

NOTICE OF EXEMPTION PLEASE POST FOR 30 DAYS

FROM: City of Fresno Development and Resource Management Dept.
2600 Fresno Street
Fresno, California 93721-3604

TO: X Fresno County Clerk
2221 Kern Street
Fresno, California 93721

Office of Planning & Research SCH NO.: N/A
P.O. Box 3044, Room 212
Sacramento, California 95812-3044

FILED
AUG 20 2018
TIME 9:00am
By *[Signature]*
FRESNO COUNTY CLERK
DEPUTY

Project Title: Environmental Assessment No. EA P18-00197
Project Location: On the southwest corner of West Swift and North Delbert Avenues (See Exhibit)

Project Location - city: City of Fresno

Project Location- county: County of Fresno

Description of Nature, Purpose and Beneficiaries of Project: The applicant proposes to vacate a portion of the Public Utility Easement and the Public Street Easement areas for the purpose of constructing a single-family residence. Based on a review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is approved with conditions as noted in Exhibit A.

Beneficiaries of the project would be: Joe Pickett
Pickett & Sons Construction

Name of Public Agency Approving Project: City of Fresno

Name of Person or Agency Carrying Out Project: City of Fresno, Public Works Department
2600 Fresno Street
Fresno, CA 93721

Exempt Status: (check one)

- Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268
- Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)
- Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)
- Categorical Exemption – Class 3 & 32/CEQA Guidelines §15303 & 15332
- Statutory Exemption – PRC § _____

Reasons why project is exempt: Section 15303(a)/Class 3 of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of construction and location of limited numbers of new, small facilities or structures, including one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

Section 15332/Class 32 exempts from the provisions of CEQA, construction of projects characterized

as in-fill development meeting the following conditions: 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; b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project 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; and, e) the site can be adequately served by all required utilities and public services.

The vacation will remove unneeded easements and return the property's usability over to the private property owner, and a single family residence is proposed on the subject property. The proposed vacation of the above-described land meets the criteria noted above. The project also proposes to construct one single-family residential structure. Single-family homes are permitted in the RS-5 (*Residential Single-Family, Medium Density*) zone district. The project is consistent with the Fresno General Plan and West Area Community Plan land use designation of Medium Density Residential. The project site is of a size and scope that is not expected to have significant effects relating to traffic, noise, air quality or water quality. The project site has access to, and can be adequately served by, required utilities and public services. Therefore, the above described project complies with the conditions described in Section 15303(a)/Class 3 and 15332/Class 32 of the CEQA Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project.

Lead Agency Contact Person: Chris Lang, Planner II
City of Fresno Development & Resource Management Department

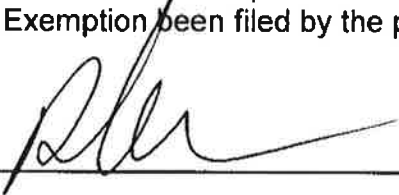
Full Telephone No.: (559) 621-8023

If filed/signed by applicant:

Attach certified document of exemption finding (check if attached)

Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____



Date: _____

2/17/18

Printed Name and Title: Ralph Kachadourian, Supervising Planner
City of Fresno Development & Resource Management Department

Signed by Lead Agency **Signed by applicant**

Attachments: Exemption Finding

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. P18-00197**

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: Joe Pickett
Pickett & Sons Construction

PROJECT LOCATION: On the southwest corner of West Swift and North Delbert Avenues.
(See Exhibit B)

PROJECT DESCRIPTION: The applicant proposes to vacate a portion of the Public Utility Easement and the Public Street Easement areas for the purpose of constructing a single-family residence. Based on a review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is approved with conditions as noted in Exhibit A.

This project is exempt under Sections 15303(a)/Class 3 and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines.

EXPLANATION:

Section 15303(a)/Class 3 of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of construction and location of limited numbers of new, small facilities or structures, including one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.


Section 15332/Class 32 exempts from the provisions of CEQA, construction of projects characterized as in-fill development meeting the following conditions: 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; b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project 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; and, e) the site can be adequately served by all required utilities and public services.

The vacation will remove unneeded easements and return the property's usability over to the private property owner, and a single family residence is proposed on the subject property. The proposed vacation of the above-described land meets the criteria noted above. The project also proposes to construct one single-family residential structure. Single-family homes are permitted in the RS-5 (*Residential Single-Family, Medium Density*) zone district. The project is consistent with the Fresno General Plan and West Area Community Plan land use designation of Medium Density Residential. The project site is of a size and scope that is not expected to have significant effects relating to traffic, noise, air quality or water quality. The project site has access to, and can be adequately served by, required utilities and public services. Therefore, the above described project complies with the conditions described in Section 15303(a)/Class 3 and 15332/Class 32 of the CEQA Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project.

Date: August 16, 2018

Prepared By: Chris Lang, Planner II

Submitted By:


Ralph Kachadourian, Supervising Planner
City of Fresno
Development and Resource Management Department
(559) 621-8172

Attachments: Feasibility Study and its attachments, dated April 27, 2018, labeled Exhibit A
Vacation Exhibits, labeled Exhibit B and Exhibit C

City Hall
2600 Fresno Street, 4th Floor
Fresno, California 93721
Ph (559) 621-8650 FAX (559) 488-1045
www.fresno.gov

Scott L. Mozier
Public Works Director

April 27, 2018

Joseph Pickett
7310 North Remington Ave
Fresno, CA 93711

SUBJECT: PROPOSED VACATION OF A STREET, PIPELINE, AND UTILITY EASEMENT IN LOT 8 OF TRACT No. 4043, AT THE INTERSECTION OF WEST SWIFT AVENUE AND NORTH DELBERT AVENUE

The vacation feasibility study you requested has been completed. Findings indicate the vacation proposal is feasible subject to the following conditions:

1. Comcast has existing facilities that may be affected by this vacation. A final determination of the location of their facilities will need to be made to determine if a utility easement will be necessary. If you have any questions about this condition, please contact Michael "Cory" Sue at (559) 455-4221.

A processing fee in the amount of \$1,555.00 is required to cover the cost of administration and legal notices prior to continuing this process for City Council action. An Environmental Assessment (EA) for the entire project that accurately addresses the vacation is required to proceed with the vacation. If you do not have one, the EA application and fee should be submitted to the City of Fresno's Development & Resource Management Department (DARM). The planner for the can provide you with further information about the environmental assessment. Once the EA has been completed, please provide a copy to us.

For your information, the City of Fresno has only an easement interest in the subject area and the City has no legal authority to make a determination as to what portion of the underlying fee title to the vacated area may be added to adjacent properties.

The study done for this proposed vacation will expire in one year. Therefore, please notify this office by April 27, 2019, of your intention regarding the pursuit of this vacation.

Please contact me at 621-8681 or by email at Jason.Camit@fresno.gov if you have any questions.

Sincerely



Jason A. Camit, PLS
Chief Surveyor

P.W. File No. 12317

EXHIBIT "B"

TRACT
NO. 4043

6

7

32

((N 00°06'18" E))

WEST SWIFT AVENUE

10' PUE

25'

THE N.W. CORNER OF LOT 1 OF TRACT 3589
ACCEPTED FOR THE EAST LINE OF THE W. 1/2 OF THE S.W. 1/4
OF THE S.E. 1/4 OF SEC 15, 13/19

10

N 00°06'51" E
166.00'

9

N 00°06'51" E
166.00'

8

166.00' ((N 00°06'51" E 150.00'))

166.00' ((N 89°51'04" W))

828.05' (828.05')
N 00°06'51" E

1

2

3

 INDICATES EXISTING EASEMENT AREA TO BE VACATED.

56.00'

[N 89°59'27" W 657.35']

AN EASEMENT FOR STREET, PIPELINE, AND UTILITY PURPOSES
RECORDED JANUARY 15, 1986 AS DOC. NO. 86005116 O.R.

REF. & REV.

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

PROJ. ID. _____ RES TYPE _____
FUND NO. _____
ORG. NO. _____

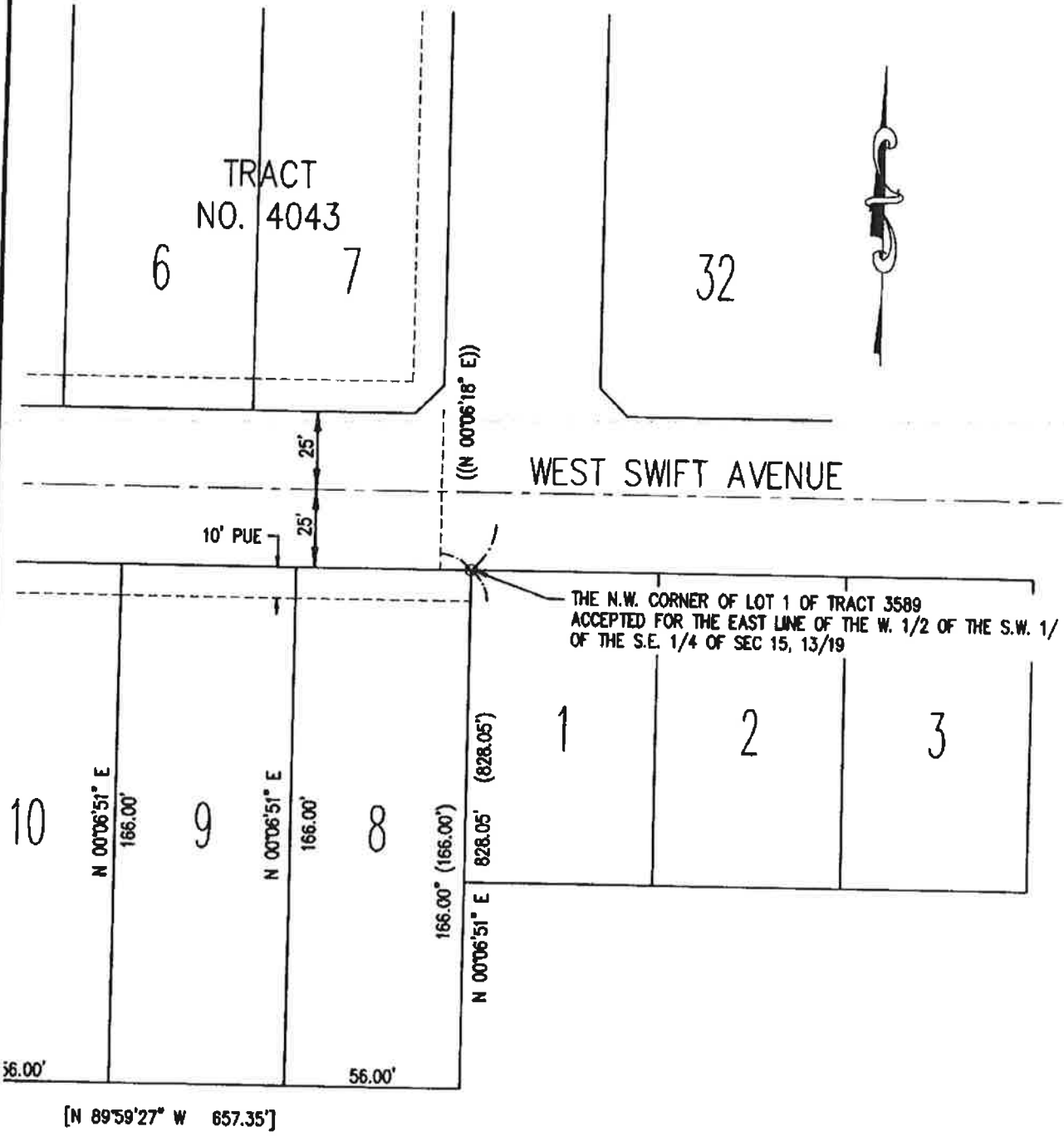
PLAT _____

UTILITY EASEMENT TO BE VACATED
BY THE CITY OF FRESNO

DR. BY PO
CH. BY JP
DATE MAY 02, 2018
SCALE NO SCALE

SHEET NO. 1
OF 1 SHEET

EXHIBIT "C"



REF. & REV.	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS		PROJ. ID. _____	RES. TYPE _____
	PLAT _____		FUND NO. _____	ORG. NO. _____
UTILITY EASEMENT TO BE VACATED BY THE CITY OF FRESNO		DR. BY. PO	SHEET NO. 1	
		CH. BY. JP	OF 1 SHEET	
		DATE MAY 03, 2018		
		SCALE NO SCALE		