

Exhibit F

**City of Fresno
Planning and Development Department**

**Conditions of Approval
July 3, 2025**

**Development Permit Application No. P23-03993
Conditional Use Permit Application No. P23-03982
Planned Development Permit Application No. P23-03990**

Rob Holt, Supervising Planner

Development Permit Application P23-03993 requests to construct the following:

1) (APNs: 504-092-15, 504-092-16; approximately 2.20 acres) A proposed commercial complex including new construction of one (1) approximately 12,750 square-foot retail shell building, one (1) approximately 5,000 square-foot commercial pad for a future commercial building (Pad 1), and one (1) approximately 4,916 square-foot commercial pad for a future commercial building (Pad 2). Additional new on-site and off-site improvements include, but are not limited to, a paved parking lot, landscaping, two (2) solid waste enclosures, two (2) outdoor patios, curb, gutter, and sidewalks. Direct access to the subject properties are proposed via two (2) driveway approaches on North Hayes Avenue. The proposed drive-thru for Pad 1 is considered separately under Conditional Use Permit Application No. P23-03982.

2) (APNs: 504-092-09, 504-092-10ST; approximately 16.53 acres) A proposed private multi-family residential apartment complex consisting of 33 three-story multi-family residential buildings encompassing a total of 396 multi-family residential dwelling units. The dwelling units would be comprised of 120 one-bedroom units, 192 two-bedroom units, and 84 three-bedroom units. These are categorized 10 *Type 1* Buildings (one-bedroom units), 16 *Type 2* Buildings (two-bedroom units), and 7 *Type 3* Buildings (three-bedroom units) for a total of 33 residential buildings. Additionally, on-site and off-site improvements include, but shall not be limited to, a parking lot including covered (garages and carports) and uncovered parking spaces, landscaping, open space areas including barbeque areas, a tot lot area, swimming pool, basketball half-court, gazebo areas, dog park, and curb, gutter and sidewalks. Direct access is proposed via two (2) private gated entrances on North Hayes Avenue.

Conditional Use Permit Application No. P23-03982 requests to construct a drive-thru use for Commercial Pad 1 (as described above).

Planned Development Permit Application No. P23-03990 requests authorization to modify the development standards, pursuant to the findings made per FMC Section 15-5905, as follows:







- a. A reduction in minimum drive-thru separation requirements from Residential districts from a minimum 100 feet to 21 feet;
- b. A reduction in width of the separation requirement of the EA (Expressway Area Overlay) zone district from the center line of the nearest travel lane to the nearest proposed building for Residential Districts from a minimum 75 feet to 37 feet;
- c. A reduction in the minimum interior side yard setback requirement of the RM-2 zone district from 5 feet to 0 feet;

- d. A reduction in the minimum front yard setback (from major street) requirement of the O zone district from 15 feet to 6 feet;
- e. A reduction in the minimum parking setback (from back of sidewalk) requirement of the O zone district from 15 feet to 3'-2"; and,
- f. A reduction in the Type 2 landscape buffer setback requirements for the O zone district from 15 feet to 0 feet.

PART A - ITEMS TO BE COMPLETED



The following items are required prior to issuance of building permits, prior to occupancy, and/or commencement of land activity:

Planner to check when completed		
<input type="checkbox"/>	1.	Development shall take place in accordance with Exhibit A dated March 6, 2025 (redlined site plan), Exhibit O dated March 28, 2025, and Exhibits F-1 through F-5 and E-1 through E-4 dated March 6, 2024. Transfer and/all red line notes, comments, conditions, etc., to the corrected exhibit(s) and submit them to the planner <i>at least</i> 15 days prior to the sign-off of the site plan.
<input type="checkbox"/>	2.	<p>Submit a revised landscape plan with all requirements of the Development Code and conditions of approval listed herein.</p> <p>The following are the required landscape setbacks for each project (measured from back of sidewalk, or if no sidewalk, from property line):</p> <p>A. For the office project, the landscape setback(s) shall be as follows:</p> <ul style="list-style-type: none"> a. North Hayes Avenue frontage: 15 feet (except at building on Retail Pad 2 on Exhibit A dated March 6, 2025; approved for 3'-2") b. Eastern property line: 0 feet (Planned Development) c. West Herndon Avenue: 10 feet (Policy 5.3.2 of the Bullard Community Plan). <p>B. For the multi-family residential project, the landscape setbacks shall be as follows:</p> <ul style="list-style-type: none"> a. North Hayes Avenue: 4 feet b. West Herndon Avenue: 10 feet (Policy 5.3.2 of the Bullard Community Plan) c. Western property line: 0 feet (Planned Development) d. Eastern property line: 10 feet
<input type="checkbox"/>	3.	<p>Pursuant to Fresno Municipal Code (FMC) Section 15-1004.E.2.a:</p> <p>Common Area Sidewalk Connections: Depict one (1) pedestrian gate along West Herndon Avenue from the multi-family development property, as depicted on the redlined Exhibit A dated March 6, 2025.</p>

	4.	<p>Pursuant to FMC Section 15-1005 (Flexibility Option):</p> <p>Depict additional exterior materials, such as stone veneers on columns and side elevations, and additional windows with treatments on the side elevations for the multi-family buildings, as well as provide a minimum of two exterior colors on Exhibit E dated March 6, 2024, to ensure that the buildings present an attractive appearance to public streets, are aesthetically and functionally compatible to the nearby development context, demonstrate a high level of quality and support the growth in value of surrounding properties.</p>
	5.	<p>Pursuant to FMC Section 15-1304.F:</p> <p>Specific to the commercial property, depict on the redlined Exhibit A dated March 6, 2025, where a required walkway crosses driveways, parking areas, or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.</p>
	6.	<p>Pursuant to FMC Section 15-1305.A:</p> <p>For the building for Commercial Pad 1, depict at least one projection or recess at least two feet in depth for every 25 feet of horizontal feet of wall on Exhibit E dated March 6, 2024.</p>
	7.	<p>Pursuant to FMC Section 15-2016.C:</p> <p>Specific to the commercial development property, relocate solid waste enclosures to be as far as possible from abutting residential districts. Relocate one of the solid waste enclosures to a location to be approved by the Planning and Development Department (see redlined Exhibit A dated March 6, 2025).</p>
	8.	<p>Revise Exhibit A dated March 6, 2025 and Exhibit E-1 dated March 6, 2024 to provide enhanced screening of the drive-thru lane and window area to include landscaping and screen walls, arbors and trellises, etc., to make finding E of the Planned Development findings. Additionally, this screening shall prevent headlight glare and direct visibility of vehicles from adjacent streets, parking lots, and the public right-of-way. This shall be reviewed and approved by the Planning and Development Department during the Compliance Record review.</p>
	9.	<p>The paper street (North Hayes Avenue) along the eastern property line of the multi-family residential property shall be vacated prior to any building being erected within the easement area and any issuance of a Building Permit.</p>

PART B – OTHER AGENCY COMMENTS AND CONDITIONS REQUIREMENTS

Planner to check when completed		
<input type="checkbox"/>	1.	Department of Public Works (Land Planning, Community Facilities District (CFD) and Street Tree Requirements) Comply with the requirements within the Department of Public Works memorandum dated July 2, 2025 and Exhibit A (redlined site plan) dated March 6, 2025.
<input type="checkbox"/>	2.	Department of Public Works (Traffic Impact Study) Comply with the requirements within the Department of Public Works, TIS memorandum dated April 8, 2025.
<input type="checkbox"/>	3.	Department of Public Utilities (Sewer, Water, and Solid Waste) Comply with the requirements within the Department of Public Utilities memorandum and redlined site plan dated March 31, 2025.
<input type="checkbox"/>	4.	Fire Department Comply with the requirements within the Fire Department memorandum dated February 26, 2025.
<input type="checkbox"/>	5.	Development Impact Fees Comply with the requirements within the Development Impact Fees memorandum dated January 27, 2025.
<input type="checkbox"/>	6.	Central Unified School District (CUSD) Comply with the requirements within the CUSD memorandum dated February 25, 2025.
<input type="checkbox"/>	7.	Fresno County Environmental Health Division (FCEHD) Comply with the requirements within the FCEHD memorandum dated March 28, 2024.
<input type="checkbox"/>	8.	Fresno Irrigation District (FID) Comply with the requirements within the FID memorandum dated March 29, 2024.
<input type="checkbox"/>	9.	Fresno Metropolitan Flood Control Division (FMFCD) Comply with the requirements within the FMFCD memorandum dated February 18, 2025. Depict the existing storm drain pipeline easement on Exhibit A dated March 6, 2025.

	10.	Pacific Gas & Electric (PG&E) Comply with the requirements within the PG&E memorandum dated February 7, 2025.
	11.	San Joaquin Valley Air Pollution Control District (SJVAPCD) Comply with the requirements within the SJVAPCD memorandum dated March 20, 2024.

PART C – PLANNING – OTHER REQUIREMENTS

1. Development shall take place in accordance with the policies of the Fresno General Plan, Bullard Community Plan, and in accordance with the Employment – Office and Urban Neighborhood Residential planned land use designation.
2. Development shall take place in accordance with the O/EA/UGM/cz (*Office/Expressway Area Overlay/Urban Growth Management/conditions of zoning*) zone district, RM-2/EA/UGM/cz (*Multi-Family Residential, Urban Neighborhood/Expressway Area Overlay/Urban Growth Management/conditions of zoning*) and all other applicable sections of the Citywide Development Code, Chapter 15 of the Fresno Municipal Code (FMC) except as modified under the approval of Planned Development Permit No. P23-03990.
3. Comply with the Operational Statement dated March 28, 2025.
4. Development and operations shall comply with all project specific mitigation measures identified in the attached Project Specific Mitigation Monitoring and Reporting Program checklist prepared for the related Mitigated Negative Declaration (SCH No. 2025040475).
5. Property development standards and operational conditions are contained in Articles 10, 13, 20, 23, 24 and 25. Any project revisions, development and operation must comply with these property development standards and operational conditions.
6. Development and operations shall take place in accordance with Section 15-2728 (Drive-In and Drive-Through Facilities) of the FMC except as modified under the approval of Planned Development Permit No. P23-03990.
7. Development shall take place in accordance with the “General Notes and Requirements for Entitlement Applications” listed below if applicable.
8. Depict a minimum of one tree per multi-family dwelling unit within the multi-family development property (396 total trees) on a revised Landscape Plan.
9. For both the multi-family residential and commercial properties;

Heat Island Reduction. A heat island is the increase in ambient temperature that occurs over large paved areas compared to natural landscape. In order to reduce ambient surface temperatures in parking areas, 50 percent of areas not landscaped shall be shaded, of light colored materials with a Solar Reflectance Index (SRI) of at least 29, or a combination of shading and light colored materials as follows:

- a. **Permitted Types of Shading.** Shade may be provided by solar shade structures, trees, or other equivalent mechanism.

b. **Shading Tree Standards.** Trees provided to satisfy the requirements of this section shall meet the following standards:

- i. **Shading Tree Distribution.** Trees provided to satisfy the requirements of this section shall be distributed relatively evenly throughout the parking area.
- ii. **Species.** Trees provided to satisfy the requirements of this section shall be selected from a list maintained by the City and shall be of a species which can reasonably be expected to provide the required amount of shading within 15 years.
- iii. **Size.** Trees provided to satisfy the requirements of this section shall trees shall be a minimum 15-gallon size with a one-inch diameter as measured 48 inches above natural grade.

10. Specific to the multi-family development property, provide compliant Long-Term Bike Parking. The number of bike stalls shall be a minimum of one stall per 15 units (26 long-term bike stalls). Depict this on **Exhibit A dated March 6, 2025**.

11. Pursuant to the Acoustical Study dated October 29, 2020, all multi-family units shall install mechanical ventilation or air conditioning so that windows and doors can remain closed for sound insulation purposes. All mechanical ventilation or air conditioning units shall not be viewed from the public street.

12. Specific to the commercial property, all future uses shall be subject to FMC Table 15-1302 under the "O" zone district, in relation to permitted, conditionally permitted, or not permitted uses.

- a. In accordance with Section 15-5102-A of the Development Code, a Zone Clearance is required to confirm that the establishment of a new/future uses are permitted as a matter of right and that no Conditional Use Permit(s) or other entitlements are required prior to securing a tax certificate and commencing operations.

13. Specific to the commercial property, ensure parking areas and structures shall be designed to match and be compatible with the architectural character, materials, and colors of the overall development.

14. Future uses of the commercial site shall not exceed a parking ratio of one (1) parking space per 371 square feet. If a reduction is requested pursuant to FMC Section 15-2413.C, then a parking demand study shall be required to review for consistency with that section. It is noted that Exhibit A dated March 6, 2025 identifies all commercial buildings (excepting the drive-thru building) at a ratio of one (1) parking space per 450 square feet.

15. Specific to the commercial development property, provide compliant Short-Term and Long-Term Bike Parking. The number of short-term bike stalls shall be two (2), or one (1) per 10,000 square feet of net building area, whichever is greater; or, per the California Green Building Standards, whichever is greater.

The number of long-term bike stalls shall be per the California Green Building Standards.

16. For both the multi-family development and commercial development properties, parking lot lighting shall, to the maximum extent feasible, be designed and installed so that light and glare is not directed onto residential use areas or adjacent public rights-of-way, consistent with Article 25, Performance Standards. Such parking lot illumination shall be no less than 0.5 foot-candles.

17. Landscaping must be in place **before issuance of the certificate of occupancy**. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division.
18. **Prior to final inspection**, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Planning and Development Department (see form, attached).
19. **Prior to the issuance of certificate of occupancy**, all outside utility equipment shall be effectively screened from public view. The parapet heights of all buildings shall effectively screen all roof-top mechanical and electrical equipment and all ground mounted electrical utility circuit panel cabinets be installed within the buildings.

Drive-In and Drive-Through Facility Requirements

20. There shall not be no more than two (2) menu boards for the drive-through use, not to exceed 20 square feet in area apiece, with a maximum height of six feet (6') per drive-through. If there are two drive-throughs, each drive-through may have two menu boards.
21. The pedestrian walkway at the end of the drive through-lane shall be clearly delineated with striping or contrasting paving and signage to be installed notifying drivers of the pedestrian crossing.
22. Walkways parallel and adjacent to any auto travel lanes shall be raised or separated from the auto travel lane by a raised curb at least six inches high, bollards, or other physical barrier.
23. Signage shall be placed either before or at the entrance of the drive-through aisle encouraging customers not to idle.
24. The drive-through lane shall close no later than 10:00 p.m.
25. If service is limited to only the drive-through facility, customers using non-motorized transportation shall have equal access to service.

Outdoor Dining and Patio Area Requirements

General Requirements

26. Any future business that will utilize any of the outdoor dining and/or patio areas shall require submission and approval of a Zone Clearance that provide the hours and days of operation. Hours of operation for the outdoor dining and/or patio areas shall comply with FMC Table 15-2744-A. If there is any proposal for the consumption of alcohol, submittal of an application for a Conditional Use Permit is required.
27. Misters, heaters, and other such devices for moderating temperatures of outdoor dining areas shall be permitted at the discretion of the Planning and Development Department based on considerations such as aesthetics, safety, and resource efficiency.
28. Lighting of the outdoor patio and/or dining areas shall not disrupt or unnecessarily impact adjoining properties or roadways.
29. Outdoor patio areas for hookah, cigar, and similar establishments shall not operate within 100 feet of a Residential District.

Outdoor Dining Area on Private Property

30. Music may not be amplified. All music, live or recorded, shall comply with all applicable noise standards.
31. If required and/or proposed, barriers shall be reviewed and approved by the Planning and Development Department. Barriers shall not exceed four feet (4') in height.
32. If alcohol is served, barriers may be required as part of the Conditional Use Permit process, as well as by the State of California Alcoholic Beverage Control.
33. Covers, including umbrellas, tents, and/or awnings to protect patrons from inclement weather are permitted subject to review and approval by the Planning and Development Department. Weathered and/or damaged coverings shall be removed immediately.
34. Enclosed tents are permitted year round, however they shall only be permitted on a temporary basis and shall not substitute for permanent structures.
35. A building permit is required for any temporary tent or canopy larger than 400 square feet.
36. Outdoor dining areas shall not interfere with required pedestrian and/or vehicular access.
37. Walkways shall be provided per California Code of Regulations, Title 24, Part 2, California Building Code.
38. Additional parking is not required when the outdoor area is less than 800 square feet.
39. If the outdoor dining area exceeds 800 square feet, parking is required for the area in excess of 800 square feet at a ratio of 50 percent of what is required for the use.
40. For centers with multiple tenants, each tenant may have up to 800 square feet of outdoor dining area.

PART D - MISCELLANEOUS AND GENERAL NOTES AND REQUIREMENTS

Not all notes and requirements listed below are applicable to all projects.

1. Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. This special permit is granted, and the conditions imposed, based upon the Operation Statement provided by the applicant. The Operation Statement is material to the issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law. The Planning and Development Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
2. Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to

disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

- a. All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property; and,
 - b. Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
3. No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved in any zoning district, except in accordance with the provisions of this Code. Specific uses of land, buildings, and structures listed as prohibited in any zoning district are hereby declared to be detrimental to the public health, safety, and welfare.
 4. Development shall take place in accordance with the Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department.
 5. Development shall take place in accordance with all city, county, state and federal laws and regulations.
 6. Owners and persons having ownership interest in businesses operating in the City of Fresno (including leasing out any commercial or industrial property, or renting out four or more dwelling units) are required by the FMC to obtain a Business Tax Certificate. Contact the City of Fresno Finance Department's Business Tax Division at (559) 621-6880 for more information. Information and an application form is available at the following website: [Click Here](#)
 7. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
 8. Any building modifications and/or additions not included with this application are not approved with this special permit and would be subject to a new special permit.
 9. A permit granted under the FMC shall automatically expire if it is not exercised or extended within three years of its issuance. Refer to section 15-5013, Expiration of Planning Entitlements, for more information about the exercise of rights.

FENCES/WALLS, LANDSCAPING, PARKING

10. Nothing in the Development Code shall be deemed to prohibit the erection of temporary fencing around construction sites in compliance with the Building Code and other applicable provisions of the FMC.
11. Future fences shall be reviewed and approved by the Planning and Development Department prior to installation.

12. Fences, hedges, and walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the maximum allowed height. Fences shall be maintained and shall stand upright and shall not lean.
13. All planting and other landscape elements shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, plantings shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. Yards shall be maintained free of refuse, debris, rubbish, or other accumulated matter and/or materials, and shall be maintained clean. Grass shall not exceed six inches in height.
14. New landscaping shall have an automatic irrigation system designed to provide adequate and efficient coverage of all plant material. Irrigation systems shall comply with the requirements of the California Green Building Standards Code and/or the California Model Water Efficient Landscape Ordinance and/or the California Plumbing Code as may be amended.
15. Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects, and disease. Any tree showing such damage shall be replaced with another tree.
16. No tree for which a Tree Removal Permit is required shall be removed until all conditions of the permit have been satisfied and the decision has become final. In addition, tree(s) approved for removal in conjunction with a development application shall not be removed before the issuance of a Building Permit or unless all of the conditions of approval of the development applications are satisfied.
17. The review authority shall issue a Tree Removal Permit if any of the following general criteria is met:
 - a) The tree(s) is irreparably diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices so that the public health or safety requires its removal.
 - b) The tree(s) can potentially cause substantial damage to existing or proposed main structure(s) (e.g. dwellings, other main structures, or public infrastructure) or interfere with utility services and cannot be controlled or remedied through reasonable relocation or modification of the structure or utility services.
 - c) The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the Review Authority that there are no reasonable alternatives to preserve the tree(s).
18. Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping

has been approved and verified for proper installation by the Current Planning Division.
(Include this note on the landscape plan.)

19. Future tenant improvements shall be reviewed and approved by the Planning and Development Department to ensure that adequate off-street parking is provided.
20. Trees required for parking lots are in addition to trees required elsewhere on the site as prescribed in other sections of the FMC.
21. Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
22. Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
23. All accessible stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the FMC shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. (Include this note on the site plan.)
24. Applicants are encouraged to provide shared vehicle and pedestrian access between adjacent properties for convenience, safety, and efficient circulation. A joint access covenant shall be required. (Include this note on the site plan.)
25. All general standards of Section 15-2015 of the FMC shall apply when lighting is provided to illuminate parking, sales or display areas. Depict all proposed lights on the site plan.
26. Bicycle parking spaces shall be supplied according to Table 15-2429-D: Required On-Site Bicycle Parking Spaces of the FMC. Each bicycle parking space shall be a minimum of 30 inches in width and eight feet in length and shall be accessible without moving another bicycle. At least 30 inches of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces to allow for the maneuvering of bikes. Overhead clearance shall be a minimum of seven feet. A minimum five-foot aisle between each row of bicycle parking shall be provided for bicycle maneuvering beside or between each row, when multiple rows are proposed. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
27. All general provisions of Section 15-2403 of the FMC shall apply to all parking areas.
28. The parking lot is required to meet the [City of Fresno's Parking Manual, Public Works Standards \(P-21, P-22, and P-23\) and Specifications](#). Parking must also comply with the California Building Code's accessibility requirements and the Fire and Solid Waste Department's minimum turning templates. Contact the Planning and Development Department for Parking Manual questions.

SIGNAGE

29. All future signs shall be architecturally compatible with the proposed building(s). Provide a set of drawings, with descriptive information, including, materials, design and colors to allow for a preliminary assessment of the future signage. It is recommended that you provide a copy of the signage early in the project process to allow for staff comment.
30. Signs, other than directional signs, if applicable, are not approved for installation as part of this special permit. (Include this note on the site plan.)
31. All proposed signs shall conform to the current sign ordinance. The submittal checklist for signs is available online at: [Click Here](#)
32. Window signs limited to the hours of operation, address, occupancy, and emergency information, subject to the following standards:
 - a) Operational windows signs shall not be mounted or placed on windows higher than the second story.
 - b) The maximum area of exempt window signage shall not exceed three square feet in area.
33. Banners, streamers, moving signs, and inflatables (including air dancers, balloons, and similar objects) are allowed subject to Temporary Use Permit approval for establishments within Non-Residential Districts. Signs of this type do not count toward total maximum sign area. No sign per this section shall be displayed for more than 30 days, and a period of 30 must lapse before displaying another sign. Signs shall not be displayed for more than 60 total days during a calendar year.
34. Every sign displayed within the city, including exempt signs, shall be maintained in good physical condition and shall comply with adopted regulations. All defective or broken parts shall be replaced. Exposed surfaces shall be kept clean, in good repair, and painted where paint is required.

MISCELLANEOUS

35. Noise levels shall not exceed the decibel levels described in Section 15-2506 of the FMC at any time, measured at the nearest subject property line.
36. No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
37. Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public streetlights and stadium lights, no light, combination of

lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle.

38. No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located. Windows shall not cause glare that may disrupt adjoining properties, traffic on adjacent streets, etc. Glare or heat reflected from building materials shall be mitigated so as to not disrupt surrounding properties.
39. The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Planning and Development Department for 'Official Addresses'. Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.
40. All projects, including projects that involve less than one acre of property, are required to comply with the City of Fresno's Urban Storm Water Quality Management and Discharge Control Ordinance, FMC Chapter 6, Article 7 (Sections 6-701 et seq.)

When a project involves one acre or more of construction activity (including, but not limited to, grading) the developer is required to obtain a stormwater discharge permit for construction, with a Notice of Intent (NOI) filed **prior to** commencement of any grading construction activity. Contact the Fresno office of the California Regional Water Quality Control Board at (559) 445-6281 regarding the required NOI and stormwater discharge permit. Additional information on California's construction stormwater regulation may be obtained from the Water Board via the internet:

www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

Helpful information for preparing and implementing stormwater pollution prevention plans may also be obtained from the California Stormwater Quality Association via its website, www.casqa.org

When a project involves specified nonresidential activities (certain commercial and industrial activities), an ongoing industrial stormwater discharge permit is also required. Contact the Fresno office of the California Regional Water Quality Control Board at (559) 445-6281 to find out whether your project/business requires an industrial stormwater discharge permit, and to obtain details on securing this permit. Additional information on industrial stormwater regulations may be obtained from the following website: www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml,

The California Stormwater Quality Association has additional information on preparing stormwater pollution prevention plans for industrial activities (www.casqa.org).

41. Screen all roof-mounted equipment from the view of public rights-of-way. Depict all mechanical equipment on site plan and elevations.
42. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
43. Connection to a municipal City of Fresno sewer system is required unless approved measures are included in the project conditions for alternative wastewater treatment facilities.
44. City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8797.
45. Open street cuts are not permitted; all utility connections must be bored.
46. CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
47. This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of the Planning and Development when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.
48. Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storages areas shall be screened from public view by building façades or solid fences. At the discretion of the Review Authority, the treatment of the ground surface of the open storage area may be gravel or other materials as prescribed by the San Joaquin Valley Air Pollution Control District, the Public Works Department, the Fire Department, and the Fresno Metropolitan Flood Control District. All open storage must be depicted on the site plan and described in operational statement. If it is not, it is not allowed on the site.
49. If video surveillance cameras are required or installed, provide signs under the surveillance cameras which notify the public that the subject property is monitored by video surveillance.

FEES

(Not all fees will be applicable to all projects.

Please reach out to Frank Saburit at (559) 621-8797 for fee questions.)

50. NOTICE TO PROJECT APPLICANT: In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, 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 imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

51. CITYWIDE DEVELOPMENT IMPACT FEES

- a) Traffic Signal Charge (FMC Section 12-4.1101 to 12-4.1103) This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest Master Fee Schedule. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.
- b) Fire Facilities Fee (FMC Section 12-4.901 to 12-4.906) (based on building square footage, or residential units)
- c) Police Facilities Fee (FMC Section 12-4.801 to 12-4.806) (based on building square footage, or residential units).
- d) Parks Facilities Fee (FMC Section 12-4.701 to 12-4.706) (based on the number of residential units)

52. CITYWIDE REGIONAL AND NEW GROWTH MAJOR STREET IMPACT FEES (FMC Section 12-4.1006).

- a) Street Impact Fees shall be due and payable at the time of building permit issuance unless otherwise required by State law.
- b) Street Impact Fees will be a condition on all development entitlements granted.

53. FRESNO COUNTY FACILITY IMPACT FEE

Fresno County adopted a Facilities Impact Fee, but the requirement to pay this fee was subsequently suspended by Fresno County. If the fee has been reinstated at the time of issuance of building permits for this project, or an alternative fee system has been adopted by Fresno County, proof of payment or payment of this fee will be required for issuance of building permits.

54. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption prior to issuance of certificate of occupancy.

55. SCHOOL FEES

School fees must be paid, if required, prior to the issuance of building permits. Contact the applicable school district to obtain fee amount. Provide proof of payment (or no fee required) prior to the issuance of building permits.

56. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES

- a) A FMFCD Development Fee is required for review of proposed development projects, including applications for plan amendments, rezones, special permits, subdivisions, and grading plans. This fee is based on project acreage and must be paid directly to FMFCD in order for that agency to review projects and provide a Notice of Requirements. For more information, contact the FMFCD at (559) 456-3292.
- b) FMFCD drainage fees are due, if required, prior to issuance of building permits and are payable at the rate in place at the time of building permit issuance. Unpaid drainage fee obligations that were unpaid for a prior project at the site of a new project must be satisfied by the developer of the new project. Drainage fees may be paid at the Planning and Development Department prior to, or at the time of building permit issuance. They may also be paid directly to FMFCD, and proof of payment provided to the City, in order to obtain construction permits.

57. SEWER CONNECTION CHARGES (FMC Section 6-304(a)). The following sewer connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New sewer connection charges adopted by the Council prior to the issuance of building permits may also be applied.

- a) Lateral Sewer Charge (based on property frontage to a depth of 100')
- b) Oversize Sewer Charge (based on property frontage to a depth of 100')
- c) Wastewater Facilities Charge
- d) Trunk Sewer Charge

Effective January 9, 1999, Ordinance No. 98-97 also amended certain sewer connection charges. FMC Article 15, Section 12 provides property owners the incentives and deletes certain sewer connection charges pursuant to the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP). For additional information on the STEP and EDP, contact the Department of Public Utilities, Administration Division at (559) 621-8600.

58. WATER CONNECTION CHARGES: (FMC Sections 6-507 to 6-513). The following water connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New water connection charges adopted by the Council prior to issuance of building permits may also be applied.

- a) Frontage Charge (based on property frontage)
- b) Service Charges (based on service size required by applicant)
- c) Meter Charges (based on service need)
- d) Water Capacity fee (based on size of meter)

59. Deferment of the payment of Citywide development impact fees for Fire, Police, Parks, Streets, and Traffic Signals is available for projects located within the Downtown Priority Areas in accordance with the provisions of City of Fresno Resolutions Nos. 2009-265 and 2010-19.

PUBLIC WORKS DEPARTMENT GENERAL NOTES
(to be added to the site plan)

60. Any survey monuments within the area of construction shall be preserved or reset by a person licensed to practice land surveying in the State of California.
61. Repair all damaged and/or off-grade concrete street improvements as determined by the Construction Management Engineer, prior to occupancy.
62. Two working days before commencing excavation operations within the street right-of-way and/or utility easements, all existing under-ground facilities shall have been located by underground services.
63. The performance of any work within the public street right-of-way requires a street work permit prior to commencement of work. All required street improvements must be completed and accepted by the City prior to occupancy.
64. Contact the Public Works Department, Traffic Engineering at (559) 621-8800, 10 working days prior to any offsite concrete construction.
65. For Standard Drawings [Click Here](#)
66. For Traffic Planning's website with useful links, additional notes, sample of legend, Parking Manual and Traffic Study Checklist [Click Here](#).
67. Traffic Planning Checklist [Click Here](#).
68. For Traffic Study questions please contact Jill Gormley at (559) 621-8792 or via email at Jill.Gormley@fresno.gov.