

Exhibit H

**CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT**

CONDITIONS OF APPROVAL

~~FEBRUARY 6, 2024~~
REVISED JULY 3, 2024

TENTATIVE PARCEL MAP No. 2023-13

NOTICE TO PROJECT APPLICANT

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

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

Upon conditional approval of Tentative Parcel Map No. 2023-13, dated October 24, 2023, the subdivider may prepare a Parcel Map (Final) in accordance with the approved tentative parcel map. Note that a Parcel Map may not be filed until the appeal period has expired. Should an appeal be filed pursuant to Section 15-3314 of the FMC, the application will be scheduled to be heard before the City of Fresno Planning Commission. The appellant may withdraw their appeal pursuant to Section 15-5017 of the FMC.

Concurrent with the filing of a Parcel Map and when the provisions of Section §66436 of the SMA apply, the subdivider is responsible to send, by certified mail, a sketch of the proposed Parcel Map, together with a copy of Section §66436(a)(3)(A) of the SMA, to any public entity or public utility which has previously acquired a right-of-way easement.

GENERAL CONDITIONS

1. Comply with the provisions of the State of California Government Code Sections 66410 – 66499.58 of the SMA and Articles 31 (Land Division) and 35 (Parcel Maps) of Chapter 15 of the FMC.
2. Upon conditional approval of Tentative Parcel Map No. 2023-13 dated October 24, 2023, the subdivider may prepare a Final Map in accordance with the approved tentative map. Any existing and/or proposed structure(s) on the site may be affected due to the location of the proposed parcel lines. The placement of a parcel

line in close proximity to any existing or proposed structure(s) requires that the structure(s) be found in compliance with the fire resistive standards of the Uniform Building Code.

3. Every lot or parcel shall have frontage on a public street, except when the lots/parcels are located within a Commercial or Employment District and the following conditions are met (pursuant to Section 15-4105-E of the Fresno Municipal Code) in order to secure the enforceability of properties' obligations for retention and maintenance of access, utilities, facilities, and improvements:

- a) Execute a Mutual Easements and Reciprocal Use Agreement between Parcels "A" and "B" of Tentative Parcel Map No. 2023-13 dated October 24, 2023. The Mutual Easements and Reciprocal Use Agreement shall, at a minimum, provide: (1) West Hedges Avenue, North West Avenue, and West Olive Avenue; (2) Cross drainage; (3) Shared parking and/or solid waste facilities; and, (4) Provisions and obligations for retention and maintenance of shared access, utilities, fire suppression systems, facilities and improvements on the subject property; or, alternatively, demonstrate the existing agreements meeting City of Fresno standards and requirements are recorded and/or in effect prior to recordation of a Parcel Map.

- i. Access, circulation, and parking on all of the properties to be included within, and made party to the easements and agreements required herein above shall be provided and maintained in accordance with approved entitlements for the respective properties; or, any revisions or amendments thereto, as may be approved by the Planning and Development Department. No modifications to said access, circulation, parking, or easements and agreements authorized for purposes of satisfying the conditions contained herein may be made without prior approval from the Planning and Development Department.

- ~~4. Upon conditional approval of Tentative Parcel Map 2023-13 dated October 24, 2023, the subdivider will need to provide compliance with the approved address plan dated December 15, 2023. Contact Planner Nick Caldera, in the City of Fresno Planning and Development Department via email at Nicholas.Caldera@fresno.gov for assignment of addresses to parcels proposed to be created from a subdivision of the subject property.~~

~~NOTE: It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS~~

~~representative. The Developer shall, at their own expense, procure, construct, and install all mail receptacle facilities for each location as specified and approved by the USPS.~~

5. Any existing and/or proposed structure(s) on the site may be affected due to the location of the proposed parcel lines. The placement of a parcel line near any existing structure(s) requires that the structure(s) be found in compliance with the fire resistive standards of the Uniformed Building Code.
 - a) Compliance with the prevailing California Building Code as it relates to exterior wall protection, allowable area, etc., must be demonstrated respective to the new parcel line locations prior to recordation of a Parcel Map. Contact the Planning and Development Department, Building and Safety Services Division at (559) 621-8084.
 - NOTE: In the event existing or proposed structures do not, or will not, comply with any applicable standards of the California Building Code, structures must be modified to meet the standard; or the parcel lines proposed with the tentative parcel map shall be reconfigured accordingly prior to recordation of a Parcel Map.
6. Any existing and/or proposed development on the site may be affected due to the location of the proposed parcel lines. The provision of public or emergency vehicle access, utility services (including fire suppression systems), drainage, or shared parking, solid waste or similar facilities across proposed parcel lines requires recordation of a Mutual Easement and Reciprocal Use Agreement for all effected parcels prior to issuance of building permits for new development; and, prior to recordation of a parcel map for existing development.
7. The subdivider shall dedicate and construct public easements to facilitate the construction of public improvements (when applicable) within the limits of the parcel map.
 - a) All such public easements shall be identified and dedicated with the processing and recordation of a Parcel Map.
8. All plans for on-site and off-site improvements included in the Conditions of Approval shall be submitted prior to the final map being processed for recordation.
9. Whenever covenants or agreements are required, they shall be prepared by the city upon receipt of the fee in accordance with the adopted Master Fee Schedule. All covenants and agreements must be approved by the City Attorney's Office and shall be recorded with the final parcel map.
10. A mutual easements covenant may be required (as noted above) between the

proposed subject parcels.

STREETS AND RIGHTS-OF-WAY

11. Comply with all of the requirements included within the attached Department of Public Works, Traffic Operations and Planning Division memorandum dated ~~December 29, 2023~~ **May 21, 2024**; or, any amendment or modifications to those requirements which may be granted by the Director of the Department of Public Works prior to recordation of a Parcel Map.

DEPARTMENT OF PUBLIC UTILITIES REQUIREMENTS

12. Comply with all of the requirements included within the attached Department of Public Utilities, Water, Sewer and Solid Waste Divisions memorandum dated November 21, 2023.

FIRE DEPARTMENT

13. Comply with the requirements included within the Fire Department memorandum and redlined site plan dated November 15, 2023.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD)

14. Comply with the requirements included within the Fresno County Environmental Health memorandum dated December 1, 2023.

FRESNO UNIFIED SCHOOL DISTRICT

15. Comply with the requirements included within the Fresno Unified School District memorandum dated November 2, 2023.

PACIFIC GAS AND ELECTRIC COMPANY (PG&E)

16. Comply with the requirements included within the PG&E memorandum dated November 21, 2023.