

## Exhibit I



DATE: March 12, 2021

TO: Robert Holt  
Planning and Development Department

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

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

SUBJECT: Public Works Conditions of Approval (Reference T-6165 and PM 2016-05)  
**T-6338 / P21-00126** a **66-lot** single family subdivision  
5864 East Belgravia Avenue (Church and Sunnyside)  
KMS Farms / Galloway

The Public Works Department, Traffic 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. Verify that the border is correct. Incorrect boundaries could result in extending timelines due to the need for separate processes, timelines and fees. Revise the border of the map to show the existing boundary. The map is showing a border to be approved by a separate document. Will this be completed prior to the map? If not, revise border.
2. When permanent facilities are not available from the Fresno Metropolitan Flood Control District, the applicant shall identify a temporary onsite storm water basin per Public Works Standard **P-97** for review and approval from Public Works.
3. Identify all easements on the map.
  - Sunnyside: A 2' pedestrian easement is required.
  - Local Streets: If constructed **42'** or **50'**, a **1'** pedestrian easement is required on streets with driveway approaches.
4. Traffic calming is required for local street lengths exceeding **800'** and four way intersections. To be reviewed approved on the street plans.
5. Visibility: Provide visibility for all intersections where there are proposed fences/walls.
6. Entry Streets: shown as 54'. Either provide 40' from curb to curb and 7' from curb to right of way or dedicate a 50' street to Public Works Standard P-56.

## **General Conditions:**

1. Street Dedications: Provide corner cut dedications at all intersections for accessibility ramps.
2. Right of way: All right-of-way “outside” of the subdivision border shall either be acquired **prior** to recordation of Final Map, or a deposit equal to the value of the right-of-way and an estimate of the City staff time necessary to acquire the right-of-way shall be submitted **prior** to recordation of the Final Map.
3. Plan Submittal: Submit the following plans, as applicable, in a single package, to the Public Works Department for review and approval **prior** to recordation of the Final Map. Street: construction, signing, striping, traffic signal and streetlight.
4. Local to Collector Street Intersections: The intersection of two local continuous streets shall have a minimum of **160'** offset measured from center line to center line.
5. Traffic Calming: Traffic calming shall be provided for local street lengths exceeding **800'** and four way intersections. Design to be approved on the street plans.
6. 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.
7. Encroachment Covenants: 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, Engineering Services Division, **(559) 621-8681**. Encroachment covenants must be approved prior to issuance of building permits.
8. Street widening and transitions shall also include utility relocations and necessary dedications.
9. Overhead Utilities: Underground all existing overhead utilities with the limits of this map in accordance with *Fresno Municipal Code Section 15-4114*.
10. 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.
11. Intersection Visibility: Maintain visibility at all intersections as described in the *Fresno Municipal Code Section 15-2018*.
12. Driveway Approaches: The throat of the driveway approaches shall be the same width as the driveway and line up with the garage. Approach widths shall be built to Public Works Standard **P-6**.

## **Frontage Improvement Requirements:**

### **Public Streets:**

#### **Sunnyside Avenue: 5-lane Collector**

1. Dedication Requirements:
  - a. Dedicate a **2'** pedestrian easement to provide for a **12'** pattern, per *Public Works Standards*.
  - b. Dedicate corner cuts for public street purposes at Sunnyside and Street "B". Include the entire return on both the north and south side.
  - c. Relinquish direct access rights to Sunnyside Avenue from all lots within this subdivision.
2. Construction Requirements:
  - a. Construct concrete curb, gutter and a **6'** sidewalk to *Public Works Standard P-5 and P-53*. The curb shall be constructed to a **12'** residential pattern (**5.5' – 6' - .5'**).
  - b. Construct standard curb ramps per Public Works Standards on both sides of Sunnyside and Street "B".
    - Major street to Local street: **R=20'-25'** per **P-24** and **P-25**
  - c. Construct **20'** of permanent paving per *Public Works Standard P-50* (measured from face of curb) within the limits of this subdivision and transition paving, as necessary.
  - d. Construct an underground street lighting system to *Public Works Standards E-1 and E-8*, within the limits of this subdivision. Street lights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in *Section 3-3.17* of the *City Specifications and Standard Drawings E-15, E-18* or as approved by the City Engineer.

#### **Church Avenue: 4-lane divided Collector**

1. Dedication Requirements:
  - a. Dedicate **67-69'** of property, from center line, for public street purposes, within the limits of this application, per Public Works Standard Modified **P-52, P-53** and **P-69**. Center line shall be established per **T-5477** street plans.
  - b. Dedicate corner cuts for public street purposes at all intersections.
  - c. Relinquish direct access rights to Church Avenue from all lots within this subdivision.
2. Construction Requirements:
  - a. Construct concrete curb, gutter and a **6'** sidewalk to *Public Works Standard P-5 and P-53*. The curb shall be constructed to a **12'** residential pattern (**5.5' – 6' - .5'**).
  - b. Construct standard curb ramps per Public Works Standards at Church and Fordham.
    - Major street to Local street: **R=20'-25'** per **P-24** and **P-25**
  - c. Construct **20'** of permanent paving per *Public Works Standard P-50* (measured from face of curb) within the limits of this subdivision and transition paving, as necessary.

- d. Construct an underground street lighting system to *Public Works Standards E-1 and E-8*, within the limits of this subdivision. Street lights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in *Section 3-3.17* of the *City Specifications and Standard Drawings E-15, E-18* or as approved by the City Engineer.

#### **Interior Streets:**

1. Entry Streets: shown as **54'**. Either provide **40'** from curb to curb and **7'** from curb to right of way or dedicate a **50'** street to Public Works Standard **P-56**.
2. Dedicate, design and construct all ramps, curb, gutter, sidewalk, permanent paving, cul-de-sacs, easements and underground street lighting systems on all interior local streets to *Public Works Standards P-4, P-5, P-6, P-18, P-28, P-50, P-56, E-2 and E-9*. Pedestrian easements are required behind driveways with sidewalk patterns less than **10'**.
3. 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.
4. Garages: Garage or carport setbacks are recommended to be a minimum of **18'** from the back of walk or curb, whichever is greater.
5. Provide a **10'** visibility triangle at all driveways.
6. Design local streets with a minimum of **250'** radius.

#### **Specific Mitigation Requirements:**

##### **Within the subdivision border-**

1. Relinquish direct vehicular access rights to :
  - a. the south property line of lot **66**.
  - b. the east property line of lot **1**.
2. The intersection of Church and Fordham Avenues shall be designed with a full median opening to allow for left turns-in and left turns-out.

##### **Outside the subdivision border-**

1. Dedication Requirements:
  - a. Sunnyside at "B" Street: Dedicate a corner cut on the south side of B Street
  - b. Sunnyside from the southern limit to Church: Where not existing, dedicate **47'-55'** of right of way with a **2'** pedestrian easement for a **12'** sidewalk pattern and bus bay.
  - c. Church from the western limit to Sunnyside: Where not existing, dedicate **67'-69'** for a **12'** sidewalk pattern and a right turn lane.
2. Construction requirements:

- a. Sunnyside: construct the entire return on the south side of Sunnyside and Street “B”.

**Traffic Signal Mitigation Impact (TSMI) Fee:** This project shall pay all applicable TSMI Fees **at the time of building permit**. Contact the Public Works Department, Frank Saburit at (559)621-8797. The fees are based on the Master Fee schedule. 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.

1. Sunnyside Avenue, Collector: Install a signal pole with a **150-watt** equivalent LED safety light and an oversize street sign to Public Works Standards at the northeast corner of Sunnyside Avenue and Church Avenue.

**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 or bridges may be conditioned on multiple maps. If the improvements are existing 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:**

Sunnyside Avenue: Collector (Growth Area Street)

1. Dedicate and construct the **(2) 12'** northbound center section travel lanes and a **7'** bike lane within the limits of this subdivision and continue to Church. Stripe **200'** left turn pockets at all major intersections. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

Church Avenue: Collector (Growth Area Street)

1. Dedicate and construct the **(2) 12'** westbound center section travel lanes and a **7'** bike lane within the limits of this subdivision and continue to Sunnyside. Modify the existing median per approved street plans. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 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.

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## DEPARTMENT OF PUBLIC WORKS

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TO: Mindi Mariboho, Development Services Coordinator  
Planning and Development

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

DATE: February 24, 2021

SUBJECT: **Tract 6338 PM #2016-05**; (APN: 316-022-62) located on the north side of East Church Avenue and South Sunnyside Avenue. The Department of Public Works has reviewed the Tentative Tract Subdivision Map proposed by Yamabe & Horn Engineering, Inc., on behalf of Lennar Fresno Inc. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street right-of-ways, landscape easements, outlots and median islands:

### GENERAL REQUIREMENTS

#### **STREET TREE REQUIREMENTS**

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 40' of street frontage or one tree per home (whichever is greater) by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with Water Efficient Landscape Standards and AB 1881.

The designated street tree for South Sunnyside Avenue is:

**Pistacia chinensis**

**Chinese Pistache**

**There is no designated street tree for E. Church Ave. Please choose an appropriate tree from the List of Approved Street Trees.**

2. Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 40' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.
  - a. Street tree inspection fees shall be collected for each 40' of public street frontage or one tree per lot whichever is greater.
  - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
  - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
  - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with the Specifications of the City of Fresno.

- e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

### **BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS**

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

### **MEDIAN ISLAND LANDSCAPE REQUIREMENTS**

1. When median islands front onto the proposed development project, applicants shall submit Plans to the Public Works/Engineering Services showing the location and configuration of all median islands fronting the proposed project.
2. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.



3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and AB 1881. The Public Works Department requires all proposed median islands to be constructed with a one foot wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick red slate pattern.
4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off site improvements, whether the median is landscaped or not.

### **OUTLOTS**

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



**DEPARTMENT OF PUBLIC UTILITIES  
MEMORANDUM**

**DATE:** March 12, 2021

**TO:** MINDI MARIBOHO – Development Services Coordinator  
Planning & Development Dept/Current Planning

**FROM:** KEVIN GRAY, Supervising Engineering Technician  
Department of Public Utilities – Utilities Planning & Engineering

**THRU:** ROBERT A. DIAZ, Supervising Engineering Technician  
Department of Public Utilities – Utilities Planning & Engineering

**SUBJECT: DPU CONDITIONS OF APPROVAL P21-00126 TRACT 6338 THE OAKS**

**Water Requirements**

City of Fresno Water Division approves of the proposed project, subject to the following water conditions listed below:

1. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.
2. Separate water services with meter boxes shall be provided to each lot.
3. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Assistant Public Utilities Director.
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.
7. The water supply requirements for this project are as follows:

MEMORANDUM

MINDI MARIBOHO – Development Services Coordinator

Planning & Development Dept/Current Planning

March 12, 2021

DPU CONDITIONS OF APPROVAL FOR P21-00126 TRACT 6338 THE OAKS

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8. 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.
9. 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.

**Sewer Requirements**

The nearest sanitary sewer main to serve the proposed project is a 15-inch sewer main located in North Sunnyside Avenue. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

1. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
2. All underground utilities shall be installed prior to permanent street paving.
3. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
4. A Preliminary sewer design layout shall be prepared by the Developer's Engineer and submitted to the Department of Public Utilities for review and conceptual approvals prior to submittal or acceptance of the developers final map and engineered plan & profile improvement drawing for City review.
5. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed

MEMORANDUM

MINDI MARIBOHO – Development Services Coordinator

Planning & Development Dept/Current Planning

March 12, 2021

DPU CONDITIONS OF APPROVAL FOR P21-00126 TRACT 6338 THE OAKS

Page 3 of 3

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. Street work permit is required for any work in the Right-of-Way.
10. 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.
3. Wastewater Facilities Charge (Residential Only)

**Solidwaste Requirements**

1. Tract Map 6338 will be serviced as Single Family Residential properties with Basic Container Service. Property owners will receive 3 containers to be used as follows: 1 Gray container for solid waste, 1 Green container for green waste and 1 Blue container for recyclable material.



&  
2600 Fresno Street  
Fresno, California 93721-3604  
[www.fresno.gov](http://www.fresno.gov)

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## **Fire Department**

March 11, 2021  
Byron Beagles

## **Comments**

1. This tract will be a 66-lot public street sub-division with standard 36 foot street widths throughout.
2. This tract is within the primary service area of Fire Station 15 and there are no development restrictions related to fire response.'
3. All lots are subject to the citywide fire service impact fee.
4. Install public fire hydrants per Public Utilities requirements for single family home development with a minimum fire flow of 1500 gpm at 20 psi residual pressure and maximum spacing of 600 feet.
5. Fire hydrants shall be in service and approved all-weather fire access provided before delivery of combustible material to the job site.



2600 Fresno Street  
Fresno, California 93721-3604  
www.fresno.gov

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## **Fresno County Environmental Health**

February 25, 2021  
Public Health

### **Comments**

1. Construction permits for development 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.
2. 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 the 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.
3. 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.
4. 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.
5. 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.

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

File No. 210.45

Page 1 of 4

**PUBLIC AGENCY**

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

**DEVELOPER**

BRIAN YENGOYAN, CITADEL DEVELOPMENT  
GROUP INC.  
554 E. SAGINAW WAY  
FRESNO, CA 93704

PROJECT NO: **6338**

ADDRESS: **1471 S. FOWLER AVE.**

APN: **316-022-62**

SENT: **March 15, 2021**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
BH	\$105,830.00	NOR Review	\$498.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$1,391.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review	For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drain plan submittal (blank copy attached).	
Total Drainage Fee: \$105,830.00		Total Service Charge:	\$1,889.00	

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/21 based on the site plan submitted to the District on 2/19/21 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. 6338**

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

Page 2 of 4

**FR  
TRACT No. 6338**

**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.



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

Page 3 of 4

**FR  
TRACT No. 6338**

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.



Brent Sunamoto

Assistant District Engineer, RCE



Rick Lyons

Engineering Tech III

CC:

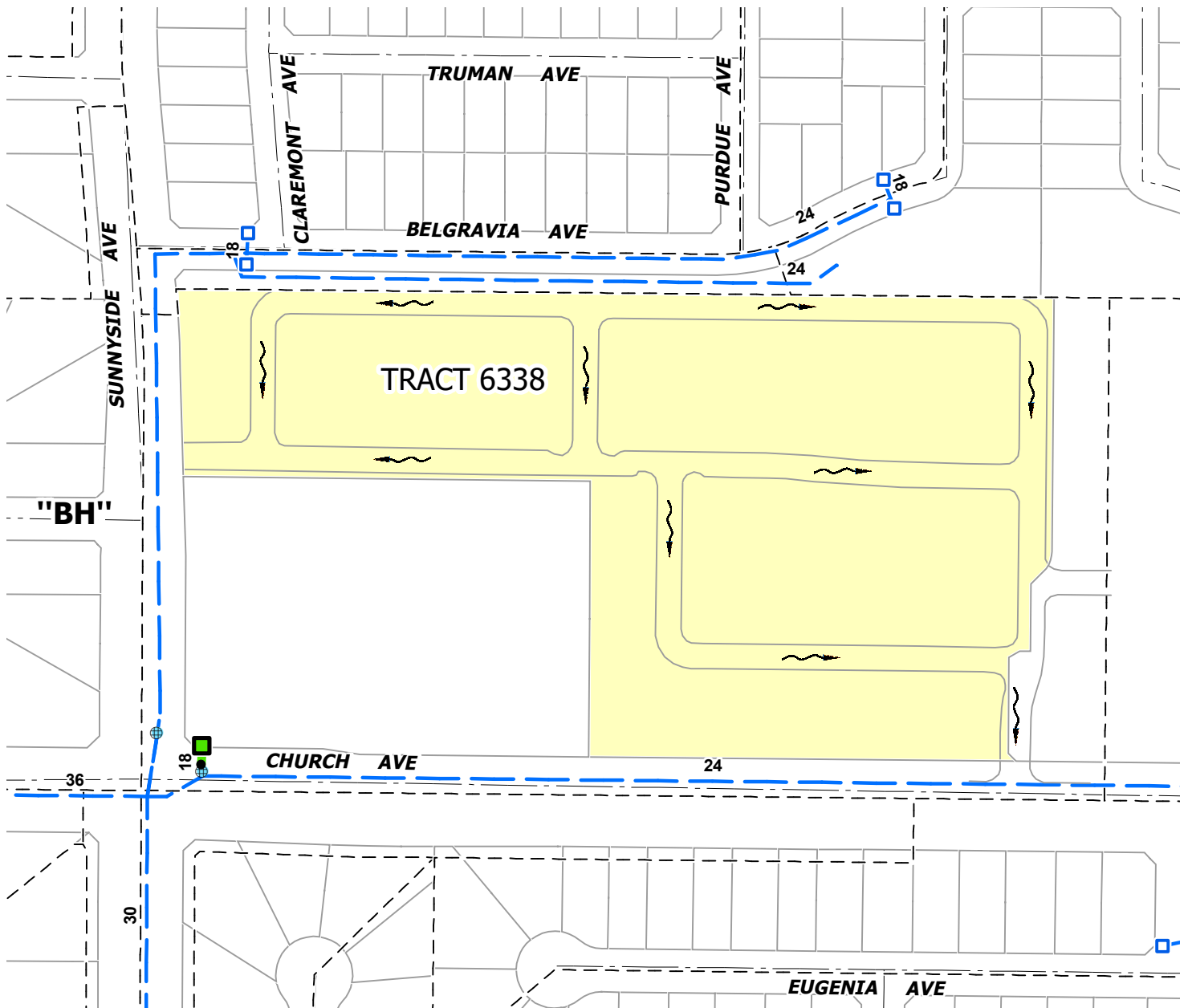
COURTHOUSE CALIFORNIA LLC, HIGH & MIGHTY FARMS INC.

4650 N. DEL MAR




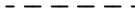

FRESNO, CA 93704



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 If City Of Fresno Requires Street Improvements) - Pipeline (Size Shown) & Inlet
-  Existing Temporary Inlet To Be Removed (If City Of Fresno Requires Street Improvements)
-  Existing Master Plan Facilities
-  Inlet Boundary
-  Direction Of Drainage



1" = 200'

**TRACT 6338**  
**DRAINAGE AREA "BH"**



**EXHIBIT NO. 1**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

Prepared by: danielg

Date: 3/12/2021

Path: K:\Autocad\DWGS\0EXHIBIT\TRACTS\6338.mxd

## **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 or District.

The Master Plan facilities, as shown on Exhibit No. 1, are required to be constructed by the developer if the City of Fresno requires street improvements at the intersection of Sunnyside and Church Avenues. If the City does not require the construction of the street improvements at the intersection of Sunnyside and Church Avenues then construction of the Master Plan facilities will not be required.

The District's existing Master Plan drainage system is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed medium high density land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed medium high density land use to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by a medium high density development, to a two-year discharge, which would be produced by the property if developed medium density residential. Implementation of the mitigation measures may be deferred until the time of development.

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.

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.



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

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

March 15, 2021

Robert Holt  
Development & Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Tentative Tract Map Application No. P21-00126  
N/W Church and Fowler avenues

Dear Mr. Holt:

The Fresno Irrigation District (FID) has reviewed Tentative Tract Map Application No. P21-00126 for which the applicant proposes a new 66-lot single family residential development, APN: 316-022-62 . FID has the following comments:

1. FID does not own, operate, or maintain any facilities located on the subject property, as shown on the attached FID exhibit map.
2. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area is currently open land with minimal to no water use, supplemented by groundwater pumping. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to 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.
3. 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

G:\Agencies\FresnoCity\Tract Map\P21-00126\6338, P21-00126 FID Comments.doc

**BOARD OF DIRECTORS**

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



impacts of the development on the City's ability to comply with requirements of SGMA.

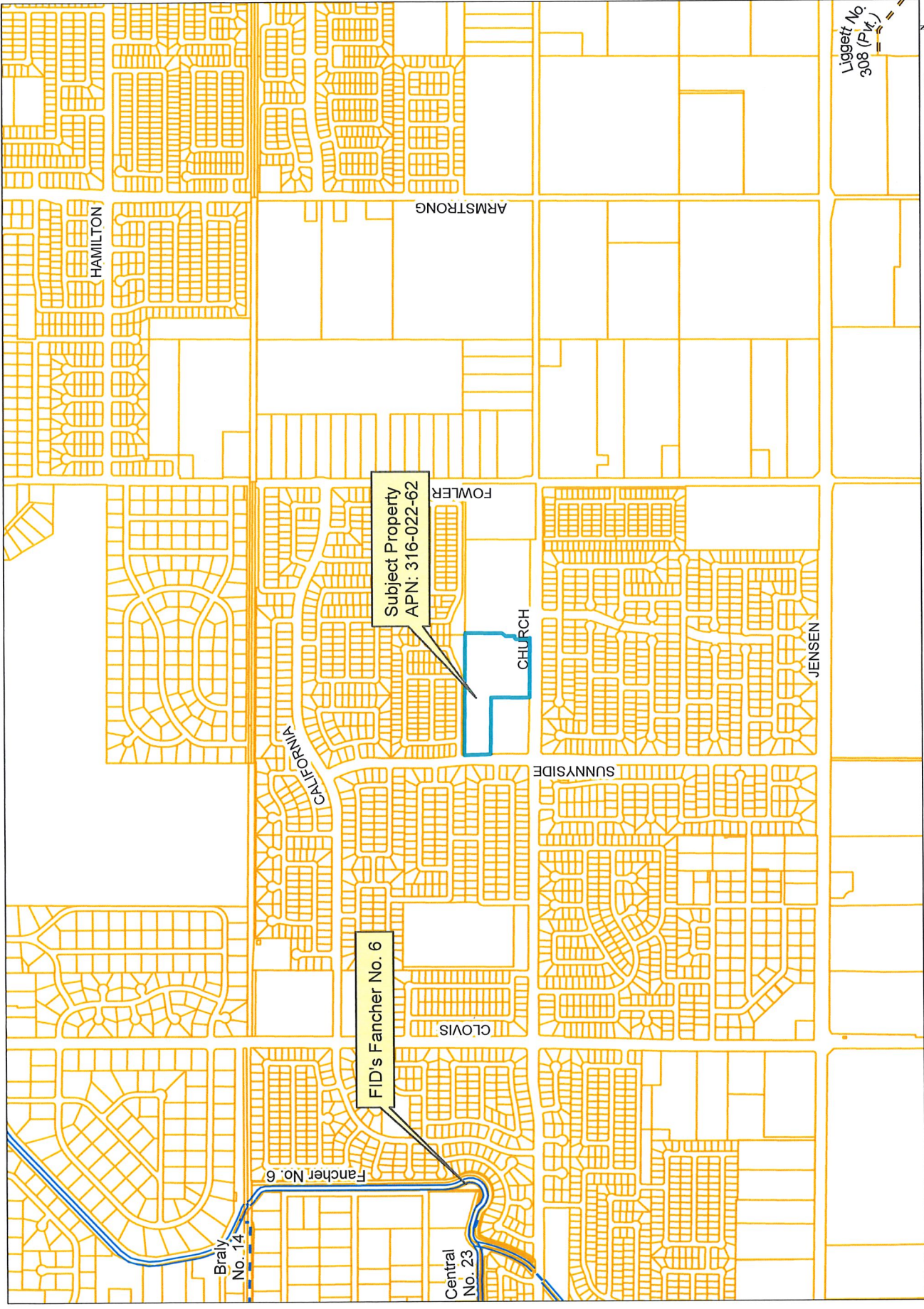
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or [clundeen@fresnoirrigation.com](mailto:clundeen@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment



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

**FRESNO IRRIGATION DISTRICT**

**Legend**

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

0 550 1,100 Feet  
1 inch = 1,187.89 feet

North Arrow

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Liggett No. 308 (P.V.)