

Exhibit J

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. P23-03676**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

APPLICANT: Nicholas Crawford
Crawford Architecture & Planning
811 Barstow Ave
Clovis, CA 93612

PROJECT LOCATION: 1261 North Ninth Street; located on the west side of North Ninth Street, between East Olive Avenue and East Floradora Avenue (APN: 453-282-24)

PROJECT DESCRIPTION:

Nicholas Crawford of Crawford Architecture & Planning has filed Conditional Use Permit Application No. P23-03676 pertaining to approximately 0.75 acres of property located on the west side of North Ninth Street, between East Olive Avenue and East Floradora Avenue. The applicant requests authorization to construct a new eight-unit apartment building on a site with an existing single-family residence. The project will consist of eight (8) two-bed, two bath units. The project proposes on and off-site improvements including but not limited to curbs, gutters, and sidewalks; two solid waste enclosures; a new parking lot; and landscaping. The subject property is zoned RS-5 (Single Family Residential, Medium Density and RM-1 (Multi Family Residential, Medium High Density). Multi-Unit Residential uses are permitted in the RS-5 zone district, subject to review and approval of a Conditional Use Permit.

Section 15332/Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The subject property is located within the Fresno General Plan, Yosemite School Area Specific Plan, and the Roosevelt Community Plan, which designate the subject property for Multi-Family Residential, Medium High Density and Residential Single Family, Medium Density planned land uses.

The project is consistent with the following Fresno General Plan goals, objectives, and policies related to retail land use and the urban form:

Goals

Goal 7: Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the city.

These goals contribute to the establishment of a comprehensive citywide land use planning strategy to meet economic development objectives and achieve efficient and equitable use of resources and infrastructure in accordance with Objective LU-1 of the Fresno General Plan.

Objectives

Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.

Objective LU-5: Plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.

Policies

Policy UF-1-e: Promote and protect unique neighborhoods and mixed-use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnoans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.

Development Code

Multi-unit residential development is a permitted use in the Residential Single Family, Medium Density zone district subject to approval of a Conditional Use Permit, in accordance with Fresno Municipal Code (FMC) Sections 15-5301 and 15-902(Conditional Use Permit; Use Regulations for Residential Single-Family Districts).

The applicant proposes the construction of one (1) 9,132 square foot multi-unit residential building. There is an existing single-family residence on the property that will remain. The proposed development will also include a parking lot, solid waste enclosure, frontage improvements, and all other applicable general development standards.

Therefore, it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies, and the applicable zoning designation and regulations of the Development Code and will not conflict with any applicable land use plan, policy, or regulation of the City of Fresno.

- b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The State of California Governor's Office of Planning and Research states that infill development refers to "building within unused and underutilized lands within existing development patterns, typically but not exclusively in urban areas. The proposed project is located within city limits, occurs on a developed of approximately 0.75 acres (less than the five-acre maximum). Pursuant to CEQA Section 21159.25, "Substantially

surrounded” means at least 75 percent of the perimeter of the project site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. The remainder of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that have been designated for qualified urban uses in a zoning, community plan, or general plan for which an environmental impact report was certified.

The property is surrounded by multi-unit residential uses to the north and south, vacant land to the west, and a middle school to the east, across North Ninth Avenue. Thus, the subject property is substantially surrounded by urban uses.

- c) The project has no value as habitat for endangered, rare or threatened species.

The subject property is currently developed with a single-family residence. As previously stated in Finding b, the site is substantially surrounded by urban development. Therefore, the site has no value as habitat for endangered, rare, or threatened species.

- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The proposed project was routed to the San Joaquin Valley Air Pollution Control District, the City of Fresno Public Utilities Department-Water Division, Fresno Metropolitan Flood Control District, and no significant effects were identified relating to traffic, noise, air quality, or water quality, as provided in detail below.

Traffic

Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive automotive travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project’s effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities is no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that “[a] lead agency has discretion to evaluate a project’s VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project’s VMT and may revise those estimates to reflect professional judgement based on substantial evidence. Any assumptions used to estimate VMT and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.”

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for VMT Thresholds, pursuant to SB 743 to be effective as of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the City of Fresno VMT Thresholds.

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis.

The City of Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects, conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider is the potential to increase vehicle travel, sometimes referred to as "induced travel."

The proposed project is eligible to screen out because pursuant to the City of Fresno VMT Thresholds Section 3.0 (Project Screening), the project is located within a High-Quality Transit Corridor. Thus, no further VMT analysis is required.

Noise

The project is an expansion of an existing residential use. The subject application would bring noise levels that are consistent with the existing single family and multi-family uses in the surrounding area.

In any case, the project is conditioned to comply with all applicable noise standards of the Citywide Development Code.

Air Quality

The project was reviewed by the San Joaquin Valley Air Pollution Control District (SJVAPCD) in regard to air quality during construction and operation. It was determined that the project, as described, will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations or impacts.

Water Quality

The Fresno Metropolitan Flood Control District (FMFCD) memorandum dated May 8, 2024 states that conveyance of storm water should be directed towards North Ninth Street. The grading plan for the site requires review by FMFCD prior to final development.

The applicant is required to comply with all requirements of the City of Fresno Department of Public Utilities memorandum dated March 22, 2024 which will reduce the project's water impacts to less than significant. When Development Permits are issued, the applicant will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

Therefore, compliance with the conditions of approval will ensure that the proposed project will not result in any significant effects relating to traffic, noise, air quality, and water quality.

- e) The site can be adequately served by all required utilities and public services.

The project has been routed to various utilities and public service providers which have provided project conditions for development of the project. The site has been reviewed and conditioned by the Fresno Metropolitan Flood Control District, Fresno County Environmental Health Division, City of Fresno Public Works Department, City of Fresno Public Utilities Department, and the City of Fresno Fire Department.


In addition, the surrounding properties and neighborhood have been substantially developed and utilities and public services already exist in the area. The site can be adequately served by all required utilities, including sewer, water, and solid waste, as well as public services.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Furthermore, as the subject site is a developed property in an urbanized commercial area, the proposed project is not expected to have a significant effect on the environment. Accordingly, a categorical exemption, as noted above, has been prepared for the project.

Date: June 10, 2024

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Submitted by:



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