

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

**CONDITIONS OF APPROVAL**

**JULY 17, 2019**

**TENTATIVE TRACT MAP No. 6249  
“A PLANNED DEVELOPMENT”**

**LOCATED ON THE SOUTH SIDE OF EAST COPPER AVENUE, BETWEEN NORTH CHESTNUT  
AND NORTH WILLOW AVENUES**

All tentative maps are subject to the applicable provisions of the State Subdivision Map Act, Fresno Municipal Code (FMC), City policies, and City of Fresno Standard Specifications. The following specific conditions are applicable to this tentative 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.** Each local agency shall provide to the project applicant a notice in writing at the time of the approval of the project or at the time of the imposition of the fees, dedications, reservations, or other exactions, a statement of the amount of the fees or a description of the dedications, reservations, or other exactions, and notification that the 90-day approval period in which the applicant may protest has begun (please see section related to Development Fees and Charges included herein below for further information).

Improvements and payments shall not be required on or in front of any undeveloped portion of a net acreage of ten acres or more which exists after the division of land. All improvements and payments shall be completed with development.

**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. The subdivider shall comply with San Joaquin Valley Air Pollution Control District Rule 9510. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District and to pay any applicable off-site mitigation fees.
2. The subdivider shall comply with Regulation VIII and Rule 8060 of the San Joaquin Valley Air Quality Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.
3. The developer/owner shall pay the appropriate park facilities fee and/or dedicate lands for parks and recreation purposes pursuant to Ordinance Nos. 2005-112 and 2005-113 adopted by the Fresno City Council on September 27, 2005; and, Ordinance No. 2016-57 adopted by the Fresno City Council on December 15, 2016.
4. Submit grading plans and a soils report to the City of Fresno Development and Resource Management Department, Development Services (Planning) Division 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.
5. 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.
6. 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.
7. 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.

8. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Chapter 15, Part IV: "Land Divisions;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
9. The subdivider 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 tentative maps.
10. 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.
11. 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.

#### GENERAL INFORMATION

12. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the respective school district, in which the subject property is located, in accordance with the school district's adopted schedule of fees.
13. 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.

14. 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," any multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of FMC Chapter 15, Part IV: "Land Divisions," including but not limited to Article 36, "Final Maps."
15. 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 FMC.
16. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
17. 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.
18. 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.
19. 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.

#### MITIGATION MONITORING REQUIREMENTS

20. Development of the subject property shall be subject to implementation of all applicable mitigation measures, fees, and timelines included within the Initial Study and Mitigated Negative Declaration prepared for Environmental Assessment No. P19-01469 dated July 17, 2019.
  - a) The Mitigated Negative Declaration prepared for the proposed project is tiered off of the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). Development of the subject property shall be subject to implementation of all applicable mitigation measures included within the MEIR for subsequent projects; included herein by reference.

#### ZONING & PROPERTY DEVELOPMENT STANDARDS

21. Upon conditional approval of Tentative Tract Map No. 6249, the subdivider may prepare a Final Map in accordance with the approved tentative map; and, the following:
  - a) Approval of Tentative Tract Map No. 6249 is contingent upon City Council approval of Plan Amendment Application No. P19-01470.
  - b) Approval of Tentative Tract Map No. 6249 is contingent upon City Council approval of Rezone Application No. P19-01470.
  - c) Approval of Tentative Tract Map No. 6249 is contingent upon City Council approval of Planned Development Permit No. P19-01259
  
22. Development of the subject property shall comply with all development standards of the Fresno Municipal Code, including but not limited to the RM-1 (Residential, Multiple-Family) zone district and Article 41 (Subdivision Design Standards); except as may be modified by Planned Development Permit No. P19-01259, as follows:
  - a) Lot Coverage shall be permitted in accordance with the building envelopes (setback lines) depicted on the Planned Development Plan subject to approval by the Fresno Metropolitan Flood Control District (FMFCD) prior to issuance of permits (see FMFCD requirements referenced herein below for further information).
  - b) Building Setbacks shall be permitted in accordance with the building envelopes/lot details depicted on the Planned Development Plan; subject to the following:
    - i) Garages shall be setback a minimum 5 feet from property lines.
    - ii) No portion of any structure, including roof eaves, may encroach within a Public Utility Easement (PUE) unless an easement encroachment agreement is executed and recorded.

#### Landscaping, Open Space and Walls

23. Proposed Outlot(s) "A," "B" & "C" of Tentative Tract Map No. 6249 shall be dedicated for public open space and landscape purposes and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and deemed

acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

- a) A minimum 6-foot high solid masonry wall (at finished grade of proposed site) pursuant to the solid wall shall be placed at the rear of proposed Outlot(s) "A," "B" & "C" of Tentative Tract Map No. 6249 in accordance with the conclusions and recommendations of the Acoustical Analysis prepared by WJV Acoustics for the proposed project dated January 10, 2019.
    - i) The required 6-foot high solid masonry wall shall be turned inward (southward) at proposed entryways from Copper Avenue and constructed to a point which meets the proposed entryway gates.
  - b) Landscaping, which is compliant with the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards," shall be required adjacent to all required walls or fences that are accessible to the public and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
24. Proposed Outlot(s) "D" through "J" of Tentative Tract Map No. 6249 shall be dedicated for private common open space purposes and shall be maintained by a Home Owners' Association (HOA) or other property based management mechanism in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
- a) Proposed Outlot(s) "M" shall either be incorporated/conglomerated with Outlot F of Tentative Tract Map No. 6249; or, shall be dedicated for private common open space purposes and shall be maintained by a Home Owners' Association (HOA) or other property based management mechanism in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
25. Proposed Outlot(s) "K" of Tentative Tract Map No. 6249 shall be dedicated for private street/road and utility purposes and shall be maintained by a Home Owners' Association (HOA) or other property based management mechanism in accordance with the Maintenance Obligations stipulated herein below; or, in a

manner which provides appropriate security and deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

26. Proposed Outlot(s) "L" of Tentative Tract Map No. 6249 shall be dedicated for private telecommunication facility purposes and shall be maintained by a Home Owners' Association (HOA) or other property based management mechanism in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
27. In accordance with the provisions of Section 15-2008 of the Fresno Municipal Code, a six-foot high screen wall shall be provided on the interior lot lines where any non-residential use abuts a residential district (i.e., the easterly and southerly boundaries adjacent to the existing business and school sites).
28. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code standards and is responsible for the dedication of public planting and buffer landscape areas as determined by the Development and Resource Management and Public Works Departments and outlined in these conditions of approval.
  - a) On-site trees shall be planted by the developer within the limits of the proposed gated private planned development at the minimum rate of one tree per unit/home.
    - i) The subdivider is required to provide irrigation for all trees. The irrigation system shall comply with FMC Section 15-2309.
      - NOTE: Irrigation systems shall comply with the requirements of the California Green Building Standards Code and/or the California Model Water Efficient Landscape Ordinance and/or California Plumbing Code as may be amended.
29. Provide a corner cut-off area at all intersections, driveways and alleys where walls or fences and/or landscaping are proposed and/or required, in accordance with Section 15-2018 of the FMC.
  - a) Street Intersections. Vegetation and/or structures, flagpoles, signs, fences or walls may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting curb lines (or edge of pavement when no curb



- exists) and a line joining points on these curb lines at a distance of 30 feet along both lines from their intersection.
- i) Trees that are located within the sight distance triangle shall have a clearance of eight feet high minimum between the lowest portion of the canopy and the sidewalk and street.
  - b) Driveways and Alleys. Visibility of a driveway crossing a street lot line shall not be blocked above a height of three feet by vegetation or structures for a depth of 12 feet as viewed from the edge of the right-of-way on either side of the driveway at a distance of 12 feet. Street trees shall be pruned at least seven feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers.
30. When the grading plan establishes a top of slope beyond the required landscape strip/easement noted and the construction of the required wall(s) 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.
31. All proposed/required landscaped easements/buffers, public and/or common open space areas, pedestrian connections, entryways, pathways and/or private on-site landscaping for street tree purposes shall be improved in accordance with landscape improvement plans, which are to be submitted to the Development and Resource Management and Public Works Departments for review and approval prior to Final Map approval.
- NOTE: Lighting and fence/wall details for any proposed/required open spaces areas or pedestrian connections shall be provided with the submittal of the landscape improvement plans.
- a) Any proposed improvements within Pacific Gas & Electric (PG&E) easement areas will require approval by the respective service provider prior to approval or acceptance by the City of Fresno.
    - i) Easement Encroachment Applications and/or Agreements will be required as dictated by the respective service provider/district agency and will be required to be executed prior to issuance of permits for improvements.
32. Maintenance of any/all required landscape easements, strips and/or proposed Outlots within the boundary of Vesting Tentative Tract Map No. 6249 shall be provided pursuant to the Maintenance Obligations stipulated herein below or in a

manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

33. Comply with all street trees, buffer landscaping, median island, outlot, and trail requirements included within the attached memorandum from the Department of Public Works, Streets Division dated September 13, 2017.

#### STREETS AND RIGHTS-OF-WAY

34. 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.
35. The subdivider 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 4-foot minimum unobstructed path requirement.
36. Comply with all of the requirements included within the attached Public Works Department, Traffic Operations and Planning Services Division memorandum dated June 14, 2018.

#### SANITARY SEWER SERVICE

The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in North Thiele Avenue and 10-inch sewer main located at the intersection of North Thiele and West Oak Avenues. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

37. Comply with all of the requirements included within the attached Department of Public Utilities (DPU), Planning and Engineering Division (Sanitary Sewer) memorandum dated June 19, 2018.

#### WATER SERVICE

The following water improvements shall be required prior to providing City water service to the project:

38. Comply with all of the requirements included within the attached Department of Public Utilities (DPU), Water Division memorandum dated June 6, 2018.

#### SOLID WASTE SERVICE

39. Comply with all of the requirements included within the attached Department of Public Utilities (DPU), Solid Waste Management Division memorandum dated June 19, 2018.

#### FIRE SERVICE

Fire service is available to the proposed tract subject to the following requirements:

40. Comply with all of the requirements included within the attached Fresno Fire Department memorandum dated July 6, 2018.

#### FLOOD CONTROL AND DRAINAGE

41. The subdivider shall be required to comply with the specific requirements imposed by the Fresno Metropolitan Flood Control District (FMFCD) for the subdivision or any amendments or modifications to those requirements which may be granted by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code. These requirements are identified in the District's memorandums to the Development and Resource Management Department dated June 20, 2018.
  - a) Any temporary basin constructed for or used by this subdivision requires approval of FMFCD and the City of Fresno, and may only be implemented through a covenant between the City and the Developer prior to final map approval. Temporary basins shall be fenced within seven days of the time a basin becomes operational, and fencing shall conform to City of Fresno Public Works Standard No. P-98. The Fresno Mosquito and Abatement District shall be provided access rights and a means of entry for inspection and mosquito abatement activities for all on-site basins (refer to attached map of mosquito abatement districts in the Fresno-Clovis Metropolitan Area). Attached hereto, and incorporated by reference, is a copy of the updated Public Works Standard No. P-97 for temporary on-site ponding basins, and a copy of the City of Fresno's Guidelines for Ponding Basin / Pond Construction and Management, dated October 29, 2004. Maintenance of temporary ponding basins shall be by the Subdivider until permanent service for the entire subdivision is provided unless such facilities, if proposed, are required

to be annexed into the Community Facilities District by the Public Works Department prior to Final Map recordation.

#### COUNTY OF FRESNO DEPARTMENT OF PUBLIC HEALTH

42. Comply with all of the requirements included within the attached County of Fresno, Department of Public Health memorandum dated June 4, 2018.

#### FRESNO IRRIGATION DISTRICT (FID)

43. Comply with all requirements included within the attached memorandum from the Fresno Irrigation District dated June 13, 2018.

#### PACIFIC GAS AND ELECTRIC COMPANY (PG&E)

44. Comply with all requirements included within the attached memorandum from the Pacific Gas and Electric Company dated June 24, 2018.

#### RIGHT-OF-WAY ACQUISITION

45. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
46. 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.
47. 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.
48. 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.

49. The subdivider 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.

## MAINTENANCE OBLIGATIONS

The long term maintenance of all the items listed below is ultimately the responsibility of the owner/developer:

50. Comply with all the requirements included within the attached Department of Public Works, Traffic Operations and Planning Division memorandum regarding Conditions for Maintenance Requirements dated November 15, 2018; and, the following:
51. If the owner/developer chooses to be annexed into the City's CFD for maintenance purposes, then an Annexation Request Package shall be submitted to the Public Works Department for review, processing, and approval.
  - NOTE: Packages must be complete with all required information in order to be accepted. The Annexation Request Form is available on-line on the City of Fresno website (<http://www.fresno.gov>) under the Public Works Department Developer Doorway.
- a) Construction plans for all features to be maintained by a CFD for a final map shall be included in the final map submission to the Development Department for processing. Where applicable, this shall include a Street Tree Location and Street Tree Species (by street) map. Landscaping plans shall contain actual tree and plant counts by species and include the areas (in square feet) of turf, shrubs and trees, and sidewalks or other paved areas within all landscaped areas.
  - NOTE: 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 that landscape and irrigation plans be submitted with landscape buffer plans for approval prior to inclusion into the CFD.
- b) Proceedings to place the Final Map into a CFD shall not commence until the Final Map, Landscape and Street Construction Plans are considered to be technically correct.

c) If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, he/she 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 developer/subdivider 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.

52. Should the City Council or owner/developer choose not to include all of the maintenance items or certain items listed above in a CFD, then the property owner/developer shall be responsible for establishing a Home Owners' Association (HOA) or other property based management mechanism which provides for the maintenance of these items in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

a) The subdivider shall establish a Home Owners' Association (or other approved mechanism) to perform the above listed maintenance responsibilities pursuant to Article 40 of Chapter 15 of the Fresno Municipal Code. The Declaration of Covenants, Conditions, and Restrictions (CC&R's) described herein, shall among other things, specify level of effort, frequency, and inspection of maintenance responsibilities, name the City as a third party beneficiary for those provisions, and be subject to approval by the Director of Public Works and the City Attorney's Office. Any amendment to the above provisions or any other provision specifying any right of the City shall require the prior written consent of the City.

- NOTE: Should the owner/developer elect to establish a Home Owners' Association to perform maintenance obligations and assure that said obligations are met, then the owner/developer may include such other items as are deemed appropriate and necessary for the sustainability of the subdivision and its amenities within the responsibilities of the association.

b) 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 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 September 01, 1994.

**DEVELOPMENT FEES AND CHARGES**

This project is subject to the following fees and charges:

**GOVERNMENT CODE §66020(d)(1)**

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

*Improvements and payments shall not be required on or in front of any undeveloped portion of a net acreage of ten acres or more which exists after the division of land. All improvements and payments to be completed with development.*

<u>SEWER CONNECTION CHARGES</u>	<u>FEE RATE</u>
b. Lateral Sewer Charge [1]	\$0.10/sq. ft. (to 100' depth)
c. Oversize Charge [1]	\$0.05/sq. ft. (to 100' depth)
d. Trunk Sewer Charge [2] Service Area: Grantland	\$419/living unit
e. Wastewater Facilities Charge [3]	\$2,119/living unit
f. House Branch Sewer Charge [2]	N/A

<u>WATER CONNECTION CHARGES</u>	<u>FEE RATE</u>
g. 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.

- |                           |                      |
|---------------------------|----------------------|
| h. Frontage Charge [1]    | \$6.50/lineal foot   |
| i. Water Capacity Fee [1] | \$4,365/living unit* |

\* Fee based on meter(s) sizes specified by owner; fee for Water Capacity established by the Master Fee Schedule.

<u>CITYWIDE DEVELOPMENT IMPACT FEES</u>	<u>FEE RATE</u>
j. Fire Facilities Impact Fee – Citywide [4]	\$779/living unit
k. Park Facility Impact Fee – Citywide [4]	\$2738/living unit
l. Quimby Parkland Dedication Fee [2]	\$1185/living unit
m. Police Facilities Impact Fee – Citywide [4]	\$602/living unit
n. Citywide Regional Street Fee [3]	\$7,830/adj. acre
o. New Growth Area Major Street Fee [3]	\$21,555/adj. acre
p. Traffic Signal Charge [1]	\$488.00/living unit

**Notes:**

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.



2600 Fresno Street, Third Floor  
Fresno, California 93721-3604  
(559) 621-8277 FAX (559) 498-1026

May 29, 2019

## Review Comments for Tentative Map Tract application: P19-01469

### **Airports**

This review was performed by:  
Status: No Comment

The City of Fresno Airports Department anticipates no adverse impacts on Fresno Yosemite International Airport or Fresno Chandler Executive Airport from the proposed project.

### **Building and Safety Services**

This review was performed by: Christian Mendez  
Status: Review Complete

1. Demolition plans are required to be submitted to the Building and Safety Services Department for approval and permits.
2. Plans are required to be submitted to the Building and Safety Services Department for approval and permits for the proposed gates.
  - Plans shall include all structural and electrical drawings for the proposed gates.

### **County PW and Planning**

This review was performed by: County Planning  
Status: Review Complete

County recommends TIS for cumulative impact potential. Contact County Staff to coordinate TIS process.

### **DPU Planning and Engineering**

This review was performed by: Kevin Gray  
Status: Reviewed with Conditions

## Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is a 10-inch sewer main located at the intersection of the North Chestnut and East Copper Avenue. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

1. Construct a 10-inch sanitary sewer main (including sewer house branches to adjacent properties) in East Copper Avenue from the existing 10-inch main located at the intersection of the North Chestnut and East Copper Avenue.
2. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
3. All underground utilities shall be installed prior to permanent street paving.
4. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
5. 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.
6. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.
7. Installation of sewer house branch(s) shall be required.
8. Separate sewer house branches are required for each lot.
9. All sewer main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the sewer 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 sewer main.
10. Street work permit is required for any work in the Right-of-Way.
11. On-site sanitary sewer facilities shall be private.
12. Abandon any existing on-site private septic systems.

## Sanitary Sewer Fees

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

1. Sewer Lateral Charge.
2. Sewer Oversize Area #43.
3. Wastewater Facilities Charge (Residential Only)
4. Herndon Trunk Enhancement Fee.
5. Trunk Sewer Charge: Herndon

## **DPU Solid Waste Management**

This review was performed by: Kevin Gray  
Status: Revisions Required

## Purpose

The intent of these procedures is to establish minimum service requirements for Multi-Family customers, based on the health and safety needs of the community. These minimum service requirements are established to ensure timely and sufficient service of putrid food wastes in order to control vector issues and unnecessary odors.

## Multi-Family Service Requirements

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

1. All trash bins provided to multi-family complexes must be serviced with a frequency of at least twice per week. This standard does not apply to frequency of service for recycling bins. Solid Waste bin service will be provided by the City of Fresno, per FMC 9-405.
2. All multi-family complexes are required to subscribe for recycling services, per FMC 9-405.1. Recycling services may be provided by the City of Fresno or any private recycling service provider. Recycling services must include at the minimum cardboard, newspaper, paper, glass, plastics, beverage containers, and metal recycling.
3. All trash and recyclable material must be placed in approved containers, per FMC 9-404. At no time may trash and recyclable material be placed on the ground or pavement.
4. Bin enclosures, if provided on site, must be used exclusively for the storage of trash and recycling bins, per public works standard specifications P-33 & P-34.
5. All Solid Waste and Recycling service collectively must equal or exceed a 2:1 ratio of 2 units per one cubic yard of service per week. This minimum service applies to all multi-family complexes. (i.e. 24 unit complex must have a minimum of 12 cubic yards of solid waste and recycling service per week.)
6. Service Route Permits and Location Permits are required for all private trash company service within the City of Fresno, per FMC 9-408. All private company trash service arrangements must be pre-approved through Solid Waste Management Division.
7. Developer will need to provide a 44' (centerline) turning radius at all corners and a T-turnaround (or hammerhead) area where the solid waste vehicle is to turn around.
8. ADA requirement for multifamily residential
9. Developer shall install (or construct) a trash enclosure for the project that complies with the City's ADA requirements as defined in the City's standard drawings, details and specifications. The certificate of occupancy for the project shall be withheld until developer installs (constructs) the trash enclosure in accordance with the City's ADA requirements.

## **DPU Water Division**

This review was performed by: Robert Diaz

Status: Review Complete

1. Install a 16-inch water main (including City fire hydrants) in East Copper Avenue from the existing 16-inch water main at North Chestnut Avenue east to North Willow Avenue.
- 2) Install a 16-inch water main (including City fire hydrants) in North Willow Avenue from East Copper Avenue south, approximately 630-linear feet, to the existing 14-inch water main in North Willow Avenue.
3. Installation of water service(s) & meter box(es) shall be required to each lot created..
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. Engineered improvement plans prepared by a Registered Civil Engineer are required for proposed additions to the City Water System.
6. All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.

The water supply requirements for this project are as follows:

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

**Fire Review**

This review was performed by: Byron Beagles  
 Status: Revisions Required

1. The following conditions were noted in Fire's comments to Accela P18-03301 on 12-13-18. Notes reflecting the following conditions are not on the 7 plan sheets for the CUP submitted for P19--01469; add these notes to Sheet SP 2 of 7:
  - a. Provide Fire X-1 gate hardware as well as Click-2-Enter radio frequency gate opening hardware at each vehicle gate entrance
  - b. Fire lanes must be designated throughout the complex with "FIRE LANE NO PARKING" in 3 inch white letters every 50 feet on a red curb. Provide CVC 22658 fire lane tow away warning signs at the two entry gates.
  - c. Fire hydrants and fire access with weather surface and two points of fire access must be in service prior to the delivery of combustible material to the site and maintained during all phases of construction.
2. Fire hydrant locations within the complex are not shown. The locations are indicated on a site plan mark up in "Documents" posted in P18-03301 and added to Documents under P19-01469. Show these fire hydrant location on Sheet SP 2 of 7.
3. The following comment was not entered before; add a note to SP 1 of 7: "Provide approved graphic address directories in accordance with Development Department Policy at both vehicle entry gates".

**Flood Control District**

This review was performed by:  
 Status: Review Complete

See attached FMFCD Notice of Requirements.  
 NOR & Grading Plan Review Fees due.  
 Drainage Fees due.

### **Fresno County Environmental Health**

This review was performed by:

Status: Reviewed with Conditions

#### Recommended Conditions of Approval:

- Construction permits for the proposed project should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the proposed project should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the City's municipal code.
- Prior to the issuance of building permits, the applicant shall submit complete pool facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Recreational Health Program at (559) 600-3357 for more information.
- Prior to operation, the applicant shall apply for and obtain a permit to operate a public swimming pool from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.
- If the applicant proposes to use and/or store hazardous materials and/or hazardous wastes, they shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (<http://cers.calepa.ca.gov/>). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

The following comments pertain to the demolition of existing structure(s):

- Should the structure(s) have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure(s) in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing the existing structure(s), the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structure(s) were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structure(s), then prior to demolition work the contractor should contact the following agencies for current regulations and requirements.
  - ? California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
  - ? United States Environmental Protection Agency, Region 9, at (415) 947-8000.
  - ? State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.

**Irrigation District**

This review was performed by:  
Status: Review Complete

Please refer to FID's Comment Letter in Documents

**Long Range Planning**

This review was performed by: Amber Piona  
Status: Review Complete

This project includes two sites listed in the Housing Element Sites Inventory (2013-2023 RHNA). The Housing Sites Inventory (2013-2023 RHNA) establishes the minimum capacity of one site (APN 579-010-35) to be 18 units with an affordability categorization of Above Moderate, and the minimum capacity of the second site (APN 579-010-24S) to be 39 units of Above Moderate. The proposed project includes rezoning both sites from RS-5 to RM-1, and a 239 unit subdivision, of which 46 units are on the first Housing Element site, 87 units are on the second and the remaining 106 units on sites not in the Housing Element Sites Inventory. Although the new zone district RM-1 has the capacity to support housing at the Moderate income level, the proposed subdivision does not include affordable housing and therefore all proposed units are Above Moderate. This project represents an increase of 18 Above Moderate units on one housing element site and an increase of 48 Above Moderate units on the other site, and therefore is consistent with the Housing Element.

**Public Works Engineering**

This review was performed by: Hilary Kimber  
Status: Reviewed with Conditions

Same conditions apply as for P18-03301. Discussed utilizing Eleoacarpus or Photinia trees in the buffer on Copper Ave. and vines on the CMU wall. No landscape plans from Broussard and Associates at this time.

**Public Works TIS Review**

This review was performed by: Jill Gormley  
Status: Reviewed with Conditions

See TIS comments dated 05/17/19 jmg

**Public Works-CFD**

This review was performed by: Erin Augusto  
Status: Reviewed with Conditions

This development will have maintenance requirements and will be conditioned upon official submittal. See requirements in Documents tab

**School District**

This review was performed by:  
Status: Review Complete

See uploaded PDF titled "CUSD TM 6249.pdf"

**Traffic Planning**


This review was performed by: Louise Gilio  
Status: Reviewed with Conditions


See attachments for Public Works conditions of approval.



DATE: May 14, 2019

TO: Jose Valenzuela  
Development and Resource Management Department

THROUGH: Andrew Benelli, PE, Assistant Director, City Engineer   
Public Works Department, Traffic Engineering Operations and Planning Division

FROM: Louise Gilio, Traffic Planning Supervisor   
Public Works Department, Traffic Engineering Operations and Planning Division

SUBJECT: Public Works Conditions of Approval for a 239-lot SFR subdivision  
**TT 6249 (P19-01469) C.U.P. (P19-01259)**  
**2929 East Copper Avenue**  
Lennar / Morton & Pitalo, Inc.

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

**Provide the following information prior to the acceptance of the final map submittal.** This can result in additional conditions of approval.

1. Coordinate street alignment, median design and approach locations with approved street plans. Overlay the proposed median and right of way onto the map and site plan. Coordinate proposed median openings with the proposed entrances.
2. Vacation of existing right of way adjacent to this application may be required. Overlay the proposed street alignment on the map and site plan to determine, if necessary.
3. Remove structural section references from the map and site plan. Structural section to be approved with the street plans.
4. Remove the topo lines and grades from the map and site plan.
5. Provide a description for Outlot "M" on the map and site plan.
6. On-site parking shall comply with the Public Works Parking Manual.
7. Identify and provide a map boundary.

**General Conditions:**

1. Identify all easements on the map.
2. Street Dedications: Provide corner cut dedications at all intersections for accessibility ramps.
3. Outlots: If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of City Administrative Order 8-1, including, but not limited to, performing a Phase I Soils Investigation. The soils Investigation report shall be submitted to the Public Works Department for review and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Public Works Department.

Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.

4. 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.
5. Street widening and transitions shall also include utility relocations and necessary dedications.
6. Overhead Utilities: Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 15-4114.
7. 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.

### **Frontage Improvement Requirements:**

#### **Public Streets:**

##### Copper Avenue: 4-lane Super Arterial

1. Dedication and / or Vacation Requirements:
  - a. Dedicate **50'** of property, from center line, for public street purposes, within the limits of this application, per Public Works Standards **P-51** and **P-52**. Center line shall be established per approved street plans. Contact Harmanjit Dhaliwal for coordination of street plans. (559) 621-8694
  - b. Dedicate a **2'** easement for pedestrian purposes.
  - c. Dedicate corner cuts for public street purposes at both entrances.
  - d. Vacation of existing right of way adjacent to this application may be required. Overlay the proposed street alignment on the map and site plan to determine, if necessary.
  - e. Relinquish direct access rights to Copper Avenue from all residential lots within this subdivision.
2. Construction Requirements:
  - a. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **10'** pattern with a **2'** pedestrian easement. Construct a **6'** residential sidewalk per Public Works Standard **P-52**. **5 ½'** from face of curb to walk – **6'** sidewalk – **½'** from walk to easement.
  - b. Construct **20'** of permanent paving within the limits of this subdivision.
  - c. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-7** for Arterial Streets.

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

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. Sidewalks are recommended on both sides of the street. Identify ramps within the proposed subdivision wherever sidewalks are provided.
2. Garages: Provide 27' minimum of backup.
3. Dead-end Streets: Provide vehicle turn around capability.
4. Provide a **10'** visibility triangle at all intersections.



**Specific Mitigation Requirements:** A Traffic Impact Study (TIS) has been is required and has been submitted. Comply with the mitigation measure requirements of the Traffic Engineering Manager.

1. The entry intersections and turning ability to be determined once the approved street plans are overlaid onto this map and site plan.
2. 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.
3. Entry Gate: Provide a minimum of **40'** from the proposed keypad to the back of walk, for vehicle stacking at both entrances and adjust the gate locations accordingly. Provide an onsite turn around.

**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). In some cases, traffic signals may be conditioned on multiple maps. If the signal is existing at the time of the final map, the applicant would be not be required to construct the signal but would be required to pay the applicable fee.

TSMI fee is credited against traffic signal and Intelligent Transportation System (ITS) improvements, provided that the improvements are; constructed at ultimate locations, contained within the build out of the General Plan circulation element and are included in the latest Nexus Analysis for TSMI fee. Project specific impacts that are not consistent with the *General Plan, Public Works Standard Drawings* or not incorporated in the TSMI fee infrastructure costs, are not reimbursable. Failure to pay this fee or construct improvements that are credited / reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence. If the applicant is conditioned with improvements that are credited / reimbursable with this fee, they should work with the Department of Public Works and identify, with a Professional Engineer's estimate, the costs associated with the improvements, prior to paying the TSMI fee at time of building permit.

The following intersections shall be signalized to the City of Fresno Standards, complete with left turn phasing, actuation and signal pre-emption:

- a. Copper and Chestnut and
- b. Copper and Willow

This work is eligible for reimbursement and/or credit against Traffic Signal Mitigation Impact Fees. The applicant shall design the traffic signal and obtain City approval of the plans **prior** to occupancy of the first dwelling unit. The traffic signal installation shall be limited to the following equipment: poles, safety lights, oversize street name sign, conduits, detectors, service pedestal connected to a PG&E point of service, controller cabinet, ITS vault, ITS communication cabinet and all pull boxes, with the following equipment to be delivered to the City of Fresno's Traffic Signal shop for future installation when warrants are met: 2070L controller, mast arms, heads, Opticom discriminator and receivers.

**Fresno Major Street Impact (FMSI) Fee:** This Map is in the **New Growth Area**; therefore pay all applicable growth area fees and City-wide regional street impact fees. In some cases, center section improvements may be conditioned on multiple maps. If the improvements have been constructed by another map at the time of the final map, the applicant would be not be required to construct them, but would be required to pay the applicable fee.

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

**Copper Avenue: Super Arterial (New Growth Area)**

1. Where not existing, dedicate and construct (2) eastbound travel lanes, (2) westbound travel lanes, 5' shoulders and a raised concrete median island within the limits of this subdivision. If applicable, construct a raised concrete median with 250' left turn pockets at all major intersections. Details of said street shall be depicted on the approved tentative tract map. Dedication shall be sufficient to accommodate arterial standard and any other grading or transitions as necessary based on a **55 MPH** design speed.

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

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

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

May 17, 2019

Jose Valenzuela, Planner III  
Development and Resources Management Department  
2600 Fresno Street, 3<sup>rd</sup> Floor  
Fresno, CA 93721

**SUBJECT: REVIEW OF THE TRAFFIC IMPACT ANALYSIS (TIA) DATED APRIL 23, 2019 FOR THE PROPOSED TRACT 6249 ON THE SOUTHWEST CORNER OF COPPER AVENUE AND WILLOW AVENUE TIS 19-010, P19-01469**

**PROJECT and ANALYSIS OVERVIEW**

Traffic Operations and Planning staff has reviewed the Traffic Impact Analysis (TIA) prepared by KD Anderson & Associates, Inc. for the proposed Tract 6249, “project”, which plans to construct 239 single family dwelling units on approximately 18.85 acres on the southwest corner of Copper Avenue and Willow Avenue. The TIA included land use and size as shown in the table below. The project site is currently vacant.

The TIA evaluated the impacts of the project by analyzing six (6) intersections in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 10<sup>th</sup> Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the current General Plan use and proposed project as shown in the TIA:

Land Use	Size	ADT	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
<b>Proposed Land Use Designation</b>								
Single Family Housing (ITE Code 210)	239 DU	2,256	44	133	177	149	88	237
<b>Current Land Use Designation</b>								
Business Park (ITE Code 770)	77,000 SF	958	19	12	31	15	17	32
Single Family Housing (ITE Code 210)	123 DU	1,161	23	68	91	77	45	122
<b>Total</b>		<b>2,119</b>	<b>42</b>	<b>80</b>	<b>122</b>	<b>92</b>	<b>62</b>	<b>154</b>
<b>Difference</b>		<b>137</b>	<b>2</b>	<b>53</b>	<b>55</b>	<b>57</b>	<b>26</b>	<b>83</b>

DU = dwelling units

SF = square feet

Based on the analyses included in the TIA, the following study intersections are currently operating below the TIZ III level of service (LOS) standard of LOS D

- Copper Avenue at Chestnut Avenue
- Copper Avenue at Willow Avenue

Traffic signal warrants were prepared for all unsignalized study intersections. The peak hour volume warrants are currently met at all the intersections of Copper Avenue at Chestnut Avenue and Copper Avenue at Willow Avenue.

With the addition of the project, the study intersections shown above are projected to operate below the adopted LOS standard and/or impact operations at the intersections by five seconds or more. An impact is considered significant if the delay at an intersection currently operating below the level of service standard is increased by five or more seconds.

With the build out of the roadway network and infrastructure improvements (traffic signals), all of the study intersections of are projected to operate at or above TIZ III LOS D standard.

## **GENERAL COMMENTS and CONDITIONS**

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per single family dwelling unit, per the Master Fee Schedule at the time of building permit.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the General Plan circulation element and are included in the Nexus Study for the TSMI fee. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.

3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; [www.fresnocog.org](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to final inspection or issuance of certificate of occupancy.
4. The proposed project shall pay the \$288 Traffic Impact Study review fee for review of the document. Proof of payment shall be provided to the Traffic Operations & Planning Division.
5. The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno standards at the intersection of Copper Avenue at Chestnut Avenue. The traffic signal shall be installed at the ultimate and may require the acquisition of right-of-way.
6. The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno standards at the intersection of Copper Avenue at Willow Avenue. The traffic signal shall be installed at the ultimate and may require the acquisition of right-of-way.
7. Copper Avenue is classified as a super arterial. Access points along super arterial roadways are limited to one three-quarter opening in each direction per one-half mile segment. Left-turn movements onto the super arterial are prohibited at these openings. The project should coordinate any proposed access points along Copper Avenue with the development on the north side.
8. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
9. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic Operations & Planning Division, Traffic Planning Section.

If you have any further questions regarding this matter, please contact me at (559) 621-8792 or [jill.gormley@fresno.gov](mailto:jill.gormley@fresno.gov).

Sincerely,



Jill Gormley, TE  
City Traffic Engineer / Traffic Operations & Planning Manager  
Public Works Department, Traffic Operations & Planning Services

C: Copy filed with Traffic Impact Study  
Louise Gilio, Public Works, Traffic Planning Supervisor  
Harmanjit Dhaliwal, Public Works, Professional Engineer  
Andrew Benelli, Public Works, Assistant Director



**DATE:** November 15, 2018

**TO:** Jose Valenzuela, Development Services/Planning  
Development and Resource Management Department

**FROM:** Ann Lillie, Senior Engineering Technician  
Public Works Department, Traffic Operations and Planning Division

**SUBJECT:** PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP NO. 6249 REGARDING MAINTENANCE REQUIREMENTS

**LOCATION:** south side of East Copper Avenue between North Chestnut and Willow Avenues  
**APN:** 578-010-23, -24S, -35

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.

<b>ATTENTION:</b>			
The item below requires a separate process with additional costs and timelines. In order to avoid delays with the final map approval, the following item shall be submitted for processing to the Public Works Department, Traffic and Engineering Services Division <b>prior</b> to final map approval.			
X	<b>CFD Annexation Request Package</b>	Ann Lillie	(559) 621-8690 <a href="mailto:ann.lillie@fresno.gov">ann.lillie@fresno.gov</a>

The Community Facilities District annexation process takes from three to four months and SHALL be completed prior to final map approval. INCOMPLETE Community Facilities District (“CFD”) Annexation Request submittals may cause delays to the annexation process and final map approval.

All applicable construction plans for this development shall be submitted to the appropriate City Department for review and approval **prior** to the CFD process.

- a. Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process and the approval of the final map.
- b. Proposed park amenities shall be reviewed and approved by the Building & Safety Services Division or as approved in writing by the City Engineer at time of submittal for the CFD process and prior to final map approval.**

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

Any change affecting the items in these conditions shall require a revision of this letter.

**1. The Property Owner’s Maintenance Requirements**

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

of the Developer. The Developer shall provide these Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 11 ("CFD No. 11").

The following public improvements (Existing and Proposed) are eligible for Services by CFD No. 11 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within the street rights-of-way and landscape easements; including without limitation, the median island (1/2, if fronting only one side of median), parkways, buffers, street entry medians and sides (**10' wide minimum landscaped areas allowed**) in **all Local and Major Streets**.
- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlots, open spaces and trails.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, median island concrete maintenance band and cap (1/2, if fronting only one side of median), and street lights in **all Major Streets**.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, and street entry and interior median island curbing and hardscape, street paving, street name signage and street lights in **all Local Streets**.

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

- a. The Property Owner may petition the City of Fresno to request annexation to CFD No. 11 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.
  - **Proceedings to annex the final map to CFD No. 11 SHALL NOT commence** unless the final map is within the City limits and all construction plans (this includes Street, Street Light, Signal, Landscape and Irrigation plans, and any other plans needed to complete the process) and the final map are considered technically correct.
  - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 11 are not subject to change and after acceptance for processing.**
  - Public improvements not listed above will require written approval by the Public Works Department Director or his designee.
  - All areas not within the dedicated street rights-of-way approved for Services by CFD No. 11, including but not limited to outlots, trails and landscaped areas, shall be dedicated in fee to the City of Fresno, dedicated as a public easement for maintenance purposes or as approved by the Public Works Department City Engineer.
- b. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 11 for Services **SHALL** be included in the DCC&Rs or some other City approved mechanism for the required Services associated with this development. Contact the Planner in the Development and Resource Management Department for more details.

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

ACELA P19-01469 & P18-03301

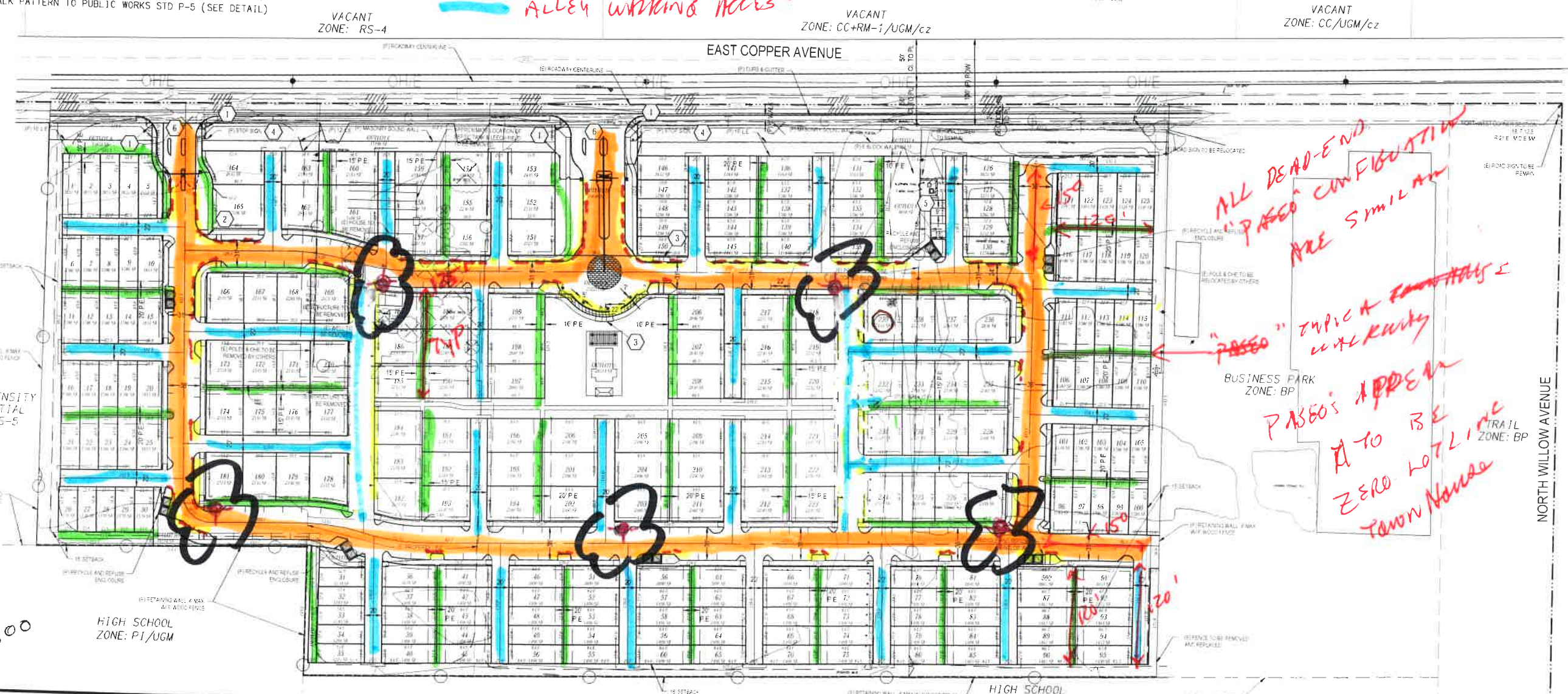
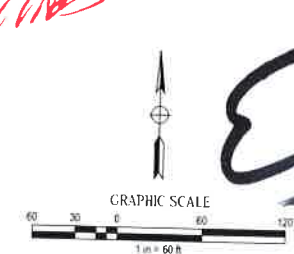
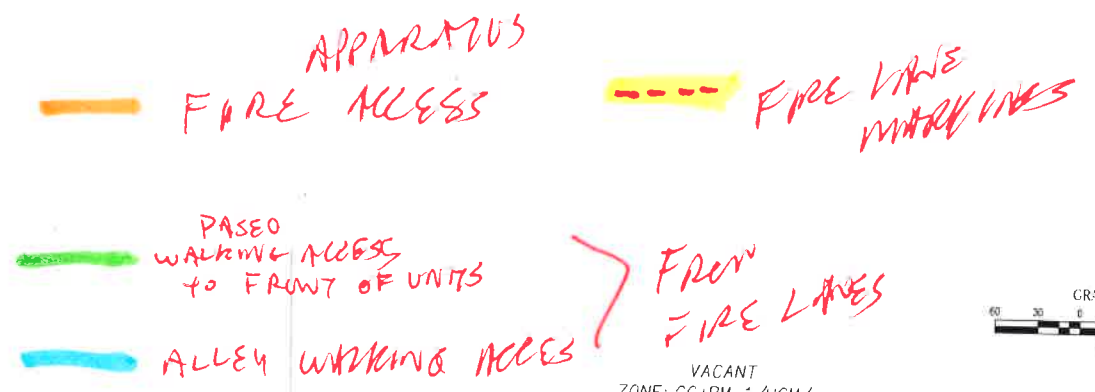
C.U.P. SITE PLAN FOR TRACT MAP NO. 6249  
 A SINGLE FAMILY & MULTI-FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF FRESNO  
 FRESNO COUNTY, CALIFORNIA

PREPARED OCTOBER 31, 2018

LEGEND

- M --- MANHOLE
- D1 --- DRAIN INLET
- DMH --- DRAIN MANHOLE
- (X) --- EXISTING
- (T) --- EXISTING TREE TO BE REMOVED
- FL --- FIRE LANE
- INV --- INVERT
- L.E. --- LANDSCAPE EASEMENT
- (P) --- PROPOSED
- P.E. --- PEDESTRIAN EASEMENT
- P.U.E. --- PUBLIC UTILITY EASEMENT
- ADA --- ADA PATH OF TRAVEL
- U.E. --- USE EASEMENT
- SMH --- SEWER MANHOLE
- 8" --- UNDERGROUND SEWER PIPE
- 12" --- UNDERGROUND STORM DRAIN PIPE
- 18" --- UNDERGROUND WATER PIPE
- PHASE BOUNDARY
- AREA TO BE DEDICATED TO STREET PURPOSES
- RECYCLE AND REFUSE ENCLOSURE

- INSTALL CURB RAMP PER PUBLIC WORKS STD P-28 & P-32
- CONSTRUCT CURB RAMP PER PUBLIC WORKS STD P-29 & P-32
- CONSTRUCT CURB RAMP PER PUBLIC WORKS STD P-31 & P-32
- INSTALL 30" STATE STANDARD "STOP" SIGN AT LOCATION SHOWN. SIGN SHALL BE MOUNTED ON A 2" GALVANIZED POST WITH THE BOTTOM OF THE SIGN 7' ABOVE GROUND; LOCATED BEHIND CURB AND IMMEDIATELY BEHIND MAJOR STREET SIDEWALK
- DESIGN AND CONSTRUCT PARKING LOT PAVEMENT TO PUBLIC WORKS STANDARDS P-21, P-22 & P-23
  - # OF PARKING SPACES PROV'D: 599
  - # OF PARKING SPACES REQ'D: 389
  - # OF ADA PARKING SPACES PROV'D: 4
  - # OF ADA PARKING SPACES REQ'D: 4
- DESIGN AND CONSTRUCT STREET-TYPE APPROACH TO PUBLIC WORKS STD P-77. REQUIRES MIN. GRADES AND STREET PLANS FOR APPROVAL
- CONSTRUCT AN UNDERGROUND STREET LIGHTING SYSTEM TO PUBLIC WORKS STANDARDS WITHIN THE LIMITS OF THIS APPLICATION. SUBMIT ENGINEERED STREET CONSTRUCTION PLANS TO PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES
- DESIGN AND CONSTRUCT CURB AND GUTTER, 20 FT PCC PAVING, AND 5 FT RESIDENTIAL SIDEWALK PATTERN TO PUBLIC WORKS STD P-5 (SEE DETAIL)
- DESIGN AND CONSTRUCT CURB AND GUTTER, 24 FT PCC PAVING, AND 5 FT RESIDENTIAL SIDEWALK PATTERN TO PUBLIC WORKS STD P-5 (SEE DETAIL)
- DESIGN AND CONSTRUCT CURB AND GUTTER, 31 FT PCC PAVING, AND 5 FT RESIDENTIAL SIDEWALK PATTERN TO PUBLIC WORKS STD P-5 (SEE DETAIL)
- DESIGN AND CONSTRUCT CURB AND GUTTER, 38 FT PCC PAVING, AND 5 FT RESIDENTIAL SIDEWALK PATTERN TO PUBLIC WORKS STD P-5 (SEE DETAIL)



1170  
 MRPD → 2500

HIGH SCHOOL  
 ZONE: P1/UGM

BUSINESS PARK  
 ZONE: BP

NORTH WILLOW AVENUE

HIGH SCHOOL  
 ZONE: P1/UGM

SCALE:	BENCH MARK	COUNTY BM IK45	COMPUTED
HORIZ. 1" = 60'	ELEVATION = 361 606 USGS DATUM		DESIGNED GJE
VERT. 1" = N/A	BRASS CAP 26 WEST OF WILLOW AVENUE 76 SOUTH OF COPPER AVENUE 2 SOUTH OF POWER POLE		DRAWN TMG
			PROJ. ENGR. GJB

**mp** MORTON & PITALO, INC.  
 CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
 Folsom • Sacramento • Fresno  
 2643 NORTH JAGGERS AVENUE, SUITE #102  
 FRESNO, CA 93711  
 PHONE: (559) 855-4325  
 SURVEY EMAIL: MP.POTALO@MORTONANDPITALO.COM • WWW: WWW.MORTONANDPITALO.COM

SINGLE AND MULTIPLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT  
 C.U.P. SITE PLAN FOR TRACT MAP NO. 6249  
 IN THE CITY OF FRESNO

DATE	OCTOBER 31, 2018
SHEET	SP-2
OF	3

FRESNO COUNTY, CALIFORNIA



**JAN 11 2019**

Planning Department  
City of Fresno  
2600 Fresno St., 3rd Floor  
Fresno, CA 93721-3604

**Re: Air Impact Assessment (AIA) Application Approval**  
**ISR Project Number: C-20180513**  
**Land Use Agency: City Of Fresno**  
**Land Use Agency ID Number: Tentative Tract Map 6249**

To Whom It May Concern:

The San Joaquin Valley Air Pollution Control District (District) has approved the Air Impact Assessment (AIA) application for the Tract 6249 project located at 2711 E. Copper Ave in Fresno, California. Pursuant to District Rule 9510, Section 8.4, the District is providing the City of Fresno with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- A summary of project emissions and emission reductions
- A summary of the off-site fees
- A copy of the Air Impact Assessment application
- An approved Monitoring and Reporting Schedule

Certain emission mitigation measures proposed by the applicant may be subject to approval or enforcement by the City of Fresno. No provision of District Rule 9510 requires action on the part of the City of Fresno; however, please review the enclosed list of mitigation measures and notify the District if the proposed mitigation measures are inconsistent with your agency's requirements for this project. The District can provide the detailed emissions analysis upon request.

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

---

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

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

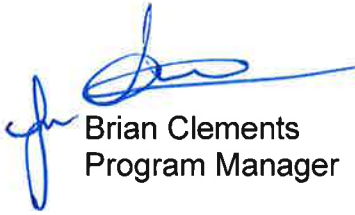
**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585

Page 2

If you have any questions, please contact Mr. Eric S McLaughlin at (559) 230-5808.

Sincerely,

Arnaud Marjollet  
Director of Permit Services



Brian Clements  
Program Manager

AM: em

Enclosures

Emissions Estimator Worksheet

Applicant/Business Name:	Lennar Central Valley
Project Name:	Tract 6249
Project Location:	E Copper Avenue and N. Willow Avenue
District Project ID No.:	20180513

Project Construction Emissions												
If applicant selected Construction Clean Fleet Mitigation Measure - Please select "Yes" from dropdown menu												
Project Phase Name	ISR Phase	Construction Start Date	NOx			PM10			Required Offsite Reductions (tons)	Yes		
			Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)			Achieved Onsite Reductions (tons)	
Construction (Site Prep, Grading, Paving Entire Site)	1	08/13/2019	1.5227	1.2181	0.3046	0.0000	0.0000	0.0743	0.0408	0.0335	0.0000	0.0335
Construction (Site Prep, Grading, Paving Entire Site)	2	01/01/2020	0.3170	0.2536	0.0634	0.0000	0.0000	0.0173	0.0095	0.0078	0.0000	0.0078
Construction (120 DU)	3	03/24/2020	1.7879	1.4303	0.3576	0.0000	0.0000	0.1046	0.0575	0.0471	0.0000	0.0471
Construction (120 DU)	4	01/01/2021	0.6681	0.5344	0.1337	0.0000	0.0000	0.0372	0.0204	0.0168	0.0000	0.0168
Construction (119 DU)	5				0.0000	0.0000	0.0000			0.0000	0.0000	3.8750
Construction (119 DU)	6	06/01/2021	1.2261	0.9808	0.2453	0.0000	0.0000	0.0681	0.0374	0.0307	0.0000	0.0307
Construction (119 DU)	7	01/01/2022	0.9411	0.7528	0.1883	0.0000	0.0000	0.0496	0.0272	0.0224	0.0000	0.0224
	8				0.0000	0.0000	0.0000			0.0000	0.0000	3.8670
	9				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
	10				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
<b>Total</b>		<b>Total</b>	<b>6.4629</b>	<b>5.1700</b>	<b>1.2929</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.3511</b>	<b>0.1928</b>	<b>0.1583</b>	<b>0.0000</b>	<b>7.9003</b>

Project Operations Emissions (Area + Mobile)												
Project Phase Name	ISR Phase	Operation Start Date	NOx			PM10			Required Offsite Reductions (tons)	Yes		
			Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)			Achieved Onsite Reductions (tons)	
	1				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
	2				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
	3				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
	4				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
Operation (120 DU)	5	02/01/2021	1.6722	1.4409	1.7348	2.4458	1.5674	1.1799	1.1799	3.8750	3.9620	3.9620
	6				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
	7				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
Operation (119 DU)	8	01/01/2022	1.5482	1.3244	1.6785	2.1920	1.5555	1.1688	1.1688	3.8670	3.9105	3.9105
	9				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
	10				0.0000	0.0000	0.0000			0.0000	0.0000	0.0000
<b>Total</b>		<b>Total</b>	<b>3.2204</b>	<b>2.7653</b>	<b>3.4133</b>	<b>4.6378</b>	<b>3.1229</b>	<b>2.3487</b>	<b>2.3487</b>	<b>7.7420</b>	<b>7.8725</b>	<b>7.8725</b>

Note: TPY = Tons Per Year

Fee Estimator Worksheet

Applicant/Business Name:	Lennar Central Valley
Project Name:	Tract 6249
Project Location:	E Copper Avenue and N. Willow Avenue
District Project ID No.:	20180513

NOTES:

- (1) The start date for each ISR phase is shown in TABLE 1.
  - (2) If you have chosen a ONE-TIME payment for the project, then the total amount due for ALL PHASES is shown under TABLE 2.
  - (3) If you have chosen a DEFERRED payment schedule or would like to propose a DEFERRED payment schedule for the project, the total amount due for a specific year is shown in TABLE 3 according to the schedule in TABLE 1.
- \* If you have not provided a proposed payment date, the District sets a default invoice date of 60 days prior to start of the ISR phase.

If applicant selected Fee Deferral Schedule - Please select "Yes" from dropdown menu		Yes
TABLE 1 - PROJECT INFORMATION		
Project Phase Name	ISR Phase	Scheduled Payment Date*
Construction (Site Prep, Grading, Paving Entire Site)	1	8/13/19
Construction (Site Prep, Grading, Paving Entire Site)	2	1/1/20
Construction (120 DU)	3	3/24/20
Construction (120 DU)	4	1/1/21
Operation (120 DU)	5	2/1/21
Construction (119 DU)	6	6/1/21
Construction (119 DU)	7	1/1/22
Operation (119 DU)	8	1/1/22
	9	
	10	
<b>TOTAL (tons)</b>		
Offsite Fee by Pollutant (\$)		
Administrative Fee (\$)		
Offsite Fee (\$)		
<b>Total Project Offsite Fee (\$)</b>		

TABLE 2 - No Fee Deferral Schedule (FDS)	
Pollutant	Required Offsite Reductions (tons)
NOx	0.0000
PM10	0.0000
NOx	0.0000
PM10	0.0000
NOx	0.0000
PM10	0.0000
NOx	0.0000
PM10	0.0000
NOx	2.4458
PM10	3.9620
NOx	0.0000
PM10	0.0000
NOx	0.0000
PM10	0.0000
NOx	0.0000
PM10	0.0000
NOx	2.1920
PM10	3.9105
NOx	0.0000
PM10	0.0000
NOx	0.0000
PM10	0.0000
NOx	4.6378
PM10	7.8725
NOx	\$43,363
PM10	\$70,938
	\$4,572.04
	\$114,301.00
	<b>\$118,873.04</b>

TABLE 3 - APPROVED FEE DEFERRAL SCHEDULE (FDS) BY PAYMENT YEAR									
	2018	2019	2020	2021	2022	2023	2024	2025	2026
NOx	0.0000	0.0000	0.0000	4.6378	0.0000	0.0000	0.0000	0.0000	0.0000
PM10	0.0000	0.0000	0.0000	7.8725	0.0000	0.0000	0.0000	0.0000	0.0000
NOx	\$0	\$0	\$0	\$43,363	\$0	\$0	\$0	\$0	\$0
PM10	\$0	\$0	\$0	\$70,938	\$0	\$0	\$0	\$0	\$0
Administrative Fee	\$0.00	\$0.00	\$0.00	\$4,572.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Project Offsite Fee</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$118,873.04</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Rule 9510 Fee Schedule (\$/ton)	
Year	PM10
2018 and Beyond	\$9,350 \$9,011



# San Joaquin Valley Air Pollution Control District



## Indirect Source Review (ISR) - Air Impact Assessment (AIA) Residential/Non-Residential/Mixed-Use Application Form

<b>A. Applicant Information</b>			
Applicant/Business Name: <b>Lennar Central Valley</b>			
Mailing Address: <b>8080 N. Palm Avenue, Suite 110</b>		City: <b>Fresno</b>	State: <b>CA</b> Zip: <b>93711</b>
Contact: <b>Alison Baker</b>		Title: <b>Entitlement Coordinator/Land Administrator</b>	
Is the Applicant a licensed state contractor? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please provide State License number:			
Phone: <b>559.437.4237</b>	Fax: <b>559.447.3404</b>	Email: <b>Alison.Baker@lennar.com</b>	
<b>B. Agent Information (if applicable):</b> If an Agent is signing the Air Impact Assessment Application on behalf of the Applicant, a signed letter from the Applicant giving the Agent authorization is required.			
Agent/Business Name: <b>Mitchell Air Quality Consulting</b>			
Mailing Address: <b>1164 E. Decatur Ave.</b>		City: <b>Fresno</b>	State: <b>CA</b> Zip: <b>93720</b>
Contact: <b>Dave Mitchell</b>		Title: <b>Owner/Senior Air Quality Scientist</b>	
Phone: <b>559.246.3732</b>	Fax:	Email: <b>dmitchell@mitchellaq.com</b>	
<b>C. Project Information</b>			
Project Name: <b>Tract 6249</b>		Tract Number(s) (if known): <b>Tract 6249</b>	
Project Location	Street: <b>2711 E. Copper Avenue</b>	City: <b>Fresno</b>	Zip: <b>93720</b>
Cross Streets: <b>E Copper Ave west of N. Willow Ave.</b>			County: <b>Fresno</b>
Permitting Agency: <b>City of Fresno</b>		Planner: <b>Israel Trejo, Planner</b>	
Mailing Address: <b>2600 Fresno Street, 3<sup>rd</sup> Floor</b>		City: <b>Fresno</b>	State: <b>CA</b> Zip: <b>93721</b>
Permit Type and Number (if known): <b>Tentative Tract Map 6249</b>	Subject to Project-Level Discretionary Approval? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	Last Project-Level Discretionary Approval Date: <b>TBD</b>		
	Last Project-Level Ministerial Approval Date: _____		
<b>D. Project Description</b>			
Please briefly describe the project (e.g.: 300 multi family residential units apartments and 35,000 square feet of commercial uses): The project includes the development of 239 single-family residential dwelling units on approximately 18.85 acres.			
Please check the box next to each applicable land use below:			Select land use setting below:
<input type="checkbox"/> Commercial / Retail	<input type="checkbox"/> Educational	<input type="checkbox"/> Office	<input type="checkbox"/> Warehouse
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Government	<input type="checkbox"/> Industrial	<input type="checkbox"/> Distribution Center
<input type="checkbox"/> Recreational (e.g. park)	<input type="checkbox"/> Medical	<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Other: _____
			<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural
<b>E. Notice of Violation</b>		<b>F. Voluntary Emission Reduction Agreement</b>	
Is this application being submitted as a result of receiving a Notice of Violation (NOV) from the District?		Is this project part of a larger project for which there is a Voluntary Emission Reduction Agreement (VERA) with the District?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, NOV # _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, VERA # _____	
<b>G. Optional Section</b>			
Do you want to receive information about the Healthy Air Living Business Partners Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>FOR APCD USE ONLY</b>			

Filing Fee Received: <u>\$537.00</u>	Block #: <u>1142</u>	Date Stamp	Permit
Date Paid:	Project #: <u>C-20180513</u>		DEC 06 2018
Applicant #: <u>C-302808</u>			Permits Services SJVAPCD

### H. Parcel and Land Owner Information

	APN (000-000-00 Format)	Gross Acres	Land Owner
1.	578-01-23	2.86	Tarlton Fresno, LLC
2.	578-01-24	11.46	Patrick Vincent Ricchiuti Family Trust
3.	578-01-35	3.50	Patrick Vincent Ricchiuti Family Trust
4.			

Additional sheets for listing APN numbers can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

### I. Project Development and Operation

Will the project require demolition of existing structures?	<input checked="" type="checkbox"/> Yes, complete I-1	<input checked="" type="checkbox"/> No, complete I-2
---	---	--

#### I-1. Demolition

Total square feet of building(s) footprint to be demolished: <b>2,752</b>	Number of Building Stories: <b>1</b>
Demolition Start Date (Month/Year): <b>4/2019</b>	Number of Days for Demolition: <b>5</b>

#### I-2. Timing

Expected number of work days per week during construction? <input checked="" type="checkbox"/> 5 days <input type="checkbox"/> 6 days <input type="checkbox"/> 7 days	Will the project be developed in multiple phases? <input checked="" type="checkbox"/> Yes, complete I-3 <input type="checkbox"/> No, complete I-4
--	--

#### I-3. Phased Site Development and Building Construction

In addition to the information below the applicant may submit a phase specific activity timeline. The phase specific activity timeline form can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

1	Start of Construction (Month/Year): <b>8/2019</b>	Gross Acres: <b>18.85</b>
	End of Construction (Month/Year): <b>3/2020</b>	Net Acres (area devoted to buildings/structures): <b>0</b>
	First Date of Occupation (Month/Year): <b>NA</b>	Paved Parking Area (# of Spaces): <b>NA</b>
	Building Square Footage: <b>0</b>	Number of Dwelling Units: <b>0</b>
2	Start of Construction (Month/Year): <b>3/2020</b>	Gross Acres: <b>9.46</b>
	End of Construction (Month/Year): <b>5/2021</b>	Net Acres (area devoted to buildings/structures): <b>4.96</b>
	First Date of Occupation (Month/Year): <b>2/2021</b>	Paved Parking Area (# of Spaces): <b>NA</b>
	Building Square Footage: <b>216,000</b>	Number of Dwelling Units: <b>120</b>
3	Start of Construction (Month/Year): <b>6/2021</b>	Gross Acres: <b>9.39</b>
	End of Construction (Month/Year): <b>8/2022</b>	Net Acres (area devoted to buildings/structures): <b>4.92</b>
	First Date of Occupation (Month/Year): <b>1/2022</b>	Paved Parking Area (# of Spaces): <b>NA</b>
	Building Square Footage: <b>214,200</b>	Number of Dwelling Units: <b>119</b>
4	Start of Construction (Month/Year):	Gross Acres:
	End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
	First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
	Building Square Footage:	Number of Dwelling Units:

Additional sheets for phasing information can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

**I-4. Single Phase Development**

Start of Construction (Month/Year):

Gross Acres:

End of Construction (Month/Year):

Net Acres (area devoted to buildings/structures):

First Date of Occupation (Month/Year):

Paved Parking Area (# of Spaces):

Building Square Footage:

Number of Dwelling Units:

**J. On-Site Air Pollution Reductions (Mitigation Measures)**

Listed below are categories of possible mitigation measures that will reduce a project's impact on air quality. If a category is applicable to the project, check "Yes", and please complete the corresponding page to identify specific mitigation measures within that category. If a category is not applicable to the project, check "No".

1. Construction Clean Fleet (making a commitment to using a construction fleet that will achieve the emission reductions required by District Rule 9510)

Yes, please complete mitigation measure 1

No

2. Land Use/Location (e.g. increased density, improve walkability design, increase transit, etc.)

Yes, please complete applicable mitigation measures 2a through 2f

No

3. Neighborhood/Site Enhancements (e.g. improve pedestrian network, traffic calming measures, NEV network, etc.)

Yes, please complete applicable mitigation measures 3a through 3c

No

4. Parking Policy/Pricing (e.g. parking cost, on-street market pricing, limit parking supply, etc.)

Yes, please complete applicable mitigation measure 4a through 4e

No

5. Commute Trip Reduction Programs (e.g. workplace parking charge, employee vanpool/shuttle, ride sharing program, etc.)

Yes, please complete applicable mitigation measures 5a through 5f

No

6. Building Design (e.g. woodstoves or fireplaces)

Yes, please complete mitigation measure 6

No

7. Building Energy (e.g. exceed title 24, electrical maintenance equipment)

Yes, please complete applicable mitigation measures 7a through 7b

No

8. Solar Panels (e.g. incorporate solar panels in the project)

Yes, please complete applicable mitigation measure 8

No

9. Electric Vehicle (EV) Charger (e.g. incorporate EV charger(s) in the project)

Yes, please complete applicable mitigation measure 9

No

**K. Review Period**

You may request a five (5) day period to review a draft of the District's analysis of your project before it is finalized. However, if you choose this option, it will delay the project's finalization by five (5) business days.

I request to review a draft of the District's analysis.

### L. Fee Deferral Schedule

If the project's on-site air pollution reductions (mitigation measure) insufficiently reduced air pollution as outlined in Rule 9510, an off-site fee is assessed based on the excess air pollution. The money collected from this fee will be used by the District to reduce air pollution emissions 'off-site' on behalf of the project.

An Applicant may request a deferral of all or part of the 'off-site' fees up to, but not to exceed, the start date of construction. The start of construction is any of the following, whichever occurs first: start of grading, start of demolition, or any other site development activities not mentioned above.

I request a Fee Deferral Schedule, and have enclosed the Fee Deferral Schedule Application.

The Fee Deferral Schedule Application, can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

### M. Change of Project Developer

The Applicant assumes all responsibility for ISR compliance for this project. If the project developer changes, the Applicant must notify the Buyer, and both Buyer and Applicant must file a 'Change of Project Developer' form with the District. If there is a change of project developer, and a 'Change of Project Developer' form is not filed with the District, the Applicant will remain liable for ISR compliance.

The Change of Project Developer form can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

### N. Attachments

#### Required:

- Tract Map or Project Design Map
- Vicinity Map
- Application Filing Fee  
\$804.00 for mixed use and non-residential projects **OR**  
\$537.00 for residential projects only

#### If applicable:

- Letter from Applicant granting Agent authorization
- Fee Deferral Schedule Application
- Monitoring & Reporting Schedule
- Supporting documentation for selected Mitigation Measures

### O. Certification Statement

I certify that I have reviewed and completed the entire application and hereby attest that the information relayed within is true and correct to the best of my knowledge. I commit to implementation of those on-site mitigation measures that I have selected above. I am responsible for notifying the District if I will be unable to implement these mitigation measures. If a committed mitigation measure is not implemented, the project may be re-assessed for air quality impacts.

(An authorized Agent may sign the form in lieu of the Applicant if an authorization letter **signed by the Applicant** is provided).

Name (printed): David M. Mitchell

Title: Owner/Senior Air Quality Scientist

Signature: David M. Mitchell

Date: December 5, 2018



# Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

Project Name:	TRACT 6249
Applicant Name:	LENNAR CENTRAL VALLEY
Project Location:	2711 E. COPPER AVE E COPPER AVE WEST OF N WILLOW AVE APN(s): 578-01-23, 578-01-24, 578-01-35
Project Description:	LAND USE: Residential - 19 Acres - Single Family Housing Residential - 19 Acres - Single Family Housing Residential - 120 Dwelling Unit - Single Family Housing Residential - 120 Dwelling Unit - Single Family Housing Residential - 120 Dwelling Unit - Single Family Housing Residential - 119 Dwelling Unit - Single Family Housing Residential - 119 Dwelling Unit - Single Family Housing Residential - 119 Dwelling Unit - Single Family Housing ACREAGE: 17.82
ISR Project ID Number:	C-20180513
Applicant ID Number:	C-302868
Permitting Public Agency:	CITY OF FRESNO
Public Agency Permit No.	TENTATIVE TRACT MAP 6249

## Existing Emission Reduction Measures

Enforcing Agency	Measure	Quantification	Notes
There are no Existing Measures for this project.			

## Non-District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Source Of Requirements
CITY OF FRESNO	Improve Walkability Design	154.43 intersections/square mile	
CITY OF FRESNO	Improve Destination Accessibility	4.9 miles (distance to downtown or job center)	
CITY OF FRESNO	Improve Pedestrian Network	Within Project Site and Connecting Off-Site	
CITY OF FRESNO	Hearth	only natural gas hearth	
CITY OF FRESNO	Install Solar Panel	Install solar panels with a total power output of 956 kW	

Number of Non-District Enforced Measures: 5

## District Enforced Emission Reduction Measures

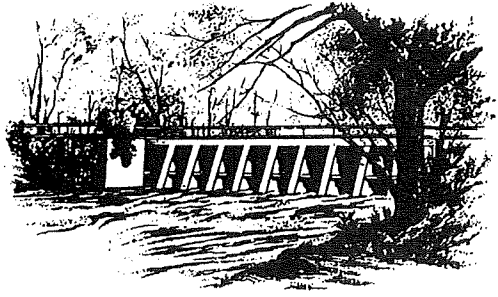
Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
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# Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction Clean Fleet	For each project phase, maintain records of total hours of operation for all construction equipment, greater than 50 horsepower, operated on site. Within 30-days of completing construction of each project phase, submit to the District a summary report of total hours of operation, by equipment type, equipment model year and horsepower.	(Compliance Dept. Review)	Within 30-days of completing construction for each phase
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	Ongoing

Number of District Enforced Measures: 3



YOUR MOST VALUABLE RESOURCE - WATER

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

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

May 23, 2019

Jose Valenzuela  
Development & Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Vesting Tentative Tract Map No. 6249, Accela Planning Application No. P19-01469  
S/W Copper and Willow avenues

Dear Mr. Valenzuela:

The Fresno Irrigation District (FID) has reviewed the Vesting Tentative Tract Map No. 6249, Accela Planning Application No. P19-01469 for which the applicant proposes the construction of a 239-lot single family residential development, APN: 578-010-23S, 24S, and 35. FID has the following comments:

1. FID does not own, operate or maintain any facility located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes, FID's Enterprise No. 109 runs westerly along the south side of International Avenue, crosses Willow Avenue approximately 2,300 feet southeast of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Willow Avenue, International Avenue, or in the vicinity of this crossing, FID requires it review and approve all plans.
3. For informational purposes, a privately owned pipeline known as the Phillips No 158 runs northwesterly and crosses International Avenue approximately 2,100 feet southwest of the subject property, crosses Chestnut Avenue approximately 2,000 feet southwest of the subject property, and crosses Copper Avenue approximately 2,300 feet west of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private pipeline. FID's records indicate that this line is active and will need to be treated as such. FID can supply a list of known users to the City upon request.
4. The proposed development appears to be within the City of Fresno but lies outside of FID's boundary line.
5. FID is concerned that the proposed development may negatively impact local groundwater supplies including those areas adjacent to or neighboring the proposed

G:\Agencies\FresnoCity\Tract Map\TM 6249, P19-01469.doc

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

development area. The area was historically native or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem or require the use of reclaimed water, if available.

6. It should be noted that without the use of surface water, continued dependence on solely a groundwater supply will do nothing to reverse or correct the existing overdraft of the groundwater supply beneath the City of Fresno. As this project will "harden" or make firmer the need for water, the long-term correction of the groundwater overdraft should be considered as a requirement of the project.
7. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the development on the City's ability to comply with requirements of SGMA.

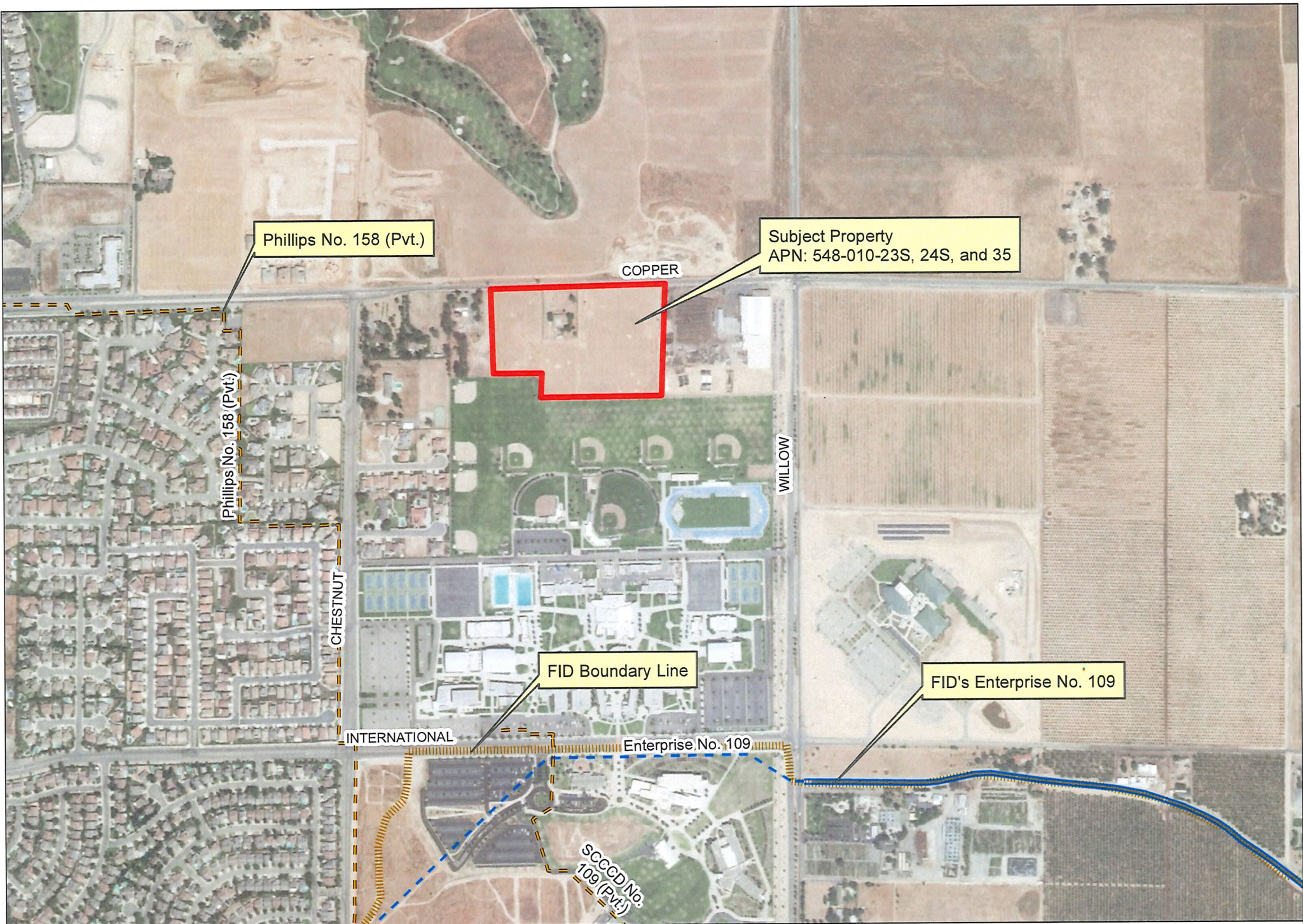
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or [JLandrith@fresnoirrigation.com](mailto:JLandrith@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment



Phillips No. 158 (Pvt.)

Subject Property  
APN: 548-010-23S, 24S, and 35

COPPER

Phillips No. 158 (Pvt.)

CHESTNUT

WILLOW

FID Boundary Line

FID's Enterprise No. 109

INTERNATIONAL

Enterprise No. 109

SCCCD No. 109 (Pvt.)



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

**Legend**

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

0 350 700 Feet  
1 inch = 701.54 feet

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

File No. 210.45

Page 1 of 5

**PUBLIC AGENCY**

JOSE VALENZUELA  
DEVELOPMENT SERVICES/PLANNING  
CITY OF FRESNO  
2600 FRESNO ST., THIRD FLOOR  
FRESNO, CA 93721

**DEVELOPER**

ARA CHEKERDEMIAN, LENNAR HOMES  
8080 N. PALM AVE., SUITE110  
FRESNO, CA 93711

PROJECT NO: **6249**

ADDRESS: **SWC WILLOW AND COPPER AVE.**

APN: **578-010-23S, 24S, 35, 578-010-47S**

SENT: **5/20/19**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
DN	\$254,629.00	NOR Review	\$812.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$2,266.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review		For amount of fee, refer to <a href="http://www.fresnofloodcontrol.org">www.fresnofloodcontrol.org</a> for form to fill out and submit with first storm drain plan submittal (blank copy attached).
<b>Total Drainage Fee: \$254,629.00</b>		<b>Total Service Charge: \$3,078.00</b>		

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 2/29/20 based on the site plan submitted to the District on 4/26/19 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.

**FR TRACT No. 6249**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 2 of 5

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

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

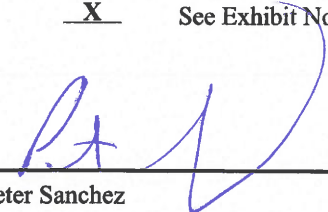
FR TRACT No. 6249

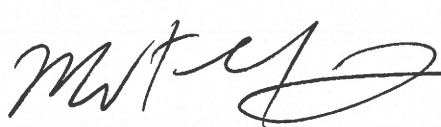
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 3 of 5

FR  
TRACT  
No. 6249

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
  - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
  - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10.   X   See Exhibit No. 2 for additional comments, recommendations and requirements.

  
\_\_\_\_\_  
Peter Sanchez  
District Engineer

  
\_\_\_\_\_  
Mikel Meneses  
Project Engineer



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 4 of 5

CC:

KEITH JOLLY, MORTON & PITALO

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7643 N. INGRAM AVE., SUITE 105

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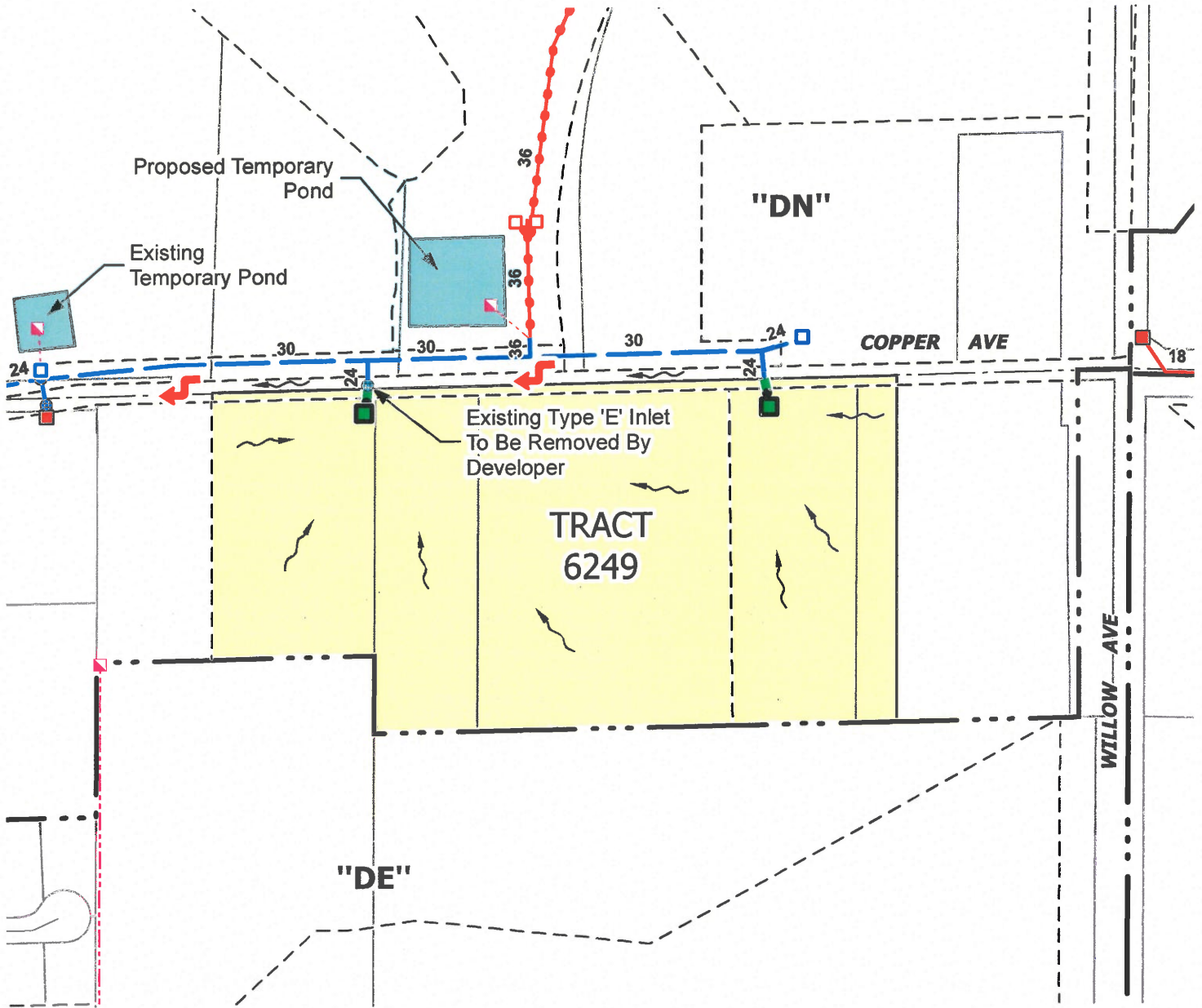
FRESNO, CA 93711

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**FR TRACT No. 6249**



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



**LEGEND**

- Creditable Facilities (Master Plan Facilities To Be Constructed By Developer) - Pipeline (Size Shown) & Inlet
- Future Creditable Surcharge Facilities
- Future Master Plan Facilities
- Existing Master Plan Facilities
- Private Facilities
- Inlet Boundary
- Drainage Area Boundary
- Direction Of Drainage
- Major Storm Breakover



**TRACT 6249**  
**DRAINAGE AREA "DN"**



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

**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

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

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

Lot coverage must be provided to the District prior to submittal of improvement plans. The final drainage fee will be calculated commensurate with the lot coverage provided by the developer. If the lot coverage indicates a density higher than Master Planned, mitigation may be required. The lot coverage calculated by the District includes the front yard walkway, sidewalk walkway and the rear yard patio equaling an additional 6% of impervious area in addition to the City's typical lot coverage calculation.

Copper River Ranch LLC and Copper River Development Co., Inc. have been required to provide temporary service on their property for an area that includes Tract 6249 until permanent service is available. The developer of Tract 6249 shall contact the District to coordinate the project design and the need for off-site Master Plan facilities to facilitate the transfer of storm water to the temporary service location. The developer must provide sufficient notice of when temporary drainage service will be required to insure adequate design of the facilities.

Development No. Tract 6249

## TENTATIVE TRACT MAP NO. 6249

### **GOVERNMENT CODE §66020(d)(1)**

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

*Improvements and payments shall not be required on or in front of any undeveloped portion of a net acreage of ten acres or more which exists after the division of land. All improvements and payments to be completed with development.*

<u>SEWER CONNECTION CHARGES</u>	<u>FEE RATE</u>
b. Lateral Sewer Charge [1]	\$0.10/sq. ft. (to 100' depth)
c. Oversize Charge [1]	\$0.05/sq. ft. (to 100' depth)
d. Trunk Sewer Charge [2] Service Area: Herndon	\$496/living unit
e. Wastewater Facilities Charge [3]	\$2,119/living unit
f. Sewer Capacity Enhancement Charge [2] Trunk Sewer Service Area: Herndon	\$893/living unit
g. House Branch Sewer Charge [2]	N/A
<u>WATER CONNECTION CHARGES</u>	<u>FEE RATE</u>
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. Water Capacity Fee [1]	Fee based on service(s) and meter(s) sizes specified by owner; fee for Water Capacity established by the Master Fee Schedule.
<u>CITYWIDE DEVELOPMENT IMPACT FEES</u>	<u>FEE RATE</u>
k. Fire Facilities Impact Fee – Citywide [4]	\$779/living unit
l. Park Facility Impact Fee – Citywide [4]	\$2738/living unit
m. Quimby Parkland Dedication Fee [2]	\$1185/living unit

n. Citywide Regional Street Impact Fee [3]	\$7,830/adj. acre
o. New Growth Area Major Street Fee [3]	\$21,555/adj. acre
p. Police Facilities Impact Fee – Citywide [4]	\$602/living unit
q. Traffic Signal Charge [1]	\$488/living unit
r. UGM Right of Way Acquisition Charge [2]	N/A

**Notes:**

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.

3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; [www.fresnocog.org](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to final inspection or issuance of certificate of occupancy.
4. The proposed project shall pay the \$288 Traffic Impact Study review fee for review of the document. Proof of payment shall be provided to the Traffic Operations & Planning Division.
5. The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno standards at the intersection of Copper Avenue at Chestnut Avenue. The traffic signal shall be installed at the ultimate and may require the acquisition of right-of-way.
6. The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno standards at the intersection of Copper Avenue at Willow Avenue. The traffic signal shall be installed at the ultimate and may require the acquisition of right-of-way.
7. Copper Avenue is classified as a super arterial. Access points along super arterial roadways are limited to one three-quarter opening in each direction per one-half mile segment. Left-turn movements onto the super arterial are prohibited at these openings. The project should coordinate any proposed access points along Copper Avenue with the development on the north side.
8. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
9. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic Operations & Planning Division, Traffic Planning Section.

If you have any further questions regarding this matter, please contact me at (559) 621-8792 or [jill.gormley@fresno.gov](mailto:jill.gormley@fresno.gov).

Sincerely,



Jill Gormley, TE  
City Traffic Engineer / Traffic Operations & Planning Manager  
Public Works Department, Traffic Operations & Planning Services

C: Copy filed with Traffic Impact Study  
Louise Gilio, Public Works, Traffic Planning Supervisor  
Harmanjit Dhaliwal, Public Works, Professional Engineer  
Andrew Benelli, Public Works, Assistant Director



April 29, 2019

Alondra Williams  
DARM – Development Services Division  
2600 Fresno Street  
Fresno, CA 93721

SUBJECT: P19-01469  
TM 6249  
APN 578-010-47S

Dear Ms. Williams:

The purpose of this letter is to provide school district information relative to the above-referenced development and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the developer/owner and the State Department of Real Estate.

1. Elementary School Information:

- (a) The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: *Fugman Elementary*  
Address: *10825 N Cedar Ave Fresno CA 93730-3586*  
Telephone: *(559) 327-8700*  
Capacity: *875*  
Enrollment: *837 (CBEDS enrollment 2018-19 school year)*

- (b) Because of projected growth in the District and the District's plans for construction of new school facilities, it is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the school listed above, and (2) students residing in the project area may attend more than one elementary school within the District during their elementary school years.

**Governing Board**

Christopher Casado  
Steven G. Fogg, M.D.  
Susan K. Hatmaker  
Brian D. Heryford  
Ginny L. Hovseplan  
Elizabeth J. Sandoval  
Tiffany Stoker Madsen

**Administration**

Elmear O'Farrell, Ed.D.  
*Superintendent*  
Don Ulrich, Ed.D.  
*Deputy Superintendent*  
Norm Anderson  
*Associate Superintendent*  
Barry S. Jager, Jr.  
*Associate Superintendent*  
Michael Johnston  
*Associate Superintendent*



2. Intermediate School Information:

School Name: *Granite Ridge Intermediate*  
Address: *2770 E International Ave Fresno CA 93730-5400*  
Telephone: *(559) 327-5000*  
Capacity: *1600*  
Enrollment: *1284 (CBEDS enrollment 2018-19 school year)*

3. High School Information:

School Name: *Clovis North High School*  
Address: *2770 E International Ave Fresno CA 93730-5400*  
Telephone: *(559) 327-5000*  
Capacity: *3100*  
Enrollment: *2549 (CBEDS enrollment 2018-19 school year)*

4. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
5. The District currently levies a school facilities fee of \$4.87 per square foot (as of July 1, 2018) for residential development. The fee is adjusted periodically in accordance with law. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact me if you have any questions regarding this letter.

Sincerely,



Michael Johnston  
Associate Superintendent  
Administrative Services



COUNCIL DISTRICT 6 PROJECT REVIEW COMMITTEE  
PROJECT REVIEW

May 20, 2019  
Project Record

ITEM 4c

PROJECT INFORMATION

Plan Amendment and Rezone Application No. P19-01470, Vesting Tentative Tract Map No. 6249 (P19-01469) and Planned Development Application No. P19-01259 requests the following entitlements at the southwest corner of North Willow and East Copper Avenues:

- i. Redesignate and rezone ±5.18 acres from Business Park (BP) to Corridor/Center Mixed-Use (CMX);
- ii. Redesignate and rezone ±3.03 acres of Business Park (BP) and ±8.43 acres of Medium Density Residential (RS-5) to the Medium High Density Residential (RM-1);
- iii. Subdivide approximately 18.85 acres for a 239 lot subdivision.
- iv. Request to modify property development standards to allow for private streets, reduced setbacks and lot sizes, and increased lot coverage.

ADDRESS: 7221 North Howard Avenue

COMMITTEE RECOMMENDATION

APPROVE

APPROVE WITH CONDITION(S)

DENY

NO ACTION

	Rexroat (Chair)	Rice (Co-Chair)	Katich	Petty	Mikkelson	Wong
Approve	KR	AR				
Deny						
Abstain						
Absent						

COMMITTEE CONDITIONS / COMMENTS

Staff Facilitator: JARRED OLSEN

Date:

05/20/2019