

Exhibit J

**CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT**

**CONDITIONS OF APPROVAL
FEBRUARY 15, 2023**

TENTATIVE PARCEL MAP No. 2022-03

**LOCATED ON THE SOUTH SIDE OF WEST BULLARD AVENUE, BETWEEN NORTH MAROA AND
NORTH WINCHESTER AVENUES**

NOTICE TO PROJECT APPLICANT

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

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

Upon conditional approval of Tentative Parcel Map No. 2022-03, dated October 28, 2022, the subdivider may prepare a Parcel Map (Final) in accordance with the approved tentative parcel map. Note that a Parcel Map may not be filed until the appeal period has expired. Should an appeal be filed pursuant to Section 15-3314 of the FMC, the application will be scheduled to be heard before the City of Fresno Planning Commission. The appellant may withdraw their appeal pursuant to Section 15-5017 of the FMC.

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

GENERAL CONDITIONS

1. Comply with the provisions of the State of California Government Code Sections §66410 - §66499.58 of the SMA and Articles 31 (Land Division) and 35 (Parcel Maps) of Chapter 15 of the FMC.
2. Upon conditional approval of Tentative Parcel Map No. 2022-03 dated October 28, 2022, the subdivider may prepare a Final Map in accordance with the approved tentative map. Any existing and/or proposed structure(s) on the site may be affected due to the location of the proposed parcel lines. The placement of a parcel

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

3. Every lot or parcel shall have frontage on a public street, except when the lots/parcels are located within a Commercial or Employment District and the following conditions are met (pursuant to Section 15-4105-E of the Fresno Municipal Code) in order to secure the enforceability of properties' obligations for retention and maintenance of access, utilities, facilities, and improvements:
 - a) Execute a Mutual Easements and Reciprocal Use Agreement between Parcels "A" through "D" of Tentative Parcel Map No. 2022-03 dated October 28, 2022. The Mutual Easements and Reciprocal Use Agreement shall, at a minimum, provide: (1) Mutual and reciprocal access to West Bullard Avenue; (2) Cross drainage; (3) Shared solid waste facilities (as applicable); and, (4) Provisions and obligations for retention and maintenance of shared access, utilities, fire suppression systems, facilities and improvements on the subject property; or, alternatively, demonstrate the existing agreements meeting City of Fresno standards and requirements are recorded and/or in effect prior to recordation of a Parcel Map.
 - i. Access and circulation on all of the properties to be included within and made party to the easements and agreements required herein above shall be provided and maintained in accordance with approved entitlements for the respective properties; or, any revisions or amendments thereto, as may be approved by the Planning and Development Department. No modifications to said access, circulation, or easements and agreements authorized for purposes of satisfying the conditions contained herein may be made without prior approval from the Planning and Development Department.
4. Contact Nicholas Caldera, Planner, in the City of Fresno Planning and Development Department at (559) 621-8032 or via email at Nicholas.Caldera@fresno.gov for assignment of addresses to parcels proposed to be created from a subdivision of the subject property.
 - NOTE: It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.

5. Any existing and/or proposed structure(s) on the site may be affected due to the location of the proposed parcel lines. The placement of a parcel line in close proximity to any existing structure(s) requires that the structure(s) be found in compliance with the fire resistive standards of the Uniformed Building Code.
 - a) Compliance with the prevailing California Building Code as it relates to exterior wall protection, allowable area, etc., must be demonstrated respective to the new parcel line locations prior to recordation of a Parcel Map. Contact the Planning and Development Department, Building and Safety Services Division at (559) 621-8200.
 - NOTE: In the event existing or proposed structures do not, or will not, comply with any applicable standards of the California Building Code, structures must be modified so as to meet the standard; or, the parcel lines proposed with the tentative parcel map shall be revised accordingly prior to recordation of a Parcel Map.
6. Any existing and/or proposed development on the site may be affected due to the location of the proposed parcel lines. The provision of public or emergency vehicle access, utility services (including fire suppression systems), drainage, or solid waste or similar facilities across proposed parcel lines requires recordation of a Mutual Easement and Reciprocal Use Agreement for all effected parcels prior to issuance of building permits for new development; and, prior to recordation of a parcel map for existing development.
7. The subdivider shall dedicate and construct public easements to facilitate the construction of public improvements (when applicable) within the limits of the parcel map.
 - a) All such public easements shall be identified and dedicated with the processing and recordation of a Parcel Map.
8. All plans for on-site and off-site improvements included in the Conditions of Approval shall be submitted prior to the final map being processed for recordation.
9. Whenever covenants or agreements are required, they shall be prepared by the city upon receipt of the fee in accordance with the adopted Master Fee Schedule. All covenants and agreements must be approved by the City Attorney's Office and shall be recorded with the final parcel map.
10. A mutual easements covenant may be required (as noted above) between the proposed subject parcels
11. Tentative Parcel Map No. 2022-03 is subject to approval of related Annexation Application No. P21-03575 and Pre-zone Application No. P21-03576.

ZONING

12. Development of the subject property shall comply with all development standards of the RS-4 zone district; and, all applicable requirements of the Fresno Municipal Code.

STREETS AND RIGHTS-OF-WAY

13. Comply with the requirements included within the attached Department of Public Works, Traffic and Engineering Services Division memorandum dated December 1, 2022; or, any amendment or modifications to those requirements which may be granted by the Director of the Department of Public Works prior to recordation of a Parcel Map.

PUBLIC WORKS DEPARTMENT, COMMUNITY FACILITIES DISTRICT (CFD)

14. Comply with the requirements included within the Department of Public Works, CFD memorandum dated November 30, 2022.

PUBLIC UTILITIES

15. Comply with the requirements included within the Department of Public Utilities, Water, Sewer, and Solid Waste Divisions memorandum dated December 5, 2022.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD)

16. Comply with the requirements included within the FMFCD memorandums dated December 14, 2022.

FIRE SERVICE

17. Comply with the requirements included within the Fire Department memorandum dated November 22, 2022.

FRESNO COUNTY ENVIRONMENTAL HEALTH

18. Comply with the requirements included within the Fresno County Environmental Health memorandum dated November 29, 2022.

FRESNO IRRIGATION DISTRICT (FID)

19. Comply with the requirements included within the FID memorandum dated December 5, 2022.

FRESNO UNIFIED SCHOOL DISTRICT (FUSD)

20. Comply with the requirements included within the FUSD memorandum dated

November 8, 2022.

PACIFIC GAS AND ELECTRIC COMPANY

21. Comply with the requirements included within the PG and E memorandum dated November 30, 2022.

DEVELOPMENT 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.

The following fees are based on preliminary conceptual information. The exact fee obligation will be computed prior to Final Map approval by Public Works Department, Land Division & Engineering. The fee rates in effect at the time of Final Map approval, determined by the Master Fee Schedule, shall apply (Reso. No. 2016-258).

<u>SEWER CONNECTION CHARGES</u>	<u>FEE RATE</u>
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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:	N/A
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>
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g. Service Connection Charge	Fee based on service(s) and meter(s)
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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] \$17,759/ 4" Meter (half-rate)

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

CITYWIDE DEVELOPMENT IMPACT FEES FEE RATE

- j. Fire Facilities Impact Fee – Citywide [4] \$1,743/living unit
- k. Park Facility Impact Fee – Citywide [4] \$3,852/living unit
- l. Quimby Parkland Dedication Fee [2] N/A
- m. Police Facilities Impact Fee – Citywide [4] \$723/living unit
- n. Citywide Regional Street Fee [3] \$17,054/adj. acre
- o. New Growth Area Major Street Fee [3] N/A
- p. Traffic Signal Charge [1] \$591/living unit

Notes:

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.

On December 8, 2016, Fresno City Council adopted Resolution No. 2016-258, effective July 1, 2018, administratively updating the impact fees adjusted by this resolution annually to the percentage change in the 20-City Construction Cost Index as reported in the Engineering News Record (ENR) for the 12-month period ending of May of the year of adjustment.

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.