

Notice of Exemption

E2022/10000248

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Fresno

From: (Public Agency): City of Fresno
Planning and Development Department
2600 Fresno Street, Rm 3043, Fresno, CA 93721
(Address)

Project Title: BAKMAN WATER CO. WATER STORAGE TANK AND BOOSTER PUMP STATION

Project Applicant: Gary Horn, Yamabe & Horn Engineering, Inc., Project Engineer

Project Location - Specific:
5765 E. Kerckhoff Avenue, Fresno, Ca 93727

Project Location - City: City Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

Construction of a potable water storage tank and booster pump station. The project will add storage and provide fire protection for the residents and businesses in the Bakman Water Co. service area.

FILED
SEP 01 2022
TIME 2:38pm
FRESNO COUNTY CLERK
By [Signature] DEPUTY

Name of Public Agency Approving Project: City of Fresno, Planning and Development Department

Name of Person or Agency Carrying Out Project: Shay Bakman

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Section 15332, Class 32
Statutory Exemptions. State code number:

Reasons why project is exempt:

The project is consistent with applicable general plans and zoning designations.
The project occurs within city limits, is no more than 5 acres and surrounded by urban uses.
The project site has no value as habitat for endangered, rare or threatened species.
Approval of the project will not result in significant effects relating to traffic, noise, air or water quality.

Lead Agency
Contact Person: Jose Valenzuela, Planner Area Code/Telephone/Extension: 559-621-8061

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [X] Yes [ ] No

Signature: Gary D. Horn Date: Aug. 31, 2022 Title: Project Engineer

[ ] Signed by Lead Agency [X] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT FOR  
DEVELOPMENT PERMIT APPLICATION NO. P21-02251**

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:** Gary Horn,  
Yamabe & Horn Engineering, Inc  
2985 N. Burl Avenue, Suite 101  
Fresno, California 93727

**PROJECT LOCATION:** 5765 East Kerckhoff Avenue; located on the corner of East Kerckhoff and South Kona Avenues in Fresno, California.

APNs: 313-798-25  
(Council District 5)

**PROJECT DESCRIPTION:** Development Permit Application No. P21-02251 was filed by Gary Horn of Yamabe & Horn Engineering, Inc., and pertains to ±0.34 acres of property located at the location noted above. The subject property is located in the RS-5 (*Residential Single-Family, Medium Density*) zone district which permits utilities, minor uses subject to a Development Permit.

Development Permit Application No. P21-02251 was filed for purposes of facilitating physical development of the site to install a 600,000-gallon, ground level steel storage tank on a vacant lot with a booster pump station

**This project is exempt under Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines.**

Section 15332/Class 32 (Class 32/In-Fill Development Projects) of the CEQA Guidelines exempts from the provisions of CEQA, projects characterized as in-fill development, which meet the following conditions:

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

Given the conditions of approval, the proposed commercial project will meet all the provisions of the Fresno Municipal Code (FMC). The project is consistent with the Fresno General Plan designation, policies, and zoning. The existing RS-5 (*Residential Single-Family, Medium Density*) zone district is consistent with the Residential Density planned land use designation approved for this site by the Fresno General Plan, Roosevelt Community, and the Fresno County Airport Land Use Compatibility Plan. The proposed development was reviewed for intensity, building form, massing, and location standards and no inconsistencies were found with the proposed setbacks, landscape standards, intensity, height or lot coverage. Setbacks are a minimum of 15 feet for front yards. Building design, window design, materials and finishes all conform to the standards of the RS-5

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zone district. It can be concluded that the proposed light industrial project conforms to the development standards of the Residential Single Family planned land use and RS-5 zone district.

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

The proposed project is located within City limits, occurs on a vacant site of approximately  $\pm 0.34$  acres, which is less than the five-acre maximum, and is surrounded by other residential uses.

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

The project site is currently vacant and has previously disturbed land. The Fresno Master Environmental Impact Report (MEIR) did not identify this site as habitat for rare or threatened species. Surrounding developments consists of light industrial uses and vacant parcels; 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 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.

#### Traffic

Senate Bill (SB) 743, signed in 2013, changes the way transportation studies are conducted in California Environmental Quality Act (CEQA) documents. Vehicle miles traveled (VMT) replaces motorist delay and level of service (LOS) as the metric for impact determination. The Office of Planning and Research provides a Technical Advisory (TA) as a guidance document to establish thresholds for this new VMT metric. The TA acknowledges that 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. As a result of the final rulemaking surrounding SB 743 and the implementation deadline of July 1, 2020, the City of Fresno adopted new VMT thresholds and guidelines to address the shift from delay-based LOS CEQA traffic analyses to VMT CEQA traffic analyses on June 25, 2020, and became effective on July 1, 2020.

Staff analyzed Vehicle Miles Traveled (VMT) by using the Fresno Council of Governments (COG) VMT Calculator Tool V1.37 for this non-residential project. For non-residential projects the adopted threshold of significance is 13% reduction (less than 22.3 VMT per EMP). The proposed project will not generate VMT and will serve the neighborhood for peak hour water demand services. Therefore, the proposed project would not result in any significant traffic impacts based upon the City of Fresno's adopted thresholds and guidelines for VMT analyses.

#### Noise

The project is a new light industrial shell warehouse/office building. The site is adjacent to

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other similar light industrial uses and is not located adjacent to sensitive uses. Therefore, the project would not result in a significant amount of noise compared to the other adjacent uses and would be conditioned to comply with any applicable noise standards of the Citywide Development Code.

#### Air Quality

The project is conditioned to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District and the project is subject to review by the agency in regards to air quality during construction and operation. 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

Fresno Metropolitan Flood Control (FMFCD) provided comments on June 23, 2021, which stated that conveyance should be directed towards the southeast area of the property onto permanent drainage facilities on Turner Avenue. On-site grading will be reviewed by the City of Fresno Building Division and FMFCD for compliance with storm water conveyance and pollution prevention.

The applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the project's water impacts to less than significant. When Conditional Use Permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

Therefore, compliance with conditions of approval dated December 9, 2021 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 site has been reviewed and conditioned by the Fresno Irrigation District, Fresno Metropolitan Flood Control District, Fresno County Public Health, City of Fresno Public Works, City of Fresno Police, City of Fresno Public Utilities, and the City of Fresno Fire Departments. In addition, given the surrounding properties and neighborhoods 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 the project. Furthermore, the proposed project is not expected to have a significant effect on the environment. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: December 9, 2021

Prepared By: Jose Valenzuela, Planner III

Submitted by: \_\_\_\_\_



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Planner  
City of Fresno  
Planning & Development Department  
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