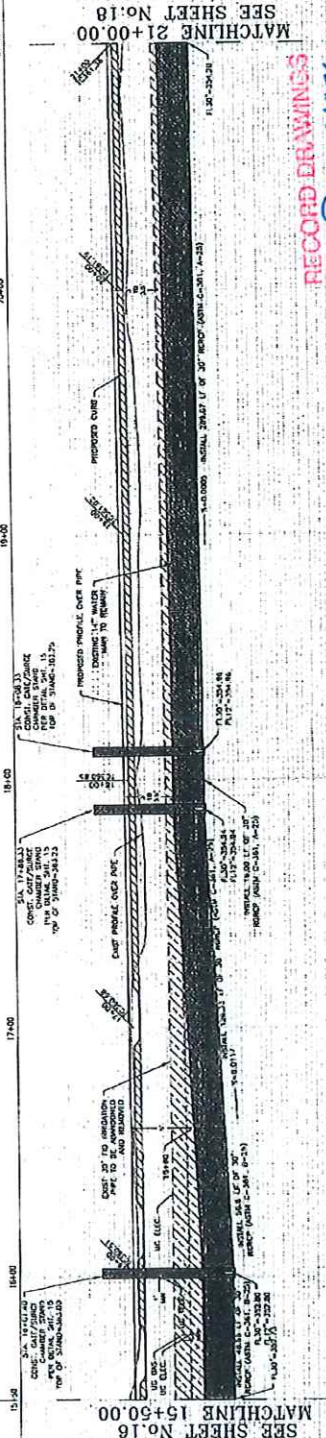




PLAN SCALE  
HORIZ 1" = 20'  
PROFILE SCALE  
VERT 1" = 20'



# NORTH WILLOW AVENUE



RECORD DRAWINGS  
Inspector: *Devin Gray*  
Contractor: *Alison*  
Project Complete: *3/15/16*



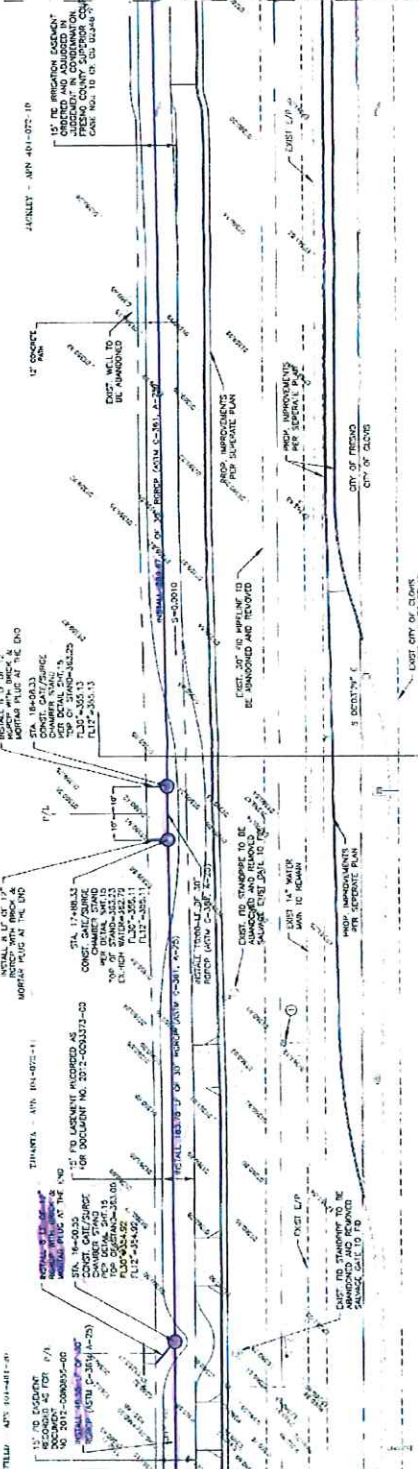
CITY OF FRESNO  
DEPARTMENT OF PUBLIC WORKS  
WILLOW AVENUE 21+00 TO 21+40  
PLAN & PROFILE  
15-4-2016

PLAN SCALE  
HORIZ. 1" = 20'

PROFILE SCALE  
HORIZ. 1" = 20'

SEE SHEET No.16  
MATCHLINE 15+50.00

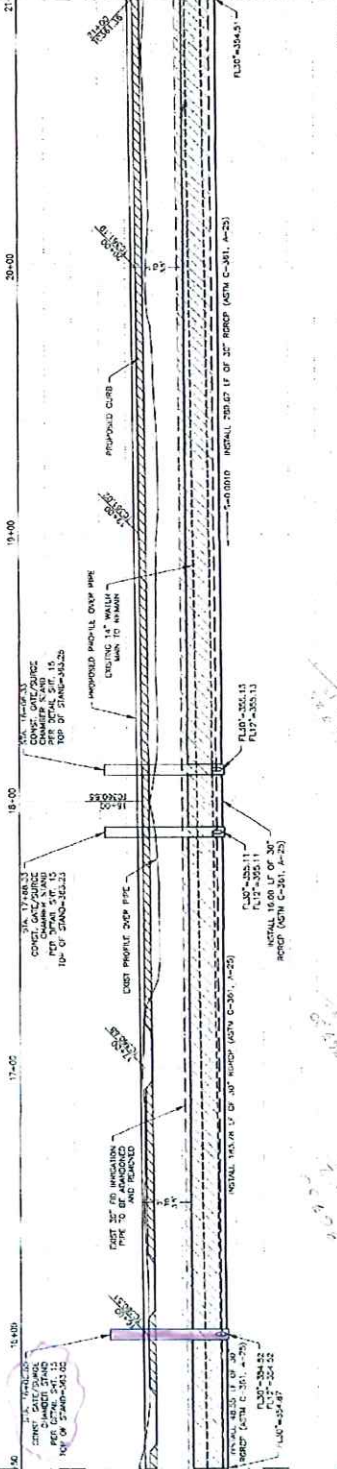
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MATCHLINE 21+00.00



# NORTH WILLOW AVENUE

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MATCHLINE 15+50.00

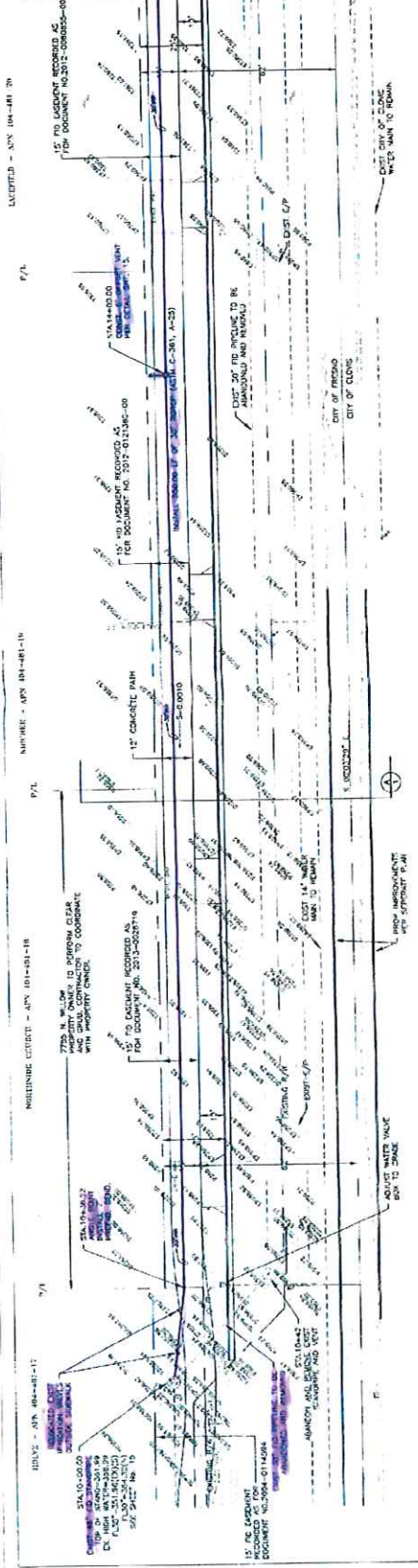
SEE SHEET No.18  
MATCHLINE 21+00.00



CITY OF FRESNO  
DEPARTMENT OF PUBLIC WORKS  
REGULATION PIPELINE PLANS FOR PROJECT:  
WILLOW AVENUE STATION 15+00 TO 21+00  
DATE: 12-1-87  
BY: [Signature]  
CHECKED BY: [Signature]  
12-1-87



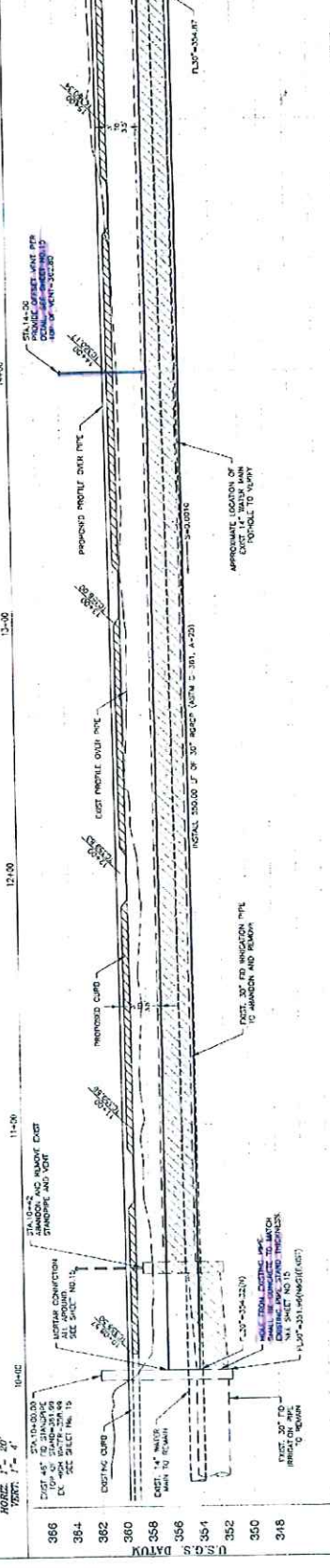
15' TO LOCUS RECORD AS FOR DOCUMENT NO. 17  
 MATCHLINE 15+50.00  
 SEE SHEET No. 17



# NORTH WILLOW AVENUE

PLAN SCALE  
 HORIZ 1" = 20'  
 PROFILE SCALE  
 HORIZ 1" = 20'  
 VERT. 1" = 20'

15+50.00  
 MATCHLINE 15+50.00  
 SEE SHEET No. 17



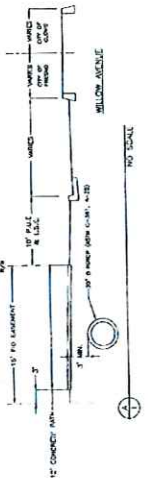
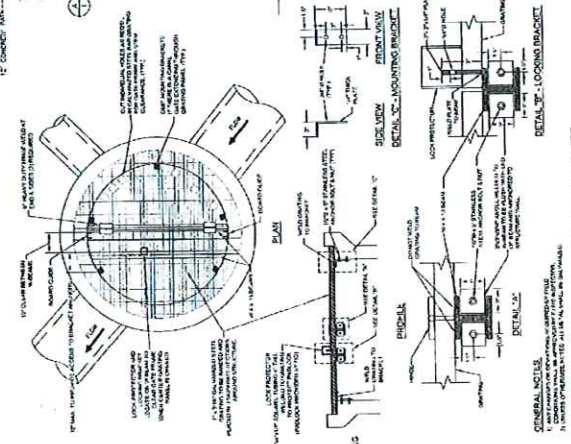
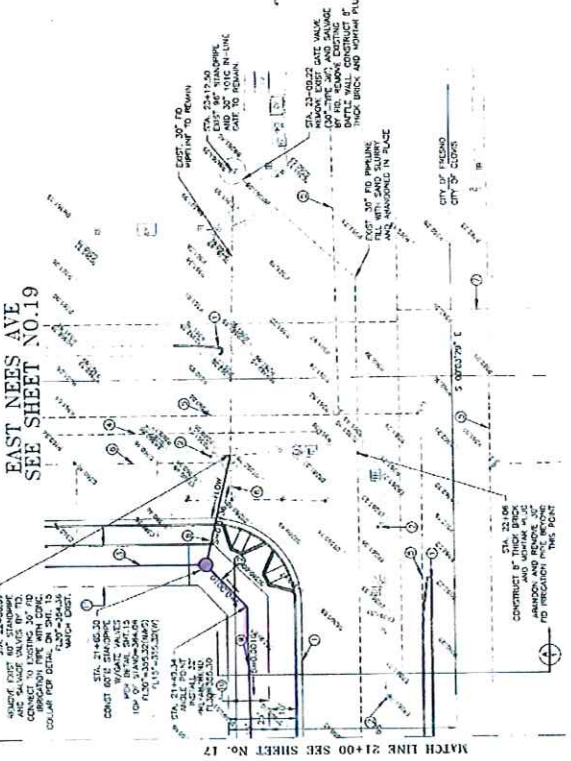
CITY OF FRESNO  
 DEPARTMENT OF PUBLIC WORKS  
 DIVISION OF PUBLIC WORKS  
 11-7-1988





PLAN SCALE  
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VERT 1" = 20'

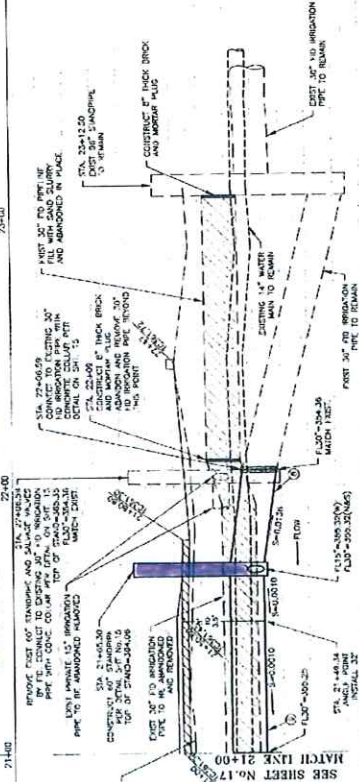
EAST NEES AVE  
SEE SHEET NO. 19



1. PROPOSED CURB AND GUTTER PER SEWAGE MAIN  
2. EXISTING GUTTER NO. 15 TO BE RELOCATED BY POLE  
3. PROPOSED PRIVATE 12\"/>

# NORTH WILLOW AVENUE

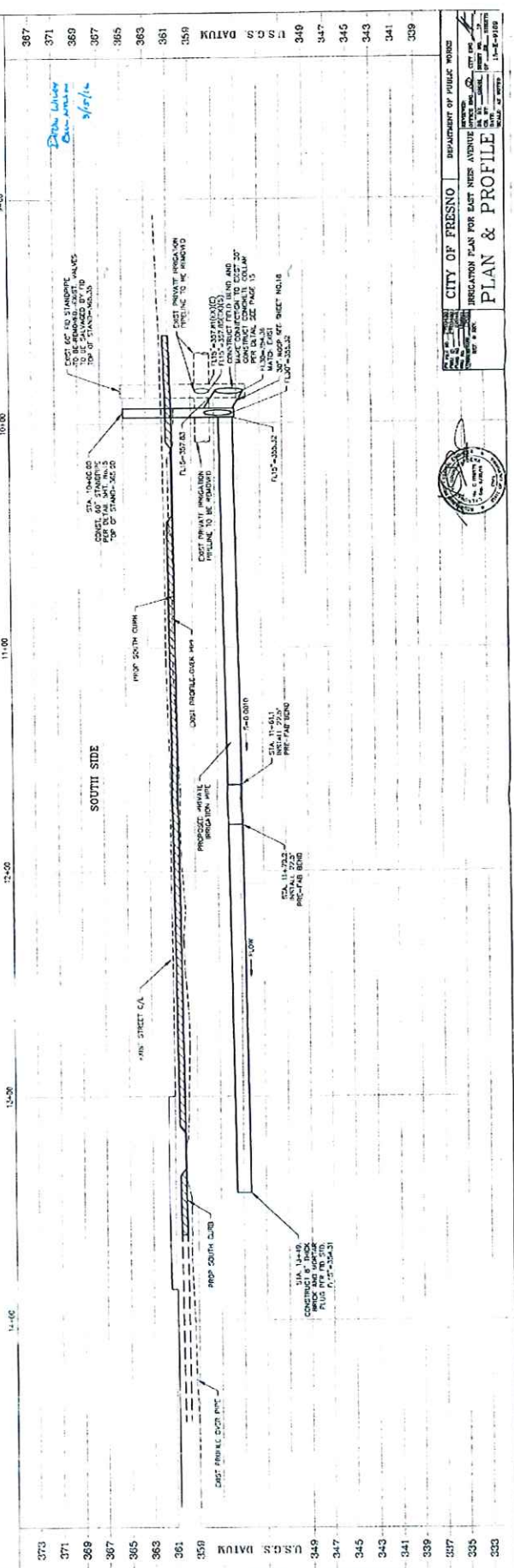
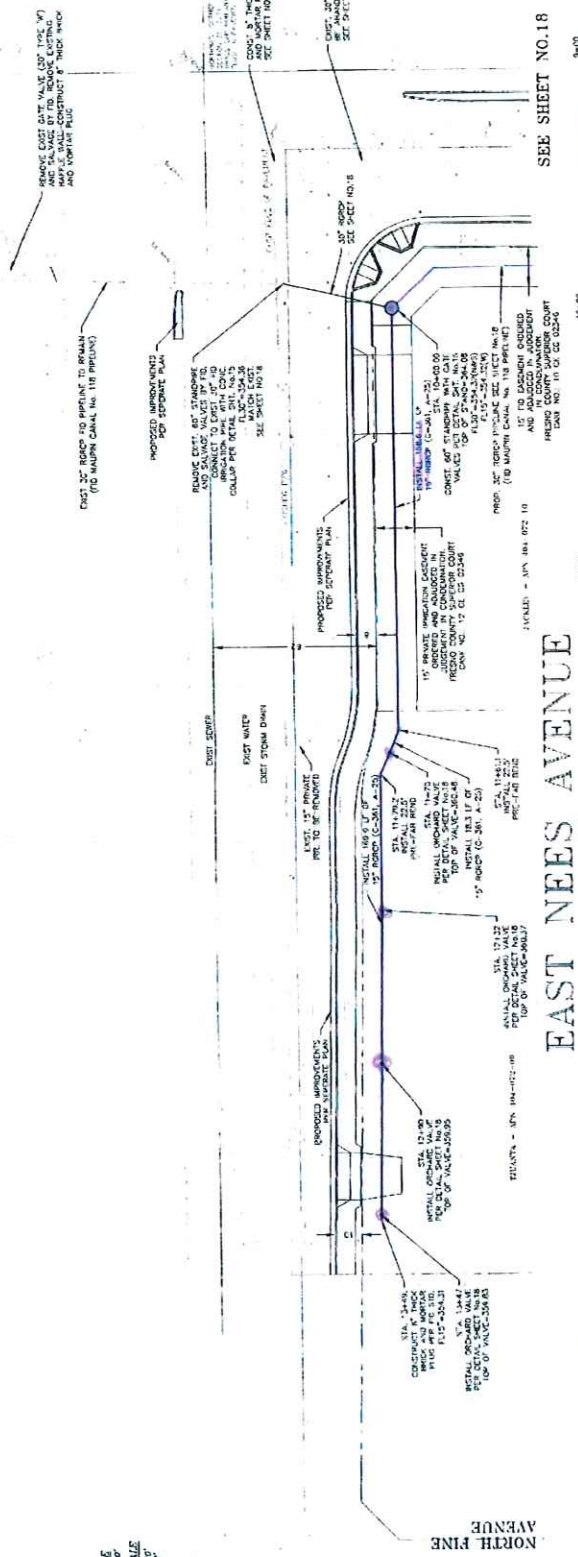
## URBAN METAL COVER FOR GATE & BOARD BACK-UP



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CITY OF FRESNO  
DEPARTMENT OF PUBLIC WORKS  
REGISTRATION PLAN FOR NORTH WILLOW  
AVENUE STA. 21+00 TO END  
PLAN & PROFILE  
15-2-2105





**SUBJECT:** Conditions of Approval for **P23-00702**

**DATE:** March 28<sup>th</sup>, 2024

**TO:** Thomas Veatch, Planner III  
Planning and Development Department

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

**ADDRESS:** 7819 North Willow Avenue

**APN:** 404-481-19S, -20S

<b>ATTENTION:</b> 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
<b>Cross Access Agreement</b> Contact your planner regarding Cross Access Agreement requirements.	Thomas Veatch	Planning and Development Department (559) 621-8076 <a href="mailto:Thomas.Veatch@fresno.gov">Thomas.Veatch@fresno.gov</a>
<b>Tract Map, Parcel Map, Lot Line Adjustment</b> The parcel configuration depicted for the proposed development does not conform to record information. Clarification on what is being proposed is required to determine whether a Tract Map, Parcel Map, or Lot Line Adjustment is required; provide recorded documentation <b>prior</b> to Building Permits. <b>-OR-</b> Resubmit a new application of the proposed project within the existing lot of record.		
<b>CFD Annexation Request Package (CFD 9; up to 4-month processing time)</b> <b>-AND/OR-</b> <b>Private Maintenance Covenant</b>	Adrian Gonzalez	Public Works Department (559) 621-8693 <a href="mailto:Luis.Gonzalez@fresno.gov">Luis.Gonzalez@fresno.gov</a>

<p><b>Deeds (up to 2-month processing time)</b></p> <p>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.</p>	<p>Jason Camit</p>	<p>Public Works Department (559) 621-8681 <a href="mailto:Jason.Camit@fresno.gov">Jason.Camit@fresno.gov</a></p>
<p><b>Fresno Metropolitan Flood Control District</b></p> <p>If required per FMFCD, when permanent facilities are not available from the Fresno Metropolitan Flood Control District, the applicant shall identify a temporary onsite storm water basin per <i>Public Works Standard P-97</i> for review and approval from Public Works.</p>	<p>Scott Tyler  Kevin Rein</p>	<p>Public Works Department (559) 621-8679 <a href="mailto:Scott.Tyler@fresno.gov">Scott.Tyler@fresno.gov</a></p> <p>Planning and Development Department (559) 621-8079 <a href="mailto:Kevin.Rein@fresno.gov">Kevin.Rein@fresno.gov</a></p>

**ATTENTION:**

**Provide corrections as noted on Exhibit "A-1".**

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

**A. GENERAL REQUIREMENTS**

1. **Assessor's Parcel Number (APN):** Provide/Verify APNs.
2. **Legal description:** Revise legal description.
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. **Vicinity Map:** Provide 4 major streets with a north arrow.
6. **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. All existing driveway approaches which no longer provide access to approved vehicle parking areas shall be removed unless otherwise approved by the City Engineer. Such areas shall be reconstructed with curb, gutter, and sidewalk to match existing adjacent street improvements. This work shall be completed and accepted before a Permit of Occupancy is issued or the building is occupied per FMC 13-211.
- g. 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.
- h. Submit street lighting plans to the Public Works Department.  
<https://www.fresno.gov/publicworks/traffic-engineering/#tab-4>
- i. Submit trail construction plans to the Public Works Department.
- 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 existing sidewalks in excess of 2% maximum cross slope must be brought into compliance prior to acceptance by Public Works.
- m. All development shall take place in accordance with all city and county laws and regulations.

**B. OFFSITE INFORMATION:**

- 1. **Section and Center Lines:** Identify section lines.
- 2. **Public Street Improvements:**
  - a. **Sidewalk drains**
  - b. **Drive approaches**
  - c. **Trails**
- 3. **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.

### **C. ONSITE INFORMATION:**

1. **Walls or Fencing:** Identify walls and fences complete with height and type of material.
2. **Lot drainage:** Identify lot drainage conveyance to the right-of-way.
3. **Canals and pipes:** Identify onsite canals and/or pipes and provide a cross section.
4. **State standard "STOP":** Identify and install a **30"** state standard "STOP" sign at the location shown. A "right turn only" sign is also required; install a **30" x 36"** state standard sign immediately below the stop sign on the same post. 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.
5. **Parking lot:**
  - a. **Visibility triangles:** Identify the required 12' visibility triangle at all approaches and alleys.

### **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.

Repair all damaged and/or off grade off-site concrete street or paved public pedestrian walkway and/or alley 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.

All existing sidewalks and trails in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

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.

## **Willow Avenue: 6-Lane Super Arterial**

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

1. Dedication Requirements:
  - a. Dedicate a **26'** (minimum) easement for Landscape, Bike and Pedestrian purposes **only**. Above ground utilities are not allowed within this easement. (Additional right of way may be required for grading and drainage purposes.)
2. Construction Requirements:
  - a. Remove existing driveway approaches not identified for utilization noted on **Exhibit "A-1"**, and install sidewalk, curb, gutter and paving per City of Fresno *Public Works Standards P-5 and P-48* to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
  - b. Construct a driveway approach to *Public Works Standards P-2 and P-6*, as approved on the site plan. Construct permanent paving as needed per *Public Works Standard P-48*. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit "A-1"**.
  - c. 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*.
  - d. If not existing or relocating, 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 Arterials. 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. - **OR-** Show the existing streetlight locations on the plans, **-AND-** that they are constructed per current City of Fresno Standards.
  - e. If not existing, construct a **12'** wide Bike and Pedestrian Trail per the *Fresno General Plan*, the City of Fresno *Public Works Standards P-59, P-60*, and the *Caltrans Highway Design Manual* Chapter 1000 for Class I Bikeways (Bike Paths). Construction shall be complete with lighting, signing, striping, landscaping, and irrigation. Identify the route and cross section on the site plan. Where the trail is constructed within **5'** of the curb, construct a fence per *Public Works Standards P-74 and P-75*. Above ground utilities shall not be constructed within this easement. Additional right of way may be required for grading and drainage purposes.
  - f. 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.

**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 **Infill Area**; therefore, pay all applicable City-wide regional street impact fees. Contact the Public Works Department, Frank Saburit at (559) 621-8797.

**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 Planning & Subdivision Inspection 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)

## **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>

## **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 Homeowner'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 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 sidewalk 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.

### **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.

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.



March 13, 2024

Mary Caternolo  
City of Fresno  
2600 Fresno St #3043  
Fresno, CA 93721

**Project: New Office Buildings – Cal Kidds 21-075, P23-00702**

**District CEQA Reference No: 20240277**

Dear Ms. Caternolo:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Development Permit Application (DPA) from the City of Fresno (City) for the above mentioned project. Per the DPA, the project consists of two 11,160 square foot medical office buildings and one 11,780 square foot medical office building on a total of 3.3 acre property (Project). The Project is located 7819 N. Willow Avenue in Fresno, CA 93720.

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

**1) Project Related Emissions**

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>.

**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.

**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

## **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) Ambient Air Quality Analysis**

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: <https://ww2.valleyair.org/permitting/ceqa/>.

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

There are single family residential units located west and south 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).

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.

#### **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 <https://ww2.valleyair.org/grants/charge-up> 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: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. 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 Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 20,000 square feet of medical office space.

The purpose of District Rule 9510 is to reduce the growth in both NO<sub>x</sub> and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO<sub>x</sub> and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project

clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at [ISR@valleyair.org](mailto:ISR@valleyair.org).

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

The Project may be subject to District Rule 4601 since it may 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) 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 Harout Sagherian by e-mail at [Harout.Sagherian@valleyair.org](mailto:Harout.Sagherian@valleyair.org) or by phone at (559) 230-5860.

Sincerely,

Tom Jordan  
Director of Policy and Government Affairs



For: Mark Montelongo  
Program Manager