

**Exhibit O**  
**Conditions of Approval for Vesting**  
**Tentative Parcel Map No 2021-09**

**CITY OF FRESNO  
PLANNING AND DEVELOPMENT DEPARTMENT**

**CONDITIONS OF APPROVAL**

**OCTOBER 4, 2023**

**VESTING TENTATIVE PARCEL MAP No. 2021-09**

**LOCATED ON THE NORTHEAST CORNER OF WEST NIELSEN AND NORTH MARKS AVENUES**

**NOTICE TO PROJECT APPLICANT**

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

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

Upon conditional approval of Vesting Tentative Parcel Map No. 2021-09 dated February 10, 2022, the subdivider may prepare a Parcel Map (Final) in accordance with the approved tentative parcel map.

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 Vesting Tentative Parcel Map No. 2021-09 dated February 10, 2022, the subdivider may prepare a Final Map in accordance with the approved tentative map and Development Permit Application No. P21-02699, which establishes the development for the subject property. The project shall comply with the requirements and conditions included within the Conditions of Approval for Development Permit Application No. P21-02699 dated October 4,

2023. 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 Vesting Tentative Parcel Map No. 2021-09 dated February 10, 2022. The Mutual Easements and Reciprocal Use Agreement shall, at a minimum, provide: (1) West Nielsen Avenue, North Marks Avenue, and North Hughes Avenue; (2) Cross drainage; (3) Shared parking and/or solid waste facilities (if desired/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, circulation, and parking on all of the properties to be included within, and made party to the easements and agreements required herein above shall be provided and maintained in accordance with approved entitlements for the respective properties; or, any revisions or amendments thereto, as may be approved by the Planning and Development Department. No modifications to said access, circulation, parking, or easements and agreements authorized for purposes of satisfying the conditions contained herein may be made without prior approval from the Planning and Development Department.
4. 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](mailto: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 shared parking, solid waste or similar facilities across proposed parcel lines requires recordation of a Mutual Easement and Reciprocal Use Agreement for all effected parcels prior to issuance of building permits for new development; and, prior to recordation of a parcel map for existing development.
7. The subdivider shall dedicate and construct public easements to facilitate the construction of public improvements (when applicable) within the limits of the parcel map.
  - a) All such public easements shall be identified and dedicated with the processing and recordation of a Parcel Map.
8. All plans for on-site and off-site improvements included in the Conditions of Approval shall be submitted prior to the final map being processed for recordation.

9. Whenever covenants or agreements are required, they shall be prepared by the city upon receipt of the fee in accordance with the adopted Master Fee Schedule. All covenants and agreements must be approved by the City Attorney's Office and shall be recorded with the final parcel map.
10. The map boundary shall be shown to the street centerline of North Hughes Avenue.

#### MITIGATION MONITORING REQUIREMENTS

11. Development of the subject property shall be subject to implementation of the mitigation measures, fees, and timelines as stipulated within the Mitigation Monitoring Program of Environmental Assessment No. P21-02699/P21-05930 (SCH Number 2022050265).

#### STREETS AND RIGHTS-OF-WAY

12. Comply with the requirements included within the attached Department of Public Works, Traffic and Engineering Services Division memorandum dated March 4, 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, ENGINEERING DIVISION

13. Comply with the requirements of the Department of Public Works, Engineering (Landscaping) Division memorandum dated December 16, 2020.

#### PUBLIC UTILITIES REQUIREMENTS

14. Comply with the requirements included within the Department of Public Utilities, Water, Sewer, and Solid Waste Divisions memorandum dated March 3, 2022.

#### FIRE SERVICE

15. Comply with the requirements included within the Fire Department memorandum dated March 2, 2022.

#### FRESNO COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

16. Comply with the requirements included within the Fresno County Environmental Health Department memorandum dated June 9, 2022.

#### FRESNO IRRIGATION DISTRICT

17. Comply with the requirements included within the Fresno Irrigation District memorandum dated March 3, 2022.

#### FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD)

18. The subdivider shall be required to comply with all of the specific requirements imposed by the 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 FMC. These requirements are identified in the attached District's letters dated March 4, 2022.

#### FRESNO UNIFIED SCHOOL DISTRICT (FUSD)

19. Comply with the requirements included within the FUSD memorandum dated February 15, 2022.

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

20. Comply with the requirements included within the PG&E memorandum dated March 3, 2022.

#### SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD)

21. Comply with the requirements included within the SJVAPCD memorandum dated March 3, 2022.

### **DEVELOPMENT FEES AND CHARGES**

Pursuant to Government Code §66020(d)(1) each local agency shall provide to the project applicant a notice in writing at the time of the approval of a project or at the time of the imposition of the fees, dedications, reservations, or other exactions a statement, and notification that the 90-day approval period in which the applicant may protest has begun (please see Notice to Project Applicant contained herein above for further information).

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).

This project is subject to the following development fees and charges:

- a. Applicable Drainage and Notice of Review (NOR) Fees as determined by the Fresno Metropolitan Flood Control District.

(Reference Fresno Metropolitan Flood Control District requirements included herein above and notes below for further information)

SEWER CONNECTION CHARGES

FEE RATE

- |                                            |                                |
|--------------------------------------------|--------------------------------|
| 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]<br>Service Area: | N/A                            |
| e. Wastewater Facilities Charge [3]        | S.T.E.P.**                     |
| f. House Branch Sewer Charge [2]           | N/A                            |

WATER CONNECTION CHARGES

FEE RATE

- |                              |                                                                                                                                        |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 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]    | Fee based on meter(s) sizes specified by owner; fee established by the Master Fee Schedule.                                            |

CITYWIDE DEVELOPMENT IMPACT FEE

FEE RATE

- |                                                              |                     |
|--------------------------------------------------------------|---------------------|
| j. Fire Facilities Impact Fee – Citywide [4]<br>- Industrial | \$413/1000 sq.ft. † |
| k. Park Facility Impact Fee – Citywide [4]                   | N/A                 |

|                                                                  |                     |
|------------------------------------------------------------------|---------------------|
| l. Quimby Parkland Dedication Fee [2]                            | N/A                 |
| m. Citywide Regional Street Impact Fee [3]<br>- Heavy Industrial | \$2,865/adj. acre   |
| n. New Growth Area Major Street Fee [3]<br>- Heavy Industrial    | \$8,058/adj. acre   |
| o. Police Facilities Impact Fee – Citywide [4]<br>- Industrial   | \$340/1000 sq.ft. † |
| p. Traffic Signal Charge [1]<br>- Industrial                     | \$399/1000 sq.ft. † |

**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.

\*\* Upon occupancy of the project, the subdivider shall pay the appropriate sewer facility charge pursuant to the Simple Tiered Equity Program (STEP) as determined by the Department of Public Utilities, Wastewater Division, Environmental Services Section (559-621-5153).

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

† Building areas to be calculated to the nearest square foot.

APPL. NO. TPM 2021-09 EXHIBIT A-1 DATE 02/10/2022  
PLANNING REVIEW BY DATE  
TRAFFIC ENG. DATE  
APPROVED BY DATE

CITY OF FRESNO DARM DEPT

# VESTING TENTATIVE PARCEL MAP NO. 2021-09

## LEGAL DESCRIPTION:

The Land referred to herein below is situated in the City of Fresno, County of Fresno, State of California, and is described as follows:

PARCEL 1:

PARCEL C AS SHOWN ON LOT LINE ADJUSTMENT NO. 2013-06, AS EVIDENCED BY DOCUMENT RECORDED JUNE 11, 2013 AS INSTRUMENT NO. 2013-0082690 OF OFFICIAL RECORDS OF FRESNO COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF VOLUNTARY PARCEL MERGER NO. 2013-03, AS DOCUMENT NO. 2013-0082689, OF OFFICIAL RECORDS OF FRESNO COUNTY, DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 20 TO 29, INCLUSIVE, OF WEST FRESNO, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 50, LYING SOUTH OF A LINE THAT IS PARALLEL WITH AND 358.71 FEET SOUTH OF THE SOUTH LINE OF THAT CERTAIN STRIP OF LAND 100 FEET WIDE GRANTED TO THE SOUTHERN PACIFIC RAILROAD COMPANY BY DEED DATED MAY 13, 1982 RECORDED IN BOOK 145, PAGE 390 OF DEEDS, AND WEST OF A LINE THAT IS PARALLEL WITH AND 1169.00 FEET EAST OF THE WEST LINE OF SAID LOTS 24 AND 25.

EXCEPTING THEREFROM THAT PORTION THEREOF GRANTED TO FRESNO IRRIGATION DISTRICT BY AGREEMENT DATED OCTOBER 1, 1946 RECORDED FEBRUARY 14, 1947 IN BOOK 2494 PAGE 185 OF OFFICIAL RECORDS.

PARCEL 2:

PARCEL D AS SHOWN ON LOT LINE ADJUSTMENT NO. 2013-06, AS EVIDENCED BY DOCUMENT RECORDED JUNE 11, 2013 AS INSTRUMENT NO. 2013-0082690 OF OFFICIAL RECORDS OF FRESNO COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF VOLUNTARY PARCEL MERGER NO. 2013-03, AS DOCUMENT NO. 2013-0082689 OF OFFICIAL RECORDS OF FRESNO COUNTY, AND LOTS 17 TO 19 OF WEST FRESNO, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 50, FRESNO COUNTY RECORDS, DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 17 TO 32, INCLUSIVE, OF SAID WEST FRESNO LYING SOUTH OF A LINE THAT IS PARALLEL WITH AND 358.71 FEET SOUTH OF THE SOUTH LINE OF THAT CERTAIN STRIP OF LAND 100 FEET WIDE GRANTED TO THE SOUTHERN PACIFIC RAILROAD COMPANY BY DEED DATED MAY 13, 1982 RECORDED IN BOOK 145, PAGE 390 OF DEEDS, AND EAST OF A LINE THAT IS PARALLEL WITH AND 1169.00 FEET EAST OF THE WEST LINE OF SAID LOTS 24 AND 25.

For conveyancing purposes only: APN 458-020-71 (Affects Parcel 1) 458-020-72 (Affects Parcel 2)

## FLOOD ZONE INFORMATION:

This property lies in Zone "X" as shown on Federal Emergency Management Agency (FEMA) City of Fresno and Incorporated Areas, California, Map No. 06019C2105H Map Revised: February 18, 2009.

Flood Zone "X" is described as "Area with Minimal Flood Risk" and further described as "0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile."

## APPLICANT/SUBDIVIDER: OWNER:

Scannell Properties  
294 Grove Lane East, Suite 140  
Wayzata, MN 55391  
(612) 280-4088

Di Nielsen Marks LLC  
4790 N Cornelia Ave.  
Fresno, CA 93706



LOCATION MAP (NTS)

## LEGEND

|                                 |         |
|---------------------------------|---------|
| PROPOSED PROPERTY LINE          | —       |
| LIMITS OF SUBDIVISION           | —       |
| EXISTING SECTION LINE           | —       |
| EXISTING EASEMENT LINE          | —       |
| EXISTING GROUND CONTOUR         | — 533 — |
| EXISTING SIGN                   | —       |
| EXISTING CURB & GUTTER          | —       |
| EXISTING CONCRETE CURB          | —       |
| EXISTING FLOWLINE               | —       |
| EXISTING OVERHEAD ELECTRIC LINE | — EOH — |
| EXISTING WATER MAIN             | — W —   |
| EXISTING SANITARY SEWER         | — SS —  |
| EXISTING CONCRETE BLOCK WALL    | —       |
| EXISTING FENCELINE              | —       |
| EXISTING WATER VALVE            | —       |
| EXISTING SANITARY SEWER MANHOLE | —       |
| EXISTING STORM DRAIN MANHOLE    | —       |
| EXISTING FIREHYDRANT            | —       |
| EXISTING POWER POLE             | —       |
| EXISTING STREET LIGHT           | —       |
| STORM WATER FLOW DIRECTION      | —       |

|                      |   |
|----------------------|---|
| EXISTING PAVEMENT    | — |
| EXISTING TREE        | — |
| EXISTING DRAIN INLET | — |
| EXISTING UTILITY BOX | — |

## NOTES:

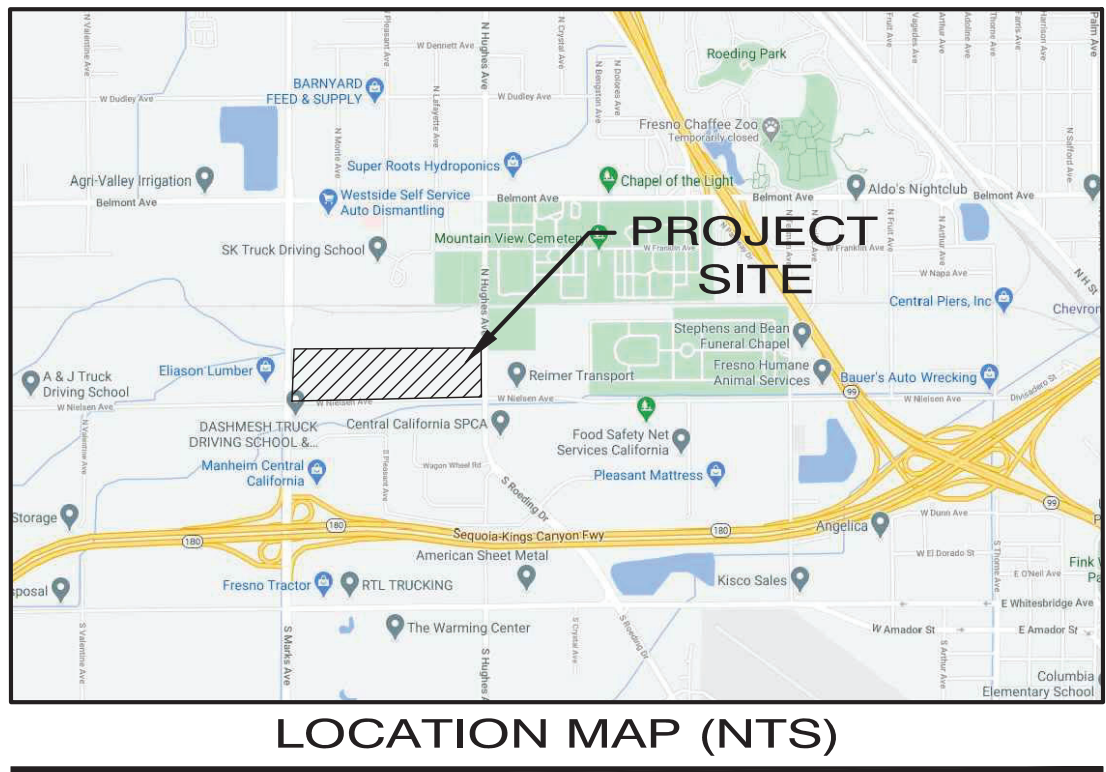
- There are no buildings on the property.
- The property consists of 2 Assessor's parcel numbers. 458-020-71 & 458-020-72
- The property abuts the following public right of ways: North Hughes Avenue, West Nielson Avenue and North Marks Avenue
- There is access to the property from West Neilson Avenue and North Hughes Avenue.
- There are 0 parking spaces on the property.
- The source of water supply shall be the City of Fresno.
- The source of proposed electricity and gas shall be PG&E.
- The source of sewerage and sewage disposal shall be the City of Fresno.
- There are no existing underground features on proposed property.
- All offsite improvements will be installed to City of Fresno standards.
- Acreage:  
Net: 48.35 AC  
Gross: 48.35 AC
- This property is subject to the following:  
The terms, provisions and easement(s) contained in the document entitled "Storm Water Easement Agreement" recorded July 26, 2013 as Instrument No. 013-0104886-00 of Official Records.  
(Affects Parcel 1)



LARS ANDERSEN & ASSOCIATES, INC.  
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS

4694 WEST JACQUELYN AVENUE FRESNO CALIFORNIA 93722  
TEL: 559 276-2790 FAX: 559 276-0850 WWW.LARSANDERSEN.COM  
JOB NO. 20097.00 DATE: FEBRUARY 2, 2022 SHEET 1 OF 3

# VESTING TENTATIVE PARCEL MAP NO. 2021-09



## NOTES:

- There are no buildings on the property.
- The property consists of 2 Assessor's parcel numbers. 458-020-71 & 458-020-72
- The property abuts the following public right of ways: North Hughes Avenue, West Nielson Avenue and North Marks Avenue
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- The source of proposed electricity and gas shall be PG&E.
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(Affects Parcel 1)

## SOUTHERN PACIFIC RAILROAD

## W NIELSEN AVE

(PUBLIC RIGHT OF WAY)

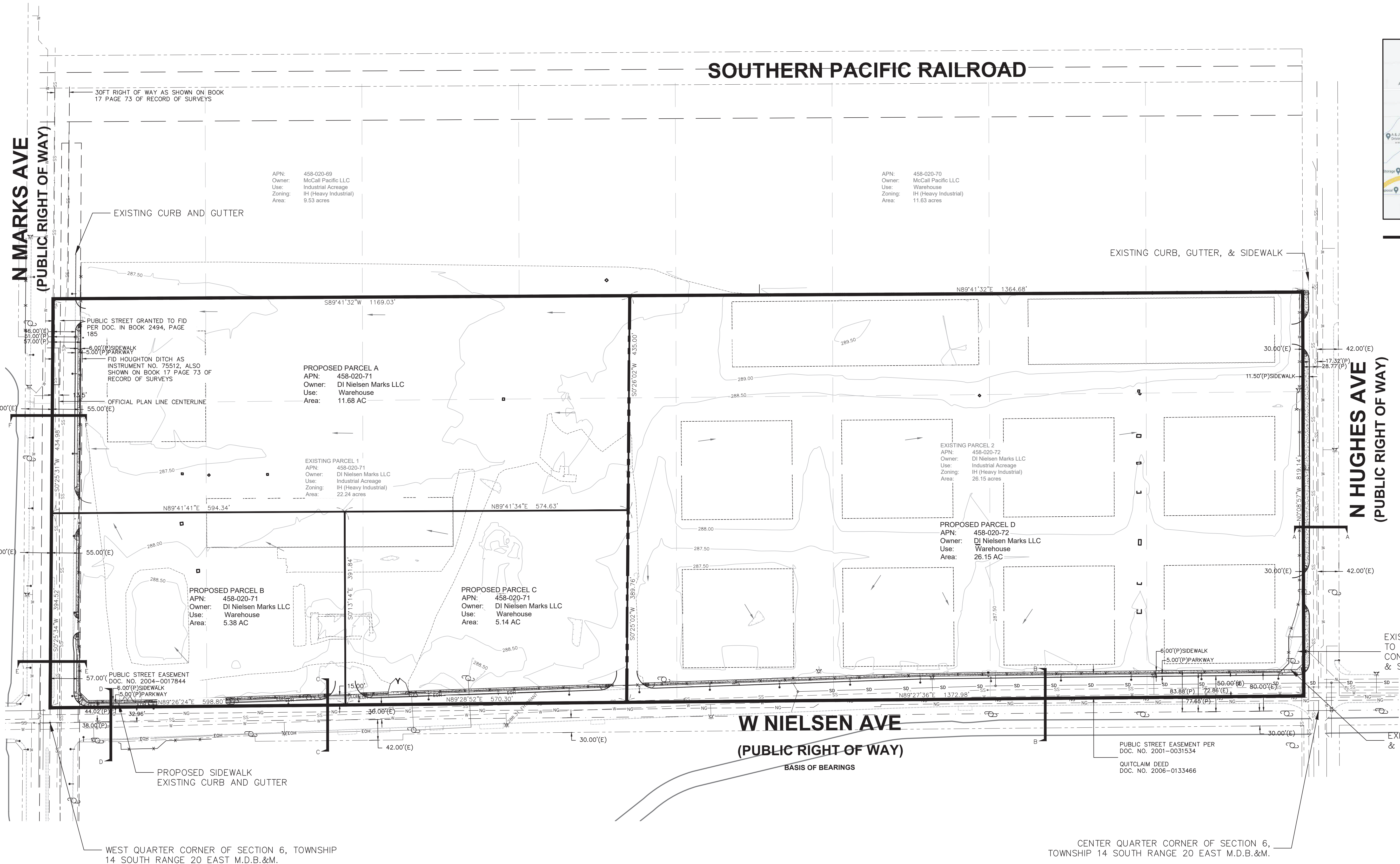
BASIS OF BEARINGS

## N HUGHES AVE

(PUBLIC RIGHT OF WAY)

## N MARKS AVE

(PUBLIC RIGHT OF WAY)



EXISTING ASPHALT CURB  
TO BE REPLACED WITH  
CONCRETE CURB, GUTTER,  
& SIDEWALK

EXISTING CURB, GUTTER,  
& SIDEWALK TO REMAIN



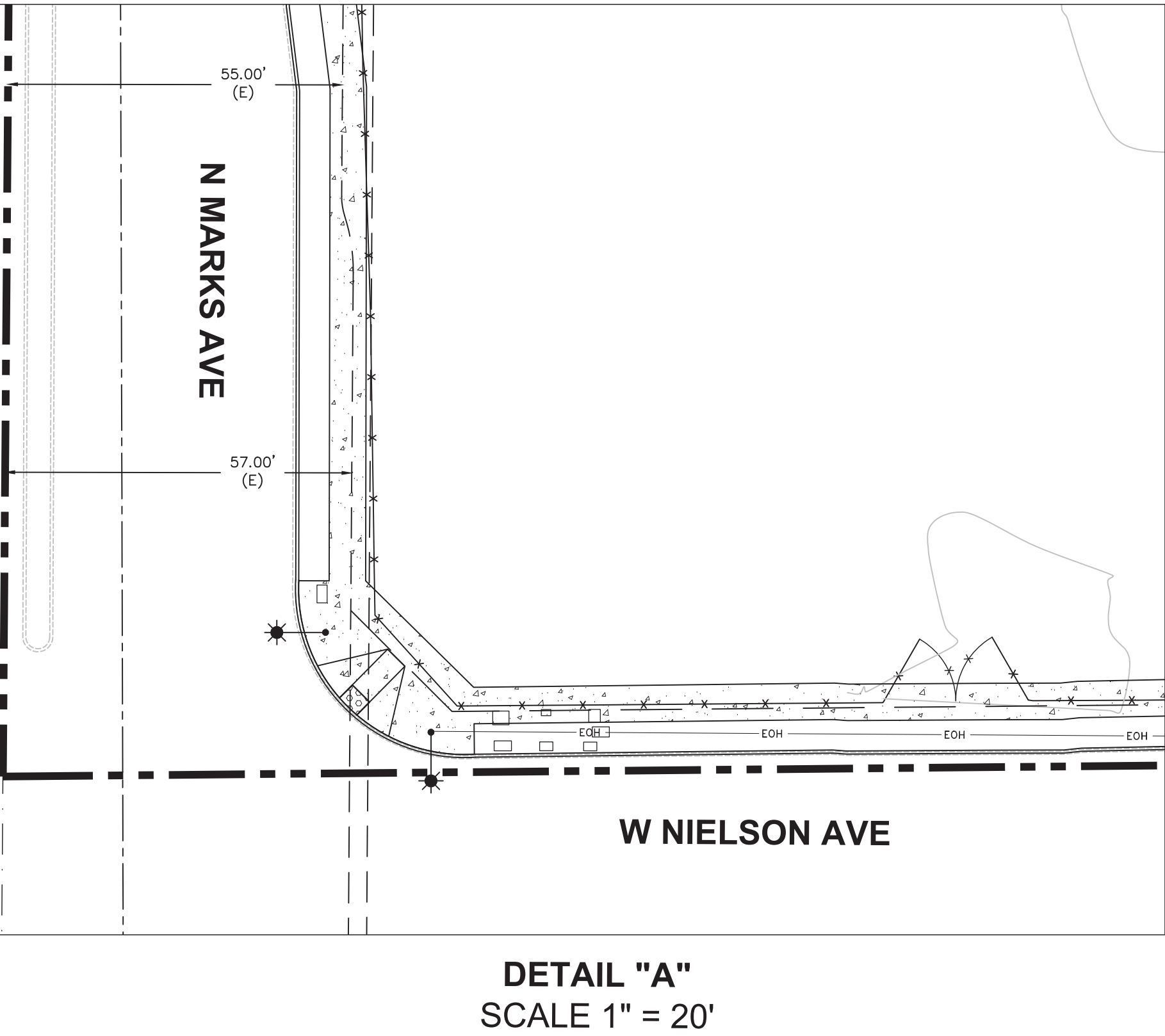
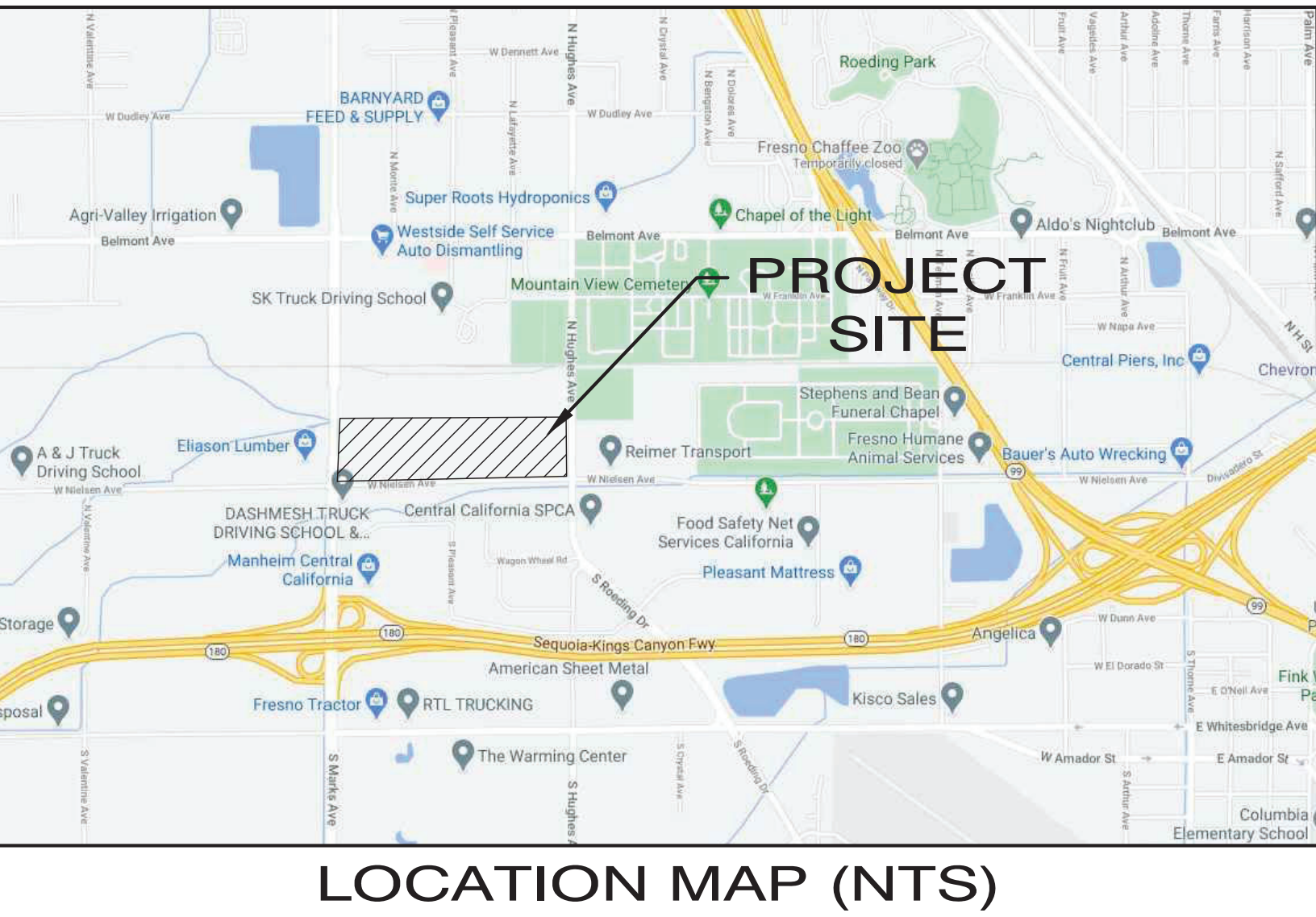
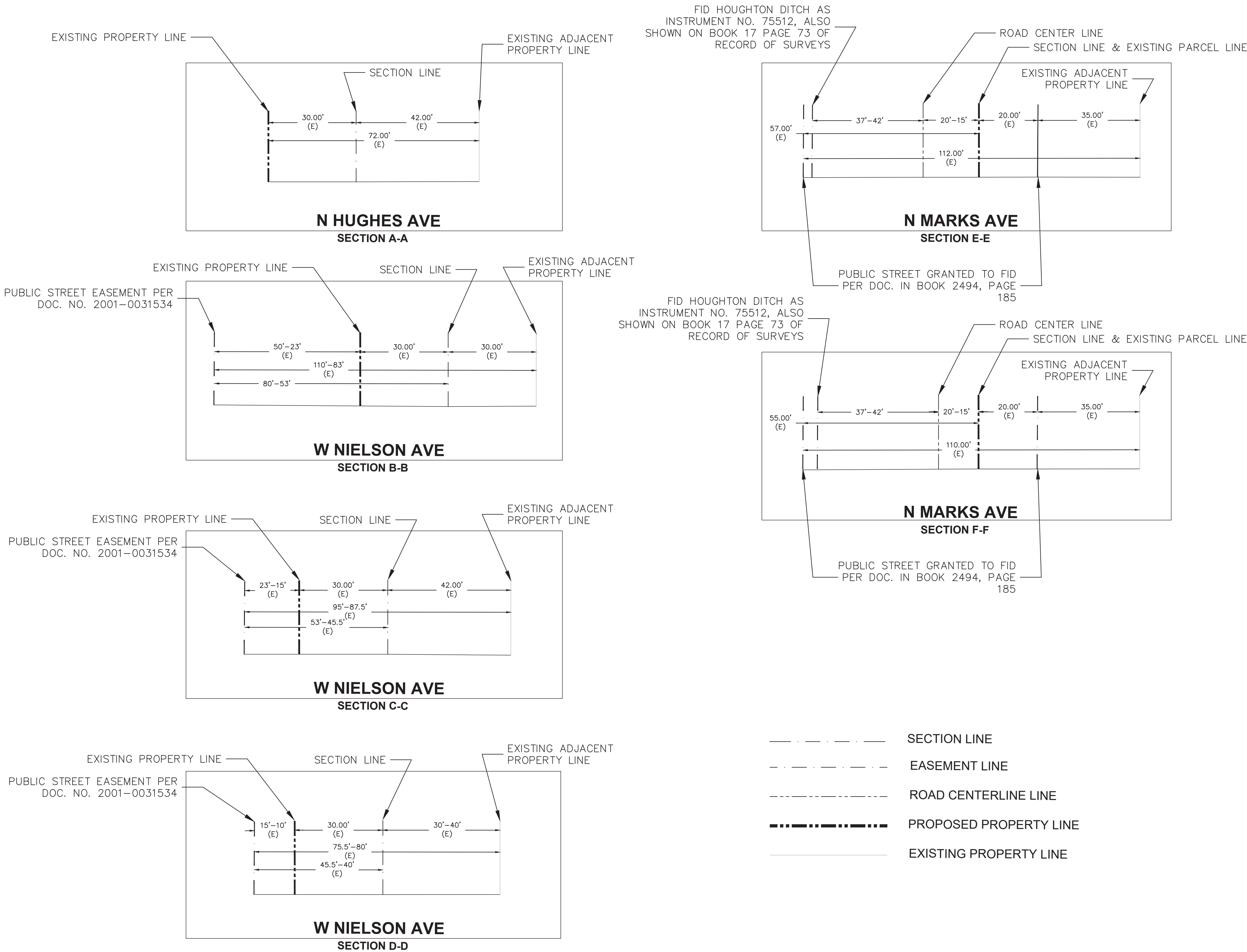
0' 100' 200'  
SCALE 1" = 100'



LARS ANDERSEN & ASSOCIATES, INC.  
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS

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TEL: 559 276-2790 FAX: 559 276-0850 WWW.LARSANDERSEN.COM  
JOB NO. 20097.00 DATE: FEBRUARY 2, 2022 SHEET 2 OF 3

VESTING TENTATIVE  
PARCEL MAP  
NO. 2021-09



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CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS  
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JOB NO. 20097.00 DATE: FEBRUARY 2, 2022 SHEET 3 OF 3



**DATE:** March 4, 2022

**TO:** Steven Martinez,  
Planning and Development Department

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

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

**SUBJECT:** Public Works Conditions of Approval  
**PM 2021-09 / P21-05930 a 4-lot** subdivision  
2740 West Nielsen Avenue  
Scannell Properties / Lars Andersen & Associates, Inc.

**COMPLIANCE REQUIRED:**

Provide the following information prior to the acceptance of the final map submittal.

1. Verify the Map Boundary location. Map boundary shall include "Fee Title Interest".
2. Correct the Marks OPL center line location.
3. Notes 3 and 4 on sheets 1 and 2: Revise the spelling of "Nielsen". Why does note 4 talk about access to only 2 streets?
4. Note 9 claims no underground features. Should the note referring to the Houghton Ditch be vacated?
5. Since the parcels are greater than 4 acres, all proposed off-site improvements will be required with the site plan. Remove all proposed improvements and notes.
6. Detail A: revise to reflect current conditions. What is the dashed line that the existing r/w is pointing to, where is the bus stop, etc.?
7. Section A-A: show center line, curb and gutter.
8. Section B-B: This is mid-block and should ultimately be an 84' Collector. Show proposed center line, existing curb and gutter on both sides and revise spelling.
9. Section C-C: This is mid-block and should be an 84' Collector. Show proposed center line, existing curb and gutter on both sides and revise spelling.
10. Section D-D: The cross section for both intersections should be 88' for bus bay and right turn lanes. See P-69. Identify Existing curb and gutter, both sides.
11. Section E-E: Verify dimensions on the map and cross section. They should match. Revise center line. Identify curb and gutter.
12. Section F-F: Revise center line. The map and the cross section do not match. "Public Street Granted to FID" should this be vacated if the ditch is on the west side of the street? We will need a 55-57' street easement, if not existing.

13. Provide a proposed GAD for the intersection of Nielsen and Hughes. Include the bridge and the transition from 2 travel lanes to 4 south of Nielsen.
14. Identify the vacation of excessive right of way along Hughes at Nielsen. Should be 72'-88'.
15. Revise legend line types to match what is used in the cross sections and the map.
16. Marks: Identify existing curb, gutter and bus stop.

## **PUBLIC IMPROVEMENT REQUIREMENTS**

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

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the tentative map. 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.

Construct or install the required improvements or contact Public Works to enter into a bonded secured agreement for these improvements. This must be executed **prior** to perfection of this parcel map. Contact Randy Guill **at (559) 621-8684**.

### **General Conditions**

- Map boundary shall include "Fee Title Interest".
- 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.
- Submit the following plans, as applicable, in a single package, to the Public Works Department, Engineering Services Division for review and approval, prior to the final map: Street construction; Signing and Striping; Traffic Signal and Streetlight. All required signing and striping shall be installed and paid for by the developer / owner. The signing and striping plans shall comply with the current Caltrans standards and be submitted as a part of the street improvement plans.
- Additional offsite improvements will be required at the time of future site plan review.
- Curb ramps with "Detectable Warning Devices" are required at all corners within the limits of this parcel map.
- Repair all damaged and/or off grade off-site concrete street and/or alley improvements as determined by the City of Fresno Public Works Department, Construction Management Division, **(559) 621-5600**. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.
- All existing driveway approaches which no longer provide access to approved vehicle parking areas shall be removed unless otherwise approved by the City Engineer. Such

areas shall be reconstructed with curb, gutter, and sidewalk to match existing adjacent street improvements. This work shall be completed and accepted before a Permit of Occupancy is issued or the building is occupied per Fresno Municipal Code (FMC) 13-211.

- Provide a 30' visibility triangle at all street intersections.
- Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 15-4114.
- Intelligent Transportation Systems (ITS): Street work on major streets shall be designed to include ITS in accordance with the Public Works ITS Specifications, where not existing.
- Street widening and transitions shall also include utility relocations and necessary dedications.
- FAX: When a bus shelter is required by the Department of Transportation, FAX Division, a thicker sidewalk will be required. Contact Jeff Long at 559 621- 1436. Coordinate all conditions of approval between Public Works and FAX.
- Irrigation /Canal Requirements: The developer shall enter into an agreement with the Fresno Irrigation District (FID) providing for piping the canal(s) and submit an executed copy of the agreement or commitment letter from FID to the Public Works Department. All piping shall be located outside of the proposed street right of way. Any piping across city streets shall be rubber gasketed reinforced concrete pipe (RGRCP) constructed perpendicular to the street. Submit engineered plans to Public Works Department, Engineering Services Division for review and approval. Identify the proposed easement and provide a final cross-sectional detail on the map.
- 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.

## **Street Dedications and / or Vacations**

Identify pedestrian paths of travel along public sidewalks: Provide a minimum of 4' clear to accommodate access along the entire street frontage of this map. Pedestrian easements may be required to accomplish this. Identify all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc. within the public right of way or public easements.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment covenant is approved by the City of Fresno Public Works Department, Engineering Services Division. Contact Jason Camit at (559) 621-8681. Encroachment agreements must be approved **prior** to final map.

## **Frontage Improvement Requirements**

All improvements shall be constructed in accordance with the *Standard Specifications and Standard Drawings* of the City of Fresno, Public Works Department. Street construction plans are required and shall be approved by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. Contact the City of Fresno Public Works Department, Engineering Services Division at **(559) 621-8670** for detailed information.

### **Public Streets:**

#### **Marks Avenue: 110' Arterial**

1. Dedication Requirements:
  - a. If not existing, dedicate **55-57'** of property, from section line/ center line, for public street purposes, within the limits of this subdivision, per *Public Works Standards P-52* and *P-69*. *Center line shall be established per Official Plan Line No. 137.*
2. Construction Requirements: to be conditioned with the site plan.

#### **Nielsen Avenue: 84' Collector**

1. Dedication and / or Vacation Requirements:
  - a. If not existing, dedicate **42-44'** of property, from center line, for public street purposes, within the limits of this subdivision, per *Public Works Standard P-54* and *P-69*. Center line shall be established based on the center line created by the existing curb and gutter.
2. Construction Requirements: to be conditioned with the site plan.

#### **Hughes Avenue: 72' Collector**

1. Dedication and Vacation Requirements:
  - a. Dedicate **36'-44'** from center line, (30'- 38' from quarter section or as approved once the proposed layout is submitted) for public street purposes, within the limits of this subdivision, per *Public Works Standard P-54* and *P-69*. Center line shall be established based on the **36'-36'** mid-block section.
  - b. Vacate excessive right-of-way within the limits of this subdivision. Reserve enough right of way for **44'** from center line and a corner cut for a ramp. A feasibility study for all proposed vacations of existing public rights of way is required to be completed **prior** to or concurrently with the recordation of the parcel map. Contact Jason Camit of the Public Works Department, at (559) 621-8681. Provide a detail.
2. Construction Requirements: to be conditioned with the site plan.

**Specific Mitigation Requirements:**

1. Provide a proposed GAD for the intersection of Nielsen and Hughes. Include the proposed vacation, bridge and the transition from 2 travel lanes to 4 south of Nielsen.

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

**Fresno Major Street Impact (FMSI) Fees:** This entitlement is in the **Infill Area**; therefore, pay all applicable City-wide regional street impact fees. Contact the Public Works Department, Frank Saburit at **(559)621-8797**.

**FMSI Requirements:** To be conditioned with the site plan.

**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 granting final occupancy.

---

**DEPARTMENT OF PUBLIC WORKS**

---

TO: Mindi Mariboho, Development Services Coordinator  
Planning Division

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

DATE: December 16, 2020

SUBJECT: **P20-04688; 2740 & 2102 W. Nielsen Ave.** (APN: 458-020-71) located on the north side of W. Nielsen Ave. between N. Hughes and N. Marks Avenues. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street right-of-ways:

## **GENERAL REQUIREMENTS**

### **STREET TREE REQUIREMENTS**

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 40' of street frontage by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with AB 1881.
2. The designated street tree for N. Marks Ave. is:

**Cinnamomum camphora**

**Camphor Tree**

**There are no designated street trees for either W. Nielsen or N. Hughes Avenues. Please choose appropriate trees from the list of Approved Street Trees.**

3. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications. Landscape and irrigation plans shall be reviewed and approved by the Department of Public Works, Engineering Services. Please submit plans to the scale of 1"=20' to [dpwplansubmittal@fresno.gov](mailto:dpwplansubmittal@fresno.gov).



**DEPARTMENT OF PUBLIC UTILITIES**

**MEMORANDUM**

**DATE:** March 3, 2022

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

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

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

**SUBJECT: DPU CONDITIONS OF APPROVAL P21-05930 TENTATIVE PARCEL  
MAP 2021-09 APN 458-020-71**

**Water Service Requirements**

The City of Fresno - Department of Public Utilities approves of the proposed project, subject to the following conditions listed below.

1. On-site water facilities shall remain private.
2. Separate water services with meter boxes shall be provided to each lot.
3. 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

**Water Supply Requirements**

4. The existing property is currently served with one 1-inch water meter.
  - a) If the total domestic, commercial, industrial and irrigation water demands for the applicant's proposed project can be accommodated with the existing one 1-inch water meter, then the applicant shall not be required to pay a Water Capacity Fee Charge.
  - b) If the total domestic, commercial, industrial and irrigation water demands for the applicant's proposed project cannot be accommodated with the one 1-inch water meter, and an additional water meter or a larger water meter is required, then the applicant shall be required to pay a Water Capacity Fee

# MEMORANDUM

MINDI MARIBOHO – Development Services Coordinator

Planning & Development Dept/Current Planning

March 3, 2022

DPU CONDITIONS OF APPROVAL P21-05930 TENTATIVE PARCEL MAP 2021-09

APN 458-020-71

Page 2 of 3

Charge.

- c) If a larger water meter or fire service is required to accommodate the new, larger water demands, then the Water Capacity Fee Charge shall be calculated by subtracting the Water Capacity Fee Charge associated with the existing water meter size from the Water Capacity Fee Charge associated with the larger water meter size required for the applicant's project. The Water Capacity Fee Charges for different meter sizes are published in the City's Master Fee Schedule.
  - d) 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.
  - e) 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.
5. 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 36-inch sewer trunk and 45-inch sewer trunk are located in North Marks Avenue, 18-inch sewer oversize main located in West Nielsen Avenue and an 8-inch sewer main located in North Hughes. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

- 1. Installation of sewer house branch(s) shall be required.
- 2. Connecting to the existing 45 or 36-inch sewer trunk shall require a manhole special manhole connection per Public Works Detail 'S-4'.
- 3. Street work permit is required for any work in the Right-of-Way.
- 4. On-site sanitary sewer facilities shall be private.
- 5. Abandon any existing on-site private septic systems.
- 6. The Project Developer shall contact Utility Billing and Collection Services at (559) 621-6765 prior to pulling building permits regarding conditions of service for special

MEMORANDUM

MINDI MARIBOHO – Development Services Coordinator

Planning & Development Dept/Current Planning

March 3, 2022

DPU CONDITIONS OF APPROVAL P21-05930 TENTATIVE PARCEL MAP 2021-09

APN 458-020-71

Page 3 of 3

users.

**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. Sewer Facility Charge (Non-Residential)
4. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility charges per Fresno Municipal Code Sections 6-304 and 6-305. Sewer Facility Charges consist of two components, a Wastewater Facilities Charge and Trunk Sewer Charge where applicable.
5. Sewer Facility Charges are collected after occupancy on a monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charge.

**Solid Waste Requirements**

This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Mid Valley Disposal at 559-237-9425.

1. This location will require a one, 2-cell trash enclosure, designed to accommodate separate facilities containing 2 - 4cu. yd. bins, one for trash and one for recycling collection to be constructed to current Solid Waste standards (P-33, P-34 and P-95) to be serviced weekly.
2. 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.



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

---

## **Fire Department**

March 2, 2022  
Byron Beagles

## **Comments**

1. A preliminary site plan was submitted for the DRC process which indicated these new parcel lines, proposed building footprints, and proposed site access. Provide covenants between all parcels for common access, emergency access, and shared on site utilities. The buildings proposed on Parcels B & C, may need a 30 foot no build easement on each side of the proposed property line between 96,000 square buildings in order to use the California Building Code allowance for unlimited area buildings.



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

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## **Fresno County Environmental Health**

June 9, 2022

### **Comments**

Recommended Conditions of Approval:

1. Facilities that use and/or store hazardous materials and/or hazardous wastes 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. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
2. Future construction and project have the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code
3. 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.
4. Should any underground storage tank(s) be found during construction, 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. The applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers and facilities, will require the Owner/Operator to obtain a Tire Program Identification Number (TPID) and possibly a waste and used tire hauler permit from the California Department of Resources Recycling and Recovery (CalRecycle). Contact the local Tire Enforcement Agency at (559) 621-2489 for additional information.



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

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

March 3, 2022

Juan Lara  
Department and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Tentative Parcel Map Application No. P21-05930  
N/E Nielsen and Marks avenues

Dear Mr. Lara:

The Fresno Irrigation District (FID) has reviewed the Tentative Parcel Map No. 2022-01, Planning Application P22-00102 for which the applicant proposes to subdivide a residential property into two lots, APN: 443-214-10. FID has the following comments:

1. FID previously reviewed and commented on the subject property on December 16, 2020, as Development Review Committee Application P20-04688 and on November 22, 2021, as Development Permit Application No. P21-02699. Those comments and conditions still apply and a copy has been attached for your review.

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,

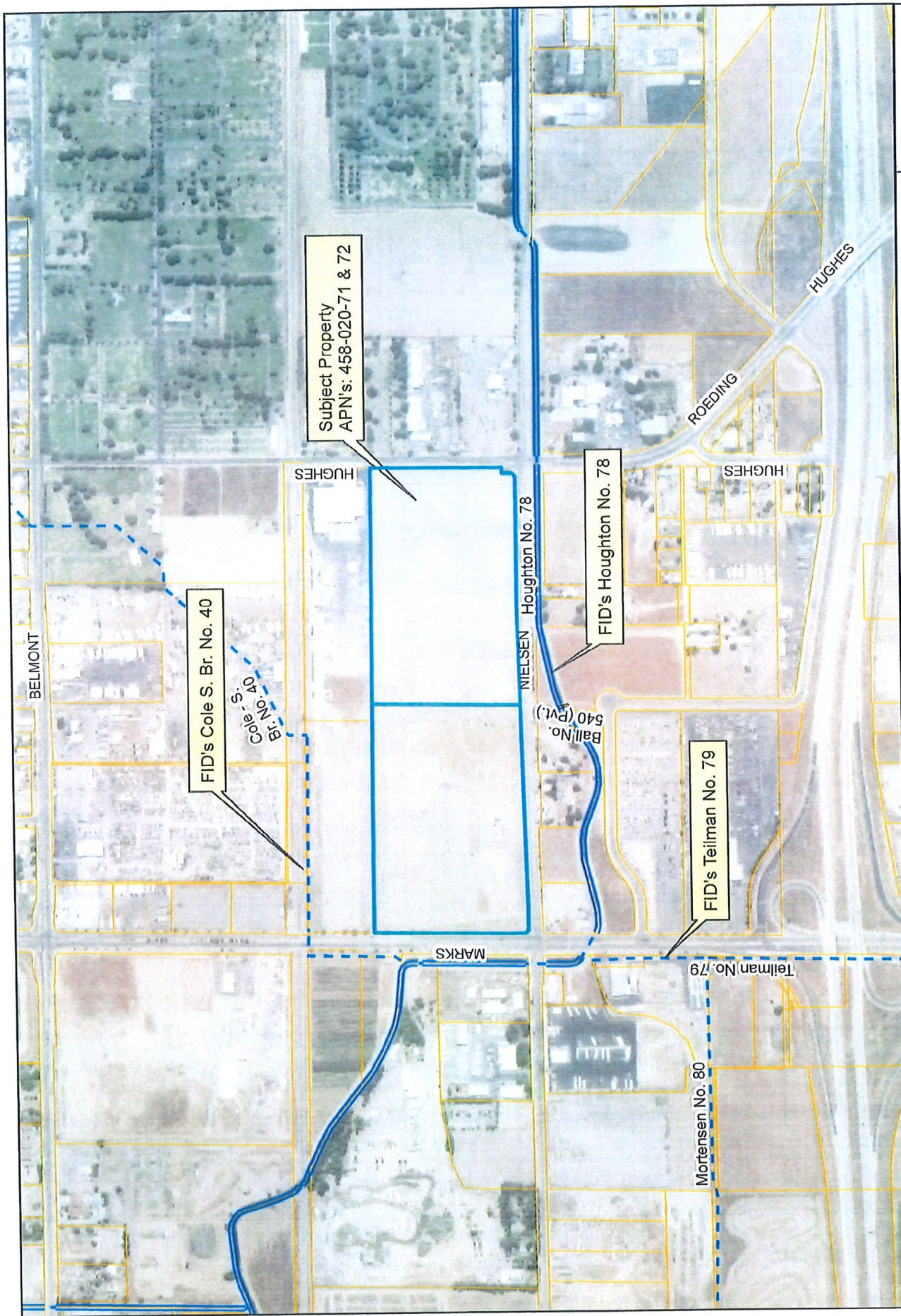
Laurence Kimura, P.E.  
Chief Engineer

Attachment

G:\Agencies\FresnoCity\Parcel Map\P21-05930\P21-05930 FID Comment.doc

**BOARD OF DIRECTORS**

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GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH



**Legend**

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

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. For further information on FID facilities, Engineering Dept. at (559) 233-1161 for further information on FID facilities.

Spatial References  
 North: NAD 1983 StatePlane California IV FIPS 9404 Path: G:\Figs\2021\115 FID Master.mxd

Scale: 1 inch = 663.37 feet

680  
340  
0  
Feet  
1 inch = 663.37 feet



FRESNO IRRIGATION DISTRICT



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

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

November 22, 2021

Erik Young  
Department and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Planning Application No. P21-02699  
N/E Marks and Nielsen avenues

Dear Mr. Young:

The Fresno Irrigation District (FID) has reviewed the Planning Application No. P21-02699 for which the applicant proposes the construction of four (4) Industrial Warehouse Buildings, APN's: 458-020-71 and 72. 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. For informational purposes, FID's active Houghton No. 78 runs westerly along the north side of Nielsen Avenue, crosses Nielsen Avenue approximately 2,470 feet east of the subject property, continues west along the south side of Nielsen Avenue, crosses Hughes Avenue approximately 1,280 feet east of the subject property, crossing Marks Avenue approximately 300 feet south of the subject property, crossing Nielsen Avenue approximately 190 feet west of subject property and continues northwest along the west side of Marks Avenue as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nielsen Avenue, Hughes Avenue, Marks Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.
3. For informational purposes, FID's active Cole – S. Br. No. 40 runs southwesterly, crosses Marks Avenue approximately 300 feet north of the subject property and continues south along the west side of Marks Avenue, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Marks Avenue or in the vicinity of this facility, FID requires it review and approve all plans.

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**BOARD OF DIRECTORS**

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

Erik Young  
RE: P21-02699  
November 22, 2021  
Page 2 of 2

4. For informational purposes, FID's active Teilman No. 79 runs southerly along the west side of Marks Avenue and crosses Whitesbridge Avenue approximately 2,560 feet south of the subject property, as shown on the attached FID exhibit map.

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



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

**A Century of Commitment, Conveyance & Customer Service**

December 16, 2020

Mindi Mariboho  
Department and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Planning Application No. P20-04688  
N/E Marks and Nielsen avenues

Dear Ms. Mariboho:

The Fresno Irrigation District (FID) has reviewed the Planning Application No. P20-04688 for which the applicant proposes the construction of three (3) office/warehouse buildings, APN: 458-020-71. 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. For informational purposes, FID's active Houghton No. 78 runs westerly along the north side of Nielsen Avenue, crosses Nielsen Avenue approximately 2,470 feet east of the subject property, continues west along the south side of Nielsen Avenue, crossing Hughes Avenue approximately 1,280 feet east of the subject property, crossing Marks Avenue approximately 300 feet south of the subject property, crossing Nielsen Avenue approximately 190 feet west of subject property and continues northwest along the west side of Marks Avenue as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nielsen Avenue, Hughes Avenue, Marks Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.
3. For informational purposes, FID's active Cole – S. Br. No. 40 runs southwesterly, crosses Marks Avenue approximately 380 feet north of the subject property and continues south along the west side of Marks Avenue, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Marks Avenue or in the vicinity of this facility, FID requires it review and approve all plans.

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BOARD OF  
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CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager BILL STRETCH

Mindi Mariboho  
RE: P20-04688  
December 16, 2020  
Page 2 of 2

4. For informational purposes, FID's active Teilman No. 79 runs southerly along the west side of Marks Avenue and crosses Whitesbridge Avenue approximately 2,560 feet south of the subject property, as shown on the attached FID exhibit map.

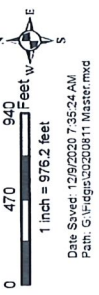
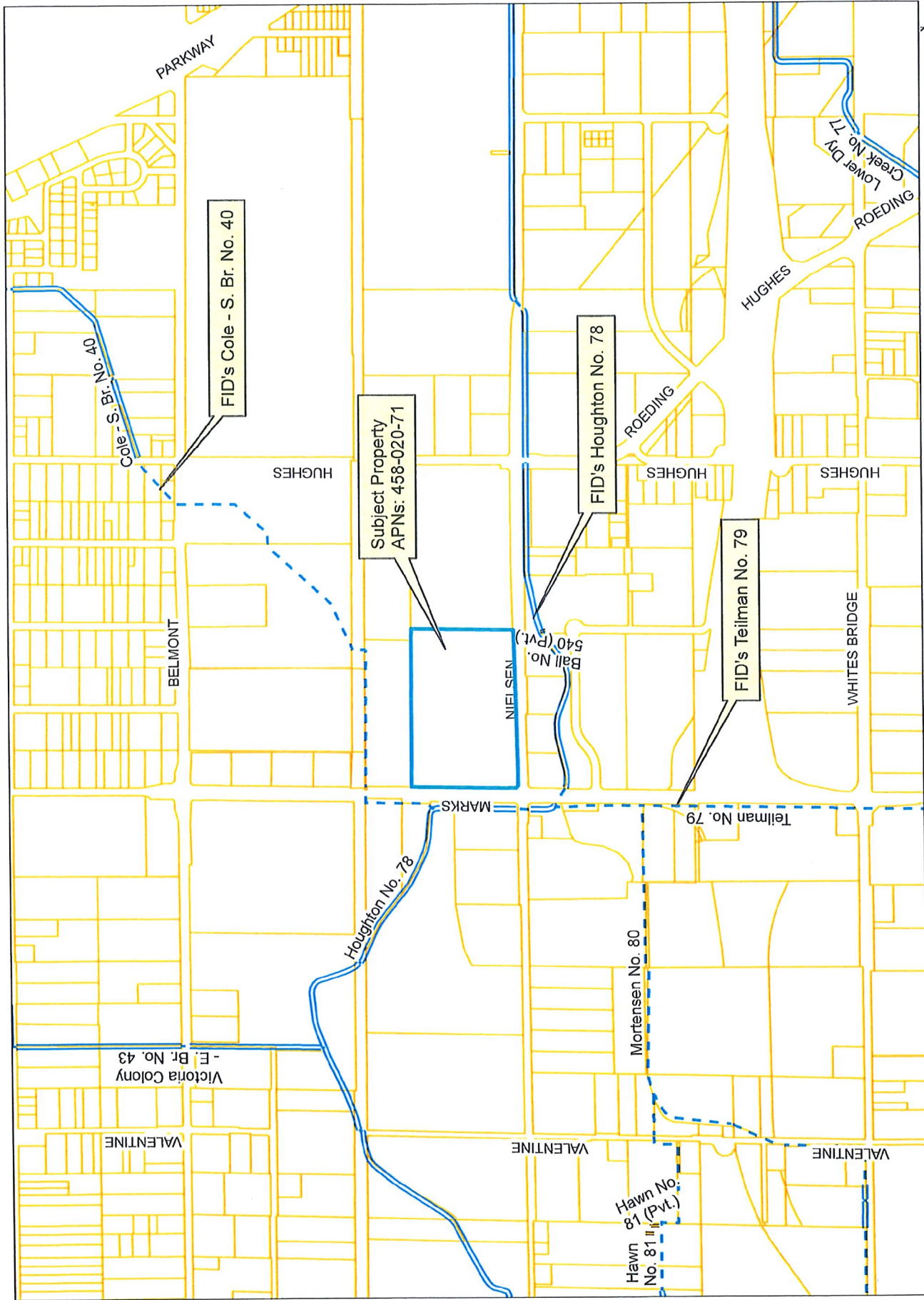
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or [clundeen@fresnoirrigation.com](mailto:clundeen@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment



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

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 METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS**

File No. 210.411

Page 1 of 4

**PUBLIC AGENCY**

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

**DEVELOPER**

DANIEL ZOLDAK, LARS ANDERSEN &  
ASSOCIATES  
4694 W. JACQUELYN AVE.  
FRESNO, CA 93722

PROJECT NO: **2021-009**

ADDRESS: **2740 W. NIELSEN AVE.**

APN: **458-020-72, 458-020-71**

SENT: **March 04, 2022**

| Drainage Area(s)                        | Preliminary Fee(s) | Development Review Service Charge(s)    | Fee(s)     |                                                                                  |
|-----------------------------------------|--------------------|-----------------------------------------|------------|----------------------------------------------------------------------------------|
| AS                                      | \$458,116.00       | NOR Review *                            | \$0.00     | To be paid prior to release of District comments to Public Agency and Developer. |
| ZZ                                      | \$202,527.00       | Grading Plan Review *                   | \$8,519.00 | Amount to be submitted with first grading plan submittal.                        |
| <b>Total Drainage Fee: \$660,643.00</b> |                    | <b>Total Service Charge: \$8,519.00</b> |            |                                                                                  |

\* The Development Review Service Charge shown above is associated with FR DPA 2021-02699 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/23 based on the site plan submitted to the District on 2/10/22 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  
TPM  
No. 2021-009**

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

Page 2 of 4

**FR TPM No. 2021-009**

**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 Private On-Site 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 PRIVATE ON-SITE SYSTEM 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  
TPM  
No. 2021-009**

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.



Debbie Campbell  
Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 3/4/2022 10:36:01 AM



Gary W. Chapman  
Engineering Tech III

Digitally signed by Gary W. Chapman Date: 3/3/2022 1:17:47 PM

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

Page 4 of 4

CC:

DI NIELSEN MARKS LLC

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4790 N. CORNELIA

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FRESNO, CA 93722

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PAUL STARN, SCANNELL PROPERTIES

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294 GROVE LANE EAST, SUITE 140

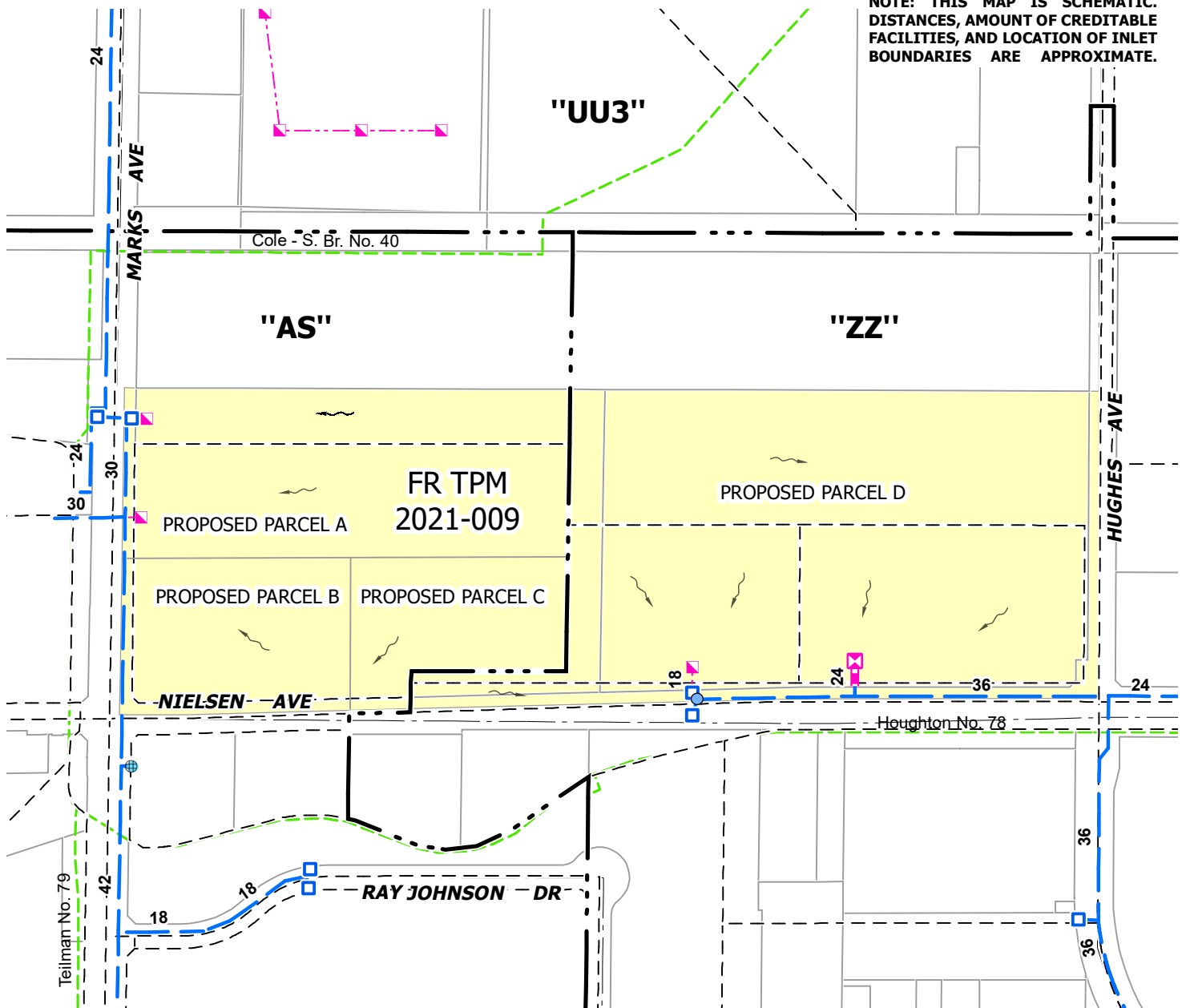
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WAYZATA, MN 55391

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**FR TPM No. 2021-009**

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



## LEGEND

- Private On-Site System To Be Constructed By Developer
- Existing Private Facilities
- Existing Master Plan Facilities
- Existing Temporary Inlet
- Inlet Boundary
- Drainage Area Boundary
- Existing FID Facilities
- Direction Of Drainage



1" = 400'

**FR TPM 2021-009**  
**DRAINAGE AREAS "AS" & "ZZ"**



## EXHIBIT NO. 1 FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

TPM 2021-009 is located in two drainage areas, Drainage Area "AS" and Drainage Area "ZZ". Development of the site shall maintain the Master Plan area to each drainage area as shown on Exhibit No. 1.

The minimum finish floor elevation of the development shall be one foot higher than the controlling flood safety overflow point. The controlling flood safety overflow point for the portion of the project located in Drainage Area "ZZ" is the bridge on Hughes Avenue over the Houghton Canal. The controlling flood safety overflow point for the portion of the project located in Drainage Area "AS" is the breakover to the Houghton Canal on the west side of Marks Avenue between Nielsen and the Union Pacific Railroad. The elevations at the mentioned breakover locations will need to be provided on the grading plans for review and verification of proposed building finish floor elevations for the development.

The construction of the "Private On-Site System" shown on Exhibit No. 1 will provide permanent drainage service to the portion of the project located in Drainage Area "ZZ". Permanent drainage service will not be available for the portion of the project located in Drainage Area "AS". The District recommends temporary facilities until permanent facilities are available.

If the project is proposing a depressed loading dock (below grade connection) with a direct or private connection to the FMFCD system, a signed agreement between the property owner and District is required, said agreement will require annual reporting and inspection.

The following paragraphs only apply towards development of the individual parcels and are not conditions for the recording of the map.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas shall not be connected to the District's system. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements is available on the District's website at: [www.fresnofloodcontrol.org](http://www.fresnofloodcontrol.org) or contact the District's Environmental Department for further information regarding these policies related to industrial site requirements.



## BOARD OF EDUCATION

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## SUPERINTENDENT

Robert G. Nelson, Ed.D.

February 15, 2022

Steven Martinez  
Development and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721-3604

SUBJECT: **APPLICATION NO. P21-05930**  
**TENTATIVE PARCEL MAP NO. 2021-09**  
**2740 W. NIELSEN AVE. / APN: 458-020-71 & 458-020-72**

Dear Mr. Martinez,

In response to your request for review and comment for Tentative Parcel Map No. 2021-09, which proposes to split the existing two parcels into four parcels for office/warehouse use, Fresno Unified School District submits the following.

Any urban commercial or residential development occurring as a result of project approval will have an impact on the District's student housing capacity. The District, through local funding, is in a position to partially mitigate its shortage of classrooms to accommodate planned population growth for the foreseeable future. However, the District recognizes that the legislature, as a matter of law, has deemed, under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50's Level 1, 2 and 3 developer fee legislative provisions.

The Fresno Unified School District levies a development fee for residential and commercial development. The current residential development fee rate is \$4.08 per square foot, and the current commercial development fee rate is \$0.66 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit and fees will be calculated pursuant to rates effective at the time of payment.

The project is presently within the attendance areas of the schools identified below.

|                    |        |
|--------------------|--------|
| Elementary School: | Addams |
| Middle School:     | Gaston |
| High School:       | Edison |

Thank you for the opportunity to comment. Please contact our office at 457-3066 if you have any questions or require additional information regarding our comments.

Sincerely,

Alex Belanger, Assistant Superintendent  
Facilities Management and Planning

AB:hl

DWC



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

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## **Pacific Gas & Electric (PG&E)**

March 3, 2022

### **Comments**

Dear City of Fresno,

Thank you for giving us the opportunity to review the subject plans. Our review indicates the proposed tentative parcel map 2021-09 do not appear to directly impact our easement rights.

Please note, PG&E operates an existing 16" high-pressure gas transmission line within Nielsen Avenue. A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

Please contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782 and PG&E's Service Planning department at [www.pge.com/cco](http://www.pge.com/cco) for any modification or relocation requests, or for any additional services you may require.

If you have any questions regarding our response, please contact me at [alexa.gardea@pge.com](mailto:alexa.gardea@pge.com).

Sincerely,

Alexa Gardea  
Land Management  
916-760-5738

March 3, 2022

Steven Martinez  
City of Fresno  
Planning & Development Department  
2600 Fresno Street, Third Floor, Room 3043  
Fresno, CA 93721

**Project: Planning Application for Scannell TMAP, P21-05930**

**District CEQA Reference No: 20220145**

Dear Mr. Martinez:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the City of Fresno (City). The project consists of the construction of four office/warehouse buildings totaling 907,780 square feet (Project). The Project will also include a subdivision of the existing two parcels into four parcels. The Project is located at 2740 W Nielsen Avenue, in Fresno, CA (APN 458-020-72 & 458-020-71).

**Project Scope**

The project consists of the construction of four office/warehouse buildings. The first building will be 468,760 square feet, the second building will be 248,820 square feet, the third building will be 96,250 square feet and the fourth building will be 93,950 square feet.

The District's initial review of the Project concludes that emissions resulting from construction and/or operation of the Project may exceed the following thresholds of significance: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NO<sub>x</sub>), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SO<sub>x</sub>), 15 tons per year of particulate matter of 10 microns or less in size (PM<sub>10</sub>), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM<sub>2.5</sub>).

Other potential significant air quality impacts related to Toxic Air Contaminants (see information below under Health Risk Assessment), Ambient Air Quality Standards, Hazards and Odors, may require assessments and mitigation. More information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: <https://www.valleyair.org/transportation/GAMAQI.pdf>

**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) 230-8000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: (861) 392-5500 FAX: (861) 392-5585

The District recommends that a more detailed preliminary review of the Project be conducted for the Project's construction and operational emissions. The additional environmental review of the Project's potential impact on air quality should consider the following items:

## **1) Project Related Criteria Pollutant Emissions**

### **1a) Construction Emissions:**

Construction emissions are short-term emissions and should be evaluated separately from operational emissions. Equipment exhaust, as well as fugitive dust emissions should be quantified. For reference, the District's annual criteria thresholds of significance for construction are listed above.

To reduce impacts from construction-related diesel exhaust emissions, the project should utilize clean off-road construction equipment, including the latest tier equipment as feasible.

### **1b) Operational Emissions:**

Emissions from stationary sources and mobile sources should be analyzed separately. For reference, the District's annual criteria thresholds of significance for operational emissions are listed above.

### **1c) Recommended Model:**

Project related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using CalEEMod (**California Emission Estimator Model**), which uses the most recent approved version of relevant Air Resources Board (ARB) emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: [www.caleemod.com](http://www.caleemod.com).

### **1d) Project Related Operational Emissions – Cleanest Available Truck**

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from heavy-heavy duty (HHD) Trucks, the single largest source of NO<sub>x</sub> emissions in the San Joaquin Valley. The District recently adopted the 2018 PM<sub>2.5</sub> Plan which includes significant new reductions from HHD Trucks, including emissions reductions by 2023 through the implementation of the California Air Resources Board (CARB) Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 0.2 g/bhp-hr NO<sub>x</sub> standard by 2023. Additionally, to

meet the federal air quality standards by the 2020 to 2024 attainment deadlines, the District's Plan relies on a significant and immediate transition of heavy duty truck fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NO<sub>x</sub> established by the California Air Resources Board.

For development projects which typically generate a high volume of heavy duty truck traffic (e.g. "high-cube" warehouse or distribution center), there are heavy duty trucks traveling to-and-from from the project location at longer trip length distances for potential distribution. To reduce impacts from operational mobile source emissions, the District recommends that the following clean air measures be considered for inclusion in the environmental review.

- Advise fleets associated with Project operational activities to utilize the cleanest available HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NO<sub>x</sub>) technologies as feasible.
- Advise all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible.
- Advise fleets associated with future development projects to be subject to the best practices (i.e. eliminating unnecessary idling).

In addition, the District recommends that the City include clean air measures to reduce project related operational impacts through incorporation of design elements, for example, increased energy efficiency, reducing vehicle miles traveled, etc. More information on mitigation measures can be found at: [http://www.valleyair.org/transportation/ceqa\\_idx.htm](http://www.valleyair.org/transportation/ceqa_idx.htm).

#### **1e) Project Related Operational Emissions– Truck Routing**

Truck routing involves the path/roads heavy-duty trucks take to and from their destination. The air emissions from heavy-duty trucks can impact residential communities and sensitive receptors.

The District recommends the environmental review evaluate heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors. More specifically, this measure would assess current truck routes, in consideration of the number and type of each vehicle, destination/origin of each vehicular trip, time of day/week analysis, vehicle miles traveled and emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT, GHG emissions, and air quality.

### **1f) Project Related Operational Emissions– Reduce Idling of Heavy Duty Trucks**

The goal of this strategy is to limit the potential for localized PM<sub>2.5</sub> and toxic air quality impacts associated with failure to comply with the state's Heavy Duty anti-idling regulation (e.g. limiting vehicle idling to specific time limits). The diesel exhaust from excessive idling has the potential to impose significant adverse health and environmental impacts. Therefore, efforts to ensure compliance of the anti-idling regulation, especially near sensitive receptors, is important to limit the amount of idling within the community, which will result in community air quality benefits.

### **1g) Electric On-Site Off-Road and On-Road Equipment**

Since the Project consists of Office/Warehouse Buildings, it may have the potential to result in increased use of off-road equipment (i.e. forklifts) and/or on-road equipment (i.e. mobile yard trucks with the ability to move materials). The District recommends the City advise the project proponent to utilize electric or zero emission off-road and on-road equipment used on-site for this Project.

### **1h) Health Risk Screening/Assessment**

Located directly south and south east of the Project, there are multiple sensitive receptors such as single family residential units. The Health Risk Assessment should evaluate the risk associated with sensitive receptors in the area and mitigate any potentially significant risk to help limit emission exposure to sensitive receptors.

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TACs) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TACs are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. List of TACs identified by OEHHA/CARB can be found at: <https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants>

The District recommends the development project(s) be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

- i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which

may have a significant health impact. A prioritization, using the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed.

For your convenience, the District's prioritization calculator can be found at: [http://www.valleyair.org/busind/pto/emission\\_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS](http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS).

- ii) The District recommends a refined HRA for development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that development project applicants contact the District to review the proposed modeling protocol. A development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that development projects which result in a significant health risk not be approved.

For HRA submittals, please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org); or
- Contacting the District by phone for assistance at (559) 230-6000; or
- Visiting the District's website (Modeling Guidance) at: [http://www.valleyair.org/busind/pto/Tox\\_Resources/AirQualityMonitoring.htm](http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm).

### **1i) Ambient Air Quality Analysis**

An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. For development projects the District recommends

that an AAQA be performed for the project if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance is available online at the District's website [www.valleyair.org/ceqa](http://www.valleyair.org/ceqa).

### **1j) Voluntary Emission Reduction Agreement**

If the Project is expected to have a significant impact, the District recommends the environmental review also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this project.

A VERA is a mitigation measure by which the project applicant provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project applicant and the District enter into a contractual agreement in which the project applicant agrees to mitigate Project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-specific regional impacts on air quality can be fully mitigated. Types of emission reduction projects that have been funded in the past include replacement of old heavy-duty trucks with new, cleaner, heavy-duty trucks, electrification of stationary internal combustion engines (such as agricultural irrigation pumps), and replacement of older school buses.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-specific regional emissions have been mitigated to less than significant. To assist the Lead Agency and project applicant in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental review includes an assessment of the feasibility of implementing a VERA.

Additional information on implementing a VERA can be obtained by contacting District CEQA staff at by email at [CEQA@valleyair.org](mailto:CEQA@valleyair.org) or by phone at (559) 230-6000.

## **2) Nuisance Odors**

While offensive odors rarely cause any physical harm, they can be unpleasant, leading to considerable distress among the public and often resulting in citizen complaints.

The City should consider all available pertinent information to determine if the Project could have a significant impact related to nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration of project design elements and proximity to off-site receptors that potentially would be exposed to objectionable odors. The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact. According to the District Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), a significant odor problems are defined as more than one confirmed complaint per year averaged over a three-year period, or three unconfirmed complaints per year averaged over a three-year period. An unconfirmed complaint means that either the odor/air contaminant release could not be detected, or the source/facility cannot be determined.

The District is available to assist the City with information regarding specific facilities and categories of facilities, and associated odor complaint records.

## **3) Vegetative Barriers and Urban Greening**

Located directly south and south east of the Project, there are multiple sensitive receptors such as single family residential units. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (i.e. residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve

air quality and public health in addition to enhancing the overall beautification of a community with drought resistant low maintenance greenery.

#### **4) On-site Solar Deployment**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider the feasibility of incorporating solar power systems, as an emission reduction strategy for this Project.

#### **5) Charge Up! Electric Vehicle Charger**

To support further installation of electric vehicle charging equipment and development of such infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of this incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District suggests that the City and Project proponent consider the feasibility of installing electric vehicle chargers for this Project.

Please visit [www.valleyair.org/grants/chargeup.htm](http://www.valleyair.org/grants/chargeup.htm) for more information.

#### **6) District Rules and Regulation**

The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. For example, *Regulation II - Permits* encompasses multiple rules associated with the permitting of emission sources such as Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), and others.

##### **6a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits.

Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the Project proponent by the District. For further information or assistance, the project proponent may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

#### **6b) District Rule 9510 (Indirect Source Review)**

The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NO<sub>x</sub> and PM<sub>10</sub> emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.

The proposed Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 25,000 square feet of light industrial space. When subject to the rule, an Air Impact Assessment (AIA) application is required no later than applying for project-level approval from a public agency. In this case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.

An AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.

Information about how to comply with District Rule 9510 can be found online at:  
<http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at:  
<http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>

#### **6c) District Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any

earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

[http://www.valleyair.org/busind/comply/pm10/compliance\\_pm10.htm](http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm)

#### **6d) District Rule 9410 (Employer Based Trip Reduction)**

The proposed Project may be subject to District Rule 9410 (Employer Based Trip Reduction) if the Project would result in employment of 100 or more “eligible” employees. District Rule 9410 requires employers with 100 or more “eligible” employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about how District Rule 9410 can be found online at: [www.valleyair.org/tripreduction.htm](http://www.valleyair.org/tripreduction.htm).

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at [etrip@valleyair.org](mailto:etrip@valleyair.org)

#### **6e) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

The list of rules above is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District’s Small Business Assistance (SBA) Office at (559) 230-5888.

**7) District Comment Letter**

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Harout Sagherian by e-mail at [Harout.Sagherian@valleyair.org](mailto:Harout.Sagherian@valleyair.org) or by phone at (559) 230-5860.

Sincerely,

Brian Clements  
Director of Permit Services



For Mark Montelongo  
Program Manager