



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. **VIII-C**
COMMISSION MEETING 9/7/16

September 7, 2016

APPROVED BY


DEPARTMENT DIRECTOR

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

THROUGH: WILL TACKETT, Supervising Planner
Development Services Division

BY: ISRAEL TREJO, Planner
Development Services Division

SUBJECT:

Consideration of Vesting Tentative Tract Map No. 6135, Conditional Use Permit Application No. C-16-037 and related Environmental Assessment No. T-6135/C-16-037, for property located north of the intersection of East Copper and North Chestnut Avenues.

1. **APPROVE** the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report as prepared for Environmental Assessment No. T-6135/C-16-037 dated August 5, 2016.
2. **APPROVE** Conditional Use Permit No. C-16-037 subject to compliance with the Conditions of Approval dated September 7, 2016.
3. **APPROVE** Vesting Tentative Tract Map No. T-6135 subject to compliance with the Conditions of Approval dated September 7, 2016.

EXECUTIVE SUMMARY

Gary Giannetta, on behalf of Norman Kizirian, has filed Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037, pertaining to approximately 7.55 acres of property located north of the intersection of East Copper and North Chestnut Avenues. Vesting Tentative Tract Map No. 6135 is a proposal to subdivide the subject property into a 13 lot single-family residential subdivision. Conditional Use Permit No. C-16-037 proposes a gated development with private streets and reduced yard setbacks. The subject property is located within the Fresno General Plan and the Woodward Park Community Plan, both plans designate the subject site for low density residential (1.00 to 3.50 dwelling units per acre) planned land uses. Vesting Tentative Tract Map No. 6135 proposes a 13 lot single-family residential subdivision on approximately 7.55 acres at a density of 1.72 dwelling units per acre. Thus, the subject applications are consistent with the planned land use and zoning approved for the project site and will implement the goals, objectives, and policies of the Woodward Park Community Plan and the Fresno General Plan.

PROJECT INFORMATION

PROJECT	A 13 lot, single-family residential subdivision to be developed at a density of 1.72 dwelling units per acre. The project proposes a gated development with private streets and reduced yard setbacks
APPLICANT	Gary Giannetta on behalf of Norman Kizirian
LOCATION	Located north of the intersection of East Copper and North Chestnut Avenues (Council District 6, Councilmember Brand)
SITE SIZE	Approximately 7.55 acres
LAND USE	Existing - Rural residential Proposed - Single-family residential
ZONING	Existing - RS-3 (<i>Single-Family Residential</i>) Proposed- No change
PLAN DESIGNATION AND CONSISTENCY	The proposed 13 lot single-family residential subdivision is consistent with the Fresno General Plan and Woodward Park Community Plan designation of the site for low density residential planned land uses
ENVIRONMENTAL FINDING	Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015, dated August 5, 2016
PLAN COMMITTEE RECOMMENDATION	The Council District 6 Plan Implementation Committee recommended approval of the project on August 15, 2016, by a vote of 4 to 0
STAFF RECOMMENDATION	Approve the vesting tentative tract map and conditional use permit applications subject to compliance with the Conditions of Approval for T-6135 and for C-16-037 dated September 7, 2016

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Open Space – Golf Course	PR <i>Parks and Recreation</i>	Golf Course
East	Open Space – Golf Course	PR <i>Parks and Recreation</i>	Golf Course
South	Medium Density Residential	RS-5 Single-Family Residential	Vacant
West	Low Density Residential	RS-3 Single-Family Residential	Vacant

ENVIRONMENTAL FINDING

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

The subject property is proposed to be developed at an intensity and scale that is permitted by the Low Density Residential (1.00 to 3.50 dwelling units per acre) planned land use designation for the subject site. Thus, the subdivision of the subject property in accordance with the Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037 will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of the MEIR have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Guidelines Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to the specific project proposal, the environmental impacts noted in the MEIR, pursuant to the Fresno General Plan land use designation, include impacts associated with the Low Density Residential planned land use designation specified for the subject property. Based on the initial study prepared, the following findings are made: (1) The proposed project was identified as a Subsequent Project in the MEIR because its land use designation and permissible densities and intensities are allowed

as set forth in the Fresno General Plan; (2) The proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR for the reasons discussed within the environmental assessment for the subject project; and, (3) No new additional mitigation measures are required because the proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR.

Therefore, the project proposal has been determined to be within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR SCH No. 2012111015 dated August 5, 2016. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified; and, that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

BACKGROUND / ANALYSIS

Gary Giannetta, on behalf of Norman Kizirian, has filed Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037, pertaining to approximately 7.55 acres of property located north of the intersection of East Copper and North Chestnut Avenues. Vesting Tentative Tract Map No. 6135 is a proposal to subdivide the subject property into a 13 lot single-family residential subdivision. Conditional Use Permit No. C-16-037 proposes a gated development with private streets and reduced yard setbacks. The subject property is located within the Fresno General Plan and the Woodward Park Community Plan, both plans designate the subject site for low density residential (1.00 to 3.50 dwelling units per acre) planned land uses. Vesting Tentative Tract Map No. 6135 proposes a 13 lot single-family residential subdivision on approximately 7.55 acres at a density of 1.72 dwelling units per acre. Thus, the subject applications are consistent with the planned land use and zoning approved for the project site and will implement the goals, objectives, and policies of the Woodward Park Community Plan and the Fresno General Plan.

Conditional Use Permit Application (CUP)

In addition to submitting a vesting tentative tract map, the applicant has submitted Conditional Use Permit Application No. C-16-037. Pursuant to Chapter 15, Article 59 of the FMC, a CUP is required in order to create a planned development.

As part of the CUP, an applicant may request a modification of development standards. Conditional Use Permit Application No. C-16-037 is a request to establish a gated private street planned development, which proposes to establish modified property development standards, including, reduced yard setback requirements.

Reduced Yard Setbacks

The standard front yard setback in the RS-3 (*Single-Family Residential*) zone district is 25'. The applicant is proposing 20' for some of the lots.

The standard street side yard setback is 20'. The applicant is proposing 15'.

Streets and Access Points

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the proposed applications and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the Traffic Engineering Division dated July 12, 2016. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, and the Fresno Major Street Impact (FMSI) Fee.

The applicant is proposing to create a planned development to be served by private streets. There will only be one general entrance and exit at the site (North Chestnut Avenue); the access point at the western edge of the property is an Emergency Vehicle Access (EVA) point which will be utilized by emergency services only.

Community Plan Citizen Committee

The Council District 6 Plan Implementation Committee recommended approval of the project on August 15, 2016, by a vote of 4 to 0.

Public Services

Sewer

The wastewater treatment facility within the Copper River Ranch project will accommodate the wastewater flow from this project. The Public Utilities Department has identified sewer requirements for this project. These conditions are listed in the memoranda dated August 26, 2016.

Water

The nearest water main to serve the proposed project is an 8-inch main located in East Spey Valley Drive and a 12-inch main located in North Chestnut Avenue at East Copper Avenue. Water facilities are available to provide service to the site subject to the conditions listed in the memoranda dated August 26, 2016.

FMFCD

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that this project can be accommodated by the district. The project applicant shall comply with the FMFCD requirements as detailed in its memorandum dated July 14, 2016.

Notice of Planning Commission Hearing

The Development and Resource Management Department mailed notices of this Planning Commission hearing to surrounding property owners within 1,000 feet of the subject property.

LAND USE PLANS AND POLICIES

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

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

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

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

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

Likewise, Objective LU-5 of the General Plan calls for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities; and, Implementing Policy LU-5-a promotes low density residential uses where there are established neighborhoods with semi-rural or estate characteristics.

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

Planned Development Findings

Conditional Use Permit Application No. C-16-037 proposes the development of a 13 lot single family residential planned development. The planned development proposes gated private streets and reduced building setbacks. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated September 7, 2016, staff concludes that the following required findings of Section 15-5905 of the Fresno Municipal Code can be made:

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

The proposed development is consistent with the General Plan designation of Low Density Residential and the Woodward Park Community Plan.

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

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

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

The project will front onto a public street (North Chestnut Avenue). The project is not proposed in size or scope which would result in a reduction of public services so as to be a detriment to public health, safety, or welfare

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

The staff of the Development and Resource Management Department has determined that the proposed use will not have a substantial adverse effect on surrounding land uses if developed in accordance with the various conditions/requirements established through the related tentative tract map application review and conditional use permit application review process.

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

The subject property is planned and zoned for residential uses. The subject application will essentially provide an extension and a terminus to an existing planned development located to the west of the project site. The subject property is oddly shaped and is surrounded by a golf course to the north and east and a gated planned development to the west, making the subject property somewhat difficult to develop. The project is similar to existing developments in the area. The project will be required to construct appropriate infrastructure.

Conditional Use Permit Application Findings

Conditional Use Permit Application No. C-16-037 proposes the development of a 13 lot single family residential planned development. The planned development proposes gated private streets and reduced building setbacks. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated September 7, 2016, staff concludes that the following required findings of Section 15-5306 of the Fresno Municipal Code can be made:

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

Conditional Use Permit Application No. C-16-037 will comply with all applicable codes, including, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met.

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

The proposed development is consistent with the General Plan designation of Low Density Residential and the Woodward Park Community Plan.

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

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

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

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

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

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

Vesting Tentative Tract Map Findings pursuant to the FMC

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

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

The proposed development is consistent with the General Plan designation of Low Density Residential and the Woodward Park Community Plan.

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

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

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

Water facilities are available to provide service to the site subject to the conditions listed in the memoranda dated August 26, 2016. Additionally, the application is proposing 13 lots.

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

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

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

The project is not located within a flood prone area.

Vesting Tentative Tract Map Findings

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

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

1. The proposed subdivision map, together with its design and improvements, is consistent with the City's General Plan and the Woodward Park Community Plan, because the plans designate the site for low density residential planned land uses and the project design meets the density and zoning ordinance criteria for development pursuant to Section 66474.2 of the Subdivision Map Act.
2. This site is physically suitable for the proposed type and density of development, because conditions of approval will ensure adequate access and drainage on and off the site; and, that development shall occur in accordance with adopted standards, goals, objectives, and policies for development in the City of Fresno.
3. The proposed subdivision design and improvement is not likely to cause substantial and considerable damage to the natural environment, including fish, wildlife or their habitat, because the area is not known to contain any unique or endangered species and the urbanized nature of the area in which the site is located.
4. The proposed subdivision design and improvements are not likely to cause serious public health and safety problems, because the conditions of approval have shown and will insure that the subdivision conforms with city health and safety standards.
5. The proposed subdivision design will not conflict with public easements within or through the site, because conditions of approval will assure noninterference with any existing or proposed public easements.
6. The design of the subdivision provides, to the extent feasible, for future passive and natural heating or cooling opportunities in the subdivision, because of the appropriate use and placement of landscaping plant materials and because of the orientation of the proposed lots.

The subdivision map, based on the required findings for approval and subject to the recommended conditions of approval, and the standards and policies of the Fresno General Plan and Woodward Park Community Plan, complies with applicable zoning and subdivision requirements. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made.

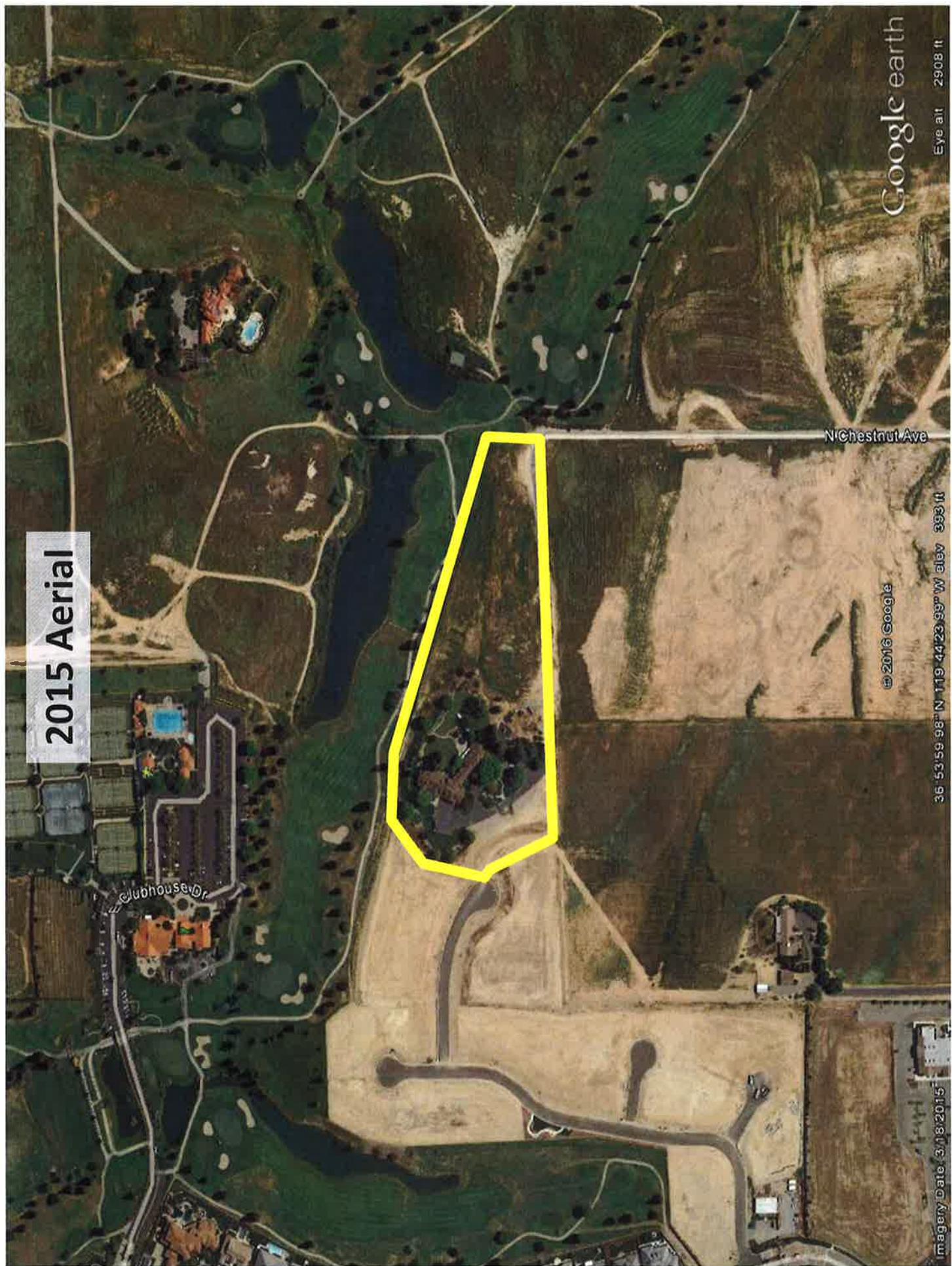
Planning Commission action of the proposed Vesting Tentative Tract Map and Conditional Use Permit, unless appealed to the Council, is final.

CONCLUSION / RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan and the Woodward Park Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that the Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037 are appropriate for the project site.

Attachments:

- 2015 Aerial Photograph of Site
- Exhibit A - Vesting Tentative Tract Map No. 6135 dated June 1, 2016
- Exhibit A-1 - Site plan dated June 1, 2016
- Conditions of Approval for T-6135 dated September 7, 2016
- Conditions of Approval for CUP Application No. C-16-037 dated September 7, 2016
- Comments and Requirements from Responsible Agencies
- Environmental Assessment No. T-6135/C-16-037, Finding of Conformity to the Fresno General Plan MEIR dated August 5, 2016



TENTATIVE MAP TRACT No. 6135

A VESTING MAP
A PHASED MAP
A PLANNED UNIT DEVELOPMENT
APN 579-074-81S & 34S
NET AREA = 7.55 ACRES
GROSS AREA = 7.55 ACRES

IMPROVEMENTS TO BE INSTALLED:

1. STREETS - PRIVATE PER SECTION ON THIS PLAN
2. SEWER - CITY OF FRESNO STANDARDS
3. WATER - CITY OF FRESNO STANDARDS
4. STORM & GUTTER - PRIVATE AND PUBLIC
5. DRAINAGE - PRIVATE AND PUBLIC
6. DRAINAGE - FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
7. GAS & ELECTRIC - PACIFIC GAS & ELECTRIC
8. TELEPHONE - AT&T
9. CABLE TELEVISION - COMPAT
10. ALL PUBLIC STREETS WILL BE CONSTITUTED AS PER PUBLIC WORKS STANDARDS.

NOTES:

1. EXISTING ZONING -RS-3
2. EXISTING USE - RURAL RESIDENTIAL
3. THERE ARE NO SEWER, CULVERTS, DUMPSITES OR OTHER UNDERGROUND STRUCTURES WITHIN THIS SUBDIVISION, EXCEPT AS SHOWN. (2 WATER WELLS, LEACH LINE SYSTEM AND SEPTIC SYSTEM TO BE ABANDONED)
4. THERE ARE NOT EXISTING AREAS WITHIN THIS SUBDIVISION THAT ARE SUBJECT TO INUNDATION OR STORM WATER OVERFLOW.
5. THE SUBDIVISION DESIGN PROVIDES, TO THE EXTENT FEASIBLE, FOR SUBDIVISIONS THAT MAXIMIZE LAND USE, DRAINAGE, COOLING OPPORTUNITIES BY MAXIMIZING NORTH-SOUTH PLACEMENT OF BUILDINGS.
6. THERE IS LESS THAN A 6" DIFFERENCE BETWEEN THE LOT FRONTAGES ADJACENT PROPERTIES.
7. THERE ARE NO EXISTING ABOVE GROUND USES OR STRUCTURES WITHIN THE LIMITS OF THIS SUBDIVISION, EXCEPT AS SHOWN.
8. THE STREETS WITHIN THE BOUNDARIES OF THIS SUBDIVISION ARE PRIVATE AND PUBLIC.
9. THE STREETS WITHIN THE BOUNDARIES OF THIS SUBDIVISION ARE PRIVATE AND PUBLIC.
10. THERE SHALL BE A 10' PUBLIC UTILITY EASMENT ALONG THE LOT FRONTAGES.
11. OUTLOT A IS FOR PRIVATE STREETS, SIDEWALKS, STREETLIGHTS, AND PUBLIC UTILITIES.
12. OUTLOT B IS FOR LANDSCAPE AND OPEN SPACE PURPOSES.

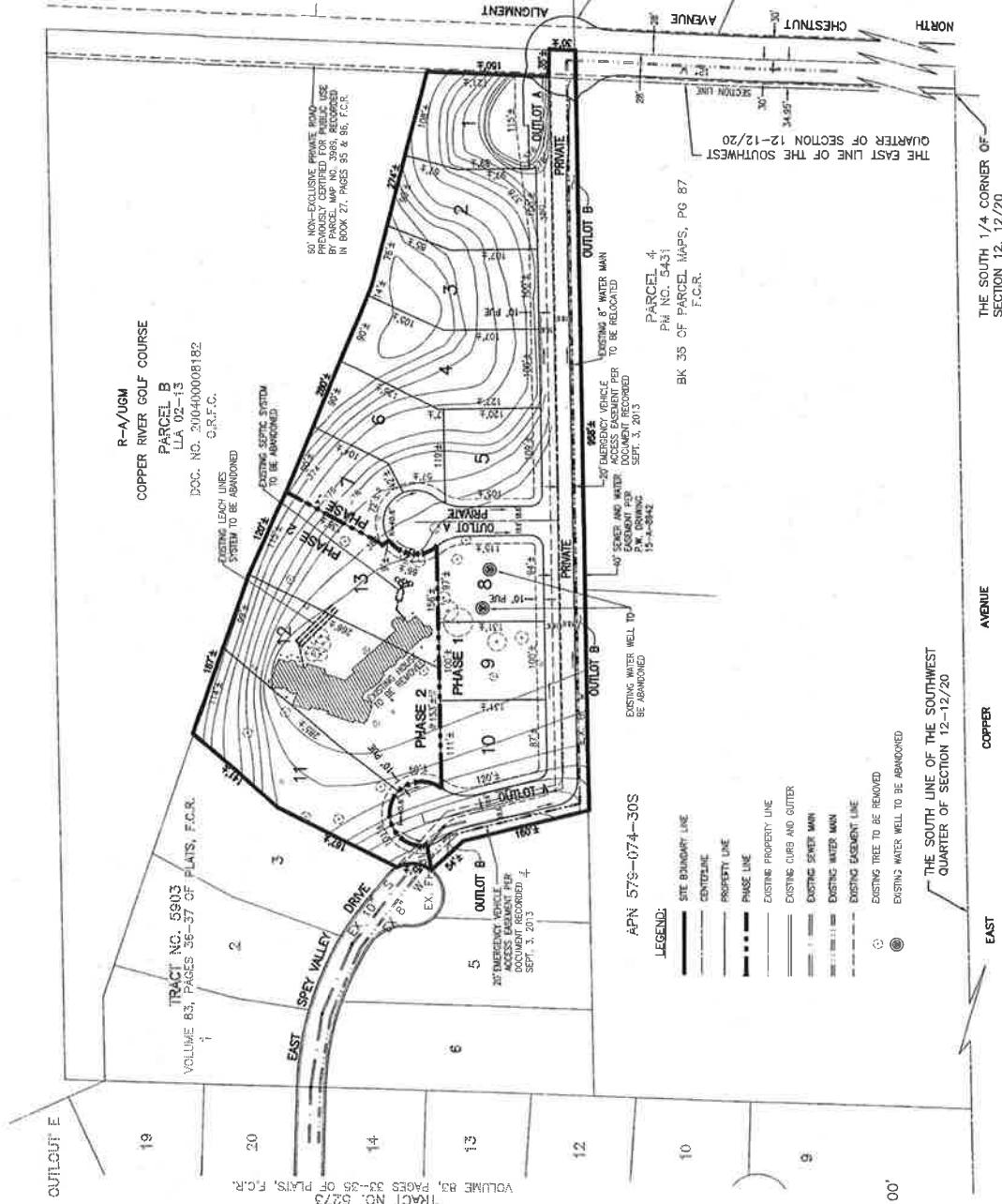


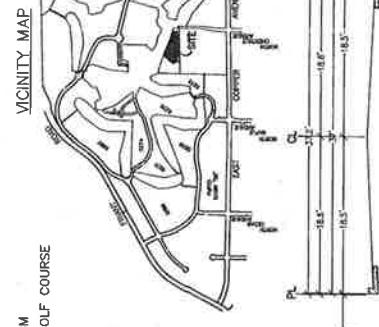
Exhibit A 6-1-16

GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING

KUZIAN, NORMAN AND PAMELA S.
11261 NORTH CHESTNUT AVENUE
CLOVIS, CA 93619
(559) 434-3733

DATE: 6/19/16 DO

WEDGE CURB ALONG LOT
FRONTRACES
INTERIOR STREETS



WEDGE CURB ALONG LOT
FRONTRACES

RECORD OWNERS:
KUZIAN, NORMAN AND PAMELA S.
11261 NORTH CHESTNUT AVENUE
CLOVIS, CA 93619
(559) 434-3733

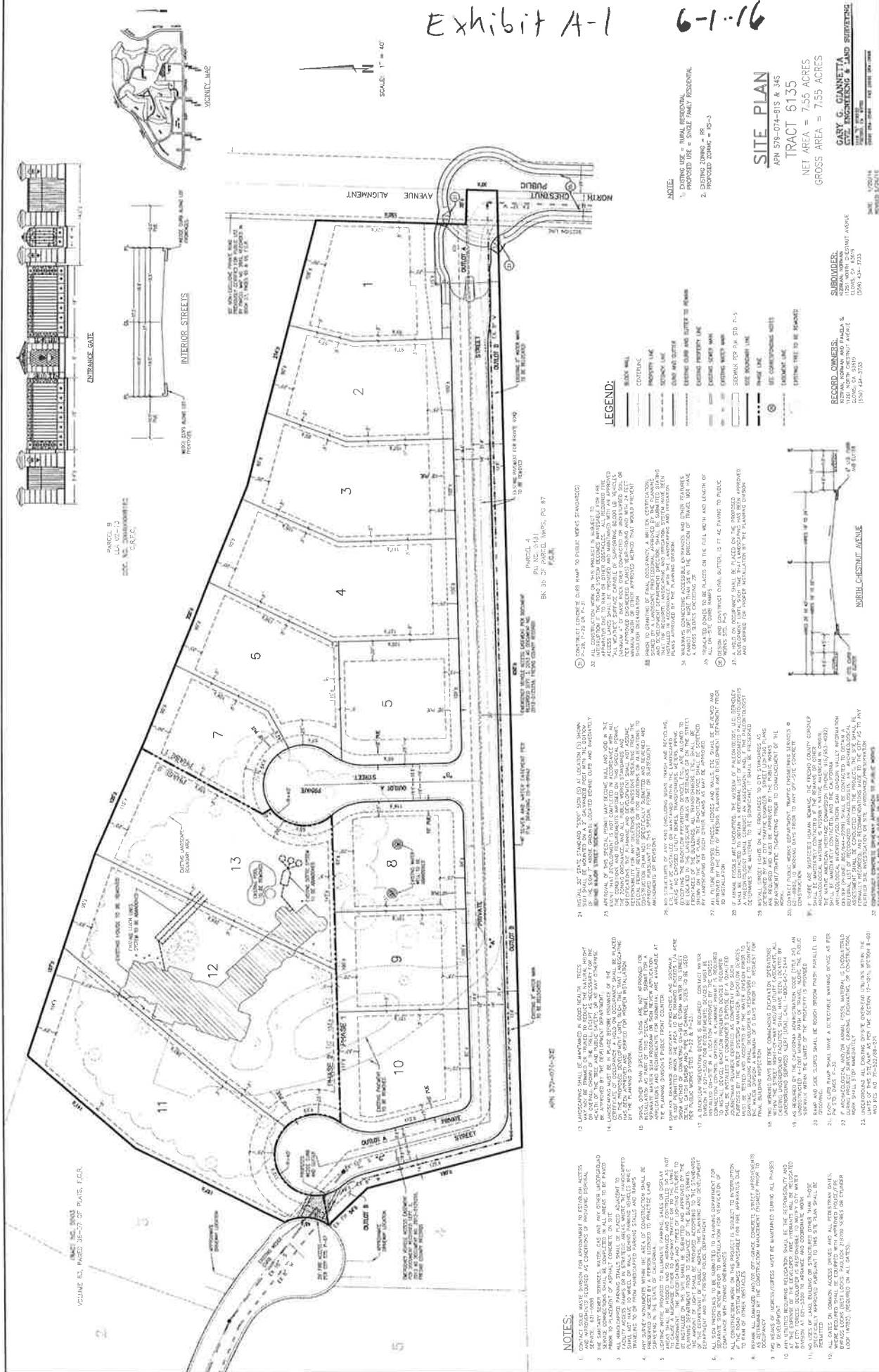
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(559) 434-3733

DATE: 6/19/16 DO

Exhibit A-1

6-1-16



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

CONDITIONS OF APPROVAL

SEPTEMBER 7, 2016

VESTING TENTATIVE TRACT MAP NO. 6135

“A PLANNED DEVELOPMENT”

Located North of the Intersection of East Copper and North Chestnut Avenues

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

NOTICE TO PROJECT APPLICANT

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

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

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

GENERAL CONDITIONS

1. Upon conditional approval of Vesting Tentative Tract Map No. 6135, a Planned Development dated June 1, 2016, the subdivider may prepare a Final Map in accordance with the approved vesting tentative map and Conditional Use Permit No. C-16-037 which establishes a planned development for the subject property.
2. Submit grading plans and a soils report to the City of Fresno Development and Resource Management Department for verification prior to Final Map approval. Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.
3. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Development and Resource Management Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and engineered plans as necessary to construct the required public improvements and work and applicable processing fees.

4. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.
5. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
6. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Chapter 15, "Subdivision of Real Property;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
7. The developer/owner shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to vesting tentative maps.
8. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
9. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.
10. Vesting Tentative Tract Map No. 6135 is subject to approval of related Conditional Use Permit No. C-16-037.
11. Conditional Use Permit Application No. C-16-037, filed to establish a 13-lot planned development shall be approved prior to final map approval.
12. An Official Address change will be required for the existing residence on the subject property at the time of construction of the private streets since the residence will no longer front onto North Chestnut Avenue. The current fee for an address change is \$208.

GENERAL INFORMATION

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

responsibility to the homeowners association for landscaping and other provisions as stated in the Development and Resource Management Department Guidelines for preparation of CC&Rs dated January 11, 1985.

Emergency Vehicle Access (EVA)

18. The developer shall obtain a City of Fresno covenant to allow for emergency vehicle access (second point of access) to serve the subject property. The EVA (emergency vehicle access) covenant must include all those privately owned parcels on which an emergency vehicle must traverse to access the subject property, starting from North Knotting Hill Drive, through Tract Nos. 5273 and 5903.

Walls/Fences/Landscaping

19. Only one gate (the main entry vehicle gate) is allowed within the private street and EVA portion on the subject property. However, the developer may place an additional approved gate, swing barricade, or removable bollards within the EVA as allowed per the Fire Department memo dated July 7, 2016. Any change to the gate requirement shall be approved by the Fire Department and Development and Resource Management Department.

Proposed Lot 11 shall not place a fence within or otherwise block the EVA.

20. Provide a corner cut-off area at all street intersections in accordance with the requirements of the Fresno Municipal Code. Corner cut-offs are established to provide an unobstructed view for vehicular and pedestrian traffic approaching an intersection. They are a triangular area formed by the property lines and a diagonal line adjoining points on the property lines, measured a specific distance from the point of their intersection. At the intersections of streets, this distance is 30 feet.

Lot Dimensions

21. Lot dimensions shall match those depicted on "Exhibit A," dated June 1, 2016, for Vesting Tentative Tract Map No. 6135, excepting changes as required per the conditions of approval.

Lot Coverage

22. The maximum lot coverage allowed is 35%. Additionally, lot coverage shall comply with the requirements of the Fresno Metropolitan Control District.

Building Setbacks

23. Minimum building setbacks shall be in accordance with exhibit "A-1" (site plan) for C-16-037 dated June 1, 2016.

The standard front yard setback in the RS-3 (*Single-Family Residential*) zone district is 25'. The application proposes 20' for some of the lots.

The standard street side yard setback is 20'. The application proposes 15'.

INFORMATION

24. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the Clovis Unified School District in accordance with the school district's adopted schedule of fees.
25. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
 - a) It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.
26. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of Fresno Municipal Code, Subdivision of Real Property.
27. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the Fresno Municipal Code.
28. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
29. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted (business hours: (559) 268-0109; after hours the contact phone number is (559) 488-3111 for the Fresno County Sheriff's Department). If remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (phone number (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (phone number (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists.
30. If animal fossils are uncovered, the Museum of Paleontology at the University of California, Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist; if the paleontologist determines the material to be significant, a recommendation shall be made to the City as to any further site investigation or preservation measures.

31. **Apportionment of Special Assessment:** If, as part of this subdivision, a division will be made of any lot or parcel of land upon which there is an unpaid special assessment levied under any State or local law, including a division into condominium interest as defined in Section 783 of the Civil Code, the developer/owner shall file a written application with the City of Fresno Director of Public Works, requesting apportionment of the unpaid portion of the assessment or pay off such assessment in full.

If the subdivider elects to apportion the assessment, the application shall contain the following information:

- a) A full description of each assessed lot, parcel or interest to be divided and of how such lot, parcel or interest will be divided;
- b) A request that the Engineer apportion the amount remaining unpaid on the assessment in accordance with applicable law; and
- c) Written consent of the owner(s) of each such lot, parcel, or interest to the requested apportionment.
- d) The application shall be filed prior to the approval of the Final Map(s) by the City and shall be accompanied by a fee in an amount specified in the Master Fee Resolution for each separate lot, parcel, or interest into which the original assessed lot, parcel or interest is to be divided. The fee shall be in an amount sufficient to pay all costs of the City and the Engineer of Work responsible for determining the initial assessment in making the requested apportionment.

32. The subdivider shall comply with Regulation VIII of the San Joaquin Valley Air Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.
33. Solid waste disposal for the subdivision shall be provided by the City of Fresno. The method of collection to be utilized in this tract shall be subject to approval of the Solid Waste Manager (see below-noted conditions).

PARK SERVICE

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

COMMUNITY FACILITIES DISTRICT

35. Comply with the memorandum from the Public Works Department dated July 12, 2016.

FIRE SERVICE

36. Comply with the memorandum from the Fire Department dated July 7, 2016.

SOLID WASTE SERVICE

37. Comply with the memorandum from the Solid Waste Division dated July 11, 2016.

STREETS AND RIGHTS-OF-WAY

38. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the FMC and the State Subdivision Map Act.
39. The subdivider/owner shall make provisions for disabled persons in accordance with the Department of Public Works standards and as required by State law. Handicap access ramps are required to be constructed in sidewalks at all corners within the limits of the tract. Where street furniture is located within the sidewalk area (fire hydrants, streetlights, etc.), a minimum of 48 inches of unobstructed path shall be maintained to satisfy the American Disabilities Act requirements. If necessary, dedicate a pedestrian easement to accommodate for the four foot minimum unobstructed path requirement.
40. All of the required street improvements shall be constructed and/or installed in accordance with the City of Fresno Standard Specifications. The following shall be submitted as a single package to the Public Works Department for review and approval:
 - a. Signing and striping plans (per current California Department of Transportation standards);
 - b. Street Construction Plans;
 - c. Landscape and irrigation plans (median island and street trees within all parkways); and
41. The subdivider shall underground all existing off-site overhead utilities and proposed utility systems in accordance with FMC Sections 12-1011 and Resolution No. 78-522, 88-229.
42. The subdivider shall construct an underground street lighting system per Public Works Standards within the limits of the tract. Spacing and design shall conform to Public Works Standards. Height, type, spacing, etc., of standards and luminaries shall be in accordance with Resolution No. 68-187, 78-522, 81-219, and 88-229 or any modification thereto approved by the City Traffic Engineer prior to Final Map approval. Upon completion of the work by the subdivider and acceptance of the work by the City, the street lighting system shall be dedicated to the City. Submit engineered construction plans to the Public Works Department for approval.
43. All dead-end streets created by this subdivision shall be properly barricaded in accordance with City standards within seven days from the time the streets are surfaced or as directed by the City Engineer.
44. The developer shall comply with Rule 8060 of the San Joaquin Valley Air Pollution Control District for the control of fugitive dust requirements from paved and unpaved roads.
45. Comply with the memorandum from the Public Works Department, Traffic and Engineering Division, for the tract map and conditional use permit dated July 12, 2016.

SANITARY SEWER SERVICE

46. Comply with the memorandum from the Public Utilities Department dated August 26, 2016.

WATER SERVICE

47. Comply with the memorandum from the Department of Public Utilities, Water Division dated August 26, 2016.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

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

Right-of-Way Acquisition

50. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
51. Rights-of-way acquisition shall include any rights-of-way necessary for proper drainage, signing, pole relocation, and shoulder grading. In general, this will require right-of-way to be provided approximately 10 feet outside the travel lane. The exact requirement must be determined at the project design stage based on the existing conditions and detailed design information.
52. In the event an acquisition of any easement or right-of-way is necessitated by the subject development, said acquisition will be accomplished prior to Final Map approval. The developer/owner should contact the Real Estate Section of the Public Works Department to receive procedural guidance in such acquisitions.
53. Should such acquisition not be accomplished by the subdivider prior to Final Map approval, the subdivider must request and grant to the City the full authority to attempt acquisition either through negotiation or through its power of eminent domain. The subdivider shall furnish to the City Public Works Department, Engineering Division/Real Estate Section, an appraisal report or a request for an estimated appraisal amount (to be determined by the City of Fresno Real Estate Section) prior to preparation of a Subdivision Agreement.
54. The subdivider/owner shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees, appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

FLOOD CONTROL AND DRAINAGE

55. Comply with the memoranda from the Fresno Metropolitan Flood Control District both dated July 14, 2016.
56. Any temporary ponding basins constructed or enlarged to provide service to the subdivision shall be fenced in accordance with City standards with seven days from the time the basin becomes operational or as directed by the City Engineer. Temporary ponding basins will be created through a covenant between the City and the Developer prior to Final Map approval. Maintenance of the temporary ponding basin shall be by the Developer until permanent service for the entire subdivision is provided.

STREET NAMES

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

CLOVIS UNIFIED SCHOOL DISTRICT

58. Contact the Clovis Unified School District for their requirements.

DEVELOPMENT FEES AND CHARGES

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

SEWER CONNECTION CHARGES	FEE RATE
a. Lateral Sewer Charge[1]	\$0.10/sq. ft. (to 100' depth)
b. Oversize Charge[1]	\$0.05/sq. ft. (to 100' depth)
c. Trunk Sewer Charge[2] Service Area: Herndon	\$496/living unit
d. Wastewater Facilities Charge[3]	\$2,119/living unit
e. Copper Avenue Sewer Lift Station Charge [4]	\$650/living unit
f. Copper River Ranch Sewer Backbone System [4]	\$877/living unit
g. House Branch Sewer Charge [2]	N/A

WATER CONNECTION CHARGES	FEE RATE
h. Service Connection Charge	Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s)

established by the Master Fee Schedule.

i. Frontage Charge [1]	\$6.50/lineal foot
j. Transmission Grid Main Charge [1]	\$643/gross acre (parcels 5 gross acres or more)
k. Transmission Grid Main Bond Debt Service Charge [1]	\$243/gross acre (parcels 5 gross acres or more)
l. UGM Water Supply Fee [2] Service Area: 101s	\$456/living unit
l. Well Head Treatment Fee [2] Service Area: 101	\$0/living unit
m. Recharge Fee [2] Service Area: 101	\$0/living unit
n. 1994 Bond Debt Service [1] Service Area: 101	\$895/living unit

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

<u>COPPER RIVER RANCH IMPACT FEES</u>	<u>FEE RATE</u>
w. CRR Clovis Mitigation Fee [2]	\$38.99/ADT [5]
x. CRR Friant Widening Mitigation Fee [2]	\$9.76/ADT [5]

Conditions of Approval
Vesting Tentative Tract Map No. 6135
September 7, 2016
Page 11

On July 22, 2008, the Fresno County Board of Supervisors passed Ordinance No. 2008 – 023 requiring the payment of County Public Impact Facilities Impact Fees. The effective date of this ordinance is September 20, 2008. Contact the County of Fresno, Public Works and Planning Department to determine payment of this fee obligation. Confirmation by the County of Fresno is required before the City of Fresno can issue building permits.

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

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

[5] Determined by Public Works.

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

CONDITIONS OF APPROVAL

SEPTEMBER 7, 2016

**CONDITIONAL USE PERMIT APPLICATION NO. C-16-037
“A PLANNED DEVELOPMENT”**

Located North of the Intersection of East Copper and North Chestnut Avenues

PART A - PROJECT INFORMATION

1. Assessor's 579-074-34 & -81
Parcel No(s):
2. Street Location: North of the intersection of East Copper and North Chestnut Avenues
3. Planned Land Use: Low Density Residential
4. Plan Areas: Fresno General Plan and Woodward Park Community Plan
5. Project Description: Conditional Use Permit Application C-16-037 proposes a gated development with private streets for Tentative Tract Map No. 6135

NOTICE TO PROJECT APPLICANT

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

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

PART B - GENERAL CONDITIONS AND REQUIREMENTS

The City of Fresno Planning Commission, on September 7, 2016, approved the special permit application subject to the enclosed list of conditions and Exhibit A-1 dated June 1, 2016, for Conditional Use Permit Application No. C-16-037.

IMPORTANT: PLEASE READ CAREFULLY

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

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

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

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

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

The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plan not specifically submitted and reviewed and approved

pursuant to this special permit or subsequent amendments or revisions. **(Include this note on the site plan.)**

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

Transfer all red line notes, etc., shown on the original site plan exhibits (dated June 1, 2016) to the final site plan. CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

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

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

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

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

PART C - PUBLIC IMPROVEMENT REQUIREMENTS

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

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

Conditions of Approval

Conditional Use Permit Application No. C-16-037

September 7, 2016

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STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS

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

STREET IMPROVEMENTS

- a) All public improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department or street construction plans required and approved by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian, water and sewer utility easements) requires a Street Work Permit issued by the Public Works Department, Engineering Services Division at (559) 621-8693, prior to commencement of the work. Contact the Public Works Department, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the City prior to occupancy.
- b) Repair damaged and/or off grade off-site concrete improvements as determined by the Public Works Department, Construction Management Division (559) 621-5500.
- c) Install streetlights along all street frontages in accordance with City standards. Plans must be prepared by a registered Civil Engineer and must be approved by the Public Works Department Engineering Division prior to installation.
- d) Submit the following as a single package to the Public Works Department Engineering Division, Plan Check and GIS Mapping Section, (559) 621-8682, for

Conditions of Approval

Conditional Use Permit Application No. C-16-037

September 7, 2016

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review and approval, prior to issuance of building and street work permits: Street Improvement Plans, Signing and Striping Plans, Street Lighting Plans and Landscape and Irrigation Plans.

SURVEY MONUMENTS AND PARCEL CONFIGURATION

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

PART D - PLANNING/ZONING REQUIREMENTS

1) PLANNING

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

2) BUILDING HEIGHT

- a) The height of the proposed structures shall meet the requirements of the RS-3 section of the FMC.

3) LOT COVERAGE

- a) The maximum lot coverage allowed is 35%. Additionally, lot coverage shall comply with the requirements of the Fresno Metropolitan Control District

4) BUILDING SETBACKS, OPEN SPACES AND LANDSCAPING

- a) Minimum building setbacks shall be in accordance with Exhibit A-1 (site plan) for C-16-037 dated June 1, 2016.

The standard front yard setback in the RS-3 (*Single-Family Residential*) zone district is 25'. The application proposes 20' for some of the lots.

The standard street side yard setback is 20'. The application proposes 15'.

5) FENCES, HEDGES, WALLS

- a) Only one gate (the main entry vehicle gate) is allowed within the private street and EVA portion on the subject property. However, the developer may place an additional approved gate, swing barricade, or removable bollards within the EVA as allowed per

Conditions of Approval

Conditional Use Permit Application No. C-16-037

September 7, 2016

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the Fire Department memo dated July 7, 2016. Any change to the gate requirement shall be approved by the Fire Department and Development and Resource Management Department.

Proposed Lot 11 shall not locate a fence within or otherwise block the EVA.

- b) Provide a corner cut-off area at all street intersections in accordance with the requirements of the Fresno Municipal Code. Corner cut-offs are established to provide an unobstructed view for vehicular and pedestrian traffic approaching an intersection. They are a triangular area formed by the property lines and a diagonal line adjoining points on the property lines, measured a specific distance from the point of their intersection. At the intersections of streets, this distance is 30 feet measure from curb line.

PART E - CITY AND OTHER SERVICES

- a) Comply with the Conditions of Approval dated September 7, 2016 for Vesting Tentative Tract Map No. 6135.

DEPARTMENT OF PUBLIC WORKS

TO: Israel Trejo, Planner III
DARM, Planning Division

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

DATE: July 14, 2016

SUBJECT: **Tract 6135**; (APN: 579-074-34, 81) located north of the intersection of East Copper and North Chestnut Avenues. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street right-of-ways, landscape easements, outlots and median islands:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage or one tree per home (whichever is greater) by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards and AB 1881.
2. Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 60' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.
 - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
 - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
 - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with the Specifications of the City of Fresno.
 - e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by forming a Home Owner's Association.
2. Maintenance Service Through Annexation into the Community Facilities District. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.
 - A. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with Sections 12-306-23 & 24 and 14-121 of the Fresno Municipal Code regarding Water Efficient Landscaping and Buffer landscaping.
 - B. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.
 - C. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.
 - D. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.
 - E. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.
 - F. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the City of Fresno Water Division and may not be included in the CFD.

MEDIAN ISLAND LANDSCAPE REQUIREMENTS

1. When median islands front onto the proposed development project, applicants shall submit Plans to the Public Works/Engineering Services showing the location and configuration of all median islands fronting the proposed project.
2. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.
3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and FMC sections 12-306-24 and 12-306-23 and AB 1881. The Public Works Department requires all proposed median islands to be constructed with a one foot

wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick red slate pattern.

4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off site improvements, whether the median is landscaped or not.

OUTLOTS

1. The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require approved landscape and irrigation plans to be submitted with landscape buffer plans prior to inclusion into the CFD.
2. Outlots which are utilized for water well purposes ***will not*** be included in the CFD. The Water Division Department in Public Utilities will provide the maintenance of all plant material on the well site.



DATE: July 12, 2016

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

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

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE
TRACT MAP NO. 6135 REGARDING MAINTENANCE REQUIREMENTS

LOCATION: 11251 North Chestnut Avenue
APN: 579-074-34, 81

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

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

***This map is located within the existing Community Facilities District No. 15 boundaries and shall pay their fair share for the cost of maintenance with all other final maps and developments.**

A letter of acknowledgment shall be required with the final map submittal.

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



FIRE DEPARTMENT

DATE: JULY 7, 2016

TO: ISRAEL TREJO, PLANNER III
Development and Resource Management Department

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

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 6135/CUP C-16-037
REVISIONS FROM SUBDIVISION REVIEW COMMITTEE MEETING 7-7-16

This is a 13 lot, single family home, private gated sub-division.

The Fire Department's conditions of approval include the following:

The proposed tract is within 2.4 miles of permanent Fire Station 17 located at N. Maple and E. International Aves.

Chestnut Ave will be an over length public street cul-de-sac (approximately 1300 feet). This condition has been accepted by both Public Works and FFD with the mitigation of an EVA through adjacent Tracts 5273 and 5903.

Install two public hydrants on the proposed 8" public water main at the following locations:

1. At the end of N. Chestnut on the east side of the cul-de-sac
2. On the south side of the east/west private drive across from the entrance to the cul-de-sac serving lots 5-8 & 13.

The fire hydrant system shall be in service before delivery of lumber on site unless otherwise approved with a temporary water supply for model home construction only.

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

The entrance gates are dimensioned at the minimum required width of 16'; however the entrance gate detail shows gate components impinging into the required minimum width. Modify detail to clearly indicate a 16' clear width from face of curb to height of gate and fence abutments.

Provide X-1 and Click-2-Enter emergency services electric gate access hardware on the Chestnut entrance gate.

Regarding the EVA connection between the cul-de-sacs for T-6135 and T-5903:

- Provide a P-67 approach on both sides of the EVA. A wedged curb is not designed to support the weight of fire apparatus.
- The EVA will require an approved gate, swing barricade, or removable bollards equipped with X-1 locking hardware to discourage use by private vehicles.
- Provide a sign on each side of the gate, barricade, or bollards:

“FIRE LANE”

(six inch letters)

“VEHICLES REMOVED AT OWNER’S EXPENSE”

(two inch letters)

“FRESNO POLICE DEPARTMENT @ 559-621-7000”

(one inch letters)

In order to comply with the California Vehicle Code (CVC) requirements allowing towing by homeowners associations from private property, a warning sign shall be installed at the Chestnut Ave. entrance driveway in accordance with CVC 22658.

City of



DEPARTMENT OF PUBLIC UTILITIES

Date: July 11, 2016

To: ISRAEL TREJO, Planner III
Development and Resource Management Department

From: MIKEAL CHICO, Management Analyst II *✓/K*
Solid Waste Management Division

Subject: Vesting Tentative Map of Tract No. 6135 and Conditional Use Permit Application No.C-16-037 was filed by Gary Giannetta on behalf of Norman Kizirian and pertain to approximately 7.55 acres of property located north of the intersection of East Copper and North Chestnut Avenues, 11251 North Chestnut & APN: 579-074-34, 81. Vesting Tentative Map of Tract No. 6135 is a request to subdivide the subject property into a 13-lot single family residential planned unit development with gated private streets. Conditional Use Permit Application No. C-16-037 proposes modified property development standards including increased lot coverage and private streets.

Does Project Affect Your Agency/Jurisdiction

Yes - Project is currently serviced by Solid Waste Division.

Prior to occupancy, property owners will be required to contact the city of Fresno Utilities Billing Collections at 621-6888 to start the three container refuse system to remove trash, recycling and green waste material from the property once per week.

Suggestions to Reduce Impacts/Address Concerns

Provide 44' (centerline) turning radius.

Gated entrances require 16' of clearance.

Recommended Conditions of Approval

None.

Additional Information

None.



DATE: July 12, 2016

TO: Israel Trejo
Development and Resource Management Department

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

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

SUBJECT: Public Works Conditions of Approval
TT 6135 11251 North Chestnut (C-16-037)
Norman and Pamela Kizirian / Gary Giannetta

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

General Conditions:

1. All streets and pedestrian ways shall connect to other streets and pedestrian ways to form a continuous vehicular and pedestrian network with connections within the subdivision and to adjacent development. Pedestrian paths of travel must meet current accessibility regulations. Identify ramps within the proposed subdivision wherever sidewalks are provided.
2. Overhead Utilities: Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 12-1011 and Resolution No. 78-522/88-229.
3. Identify and provide cross sections on the map. No parking is allowed adjacent to the circles.
4. Outlots: If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of City Administrative Order 8-1, including, but not limited to, performing a Phase I Soils Investigation. The soils Investigation report shall be submitted to the Public Works Department for review and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Development Department. Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.
5. Plan Submittal: Submit the following plans, as applicable, in a single package, to the **Public Works Department** for review and approval: Street: construction, signing, striping, traffic signal and streetlight.
6. The construction of any overhead, surface or sub-surface structures and appurtenances in the public right of way is prohibited unless an encroachment covenant is approved by the City of Fresno Public Works Department, Traffic and Engineering Services Division, (559) 621-8681. Encroachment permits must be approved prior to issuance of building permits.
7. Street widening and transitions shall also include utility relocations and necessary dedications.

Frontage Improvement Requirements:

Public Streets:

Chestnut Avenue: 56' Local mid-block

1. Dedication Requirements
 - a. Dedications are required within and outside of the subdivision for the cul-de-sac, street-type approach and for Chestnut to Copper.
 - b. Dedicate 28' - 42' of property on the west side and 28' - 35' of property on the east side, for public street purposes, within the limits of this subdivision and continue south to Copper Avenue per approved street plans and Public Works Standard P-56. The cul-de-sac shall be dedicated to Public Works Standard P-18.
2. Construction Requirements:
 - a. Construct 36'- 80' (includes cul-de-sac) of permanent paving per Public Works Standard P-50, (from the cul-de-sac to Copper) and transition paving as necessary.
 - b. Construct concrete sidewalk (within the limits of this map) and curb, gutter (from the Cul-de-sac to Copper) to Public Works Standard P-5 and P-18. The curb shall be constructed to a 10' residential pattern. 5 1/2' from face of curb to sidewalk- 4' sidewalk-1/2' from back of walk to right of way. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
 - c. Construct an underground street lighting system to Public Works Standard E-2 at the end of the cul-de-sac. Spacing and design shall conform to Public Works Standard E-9 for Locals. Submit engineered plans.
 - d. Plan approval of a street type approach (P-76 / P-77) is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard P-10. If grades are not sufficient, construct to Public Works Standards P-2 and P-6.
 - e. Remove the temporary turn around that was provided with T-6087.

Interior Streets: Private

1. Construct paving to the minimum requirements of Public Works Standard P-21.
2. Construct an emergency access per Public Works Standard P-67 adjacent to Lot 11.
3. Gated entry: Provide 11' minimum from curb to curb at the keypad. Provide sufficient turn around on-site. The proposed layout was reviewed in auto-turn. The layout appears to be too tight. Resubmit a wider design for further review. Attached are examples to consider.

Specific Mitigation Requirements: Based on a 13-lot single family residential map, this tract will generate 124 average daily trips.

1. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development.
2. Entry Gate: Provide a minimum of 50' from the proposed gate to the back of walk, for vehicle stacking at both entrances and redesign to provide for an onsite turn around. Submit the redesign to Louise Gilio at least one week prior to the Planning Commission Hearing for review and approval.
3. Chestnut Avenue: Local street lengths exceeding 800' require traffic calming measures at the discretion of the City Traffic Engineer.

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay the current Traffic Signal Mitigation Impact Fee (TSMI Fee) at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual for single family units (fee rate as shown in the Master Fee Schedule).

Fresno Major Street Impact (FMSI) Fee : This Map is in the **New Growth Area**; therefore pay all applicable growth area fees and City-wide regional street impact fees.

Regional Transportation Mitigation Fee (RTMF): Pay all applicable **RTMF** fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; www.fresnocog.org. Provide proof of payment or exemption **prior** to certificate of occupancy.

Friant Widening Mitigation Fee: Applicant shall pay fair share contribution.

Clovis Mitigation Fee: Applicant shall pay fair share contribution.

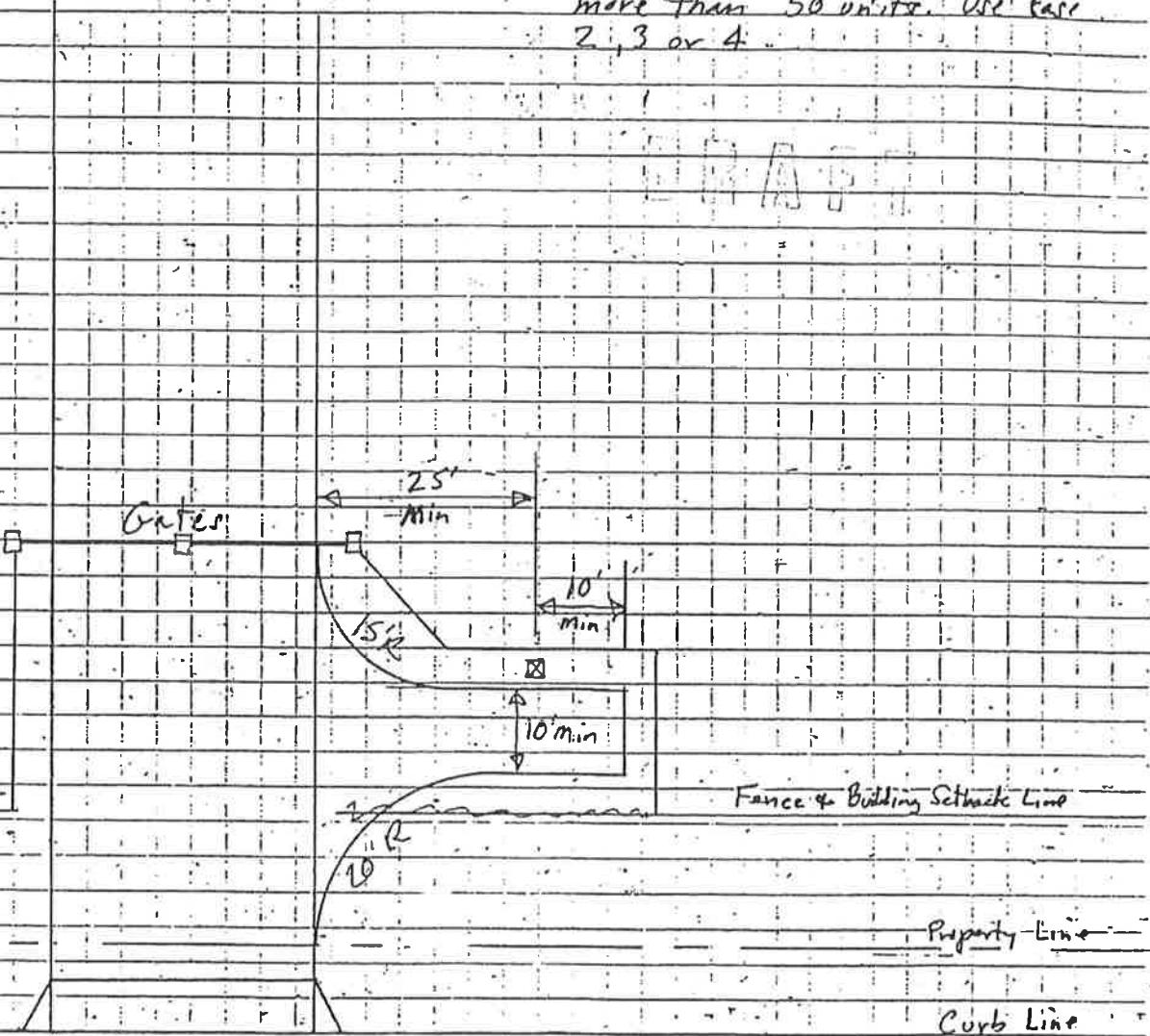
Copper River Ranch Associated Major Roadway Infrastructure Fee: Applicant shall pay fair share contribution.

GATED RESIDENTIAL
COMPLEXES

Case 1: Callbox in Parking Slot
(50 units or less)

Proposed Gate Configuration: 1. Use flared or street-type approach

2. Not applicable if project has
more than 50 units. Use Case
2, 3 or 4.



PRELIMINARY

FOR ANALYSIS ONLY

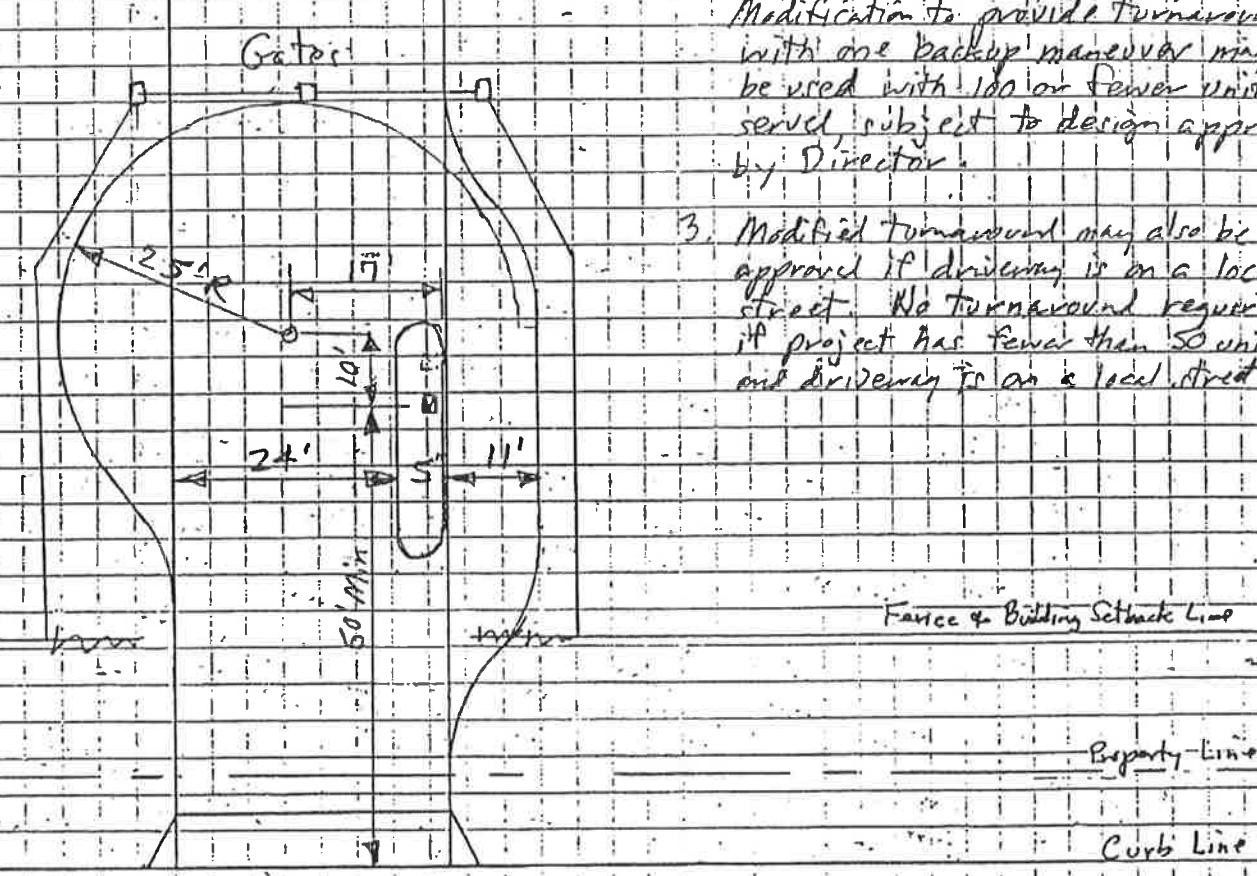
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Case 3: Side Island Callbox

1. Use flared or street-type approach
30" Min. width
2. Full bulb required when project has more than 100 units;
Modification to provide turnaround with one backup maneuver may be used with 100 or fewer units served, subject to design approval by Director.
3. Modified turnaround may also be approved if driveway is on a local street. No turnaround required if project has fewer than 50 units and driveway is on a local street



PRELIMINARY

1 FOR ANALYSIS ONLY

DEPT. OF P. 9

DATA SHEET



DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM



Providing Life's Essential Services

Date: August 26, 2016

To: ISRAEL TREJO, Planner III
Planning and Development

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

**Subject: REVISE SEWER REQUIREMENTS FOR VESTING TENTATIVE TRACT MAP
6135/UGM AND CONDITIONAL USE PERMIT C-16-037**

General

Vesting Tentative Map of Tract No. 6135 and Conditional Use Permit Application No.C-16-037 was filed by Gary Giannetta on behalf of Norman Kizirian and pertain to approximately 7.55 acres of property located north of the intersection of East Copper and North Chestnut Avenues, 11251 North Chestnut & APN: 579-074-34, 81. Vesting Tentative Map of Tract No. 6135 is a request to subdivide the subject property into a 13-lot single family residential planned unit development with gated private streets. Conditional Use Permit Application No. C-16-037 proposes modified property development standards including increased lot coverage and private streets.

Sanitary Sewer Service

The North Fresno Water Reclamation Facility (NFWRF) was built sufficient to provide 0.83 million gallons per day (MGD) of wastewater treatment capacity. Copper River Development Company, Inc., (CCR Inc.) secured through on-site and off-site facilities and legal rights a disposal capacity of 0.71 MGD. Although the 0.71 MGD of treatment and disposal capacity is sufficient to treat the Project at full build out of 3,182 equivalent dwelling units ("EDUs"), CCR Inc. also desired the NFWRF to be able to serve an additional approximate 500 EDUs for properties and potential developments that could be integrated into/with the Project. This additional 500 EDUs along with the Project's 3,182 EDUs requires the NFWRF to be able to treat and dispose of 0.83 MGD. "Full Build Out of the Project" means development that equates to 3,682 EDUs in the "Project Area" as designated on the Map in Exhibit "B" of the Transfer Agreement between the City of Fresno and Copper River Development Company, Inc. The agreement provides the CCR Inc. a reserved capacity of 0.83 MGD within the "Project Area". An additional 0.42 MGD of capacity is to be constructed to serve development outside the "Project Area", but within the NFWRF service area and 764 units South of Copper Avenue that were to originally be served by the Copper Avenue Lift Station.

The necessary and appropriate fees for the construction of additional capacity at the NFWRF to serve development outside of the "Project Area" as defined in Exhibit "B," but within the NFWRF Service Area, has not been established and adopted by the City Council at this time. Once a fee is established and adopted for development outside of the "Project Area" by City Council, the Developer shall be required to pay the adopted fees. If an adopted fee is not established at



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that time, the Developer shall provide payment of an "Interim Fee Surety" at the City's discretion, per living unit or living unit equivalent for the impending fee.

Said "Interim Fee Surety" may be deferred through a Fee Deferral Agreement to the issuance of a building permit/occupancy. Following adoption of a fee established for the construction of additional capacity at the North Fresno Water Reclamation Facility by the City Council, "Interim Fee Sureties" provided by the Developer shall be applied to the established fee and any amounts in excess shall be refunded.

Sewer Requirements

Sanitary Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is a 10-inch sewer main located in East Spey Valley Drive. Sanitary Sewer facilities are available to provide service to the site subject to the following requirements:

1. Construct a 10-inch sewer main (including sewer house branches to adjacent properties) from the westerly boundary of Tract 5903 through outlet "A", easterly to the Chestnut alignment.
2. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
3. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
4. Installation of sewer house branch(s) shall be required.
5. Separate sewer house branches are required for each lot
6. On-site sanitary sewer facilities shall be private.
7. Abandon any existing on-site private septic systems.
8. All underground utilities shall be installed prior to permanent street paving.
9. A Preliminary sewer design layout shall be prepared by the Developer's Engineer and submitted to the Department of Public Utilities for review and conceptual approvals prior to submittal or acceptance of the developer's final map and engineered plan & profile improvement drawing for City review.
10. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
11. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.
- 12. Public sewer service is allowed within private streets for Conditional Use Permit Application No. C-16-037 subject to the following:**
 - i)* The granting of a public utility easement (P.U.E.).
 - ii)* The Subdivider shall include at a minimum, the following terms in the Covenants, Conditions, and Restrictions, subject to approval as to form by the City Attorney:

- Compliance with Section 12-1026 of the Fresno Municipal Code, as may be amended.
- Compliance with Chapter 6 of the Fresno Municipal Code, relating to municipal services, as may be amended.
- City Easements: Subdivider shall include a section of the Declaration entitled "City Easements" wherein Declarant reserves, for the benefit of the City, non-exclusive easements to enter the Community for the maintenance, repair and replacement of the public water and sewer mains and lines that are to be located within the private streets, and other public utility facilities. This section shall also allow the City, at a minimum, to engage in any and all traffic control measures necessary to preserve public health and safety during such maintenance, repair and replacement of the facilities. Finally, this section shall provide that neither the Association nor any Owner may interfere with the City's right to exercise this easement.
- Costs of repair and/or replacement of asphalt and other street improvements within the community due to repair of public utilities within the streets is at the expense of the Homeowner's Association. These repairs and/or replacement will be to City Standards.
- To the furthest extent allowed by law, the Homeowner's Association shall indemnify, hold harmless and defend CITY and each of its officers, officials, employees, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by CITY, Homeowner's Association or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or indirectly out of CITY's maintenance, repair or replacement of utilities or related replacement of asphalt or street or other improvements. Homeowner's Association's obligations under the preceding sentence shall apply regardless of whether CITY or any of its officers, officials, employees, agents or volunteers are passively negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused by the active or sole negligence, or the willful misconduct, of CITY or any of its officers, officials, employees, agents or volunteers.
- Insurance provisions consistent with City requirements as determined by Risk Management.
- Amendments Requiring City Approval. Proposed amendments to Section _____ of this Declaration, entitled "City Easements," shall be approved as to form by the City Attorney prior to the amendments to such Section being valid. No later than the date that is thirty (30) calendar days after its receipt of a proposed amendment, the City shall deliver written notice of its approval or disapproval of the proposed amendment to the party who delivered the proposed amendment to the City. If the City fails to deliver such written notice within such thirty (30) calendar day period, the City shall be deemed to have approved the proposed amendment.

13.

Sanitary Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project:

1. Lateral Sewer Charge.
2. Sewer Oversize Charge.

3. Wastewater Facility Charge (Residential Only)
4. Trunk Sewer Charge C.R.R – Sewer Backbone system facility fee.
5. Trunk Sewer Charge: Herndon
6. Herndon Trunk Enhancement Fee.
7. Copper Avenue sewer lift-station service fee.



DEPARTMENT OF PUBLIC UTILITIES – WATER DIVISION
MEMORANDUM



DATE: August 26, 2016

Providing Life's Essential Services

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

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

FROM: ROBERT DIAZ, Senior Engineering Technician
Department of Public Utilities – Water Division *(XAD)*

SUBJECT: WATER REQUIREMENTS FOR VESTING TENTATIVE TRACT T-6135
AND CONDITIONAL USE PERMIT C-16-037

General

Vesting Tentative Map of Tract No. 6135 and Conditional Use Permit Application No.C-16-037 was filed by Gary Giannetta on behalf of Norman Kizirian and pertain to approximately 7.55 acres of property located north of the intersection of East Copper and North Chestnut Avenues, 11251 North Chestnut & APN: 579-074-34, 81. Vesting Tentative Map of Tract No. 6135 is a request to subdivide the subject property into a 13-lot single family residential planned unit development with gated private streets. Conditional Use Permit Application No. C-16-037 proposes modified property development standards including increased lot coverage and private streets.

Water Service

The nearest water main to serve the proposed project is an 8-inch main located in East Spey Valley Drive and 12-inch main located in North Chestnut Avenue at East Copper Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. Construct a 12-inch water main (including fire hydrants) in North Chestnut Avenue from East Copper Avenue north to the existing 8-inch water main adjacent to APN 579-074-32S.
2. Separate water services with meter boxes shall be provided to each lot created.



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3. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.

Public water service is allowed within private streets for Conditional Use Permit Application No. C-16-037 subject to the following:

- i) *The granting of a public utility easement (P.U.E.).*
- ii) *The Subdivider shall include at a minimum, the following terms in the Covenants, Conditions, and Restrictions, subject to approval as to form by the City Attorney:*
 - *Compliance with Section 12-1026 of the Fresno Municipal Code, as may be amended.*
 - *Compliance with Chapter 6 of the Fresno Municipal Code, relating to municipal services, as may be amended.*
 - *City Easements: Subdivider shall include a section of the Declaration entitled "City Easements" wherein Declarant reserves, for the benefit of the City, non-exclusive easements to enter the Community for the maintenance, repair and replacement of the public water and sewer mains and lines that are to be located within the private streets, and other public utility facilities. This section shall also allow the City, at a minimum, to engage in any and all traffic control measures necessary to preserve public health and safety during such maintenance, repair and replacement of the facilities. Finally, this section shall provide that neither the Association nor any Owner may interfere with the City's right to exercise this easement.*
 - *Costs of repair and/or replacement of asphalt and other street improvements within the community due to repair of public utilities within the streets is at the expense of the Homeowner's Association. These repairs and/or replacement will be to City Standards.*
 - *The Homeowner's Association agrees to hold harmless, indemnify and defend the City of Fresno, and its officers, officials, employees, agents and volunteers, against any claims or causes of action on account of or arising out of the City's maintenance, repair or replacement of utilities or related replacement of asphalt or street or other improvements. The Homeowner's Association waives and releases any and all claims or causes of action against the City related to such repairs.*
 - *Insurance provisions consistent with City requirements as determined by Risk Management.*
 - *Amendments Requiring City Approval. Proposed amendments to Section _____ of this Declaration, entitled "City Easements," shall be approved as to form by the City Attorney prior to the amendments to such Section being valid. No later than the date that is thirty (30) calendar days after its receipt of a proposed amendment, the City shall deliver written notice of its approval or disapproval of the proposed amendment to the party who delivered the proposed amendment to the City. If the City fails to deliver such written notice within such thirty (30) calendar day period, the City shall be deemed to have approved the proposed amendment.*

4. Destruct any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-81 and 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.
5. All water main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the water main. The planting plan, for any proposed landscape within the easement, shall be approved by the Department of Public Utilities. No Trees shall be located within 8-feet of the water main. All water mains within an easement shall be clearly marked with signage above indicating the exact location and type of facility below.
6. Engineered improvement plans prepared by a Registered Civil Engineer are required for proposed additions to the City Water System.
7. All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.
8. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Assistant Public Utilities Director.

Water Fees

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

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

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

File No. 210.45

Page 1 of 4

PUBLIC AGENCY

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

DEVELOPER

NORMAN KIZIRIAN
11261 N. CHESTNUT AVE.
CLOVIS, CA 93619

FR

TRACT
No.

6135

PROJECT NO: **6135**

ADDRESS: **W/S CHESTNUT AVE. ALIGN. N/O COPPER**

APN: **579-074-34S**

SENT: *7/14/16*

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
DE	\$7,015.00	NOR Review *	\$326.00	To be paid prior to release of District comments to Public Agency and Developer.
DN	\$31,719.00	Grading Plan Review *	\$908.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$38,734.00		Total Service Charge: \$1,234.00		

* The Development Review Service Charge shown above is associated with FR CUP 2016-037 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/17 based on the site plan submitted to the District on 7/05/16 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

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

FR
TRACT
No. 6135

1. a. Drainage from the site shall BE DIRECTED TO
 b. Grading and drainage patterns shall be as identified on Exhibit No. 1
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 - Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
 - None required.
3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
 - Grading Plan
 - Street Plan
 - Storm Drain Plan
 - Water & Sewer Plan
 - Final Map
 - Drainage Report (to be submitted with tentative map)
 - Other
 - None Required
4. Availability of drainage facilities:
 - a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
 - b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
 - c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
 - d. See Exhibit No. 2.
5. The proposed development:
 - Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
 - Does not appear to be located within a flood prone area.
6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

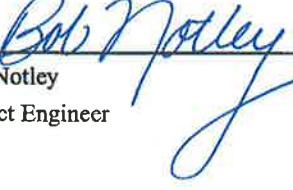
FR
TRACT
No. 6135

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 3 of 4

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
 - a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.


Debbie Campbell
Design Engineer


Bob Notley
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

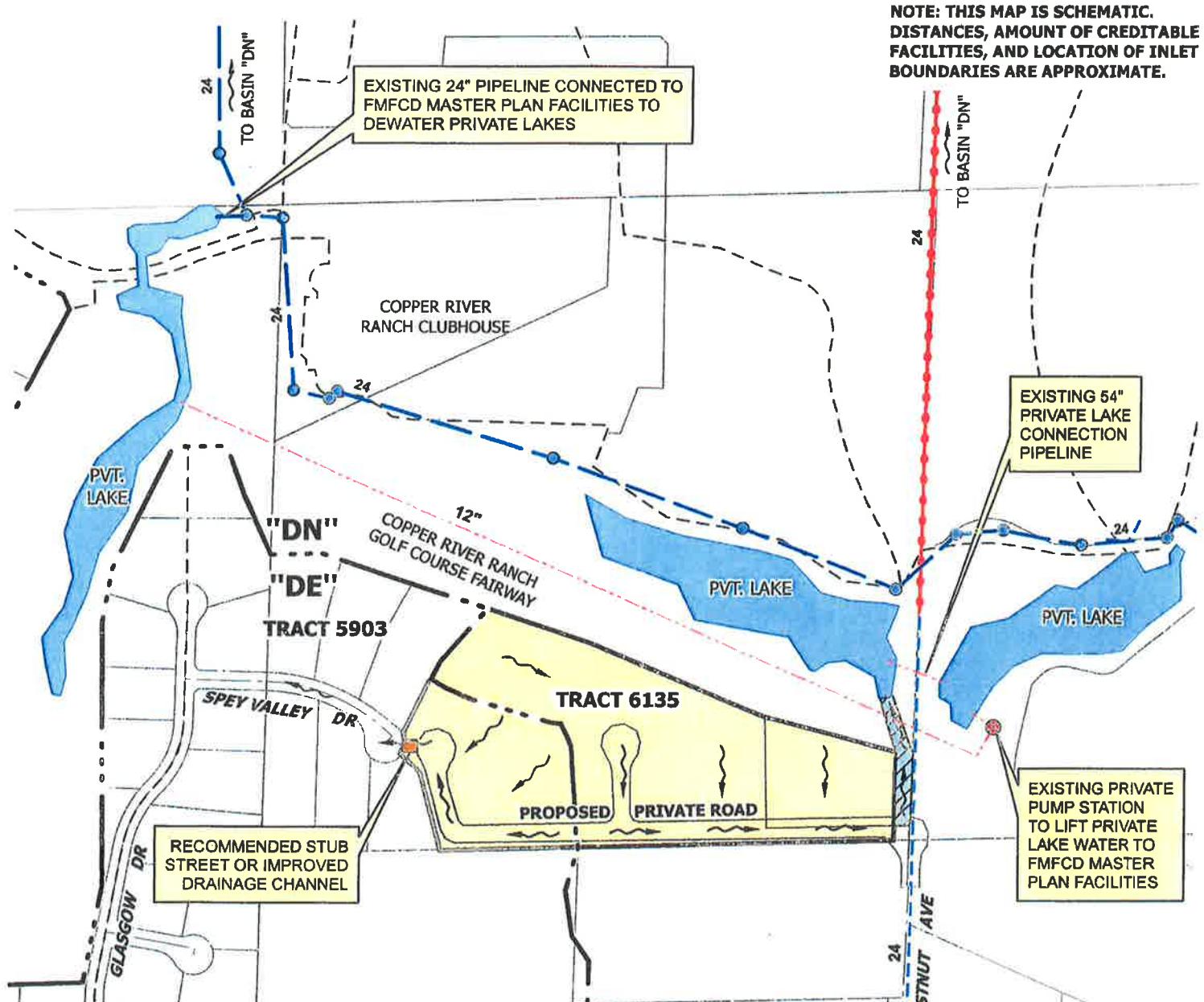
CC:

GARY GIANNETTA

1119 S STREET

FRESNO, CA 93721

FR TRACT No. 6135



1 " = 300'

**TRACT 6135 /
CUP-2016-037**
DRAINAGE AREAS "DN" & "DE"

EXHIBIT NO. 1



OTHER REQUIREMENTS
EXHIBIT NO. 2

Tract 6135 is located in two drainage areas, Drainage Area "DE" and Drainage Area "DN", as shown on Exhibit No. 1. Per the Master Plan, the area in Drainage Area "DE" shall drain to Spey Valley Drive and west through adjacent Tract 5903. The area in Drainage Area "DN" shall drain to Chestnut Avenue and north to the existing Copper River Golf Course private lake.

The developer must acquire permission from the Copper River golf course owner to construct a pipeline or drainage swale across the golf course and provide the District with a copy of the owner's permission. The adjacent private lake and golf course owner has previously recorded drainage easements that allow the easterly area of Tract 6135 to drain to the private lake. The lake is dewatered through a private golf course pump station that lifts the water to a private lake located west of the Copper River Clubhouse. This private lake overflows into the District's Master Plan facilities at this location and ultimately drains to the District's Basin "DN". The Master Plan facilities to Basin "DN" are currently under design at this time. The District recommends temporary facilities until permanent service is available in Drainage Area "DN".

Alternatively, in place of a pipeline or drainage swale to the private lake, the developer of Tract 6135 could propose to install a non-Master Plan pipeline to be connected to the existing Master Plan 24" pipeline located north of the private lake as shown on the attached Exhibit No. 1.

The District recommends a stub street to Spey Valley Drive in the westerly portion of Tract 6135. This is necessary to provide surface drainage and major storm flows from Tract 6135 through Tract 5903. If the stub street is not constructed, then the developer of Tract 6135 will be responsible for an improved channel.

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

Development No. Tract 6135

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.413

Page 1 of 4

PUBLIC AGENCY

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

DEVELOPER

NORMAN KIZIRIAN
 11261 N. CHESTNUT AVE.
 CLOVIS, CA 93619

FR

CUP

No. 2016-037

PROJECT NO: **2016-037**

ADDRESS: **W/S CHESTNUT AVE. ALIGN. N/O COPPER**

APN: **579-074-34S, 81S**

SENT: 7/14/14

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
DE	\$7,015.00	NOR Review *	\$326.00	To be paid prior to release of District comments to Public Agency and Developer.
DN	\$31,719.00	Grading Plan Review *	\$908.00	Amount to be submitted with first grading plan submittal
Total Drainage Fee: \$38,734.00			Total Service Charge: \$1,234.00	

* The Development Review Service Charge shown above is associated with FR TRACT 6135 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

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- c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
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FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

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FR
CUP
No.
2016-037

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

Debbie Campbell
Debbie Campbell
Design Engineer

Bob Notley
Bob Notley
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

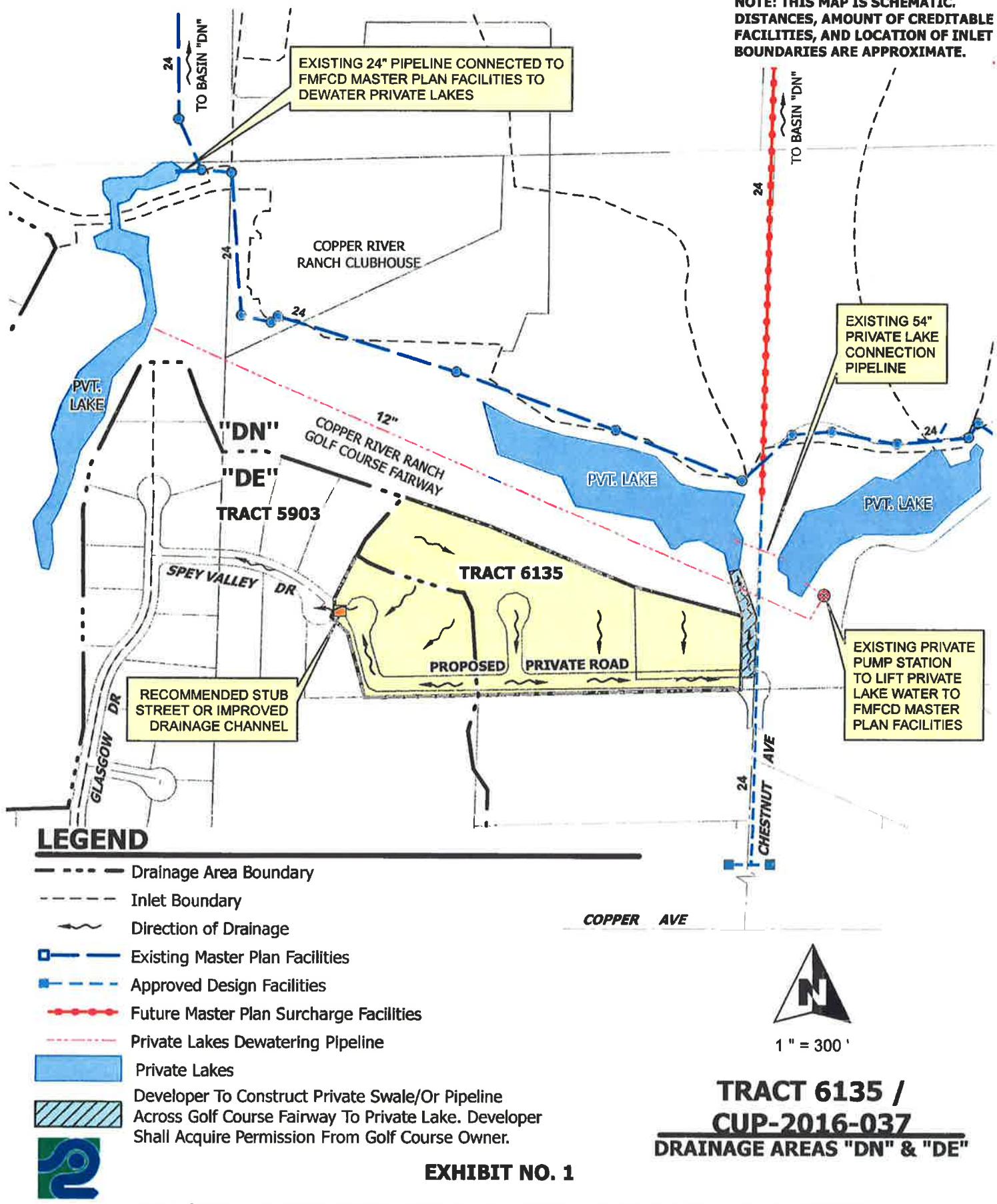
CC:

GARY GIANNETTA

1119 S STREET

FRESNO, CA 93721

FR CUP No. 2016-037



OTHER REQUIREMENTS
EXHIBIT NO. 2

CUP 2016-037 is located in two drainage areas, Drainage Area "DE" and Drainage Area "DN", as shown on Exhibit No. 1. Per the Master Plan, the area in Drainage Area "DE" shall drain to Spey Valley Drive and west through adjacent Tract 5903. The area in Drainage Area "DN" shall drain to Chestnut Avenue and north to the existing Copper River Golf Course private lake.

The developer must acquire permission from the Copper River golf course owner to construct a pipeline or drainage swale across the golf course and provide the District with a copy of the owner's permission. The adjacent private lake and golf course owner has previously recorded drainage easements that allow the easterly area of CUP 2016-037 to drain to the private lake. The lake is dewatered through a private golf course pump station that lifts the water to a private lake located west of the Copper River Clubhouse. This private lake overflows into the District's Master Plan facilities at this location and ultimately drains to the District's Basin "DN". The Master Plan facilities to Basin "DN" are currently under design at this time. The District recommends temporary facilities until permanent service is available in Drainage Area "DN".

Alternatively, in place of a pipeline or drainage swale to the private lake, the developer of CUP 2016-037 could propose to install a non-Master Plan pipeline to be connected to the existing Master Plan 24" pipeline located north of the private lake as shown on the attached Exhibit No. 1.

The District recommends a stub street to Spey Valley Drive in the westerly portion of CUP 2016-037. This is necessary to provide surface drainage and major storm flows from CUP 2016-037 through Tract 5903. If the stub street is not constructed, then the developer of CUP 2016-037 will be responsible for an improved channel.

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

Development No. CUP 2016-037

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

Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the new Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014.

DATE RECEIVED FOR
FILING:

Filed with the Fresno
County Clerk's office on
August 5, 2016

Applicant: Norman Kizirian 11261 North Chestnut Avenue Fresno, California 93619	Initial Study Prepared By: Israel Trejo, Planner August 5, 2016
Environmental Assessment Number: Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037	Project Location (including APN): North of the intersection of East Copper and North Chestnut Avenues 36°53'59.0856" N Latitude, 119°44'25.0836" W Longitude (APN: 579-074-34 & -81)

Project Description: Gary Giannetta, on behalf of Norman Kizirian, has filed Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037, pertaining to approximately 7.55 acres of property located north of the intersection of East Copper and North Chestnut Avenues. Vesting Tentative Tract Map No. 6135 is a proposal to subdivide the property into a 13 lot single-family residential subdivision. Conditional Use Permit No. C-16-037 proposes a gated development with private streets. The applications are consistent with the planned land uses of low density residential as designated by both the Fresno General Plan and the Woodward Park Community Plan.

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

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

The Development and Resource Management Department staff has prepared an Initial Study (See Attached "Appendix G To Analyze Subsequent Project Identified In MEIR No. SCH No. 2012111015/Initial Study") to evaluate the proposed application in accordance with the land use and environmental policies and provisions of lead agency City of Fresno's General Plan adopted by the Fresno City Council on December 18, 2014 and the related MEIR SCH No. 2012111015. The proposed project will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted zoning, planned land use designation and street classification. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of the MEIR have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth

inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Guidelines Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project falls within the scope of the MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, pursuant to the Fresno General Plan land use designation, include impacts associated with the above mentioned planned land use designation specified for the subject site. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a Subsequent Project in the MEIR because its, location, land use designation and permissible densities and intensities are set forth in the Fresno General Plan; (2) The proposed project is fully within the scope of the MEIR because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR for the reasons set forth in the Initial Study; and (3) other than identified below, there are no new or additional mitigation measures or alternatives required.

In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Moreover, as lead agency for this project, the Development and Resource Management Department, per Section 15177(d) of the CEQA Guidelines, has determined that all feasible mitigation measures from the MEIR shall be applied to the project as conditions of approval as set forth in the attached MEIR Mitigation Measure Monitoring Checklist (See "Master Environmental Impact Report (MEIR) SCH No. 2012111015 for the General Plan, Mitigation Monitoring Checklist".)

Public notice has been provided regarding staff's finding in the manner prescribed by Section 15177(d) of the CEQA Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).


Will Tackett, Supervising Planner
City of Fresno

August 5, 2016

Date

Attachments: Notice of Intent to Adopt a Finding of Conformity
 Appendix G To Analyze Subsequent Project Identified In MEIR No. 2012111015/Initial
 Study for Environmental Assessment No. T-6135/C-16-037
 Mitigation MEIR Mitigation Monitoring Checklist for Environmental Assessment No.
 T-6135/C-16-037

CITY OF FRESNO

**NOTICE OF INTENT TO ADOPT A
FINDING OF CONFORMITY**

PROJECT TITLE AND ENVIRONMENTAL ASSESSMENT

Vesting Tentative Tract Map No. 6135 and Conditional Use
Permit No. C-16-037

APPLICANT:

Norman Kizirian
11261 North Chestnut Avenue
Fresno, California 93619

PROJECT LOCATION:

North of the intersection of East Copper and North
Chestnut Avenues

36°53'59.0856" N Latitude, 119°44'25.0836" W Longitude

(APN 579-074-34 & -81)

Filed with:

E201610000242

FRESNO COUNTY CLERK
2220 Tulare Street, Fresno, CA
93721

F I L E D

AUG 05 2016 Time

By Fresno County Clerk 11:25AM
Victor J. Vittoriano
DEPUTY

PROJECT DESCRIPTION: Gary Giannetta, on behalf of Norman Kizirian, has filed Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037, pertaining to approximately 7.55 acres of property located north of the intersection of East Copper and North Chestnut Avenues. Vesting Tentative Tract Map No. 6135 is a proposal to subdivide the property into a 13 lot single-family residential subdivision. Conditional Use Permit No. C-16-037 proposes a gated development with private streets. The applications are consistent with the planned land use of low density residential as designated by both the Fresno General Plan and the Woodward Park Community Plan.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015. Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

With the mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of

E201610000242

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

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

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on September 6, 2016. Please direct comments to Israel Trejo, Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Israel.Trejo@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

INITIAL STUDY PREPARED BY:	SUBMITTED BY:
Israel Trejo, Planner	
DATE: August 5, 2016	Will Tackett, Supervising Planner CITY OF FRESNO PLANNING AND DEVELOPMENT DEPARTMENT

E201610000242



VICINITY MAP

Vesting Tentative Tract Map No. 6135 and Conditional Use Permit No. C-16-037



E201610000242

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

**Environmental Checklist Form for:
EA No. T-6135/C-16-037**

1. Project title:

Conditional Use Permit No. C-16-037
Vesting Tentative Tract Map No. 6135

2. Lead agency name and address:

City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721

3. Contact person and phone number:

Israel Trejo, Planner
City of Fresno
Development & Resource Management Dept.
(559) 621-8044

4. Project location:

Located north of the intersection of East Copper and North Chestnut Avenues, in the
City and County of Fresno, California

Assessor's Parcel Number(s): 579-074-34, -81

5. Project sponsor's name and address:

Norman Kizirian
11261 North Chestnut Avenue
Fresno, California 93619

6. General plan designation:

The Woodward Park Community Plan and the Fresno General Plan designate the
subject property for low density residential planned land uses

7. **Zoning:**

RS-3 (Single Family Residential District)

8. **Description of project:**

A 13 lot, gated single-family residential subdivision with private streets

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Open Space – Golf Course	PR <i>Parks and Recreation</i>	Golf Course
East	Open Space – Golf Course	PR <i>Parks and Recreation</i>	Golf Course
South	Medium Density Residential	RS-5 Single-Family Residential	Vacant
West	Low Density Residential	RS-3 Single-Family Residential	Vacant

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Agriculture and Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Geology /Soils
Greenhouse Gas Emissions	Hazards & Hazardous Materials	Hydrology/Water Quality
Land Use/Planning	Mineral Resources	Noise
Population /Housing	Public Services	Recreation
Transportation/Traffic	Utilities/Service Systems	Mandatory Findings of Significance

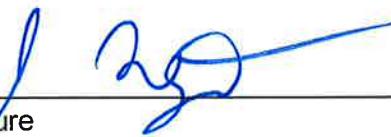
DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.

I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR or Air Quality MND pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

X 
Signature

August 5, 2016
Date

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

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.
 - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the, but that impact is less than significant;
 - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR.
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR.
6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. **Earlier Analysis Used.** Identify and state where they are available for review.
 - b. **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. **Mitigation Measures.** For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

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

11. The explanation of each issue should identify:

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

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

As noted within the Master Environmental Impact Report for the Fresno General Plan, a scenic vista is a viewpoint that provides a distant view of highly valued natural or man-made landscape features for the benefit of the general public. Scenic vistas within the Fresno area could provide distant views of the foothills of the Sierra Nevada Mountain

Range. However, the majority of these views are from private property. The site is located within an area which has been substantially developed, including the nearby Copper River Ranch development. The project has a substantial setback from the bicycle/pedestrian trail along East Copper Avenue. Development on the subject site would be consistent with existing development in the area and required to comply with the height standards of the RS-3 (Single Family Residential District) zone district, therefore this project is expected to have a less than significant impact on a scenic vista. The project is not performing any work within a state scenic highway, therefore, the project will not substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway. The project is proposing residential development consistent with the development in the area, therefore, it will not substantially degrade the existing visual character or quality of the site and its surroundings. Furthermore, development of the site will not create a new source of substantial light or glare which would affect day or night time views in the project area, given that the project will only have lights consistent with other residential locations in the area. Lighting associated with urban development does not generally create hazards or nuisance effects, but provides accent, direction and security.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				x
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				x
d) Result in the loss of forest land or conversion of forest land to non-forest use?				x
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			x	

The subject property is deemed Urban and Built-Up Land, therefore it will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared (2012) pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use. The project site is zoned for residential uses and does not have a Williamson Act contract. The site is zoned for residential uses, therefore it will not conflict with existing zoning for, or cause rezoning of, forest land or timberland. The project has a less than significant impact on the potential to facilitate the conversion of farmland because there is no farmland within the immediate vicinity of the subject site.

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

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

standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). The proposed project will comply with all applicable air quality plans; therefore the project will not conflict with or obstruct an applicable air quality plan. The project must comply with the construction and development requirements of the San Joaquin Valley Air Pollution Control District (SJVAPCD), therefore, no violations of air quality standards will occur. Development of the subject property will not expose sensitive receptors to substantial pollutant concentrations. Due to the close proximity of other residential and urban uses surrounding the subject site, the project will not result in a significant impact to sensitive receptors as no net increase of pollutants will occur. Residential development is considered a "sensitive receptor" type use. However, the subject site is not located adjacent to high traffic freeways and roads and rail yard uses called out by the California Environmental Protection Agency California Air Resources Board dated April 2005 that may have significant negative air quality impacts. The proposed project must fully comply with Rule 9510 from the San Joaquin Valley Air Pollution Control District (SJVAPCD). This Rule (also called Indirect Source Review or ISR) provides for incorporation of a wide range of mitigation measures into projects, and levies fees for pollutants generated by development projects, transportation and development projects. The fees are used to provide for regional air quality improvements and mitigations. The project is proposing residential uses consistent with the area, therefore, it is not expected to create objectionable odors affecting a substantial number of people

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

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

The vicinity of the subject property is vastly developed or graded for development. As such, the proposed project would have a less than significant impact, through habitat modifications, on sensitive, special status, or candidate species. There is no riparian

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

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

The project proposes a use (residential) that substantially exists in the vicinity, and there is not historical resource in the area, therefore it is not expected to cause a substantial adverse change in the significance of a historical resource. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject property. Past record searches for the region have not revealed the likelihood of cultural resources on the subject property or in its immediate vicinity. It should be noted however that lack of surface evidence of

historical resources does not preclude the subsurface existence of archaeological resources. Therefore, due to the ground disturbing activities that will occur as a result of the project, pursuant to the conditions of approval for the project, if material that may be human remains, animal fossils, or archaeological material is encountered, work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to insure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

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

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

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

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

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

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions, either directly or indirectly. Under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases will be reduced along with other regulated air pollutants. At this point in time, detailed analyses and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks are not completed. The proposed project will not affect greenhouse gas emissions beyond what was analyzed in the Master Environmental Impact Report for the Fresno General Plan.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because said project does not involve the use of hazardous materials; additionally, as such, there is no significant hazard to the public or the environment through an accident. The project is a residential use, therefore it is not expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project area is not located within an airport land use plan, nor is it located within two miles of a public airport or public use airport (the project area is not located in the vicinity of a private airstrip). The project is not within the vicinity of a private airstrip, therefore, it would not result in a safety hazard for people residing or working in the project area. The project is proposing a residential use on private property, therefore the project is not expected to interfere with an adopted emergency plan. The primary vehicular access point to the property will be from North Chestnut Avenue. The second point of access will be an emergency vehicle access (EVA) only through adjacent development to the west. The developer will be required to obtain an EVA access covenant through adjacent developments including Tract No 5273 and T-5903 authorizing the use of the private streets to satisfy the second point of access requirement for the subject development. The project area is not located near a wildland area, therefore the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires; though there are large amounts of vacant land in the project vicinity, the land is regularly disced for weeds and dry brush, etc.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

The proposed project is a relatively small residential project (13 lots), consistent with development in the surrounding area, and, as such, the project is not expected to violate water quality standards or waste discharge requirements. The project is proposing residential uses and is therefore, not expected to substantially degrade water quality or waste discharge requirements. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater supply challenges. The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water service is available to serve the proposed project. The FMFCD requires the developer to acquire permission to construct a pipeline or drainage swale across the abutting golf course. Alternatively, in place of the pipeline or drainage swale, the developer could install a non-Master Plan pipeline to be connected to the existing Master Plan 24" pipeline located to the north of the site. An additional requirement is that the developer provide a channel to allow for the westerly portion of the property to drain through the abutting property to the west. As such, the project is not expected to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD, as such, the project is not expected to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The project is required to comply with the requirements of the FMFCD, therefore, it is not expected to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The site is not located within a flood prone or hazard area. As noted within the memo from the FMFCD dated July 14, 2016, the project is not located within a 100-year flood hazard area. The project is not located near a levee or dam, therefore it will not expose people or structures to a significant risk of loss, injury or death involving flooding. Additionally, the subject property is not located in an area subject to inundation by seiche, tsunami or mudflow.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				

a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The project proposes to develop 13 lots within a developing area and does not have the capability to divide an established community. The proposed project is consistent with the applicable Fresno General Plan and Woodward Park Community Plan planned land use designation and does not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect. The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

In developed areas of the community, noise conflicts often occur when a noise sensitive

land use is located adjacent to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise. The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 65dB DNL for exterior noise levels in outdoor activity areas of new residential developments. Outdoor activity areas generally include backyards of single family residences. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation. Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep. The project is similar with other residential projects in the area and has a significant setback from the major street (East Copper Avenue). The project is not expected to expose persons to noise levels in excess of current standards. A residential development is not a significant noise generator, therefore it will not generate noise levels established in the General Plan. Construction activities associated with the development of the proposed project could expose persons or structures to excessive groundborne vibration or noise levels. However, this would only be during the construction phase of the proposed project. The proposed project is not located within an airport land use plan or within the vicinity of a private airstrip. The project will be required to comply with all noise policies from the Fresno General Plan and noise requirements within the Fresno Municipal Code.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	

Although the project will be intensifying the use of the currently undeveloped site, development may occur at an intensity and scale that is permitted by the planned land use designation and zone district classification for the site. Thus, the subdivision of the subject property in accordance with the subject applications will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted planned land use designation. The subject property contains only one single-family residence which will eventually be demolished to develop Phase 2 of the project and will, as such, not displace substantial numbers of people.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?			X	
Police protection?			X	
Drainage and flood control?			X	
Parks?			X	
Schools?			X	
Other public services?			X	

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project. City police and fire protection services are also available to serve the proposed project. The primary vehicular access point to the property will be from an extension of the North Chestnut Avenue alignment. The second point of access will be an emergency vehicle access (EVA) only through adjacent development to the west. The developer will be required to obtain an EVA access covenant through adjacent developments including Tract No 5273 and T-5903 authorizing the use of the private streets to satisfy the second point of access requirement for the subject development. The FMFCD has indicated that there are adequate facilities to serve the proposed project subject to compliance with the conditions submitted by the District for the proposed project. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD. Various departments and agencies have submitted conditions that will be required as conditions of approval for the subject entitlement applications (conditional use permit and tract map). All conditions of approval must be complied with prior to occupancy. Any urban residential development occurring as a result of the proposed project will have an impact on the District's student housing capacity. The developer will pay appropriate school fees at time of building permits.

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

The project is proposed at a size and scope (13 lots) which is not expected to result in the substantial physical deterioration of existing parks or recreational facilities. The project does not propose recreational facilities at a size or scope which is expected to have an adverse physical effect on the environment.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				X
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

The Public Works Department/Traffic Engineering Division staff has reviewed the proposed traffic yield from the proposed single family residential development and the expected traffic generation will not adversely impact the existing and projected circulation system as analyzed in MEIR. Furthermore, the design of the proposed subdivision, with conditions, has been evaluated and determined to be consistent with respect to compliance with City of Fresno standards, specification and policies. The project is not located near an airport, therefore it will not change air traffic levels. The proposed streets were reviewed by the Department of Public Works and will not create hazards. The Fire Department has conditioned the project to provide a second point of access, therefore there will not be inadequate emergency access. The project will not conflict with adopted policies or plans regarding public transit, bicycle or pedestrian facilities because said features are incorporated into the conditions of approval for the project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	

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

The wastewater treatment facility within the Copper River Ranch project will accommodate the wastewater flow from this project. The North Fresno Water Reclamation Facility (NFWRF) was built sufficient to provide 0.83 million gallons per day

(mgd) of wastewater treatment capacity. The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project subject to the provision and construction of standard connections, extensions, and installations of facility infrastructure; compliance with the Department of Public Utilities standards, specifications, and policies. The project area has sufficient water supplies available to serve the project from existing resources. The project was reviewed and conditioned for approval by the Solid Waste Division. The project is proposed at a size and scope which will not require new water or wastewater treatment facilities of which could cause significant environmental effects. The Fresno Metropolitan Flood Control District has indicated that there are adequate facilities to serve the proposed project subject to compliance with the conditions submitted by the District for the proposed project, which will not cause significant environmental effects. The solid waste division has conditioned the project and has sufficient capacity to accommodate the project's needs. The project is required to comply with federal, state and local statutes and regulations related to solid waste.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

The proposed project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts). The proposed project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the project has no potential to eliminate important examples of major periods in history. Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have substantial adverse impacts directly, or indirectly, on human beings.

MEIR Mitigation Measure Monitoring Checklist for EA No. T-6135/C-16-037

August 5, 2016

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

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

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

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

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

Aesthetics (continued):

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

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

A - Incorporated into Project

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
AES-5: Materials used on building facades shall be non-reflective.	Prior to development project approval	DARM					X	

Air Quality:	AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:	Prior to development project approval	DARM	X
	<ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less. <p>Verification comments:</p>			

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality (continued):	<p>AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to:</p> <ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. <p>(continued on next page)</p>	Prior to development project approval	DARM				X	

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY			
A	B	C	D	E	F
Biological Resources (continued): BIO-2 (<i>continued from previous page</i>) may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation. Verification comments:	<i>[see previous page]</i>	<i>[see previous page]</i>			
					<input checked="" type="checkbox"/> X

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

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY			
A	B	C	D	E	F
Biological Resources (continued):	<p>BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p> <p>DARM</p>			X
<p>BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p> <p>DARM</p>				X

A - Incorporated into Project

B - Mitigated

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F - Not Applicable

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources (continued): BIO-9 (continued from previous page): incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. Verification comments:	[see previous page]	[see previous page]						
Cultural Resources:								
CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.	Prior to commencement of, and during, construction activities	DARM	X					
If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and (continued on next page)								

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B - Mitigated

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F - Not Applicable

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

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources (continued):	CUL-2 (continued from previous page)	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]

archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5.

If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided

(continued on next page)

A - Incorporated into Project
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C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources (continued): CUL-2 (further continued from previous two pages) to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.	<i>[see Page 14]</i>	<i>[see Page 14]</i>						

Cultural Resources (continued):

CUL-2 (further continued from previous two pages) to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during

(continued on next page)

Cultural Resources (continued):

A - Incorporated into Project
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F - Not Applicable

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY
<p>CUL-2 (<i>further continued from previous three pages</i>)</p> <p>excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p> <p>Verification comments:</p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>
		<p>Prior to commencement of, and during, construction activities</p> <p>DARM</p> <p>X</p>

CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:

If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered (continued on next page)

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037**August 5, 2016**

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

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B - Mitigated

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D - Responsible Agency Contacted

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

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August 5, 2016

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources (continued): CUL-4 (continued from previous page) likely descendant of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.	[see previous page]	[see previous page]						

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August 5, 2016

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037
August 5, 2016

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

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (continued):								
HYD-5.1 (<i>continued from previous page</i>) <ul style="list-style-type: none"> Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. Implement the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. <p>Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (continued):								
HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant:	Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:	<ul style="list-style-type: none"> • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. <p>Verification comments:</p>	Prior to exceedance of capacity of existing retention basin facilities	FMFCD, DARM, and PW			X	

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D - Responsible Agency Contacted

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (continued):								
<p>HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.</p> <p>Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities</p>	<p>FMFCD, DARM, and PW</p>						

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (continued):								
HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.	<ul style="list-style-type: none"> • Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP. 	Prior to exceedance of capacity of existing pump disposal systems	FMFCD, DARM, and PW			X	X	

Verification comments:

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (continued):								
<ul style="list-style-type: none"> HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. <p>Verification comments:</p>	<p>Prior to development approvals in the Southeast Development Area</p>	<p>FMFCD, DARM, and PW</p>						X

Public Services:

<p>PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes:</p> <ul style="list-style-type: none"> Noise: Barriers and setbacks on the fire department sites. Traffic: Traffic devices for circulation and a "keep clear zone" during emergency responses. Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites. <p>Verification comments:</p>	<p>During the planning process for future fire department facilities</p>	<p>DARM</p>						X
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services (continued):								
PS-2: As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes:	During the planning process for future Police Department facilities	DARM					X	
<ul style="list-style-type: none"> Noise: Barriers and setbacks on the police department sites. Traffic: Traffic devices for circulation. Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites. 								
Verification comments:								
PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes:	During the planning process for future school facilities	DARM, local school districts, and the Division of the State Architect					X	
	(continued on next page)							

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services (continued):								
PS-3 (continued from previous page)	[see previous page]	[see previous page]						
<ul style="list-style-type: none"> <i>Noise:</i> Barriers and setbacks placed on school sites. <i>Traffic:</i> Traffic devices for circulation. <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures for stadium lights. Verification comments:								
PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from park and recreational facilities includes: <ul style="list-style-type: none"> <i>Noise:</i> Barriers and setbacks placed on school sites. <i>Traffic:</i> Traffic devices for circulation. <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. Verification comments:	During the planning process for future park and recreation facilities	DARM					X	

Public Services (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>PS-5: As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures <p>Verification comments:</p>	During the planning process for future detention, court, library, and hospital facilities	DARM, to the extent that agencies constructing these facilities are subject to City of Fresno regulation					X	

Utilities and Service Systems

USS-1: The City shall develop and implement a wastewater master plan update.	Prior to wastewater conveyance and treatment demand exceeding capacity	DPU			X	X		
Verification comments:								

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
USS-2: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements:	Prior to exceeding existing wastewater treatment capacity	DPU						
<ul style="list-style-type: none"> Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. <p>Verification comments:</p>								
USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After (continued on next page)	Prior to exceeding existing wastewater treatment capacity	DPU						

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.	<ul style="list-style-type: none"> Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REP, C07-REP. Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. <p>(continued on next page)</p>							

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
USS-5 (continued from previous page)	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]

- North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1.
- Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP.

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued): <p>USS-7 (continued from previous page)</p> <ul style="list-style-type: none"> Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p>USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.</p> <ul style="list-style-type: none"> Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. (continued on next page) 	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued): US\$-8 (continued from previous page)	[see previous page]	[see previous page]						

- Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.
- Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.
- Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.

(continued on next page)

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued): <p>USS-8 (continued from previous two pages)</p> <ul style="list-style-type: none"> Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Verification comments:</p>	<i>[see Page 37]</i>	<i>[see Page 37]</i>						
<p>USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p><i>(continued on next page)</i></p>	Prior to exceeding capacity within the existing water conveyance facilities	DPU						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
USS-9 (continued from previous page)	[see previous page]	[see previous page]						

- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.

- Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.

Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.

Verification comments:

Utilities and Service Systems - Hydrology and Water Quality

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

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

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

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological/ Resources (continued):								
USS-11 (continued from previous page)	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]

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

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

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

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

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological/ Resources (continued):								
USS-11 (continued from previous two pages) hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.	[see Page 41]	[see Page 41]	[see Page 41]	[see Page 41]	[see Page 41]	[see Page 41]	[see Page 41]	[see Page 41]

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

hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.

- iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation.
- (d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary.
(continued on next page)

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological/ Resources (continued):								
USS-11 (continued from previous three pages) If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.		[see Page 41]		[see Page 41]				
Or (e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank. Verification comments:							X	

USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)						
	(continued on next page)							X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological/ Resources (continued):								
USS-12 (continued from previous page)	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]

USS-12 (continued from previous page)
action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.

(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:

- The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).
- The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.

(continued on next page)

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
USS-12 (continued from previous two pages) <ul style="list-style-type: none"> The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. Prior to design approval, and in consultation with the CDFG and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. 	[see Page 44]	[see Page 44]	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools:	CDFW and USFWS				X
USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools: <ul style="list-style-type: none"> During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans. <i>(continued on next page)</i> 	[see Page 44]	[see Page 44]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
USS-13 (continued from previous page)	[see previous page]	[see previous page]						

(b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp.

(c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank.

Verification comments:

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:	During facility design and prior to initiation of construction activities	During facility design and prior to initiation of construction activities	CDFW and USFWS					X

(a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.

(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.

(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.

Verification comments:

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. T-6135/C-16-037

August 5, 2016

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS					X	
Verification comments:								
USS-16: When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat:	Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat	CDFW and USFWS			X			

(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.

(continued on next page)

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
USS-16 (continued from previous page)			[see previous page]	[see previous page]				

(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.

Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. (continued on next page)

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

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

A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems / Biological/ Resources (continued):								
USS-17 (continued from previous page) FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board.	[see previous page]	[see previous page]						
Verification comments:								
Utilities and Service Systems – Recreation / Trails:								
USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: <i>(continued on next page)</i>	Prior to final design approval of all elements of the District Services Plan	DARM, PW, City of Clovis, and County of Fresno						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – Recreation / Trails (continued):								
<p>USS-18 (continued from previous page)</p> <p>(a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.</p> <p>(b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]

Utilities and Service Systems – Air Quality:

<p>USS-19: When District drainage facilities are constructed, FMFCD shall:</p> <p>(a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.</p> <p>(continued on next page)</p>	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD	X		
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A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems – Air Quality (continued):								
<p>USS-19 (continued from previous page)</p> <p>(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]	[see previous page]

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

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

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems – Adequacy of Water Supply Capacity:

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

Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025.

Verification comments:

DPU and DARM

Prior to exceeding existing water supply capacity

						X	X	
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Utilities and Service Systems – Adequacy of Landfill Capacity:

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

Verification comments:

						X	X	
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A - Incorporated into Project

B - Mitigated

C - Mitigation in Process

D - Responsible Agency Contacted

E - Part of City-Wide Program

F - Not Applicable